PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 425 (Part 1)

HOUSE OF COMMONS

OFFICIAL REPORT

THIRD SESSION OF THE FIFTY-THIRD PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FIFTY-THIRD YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 2003–04

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11 October 2004

THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT

IN THE THIRD SESSION OF THE FIFTY-THIRD PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 13 JUNE 2001]

FIFTY-THIRD YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES VOLUME 425

ELEVENTH VOLUME OF SESSION 2003–2004

House of Commons

Monday 11 October 2004

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

WORK AND PENSIONS

Incapacity Benefit

1. **Mr. Harold Best** (Leeds, North-West) (Lab): If he will make a statement on plans for incapacity benefit. [190389]

The Secretary of State for Work and Pensions (Alan Johnson): Most people who claim incapacity benefit want to work and we are determined to do more to address the challenge of inactivity and ensure that those who can return to work are given the right medical and employment support to do so. We are offering that support through our flagship reform programme, pathways to work. I can announce today that there are already extremely encouraging signs of success, with pathways areas showing twice the improvement in job entries of that in the rest of the country.

As we go forward, we shall continue to work with the health service, the voluntary sector and employers to help more people to return to and remain in work and to deliver our commitment of work for those who can and security for those who cannot.

Mr. Best: I am sure that my right hon. Friend agrees that the introduction of incapacity benefit brought much relief to people who had hitherto suffered unnecessarily. Can he give those same good people an assurance that the Government have no plans to introduce a cut to either their incapacity benefit or their rights to it?

Alan Johnson: I assure my hon. Friend that we have no such plans. Indeed, the purpose of the pathways to work experiment is to concentrate on giving help and assistance that people on incapacity benefit have not previously received. They have previously been considered to be passive recipients of benefits and expected to go away and not come back. In pathways to work, we have found that, if they get help through rehabilitation and help into work, they take the opportunities. That is why the early signs from the pathways experiment are so encouraging.

Sir Archy Kirkwood (Roxburgh and Berwickshire) (LD): In welcoming the Secretary of State to his new position, I am sure that I reflect opinion from all parties when I acknowledge his predecessor's work. We are grateful for that and wish him well.

I am pleased that the Secretary of State mentioned rehabilitation because 50 per cent. of the stock of people on incapacity benefit are over 50. It seems to me—international experience confirms it—that a reinvigorated, activated rehabilitation service can help many of those people back to work and provide a direction that they want to take.

Alan Johnson: I thank the hon. Gentleman for his comments and associate myself with his remarks. My right hon. Friend the Member for Oxford, East (Mr. Smith) was a first-class, splendid Secretary of State and I am proud to be able to pick up some of the work that he set in train.

Perhaps the hon. Gentleman would be interested in another statistic from the early days of the pathway. Although the experiment is for those in their first year on incapacity benefit, we have found many people who have been on incapacity benefit for longer than a year—and therefore have no obligation to become involved—knocking on the door of Jobcentre Plus to become involved. That demonstrates and underlines his point.

Mr. Andrew Smith (Oxford, East) (Lab): I thank my right hon. Friend and other hon. Members for their kind remarks. I warmly congratulate my right hon. Friend on his appointment and wish him every success as Secretary of State. Does he agree that the early success of the pathways to work pilots owes a great deal to the path-breaking close collaboration between Jobcentre Plus, the national health service, the voluntary sector and the new deal for disabled people? Does he also agree that the pilots point the way forward in the direction of further reform?

Alan Johnson: I agree entirely with my right hon. Friend. Indeed, I believe that the programme will be known as the Andrew Smith pathways to work scheme. When we consider the exciting prospects, the co-operation between the health service and the excellent personal advisers, who are well trained to do the job, gives the scheme a new dimension. I saw the programme in action in Gateshead. Those developments and initiatives would be under threat if we privatised the whole Jobcentre Plus service. The staff should be congratulated and I associate myself with my right hon. Friend's remarks.

Mr. Paul Goodman (Wycombe) (Con): To follow the question of the hon. Member for Leeds, North-West (Mr. Best), it has been reported that the Government have a

"four year plan to put strict time limits on incapacity benefit".

Can the Secretary of State rule out putting time limits on present or future payments of incapacity benefit or other related benefits?

Alan Johnson: I saw some of those press reports on the first weekend that I took on the job. None of them is based on fact. I am not in the business of ruling anything in or out. I am four weeks into the job and carefully considering how we take the matter forward. However, I stress that any longer-term reform to incapacity benefit has to build on our existing approach in pathways to work and ensure that those who are most seriously sick and disabled receive the security to which they have a right and that they deserve.

Mr. Tom Harris (Glasgow, Cathcart) (Lab): My right hon. Friend will know that, in Glasgow, there are more than 60,000 incapacity benefit claimants, which means that, among people of working age, the ratio of those working to those out of work is less than 2:1. Does he agree that that situation is unacceptable and that, to ensure the future prosperity of Glasgow, it is essential that we reduce the total number of people on incapacity benefits?

Alan Johnson: I agree with my hon. Friend. That group of people, not very charmingly called "the stock", were just left. There was a lot of attention on the flow of people coming on to incapacity benefit, but not much was paid to giving those people the help that they needed and asked for—nine out of 10 say that they want to get back into work. It is a stunning fact that, if someone is on incapacity benefit for a year, they will be on it for eight years. If they are on it for two years, they will die or retire on it. We must work harder to change that situation, which is why the pathways to work experiment is vital to the future of this important issue.

Mr. Steve Webb (Northavon) (LD): I too welcome the Secretary of State to his new role and wish him well. This morning, the Prime Minister referred to 1 million people being on incapacity benefit wanting to work. Can the Secretary of State confirm that that is the same 1 million people whom the Department that he leads was talking about six years ago? Does not that show how little progress has been made? Will he condemn any rhetoric that implies that the majority of people on incapacity benefit are skivers or malingerers? Actually, most of them want to work. Will he ensure that that rhetoric is not used? Will he look at the demand side? Too often, in many places, it is not that people do not want to work but that employers do not want to take them on. What is he doing to encourage employers to take on people on incapacity benefit?

Alan Johnson: I do not know of anyone on the Labour Benches ever using the kind of terms that the hon. Gentleman mentioned and I am not about to refute comments that I have not made. I said in answer to my hon. Friend the Member for Leeds, North-West (Mr. Best) that nine out of 10 people on incapacity benefit want to work. All the evidence from the pathways to work experiment reinforces that message.

The hon. Gentleman raised an important point about those coming on to incapacity benefit directly from the workplace—a third of incapacity benefit recipients come straight from work. I think, and the Health and Safety Executive agrees, that there is more that we could do in that regard, but all our efforts must be put into helping those who are on incapacity benefit. They sometimes feel, as one person to whom I spoke who was severely disabled eloquently put it, that they are left lying in a ditch and after a while the ditch becomes very comfortable. That is an issue that we must help them with. I do not know what petty political point the hon. Gentleman was trying to make but I certainly will not be involved in any attempts to stigmatise people on incapacity benefit.

Mr. Frank Field (Birkenhead) (Lab): I too welcome the Secretary of State to his position. Has he had time yet to look at the incapacity benefit figures for Birkenhead? Is he aware that the vast majority of people who claim incapacity benefit in the town joined the ranks of claimants from industrial injury, which then became a disability and many of them now have a mental disability? Does not that underscore the importance of joined-up government, so that the national health service responds quickly to people who have injuries before they get down that track? Does he accept that, as we begin to debate pension reform, and if the Government are thinking in the longer term of raising the retirement age, many of our constituents will never reach that age, as they will simply be worn out at work? For them, we must have a new robust incapacity benefit paid at a generous level.

Alan Johnson: I assure my right hon. Friend that I have looked at everything to do with the constituency of Birkenhead since I got this job. I cannot say that I have committed all the figures to memory yet. He makes an important point, which is at the heart of the debate: how do we ensure that we provide assistance, in the new world we are in, to those people, many of whom went on to incapacity benefit during the dark years of the 1980s and early 1990s, when the number of people on the benefit trebled from 700,000 to 2.6 million? Those people were used conveniently to try to keep the unemployment figures down. We now have high employment and low unemployment, which is why we need to turn our attention to this group of people. We need to join up government and to join up the issues affecting incapacity benefit and pensions. My right hon. Friend is absolutely right in his remarks.

Jobcentre Plus

4. **Mr. Peter Pike** (Burnley) (Lab): When he expects the Jobcentre Plus roll-out programme for new offices to be completed. [190394]

The Secretary of State for Work and Pensions (Alan Johnson): Jobcentre Plus is central to this Government's strategy to deliver full employment in every region and to modernise welfare delivery. Our roll-out programme is progressing well, with over 530 new offices already in operation. The roll-out programme will be complete by April 2006—on time and on budget.

Mr. Pike: My right hon. Friend knows that I am a strong supporter of the Jobcentre Plus concept, because it provides a much better service to the public whom it serves. It works far better than the old system. In the final part of his answer, he said that the programme would be achieved on time, so can he assure me that the Jobcentre Plus office in Burnley will be open by the early part of 2006?

Alan Johnson: I can give my hon. Friend that assurance. My understanding is that the building of the new Jobcentre Plus office in Burnley will commence construction in February 2005 and be completed in 2006.

Mr. John Greenway (Ryedale) (Con): I had the great pleasure during the recess of opening the Jobcentre Plus office in Malton in my constituency and I pay tribute to the work of staff there. I want to ask the Secretary of State two questions. First, will he confirm that those offices will be able to give face-to-face interviews, which are needed from time to time by people who find it difficult to understand the benefits to which they are entitled? They need to see someone rather than be dealt with over the telephone.

Secondly, does the Secretary of State agree that the success of the programme in linking at least two Government Departments depends on a partnership between employers—particularly small and medium-sized enterprises, which are the providers of many of the jobs in our constituencies—the Department and, more particularly, training providers? Will he confirm that private and voluntary sector providers, which have a better success rate at getting people back into work through training, will be encouraged to take part in the process?

Alan Johnson: I am pleased that the hon. Gentleman attended the opening of his Jobcentre Plus and that he appears to be such a fan of the Jobcentre Plus service, but I suggest that he has a word with some of his Front Benchers about the importance of maintaining that important service. He is right about the role of the voluntary and private sectors. Indeed, a third of the services are provided through that route at the moment. However, I find it difficult to comprehend the "public sector bad, private sector good" philosophy that says that the whole lot has to be privatised to make it effective. I can also reassure him that personal counselling will be available, which is why we are increasing the number of personal counsellors by 10,000 over the next few years. Although the internet and telephone service is important, face-to-face contact is also crucial. I can also confirm that the partnership with employers is probably one of the most exciting aspects of the Jobcentre Plus programme.

Mr. Frank Doran (Aberdeen, Central) (Lab): I am fortunate that my constituency has one of the most enterprising, innovative and effective Jobcentre Plus programmes in the country. I think that I am right in saying that the Grampian district was the first service to be awarded the charter mark last year. The Secretary of State made an announcement on 16 September about the centralisation of benefit processing. We in the north of Scotland were a wee bit surprised to see that Aberdeen was not going to have a processing centre.

In answering the last question, my right hon. Friend mentioned the importance of face-to-face contact, but that is going to be taken away from my constituents, particularly the most vulnerable ones. I ask him to reconsider that gap. We must be the only district in Scotland that will not have a benefit processing centre in the area. That will be a severe disadvantage to my constituents and to others in the area.

Alan Johnson: I recognise the excellent service offered in the Grampian region and I understand the sensitivities around the issue. I can give my hon. Friend an assurance that the district managers have made it clear to me that they will get involved in discussions with concerned MPs. That is in addition to other lines of communication. I am perfectly happy to meet colleagues on this matter. I am sure that my hon. Friend will understand that merging the Employment Service and the Benefits Agency—thereby using some £5 billion of investment in the DWP in the past few years to make the service better and to improve the technology available—involves some tensions, in the sense that we need to prioritise the benefit centres that we are opening. Having said that, I will think again about my hon. Friend's proposal and meet him and any other concerned MPs to discuss it.

Mr. John Taylor (Solihull) (Con): Will the Secretary of State note that, when the new offices are rolled out, it would be extremely desirable for my constituents to have a one-stop shop for their various welfare and benefit services and assistance, rather than having to go into Birmingham for some of them? That would establish a state of grace in Solihull, and I thank the Secretary of State in anticipation if he thinks that a reasonable chance exists of that happening.

Alan Johnson: Establishing a state of grace in Solihull is one of my political priorities and I am very willing to listen to the hon. Gentleman's representations.

Chris Bryant (Rhondda) (Lab): The Rhondda has been part of the Bridgend pilot for Jobcentre Plus roll-out, which has been phenomenally successful, especially in Tonypandy, and a brand new office is being built in Porth. The staff have done a very good job, but many are nervous about change in terms of where they will be working; for example, the back office is moving out of the Rhondda to Merthyr Tydfil or Swansea. Will the Secretary of State look at what can be done to ensure that more DWP jobs are located in some of the poorest constituencies in the land, such as the Rhondda?

Alan Johnson: I will certainly look at that issue. In my four weeks in this job, I have been extremely impressed by the work and dedication of DWP staff. This is a difficult time for them, but they will understand that, although we are reducing back-office personnel by 50 per cent., we are also increasing the number of front-office personal advisers by 80 per cent. We want to do that by looking at the Lyons philosophy—a philosophy that I know well through my role as MP for Hull, West and Hessle—which is concerned with trying to get such jobs into the poorest areas. I shall certainly take cognisance of the point that my hon. Friend makes.

Access to Work Scheme

5. **Mrs. Claire Curtis-Thomas** (Crosby) (Lab): If he will make a statement on the access to work scheme for people with disabilities; and how many individuals have benefited from the scheme and gone on to permanent paid employment. [190395]

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): Access to work helps disabled people enter into or retain paid work by assisting with the cost of equipment, adaptations, travel and communication support. Since 1997, we have almost trebled the number of people helped, and more than trebled the budget spend.

Mrs. Curtis-Thomas: I am among those UK employers who have actually taken advantage of the access to work scheme. It is outstanding, and may I suggest that those hon. Members who have not looked at the scheme do so, because it provides an opportunity to bring people with various disabilities into the workplace? However, its administration remains a significant challenge on Merseyside. What is being done to make it more effective and efficient?

Maria Eagle: I congratulate my hon. Friend, who is well known for putting her money where her mouth is. She has a fine record in supporting disabled people—not just with words but with deeds. I know that her experience with her own member of staff has shown that the scheme's administration has given rise to some confusion and delay, and I admit that not all our attempts to process access to work payments and provide support are as swift as they might be. However, in Merseyside and the north-west we managed to get support in place for some 87.5 per cent. of such cases, which is the target figure. My hon. Friend will doubtless accept that assessing need and finding the right kind of equipment, support and help often give rise to difficulties, because such need varies for every person. However, we aspire to improve the service's administration. We have already regionalised it, and improved the standard of assistance and the speed with which it can be put in place, but we aspire to do more.

Chris Grayling (Epsom and Ewell) (Con): Will the Minister double-check the implications of the national minimum wage rules for work experience schemes for those with learning disabilities? Earlier this year, I was approached by a constituent who told me that one such scheme had to be abandoned because the organisation responsible for it was forced to follow national minimum wage guidelines. As a result, the whole nature and economics of the scheme changed. The Minister will doubtless agree that such schemes are essential and worth while, and that we do not want them to be obstructed because of rules that apply to a different part of the labour force.

Maria Eagle: I am very much in favour of people with learning disabilities, who are some of the most disadvantaged people in the labour market, being given every chance to work like anybody else, but that requires that they also be given the chance to earn a proper wage. I would not suggest for one moment that it would be appropriate to abandon the national minimum wage for those with learning disabilities. I am happy to look into the particular instance that the hon. Gentleman raises, because I know that the interaction between the benefit rules and such regulations as the permitted work rules and benefit disregards can sometimes appear to be a disincentive to work. I am aware that that is an issue that needs further work, but the answer cannot be to disadvantage disabled people in the labour market by undercutting the national minimum wage. I would not approve of that.

Miss Anne Begg (Aberdeen, South) (Lab): Access to work is very successful and, at long last, many more employers are beginning to hear about it and to use the scheme. If my hon. Friend looks at the administration of the scheme, will she consider examples in which employers employ sub-contractors or the self-employed, especially in the media and on short-term contracts? The employers are happy to pay for the supply of the equipment, but they need advice. The delays in obtaining the advice means that, by the time that it arrives, the person has moved on or the contract has already been fulfilled. In such circumstances, it is often better for disabled people to be self-employed and retain flexibility, but it is difficult for the employer to obtain advice quickly to allow them to employ a disabled person.

Maria Eagle: My hon. Friend has a point in the sense that it is often difficult to get access-to-work help in place in time for very short-term contracts. The scheme has perhaps been more designed to support permanent full-time work, rather than short-term jumping around from job to job. However, it is important not to underestimate the difficulties that assessment itself can bring. Not every disabled person with a particular condition is easily assessed to determine what help they need. It is a reflection of the success in more disabled people coming into the labour market, which I welcome, that we now sometimes have difficulties in finding appropriate agencies to assess needs and I agree that we need to look more closely at that problem.

State Pension

6. **Jeremy Corbyn** (Islington, North) (Lab): What representations he has received from the National Pensioners Convention concerning the level of the state pension. [190396]

The Secretary of State for Work and Pensions (Alan Johnson): A copy of the National Pensioners Convention "Pensioners Manifesto" was received earlier this year. The Government share its aims of securing dignity and fulfilment for pensioners.

The system that we have in place for today's pensioners is balanced, fair and sustainable, and targets money on the poorest who need it most. In addition, all pensioners have benefited from a 7 per cent. real-terms increase in the level of their basic state pension between April 2000 and April 2004.

Jeremy Corbyn: Will my right hon. Friend meet the National Pensioners Convention to discuss its aims that the state pension should become a major part of the income of retired people and that the calculation of the state pension should be linked to the increase in earnings, starting from a state pension that is the equivalent of the minimum income guarantee, so that pensioners get a substantial increase? In advance of the Turner report tomorrow, does he recognise that the state pension is the best hedge against poverty for older people, rather than the vagaries of the stock market?

Alan Johnson: I will be delighted to meet the National Pensioners Convention to take forward a discussion that we have already begun, because I went to its reception at party conference a couple of weeks ago. It is important that we make it clear that the basic state pension is a central part of pension income. When we came into government, we had a crisis in which millions of pensioners were in abject poverty. It is dealing with that issue that is still a priority. It might not make the Sunday colour supplements or the leisure and style magazines, but it is crucial to millions of our constituents and it is central to how we take the debate forward.

Mr. Julian Brazier (Canterbury) (Con): Does the Secretary of State accept the fact that, as so many of the costs that pensioners face, especially council tax, have risen by much more than the basic state pension, roughly half our pensioners are left on means-tested benefits? A very large number of people who are coming up to retirement are asking what possible point there is in saving. By the time they have paid tax and seen the withdrawal of various benefits, including council tax benefit and housing benefit as well pension credit, there will be no extra benefit in self-provision or in people saving for their retirement.

Alan Johnson: I find that a confusing argument. First, we are providing an extra £100 because of the specific problems of council tax payments this year. We also found, when getting people on to pension credit, that a large number of them were entitled to housing benefit and council tax benefit, so as a result there has been an added bonus, through helping those people, too.

The confusing part of the argument is that it is almost as if we would be better off saying to pensioners in abject poverty, "I'm sorry, but rather than confuse you or add complexities to the pension system, we are going to leave you in abject poverty." We had to do something about that and we are right to continue to pursue it as a principal priority.

Mr. David Watts (St. Helens, North) (Lab): Can the Secretary of State assure me that he will not increase the state pension by cutting targeted help to the poorest families in our community? Can he also assure me that he will ignore comments from the Opposition, who seem to ignore the poorest pensioners in Britain?

Alan Johnson: I can give my hon. Friend that assurance. It is important to remember that we have concentrated on the poorest pensioners, but as I said in my answer all pensioners have received a real-terms increase, above inflation, of £5 a week. They have had the winter fuel allowance and the free TV licence, which are universal. It would have cost us £3 billion to link pensions with earnings, but we have actually spent £5 billion on all pensioners universally—not just the poorest pensioners but right across the board. It is important to keep that in mind when we look at the balance that we have struck on pensioners' incomes.

Mr. David Heath (Somerton and Frome) (LD): The Secretary of State prayed in aid the money given to some pensioners to offset council tax increases, but of course that was for one year only. As no one expects council tax to go down next year, will he say that they will receive that money again or do they face a double whammy—increased council tax and a reduction of £100?

Alan Johnson: I shall not make policy on the hoof. The £100 for this year was to address a specific issue, which we may seek to address next year as well. The basic issue relating to pension credit and means-testing is how we can lift the poorest pensioners to a level where they can live a life of security and decency. That is why targeting the resources is so important.

Ms Karen Buck (Regent's Park and Kensington, North) (Lab): Thousands of my constituents in receipt of pension credit have an average award of £66 a week, among the highest in the country. The reason that it is among the highest is because I have such a high proportion of pensioners who are not entitled to the full basic state pension. In reviewing future developments, and accepting that the basic state pension must be a cornerstone of post-retirement entitlement for future pensioners, will my right hon. Friend ensure that the position of people who have not reached the full basic pension entitlement—particularly women—will be protected?

Alan Johnson: I know my hon. Friend's constituency well. I was born there and lived there for 19 years. I understand why she quoted a figure of £66 a week. The average for the country is £41, with more than £1,000 being paid in arrears. My hon. Friend points out one of the problems with saying that the magic bullet solution would be simply to link the basic state pension to earnings, because that would do little for the women to whom she referred, who do not even have the national insurance contributions to get the basic state pension in the first place. That is another area to which we should pay more attention. My predecessor was certainly looking into it and I shall carry on that work.

Mr. David Willetts (Havant) (Con): I, too, welcome the new Secretary of State to his post. I very much appreciated the decency and courtesy of his predecessor; it is good to see the right hon. Member for Oxford, East (Mr. Smith) in the Chamber today.

The Secretary of State faces a crucial strategic decision, which he will have to take early in his time as Secretary of State. Does he envisage for the foreseeable future a large number of pensioners dependent on income-related benefits, or is he willing to consider reform of the state system and, in some form or other, increasing the value of the basic pension so that fewer pensioners need to claim income-related benefits?

Alan Johnson: I wonder where anyone has ever got the notion that we have said that the basic state pension must be preserved in aspic, frozen and kept the same into the future. I shall come back to that point in just a second.

This is the issue for the hon. Gentleman: I heard him say on the radio this morning that the Conservative party has been part of shaping the consensus that the basic state pension should increase. Once upon a time, that party proposed radical, cutting-edge ideas. Now, it wants to take a little bit of credit for helping to shape a consensus. That shows where the Tory party has gone. Achieving that consensus is easy: anyone could go into the Dog and Duck in Havant and ask, "Do you believe that the basic state pension ought to be increased?" This is pretty mind-numbing stuff. How many people would say no? People will very easily achieve a consensus on whether to increase the basic state pension.

The real question that the Government must face in an era of people living longer, lower birth rates and a new situation developing in the next few years is how we can have the basic state pension at the core of pension provision, how we can ensure that other provision is available because people will not retire comfortably on a basic state pension alone, and how we can also look after the poorest pensioners. That is the nub of the argument about means-testing. Means-testing is supposed to be deeply sinful. It is pensioner poverty that is deeply sinful. We could not go to the pensioners who were in abject poverty when we came to government and advise them to go to an actuary, to look at how much they were saving, and to wait for the consensus on the future of pensions to emerge. We had to give them immediate help, and the fact that we have lifted two thirds of pensioners out of abject poverty and the fact that now, for the first time in generations, pensioners are less likely to be in poverty than those in any other strata of society is crucial.

Mr. Willetts: I always enjoy exchanges with successive Secretaries of State, but it is always better if we can keep up the pace just a bit, rather than having long speeches.

May I tell the Secretary of State that what is really sinful is that 1.7 million pensioners are entitled to the pension credit but are not claiming it because they are put off by the system? I do not know why he was so sniffy about consensus. The Prime Minister said this morning that he wants consensus on pensions. We are offering him consensus on pensions, alongside the National Association of Pension Funds, Age Concern and many people of all parties, and saying, "Reform the state pension", rather than defending the mass means-testing of pensioners. Is the Secretary of State really going to spend the next the six or eight months until the election defending mass means-testing? If he thought that defending the Government's higher education policy was difficult, he will find that one hell of a sight harder.

Alan Johnson: I will try to be more pithy. I entirely accept the point that the hon. Gentleman makes about the pensioners who are entitled to pension credit but not taking it up. We must work harder. Although we are the first Government ever to set a target for people claiming benefits and we are doing very well on that target, there is more to do. But that is a completely different argument from criticising the Government for concentrating on the poorest pensioners. If we had tried to put all the money into the basic state pension, every pensioner would have got £11 more; the poorest pensioners would have got £30 less a week, even with £11 on the basic state pension. That is why I make the point that that is a crucial part of our policy. Means-testing is not the only part of our policy, but it is a crucial part of our policy, when we are dealing with the legacy of pensioners in abject poverty that we found when we came into government in 1997.

Jobcentre Plus

7. **Sir Teddy Taylor** (Rochford and Southend, East) (Con): What assessment he has made of the likely changes in demand for jobcentre services over the next two years. [190397]

The Minister for Work (Jane Kennedy): The hon. Gentleman will be aware that the new Jobcentre Plus services have been rolled out already in Southend, and my assessment of future use is quite simple: we will offer our services outside jobcentres, such as in local community surgeries and at shared sites with local authorities. We will use new technology, such as job points, call centres and the internet. Those innovative approaches will enable people to gain access to many of our services without having to call at a Jobcentre Plus office.

Sir Teddy Taylor: Have the Government assessed whether the unemployment figures are likely to increase or decrease over the next two years, and in particular, is the Minister aware of the growing concern about the unreliability of official statistics, observing for example that we now have a missing million young people who are not at work, in education, in training or on benefits, and who therefore do not appear in the figures?

Jane Kennedy: I know that the hon. Gentleman takes a close interest in these issues, and he will be aware of the success of the Government's policies and the new deal in reducing unemployment to the lowest level of any European country and in increasing the employment rate to a level of which we can all be proud. We are refocusing services through Jobcentre Plus precisely to help the people who face the greater barriers to getting back to work. He is right that we must bear in mind all the time our efforts to help everybody to share in the wealth from which we all benefit, through the growth in the economy achieved by this Government.

Mr. Martin Salter (Reading, West) (Lab): Has my right hon. Friend had an opportunity to consider the representations made by my hon. Friend the Member for Slough (Fiona Mactaggart) and me about the appalling delays in the processing of benefit claims and claims for jobseeker's allowance in Berkshire? Given that her officials are blaming staff shortages for the problems, what plans does she have to improve jobcentre services over the next two years?

Jane Kennedy: I am sorry to hear about those concerns, and I will be more than happy to meet my hon. Friend and his colleagues if they want to come and talk to me about the problems to which he referred.

Mr. Jonathan Sayeed (Mid-Bedfordshire) (Con): Can the Minister answer the question put by my hon. Friend the Member for Rochford and Southend, East (Sir Teddy Taylor)? What has happened to the million people who seem to be missing from the official statistics?

Jane Kennedy: The figures to which the hon. Gentleman refers are fictitious. The fact is that we now have in Great Britain the lowest level of unemployment in recent history and the highest level of employment of any country in the western world. I do not recognise the figures to which he refers and I dismiss the criticism that he raises.

Rosemary McKenna (Cumbernauld and Kilsyth) (Lab): The Minister will be aware that there are serious concerns about the roll-out of Jobcentre Plus in Lanarkshire. We greatly value in Cumbernauld the 1,000-plus jobs in the Inland Revenue—they are really important to us—but there are serious concerns about the proposal to close both the Kilsyth and the Cumbernauld benefit offices, with the loss of some 70 jobs. Will she guarantee that the trade unions and the work force will be involved in deciding the way forward, that there will be an improved service to my constituents, and that there will be a serious look at how those who cannot transfer to alternative civil service jobs will be compensated?

Jane Kennedy: I am aware of the concerns of my hon. Friend and her Lanarkshire colleagues. If they want to raise particular concerns, I will be happy to meet them. She will have heard my right hon. Friend saying that district managers stand ready to discuss the arrangements with local Members of Parliament, and of course I assure her that the trade unions are consulted throughout the process.

Hugh Robertson (Faversham and Mid-Kent) (Con): Sadly, my constituents are about to lose their jobcentre in Faversham. In my discussions with the Minister's officials, two problems in particular have come to light. First, there has been a sharp rise in the number of people claiming disability allowance, who very much regard the jobcentre as their spiritual home. Secondly, although the number claiming jobseeker's allowance is relatively small, those are precisely the people who find it difficult to access all the new facilities that she mentioned. Can she do anything to ensure that those factors are considered again before the jobcentre is closed?

Jane Kennedy: I will look at the specific circumstances that the hon. Gentleman raises regarding his constituency. The reform of the Employment Service and the Benefits Agency was clearly an effort to bring about focused help centred on delivering as much support as possible for those people who face the greatest difficulty getting back to work after periods of unemployment. I shall examine the difficulties that he raised regarding his constituency.

Youth Unemployment (Ipswich)

8. **Mr. Chris Mole** (Ipswich) (Lab): If he will make a statement on the level of long-term youth unemployment in Ipswich. [190398]

The Minister for Work (Jane Kennedy): There are currently 120 young people in Ipswich between the ages of 18 and 24 who have been unemployed for more than six months, which is a reduction of 63 per cent. since 1997 and of more than 29 per cent. over just the last year.

Mr. Mole: Does the Minister agree that that downward trend would be unlikely to continue if the new deal were abolished?

Jane Kennedy: My hon. Friend makes a good point. Scrapping the new deal would have a catastrophic effect on the stability of the labour market, and we know that it has had unprecedented success in bringing about the greater flexibility that has helped to fuel the economic growth on which our success is founded. Independent evaluation has found that youth unemployment would have been almost twice as high without the new deal for young people, and it has increased our gross domestic product by £500 million a year.

Mr. Ivan Henderson (Harwich) (Lab): May I congratulate Fox's Marina Ipswich Ltd. in the constituency of my hon. Friend the Member for Ipswich (Mr. Mole) on joining in with an initiative that took place last Saturday in and around my constituency, alongside the Prince's Trust, called "Get Into the Marine Industry"? Stena Line, DFDS Seaways, the Harwich Haven Authority, Trinity House and, of course, Fox's Marina joined in the project. While youth unemployment in my constituency has fallen by 50 per cent., there is still a long way to go. Does the Minister agree that such initiatives and the new deal need to be encouraged, and that now is not the time to scrap them?

Jane Kennedy: I absolutely agree with my hon. Friend. Whether judged by their record or plans, the Conservatives are the party of mass unemployment. They believed that unemployment was a price worth paying, but I assure him that a Labour Government—

Mr. Speaker: Order.

Small Businesses (Health and Safety)

9. **Kevin Brennan** (Cardiff, West) (Lab): What steps he is taking to encourage the provision of health and safety advice in small and medium-sized firms. [190399]

The Minister for Work (Jane Kennedy): It is 30 years since the Health and Safety at Work, etc. Act 1974 came into force and the Health and Safety Executive was created. Since then, workplace fatalities in Britain have fallen by 70 per cent. and we now have one of the best records on workplace health and safety in the world. The Health and Safety Executive offers advice and support to all types of businesses. In particular, we have developed an occupational health, safety and rehabilitation model that supports small businesses, which we will be piloting shortly in the construction industry.

Kevin Brennan: I thank my right hon. Friend for that answer. Does she agree that one of the best ways to improve the record on health and safety in small and medium-sized enterprises is by encouraging the membership and recognition of trade unions? She mentioned the construction industry, which still has a record of which we cannot be proud, so will she praise the efforts of the Union of Construction, Allied Trades and Technicians, the construction workers' union, and tell the House something about what she will do to try to encourage trade union involvement in promoting health and safety at work?

Jane Kennedy: I associate myself with my hon. Friend's words about the importance of trade union representation in the workplace. We share the concerns of the Health and Safety Commission that too few workers are consulted on, or involved in, health and safety. The aim of the worker safety adviser scheme is that projects that we will develop and pilot shortly will facilitate worker involvement in health and safety, even in workplaces in which there is no formal trade union organisation. We will bring the pilot forward shortly and have committed £3 million over a three-year period to fund the project. I am delighted to be able to look forward to launching the pilot.

Alistair Burt (North-East Bedfordshire) (Con): I know that the Minister is aware of widespread concern among businesses in the outdoor activity and leisure sector about the possible health and safety impact of the new "work at heights" directive. More than 40 respected organisations from throughout the sector have come together to suggest an alternative regulatory approach to the one currently proposed by the Health and Safety Commission. Will she assure me that she will support such an approach, which would ensure that professionals whose lives depend on their safety judgments would continue to have the final say on safety in their businesses, thus avoiding the threats to businesses in the industry and the nonsense inherent in the directive?

Jane Kennedy: I am very impressed by the safety record of the industry, which the hon. Gentleman rightly brings to the attention of the House. He will know that we had a useful meeting just before the summer at which we discussed the issues in depth. The Health and Safety Executive continues to consider the issues that he, other colleagues in the House, and representatives of the industry raised. We have not yet resolved everything that was raised, but we are working hard to do so, conscious of the need to do that before the directive takes effect.

Tony Lloyd (Manchester, Central) (Lab): Rather than allowing employers to have the last word on what is good and bad in health and safety, will my right hon. Friend accept that there are many very bad employers and that we need the Health and Safety Executive not only to issue advice to the good employers, but to increase prosecutions of the rogues, to ensure that the strong lesson goes out that breaching the health and safety of employees and the public will be met by penal sanctions?

Jane Kennedy: My hon. Friend is right. Enforcement is, and will continue to be, a very important role of the HSE. However, he will know that small businesses account for more than 90 per cent. of companies. As they are not a single group, the HSE is using a wide variety of routes to target different audiences. That is the right approach. Enforcement is important, but encouragement and persuasion are also important tools. The development of worker safety advisers will allow the HSE to bring together employers and employees in the partnership that is required if we are to continue to have a good record on health and safety in our workplaces.

Pensions (Means-testing)

10. **Mr. Peter Lilley** (Hitchin and Harpenden) (Con): What assessment he has made of the impact of means-testing on people's willingness to save for pensions. [190400]

The Minister for Pensions (Malcolm Wicks): Eligibility for income-related benefits is one of many factors which may influence willingness to save. The issue of incentives, and the role of taxes and benefits within it, is a complex one. We have established the independent Pensions Commission, which will be publishing its interim report tomorrow, providing a thorough analysis of the UK pensions system, including a review of long-term savings. Meanwhile, we have already taken action to tackle poverty and reward savings for today's pensioners through pension credit.

Mr. Lilley: May I, through the Minister, congratulate the Secretary of State on taking on one of the most important jobs in government, and wish him well?

The Minister will know that many financial advisers are worried that they will be guilty of mis-selling if they advise people on average or below average earnings to save, because their savings will not just bear the pensions tax, but result in their losing 40p in every pound of extra pension that they get through the loss of means-tested benefits? Will he, either now or in writing subsequently, give me an unequivocal assurance that no financial adviser who advises people to save will be guilty of mis-selling if those people lose means-tested benefits?

Malcolm Wicks: I am not responsible for financial advisers, and I am very grateful that that is the case. As a previous Secretary of State for Social Security, the right hon. Gentleman presided over a system that knocked off any savings, pound for pound, against income support. We are the Administration who recognise the importance of savings and have introduced a savings credit. Moreover, under income support in those days, someone was expected to live on £69 a week. The minimum income for a single person is now £105 a week. I am proud of our record.

Mr. Robin Cook (Livingston) (Lab): Will my hon. Friend accept that those of us who have spoken with pensioners in receipt of the pension credit found it the most positive and encouraging conversation that we had over the past year? These people typically receive £42 a week, which is the difference between living with dignity or living with poverty. Does he accept that the Government should be praised, not criticised, for providing additional help to those who previously got none? Whatever arguments are produced by Mr. Adair Turner tomorrow to encourage the working population to save, this Government should not accept that that will be encouraged by denying help to the current generation of pensioners who need help now and who are entitled to get it.

Malcolm Wicks: I thank my right hon. Friend for those remarks, not least because many of our elders who are the most hard pressed and the poorest, and who are often women, do not have an organisation to speak for them, and we need to listen to those silent voices. It is no coincidence that of the 3 million-plus individuals who receive pension credit, 2 million are women. Why? Because, as the Secretary of State said, they do not have full national insurance contribution records and have not had the opportunity, because of caring for their children, to have occupational pensions. This is an important gender issue. Pension credit is a success in tackling pensioner poverty.

Mr. Nigel Waterson (Eastbourne) (Con): I wonder whether the Minister has seen the recent Association of British Insurers survey, which shows that 50 per cent. of people who responded said that they would increase their saving for retirement if means-testing were reduced. Can he really defend a system under which more than half of pensioners are subject to means-testing—that proportion is set to rise inexorably—and 1.7 million of the poorest pensioners are not even claiming pension credit a year after its introduction?

Malcolm Wicks: It will be a curious message to send out in the springtime, or whenever, that the Conservative party will take away from 3 million-plus individuals—more by then—their pension credit, which is so important to the hard-pressed and particularly to women. We are determined that more and more people should receive pension credit, because it is a success. It has an important role to play in the development of a state pension system—a system which I hope, with the development of occupational pensions and in other ways, will see more people retiring on incomes above income-tested levels.

Mr. Waterson: May I assure the Minister that we have no intention of scrapping pension credit, and no pensioner will be worse off under our policy. I congratulate him on at least flirting with the growing consensus, of which my hon. Friend the Member for Havant (Mr. Willetts) spoke, that means-testing is undermining pension provision. Does he recall saying to a fringe meeting at the Labour party conference that pension credit was a

> "short-to-medium-term policy only"?

Does he stick by that view? Has he changed it in the light of what his new Secretary of State has just said? If he still takes that view, has he broken the unpalatable news to the Chancellor?

Malcolm Wicks: I am grateful to the hon. Gentleman for following the Brighton fringe carefully—even if occasionally he goes beyond the fringe. I repeat that, with the development of occupational pensions, savings and the development of the state pension scheme, we would like more and more people to retire on incomes above income-tested levels. There are currently groups of elderly people—often those in their 70s, 80s and 90s, and mainly women—who are without savings and occupational pensions and with only a partial national insurance pension. That is why we have brought in pension credit. I repeat that we are proud of it.

Ms Sally Keeble (Northampton, North) (Lab): Does my hon. Friend agree that one of the main reasons why people cannot save for pensions is that they simply do not earn enough? That particularly affects women, as he has pointed out. When will he bring forward the report on women's pensions, so that we can see exactly the inequalities and how the Government will tackle them?

Malcolm Wicks: I have mentioned the importance of gender. I was pleased to accept in Committee on the Pensions Bill the suggestion of my hon. and learned Friend the Member for Redcar (Vera Baird) that we should publish a report on women and pensions, and we shall do so next year. That is a very important dimension. Our ambition is that in different ways more women as well as men should be able to build up occupational pension rights during their careers. There are a number of ways in which that is happening and we need to maintain that progress.

Pensions Payment

11. **Mr. Adrian Flook** (Taunton) (Con): What steps he has taken to find out why pensioners were not able to access their pensions through the Post Office immediately before the August bank holiday. [190401]

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): It was quite unacceptable that so many pensioners should have been left without access to their pensions, even for a few hours, owing to an error by a supplier to the Post Office on 23 August, for which the Post Office has publicly apologised. I have discussed the incident with the chief executive and senior managers of Post Office Ltd., and they have assured me that the appropriate management controls are now in place, so that pensioners are not inconvenienced in such a way again.

Mr. Flook: Many of my pensioners were indeed inconvenienced on 23 August, and for more than just a number of hours. That would not have happened prior to their being forced to accept a system that relies on computers. Although I hear what the Minister says about the assurances that have been given to him, surely if the delivery mechanism has faults, there should be a back-up system to ensure that such events do not happen again?

Mr. Pond: This had nothing to do with a computer failure; it was a management error. The computer system for the Post Office card account remains robust, and I have received assurances that it will continue to be so. Some 3.5 million people have already opted for the Post Office card account, and 12 million have moved across to direct payment. Ninety per cent. of those who have moved across tell us that they are very satisfied with the way the process is working. It gives them more flexibility and choice. I suggest that the hon. Gentleman speak to pensioners in his constituency who have made the transfer before suggesting in the House that there are widespread problems.

NEW MEMBER

The following Member took and subscribed the Oath:

Iain David Wright Esq., for Hartlepool

Points of Order

3.31 pm

Hugh Robertson (Faversham and Mid-Kent) (Con): On a point of order, Mr. Speaker. Have you received any indication from the Minister for Sport and Tourism that he intends to come to the House to make a statement on the future of the British grand prix? The matter is vital for three reasons. The British grand prix is one of the great events of the UK sporting calendar. *[Interruption.]*

Mr. Speaker: Order. Hon. Members should not be in discussion during a point of order.

Hugh Robertson: The motor racing industry employs 40,000 people in this country, and many of their jobs may be at risk. The loss of the grand prix would be a huge blow to the nation's sporting prestige and is bound to affect our chances of hosting other international sporting events. The Minister has been making statements to the press over the past three weeks.

Mr. Speaker: I refused an urgent question from the hon. Gentleman regarding this matter, and I would not like to pursue it on the Floor of the House.

Mr. Tim Boswell (Daventry) (Con): Further to that point of order, Mr. Speaker. Will the House consider that this is an important matter, both locally and nationally, in terms of jobs and prestige, and also that it is urgent because, as I understand it, if a decision to reinstate the grand prix is not taken by Wednesday, we will lose it for a year, which will obviously have long-term implications? Anything that you can do, Mr. Speaker, to encourage Ministers to take the matter seriously will be appreciated.

Mr. Speaker: I am sure that the appropriate Minister will have heard the hon. Gentleman.

Orders of the Day

Mental Capacity Bill

[Relevant documents: The Report of the Joint Committee on the Draft Mental Incapacity Bill, Session 2002–03, HL Paper 189-I and HC 1083-I; the Government's reply thereto, Cm 6121; and the Fifteenth Report of the Joint Committee on Human Rights, Session 2002–03, HL Paper 149 and HC 1005.]

Order for Second Reading read.

3.34 pm

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. David Lammy): I beg to move, That the Bill be now read a Second time.

I am delighted to be able to introduce this important and long-awaited Bill. Voluntary organisations, individuals and their families, and many Members on both sides of the House, have campaigned for the Bill for many years—since 1989. The Bill will empower, protect and support people who lack mental capacity. We can and should no longer dismiss people by simply labelling them incapable. Professionals, families and friends who care for people who lack mental capacity need to understand more fully and more clearly their legal rights and responsibilities.

The Bill will affect everyone in this country. Nearly 750,000 people have dementia. At some point, 1 per cent. of the population will suffer from schizophrenia and 5 per cent. from depression or serious bipolar disease. More than 5 million people in England and Wales are carers for people who lack mental capacity. All those people, and many others, may need decisions to be made on their behalf, or need to make decisions on behalf of someone else.

The Bill's journey began many years ago. In 1989, the Law Commission said that specific legislation was needed, pointing out that case law was unsystematic and full of gaps and that it often did not reflect changes in attitudes. The Bill has benefited from input from numerous people and organisations with experience, expertise and commitment. They include Age Concern, the Alzheimer's Society, Mind and the other organisations that make up the Making Decisions Alliance. I thank them for all their support and advice.

Many hon. Members know that a draft Bill was scrutinised last autumn by a Joint Committee of both Houses. I thank all members of that Committee for their commitment and dedication. We accepted the vast majority of the Committee's recommendations. The Bill is much improved as a result of that scrutiny: in particular, we renamed it the Mental Capacity Bill to emphasise its focus on enablement; we included a set of key principles up front to frame the Bill; and we reworked the clauses on acts in connection with care and treatment to make their purpose clear.

Mrs. Joan Humble (Blackpool, North and Fleetwood) (Lab): I thank my hon. Friend for giving way so early in his speech. The Joint Committee, of which I was a member, received many representations from people who regarded the draft Bill as introducing euthanasia by stealth—by the back door. We demanded assurances that that was not the case. I am sure that he

[Mrs. Joan Humble]

will refer to the matter later, but will he take this early opportunity to reinforce that message, which some people still do not accept?

Mr. Lammy: I am grateful to my hon. Friend for all the work she has done to bring the Bill to fruition. I know that in some of our communities there has been a debate with some groups that cast the Bill in that light, but we state categorically in the Bill, at clause 58, that it is not about euthanasia. Euthanasia remains a criminal offence in this country and the Bill does not change that fundamental arrangement. I am grateful to the Joint Committee for its work in stating that the draft Bill was not about euthanasia. I am also grateful for the work that we have been able to do on that important issue with the Catholic Church in particular, and for the Church's indication that the measure is not about euthanasia.

The Bill is about life and about people who suffer extremely debilitating diseases, such as schizophrenia and depression. Later in my speech, I shall discuss advance decisions, which are the matter that has attracted most attention. However, because the Bill is about the whole life of an individual, it will take me some time to reach that subject.

Mr. Iain Duncan Smith (Chingford and Woodford Green) (Con): Will the Minister clarify his comments that the Bill is not about euthanasia? Does he accept that there is a difference between the act by omission and the act by commission, and that in the drafting of the Bill the Government have dealt with the act by commission? Carefully left open are the issues surrounding the Bland judgment, particularly as that refers to the act by omission.

Mr. Lammy: I have said that the Bill does not change current common law. It makes it clear that any decision must be made in the best interests of the person who lacks capacity. We shall come on to discuss the advance decision, in particular.

Miss Ann Widdecombe (Maidstone and The Weald) (Con): Will the Minister be very specific? What concerns those of us who fear euthanasia by omission is the definition of treatment, not only in the Bill but in its associated code of practice, and particularly in the definition of futile treatment. Will the hon. Gentleman categorically assure the House, with no ifs and buts, that treatment does not include, under the Bill, the provision of assisted food and fluid?

Mr. Lammy: I have said that the Bill does not change the current arrangement. Artificial hydration, with which I think the right hon. Lady is concerned, relates definitely to particular cases, some of which find themselves before our courts. The Bill does not alter that situation. Extremely difficult determinations have to be made involving hydration and nastro-gastric tubes and the balance between personal autonomy and dignity as well as sanctity of life. The right hon. Lady is right to pick up a difficult issue. As I have said, the Bill does not change the current law, the position on euthanasia or the difficult determinations that are made in the court of protection.

Several hon. Members *rose—*

Mr. Lammy: I shall give way to my right hon. Friend the Member for Birkenhead (Mr. Field) and then I want to make some progress before we return to these issues.

Mr. Frank Field (Birkenhead) (Lab): Many of us are concerned about how the Bill does or does not take forward the issue of euthanasia. Will my hon. Friend give the House an undertaking that if any of those people who do not, perhaps, have the capacities that most of us normally have are to have any of their rights infringed, they will have someone who acts as a champion for them and they will be able to go to an outside tribunal before any detrimental decision is made in "their interests"?

Mr. Lammy: We have ensured that an independent consultee will assist with decisions involving health and welfare, put the best interests of the person who lacks capacity at the centre of decision making and established a new court of protection. Given all the safeguards that we have put into the Bill, which no doubt we shall scrutinise in detail, we have been able to proceed without setting up a separate tribunal system. I shall now make some progress.

I have said that we renamed the Bill the Mental Capacity Bill to emphasise its focus on enablement. We included a set of key principles to frame the Bill. We reworked the clauses surrounding acts in connection with care and treatment, to make their purpose clear. We made it clear that the court would set clear limits on the authority of deputies. We followed the recommendation to bring into statute legislation on advance decisions to refuse treatment, with clearer and tighter safeguards. We included provisions on research as it suggested, again with strict safeguards. The Joint Committee agreed that concerns linking the Bill with euthanasia appear to be misplaced, but it thought that it would be helpful to include additional reassurances in the legislation, and we have done so.

I now want to say why the Bill is so important. First, it is about the rights of the individual person. It starts by saying that individuals should be assumed to be capable of making decisions, and helped to make them. If they cannot make them, the Bill says that each decision or act under the Bill must be based on the "best interests" of the individual. Secondly, the law is unclear, and the Joint Committee agreed that we needed to clarify the law as it affects day-to-day life. Thirdly, the Bill makes it clear that relatives and carers should be consulted when other people do things without consent to someone who lacks capacity. Hon. Members will know from their own constituents that this does not always happen. People come to us and say that something has happened, and that the person concerned did not have consent. We have tightened up those provisions. Fourthly, the Bill clarifies what can be done, and who can do it, when someone lacks mental capacity, and emphasises that they must act in that person's best interests.

Mr. John Redwood (Wokingham) (Con): I am grateful to the Minister for giving way. I am also grateful for clause 58, and for the assurance that he has given to the House that this is not an attempt to introduce euthanasia by the back door. However, many Christian groups, including those in my constituency, are still very worried about this issue. Would it not be possible for the Minister to build in those assurances on the grounds of omission and treatment, as well as on the grounds set out specifically in clause 58? He would find an awful lot of good will around the House if he did so.

Mr. Lammy: We have worked very closely with all the Christian communities, particularly the Catholic Church, and many of the provisions in the Bill, including clause 58 and parts of clause 25, are a direct result of recommendations made by the Catholic Church. Also, central to the issue of omission is the best interest principle. The principles underlying the Bill are up front in clause 1, which says that people who lack capacity can come in and out of capacity. We have sought to put safeguards in place in that regard. These are difficult decisions, however. Doctors, carers, parents and loved ones make difficult decisions every day of the week, up and down the country. The Bill puts a framework around that process.

Mr. Desmond Swayne (New Forest, West) (Con): Will the Minister set out for the House the standards by which the best interests of the patient are to be determined? It is certainly not clear from the Bill.

Mr. Lammy: I am surprised that the hon. Gentleman says that. If he looks at clause 4, he will see that all circumstances are relevant. This is the first time that we have laid that out in statute. He will see the assumptions that should be made about someone who has or has not lacked capacity. He will also see that, for the first time, we are saying that loved ones should be consulted, and that a person's values, beliefs and concerns should be taken into account. It does not get much clearer than that. We have attempted, in the Bill, to ensure that the person who lacks capacity is central to the discussions about their best interests, and that those who know that person can make recommendations on their behalf. The best interest principle involves an objective assessment, however, that will be made primarily by a doctor.

Chris Grayling (Epsom and Ewell) (Con) *rose—*

Mr. Lammy: I want to make some progress.

The Bill is about empowering and protecting people who lack mental capacity. That is its starting point. People have told us that they feel as though they have been "written off" as unable to do anything for themselves. That is why the principle of an assumption of mental capacity is set out in the very first clause of the Bill. The Bill also says that mental capacity must be considered in relation to the decision that needs to be taken at the time. People may be perfectly able to take decisions about some parts of their lives, such as what to wear, while needing a parent, a carer or the medics to come alongside them to help with other, more complex decisions, such as how to manage their investments.

The Bill also says that such people should not be treated as unable to make a decision merely because they make an unwise decision. We have all done things that our family or friends think are unwise. In a sense, the intention is to give people with impaired mental capacity the chance to express their individuality, as everyone else does.

The Bill also protects and supports people who lack mental capacity. Sadly, as we know, there are occasions when people without mental capacity are abused by those whom they trust. Cases such as Longcare have increased our awareness of the risks of abuse. Accordingly, we have introduced in the Bill a new criminal offence of ill treatment or neglect, with a maximum sentence of five years. We cannot tolerate abuse of vulnerable people.

Mr. Tim Boswell (Daventry) (Con): I am grateful for the Minister's careful explanation of the Bill. Can he explain the circumstances under which that new offence might kick in, which would not be covered, for example, by the existing law of negligence?

Mr. Lammy: One of the questions that people have asked is: to whom do they go when they are worried about what is happening with a particular person who lacks capacity? We have been keen to ensure that in implementing what I hope will become the Mental Capacity Act, the Public Guardianship Office, social services, carers and parents are clear about the safeguards, the increased criminal offence and the increase from two years to five years. We must ensure that they understand to whom they can report people about whom they have fears, particularly in relation to abuse. The hon. Gentleman will also understand that the independent consultee may play an important role, particularly because people who are not befriended have no one to act on their behalf. If necessary, they can report things about which they are concerned.

Liz Blackman (Erewash) (Lab): I welcome the Bill, which has potential to give people who have great difficulty in making and communicating decisions, such as those with autism, much more control over their lives. My hon. Friend will be aware, however, that there is some disappointment in relation to the lack of an independent advocacy service, particularly for those with the most severe disability. Will he keep an open mind and look again at that aspect? As I said, he will be aware of such concern.

Mr. Lammy: I am grateful to my hon. Friend for her point and for all that she does to campaign in this area. The independent consultee proposal is new, it is supported by money, and we have indicated in the draft code that we are keen to look at ways of extending and framing it. At the same time, she will know that we must strike a balance between existing advocacy services, which independent organisations and charities run in all communities, and parents and carers. Two weeks ago in Brighton, I met some of those who provide that role, and those who lack capacity are keen for them to do so. They ensure that the most vulnerable are provided for, which is why we have introduced the independent consultee. I understand my hon. Friend's concerns and the reasons why people are keen to ensure that vulnerable individuals, with various disabilities, have someone to act on their behalf.

Mr. Paul Burstow (Sutton and Cheam) (LD): In relation to what the hon. Member for Erewash (Liz Blackman) has said, can the Minister confirm that he is willing to entertain amendments in Committee that will enable us to extend the right of advocacy in the Bill?

Mr. Lammy: I have said that we are consulting. The hon. Gentleman will have seen the draft code on the framing of the independent consultees. It is not helpful to devise a system that requires statutory advocacy services in cases where, first, we know that the services are independent, secondly, it is right that local social services and primary care trusts make the determinations and, thirdly, people have parents, siblings and carers who already provide such services. However, we shall hold that debate in Committee.

The package has two elements. If a person has no relatives or friends to consult about serious medical treatment decisions or long-term changes of residence, an independent consultee will help to ensure that the decision is genuinely in the person's best interests, and especially that the person's views and wishes are fully considered.

We acknowledge that there may be other circumstances in which it would be helpful to have extra safeguards. We have therefore included a regulation-making power to extend the independent consultee provisions and we hope to consult about and discuss that more fully in the coming weeks.

I want to explain how the Bill sets out what people in a caring role can and cannot do when the person for whom they care lacks the capacity to consent. The principle of best interests is critical to that and I have already had much to say about it. When someone cannot make a decision, the best interests principle requires that any act done or decision made under the Bill must be in that person's best interests. That principle must be at the heart of all decision making. That means not only what the person would have wanted but an objective test, considering all relevant factors. Clause 4 sets out some of them in detail.

Chris Grayling: Apart from the concerns that my hon. Friends have articulated about euthanasia, I have a specific anxiety that is based on experience in my constituency, which has five large old mental hospitals. They have been run down in the past few years. There have been tensions between the residents' families, who want their relatives to move to a village environment, and the care agencies, which want to push the residents out into much smaller community homes. The families feel that that is the wrong decision for their relatives. Will the Minister reassure me that the provisions that define best interests give a fair balance between the families' views and those of the agencies? My experience shows that the agencies often have the upper hand.

Mr. Lammy: I am grateful for that question and I can give the hon. Gentleman the assurance that he seeks. For the first time, we are providing in statute for a duty to consult, and saying that beliefs and values are relevant to the determination. We are also making it clear that the best interests test is objective. I believe that the hon. Gentleman's constituents will be in a much stronger position once the Bill is enacted than they might have been without it.

Clause 4 sets out some of the relevant factors, including: considering whether the person is likely to regain mental capacity; permitting and encouraging the person to participate; considering the person's wishes, feelings, beliefs and values; and taking account of the views of others who know the person well. Indeed, the last factor reflects the hon. Gentleman's example.

The checklist is not exhaustive but designed to make it clear that decision makers should take everything that is relevant into account. In that way, the person who lacks mental capacity stays at the centre of all decision making. The list also gives people a clear basis for discussion if there is any doubt or dispute.

Mrs. Angela Browning (Tiverton and Honiton) (Con): The Minister knows that the scrutiny Committee recommended that the Bill should pass the Bournewood test. He referred to the people who know the person best. Let us consider the paid carers in the Bournewood case. As the Minister knows, the European Court found in favour of Mr. L last week. In that case, the paid carers knew the person best, but I do not believe that they would be at the top of the list of consultees under the Bill. In the light of last week's judgment, does the measure pass the Bournewood test, or will the Minister amend it?

Mr. Lammy: I am grateful to the hon. Lady, who brings much expertise to these matters. She served on the Joint Committee and has continued to press the Government and others about these important issues. The Bournewood decision is less than a week old. Clearly, it is important. We are considering it and what amendments we may or may not have to make in that regard, but she will know that it pertains to circumstances five or six years ago. It is important that we look at it in the context of matters as they are today. However, I accept her point. We are looking at the matter very carefully.

Mr. Duncan Smith: I apologise for the many interventions, but the Minister will understand that this is a highly charged and emotional issue. The point that my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) made is important. He talks about consultations and taking other views into account, but is not the nub of the matter that the person who is responsible is the person who is placed with the power of attorney? That person will decide what happens. Under the Bill, that could be an appointed deputy, who may have no personal understanding of the individual concerned and thus may not necessarily take advice from others whom they should consult. Is not that the reality? The issue of euthanasia by omission lies at the heart of the Bill. While that provision is there, the attorney, all powerful, makes the final decision. That punches a hole in the Minister's argument.

Mr. Lammy: The right hon. Gentleman has some experience of these matters. He has a hospice in his constituency that many of us in north-east London have campaigned for. No doubt he has received representations in this regard. He will know that the attorney is most often the wife or partner of the person who may have dementia. They will have taken on that role and been with that person for many years. It is important not to conflate the lasting power of attorney under the Bill with the role of a deputy where someone has no one. The court brings in the deputy. Under the Bill, that will be done in the least restrictive manner. It is a de minimis power, subject to court scrutiny, and it can be revoked if there is a challenge or problem. It is important to that bear that in mind.

Clause 5, entitled "Acts in connection with care and treatment", is an important clarification of the law surrounding what someone can do to or for a person lacking mental capacity who is unable to give consent. The current law is based on the poorly understood and obscure "doctrine of necessity". Hon. Members will know of constituents who are worried and uncertain about what they are allowed to do, because they do not understand the law. For example, a nurse may want to restrain someone who is having an epileptic fit. Someone caring for an elderly patient at home may need to help them to use the toilet. Someone whose daughter suffers from bipolar disease may want to go to her house to cook for her and to help her to eat because she is in too much distress.

It is not right that people in such situations should have to rely on what seems to them to be an outdated and obscure legal concept. Clause 5 explains what they can do. It provides that one is protected from liability when the person cannot consent, provided that one takes reasonable steps to establish whether that person lacks mental capacity in relation to the matter in question, that one reasonably believes that the person lacks capacity in relation to the matter, and that what one does is in the person's best interests.

The Bill will introduce a new specialist court. The new court of protection will have the statutory power to make declarations about a person's capacity in relation to a particular matter or matters, and whether any act in relation to that person is lawful.

Mr. Graham Brady (Altrincham and Sale, West) (Con): Before the Minister moves on, will he confirm that the same removal of liability applies to allowing medical research to be undertaken on someone where they have not given consent and where their family have not given consent?

Mr. Lammy: There are strict criteria and codes concerning medical research, which I hope to discuss. I would not want the hon. Gentleman to conflate that issue with that of acts in connection with care, which is dealt with separately in the Bill.

Supported by a public guardian, the new court of protection will be an important new specialist resource and final arbiter. For instance, it will be able to act in cases where urgent medical treatment is needed, and in serious cases involving ethical dilemmas in untested areas.

It is also important that I talk about how the Bill gives people the opportunity to plan ahead if they wish. Although we do not like to think about it, any one of us could lose our mental capacity through illness or accident; indeed, much recent case law has arisen because of car accidents and other such incidents on the road. Members will already know that they can plan ahead for financial matters by making an enduring power of attorney. We think it right that people should be able to do this, but I do realise that for many years, Members have raised concerns about the potential for financial abuse under the old EPA system. We have addressed these concerns by strengthening the safeguards. Lasting powers of attorney must now be registered before use, so that a person's claim and entitlement to hold an LPA can be checked on a register. Others must be notified when someone applies for an LPA, and given the chance to object. If concerns are raised about a person's use of an LPA, the public guardian can investigate the matter and, if necessary, the powers can be amended or revoked.

Mr. John Bercow (Buckingham) (Con): I am grateful to the hon. Gentleman for giving way and I have been attending closely to his argument. It struck me that his reply to my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) on the issue of whether research could be conducted on a person without that person's consent was, to put it mildly, studiously opaque. Given that it appears from Lord Filkin's reply in a letter to my hon. Friend that there are circumstances in which such research can be carried out when the individual affected lacks capacity to consent or otherwise, will the Minister confirm that no such research can be carried out if the person now lacking capacity to consent previously expressed opposition to the idea, or can he not assure us even on that front?

Mr. Lammy: Of course, if the person concerned made an advance request, we would rightly look to consider that. The hon. Gentleman will know that ethics committees make such determinations every day of the week—I shall deal with research in due course—and that they are central to that discussion. So in that regard, this is nothing new.

Mr. Dominic Grieve (Beaconsfield) (Con): Surely the problem with the issue of medical research is that the Bill as drafted allows such research to take place on a patient who does not have mental capacity, even though its being carried out might be of absolutely no benefit to them personally. That raises serious ethical issues that we will have to consider carefully in Committee; otherwise, I fear that the House will go in a very wrong direction.

Mr. Lammy: First, I should point out that this is something that the Joint Committee wanted. The hon. Gentleman is right in part, but the provision is for the benefit of the patient and of those with a similar condition. However, we will have that discussion in due course.

We know that many people would like to have the LPA option for health and welfare decisions, and for the first time the Bill provides such a choice. If they wish, people will be able to appoint a relative or friend whom they trust to take decisions on health and welfare, should they lose mental capacity. No one will be forced to make an LPA—it will be a matter of personal choice—but for some, knowing that someone close to them will be acting for them will be a great comfort.

It is important to stress that attorneys will not be able to act simply in the way that they think the person concerned might have wanted. They, like everyone else,

[Mr. Lammy]

must act in the objective best interests of the person. If they fail to do so, they will be liable for a breach of their duty of care.

Mr. Philip Hammond (Runnymede and Weybridge) (Con): May I take the Minister back to his answer to my hon. Friend the Member for Buckingham (Mr. Bercow), to make sure that I have understood what is being proposed? The Minister said that, if someone made an advance decision that they did not want to be a subject of research, it would be something that he would "look to consider" in reaching a decision. At the same time, the Bill says, as I understand it, that if someone made an advance decision that they did not wish to be resuscitated, a doctor would have to follow that decision on pain of criminal prosecution. Is that not correct? Is there not an imbalance there?

Mr. Lammy: Someone can make an advance decision concerning research. However, I am coming on to the point that, while it must be right for people to be able to take a decision now about what should happen, what we are doing for the first time is strengthening the powers and laying out the context in which such advance decisions can be made. That has to be a good thing, but let me explain in more detail what that means.

Mr. Duncan Smith *rose*—

Mr. Lammy: People who have mental capacity have the right to say that they do not want a specific treatment. Some people may choose to plan for a time when they might lose that mental capacity by setting out such refusals in advance. I know that there has been much discussion about that issue, but let me be clear that, under the common law, any one of us could take an advance decision to refuse treatment now. All of us can do that and we believe that it is right to establish a framework and to set out the criteria for people who want to take such a decision.

That is also important because doctors and others who have to deal with such patients must be clear about their status and the safeguards that apply. Medical professionals—nurses and doctors—need to be confident that an advance decision genuinely represents the person's fixed decision. That is an important factor and we have set that out at the heart of the Bill in clause 25. We have made the criteria surrounding advance decisions tighter. Under the Bill, it is tougher for a doctor to argue in law that an advance refusal of treatment is valid and that treatment should therefore be withheld than it is for him to defend a decision to go ahead and treat. If in doubt, there is a clear presumption in favour of the preservation of life. That is the strong implication of clause 26. A suicide note saying "I want to die" would not be a valid advance decision because someone suffering from suicidal despair or depression would not have the required mental capacity.

Mr. Grieve: The Minister is coming on to a key issue on which he may be able to provide further reassurance to the House. It is certainly my understanding from reading the Bill—I would be grateful if the Minister would confirm it—that any expression of an earlier wish when a person has capacity that is either tantamount to a request to commit suicide or falls into the grey area where the person is asking to be assisted into death when that course is unnecessary and contrary to common sense would not be made legitimate by the Bill.

Mr. Lammy: That is absolutely 100 per cent. correct because the person, obviously in distress, would not have capacity. Any doctor or medical professional treating that person would not accept the suicide note or similar expression of the patient's will. The person's wishes would not be deemed valid or applicable in that context.

Dr. Ian Gibson (Norwich, North) (Lab): The Law Society was keen that the Mental Health Bill and the Mental Capacity Bill should, because of the close connections between them, proceed in parallel. Will the Minister make it clear that, although there is a gap between the two Bills, the Mental Health Bill is now before the House in draft form?

Mr. Lammy: Many people, as my hon. Friend will know, have campaigned for this Bill for many years. It deals with a broad group of people—not only those who lack capacity, but their carers and others. The Mental Health Bill will deal with much more specific circumstances to do with mental health. For that reason, it is important for this Bill to make progress and for the Mental Health Bill to receive the required scrutiny. We must ensure that we achieve good legislation in that area as well.

Right hon. and hon. Members will be aware that fears about euthanasia have been raised in relation to this clause and this Bill, but they have nothing to do with euthanasia. The Joint Committee was clear that such fears were misplaced. The Bill in fact clarifies the law, and strengthens the safeguards, but in response to people's concerns we have amended the original Bill to remove all doubt. In particular, we have added clause 58 to say, in so many words, that

> "nothing in this Act is to be taken to affect the law relating to murder or manslaughter or . . . assisting suicide".

Mr. Damian Green (Ashford) (Con): The Minister mentioned clarification. As I understand it, he has told the House that a patient with mental capacity would be able to refuse to have research carried out on them, but that it is not possible for that person to refuse it for any future point at which they might lose mental capacity. That is what the Minister appeared to tell the House.

Mr. Lammy: I dealt with that point. I made it clear that a person can make an advance decision not to participate in research. That is clear from the Bill and I thought that I had made it clear. Perhaps the hon. Gentleman did not hear me. I hope that these changes will finally lay to rest the fears about euthanasia.

Lynne Jones (Birmingham, Selly Oak) (Lab): When my hon. Friend the Minister addressed the concerns of Opposition Members, I understood him to say that if a person has an advance directive to the effect that they refuse to become the subject of research should they lose capacity, or that they did not want treatment or to be resuscitated, those directives would be treated in exactly the same way when it came to a decision being made.

Mr. Lammy: I am grateful to my hon. Friend. That is why I laid out the terms under which the advance decision would be considered. It would have to be valid and applicable. There is also a presumption that the doctor has to be satisfied, as stated in clause 26.

The last issue that I wish to discuss is involvement in research. The Joint Committee explicitly recommended that we cover research in the Bill, otherwise people without mental capacity would be denied its benefits and the legal criteria for research would remain unclear. I assure the House that the Bill's provisions are designed to ensure that research does not leave people who lack mental capacity open to exploitation or abuse.

We therefore propose that research should be allowed subject to strict controls. Any research must have the potential to benefit the person without mental capacity, without imposing a disproportionate burden, or must be intended to provide knowledge of the causes of a condition or of the treatment and care of people affected by the same or a similar condition, but with negligible risk or intrusion. In either case, the researcher must consult someone who cares for the participant about his participation in the project.

Mr. Duncan Smith: I am grateful to the Minister for giving way. Let me take him back through that decision. Let us assume that the individual who is incapacitated has no family and has an appointed deputy as their attorney. If that appointed deputy did not express the opinion that such research should not take place, the decision would be left to those who wanted to undertake the research. That is the change in the Bill, because the research would not necessarily have to be to the benefit of the individual concerned. Surely that is the critical issue.

Mr. Lammy: In those circumstances, I doubt that the research ethics committee would let the process take place. I also doubt whether the deputy would not have made a contribution in that regard. Ultimately, what is important is that we have the criteria and that the process is not intrusive. It must be neither intrusive nor overly burdensome and it must go to the research ethics committee, within the existing framework, for final determination. There cannot be more guarantees than that.

Mr. Robert Key (Salisbury) (Con): That sounds like non-therapeutic intervention and it does not square with another part of the Bill that seems to say specifically that if, for example, there is a road accident or something happens where blood is spilt, and where there is currently no provision for the medical professions to take a blood sample from a person without capacity, it would be illegal to do so under the Bill, whereas the Minister has just said that there are circumstances in terms of research where it would be legal. Could he clarify that specific point relating to non-therapeutic intervention?

Mr. Lammy: I confirm what the hon. Gentleman says; it would be wrong to deny it, but many groups, especially people with learning disabilities, campaigned to have such legislation drafted, specifically because they said they wanted to be involved in benefiting medical advance as regards their illness. Without that provision, we could not make those advances. It was a difficult balance. It is right to include the provision, but we must also have the right safeguards to ensure that the process is not intrusive or burdensome and that people are consulted, or if they cannot be consulted, that there is someone who can be. That will obviously involve the research ethics committee, and the court of protection might also have a view if there was a particular dispute or problem.

Mr. Grieve: I am very grateful to the Minister; he has taken a large number of interventions.

Is it not the case, and one of the nub issues with which the House may have to grapple, that the philosophical principle underlying the way in which the Government have framed the research clause introduces the clear possibility—to be sanctioned by the House—that, in the public interest, research could be carried out on a person who does not have capacity to consent, but that there would be safeguards to ensure that it is not overly intrusive? That, as the Minister may agree, is a very difficult ethical issue and there is no point in trying to duck it. The House will have to grapple with that issue as the Bill goes through.

Mr. Lammy: I am grateful to the hon. Gentleman for the way in which he puts the argument. I am not trying to duck the issue. I said that we had included safeguards and that is the difference. I acknowledged the comments made by the hon. Member for Salisbury (Mr. Key) about non-therapeutic care, but it is important to emphasise the point made to the Joint Committee: people, especially those with learning disabilities, said that they wanted to be part of the process. Indeed, in a sense, it is appropriate that we are having this discussion on the day of Christopher Reeve's death. He was a huge campaigner on such issues. People like him say that they want to be involved in research governing their condition and in improving life for others.

The research provisions, like the rest of the Bill, aim to help us learn from the experiences of people who lack mental capacity, so that we can better empower, protect and support them. This is a Bill with potential to benefit all of us, whether as people planning for our future, caring for someone else, or acting in a professional capacity. It is an ethical, empowering Bill, which deserves the full support of the House. I ask that it be read a Second time.

4.25 pm

Mr. Tim Boswell (Daventry) (Con): I am grateful to the Minister for his attempts over an extended period to explain the legislation. If he came to the House with the assumption that he would have an easy ride, he will now have been disabused of it. Legislation should be our core business in the House—a somewhat old-fashioned view, but one that I strongly hold—and every so often an issue arises, such as this Bill, that is relatively uncontroversial in party political terms but significantly or massively controversial in its implications, and which greatly and genuinely exercises a number of interest groups. It is perhaps unsurprising and even fitting that that should

[Mr. Tim Boswell]

be so when the Bill deals with the loss of the essential capacity of human beings to act as autonomous moral agents—souls, if the Minister prefers, and I think that he and I would both be happy with that phraseology. Indeed, in certain cases the Bill can at least affect materially their life and well-being. Equally, the Bill deals with the necessity for another person to stand in and act for the person when that capacity is lost. There are moral challenges and hazards in that role, too.

I should like to emphasise at the outset the scale of the problem. The minimalist definition of capacity by function involves determining whether it is possible for the person in question to take a decision for himself, even if other actions are not open to him, rather than sweeping them all up and saying, "He can't manage, you know." Even on that reductionist view of capacity, there will be between 1 million and 2 million people in this country at any time to whom the Bill may apply directly. The number of decisions involving their daily care—let alone, of course, the material decisions that exercise so many people—is almost infinite. The growth in the number of the extremely elderly—those over 85—is likely over time to increase the figures, particularly in connection with dementia, while at the beginning of life the improved survival chances for babies lead, sadly, to a steady though not dramatic expansion in the number of people with learning difficulties, and in turn, those people are living to adulthood and maturity. Of course, I welcome those opportunities; they are a challenge, not a threat.

The House would do well to recognise the complexities of the situation, including, as well as the two life conditions that I have already mentioned—learning disability and dementia—permanent or temporary mental incapacity following trauma or as a result of long-lasting or intermittent mental illness. Of course, the emphasis of the functional definition adopted in the Bill is that capacity may be retained for some everyday matters, while it may not run to major decisions, for example, on the disposal of assets, or an individual's future residence or care conditions. Many of the conditions that I have described can co-exist. It is possible simultaneously to have learning disabilities and mental illness—although, of course, they should not be confused in any way—so an even larger number of people, other than the person involved, are swept into the issue as carers or health or social care professionals, as well as those required to administer a person's affairs in the business sense.

Perhaps I can give the Government a pointer by saying that, on reflection, I have decided that it is probably better to have—for example, in the provisions for lasting power of attorney—the opportunity to consider holistically the financial affairs of the person, together with their care, because it may be necessary for court decisions to be split, or even for those functions to be split among the individuals who are appointed for that purpose, either by the person before they lose capacity or by the court. We should at least consider that as a whole, rather than separately.

In view of the complexity of the situation that I have described, it is hardly surprising that the process that has culminated in this Second Reading began some 15 years ago—even the Minister will recall that there was a Conservative Government at that time—with the referral of the issue to the Law Commission in 1989 by the then Lord Chancellor, Lord Mackay of Clashfern. After six years, the Law Commission reported back, the Government consulted and published a White Paper, and then a subsequent White Paper, and there was a draft Bill, which was much assisted and expertly commented on by a Joint Committee. That led to many valuable amendments, including a name change—names matter, and to refer to capacity rather than incapacity, emphasising the positive, is a good signal. It also led to an up-front statement of principles—we may tinker with them in Committee, but at least they are along the right lines—and to clause 58, a declaratory clause, about which we have already heard a great deal, in relation to murder, manslaughter, euthanasia and assisted suicide.

Mr. Damian Green: My hon. Friend will be aware that some of us, while accepting that there are many good things in the Bill and good principles behind it, are genuinely worried that, despite all the assurances that have been given, it could be a significant step on the road to legalising euthanasia, which would be wholly unacceptable to the House. I had hoped to be reassured by the Minister, but candidly, I was not. While he is on clause 58, will my hon. Friend refer in particular to the issue of the classification of food and fluids as medical treatment that could be withdrawn, because that goes to the heart of the worries that many of us have?

Mr. Boswell: I shall certainly deal with that matter in a very few moments, as it is of great concern to many people, not only on our Benches but throughout the House.

My party will be on a free vote tonight, which I feel is entirely appropriate for an issue of conscience that affects so many people who have written to us or expressed their views in other ways. My personal sympathies are to a great extent with the Minister. He has experienced that before on previous legislation, and may not welcome it. My sympathies are towards getting on with legislation. As my hon. Friend just said, there are many good things in the Bill, and I am well aware that it is supported by the Making Decisions Alliance, which runs to almost 40 charities expert in the field that have to wrestle day to day with the practical problems. Like the Minister, I have no difficulty with the alliance, and indeed I appeared on one of its platforms at my own party conference, but I do not feel that the concerns that have been expressed to us—not exclusively about euthanasia—can be brushed aside, because they will require really adequate and searching explanations from Ministers, which, with respect, I do not believe we have had today.

We are unlikely to achieve that aim in a Committee stage programmed to finish before the end of this month, but I am given to understand, in the rather numinous way in which such matters emerge, that there may be the possibility of some modification of that programme. I say to the Minister, in all good conscience, that it will be much easier if we feel that we have had a good chance to go through all this. In that, I speak not only as a Front-Bench spokesman but on behalf of my Back-Bench colleagues and others throughout the House.

These things cannot be brushed under the carpet. We have had 15 years to get this right, and I think that the Minister will have understood from our proceedings so far today that many people here, without a party political handle on it, do not feel that we have yet done so. If we can have at least 15 sittings—I pick the number only by analogy with the number of years—to have a good go at this and get it right, we may all feel far more satisfied about it.

We will be looking for not only words, but visible action, to beef up the safeguards that are built into the Bill. From my lay perspective, I shall table many amendments to probe the issues, and I have no doubt that other amendments will emerge shortly, as they should. Ministers have a duty to the House to tackle such issues in good faith—they have sometimes not done so, but we should not go into that because our discussion is not partisan—and until they are shown to be able to do that, I can best describe my attitude as one of constructive scepticism. I hope that the word "scepticism" will resonate in one or two places.

Dr. John Pugh (Southport) (LD): The Minister said several times that there is an objective test of best interest in the Bill. Is the hon. Gentleman satisfied that such a test is provided?

Mr. Boswell: In a sense, there is a fall-back position of using an objective test of best interest if a matter reaches litigation, but many people may filter it through their actions before that stage is reached, which is among the genuine concerns that must be explored.

Mr. Swayne: My hon. Friend will recall that when I asked the Minister about that principle, he said that the standards would be such that all sorts of people—relatives and the rest—would be consulted about such things as their values. Does my hon. Friend agree that that, by any standard, is a subjective test of what is best for the patient, rather than an objective one?

Mr. Boswell: It is right that if one person consults someone else, two views will be expressed, and the inference is that one view may prevail. The worries that are being expressed address the fact that that view might be more detached from the reality of the person's interests. Such matters could ultimately be brokered through the court of protection, which will try to take an objective view, but the difficulty for the House is that that process must first be reached. Lives could be lost in extreme circumstances and interests could be prejudiced while the matter is resolved.

Bob Spink (Castle Point) (Con): Given that the best interest of an incapacitated person is the overarching principle of the Bill, and that those who determine the best interests of such people merely have to take into consideration those people's wishes, beliefs and values, surely the Bill is inconsistent with the best interests of incapacitated people. Should not the previously expressed views of incapacitated people be paramount in decisions taken in their best interests?

Mr. Boswell: I understand what my hon. Friend is driving at. We would all want that to happen whenever possible, although there might be extreme cases in which it could not. Perhaps I can resile from that point and tell the Minister that he will have to explain carefully in Committee how people's previously expressed views, which may or may not be consistent with their actual best interests at the time, will be handled.

It is important that I make it clear that my personal position remains one of constructive scepticism. I shall listen to the debate and the further exchanges that take place and I may well withhold my support from the Government tonight pending assurances being given in Committee. [HON. MEMBERS: "Hear, hear."] I did not say that to get a cheer, but because we are considering serious issues. We must construct the right framework so that the Minister can do the right thing, if I may put it helpfully.

The Minister will hardly be surprised if I say that hon. Members on both sides of the House are exercised about right-to-life issues relating to euthanasia and research.

Mr. Tom Clarke (Coatbridge and Chryston) (Lab) *rose—*

Mr. Boswell: Given the right hon. Gentleman's shared interest with me in disability issues, I shall give way.

Mr. Clarke: Until the hon. Gentleman made his last point, I thought that he was making an especially measured speech, but if he is to probe in the way in which he rightly said that he would, if he is to ask questions in the way in which he is entitled, and if he is to put forward the views of his constituents, as one would expect, how can he do so if the Bill is denied its Second Reading?

Mr. Boswell: I do not believe that one should overplay one's hand, but with respect I have a feeling—I may be entirely wrong—that if I were not to join the right hon. Gentleman in the Lobby tonight in support of the Bill, it might well receive a Second Reading anyway. If it does not, we will be sending a powerful message to the Government to think again, which might be beneficial in itself. A carry-over motion is already on the Order Paper. We need to sit down together, in a common endeavour—in an effort to be more consensual, I agree with him on that—to get it right.

I share the Minister's view that the Bill does not permit euthanasia. If it did, I would oppose it, as would the Conservative party and, I am sure, the overwhelming majority of individual Conservatives. The Conservative party opposes euthanasia and so, incidentally—at least according to the view of Lord Goff in relation to the Bland case—does the common law. It is not on the map and it should not be on the map.

Ann Winterton (Congleton) (Con): My hon. Friend mentions the Conservative party and speaks from the Front Bench. He also said that he does not think that there is euthanasia by omission. I have been in the House slightly longer than he has—although I have not served with such distinction, I hasten to add—and in all those years, both in government and in opposition, the Conservative party has had a policy that is opposed to euthanasia by commission or omission. That is also the view of the current leader of our party, who supported my private Member's Bill. There seems to be some confusion.

Mr. Boswell: I think that there is no confusion. The Conservative party is not in favour of euthanasia. As far as I know, no other responsible party in this place is in favour of euthanasia. The issue is, inevitably, the definition of the particular acts and the nature of the circumstances that precede them. The Joint Committee clearly supports the Minister's view, and that is a cogent consideration. As a result of its specific request, we have a declaratory clause—clause 58—which is important.

However, I can hardly fail to be aware of the strength of deep and sincere feeling on the issue. My hon. Friend the Member for Ashford (Mr. Green) identified that when he expressed his concerns about the Bland judgment in respect of artificial nutrition and hydration, which are intrusive procedures and treatments. There must be a debate in Committee on whether that is the right state of the law, but it is undoubtedly the current state of the law, and I am not disposed to follow others in changing it.

Other issues raise legitimate concerns about the interaction with decisions made in advance—the so-called living wills—and the ability of a medical practitioner, acting independently, to take life and death decisions without reference to the court or members of the person's family. Those issues must be aired and must not be brushed aside by Ministers.

Sir Teddy Taylor (Rochford and Southend, East) (Con): Is my hon. Friend aware that at a meeting in the House of Lords on 17 September, it was revealed that an attorney or a deputy, if given the power of attorney, will have the power under the Bill to order a doctor to refuse treatment in the form of food and fluids, which would effectively bring life to an end? If that is the case, and it has been set out clearly in the House of Lords by very qualified people, would it not simply be a form of euthanasia?

Mr. Boswell: It is difficult for any third party to order a doctor to take a particular course of action. My interpretation does not precisely coincide with my hon. Friend's, but there is a serious issue, which needs to be got right.

Frankly, I am more intensely in sympathy with the shorthand of the pro-life representations about the clause introduced to deal with research. It is one thing for a person with capacity to agree to be a guinea pig—to submit themselves to research—or even by advance decision taken with capacity to indicate one's readiness to be so, either after mental capacity is lost or after death by organ donation, but once capacity is lost and it falls to another person to decide, the principle of best interest cuts in and supervenes. I am worried that, however convenient it may be in relation to CJD, for example, or other terminal illnesses, to offer up a person without capacity for research, it cannot, as parts of clause 31 imply, be allowable to override the principle of best interest of the person involved and no one else.

Angela Watkinson (Upminster) (Con): I have looked at clause 31 very carefully and I can see nothing in it that ensures that the person on whom the research is conducted will benefit from it. It ensures that others might benefit, but not the individual concerned.

Mr. Boswell: If I may say so, that is precisely the point that concerns us.

Mrs. Humble: Will the hon. Gentleman give way?

Mr. Boswell: I wonder whether the hon. Lady will forgive me and allow me to make a little progress. I am conscious of the time, and many Members want to speak.

In considering the Bill as a whole, I want to enter an important caveat for those seeking to oppose it root and branch. Some people have written to us in those terms and expressed themselves strongly, partly on euthanasia and also on the issue of representation. The Bill codifies practice that has arisen out of common law. I am genuinely grateful for the fact that, to complement my interests in this area, I shall have the assistance of the shadow Attorney-General, my hon. Friend Member for Beaconsfield (Mr. Grieve), in considering the Bill. It is from common law that we have the definition of best interest and also the occasionally contrary acceptance of advance decisions as overriding best interest.

It is also arguable—indeed, it is incontestably true—that things do go wrong under the present common law regime. To take a simple case, I think of the number of fraudulent cases of use or abuse of enduring powers of attorney, which is striking and alarming. It would be a brave Minister who argued that even when the law is codified, as the Bill provides, and with the best safeguards Parliament can find, nothing would ever go wrong again. Indeed, there is a genuine risk—we must watch this—that in seeking ever to tie things down more tightly for all the right motives, we might create instead of the flexibility characterised under common law a culture in which every move is litigated on, where it is impossible for anyone to do anything without going to the court of protection. That would be unhelpful for all concerned, both in human terms and in terms of the resources involved.

At this point I should expose more clearly what I feel is the inherent and unspoken tension in the Bill. There are, on the one hand, the interests of the person without capacity, and on the other, the interests of those looking after him or her. Before that is misconstrued, I say immediately that the whole House will want to recognise and celebrate the contribution of some 7 million carers towards those and similar problems. I mention in the same breath the work of doctors, nurses, social workers and other professionals who shoulder the burden of decision making in such cases. For the first time—this is one of the Bill's strengths—the Bill provides a comprehensive hierarchy and framework for their participation. There are real benefits in the clarification of that, such as for parents of an adult son with a learning disability who may for the first time have a formal locus in decisions taken about his care.

It is absolutely no disrespect to the Making Decisions Alliance, the Royal College of Psychiatrists and many others who have played such a part in bringing the Bill to its current state of readiness to recognise that their interests may not be identical to those of the person lacking capacity. Even if those bodies are acting by their own best lights, as I hope they are, their interests are still different. Indeed, they may conflict with one another—for example, when family members genuinely, and not necessarily for malicious or personal reasons, disagree about the regime or type of care, let alone about the disposition of family property. There may be differences between families and professionals, who have resources and budgets to consider. There may also be differences between professionals themselves. There is a systemic problem in that Ministers have confused the second opinion given by a professional about somebody with, for example, a psychiatric complaint with the work of an independent consultee, who may be a layperson, whose job is to represent that person's interests and who is not approaching the situation as a professional or someone with any axe to grind.

The Minister—understandably, given the pressure that he was under—was somewhat sketchy about the machinery in the Bill for resolving such issues. That machinery, most notably the relationship between the Official Solicitor, representing individuals, the public guardian and the court of protection, will require careful scrutiny. It is also clear that many interested parties are concerned about the rudimentary state of provision for truly independent advice given by someone with no axe to grind in the interests of the person without capacity. The issue of who will stand up and act only for the person in question, without any interest of their own, reads across into many of the most difficult issues in the Bill; for example, the concerns about euthanasia and research and those about the Bournewood gap.

The Bill does not take over those conflicts, but it needs to provide for them to be recognised and reasonably resolved. Above all, as I think the Minister will agree, those conflicts have ultimately to be resolved in the interests of the person without capacity. We do not see this as a Bill to whitewash the actions of carers or to protect them from the attention of the law, and I do not wish to caricature it as such. Most carers will not need that protection because they are acting in good faith and in the best interests of the person involved. We have to remember, however, that when push comes to shove it is the individual who is at the centre.

Although the Bill has already been 15 years in gestation, it is essential that it is scrutinised in detail and, put simply, got as right as human wisdom can make it in an imperfect and challenging world. That world is changing, too, so we have to achieve the right mix of safeguard and flexibility. If Ministers are disposed, and I think that this Minister will be, to approach this task in the right spirit, and not to cut corners or to rush, the scepticism that I have expressed today, which has been well represented and, indeed, enhanced by my colleagues, may in due course be converted into support. However, this is a case in which support is not something that Ministers can claim; it is something that they have to earn.

I close on a more personal note. The House would do well to remember that even though these are issues of law and we need to get them right—that is what Committee stage is for—there are real people out there, and even if they now lack mental capacity in the strict sense, they may not lack feelings and they are entitled to our respect. It is for everyone, their granny, their partner or their child. We should recognise too that for all our own confidence and self-assurance now, we may well go down the same road ourselves in the future.

In considering the Bill, with all the concerns that have been expressed, we should as a House collectively resolve to follow the good principles established in clause 1 and to add to them our deepest respect for those who may now lack capacity but were once autonomous human beings as we are, and with whom we, as individual moral agents, share the mystery of a common humanity. We owe them no less than that.

4.54 pm

Mr. Kevin Barron (Rother Valley) (Lab): I declare an interest in that I am a lay member of the General Medical Council, the regulatory body that polices doctors within the UK, advises them on how they should conduct their work, and gives advice on the education and training of doctors.

I support the Bill's aims of empowering adults with impaired mental capacity to make as many of their own decisions as possible and, where that is not possible, of ensuring that there are safeguards in place to protect adults when decisions are made on their behalf. The Bill is designed to cover all areas of decision making. Many organisations have waited a long time for it, and I am pleased that it is as comprehensive as it can be at this stage of the process.

In health-care terms, the Bill sets out how treatment decisions should be approached and, if necessary, taken on behalf of those who lack the capacity to take the decision themselves. Some people believe—wrongly, in my view—that the Bill is about euthanasia. A constituent, Mr. Michael Hill, has lobbied me on numerous occasions about the subject, but I do not accept his argument that the Bill introduces euthanasia and that I should vote against it. I shall be in the Lobby with the Government later this evening.

The Making Decisions Alliance, which comprises more than 30 charities that work daily with people with differing levels of incapacity, also disagrees with the view that the Bill is about euthanasia.

Mr. Paul Goodman (Wycombe) (Con): The right hon. Gentleman is correct, but it is worth noting for the record that the I Decide coalition, another group representing disabled people, is opposed to the Bill.

Mr. Barron: I do not doubt that many people oppose the Bill for various reasons. I intend to quote what some groups have told Members of Parliament. I hope that, if the hon. Gentleman wishes to put another case, he will have time to do so.

The Making Decisions Alliance wrote to MPs stating that it does not believe that euthanasia is

> "either the intention or a consequence of the proposed legislation. The Government has made clear that euthanasia and physician assisted suicide are both illegal in the UK and will remain so."

I am satisfied with that. The alliance continues:

> "This was confirmed by the Joint Parliamentary Committee which examined the Bill".

No doubt, hon. Members on both sides of the House who were members of that Committee will speak in the debate. I wish that I had been able to hear their speeches

[Mr. Barron]

before making my own, although it is nice to get a speech out of the way early. The alliance says that that view was also

> "confirmed . . . by Lord Filkin, the Minister responsible for the Bill. The Government has also introduced a clause in the Bill that states 'nothing in this Act is to be taken to affect the law relating to murder or manslaughter or the operation of section 2 of the Suicide Act 1961 (which prohibits assisting suicide).'"

Miss Widdecombe: May I put to the right hon. Gentleman a very simple case? If food is refused to a person, that person starves; if fluid is refused, that person dies of thirst; but if treatment is refused, that person may or may not die. If the Bill permits under the term "treatment" the withdrawal of food and fluid, death will result. That is why some of us claim that a consequence of the Bill, intended or not, is the introduction of euthanasia.

Mr. Barron: I do not agree with the right hon. Lady's analysis. The matter is better decided far closer to the individual in question than through the rhetoric of debate in this place.

Ann Winterton *rose—*

Mr. Barron: I see the hon. Member for Congleton (Ann Winterton) rising to intervene. She intervened with a not entirely dissimilar question during a debate in Westminster Hall in 2002. I replied:

> "In some rare cancers, nutrition and hydration speed up the patient's metabolism, hastening death and increasing suffering. It is best that clinicians make the decision in those cases, not us sitting here"—[*Official Report, Westminster Hall*, 22 May 2002; Vol. 386, c. 81WH.]

in Parliament. I still believe that firmly. It is important to talk to clinicians who work in this area. There are occasions when doing what has been suggested is not in the patient's interest and there are other occasions when it is very much in the patient's interest. It is not a decision that I should take, and I do not think that Parliament can do so. We should recognise that.

Mrs. Humble: Does my right hon. Friend agree with the Joint Committee's report, which differentiated carefully and explicitly between food and drink as part of basic care, to which every patient has an entitlement when in hospital? Artificial nutrition and hydration, through case law, has been determined as being treatment. We must be extremely careful not to confuse the two.

Mr. Barron: My hon. Friend is right. I read the Joint Committee's report quite a few months ago. The distinction must be made. Perhaps the Chamber is not the best place in which to draw the distinction.

As I have said, I am a member of the General Medical Council. It welcomes the Bill. It believes that it can enhance the right of patients who lack the capacity to decide issues for themselves. It believes also that it will clarify the role and responsibility of doctors and others who care for those people. Of course, the council recognises that this is a complex and sensitive area that overlaps with other legislation and common law. Further issues are being raised by the judgment concerning the GMC's guidance called "Withholding and Withdrawing Life-Prolonging Treatments: Good Practice in Decision-Making" as a result of the case that was brought against it by the state on the application of Oliver Leslie Burke versus the GMC. I shall speak about that judicial review and the potential implications that it may have for this legislation.

We should examine how the Bill will interface with other pieces of legislation. The GMC has some questions, as will hon. Members, about some of the issues that will arise. There is a need to clarify the protection for patients who lack capacity and are compliant with the treatment that is offered. The draft Mental Health Bill provides for formal reviews and inspection of services that are provided without consent. There is no parallel in the Bill that is before us. There is a concern that patients who are treated under the Bill will have fewer safeguards and protections. We must ensure that proper mechanisms are in place for taking and reviewing decisions and auditing services, which have been highlighted in the ruling of the European Court of Human Rights involving the patient detained by the Bournemouth community and mental health NHS trust. I know that the Minister said in an intervention that that took place last week. I have not seen a report of the full judgment but that is an issue that will have to be addressed by the Government while the Bill is considered in Committee.

There needs to be clearer provision for people aged 16 and under 18 years of age. Those in that group will have rights under the Bill, which I hope will be enacted, and under the Children Act 1989. There needs to be greater clarity when it comes to which legislative framework will take precedence in a certain range of circumstances. Clarity is also needed in relation to some powers and rights—for example, the power to appoint a person with lasting power of attorney, or to make an advance decision statement, being accorded only to people aged 18. There are issues involving interaction with other legislation and they will have to be clarified.

I move on to the impact of the judicial review in terms of the legislation that was brought forward in 2000, or the potential impact of the judicial review on the GMC guidance, to which I have referred. The GMC has welcomed much of Justice Munby's judgment, but has decided to appeal as it is concerned that certain key issues remain unclear. It has a duty to provide doctors with clear guidance to assist them in their decision making, but with the outcome of the judicial review uncertain, it is particularly difficult to judge the effect of the case on the Bill. However, the following matters raised in the judgment are also covered in the Bill. The first is the issue of best interest, which has been raised on numerous occasions, and the second is that of intolerability.

Mr. Justice Munby states that intolerability should be the touchstone for best interests, in deciding whether to provide an incapacitated patient with life-prolonging treatment. One of the principles on which the Bill is based is that decisions should be taken in the best interests of the incapacitated person, as set out in clause 1(5):

> "An act done, or decision made, under this Act for or on behalf of a person who lacks capacity must be done, or made, in his best interests."

The Bill also defines the issue that is to be considered and the people who must be consulted in determining what would be in that person's best interests. These are set out in clause 4(5) and—importantly, in the context of medical decisions—they include:

> "the person's past and present wishes and feelings,
>
> the beliefs and values that would be likely to influence his decision if he had capacity, and
>
> the other factors that he would be likely to consider if he were able to do so."

These provisions do not include the test of whether an option would be intolerable. I assume that the Bill would need to be amended to accommodate a test of intolerability as a measure of best interest in the context of life-prolonging treatment. This issue is quite fresh; the judicial review was granted only a few months ago, and it will now be appealed in the courts. This will have an impact on the interpretation of best interests in this particular case.

Mr. Hammond: Will the right hon. Gentleman explain his understanding of what the Minister said earlier in relation to decisions expressed by an individual lacking capacity before the event? In response to an intervention about suicidal intent, I think that the Minister said that it was inconceivable that an intent expressed earlier would be binding on a clinician in such circumstances. Is it the right hon. Gentleman's understanding that the Bill proposes that, in every case following a suicide attempt, any earlier decision that purported to refuse treatment would automatically be invalid as a result of that suicide attempt?

Mr. Barron: The hon. Gentleman asks me a specific question, and the simple answer is that I do not know. Perhaps the Minister will be able to clarify the matter, or perhaps the Standing Committee might be a better place in which to explore it. I am more concerned about the guidelines for clinicians operating out in the field. As I understand it, the situation that the hon. Gentleman has described would be a matter for them.

Mr. Lammy: I should like to clarify this point for my right hon. Friend. The advance decision in such a case would have to be specific and clear to make it valid and applicable. The effect of clause 26 would be that the doctor concerned would have to be satisfied in that regard, and this highly subjective test would mean that there would be a presumption of the preservation of life. On that basis, a suicide note could simply not be valid or applicable.

Mr. Barron: I thank the Minister for that. I understand that the guidance that has been issued to doctors by the GMC is not too descriptive about what the doctor would have to do. The doctor would have to take a decision on each individual case, along with the other people who were involved in it.

Mr. Duncan Smith: We seem to be having this debate by proxy, but as we are into it, perhaps I can use the right hon. Gentleman's time. Other issues are not answered in the Bill. In particular, the doctor concerned will have to make such a decision in a very compressed time scale. If there is a doubt, do we honestly think that the doctor will have time to consider the document, to consider the person who has power of attorney, and to have discussions and consultations? Of course he will not. He will be worried about acting and getting it wrong: about what will happen if he resuscitates and is promptly proceeded against in a court of law. Some serious issues are not answered at all in the Bill.

Mr. Barron: It may be that the progress of the Bill will decide that. The right hon. Gentleman should know better than most in the Chamber that we are here to pass laws, and that the laws we pass are not always accepted out there. Any legislation that we pass will be tested at some stage, and in such areas, it is more likely to be tested than not. Most people would accept that. When we consider the amount of time spent on examining such areas, and on bringing forward the General Medical Council's guidance in 2002, it was inevitable that it would be challenged. It has been challenged, and it is now up for appeal. The General Medical Council is appealing against the Munby judgment, including the view that best interests should be determined on wider grounds than intolerability. It believes that that is quite narrow. I have not consulted the Oxford dictionary for its definition of intolerability, to see how wide it goes, but the GMC believes that it is narrow. Wider issues will come into play.

The judicial review judgment indicates that, within certain constraints, patients have a right to require treatment to be provided for them, either at the time that the treatment is needed or wanted, or in an advance directive. Clearly, that will have a wide impact on the provision of care, including for patients whose capacity fluctuates or who need help to make decisions. Its chief impact on the Bill relates to the use of advance statements. The Bill envisages only circumstances in which a person may make advance refusals of treatment, although a statement of their preferences would be used in determining their best interests. The right to require treatment goes further than that, and the result has been challenged in appeal. The GMC's view is that a judgment as to what medical treatments are appropriate to offer is for a doctor to make. That must take into account not only what the doctor considers clinically to be in the best interests of the patient, which will of course involve taking into account the patient's concerns, values and preferences, but, inter alia, the over-arching duty of care to offer only treatments which are Bolam-compliant, and most importantly, the patient's assessment of his or her own best interests.

Mr. Hammond: The right hon. Gentleman said that a doctor would be required to consider what was in the patient's best clinical interests. My understanding of one of the objections to the Bill is that it is not narrowly defined in relation to what is in the patient's clinical best interests, and that it asks doctors to make a much wider judgment about what is in the patient's general best interests.

Mr. Barron: The hon. Gentleman has latched on to two words from a sentence. Given that we have no time constraints this afternoon, let me repeat what I said: the judgment must take into account not only what the doctor considers clinically to be in the best interests of the patient, but the patient's concerns, values and preferences. That is a lot wider than clinical interests. Perhaps he should listen a little.

[Mr. Barron]

Another part of the appeal will be the issue of seeking decisions from the courts. The implications of Mr. Justice Munby's judgment are not wholly clear. It is probable that, as the judgment stands, all decisions to withdraw life-prolonging treatment would be referred to court, unless the decision was taken in accordance with a patient's valid advance directive about the circumstances in which they would refuse treatment. That would be the case at least until the uncertainties about court referral were clarified in the case law. That matter is also included in the GMC's grounds of appeal. It is relevant to the Bill and the code of practice, which suggest that the Court of Protection would provide

> "a judicial forum of last resort to deal with particularly complex decisions or difficult disputes which cannot be resolved in any other way."

Decisions to withdraw treatment are always of the utmost gravity but not always complex or difficult.

I hope that the Bill will be passed, and stress that nobody can legislate to cover every eventuality in the circumstances that we are considering and in future months and years. People who need the Bill, and to have their capacity judged as best as it can be in all circumstances, whose voices have not been heard not only for decades but for centuries, who were once locked away and felt that they had little or nothing to give society, need as much support as the House can give them today.

We should support the measure, with all the question marks. I do not believe that it represents euthanasia by stealth. The organisations in the Making Decisions Alliance would not support such a Bill for one minute. Given that we have waited 15 years and that the Joint Committee has scrutinised the measure, it is time to get on with giving it a Second Reading, considering it further in Committee, sending it out there and leaving it to others. I have no doubt that lawyers will queue up to examine it in future, but we have travelled a long road to get such a measure, which empowers people who have little or no power in our society. Although we may not believe that it is perfect in every way, we have a duty to pass the Bill.

5.16 pm

Mr. Paul Burstow (Sutton and Cheam) (LD): I speak in favour of Second Reading and I want to give some of the reasons for that. Although there are undoubtedly legitimate and honourable concerns, which have been expressed in interventions, many should properly be explored and tackled in Standing Committee and later on Report.

If I were to base my contribution on my mailbag or my e-mails in the past month, my speech would be about euthanasia and the right to life. I do not take those issues lightly; they are crucial moral questions, which undoubtedly and rightly stir strong emotions and feelings in the House and among our constituents. However, like the hon. Member for Daventry (Mr. Boswell), I do not believe that the Bill promotes euthanasia. I would not support it if it did. I also agree with him that it is legitimate and right for this place to debate the common law position that was reached in respect of the Bland judgment. We should explore it, its meaning and whether it is the right position for the law to reach. However, I do not believe that that is a ground for rejecting the Bill out of hand today.

It would be a grave mistake to view the Bill as being about only end-of-life decisions. It is about much more: the quality of a person's whole life. Medical advances may add years to life but only when we put the individual's needs and wishes at the heart of decision making can we be sure that we add life to those extra years.

To view the Bill as dealing with only the end of life would also do a grave disservice to the millions of people in this country who, from birth, after an accident or through an illness, find their capacity to make or communicate decisions impaired, fluctuating or lost.

It would be a grave injustice to those people if the Bill were lost and the inadequate status quo retained. Why do I say that? Earlier, the Minister paraphrased the 1995 Law Commission report, which concluded:

> "The law as it now stands is unsystematic and full of glaring gaps. It does not rest on clear or modern foundations of principle. It has failed to keep up with social and demographic changes. It has also failed to keep up with developments in our understanding of rights and needs of those with mental disability."

As matters stand, the people whom we are considering do not count even as second-class citizens. People who lack capacity are deemed by others to have no legal rights. They become non-people. That leaves the most vulnerable, often elderly people, open to abuse.

The need for reform of the system of proxy decision making for people who lack capacity has been well argued and, as we have heard, explored in detail over the past 15 years. It is one of the most sensitive and contentious areas of social policy, involving fundamental personal rights, issues of personal welfare and life or death decisions. It concerns what many regard as the first duty of any Government—to protect and to enshrine in law the rights of the most vulnerable in our society.

At present, the law is clear about the rights and protections afforded to a person who has the capacity to make decisions for themselves. However, the law is far less clear about the status and rights of people who lack capacity to make decisions for themselves. The Bill would give all those who lack capacity new rights to maximise their preferences on how to lead their day-to-day lives. It has the potential to redefine radically the way in which incapacity is treated in law and in wider society. When the Bill goes into Committee, and I hope that it does, I hope that we will explore how it may be further improved to reinforce the paramount importance of placing the individual at the heart of decision making.

Until now, there has been no legal framework for the type of sensitive advocacy necessary to ensure the delicate balance between individual autonomy and protecting vulnerable adults. While the Bill represents a significant improvement on the present position, it still falls well short when it comes to rights of advocacy support. Instead, it offers a new role—the independent consultee—which at best is a halfway measure. It is not adequate and we could not support it as it stands. I hope that the Minister's willingness to continue consulting and listening will produce changes to the Bill that will extend a right of advocacy to those who are protected by the Bill.

Because of the scope for misunderstanding within this area of public policy and the opportunities that can therefore arise to misrepresent the purpose behind such legislation, the Government were right to publish a draft Bill, which was scrutinised by a Committee of peers and MPs last year. I had the privilege of serving on that Joint Committee with a number of hon. Members who are in the Chamber for the debate and I look forward to serving on the Standing Committee that will examine the Bill.

The Joint Committee expressed strong support for the legislation in its report that was published last November but it made a number of important recommendations to strengthen the safeguards in the Bill. Some of those recommendations have been accepted and I hope that, as the Bill progresses through the House, yet more of the Committee's ideas and recommendations will be accepted.

Some have written to me to urge that I vote against the Bill on the ground that it promotes euthanasia. That is a travesty of the truth. The Bill is not without its flaws but it can and should be improved, not rejected out of hand. I do not believe that organisations such as Age Concern, the Alzheimer's Society, the Down's Syndrome Association, Headway, Help the Aged, Mencap, Mind, the National Autistic Society, Rethink and the many others that support the Making Decisions Alliance would support the Bill unless they saw it as a means of extending the rights and protections of vulnerable people.

There are legitimate concerns—we have heard them already—about the precise effect of the clauses on the powers of deputies and appointees and on advance decisions to refuse treatment. The courts have already recognised a person's right to specify in advance both what treatments they would want and those that they would not want. As we have heard, the recent decision by Mr. Justice Munby in the case of Mr. Oliver Burke has emphasised the importance of doctors following the individual's known wishes. Paragraph 77 of the explanatory notes to the Bill states:

> "Many general forms of advance statement or 'living will' will be important and relevant as 'past wishes' of the person for the purposes of the best interests checklist in clause 4."

Given that the explanatory notes say that such general, non-binding statements should be taken into account, why is it not possible for the Government to accept amendments to the Bill that would give express recognition of such statements? They would be an important further safeguard and reinforce the well established legal right of the individual to give and to withhold their consent to treatment.

Mr. Duncan Smith: Does the hon. Gentleman accept that one of the problems that people have with the Bill is the interplay between an individual and someone who has power of attorney on their behalf and who interprets what are considered to be a person's wishes prior to their present condition? That exposes a problem at the heart of the Bill. Legally it is possible that someone may say that they wish not to have treatment, but it has never been possible legally for them to prescribe treatment for themselves. That is the issue. It is the withdrawal of treatment, as decided by the attorney, that causes the problem.

Mr. Burstow: That is undoubtedly an issue that we need to give careful attention to, and to explore in some detail in Committee. Indeed, I was very struck by an earlier intervention by the right hon. Gentleman concerning the courts' role in appointing someone to act in that regard. We must consider carefully whether courts should be able to nominate someone to make such decisions away from the courts. So he has made some important points that need to be considered in Committee, and which should lead to further amendments to the Bill.

On advance refusals and advance directions concerning the form of treatment that a person would like to receive, the Disability Rights Commission points out in its briefing to Members that there is a challenge in providing individuals with impartial advice when making decisions about conditions of which they have no experience when they choose to refuse treatment, or, indeed, when they decide what sort of treatment they might want. Advocacy to explain the reality of living with impairments and health conditions, and of life opportunities, is essential. There is substantial evidence showing that medical professionals are not best placed to provide this advice, due to biased assumptions and discriminatory attitudes towards disabled people and their quality of life, expectancies and chances. I share the DRC's concern, and it is important that we ensure that the Bill addresses the question of sensitive advocacy, independent of those who are closely involved in the decision-making process, not least the commission.

It is said by some who have contacted me that the Bill fails to provide an adequate definition of "best interest" and that it is too vague, particularly in respect of end-of-life decisions. There is of course the perfectly honourable view that there are no circumstances in which death can be in a person's best interest; however, translating that view into practical legislation is another matter. For example, how would such a view affect the delivery of palliative care? When is the line crossed between relieving pain and shortening a person's life? I do not believe it possible or desirable to set such matters out in statute—to second-guess every possible scenario that should be considered when determining what is in a person's best interest. Ultimately, that is a role for the courts in looking at the individual's circumstances at the time and their wishes, feelings and preferences.

The Bill does offer the courts and others important signposts in the statement of principles in clause 1, and in the checklist in clause 4. It is simply not true to say that it does not advance and clarify the nature of best interest; in fact, it provides a framework that hitherto existed only in piecemeal common law. The principles promote a real shift in the attitude toward empowering vulnerable people to make as many of their own decisions as possible. They make explicit the legal presumption of capacity and the need to take all practical steps to support a person in making a decision. They also make it explicit that the decisions taken must be the least restrictive of basic rights and freedoms.

However, there is one further principle that would guard against others making assumptions about the quality of life of a person who lacks capacity. As drafted, the Bill does not address the way in which decisions on behalf of, or actions for, a person who lacks capacity can be affected by the proxy decision maker's biased assumptions about, and discriminatory attitudes

[Mr. Burstow]

towards, disabled and older people. For example, research has pointed to ageist assumptions in the care and treatment of older people, and to the reliance on chronological age as a proxy for a person's recuperative capacity. We should also note the poor practice that has been allowed to develop in respect of "do not resuscitate" orders, which are being used without prior consultation, for example. There is a need for age discrimination legislation that goes beyond dealing simply with employment issues, and which deals with goods and services, not least in respect of health and social care.

Mr. Boswell: I am following the hon. Gentleman's argument with interest and a good deal of sympathy. There is a clear corpus of legislation against discrimination on the ground of disability. In the hon. Gentleman's view, would someone making decisions with an inbuilt bias—conscious or unconscious—on behalf of a person without capacity already be at risk under the Disability Discrimination Act 1995? Is it necessary to legislate further on this matter?

Mr. Burstow: That, in a way, will be the purpose of the amendments: to get Ministers to clarify whether the law currently provides such protection for people with disabilities. If it does not, I propose an amendment that would ensure that people are not treated less favourably as a result of such discriminatory attitudes and beliefs.

Throughout the scrutiny of the draft Bill it was put to the Joint Committee that a "general authority to act", as it was called in that draft legislation, should be separated from the more formal arrangements needed for authorising major decision making about a person's health, welfare or financial affairs. The Committee recommended

"a redrafting of the clauses concerning the general authority in order to clarify that its use is intended to be limited to day-to-day decision-making and emergency situations".

The Government have redrafted the provisions and renamed the clause, but considerable concern remains that its terms are still unclear and too widely drawn. For example, would a paid or family carer be taking an action under section 5—if the Bill becomes an Act—when a person without capacity is being moved from a family home to a residential care home? The Joint Committee recommended that there was a need for a sustained and comprehensive training programme for professionals and a public information campaign for informal carers to be implemented in order to provide the relevant groups with an accurate understanding of what the general authority was all about.

I believe that such a programme of publicity will be essential if the rights enshrined in the Bill are to be realised in practice, but such a programme is not of itself sufficient. There is also a need for independent advocacy and if there are concerns that a person may not have capacity in relation to a particular decision taken at a particular time, the presumption of capacity must mean an assessment of mental capacity. Let me provide an example of what I mean.

A whole host of assessments are made under statutory provision—for example, community care legislation, delayed discharge legislation and mental health legislation—that should be prefaced by an assessment of a person's capacity. We should not treat people who lack capacity as passive recipients of care. It is essential that the Bill plays a part in ensuring that they are not treated in that way in future. I hope that the Standing Committee will have the opportunity to examine how the Bill fits in with existing and future mental health statutes and case law.

Reference has already been made to last week's judgment in the European Court of Human Rights and the Under-Secretary's response was a matter of some concern to me. He suggested that the Department was in a process of consideration, but he did not convey any sense that that consideration would be speedy. It would be useful if, when she replies to the debate, the Health Minister, the hon. Member for Doncaster, Central (Ms Winterton), could tell us whether it is the Government's intention to report back to the Standing Committee on the Government's intentions in respect of the Bournewood judgment.

Mrs. Browning: I agree with the hon. Gentleman. The Scrutiny Committee made it clear in its report that the Bill should meet the Bournewood gap. Having heard the European Court's judgment in the last week, it is now incumbent on the Government to table amendments to deal with that before the Standing Committee sits.

Mr. Burstow: I could not agree more with the hon. Lady. It is essential that such amendments be tabled. My understanding, on the basis of what others have said, is that the judgment has further widened the gap, not narrowed it. The challenge that the Government face is now even greater and I hope that the Minister will give us some comfort on that matter when she winds up the debate.

The aim of the Bill is clear in seeking to maximise a person's opportunity to make their own decisions. That should also apply to the whole system of lasting powers of attorney, which I want to touch on briefly. The Bill states in clause 4 that donees are required to sign only that they understand the duty imposed on them to act in a person's best interest, but the Bill does not extend the duty to include the principles that are set out in clause 1. Surely it should be an overriding duty to help the person to make their own decisions if they can. The LPAs should apply only when the person cannot make their own decisions. I hope that the Government will entertain amendments in that respect.

The principles should apply not only to LPAs but to enduring powers of attorney—the EPAs that currently operate. There are up to 80,000 of them in place at the moment and many more are drafted and waiting to be registered at some later date. Managing the transition from the EPA to the LPA system will take time, but it must be right for vulnerable people to enjoy the increased protection that the Bill will afford them at the earliest possible moment. That is why it is hard to understand why the Government intend to exclude the workings of EPAs from clause 1 and schedule 4 provisions. Surely, the new higher standards set in the Bill should apply. Particularly where an EPA has not yet been registered, there should be scope for upgrading it quickly to the status of an LPA. The new system must, and does, have more safeguards than the old one. In the evidence given to the Joint Committee, we were told that

20 per cent. of financial transactions under the present system of enduring powers of attorney reveal some abuse. We need a robust and publicised system for monitoring and spot-checking both EPAs and LPAs. Many people would find it hard to understand why the Bill would not allow an individual who is bankrupt to be appointed as a financial attorney but would not provide for a check on whether he or she is on the protection of vulnerable adults list. People on the POVA list have abused, neglected or otherwise harmed vulnerable adults or put them at risk of harm. It must make sense that before signing off an LPA the donor has the right to check the POVA list. Furthermore, it should be a requirement that the Public Guardianship Office check the POVA list. In all cases where the donee is on the POVA list that should alert the office to place the LPA in a high-risk category for monitoring purposes.

I hope that the Minister will be able to respond to my final concern when she winds up. Why is it that the system of appointeeship for looking after benefits will remain outside the principles, protections and safeguards of the Bill? Is that the product of silo thinking, with the Department for Work and Pensions unwilling to engage with this person-centred law reform? It must make sense to have one set of rules and safeguards. How can it be right that benefit appointees will have more powers than court-appointed deputies and attorneys, without any of the safeguards? As well as not having to adhere to the general principles, appointees are not monitored and an appointeeship is revoked only if and when concerns are raised by third parties. If there is no budging the DWP, the lack of clarity about how the two systems will work alongside each other should at least be sorted out. I hope that that can be done.

The Bill has been 15 years in the making. Legislation is needed now to clarify who can and cannot make decisions regarding the personal welfare, health and financial interests of someone who lacks capacity, and to enable people to plan ahead in such situations. The Bill is not perfect, but it provides long-overdue legal rights and protections for some of the most vulnerable people in our society. The Bill has the potential to strengthen the decision-making rights of disabled people. To realise that potential, the Bill should receive a Second Reading so that it can be subject to detailed debate and amendment in Committee. The Bill is about real people, their right to life and their right to a good quality of life. I hope that the House will support it so that we can make it an even better Bill.

5.37 pm

Jim Dobbin (Heywood and Middleton) (Lab/Co-op): I am chairman of the all-party pro-life group, so I speak personally and in that capacity. It is evident from the interventions that we have heard so far in the debate that interest in the Bill is high and that people are taking it extremely seriously. Some of the points that I intend to make mirror some of the interventions and may be the basis of some of the amendments to be tabled in Committee.

I agree with my right hon. Friend the Member for Rother Valley (Mr. Barron) that we need legislation to protect people who lack capacity, but any such legislation needs to be safely and tightly drafted to ensure that they are properly protected. I support the principle of creating a statutory framework to protect those individuals who lack mental capacity. However, I am strongly opposed to those clauses in the Bill that could—I use that word advisedly—introduce euthanasia by omission, and I listened very carefully to my hon. Friend the Minister on that issue when it was raised in interventions. There are many individuals and organisations with legitimate concerns about that issue. When my hon. Friend the Minister responds, I hope that she will clarify the situation as regards the case of Bland. I would like it put on record whether the Bill will enshrine the decision in Bland in legislation.

During the past 12 months, I have met Ministers on several occasions to try to set out my serious concerns and those of others about the Bill. I am grateful to the Government for their willingness to engage with concerned parliamentarians and especially grateful to Lord Filkin and my hon. Friend the Minister. We welcome the important changes that the Government have made to the Bill, especially clauses 58 and 26(2) on advance decisions. Those are not cosmetic changes, as has been suggested in some quarters.

I am disappointed, however, that the Government have so far failed to amend the Bill to meet our concerns about the suffering that will be caused to many incapacitated adults if certain provisions are enacted. I was particularly struck by the powerful representations that I received from organisations representing disabled people. I am not convinced that we are listening to their concerns about the way that the Bill would create an imbalance in legal power between the appointed decision maker and the person deemed to be without capacity.

I accept the tremendous job done by carers. I have two grandsons who have a physical disability so I am well aware of the contributions made by carers, but who are we trying to protect in the Bill—carers or mentally incapacitated adults? Surely, it must be the latter, and I fear that organisations promoting the Bill, in particular the Making Decisions Alliance, may be paying too much attention to the needs of carers and too little to the needs of those who lack capacity.

Last week, I was struck by the fact that Mencap—a key member of the Making Decisions Alliance—criticised the High Court judgment in the case of baby Charlotte on the ground that doctors should not make assumptions about the quality of life of disabled children. The long-term ramifications of that case pale into insignificance beside those of the Bill, and I am surprised that Mencap has not been more critical of the provisions that would allow attorneys and medical professionals to make quality of life judgments about mentally incapacitated adults.

It would be disastrous if the Bill, which has the laudable aim of transforming the lives of mentally incapacitated individuals and their carers, were to become a vehicle for the introduction of euthanasia and assisted suicide. Vulnerable adults who are supposed to be protected by the Bill would be placed at grave risk.

There are three main ways in which the Bill could weaken our legal prohibitions against euthanasia and assisted suicide. First, the Bill introduces legally binding advance decisions to refuse treatment, or living wills, as they are more commonly known. In principle, I accept that an individual can give an advance refusal to

[Jim Dobbin]

treatment and I have no objection to medical professionals upholding a refusal that is recent, well informed and not motivated towards suicide. However, medical professionals should not be legally obliged to respect a refusal that is made on the basis of inadequate information and/or has the aim of ending life.

Legally binding advance refusals of treatment will make it difficult for practitioners faced with the need to make rapid decisions in acute medical emergencies to decide when an advance directive is valid and applicable. Fear of litigation may result in medical professionals withholding appropriate care, with resultant harm to the patient—a comment made in an intervention earlier. That is not about looking after the interests of medical professionals; if doctors and nurses are legally obliged to respect ill-advised, vague but apparently binding advance refusals, it is the incapacitated patient who will suffer.

I ask the House to consider the following scenario. A suicidal patient may prepare an advance directive that clearly specifies that they have taken a particular drug and that they refuse to have their stomach washed out or to receive an antidote. The circumstances and the refusal of life-sustaining treatment have been specifically addressed so the advance directive would appear to be legally binding. Medical professionals would be legally barred from attempting to resuscitate that patient and if the overdose was not fatal the patient could be left with significant permanent and disabling organ damage. It is because of such scenarios that I oppose making advance decisions legally binding.

Mr. Duncan Smith: May I take the hon. Gentleman back to the point that he was making about suicide? I agree very much with what he says, but is he not making the point that the Government have not faced up to the problem that in the case of a suicide those decisions are taken very, very speedily? They talk about provision to challenge the view of the patient who is incapacitated, but that challenge must be a legal one, so it cannot happen at the time. A doctor's judgment to make such a challenge, which turns out to be wrong, may end up with the doctor suffering. That key point is nowhere addressed in the Bill.

Jim Dobbin: I have just been making that point in my contribution, so I agree with the right hon. Gentleman.

When giving evidence to the Joint Committee, Baroness Finlay of Llandaff—an expert in palliative medicine—said:

> "Advance refusals are very helpful for communicating with patients. It is terribly helpful as an idea of what patients want. My concern is that they are legally binding and then you have to sit back and watch something happen that you just feel terribly uncomfortable with."

I agree with that.

According to an independent survey of doctors conducted by Opinion Research Business for Right to Life in May last year, 76 per cent. of doctors indicated that they shared the concern of the House of Lords Select Committee on Medical Ethics that patients could deprive themselves of medical treatment developed after they had signed their directives. Almost half the doctors polled—49 per cent.—would seek advice from a colleague if they had an advance directive saying "no tube feeding" and were unable to confirm the directive at the time of treatment. Most doctors—71 per cent.—claimed that they would disregard an advance directive in circumstances where they felt it would cause harm to the patient or did not seem to apply.

Mr. Grieve: The hon. Gentleman is making a very important point. He may agree that, in Committee, we need to look carefully at the definition of advance directives and what they can allow. It is one thing to have an advance directive that indicates a person's preference in the period leading up to death; it is quite another thing for someone to express a preference that will result in death when it would not otherwise happen.

Jim Dobbin: Yes, that is why I hope that all these issues will be clarified in Committee.

The Bill's proposals on advance decisions could force medical professionals to remove life-sustaining nursing care, including food and fluids, and medical treatment from mentally incapacitated individuals, thereby causing death. That can hardly be said to enhance the interests of those who lack capacity.

The second way in which the Bill could weaken our legal prohibition on euthanasia and assisted suicide is through its provisions on lasting powers of attorney. Those provisions will cover health care as well as financial matters and allow third-party or proxy decision makers to direct medical professionals not to treat a patient. Those proxy decision makers will also be able to direct medical professionals not to provide life-sustaining treatment when they have been granted such authority by the patient when competent. Under clause 6(5), medical professionals may be acting unlawfully if they do anything that conflicts with what the attorney has decided.

There will certainly be circumstances where the mentally incapacitated patient's family will benefit financially from his death. Under the Bill, the proxy decision maker will have the power to refuse treatment, so hastening that patient's death. That possible conflict of interest is not addressed in the Bill. The attorney's decision must be respected even though it is the patient, not the attorney, who stands to suffer from the decision. We are all well aware of the pressure under which doctors and nurses work in the NHS. I fear that, when they would like to challenge an attorney's decision, hospital staff will simply not have the time and resources to do so. I am afraid that the Government have yet to address the problems associated with lasting powers of attorney.

The third way in which the Bill could weaken our legal prohibition on euthanasia and assisted suicide is in its definition of best interests. It is argued that decisions made for, or on behalf of, those who lack capacity must be in their "best interests", thereby providing an important safeguard against abuse and the practice of euthanasia or assisted suicide. Best interests constitute the over-arching concept in the Bill. The Government regard the best-interests test as objective, but I disagree. At present, the Bill's definition of best interests is dangerously subjective, with too much emphasis on an incapacitated patient's wishes or what somebody else imagines will be his or her wishes.

Consider the following scenario: medical professionals wish to treat a patient who lacks mental capacity, but they come up against a relative or friend waving a piece of paper appointing him or her as attorney with authority to refuse medical treatment. The attorney instructs the medical team to stop treating the patient, telling the team that that is what the patient would have wanted; it is in his or her best interests. Unless the definition of best interests in clause 4 makes it clear that the consideration of best interests must take into account the person's life and health in so far as they could properly be the object of health care, I cannot understand how the medical team could overrule the attorney's instructions in my scenario. Decisions that are clearly contrary to the patient's medical or clinical best interests but reflect other people's wishes and feelings will be made. The Adults with Incapacity (Scotland) Act 2000 is much stronger on this point and refers to the patient's "benefit". I hope that we can take that on board in Committee.

If our aim is the protection of vulnerable adults who lack mental capacity, we are not going the right way about it in the Bill. Let me give another example. Clause 31(5) authorises non-therapeutic medical research on the mentally incapacitated. Allowing research to be conducted on mentally incapacitated individuals that does not actually benefit them does not fit well with the underlying principle in the Bill that acts done for or on behalf of a person who lacks capacity must be done in his or her best interests. Perhaps the Minister could elucidate that further.

If the Government want to strengthen protection for vulnerable adults and prove their frequently expressed opposition to euthanasia—I accept the sincerity of that—I urge them, as a minimum, to insert a clause making it clear that the Bill gives no statutory authority to any decision made with the purpose of causing the death of the person about whose personal welfare the decision is made. Such a clause would make it crystal clear that the Bill does not permit euthanasia and would build on the welcome declaratory provision in clause 58.

An amendment to clause 60 is needed to ensure that the definition of treatment excludes food and fluid, howsoever delivered, in order to prevent patients from being deliberately killed by dehydration and starvation. The recent High Court judgment in the Leslie Burke case declared that current General Medical Council guidance on the withdrawal or withholding of food and fluid delivered by artificial means is unlawful in some cases. As the Bill reflects that current GMC guidance, it must now be amended.

We must not forget that the pro-euthanasia lobby sees the withdrawal and withholding of treatment and care from non-dying incapacitated patients as the first step towards the legalisation of euthanasia. Helga Kuhse, past president of the World Federation of Right to Die Societies, and a leading contemporary ethicist, has said:

> "If we can get people to accept the removal of all treatment and care—especially the removal of food and fluids—they will see what a painful way this is to die and then, in the patients best interests they will accept the lethal injection."

The Government's assurances about the Bill's practical implications do not in my view go far enough. The risks of abuse are real. Unless and until I receive further assurances from them, I will be unable to support the Bill today. I intend to abstain and reserve my position until Third Reading, when I will be able to judge whether they have responded to my concerns in Committee or on Report. The legislation will need a fair period for debate, and I hope that they will allow it that.

5.52 pm

Mr. Iain Duncan Smith (Chingford and Woodford Green) (Con): It is a privilege to follow the hon. Member for Heywood and Middleton (Jim Dobbin). I listened carefully to what he said and agreed with all of it, and in particular with his concluding comments. It was an excellent speech and I hope that he will seal it in an envelope and pass it down the Bench to the Minister for his immediate attention—I certainly would.

This time last week, I did not intend to speak in this debate. Like, I suspect, many right hon. and hon. Members, I had taken the Government's assurances at face value. I was busy drafting letters to constituents with bland assurances that the Bill did not in any way lead to an extension of euthanasia or any consideration of that for those who have to take the decisions. Only when I read my constituents' letters more carefully, before finalising my reply, did I decide to go back and have a long look at the Bill. I did that before, on Maastricht, and look where that got me. I promise my party that I will not make too much of a habit of this, or become more rebellious—well, we will see.

Having studied the Bill, I began to have serious concerns and doubts. I do not usually speak in such debates, so I come with a genuine concern about what I have read. Today, my concerns have grown rather than shrunk as a result of what I have heard both from the Minister and from others on both sides of the House. The key point is that the elephant in the room in this debate is the Bland followed by the Byrne judgment, which the Bill makes no attempt to deal with. I give the Government credit—as I know that the previous Conservative Government tried this and found it too complex—for trying to meet genuine concerns among people who care for those who are incapacitated either temporarily or, arguably, permanently. We need to establish how such people's rights are to be measured and dealt with, and I do not doubt for a moment the Government's good intent. I do not believe that they set out to make euthanasia more applicable or expand its remit, but that does not mean that it may not happen.

The problem is that the Government are creating legislation that will overlay a serious problem, in that the issue of euthanasia is already out of the bag. By omission, we already have the position whereby people can be denied food and liquids as part of their medical treatment, so defined. That issue underlies every single comment that I will make today and that Government Members with similar concerns have made.

The Government have set up a scheme under which a lasting attorney can be appointed to make medical and other wide decisions about the well-being of a patient when that patient becomes incapacitated, as defined in the Bill. I understand that the intention is to enhance the patient's autonomy, but the problem is that patients might have changed their minds, and in many aspects of the legislation it is impossible to take account of that. No matter what has been said, such attorneys have, legally, the power to make decisions on behalf of patients, and one such decision can be to withdraw

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treatment if they believe it to be the expressed and implicit wish of the patient before they became incapacitated, and that withdrawal of medical treatment can include the withdrawal of fluids and food. In essence, the attorney has the power to send the patient to his death. Nothing in the Bill prevents that.

It is not feasible to say that the doctor will be able to challenge that, because the doctor or other medical staff would have to make such a challenge legally, and in many cases time is of the essence. In an overstretched health service, with NHS staff busy with the next case even as they deal with the current one, no one will want to go down that road. Medical staff will not want to refuse to abide by such a decision, knowing that later they could be charged with assault simply because they applied treatment that the attorney had decided against.

Mr. Lammy: Clause 26 specifically says that the doctor does not incur liability unless he is satisfied that the advance decision is valid and applicable. That is a very high standard in law and, indeed, means that there is a presumption in favour of life. I understand what the right hon. Gentleman said about the Bland decision, and that he would like it overturned, but I wanted to put that on the record, and the fact that the Bill does not alter the current common law position.

Mr. Duncan Smith: I understand what the Minister says but, with respect, the Bill also legislates powerfully for the attorney. It says categorically:

> "A lasting power of attorney is a power of attorney under which the donor . . . confers on the donee . . . authority to make decisions about all or any of the following"—

including their well-being in terms of their medical treatment. The Minister is saying—I suspect that he genuinely believes it—that there is the possibility that medical staff will be prepared to stand by their decisions and take the challenge to the necessary court. Even if that might happen in exceptional circumstances, I suspect that the reality is that it will not because the decision may be marginal, and given the Bland judgment the doctor will not deem it necessary to make that challenge and will not do so. The greatest injustice involving the power of attorney lies in those cases. Although I am not saying that the Minister does not believe his assurances, they do not stack up given the legalities in the Bill.

I am worried about where the measure will lead because examples from the other side of the Atlantic seem to show where we are positioning ourselves. There was a case involving Marjorie Nighbert of Florida, who had given power of attorney to her brother. She later had an accident and was taken to hospital. She was clearly incapacitated and thus unable to make decisions that could change any of her previous views. There was a debate on whether treatment should be withdrawn. The court decided that she was not capacitated although the nursing staff at the time believed that she had given sufficient indication that she wanted to receive fluids and food. Her brother, however, believed that treatment should be withheld because he thought that she would never recover. He said that he believed that because he recalled that while she was watching a programme on the specific issue, she said that if she were ever in such a condition, she would not want medical treatment to continue to be administered. The court upheld that on the basis that it completed the process in which she had been originally engaged and indicated her true intent. Fluids and food were thus withdrawn, and she has subsequently died of either starvation or dehydration, or perhaps a combination of both.

No doubt all hon. Members will say that such a situation could not happen here. However, the Bill opens the door to that process. I was struck by a comment made by Lord Filkin, I suspect in response to Lord Alton and the hon. Member for Heywood and Middleton in June. It was conceded that under the Bill, if a person, for example, told his flatmate that he would not want to be resuscitated, that could be considered to be an advance decision to refuse treatment. The Government accepted that such a decision did not have to be written, but could be oral, and that a previous written statement could be elaborated on by an oral opinion, despite the fact that the only person who knew that might be the flatmate or the attorney at the time. There would be no way of checking whether the statement was true.

Andrew Selous (South-West Bedfordshire) (Con): I was pleased that my right hon. Friend brought the case of Marjorie Nighbert to the House's attention. I understood that she was restrained in her bed to prevent her from raiding other patients' food trays. Unless the Bill makes it absolutely impossible that such a situation could happen in this country, we must vote against it.

Mr. Duncan Smith: My hon. Friend makes his point powerfully. I did not want to take the case any further because I only wanted to illustrate the problem that such protections are not in the Bill. Although we say that such a situation could not happen here, the Bill does not make that clear, so the problem is that we may well find ourselves in that position.

There are also cases in which there are question marks over the motivation of those with power of attorney. The Bill does not deal with the possibility of people obtaining general benefit from an individual's demise after the withdrawal of fluid or foods due to their decision to withdraw medical treatment.

Mrs. Humble: The right hon. Gentleman will be aware that the Joint Committee examined advance directives in great detail and considered how they could be up to date and well informed, rather than being statements made years previously, perhaps before new medical advances were made. He says that he is dissatisfied with the detail in the Bill, but I am not sure whether he has had the opportunity to examine the draft code of practice, which addresses many such issues. I am sure that it would reassure him.

Mr. Duncan Smith: I have looked at the code of practice. I want to return to the question of these wills—as it were—in a moment because the situation has not been sufficiently dealt with or tightened up in the Bill. The code of practice is all very well and good, but I am considering the power that a doctor will have to challenge such decisions given the circumstances in which they operate at the time.

Miss Widdecombe: Is my right hon. Friend aware that the concept of futile treatment appears in the code of practice, which includes assisted food and fluids?

Mr. Duncan Smith: I agree with my right hon. Friend—I always make a point of doing so. That is the reality of the situation.

I return to the original point that I made: the elephant in the room is the position on the withdrawal of fluid and foods. Much of the Bill ignores that single fact, and until it is dealt with in the Bill, as it should be, many of its measures will be dangerous rather than helpful. I simply refer the hon. Member for Blackpool, North and Fleetwood (Mrs. Humble) to my earlier comments.

Let me take the question of attorneys slightly further and consider deputies. I am worried about the appointment of deputies who might have no specific knowledge or understanding of the circumstances of the individuals whom they are appointed to oversee if those people have no family or have not appointed attorneys at the time—I think that the hon. Member for Sutton and Cheam (Mr. Burstow) raised this point. It is likely that a deputy will be a social worker of a district. That person is not likely to be medically qualified, but will have the power to make decisions as an attorney, as it clearly says in the Bill.

It is worth referring to clause 4 because we must consider whether someone who does not know a patient's background will be able to reach decisions serving his or her best interests. I remind the Minister that clause 4 lists elements that such a person would need to know. How would a deputy be able to

> "consider, so far as is reasonable ascertainable . . . the person's past and present wishes and feelings"?

The present wishes and feelings would not be known because the individual would be incapacitated, and if deputies did not know the individual in the past, they could not take a view on past wishes. However, deputies will nonetheless retain the power to do that. That situation illustrates an additional problem with the Bill—and once again the question of whether food and fluids represent medical treatment is key. The fact that a person who does not know an individual may interpret his or her wishes in the way in which the Bill anticipates is a strange concept.

Mr. Lammy: I hesitate to interrupt the right hon. Gentleman, but he is confusing the roles of attorneys and deputies. It is important to emphasise that an attorney will be appointed by a person who has capacity yet worries about lacking it in the future. It will most often be the case that the attorney will have been married for many years to the person who comes to lack capacity. A deputy is a person appointed, and consistently scrutinised, by the court who will be given more restricted powers under the Bill to ensure that several of the problems that the right hon. Gentleman envisages will not arise. An attorney must be given powers by a person when he or she has capacity if decisions such as those that the right hon. Gentleman raises are to be made. It is important that we have clarity on these points.

Mr. Duncan Smith: There is no question of clarity about what the attorney will do, but I simply say to the Minister that that does not change anything. The individual will make legally binding decisions, which is the problem that lies at the heart of the Bill. It would not be a difficulty if we did not face the problem of omission, as the Minister knows, and until that is dealt with straight up in the Bill, he will face the challenge time and time again. All hon. Members will be worried and anxious until the issue is dealt with.

I told the hon. Member for Blackpool, North and Fleetwood that I would address advance directives. I have my reservations about such documents. We said that they should be up to date and deal with the concerns of those who worry about being incapacitated, but they are also incredibly inflexible. Many people worry about being a burden. They may have watched a television programme or heard a radio programme on the subject or know something about someone who has become a burden. They often think of medical treatment in terms of unnecessary intervention, such as resuscitation, which they rightly do not want to happen to them.

Where does it say in the documents that the individual concerned has a positive wish to die by starvation or dehydration? I doubt that that will ever be written into such a document, yet it will be subject to interpretation. Until it is clarified that that option is not available, the individuals concerned will have no understanding that the decision not to have what they consider to be intrusive medical treatment, such as being resuscitated unnecessarily many times or being subject to an intervention that they do not want because it would lead to them being a burden, will cause their demise—their death—as a result of withdrawing the very essentials of life. No one will write that in. Again, if the Government want to deal with that, they should ensure that their view is clear to all concerned.

I am grateful to the hon. Member for Heywood and Middleton for mentioning suicide. It is a huge grey area. The Minister said that it would be clear because doctors would not necessarily accept the decision made in the case of a suicide even if a living will had been made prior to the suicide attempt. I am in no way as confident. It is a matter of dispute whether a doctor in that pressured moment will make the sort of decision that may lead to them facing a court for whatever reason, perhaps because they have carried out medical treatment that the person later says was intrusive and wrong and that they had specifically said should not happen.

The second consideration is what happens in the case of an individual who knows of the living will, who is present at the time of the suicide and who does not call the ambulance because it is their understanding that that is the wish of the person committing suicide. We know from doctors that the vast majority of suicide cases are not about wanting to die, but are cries for help. Most want to live. That is the reality. Very few head off in a suicide attempt deliberately to die. They do it because they need help. If they made a living will earlier and someone interprets it incorrectly, does that not give that person a reason not to follow through because they think that that is the expressed belief? There are

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concerns about advance directions—the living wills—that may lead to the wrong decision being made in a number of cases.

The Government have also not dealt with the problem of research. The Bill changes accepted practice. In almost every case, intrusive research takes place if it is of benefit to the patient. We are going to allow an individual who is not able to express his views or opinions, and who is subject to other people's views and opinions, to have research carried out on him—albeit reasonable and likely to be negligible and not unduly invasive or restrictive—that is not necessarily undertaken as a benefit to that patient.

Mr. Grieve: My right hon. Friend raises a difficult issue. I hope that he will forgive me, but I do not entirely agree with him. The question of whether research should be carried out has been resolved between the doctors and the relatives, and research has taken place in circumstances in which it was of no direct benefit to the patient. The Government are trying to codify that while providing safeguards. In the process, they have highlighted the stark reality that we have tolerated an ethical system that may be highly questionable.

Mr. Duncan Smith: I accept my hon. Friend's view, but the Bill codifies something that is fundamentally wrong. Such action could have been challenged previously, but it will be impossible to do that in future. Whether the Government set out with good intent is not the issue. The problem is that they are locking into legislation bad practice that is not in the best interests of an individual who is incapacitated and unable to make the decision. Whether we are dealing with the withdrawal of fluids and food or research on an individual, the simple test is whether we, as people who are conscious and able to make such decisions, would allow those procedures to be carried out on us. I guess that the answer to that would be no in most cases. Why should it be any more the case that the wish of an incapacitated individual should be overridden in such a way? That is where the Bill falls down.

There is another point to consider, which the Government may not have picked up. It is clear that there is a contradiction between road traffic legislation and the Bill. There may be problems with where the truth lies. Listening to my hon. Friend the Member for Salisbury (Mr. Key) and other hon. Friends, it appears that there are serious contradictions, which I hope the Government pick up before the Bill makes it to law, if it ever does.

As I said, I did not come to the Bill with existing deep or profound views. I simply read it and discussed it with others over the past four or five days. I reason that there are so many fundamental flaws at its heart that we cannot allow it to go through as it stands. To do so would make the problems that we face worse, not better. I understand that the Government are trying to sort out the problems and that for 15 years, as others have said, we have needed to find a way to protect those who are incapacitated across a range of issues and problems, but until we deal with the single fact that euthanasia is not just by commission, but is also by omission—until the Government wrestle with that problem and put it down once and for all—we will have a deeply flawed Bill that could lead to serious hurt to those who need our help and not our condemnation.

6.17 pm

Mrs. Claire Curtis-Thomas (Crosby) (Lab): I declare a number of interests. I am a member of the all-party pro-life group. I served as a Samaritan for 18 years. I have also for five years been the carer of somebody who is severely disabled.

I support legislation that will safeguard the interests of adults who lack mental capacity. Those organisations that have been campaigning for the Bill are rightly concerned with the deficiencies in the law that have left people open to abuse and exploitation. I hope that the Bill eventually remedies those deficiencies.

As for the day-to-day care of those who lack mental capacity, the Bill seeks to provide legal safeguards that they do not currently enjoy. Tightening up the oversight of financial affairs of those lacking mental capacity is long overdue. Giving carers greater confidence in their legal standing when looking after those who lack capacity—perhaps by dressing them, washing them and providing medication—is also welcome.

There are positive elements in the Bill. However, I shall not focus on those. Instead, I want to consider how it deals with end-of-life decision making. That is incredibly fraught and complex. If vulnerable adults are not to be placed at risk, it is imperative that we get the parts of the Bill that deal with end-of-life care right. We have some way to go. Like many colleagues on both sides of the House, I fear that unless the Bill is amended, it will leave the door open to the legalisation of euthanasia and assisted suicide. That would be disastrous.

Like many colleagues in the House, I wish that I could talk in the abstract about measures in the Bill. I wish that I could make a speech like that of the right hon. Member for Chingford and Woodford Green (Mr. Duncan Smith), which was quite eloquent and adequately described everything that I wanted to say. But I cannot. I want to talk about the experiences of my mother, who lived for five years in total paralysis.

In 1990, my mother had a massive bipolar stroke. For those who do not know what that means, she was completely paralysed from the roots of her hair down to her very toes. She could not drink; she could not speak; she could not eat; she was doubly incontinent. It sounds pretty horrific, and it is. It is horrific for the individual who is in that condition and it is awful for the carers and people in the family who have to look on. Who would want to see their relative in such an appalling state? It is frightful. All one wishes is that the doctor's hypothesis is correct and that the person quickly succumbs to some bronchial condition. People in such a condition lose the facility to swallow and so fluid eventually enters their lungs and they drown in it. As a relative of someone in that condition, one hopes that that will happen sooner or later.

My mother is an incredibly obstinate woman, and despite all medical pronouncements she survived that appalling stroke and gradually recovered her capabilities and capacity. Once she was better, she came to me and said, "I never, ever want to be put in that position again. If that happens to me again, I want you to do everything you can to make sure that I leave this world as quickly as possible." She produced a legally binding advance directive, with which I was very happy and I signed up to it.

We lived with my mother in a marvellous condition for five years until she succumbed to another massive stroke. It was exactly the same as the first one, only there has been no recovery from it. She was admitted to hospital in a state of semi-coma and I went to see her. Like the previous time, she had lost all capacity to speak, and she was put on a drip. I am an engineer, not a medical person, and I am just a daughter. I thought that the drip was some magic fluid that delivered everything. If one speaks to normal people, one finds that they are not sure about it. I thought that the drip delivered everything including food—a little like an aqueous Complan, as it were. I was told that it was keeping my mother hydrated and comfortable.

I went to the doctor and said, "My mother doesn't want to be kept comfortable, actually. She has a legally binding advance directive and her wishes are that she be taken off the drip." This man—God bless him—said, "No, we won't be doing that for some days. We expect your mother to succumb very quickly and we want to make sure she is comfortable until she does so"—recognising that hydrating a body is absolutely essential to keeping somebody comfortable. I cannot and never will sanction or support any measure that results in the dehydration of an individual. It is absolutely inhumane to allow somebody to die of thirst. We collect money to stop that happening in Africa, yet we sit here about to agree that it is perfectly acceptable for people of diminished responsibility. That is unacceptable to me.

Although my mother was in a semi-coma, I felt sure when I was able to look at her as the days passed that, just as before, she was fully conscious and fully aware of what was going on. It was immensely difficult to convince any of the medical staff that, although my mother was totally paralysed, I felt that in her heart of hearts she was still with us. I described her condition as "just like us, only she can't eat, she's totally paralysed and she can't talk." We should look not at the body but at what lies beyond it.

I spent weeks going backwards and forwards trying to get the doctors to agree with the legally binding directive and to get people to see that my mother was not in a permanently vegetative state. I had been told that it was impossible for her to be in any other state given her condition. As the weeks went by, my mother survived, despite all the protestations, and she was moved. I became convinced that she was fully aware of what was going on, but because she could not speak it was very difficult for me to secure concrete proof of that. Total paralysis means that one cannot even move an eyebrow or blink when one wants to. As the weeks went by, my mother remained on a hydration drip, and I slowly but surely became convinced that she could blink to order. As time passed, I realised that she was certainly doing so and was able to prove that, in fact, she was fine. Inside the body that had deserted her, she was fine.

As that was happening, doctors came to me once again and told me that I needed to think about food for my mother. I said, "What do you mean food? She has that hydration drip." They said that she had not had any food for the previous 15 weeks. My mother had been very overweight and had lost a lot of weight, but I thought that that was because of her condition. I did not think that she was being starved to death.

Doctors asked me to think very seriously about the matter, because they thought that if they gave her food she might survive for quite a long time, and that not doing so might hasten her death. I went to my mother that evening to talk to her about whether she wanted to live. I sat down next to her bed and said, "We have choices to make, Mum. Tomorrow, they want to operate on you, insert a peg and you'll receive food. If you say yes to that, there is a likelihood that you will live for quite some time. If you say no, you will die of starvation. You'll be quite comfortable, though, because I'll make sure that you're hydrated and you won't have this terrible thirst." People who cannot drink have unimaginably dry mouths. It is horrific. Hydration is desperately needed. I used to swab my mother's mouth with damp cotton just to keep her comfortable.

I made sure that my mother understood what I was saying. I had a nurse with me—a lovely woman who sat next to me and who was present for the conversation. In the morning, I went back to my mother and she blinked out, "I want to live." I had to go to the doctor and say, "My mother has now given permission; get on with the operation, please." There was a legally binding directive, which was made following the most appalling stroke, and five years later an individual who had been struck down with the exact same condition was saying, "I have changed my mind."

If my mother had not had me, all I believe would have happened is that she would have starved to death. I do not think that anybody would have taken the time or known her well enough to realise that she was actually present and capable of making decisions. We make so many judgments on behalf of people who are incapable of making them themselves. That is disastrous. It would have been disastrous in the case of my mother; she would have died. She did not want to die; she wanted to live. She exercised the choice of changing her mind. It is almost impossible for us to know what we would be like under any given circumstance until that circumstance has arisen. It is absolutely wrong of us—the able-bodied and the able-minded—to take that right away from an individual.

My mother was put on an automatic feed. The Bill describes that as medical treatment. My mother did not need any medical treatment to stay alive—she needed water and food. Her body did not need anything else. She lived for five years in that condition. She was a grandmother for five years; she was my mother for five years. I would argue that in many ways they were the best five years of her life.

I fear the effect of some of the omissions from the Bill. I fear what they mean for people like my mother—wrecks of bodies, voiceless bodies. I do not want us to do anything that takes those rights away—nothing. I could not possibly agree to that. Nobody sitting in this Chamber today could agree to it if they had been with me on this journey. It is right that we have discussions and pass Bills to enhance the rights of people such as my mother and the thousands of people in this country who find themselves in a similar position, but we have to be very careful when we do that. We must not take liberties.

[Mrs. Claire Curtis-Thomas]

We must not take decisions away from people who cannot speak and presume that, because they cannot speak, we know better. We do not know better.

I will not support the Bill today; I will abstain. I want to see whether some of the amendments that the pro-life group are eager to promote will be accepted. If they are, and if I can read them knowing that people like my mother are protected and have the quality of life that they have a right to, I will be able to support the Bill on Third Reading. If not, I do not intend to let down my mother or the thousands of people in this country who are in the position that she was.

6.31 pm

Ann Winterton (Congleton) (Con): It is a great privilege to follow the hon. Member for Crosby (Mrs. Curtis-Thomas). The House listened in absolute silence to what she had to say. It was very personal, very emotional and true.

I have always considered the Bill to be a mixed bag. It is like the curate's egg—good in parts. However, in listening to the debate, especially the Minister's contribution, I have come to the conclusion that it is far more dangerous than I first thought. I am grateful for the fact that the hon. Member for Crosby spoke before me because I was privileged to have her support when I introduced my private Member's Bill, the Medical Treatment (Prevention of Euthanasia) Bill, in 2000. These issues were fully debated at the time, and the hon. Lady played a major part in debates both in the Chamber and in Committee.

At the time, I was accused of scaremongering because I referred to the suffering caused to patients by the withdrawal of food and fluids, however delivered. I was also ridiculed when I said that I was of the opinion that the withdrawal of assisted food and fluid, thus ending the life of a patient, is in breach of article 2 of the European convention on human rights. I am therefore deliberately beginning my speech by quoting the case of Mr. Leslie Burke. I know that he has been mentioned before. Mr. Burke challenged the legality of the General Medical Council guidelines that permit doctors to withdraw treatment, including assisted food and fluid, from mentally incapacitated patients. The guidelines are reflected in the Mental Capacity Bill, and I draw the attention of the House to the fact that the Disability Rights Commission supported Mr. Burke in his legal challenge.

When Mr. Justice Munby of the High Court family division ruled in favour of Mr. Burke, he stated that the guidelines are in breach of articles 2, 3 and 8 of the European convention on human rights. The all-party parliamentary pro-life group has consistently maintained that the GMC guidelines are in breach of article 2, which states:

> "No one shall be deprived of his life intentionally".

That was one of the main points that we made in our submission to the GMC when it was receiving evidence on the issue. Moreover, among the points raised by Mr. Justice Munby was the fact that the withdrawal of assisted food and fluid from patients can cause pain, discomfort and extreme distress that results from malnutrition and dehydration. That is another crucial point that I and others have made persistently over the years.

There is no purpose in pretending that the withdrawal from a non-dying patient of assisted food and fluid, which is defined as treatment in clause 60, is not euthanasia. Professor Sheila McLean, a leading euthanasia lawyer, has made it clear that it is. In her paper published in the Voluntary Euthanasia Society of Scotland newspaper in April 1996 she described the Bland judgment that allowed the withdrawal of treatment, including food and fluid, to end the lives of those in a persistent vegetative state, as a form of involuntary euthanasia. Perhaps not so curiously, Professor McLean was a member of the drafting committee of the British Medical Association guidelines on withholding and withdrawing life-prolonging medical treatment that advocated the withdrawal of treatment along the lines adopted in the Bill.

Let us be clear about this: in justifying such treatment we have seen any number of words and phrases being given new meanings. One, which has already been mentioned, is the term "futile treatment". I would not want to see any patient, and certainly no patient that I loved, having futile treatment inflicted on them. To me, that means giving people treatment that can no longer help them, such as pumping a patient full of antibiotics when they are drawing close to death or operating on a cancer patient when there is no hope of curing or relieving the disease, but food and fluid, however delivered, have never been thought of as a treatment to cure a stroke, Alzheimer's disease, Hodgkin's disease or anything else. Such an idea is patent utter nonsense.

Food and fluid are, as the hon. Lady said, basic care that relieves hunger and thirst. What she did not say is that they prevent a patient from dying from starvation and dehydration. However, in some cases, such as advanced cases of Alzheimer's disease, assisted food and fluid are being described as futile treatment which can be withdrawn, when in fact what is meant is that the patients are considered to be futile—in other words, people who are not worth feeding. If Members of the House checked with the Disability Rights Commission they would find that an increasing number of disabled people are becoming more and more frightened of being admitted to hospital. With the growing ethos that some patients are not worth treating—that they are futile—that is hardly surprising, and it should be brought to a halt by ensuring that the definition of treatment in the Bill excludes food and fluid, however delivered.

Another aspect of the Bill that I find frightening is that relating to the definition of "best interests". According to the Bill, this refers to the patient's wishes or, even worse, what somebody else considers would be the patient's wishes. Nowhere does the Bill refer to health or life, and it would allow decisions to be made that are clearly contrary to the patient's medical or clinical best interests. It is interesting that Scotland's Act, which is not without flaws, is a vast improvement on the Bill before us. The Adults with Incapacity (Scotland) Act 2000 refers to the patient's benefit. Why, I ask the Minister, can we not have the same simple and straightforward definition in the Bill?

The Scottish Act also differs greatly from the Bill in the matter of legally binding advance directives. The Act makes no reference whatever to such directives. As far as Scotland is concerned, they simply do not exist—yet for some unknown reason they are to be foisted on the English and Welsh public. That is even more surprising in view of the fact that in 1994 the House of Lords Select Committee on Medical Ethics, which considered euthanasia, also examined in depth the whole issue of advance directives—or living wills, as they are popularly called. The Committee took into account not only the right of patients to indicate what they would like to happen in given circumstances, but the very real dangers of making living wills legally binding in statute law. In its report, it welcomed the concept of advance directives, but advised against their being made legally binding in statute law.

Apart from the fact that old and mentally incapacitated people could well be manipulated into signing a document, because no one wants to be a burden, there is the real danger, no matter how carefully the law is framed, of people not really having a clear understanding of what they are declaring. For example, most people imagine that patients who have suffered severe strokes will simply die if not treated, but that is not so. Some years ago, Professor Peter Millard, then professor of geriatrics at St. George's hospital in London and president of the British Geriatrics Society, explained to a meeting of MPs and peers that a high proportion of people survive; those affected, if they are not given vigorous treatment after the stroke through which they often regain the capacity to move and walk, simply become very crippled and will, in all probability, lead extremely painful and limited lives, which could be avoided through early treatment following the stroke. That type of problem is recognised by many doctors. In the biggest and most recent survey of doctors on the issue of euthanasia, more than 71 per cent. said that there were circumstances in which they would refuse to follow an advance directive. Their concerns mirror those of MPs who oppose some aspects of the Bill.

In the Scottish legislation, all reference to legally binding advance directives has been omitted. Whatever reason is given for that, I can tell the House that the Scottish National party has an official policy of opposing the concept of legally binding advance directives because of the dangers, and it was pretty obvious that the party was prepared to do battle if such a clause were included in the Scottish Bill. I return to the thorny questions of why in Scotland is the definition of "best interests" so much stronger, and why we are being saddled with legally binding advance directives, which for so long have been an objective of the euthanasia lobby in this country.

Mr. Duncan Smith: Does my hon. Friend not think that the problem is that the Government are refusing to face the implications of the Bland judgment and of what is now happening in hospitals up and down the country? The difference between "benefit" and "best interests" is dramatic: use of "best interests" leaves the provision wide open to be defined by those who have power, rather than actually in the best interests of the patient in question.

Ann Winterton: My right hon. Friend made a strong speech earlier and he makes a pertinent point now. I am sure that those who read the debate in *Hansard* will agree with that point, as do I.

With hon. Members on both sides of the House I have been involved in the pro-life fight in Parliament for many years. One of the most common tactics that we have encountered has been the fight to make changes to the law because of complaints about differences between England and Scotland. For example, in 1991 the BMA claimed that in Scotland it was able to apply to the procurator fiscal to obtain permission to withdraw treatment from patients in a persistent vegetative state, and that it was ridiculous to have such a difference in law between the two countries. However, when inquiries were made with the Lord Advocate's Department in Scotland, we learned that no such process existed and that, in any case, the procurator fiscal would not be allowed to make such a decision. The story does not end there. Shortly after the Bland judgment was given, a campaign began in Scotland claiming that in England applications could be made to the court to have treatment, including food and fluid, withdrawn from PVS patients—and, yes, it was ridiculous to have one law for England and Wales and another for Scotland. Not long after, the Law hospital case in Scotland resulted in a verdict similar to the one in the Bland case. I can envisage precisely the same scenario being played out around the definition of "best interests", with the Scots being told that patients' wishes are being denied and that they are being denied an opportunity to choose because advance directives are not to be made legally binding.

I warn the House that we are dealing with an ultra-cynical lobby, which will not stop with the Mental Capacity Bill. It will see the Bill as an opening of the door to legalised euthanasia by commission. If we are to retain the smallest vestige of respect for human life, we must not allow the Bill to pass without radical amendments to prevent the introduction through the back door of euthanasia by omission. Let me make it clear that I support certain sections of the Bill. Throughout, the all-party pro-life group has supported the principle of creating a statutory framework to protect those who lack mental capacity. Earlier, I had thought to abstain in any vote this evening, but having heard some of the speeches, I have concluded that parts of the Bill are inherently wicked and I have no path to take other than that of opposing it. I trust that in Committee, those radical amendments to which I referred are made. If they are, no one will be more pleased than I will.

6.47 pm

Mrs. Joan Humble (Blackpool, North and Fleetwood) (Lab): I am concerned. I am following four measured contributions from hon. Members on both sides of the House, all of whom spoke coherently and cogently, whose interpretations of the Bill are not the same as mine. My hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) recounted her heart-rending personal story—heart-rending, but in many ways uplifting, when she spoke of the positive impact of her mother's illness. I am deeply concerned that the legislation can be interpreted in such different ways, and I say to my hon. Friend the Minister that he must examine that problem.

I asked the Minister at the start of his speech to confirm that the Bill will not introduce euthanasia. I accept what he said, as do the Front-Bench spokesmen

[Mrs. Joan Humble]

for the main Opposition parties, but, like many hon. Members, I have been receiving correspondence from constituents who do not accept that, and this evening I have listened to speeches from MPs who do not accept it. The Bill has been amended. Clause 58 has been inserted to make it clear that the Bill will not introduce euthanasia—and it does make it clear to me, yet still we have heard about individuals who do not accept that. The message for the Government has to be that the issue must be taken away and examined. All legislation must be clear in its purpose and intent, but this Bill more than any other has to be very clear indeed.

Having had the privilege of serving on the Joint Committee that scrutinised the draft Bill, I fully support the aims of the legislation. I see it as helping the 2 million people about whom the Making Decisions Alliance talks. There are many people who have been campaigning for many years to get legislation in the form of the Bill on the statute book. We should use our best endeavours to protect those people who lack capacity to make decisions. We also need to give reassurances to those who have genuine concerns.

Mr. Lammy: I am grateful to my hon. Friend for the clarity with which she sets out the position. Does she agree with me that all doctors take the Hippocratic oath, which is an important oath, and all doctors have a duty of care? Any doctor seeking to end life would be in breach of that duty of care and would have carefully to consider the risk of charges of manslaughter and gross negligence. My hon. Friend will have heard hon. Members who take a strong position on the Bland decision. She will have heard me saying that the Bill does not seek to alter common law. In the Bland case—I was involved in many cases following Bland in my early legal career—and in others, extremely difficult decisions are made around personal autonomy, quality of life and dignity of life in the end stages. Hon. Members will have strong opinions on that. That, however, is the issue that remains between us.

Mrs. Humble: I thank the Minister for his intervention. I agree with his statements about the role of the doctor. Members of the Joint Committee have received assurances that we are not changing the law. Common law has already been set in respect of advance statements and so-called living wills with regard to treatment through artificial nutrition and hydration.

I still receive letters on these matters. I am speaking against euthanasia. I would not vote for a Bill that brought in euthanasia. Yet my constituents are still writing to me and they become increasingly angry when I say that the Bill is not about euthanasia. They say to me, "Yes, it is." The Minister has a difficult job to do.

Andrew Selous: Has not the hon. Lady touched on the entire problem? Given that there is such widely differing interpretation of the Bill, to which she has quite rightly referred, surely we need to ensure that the Bill is so clear that there cannot be differing interpretations. That is clearly not where we are at at present.

Mrs. Humble: I shall make some suggestions later. During the passage of the Bill, the Government will have to consider some amendments, especially in the light of the more recent court cases. When the Joint Committee was sitting a year ago the situation was different, and hon. Members have referred to the Burke case. We have also had the case of the little baby. Although the Bill does not affect children there is the interface with the Children Act 1989. Hon. Members have talked about 16 and 17-year-olds, but we know that a piece of legislation that deals with people who lack capacity may also have an impact on other pieces of legislation. That being so, it is important that the Bill is clarified during its passage through the House.

The Bill refers to the individual being protected by the letter P. P does not stand for patient; it stands for person. The Bill is about real people living real lives in the community, few of whom will be patients in hospital. I remember that in the course of our deliberations as members of the Joint Committee, we took oral evidence from Catholic bishops and Catholic doctors. A lawyer represented Catholic doctors. In his evidence he was constantly referring to patients, and I interrupted him. I asked whether he would recognise that this draft legislation, as it was then, was about people, most of whom are living their lives in the community in their own homes, care homes or nursing homes, but not in hospital. He said that I had identified a lacuna in existing legislation. That is why we are talking about these matters. That gap in legislation to protect vulnerable people in the community has been there for many years. That is why so many representatives of the disability groups want us to consider the Bill, protect people who lack capacity and consider the best interests of those who have varying capacity.

Hon. Members have talked about the proposed legislation opening the way to many judicial challenges. I see the Bill as opening the way for a change of attitude towards people who lack capacity, so that instead of assuming that somebody, because of their illness, mental state or disability, cannot make decisions, we will assume that they can. It will have to be proved that they lack capacity before someone else can make a decision on their behalf. That will be a major job for government. The Bill is about changing attitudes as much as about changing the law.

In a previous incarnation, prior to 1997, I chaired Lancashire's social services committee, and I met many people with a range of disabilities. The one thing that they said to me was, "Listen to us. Listen to our voice." Interestingly, they would sometimes say, "Don't listen to our parents or to our professional carers, listen to us." That will be a key to the proposed legislation.

Ms Meg Munn (Sheffield, Heeley) (Lab/Co-op): Does my hon. Friend agree that fundamental to the whole process is the need to ensure that where people have capacity, although they may lack capacity for certain decisions, they are empowered to make decisions and to have that capacity recognised?

Mrs. Humble: I agree entirely. My hon. Friend's question brings me on to an issue that I want to explore in a little more detail, and that is advocacy services. I am the president of Blackpool Advocacy. When I was a Lancashire county councillor and chaired the social services committee, I set up the Lancashire advocacy development service. I believe passionately that individuals, who for whatever reason cannot express themselves, need to be heard. When the Joint Committee sat, we explored in great detail the issue of advocacy.

Advocacy can help at so many different levels, and not just when there is a serious dispute. If advocacy is introduced in a preventive way at the beginning, it can sort out many problems. When we were debating independent advocacy as members of the Joint Committee it was clear that people had different ideas about what advocacy meant. Some members had a legal interpretation of it. Others saw existing advocacy services as being there only to represent the interests of the local social services department, and queried their independence.

As someone who has been deeply involved with Blackpool advocacy services, I recognise their independence and professionalism and see how they have given a voice to so many people who cannot speak for themselves. They have encouraged those people to speak for themselves. They have engaged with professionals who have cared for individuals and have ensured that the right decision is made on their behalf.

There will be an annual general meeting in a couple of weeks' time, and I have been swotting up on the work that has been done during the past year. Those involved have even facilitated the marriage of two couples who have learning disability. Their parents did not want them to get married, their carers did not want them to get married and social services did not want them to get married. The advocacy service came in and listened to these people. It was convinced that marriage was what they wanted. They needed a package of support to help them to do that. Advocacy services can be vital.

I am concerned about the appointment of independent consultees, which is set out in clause 34. I am not convinced that the independent consultees, as outlined in the Bill, will fulfil the role that independent advocacy services provide. I am not sure whether the Bill should specify in such detail the times at which the independent consultees should intervene. I know from personal experience that there needs to be flexibility in the system.

Will the Minister look again at the role of the independent consultees? Will they be rivals to the existing advocacy services? Who will fund them? Who will train them? Where will they be recruited from? Why are they to be consultees and not advocates? I hope that the Minister will forgive me for pointing out that he said that an independent consultee would be brought in if the person without capacity did not have family or friends to represent them. Advocacy services get involved even when people do have family and friends, because the family and friends do not always agree with the person being represented. I must make it clear that I am not undermining the huge role that informal carers play in our society. They take on enormous responsibilities, but sometimes what they want for their adult son or daughter is not what that adult son or daughter wants. A properly trained, independent advocate can be of enormous help in such circumstances. I therefore ask my hon. Friend to look again at the role of independent advocacy.

Ms Munn: Is it not the case that an independent consultee would act in the person's best interests, whereas an advocate helps the person to express their own wishes and feelings, which might not be what some people would deem to be in their best interests? They therefore play a completely different role.

Mrs. Humble: My hon. Friend makes a fascinating point, which takes us back to a point made by the Minister earlier. My hon. Friend and I could make an unwise decision, and people could say, "Why did they do that? I don't agree with them." We have to recognise that the individuals covered by the Bill will also sometimes make unwise decisions. The independent advocacy service might well simply say that, although it might seem unwise to everyone else in the room, Mr. X—or P, in the terminology of the Bill—actually wants to make that decision. We have to allow them to make unwise decisions.

My hon. Friend has highlighted the difference between advocates and independent consultees, whose role seems to be to say what is in the best interests of the individual. Such details should be explored at a later stage, but I worry that clause 34(6)(a) says that an independent consultee

> "may interview in private the person in relation to whom he has been asked for advice".

I would definitely want them to interview the person in private. I remain convinced that independent advocacy services have a vital role to play, and I hope that the Minister will re-examine the Joint Committee's recommendation that provisions similar to those in section 2 of the Health and Social Care Act 2001 be considered for inclusion in the Bill.

Ninety per cent. of the Bill is excellent. It provides support and safeguards for vulnerable people in the community, but there are one or two areas that the Government need to look at. I have mentioned euthanasia, and we need to consider how the Burke ruling affects the legislation, and whether there are more ways in which the Government can tighten up the wording to ensure that there is no confusion as to their intentions.

I am pleased that the Government have tightened up the provisions on advance directives in the way that the Joint Committee suggested. I have corresponded with Lord Filkin on this matter, and I was reassured by his reply, which stated:

> "The Code of Practice will recommend that advance decisions should be made in writing and witnessed by someone independent, discussed with the health care professional and regularly reviewed and updated."

When a person with a degenerating condition is first told of their illness, they could be so horrified by the prospect of approaching the end of their life that they might make an advance directive without properly thinking through the consequences. They need to seek professional advice on health care in such circumstances, and to review it from time to time. Amazing medical advances are being made, which individuals cannot anticipate, but which they might need to take into account.

[Mrs. Humble]

Research has been mentioned in the debate, and it is an issue that the Joint Committee looked at very carefully. The hon. Member for Daventry (Mr. Boswell) talked about individuals being offered up for research. That conjures up nightmarish images for me; I have to say that, when the Joint Committee was considering this matter, I was reminded of Frankenstein images. We received compelling evidence from a variety of people, however, and it was suggested that research into certain conditions can simply involve observing an individual. It does not have to involve anything invasive. We also received assurances about the role of the medical ethics committee. However, the Government will have to look very carefully at the implications of the clauses dealing with this issue.

Mr. Boswell: I am grateful to the hon. Lady for giving way, not least because I fear that I did not pay her the same courtesy during my remarks. Will she accept from me, in good faith, that my concern here is about the principle of how these things are to be done and, above all, the basis on which it is to be determined whether they are in the best interests of the individual? The Minister might want to look carefully at the distinction between an activity that is broadly neutral in terms of a patient's welfare—as observation would be—and an invasive action, which would be quite unacceptable unless it could be linked to a specific benefit to the patient concerned.

Mrs. Humble: The hon. Gentleman makes an interesting point, which will need to be explored in the context of remarks made by some of his colleagues about certain existing practices. We have been debating this issue as though it were in a vacuum, but it is not. Doctors are doing certain things now. The courts are making decisions on them now. It is about time that we, as legislators and parliamentarians, discussed the issue. All sorts of things are happening that many hon. Members are entirely unaware of.

I have already mentioned the interaction of the Bill with the provisions of the Children Act 1989, and we need to look at those issues. My final point concerns resources. The Bill will deal mainly with people in the community, and it will concern not only their informal carers but professional carers. There will therefore be resource implications for social services departments and for people in the independent sector who provide social care. An extensive range of training programmes will therefore need to be set up. A general awareness of the issues dealt with in the Bill will also need to be raised, and I hope that that will be one of the positive outcomes of the Bill.

This is an important piece of legislation, and we really must get it right. A lot of people will be affected by it, and we cannot afford to get it wrong. I look forward to having detailed debates on the issues in Committee, so that we can reassure the people who are worried about them, and say to those who have campaigned for the Bill for years that we are at last listening to them.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The time available for this debate is not infinite, so perhaps hon. Members will have regard to the interests of their colleagues when making their contributions.

7.9 pm

Mrs. Angela Browning (Tiverton and Honiton) (Con): I was pleased to serve on the Scrutiny Committee for this Bill, the thrust of which I broadly support. I support particularly the principles outlined at the beginning of the Bill and the assumption of capacity. Like others, however, I have concerns about the Bill, to which I hope Ministers will listen, and I hope that they will be prepared to amend it in Committee.

The Committee recommended that the Government consider the implications of independent advocacy, which the hon. Member for Blackpool, North and Fleetwood (Mrs. Humble), a fellow Committee member, has just raised. I support her concerns because I do not share the Government's view that there is already adequate independent advocacy to meet the challenge of the Bill. If the Bill is to work, it must mean more opportunity for more people to access independent advocacy, which must be of the best quality, from people in sufficient numbers, to deal with casework in a timely fashion. All the logistical implications of the Bill, in terms of the demand for independent advocacy, can only be met if the Government clearly identify that more resources will be directed throughout the country to provide advocacy services for people who need them.

I declare an interest: the Making Decisions Alliance has been mentioned many times in this debate, and I am a vice-president of two charities that are part of the MDA—the Alzheimer's Society and the National Autistic Society. In the Scrutiny Committee, I was particularly concerned about autism—the House will be aware of my interest in that area—and the elderly, especially those who develop appalling degenerative conditions in old age.

Today's debate has highlighted legitimate concerns, especially in relation to euthanasia and so-called living wills. In the Scrutiny Committee, it was our understanding that the Government had made a commitment that this legislation in no way opened the gate to any practices that are not covered by existing UK law, which makes euthanasia and assisted dying illegal. For that reason, when the Government responded to the Committee's report, they added clause 58 to the Bill, which is different from the draft Bill, to make that crystal clear. Like the hon. Member for Blackpool, North and Fleetwood, however, I have concerns, because while there may be a moral dilemma in relation to the more high-profile cases that have gone to court—of people who have had severe accidents and been struck down in mid-life, but who have been kept alive in a so-called vegetative state—in some ways, identifying whether those might be outwith the Bill's scope is easier than identifying whether the many thousands of cases of people who simply reach the end of their natural life would be caught within its scope.

We heard of a moving case from the hon. Member for Crosby (Mrs. Curtis-Thomas), and although I shall not give a first-hand account, I had the experience, during the course of the Scrutiny Committee, of my mother dying over a period of four months in hospital. I was therefore dealing with a not dissimilar case. I am concerned about some of the conditions in our general hospitals in relation to the way in which the elderly are treated. I am not suggesting that they do not provide the treatment—if I may use that word—that is necessary; I am talking about general nursing care, which really comes into play when people end their natural lives.

Mr. Boswell: Does my hon. Friend agree, for example, that there is real concern, and some evidence of significant problems, in relation to nutrition and feeding? I am not talking about feeding by artificial means, but about ensuring that the food made available is palatable to and consumed by elderly patients, and not merely taken away when they have not consumed it?

Mrs. Browning: Yes. My precise concern is that this Bill does not lead to further such cases.

It is not always a question of the nursing staff. I have had experience of five elderly patients in the past 10 years who reached the end of their lives but spent considerable time in hospital before the end came. I will not regale the House with the individual cases, but they are a matter of concern. I remember visiting a 91-year-old aunt, who was a spinster so she had no children, and asking the nurse whether she had had anything to eat. The nurse said to me, "Oh, no, she's given up eating. She waved me away when I tried to feed her." I asked her what she was trying to feed her, and the food was obviously inappropriate. In the case of my mother, however, although I was critical of the way in which she was treated in the general hospital, she spent the last two months of her life in the Wokingham hospital—I name it because the nursing standards there were superb—where her food went from mashed, to pureed, to liquid.

I add as a caveat—the trouble with legislation is that it catches all—that when people reach the end of their lives, we must recognise that. I would not wish legislation to be changed in such a way that doctors suddenly felt that they had to intervene artificially, merely to preserve life that was clearly coming to a natural and, one would hope, peaceful end. People who die at home usually die without having taken either nutrition or fluids in the last 24 hours of their life, because the swallowing mechanism disappears. We need to make sure that whatever changes the Minister might make in Committee to deal with some real concerns, she does not go too far the other way so that people do not die peacefully and quietly at home.

I had an opportunity to spend a lot of time on the draft Bill in the Scrutiny Committee, and I have put in a bid to the whips to be amenable to me serving on the Standing Committee, as I want to pursue some of those matters in more detail. In the brief time allowed to me, however, I want to raise the question of the Bournewood judgment in the European Court of Human Rights on 5 October, which applied to an autism case. I bored the Scrutiny Committee rigid on autism cases, but it is an important judgment.

To summarise, the case was of an adult man living with paid carers. He was taken to a psychiatric hospital, which he was not allowed to leave, and remained there for five months. He was autistic and deemed to be mentally incapable of consenting to treatment. The medical profession, in treating or dealing with him, did not regard the paid carers as necessarily the people who could be helpful in deciding how his case should proceed, when of course they were the very people who knew more about him than anyone else. They could have advised the doctors, and the doctors should have listened to them. That was not the case, however, and having exhausted the courts in this country, they eventually took the case to the European Court of Human Rights.

One of the difficulties with the Bournewood case is that it should not be possible for a hospital to detain somebody who is compliant but incapacitated, and then ignore and ostracise the people in that person's life who could have not only given advice to the professionals dealing with him, but been of support to the gentleman while he was in hospital. There were long delays before he was allowed access to them. When the Committee took evidence, the Minister of State, who is in her place, while talking about the safeguards of nominated persons, said that she expected that carers would be the nominated persons. The carers in this case immediately wrote to me and quoted what she had said during that evidence-taking session, saying that they were not so safeguarded.

There is, therefore, genuine concern—especially now that we have heard the Bournewood judgment from the European Court of Human Rights—that, as the Bill stands, the Bournewood gap would not be closed but would be wider than ever. It is one of the Committee's recommendations to the Government that they should ensure that the Bill closes the Bournewood gap.

I realise that we are considering someone who was admitted to a mental health hospital and that a Mental Health Bill exists as well as the measure that we are discussing. I am a member of the Scrutiny Committee for the Mental Health Bill, and there is a genuine read-across between the measures. The hon. Member for Bolton, South-East (Dr. Iddon) mentioned the Law Society's suggestion that the two Bills should run in tandem. However, when we read the draft Mental Health Bill, the Institute of Psychiatry said that the Mental Capacity Bill should be on the statute book before we dealt with the Mental Health Bill.

I therefore hope that the Minister understands, especially in the context of the Bournewood judgment, that we have to get the matter right in the Mental Capacity Bill because there is another Bill that will increase the medical profession's powers to detain people for an unlimited period. Getting it right in the Bill that we are considering is important not only for the people that it will affect, but for getting the next measure right.

Mr. Boswell: Does my hon. Friend agree that one of the concerns is that the Mental Capacity Bill will not have the same safeguards as those that normally exist in mental health legislation, and that people in the Bournewood situation might therefore be at a disadvantage compared with those who are compulsorily detained?

Mrs. Browning: Yes, indeed. That is why we want to ensure that the Bill is right, and it is the reason for my asking the Under-Secretary of State for Constitutional Affairs whether he would examine the matter before the Bill reached Standing Committee, and whether the Committee would consider carefully the amendments that need to be made in the light of the Bournewood judgment. That is important to me. I would not dream

[Mrs. Browning]

of supporting a Bill that did not close the Bournewood gap because it would affect far too many people—not only those on the autistic spectrum, but others.

I want to make only one more point. I hope that I shall have more opportunity to contribute in Standing Committee if I am successful in getting on to it. I want to consider medical research. The Joint Committee's report to the Government supported, with some caveats, the opportunity for research to be conducted on people who lack capacity. As the Bill is currently worded, it would be for third parties to authorise such research. It was not the unanimous decision of the Committee; we were not all content with that. Many reservations were expressed, including by me. Lord Rix expressed reservations in another place. As hon. Members know, he wears his Mencap hat on such occasions. It is not for me to speak for him, but I would not like hon. Members to believe that every member of the Committee was content with the provision on medical research.

I am open to some persuasion about non-invasive measures. For example, if research is simply a matter of keeping a database of patient histories, I perceive some advantage in it. However, invasive research, including brain scans, perhaps goes too far. I should like the Minister to consider reverting to the subject in some detail in Committee. Despite what the Government have done in the Bill, provisions need to be tightened much more if they are not to give an open sesame to specific types of research.

People say that such research goes on all the time and that we do not know about it, but my goodness, let us consider what happens when we find out about it. One has only to remember the pathology cases that have been discovered in various hospitals in recent years, unbeknown to even the next of kin. Perhaps it is laudable for us to decide, while we have capacity, which we may lose later, that we are happy to be part of some form of experimentation, but that is as far as I would want to go without much tighter provision than that currently in the Bill.

I support the Bill's broad principles but, like other hon. Members, I believe that if we do not get some matters right, my view of it will be overturned. I want it to work and I am willing to work with the Government to make it work on those issues about which I am genuinely concerned. I shall abstain tonight on Second Reading. I hope that once the Bill has been through its other stages, I shall feel comfortable about supporting it on Third Reading.

7.25 pm

Mr. Tom Clarke (Coatbridge and Chryston) (Lab): As always, I was impressed by the hon. Member for Tiverton and Honiton (Mrs. Browning), but I was a little surprised by her final sentence. Given the questions that she raised in the light of her experience and commitment, which is beyond question, I was surprised that she feels that the House should not give the Bill a Second Reading thus allowing us to move on to deal with the issues that she and other hon. Members raised. For example, the right hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) asked several pertinent questions—there is no reason why they should not be asked. However, given that we have waited 15 years to deal with such issues, is not now the time to tackle them?

Today's debate has impressed me on the whole, but I am disappointed that we have not focused all that much on disability, which this important measure addresses. I declare an interest. With Lord Rix, I am the joint chair of the all-party group on learning disability. I acknowledge that the hon. Member for Daventry (Mr. Boswell) mentioned learning disabilities, and that the hon. Member for Sutton and Cheam (Mr. Burstow) spoke about them especially effectively. His speech focused on learning disabilities, carers and issues that are profoundly relevant. Indeed, they are the very issues that led me to develop an interest in the Bill.

I hope that the hon. Member for Sutton and Cheam will forgive me for repeating his point, but he was right when he said that, were the Bill about assisted suicide and were some of the claims about its main intentions true, he could not support it. That is my view. I do not believe that the Under-Secretary of State for Constitutional Affairs, who made an eloquent and well-informed opening speech, is so Machiavellian as to think, "I shall introduce a measure called the Mental Capacity or Incapacity Bill to con people into supporting euthanasia." It is right to make that point at an early stage in my comments.

Mr. David Heath (Somerton and Frome) (LD): I support much of what the right hon. Gentleman says, which ties in with the comments of the hon. Member for Blackpool, North and Fleetwood (Mrs. Humble). However, because the Bill contains much that is good and that many hon. Members of all parties support, it is that much more important for the Under-Secretary to approach the Committee with an open mind, thus reassuring those who are deeply worried about several aspects of the Bill, especially definition, that have not been resolved, so that, on Third Reading, the House is united around an excellent measure.

Mr. Clarke: I agree with the hon. Gentleman and I hope that he realises, as I develop my points, that I support the main thrust of his remarks.

It would be a tragedy if a good Bill, which I believe the measure to be, based on 15 years of discussion and the appointment of a scrutiny Committee of all parties and both Houses, were simply to be dismissed because of fears which, I am convinced, are unfounded. That does not mean that the fears have not been expressed; I will come to that in a moment. What we are dealing with, and what I hope to promote, is a Bill that has important principles and that is long overdue. The Minister—I am sure that colleagues on the Front Bench are listening—knows that, if the Bill is given a Second Reading, that represents a very early stage in the parliamentary process. I believe—I do not think that I need to plead for this response—that, in Committee, the points that have been made tonight, as well as other points that will be made in due course by hon. Members, the various voluntary organisations, carers, advocates and others, will be taken on board.

I will continue to argue for things that the House should recognise. I hope that the ministerial team responsible for the Bill will accept that, because of the perception of some members of the public, which has been clearly articulated by hon. Members, we may need to look at some aspects of the drafting of the Bill, not to alter the main thrust, but, for example, to clarify the point that the right hon. Member for Chingford and Woodford Green made about deputies and power of attorney. However, vital though the issue of euthanasia is, we should still deal with other crucial issues in the Bill. Later, I hope to turn to many of the equally genuine concerns in that respect. For example, I welcome what has been said about advocacy, not least by my hon. Friend the Member for Blackpool, North and Fleetwood (Mrs. Humble).

If we are going to focus almost exclusively on euthanasia, and my views on that are clear—I could not ever possibly support such a measure and I do not believe that the House would—we are entitled to recall the strong views of the disability organisations and of the churches. I do not believe that Archbishop Peter Smith, for example, would have said that, in his view, euthanasia is not embraced in the Bill—I am not quoting him precisely but that was certainly his view—if he did not feel, as I do, that society has a responsibility, in order to avoid people being tempted with euthanasia or self-assisted suicide, to ensure that the quality of life of our most vulnerable people, especially those who need mental health services and who have learning disabilities, is improved. Otherwise, the temptation for euthanasia and the rest may become all the greater.

Reference has been made to the Scottish Act. I repeat the point that I made earlier. I take the view that, thus far, that Act is perhaps better than the Bill but it developed by way of evolution, the kind of evolution that the House has already committed itself to undertaking. It improved as it went on. The Scottish Executive and the Scottish Parliament listened to people and an important consensus emerged, the like of which I hope will be possible with this Bill.

I have listened to the debate carefully and, like other right hon. and hon. Members, I have listened to my constituents. It is widely known that in my constituency a large number of people are Catholics. Of those who have written to me, and I will not claim that it is a large number, most are Catholics or people from Christian traditions who have strong views on these matters. They know that I respect those views.

One constituent sent me two letters. She happens to be a carer and is held in enormous esteem by my constituents. I refer to her as an indication of how opinions are changing not only outside the House but I hope, in due course, when we have that vital continual scrutiny, here.

My constituent is a young woman whose mother experiences Alzheimer's. In the first letter, she said:

> "I have supported"

the pro-life

> "campaign, not because I am a Catholic but because of my own worm's eye view of what is going on in health care. I have now heard four separate accounts of people being left to die from friends of mine; they include a nurse, a social worker and a volunteer in a nursing home. Three of them were by removing food and water in hospital. None of them were authorised by relatives or the patient."

We discussed that issue at length. I do not think that I was alone in assuring her that, far from the Bill ignoring those vital points, it takes them on board. It encourages people to spot abuses and to remove them, particularly in cases such as those to which she referred. We had a long discussion on Saturday—incidentally, it was not a one-way discussion; her views and criticisms of care in the community and how the health service is administered were clearly expressed and I would do an injustice to her if I did not make that plain—but on Saturday evening she put the second letter through my letter box. I remind the House what I said about public opinion and where I hope we are going in this matter. In it, she said:

> "I think I should come clean and tell you that I was the initiator of the postcard campaign that you were on the receiving end of at this time last year. I'm sorry for any hassle it caused you; this I pursued on the advice"

that a pro-life organisation

> "put on its website . . . I feel doubly awful about it because you have been so willing to listen to my views on this and other matters. It won't happen again."

There was no need whatever for her to apologise. As I have said, her views have been reflected in the debate, but what is clear is that I do not expect criticism from that constituent and many others when I explain that I voted for Second Reading, as I intend to do for the reasons that I have given: further scrutiny, a commitment to the rights of people with disabilities, especially learning disabilities, and an improvement in their standard of living. That means that I, too, in common with my hon. Friend the Member for Blackpool, North and Fleetwood, will want to say something about advocacy.

The issue of independent advocacy is one on which I hope the Government are still very much in listening mode. As the Minister will know, the draft Bill was not popular with many people with a learning disability. Some learning disability groups said that it was so bad that it should be scrapped completely. Other groups said that there was still an opportunity to revise and to improve it. All learning disability groups agreed that the final Bill had to put much greater emphasis on independent advocacy.

Although I warmly welcome the inroads that the Government have made on that issue in terms of independent consultees, there is still concern among learning disability groups and others that the provisions on independent consultees have been brought forward principally to plug the Bournewood gap as cheaply as possible, rather than being a genuine attempt to provide an independent advocate for as many vulnerable people as possible who want one. I hope, and I have every reason to feel, that there will be a response and that Ministers will feel that the Bill is an opportunity to move advocacy forward. Some say, as the right hon. Member for Chingford and Woodford Green seemed to do, that such decisions ought not to be left to one person. That is probably right, but it is in the nature of things that a large number of people—medical professionals, advocates, families and carers—are very much involved in trying to reach the right decision for those with mental incapacity and, above all, in trying to respect their rights as the people and individuals whom they of course continue to be.

We were asked to be brief, Mr. Deputy Speaker, so I shall conclude on this point. As the Bill makes its way through this House and, hopefully, through another place, it is important that we listen not just to Members

[Mr. Clarke]

of both Houses, but to the individuals outside them. I end by referring not to the important organisations that support the Bill, and which are not persuaded by the argument that it represents euthanasia, but by mentioning those who regard it as real progress for people who have suffered far too much for far too long. One man with experience of schizophrenia, and who was in the early stages of dementia, was reported to me as saying that this is a Bill of rights for him and for people like him. He feels that he will be at the heart of every decision made, and that the Bill is an indication of the care and treatment that society seeks to provide. If we end up with an Act that reflects the aspirations of that man and of the hundreds of thousands more like him, we will indeed have achieved a great deal, and the effort made in this House and in the other place will have been worth it.

7.42 pm

Mr. Edward Leigh (Gainsborough) (Con): As these debates go into their fourth or fifth hour, one sometimes wonders whether there is anything new worth saying and whether such discussion is achieving anything. However, the defining moment of this debate was when the hon. Member for Crosby (Mrs. Curtis-Thomas) spoke. Hers was an emotional speech, but it was powerful precisely because it was delivered from the heart and dealt with her personal experience. It made the fundamental point that needs to be made in this debate.

The right hon. Member for Coatbridge and Chryston (Mr. Clarke) is right to say that the Minister is acting entirely in good faith, and of course I believe that he is. He doubtless does not want to introduce a Bill that countenances euthanasia, but one only had to listen to the hon. Member for Crosby to realise that if this were a genuine free vote and if every Member of Parliament had been present while she was speaking, the Bill would have died at that very moment, and no amount of artificial respiration could have brought it back to life. She made a very simple point. She talked about her mother, who had suffered a massive stroke and did not want to go through that agony again. She made an advance directive, but when the point came, she blinked the message that she wanted to live. That is what concerns us, and it is why so many of us are determined that there should be a substantial debate on this Bill, so that we can deal with the issues.

What matters is not what is in the mind of the Minister, or the fact that this issue has been debated for 15 years; what matters is that the Bill does not spell out what is in the best interests of the patient. It states that its purpose is indeed to serve the patient's "best interests", but the definition given is woefully deficient. It does not include the relief of pain and, most importantly in terms of practical consequences, it fails to define, or to require, the provision of basic care. As my right hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith) said, the elephant in this debate is the Bland judgment. We cannot ignore it—it is there. If the Bill is to become a worthwhile Act and to carry out the stated will of Parliament, which is that we are opposed to euthanasia, it has to address the fundamental point of the Bland case. Following that case, basic care—the feeding and watering of a patient, albeit by tube—was redefined as medical treatment, thereby enabling the said medical treatment to be withheld or withdrawn, quite legally, without consulting the patient.

In fact, the Bill goes much further than the Bland judgment. Such a definition can now be achieved for any treatment without a court order, but according to a decision laid down in the past, in a document known as a living will, although I would call it a "dying" will. There is no point in denying that if the Bill is passed in its current form, it will be perfectly legal—as the hon. Member for Crosby pointed out in simple and powerful terms—for someone to instruct a doctor to starve or to dehydrate their semi-conscious mother to death, provided that she has previously given written consent to the withdrawal or withholding of medical treatment, or provided that she has appointed them as her attorney. That is undeniable. If that person assaults her, they will be arrested. If they get her doctor to pull out her feeding tubes, that will be lawful, if they have this new lasting power of attorney.

Nobody knows what was going on in the mind of Dr. Shipman. Everybody assumes that he was evil, but perhaps he felt that he was assisting elderly people out of their misery. We do not know. But the point remains that it will be legal to do such things.

We are told that the Bill is about enhancing patient autonomy. Really? Can we be sure of that? The underlying principle is the assumption made so often in the modern world: that the hastening of death is almost always in the best interests of a patient, once their quality of life has deteriorated to a certain level. My basic premise is that I do not accept that. Even the Bill's supporters must accept that the contention that we as a society have a right to take such decisions about a human being is debatable. We have to address that issue.

Mention has been made of the Burke judgment and I need not repeat the arguments, but that judgment is there. The High Court judge, Mr. Justice Munby, challenged the guidance of the General Medical Council, which appeared to permit doctors to withdraw treatment—including food and fluid—from mentally incapacitated patients, regardless of their consent. He reminded us that the withdrawal of food and fluid from patients causes

> "pain, discomfort and extreme distress".

We know from the personal experiences related to us today that that is entirely true. He also said that the guidance is unlawful under the European convention on human rights. I do not believe that the Minister has told us the whole story. Civil servants and others who assisted him in the Bill's drafting are seriously concerned about that judgment. Indeed, I am told that they are furiously working on a re-hash of the Bill as we speak. Yet we are told that proceedings in Committee must finish by the end of this month. We have to address these arguments.

Revealingly, for supporters of the Bill such as the Voluntary Euthanasia Society, which claims to have a neutral and impartial view and wishes only to give the "choice" of death or life to certain patients, the Bill in its current form does not appear to recognise the validity of "positive" advance directives, as I would want to do. Such directives require the giving of food and fluid with medical assistance. In the words of Shakespeare's

"Measure For Measure", this, then, is "absolute for death". I believe sincerely that this Bill is part of a culture of death, and that we are on a slippery slope. People are prepared to play God because they believe that it is no longer in the best interests of a particular patient to survive. I passionately believe that that is a hugely dangerous contention. Once we start down that route, where will it stop?

I shall now say something that will be considered very controversial, and people will doubtless disagree with me. There may well have been people working in Germany before the second world war who believed that there were certain mental patients whose quality of life had deteriorated to such an extent that it was humane to put them out of their misery. Everyone in Europe now utterly deplores that programme. In fact, the German people brought that particular programme—though not, unfortunately, others—to a close. Some people sincerely believed that they were entitled to make such moral judgments, but I believe that once we go down the route of creating people—whether we call them attorneys or deputies, which are legal names, meaning nothing to the general public—who are able to make such judgments, we are creating a class of citizen with the power of life and death over us. That is not a path down which we should tread.

Ms Munn *rose*—

Mr. Leigh: I am about to finish.

It is right to say that a fundamental duty should be placed on doctors. There may come a point where it is right and proper not to go piling on more and more medical treatment, but that should never extend to withholding the basic right to life, which is food and fluid. If we pass the Bill in its present form, I believe—despite the assurances of the Minister—that that will become increasingly common. I sincerely hope that we will vote on the Bill and I will personally vote against it.

7.51 pm

Ms Meg Munn (Sheffield, Heeley) (Lab/Co-op): In following the hon. Member for Gainsborough (Mr. Leigh), I want to say that the Bill is enormously important because it seeks to address the issue of capacity. It deals with how we should deal as a society with circumstances where people lack capacity and it is designed to do so better than we have so far.

I welcome the change in name from the Mental Incapacity to the Mental Capacity Bill, which stresses the positive side. The Bill must ensure that where people have capacity, they can make certain decisions, even though they lack the capacity to make other decisions. It is right to address concerns about issues of capacity. Anyone who has ever worked with or looked after people for whom capacity is a concern—either as a permanent feature of the person's abilities in life or where the person's faculties are deteriorating—knows that current legislation is complex and that there are considerable legal uncertainties. It is difficult to ensure that people are acting in the best interests of a person or indeed in a way that conforms to the person's view of how decisions should be made.

The Bill sets out some very important principles that recognise the need to support people who have difficulties relating to their capacity in order to make their own decisions whenever they can. One principle is that there must be an assumption of capacity. So often where we have worked with elderly people and those with learning or speech and communication difficulties, the assumption seems to be that they do not have capacity. We see that in our dealing with children and with adults—and we must stop making such assumptions. The Bill begins to pave the way for what my hon. Friend the Member for Blackpool, North and Fleetwood (Mrs. Humble) described as a change in attitude and a change in the way we work.

David Taylor (North-West Leicestershire) (Lab/Co-op): I agree with what my hon. Friend has said so far—that the Bill makes some important advances in the area of mental capacity—but does she agree that more work needs to be done to define exactly what "the best interests" are? Should there not be greater focus on the physical well-being of the patient defined in clinical terms rather than too much reliance on the wishes and beliefs of third parties who cannot possibly understand what physical well-being might be?

Ms Munn: My hon. Friend invites me to discuss the issue that has predominated in the debate, but I do not really want to do so. I want to talk more specifically about people with learning disabilities who face ongoing issues about capacity in their day-to-day lives. I am not talking specifically about patients in hospital or circumstances where someone faces a life or death decision, because I believe that the Bill goes wider than that and poses important issues for us all to address.

I chair the all-party group "Voice", which works closely with the all-party group on learning disabilities. It looks particularly into how people with learning disabilities can have a voice and be protected from abuse or other negative aspects in their lives. It seeks to help them to exercise decision-making powers wherever possible. Issues of capacity may well be lifelong issues. It is good to see that the Bill focuses on support and how to empower people to make decisions.

However, in common with other hon. Members, I want to express my concern that the Bill makes no provision for advocacy. Without advocacy, people with learning disabilities are likely to have their feelings and views ignored by those who take decisions about their lives. The Bill rightly accepts that people may have some capacity to make some decisions, but not others. It also rightly acknowledges that some people may be able to indicate a preference, even if they cannot make a decision. Without an advocate, though, there are no safeguards in circumstances where there is a difference of opinion between the person who is said to lack capacity and the decision maker.

I am concerned that the Government are in danger of creating confusion by using the term "independent consultee". The Bill says that the function of the independent consultee is to give advice to the body making the decision about the person's best interests. Their view could well be different from that of the person concerned. Advocacy means something different; it means putting forward the person's views and wishes, whatever they are. The person who is advocate stands aside from their own view and their own expression of what they deem to be someone's best

[Ms Munn]

interests. That is not their role. They help the person to express their views and wishes and, crucially, they are there to ensure that those views and wishes are heard.

That view may be "unwise": it may not be what a group of other individuals—whether they be professionals, family members or other supporters—might collectively sit around and agree to be in the best interests of the person. Nevertheless, it is that person's view. An adult is surely entitled to their view, whether or not they have or lack capacity. At the very least, that view should be heard.

Clause 4 sets out the criteria for determining what is in someone's best interests, which includes permitting and encouraging

> "the person to participate . . . as fully as possible".

Without advocacy, however, a person may be wrongly assessed as not being capable of making a decision or communicating in the decision-making process. Moving straight to consultation without advocacy is, in my view, missing out something enormously important.

Finally, I want to raise issues about the concept of reasonableness in clause 5 because that notion also creates problems. As long as someone reasonably believes that a person lacks capacity and as long as they reasonably believe their decision is in the best interests of the person, they can make whatever decision they like. If a person is said not to have capacity, how can the decision be challenged? Who will challenge the decision on the person's behalf? We are not talking only about major issues—the specific treatment and life or death issues that we have debated in detail today—but about day-to-day happenings that determine lifestyle. For example, medication or other treatment may need to be ongoing for the person to live a full life.

For too long in our society, adults with learning difficulties have been judged by what they cannot do rather than what they can do. Empowering them to do more is important. In my view, advocates are essential to ensure that those people's voices are heard and properly considered along with the voices of others such as professionals and carers. I therefore ask the Government to give more serious consideration to the issue of independent consultees and independent advocates. Without advocacy, the voices of people with learning difficulties will not be properly heard.

7.59 pm

Dr. John Pugh (Southport) (LD): The Bill has three inextricably linked qualities: it is important and wanted, it is conceptually complex and it is capable of misrepresentation and possible misuse. In consequence, it is a Bill on which we must have a degree of surety. The mind of Parliament needs to be clear, or as clear as it can be in print. That may not, at the end of the day, be clear enough. I shall argue that we are not there yet. Critics of the Bill clearly still abound, despite much pre-legislative scrutiny. Supporters of the Bill have reservations about issues such as advocacy and the living will, and what actually goes into testaments that people make in advance. It is has also been mentioned that there are legislative opportunists who would subvert some of the purposes of the Bill.

Mature criticism of the Bill must begin with an understanding of the task that the Government have set about. To be fair, it is a monumental and enormously difficult task. We can appreciate that intellectually and see how fraught any attempt would be to wrap the law around the myriad complex and highly emotional situations that involve the issue of mental capacity.

I speak with some limited experience. Many decades ago, I worked in an old-fashioned mental hospital. I must surely be the only parliamentarian to have guided—I use the word advisedly—somebody into a padded cell; to have seen a straitjacket being used; and to have helped to administer electroconvulsive therapy. I can therefore say that I have some feeling for the issues.

No one disagrees with the Government about the need for statute law on the issue of mental capacity. No one is happy with the common law as it stands and, worse still, no one is happy with the common practice. People are also unhappy to leave the issue to the vagaries of judges.

The mentally incapacitated are, according to the Government, those of impaired mind. They form a spectrum from the comatose to the uncomprehending. Puzzlingly, according to the Bill, they also appear to include those incapable of communicating a decision. Such cases can theoretically fall outside both categories and I am not sure why they are mentioned specifically. However, assuming—it is a big assumption—that we can fairly and uncontentiously define what mental capacity amounts to, the big question is how we must then treat the mentally incapacitated.

There are two decent-looking ethical answers to that question. Both are given in the Bill and, indeed, by most benevolent and reflective people. One answer is that we should consult people's best interests and the other is that we should do as they would wish. Unhappily, they are not the same. Our view of a person's best interests can conflict with our view of their personal wishes. That is not true only for people with mental incapacity: it is true for all of us at all times. What is certainly and absolutely true is that if we have no knowledge of someone's wishes, we should act in their best interests. However, the Bill appears to say that expressed wishes can trump views about best interests, in the interests of personal autonomy, provided that those wishes are well grounded and well established and require nothing that an unimpaired individual could not fairly expect.

My problem is that although it is a moral truism to say that we must act in somebody's best interests, it is not intuitively obvious that we must always act on past wishes, especially if they conflict with views of current best interests. In fact, the legislation itself allows living wills and advance testaments to be overridden in certain circumstances, such as when a person's best interests are established to be otherwise. I suggest that a remedy to that would be to make advance directives and living wills of persuasive force rather than authoritative force. In that way, they could include richer content and positive instructions about care, treatment and feeding.

The crux of the matter is that the best interests of the mentally incapacitated—be they the dying or the mentally impaired—is not universally a matter of common agreement. I have yet to be satisfied that there is an objective test. By that, I mean a test that if applied by every judge and every authority would produce the same conclusions. We do not have such a test. We have some rules that might help everyone arrive at the same conclusions, but we have no guarantee that they would do so. That is why the legislation includes a device known as a lasting power of attorney. Uncertainty that people might not judge one's best interests right leads to a desire to express a preference for someone who is most likely to safeguard one's interests. However, that provokes the further objection that the situation could change and the position of the person with an LPA could be subject to challenge.

The Bill's solution to those nightmare conundrums is to allow all major decisions to be subject to review and challenge or to be hedged around with guidance and guarded by various kinds of regulation. It is felt that the courts will therefore be able to arrive effortlessly at a truly objective decision. However, I do not know how a court can come to a clear, uncontentious decision in case after case without clear uncontentious principles to follow.

Mr. Boswell: Does the hon. Gentleman agree that an important subsidiary motive in the Bill is to protect the position of carers, family members or professionals who are doing their best in difficult circumstances? They should not be dragged up before the beak on charges of assault, battery or other intrusion into the interests of the person if they have taken reasonable steps. That objective is a fair one, although it may conflict with some of the other priorities.

Dr. Pugh: That is a fair point. It is not easy for anybody to make a decision when someone is near death and the doctors say that some intervention—even the provision of food—is not helpful. I do not know how such a decision can be made simply and effortlessly. I do not know how if an LPA is challenged because it is felt that the attorney has lost the plot. That cannot always be easily decided.

The Minister of State, Department of Health (Ms Rosie Winterton): That is why we have proposed the court of protection, which will be a new jurisdiction set up to deal with such disputes.

Dr. Pugh: I accept the Minister's point, but the decisions by the court of protection may depend on the judge and his or her values. In some cases, the evidence will be overwhelming and the judgment simple and straightforward. In other cases, much may depend on the individual values of judges. It is not the Bill's interests to allow much of the latter.

8.7 pm

Tony Wright (Cannock Chase) (Lab): Like other hon. Members, I was greatly moved and—as someone else said—uplifted by the speech of my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas). It reminded us that we are talking not only about the law, but about deep, agonising moral dilemmas. It reminded me that I have been asked in the past to take a decision about the resuscitation of my father. On another occasion, I was asked whether I wanted one of my children to be taken off a life-support system. All of us, in different ways, have had to take dreadful decisions in circumstances for which we had had no preparation. We sought to work through them as best we could with the people who brought something to bear to that situation. We have to be humble in the way in which we talk about such things and take some care in doing so.

It is often said that the House of Commons legislates too hastily and repents at leisure. Whatever is said about this measure it cannot be said that Parliament has moved too hastily. I shall not run through the whole chronology, but we have had everything, starting in 1989 with an inquiry by the Law Commission. We have had seemingly endless consultation documents, Green Papers, White Papers, consultative forums and draft Bills—the whole bag of tricks. It is probably true to say that never in the history of this House has any measure been so exhaustively scrutinised before being finally dealt with.

On the whole, that is a good thing because the measure is important. Certainly, we could compare it with the Human Tissue Bill, which is a cognate matter, where the fact that it was not properly consulted on and did not have a draft Bill stage caused all kinds of problems, so that it had to go into cold storage for months and the Government had to rewrite parts of it. Whatever else the passage of this Bill does, it will vindicate a process of deliberative decision making that builds in consultation throughout.

I can see why both this Government and the previous Government were nervous about the issue. That is why the process has taken so long. The previous Government, having dipped their toe in the water, quickly took it out again. It took only a typically well-informed, balanced and temperate campaign by the *Daily Mail*, with cries of euthanasia, to lead the Government into thinking that it was not a good idea to proceed with their measure. It is to the credit of this Government that they have persevered, against all that. The cries are going up again, but the Government are persevering because they think the measure is worth delivering.

I was disappointed that the hon. Member for Daventry (Mr. Boswell), speaking for the Opposition, had a slight loss of nerve at the end of his speech when he told us what he intended to do about the Bill. However, I quite understand that the issues are complex and that there are people sitting behind him who cause him some difficulty.

After a process of so much time and intensity, one would have thought that the Bill would be universally welcomed. As we have heard today, the welcome has been almost but not entirely universal. Some people will not accept the inclusion of clauses relating to advance decisions on treatment. We are all receiving letters about that and they have been referred to frequently. I received a fairly representative one this morning. It states:

> "As a practising Catholic and Christian citizen of this country I am greatly troubled by the prospect of the implications of this Bill. I would like to request that you consider these implications seriously and vote against the introduction of a law which would legalise the painful death of innocent people and also make it a legal requirement for doctors and nurses to comply with it . . . Millions of innocent babies have been slaughtered by abortion since the introduction of the Abortion Bill in 1967. That was a backward step for our country and for civilisation. Please don't let this further degeneration, of legally killing people at the other end of life, take hold."

[Tony Wright]

That is one of the more temperate letters that I have received about the issue and it is from a good person. Indeed, all my constituents are good persons; they differ only in the degree of their goodness, but someone—some organisation—has told my constituent that that is what the Bill will do.

As gently as I can, I want to ask such organisations to think of their responsibility when telling elderly, vulnerable and infirm people, "This is what the state is going to do to you. This is what doctors and nurses are going to do to you." However much we may disagree about parts of the Bill, all of us have a huge responsibility to have the argument. On the whole, the House has done that today and it reflects the complexity and difficulty of taking any decisions on these matters.

David Taylor: Is it not possible that the cessation of nutrition and hydration could cause the pain, distress and extreme discomfort that my hon. Friend's constituent fears?

Tony Wright: I am not suggesting for a second that the issues are not deeply important and complex. I have listened to all the exchanges today; they have been important. I simply object to an approach to such questions that produces the consequences to which I referred. That is not helpful to the argument and it is massively unhelpful to the people who are likely to be affected by some of our decisions.

If I can put the point in a rather indelicate way: God save us from the fundamentalists and the absolutists. They are the people whom we do not require in the argument, because they can help us least. People who think these matters are simple and that they can merely read the answers from a rulebook will not help us to get through a minefield of deeply complex issues. If anything comes out of our proceedings today, I hope that it will be in our understanding that these are complicated balancing judgments and that we do not need declamatory moral polemics.

I am sorry that the hon. Member for Congleton (Ann Winterton) is not in the Chamber. She talked about people who disagreed with her as cynical and wicked. In her absence, I have to say to her that that is precisely the language we do not need to use about a measure such as the Bill. Such language is massively unhelpful and deeply damaging.

In some ways, the Bill is a rather modest proposal. Its ambition in the aspect that is causing the most difficulty is to codify existing case law provisions. That is what it does. Many Opposition Members who have taken exception to certain provisions are taking exception not to the codification so much as to the case law. They do not like the current position and the fact that we are codifying that position makes it worse for them. Their argument is with what we are doing already—in particular, in trying to extend rights to people with capacity with regard to the care and treatment that they will be entitled to ask for and to expect in conditions of incapacity. Indeed, I would ask that not only for them but also for myself. It is a balancing act. It is always a balancing act.

Mr. Grieve: The hon. Gentleman is making a powerful contribution, all the more so because we have not had a huge opportunity to hear from Members who broadly support the Bill. Apart from the hon. Gentleman and one or two of his colleagues, they have not been present. Does he agree that criticising the current state of the law and the consequences of the Bland judgment is a perfectly legitimate standpoint for individuals to take? There are consequences of the Bland judgment that give people considerable concern, including the way in which it may have affected the care in hospital of the very elderly and terminally ill.

Tony Wright: I am grateful to the hon. Gentleman for that intervention. I hope that I have not suggested for a second that such matters are not of concern. Indeed, part of my argument is that because they are of such concern, and such difficult concern, we must handle them appropriately. I am suggesting that certain ways of handling them are not appropriate. Happily, we have not seen a great deal of evidence of that today, but we have seen it in the way that people approach us.

As always on such occasions, our old friend the slippery slope has been cited. We are told that if we take one inch in a certain direction—even if it is the inch that codifies the existing position—dangerous doors will open on an abyss. Indeed, we have just heard from the hon. Member for Gainsborough (Mr. Leigh) that the abyss—the slippery slope—is Nazi Germany. That is not a helpful way to approach a matter that requires complex balancing judgments.

In conclusion, the measure is a codifying one. It provides a framework for decision making on those matters. No doubt, there are issues that the Committee will have to explore further in detail but, as I think my hon. Friend the Member for Blackpool, North and Fleetwood (Mrs. Humble) pointed out, we should not assume that such decisions are not being taken already. Of course, they are. Doctors and judges are already taking them. What Parliament has to do after 15 years is to get in on the act. What Parliament has to do now is to set the framework, growing from the case law and consolidating the case law, because that is what Parliament is expected to do. Indeed, that is Parliament's role.

Mr. Duncan Smith: Does the hon. Gentleman accept that it is not necessarily Parliament's role to enshrine the existing case law if it believes that to be fundamentally wrong? It is our right to challenge that. It is good of him to mention the slippery slope. Let us forget the slippery slope for a second and stand where we are. Does he believe that it is right that the people whom he talks about are making decisions to withdraw fluid and food from someone? Is that a right decision to take? Does he think that Parliament should enshrine that or deal with it and end it?

Tony Wright: As I have said, I believe that Parliament now rightly wants to consolidate a position that has developed through some desperately difficult case law. The time has come for Parliament to bring that together and to provide a secure framework. Not to do that would, frankly, be an abdication on the part of

Parliament. So the idea that there is a default option—a do-nothing option—is a "Parliament leave the picture" option.

David Taylor: Will my hon. Friend give way?

Tony Wright: I will not give way again because I want to end.

Instead of slippery slopes, I would offer the alternative of gradual gradients. Gradual gradients say that we have to try carefully, intelligently and constructively to put a framework around some extremely complex decision-making issues. That is what Parliament has to do. As the hon. Member for Southport (Dr. Pugh) said, in a sense, it will always be a kind of muddle through a minefield, but at least we ought to muddle through as intelligently, rationally and sensitively as we possibly can, and I believe that that is what the Bill tries to do.

8.22 pm

Mr. David Amess (Southend, West) (Con): This has been a wonderful and remarkable debate. That is certainly not how I would describe every debate that I have listened to in the House. What a shame that many of those hon. Members who will come in at 10 o'clock tonight to vote Aye in the Division did not have the privilege of listening to the speech by the hon. Member for Crosby (Mrs. Curtis-Thomas). As my hon. Friend the Member for Gainsborough (Mr. Leigh) said, she articulated from her personal experience why many of us are deeply troubled by the Bill and unable to support it.

The Minister who opened the debate, is a splendid person. I had intended to abstain, but I am afraid that, having listened to his arguments, I have become increasingly worried and I shall now vote against the Bill because I am deeply troubled by it. He mentioned that the Department has been working very closely with the Catholic Church on the issue. Those involved might have thought that they had been working closely with the Catholic Church, but they have not produced the sort of Bill that the Catholics bishops would have wanted.

In the view of the Health Committee, mental health is the Cinderella service in the country. None of us knows when we will be struck down with a mental health problem, and none of us knows when one of our loved ones might be struck down with such a problem. When that happens and we become interested and we cry out for help, the help, sadly, simply is not there. It certainly is not there for many of our young people who, for various reasons, are disturbed and need help. We have poor services in the United Kingdom, and we have inadequate services in Southend. We are short of psychiatrists, and we are desperately short of consultant psychiatrists. For that reason, I had the privilege to chair a conference called "On the Edge", and we have set up a voluntary organisation, Trustlinks, which has produced a mental health directory. A number of hon. Members on both sides of the House touched on advocacy, and it is such a shame and a missed opportunity that the Bill does not address that point.

The Bill will totally destroy protection for mentally incapacitated people by enabling euthanasia by omission through the backdoor, with the withdrawal of food and fluid from non-dying patients. It certainly does not take an Einstein to recognise that, if people do not eat and take no fluid, they die, but all of a sudden, that totally necessary activity is described as a treatment. So those hon. Members who have raised their concern about that issue are entirely right.

I believe that we, as a legislature, have a responsibility to protect the most vulnerable members of our society, whether they are permanently or temporarily incapable of making decisions for themselves. We have a duty to protect those individuals' rights. The Bill, however, will not protect their rights. Indeed, it will take away some of their rights.

Following the publication of the draft Mental Incapacity Bill, I had hoped that, given the time spent on it, the final Bill would fully protect the welfare and interests of the most vulnerable people in our society. That is not the case. I admit that there are some improvements, but they certainly do not go far enough. In fact, some of the so-called improvements are misleading.

We have already heard about the case of Tony Bland—a victim of the Hillsborough disaster—in which doctors were allowed to withdraw treatment, including assistance with food and fluid, which he was given through a tube. What is enshrined in the Bill is the principle underlying the Bland judgment. The judgment allowed Tony Bland to be left to die from dehydration and starvation, which is hardly the impression given by the euthanasia lobby's claims about the case. It changed the definition of treatment; until then, providing food and fluid was defined as basic care—which is, of course, what it is.

The situation was so controversial that the Law Lords decided in their final judgment that those involved with any further persistent vegetative state cases would have to apply to the High Court before treatment could be withdrawn, so bringing about death. Since that time in 1992, there have, in fact, been very few cases—I am advised that there have been about 25 in total—and that indicates the feelings of most families in such situations, given that there are about 1,500 such cases in the country at any one time.

Shortly after the Bland case, Lady Thatcher set up the House of Lords Select Committee on Medical Ethics to consider the whole matter of euthanasia. In its report, it not only came down against euthanasia by commission but opposed the Bland judgment being enshrined in statute law. Like most of us, it saw that that could lead to wide-scale euthanasia by omission.

Both Conservative and Labour parties stated repeatedly that they fully supported the recommendations of the Lords Select Committee and would not support the Bland judgment being enshrined in statute law. Since the Bill was published this summer, the Department for Constitutional Affairs has made a great fanfare of assuring us that the Government have honoured their pledge—the Bill does not enshrine the Bland judgment.

Certainly, in any case in which the family or doctors consider it better to withdraw treatment from a post-vegetative-state patient, an application must be made to the High Court. I agree that that is the case, but that does not apply in cases of Alzheimer's, strokes or many other conditions in which patients become mentally

[Mr. David Amess]

incapacitated, for there are two somewhat tricky clauses that together mean that a doctor may withdraw assisted food and fluid from a non-dying patient, and there is only one end for any of us who are deprived of food and fluid, and that is death.

Clause 60 defines treatment as

"a diagnostic or other procedure"

and follows the Bland judgment by including assisted food and fluid, so they are considered to be treatment rather than basic care, to which we are all entitled, and could be withdrawn from non-dying patients. The Bland judgment is not enshrined in the Bill, but the whole principle underlying that judgment is absolutely basic to those clauses relating to health care.

Here we come to the next loophole, which is that all decisions must be made, as many hon. Members have said, in a patient's "best interests"—but what are those best interests? The Bill gives us yet another catch-all, saying that "best interests" refers to a patient's wishes or, even more dangerously, to what someone else considers those wishes might be. It completely omits any reference to health or life, and neither does it contain any defence to allow for those cases where the person declaring that pulling the plug would be in the patient's best interests might be a beneficiary or have some other self-interest.

The equivalent provision in Scotland is far more sensible in a number of ways, one of which is the definition of a patient's best interests. The Adults with Incapacity (Scotland) Act 2000 is simple and straightforward, defining best interests as the patient's benefit. It is vital that the clause including assisted food and fluid as treatment be amended so that nutrition and hydration continue to be regarded as basic care. I also want a clearer definition of best interests, as in Scotland. That is the only way of safeguarding the interests of patients.

I am seriously disturbed about the dangers of making advance directives legally binding, as they can be ambiguous, quite apart from the danger of the elderly and incapacitated being manipulated into signing away their life. I question the motivation of those so determined on this course, especially as the euthanasia lobby has always regarded such legislation as the first step to gaining euthanasia by commission.

I would like to be able to tell the House that I will support the Bill, but I cannot. Unamended, it would simply be another piece of anti-life legislation and another step down the treacherous path of cheapening life. All of us came into politics because we believe that life is everything. I hope that, although hon. Members voting at 10 o'clock may not have heard the speech of the hon. Member for Crosby, there will be enough colleagues to tell them what she said and try to persuade them not to enter the Aye Lobby.

8.33 pm

Dr. Brian Iddon (Bolton, South-East) (Lab): I commend the hon. Member for Southend, West (Mr. Amess) on his speech. He and I are two of the very few people who have debated euthanasia in the Palace of Westminster in the past few years.

It would be hard to find anybody who would deny the basic premise underpinning the Bill—that all people have the right to make decisions for themselves, and that if they find that difficult they should be supported in the process. The Bill affects up to 2 million people, and 70 per cent. of them are being cared for at home. I had better make my position clear, as others have today. I am not a member of any pro-life group and I do not come from any religious grouping, but the subject has interested me for a long time—certainly since I came to Parliament in 1997—and I agree that the legal eagles and the medical specialists have been leading the debate in this area. I agree with the statement made by my hon. Friend the Member for Cannock Chase (Tony Wright) that it is about time that Parliament debated this important issue and came to conclusions.

I have several concerns about the Bill. My hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) made it clear how difficult it can be to communicate with some people—in her case, her mother. I am somewhat worried that busy medical staff and social workers—and, indeed, busy relatives and friends—will find it extremely difficult to spend the amount of time with patients that she obviously spent with her mother to try to get a decision out of her. Communication techniques are available, but some require specialist machinery and instruments. They are not available in all hospitals and certainly would not be readily available to the 70 per cent. of people without capacity who are cared for at home. If the Bill is enacted, I hope that we will recognise that fact and encourage people who are involved in health care and welfare to make more equipment available for communication with those with whom communication is most difficult.

I want to mention the very elderly in that respect. Such people are not always found in hospitals because many are cared for in residential and nursing homes. Many are unnecessarily heavily sedated—I stress the word "unnecessarily". It is impossible for an elderly and heavily sedated patient to make a sensible decision, so I want assurances that the Government will ensure that such people are safely and painlessly brought out of heavy sedation so that they can take the decisions that the Bill encourages them to make.

I am also worried about people who have capacity one minute yet lack it the next—of course I refer to the mentally ill. That is why I asked the Minister earlier why the draft Mental Health Bill and the Mental Capacity Bill are not going forward in parallel, despite the fact that there is clearly an important relationship between the two. It is important for us to consider that group of people because unfortunately it is not a small one.

I come now to the two dominant subjects of the debate: living wills and independent advocacy. I have been passionately against enshrining living wills in statute law for a long time—certainly since I was elected to Parliament—and have campaigned against them over the years inside and outside Parliament. Why do the Government want to enshrine living wills or advance directives in statute law for the first time, especially given that they took the opposite point of view only a few months ago? They appear to have done a U-turn, so I wonder why they have changed their opinion on living wills.

The problem with living wills or advance directives is that whether we like it or not, they are closely associated with the Voluntary Euthanasia Society, which has frightened people for a long time about terminal conditions—at one time it was cancer, but now it is motor neurone disease. Although the Government say that they are against involuntary and voluntary euthanasia, and of course assisted suicide, the inclusion of clauses on advance directives or living wills in the Bill sends a strong signal to people who are campaigning to make voluntary euthanasia and assisted suicide legal in this country, as has happened in the Netherlands and Belgium, both of which are close to us. That is a reason why, despite the fact that the Bill has many good aspects, people are nervous about it. If the Government had stuck to their guns and stood by their statement of a few months ago that they would not enshrine living wills in statute law, the Bill would have been much better. I do not want the Bill to become the Trojan horse by which assisted suicide and voluntary euthanasia are legalised in this country. Mark my words: once it is on the statute book, there will be calls to amend it from people like the noble Lord Joffe in the other place.

Following the Bland case, which has been adequately covered, the British Medical Association and then, of course, the General Medical Council unfortunately defined artificial feeding and hydration as medical treatment. That was the single factor that set me on fire when considering the whole remit of people without capacity and in the debate on euthanasia. I thought that it was a grossly wrong decision. I still think that, and so do many other hon. Members who have spoken. I plead with the Government to reconsider that. It is not the medical professionals who should be defining terms of life and death, but this place and the other place—the two Houses of Parliament. I agree with those hon. Members who find it difficult to accept that withdrawing treatment such as artificial feeding and hydration, thereby starving and dehydrating someone to death, is not euthanasia. I know that the Government do not like to accept this, but starving and dehydrating a person to death by preventing them from having access to food and hydration is euthanasia by omission. I think that a court of law would agree.

I do not know whether any hon. Member saw *The Observer* on 19 September. The front-page headline was "Revealed: full scale of euthanasia in Britain". The sub-heading was "Fury as number of assisted deaths claimed to be 18,000". That is in the United Kingdom. It is what is frightening people and causing them to write to us about the debate.

Mr. Grieve: I agree that that is a concern. The hon. Gentleman may also share the concern, as suggested in my mailbag, that people complain about the quality of care accorded to the elderly terminally ill in hospital, although that is difficult to ascertain. Those complaints arise with great frequency and are increasing with the attitude that hastening the departure of those people is acceptable.

Dr. Iddon: I accept that.

In the Bland case, Lord Justice Mustill noted:

> "It is a striking fact that in 20 of the 39 American States which have legislated in favour of 'Living Wills', the legislation specifically excludes termination of life by the" wilful "withdrawal of nourishment or hydration."

That is a pretty significant statement. He went on to declare the practices of euthanasia by commission or omission as indistinguishable, something that the Government are unable to accept, at least at the moment. I hope that they will change their mind.

Another problem with advance directives is that people change their opinions as they age and as their circumstances change. They should be time-limited so that they cannot get out of date. The VES supports that, which is one thing in its favour. It is perhaps worrying that advance directives do not have to be in writing. They can be made orally by, for example, a patient who is being wheeled into the operating theatre. As long as the patient's wishes are recorded in the notes, the doctors will listen to an oral advance directive. So advance directives can be made either in writing or orally at almost the last minute. They reflect the wishes of the patient.

Mr. Ben Chapman (Wirral, South) (Lab): Does my hon. Friend agree that the notion of permitting people to die a horrible death by starvation and dehydration is difficult to accept, as is the concept of the legalisation of living wills? Does he agree that although there is some good in the Bill, it is difficult to see how it can be amended piecemeal without root and branch changes?

Dr. Iddon: I believe that the Bill can emerge at the end of the legislative process in a much better state than it is now and that that point can be covered. I do not want to go back 15 years. We must go forward with the Bill and make it work.

Let me say something about independent advocacy. I have been meeting representatives of I Decide, the alliance that represents seriously disabled people. It has some serious difficulties with the Bill. One of the things that it has asked me to flag up is independent advocacy. I will be arguing to the end of the legislative process that seriously disabled people must have the right to an independent advocate. Their parents, social workers or those in residential homes who may be caring for them may give them advice that they are not prepared to accept, and they have the right to be heard by an independent advocate who would push the case for them.

I will not vote against this Bill. I will vote for its Second Reading because I am extremely pleased that we are having this debate and I want to continue it in Committee. I have heard that the Government are to extend the time for consideration in Committee. I hope that they will repeat that in the winding-up speech, because we must have adequate time to debate all the difficult decisions. During my discussions with my noble Friend Lord Filkin, the Under-Secretary of State for Constitutional Affairs, my hon. Friend the Member for Tottenham (Mr. Lammy) and the Minister of State, Department of Health, my hon. Friend the Member for Doncaster, Central (Ms Winterton), I believe that they have listened. I am convinced that they are operating from the best of intentions, but I hope that they take on board the criticisms that Members have made today as constructive, and that they are prepared to amend the Bill to make it acceptable to the vast majority in this country.

[Dr. Iddon]

I end with a quotation from Jacqueline Laing, who is a solicitor, a barrister and senior lecturer in law at London Metropolitan university. She said:

> "By allowing a new category of agent power to withhold and withdraw treatment—which includes nutrition and hydration after the controversial decision in Airedale NHS trust *v* Bland (1993)—as well as power to authorise both non-therapeutic research on the mentally incapacitated and controversial procedures like non-voluntary sterilisation and abortion—now permitted by the Courts—the Bill endangers rather than empowers. Its overall aims are accordingly irreconcilable with the intrinsic dignity of every patient, however disabled or impaired."

The question is whether she is right. I hope that we can debate such concepts in Committee.

8.48 pm

Hywel Williams (Caernarfon) (PC): I am very pleased to be able to speak on this important Bill. I take note of your suggestion, Mr. Deputy Speaker, and I shall be brief.

I welcome the general presumption in the Bill, as everyone has. Changing "incapacity" to "capacity" was significant. I have a particular concern about communication issues that I do not think has been aired during the debate. I address these comments to the House, but particularly to the Minister as I will not be applying to serve in Committee. These are particular issues that the Committee might want to consider.

I welcome parts of the Bill, especially the commitment to take every measure necessary to meet communication requirements. I am glad that the Government were able to publish the draft code of practice at a very early stage; I congratulate them on that. I have been able to look at it closely. I am glad that it is very much a draft. Looking at it from a Welsh point of view—this Bill applies both to England and to Wales—there are glaring omissions in respect of a country that is officially and practically bilingual.

Hon. Members have referred to personal experiences, and I will refer briefly to the experience of my brother, who had a serious road traffic accident in 1972 and was in hospital for three years. Eventually he made a partial recovery, and he has subsequently had a very full life. The recovery of language after a head injury is a subtle and mysterious business. When my brother, who is trilingual, first recovered he spoke French, which was something of a problem in the emergency department of the Caernarfon and Anglesey hospital, as hon. Members can imagine. He moved on to speak English, which was no problem, and then Welsh, and essentially only Welsh, which was again something of a problem. My brother was communicating in the way that suited him, and it took a great deal of effort on the part of our parents, the five of his brothers and sisters and our cousins to talk to him continually, even when he was unconscious, to try to prompt him to start speaking. Initially, our communication with him was very slight, and as I said, it was in French.

Because of that experience, and having looked at the code of practice, I want to draw the Government's attention to some of its deficiencies and ask them to think again about the situation in Wales, at least, and possibly England, too, bearing in mind the ethnic minority population in both countries, many of whom are either bilingual or monoglot speakers of languages other than English. The situation in Wales is quite clear. There are 600,000 people who speak Welsh, and most of them also speak English. The Government's own figures show that there are 12,000 people who have learning difficulties. As 25 per cent. of the population speak Welsh, that means that there are 3,000 people with learning difficulties who speak Welsh, and because of their learning difficulties they are most likely to be monoglot Welsh speakers. Particular attention needs to be paid to their communication needs if they are to be able to express their wishes.

The Minister said that 7 per cent. of the population will at some point suffer manic depression, schizophrenia or severe clinical depression. If one applies that figure to the number of Welsh speakers, one finds that there are another 50,000 people who speak Welsh and, in most cases, English, who might need attention to be paid to their communication needs under the provisions of the Bill.

Mr. Boswell: The hon. Gentleman may know that I have an interest in that I am married to a Welsh lady, although she is not Welsh speaking. Does he agree that it is important that consideration is given to the particular needs of those in black and ethnic minority communities along exactly the lines that he is developing in relation to Welsh speakers?

Hywel Williams: There is certainly a congruence of requirements, and I thank the hon. Gentleman for his intervention. The only difference is that we have the Welsh Language Act 1993, which makes Welsh an official language, placing requirements on health and social services bodies when they are considering the provision of services in Wales.

To be fair, clause 3 notes that it must be ascertained whether the person understands the information relevant to the decision. There are points about communicating decisions, and clause 4(4) refers to encouraging the person to participate in any act or decision as fully as possible. All those points are well made and well taken, but what worries me is the presumption in the Bill that this is essentially an English speaking world with exceptions of people who cannot speak English, rather than the actual situation, which in Wales is that as well as people who cannot speak English, there are people who can speak English but would choose to speak Welsh.

I am worried that the model of language in the Bill is essentially a deficit model: it assumes an ability in English and then looks at special cases. That is why there is a reference to sign language and to the use of specialised skills in verbal and non-verbal communication. I do not think that Welsh speakers need specialised skills in verbal and non-verbal communication; what they need is practitioners who speak Welsh. The legislation must regard that as the norm; it must not make exceptions of people who have such communication needs. The deficit model is not what we need.

Language is referred to at various points in the Bill, but I want the Government to make more explicit references to Wales and the Welsh legislative context. We have the Welsh Language Act, which speaks of using Welsh and English on the basis of equality. Even the previous Welsh Language Act, the 1967 Act, spoke of anything done in Welsh being of the "like effect" as if it had been done in English. That is the normal situation that confronts my constituents. It is also the normal situation that confronts stroke patients and people who have temporary or permanent difficulty communicating. For example, stroke patients can recover language, and some people who were bilingual and perfectly capable of expressing their wishes in both Welsh and English suddenly find that they can communicate only in Welsh. A professional body of physiotherapists recently conducted a survey of people with restricted capacity: when the people were assessed in English, many were found to be incapable of expressing their wishes, but when they were assessed in Welsh, many of those were found to be perfectly capable of doing so, but only through the medium of the Welsh language.

I want assurances from the Government, either when the Minister winds up the debate or in writing, that the issues that I have raised will be examined in detail. Under clause 41(1), the Lord Chancellor is required to consult the National Assembly for Wales in respect of the code of practice. I ask that he be required also to consult the Welsh Language Board in respect not only of the code of practice, but of the entire Bill. Thus far, unfortunately, there has not been sufficient consultation of that sort. I hope that the Government will assure me that it will take place in future.

8.57 pm

Dr. Richard Taylor (Wyre Forest) (Ind): It is a huge privilege to take part in this debate, which I think has shown the House in the best light. It has been a most sincere debate, with no hint of division along party lines, and we have heard heartfelt speeches, including from the hon. Members for Crosby (Mrs. Curtis-Thomas) and for Cannock Chase (Tony Wright).

Like all other hon. Members, I have received a few letters of support for the Bill and many letters expressing concern about issues including euthanasia, the validity of living wills, the definition of mental capacity, and the risks of conflict of interest. I promise not to go on too long, but I intend to discuss each of those issues.

The subject of euthanasia has been aired frequently. Most doctors vehemently oppose euthanasia, but they must continue to have protection in respect of giving pain relief to a terminally ill patient when such pain relief will almost inevitably shorten the patient's life and accelerate its ending. If that is not allowed, patient suffering will increase, even though the situation will become less common as the availability of specialist palliative care consultants and specialists in pain relief increases.

Turning to withdrawal of food and drink, 10 to 15 years ago that was a real problem, because it was incredibly difficult to keep people alive using intravenous and nasogastric drips. Now, with the ready availability of percutaneous intra-gastric feeding, which is so easy for the patient and can support life so easily, the major problem of providing food and drink has gone.

So we have to consider now just the underlying diagnosis of the patient. I am not altogether convinced by the many who have spoken so vehemently against the withdrawal of food and fluid that they are considering even any occasions when that is probably justified. Of course it is not justified in the case of someone who has a stroke, from which we have seen the most miraculous recoveries. It is not justified also in recovery from severe head injury. Again, we have all seen the most tremendous and dramatic recoveries from head injury.

I always think back to a patient who was riddled with cancer, bone secondaries, broken bones and pain. In those days it was impossible to control the pain without hefty doses of opiates, so that the patient was not really conscious of what was going on. In those circumstances it would not have been right to prolong life by keeping food and drink going. There are some rare circumstances when that is not justified.

I do not think that the Bill can provide guidance and legislation in all cases. The right hon. Member for Rother Valley (Mr. Barron) said that there had to be a certain amount of freedom for making individual decisions.

As for the validity of living wills, the hon. Member for Heywood and Middleton (Jim Dobbin) said that there would be no objection if such wills were made recently, were relevant to the current circumstances and there was no doubt about the person's mental capacity at the time. The hon. Member for Bolton, South-East (Dr. Iddon) suggested that such advance directives should be time-limited. That is an extremely sensible suggestion.

There is a strong argument that living wills should be advisory rather than mandatory. There are so many circumstances where things could have changed. Hon. Members have referred to the emergency situation when it will be incredibly difficult for doctors to ascertain whether there has been an advance directive. Perhaps when the electronic patient record comes in, things will be easier. For the moment, the process will be difficult and time-consuming.

It is usually obvious when someone is incapable of making decisions. I always remember having to speak to a court about a solicitor when the court was trying to imply that when he had driven all the way down the M1 in his Jaguar with no tyres and had all his breakfast down the front of his jacket he was capable of acting as a solicitor. The situation is usually obvious but it can be incredibly difficult.

In the journal of the Royal Society of Medicine, just this month, there is a comparison of assessment of mental capacity by medical teams and psychiatric teams. It is only a small comparison, but given 23 patients where there had been full assessments by both teams, in 19 they agreed, but in four they disagreed. That involved physicians and psychiatrists. As I have said, the assessment of mental capacity can be incredibly difficult.

Lastly, there are risks of conflicts of interest. The lasting power of attorney, as I think that it is written at the moment, appears at least to give rise to a potential conflict of interest from relatives. Research, too, provides the potential for a conflict of interest. The Royal College of Physicians' briefing paper states:

> "A significant omission in the Bill, however, is a statement that the interests of the patient always prevail over those of science and society, such as can be found in the European Clinical Trials Directive or the World Medical Association Declaration of Helsinki."

[Dr. Richard Taylor]

I agree with the many people who have written to me and the many hon. Members on both sides of the House who have said that the Bill must make it clearer that it is not in any circumstances about euthanasia. Several hon. Members have implied that today's debate has made them change their mind. That is exactly what a debate should be about, yet it is incredibly rare for hon. Members to admit that that has happened. I have changed my mind. I was going to vote in favour of the Bill, because the idea behind it is absolutely right; it is the detail that is not. However, I am going to abstain because I regret to say that I was not convinced by the Minister's earlier comments that he was really going to take the concerns of hon. Members on board. I fear, having sat on a few Standing Committees, that changes made in Committee are usually very small and are usually dictated by the Government. I therefore appeal to the Minister to let the Standing Committee really debate the issues on non-party lines as the House has done this afternoon, so that we end up with a Bill that will tackle this extremely difficult issue without alienating a large proportion of the population.

9.6 pm

Mr. Paul Goodman (Wycombe) (Con): The hon. Member for Wyre Forest (Dr. Taylor) has been extremely sensitive to the mood of the debate, and to the atmosphere of gathering concern that some of us feel. I am going to be brief, as I want to allow my hon. Friend the Member for South-West Bedfordshire (Andrew Selous) time to speak, but I begin by saying that much of the discussion that we have had has rightly focused on the concept of autonomy, and on the apparent ideal of the autonomous individual controlling his or her own destiny in general, and his or her medical treatment in particular.

I want to stand back and to think about the concept of autonomy in the context of the Bill. In a perfect world, autonomy would be unimpaired. A man or woman would be in control of their autonomy, and would be able to anticipate every circumstance. Their mind would always be clear, and the information on which they acted would always be complete. They would therefore be able to anticipate the future. In that perfect world, the motives of third parties would also be benign. However, we do not live in that perfect world. Circumstances cannot always be anticipated, minds are not always clear, information is not always complete, the future cannot always be anticipated and, unfortunately, the motives of third parties are not invariably benign. This is a tribute to the complexity of human things.

All this is true of those of us who have capacity. My hon. Friend the Member for Daventry (Mr. [illegible]) was quite right to stress that the Bill deals with real people in the real world, and that those of us who have capacity should bear it in mind that we know people who lack capacity, and that we ourselves will almost certainly be incapacitated one day. If all this is true of people with capacity and of those who are incapacitated, it must also be true when the autonomy of people who are to some degree incapacitated is transferred to an attorney or deputy in the way that the Bill sets out. It is to that aspect of the Bill that I want briefly to refer.

I am not a medical expert, but I have listened to some very moving speeches today by hon. Members who know a great deal about medicine or who have seen their own relatives suffer. I have to refer in passing to what I think we would all agree was the speech of the debate, that of the hon. Member for Crosby (Mrs. Curtis-Thomas). It must be possible, as the hon. Lady said—and as the hon. Member for Heywood and Middleton (Jim Dobbin) reminded us in his speech—for an attorney or deputy with authority over life-sustaining treatment to be confronted by a medical dilemma that the patient had not anticipated or that he or she was uncertain how to deal with. In those circumstances, it is possible that the attorney or deputy may not understand what the patient wants or would want, for a hundred or a thousand different reasons. He may have misunderstood the wishes of the patient, and it is possible that he may have had some sort of disagreement with the patient since being given an advance directive or being given power of attorney. He may not know, as was illustrated by the hon. Member for Crosby (Mrs. Curtis-Thomas), that the patient or person does not want food or water withheld. If that person is not an attorney but a deputy appointed by the court who has no particular knowledge of the person in question, and who is sensitive to the demands and requirements of the state, and realises that state resources are limited, there are particular sensitivities and dangers for disabled people.

I speak with some wariness, wearing my hat for a minute as shadow Minister for Disabled People, as I know that, on issues affecting disability, there are nearly as many opinions about any one measure from disabled people as there are disabled people. A number of contributors to the debate, including my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning), reminded us that the treatment of disabled people in hospitals and other places is not always all that it might be. The hon. Member for Bolton, South-East (Dr. Iddon) was right to remind us of the concerns of the I Decide coalition, particularly, as I understand it, with regard to the issue of authority being transferred to deputies. Those concerns are serious, because of the rather loose definition of best interests in the Bill, which my right hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith) and my hon. Friend the Member for Gainsborough (Mr. Leigh) explored at length. It is clear that best interests will not be medical best interests, and that attorneys will have the statutory right to refuse treatment on behalf of patients.

The Government have a reasonable riposte: the Minister could point out that under the Bill, doctors can change the decision of an attorney or deputy if they feel that it is being taken for the wrong reasons. I share the concern of my right hon. Friend the Member for Chingford and Woodford Green that in practice that may not happen. It may not happen because doctors may not have the time or inclination, or because they may be wary of a long court battle.

Some of us therefore fear that we are standing on our old enemy: the slippery slope. In those circumstances, Ministers always like to assure us, using another cliché—now that I have used that of the slippery slope—that we are not crossing the rubicon. That phrase is often heard in such circumstances. The Minister made that point in a general way when introducing the Bill. That response does not quite convince me, however, that the Bill will not allow the practice of euthanasia by omission, which already takes place—many speakers have referred to the long-rolling effects of the Bland judgment—and that we would not be crossing a rubicon were we to vote for the Second Reading of the Bill. Some of us have been assured by Ministers previously in relation to abortion and genetic experimentation, for example, that we are not crossing a rubicon, only for us to be told later, often by the same Minister, that we have already silently crossed that rubicon, and it is now too late to do anything about it.

I am in a slight dilemma about what to do tonight, given that there is a clear danger of euthanasia by omission under the Bill. Part of me would like to send a strong signal to the Government that they ought to introduce amendments to deal with that point, and to deal with the concerns about advance directives. Those considerations should lead me to vote against the measure but I am mindful that there are good things in the Bill and I do not want to delay them. I shall therefore follow the lead of the hon. Member for Crosby and abstain. Unless the Government table amendments in Committee to deal with the serious concerns that have been outlined, I fear that I may have to vote against Third Reading.

It is not up to my right hon. Friend the Member for Chingford and Woodford Green, other hon. Members or me to prove that our fears are reasonable but up to the Government to prove to us that they will not be realised. They have much work to do on the Bill and I hope that it can be presented in a greatly improved form on Third Reading.

9.15 pm

Andrew Selous (South-West Bedfordshire) (Con): It is tremendously important for us to recognise the good motives and intentions of everyone who has spoken in the debate. Although I have serious reservations about the measure, I acknowledge the Government's good motives and intentions on such a contentious subject. As many hon. Members have said, we all salute the Government for trying to grapple with it so that statute law catches up with case law and practice.

I also agree that we should speak about the issue with humility and care, as the hon. Member for Cannock Chase (Tony Wright) said in his opening remarks. Although many of us approach the subject with great passion and strong feelings, we should remember the hon. Gentleman's words. Like many hon. Members who have spoken, I have some experience. Some 24 hours before my mother died, my sister and I had to make difficult decisions. They are never easy and any of us could face them. Care and humility are therefore important.

At the outset of my remarks, I want to say that there are circumstances in which we should not strive officiously to keep alive—I believe that that is the phrase—and artificially prolong life for a day or two, causing huge discomfort to someone who would die in a short space of time. The Bill should not be about that.

My fundamental problem with the measure is that there are too many unanswered questions. Sadly, a great lack of clarity remains. This afternoon's debate has shown that through the widely differing interpretations of the Bill's effects. That genuinely worries me. When I came to the House today, I believed that I would probably abstain, but my worries are so great—as a result of partly what I have heard and partly my experience as a veteran of one or two Standing Committees, when the Government did not listen to the arguments with as much good will as they might—that I shall vote against Second Reading. I want to send a slightly stronger warning shot than a mere abstention would convey.

I share the worry, which many people expressed, that case law as reflected in the Bland judgment will be partially enshrined or upheld in the Bill. The measure also appears to uphold in statute law the provisions of the General Medical Council to which Mr. Justice Munby objected in the Leslie Burke case.

Like all other hon. Members, I was moved by the speech of the hon. Member for Crosby (Mrs. Curtis-Thomas) and I make no apology for referring to it again. It was incredibly powerful. It highlighted the great danger of legally binding advanced directives. We learned from her contribution that, in some cases, people will make a legally binding advanced directive when of sound mind, definitely believing that that is their settled will on their future treatment, but when they are in a hospital bed on a ward, they wish to choose a different course of action. We heard how the hon. Member for Crosby's mother was fortunately just able to communicate her will by blinking to say that she wanted to live, but we have to think of cases where people perhaps will not be able to communicate that.

That was the first thing I learned from the hon. Lady's contribution. The second was—she described it more clearly perhaps than others have in the debate— what a painful and distressing way to die the withholding of food and fluid is. We need to think hard about the dryness of the mouth, the desperate need for the mouth to be wet and not being able to remedy that situation.

I worry too about the time constraints that will be placed on the nurses, doctors, medical professionals and clinicians who will have to take these decisions. My right hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith) spoke of the pressures that many of our health service professionals work under. I worry that, with the advance directives, the attorneys, the deputies, the concern about what the courts will say about what they do and do not do, the true patient benefit will not always come to the fore because of the time constraints. It is important that the withholding of food and fluid be excluded from "treatment" in the Bill.

I go back briefly to the case of the 83-year-old lady in Florida. It is a distressing incident but it is important to focus on it to ensure that such incidents could not happen here. She suffered a stroke and was left with a severe physical disability, which included difficulty in swallowing. A feeding tube was inserted so that she could receive nourishment. Some three years earlier, she gave her brother power of attorney in respect of her health. He directed that the feeding tube was to be removed and that is what happened. She became hungry and repeatedly asked those caring for her in the nursing home for food but the ethics committee of the hospital decided that the order was clear. As a result, to quote the

[Andrew Selous]

Washington Post of 5 January 1997:

> "Until her death more than 10 days later, Nighbert was restrained in her bed to prevent her from raiding other patients' food trays."

That is a deeply distressing case. During the debate, I have listened hard to try to find some guarantee that there will be absolutely no way that anything like that could happen in this country, should the Bill become law. I have not been reassured during the debate or by what the Minister said.

As many hon. Members have said, there is a worry that this is euthanasia by omission. I do not speak as a Catholic but it is worth noting that the Pope recently defined euthanasia as

> "an action or omission which of itself and by intention causes death".

It is significant that the past president of the World Federation of Right to Die Societies, Dr. Helgha Kuhse, has said:

> "If we can get people to accept the removal of all treatment and care—especially the removal of food and fluids—they will see what a painful way this is to die and then, in the patient's best interests, they will accept the lethal injection."

That resonates with many points that have been made today.

On medical research, where such research is purely a question of assembling a database history or of observing the patient concerned, I see no legitimate objection, but if such research is invasive or in any way intrusive, it is a step too far. On behalf of the people whom we are discussing, we must look very warily indeed at granting this or any future Government such powers.

The Bill's use of the phrase "best interests" has been criticised frequently today. I would like it to be replaced by a reference to the "life" of the person concerned, along with a reference to their health and "clinical" best interests. I hope that we can do at least as well as the Scottish Bill; it uses the term "benefit", which is much more direct.

David Taylor: Does the hon. Gentleman agree that Lord Brandon's 1990 definition could be adopted or adapted? The Bill could state that an operation or other treatment is in the "best interests" of a patient only if it saves their life, ensures improvement, or prevents deterioration in their physical or mental health. Surely that would be a reasonable start. Could not such a definition be of use?

Andrew Selous: I certainly like the sound of that a lot more than the Bill's current definition, and it would make a welcome starting point. I hope that the Government Front Benchers have heard what the hon. Gentleman said, and that they will incorporate it into our deliberations in Committee. It is worrying that in certain circumstances, "best interests" could be deemed to be other than the currently expressed wishes of the patient or person concerned.

I want to finish by touching on the position of attorneys and deputies, to which reference has been made. Perhaps the Minister will comment in her reply on another case from the other side of the Atlantic—the worrying one of Mrs. Schiavo. Her attorney was her former husband, who seemed not to have her best interests at heart when she came to rely on his taking decisions on her behalf. Her case went to the Florida court, although I am not entirely clear as to what then happened. However, I would be very grateful if the Minister gave me some assurance concerning attorneys and deputies whose position appears to have been compromised.

9.28 pm

Mr. Dominic Grieve (Beaconsfield) (Con): This has indeed been a remarkable debate. Every contribution was measured and, in a sense, without side. In a way, Members were not arguing for or against the Bill; rather, they were simply saying what they felt was important in relation to it, and indicating at the end of their speeches their feelings about it. Indeed, there have been powerful speeches not only from many of my hon. Friends but from all parts of the House. I hope that I will be forgiven if, in the time available, I do not succeed in mentioning them all, but each one made a powerful contribution to the issues under consideration.

I should say to the Minister at the outset that I shall abstain when the time comes to vote at 10 o'clock. I shall do so not because I want to duck out, but because I have taken at face value the Minister's assurance that there will be ample opportunity in Committee—I hope and believe that I will be able to participate in those proceedings—to look in detail at the issues that we have touched on today, and hopefully to do so in a consensual environment, with a Minister and a Government who are willing genuinely to listen to the points being made, so that the Bill can be treated as non-party legislation. If the Minister will do that, I am sure that the Bill will go forward. I am quite convinced of the need for a Mental Capacity Bill and I am quite sure that there are matters in the Bill on which legislation is very badly needed.

Andrew Selous: My hon. Friend says that he hopes that the Government will take the Bill forward in a non-party-political way. Does he agree that one way to achieve that would be to withdraw any Government whipping in Committee?

Mr. Grieve: That is a pertinent point to raise. I appreciate that the Government must have a view about the business that they wish to take through, but they might well wish to consider taking that course of action. I cannot believe that, if they did adopt that approach, the Bill would be damaged in any irreparable fashion during the course of its passage. The Minister might well want to discuss that issue; it is a matter of sufficient importance that we might try for once to make such an extraordinary exception.

I was explaining why I thought that the Bill was desirable. Although I am a barrister, I am not particularly familiar with the inner workings of the Court of Protection. It has long been a matter of common knowledge that the systems in place for the legal supervision of those without mental capacity are woefully inadequate, very costly and very slow. The Government's intentions to set up a new structure are therefore greatly to be commended. They are doing something that it has been necessary to grapple with for years and years.

I include in that the system of attorneys and deputies, without which the streamlining procedure, requiring constant referral back to court for quite mundane decisions, cannot be brought into being without the catastrophic consequences that I mentioned—in respect of time, lawyers' fees and costs to estates that are diminishing daily through administrative costs. Indeed, it has almost approached the point of scandal, as some Members will have been made aware by the correspondence that they receive from their constituents.

The Government are greatly to be commended, as I said, but the problem—we cannot get away from it—is that the Bill also seeks to engage with a series of definitions of areas of the utmost greyness, which pose huge issues of conscience, ethics and morality. It has been said that the Bill is not about euthanasia, but we have touched on it. The Minister is quite right that the Bill is about many more things than that, but we cannot get away from the fact that among the central issues in the legislation are the definition of the circumstances in which people should be allowed to die and in which we should take action to prolong life. It is inescapable that hon. Members should wish to pay great attention to those issues.

If I have one regret about the course of this evening's debate, it is that we did not hear enough from those who are broadly happy with the Bill as it stands. They will all turn up at 10 o'clock to support the Bill on Second Reading. That is their entitlement but, with the notable exceptions of the hon. Members for Sheffield, Heeley (Ms Munn) and for Cannock Chase (Tony Wright), we have not had from Back Benchers the sort of input that I would have liked to have had to provide some degree of reassurance about their views and why they believe that the Bill's present framework is satisfactory. We were rather left with those who have understandable objections, which, I have to say, I share in substantial measure.

These matters are not, of course, easy. The hon. Member for Cannock Chase made a particularly powerful speech. If I share nothing else with him—in fact, I probably share many things with him—it is that I had to take a decision about ending the life of a child, my child. That is very difficult, and I recall that I did not think at the time that I was practising euthanasia. However, I have to accept that, with the help of doctors, I was making a series of judgments that were not easy. In reality, these are daily decisions that have to be taken by many people. Sometimes they are very difficult; at other times they appear to be crystal clear. We must be very careful not to be too prescriptive.

What I found so interesting about Mr. Justice Mumby's decision in Burke was that for the first time it was acknowledged that the argument has gone only one way in the past few years. It has been about people describing the circumstances in which their lives might be terminated. But what about the people who say, quite aggressively, "I want my life to be prolonged, at all costs."? The judgment suggested that they had an equal right to say that and their wishes were determinative. Those are Mr. Justice Mumby's words. That is a challenge, because some people might argue that in some circumstances one could go over the top in attempts to prolong life. When General Franco died, there was a strange and macabre pantomime in which efforts were made to keep him alive over several days by bringing in various doctors, although it was clear that the end of his life had arrived. We must consider that such circumstances may arise.

What troubles me about the Bill is, first, that it seems to start with the supposition that the right to shorten one's life through directives and living wills is one that should be challenged only in certain discrete circumstances. Secondly, we cannot escape the problem with the judgment in Bland, which is that to many people it seems strange and offensive that food and drink should be reclassified as treatment so that depriving someone of them should be acceptable. It is all a matter of degree. If someone is likely to die within a few hours, it is pointless, intrusive and improper to take measures to prolong their life—many would think. However, as the hon. Member for Crosby (Mrs. Curtis-Thomas) pointed out in a powerful speech, it is easy for us to make value judgments about the quality of life of others that can be unjustified or, at any rate, unjustifiable. I am not sure that the Bill as presently drafted succeeds adequately in reconciling those conflicts.

I am left with the impression that over the past few years we have seen a curious coarsening in attitudes to the value of human life within the caring environment. I think of my aunt dying in a leading London teaching hospital in the mid-1990s. I was shocked by the cavalier approach to the elderly dying of nursing staff. That seems to be reflected in many letters that I have had on the subject from constituents about standards of care of palliative medicine in hospital. It seems to range from the outstanding, often in hospices, to events the description of which make one queasy. That may be due to a mistaken interpretation of the judgment in Bland, which was made on discrete issues.

We would do well to bear in mind the consequences of our own actions. If we are to codify the law and not allow it to progress of its own accord, we should remember that it would then be much more difficult to change it. Admittedly, it is not easy to change a House of Lords judgment, but it can be done. I ask the Minister to bear that in mind, because we will have to consider the whole issue with enormous care. What are best interests and how should they be defined? Can the circumstances in which it is acceptable to withdraw care or food and drink be narrowed down more than they are at present in the Bill? Most people see a big distinction between the decisions that have to be taken in caring for the dying and a decision that gratuitously hastens death when there is otherwise a reasonable prospect of life continuing for some time.

Those are very difficult matters, but I was particularly impressed by the comments of the hon. Member for Wyre Forest (Dr. Taylor) in that regard. Nor should the Under-Secretary avoid the fact that a number of Members came into the Chamber unpersuaded, but by the end of the evening they were, on the whole, disturbed by what is proposed. The force of the arguments presented shows that he must bear that in mind.

My second point is about research, on which less has been said during the debate but about which I have even more concrete anxieties than about the other clauses. Earlier, in answer to my right hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith), I said that I had some sympathy with the

[Mr. Grieve]

Government because they wanted to codify practices that, I fear, have been going on for a long time. Historically, testing, experiments and research on those who did not have mental capacity frequently took place simply with doctors explaining to relatives what was involved, assuring them no great harm would come to the patient and carrying out the procedures.

The Government have taken the perfectly understandable view that such a practice is unacceptable and that we must have a codification procedure. However, the result is that, in the starkest and clearest way, the House will be asked to legislate that somebody who will not themselves receive any direct benefit from an experiment should nevertheless be made subject to it for the public good. I should dearly love to skate away from that proposition, but if I were confronted with it head-on I should have to tell the Minister that I found it unacceptable. It may benefit thousands of people; it may benefit the sum of human knowledge and potentially benefit others. However, unless there was a clear-cut indication of willingness by that person, before they lost their mental capacity, that they wanted that procedure to happen in those circumstances, my conscience would come up against the buffers and nothing would induce me to support such a proposal.

Mr. Duncan Smith: Does my hon. Friend agree that a simple test would be to ask everybody in the House whether they were prepared to have themselves experimented on, not for their own benefit but for the good of mankind? I suspect that the answer would be no.

Mr. Grieve: That may be the case, although it is worth pointing out that the forms of experiment proposed are limited to those that are not supposed to interfere with our general well-being. None the less, I agree with my right hon. Friend; it is a startling proposition.

I want to give the Minister the opportunity to wind up properly so I shall bring my remarks to a close. Heaven knows that these matters are not easy. The Minister will have every support from the Opposition in trying to achieve a piece of legislation that stands the test of time and commands widespread respect, but the Government really must take on board the fact that such matters cannot be written on tablets of stone. They must listen and they must be willing, during the passage of the Bill, to allow it to evolve naturally on the back of the participation of all Members who want to take part.

9.43 pm

The Minister of State, Department of Health (Ms Rosie Winterton): The debate has been informed, interesting, passionate and, on occasion, very moving. Obviously, Members have strong views about the Bill and they have expressed them today. I apologise in advance as I know that I shall be unable to answer all the points that Members have raised, but I shall try to address some of the main issues.

As the Under-Secretary of State for Constitutional Affairs, my hon. Friend the Member for Tottenham (Mr. Lammy), set out so clearly in his opening speech, the Bill has the potential to improve the lives of millions of people. During the course of the debate, we have perhaps moved away from addressing some of its real benefits.

As the hon. Member for Daventry (Mr. Boswell) said, at some point in our lives many of us are likely to be affected by mental incapacity, whether personally or because of caring responsibilities. Up to 2 million people currently lack capacity, including more than 700,000 who suffer from dementia in the United Kingdom and 145,000 adults in England who have severe and profound learning difficulties, but the current law that affects people who lack capacity has undoubtedly developed in a piecemeal way. Many people therefore find it confusing and unclear, as was so eloquently expressed by my hon. Friends the Members for Blackpool, North and Fleetwood (Mrs. Humble) and for Sheffield, Heeley (Ms Munn).

It can be difficult to make arrangements for the future, when a person might lose capacity, and the legal framework supporting carers in their decision making is also unclear. It is not always obvious who can do what. Some people think that they can do what they like because they have a family relationship. Others may feel that they are restricted by the law, so they will do too little. The Bill will change that; it will empower and protect not only vulnerable people, but those who have to make decisions on their behalf. That is where, in a sense, we could perhaps have concentrated a little more of the debate today.

I am glad that the hon. Members for Sutton and Cheam (Mr. Burstow) and for Daventry and my hon. Friend the Member for Cannock Chase (Tony Wright) agree that the Bill will not permit euthanasia and that there was confirmation that the Bill will not change the current situation with regard to the Bland judgment—something forcefully endorsed by my right hon. Friend the Member for Coatbridge and Chryston (Mr. Clarke).

My hon. Friends the Members for Heywood and Middleton (Jim Dobbin), for Crosby (Mrs. Curtis-Thomas), who made a very moving speech, and for Bolton, South-East (Dr. Iddon), and the right hon. Member for Chingford and Woodford Green (Mr. Duncan Smith), and the hon. Members for Congleton (Ann Winterton), for Gainsborough (Mr. Leigh), for Southport (Dr. Pugh), for Southend, West (Mr. Amess), for Wyre Forest (Dr. Taylor), for Wycombe (Mr. Goodman) and for South-West Bedfordshire (Andrew Selous) all contributed to the debate and raised the issues of euthanasia, the Bland judgment, advance directives and best interests.

Many hon. Members suggested that perhaps the Bill in some way was the thin end of the wedge in respect of euthanasia. I can assure the House that that is not the case. The Bill will not allow anyone to ask someone to kill them; rather, everything in the Bill is about ensuring that vulnerable people are respected and valued. The Bill will strengthen the protection available to vulnerable people. It will establish in statute that the person's best interests should be at the centre of every decision, and that will work together with the doctor's existing duty to preserve the patient's health and life. Clause 58 makes it clear that nothing in the Bill will affect the law relating to murder, manslaughter or the operation of section 2 of the Suicide Act 1961.

Mr. Gordon Marsden (Blackpool, South) (Lab): Many hon. Members have touched on the Bland judgment today. Having heard the breadth of concern expressed in the House that the Bill's good intentions may be skewed, will my hon. Friend at least offer to go away and reflect on what more might be done to ensure that the Bill explicitly states that nothing in it will make the removal of intravenous food and fluids easier?

Ms Winterton: We could not get much clearer than what is stated in clause 58, and I will come to the Bland judgment in a minute.

The Bill will create a new court of protection as an arbiter when disputes cannot be resolved. The code of practice makes it clear that persistent vegetative state cases, like now, will still go to court. The Bill clarifies the current common law on when someone can refuse treatment in advance and provides for people to plan ahead to refuse specified treatments, but tough hurdles must be passed to ensure that the advance decision was made with capacity, and is still valid and applicable in the circumstances.

It is not convincing to argue that a statutory definition of basic care and treatment is necessary. I repeat that the Bill is silent on artificial nutrition and hydration, focusing on a person's best interests. Statutory definitions can be inflexible and certainly need to stand the test of time over many years. We all know that technology and practice in patient care develop quickly, as does our understanding of the difference between basic care and treatment. As the House of Lords made clear in the Bland judgment, ANH is provided as part of a package of medical care. As my right hon. Friend the Member for Rother Valley (Mr. Barron) said, the provision of ANH is not always beneficial, and certain conditions, including certain forms of cancer, can be made worse by it. Defining ANH as basic care could force doctors to provide it when it is not in the patient's best interests.

We must never lose sight of the fact that the Bill requires all those providing care for a patient to act in that patient's best interests, and if necessary that can be challenged in the courts. Non-provision of ANH, if providing it was in the patient's best interests, would be negligence.

Mr. Grieve: The Minister makes an important point, but I find it a strange proposition that reclassifying artificial nutrition and hydration as basic care would make it impossible to withdraw it in the last hours of a patient's life. I would be grateful to hear much more detail on that in Committee, because surely the point being made by the hon. Member for Wyre Forest (Dr. Taylor) was that to withdraw it in such circumstances would in fact be perfectly all right.

Ms Winterton: As I said, the position in the Bill is exactly the same as the current position in common law. Judges, doctors and others make these difficult decisions all the time. We cannot necessarily define in statute all the issues that are being developed.

My right hon. Friend the Member for Rother Valley, the hon. Member for Tiverton and Honiton (Mrs. Browning) and others raised the Bournewood and Burke judgments. I assure the House that we are considering the implications and will make decisions as quickly as possible.

The hon. Members for Sutton and Cheam and for Caernarfon (Hywel Williams), my hon. Friends the Members for Blackpool, North and Fleetwood and for Sheffield, Heeley, and my right hon. Friend the Member for Coatbridge and Chryston all raised concerns about advocacy. We all agree that advocacy can provide helpful support for vulnerable people, but we believe that a statutory right of advocacy for all would be inappropriate. More than a million assessments are made every year, many of them for straightforward issues such as mobility and whether someone needs a new zimmer frame, and it seems disproportionate to introduce a statutory duty to bring in an advocate in such a case.

Advocacy goes far wider than mental incapacity, covering older people, children and those whose first language is not English. This Bill is not the vehicle for promoting advocacy for all. It has to focus on the most vulnerable people who lack capacity. However, we listened to the concerns of the Joint Committee and other stakeholders who said that we should offer support to those who are especially vulnerable, and that is why we have introduced the independent consultee, a form of advocate for the most vulnerable when there are especially serious decisions to be made. Of course, I assure hon. Members that we will continue to consult on developing the important new system, so I hope that that reassures them.

Several hon. Members, including the hon. Member for Beaconsfield (Mr. Grieve), raised the question of research, and we included relevant provisions in the Bill in response to the Joint Committee. The Bill now says that research involving an incapacitated person may be carried out if it has the potential to benefit the person without disproportionate burden, or if it is intended to provide knowledge about the treatment, conditions or care of people with a similar condition. In such cases, there must be negligible risk to the incapacitated person and the research must not be unduly invasive.

A further safeguard in the Bill is that a researcher must find someone who is interested in the incapacitated person's welfare to consider his or her interests and advise whether the incapacitated person should participate while taking account of his or her wishes and feelings. The code of practice sets out how the independent person should operate. If that does not happen genuinely and if the research ethics committee is not satisfied on any of those points, it must not approve the research proposals. Clause 33 sets out additional safeguards that mean that research cannot take place if the incapacitated person objects or has indicated in advance that he or she does not wish to take part in such research.

Charities and many professional organisations have lobbied for the Bill for more than a decade, and it is the product of many years of consultation with a wide range of stakeholders, as my hon. Friend the Member for Cannock Chase pointed out. People with personal experience and professional expertise have worked with us to draw it up and we are deeply grateful to all who contributed. The Bill has been scrutinised by the Joint Committee of both Houses and improved immensely through its work. We have taken the vast majority of the Committee's recommendations on board and I reiterate the thanks expressed by the Under-Secretary of State for Constitutional Affairs to Committee members, many of whom have spoken today.

[Ms Winterton]

The Bill is empowering and ethical. It will empower people to make decisions whenever they can. It will clarify the position of those who care for people who lack capacity. It will empower them to act with the confidence that they are doing that within the law, provided that they do so in those people's best interests. It will also enable people to challenge decisions by using the best interests principle and checklist as a guide and a new and specialist court as an arbiter when necessary.

The Bill has a long history of consultation and open discussion, and it is long overdue. People who lack mental capacity have waited long enough for it. Of course it has engendered widespread discussion on difficult issues, as we have heard today. However, I hope that following today's debate and in Committee—I confirm that we will extend the time for that—we will be able to reassure hon. Members about the many issues that were raised today. It is for that reason that I commend the Bill to the House and urge hon. Members to give it their full support.

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 326, Noes 62.

Division No. 254] **[9:59 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barrett, John
Barron, rh Kevin
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Bercow, John
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunt, Crispin
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burgon, Colin
Burnham, Andy
Burstow, Paul
Byrne, Liam *(B'ham Hodge H)*
Caborn, rh Richard
Cairns, David
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Carmichael, Alistair
Casale, Roger
Caton, Martin
Challen, Colin
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Kenneth *(Rushcliffe)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clifton-Brown, Geoffrey
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Corbyn, Jeremy
Corston, rh Jean
Cousins, Jim
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dorrell, rh Stephen
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Eagle, Angela *(Wallasey)*
Efford, Clive
Ellman, Mrs Louise
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Garnier, Edward
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Heath, David
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Johnson, Alan *(Hull W)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Key, Robert *(Salisbury)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
Kirkwood, Sir Archy
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lammy, David
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moore, Michael
Moran, Margaret
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*

Owen, Albert
Palmer, Dr. Nick
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robinson, Geoffrey *(Coventry NW)*
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Southworth, Helen
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Teather, Sarah
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Iain *(Hartlepool)*
Wright, Tony *(Cannock)*
Wyatt, Derek
Young, rh Sir George

Tellers for the Ayes:
Gillian Merron and
Mr. Jim Murphy

NOES

Bacon, Richard
Bellingham, Henry
Beresford, Sir Paul
Brazier, Julian
Burnside, David
Burt, Alistair
Campbell, Gregory *(E Lond'y)*
Dodds, Nigel
Duncan Smith, rh Iain
Evans, Nigel
Fallon, Michael
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Flook, Adrian
Fox, Dr. Liam
Francois, Mark
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Gummer, rh John
Hammond, Philip
Hendry, Charles
Hoban, Mark *(Fareham)*
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Knight, rh Greg *(E Yorkshire)*
Laigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Luff, Peter *(M-Worcs)*
McLoughlin, Patrick
Mercer, Patrick
Paisley, Rev. Ian
Paterson, Owen
Pickles, Eric
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rosindell, Andrew
Ruffley, David
Selous, Andrew
Shephard, rh Mrs Gillian
Spelman, Mrs Caroline
Spink, Bob *(Castle Point)*
Streeter, Gary
Swayne, Desmond
Syms, Robert
Taylor, David *(NW Leics)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Watkinson, Angela
Widdecombe, rh Miss Ann
Willis, Phil
Wilshire, David
Winterton, Sir Nicholas *(Macclesfield)*

Tellers for the Noes:
Ann Winterton and
Mr. David Amess

Question accordingly agreed to.

Bill read a Second time.

MENTAL CAPACITY BILL (PROGRAMME)

Motion made, and Question put forthwith, pursuant to Orders [28 June 2001 and 6 November 2003].

That the following provisions shall apply to the Mental Capacity Bill—

Committal

1. The Bill shall be committed to a Standing Committee.

Proceedings in Standing Committee

2. Proceedings in the Standing Committee shall (so far as not previously concluded) be brought to a conclusion on 28th October 2004.

3. The Standing Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.

5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

6. Sessional Order B (programming committees) made on 28th June 2001 shall not apply to proceedings on consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.—*[Joan Ryan.]*

The House divided: Ayes 289, Noes 106.

Division No. 255] **[10:13 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Benn, rh Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*

Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burgon, Colin
Burnham, Andy
Byrne, Liam *(B'ham Hodge H)*
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Challen, Colin
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Corbyn, Jeremy
Corston, rh Jean
Cousins, Jim
Cranston, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Efford, Clive
Ellman, Mrs Louise
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Johnson, Alan *(Hull W)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lammy, David
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall-Andrews, Robert
Martlew, Eric
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moran, Margaret
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Robinson, Geoffrey *(Coventry NW)*
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Iain *(Hartlepool)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Gillian Merron and
Mr. Jim Murphy

NOES

Allan, Richard
Amess, David
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barrett, John
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Brooke, Mrs Annette L.
Browning, Mrs Angela
Burnside, David
Burstow, Paul
Burt, Alistair
Calton, Mrs Patsy
Campbell, Gregory *(E Lond'y)*
Carmichael, Alistair
Clarke, rh Kenneth *(Rushcliffe)*
Dodds, Nigel
Dorrell, rh Stephen

Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan Smith, rh Iain
Evans, Nigel
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flook, Adrian
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Garnier, Edward
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Grieve, Dominic
Gummer, rh John
Hammond, Philip
Heald, Oliver
Heath, David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jenkin, Bernard
Key, Robert *(Salisbury)*
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McLoughlin, Patrick
Mercer, Patrick
Moore, Michael
Murrison, Dr. Andrew
Osborne, George *(Tatton)*
Paisley, Rev. Ian
Paterson, Owen
Pickles, Eric
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rosindell, Andrew
Russell, Bob *(Colchester)*
Sanders, Adrian
Selous, Andrew
Shephard, rh Mrs Gillian
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Spelman, Mrs Caroline
Spink, Bob *(Castle Point)*
Stanley, rh Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Watkinson, Angela
Whittingdale, John
Widdecombe, rh Miss Ann
Williams, Hywel *(Caernarfon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. David Ruffley and
Mr. Geoffrey Clifton-Brown

Question accordingly agreed to.

MENTAL CAPACITY BILL *[MONEY]*

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a) (Money resolutions and ways and means resolutions in connection with Bills).

That, for the purposes of any Act resulting from the Mental Capacity Bill, it is expedient to authorise the payment out of money provided by Parliament of—

(a) any expenditure of a Minister of the Crown under that Act, and

(b) any increase attributable to that Act in the sums payable under any other Act out of money so provided.—*[Joan Ryan.]*

Question agreed to.

MENTAL CAPACITY BILL *[CARRY-OVER]*

Motion made, and Question put forthwith, pursuant to Order [29 October 2002].

That if at the conclusion of this Session of Parliament, proceedings on the Mental Capacity Bill have not been completed, they shall be resumed in the next Session.—*[Joan Ryan.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees).

APPROXIMATION, MUTUAL RECOGNITION AND ENFORCEMENT OF CRIMINAL SANCTIONS

That this House takes note of European Union Document No. 9317/04, Green Paper on the approximation, mutual recognition and enforcement of criminal sanctions in the European Union; notes that this forms part of the wider Justice and Home Affairs agenda; and supports the Government's position that the Green Paper is a preliminary document which will need considerable further discussion.—*[Joan Ryan.]*

Question agreed to.

COMMITTEES

HOME AFFAIRS

Ordered,

That Mr David Cameron be discharged from the Home Affairs Committee and Mr Damian Green be added.

TRADE AND INDUSTRY

That Mr Andrew Lansley be discharged from the Trade and Industry Committee and Miss Julie Kirkbride be added.—*[Mr. John McWilliam, on behalf of the Committee of Selection.]*

PETITION

SHOP WORKERS

10.27 pm

Mr. Parmjit Dhanda (Gloucester) (Lab): I bring to the House a petition from 325 residents of Gloucester who declare their concern about the violence and threats to and abuse of shop workers, and their support for the Freedom from Fear campaign that is being promoted nationally by the Union of Shop, Distributive and Allied Workers.

The petitioners therefore request the House of Commons to urge the Government to work with the police, retail employers and shop workers to ensure that they are doing all that they can to tackle retail crime.

And the petitioners remain, etc.

To lie upon the Table.

Sugar Beet (Norfolk)

Motion made, and Question proposed, That this House do now adjourn.—*[Joan Ryan.]*

10.27 pm

Mrs. Gillian Shephard (South-West Norfolk): I am delighted to have the chance to raise yet again the question of the future of sugar beet. Indeed, the Minister will be aware that this is far from the first time that I have done so. I make no apology for reminding the House that sugar beet ensures the employment of no fewer than 10,000 people in Norfolk and Suffolk.

Mr. Keith Simpson (Mid-Norfolk) (Con): My right hon. Friend will no doubt be aware that this is also an important subject for my constituency. Indeed, there is a British Sugar factory at Cantley that employs some 200 people. Any immediate decline in the production of sugar beet would have a significant impact not only on the farming community but on many other areas of employment in my constituency.

Mrs. Shephard: My hon. Friend is absolutely right. He will be aware that although the factory is in his constituency, many of its employees live in Great Yarmouth, which is a town singled out by the Government for special help in relation to deprivation, and it is interesting to wonder what might happen to those programmes if the numbers of unemployed are swelled by those who previously worked at Cantley.

Norfolk produces one third of the whole UK sugar beet crop, and the crop accounts for £100 million of farm income annually. In my constituency, there is the British Sugar factory at Wissington, which provides some 200 jobs locally, and is a rare example of manufacturing industry still intact after the losses suffered by that sector under this Government since 1997—a sector that is in the news this very day.

The Minister will be aware that I make those points in the context of the European Commission's communication, "Accomplishing a sustainable agricultural model for Europe through the reformed CAP—sugar sector reform", which was published on 14 July 2004. He will be aware that the communication proposes to replace the current intervention system for beet with a reference price system and a restructuring of quota arrangements. A compensation system for producers will be introduced over a period of three years, incorporated into the single payment scheme.

The Minister will also know that currently, among producers and processors, confusion and uncertainty surrounds the Government's response to that communication. My purpose in calling the debate is to enable the Minister to put an end tonight to the deep anxiety running right through the industry by giving some straight answers to the questions that I put to him.

There is another context to the debate, however, which I want to draw to the Minister's attention: the state to which farming has been reduced under his Government. This year's annual survey produced by the well-reputed accountancy firm of Larking Gowen, based in Norwich, on the state of farming in Norfolk has been entitled "Back to Square One". It says on page 2:

> "Over the last eight years East Anglian farmers have increasingly felt a sense of growing frustration. Harvest 2003 gave a brief respite but 2004 is emerging as another poor year with weather problems coupled with very low commodity prices."

It continues:

> "In 2004 we have seen prices of cereals returning to . . . below £60 per tonne and coupled with low yields, poor quality and high drying costs we anticipate a harvest which will be difficult and costly. Some farmers may even find that their cereals may . . . be worth less than the cost of production."

On that issue, the Minister may know that I sought to bring a deputation to the Department from my constituency, and from Norfolk, to ask for an advance of the November payments. I wrote to make that request at the end of August and so far I have had no definitive reply. Therefore I must assume that the problems of the harvest this year, up and down the country, do not matter too much to Ministers. But to those of us who represent rural areas—a number of my hon. Friends and Labour Members are in the Chamber this evening—the continuing erosion of the agriculture industry is of enormous concern. It affects not only the economy but broader environmental considerations and the biodiversity of our country. Given agriculture's already parlous state, small wonder that so much despair surrounds the future prospects for sugar beet, especially in areas such as Norfolk, where so many jobs depend on its presence.

Mr. Henry Bellingham (North-West Norfolk) (Con): My right hon. Friend will be aware that following the closure of the King's Lynn beet factory, all the sugar beet grown in my constituency goes to Wissington to be processed, which leads to a large number of jobs in the haulage and contracting sector. Does she agree that those extra jobs, as well as those on farms, are vital?

Mrs. Shephard: I agree with my hon. Friend. Indeed, the 10,000 jobs in Norfolk and Suffolk that depend on sugar beet include not only those of producers and processors but all those involved in the process, in which hauliers are extremely important.

The United Kingdom is the European Union's third most efficient sugar beet producer. In the past, even in the most difficult years for agriculture, it is interesting and heartening to note that sugar beet has been a staple, and a reliable crop. In some years, it is difficult to get it out of the ground, which is sometimes too hard or too soft. However, this year has been good for getting the crop in. It is different from cereals—weather conditions can destroy a whole cereal crop. Sugar beet has been a staple; it has also been a reliable and bankable crop and a steady source of employment.

Eighty per cent. of our sugar beet crop is produced on small family farms, which are the basis of our rural economy, with an average size of some 20 hectares. The crop is important for biodiversity, as the Royal Society for the Protection of Birds has pointed out, and for soil quality because of its role in rotation. Any uncertainty surrounding its future must thus have far-reaching effects on the industry and beyond.

In preparing for the debate, I met representatives of the National Farmers Union, Norfolk beet growers, British Sugar and, most interesting, distinguished scientists at the John Innes research institute in Norwich. I want to ask the Minister about the Government's strategy for the future of agriculture. Not to put too fine a point on it, people at the John Innes institute have difficulty in discerning one, but we will, of course, allow the Minister to make his points on that matter and disabuse us all.

Growers and processors agree that reform of the common agricultural policy sugar regime is necessary to enable the continuation of a sustainable European industry and to encourage further sustainable development of sugar production in least favoured parts of the world. The first main element of the Commission's proposals is a reduction in beet price over a three-year period to achieve a 37 per cent. cut in year three. It is the unanimous view of growers and processors that such prices would threaten beet supplies—indeed, the whole industry—even in the most productive areas of the United Kingdom.

It would be helpful if the Minister told hon. Members whether the end date for the process is to be 2006, as was first proposed, or 2005, as was recently suggested. I am sure that he knows at what period of the year sugar beet is drilled and, by deduction, when decisions about the drilling must be made: namely, now. If the date is to be 2005, perhaps the Minister could explain the Government's thinking on the proposed timetable and how the industry should prepare for it. Although he may not have time to do so, it would be good if he could explain the reference price mechanism. The exact way in which it will work does not seem clear to the industry, although I accept that he may currently be working on it.

Great confusion surrounds EU and Government intentions for the second tranche of the proposals, namely quotas. The communication's objective is to take 16 per cent. of the crop out of production. The mechanism for doing that is not clear, or even visible at this stage. Will there be quota transfer between countries? If so, who will own the quota? In France, we assume that it will be the beet co-operatives, but there is a monopoly processor in this country. Will British Sugar own the quota? Will the quota be transferable between growers? How would that be achieved? How would quotas be allocated? Would allocation depend on proximity to processing plants? That worries my growers a good deal because it would put a lot of people out of business. I hope that the Minister can answer those questions this evening.

The EC communication proposes compensation for growers. Doubtless the Minister will want to make something of that in his reply. Will he first answer the question whether the compensation will be specific to beet or form part of the single payment mechanism? In other words, will it be shared between all farmers, even if they do not produce beet? There may be no such intention, but I am sure that the Minister's reply to that question and the reasoning behind it will be examined with great interest in the industry.

The Minister will rightly say that the communication stems from the need to ensure that cane sugar from the least developed countries and the African, Caribbean and Pacific group of countries should not have to compete against heavily subsidised beet sugar produced in the EU. Growers and processors agree, although the means by which a proper balance should be achieved seems to be questioned in a response to the communication dated 13 September, with which he will be familiar, from the LDC group. It says that the effect of the proposals would be to ensure that sugar produced in the west Balkans would continue to be two and a half times that proposed for the LDC. That may not be the case. It may be rooted in a misunderstanding but it would be good to have some clarification from the Minister.

The LDC group adds:

> "The rapid decline in price as proposed by the Commission will benefit neither the primary producer nor the ultimate consumer within the timeframe for the proposed changes, nor possibly for some time afterwards. The beneficiaries will continue to be EU industrialists . . . LDC sugar producers are being sacrificed for the benefit of profitable EU enterprise."

Does that reaction indicate that the Government's approach is a success?

The Minister may want to tell the House how many responses the Department for Environment, Food and Rural Affairs received during its consultation on the future of sugar beet, and which solution was overwhelmingly supported by the industry. He will know from that consultation that all are agreed that change must come, but he must accept the implications of the decisions that his Government are to take. Like all Ministers, he will be aware of the law of unintended consequences.

Does the Minister accept that price and quota cuts of the size proposed will mean the loss of thousands of jobs in the countryside, and is that all right with him? Is he happy that the same cuts will mean yet more manufacturing losses to add to those already achieved by his Government?

One grower who farms 800 acres told me that he is currently growing peas, rape, sugar beet and wheat on very productive land in north Norfolk. He is not one of my constituents, but he is concerned about biodiversity, the environmental effects of planting decisions and so on. He is also concerned about soil quality and the useful role that sugar beet plays in that respect. If it is not going to be worth his while to grow sugar beet on those 800 acres, he will get rid of the whole rotation and produce only wheat and oil seed rape. I am sure that the Minister understands what that would do to biodiversity, soil quality and the appearance of the countryside, but I also wonder what it may do to asthma sufferers—an interesting point to ponder. Of course, that kind of farm-planning decision will be replicated throughout the country if some certainty cannot be put into the future of sugar beet.

I wonder whether the Minister is concerned about the fact that the deal under discussion, far from helping the ACP and the least developed countries most, will help sugar production in Brazil most. In that country, according to the Royal Society for the Protection of Birds, increased sugar production of the kind expected will completely degrade sensitive areas such as the Cerrado. Worse—the Minister will be surprised that I have used this as a source of information—the World Socialist website says that unions in Brazil claim that sugar production is being increased with the help of slave labour.

I do not think that that is too far-fetched. Those of us who represent seats in East Anglia will know about the exploitation of workers from Portugal and other migrant workers in our own areas, with all of us looking on. The Minister played a big part in helping to stamp out some of the worst of that exploitation with the Gangmasters (Licensing) Act 2004. But it will be ironic

[Mrs. Shephard]

if the end result of what appears to be being planned in the EU increases slave labour in a country where there is even more vulnerability.

Will the Government examine the implications of the proposed changes and produce some strategic thinking on the future of farming, sustainability and this country's expertise in plant breeding? Such expertise is most notable at the John Innes centre, in Norwich, which plays a national and international role. Can the Government think about how such expertise might devise a way forward for sugar beet and for the entire agriculture industry? We wait to hear from the Minister, and he may indeed put all these fears to rest, but I should point out that, with a bit of common sense, the Government could combine concern for the rural economy, for the environment and for our sustainable future, and, indeed, for the third world.

Third-world countries need the help that the communication is designed to give them, but are we sure that the proposals will really help them, rather than disproportionately helping one very large country? In addition, are we certain that the knock-on effects of the communication's proposals will not cause irreversible damage and problems to our own farming? The Government could begin by tackling the future of sugar beet. They could draw on the world-class expertise of plant breeders at institutions such as the John Innes centre. In conjunction with them, with scientists and with the industry, they could, for example, devise alternative uses for this vital crop.

The Minister has heard me speak many times—too many for his taste, I am sure—about the opportunities that biofuels provide in terms of alternative markets for agricultural products. But the scientists at the John Innes centre have a whole range of other possibilities for the uses of sugar beet, many of which would help to reduce the CO_2 emissions that are in the news again today. This communication, the work surrounding it and the consultation give the Minister and his Government such an opportunity. Are they going to take it?

10.47 pm

The Minister for Rural Affairs and Local Environmental Quality (Alun Michael): I congratulate the right hon. Member for South-West Norfolk (Mrs. Shephard) on securing this debate and I welcome the opportunity to respond to the points that she raised. As usual, she made a well-argued, well-researched and well-presented case on her constituents' behalf. She occasionally strayed into one or two wider issues, such as the farming situation in this country. She implied that all is gloom and doom, and that there are problems in the industry, but it is worth pointing out that, according to the House of Commons Library, total income from farming continues to recover from the all-time low in 2000; indeed, it increased by 29 per cent. between 2002 and 2003.

Leaving those points aside, I do acknowledge that the right hon. Lady has been prepared to tackle issues such as the exploitation of workers. I welcomed her strong support for what is now the Gangmasters (Licensing) Act 2004, and I can assure her that we are implementing it and setting up the agency with some vigour. I agree that it is to be deplored when decisions on agricultural matters—or on anything else—lead to unintended consequences and to exploitation in other countries. However, that is not in itself an excuse for continuing with unsustainable practices in this country, and I am sure that she did not mean to suggest that it is.

Towards the end of the right hon. Lady's speech, she asked whether the Government would look at helping with the strategic decisions that are necessary for a strong future for farming in this country. I can assure her that the Government have indeed engaged with that and we have done more than any previous Government to work with the industry to bring forward the strategy for sustainable food and farming. That is an exemplar of how to work with industry to anticipate changes in order to enable the industry to become successful, profitable and sustainable for the long-term future.

Mrs. Shephard: It is the case that the Government have introduced proposals for sustainable food and farming, but will the Minister give the House some details about the interface that the Government have encouraged between plant breeders, research and agriculture to provide alternative uses for crops? I know that a body has been established, but what results has it produced?

Alun Michael: It has improved the methodology of dealing with farming in this country and increased co-operation among farmers to get more of the end-shelf price back to the primary producer. We are carrying through the work of the partnership organisation established to take forward the strategy to create a sustainable future for food farming, which is all-important in this context.

I was making the point that the right hon. Lady was quite right to pose the issue of alternative uses for crops. She has argued—as I have and as my noble Friend Lord Whitty has in the other place—for the promotion of the use of biofuels, and we are perfectly happy to consider other uses. Biofuels have to have a sustainable future. There is no point in having an immediate surge of production that is not followed through in a sustainable way. That is one of the issues that we have debated in the Chamber before.

If I went into all the details that the right hon. Lady asked me to provide in respect of some of her general comments, I would not have time to respond to her specific points about the topic of the debate, to which I should now turn. I would be happy to respond in greater detail if she were to have an Adjournment debate on the topic of the wider future of farming and food and the relationship between various forms of production.

I fully understand the importance that the right hon. Lady attaches to the future of sugar beet production in the UK and to the interests of growers in her own constituency, but that is only one part of a very complex picture, which includes the wider farming community here and in Europe, sugar cane production in some of the poorest parts of the world, food manufacturing and consumer interests and the cost to the economy and the environment of the present regime, as well as its impact on trade and development policies and our international obligations, particularly to the World Trade Organisation.

It is no wonder, in many ways, that reform has been a long time coming, but the fact is that the present 36-year-old regime is now way out of line with other reform sectors and is now the single most distorting and protectionist element of the whole common agricultural policy. An EU sugar price of more than three times world levels is simply not sustainable. I was pleased that the right hon. Lady acknowledged that no change was not an option.

In June 2003, against most people's expectations, we secured agreement to the radical reform of the CAP. The most important element was agreement to break the link between the subsidy paid to farmers and what they produce—the so-called decoupling. So the future is not farming for subsidy, but farming for what the market wants. The environment benefits, too, by removing incentives for over-production and making future subsidy dependent on environmental compliance, which are the objectives of the reform policy. The June 2003 agreement also crucially makes more money available for wider rural development and environmental objectives—the so-called pillar 2 of the CAP. The Government welcomed last June's reforms and believe that it is essential that the reform of the sugar regime should be consistent with those principles.

As the right hon. Lady knows, the European Commission published a communication on sugar in July 2004, setting out reform principles. In particular, it made it clear that the existing regime is unsustainable and that early and radical decisions were needed.

Mrs. Shephard *rose—*

Alun Michael: I will give way to the right hon. Lady, but I am trying to provide some answers to her questions as well as dealing with her preamble points.

Mrs. Shephard: How can the Minister make an analogy between sugar beet and other crops, when there is a monopoly processor for sugar beet but not for any other crop?

Alun Michael: I accept that there is a difference, but it does not alter the fact that the size of the subsidy and the distortion of the market as a result of the present common agricultural policy is completely unsustainable. Indeed, that was also the view of the Environment, Food and Rural Affairs Committee in its excellent recent report.

I shall not rehearse again all the various drivers for reform. The stark truth is that there is no "do nothing" option, as the right hon. Lady acknowledged. Left unchanged, the regime will simply collapse and leave beet growers with neither a future nor any compensation. Loss of jobs depends on decisions made in the industry and many farmers have already changed their operational plans. Others are considering change. Issues of diversification, to which the right hon. Lady referred, are important.

Following the Commission's July paper, negotiations have continued at an official level. Ministers will again discuss the issues at the November Agriculture Council. It is not clear when the Commission will publish legislative proposals. Delay may follow the World Trade Organisation panel report, which has ruled against the EU on several important issues. However, indications from the Commission suggest that no detailed proposals will be produced until March or April 2005, which would make the start date for reform of July 2005 very ambitious.

The right hon. Lady also asked how many responses to the DEFRA consultation exercise had been received. More than 2,000 have been received, including a wide range of views, not all of which opposed reform. Many responses received from farmers revealed that they were clearly worried about the consequences and therefore were unhappy with the proposals. She asked whether sugar beet payment would form part of the single farm payment or would be separate. The Government believe that the payment should be part of the single farm payment.

The right hon. Lady asked who owns the sugar beet quota. That is a question that we have raised with the Commission. It is seeking legal advice and we all await the answer to that question with interest. As she knows better than most, part of the difficulty is that various rumours, counter-rumours, proposals and counter-proposals affect any plan considered by the Commission. It is difficult for producers because they do not know how to judge rumour against proposal. I fear that we will all have to await the decisions from the Commission after it has received the legal advice before I can offer any certainty or clarity on the matter.

The right hon. Lady asked about the UK response to the Commission's proposals. My right hon. Friend the Secretary of State has welcomed the Commission's proposals as a step in the right direction, but we await the full legislative proposal before some of the issues of detail can be dealt with properly. When those legislative proposals—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at two minutes to Eleven o'clock.

House of Commons

Tuesday 12 October 2004

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

The Secretary of State was asked—

Bangladesh

1. **Ms Sally Keeble** (Northampton, North) (Lab): What representations he has made to the Government of Bangladesh about their domestic security. [190314]

The Minister for Trade and Investment (Mr. Douglas Alexander): May I begin by extending the sympathy of all Members to the right hon. and learned Member for Devizes (Mr. Ancram), who I understand is absent from the Chamber this morning as a result of the passing of his father?

We regularly raise concerns about the situation in Bangladesh, including the recent political violence, with the Bangladeshi authorities. My right hon. Friend the Foreign Secretary wrote to the Bangladeshi Prime Minister following the attack in August at an opposition rally. Sir Michael Jay, permanent under-secretary at the Foreign and Commonwealth Office, pressed the Bangladeshi Prime Minister and the leader of the opposition in Dhaka on 5 October to work to resolve the problems facing Bangladesh. I hope to visit Bangladesh myself in the near future.

Ms Keeble: I am grateful to my hon. Friend for that answer, and I join him in offering condolences to the right hon. and learned Member for Devizes (Mr. Ancram). Is my hon. Friend aware of the recent spate of arrests of opposition members—some reports put the figure as high as 40,000—which come on top of the bombings that have accounted for some 1,400 deaths in the past three years? Will he look at getting support from the rest of the international community so that we can bring urgent pressure to bear on Bangladesh, in order to improve the security situation and the fragile democracy in that country?

Mr. Alexander: May I first place on the record my gratitude to my hon. Friend for her work on this issue, which is of great concern to her. Like her, we are concerned at the deterioration of law and order in Bangladesh, and we are keen to work with the Bangladeshi police to help them to improve their performance. The Department for International Development is providing £5 million for a United Nations police reform project, in order to focus on investigation techniques and prosecution. We are keen to encourage that aspect of such work.

Simon Hughes (Southwark, North and Bermondsey) (LD): When the Minister goes to Bangladesh, will he add to his list of issues on which to make representations the security of minority faith communities in Bangladesh—his colleagues are aware of this issue—who are under increasing pressure and subject to harassment? In particular, I draw his attention to the allegation of increasing evidence of fundamentalists from outside Bangladesh infiltrating Government and security services to the detriment of the civil rights of all the community, in what is meant to be a secular state.

Mr. Alexander: The hon. Gentleman raises two important issues: the treatment of minorities and the threat of external involvement in the challenges facing Bangladesh. I certainly undertake to make those points, which have been made previously, when I visit Bangladesh.

Ms Oona King (Bethnal Green and Bow) (Lab): Half of all British Bangladeshis live in Tower Hamlets, and I reiterate to the Minister how deeply distressed they are by the current political situation in Bangladesh and the floods that have devastated it. Having just returned from that country, I commend the outstanding work of our British high commissioner, Anwar Choudhury, his team and the DFID team. What further pressure will be put on the Bangladeshi Government to investigate properly the attacks on Anwar Choudhury and on the opposition leaders? When the Minister is in Bangladesh, could he also ensure that the experience of my constituent, Nunu Miah, is not suffered by other British Bangladeshis travelling to that country?

Mr. Alexander: My hon. Friend raises a number of points. I know of her strong commitment to, and concern for, her Bangladeshi constituents; indeed, my first meeting with a Member of this House after taking up my new responsibilities was with her. She impressed on me then, before her visit to Bangladesh, the importance that she attaches to these issues. On the 21 August attack, I understand that a one-man judicial committee has reported to the Bangladeshi Government, but that the report has not been made public. On the attack on high commissioner Anwar Choudhury, I am glad to say that he recovered well and returned to his duties in July. Although there have been no arrests as yet in relation to that attack, the Bangladeshi police investigation continues. We have stressed to the authorities—I intend to do so again when I visit Bangladesh—that we are keen that the importance of the investigation be elevated, so that those responsible for perpetrating such violence are brought to justice.

Sir Sydney Chapman (Chipping Barnet) (Con): The Minister will know that the attack on the peaceful rally on 21 August involved the killing of 24 people and the injuring of hundreds of others. That rally was protesting against a previous series of bomb attacks, including one on our high commissioner. I appreciate the efforts that the Government have made, as outlined by the Minister; nevertheless, will he see that the matter is pressed resolutely? What is going on in that country is just not acceptable, and if necessary the United Nations should be brought in at the earliest opportunity.

Mr. Alexander: I certainly agree that we were all shocked by the attacks on an opposition rally on 21 August. We utterly condemn such attacks, which have no place in a free and democratic society. We certainly welcome the swift condemnation of those attacks by the Bangladeshi Government, but we are determined to ensure that we continue to press the case that a full investigation takes place. I give a further undertaking that I will make that point when I visit Bangladesh in due course.

Global Warming

2. **Dr. Desmond Turner** (Brighton, Kemptown) (Lab): What representations the Government have made to the United States Administration to encourage it to engage with international efforts to combat global warming. [190315]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): I echo the remarks of my hon. Friend the Minister for Trade and Investment in expressing my condolences to the right hon. and learned Member for Devizes (Mr. Ancram) on the loss of his father.

The Government are working hard to re-engage the United States on the urgency of tackling climate change, despite our differences over Kyoto. We are making every effort to convince US policymakers at all levels that the right environmental policy, as set out in Kyoto, is also good for business. I made a major speech on the UK's position at Howard university, Washington DC, in May this year. Taking effective international action on climate change is a major priority for our G8 and EU presidencies next year.

Dr. Turner: I thank my right hon. Friend for that answer. I am sure that he would agree that the evidence is now abundant that the process of climate change is accelerating, making the need for action extremely urgent. In the face of the evidence, it is still clear that the United States Administration is in total denial—almost of the science and certainly of the need to take action, which places the future of the entire globe in grave jeopardy. Does my right hon. Friend agree that the time has come to stop playing patsy with the States, and that we need to go in fairly tough on the matter? We need to get together with the rest of the international community to ensure that the US, which produces 25 per cent. of all carbon dioxide emissions and probably an equal share of the other important greenhouse gases, comes together with everyone else. Even Russia has signed Kyoto, yet the US is still standing out and must be brought into line.

Mr. Straw: If my hon. Friend reads the speech that I made at Howard university in Washington in May—I will send him a copy—he will see that, far from taking a patsy line on this issue, I took a very robust line. There is a major disagreement between the United Kingdom and the United States on this issue. Our aim is to persuade US policymakers to change their approach.

There are some encouraging signs. The first is that the National Academy of Sciences in the United States now agrees about the scientific evidence. The second is a developing and all-party alliance in favour of Kyoto. The states of California and New York, which between them account for 50 per cent. more carbon dioxide emissions than the UK, have now adopted measures close to those recommended under Kyoto. The McCain-Lieberman Bill, which would introduce a similar structure of controls to those of Kyoto, received 43 votes when it recently came up for debate in the Senate. We have to maintain our pressure on the United States by presenting the scientific evidence, because its people will be as much at risk as those in the rest of the world if there is not international action on climate change, including by the United States.

Mr. Jonathan Sayeed (Mid-Bedfordshire) (Con): As the Foreign Secretary has not had much success in persuading the current President of the United States of the science behind climate change and global warming, does he believe that the Democratic challenger will be rather more amenable to understanding the problem?

Mr. Straw: From what I read, both challengers for the presidency take a similar position on this issue. As ever in the United States—it is a federal state whose democracy is very widely spread—the headline that it is against Kyoto, which is true, tends to obscure the fact that there is a raging debate taking place in the country and increasing support for the UK's position. I am glad to say that we have now been joined by Russia, which means that the Kyoto protocol can now come into force.

Joan Ruddock (Lewisham, Deptford) (Lab): I recently returned from leading a delegation to Russia, where this matter was discussed. May I tell my right hon. Friend that the Kyoto ratification proposed by President Putin is hugely controversial in the Duma; its members believe that it will jeopardise Russia's rapid economic growth? Will my right hon. Friend ensure that hard promises to Russia of technical assistance and co-operation are made and kept, so that the Kyoto protocol will come into effect and the United States will no longer have the excuse that it is not a reality, as it will be a reality if Russia ratifies?

Mr. Straw: Yes, we will. When I was in Russia in July, I spelled out to my Russian colleague, Sergei Lavrov, and to the other members of the Government and Duma whom I met, that Russia has more to gain than to lose from Kyoto. I also drew their attention to the fact that hard-headed multinational American companies such as DuPont are now taking a lead on this matter and are working as though Kyoto were in force. The tide is therefore moving; we have to ensure that the build-up continues so that Kyoto is implemented fully, and then persuade the US federal Government to come in behind it.

Richard Ottaway (Croydon, South) (Con): Does the Foreign Secretary agree that he will be in no position to take a robust line with the US Administration if we do not get our own house in order? Is he aware that CO_2 emissions in this country have risen since 1997?

Mr. Straw: With respect, I must tell the hon. Gentleman that our record on emissions is good, and I shall be happy to write to him with the details.

Turkey

4. **Bob Russell** (Colchester) (LD): What recent representations he has made to the Turkish Government on the equal rights of Turkish citizens from ethnic minorities. [190317]

The Minister for Europe (Mr. Denis MacShane): We have consistently raised, at the highest levels, the need for Turkey to ensure that the democratic rights of all its citizens are protected, regardless of their ethnicity. The Lord Chancellor and I raised this with the Turkish Justice Minister during his visit to the UK in July. My right hon. Friend the Foreign Secretary also urged the Turkish Government to sustain the momentum of reform during his visit on 7 October.

Bob Russell: Does the Minister agree that Turkey has no place in the EU if it does not give equal rights to its Kurdish minority?

Mr. MacShane: The fact that Turkey is an enthusiastic supporter of EU entry—which sets it apart from one or two political forces in our country—has caused it to improve considerably its laws in respect of the Kurdish minority. For example, new laws allow Kurdish people to study, broadcast and register their own names. The situation for Kurds in Turkey is improving steadily, as Turkey seeks to join the EU.

Keith Vaz (Leicester, East) (Lab): I welcome the decisions taken in Brussels last Thursday, and the statement by my right hon. Friend the Foreign Secretary in Ankara on Friday that the EU must keep its side of the bargain. However, does the Minister share my concern about the forces of reaction in Europe, which try to assert that Turkey will not join the EU until 2019? Will he confirm that there is no question that a referendum on Turkish membership of the EU will be held? Will he also confirm that the UK will give Turkey every assistance possible to ensure that it meets the terms of the Copenhagen criteria, and any other assistance necessary to allow Turkey to join the EU as soon as possible?

Mr. MacShane: The answer to all those questions is an unequivocal yes. It would be helpful if Britain could be united in supporting the Turkish application for EU membership, and even more helpful if the Conservative party and other parties on the centre-right in the rest of Europe also supported that application. However, while the Turks want in, the Tories want out. The Opposition have no locus in Europe, and no presence or status with their sister parties. I urge Opposition Members to stop their lurch to the right and to give up camping after UKIP votes. They should support the national interests of Britain and Turkey and ensure that both countries work for a successful EU and a successful Turkey in the EU.

Mr. Stephen Dorrell (Charnwood) (Con): Does the Minister agree that consideration of Turkish membership of the EU is an important negotiating tool when it comes to improving civil rights in Turkey? However, does he also agree that it is essential that that does not become an excuse for delaying consideration of Turkish membership, artificially and unnecessarily?

Mr. MacShane: Yes.

Dr. Nick Palmer (Broxtowe) (Lab): Does my hon. Friend agree that this case offers an example of how the EU leads the promotion of human rights? The Turkish Government are adopting more progressive measures in respect of their Kurdish minority in part because they want to join the EU. That is one of Europe's missions that should be continued as more member states join, and it is a very welcome aspect of the EU.

Mr. MacShane: I very much agree with my hon. Friend. The EU exports its values—its democracy, its open market and its liberal traditions—osmotically, as it were, and during the adult lifetime of everybody in this Chamber we have seen considerable advances in many European countries, which were in a very different situation not so long ago. It is all the more sad that we hear relentless anti-European propaganda and see the move to the right by the Opposition. We also hear constant talk of breaching solemn treaty obligations on fisheries and social policy—

Mr. Speaker: Order.

Angus Robertson (Moray) (SNP): I welcome the decision on Turkey and I also agree with the comments made so far about Kurds. I would also highlight the situation of Armenians in Turkey and of Armenia itself. Will the Minister encourage Turkey to improve Armenian relations, including making progress on resolving outstanding historical differences?

Mr. MacShane: I am a Foreign Office Minister, not an historian, and there are times when history should be left to history. Turkey wants to look to a better future in the European Union and that will require it—as it requires of all member states—to look with tolerance and sensitivity at some of the problems of the past. Sometimes the past is best dealt with by ceasing to rake it up incessantly.

Mr. Jon Owen Jones (Cardiff, Central) (Lab/Co-op): The Minister is correct to say that human rights in Turkey have improved, but when he says—as he just did—that it is now possible to register one's name and to broadcast in one's own language in some circumstances, it illustrates how far Turkey has to go before it can be genuinely a part of the European Union.

Mr. MacShane: I accept what my hon. Friend says, although such developments also illustrate how far Turkey has come. It seems like only yesterday that I was listening to complaints about the treatment of Kurds, which we all agreed was unacceptable. Now Turkey has made substantial legislative reforms, with implementation right down through the police and other systems. The very act of preparing for engagement with the EU is a powerful pressure on all Turkish society and its political leadership to conform to the values of Europe. That is why anti-Europeanism has no place if we want to help Turkey over the next few years.

Mr. Graham Brady (Altrincham and Sale, West) (Con): I thank the Foreign Secretary and his colleagues for their kind words for my right hon. and learned Friend the Member for Devizes (Mr. Ancram).

The Government have rightly supported the accession of Turkey to the EU, and we welcome that. The Minister has said that Turkey must continue to implement improvements in human rights for all its citizens. Is it also the Minister's view that Turkish accession to the EU should give Turkish citizens, of all ethnic groups, the immediate right to free movement within the EU and the UK—or will the Government seek a derogation with regard to Turkey, just as France, Germany and others did for the countries of eastern Europe that joined the EU this year?

Mr. MacShane: I welcome the hon. Gentleman to his new post as shadow Minister for Europe. I look forward to as positive and friendly a relationship as I had with his predecessor. When Turkey finally joins the EU—which, frankly speaking, will take some years of negotiation—we expect that it will have the same rights as other countries. I regret and deplore the campaign in the winter against Poles, Hungarians and Czechs led by the Opposition and the isolationist right-wing press. I hope that when Turkey finally does enter the EU, the Opposition will have changed their spots and will support our partners in Europe, instead of campaigning against their being allowed to work in the UK.

Uganda

5. **Mr. Laurence Robertson** (Tewkesbury) (Con): What recent discussions he has had with the Government of Uganda on the security situation in that country. [190318]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Chris Mullin): I discussed the security situation in northern Uganda with President Museveni and senior members of his Government during my visit in August. I also visited camps for people displaced by the activities of the Lord's Resistance Army in the north of the country.

Mr. Robertson: I am grateful to the Minister for that reply. Given the coverage that events in Iraq and Sudan attract, does he agree that the ongoing war in the north of Uganda is the forgotten war? Does he acknowledge—I am sure that he does—how many children have been taken into the LRA? That is bad enough in itself, but the way in which those children are used causes the spread of AIDS. The health service in northern Uganda is collapsing, many people are dying of AIDS and the Government are struggling to cope. Does the Minister agree that the best—albeit difficult—way forward is to hold multi-party elections as soon as possible?

Mr. Mullin: The hon. Gentleman is right to draw attention to the dire situation in northern Uganda. There has, I am glad to say, been some progress in recent months, because Sudan, where the LRA previously sheltered, is no longer giving it shelter and has given the Ugandan army licence to operate in the south of the country. As a result, there has been quite a large number of defections—if that is the right word—among people in the LRA, including one or two senior leaders, although I would not want to overstate the position. The LRA remains a serious threat and it is a truly evil organisation. The difficulty in dealing with it is that it has no ideological agenda with which one can engage, but our view is that there is no purely military situation. A combination of amnesty, dialogue and military action is probably the way forward, and I am glad to say that that is making progress.

On the question of multi-party elections, the Ugandan Parliament and people are shortly to take a decision on a move to a multi-party system, and we welcome that.

Mr. Bob Blizzard (Waveney) (Lab): Have the atrocious activities of the Lord's Resistance Army not gone on for far too long—about 18 years, I believe? The LRA seems to have no popular support, but nor do the people of northern Uganda trust or welcome the intervention of Government troops, so is there not a case for some international intervention or for a third-party force of some kind to put an end to the atrocities in northern Uganda and give that part of the country the security that it deserves?

Mr. Mullin: There has been no request from the Ugandans for outside intervention, although the international community, particularly the donor community, in which we play a leading part, engages closely with the Ugandan Government on that issue. We have been arguing that there is no military solution; as my hon. Friend says, the situation has been going on for 18 years and military activity must be combined with an amnesty and some form of dialogue, although, as I mentioned, such dialogue is rather difficult. By and large, however, that is happening and it is beginning to produce some results, so the situation is not entirely bleak. However, my hon. Friend is right to say that there is a much wider issue that will have to be addressed in due course—in fact, the sooner, the better: the marginalisation of the Acholi and Langi peoples.

Mr. Mark Simmonds (Boston and Skegness) (Con): Further to the Minister's answers to the previous two questions, it is clear that the LRA—the rebel activity in northern Uganda—has been barbaric and inhumane. I hope that the whole House will join me in condemning those atrocities, especially the appalling atrocities against children. Given recent evidence of support for the LRA from the Sudanese Government, what are the British Government doing to ensure that Sudanese resistance is eradicated and that it is not resumed in any volume? What pressure can the Government put on the international community to ensure a solution to the problem, so that that part of Africa is not forgotten while attention is focused on the nearby Darfur region?

Mr. Mullin: With respect to the hon. Gentleman, whom I welcome to his place, there is no such thing as Sudanese resistance. In the past—we think that it stopped about two years ago—the Sudanese were supporting the Lord's Resistance Army; they have given it shelter in southern Sudan and supplied it with arms and food. As far as we can tell, that has stopped. We have continued to talk to the Sudanese about the matter and they have given us clear undertakings on that point—I was in Sudan last month. They have also allowed the Ugandan army to operate in the south of Sudan, which has had an enormous impact on the LRA's ability to function. Considerable progress has been made recently. It is not a forgotten war, but hon. Members are right to draw attention to it, as the situation is dire and serious. About 1.6 million people have been displaced, but there is scope for mild optimism—I put it no higher than that—about the way in which events have moved. As I said to my hon. Friend the Member for Waveney (Mr. Blizzard) a moment ago, there will be a long repair job to be done afterwards to deal with the wider issue of the marginalisation of the Acholi and Langi peoples.

Diego Garcia

6. **Laura Moffatt** (Crawley) (Lab): What advice is given to the people of Diego Garcia currently living in Mauritius and the Seychelles who choose to take up their British passports and live in the UK. [190319]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): When passports are issued to Chagossians in Mauritius and the Seychelles, our high commissions there provide written advice on what they can expect when they arrive in the UK. It makes it clear that able-bodied Chagossians without care needs cannot expect to receive automatic support when they arrive in the UK and should ensure before travelling that they have the means to support themselves. That is the same for any other United Kingdom citizen without habitual residence in the UK.

Laura Moffatt: I thank my right hon. Friend for that response. He will know that both inside and outside the House there is considerable concern about the plight of the Chagos islanders who moved to Mauritius. For me, the issue has been around people who may have been exploited entering the UK. Immediately on their arrival, a judgment in the High Court is sought on whether they should be given assistance through the local authority. That has caused enormous difficulty. May I ask my right hon. Friend to make sure that all Departments involved in what can be a difficult and painful issue work together to seek a solution?

Mr. Straw: I give my hon. Friend that undertaking. It is a difficult issue. I understand that the High Court's judgment against the county council is the subject of an appeal right now. We do our best to work closely together. I will make sure that we are doing that as well as we can. I repeat that the rules in respect of United Kingdom citizens arriving from Mauritius and the Seychelles are exactly the same as those for any other United Kingdom citizens who do not have habitual residence in the UK. There is no discrimination. Although I understand some of the difficulties that the Chagossians have encountered in Mauritius and the Seychelles, it is also fair to say that we have provided a large amount of compensation to those families.

Mr. David Chidgey (Eastleigh) (LD): What efforts have the Government made to ensure that compensation paid to these displaced persons through the Mauritian and Seychellian Governments has reached the people who expected to benefit from them?

Mr. Straw: My understanding is that the British Government have made two payments of compensation in relation to the resettlement of the Chagos islanders. Those payments in today's terms total more than £14 million. I have had no representations to the effect that the intended beneficiaries have not received the money. I am happy to follow up the matter if the hon. Gentleman writes to me.

Mr. John Grogan (Selby) (Lab): Given last week's excellent ITV programme, which chronicled the appalling treatment that the Chagos islanders have received from successive British Governments and the fact that many of them signed away their rights to compensation without realising what they were signing, is there not a strong and clear moral case for the British Government to look again at making further compensation payments to some of the islanders who are living in the most appalling poverty?

Mr. Straw: I understand how controversial has been the history of the moves made many decades ago to remove the Chagossians from their natural territory to Mauritius and the Seychelles, but this Government and, I think it fair to say, our immediate predecessors have not acted in an appalling way. We have acted to the best of our ability and large amounts of compensation, given the relatively small numbers involved, have been paid.

Maghreb Countries

7. **Mr. Gordon Marsden** (Blackpool, South) (Lab): What plans his Department has to increase its engagement with Maghreb countries during the UK's EU presidency in 2005. [190320]

The Minister for Europe (Mr. Denis MacShane): We plan to work closely with the Maghreb countries in advance of our EU presidency in the second half of next year. During our presidency, we will organise a high-level event to mark the 10th anniversary of the Barcelona process—that is EU jargon for the EU's engagement with the Mediterranean countries. The conference with the Maghreb countries, which my hon. Friend chaired in June, is an excellent example of how Members of Parliament, on behalf of all Members of the House, can increase our engagement in the region.

Mr. Marsden: I thank my hon. Friend for that reply. Foreign Ministers and ambassadors from the Maghreb countries who participated in that conference were delighted at the commitment that the Foreign Secretary and Baroness Symons showed to the meeting. I am delighted to hear that the momentum will continue with the conference next year on the Barcelona process. I offer two suggestions to my hon. Friend. The first is that, as part of that process, we do our utmost to encourage dialogue and engagement between the Maghreb countries and the newly acceded EU countries. They would be valuable allies for the Maghreb countries. The second is that, in preparation for the conference, we concentrate on building up the economic and financial infrastructure of the Maghreb countries, because that is close to our national interest in terms of encouraging trade with this country and reducing pressures on migration and potential recruitment to terrorist organisations.

Mr. MacShane: I agree very much with those points. Britain does not want poor neighbours; the European Union wants richer neighbours, growing in wealth and job creation in their own countries, to lessen some of the pressures of economic migrant flows. Indeed, I will have talks with Spanish opposite numbers in a couple of weeks on how, together with Spain, we can engage more positively with the Maghreb countries ahead of the UK's EU presidency next year.

Miss Anne McIntosh (Vale of York) (Con): Does the hon. Gentleman agree that, whichever party is in power, the real thrust of the UK presidency should be to improve literacy, to reduce poverty in the Maghreb countries and to look at serious security and human rights issues, as well as the situation of women in those countries?

Mr. MacShane: Those are important, valid points. On human rights, there are problems to do with journalists imprisoned in Tunisia. Algeria, of course, has had to deal with some pretty bad Islamic fundamentalist politics and a lot of violence. In Morocco, where the situation is easier, there still remain problems of poverty and illiteracy. The British Council is engaged in combating those problems, with the help of the Department for International Development. Britain can play a useful role because of the increase in the proportion of our gross domestic product that goes to overseas aid generally, but this is a priority for Europe. In the past 10 years, Europe has perhaps focused on its eastern and northern borders, but now we have to look south from Turkey to Cyprus and the Maghreb to see what we can do to improve the condition of all the people there.

Donald Anderson (Swansea, East) (Lab): Does my hon. Friend agree that there is a strong desire in all the countries of the north African littoral to enhance their relationship with NATO, the EU and, of course, with our own country bilaterally? We have a great deal to offer, and that is very much in our interests because we need to manage immigration and, of course, given the fight against terrorism. Will he indicate what sort of specific initiatives—for example, scholarships and other means—we have, apart from the ministerial conference, to seek to promote stability and improve our general relationship with that region, our new neighbours?

Mr. MacShane: Yesterday, at the conference of European Foreign Ministers, a very important decision was taken to lift the arms embargo on Libya, as a direct—I hate to use the word "reward" because that sounds a little condescending—and correct reaction to the fact that Libya has given a commitment, thanks to the initiative that my right hon. Friend the Foreign Secretary and his US opposite number took in getting it to do so, to resile completely from the development of weapons of mass destruction. Much progress is still to be made, and the Government are greatly concerned about some Bulgarian medical staff who are under the most appalling and unfair pressure in Libya. None the less, the progress made shows how engagement works, how working through the EU works and why Britain must stay engaged fully in the region, through the EU, and reject the isolationists temptations that we have heard from some right-wing political parties in recent months.

Iraq

8. **Mr. Eric Illsley** (Barnsley, Central) (Lab): If he will make a statement on the situation in Iraq. [190322]

13. **Mr. Alistair Carmichael** (Orkney and Shetland) (LD): If he will make a statement on the situation in Iraq. [190328]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): I will make a statement on Iraq at the end of questions.

Mr. Illsley: I am grateful to my right hon. Friend for that successful result to my question—17 years, and the first positive response.

On a more sombre note, may I express my sincere condolences to the family of the murdered British hostage, Ken Bigley, and ask my right hon. Friend whether the coalition forces can take any measures to try to increase the security of western workers in Iraq, to try to prevent or limit any more of those horrific kidnappings, given the fear and terror and, of course, publicity that they generate, particularly in the run-up to the Iraqi elections in January?

Mr. Straw: I am grateful to my hon. Friend for his expression of condolences to the Bigley family because I know that such things are making a great deal of difference to them.

The coalition has a number of measures in place, which it is always seeking to improve, to ensure the safety and security of non-Iraqi and Iraqi workers in the country. We give a lot of advice on our website. It is crucial for those who work in Iraq to register with the British embassy in Baghdad, provide full details of where they are and take detailed advice on appropriate protection. That does not eliminate risk, but it certainly reduces it.

Mr. Carmichael: Who is responsible for the reported disappearance of dual-purpose nuclear material in Iraq?

Mr. Straw: That is not clear. I am seeking many more details following the receipt of the International Atomic Energy Agency report overnight, but it appears that most of the unauthorised removal took place in the immediate aftermath of the major conflict in March and

April 2003. I asked for a detailed report before I came to the House and I shall ensure that its results are made available to hon. Members.

Mr. Peter Kilfoyle (Liverpool, Walton) (Lab): The Foreign Secretary has launched another pre-emptive strike on those of us who wanted to raise now matters that will come up later. In the aftermath of the horrific kidnapping and murder of Ken Bigley, may I put on record the real appreciation of the Bigley family and the city of Liverpool to the Foreign Secretary? He has handled a very difficult situation with great dignity and sensitivity, which has been to his utmost credit.

Mr. Straw: I thank my hon. Friend for that. May I express my appreciation to him, as the constituency Member for the Bigley family, for all the help and support that he gave the family, which I know that they have greatly appreciated?

Mr. Gary Streeter (South-West Devon) (Con): May I associate the Conservative party with remarks about the Foreign Secretary's efforts in relation to Mr. Bigley? I know that the Foreign Secretary will make a statement on Iraq in a moment, but is he aware of a report in *The New York Times* on 8 October that said that the Pentagon had identified 20 to 30 Iraqi towns that must be brought under control before elections can take place next January? As part of the coalition forces in Iraq, are British troops likely to take part in that campaign? Does the Foreign Secretary have a view on how much of Iraq must be brought under control before valid elections can take place?

Mr. Straw: Assiduous though I am about reading *The New York Times*, I was not aware of that report—I shall look at it afterwards. Such a list was not discussed with me when I was in Iraq last week. It is perfectly plain, as I shall spell out in more detail in my statement, that there must be a better level of security throughout Iraq. We are not putting a figure on that any more than we did in Afghanistan because that would play into the hands of the terrorists. Although the situation remains difficult, there are indications that things are getting better, not least the agreement brokered last week between Moqtada al-Sadr and Prime Minister Allawi, which looks as though it is holding and will lead to peace and reconstruction in Sadr City.

Terrorism (South-east Asia)

9. **Ms Meg Munn** (Sheffield, Heeley) (Lab): What discussions he has had with the Government of Australia on combating terrorism in south-east Asia. [190323]

The Minister for Trade and Investment (Mr. Douglas Alexander): The Government remain committed to working with the Governments of south-east Asia to combat all forms of terrorism. We have regular discussions with the Government of Australia on the terrorist threat in south-east Asia. My right hon. Friends the Prime Minister and Foreign Secretary wrote to their Australian counterparts to offer our support and assistance to the Australian Government and people following the attack on the Australian embassy in Jakarta on 9 September in which nine people were killed. On this, the second anniversary of the Bali bombing, our thoughts remain with the victims and their families.

Ms Munn: I thank my hon. Friend for his answer. He rightly points out that today is the second anniversary of the Bali bombing, which killed not only many young Australians, but several British citizens, including one of my constituents. Is the Foreign Office satisfied with the work that is being done in that area between Australia and Indonesia? Given our interests in the area, is every effort being made to support that?

Mr. Alexander: Of course we condemn utterly the bombing of the Australian embassy on 9 September. As I made clear, both the Foreign Secretary and the Prime Minister have communicated directly with the Australian Government, offering what assistance we can in the continuing efforts to combat terrorism. It is clear not just from that incident but from other terrorist incidents that the need for countries to work collaboratively across borders has never been greater in terms of the challenge of global terrorism. In that regard, Britain continues to play a leading role, not just in south-east Asia but right around the world.

Patrick Mercer (Newark) (Con): It took the British Government more than 18 months to implement some of the security lessons that Australia was so brutally taught by the Bali bomb. It is clear that the bombing of the Australian embassy in Jakarta would have resulted in many more casualties had the Australians not pre-empted the problem and reacted with great skill. May I ask that the British Government react with much more speed to this incident than they did to the Bali bombing?

Mr. Alexander: I am sure that the House recognises that we do not discuss the security of individual embassies, but I can confirm that I met the Indonesian ambassador recently. It is only fair to point out that we passed counter-terrorism legislation expeditiously after the events of 9/11 and we continue to take whatever measures necessary to safeguard the security of the British people.

Israel

10. **Martin Linton** (Battersea) (Lab): What representations he has made to the Israeli Prime Minister on his proposal to expand the settlement of Ma'ale Adumim on the west bank. [190324]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): A great many representations have been made calling on Israel to freeze all settlement activity. We have raised our concerns with Prime Minister Sharon's office and the Israeli ambassador in London. The Prime Minister and I raised settlement expansion with Israeli Vice-Prime Minister Olmert on 8 September. In my discussions with Israel, I specifically pressed my concerns about the proposed expansion of Ma'ale Adumim.

Martin Linton: I thank my right hon. Friend for making representations to the Israeli Prime Minister and the Vice-Prime Minister. Does he share the pessimistic assessment of Israeli Labour party MPs who believe that the expansion of settlements such as Ma'ale Adumim, deep in Palestinian territory, shows that disengagement is just a cover for assimilation, that the road map is all but dead and that if he is allowed to continue in this way, Ariel Sharon will be laughing all the way to the west bank?

Mr. Straw: I do not take such a pessimistic view. Our position on the settlements in the west bank, as in Gaza, is clear: they are not lawful and it is not in Israel's long-term interests to pursue them. The road map is not dead. I am aware that one or two comments have been made off-message in Israel about the road map, but they have been confounded by official spokesmen, and there was a good meeting of the Quartet, which supervises the road map, in New York on 25 September.

The situation is very difficult. The crucial thing is that we first see a withdrawal from Gaza by the Israelis as they promised. We need the removal of all the settlements there, which, as my hon. Friend will know, is very controversial in Israel, and strong international support for the Palestinian Authority to ensure that it can run the territory once Israel has removed itself from it. We must then ensure that similar withdrawals take place on the west bank.

Sir Menzies Campbell (North-East Fife) (LD): I, too, join in the expressions of sympathy to the right hon. and learned Member for Devizes (Mr. Ancram).

Does the Foreign Secretary understand that in Arab countries, where the particular nature of resolutions under chapter VII of the United Nations charter may not be fully appreciated, there is none the less an overwhelming sense of double standards when Security Council resolutions are sought to be used to justify military action against Iraq, but resolutions directed against the occupation of the west bank go unimplemented?

Mr. Straw: There are a range of resolutions in respect of Israel/Palestine, including 242, 338 and 1397. They place obligations not only on Israel, but on the Palestinians in respect of terrorism, and on the international community. It is lamentable that they have not been implemented. The road map seeks to ensure that they are implemented. There are clear obligations on Israel to stop the settlement building, to stop targeted assassinations and to move the route of the barrier, but there are also clear obligations on the Palestinians to ensure that they really do—I have been saying this for three and a half years without a great deal of effect—take proper control of the rejectionist terrorist organisations operating within their territory. In addition, countries outside the occupied territories—their neighbours—must cease supporting the rejectionist terrorist groups.

David Winnick (Walsall, North) (Lab): Should not the international community be far more robust in opposing what Sharon and his cronies are doing on Palestinian land? Should there not be far stronger condemnation of the way in which, day in and day out, the Israeli armed forces act against Palestinians, causing immense harm, death and destruction? Should we not condemn that in the same way as we rightly condemn suicide bombings, which are, of course, totally unacceptable?

Mr. Straw: I do condemn it. I have made that clear. Targeted assassinations and the untargeted killings of innocent Palestinians in pursuit of military operations are unlawful and unacceptable to the whole international community. We have made that as clear as we have our condemnation of suicide bombing.

Sir Patrick Cormack (South Staffordshire) (Con): Does the Foreign Secretary agree that the attitude and actions of the democratically elected Government of Israel constitute perhaps the greatest single obstacle to peace in the middle east?

Mr. Straw: I do not believe that. Israel's voting system has complicated Israeli politics to an incredible extent, as any sensible Israeli politician, left, right or centre, would be the first to say. Those who wish to adopt national list proportional representation need to bear in mind the political chaos that it produces—I mention that parenthetically, Mr. Speaker.

Israel is a proud democracy and we should salute it for that. It must be borne in mind that one of the reasons why the present Government are facing a collapse of their coalition as they seek withdrawal from Gaza and the removal of the settlements is that, unlike the Governments of some of the other states in the region, they have to get those proposals through the democratically elected, and rather difficult, Knesset.

Mrs. Louise Ellman (Liverpool, Riverside) (Lab/Co-op): Does the Foreign Secretary agree that those who seek peace should welcome the Israeli Government's intention to withdraw from all settlements in Gaza as a first step? Does he also agree with the statement of Yasser Arafat's Prime Minister that the Palestinians should cease to support and incite terrorism, and thereby fulfil their promise in the road map?

Mr. Straw: I agree with both those statements. Although it is hardly a secret that Prime Minister Sharon is not the favourite politician of every Member of this House, we should judge all politicians on their proposals, and Prime Minister Sharon's proposals on withdrawal from Gaza and the removal of the settlements there are fully consistent with the road map and courageous and they ought to be welcomed.

Mr. Gary Streeter (South-West Devon) (Con): I commend the Foreign Secretary for the balance that he is trying to strike between the Israeli Government's sometimes rather inappropriate behaviour and the Palestinian Authority's inability to bear down on rejectionist terrorists. He mentioned the importance of security in the Gaza strip post-withdrawal, but what specifically will the British Government do to bring about a state of security?

Mr. Straw: We are already doing a good deal to support security in the Palestinian Authority area—for security reasons, mainly in the west bank rather than in Gaza. I am giving active consideration to what further steps we can take to ensure that the Palestinian Authority can operate effectively within Gaza after withdrawal has taken place.

Mr. Streeter: It was interesting to hear during the recent Labour party conference that the Prime Minister will make revival of the middle east peace process a personal priority after November. Have we not heard that before? When did this crucial peace process stop being a priority for the Prime Minister, and why?

Mr. Straw: The peace process has never stopped being a priority for the Prime Minister, and he remains wholly committed to it. My right hon. Friend was simply drawing attention to a fact of life over which we have as little control as we have over the fact that the sun rises in the east, which is that the United States presidential election takes place on 2 November.

Dr. Brian Iddon (Bolton, South-East) (Lab): Is not the Israelis' intention merely to transfer settlers from the Gaza strip to the west bank, and does not the recent statement by Mr. Sharon's chief of staff that disengagement in Gaza will effectively derail the peace process give the lie to the Israelis' real intentions?

Mr. Straw: I do not think that my hon. Friend's first point is correct. In any case, if we are to get full withdrawal from Gaza and the west bank, it has to start somewhere. The Israelis have committed themselves to full withdrawal from Gaza and we should welcome that. As for what I gather was said by Mr. Sharon's adviser, Mr. Dov Weissglass, it has been disavowed by official Israeli Government spokesmen.

I refer my hon. Friend also to an important interview which Vice-Prime Minister Olmert gave in *The New York Times* in the middle of August—which I read—in which he spelt out the importance of Israel sticking to the two-state solution. He drew attention to the fact that if Israel did not do that, it would either become undemocratic or it would cease to be Jewish. There are arguments, which intelligent Israelis fully understand, that are in favour of the road map and a two-state solution broadly within the boundaries set out in 1967 for the Israelis as well as the Palestinians.

Sudan

12. **Mr. Elfyn Llwyd** (Meirionnydd Nant Conwy) (PC): What recent assessment he has made of steps taken by the Sudanese Government to resolve the crisis in Darfur. [190327]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Chris Mullin): I visited Darfur last month. The situation remains extremely serious. Despite some progress on the humanitarian side, the Government of Sudan have not done enough to improve security. Ceasefire violations by rebel and Government forces continue. My right hon. Friend the Prime Minister discussed those issues last week with the Sudanese President. We have made it clear to the Sudanese that they will be judged by their actions and not by their words.

Mr. Llwyd: I thank the Minister for that response. I welcome the Prime Minister's intervention in the Sudan and the five-point peace plan that was tabled. Does the Minister share the concern of many, including Amnesty International, that the proposed increase of African Union monitors, although welcome, leads to concern that the mandate and the capacity of those monitors should be strengthened to enable them to do a real job of providing security?

Secondly, what efforts are being made to ensure that UN human rights observers are increased in their numbers and properly resourced to carry out their responsibilities?

Mr. Mullin: I share the hon. Gentleman's concern, especially with regard to making the UN monitoring force more effective. We want to see it expanded and we want also to see the mandate strengthened. These issues are under discussion. We want to see the number of human rights monitors increased. We have been giving logistical support to the African Union as and when that is needed. I am sure that the hon. Gentleman appreciates that there is a capacity issue. For example, we helped to fly in some of the Nigerian troops.

Rob Marris (Wolverhampton, South-West) (Lab): My hon. Friend will know that Sudan is the ninth largest country in the world and that it is the largest country in the world that is not currently a federal state. Looking at the medium term, both in terms of Darfur and other parts of Sudan, what assurances can my hon. Friend give me that the UK Government are pressing the Government of Sudan to implement the peace agreements that were signed in Kenya this April, which included the establishment of a federal government in Sudan, which would go some way towards preventing certain crises such as Darfur in future?

Mr. Mullin: We believe that a settlement between the north and south of the country could provide a template for a settlement, eventually, in Darfur and in other parts of this tragic country. I am glad to say that the talks at Naivasha, in Kenya, resumed on 7 October. We are fairly optimistic that they will reach a conclusion. We are making it clear to all parties that we want to see progress. It is urgent that there is progress if we are to see a long-term solution to the problems of Sudan.

Charles Taylor

14. **Mrs. Claire Curtis-Thomas** (Crosby) (Lab): What representations he has made to Nigeria with respect to the arrest of Charles Taylor. [190329]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Chris Mullin): We believe that Charles Taylor must be called to account for his crimes, preferably before the special court in Sierra Leone. We have made representations to this effect to President Obasanjo. We remain grateful to the President and his Government for their role in diffusing the crisis in Liberia.

Mrs. Curtis-Thomas: I am grateful to hear that answer from my hon. Friend. Charles Taylor is a notorious individual who is responsible for the murder and mutilation of thousands of people. I for one would be delighted to see him before a special court, which the

British Government have played a crucial role in establishing in Sierra Leone. What is my hon. Friend seeking to do to bring the other perpetrators of great injustice in Liberia to account, and preferably before a hearing in the special court?

Mr. Mullin: The number of indictments issued by the special court is limited, but they include Mr. Taylor. As my hon. Friend may be aware, trials have already started, and we are anxious that progress is made as swiftly as possible. It is essential, if there is to be peace in west Africa, that the culture of impunity that has prevailed in the region for many years is brought to an end, and we regard the special court as a means of achieving that.

Mr. Andrew Mackay (Bracknell) (Con): Would the Minister impress on the Nigerian Government the fact that if Nigeria is to punch its full weight as the regional power it will be largely judged on its actions regarding Charles Taylor? Bringing him before the court in Sierra Leone is urgently necessary.

Mr. Mullin: Nigeria will be judged on a wide variety of actions, not least the positive role that it has played in Sudan and the AU, and on other issues. We must recognise that Charles Taylor is in Nigeria only because President Obasanjo resolved a difficult problem facing Liberia at the time. That country was facing a real crisis, and his decision to get Charles Taylor out of the country brought it to an end. We must acknowledge that before we go on to discuss what should happen to Mr. Taylor in future. The indictment against Charles Taylor, however, is for life. It will not go away, and the sooner he is indicted, the better—that is the Government's position.

Iraq

12.31 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): With permission, Mr. Speaker, I should like to make a statement on Iraq.

I know that I speak for the whole House in offering our condolences and deepest sympathies to the family of Kenneth Bigley. Throughout their ordeal, the Bigley family have conducted themselves with the greatest dignity, courage and strength. I also want to pay tribute to the dedication and professionalism of all those who worked to support Mr. Bigley's family and to try to secure his release—our officials in Baghdad, Bangkok and London, police officers from Merseyside and the Metropolitan Police Service and, if I may make a particular point, the Muslim Council of Britain, which was indefatigable it its work to try to secure his release. I thank the right hon. and learned Member for North-East Fife (Sir Menzies Campbell), as well as the right hon. and learned Member for Devizes (Mr. Ancram) who, because of a bereavement, cannot be present today, for the restraint and co-operation that they and their parties showed throughout.

The House will understand that there is a limit to the information that I can give about the events leading up to the news of Mr. Bigley's death last Friday. However, at the beginning of last week, an individual approached the British embassy in Baghdad, presenting himself as a potential intermediary with the captors. Messages were exchanged with the hostage-takers in an attempt to dissuade them from carrying out their threat to kill Mr. Bigley, but at no stage did the hostage-takers abandon their demands relating to the release of women prisoners, even though they were well aware that there were and are no women prisoners in British custody in Iraq. These communications were fully in line with the Government's long-standing approach to kidnapping—while ready to receive messages from kidnappers, we cannot negotiate with them. Kenneth Bigley's family in Liverpool and his wife in Thailand were kept fully aware of our communications with that intermediary.

On Friday afternoon, the intermediary provided us with proof beyond doubt that Ken Bigley's captors had carried out their threat to kill him. On Friday evening, I travelled to Liverpool to convey our sympathies and condolences to Mr. Bigley's family. Kenneth Bigley was a decent man who was in Iraq for no other purpose than to earn his living by working for the benefit of the Iraqi people. His capture, the ordeal imposed on him and his family, and his murder were acts of utter barbarism. Our thoughts and prayers are with Mr. Bigley's family and friends.

I should now like to turn to the report of the Iraq survey group on Iraq's weapons of mass destruction which, as the House will be aware, was published last Wednesday, 6 October. The full text of the report is available on the internet, and I have attached to the written text of my statement, which is available now in the Vote Office, the Iraq survey group's "Key Findings".

The report concludes that by the mid-1990s, Iraq was essentially free of weapons of mass destruction, but it goes on to describe a sophisticated and systematic campaign by Saddam Hussein to bring down the United Nations sanctions regime and to reconstitute his weapons programme. It shows how Saddam Hussein subverted the oil-for-food programme in order to reward people

> "for their service and efforts in undermining the resolve of the international community to enforce UN Security Council resolutions".

The report goes on to state that the

> "ISG assesses that Saddam clearly intended to reconstitute long-range delivery systems and that the systems potentially were for WMD".

It continues:

> "Saddam never abandoned his intentions to resume a CW effort when sanctions were lifted and conditions were judged favourable".

I should like to give just one more example. The report says that the

> "ISG judges, based on available chemicals, infrastructure, and scientist debriefings, that Iraq"—

in 2003—

> "probably had a capability to produce large quantities of sulphur mustard within three to six months."

The report provides chapter and verse as to why the policy of containment was not working. Indeed, in July 2000, as it makes clear, the ruling Ba'ath party newspaper *Al Thawra*

> "claimed victory over UN sanctions",

and in August 2001 the Iraqi Foreign Minister claimed that United Nations sanctions efforts had "collapsed". Saddam Hussein's regime was dedicated to deceiving the international community, and it was working flat out to undermine containment and rebuild the weapons capability that it had already used on its own people and neighbours.

As the Prime Minister did in his speech at our party's conference, I of course accept that some of the information on which we based our judgments was wrong. But before turning to that, I want to pay tribute to the work of Britain's intelligence services, which is usually done in difficult and dangerous circumstances around the world. Their successes and contribution are necessarily often unsung and unrecognised, but yesterday the European Union recognised a key success from the same people in the British intelligence service in respect of Libya. When we lifted our sanctions on Libya, it was through our intelligence people—the same people who had detected through the same methods the fact that Libya was developing an unacceptable and large programme of WMD—and by ours and others' diplomatic efforts that we managed to ensure that Libya is safe and is brought back into the international community.

The House will recall that the Butler committee concluded, among many other things, that the validity of the line of reporting that included the 45-minute intelligence had come into question. It further concluded that reporting received from a liaison service on Iraqi production of biological agent was "seriously flawed". The House will now wish to be aware that the chief of the Secret Intelligence Service has written to my right hon. Friend the Member for Dewsbury (Ann Taylor), the Chairman of the Intelligence and Security Committee, formally withdrawing those two lines of reporting.

[Mr. Jack Straw]

But I do not accept, even with hindsight, that we were wrong to act as we did in the circumstances that we faced at the time. Even after reading all the evidence detailed by the Iraq survey group, it is still hard to believe that any regime could behave in so self-destructive a manner as to pretend that it had forbidden weaponry, when in fact it had not. It is still hard to comprehend the logic of Saddam's behaviour in resisting UN inspections in 1998, and indeed driving out the inspectors, when he could have demonstrated that he had no weapons of mass destruction. He could even more easily have given the United Nations the full co-operation demanded by resolution 1441—the kind of access and ability to interview key scientists that has now allowed the ISG to reach the verdict that he had no WMD stockpiles, but which UNMOVIC was denied.

Even in the few days before the conflict, Saddam refused our offer to meet a handful of tests that would have shown that he had no WMD, such as delivering just 30 scientists for interview outside Iraq, completing the destruction of the illegal al-Samoud missiles or surrendering all anthrax or providing credible evidence of its destruction. Those were just a few questions drawn from the 173 pages-worth of unresolved issues and questions that the United Nations weapons inspectors were detailing four months after the passage of resolution 1441. In the circumstances, deciding to give Saddam the benefit of the doubt would have required a huge leap of faith. We would have had to conclude that all the intelligence—not only ours, but that from many other agencies around the world—was wrong. We would have had to decide, with no evidence, and despite Saddam's resistance to inspections, that he had in fact disposed of his WMD without telling the UN.

Instead, we made the judgment that it would not be safe to turn away and leave Saddam re-empowered and re-emboldened. Although we can now plainly see that some of the intelligence was wrong, I continue to believe that the judgments that we made and the actions that we took were right. Let it never be forgotten that the whole of the international community, including all 15 members of the UN Security Council, concluded from its own evidence, and not from our intelligence, that Saddam posed a threat to international peace and security, and it did not resile from that conclusion in the four months after resolution 1441.

On the current situation in Iraq, I travelled to Iraq last week and met the President, Prime Minister and other Iraqi politicians including Kurdish and other leaders in the north of Iraq, members of the Interim National Council, UN Special Representative Ashraf Qazi and the UN elections team. The elections to be held next January were one of the key themes in my discussions. Logistical preparations are moving ahead: voter registration is in hand, information on the elections is beginning to be distributed and training for national election staff is also on schedule. I stressed to UN Special Representative Qazi the vital importance of the UN increasing its presence on the ground in Iraq in the run-up to the elections. It is crucial that the UN plays its full part in advising on the electoral process in Iraq, a point that I have since reiterated to UN Secretary-General Kofi Annan.

The greatest difficulty faced by Iraq's Government in preparing for elections is, of course, the security situation, especially in the Sunni areas in the centre of the country where the violence has been concentrated. I was impressed by Prime Minister Allawi's determination to improve security. His strategy is threefold: first, substantive political engagement with Sunni leaders to persuade them that their interests are best served inside rather than outside the political process; secondly, rapid progress on reconstruction to improve people's daily lives; and thirdly, strengthening and accelerating the training of Iraq's security forces so that they can play the lead role in tackling the insurgency.

That approach is, I believe, beginning to pay off, with welcome progress in the Sunni town of Samarra and in the predominantly Shi'a suburb of Baghdad, Sadr city. Falluja remains the most acute concern, and we will continue to support the Iraqi Government as they work to tackle it. However, despite the security situation in some parts of the country, all the Iraqi politicians whom I met, who came from many parties and who included Prime Minister Allawi, were committed to national elections going ahead in January as planned.

Local elections are already being held in the south of the country, and the Iraqi people are showing a real appetite for choosing their leaders and holding them to account, an experience which has not occurred in the living memory of almost every single Iraqi. Successful national elections would deal a huge blow to the terrorists and insurgents who reject the ballot box and who seek to rule with the bullet and the bomb.

It is worth remembering that some—not to say many—warned that security would prevent elections in Afghanistan, and I remember dealing with that matter in this House not many months ago, but over the weekend we saw a huge turnout. In Iraq, although security is of course important for elections, only progress with elections can deliver lasting improvement on security, allow civil society and businesses to grow and enable trade unions, journalists, women's groups and all those denied the right to exist under Saddam to emerge from the darkness of his terrible regime.

It is vital that Iraqis take the lead in building stability and in shaping their political future, but they will continue to need the support of the international community. I therefore welcome the support of the group of Iraq's neighbours for both the Interim Government and an inclusive political process in Iraq, and their efforts to improve border security and stop terrorists getting into the country.

The international community meets in Tokyo tomorrow to review progress on reconstruction in Iraq. Already, projects to rebuild Iraq are employing almost 500,000 Iraqis who were not employed before. Preparations are also well under way for an international conference on Iraq to be held next month in Egypt, which was envisaged by Security Council resolution 1546, and which I shall attend.

The United Kingdom will continue to play a leading role in the international effort to support Iraq. I here pay tribute to the bravery and dedication of all the British personnel in Iraq, military and civilian, which I again saw for myself last week. Their work is vital as the Iraqi people seek to defeat the men of violence and to build a peaceful and prosperous future for their country.

Mr. Gary Streeter (South-West Devon) (Con): I thank the Foreign Secretary for his statement and for his courtesy in making a copy available in advance.

I join the Foreign Secretary in sending our deepest condolences to Ken Bigley's family. They have borne their tragedy with great dignity and courage. We are all revolted by the barbaric cruelty shown by his kidnappers, and we stand with the Bigley family at this difficult time. I also add our thanks to all those who worked so hard in trying to secure his release.

Can the Foreign Secretary tell us what confidence he has that al-Zarqawi and his fellow murderers can be captured and brought to justice? Can he give any details about the part played by Ministers in the Government's efforts to secure Mr. Bigley's release? Does he believe that the Government could have done anything more to help Mr. Bigley, especially during his brave escape?

Our troops are carrying out, in very difficult circumstances, and with great courage and self-sacrifice, counter-insurgency and other operations in Iraq. We again pay tribute to their bravery and loyal service. But can the Foreign Secretary tell us more about the chain of command that exists in Iraq? What is the relationship between British troops, the other troops in the coalition forces and the Interim Iraqi Government? What are the means through which the British Government can influence operations carried out by the Americans?

The January elections are an important step in reaching the goal of a stable, democratic Iraq. What lessons can be learned from the picture that is emerging from the recent elections in Afghanistan? Why have we had no statements to the House on that important developing situation?

Does the Foreign Secretary agree that the situation in Iraq would now be far less grave had there been proper planning for post-war reconstruction, as we repeatedly urged for months before the conflict began and thereafter? As Sir Jeremy Greenstock and the right hon. Member for Birmingham, Ladywood (Clare Short) have confirmed, there was no adequate plan. When will the House and the country receive a proper explanation for that serious omission?

I come to the Iraq survey group's report. The House will recall the Prime Minister's words of 30 July last year, when he said we should

"wait and see when they"—

the ISG—

"come up with their report what the true facts are."

We have waited and now we have seen.

The report alleges an appalling corruption of the sanctions regime, including the provision of oil vouchers to officials in countries that were blocking United Nations decisions. Were the Government aware of that corruption at the time the alleged events took place? What does the Foreign Secretary believe that it tells us about the way in which the UN operates?

The report's findings are dramatic: that Saddam Hussein has had no weapons of mass destruction for several years. Yes, he had a horrifying track record and the risks of leaving him in place were very great. He was a dangerous presence in the world's most volatile region. The world is better off without him. Those were all powerful arguments for going to war. But that is not the case that the Government made. The Prime Minister told us that

"the assessed intelligence has established beyond doubt . . . that Saddam has continued to produce chemical and biological weapons"

and that he was

"in no doubt that the threat is serious and current."

He told us that Saddam's WMD programme was "active, detailed and growing", and that it was

"not shut down; it is up and running".—[*Official Report*, 24 September 2002; Vol. 390, c.3.]

But the Iraq survey group found no such thing. How did the Prime Minister get it so wrong?

We have reluctantly come to accept that when the Prime Minister comes to the House to talk about health or education, he spins and twists and bends, because that is what he does. However, on issues affecting the safety of the nation, the public expect the truth. All the way through, the intelligence advice to the Prime Minister was couched in caveat and caution. However, in the hands of this Prime Minister, caveats were stripped away and cautions were removed.

While the Joint Intelligence Committee told the Prime Minister that intelligence was sporadic, patchy and limited, the Prime Minister told us that it was extensive, detailed and authoritative. He did not behave as a British Prime Minister should. The next time that he comes to the Dispatch Box to commit British troops, who will believe him? That is why the British people must receive a full explanation and a full apology—not an apology for the intelligence but an apology for the way in which the Government conveyed the intelligence to the country. That is the apology for which we are waiting. Will the Foreign Secretary now make that apology?

Mr. Straw: I thought that the hon. Gentleman started quite well, and I thank him for what he had to say in respect of the Bigley family. I will come on to the further episodes of flip-flop that we have just seen.

On the hon. Gentleman's points about the Bigley family, he asked me whether I have confidence that al-Zarqawi can be captured. All that I can say is that al-Zarqawi's apprehension remains a key priority for all the coalition forces and for the Iraqis—most of al-Zarqawi's victims, like most of the other terrorists' victims in Iraq, are Iraqis. Those elements are not going at the multinational force, but are trying to stop democracy in Iraq—so it is in everybody's interest that he should be captured.

The hon. Gentleman asked about Ministers' role in Iraq. I can only say that by chance I was in Iraq on a long-planned visit when we got news from the intermediary. I was therefore able to be fully involved in discussions about the decisions made, and to ensure that the Prime Minister was fully involved, too. The hon. Gentleman will forgive me if I do not go into more detail than I have already offered the House. He asked whether there was any more that we could have done. In the circumstances, we did a lot, but it ended tragically. I rack my brains, as everyone does, about whether there were other things that we could have done. I do not

[Mr. Straw]

think that there were, but I want to make it clear that there will be a full internal review of what we have done, to examine whether we could have done other things that might have made a difference, although I genuinely do not think so.

The hon. Gentleman asked about the chain of command, which is set out in the relevant paragraphs of United Nations Security Council resolution 1546, and the two letters sent by Prime Minister Allawi and Secretary of State Colin Powell to the Security Council. They work well, and we have a three-star general, General McColl, who is embedded in the key central command in Baghdad, to whom I talked while I was there, as well as our day-to-day operational command in the areas that we control in the south. One of the things that caused anxiety when resolution 1546 was being developed was whether the Iraqis would have sufficient say over key and sensitive operations such as Falluja. I am satisfied that they do.

The hon. Gentleman asked whether there was proper planning for reconstruction. There was proper planning—the problem was in relation to implementation of that planning. I accept, to put it at its mildest, that there were clearly lessons to be learned. One of the things that was unanticipated, however, was the speed with which the Saddam regime would collapse.

Turning to the ISG report, the hon. Gentleman asked me whether we were aware of the corruption. We had intelligence that suggested corruption, but we did not have explicit evidence, which required full access to all the documentation held in the relevant Ministries in Iraq. That was why we did not surface it.

The hon. Gentleman went on to make extravagant and completely unjustified comments about the Prime Minister in relation to the intelligence that we made public. I make two points to him on that. First, there was a huge demand from March 2002 for us to put before the House a summary of the intelligence that we had seen. That came from the Foreign Affairs Committee and the Opposition, and the House as a whole properly asked to see the case. That dossier, as the House is well aware—there have now been three inquiries into its provenance—accurately reflected the views of the Joint Intelligence Committee at the time and was signed off by it. Secondly—I will place these documents in the Library and make them publicly available—the House should be aware that we sought to cross-check the dossier with many people. One of my officials in New York showed Dr. Blix section 6 of a slightly earlier version of the dossier, which I am very happy to make publicly available so that it can be contrasted with the final published version. My official wrote a letter on 12 March 2002 to my then private secretary, the full text of which I will publish, which stated:

> "On the whole, Blix liked section 6—he felt it did not exaggerate the facts, nor revert to rhetoric, probably both desirable for its credibility."

That referred to the section on Iraqi chemical, biological, nuclear and ballistic missile programmes—the current position. It is important that the House fully understands that the evidence that we put forward was a view that was widely shared at the time by other foreign intelligence agencies, as well, as it happened, by Dr. Blix.

Sir Menzies Campbell (North-East Fife) (LD): This is a rather ambivalent occasion on which the House is both united and divided. Truly, the murder of Mr. Bigley was an act of gross inhumanity and barbarism. Words are inadequate to describe the fear, humiliation and pain that he must have experienced as his life was cruelly and wantonly taken from him—an act later to be made the subject of a macabre video.

As the Foreign Secretary has generously acknowledged, the Liberal Democrats supported the Government on this matter. I hope that he will understand when I say that we did so with a heavy heart, because we could foresee the consequences. Like the Foreign Secretary, we, too, wish to acknowledge the dignity and courage of Mr. Bigley's family, on whose emotions his captors played with a total lack of moral scruple.

I very much regret that in spite of the spirit of the first part of the Foreign Secretary's statement, I am unable to share the Government's conclusions about the ISG report. The Foreign Secretary acknowledges that the report shows that there were no weapons of mass destruction in Iraq, and no programmes of weapons of mass destruction in Iraq. He tells us that there was an intention. There was indeed an intention, but, to quote the report, there was

> "no formal written strategy or plan for the revival of WMD after sanctions".

That prompts me to ask the Foreign Secretary how the regime can be said to have been working flat out to rebuild its WMD capability if it had no strategy or plan for doing so. Does he now accept that there was no "real and present danger", no "serious and current threat", and, as revealed by the leaked Foreign Office documents, from some of which the Foreign Secretary emerges with some personal credit, the true objective, 12 months in advance of military action, was regime change? Does he accept that regime change is illegal in international law, as is military action based on an unspecific intention to acquire weapons of mass destruction in future?

Mr. Straw: First, I thank the right hon. and learned Gentleman for what he had to say in respect of the Bigley family. As I said, notwithstanding other differences on Iraq, I greatly appreciate that the whole House and the whole country came together as they did. It made my life a lot easier having the full co-operation of the right hon. Gentleman and also the right hon. and learned Member for Devizes (Mr. Ancram).

Let me deal with the ISG report. For the convenience of the House, I have appended the relevant document to the written text of my statement. The right hon. and learned Gentleman is right to say that there was no formal written plan, but that needs to be seen in the context of the ISG report.

Bob Russell (Colchester) (LD): Back of an envelope.

Mr. Straw: The hon. Member for Colchester (Bob Russell)—I almost referred to him as a right hon.

Member, but I do not want to undermine the integrity of the Privy Council. *[Interruption.]* Hon. Members say that it is just a matter of time. The hon. Gentleman said that there was no plan, but in fact there was. It is clear from the ISG report that Saddam operated at the level that he did, not by formal written documents, but by making clear his intentions to others and by running a reign of terror. In discussing the ISG's conclusions in an interview with Jon Snow last week, David Kay, Duelfer's immediate predecessor, said:

> "This regime of Saddam Hussein acted as if it had weapons."

That is the point. It was that behaviour that made matters so difficult for both Governments and for the inspectors.

That leads me on to the right hon. and learned Gentleman's final point, concerning whether Iraq was a danger. Well, the whole international community came to that judgment. As page after page of the ISG report shows, Saddam was working to degrade the sanctions effort by playing it long with, and seeking to divide, the international community, and by seeking to bribe many of its key actors. At the same time, he was working to maintain his capability of rebuilding very quickly his chemical weapons programme in particular, and part of his biological weapons programme. By God, if he had been allowed to succeed, he would indeed have re-emerged very quickly as a greater threat than before.

Donald Anderson (Swansea, East) (Lab): It is of the utmost importance that the full election timetable be continued until January—even if there are certain no-go areas, where there will have to be some postponement—because any major postponement would be construed as a victory for the insurgents. I was struck by my right hon. Friend's saying that he stressed to the UN Secretary-General that it is vital that the UN increase its presence. Does that imply that he is currently not satisfied with the number of UN personnel present? Of course, the movement of key personnel is restricted to the green zone because of the outrage in August last year. If my right hon. Friend is so dissatisfied, what are the prospects of the UN increasing its presence?

Mr. Straw: My right hon. Friend is absolutely right about postponement—we have to drive ahead with this timetable. The UN's presence is not as adequate as we all hoped, including the Secretary-General. The key problem is security and ensuring close protection for deployed UN personnel, so that they can get outside, and for their bases. This morning, I was on the telephone to one of the contributor countries to the multinational force—I shall not mention which one—to ensure that it provides active support and supplies protection equipment for one of the countries that, we hope, will be deployed very quickly. The situation is, I think, going to get better. Meanwhile, I pay tribute to one member of UN personnel who is already on the ground: Mr. Carlos Valenzuela, the UN elections expert. He is doing a brilliant job in guiding and advising the already established independent elections commission for Iraq, and he is ensuring—until now, at least—that the elections programme is on time.

Dr. Jenny Tonge (Richmond Park) (LD): The report states in its key findings that, if Saddam had acquired weapons of mass destruction, he would have used them primarily against Iran and Israel and to improve his status in the Arab world. Does that not again highlight the importance of the middle east peace process, and is it not essential that we do something now, together with our European Union partners, rather than waiting until after the American elections in November?

Mr. Straw: I completely agree that a resolution of the entire middle east problem, and above all of the conflict between Israel and Palestine, is fundamental to stability in that region and in the rest of the world. The European Union is doing what it can, but it is just a fact of life that the United States is one of the four key partners in the Quartet. Everybody in the EU understands that unless we can bring the United States with us, our ability to influence one of the key parties to the conflict—Israel—is limited.

Mr. Robin Cook (Livingston) (Lab): I fully accept the statement of my right hon. Friend that, at the time of the invasion, there were questions unanswered. Will he accept in return that, whatever else the ISG report might show, it comprehensively demonstrates that there was no immediate threat from Iraq? Would it not have been wiser to give Hans Blix the extra few months that he asked for to find the answer to those very questions?

On the current position in Iraq, has my right hon. Friend seen the recent figures from the Iraqi Ministry of Health, our own allies, which show that two thirds of the civilians killed in the last six months died as a result of coalition bombing? Will he redouble his efforts to convince the Pentagon that, if we are to succeed in winning over Iraqi opinion, they need to show the same restraint shown by British forces, and to remember that they are in Iraq to keep the peace, not to wage a war?

Mr. Straw: In a spirit of friendship and comradeship, I will not embarrass my right hon. Friend by pointing out all the things that he said when he was in my position about the threat posed by Saddam and his weapons—[Hon. Members: "Go on."] No, I will leave that aside. The heart of the argument in March 2003 was whether we could allow Dr. Blix and his colleagues more time to complete their inspections. The problem was that, although we wanted to allow Dr. Blix more time, there was not an effective international consensus for doing so. I made a statement on 10 March that year, following the failure on 7 March in respect of the six—just six—key points that the Security Council published for Saddam to consider. We would have accepted his agreement—we were going to take yes for an answer—and I should also point out that Dr. Blix went through those six key points. The whole purpose was to establish a clear template by which we could judge whether or not Saddam was complying with Security Council resolutions. It was Saddam who refused.

Meanwhile, there was a fact of life that we had to deal with. One permanent member of the Security Council said that "whatever the circumstances"—the exact phrase used—France would veto any decision in respect of military action. The only reason we got inspectors back into Iraq, following their being driven out by Saddam in late 1998, was thanks to the massing of troops and the threat of military action. A failure to follow through that threat would have led not to

[Mr. Straw]

Dr. Blix being able to complete his task, but to the degradation of the whole policy of containment. Saddam would have got what he wanted.

That was the argument, and I accept and respect the fact that my right hon. Friend took a different view. But I can honestly say that I have been through this issue many times, and that we did our best to persuade Saddam to give us a yes for an answer. We would have taken it, and no, we would not then have sought regime change. It would have been impossible for the Prime Minister or me to come to this House and seek support for military action if Dr. Blix had at any stage said that Saddam had complied. However, he had not.

Miss Ann Widdecombe (Maidstone and The Weald) (Con): The Foreign Secretary will remember, because he was involved in events at the time, that about nine years ago, in good faith and based on repeated personal assurances from the highest possible official advice, I made a statement at the Dispatch Box that turned out to be untrue. Within days, I came back to the Dispatch Box, put the truth on the record and apologised to the House of Commons, simply because I believed—I was advised at the time that there were other ways of correcting the record—that we degrade public life if we do not adhere to truth. Why will not the Foreign Secretary and the Prime Minister please now apologise for giving information to this House that was not true?

Mr. Straw: I remember the case when the right hon. Lady came before the House then and she did well, but I also remember plenty of occasions when I was Home Secretary when I apologised to the House for the sort of disastrous thing that used to happen more often when she was running the Home Office than when I was. I once described it as "business as usual" at the Home Office, and I recall her castigating me for doing that on four separate occasions in one week.

I am the first to make an apology when I feel that it is due, but I must tell the right hon. Lady that the position is rather different here. The Prime Minister has already made it clear in his speech at the party conference that

> "The evidence about Saddam having actual chemical and biological weapons, as opposed to the capability to develop them, has turned out to be wrong. I acknowledge that and accept it."

He then went on:

> "And the problem is, I can apologise for the information that turned out to be wrong, but I can't, sincerely at least, apologise for removing Saddam."

That is the position, and I am happy to repeat it here.

Laura Moffatt (Crawley) (Lab): My right hon. Friend knows that deeply held views expressed in the House on both sides of the argument are to be respected. That is certainly my position. A local doctor working in a hospital in my constituency who comes from Iraq is in regular contact with his family there. They know what is going on and they are constantly telling him that life is much better for them, that they now enjoy a sense of freedom and a decent future at last. What troubles me about the whole debate is that such quiet voices are not getting through. I am not looking through rose-coloured spectacles about what is happening in Iraq, but I believe that we need to listen to those quiet voices.

Mr. Straw: I agree absolutely with my hon. Friend. The security position is very difficult in some parts of the country, but many of the Iraqis to whom I spoke, who represented a wide range of parties, made exactly the same point as my hon. Friend.

I want to apologise to my right hon. Friend the Member for Livingston (Mr. Cook) for omitting to answer his question about the casualty figures. I have not seen those figures. We keep a close eye on the figures provided by the Iraqi Ministry of Health and by one of the independent websites. I will follow it up, write to my right hon. Friend and place the letter in the Library of the House.

Sir John Stanley (Tonbridge and Malling) (Con): Does the Foreign Secretary agree that if the present appalling level of violence continues in Iraq, there is little prospect of achieving long-term, enduring political stability or successful economic reconstruction? Is it not the case that the violence will be significantly reduced only if there is a radical increase in the number of trained and effective security forces available to the Iraqi Government? Does the right hon. Gentleman see any prospect whatever of achieving that?

Mr. Straw: There are signs, notwithstanding the difficulties of the security situation, that the multinational force and the Iraqi security forces are getting on top of it by a combination of tough security measures and a political process—the two go together. That is how some semblance of stability in Samarra and how understanding between the leaders in Sadr City and the MNF were achieved. A huge amount of effort is going into the training and equipping of the Iraqi security forces—the army, the Iraqi national guard and other paramilitary groups, the facilities protection force and the police. The numbers are rising rapidly, but I entirely accept the burden of the right hon. Gentleman's point—that the quicker the Iraqis become wholly responsible for their own security, the better.

Mr. Ernie Ross (Dundee, West) (Lab): I support everything that my right hon. Friend has said today and I particularly welcome his comments about the Muslim Council of Britain and its role in the efforts to save Ken Bigley. It is important for the House to focus on the way in which Islam does not agree or go along with the activities of the organisations that perpetrate such actions.

Does my right hon. Friend intend to have any further conversations with Dr. Blix to go over some of his statements made at the time to compare them with his current statements? It would be worth trying to establish where exactly Dr. Blix stands now on some of his earlier statements before and after the inquiry.

Mr. Straw: On the last point, I made sure some time ago that Dr. Blix was made aware of our intention to publish the material in due course. It was also considered by the Intelligence and Security Committee and by the Butler committee, which is useful. Dr. Blix's opinions in September 2002 were a matter for his own judgment, and he came to a different judgment from ours, but it is important for everyone to understand that, far from the dossier being some sort of confection, it was based on the best available judgments not only of ourselves but of the wider international community, including the intelligence agencies of countries that were not in the end supportive of our approach, and of people in the United Nations. Everybody assumed that Saddam had these weapons and made their judgments on that basis. Everybody also assumed that he would become an even bigger threat if the UN measures were not successful.

On my hon. Friend's point about the Muslim Council of Britain, I entirely endorse what he said. I hope that we can acknowledge the efforts of the Muslim Council of Britain in one particular respect by not falling into the trap set by the terrorists and adorning or dignifying them with the label "Islamic terrorists". They are no more Islamic terrorists than Irish terrorists were Christian terrorists. They are simply terrorists, evil people, and everything that they do defies and defiles the values of Islam.

Mr. Edward Leigh (Gainsborough) (Con): I accept the good faith of the Foreign Secretary, so will he accept the good faith of those of us who voted against the war and acknowledge that we were not just star-struck Arabists or pacifists? Does he accept that we may have had a point in saying that the invasion would make international terrorism worse, and does he think that we may have a smidgen of an argument when we say that the continuing presence of western troops in a Muslim country is a gift to Arab terrorists and extremists? What is his exit plan and how are we going to get our troops out of the morass after the elections in January?

Mr. Straw: I have argued with those like the hon. Gentleman who have taken a different view, but I have never challenged their good faith. I am glad to hear that he does not challenge mine, the Prime Minister's or the Cabinet's. For the record, I have never thought of the hon. Gentleman as a star-struck Arabist or a pacifist. I reserve my contempt for those who took one position before and during the military action and a different position after it.

In Afghanistan, the great fear is of abandonment by western troops, not of occupation. I accept that it is different in Iraq, which is why we are moving rapidly to hand over responsibility to the Iraqi security forces. Resolution 1546 provides that the mandate of the MNF will run out at the end of next year or the end of the political process, which is more or less next year. It would then have to be renewed; otherwise the troops would leave automatically. We are working towards a sensible and orderly process negotiated with the Iraqis. They do not want us to leave until they feel fully capable of running their own security affairs themselves.

Mrs. Alice Mahon (Halifax) (Lab): People are wondering why we cannot have a debate on Iraq. The ISG report certainly demolishes the Government's case for going to war and we are also seeing daily bombing of cities and heavily populated areas such as Sadr City, Falluja, Samarra and others, which is resulting in the huge loss of civilian lives. Are the Government taking account of how many civilians are dead, or of how many women or children are dead or injured? Iraq Body Count estimates about 15,000 losses, and we have heard reference to the Iraq health group, according to which two-thirds of the casualties over the last three months have been civilians. Surely the House should be debating Iraq when those killings are taking place in our name.

Mr. Straw: As my hon. Friend knows, what is debated on the Floor of the House is a matter for the Leader of the House, but I will ensure that her views are put to him. I profoundly regret any loss of life, in Iraq or anywhere else. However, let us be clear that in certain parts of that country the MNF and the Iraqi security forces are dealing with the most unpleasant terrorist insurgency. It is the terrorists—not the MNF, the US, the UK or the Iraqi security forces—who are using suicide bombers to blow up streets full of women and children. They are deliberately seeking to undermine the recruitment of security personnel to the Iraqi police by means of terrorist outrages against them, and to prevent the political process from taking place. The culpability for most of the deaths lies with the terrorists.

Dr. Julian Lewis (New Forest, East) (Con): The Foreign Secretary is clearly right to say that the Joint Intelligence Committee signed off the dossier but, as the Hutton process exposed, that dossier's language was considerably strengthened as a result of representations to the JIC made by Alastair Campbell and other spin doctors. In the light of the findings of the Iraq survey group, does the right hon. Gentleman think that the intervention by Alastair Campbell and the other spin doctors made the intelligence more accurate or less accurate?

Mr. Straw: First, I believe that the role of spin doctors can be overspun. Palpably, there are many lessons to be learned from the fact that some of the intelligence turned out to be wrong, but some of the intelligence—such as that received about Iraqi missile systems—turned out to be amazingly accurate. However, I accepted the intelligence without too much inquiry because of everything else that I knew, from perfectly public sources, about the record of Saddam, who continued to defy Security Council resolutions for many years, even though he could have put himself in order. Also, as late as 7 March 2003, Dr. Blix published a 173-page report in respect of unanswered disarmament questions, in which he stated that there was a strong presumption that 10,000 litres of anthrax remained in Iraq. I am very proud of our intelligence service and I remind the hon. Gentleman that it had made very accurate judgments, on a similar intelligence base, about Libya, the A.Q. Khan network and other matters. That is why I, and the rest of us, accepted the intelligence.

Mr. Clive Soley (Ealing, Acton and Shepherd's Bush) (Lab): One of my many Iraqi constituents asked me over the weekend whether people in Britain understood that the nightmare endured by Ken Bigley's family had been a daily occurrence for families—including his own—in Iraq under Saddam Hussein. He went on to discuss with me the difficulties encountered when a body such as the UN tries to deal with a person who is a psychopathic killer and who is in breach of both the resolutions and the ceasefire. To me, that was always more important than the question of weapons of mass destruction. People like Saddam Hussein are intelligent and brutal, but also deeply unpredictable. Saddam succeeded in

[Mr. Clive Soley]

fooling the international community in respect of WMD, but does my right hon. Friend agree that what made him dangerous was his unpredictability?

Mr. Straw: As with my hon. Friend the Member for Crawley (Laura Moffatt), I wish that more people were listening to the authentic voice of Iraqis, both here and in Iraq. Life there is getting better. One Iraqi told me that Saddam was the biggest terrorist of all, and that 300,000 people, including many members of his own family, had been murdered and dumped into mass graves. My hon. Friend is also right to say that, although there might be lessons for us to learn—and there are—it is also plain that there are lessons to be learned about the UN system, and to be learned by those who did not support effective action. As I recall, in the middle of 2001—before 11 September—a number of Security Council members were willing to work with Saddam to allow the sanctions regime to degrade, even though they knew that he was in clear breach of all sorts of obligations. The UN suffered from that, as did international peace and security. I hope that the high-level group established by Kofi Annan will find a way through these difficulties and learn some lessons so that we have much better ground rules for taking decisions in the future.

Mr. Paul Marsden (Shrewsbury and Atcham) (LD): I pay tribute to the Foreign Secretary and the Prime Minister for their personal involvement in trying to secure the safety and release of Mr. Kenneth Bigley in Iraq. I disagreed with both of them at the beginning of Mr. Bigley's ordeal, but by the end I believe that they had done everything possible to secure his freedom. Does the right hon. Gentleman agree that a new international summit on Iraq, as outlined by Senator John Kerry, would be helpful in increasing the involvement of the UN?

Mr. Straw: I thank the hon. Gentleman for his generous remarks, which are much appreciated. However, I hope that he will forgive me if I do not get too involved in the debates currently taking place between the two leading presidential contenders. An international conference called by Egypt is being held next week, and will involve Iraq's neighbours, the P5—the permanent five nations on the Security Council—as well as Egypt and some other countries. There is no doubt that the more we can involve the international community and get it on board in this matter, the better it will be for the Iraqis.

Llew Smith (Blaenau Gwent) (Lab): The Butler report concluded that the allegation that Iraq tried to purchase uranium from Niger was well founded, yet the ISG was unable to find any evidence to support the allegation that Iraq had tried to buy uranium from abroad in the period after Desert Storm. Which of those conclusions does the Foreign Secretary support?

Mr. Straw: I simply say to my hon. Friend that that shows the difficulties faced by our intelligence services. We expect them to operate as effectively as possible but, by definition, they do not deal with established truths. They deal with fragments of information that they then have to put together to make judgments. Without their efforts, Britain would be a far less safe place and would have suffered many more terrorist outrages. To put it bluntly, people must understand that.

The Butler committee went into these matters in great detail and I respect its judgment, although I acknowledge that the ISG's conclusion was slightly different.

Mr. Edward Garnier (Harborough) (Con): May I associate myself unreservedly with the remarks made by the Foreign Secretary and my hon. Friend the Member for South-West Devon (Mr. Streeter) about the incident connected with the death of Mr. Bigley, and with the remarks that the right hon. Gentleman made about our forces in Iraq? There can be no controversy about that matter.

I supported the Government in the Lobby in March 2003 because I believed that the Prime Minister had advanced a case for war that was based on the unvarnished truth. However, the Government's current justification for the invasion of Iraq is markedly different. Will the Foreign Secretary give me an assurance that what the Prime Minister told the House in March 2003 was based on the truth, the whole truth and nothing but the truth?

Mr. Straw: I am grateful to the hon. and learned Gentleman for the first part of what he said, and I fully understand why Opposition Members might be tempted to raise questions about the good faith of my right hon. Friend the Prime Minister or other members of the Cabinet. However, I do not believe that British politics is helped by that, or that there is any foundation for such claims. My right hon. Friend the Prime Minister acted in complete good faith and there have been three separate forensic inquiries into the basis of the September dossier and much else besides. If the hon. and learned Gentleman looks at the motion put before the House on 18 March last year—the terms of which were discussed with the Opposition in advance—he will see that it was based on Saddam's breach of his Security Council obligations and on his failure to comply. That remains as true today as it was on the day when we voted for that motion.

Lynne Jones (Birmingham, Selly Oak) (Lab): On the issue of an attempt to procure uranium from Africa, the Iraq survey group confirms the view of the International Atomic Energy Agency, which was presented to the UN Security Council before the war, that there was no evidence to support those allegations. However, Butler, while restating the IAEA view, comes to the opposite conclusion without giving any logical argument to justify that view. Does not that call into question the credibility of the Butler report and its conclusions on that and other issues? Why was it that the Government insisted that that allegation was correct, but omitted to mention that Iraq had no need to procure uranium from Africa because it had stockpiles of the stuff?

Mr. Straw: With respect, I am not entirely clear what point my hon. Friend is trying to make. If it is clear that the basis for intelligence was wrong, it has been withdrawn. I have announced two withdrawals today.

Butler analysed the information with great care, including all the intelligence that formed part of the dossier. Together with his colleagues, who included two right hon. Members of this House, he reached conclusions that were his conclusions, and not the Government's. If he had come to different conclusions, we would have accepted them.

All that this shows is the great difficulty of making cast-iron judgments in an area of intelligence. Nevertheless, people have to understand the importance of intelligence. The same intelligence services have a fantastic record of accuracy. In some of the dossiers they have worked on, such as Libya, they have been in error only in underestimating rather than overestimating the problem.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy) (PC): On behalf of my party and my hon. Friends in the Scottish National party, I wish to associate myself fully with the condolences expressed to the Bigley family.

Today's statement has done nothing to justify the attack on Iraq. The Foreign Secretary referred to an intention to reconstitute weapons of mass destruction and intentions to resume a chemical weapons effort. As an upholder of international law, will he now lobby the United Nations to legitimise any further attack on a state based on its perceived future intentions, as revealed ex post facto?

Mr. Straw: That has never been the basis for action. The hon. Gentleman will be aware that chapter 7 of the UN charter sets out the circumstances in which the Security Council can declare a threat to international peace and security and authorise military action in that respect. I do not wish to detain the House, but I could do so with an account of the negotiating history that led to the operative paragraphs in resolution 1441 in November 2002. The hon. Gentleman and others need to look again at the motion that we put before the House, with Opposition support, on 18 March 2003. We invited the House to agree to military action overwhelmingly because of Saddam's failure to comply with Security Council resolutions. It was not to do with intelligence but with his failure to comply. That was the case then, and not a single word of the ISG report or any other confounds the conclusion that the House rightly reached on 18 March.

Ann Clwyd (Cynon Valley) (Lab): I feel a great sense of outrage that the UN was corrupted by Saddam Hussein's regime. I cannot believe that any hon. Member believes that Saddam worked so hard, using money and influence, to corrupt the UN into deciding to lift the sanctions because he wanted to improve the welfare of his people. Anybody who believes that is living in a fool's paradise. I wish to ask my right hon. Friend whether we can we examine the role of France and Russia on the Security Council. It would not have been possible to obtain a second or third resolution by the Security Council, because whatever Iraq did, France and Russia would have blocked the resolution. The corruption by members of the Security Council, by officials of the UN and by the regime deserves the fullest investigation. For example, when will the oil-for-food programme investigation reach a conclusion?

Mr. Straw: My hon. Friend makes some important points. She is right to say that an element of naivety existed in attitudes to Saddam. It would not have been okay if we had simply walked away, but that was the only alternative. We sought rigorous inspections, backed by the threat of military force and a clear ultimatum to use it unless Saddam complied. That is what France—leaving aside Russia—said that it would veto in any circumstances, and that meant that Saddam thought that he was off the hook, as he would have been. France and other countries would have rued the day that they allowed that to happen, because he would have emerged much stronger as a result of his degradation of the UN by beating the resolutions.

Several inquiries are taking place, including one by the UN itself. It is important that we do not prejudge that, but on the basis of the evidence in the 1,000 pages provided by Duelfer, several individuals have a big case to answer.

Points of Order

1.36 pm

Angus Robertson (Moray) (SNP): On a point of order, Mr. Speaker. You will be aware that thousands of jobs depend on air bases at Kinloss and Lossiemouth in my Moray constituency, and that grave concern is felt about potential cuts or closure under the ongoing airfield review by the Ministry of Defence. Since last night, the media have been tipped off that an announcement was set to be made about the review process. In fact, several media representatives called me at 11.20 this morning, quoting from a letter by the Minister of State about the bases in my constituency. I only received a faxed copy of that letter an hour later and the hard copy has still to arrive on the board. Is that an appropriate way for a Department to deal with important constituency concerns, especially when hundreds if not thousands of jobs are at stake? What remedy is available to Members to ensure that such cynical media management does not continue?

Mr. Speaker: I am deeply concerned about that situation if it is true. Men and women in the hon. Gentleman's constituency are genuinely worried about their future. He and the House should be the first to know. If the media want to know, we provide passes and the facilities of the Press Gallery to them so that they can hear what Ministers have to say. I would hope that the hon. Gentleman will go to the Table Office and inquire into the situation. I hope that it is noted that I expect statements to be made to the House, not elements in the media to be tipped off, especially about matters as serious as job losses.

Mr. Gerald Howarth (Aldershot) (Con): Further to that point of order, Mr. Speaker. I am sure that the House will have welcomed your strong stand and your admonishment of the Government. May I draw to your attention the fact that the Ministry of Defence is scheduled to make several ministerial statements on the Order Paper today, but there is no reference to the future of Lossiemouth, Kinloss or any other Royal Air Force airfield?

Mr. Speaker: That is why I am so angry. I have noted that fact.

Alan Simpson (Nottingham, South) (Lab): On a point of order, Mr. Speaker. May I ask for your guidance on whether we will have a statement on the breaches of security that took place in this House during the demonstrations by the Countryside Alliance? Are we in a position to understand precisely how members of the public were able to get into this Chamber?

Mr. Speaker: This matter is being considered by the Joint Committee on Security. The hon. Gentleman will appreciate the difficulty that I have, because security matters should not be openly discussed on the Floor of the House. The matter is being considered and I ask the hon. Gentleman to bear with me.

Miss Ann Widdecombe (Maidstone and The Weald) (Con): On a point of order, Mr. Speaker. During the statement, you will have heard my question to the Foreign Secretary about an apology to the House from the Prime Minister for a statement that proved invalid. The Foreign Secretary's response, which you will also have heard, was that the Prime Minister apologised to the Labour party conference. Is it your view, Mr. Speaker, that the House and the Labour party conference are synonymous?

Mr. Speaker: As the right hon. Lady knows, when I became Speaker the Labour party and I parted company—on perfectly good terms of course, but we parted company.

Rite of Passage (Welcoming and Coming of Age)

1.40 pm

Mr. Frank Field (Birkenhead) (Lab): I beg to move,

That leave be given to bring in a Bill to establish Civil Welcoming Ceremonies, Responsibility to Children Agreements and Coming of Age Ceremonies; to make provision as to their conduct; and for connected purposes.

During my time in Birkenhead, my constituents have almost refashioned the way in which they see my role. Twenty-five years ago, when they first elected me to represent them in the House, most of the agenda was class politics. My constituents were concerned about whether I could help them achieve a new house, gain a welfare benefit or protect their job. That agenda has been transformed, almost beyond recognition.

Increasingly, in place of that class politics, my constituents ask whether I can help them to stop people behaving in an uncivilised way towards them, their families and their local communities. In the 25 years I have been the Member for Birkenhead, I have witnessed the replacement of class politics by the politics of behaviour.

There was no one point when it was clear that that transition had taken place. At first, I tried to justify gross incidents of incivility as exceptions, but I can remember the occasion 10 years ago when a group of decent working-class pensioners came to see me and I realised that politics had changed for the worse and, certainly in the short term, for good. They explained the nightmare they were living through: young lads who ran across their bungalow roofs, banged on their windows, peed through their letter boxes and jumped out of the shadows to try to give them heart attacks. They explained that the police were powerless to act to give them the sort of life that they expected. Those pensioners were the bedrock of our country. They had always worked hard and added more than they ever expected to take out, yet they found that the world in which they believed they would end their days was fast crumbling before them.

Both the last and the current Governments have attempted to respond to that changed situation—the politics of behaviour. Almost all of us welcomed the measures that the previous Conservative Government and this Labour Government have taken. The Government are rightly concerned as to whether we can hold the line more effectively against uncivilised behaviour.

The Bill begins to redress the balance. As well as holding the line even more effectively, we need to look at the root causes and to consider why we are increasingly surrounded by constituents who make pleas to which we can only partly respond. The very nature of politics is changing because the agenda has changed.

In the past, we took it for granted that people's behaviour had nothing to do with politicians. We had a peaceable kingdom because families, largely, functioned to ensure that although each of their members thought they were the most important person in the world, they realised that there were three or four other people in the household who thought that, too, and that an agreement had to be struck. In coming to those agreements in our families, we were all taught the social skills that enabled us to go into the wider community and behave in almost as civilised a fashion as in our families.

During my time as a Member, we have witnessed first a small but now, sadly, an increasing number of families who have no idea that their duty is to teach their offspring those common virtues. We have never had to deal with the issue, but now because families, supported by trade unions, Churches, friendly societies and mutual aid societies, all singing from the same hymn sheet, sadly, do not carry the weight they once did, we as politicians have to turn to that most difficult task.

Although any politician who thinks there is a panacea for such a fundamental issue should be led quietly away, put in a dark room, given a high dosage of pills and asked to recover, that does not mean that we should not attempt to build up a more effective programme. In the next parliamentary Session, the Home Office will give us another Bill on antisocial behaviour, and I hope that my Bill gives a flavour of some of the measures that we should like to see in that Bill.

I accept that, sadly, there is a slow walking away in this country from the role that organised religion played in the way we govern our behaviour. I do not believe that, as individuals, we have much chance of reversing that, but the Bill takes what were religious ceremonies and secularises and universalises them. It accepts that although those ceremonies were religious in intent, they also had a civic value in binding people to the wider community where they were treasured as individuals but to which they had responsibilities.

Part of the Bill takes the idea of baptism and secularises it, not to replace baptism where it occurs but to have a ceremony that adds to it. When the British Expeditionary Force went to France in the first world war, more than 99 per cent. of our soldiers were baptised. When we sent our forces to Iraq, fewer than four in 10 were baptised.

The Bill would provide for a ceremony that was once universal, to remind children and families that there is a wider community beyond the importance of the family. It would universalise that idea in a welcoming ceremony. In place of a hurried and unimportant entry in the registry of births, there would be a public ceremony in which we would welcome the child into the community. We would say what we want the child to achieve and set out the resources that we want, to ensure that parents can bring out the best in their child.

Likewise, the Bill would universalise the Jewish coming of age ceremony, the Bar Mitzvah—although without the presents. It is important that all our children know that there is a point when they begin to move from childhood to adulthood, and that as they make that move, so we expect their behaviour to change from the innocence—we hope—of childhood to an awareness of the greater responsibilities of adulthood.

No one would pretend that the Bill, even if it is embraced as enthusiastically as I hope it will be by the House, presents the panacea. However, I hope that it will do two things. First, I hope that it will give some idea of the positive measures that the Government will include in the new antisocial behaviour Bill, so that while we are more effectively holding the line against uncivilised behaviour we also look at its deep-seated root causes and prepare to deal with them.

[Mr. Frank Field]

Secondly, to help concentrate the Government's mind on their task, I hope that, before they publish their Bill, a number of like-minded Members will introduce a much more comprehensive measure than mine, which will both hold the line, because that is what our constituents most want us to do, and look at those root causes, because they want us to do that, too. Where families have failed, politics might achieve, so I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Frank Field, Ross Cranston, Mrs. Ann Cryer, Ms Meg Munn, Mr. David Kidney, Mr. David Willetts, Tony Wright, Mrs. Louise Ellman, Mrs. Alice Mahon and Angela Eagle.

RITE OF PASSAGE (WELCOMING AND COMING OF AGE)

Mr. Frank Field accordingly presented a Bill to establish civil welcoming ceremonies, responsibility to children agreements and coming of age ceremonies; to make provision as to their conduct; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 15 October, and to be printed [Bill 160].

Orders of the Day

Civil Partnership Bill [*Lords*]

[Relevant document: The Fifteenth Report from the Joint Committee on Human Rights, Session 2003–04, on the Civil Partnership Bill, HC 885.]

Order for Second Reading read.

1.51 pm

The Deputy Minister for Women and Equality (Jacqui Smith): I beg to move, That the Bill be now read a Second time.

The Bill represents a historic step on what has been a long journey to respect and dignity for lesbians and gay men in Britain. It is a natural progression in our vision to build an inclusive society. As such, it builds on reforms that began back in 1967 with Leo Abse's private Member's Bill, backed by the then Home Secretary, Roy Jenkins. The Government's commitment to equality has been strong and unequivocal. We have equalised the age of consent, outlawed discrimination in the workplace on the ground of sexual orientation, secured protection from homophobic hate crimes and supported the abolition of section 28.

In creating a new legal relationship for same-sex couples, this Bill is a sign of the Government's commitment to social justice and equality. It is also a recognition of the realities of modern Britain. Across this country today thousands of same-sex couples have made the decision to share their lives, their home, their finances and the care of their children or of older relatives. They may have loved and cared for each other for many years, yet their relationship is invisible in the eyes of the law. The Bill sends a clear message about the importance of stable and committed same-sex relationships.

Mr. John Redwood (Wokingham) (Con): Will the Minister recommend to the Treasury that carers, those being cared for and family members living together in their own family units should have the benefit of inheritance tax relief and capital gains tax relief?

Jacqui Smith: No, I will not. It is rather unfortunate that some Opposition Members have chosen to use an important equality Bill to pursue their campaign about inheritance tax. I will come back to some of the amendments that have been made in the Lords.

The Bill sends a clear message about the importance of stable and committed same-sex relationships. It marks a major step in helping such couples gain greater social acceptance of their partnership and overcome the distressing consequences for many people of their legal invisibility.

During consultation we heard and were moved by the personal stories of difficulties faced by same-sex couples precisely because they lacked a way of obtaining legal recognition of their relationship. They included terminally ill people and their partners who had to face not just the heartbreak of death and separation but the added trauma of being unable to leave a shared home or pension benefits. One man who had been involved in a major car accident was shocked to find that it was not his partner but his parents who were consulted about his medical treatment, that his partner might have faced difficulties registering his death and that although they had shared their lives he and his partner had no way of safeguarding their shared interests. Fortunately, in that instance, the parents were supportive through a difficult time, but that is not always the case.

Another man, on the death of his partner, found himself excluded from funeral arrangements and thrown out of his home by relatives of his partner who had had no contact with him for many years. Another person had to buy the couple's joint possessions from the parents of his deceased partner. A woman was kept away from her partner's funeral. These are the inhumane consequences of the invisibility of same-sex relationships.

Angela Watkinson (Upminster) (Con): The points that the Minister is making are valid, but do they not equally apply to platonic companions who share a home together and suffer equally?

Jacqui Smith: I do not believe that some of the issues that I have identified do apply. There is a particular significance to a partnership between two people who have chosen to share their home and their life, to love each other and to care for each other. I will deal with the issue of other types of carers, which I take seriously, later, but to conflate the two is to do justice neither to the same-sex couples whom the Bill seeks to serve nor to carers in the sort of relationships that the hon. Lady describes.

Mr. James Gray (North Wiltshire) (Con): The Minister describes a loving couple who have lived together for many years, sharing their house, their lives, their food. Do her arguments apply to the elderly sisters in my constituency who have lived together for 40 years and care for each other and love each other in a very real way as much as they do to lesbian couples?

Jacqui Smith: I am sure that the hon. Gentleman was listening carefully when I identified the specific problem for same-sex couples—the legal invisibility of their relationship. Of course there are issues about sisters living together, but their relationship is not invisible—it is already recognised by society, and often by the law.

Mr. Gray: No.

Jacqui Smith: The hon. Gentleman is plain wrong: of course their relationship is recognised in law.

The Bill would allow same-sex couples security in life, peace of mind in the event of a partner's death and fair treatment should their relationship break down. It provides the opportunity to enter into a legal relationship in which rights are balanced with responsibilities and the couple's commitment is recognised in law—giving solutions to the practical problems that too many people face—and makes an important statement about this country's support for stable, long-term committed relationships. These are the marks of a civilised and humane society. They are the principles that we set out to fulfil with this Bill, yet others have sought to wreck the principles on which the Bill is founded.

Lembit Öpik (Montgomeryshire) (LD): Before the Minister goes into more detail, may I ask her about Northern Ireland? I understand that this is a reserved matter so, conventionally, what happens there will be determined here. The Liberal Democrats are keen to see the legislation implemented in Northern Ireland. Will the Minister give an assurance that that is the Government's intention?

Jacqui Smith: I can give the hon. Gentleman that assurance. It is the Government's intention that, under this Bill, not least given some of the issues that I have identified, the new legal ability to gain recognition for one's relationship will operate across England, Wales, Scotland and Northern Ireland.

Rev. Ian Paisley (North Antrim) (DUP): The Minister will be aware that in all political parties in Northern Ireland there is opposition to this Bill. She will also be aware that in the consultation 86 per cent. of the answers were no. Why is the Bill not going to be left until the Assembly is up and running again so that the people of Northern Ireland can make the decision themselves? *[Interruption.]*

Jacqui Smith: Well, Mr. Deputy Speaker—

Rev. Ian Paisley: I had nothing—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I am not quite sure who has finished and who is starting.

Jacqui Smith: The hon. Gentleman is right about the responses to the consultation, although I can report to the House that, as of today, we have received nearly 400 letters of support for the Bill from Northern Ireland, and there were 462 responses to the original consultation. The hon. Gentleman is wrong, therefore, to suggest that there is no support for the Bill in Northern Ireland. Given the universality of some of the issues that I have described, it makes sense to legislate, as we propose with the Bill, for England, Wales, Scotland and Northern Ireland.

Angela Eagle (Wallasey) (Lab): I welcome this groundbreaking Bill, but one issue—survivor benefits in occupational pensions—has worried a lot of people. Will my right hon. Friend take another look at the Bill, because it will create an inequality of treatment between same-sex couples and married heterosexual couples in relation to survivor benefits under occupational pension schemes? Will she see whether she can iron out that manifest discrimination?

Jacqui Smith: My hon. Friend and other Labour Members have certainly worked very hard to raise that issue. Given that, as I have said, the Bill is about equality, I can undertake, as she asks, to look in considerable detail at the way in which we are able to provide, as we are in the vast majority of provisions in the Bill, equality in relation to survivor benefits under pension schemes, difficult though some of the issues may be.

Miss Ann Widdecombe (Maidstone and The Weald) (Con): The Minister has several times used the word "equality". Will she be very specific? Is the equality that

[Miss Ann Widdecombe]

she seeks that whereby a homosexual relationship based on commitment is treated in future in exactly the same way as marriage in law?

Jacqui Smith: If the right hon. Lady looks at the Bill, she will see that, in the vast majority of cases, it is the Government's intention that those people who enter into a civil partnership will receive the same rights and take on the same responsibilities as those that we expect of those who enter into civil marriage.

Mr. Edward Leigh (Gainsborough) (Con): It would surely be much fairer to Members on both sides of House if the Government came clean and announced that they support gay marriage. Why will they not do so?

Jacqui Smith: I am sure that the hon. Gentleman heard me make the important point that civil partnerships under the Bill mirror in many ways the requirements, rights and responsibilities that run alongside civil marriage. I recognise that hon. Members on both sides of the House understand and feel very strongly about specific religious connotations of marriage. The Government are taking a secular approach to resolve the specific problems of same-sex couples. As others have said, that is the appropriate and modern way for the 21st century.

I wish to move on to the amendments—frankly, they are wrecking amendments—passed in another place. Our belief, which is supported by many hon. Members on both sides of the House, is that certain amendments passed in another place render the Bill unworkable. Those amendments would allow close relatives over the age of 30 who have lived together continuously for 12 years to form civil partnerships. Of course, we recognise that there are genuine concerns about the position of carers. That is why the Government introduced the first ever national carers strategy and ensured that the carers grant that we introduced to provide vitally needed breaks is six times higher this year than it was in 1999, and it is why we supported the private Member's Bill proposed by my hon. Friend the Member for Aberavon (Dr. Francis), but this Bill is entirely the wrong place to deal with those concerns. Parents, children and siblings already have legally recognised relationships to one another that are widely acknowledged and accepted in society.

The Opposition amendments passed in another place would also lead to myriad legal absurdities. A woman who formed a civil partnership with her grandfather would have her own mother as her stepdaughter. A grandfather could leave a survivor's pension to a civil-partner grandson. That turns pension provision on its head and could cost the taxpayer £1 billion a year and the private sector some £1.25 billion a year.

Dr. Desmond Turner (Brighton, Kemptown) (Lab): Does my right hon. Friend agree that those amendments can fairly be described as wrecking amendments, designed to prevent the Bill from becoming effective, and that they were tabled in that form by people who are afraid to come out and express their real motive, which is to oppose equality?

Jacqui Smith: My hon. Friend makes a fair point. As I have said, those amendments fail to recognise the principles on which the Bill is based and they will lead to some of the legal absurdities that I have outlined. I hope that all hon. Members will be honest about their real views, their real motivations and their real objectives in what they propose.

Mr. Gerald Howarth (Aldershot) (Con): Is the Minister seriously telling the House that three bishops who voted for the amendments so ably moved by my noble Friends in the other place were engaged in a wrecking process? If so, they and their parishioners ought to be told that.

Jacqui Smith: I was saying precisely that the effect of those amendments would be to wreck the Bill. Those who voted for them, whatever their motives, need to be aware that that would be the effect of the amendments. I was going through the legal absurdities. For example, a son in a civil partnership with his elderly mother could lose entitlement to jobseeker's allowance, based on his mother's ability to support him financially. That would take our social security system back to the 1930s. Even more bizarrely, if he then wanted to marry someone else, he would have to live separately from his mother for at least two years, or he would have to prove her unreasonable behaviour. For those reasons and many others, the amendments stand condemned by the TUC, citizens advice bureaux, the Solicitors Family Law Association, the Law Society, Stonewall and many others, but, worst of all, they stand condemned by the very people whom they purport to help—carers. Carers UK believes that the amendments may even harm the position of carers and create new problems for them.

The House will also be aware that those amendments have rendered me unable to declare under the Human Rights Act 1998 that the Bill is compatible with the European convention on human rights.

Charles Hendry (Wealden) (Con): The Minister is being very generous with her time in giving way. Will she confirm that one of the issues for carers is that they will lose their entitlement to benefit if they register such a relationship because joint incomes will be taken into account? Some of those whom the Bill is directly designed to help would lose the most.

Jacqui Smith: The hon. Gentleman points out yet another difficulty with trying to impose an ill-thought-out wrecking process on a Bill that was intended to deal with another problem. He is absolutely right.

Rob Marris (Wolverhampton, South-West) (Lab): My right hon. Friend refers to the European convention on human rights. As I understand it—perhaps she will correct me if I am wrong—heterosexual couples can take advantage of the Bill only if they are aged 30 and have been in a relationship for 12 years. If so, does that not breach the European convention on human rights, as it is discrimination on the basis of sexual orientation?

Jacqui Smith: My hon. Friend is right. That is precisely one of the reasons that make the Bill in the amended form incompatible with the convention. For all those reasons and many more, we will seek to reverse those amendments and restore the Bill to its original purpose.

Chris Bryant (Rhondda) (Lab): Is not the truth of the matter that those who tabled those amendments in the other Chamber did so because they do not believe that homosexuals are equal to heterosexuals, and that, unfortunately, that includes many of the bishops?

Jacqui Smith: As I suggested earlier, I hope that people will be honest about their motivation today—I suspect that my hon. Friend is right about some people's motivation.

I acknowledge concerns expressed by hon. Members and those in another place about the vulnerable position of unmarried opposite-sex couples, many of whom are under the misapprehension that they enjoy more rights than they actually do. That is the very reason why the Department for Constitutional Affairs is running a campaign to inform cohabitants of the significant differences between their rights and responsibilities and those of married couples. We agree that there are aspects on which all couples who live together need protection, especially those with children. That is not a matter for the Bill, but the Government are mindful of the issue, which is why we recently asked the Law Commission to carry out a project on cohabitation for inclusion in its ninth programme of law reform.

Mr. Christopher Chope (Christchurch) (Con): The Minister will be aware that page 12 of the report by the Joint Committee on Human Rights referred to the undertaking that the Government have given, but said that it did not go far enough and asked for more information. What information have the Government provided in response to paragraph 26 of the report?

Jacqui Smith: I have replied at length to the specific issues raised by the Joint Committee and I am sure that it will have ample opportunity to consider my responses. The Bill will provide the same opportunity for same-sex couples to gain legal recognition of their relationship as currently exists for opposite-sex couples through the route of marriage. That does not mean that all same-sex couples will choose to enter into that arrangement, just as not all opposite-sex couples choose to marry. However, same-sex couples currently have no route of legal recognition, so the Bill will put that right.

I shall now turn to the detail of the Bill. Part 1 defines civil partnership and makes the point at which a civil partnership is formed and ends clear. It makes it clear that a civil partnership may be formed in the UK, or overseas under UK law, and that same-sex relationships that are registered under the law of another country may be treated as civil partnerships under UK law. Part 5 provides a way of identifying those overseas relationships that can be treated as civil partnerships, and deals with the jurisdiction of UK courts in overseas cases and the recognition of orders made by courts abroad.

Part 2 sets out the procedure for forming and terminating a civil partnership in England and Wales and some of the rights and responsibilities that will flow from that relationship. The rights and responsibilities are serious, so entering a civil partnership will represent a major commitment. The registration process will be delivered by the local registration service, and there will be a formal, court-based process for dissolution if a civil partnership breaks down. That process would involve both rights and responsibilities for the civil partners involved. The provisions will ensure that civil partnerships are entered into seriously, that they cannot be exited lightly and that the rights and responsibilities that same-sex couples are given support them in their lives together.

Pete Wishart (North Tayside) (SNP): Does the Minister share my disappointment that the Scottish Parliament is not considering the Bill, despite the fact that it has the competence to do so? There are differences involving dissolution and registration in the Scots courts. Is it the case that the Scottish Parliament is afraid to deal with the issue and is thus happy to let the Government pass legislation on its behalf?

Jacqui Smith: I completely disagree with the hon. Gentleman. As we consider the Bill in more detail, I have no doubt that any hon. Member who so wishes will be able to examine the detail of how we are responding to the specific nature of Scots and Northern Irish law. However, both legislatively and for the people who will be affected, it makes sense to legislate through one Bill because of its complex legal implications.

David Cairns (Greenock and Inverclyde) (Lab): Further to the point made by the hon. Member for North Tayside (Pete Wishart), surely the situation illustrates the grown-up nature of the devolution settlement. The Scottish Parliament and Executive indicated well in advance their intention to pass a Sewel motion if the Bill was to their satisfaction. That allows Scottish Members, such the hon. Gentleman and me, to participate in the debate in the knowledge that the Bill will be applied in Scotland, although it might seem on the face of it that the debate relates to England and Wales. We should celebrate the situation as a success of devolution, rather than criticising it.

Jacqui Smith: My hon. Friend is right. The Labour party has a grown-up approach, and I hope that all parties will adopt that approach.

After going through the process, same-sex couples' relationships will no longer be invisible and their duties and obligations to each other as civil partners will be significant. They will have responsibilities during their relationship, during the dissolution of their relationship—should that be necessary—and on the death of a civil partner. The provisions span registration, dissolution, property and financial provisions, measures to protect the interests of children and amendments to intestacy rules. They will directly resolve many of the problems that same-sex couples face, including issues of housing and tenancy, domestic violence and fatal accident claims.

Parts 3 and 4 deal with provisions relating to Scotland and Northern Ireland respectively. Although there are differences between the provisions for civil partnership in parts 2, 3 and 4, most of the differences are procedural and reflect distinct legislative history and legal systems. As we have heard, the Scottish Parliament has debated a Sewel motion and agreed that Scottish provisions should be included in the Bill.

Part 6 ensures that references to certain familial relationships in legislation, such as step relations, can be read as including relationships that arise through a civil partnership. Parts 7 and 8 deal with several discrete

[Jacqui Smith]

areas of legislation that must be amended to reflect the existence of the new legal relationship of a civil partner. For example, schedule 24 will ensure that income-related benefits rules treat same-sex couples in the same way as opposite-sex couples. Child support rules will assess civil partners in the same way as married people, and civil partners will be entitled to most state pension benefits from the date of commencement of the Bill. The Bill also contains powers to require that pension benefits provided to married people are made available to civil partners from the date of the Bill's commencement, notwithstanding the commitment that I made earlier.

I must inform the House that the Government will move several amendments during the Bill's passage through this House. Most of them will be minor and I will write to hon. Members with detailed explanations of them. The great majority were tabled for consideration in the other place, but because of the impact on the Bill of the amendments passed on Report, which would fundamentally change the nature of civil partnerships, it was impossible for us to proceed with them.

Mr. Alan Duncan (Rutland and Melton) (Con): Will the Minister clarify the reference that she made earlier to survivor benefits? Is she saying categorically today that equal rights will be retrospectively applied for public sector pensions?

Jacqui Smith: I made a comment at the behest of my hon. Friend the Member for Wallasey (Angela Eagle). She and other hon. Members have rightly emphasised the Bill's objectives on equality and the possible inequality that could arise with survivor benefits under pensions. I undertook to examine her representations and those of others in more detail.

The Bill has commanded widespread support and I would like to offer the House just two examples of that. A fortnight ago, I was able to visit the registration department of Brighton and Hove city council. It opened a pink wedding waiting list in July and people came from all over the country and queued around the block to express their personal wishes to register their relationships and support the Bill. I commend Brighton for that initiative.

Chris Bryant: I join the Minister in commending Brighton, but what will happen if a council such as Kent county council, a Conservative council that has reintroduced its version of clause 28, chooses not to co-operate?

Jacqui Smith: The Bill makes clear the process that registration authorities will need to put in place to ensure that civil partners have the opportunity to have that civil partnership recognised.

Support has also come from across the political spectrum. In November last year, a leader in *The Daily Telegraph* said:

> "The time has come to give homosexual couples some legal recognition . . . It is perverse that existing law should actively discourage any two people in a lifelong relationship from enjoying legal and financial security . . . Allowing gay people to affirm their relationship within a civil contract does not undermine the institution of marriage. It might even reinforce it".

I do not often agree with *The Daily Telegraph*, but I do in this respect. The support recognises that the Bill offers a reasonable and principled solution to the disadvantages that same-sex couples face because they cannot gain legal recognition of their relationships. Amendments passed in another place do not weaken our resolve to see the end of that unfair treatment and exclusion.

The Bill sends a clear and unequivocal message that same-sex couples deserve recognition and respect. It is a crucial step on the road to a fair and inclusive society, and I look forward to the House restoring it to its original purpose. I commend it to the House.

2.21 pm

Mr. Alan Duncan (Rutland and Melton) (Con): I thank the Minister for her opening remarks and explanation of the Bill. It is a pleasure for me to give it my personal support and to do so on behalf of my party from the Front Bench.

Mr. Gerald Howarth: I well recognise that my hon. Friend speaks in a personal capacity and from the Front Bench, but I take it that he is not speaking on behalf of the entire Conservative party.

Mr. Duncan: My hon. Friend should show a little patience. My right hon. and learned Friend the Leader of the Opposition has stated openly many times that he supports civil partnerships and will vote for their introduction. I am pleased to repeat and share that commitment. However, as my hon. Friend the Member for Aldershot (Mr. Howarth) rightly and forcefully points out, Conservative Members have a free vote. The Bill is not whipped. It is up to my hon. Friends to vote as they choose, from the position of principle that they will undoubtedly argue, although I am confident that a large number will share my view that supporting the Bill provides a timely opportunity to show that the party understands the world in which we live and that, as my right hon. and learned Friend the leader of the party has said, we are a party for all Britain and for all Britons.

Miss Widdecombe: Will my hon. Friend clarify, in the same way as the Minister did—I have to say with some honesty—that the Bill is actually about homosexual marriage?

Mr. Duncan: I do not accept that, but I will try to clarify the situation. In anticipation of my right hon. Friend's assessment of the Bill, I intend to devote a lot of time to answering that question, which it is fair and reasonable to ask. I hope that I might even be able to allay her concerns to the extent that she might approach the Bill differently.

Miss Widdecombe: I do not think so.

Mr. Duncan: I live in hope.

The demand for the Bill is far greater than many people realise. One of the facts about people's attitudes to gay people in the modern world is that essentially they are relaxed—utterly unexercised—about the phenomenon until the time when which they detect intolerance, at which point they become deeply and profoundly indignant. That is the climate in which the Bill is sought, not just by those who benefit from it, but by those who see the benefits it confers on others. It has much wider support than from those who are directly affected by it.

In passing, perhaps the Minister will confirm in the wind-ups that there is no danger, as highlighted in the report in *The Independent on Sunday,* that the passage of the Bill is under threat from the compression of time as we reach the end of the Session. I do not think that that many amendments will be tabled in Committee.

Mr. Chope: Does my hon. Friend think it reasonable that the Committee will have only two days to discuss this detailed Bill, plus all the Government amendments?

Mr. Duncan: I thought for a moment my hon. Friend said two gays in Committee.

Chris Bryant: Take a roll-call.

Mr. Duncan: Indeed.

I am not aware of how many days are proposed for the Committee, but I am sure that that will be discussed by the usual channels. I am sure that the Committee stage will be extended appropriately if amendments are tabled so that the Bill can be properly discussed.

I shall deal first with the Bill as the Government introduced it in another place, before turning to the amendments passed there. The need for the Bill is obvious to anyone who has seen and felt some of the heart-rending injustices that can occur when a committed gay couple are denied the basic rights that a married heterosexual couple would take for granted. Despite sharing their lives together, too many of these people find that their mutual love and commitment count for absolutely nothing in the eyes of the law. As the Minister mentioned, practical matters such as pension rights and financial issues are on one side, but more serious still are cases—sadly, all too common—in which the partner of a terminally ill patient is denied the right to make key medical decisions, or even the right to visit the ill person. On death, the surviving partner can be crippled by inheritance tax and evicted from the home they have both shared for years.

To illustrate that I shall quote just one of the examples, which is vivid, contained in a briefing from Stonewall. It says:

> "Rex is 76. His partner, John, died after they had spent 45 years together. Their house was in both names and John left everything to Rex in his will. Rex faced a huge tax bill in order to be able to stay in his own home. He also lost John's pension. Had he been married to a woman for just one day, no tax would have been payable, and Rex would have had a survivor's pension."

I hope that those reasons alone are enough to convince hon. Members that the Bill is needed.

Rob Marris: Do the hon. Gentleman and his Front-Bench colleagues support, as I and many of my colleagues do, retrospective survivorship benefits on pension schemes for registered gay couples?

Mr. Duncan: We will consider that in Committee. I am not clear about the likely cost. If it is minimal, the public sector might give serious consideration to retrospectivity. Shifting actuarial calculations is much more difficult in personal and private schemes because other people in a similar scheme could be disadvantaged by the retrospectivity applied to same-sex couples. That needs to be discussed properly in Committee in a responsible way.

Gay men and women are a fact of life in our country, in our communities and in the House. There are some who wish it were not so, but it is. Gay couples live together in committed relationships across the land and are accepted as couples by their friends and families. The Bill's purpose is to say that continuing to use the law to penalise them cannot be justified. It is designed to recognise same-sex relationships while applying the same restrictions as marriage regarding consanguinity—the bloodline links—thereby excluding partnerships between son and father, daughter and mother, siblings and so on. It is also designed, as the Minister said—I share her view—to apply equally across the country, so as to leave no pockets of discrimination within our United Kingdom, and to avoid the absurdity of people rushing from Gretna Green or Belfast to avoid it.

Civil partnerships have already been introduced in different forms around the world. Denmark introduced the first registration scheme in 1989. Today, eight EU members have some form of civil partnership, as do Norway, Iceland, Canada, Australia and some states of the United States. All have recognised the need for such provisions and have legislated for them.

One argument, brought up by my hon. Friend the Member for Gainsborough (Mr. Leigh), is that civil partnerships create gay marriage and thus damage and undermine the institution of marriage. Some may see it that way; the House may wish to see it otherwise. First, although there are of course many similarities between the two institutions, they remain distinct in several important respects. While marriage is an ancient institution with special religious significance, civil partnership is a secular legal arrangement. That difference is made clear in the drafting of the Bill. Registration is given effect by the signing of the register rather than by the verbal affirmation, and a religious service is specifically banned during the signing of the register; in both such important respects, civil partnership is very different from marriage.

Even taking into account the elements of the proposed partnerships that are similar to marriage, the argument that they will damage the institution of marriage still does not stack up. If we preach that the values inherent in marriage—love, mutual commitment and responsibility—strengthen and enrich society, how can we claim that the replication of such values for gay couples will cause damage? Imitation is, after all, the sincerest form of flattery.

True, the two institutions are designed on similar lines, but they are designed on parallel lines; and parallel lines, as we all know, never meet. They are separate institutions for different groups of people. Gay men and lesbians are different precisely because of who they love, so the formal recognition of that love will itself create differences. One can therefore argue strongly that the Bill does not undermine or compete with marriage. After all, we are not exactly fishing in the same pool.

[Mr. Duncan]

Many practical issues will need to be dealt with as civil partnerships become accepted. For example, what does one call one's civil partner? It is a problem of modern manners that the term "partner" has many meanings these days: it can mean a business partner, a casual boyfriend, a girlfriend, or someone in a longer-term relationship. As developments take place, we may well find that we need to find new etiquette and new manners to enable us, in our changing civil society, to describe others in a form that makes people comfortable. I invite hon. Members to try to think of an appropriate word. As a prize, I offer a bottle of pink champagne. *[Laughter.]*

Mr. Leigh: I disagree with my hon. Friend. He supports the creation of an institution that is formalised in a register office, has all the attributes of marriage and can be terminated only by a form of divorce. Marriage does not need to be a Christian contract; it can be carried out in a register office, just like the proposed partnerships. Why will he not simply be honest and say that what we are creating is a form of gay marriage? He is entitled to that view, and he should be honest about it.

Mr. Duncan: The honesty emerges from a clear difference in respect for religious institutions. If we were forcing partnerships on a Church or religious institution, my hon. Friend would have a valid argument that they would conflict with what is now regarded primarily as a religious or religiously blessed institution. It is up to Churches, not up to Parliament, to decide what happens in future, but the clear distinction between a civil secular partnership and the institution of marriage will, in my view, be preserved. If my hon. Friend does not agree, he can vote against the Bill.

Chris Bryant: The hon. Gentleman is making a very good speech. In fact, the Bill prohibits Churches from taking such a step, despite the fact that many lesbian and gay Christians and ministers might want to do so.

Mr. Duncan: It is up to the Church. Yes, the Bill prohibits any sort of ceremony for the purpose of these partnerships in a religious institution. By the way, the Bill is flawed in that respect: it refers to any religious institution "so designed", but on Charing Cross road there is a gay club in an old church—a building designed as a religious institution. That might have to be dealt with in Committee. However, I repeat that it is for the Church to decide. That reinforces the point that I made in response to my hon. Friend the Member for Gainsborough: the Bill establishes a clear distinction between secular civil partnership and the existing institution of marriage.

Mr. Paul Goodman (Wycombe) (Con): I am following my hon. Friend's argument about parallel lines with great interest. If one accepts that that argument is correct, does it not follow that heterosexual couples who do not want to marry might feel that the terms of the Bill unreasonably exclude them from entering into a civil partnership?

Mr. Duncan: The answer is clearly no, because such couples have the option of marriage, in either a church or a register office, and under the law as it stands they can use other legal means to register their interdependency, so to apply civil partnerships to such couples would undermine marriage. That is why such a provision should not be made in the Bill.

Miss Widdecombe: I, too, have been following my hon. Friend's parallel lines with great interest. Citing the religiosity of the institution, he makes a distinction between marriage and the proposed partnerships, but what is the distinction under the Bill between a civil marriage carried out in a register office and a civil partnership? Will he admit that there is none?

Mr. Duncan: No. I admit that there is not a massive difference, except in terms of the ceremony itself: in marriage, the verbal vow is the contract, whereas in a civil partnership it is the written signature. In that sense, there is a legal distinction. Although I want to stick religiously—if I can put it that way—to the geometry of my parallel lines, I acknowledge that they appear to get ever so slightly closer together in that respect.

David Cairns: The hon. Gentleman is making an excellent speech. Earlier, he read out a long list of countries that have civil partnerships, some of which have had them for years. Has his research revealed any shred of evidence that the existence of partnerships has in any way undermined heterosexual marriage?

Mr. Duncan: In my personal view, no. In many respects, their creation has introduced in those countries' societies a degree of stability that is currently prohibited in ours by the law as it stands.

Rev. Martin Smyth (Belfast, South) (UUP): The hon. Gentleman said that consanguinity is applicable in civil partnerships as it is in marriage. Why, when the partnerships signify a secular relationship but the degree of prohibition comes from religious teaching?

Mr. Duncan: Because the proposed partnerships are a recognition of loving couples in stable relationships, not an endorsement of incest—something that I am sure the hon. Gentleman would not want to see in any legislation. I shall address those points when I discuss the amendments made in another place.

Concern is frequently expressed that civil partnerships will undermine the family. Let us consider those arguments. Today's families come in many shapes and sizes and people face many challenges. Marriages break up, parents remarry and the structure of the family changes. Many families no longer fit perfectly into the traditional two-parents-and-2.4-children framework, but are extended families in which there has been remarriage and same-sex relationships. The latter are increasingly acknowledged and accepted, even by grandparents, who 25 years ago would have found such relationships abhorrent. No one suggests that the absence of traditional arrangements within those new family units has led to the absence of bonds of loyalty, commitment and support that hold families together. Despite the difficulties of modern life, those values have shown a reassuring durability.

Mr. Gerald Howarth: I must challenge my hon. Friend on that point. All the Office for National Statistics surveys illustrate that children brought up in a married household do better than those brought up in a cohabiting household, let alone in a homosexual household. The question that my hon. Friend has to answer—I am sure that he will do so elegantly, if not persuasively—is, is he not setting up yet another alternative lifestyle, which young people will consider equally valid, and will not the nuclear family be destroyed?

Mr. Duncan: What the Bill does is recognise what already is, and it tries to introduce a measure of permanence and stability into those relationships. I agree wholeheartedly with my hon. Friend that a mother and a father together in a happy marriage are the best forum in which to bring up children, but I disagree with his suggestion that the Bill undermines that in any way. I do not think that it does.

Pete Wishart: I am enjoying the hon. Gentleman's speech. May I contrast it with some of the clarion calls from Conservative Back Benchers, which confirm the view that theirs is very much the nasty party? What does he say in response to the illiberal and intolerant attitude that has been demonstrated by some of his hon. Friends?

Mr. Duncan: I say simply that the hon. Gentleman is wrong. We should dignify the House by accepting one another's differences in a proper way that puts arguments in an honest and direct context, which my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) does on so many issues, many of which I do not find myself in agreement with. There we are. Difference in the House, as a form of democracy, should be respected.

Let me follow on from what has been said. The fact that the bonds of relationships have endured is due in no small measure to the way in which our predecessors in the House have adapted the law to allow it to keep pace with social change. We have seen reforms of property rights, tax arrangements, divorce law and child care, which have all played their part. We have always accepted that ordered change is the best way to conserve those things that we value. The issues of child care and work-life balance are a growing item on the political agenda and are becoming increasingly important.

Measures such as those before us today are a way of protecting the family in changed times, not of damaging it. As I have said, gay couples are a fact of life. Rather than ignoring their existence, perhaps the House can now take a positive stance on their position in society.

I am sure that the issue of child care, which often causes strong feelings, will arise during the debate. It will be argued, rightly, that the best environment for bringing up a child is with two loving, married parents. However, that is not always possible, for a host of reasons, and children are now raised in many different circumstances. What is most important is that love is given to the child and that there is stability in his or her home life.

We had these debates at length two years ago during the passage of the Adoption and Children Act 2002, which legalised joint adoption by gay couples. I openly admit—the Minister was the judge of this—that even I was not entirely comfortable with the concept for a number of reasons. I was largely undecided. I had some qualms about whether it was the right way in which to proceed, but we passed the legislation. In many ways, that was a far more emotive issue than the one that we are discussing today. Having passed such measures into law, it makes even more sense now to approve civil partnerships. If we are concerned that children should be brought up by a stable, loving couple, these measures, when seen in conjunction with gay adoption, make a positive contribution to the family, rather than detract from it.

There is much in the Bill that I believe can be seen as deriving from the values in which Conservatives believe. It promotes responsibility and removes the intrusive hand of the state from people's personal relationships. As a whole, the Conservative party has always been welcoming of people from different backgrounds, and does not pigeonhole people from different backgrounds. It does not pigeonhole people into restrictive categories. I may be the first openly gay Conservative Member, but history will show that gay men and women have played leading roles in our party for many years, and I am pleased to say that many are among our candidates in winnable seats at the next election. So I do not accept that the Bill is in some way incompatible with conservatism. I personally welcome the measure, but it is up to my right hon. and hon. Friends to decide how they wish to vote.

I shall deal with the concerns that exist over the consideration of the Bill in another place and the amendments that were passed there. I begin from the basis that although the issues of discrimination and unfairness which the original Bill was aimed at tackling are, in my view, the most widespread—in many ways they are damaging and pernicious—they are sadly not the only ones that exist. Other groups are still disadvantaged, and the Bill as introduced does not, or did not, assist them.

It is profoundly unfair that carers and siblings who cohabit are disadvantaged on the death of one or other of them by being forced out of their home by their tenancy terms or by the burden of inheritance tax. So it was right for these issues to be raised in debate, and in doing so the plight of those who are disadvantaged in this way has been drawn to a wider audience. That is one of the purposes of our parliamentary system of scrutiny, and I am glad that the efforts and effective advocacy of colleagues in another place resulted in the Government promising—they did so, and I remind the Minister of this—to take further action to address these issues.

In another place, the Minister of State at the Home Office, Baroness Scotland, said in Grand Committee:

> "I shall certainly undertake . . . to give the House the more mature reflection of the Government in relation to how to respond to that issue".

That is, the issue of siblings and carers. The Minister then said that

> "these issues have percolated to the top of the discussions on a number of occasions. They are issues with which the Government have grappled and they will wish to continue to do so."—[*Official Report, House of Lords*, 10 May 2004; Vol. 661, c. GC31.]

As they have now had since May to grapple and to percolate, I look to the Government, as I think all Opposition Members do, to fulfil that undertaking. I

[Mr. Duncan]

seek a clear guarantee from the Minister of State of the Government's firm intent to bring forward measures to address these issues at an early opportunity.

Angela Eagle: Does the hon. Gentleman agree that it is highly inappropriate, regardless of the merits of argument about home sharers, to think that the solution somehow lies in civil partnership arrangements? Will he be voting to take out the provisions in section 2(1) and schedule 1, which so disfigure the Bill?

Mr. Duncan: The hon. Lady's timing is impeccable. I was coming on to that issue and I can assure her that I think she is right. I accept that the Bill was not the appropriate vehicle for such action. When those in another place supported the Back-Bench amendment to widen the scope of the Bill, I believe that they did so with good intent. However, in doing so they fundamentally changed the Bill's nature and effect. They created a Bill that is at best bad legislation, and at worst unworkable and damaging.

As the Minister has said, the Carers Association has stated its opposition to the changes made in the other place, stating:

"We foresee many potential negative impacts"—

I think that this is the same quote—

"on the cared for person and the carer with the amendments to the Bill . . . The changes could have a devastating impact on the income of the carer and the person for whom they care."

So we are not doing a favour to carers if we move an amendment about carers that they do not want.

As the Minister said, many other anomalies and rather absurd unintended consequences arise. For example, a woman who formed a civil partnership—the Minister said with her grandfather, but I can equally say with her grandmother—would, following the amendment, have her own mother as a stepdaughter. That is clearly absurd and unworkable. On a more serious point, by allowing the degrees of prohibitive blood relationships within the existing family to be breached—I hope that this is persuasive to my right hon. and hon. Friends—to form a partnership with one another, the amendment does a great deal to destabilise and compromise the traditional family unit.

Their Lordships' amendment destroys what it sets out to protect. As my right hon. Friend the Leader of the Opposition has said in a letter to people who have written to him on this issue, if

"two sisters were to register their partnership, they would have to pool all their assets. If later on, one of them wanted to get married, the only way they would be able to terminate this partnership would be through complicated legal proceedings."

That would be divorce. Imagine Doris and Violet, aged 80, going through a divorce. All that they would really need would be inheritance tax deferral so that one partner would not have to sell their home when the other dies.

Whatever the good intent, the Bill, as amended in another place, is now unworkable. The impression has been given that the Conservative party has sought to wreck the creation of civil partnerships, which I can assure the House is certainly not the case. That is why my right hon. Friend the Leader of the Opposition has said explicitly that he would like to see the amendment reserved—*[Interruption.]*—reversed. I can give that guarantee. We have a free vote, but I am confident that that is likely to happen.

I urge my right hon. and hon. Friends to use the time that we have available during the debate to discuss other issues of detail, of which there are many. The issues of carers and siblings deserve their own bespoke legislation. If right hon. and hon. Members want to advance this cause, I hope that they will join me in demanding that the Government bring forward any such Bills at an early opportunity. I hope also that the Minister will now withdraw her rather abrupt refusal to do so in response to the intervention of my right hon. Friend the Member for Wokingham (Mr. Redwood). In a sense, what she said starkly contradicts the comments of Baroness Scotland in another place.

The Bill is not, as some have argued, about giving an extra set of rights to gay couples and thereby discriminating against other couples. On the contrary, it is about removing a discrimination that already exists in law against them. For this reason, it is a case not of greater state intrusion, but of less intrusion, which is to be welcomed. As far as I am concerned, the duty of the state is to intervene where two people are hurting each other and not where two people just happen to love each other. As a Conservative, I believe in encouraging committed, long-term relationships that strengthen society. That is one of the best reasons that I can give for supporting the Bill.

For too long there has been perpetuated a negative stereotype of gay love as less committed, less stable and less valid than that between heterosexuals. That has been at the root of much homophobia, and has been used by otherwise rational people to argue for the retention of discrimination. "I am not homophobic", they say, "but gay people are promiscuous and do not want long-term relationships." That argument is not only insulting but inconsistent. How can people argue, as the Christian Institute does, that the proposals

"create a counterfeit moral standard that is imposed on all"

while also claiming that there is no demand for them? If we refer to our personal experience, I suspect that most of us can see at once how wrong that contention is. Most of us know at least one gay couple who live together in a loving, committed relationship. Many of us also know of at least one heterosexual couple whose relationship may not be so healthy or committed. The simple fact is that love comes in many forms, and so do the relationships that give expression to that love. It would be odd indeed if those who espouse and defend traditional values of commitment and faithfulness opposed giving gay couples the choice to live their lives according to those values. There is a long way to go in eroding the homophobia that still exists in certain places in Britain today. Gay people still face many barriers to full acceptance, but eliminating discrimination from our laws is an essential first step to eliminating discrimination from our hearts and minds.

2.51 pm

Mrs. Barbara Roche (Hornsey and Wood Green) (Lab): It is a privilege to follow the hon. Member for Rutland and Melton (Mr. Duncan), whose speech was most elegant and, more importantly, tremendously moving. The whole House, whatever the position of individual Members, will treat it with great respect, and I congratulate him on it.

Seven years ago, I went to a beautiful summer wedding with my husband and daughter. I love weddings—it is like seeing a Shakespeare play performed with a different cast—and attend them with great anticipation. On that lovely day, we were all very pleased for the happy couple. Like anyone who is married, I remembered my own wedding, now some 27 years ago, and recalled the emotions, the commitment and the shared responsibilities that I embraced on that occasion. I turned to a friend who was sitting beside me at the ceremony and talked about that. She is in a long-standing lesbian relationship. We were all enjoying the lovely occasion, but she told me that the possibility of a commitment to her long-standing partner in which rights and responsibilities were exchanged was not open to her. That made a great impression on me, and I discussed it with my family and friends afterwards. I vowed that if I ever had the opportunity to do something about it, I would. I was therefore pleased to have had the opportunity in December 2002, when I was a Minister, to say that civil partnerships for same-sex couples were a good thing.

Before I made that announcement, there was a great deal of nervousness in government about what would happen, how people would react and what they would say. Would the heavens fall in? However, I made the announcement and that did not happen—life went on as before, and society did not appear to have suffered any disruption. Almost as soon as I made the announcement, my offices in the Office of the Deputy Prime Minister and in my constituency received many messages of support from people who had been in same-sex relationships for years. They loved and cared for one another in sickness and in health, but had never had the opportunity to register their relationship and enjoy the rights that many of us take for granted.

The proposed legislation, which I warmly support, is important for two reasons. First, it deals with equality and social justice. It gives people in loving relationships an opportunity to register those relationships. There will no longer be terrible cases of people who are in dire straits at times of great sickness or bereavement being denied access to their partner. Secondly, it will show that our country has grown up and come of age. We have heard about the great reforms of the 1960s, but those reforms decriminalised homosexuality and did not deal with acceptance. They did not achieve equality and social justice, but the Civil Partnership Bill will change that. It is therefore right to look at the Bill's approach to rights and responsibilities.

Make no mistake—we are doing something of fundamental significance for equality and the society in which I want my daughter to grow up. We must treat people with respect and compassion, which means that we must go even further than we are going today. If, for example, the Bill is enacted, as I am certain that it will be, and the first civil partnership registration takes place, the happy couple may decide to go on holiday to celebrate. The holiday company, however, may refuse to accept their booking because they are a same-sex couple. Most people in the House would be outraged by such behaviour, but the practice is not outlawed. People cannot be discriminated against at work, from nine to five or whatever hours they work, on the grounds that they are gay, lesbian or bisexual. After five o'clock, however, if they go to the pub with their friends they could be refused a drink. Until very recently, a well-known holiday company, Sandals, which offers Caribbean holidays, overtly prevented same-sex couples from going on some of their holidays. It has now reversed its position following pressure, but discrimination is still possible under the law. It has changed its policy, but there is nothing to prohibit discrimination against gays and lesbians on the ground of sexual orientation in the provision of goods and services.

If this House truly wants to show that it has come of age, it should move to outlaw discrimination on the ground of sexuality in the provision of goods and services. That is long overdue and we should resolve to take action as quickly as possible.

In all the campaigning on this issue, the speeches and articles that have been written and the questions that have been asked in this place and elsewhere, one organisation has campaigned particularly hard—Stonewall. I congratulate it on the way in which it has conducted its campaign. It is perhaps one of the best lobbying organisations in this country, and it is known to hon. Members in all parts of the House. It conducts its lobbying and campaigning in an exemplary way, but operates on a shoestring. It is amazing that it manages to do what it does. As we deliberate on this Bill, we should recognise that we owe a great deal to that organisation and to the people who have worked with it, campaigned with it and supported it.

We often assume in this House that it is we as Members of Parliament who have brought about legislation, but that is not the case. We also owe a great debt to the civil servants and officials who have spent months, if not years, putting everything together. From personal experience, I know that there is a devoted team of officials in the women and equality unit who have pioneered this legislation. In particular, one of them is a woman who has dedicated her life over the past couple of years to ensuring that it is introduced. I thank those people very much indeed. For them, this has been not a 9 to 5 job, but a life's work ensuring that we get the legislation that is so important.

I am grateful for having had the opportunity to speak in this important debate. I know that many important speeches will be made. I believe that we are doing something very important today that other parliamentarians will look back on in future years, and say, "I wish I could have been here then." Our Parliament has grown up, our country is growing up and we truly are striving for a society that is equal and in which there is social justice.

3.3 pm

Mr. Alistair Carmichael (Orkney and Shetland) (LD): It is a pleasure to follow the hon. Member for Hornsey and Wood Green (Mrs. Roche), who did a great deal while she was in government to promote and pursue this agenda. I agree with her remarks about the need for equality of access to goods and services, although she may accept, as I understood her to do on the "Today" programme this morning, that this Bill is not the

[Mr. Alistair Carmichael]

appropriate place for that. I wish to place on record my admiration for the manner in which both the Minister and the hon. Member for Rutland and Melton (Mr. Duncan) conducted themselves. They both made comprehensive and compelling contributions. In particular, the hon. Member for Rutland and Melton made what I consider to be the best speech that I have heard from the Conservative Front Bench since I entered Parliament. Before hon. Members rush to accuse me of damning him with faint praise, I assure him that my comments are sincerely and warmly intended as a compliment.

The Liberal Democrats are pleased to give the Bill a warm and unequivocal welcome. We see it as an opportunity to offer the same rights and opportunities to people in same-sex relationships as are currently offered to people in civil marriages of mixed sex. It is an opportunity to offer fair and equal treatment to all in our society today, regardless of their sexual orientation. For us, the question on this Bill is not so much how we can support it as how we could not do so.

As the first Scot to contribute, I wish to say that I thought that the intervention of the hon. Member for North Tayside (Pete Wishart) was remarkable. I was astonished to hear a member of the Scottish National party talk down the Scottish Parliament as he did. Indeed, he should be aware—I am astonished that he does not seem to be aware of this—that the Justice 2 Committee of the Scottish Parliament discussed the Bill at length and produced an excellent report. Many of the concerns were taken on board by the Scottish Executive, which responded positively, and were well on their way to being included in the Bill as amendments in another place before Baroness O'Cathain did her work. I am confident that we shall see them back in Committee.

Pete Wishart: I am staggered by what I understand the hon. Gentleman to be saying. I intervened earlier to say that the Scottish Parliament is fully competent to deal with this issue. It could have dealt with the specific points in Scots law that arise. It chose not to do so because of the fear of controversy; it was like passing the buck back down to Westminster. The Scottish Parliament could have dealt with the matter and it should have done so, and the legislation would have been better as a result.

Mr. Carmichael: Time will tell just how good or ill the legislation is. The hon. Gentleman ignores the fact that the Scottish Parliament has already considered the provisions in detail, so it is not a question of running scared. Whether he likes it or not, he must recognise that there is a clear confluence of interest on many aspects of the Bill that have UK-wide application and involve Scotland. For him to suggest that the matter is better undertaken with a piecemeal approach is verging on the absurd. *[Interruption.]* Does he wish to intervene again, or is he happy to chunter away from a sedentary position?

The Minister and the hon. Member for Rutland and Melton cited a number of examples—I am sure that many others will deal with such cases—in which, after the death of a partner in a same-sex relationship, the surviving partner is frozen out of everything from the funeral arrangements to the disposal of the family home and other items of the deceased's estate. The treatment of the survivor in a range of other ways is discriminatory and wrong and the Bill provides the tool for ending that discrimination.

The Minister referred to the progress of legislation on equality that started with Roy Jenkins in the 1960s. She will also recognise that this Bill in particular is the result of a process that started two years ago with the private Member's Bill introduced in the other place by my noble and learned Friend Lord Lester. I wish to place on record my admiration and appreciation of the work that he has done to get this issue on to the political agenda. It is also to the credit of the Government, whom I have not been slow to criticise on occasion for being timid in tackling difficult and challenging political issues, that they are seeing this work to a conclusion. It would be churlish—I try not to be churlish, Madam Deputy Speaker—not to recognise the courage that the Minister and the Government have displayed.

The Liberal Democrats are, however, not uncritical of the Bill as it stands. The provisions that seek to create categories of civil partners other than same-sex couples, worthy though they may be, do not belong in this Bill, and they should be removed. When the Government table amendments in Committee to remove those provisions, the Minister will have the support of its Liberal Democrat members. On that issue, we are at one with the Government.

Notwithstanding the Minister's warm words, I fear that we will not achieve a similar consensus on the Bill's provisions on pension entitlement for surviving partners. It makes no sense to undertake an exercise such as this Bill to remedy injustice, unfairness and unequal treatment, only to enshrine injustice, unfairness and unequal treatment in the new law. The Bill will allow same-sex partners to accrue survivor's pensions in public sector schemes from the date of its enactment, which will probably be some time next year.

Chris Bryant: I wholly agree with the hon. Gentleman's direction, but his last remark is entirely inaccurate because the Bill does not say anything of the sort. The Bill allows the Government to do what they want on pension provision for surviving partners, and given what we have heard this afternoon, I hope that the Government move in that direction. However, he is wrong to say that the Bill prevents the Government from providing pensions for surviving partners on the basis of parity with spouses.

Mr. Carmichael: If we examine the outcomes, they amount to much the same thing, and the hon. Gentleman is harsh in saying that I am wholly inaccurate. The matter may require further textual analysis, in which I will be happy to indulge in Committee. Given what the Minister said today and what Ministers said in the other place, however, my point is that the Government intend not to afford survivors of civil partnerships equal treatment on pensions.

Angela Eagle: Following my earlier intervention, the Minister indicated that the Government are re-examining the matter, and I hope that the hon. Gentleman welcomes that reply.

Mr. Carmichael: I welcome that reply. I hope that I have not become cynical after three and a half years in this place, but I have seen other Ministers get through Second Reading debates in which a tricky issue is causing disquiet among Government Back Benchers by promising carefully to re-examine the matter. I am delighted that the Minister is prepared to look again, but I would be even more delighted if the Government made a concrete improvement to their position, and I hope that the reconsideration is not just a measure to get the Minister through today's debate.

To allow even limited retrospection to 1988, the date when the equivalent provision was introduced for mixed-sex couples, would represent true equality of provision, and we shall introduce amendments to achieve that in Committee. That process will involve the insertion of a new clause, so the hon. Member for Rhondda (Chris Bryant) may have a point.

Quite apart from the inherent inequality of the Government's current position, surely it is wrong to penalise people who have done what the Government are always encouraging them to do by saving for their retirements. So why do the Government continue to resist? The argument is twofold and concerns cost and an aversion to retrospective provisions. Turning to the latter point first, I accept that it is undesirable to make retrospective provision in such matters, but it is not written in tablets of stone that it should not be done. If the choice is between retrospection and discrimination, surely retrospection should win the day.

The matter is not without precedent. In 1994, the Conservative Government changed the rules to allow female part-time workers who had been excluded from occupational pension schemes to obtain retrospective rights back to 1976, if they had paid the appropriate contributions. As far as parties to a civil partnership are concerned, the contributions will already have been paid, so we seek not an improvement in their position, but merely the removal of discrimination. In that case, employers bore the cost, whereas public sector pensions entail a cost to the Treasury.

What will the actual cost be? The hon. Member for Rutland and Melton referred to that point, and Stonewall has received actuarial advice that the cost would be between £6 million and £12 million per year over 15 years depending on the take-up of civil partnership or, to put it another way, between 0.01 and 0.02 per cent. of the pensionable payroll. Indeed, the Treasury might make a net saving, because parties to a civil partnership are entitled to equal treatment in relation to benefits and tax credits, which could amount to some £60 million per annum if the Government's position remains unchanged.

The question of survivor pension rights is the only substantive point of difference between the Government and Liberal Democrat Members, but it will not go away. Even if the Government refuse to concede the point here, they may be forced to concede it if the Bill is challenged in the courts. The Government will be aware of the decision in the House of Lords on the Godin-Mendoza case on 21 June this year. When the Minister replies, will she explain how the Government's position may be reconciled with the decision in that case? There is an old saying that for a ha'p'orth of tar the ship was lost; how much good will are the Government prepared to lose before they change their mind?

I shall expand my earlier remarks on the application of the Bill to mixed-sex couples and, in particular, to the much cited cases of carers and spinster sisters living out their latter years together. In principle, I have some sympathy for the arguments in both those cases, but we have gone well beyond arguing broad principle and are dealing with a Bill, and a fairly substantial Bill at that. It is apparent to anyone who bothers to read the Bill that the Government have, with some care, sought to re-enact the provisions relating to civil marriage for mixed-sex couples, warts and all. They have sought to put same-sex couples in exactly the same position as people who are married in a civil ceremony.

If one considers the Bill as being about outcomes rather than about labels, one must ask what benefit a mixed-sex couple would accrue by entering a civil partnership rather than a civil marriage. I cannot see one. Like a civil marriage, a civil partnership requires a declaration to be made before a registrar and witnesses, the same degrees of relationship are forbidden and publication of the intention to enter into the partnership remains the same as for marriage.

Should a civil partnership fail and be shown to have broken down irretrievably—the only ground for divorce in a civil marriage—it can be dissolved only by a court process, which addresses all the same issues as a divorce. So what is the difference for a mixed-sex couple? The only difference would be the acquisition of inferior pension rights for a surviving spouse in certain circumstances, but as I said, we have plans on that matter. In principle, I do not object to making the Bill available to mixed-sex couples, but in practice I can see no material benefit in doing so.

Turning to the Baroness O'Cathain provisions, I sympathise with the points that she raised in the other place but, as others said there, the Bill is not the place to address them. The argument concerns people who cohabit and who have a relationship based on love—albeit that the love that exists between siblings is very different from that which exists between partners drawn from outwith the family. The law has always treated such relationships differently for strong social, genetic and scientific reasons, and to abandon that approach in this Bill would be dangerous to say the least.

In some parts of my constituency, a higher than average number of people—either siblings living together or a child caring for an elderly parent—live in that way. In my experience, those people mostly manage to regulate their affairs and do not create problems for themselves or others in their family. However, I suspect that many of them would be offended by the suggestion that their relationship was in some way comparable to that of a husband and wife or a same-sex couple in a long-term relationship.

One can imagine even greater difficulties being created by the Bill as it stands. The example cited is usually that of the adult's offspring who gives up his or her job to care for an elderly parent, but what about the same person who gives up a job to care for both elderly parents? He or she would be prohibited from entering into a civil partnership until one or other of the parents dies. That surely cannot be right.

Most of the perceived inequalities could be eliminated by changes to taxation and property law, but that is not what the Bill is about. There will be another Finance Bill next year whereby such changes can be effected.

[Mr. Carmichael]

We need to pay attention to several other aspects of the Bill, and we shall do so in Committee. There are interesting debates to be had about the use of church buildings for the conduct of ceremonies and the recognition of civil partnerships in other jurisdictions. I look forward to hearing the Minister's explanation of the Government's position regarding the recognition of same-sex marriages constituted in Massachusetts. However, those are more issues of detail than of substantial principle, and they properly belong on the Committee Corridor, not on the Floor of the House.

For today, I am satisfied that the Bill is necessary and overdue. It is about ending discrimination and promoting equality, and we should all take pride in giving it the Second Reading that my colleagues and I will support tonight.

3.21 pm

Angela Eagle (Wallasey) (Lab): I welcome this groundbreaking Bill, which has been introduced by a Labour Government, and I congratulate my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche), who had a great deal to do with its early stages. Although she was unable to be around for its production, she has every right to very proud of the work that she put in.

This is a complex and comprehensive Bill—exhaustive, even, as I thought when I looked at some of its details the other night—and it has been three years in the preparation. It covers all the bases in terms of giving, as closely as possible, with the proviso of a few little kinks that I shall mention, equality of legal recognition to same-sex partners, who until now have not had their partnerships, however long-standing or loving, recognised in law at all. It is a time of celebration for many of us and of considerable personal interest for some of us.

For many years, same-sex couples have had to live not only with bigotry and ignorance, but with being legally invisible. We have heard some moving comments about the awful situations that that has created for them in times of great personal hardship. It is a great moment for celebration that the Government—and at least some Conservative Members, notably those on the Front Bench—realise that now is the time to put that injustice right and to grant legal recognition to same-sex partnerships. That gives them rights and responsibilities in terms of expressing their own partnerships with each other and having those partnerships recognised in law over a range of issues, including equitable treatment for life assurance; almost equal pension benefits, with, I hope, even more movement during the passage of the Bill; next of kin rights; rights to death registration; intestacy recognition; and gains in respect of recognising partnerships for capital gains tax and inheritance tax purposes. Those measures will avoid distressing tales of the kind that we have heard during the long consultation period and the response from many members of our society to the Government's comprehensive and long-awaited proposals.

As is only right in these circumstances, there should be responsibilities too—for example, a duty to provide maintenance for a partner in a civil partnership and any children who happen to be involved in the family.

Today we are celebrating the validity of same-sex partnerships. If the Bill becomes law, as I hope that it will at the end of this Session, and is enacted about a year from now, people will finally be able to celebrate their partnerships in that way.

The Bill does not represent an unusual obsession of the Labour Government—it is in the mainstream of change that is taking place world wide. The hon. Member for Rutland and Melton (Mr. Duncan) mentioned some of the international comparisons in his excellent speech. In western Europe alone, 13 other countries—Denmark, Norway, Sweden, Spain, Iceland, France, Germany, Portugal, the Netherlands, Switzerland, Finland, Belgium and Luxembourg—have already introduced forms of registered partnerships or have such proposals in the pipeline. Areas of the world with similar plans include Hungary, Croatia, Canada, various states of the USA, and parts of Australia. New Zealand will consider a civil union Bill later this year. The Bill is in the mainstream of legal reform throughout advanced societies.

We have seen today a welcome change in the attitude of Conservative Front Benchers. However, there is still a Janus-faced side to the Conservatives that perhaps explains the free vote. They have a schizophrenic attitude; one need only read the debates in the House of Lords to understand how that manifests itself. I wish Conservative Members who are fighting the good fight well and hope that they continue to make progress. Some of the comments that were made in the House of Lords give some measure of the distance still to go in order to persuade Conservative Back Benchers that they should share the welcome views expressed by their Front-Bench colleagues. Baroness O'Cathain said that the Bill creates

"a parody of marriage for homosexuals".—*[Official Report, House of Lords*, 10 May 2004; Vol. 661, c. GC54.]

That echoes the awful and hurtful phrase, "pretend family relationships", which so damaged many same-sex couples during the era of section 28. Many Conservatives in the Lords are associated with the spoiling and wrecking amendments that have effectively torpedoed the Bill unless we can reverse them.

A great deal of work is required to persuade some Conservative Members that they should show respect to people who may not be of an orientation of which they approve but nevertheless have the same human rights as they have. I hope that the time of oozing hostility and distaste is passing, but there is still a fight to be had, and I wish those on the right side of the Conservative party well.

The extraordinary thing about the Bill's passage through the House of Lords was that it was used as an opportunity to drive a coach and horses through inheritance tax. It was used to argue that liabilities to inheritance tax or property rights somehow ought to be minimised through the Bill. The amendments that were passed, which, thankfully, the Conservative Front Bench will oppose, and which, I hope, will be overturned today, would cost £2.8 billion annually in forgone tax liabilities. I cannot think of anything less respectful than trying to turn something so important into a tax loophole.

Mr. Gerald Howarth: Can the hon. Lady tell the House where she gets that figure of £2.8 billion from?

Angela Eagle: Official Government figures suggest that the amount is £2.8 billion, as the hon. Gentleman will see if he reads the House of Lords debates, as those figures were used by the Minister in the other place. That is quite a lot of money, and it is annual.

Mr. Howarth: The fact is that inheritance tax raises £2.6 billion a year in total. The hon. Lady cannot seriously suggest that the changes proposed by my noble Friend Baroness O'Cathain would result in an even greater forgoing of tax by the Treasury than the total amount currently claimed by inheritance tax.

Angela Eagle: No, but inheritance tax is only part of the tax loopholes created by the vote to incorporate new clause 2 and schedule 1 in the Bill. The figure represents the cost of the whole effect of the provisions that we are considering. Although the hon. Gentleman is obsessed with inheritance tax, other loopholes are created by what the Lords did to the Bill.

We have all been brought up to respect the level of debate in the Lords, assisted by all the extremely expert people whom we are told are always in there. But this debate, I believe, is one of the most shameful that have been held in the House of Lords. It has had a ridiculous effect on the Bill. I shall quote a few of the people whom it purports to help. The Solicitors Family Law Association called the amendments an "unworkable mess" and an "absurdity". Lord Alli said—rightly, I think—that they were

> "spoiling amendments designed to make the Bill unworkable."

The Lesbian and Gay Lawyers Association said:

> "We do not believe that people who care for their elderly parents would want to be in a situation where they would be prevented from marrying . . . and be jointly assessed for welfare benefits with their parents".

Carers UK, who were meant to be assisted by the amendments, said:

> "The changes would have a devastating impact on the income of the carer and the person for whom they care."

The Law Society said that

> "it is inappropriate simply to include them"—

family members—

> "within the categories of those who can register a civil partnership. Registration will not solve their problems and may even worsen their position."

Many who have spoken in the debate so far have referred to the absurd effects of the amendments. I will give another example: a daughter entering into a civil partnership with her elderly mother to avoid inheritance tax would be effectively married to her own mother, and if she met a man whom she wished to marry, she would have to go to law to prove that her relationship with her mother had irretrievably broken down. She might also be legally liable to support her mother financially in any subsequent settlement. Clearly, that is ridiculous and inappropriate, and I am a glad that Front Benchers of all the major parties have said that they will be in the Lobby to expunge those amendments from the Bill.

Miss Widdecombe: The hon. Lady has just used an interesting term. She said that if a daughter and mother entered into a civil partnership, the daughter would be married to the mother. Therefore, she is saying that the Bill is about homosexual marriage. It is about one person in a civil partnership being married to the other.

Angela Eagle: It is not for me to interpret what the Government Front-Bench team want. I was careful in my choice of phrase—I said that such people would be effectively married. Whether one believes that that is homosexual marriage, as the right hon. Lady clearly does, or that it is a parallel state, which recognises—rightly, in my view—the legal rights and responsibilities for people who live in caring same-sex relationships, is irrelevant. Clearly, it is a completely inappropriate state to expect mothers and daughters, grandfathers and grandsons and other numbers of family members or carers who may be unrelated to the people for whom they are caring to resort to, in order to avoid some of the problems that currently occur with inheritance tax or property rights. When important disadvantages are associated with that, one needs to consider changing property rights or tax law to deal with the matter, rather than opting a whole load of people, who are sometimes closely related to each other, into what is either a marital state or something parallel to a marital state. I hope that she will agree that that would be completely unhelpful and absurd.

I want to spend a little time talking about pensions for surviving partners. I very much welcome the commitment that the Government gave earlier to taking another look at the problem of unequal access to occupational pension entitlements under the Bill as drafted. We welcome the fact that it grants equal access to state pension entitlements in what is a highly complex and technical set of provisions, but as the hon. Member for Orkney and Shetland (Mr. Carmichael) rightly identified, as drafted it treats same-sex couples and married heterosexual couples unequally in respect of survivors' pension benefits under occupational pension schemes. Indeed, the same point is made in the fifteenth report of the Joint Committee on Human Rights, which I recommend that everyone read. It deals with the issue extremely cogently.

That admirable report points out what would happen under the Bill as drafted. Let us compare the situation of a married couple, one of whom dies, and a couple who entered into a civil partnership, one of whom also dies. Even if both deceased people make exactly the same contributions to exactly the same occupational pension scheme and die on exactly the same day—for example, the day after the Bill is enacted—there will be completely different outcomes for the surviving spouse and for the surviving partner of the civil partnership couple. One will get 17 years of their partner's pension contributions, but the other will get nothing. For what is a small sum—as the hon. Member for Orkney and Shetland explained, the Government's figure is £9 million a year for 15 years before the provision fades away—we could put right an anomaly that will discriminate purely on the ground of

[Angela Eagle]

sexual orientation if the Bill is passed in its current form, even though such people have made exactly the same contributions to the same pension scheme.

Mr. David Borrow (South Ribble) (Lab): Does my hon. Friend agree that it would be odd if someone like me, who has been paying into a public sector pension fund for nearly 30 years, did not have the same rights as a married heterosexual man, and ~~if they~~ did not receive any discount in respect of the amount that they had been forced to pay throughout that period?

Angela Eagle: My hon. Friend makes in a much shorter way precisely the point that I am labouring to make. Fixing this kink in the Bill as drafted is a question of equity rather than retrospectivity. Given that the contributions to these schemes have already been made, retrospectivity does not arise. What matters is ensuring that people in a similar state—civil partners or spouses—have access to the same benefits in the same way. So arguing about retrospectivity distracts us from the real issue, which is equity.

I am delighted that the Government have recognised that this is an issue. I hope that we will get a little more information in the winding-up speech on how they intend to proceed, but I certainly welcome their open-mindedness in taking another look at this problem. I hope that, if we can fix it appropriately, we can then concentrate on dealing with the wrecking amendments introduced in the Lords, and speed the passage of this extremely overdue but welcome legislation on to the statute book.

3.38 pm

Miss Ann Widdecombe (Maidstone and The Weald) (Con): I believe that this Bill is wrong. If we pass it today, we will undermine the uniqueness of marriage, which is why I will oppose it at every stage. In a moving and interesting speech, the hon. Member for Hornsey and Wood Green (Mrs. Roche) paid tribute to those who have worked hard to bring the Bill about. I pay tribute to those who have worked hard and fearlessly for many decades, in an increasingly secular and sardonic society, to defend the institution of marriage, to defend traditional values, and to defend families.

I believe that what we are doing today is misconceived. I challenged the Minister, who responded with nearly 100 per cent. honesty, to say whether the Bill is really about homosexual marriage. I also challenged my hon. Friend the Member for Rutland and Melton (Mr. Duncan), who responded with a parallel lines analogy, but had to admit, under pressure, that those lines almost converged. He said that they did not quite cross, but I believe that, when it comes to civil marriage and the Bill, they do. That is what we have to address: do we think that homosexual marriage is right?

Everyone on this side of the House ~~would~~ cleave to the proposition that it is wrong of the Government to interfere in the exercise of free choice. The fact is that the Government do not interfere in the exercise of the free choice of homosexual individuals to form relationships—sometimes very committed ones—or to set up domestic arrangements together, which may then prove to be of very considerable or permanent duration. There is nothing in our law—or, increasingly, in the attitudes of society, which have been a bigger barrier in the past—to prevent that.

Mr. Borrow: I recognise the strong reasons why the right hon. Lady will oppose the Bill on Second Reading this evening, but the Bill is made up of many parts and provisions. I would be interested to know of which specific parts of the Bill that will assist same-sex couples the right hon. Lady approves and of which parts she disapproves.

Miss Widdecombe: I am coming on to that, if the hon. Gentleman will be patient. I am currently setting out the grounds of my opposition to the Bill.

Failing to pass the Bill will not stop, put any barrier in the way of, or make it illegal for two homosexual individuals—whether they be male or female—to set up a permanent relationship. If I thought that the law prevented that from happening, my attitude would be different, but it does not. The question before us is not whether we prevent that from happening, but whether we bless such arrangements with equivalent rights that have been wholly reserved for marriage in the past. That is the question that has to be answered today.

I accept that there are some unkindnesses and "inequalities"—to use the buzzword, though I noticed that my hon. Friend the Member for Rutland and Melton has a concept of both equality and costless equality, which are apparently rather different—in the way people who have set up a homosexual relationship will be treated by comparison with those who have set up in a proper married state. People whose domestic arrangements and sharing and caring responsibilities place them outside marriage will also face similar unkindnesses and problems.

I happen to agree that the Bill is not the right place or context to rectify those problems. I do not impute wrecking motives to those who voted in a certain way, because they were making a point, saying that the inequalities are not confined to homosexual couples so that if we are concerned about them in the one context, we should also be concerned in the other. The Bill is not, as I said, the place to address that matter.

Equally, the Bill is not the right way to address those problems when applied to homosexuals. The essence of the Bill is that people sign a register, as they do when they marry, which automatically confers all the rights of marriage. If there are problems, such as being dispossessed of a home because of inheritance tax or tenancy arrangements, they should be dealt with separately and they should cover not just homosexual arrangements but others as well.

Chris Bryant: To do what the right hon. Lady suggests, one would have to decide beforehand which people would be affected. Would that not mean that some kind of civil partnership would have to be set up?

Miss Widdecombe: No. As the hon. Member for Wallasey (Angela Eagle) pointed out just now, it would be nonsensical to have a civil partnership between a mother and a daughter. I believe that we must look again at the categories of person who are disadvantaged by a given provision, and then deal with problems on their merits in appropriate legislation—for example, the Finance Bill.

Mr. Alan Duncan: The fundamental premise being put forward by my right hon. Friend is that she wants to defend and protect traditional heterosexual marriage, and I think that all hon. Members agree with that. However, does she accept that homosexual love exists, as do permanent long-term homosexual relationships? Those relationships are of considerable value, even though they may be different. People who are gay are never going to enter into a heterosexual marriage, but does my right hon. Friend accept that their wish to be recognised as partners in no way competes with or undermines the heterosexual marriage that she wants to defend?

Miss Widdecombe: No, I do not accept that. I am usually in agreement with my hon. Friend, but perhaps not on this occasion. He says that homosexual love exists, and of course it does. As I said earlier—and I think that most Conservative Members will agree—it is inappropriate for Government to intervene in people's exercise of choice. People who want to enter such relationships should be able to do so because, after all, Almighty God gave us all free will. My question is whether we should deal with some of the anomalies that exist in homosexual relationships, and other caring arrangements, by means of a Bill on civil partnerships which, of necessity, precludes any arrangements other than homosexual partnerships. Alternatively, should we not look at each case individually and then decide whether to extend some of the provisions to certain groups in certain specified circumstances?

What is proposed, however, would restrict to one group only the rectification of the unkindnesses and injustices that I have mentioned. That would be achieved not by addressing the individual laws involved but by creating a register that exactly resembles the marriage register and by making the divorce provisions exactly the same as those that apply to civil marriage. As a result, the proposals would extend to another group a property that has always been unique to marriage.

There will be two views in this House about whether that is desirable, but we should have the basic honesty today to acknowledge what it is that we are doing. If we pass this Bill, we will send out of this House the message, which will be translated into law, that marriage is no longer unique. I want to keep it unique, but other hon. Members may not.

Mr. Carmichael *rose*—

Angela Eagle *rose*—

Miss Widdecombe: I hope that the hon. Gentleman and hon. Lady will forgive me, but I am under some time pressure—[HON. MEMBERS: "There is no time limit on speeches."] The pressure does not arise from any time limit, as I am about to explain.

If we want to keep marriage unique we should vote against this Bill. That is not to say that I do not recognise that the law contains certain unkindnesses that could and should be addressed in other ways. However, when we address them we should not restrict our efforts to one group, and certainly no effort in that regard should take the form of this Bill.

Madam Deputy Speaker, may I apologise to the House for the fact that I will not be present for the wind-up speeches? In case anybody accuses me of wimping out, I sincerely hoped that I would be able to get back for the vote but I have an urgent and completely unavoidable engagement which, owing to circumstances beyond my control, is now imminent. I apologise for that: when I asked to speak in the debate, it was certainly not my intention to miss the vote. However, I wanted to be able to make a clear statement of the fact that I believe in the uniqueness of marriage. I am prepared to address injustices, but not through aping marriage.

3.49 pm

Jane Griffiths (Reading, East) (Lab): I am pleased to have the opportunity to speak in this important debate on this groundbreaking Bill. The Bill represents the partial completion of more than three years' work, because almost three years ago I was proud to move the Relationships (Civil Registration) Bill under the ten-minute rule. My Bill sought to allow all couples living together to register their relationship, but this Bill addresses the issue of same-sex couples. That is why I describe it as a partial completion. I will not rehearse the arguments about that now—others will do and have done so ably. However, I welcome wholeheartedly this Bill as a major step forward for the rights and responsibilities of an important section of our community.

It has been said that all people deserve to be treated with respect. That is right and that is what the Bill is about. As an aside, I may say how pleased I am to see gay and lesbian people as part of the mainstream of our society and no longer having to skulk, as they did 30 or 40 years ago, in little establishments that the rest of us were not even supposed to think about. I draw the House's attention to the first ever Pride festival in Reading last month. It was a delightful occasion and I invite all hon. Members to join us in future years.

When I introduced my Bill I received much support from Thames Valley police and, in particular, from WPC Alison Brown, who has been in a stable relationship for more than a decade and, like all Thames Valley police officers, pays 11 per cent. of her salary into her pension scheme. However, should she die, her partner would receive nothing. Alison has led a campaign for a change in the police pension scheme. In that respect, I am pleased to hear from Ministers today that the whole pensions issue will be reconsidered. I appreciate that the issue is complex and may be costly, but sometimes its costliness can be exaggerated. It should not be forgotten that gay and lesbian couples are not treated as households for the purpose of benefit entitlement. When I introduced my Bill I had letters from several people in same-sex partnerships who said that they were claiming benefit because they could. Their partners could afford all the household expenses, but my correspondents claimed housing benefit because they could. That is wrong. Benefits should be paid because they are needed, not because someone can claim them. That is the sort of anomaly that should disappear when the Bill becomes law, as I fervently hope it will.

[Jane Griffiths]

Can we learn from the rest of the world? Many countries in Europe and the developed world have partnership registration legislation and schemes, and other hon. Members have ably described them. Some countries have gone even further and allowed same-sex couples to marry. That has been a matter for some debate, especially in the United States, but also in Europe. Almost all our near neighbours have introduced some changes to allow same-sex couples some rights and, of course, some responsibilities and, as Chicken-licken might have said, the sky has not fallen in.

I was pleased that following the introduction of my Bill in 2001 much work was done in government. I was pleased to hear from my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche) about some of that work and the commitment to addressing the issue shown by officials and Ministers. As I have said, lesbian and gay partners are at present treated more generously under social security provision than others. A system of civil registration would allow same-sex couples to be treated in the same way as other couples. If people are not working, for whatever reason, the benefits they receive should not be affected by whether they are gay or lesbian, or heterosexual.

I was grateful, too, for the help and support that I received from Stonewall when I was preparing my Bill. At the time, I was contacted by a couple in my constituency—Ed and Tony—who have been in a stable relationship for many years. Ed was some years older than Tony, so he was concerned about what would happen if he died first. I am grateful for the heartfelt support that I received from Ed and Tony and for the support that I know they give this Bill. They are not alone. I have been contacted by a number of people who told me about their circumstances.

John has been in a relationship for seven years and is buying a car with his partner. That is a normal thing to do—couples do that all the time. The model comes with a year's free insurance but, under the scheme, it applies only to what are described as "normal" couples, so John and his partner must decide which of them can be insured for free—the other will have to pay.

Dick and Ben are in their 70s and have been together for 50 years. Of course, they have endured the general prejudice against the gay community—if we can use that word—as well as some of the injustices and, as the right hon. Member for Maidstone and The Weald (Miss Widdecombe) said, unkindnesses that the Bill sets out to correct. I was interested that the right hon. Lady used that word; it is one that should be used in the House.

Dick and Ben jointly own their home and most of their other assets, but in the high-cost area that they, and I, inhabit they will face massive inheritance tax, which is likely to make it impossible for the survivor to remain in their home. I understand that, at present, inheritance tax is a shibboleth of the Conservative party and this is not the place to explore the complex issues surrounding it.

I received a letter from Mark in support of the Bill. He said:

> "Many people criticise homosexual people for the alleged frequency and rapidity with which they change partners, yet still take the opinion that a measure to support enduring and meaningful gay relationships is also wrong."

Those real life examples provide evidence that the change we want to make is so right and that the wrecking attempts in the other place are so wrong. I am proud to have played a part in getting the Bill to this point and I look forward to it becoming law.

3.57 pm

Mr. Robert Key (Salisbury) (Con): The Bill is about justice. The subject of civil partnerships is a heady mixture of sex, prejudice and religion, and the Bill is a serious attempt to address the injustices facing same-sex couples in the context of changing social attitudes and evolving religious interpretation of the scriptures.

It is a great strength of the Bill that it offers a secular solution to the way in which same-sex couples are treated, but there is also an important religious dimension. The Church of England, rightly, is the established Church of our country and Christian values are intertwined throughout our constitution.

I was a signatory to a cross-party letter urging support for the measure, sent to all Members of the House in September. We think that the Bill will remedy many of the injustices faced by stable same-sex couples. We also believe that it should be passed in its original form, without the amendment passed by the House of Lords on Report, which extended the scope of the Bill to family members and carers. I have great sympathy for siblings and others in mutually supportive relationships—we all know many such people in our constituencies—but I am convinced that the provision is wrong. That view is shared widely by Carers UK, the Law Society and others, so I very much hope that the House will remove the amendment. I am delighted that that position has the support of the Leader of Her Majesty's Opposition.

It is easy for any Government to misjudge the speed of social change, and it is also easy for the House to do so; both must proceed with caution. Similarly, Christian interpretation of scripture moves on and practice in the Church evolves. It does so in a way that some find too fast, while others find it too slow. I believe that now is the right time for both Parliament and the Church to take a lead, which I am sure will be acceptable to the majority of our citizens, including Christian congregations.

It is good that the Bill proposes justice for gay and lesbian people. Is it not interesting, Madam Deputy Speaker, that 10 or 15 years ago those words would not have passed my lips? If we are honest, it is a measure of our own prejudice that I would not have spoken the words "gay" or "lesbian" then—certainly not in public.

The Bill would remove some of the almost mediaeval prejudices against gay and lesbian people. If they enter a civil partnership, the Bill would ensure similar legal recognition and similar consequences for their relationship as those enjoyed by married couples. I am a strong supporter of traditional marriage and I declare my interest. I have enjoyed 36 years of marriage and I look forward to many more. I believe that the term "marriage" and the cultural identity that it implies should be reserved for heterosexual couples and that it should have a religious as well as a secular dimension. I can understand why some committed same-sex couples yearn to call themselves married, but I urge them not to alienate opinion by pressing that wish and to settle instead for civil partnerships.

By giving legal and practical recognition to same-sex relationships, the Bill may help to support them and encourage their stability. Surely it is good to minimise the breakdown of any relationships. I believe that the Bill will enhance the institution of marriage by increasing public approval for stable, committed, loving interdependent relationships in society. I fail to see that acknowledgement of one permanent, faithful, stable relationship can undermine the status of another legally acknowledged, permanent, faithful, stable relationship. How can my marriage be undermined by someone else's civil partnership, or the other way round? Surely the more committed, stable relationships there are, the better. Furthermore, the fact that opposite-sex couples cannot enter into a civil partnership because they have the option of marriage stops civil partnerships being an alternative to marriage. It is marriage or nothing for a straight couple, and civil partnership or nothing for a same-sex couple.

The Bill will reduce prejudice against such relationships and reduce homophobic violence. It will also reduce homophobia because it challenges the view that the social benefits of marriage, which I think are stability, faithfulness, the nurturing of children, mutual support and so on, can apply only to relationships between people of the opposite sex. That is important. I have found it quite a struggle intellectually and emotionally to come to the view, for example, that same-sex couples can become parents. They do not always want to do so, and it is not always appropriate. Opinion remains very divided within the gay community, let alone within the heterosexual community, about the merits or otherwise of in vitro fertilisation or embryo manipulation among lesbian partners, but it takes place. As more lesbian and gay people become parents, there is now a growing body of research from the United Kingdom, Australia, Canada and the United States that finds no measurable difference between the children of lesbian mothers in terms of gender identity, social or emotional disturbance, quality of friendships, social acceptance or sexual orientation. Those are the facts. I have faced them and I have talked to some same-sex couples in my constituency. I have concluded that I was as prejudiced about this as most people are, not because I was wicked or perverse or stupid but because that is the received wisdom of the society in which I was born and educated.

It requires effort to open one's mind and adjust one's attitude, and it can be a painful process and a journey that, for all sorts of reasons, many people are unwilling to take. In short, we follow the pack or we take a lead, and I hope that the House will take a lead.

During scrutiny of the Bill in Committee, I hope that the Government will think again about the pensions issue. I believe that a wider power than exists in clause 245(1) is needed to allow limited retrospection to 1988, which I think is the appropriate date. Individual pension schemes could then be altered by regulation after Royal Assent. This is an issue of fairness. Yes, there would be a cost. It would amount to about 0.02 per cent. of pensionable payroll, which equates to about £12 million over 15 years. There would also be savings to the Treasury of about £60 million a year on income-related benefits.

To return for a moment to the Christian dimension, I was heartened that both the bishops who spoke on Second Reading in the House of Lords—the Bishops of Oxford and Peterborough—were broadly in favour of the original Bill. I am a Christian and I am doing my best to live a Christian life, so I pay attention to what the leaders of my Church say. In 2003, the House of Bishops of the Church of England published its guide to the debate, entitled "Some Issues in Human Sexuality". The chairman of the working group that produced it was the Bishop of Oxford. It makes very heavy, but very necessary reading if a non-theologian such as me seeks wisdom in place of prejudice.

Mr. Gerald Howarth: May I repeat the point that I made earlier? Three of the four bishops who took part in the vote supported the amendments proposed by our noble Friend Baroness O'Cathain. My hon. Friend is a little wide of the mark in suggesting that there is a firm view. In fact, three bishops out of four voted for those amendments.

Mr. Key: My hon. Friend is confused about the vote in the other place. I was referring to the debate on Second Reading, in which only the Bishops of Oxford and Peterborough took part, and they were both broadly in favour.

The Bishop of Oxford gave the official view of the Church of England—as it happened, on my birthday earlier this year—during the debate on Second Reading in the Lords. He said that the General Synod had voted to reaffirm the unique place of marriage in the law of this country, but recognised that there are issues of hardship and vulnerability for people whose relationships are not based on marriage that need to be addressed by the creation of new legal rights. That motion was passed by 248 to 27 votes in the General Synod of the Church of England. He also reported that, in its response to the Government's consultation on the Bill, the Archbishop's Council reiterated the central and unique place of marriage and endorsed the need for new legal rights because

> "the law no longer reflects current social patterns and needs amendment to remedy injustice".

I agree.

In coming to my decision to support the Bill, I have been grateful to many organisations and individuals on both sides of the argument for their advice. I am grateful, too, to the quiet and thoughtful gay and lesbian people in my constituency— many of them active Conservative voters—for explaining why the Bill will change their lives for the better. I have received e-mails from as far afield as New Zealand, which has been through such a debate already.

I am particularly grateful to Jacqueline Humphreys—an English barrister specialising in family, matrimonial and ecclesiastical law—for pointing out some of the legal problems that the Church of England may face if the Bill becomes law. The problems range from the consequences of the clergy entering civil partnerships, including the possible conflict with the Equality (Sexual Orientation) Regulations 2003 and the exclusion of part II of the Sex Discrimination Act 1975 in respect of women priests. There could also be new challenges in the occasional offices of baptism, marriage and funerals.

I am also grateful to the people who have put me in touch with a growing number of Christian websites that tackle morality and sexuality issues from all angles. I

[Mr. Key]

started with www.inclusivechurch.net and moved from there across the spectrum of the debate and around the world. I was particularly struck by the discontent among evangelicals at their traditional line.

In discussing the Bill with people of all ages, it is clear to me that there is indeed a generation divide. First-time voters—indeed, second, third and fourth-time votes—cannot understand how politicians in the House can be so out of touch. They have little or no sympathy for sexual prejudice. We say that we want to listen to young people, but they do not believe us when they hear or read some of the exchanges in the House. It is far harder for people over the age of 40-something to cope with change of all kinds, especially cultural, social and religious change. So, mindful of our heritage and core beliefs, I am convinced that the future is more important than the past, and I hope that Parliament will put the Bill on the statute book as soon as possible.

4.9 pm

Mr. David Borrow (South Ribble) (Lab): I am pleased to have the opportunity to speak about a Bill in which I have a personal interest, because I hope to take advantage of it once it is passed. I can think back to what society was like when I was in my late teens and early 20s—in the late 1960s and early 1970s—after the Sexual Offences Act 1967 was passed and compare it with what it is like now. The 1967 Act made it possible for gay men to live without such a risk of being criminalised, but it did not mean that that was easy, so few entered into lifelong relationships. In about 1971, I met a couple in Huddersfield, where I grew up, who had met during the war—they seemed very old to me at the time, although they were probably about my age now. Couples from previous generations have lived in lifelong relationships, so it is nothing new.

I have had the privilege of being a Member of the House for the past seven years, during which there has been a sea change in public attitudes to, and legislation affecting, gay people. I have a short list of the measures that the House has taken in that time, because it is sometimes useful to remember what the Labour Government have done since 1997. There have been measures to equalise the age of consent; to equalise sexual offences legislation; to give employment rights; to abolish section 28; to allow gay people to serve in the military; to give adoption rights; and to allow spouses from overseas to join their partners in this country. Those are the measures that I have remembered since I entered the Chamber this afternoon. That batch of legislation has generated changes to public attitudes.

The right hon. Member for Maidstone and The Weald (Miss Widdecombe) mentioned some of the unfairness of current legislation and suggested tackling that piecemeal. That would be totally wrong. When people, be they heterosexual or gay, meet someone special, a relationship develops. One can be in love with a person, but that does not mean that one wants to share one's mortgage with them. When the point comes in a relationship when couples decide that they want to make a lifelong commitment, such a commitment should involve rights and responsibilities. If we are considering the structure in which we want couples to live, dealing with only the unfair and difficult bits, such as next-of-kin issues, or a little bit about inheritance tax, will not address the responsibility aspect.

If we are to provide a proper framework for relationships, there must be a way in which rights and responsibilities kick in. Mixed-sex couples reach that point when they decide to get married, but I believe that too many such couples feel that they can drift along without taking on rights and responsibilities in full, with the misguided assumption that everything will be all right. When people are relatively young, all the ifs, maybes and things that could go wrong seem to be in the distant future, so they wonder why they should worry about them. However, I am beginning to wonder how my partner would cope if something happened to me, because I am not 20-something, but 50-something. That consideration has become crucial to me and many others who are in long-term same-sex relationships.

I am fortunate that my partner and I have the support of an extended family, so problems involving next of kin, funerals and what happens in hospitals are unlikely to arise as starkly as they do for others. However, there are well-documented cases of the partners of people who have died or become ill being completely excluded from any consideration. We need to address such matters comprehensively, which is what the Bill does.

The issue of rights and responsibilities relates to benefits. It is crucial that same-sex couples are treated as a single household, not as separate households, in the benefits system. That is part of the quid pro quo of what we want to establish. Whether people see that as the equivalent of marriage is not important. What is important is that we provide a structure for same-sex couples to live their lives in a way that gives them some security, especially as they move towards old age. That is when such issues become very important.

When I speak to constituents about the subject, they say, "What's the big deal? Why is there a problem? I assumed you'd be all right anyway", or "Is that what would happen if you died and your partner was left on his own? I didn't realise that was the case." All those issues are in the melting pot.

There is something important for a couple in publicly demonstrating and affirming their commitment to each other. It is not simply about signing the bit of paper, but about having a big do with families and friends in which the relationship is publicly endorsed by people for whom we care and who care for us. That may be like marriage, but it is important to be able to do that in the family in which I live. It is crucial to demonstrate to my family and friends, and to my partner's family and friends, that this is who we are, where we have come to and how we care about each other.

The amendments agreed in the Lords will, I hope, be thrown out in Committee. No matter how good the intentions, they are clearly unworkable. If we are to tackle some of the issues raised by the amendments, it is better done elsewhere.

I have some concerns about the part of the Bill that deals with pensions. I said in an intervention that I have paid into a public sector pension for nearly 30 years. No one has offered me a discount, because survivor's rights are not applicable to me. It is a matter of equality, not retrospectivity. I and thousands of other gay men and women have paid into the pot knowing that our partners will not benefit from it, yet we have had to pay for other people's surviving partners.

The Minister made a helpful contribution. I look forward to hearing an even more helpful contribution in the wind-ups. I certainly look forward to the Bill's successful passage, with full equality on pensions in due course.

4.18 pm

Mr. Christopher Chope (Christchurch) (Con): Listening to the debate, I have been wondering why the Bill is called the Civil Partnership Bill rather than the same-sex partnership Bill. I suspect that the amendment was passed in the House of Lords—I include myself among those who sympathise with the arguments made there—because people took the Bill at face value and thought that it was about giving new rights to people who are in partnership outside marriage. If it were designed merely to enable those in settled long-term relationships to have a better deal from inheritance tax law or pension benefit law, I would have no problem with it.

The extent of the financial burden borne by those in settled long-term relationships outside marriage is apparent from the estimate of the Government Actuary's Department, but just extending survivor pension rights in contracted-out pension schemes to close family members could cost as much as £2.25 billion a year. That is not as much as the £5 billion being taxed by the Chancellor from pension funds every year, but it is still a large sum.

I therefore do not take seriously the Government's suggestion that they will address the issue. Answering interventions, the Minister of State was remarkably vague about what the Government would actually do.

I welcome what my right hon. and learned Friend the Leader of the Opposition has said on the subject. His letter states:

> "I therefore think it better to allow the Bill to be returned to its original form and fight vigorously for provisions to be included in a Finance Bill which would remedy the unfair disadvantages which affect them"—

that is, people not of the same sex who are engaged in relationships outside marriage. He continues:

> "This is what we shall do our best to achieve in the House of Commons during the passage of the next Finance Bill."

However, if we go along with the Government's arguments on rejecting the Lords amendments to the present Bill, we will have missed a great opportunity to get a fair deal for participants in long-term relationships outside marriage.

Mr. Leigh: The truth is that no Government will ever address that issue in any Finance Bill. Doing so would simply be too expensive.

Mr. Chope: My hon. Friend states the very point implicit in my remarks. It is disingenuous of the Government to argue that they will give serious consideration to the matter when they have an opportunity, in the form of the Civil Partnership Bill, to ensure that there is no discrimination between different types of relationship outside marriage. We should deal with all such relationships on the same basis.

Ultimately, we shall have to face the problem that is succinctly and coherently set out at paragraph 22 of the report of the Joint Committee on Human Rights, which states:

> "when the Bill comes into force, exemption from inheritance tax will be available to a surviving spouse and a surviving civil partner, but not to the surviving partner of an unmarried heterosexual couple, even though they may have lived together as though husband and wife for the whole of their adult lives, and possibly raised children together."

That is the problem that we as parliamentarians should be addressing, but the Government are ducking it.

Mr. Carmichael: Surely the difference is that an unmarried heterosexual couple have the opportunity to rectify that problem by entering into a secular or civil marriage. That course of action is not available to same-sex couples.

Mr. Chope: I am glad that the hon. Gentleman made that intervention, because it brings me to my next point. The argument he makes has been echoed by Lord Lester and Ministers, but it is not justified, as paragraph 24 of the Joint Committee's report points out:

> "The Government's argument is that there is an objective justification for any difference of treatment, because unmarried heterosexual couples may be free to marry. But a decision of the Supreme Court of Canada in a case called *Miron v Trudel* illustrates that the courts may not accept this line of argument. The Canadian court recognised that heterosexual couples who choose not to marry may do so for very personal reasons of conscience and belief, for example because of the historical implications of the word 'marriage' and the historical nature of the institution in which the woman was treated as property. Second, the court noted that being unmarried may not always be a choice made by both partners in an unmarried relationship. Both of these considerations would call in to question the Government's reliance on 'choice' as the justification for not extending the scope of the Bill to opposite-sex unmarried couples."

I am sure that you, Madam Deputy Speaker, know people who have been widowed and who do not wish to enter into a new marriage because they feel that they have had their one and only marriage, but that does not stop them entering a long-term relationship. At present, such people are discriminated against by the legislation. So, too, are the many people whose marriage has collapsed but who, because one party to the marriage objects, have to serve out their five years of separation before they can get a divorce. There are many examples of people who live together but who do not effectively have the choice to get married. That is where I disagree with some of the observations that have been made by those who seek to justify the distinction that is being drawn.

Why are the Government not concerned—

Mr. Borrow: I have listened to the hon. Gentleman's arguments with great interest. Will he explain whether he wants to encourage more people to get married or whether he wants to encourage people to have the benefits of marriage without getting married? Does he feel that that would be entirely within traditional Conservative family philosophy?

Mr. Chope: I believe that people should be free to choose whether they want to get married or to enter into any other sort of relationship. I am not in the business

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of encouraging people to do this or that. If I were to encourage people to take a particular direction, that would probably be counter-productive.

Why are the Government putting one particular type of relationship outside marriage on a pedestal, in preference to all others? The unavoidable conclusion that I have reached is that the Bill is a homosexual marriage Bill in all but name. As a result, it will be a double whammy. It will further undermine the institution of marriage—the holiest state of matrimony. At the same time, it will be an affront to Christians and other faith communities. It will also be an insult to all those who happily share their lives with relatives or friends outside marriage, because their relationships will be given institutional inferiority to homosexual ones.

Mr. Carmichael: I ask the hon. Gentleman, as a Christian myself, to draw the distinction between marriage—as I see it and as I have benefited from an institution being solemnised in a church—and civil marriage, which is a highly secular and different institution.

Mr. Chope: I am happy to draw that distinction. I was lucky enough to be married in Wimborne Minster. I have not been married for as long as my hon. Friend the Member for Salisbury (Mr. Key), but I hope that I shall be able to be married for as long as him before my time is up. I recognise the distinction. I am concerned about the way in which the Bill does all but equate the terms of marriage breakdown with civil partnership breakdown.

For example, why is it necessary for a party to a civil partnership to have to wait for a year before they can start divorce proceedings? Why is it necessary in a civil partnership to have to prove irretrievable breakdown of the relationship before that relationship can be severed in law? Why is it that we are adopting, in the language of the Bill, exactly the same provisions as those that are contained in the laws relating to the breakdown of marriage? It seems that that is being done because the Government's mindset is that the Bill is about homosexual marriage.

The only difference is that one of the grounds for breakdown leading to divorce in a proper marriage is sexual infidelity on the part of the other partner to the marriage. I have not seen any provision in the Bill that refers to sexual infidelity on the part of the other partner to a civil partnership as being a ground for "divorce".

I regret that I find this to be an extremely muddled Bill. That brings me to a brief and succinct conclusion. If one is minded to use contemporary slang, the most appropriate expression to sum up the Bill is that it is a buggers' muddle. When we turn to the dictionary of slang, we find that that means that it is an absolute mess.

4.29 pm

Ann McKechin (Glasgow, Maryhill) (Lab): It is a pleasure to follow many Members who have spoken this afternoon, with the possible exception of the hon. Member for Christchurch (Mr. Chope), who seems to have a muddled view of the legal definition of adultery, which does not apply to relationships between same-sex partners.

I support the Government's proposals and welcome this progressive and timely reform. I very much hope that co-operation will be achieved in both Chambers to allow the measure to complete its passage before this Session ends. My hon. Friend the Member for South Ribble (Mr. Borrow) gave a compassionate explanation of the dilemmas facing same-sex couples in permanent long-term relationships and there is an increasing sense of injustice at their treatment under the law. I welcome cross-party support for the Bill from Front-Bench spokesmen and I appreciate the considered speeches made by the hon. Members for Rutland and Melton (Mr. Duncan) and for Salisbury (Mr. Key). I hope that other Conservative Members will accept without qualification that the amendments made in the Lords make nonsense of the Bill and should be deleted. In the Scottish context, it is heartening to note the approval of the overwhelming majority of respondents to the Scottish Executive's consultation on the proposals.

Nowadays, it seems extraordinary that homosexual acts in Scotland were illegal as late as 1980. At that time, the comments of the right hon. Member for Maidstone and The Weald (Miss Widdecombe) would probably have been considered very liberal. However, there was a sea change in attitudes in Scotland to homosexuality in the years after the unfortunate debacle when the Scottish Parliament legislated to remove the utterly iniquitous section 28 or, as it was known in Scotland, section 2A. Most Scots were deeply embarrassed about the hostile, macho, aggressive and narrow-minded manner in which that debate was conducted by a small minority of people in our community and the way in which Scotland was projected to the world as a result. It is an experience that the vast majority of Scots do not wish to repeat. Most of our constituents recognise that the Bill tackles the need to provide formal recognition for same-sex couples and to address the disadvantages that they face under our civil law.

I do not accept the argument perpetuated by some commentators, including the hon. Member for North Tayside (Pete Wishart), that the Scottish Parliament is too scared or feart to seek to legislate on so-called controversial issues. The fact that it had the courage to face down such a personalised and bigoted attack is often forgotten, and it deserves our congratulations. I am confident that any legislation on this subject would pass through the Scottish Parliament with very little controversy, but there are good reasons, not least the fact that changes to the taxation system remain reserved to the UK Parliament, to cover the whole United Kingdom with one piece of legislation and to implement it throughout the country at the same time. In a survey conducted by the Scottish Executive, 82 per cent. of respondents wanted a comprehensive package of rights and responsibilities in devolved areas that largely mirrored those in other parts of the UK, subject to the reforms being firmly based on Scots law. By and large, the proposals in the Bill reflect those sentiments. In fact, the Law Society of Scotland—I declare an interest as a member of that body—in its response to the consultation conducted by the Scottish Executive stated that one single Act covering the whole United Kingdom

> "would have the advantages of avoiding inconsistencies between the jurisdictions, smoothing cross-border issues and ensuring a comprehensive location for the law on this issue."

I agree.

Hon. Members have commented on the Bill's pension provisions and I am encouraged by the Minister's assurance this afternoon that she will look at the matter again. On 25 May in the other place, Baroness Hollis, at column 506 of *Hansard*, referred to the pension provision for widowers that was altered in 1988 to provide survivor pensions. It was not a retrospective measure and she tried to use that as justification for not providing retrospective provisions for same-sex couples. However, she missed the point that the Bill seeks to create a fundamentally new status for a group of people within our society. The widowers in her example received a right additional to those to which they already were entitled by virtue of their married status. Accordingly, I suggest that the parallel that she attempted to draw is incorrect.

A better analogy is the legal change in the civic status of children born out of marriage and the reforms to provide them eventually with the same rights as legitimate children. In Scotland, that is now set out in the Law Reform (Parent and Child) (Scotland) Act 1986. Those rights started immediately on commencement of the legislation and were not restricted to a certain period. The legislation before us seeks to remedy an injustice, rather than simply give additional rights. It recognises that our society, on the whole, now views same-sex relationships as having validity in our communities, just as we recognised 30 years ago that questions of legitimacy should not affect a child's rights or status in our society. The Bill should be viewed on the basis of principle rather than mere fiscal advantage.

In evidence to the report issued on 1 June by the Justice Committee of the Scottish Parliament—as the hon. Member for Orkney and Shetland (Mr. Carmichael) correctly stated, the Scottish Parliament has considered the provisions in a great deal of detail—the Law Society of Scotland expressed concerns about how to establish a partnership retrospectively for the purposes of pension provision. That is a valid point, but I think that the Law Society forgot that, in Scotland, we establish marriage not only by civil registration or religious ceremony, but by habit and repute. Given the experience of other European nations that already have similar legislation, we are not likely to see great numbers taking up such agreements and I believe that the anticipated cost to both state and private pension funds is minimal.

The matter should also be set against a context of a society in which increasing numbers of adults, such as me, are not married or in permanent relationships, which offsets any increase in fund claims. I do not think that it would be too difficult to set up some form of interim arrangements, perhaps based on proof of years spent residing at the same address, to allow these important pension rights to be backdated. I urge the Government to think again about those points, and to propose new amendments to the Bill.

On a similar point regarding equity, I also wish to raise with the Minister the issue of succession rights, especially as they apply in Scotland. As she will be aware, the Bill will amend the Succession (Scotland) Act 1964 to provide surviving same-sex partners with prior rights to their partner's intestate estate. However, the Bill does not provide that same-sex partners will have legal rights to an estate where their partner dies with a will or where the estate exceeds the level of prior rights. I should explain that prior rights are given for separate categories of estate in Scotland, based on values of heritage, furnishings and movable estate. As the common law currently applies in Scotland, we have always held to the notion that it is not possible to disinherit one's spouse or children. Given that legal rights can amount to either a third of the deceased's movable estate if there are surviving issue or one half if there are no surviving issue, that can be an important entitlement.

I note from the Justice Committee's report of 1 June that the Scottish Executive Minister for Justice identified that issue. I would be grateful if the Minister now present will confirm that the Government will seek to amend the legislation in Committee to provide full parity, as in the rules that apply in succession for married couples. Given the complexity of the law of succession in Scotland, of which many people are ignorant, the Minister will concur that it is important to make it clear to same-sex couples that simply entering into a civil partnership in Scotland does not necessarily mean that the survivor will automatically inherit an estate should their partner die intestate. Prior rights are, by definition, a very arbitrary form of determining rights. Given the rise in property values, they frequently fail to cover a significant number of estates each year.

I understand that the Scottish Executive intend to conduct a review of the law of succession. Given that it is 40 years since the previous major measure, that is probably well due, but I hope that any briefings or advice notes on civil partnerships will strongly recommend that parties consider making their own wills.

I agree with those hon. Members who have expressed concern about the lack of verbal affirmation to the registration process. Given that in a significant number of cases such partnerships will have repercussions for not only couples, but their children, it is preferable to include a measure that positively indicates consent rather than its simply being inferred. Same-sex couples who express consent want to do so explicitly, particularly because it is likely that friends and family will accompany them through the registration process. It is not too much to insist that they be allowed explicitly to give their consent at such services.

Finally, I reiterate my support for the Bill. I hope that it will pass through Parliament in this Session, because many same-sex partnerships face hardship and discrimination and they will benefit from the measure.

4.40 pm

Mr. John Bercow (Buckingham) (Con): It is a pleasure and privilege to follow the hon. Member for Glasgow, Maryhill (Ann McKechin). Since she entered this House, and probably for a substantial period before her election, she has been an articulate champion of sexual equality. Today, she once again made a compelling speech of which she can be proud.

I strongly support the original form of the Bill, which was introduced to help lesbian and gay couples, and it should be official Conservative party policy to do so. The essential issue is discrimination, which takes the form of the non-existence of gay couples in law. Such discrimination is best tackled—indeed, I would argue may only be tackled—by the legal recognition of

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same-sex partnerships. The Bill is not about encouraging homosexuality, but it is about recognising homosexuality; it is not about giving special rights, but it is about affording equal treatment; it is not about undermining marriage, but it is about promoting stable relationships; and it is not about political correctness, but it is about personal decency.

Mr. Gerald Howarth: My hon. Friend is, as always, eloquent. Does he understand that some of us have a deep-seated and genuine fear that setting up what my hon. Friend the Member for Rutland and Melton (Mr. Duncan) called "a parallel institution" will send out the message to the people of this country that there are two equally valid lifestyles and that one can be in a homosexual relationship or a heterosexual—many of us would describe it as normal—relationship? That message will encourage the proliferation of homosexuality.

Mr. Bercow: My hon. Friend is wrong—he is usually wrong on such matters and will probably continue to be wrong—but if he is prepared to exercise the modicum of self-restraint that he can muster in the circumstances, I will attend to his point in due course. Although he is entitled to his view—no one can deny him its possession or expression—I firmly and honestly believe that the Tory party must take a definitive, meaningful and forward-looking stance on the subject.

As a result of historical discrimination, it is undeniable that gay couples suffer grave injustices. Those injustices should be removed, which the Bill does by giving those who voluntarily opt for the status of civil partner a welter of rights and responsibilities that will be influential in the running of couples' lives. In that sense—I am pleased to make this point—the Bill is an excellent piece of social reform that will significantly improve the lives of a sizeable minority of our fellow citizens, and I warmly congratulate the Government on its introduction.

Such arrangements exist in Belgium, Denmark, Finland, France, Germany, Iceland, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden and Switzerland. Such arrangements exist in Hungary, Croatia, Canada, parts of the United States, Australia and New Zealand. Such arrangements exist in Brazil, Argentina and Israel.

I have mentioned more than a score of very different societies, all of which are nevertheless united by a common bond of humanity that for them decrees that such provision should be available. I believe that the time has come for Britain to follow suit. To those who say, as my hon. Friend the Member for Aldershot (Mr. Howarth) just did and doubtless others might, that the effect of civil registration arrangements for gay couples will be to undermine marriage, my response is twofold. First, if we look at the two countries that have had civil partnership registration for the longest periods—Denmark and Norway, since 1989 and 1993 respectively—we see that more people are getting married in those countries than was the case before the advent of the legislation.

Secondly, we should reflect on the premise underlying that argument—that helping those who cannot marry means hurting those who can. That is a flawed premise. It is wrong to argue that all politics and legislation represent a zero sum game in which a gain to one individual or group necessarily entails a loss to another. Neither my enjoyment of marriage nor the status of the institution of marriage in our society as a whole depends in any way whatsoever on discriminating against, repressing or vilifying gays and lesbians: far from it. It is possible and, I would argue, desirable for the institution of marriage, on the one hand, and civil partnership, on the other, peacefully to co-exist in this country every bit as successfully as they manifestly do in the plethora of other countries to which I referred. It is simply not correct to argue that, if one introduces a new arrangement, it will somehow corrode the institution of marriage. There is no evidence to justify that thesis.

As I said at the outset, I strongly support the Bill in its original form. Equally, I strongly oppose the amendment that was successfully pressed in the other place by my noble Friend Baroness O'Cathain to extend civil partnership arrangements to close family relatives over the age of 18 who have lived together for 12 years. That amendment has been variously described by critics as absurd, a distortion, inappropriate, unworkable, a legislative mess and the worst possible outcome. I should like to focus on four of the many arguments against it.

First, my noble Friend Baroness O'Cathain explicitly argued in the other place that because, following the passage of the Bill, gay couples will enjoy the inheritance tax relief that currently applies to married couples transferring assets to each other, close family relatives should be granted a similar relief. I am prepared to concede that there is an argument for such a policy, but it is a different argument for a different Bill at a different time. The rationale of this Bill is not to deal with inheritance tax, nor is it principally about tax relief—its focus is relationship recognition. If my right hon. and hon. Friends want to argue the case for the reduction or abolition of inheritance tax, good luck to them—I happen to think that they have a powerful case—but inheritance tax relief was never originally a rationale for the introduction of the Bill, and it certainly should not be allowed to hijack it and become its defining or central feature now.

Secondly, my noble Friend Baroness O'Cathain and her supporters were keen to emphasise that they back marriage and wish to bolster the family, yet if one looks at the detail of the amendment, it is clear that it achieves neither of those objectives. Indeed, it is not even neutral. It is counter-productive. It is a force for undermining marriage and damaging the family. The hon. Member for Wallasey (Angela Eagle), in a persuasive speech, gave the example of a woman living in a civil partnership with her mother. It is important to underline the significance of that example. If that young woman decides that she wants to get married, she must extricate herself from the civil partnership and then demonstrate that there has been an irretrievable breakdown of her relationship with her mother—and there is a possibility that she could wait for up to five years before her wish to marry would be fulfilled. What could be more anti-marriage than that?

Let us take the other predictable scenario that is almost certain to arise in the event that the amendment remains as clause 2 in the Bill. If, within a family civil partnership, there is a breakdown, and the dissolution process is set in train, there would have to be, quite properly, equitable financial provision for all the different parties involved. Certainly, in most cases, it is foreseeable that the family home would have to be sold. The prospect exists that an elderly relative would be evicted from the home in which he or she had long lived. What could be more anti-family than to do that?

Thirdly, my noble Friend Baroness O'Cathain and her supporters argue that they want to help carers. Of course, as right hon. and hon. Members on both sides of the Chamber will acknowledge, very large numbers of carers are within the family, and yet if that is the principal motive force behind the amendment, how does she explain the fact that she failed to consult the principal representative organisation of carers, which has been championing their interests for 40 years, Carers UK? She did not consult the Law Society or the Solicitors Family Law Association either. Each and every one of those three organisations—I name only three at this stage—believes that there are potent objections to the amendment. All, on the basis of their accumulated wisdom and experience, contend that the amendment would require a massive reactionary rewriting of social security legislation, which would take us back to a pre-Beveridge period. It would take a very long time to undertake, and some of the consequences are uncertain, but of one thing we can be fairly sure: as a result of the rewriting of the law, benefit levels would be lower, and tax payments for all too many people, although they would not yet be aware of it, would be higher. That seems to me a thoroughly counter-productive consequence.

Sir Nicholas Winterton (Macclesfield) (Con): My hon. Friend, of course, advances a very well-argued case, with which I do not entirely agree but which I respect entirely. Does he accept that, as many contributors to the debate have said, this legislation is to rectify an injustice? Does not he think that he is being unfair on my noble Friend Baroness O'Cathain, who was trying to put right an injustice whereby a daughter, for example, could look after her elderly family for many years, and when her mother and father die might have to leave the family home because she cannot pay the inheritance tax that would be due on the property, which has been her home for the whole of her life?

Mr. Bercow: The argument that my hon. Friend advances can certainly be considered, but, if I may say so, his customary generosity gets the better of him. The reality is that most of us have studied the debates on the Bill, and my noble Friend Baroness O'Cathain set out her stall at an early stage, on Second Reading. I am willing to acknowledge that there will be people who voted for that amendment in good faith, who believe that it can be of benefit and who are not motivated by any desire to undermine the Bill. The trouble is that that argument does not work for my noble Friend Baroness O'Cathain, any more than it works in favour of my noble Friend Lord Tebbit. Both those individuals made it clear beyond doubt that they passionately opposed the Bill and wished that it had never been brought before the House in the first place. Indeed, Baroness O'Cathain explained eloquently and at some length that she would far prefer an inheritance tax abolition Bill and that she thought this a bad Bill that should not have been introduced, so I do not accept that argument.

I reiterate what seems an important constitutional point. It was grossly irresponsible of Baroness O'Cathain to press the amendment—successfully, as it transpired—without undertaking the elementary duty of consulting the organisations whose client groups would be affected. Equally, it was grossly irresponsible of the other place to allow the amendment to pass, in the full knowledge that Baroness O'Cathain had failed so to consult.

There is a fourth and final argument that I want to make against the amendment, which is that there would be a very substantial cost. The argument has been made by others, but let it be underlined. To suggest an additional £2.25 billion-worth of expenditure, which is what the extension to close family relatives of civil partnership arrangements would require, seems an extraordinarily profligate way in which to behave. I am bound to say to my right hon. Friend the Member for West Dorset (Mr. Letwin)—the distinguished shadow Chancellor—that if my party is to pursue a policy of fiscal restraint, it seems a rather curious state of affairs to allow the party in the other place to go ahead with a proposal of this kind.

Ultimately, the O'Cathain amendment is but a smokescreen. It is a smokescreen erected by its proposers in a determined but ultimately doomed attempt to conceal their deep-seated hostility to the very principle of gay equality. For in fact, of course, they simply cannot abide it. They despise it. They are frightened by it. The policy of the Bill's most vociferous opponents is driven not by considerations of reason, logic or fairness, but by considerations of paranoia and prejudice. Such an approach should be thoroughly denounced and rejected.

The Tory party cannot just sit on the fence. We have to take a stance; we cannot be on both sides. It is no use simply saying, "Oh yes, we recognise the disadvantages and discriminations suffered by gay individuals and couples, and we think that something should be done, so perhaps there is something to be said for supporting the Bill," only then to be happy to participate in a cynical cabal with Members of another place, effectively to undermine the Bill and probably to destroy it. It is wrong in itself to behave in that way. It feeds the very cynicism about the political process that damages each and every one of us in this Chamber and beyond, and ultimately, such behaviour gets found out. It is a profound insult to the electorate's intelligence to think that we can behave in that way without their latching on to it. People are not stupid—they will see when someone is speaking with forked tongue.

My personal view is that it is not good enough for my own party, of which I have been and remain a proud member—indeed, I have been a member of it for 25 years—to argue that we can retreat underneath the comfort blanket of a free vote. No, I am afraid that that will not do. We on the Conservative Benches still have a great deal to prove. No member of the current shadow Cabinet voted on 10 February 2000 for equalisation of the age of consent. Only one member of the current shadow Cabinet—my hon. Friend the Member for South Suffolk (Mr. Yeo)—voted in March last year for the repeal of section 28. This is the third big policy challenge in the field of gay equality and we must not duck it. We must meet it, rise to it and do the decent thing, which happens also in the end to be the politically

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advantageous thing. We must support the Bill in its pure form. We must support it today, in Committee, on Report and when it becomes law, because of the benefits that will flow from it.

I agree with my right hon. and learned Friend the Leader of the Opposition, who said in his speech at the Saatchi Gallery at the end of October last year that he wanted the Conservative party to be a party capable of representing all Britain and all Britons. He is right. We could start on the road to achieving that objective by voting with enthusiasm and en masse for this Bill in this House.

We have to decide whether we are to be a 21st century party. Of course that involves removing discrimination, but it involves more than that. It involves Conservatives ceasing to pat themselves on the back by saying, "Isn't it good that we preach and practise tolerance?". In the end, the debate is not about tolerance, but about respect—respect for the unique dignity of every individual, respect for all our fellow human beings, respect for the principle of equality before the law and respect for the call for parity of esteem.

To those who say, "You have changed your tune", I say, "Yes, I have changed my tune", like my hon. Friend the Member for Salisbury (Mr. Key), and I make no apology for it. The person who never changes his or her mind is the person who never learns anything. I am perfectly prepared to recognise the error of some of my past ways, but I passionately believe in the cause of human equality and social justice. There could be no better signal for the Conservative party to send than the fact that it has changed for the better and changed for good by adopting support for civil partnership as its official policy and giving the Bill, in its original and unadulterated form, the unequivocal blessing that it certainly deserves.

5.1 pm

Dr. Desmond Turner (Brighton, Kemptown) (Lab): This has been a very heartening afternoon, and it is particularly heartening to follow the hon. Member for Buckingham (Mr. Bercow), who eloquently articulated the reasons why the amendments passed in the other place have to be removed. I had thought myself perhaps a little cynical about the motives of those who tabled those amendments, but the hon. Member for Buckingham has made me realise that I am absolutely justified in my cynicism about them.

It is heartening to achieve a piece of social reform, which I am confident that we are going to do. It is a fine Bill. I quote Stonewall, who called it a "thorough and far-reaching" Bill. It is not often that organisations that we work with outside the House say such things. It is a ringing endorsement and something to be treasured.

With a few exceptions—perhaps the medieval wing of the Conservative party—everyone in the House is united on the need to finish addressing the outstanding inequalities and discriminations that our society has been carrying for far too long. The Bill not only brings us up to parity with all the civilised countries of Europe and the rest of the world, but almost completes an ambitious agenda for change on inequalities that the Government—and Stonewall—set out when we came to office in 1997. We abolished section 28 and so on and so forth—and now this Bill. All I can think that we will be left with when the Bill completes its passage is addressing discrimination in goods and services. If we do that, we will all have to think very hard to find anything else necessary to complete the package. When that happens, it will reflect extremely well on Parliament.

It is heartening that the Government have introduced this measure and it is heartening to hear the thoughtful and considered contributions of Conservative Front Benchers and other Conservative Members.

It is evident that a sea change is under way on the Opposition Benches. Over the past few years, this Government have set about reforming the homophobic elements in our law, some of which were put in place by hon. Members who are members of the current Opposition. Indeed, I seem to remember that it was the current Leader of the Opposition who introduced section 28, but I suppose that he has reformed now so perhaps we should gloss over that for the moment.

Angela Eagle: The right hon. and learned Gentleman did not want to abolish it.

Dr. Turner: No, that is right.

I shall not speak for long as the debate has been very comprehensive, and has covered all the technicalities very well. Various hon. Members have referred to the important matter of pensions, and it would be a great pity if the Bill were to be undermined by the fact that it contained a serious flaw in respect of inequality of treatment for survivors of those in public sector occupational pension schemes.

I and other hon. Members have drawn up amendments to deal with that problem. There is no need to set out the arguments involved, as that has already been done. In her opening remarks, my right hon. Friend the Minister indicated that the Government were considering correcting that defect. I hope that when she winds up the debate she will say that the anomaly will be corrected and that the amendments that we have prepared will therefore be rendered superfluous. We should be only too happy not to have to table those amendments and to give the Bill's Second Reading a ringing endorsement in the Division later this evening. The Bill is capable of improvement in various ways, but the important thing is that it will offer people equal treatment. That is its entire purpose.

I am pleased to have been able to say a few words on this very pleasant afternoon. I am glad to see that the Conservative party is changing and that its rational wing is starting to win over the medieval wing.

5.7 pm

Rev. Ian Paisley (North Antrim) (DUP): At the beginning of the debate, the Minister agreed with me when I said that 86 per cent. of the people in Northern Ireland who responded opposed what is planned with this Bill. I shall direct my remarks to Northern Ireland, as this Bill will apply there.

Any part of the UK that is affected by legislation coming from this House should be given fair play. However, this Bill was printed on 30 March, only 25 days after the end of the consultation process. The wording of its provisions in respect of Northern Ireland were very incomplete and shabby. Then, the Government did an amazing thing on 11 May. They attempted to fix all the provisions that they had got wrong in the original Bill by tabling 52 new clauses and six new schedules. Those 120 pages of amendments must be a record for such an important Bill.

The day after the amendments were published, the Bill went before the House of Lords. All the amendments were passed with virtually no scrutiny. So the final say, as far as Northern Ireland was concerned, was without consultation, because the amendments were tabled after the original Bill was published.

The census of 2001 found only 288 same-sex couple households in the whole of Northern Ireland. The Government say that only 5 per cent. of same-sex couples will commit to civil partnerships. Well, 5 per cent. of 288 is 14, so 14 couples in Northern Ireland will have the opportunity provided by the Bill, even though a majority of people who have a view on the matter across the political and religious divide oppose it. Their voices were not heard or taken into account. The basis of family law in Northern Ireland is to be changed for the sake of 14 homosexual couples.

More than 80 per cent. of the adult population in Northern Ireland are married or single, never having been married. The divorce rate in Northern Ireland is much lower than in England and Wales. The Government say that the Bill will remedy hardships in Northern Ireland. According to the census, there are 330 times more house sharers in Northern Ireland than people living as homosexual couples. However, those house sharers will not have their burdens eased or lifted by the Bill. The Government should come clean and tell us when they will legislate so that everybody who takes on responsibilities in their homes will be treated the same legally. It is essential that we have a response to that from the Government tonight.

My views on this matter are clear. I believe in the divine sanctity of marriage. I believe that marriage is a solemn and holy thing. A country that does not uphold the institution of marriage strikes at its own heart. The home is the building block of society. If we do not have good, moral and righteous homes, the nation will suffer. We must realise that.

Many comments have been passed today. We have been told that some of us have not grown up yet. Well, I grew too much because I had a lot of orange juice when I was a baby. It does not matter whether we are told that we have not grown up or are medieval; we have convictions and we are entitled to hold them as strongly as we can. When it comes to legislating for Northern Ireland, I trust that the Government will treat us in the same way as they treat the rest of the United Kingdom. If a Scottish Member got up and revealed the same record on a Bill as I have just done, there would be some row. The same applies to any English or Welsh Member. Why is Northern Ireland treated in this shoddy way on an important issue on which its people have expressed a definite opinion? I trust that that will not be repeated.

5.14 pm

Chris Bryant (Rhondda) (Lab): I am delighted to be able to follow that speech, although perhaps we shall now have to refer to the hon. Member for North Antrim (Rev. Ian Paisley) as the orange juice man. I have to tell him that I suspect that there are rather more than 288 homosexual couples living together in Northern Ireland. I suspect that they are very reluctant to admit to the fact, owing to some of the bigotry that they have had to face in Northern Ireland over the years.

David Cairns: They still face it.

Chris Bryant: Indeed.

I am also glad to have the opportunity to speak in the debate as I have probably married more people than anybody else in the Chamber, because I spent six years in the Church and performed weddings on most Saturdays. I congratulate the Government not only on the Bill as I hope it will end up, nor only on the Bill as they presented it in the House of Lords, but just as important, on the steady process whereby they have tried to achieve consensus on legislation to right wrongs that have existed for years and for centuries.

We have heard some excellent speeches this afternoon. The hon. Member for Rutland and Melton (Mr. Duncan) is not in his seat, but many of us agree with Members who have already said that his was one of the finest speeches we have heard on the subject. Many people who have campaigned on the issue for many long years, in the Chamber and in the wider community, have already spoken: my hon. Friends the Members for Wallasey (Angela Eagle) and for Reading, East (Jane Griffiths, and my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche), who advanced the measure when she held ministerial office.

It has been good to have some converts over the years. The Lord rejoiceth in the one who changes more than the 99 who were with us in the first place, so it is good to have the hon. Members for Salisbury (Mr. Key) and for Buckingham (Mr. Bercow) on our side.

There has been only one particularly difficult note—the one struck by the hon. Member for Christchurch (Mr. Chope). I think in the final words of his speech he was deliberately offensive not only to those who support the Bill but, more important, to those in the country who feel that their rights will be established by it. It is a shame that the Tory party is still somewhat AC/DC on the issue, but I hope that we shall see further change in the direction that the hon. Member for Buckingham urged on his party earlier.

Mr. Bercow: The points that the hon. Gentleman makes are fair. I readily acknowledge that I am very late to the issue. All that I ask him to recognise is that after discovering the error of my earlier ways, I have spent the last four and a half years on the course of discovery of the merits of sexual equality.

Chris Bryant: I am more than happy to put it on the record that the hon. Gentleman has been one of the most assiduous campaigners on the issue since I entered this place, and for some considerable time before. After confession there is always a period of penance, and I fear that the hon. Gentleman is still at that stage.

[Chris Bryant]

The Bill, when it has been changed back to its original form, will be about loving, same-sex couples, who want to make a commitment to one another and who accept not only the rights that civil partnership will give them, but its responsibilities. I know that each of the three parts of that sentence is difficult for some of the people who oppose the Bill. Some people believe that because love is ordained by God, it is impossible for same-sex couples to love one another. I defy them to meet some of the people I know, who have lived together for many years, in sickness and in health, and have provided one another, and sometimes children in their care, with the kind of love and support from which many other families could learn much. If they still said that same-sex couples could not love one another, they would be blind in their hearts.

There are also people who believe that same-sex couples who love one another cannot make a commitment to one another. That is a vital point; it is made by those who believe that the Bill will, somehow or other, undermine marriage. I simply do not see that point. I do not see how giving rights to one set of people would undermine the rights of others. Indeed, I have always believed as a Christian that the whole point of love is that it should be based on commitment. The Bill allows people to make a public statement of commitment to one another and stand by it. That must be something that not only those who have a liberal attitude to life but every Christian in the land can support.

The third part of the sentence that some people will find difficult to accept is that loving same-sex couples who want to make a commitment to one another will be prepared to accept rights and responsibilities. Let us face it, there will be same-sex couples who have lived together for many years but do not want to form civil partnerships because they bring with them a set of responsibilities. There will be those who will be troubled by the fact that they will lose some financial benefits; that they will not be able to claim all the benefits to which they have up to now been entitled as two individuals; that they will be treated as a couple. I suspect that they, just like those who intend to be married according to the rites of the Church of England, will not enter into civil partnerships lightly but after sober reflection. That is another strong point in favour of the Bill.

Of course there will be people who will think, "I may be in a relationship, but I can call time on it at the flick of a switch. If I enter into a civil partnership, we will have to follow a legal process in order to separate." Of course that will create further responsibilities for those who enter civil partnerships.

The Bill is also about rectifying a series of injustices. Many hon. Members have referred to the fact that partners who have been together for many years and looked after each other at home in sickness and in health find that when one partner goes into hospital they suddenly lose the right to have any say over what medical support is provided.

When I was curate in High Wycombe, I used to visit patients in the local hospital. It was not uncommon to meet people who had been prevented by the parents of their partner even from visiting the person whom they loved and had lived with for many years. This was at the time when HIV/AIDS was new and many people did not have much understanding of it. Many parents blamed the illness on their son's partner. I am glad to say that the world has moved on for many families, but still that injustice exists.

The injustice is compounded if there is a death. The bereaved partner is often excluded from the funeral arrangements. I have conducted countless funerals that the partner was not even allowed to attend, and many at which the partner was forced to sit right at the back and not take part, and no mention was made of the relationship. Sometimes the bereaved partners had to have separate ceremonies because the families took precedence over the partner. That was caused by bigotry in many cases, and it led to injustice that was allowed by the law.

As other hon. Members have mentioned, many bereaved partners are made homeless. They may be unable to inherit their own home without penalty, but that applies to only 5 per cent. of estates. Many find that they cannot carry on the tenancy that was in their partner's name. Similarly, survivors have had no rights to a partner's pension. That has been a significant issue for many lesbian couples. Two women living together may have child care responsibilities. One of them may not work throughout her economically active life and reach retirement age without having acquired any pensionable service of her own. Bearing in mind the fact that many women are paid considerably less than men, the issue of poverty and rectifying injustice is important. Similarly, same-sex couples are treated differently in law from married couples when it comes to providing evidence in court. We should right that injustice because it puts another strain on relationships that is not there for married couples.

Domestic violence laws apply differently to same-sex and married couples. That is another injustice that we should put right in the Bill. There was a time when it was presumed that, somehow or other, a same-sex couple could not have been violent to each other; but of course, that is a major issue, not only between two men, but between two women. We should ensure that that injustice is put right.

The greatest injustice of the lot is that people have no recognition of the fact that they are two people who live together, sharing their lives. The Bill will put right that injustice.

I want to say a few words about the Lords amendments—an issue which has been rehearsed at some length already this afternoon. I noted that, in the House of Lords, one of the obsessions of some Tory Members was with inheritance tax. I confess—this is one of the few partisan points that I will make—that having watched a lot of the Tory party conference last week, I was bewildered at how obsessed the Tory party is with inheritance. I am not sure whether that is because they all form part of the 5 per cent. whose estates might fall liable to inheritance tax, or because they are worried about dying off, given that they are so elderly. Either way, the inheritance tax issue is one of the largest red herrings—in fact, it is a red cod or a red tuna fish—in the middle of the Bill. I refer to how those amendments relate not to same-sex couples, but to carers, and to the speech by the hon. Member for Rutland and Melton.

Mr. Alan Duncan: Let us be frank about this. Does the hon. Gentleman not appreciate the fact that two people who have shared their lives, not necessarily in a sexual union as in the Bill, may face problems when one partner dies, either with the tenancy or ownership of a house, because of inheritance tax, and that it is as well, separate from the Bill, to try to find a way to remedy that?

Chris Bryant: There may be situations in which the hon. Gentleman is right, but the inheritance tax issue is a red herring when applied directly to the Bill, except in so far as it applies to same-sex partners, where we ought to rectify the problem now.

I believe that those who tabled the amendments in the Lords were seeking to wreck the Bill. That is not to say that everyone who voted for those amendments did so to wreck the Bill. They did so ill-advisedly because those amendments would not even rectify the injustice that they believed to exist. As the hon. Member for Buckingham has said, those amendments would not improve the situation of carers. In fact, it would make their situation far worse in many cases.

We have only to look at the bona fides or the track records of those who tabled the amendments in the Lords. Lord Tebbit's views on homosexuality are extremely well known. He aired them on the "Today" programme, when I heard one of the most bizarre things that I have heard in all my life: he said that one of the major causes of childhood obesity in this country was the Government's promotion of buggery. That was one of the most extraordinary leaps. It even put the hon. Member for Henley (Mr. Johnson) into deep shock. So we know Lord Tebbit's bona fides.

Baroness O'Cathain's views on homosexuality seem similar. She has taken up the mantle that was cast upon her, Elijah-like, by Baroness Young in opposing section 28. So we know exactly what her aim was; she declared it very openly in moving her amendments. Incidentally, I thought she was wrong to press them to a vote because that showed that they were not about simply airing the issues, but specifically about trying to wreck the Bill. Let us be honest: some people think that homosexuality is wrong and a sin.

I am somewhat saddened, incidentally, that several hon. Members have immediately left the Chamber after speaking in the debate, without listening to the rest of the debate. That is a rather surprising change in custom in the House.

The amendments tabled in the Lords are particularly maladroit. They would be of no use to carers. Clause 2(1) is particularly bizarre in its wording. When I started to read it, I almost expected it to end with the words, "and they must be accompanied by both their grandparents", because it seems to take the proverbial mickey out of the rest of the Bill. The curious thing is that that amendment was allowed to be tabled because it is wholly without the scope of the Bill. I am surprised, on a constitutional point, that it was allowed to be tabled.

There are a number of aspects of the Bill in addition to the wrecking Lords amendments that should be reformed. The Bill currently presumes that there will be no ceremony, but I agree with hon. Members who think that it would be entirely appropriate for the two people who sign a civil partnership to make a statement to the effect that they are not legally barred from entering a civil partnership and that they consent to doing so. Beyond that, they should be entitled to have whatever ceremony they wish, which would parallel the provisions in the Marriage Act 1949 and thus make sense.

Mr. Peter Pike (Burnley) (Lab): Is my hon. Friend aware that changes are currently taking place to the registration of birth and deaths, but that consideration of marriage registration is being deferred so that note can be taken of the final state of the Bill? The type of ceremony to which he refers may well be considered.

Chris Bryant: My hon. Friend makes a good point that I was about to address.

It is also a mistake to prohibit a religious service of any kind at the signing of a civil partnership. The provision in the Bill is virtually identical to section 45(2) of the 1949 Act, which states that no religious service shall be used at the solemnisation of a civil marriage. However, that provision is wrong in itself because it means that many registrars refuse to allow couples who want to marry in a civil ceremony rather than a church to use any religious readings. Although many people would like readings such as 1 Corinthians 13 or something from Khalil Gibran, registrars refuse to allow such words to be used. I would like the provision to be removed from the Bill and section 45(2) of the 1949 Act to be similarly repealed.

Mr. Leigh: The hon. Gentleman is arguing his point of view powerfully, but I am not sure that both sets of Front Benchers will welcome his remarks, because we were informed earlier that neither were in favour of gay marriages and that we were not considering a gay marriage Bill. However, the hon. Gentleman is eloquently arguing for exactly that, so people should realise that that would be the next step.

Chris Bryant: The hon. Gentleman is completely mistaken, and I hope that I do not have to repeat this too often. The hon. Member for Rutland and Melton made a good proposition about parallel lines. I do not want same-sex relationships to ape marriage in any sense—several people have used the offensive phrase—because they are different. Although the two share similar elements, they do not have to be identical, so the legal provisions should be distinct.

Mr. Tim Boswell (Daventry) (Con): I have much sympathy with the hon. Gentleman's remarks. Does he agree that the nature of a real relationship might suggest that people will want it to be celebrated or blessed?

Chris Bryant: Indeed, and the hon. Gentleman prompts me to mention a third aspect of the Bill that I would like to change.

There are churches and individual clergy in the Church of England and the Church of Scotland who would be happy to provide a blessing. There are clergy in many of the churches who would be more than desirous of the opportunity to hold a blessing in their

[Chris Bryant]

churches. It is thus curious that the Bill will prohibit any kind of religious service or ceremony from taking place in religious premises. The provision's drafting is rather odd because some churches meet in gyms or halls and thus would not be covered by the current wording, so that might need tidying up. However, such matters are not ones of enormous principle and they can be debated in Committee.

One remaining issue of principle is pensions. To put it simply, as others have already done, if Jean were to marry John next week, the full pensionable service of Jean since 1988 would be taken into consideration for his widower's pension if she should die. However, as things stand, if Jean and Janet were to form a civil partnership, the benefit would, according to Baroness Hollis, accrue only from the date of the Bill. I hope that the Government will manage over the next 10 days to offer surviving civil partners parity with widowers' pension arrangements. I hope that the Minister's words were tending in that direction and that they might tend even further in that direction by the end of the day or the end of next week.

I note, incidentally, that as far as I can see, the only people for whom the Bill guarantees parity are the surviving civil partners of a Speaker of the House of Commons or the Prime Minister. I am not sure whether we have any particular idea in mind as to who either of those people will be in the near future, but I thought that that provision was rather curious.

Mr. Alan Duncan: The hon. Gentleman has just renewed my ambition.

Chris Bryant: It seems that it is the hon. Gentleman's ambition to have a civil partner to whom he can grant a surviving pension, although it is not clear whether that would be as the Speaker or the Prime Minister.

Having borne those issues in mind, I wholeheartedly welcome the cross-party support. That is important. The issue is not acrimonious in the country and many people will benefit from it. However, I suspect that only a Labour Government would introduce such a measure—

Mr. Richard Allan (Sheffield, Hallam) (LD) *indicated dissent.*

Chris Bryant: The hon. Gentleman suggests that the Liberals might have introduced it, but that is stretching credulity too far because we would have to have a Liberal Democrat Government in the first place.

I am proud of the Labour Government's progressive record. To be honest, it is without peer in Europe. They abolished clause 28, introduced an equal age of consent and used the Parliament Act to enforce it. They legislated for joint adoption by gay couples, outlawed workforce discrimination and brought in a new category of homophobic hate crimes. The Government should be congratulated on that.

In the end, the Bill is about recognising a simple fact of life. It is not about setting up a new lifestyle, as the hon. Member for Aldershot (Mr. Howarth) claimed. It is not about persuading people to be gay or lesbian. It is not about proliferating homosexuality because, in truth, homosexuality is not something that we can proliferate. It is not something that we can be persuaded into. It is not an illness that we can catch. It is not a cancer that we can have excised. For roughly one in 10 people in this land it is simply a fact of life that they have to come to terms with. Now, at last—thank God—the law will recognise the fact of loving homosexual relationships. The whole of the UK will come to terms with a world in which two men or two women can love one another and make a commitment to one another, for richer and for poorer.

5.38 pm

Charles Hendry (Wealden) (Con): It is a great privilege to participate in the debate, which has been one of the most dignified and enlightening that I can remember. I am pleased to give my full support and backing to the Bill for the reasons that the hon. Member for Rhondda (Chris Bryant) summed up in his final sentence. He almost could have given up the first 23 minutes of his speech and just used that sentence in an extremely powerful and effective way.

Chris Bryant: That would be very unlikely.

Charles Hendry: I realise that that would have been entirely out of character.

The Bill is about fairness and justice. That is why it is so important. When I got married, like everyone else who has got married, I became eligible for certain rights and entitlements and, to go with that, certain responsibilities as well. So when one of us dies, the surviving spouse is entitled to inherent the family home and the family assets without being subject to inheritance tax. We can benefit from the other one's pension contributions, particularly in the circumstances of death. For those people who live in social housing, the tenancy would transfer automatically from one to the other without any question of whether that was right.

Marriage also brings with it certain entitlements that are so self-evident that it is not possible to conceive of the position being otherwise. For example, in the event of one spouse being injured in an accident, the other is entitled to give their opinion on what should happen and what is the appropriate medical treatment; they are entitled to visit their spouse in hospital without anyone being able to say, "You shouldn't be here—you're not entitled." A spouse can act as an active next of kin: my wife and I have to fill in a form for our children at school saying who should be called in the event of an accident, and we name each other as next of kin. That, to me, is so self-evidently right that it is inconceivable that it could be done in any other way.

Mr. Pike: Civil partnerships do not yet exist legally. If a partner in a relationship that will be eligible for a civil partnership were to die in a traffic accident today, his or her partner would have no right to make decisions in respect of organ donation. A person who has clearly indicated their wishes might have those wishes totally disregarded, even though their partner wants to adhere to those wishes.

Charles Hendry: I agree entirely. That sort of anomaly is not just unfair but absolutely barbaric. People who have committed themselves to one another over many years in an established loving relationship should not be denied the opportunity to be involved in such fundamental decisions. I simply cannot understand why those rights that I as a married man take entirely for granted, as does every married person, should not be extended to same-sex couples who have demonstrated the same degree of commitment and endorsed it by entering into a legally binding arrangement.

To correct that position is not, as some have suggested, to give extra rights to same-sex couples; it is simply to give them the same rights as heterosexual married couples who have made the same legally binding commitments to one another. Particularly powerful to me is one of the phrases that has been uttered by the Minister today, which was also used by Lord Alli in the House of Lords debate:

> "Same-sex couples . . . are . . . invisible in the eyes of the law".—[*Official Report, House of Lords,* 12 May 2004; Vol. 661, c. GC121.]

That is not right, it is not how the law should work and it is an issue that we should address.

The whole House is concerned that many people have become disengaged from politics and from Parliament. One of the reasons that has happened to such an extent is that people see Parliament as too remote—they see it as a place that does not understand and is not interested in how they live their lives, and is too often involved in legislation that harms their interests as individual citizens.

Mr. Bercow: I entirely agree with my hon. Friend's observations on the disconnect between Parliament and public. Does he not think that an eloquent and worrying illustration of that trend was expressed in the recent Populace survey published in *The Times*, which showed, in contrast to some of the antediluvian attitudes that still prevail in this Chamber, that 75 per cent. of respondents aged between 18 and 30 said yes, of course gay couples should have exactly the same rights as heterosexual couples?

Charles Hendry: My hon. Friend makes an entirely appropriate comment and one that I was about to make when he intervened. Our hon. Friend the Member for Salisbury (Mr. Key) said that there was a generational dimension to the debate. Young people in their 20s, 30s and 40s want this House to look like the society in which they live. They want it to be a place where racism, sexism and issues of sexuality have no part to play—a place where we simply get on and discuss the issues as grown-up individuals, rather than as people who are stuck in the past. An entire generation cannot understand a Parliament or parties that do not think in that way. The hon. Member for Hornsey and Wood Green (Mrs. Roche) said that in years to come people will read this debate and say, "I wish I'd been there." I disagree: I think that they will read it and say, "What was all that about?" They will not understand why on earth we had to have this debate. The world in which they live is understanding and accepting. To them, debates about whether such things are right or wrong belong to an era to which they do not relate.

I echo the hon. Lady's praise for Stonewall. The dignified way in which its members have conducted the debate, using quiet persuasion and showing great understanding, is one of the reasons it has moved forward as it has. We all owe Stonewall a great debt of gratitude.

Mr. Gerald Howarth: Is my hon. Friend aware that Stonewall brought enormous pressure to bear on British Airways to disown our noble Friend Baroness O'Cathain, who is a director of BA? She may be forced out because of the views that she honourably and honestly expressed in another place. Does my hon. Friend think that that was a good thing for Stonewall to have done?

Charles Hendry: Shareholders will decide whether our noble Friend is the right person to hold a position on that board. My hon. Friend says that she may be forced out. It is entirely legitimate in a democracy to make people aware of the views and the comments that others have expressed.

I shall take head-on the suggestion that is made, especially in the media, that the Bill confers unfair advantages on same-sex couples or that it panders to the gay agenda. In my role as shadow Minister with responsibility for young people, I have met different youth groups throughout the country. Sometimes they have been working in inner cities, sometimes they have been involved in colleges and schools and sometimes they have been working with young gays and lesbians. The most shocking things that I have heard have been about the abuse that young people face.

I heard a young lad in Brighton describe how he was beaten up in the streets simply because he was out with his partner. He was not doing anything that anyone in the heterosexual community would find it difficult to do. He was beaten up merely because he was out with his partner. I heard from a young kid in Leeds who had suffered constant homophobic bullying in school. When he, as an individual, finally fought back he was the one who was excluded. That was abominable. He was the victim. Bullied children are always the victims and they need Members of this place to stand up for them.

As people grow up they might find that they face difficulties and discrimination merely because of their sexuality—something with which they are not able to deal. There are those who have to go through the trauma of telling their families and friends that they are gay or lesbian, as a result of which they are often thrown out of their homes.

In my old role as chairman of the all-party group on homelessness I heard of 16-year-olds who had been kicked out of their homes because their parents were not prepared to accept their sexuality. I cannot understand people facing abuse throughout their daily lives because of their sexuality. We are right to address these issues, and we must put a stop to them.

People who happen to be gay or lesbian and play a role in public life end up finding that they can be gratuitously insulted because of their sexuality. Brian Paddick is the Assistant Metropolitan Police Commissioner. He is a fine and outstanding police officer. I often feel that the media think that they can give him a kicking and criticise him because he is an openly gay policeman. Such attitudes belong to a bygone era, and the Bill is part of kicking them into history.

David Cairns: The hon. Gentleman is making an outstanding contribution to the debate.

[David Cairns]

We need to clarify what we are talking about. Some people listening to us might think, "What are a few insults? Everyone receives a few insults. If you are a bit fat, you get a few insults. If you are losing your hair, you get a few insults. Perhaps people should get a bit tougher about these things."

Will the hon. Gentleman join me in congratulating the organisers of the MOBO awards, who said this year that records that incite murder and violence against gay people are completely unacceptable? We have been congratulating Stonewall—and deservedly so. I never thought that I would say this publicly, but I think that we should congratulate Peter Tatchell on what he has done in exposing the reggae artists who peddle this violence and hate and on forcing MOBO to have a belated but welcome change of heart.

Charles Hendry: I am grateful to the hon. Gentleman. Had those lyrics referred to the same incitement of violence towards old people, black people or women, the police would have taken action; they would have intervened. I am pleased that the MOBO awards organisers decided to take action and to say that such lyrics were not acceptable.

I wish to look at some important contributions that the Bill will make. The issue of inheritance has been discussed, and I am grateful to Stonewall for providing examples that bring it to life. Chris is in his 60s and has been with his partner for 40 years. After his retirement, he was told that he had renal cancer. As if it were not enough to fight a virulent form of cancer, he found that in the event of his death his partner would be forced to sell the home that they had shared for 25 years to pay death duties and other taxes. It is utterly wrong that someone who is fighting a terrible illness should have additional worries about whether his partner of many years will be treated fairly.

Stonewall also told us about the next of kin issue and the way in which people are affected. When Andrew's partner died, for example, he was excluded from decisions, as his partner's parents had never accepted him as their son's partner; they removed personal effects, including photographs, and Andrew was denied access to them. They sold the flat in which the couple had lived, and Andrew had no right whatsoever under legislation to challenge their decision. That is barbaric, and it is not right in any society. If the Bill ends such practices, we should all be happy.

Kate had a history of depression, and had been with her partner, Jo, for 10 years. Jo, however, found it virtually impossible to persuade the NHS to recognise her as Kate's next of kin and encountered homophobic reactions among some of Kate's relatives. In the end, she was forced to seek a power of attorney to get the rights to which she believed she was entitled.

We should all, therefore, welcome the fundamental changes that the Bill will bring about. I agree, however, with many of my colleagues and other Members that the amendments made in the Lords were a mistake, and should be reversed in Committee. I accept that people are anxious about the interests of interdependent relatives and other people who are living together, but the Bill is not the place to address those issues. I know that other Members wish to speak, so I shall conclude shortly, but the only people who will gain from the anomalies of such relationships are accountants, who will discover a new wheeze to prevent their rich clients from paying taxes. They will say, "We could advise you to move to the Bahamas or set up a family trust. However, we think you should encourage your 18-year-old son to live with his grandfather. When he is 30, he will inherit everything free of tax. The only problem, of course, is that if he dies soon afterwards and leaves the money to his stepson, who is also his father, a huge amount of tax will be payable." That will make a mockery of the system, so it should be swept away because it will not improve the lot of carers, whose position must be recognised and improved, or people who are in similar relationships for other reasons. The right place to address such concerns is a future Finance Bill, and I hope that the shadow Treasury team will introduce measures to achieve such changes.

Pensions are another concern. I am encouraged by the Minister's remarks that the Government will reconsider the issue, and I hope that in her winding-up speech she will say that the Government will introduce amendments to tackle the problem. If she does not, when the Bill goes into Committee, and if I am lucky enough to serve on it, I shall support measures that require equality provisions in public sector pensions to be made retrospective. That is entirely right and appropriate. If we say that we believe in equality only if it does not come with a price tag, that is not a genuine belief in equality. Equality sometimes has a cost attached to it, and we must recognise that and take it into account.

One of the reasons I am a Conservative is that I believe passionately in the rights of the individual, who should make decisions about their life and the way in which they want to live it. Governments should not become involved in such decisions unless they have a negative impact on other people. We should not be imposing a barrier to other people's happiness—and for what reason? Should we do so because people are living in a stable, loving relationship in which they have chosen to make a commitment for the rest of their lives as far as they can see? For heterosexuals, that arrangement is called marriage, but for same-sex couples, that option is not available. We must ensure through this Bill that such couples have the chance to have the same opportunities and rights.

We are dealing with an outdated restriction that is, at best, unfair and, in respect of next of kin, is barbaric and inhuman. I hope that we can take the issue of sexuality out of politics. I do not believe that there is such a thing as a gay vote. I think that parties can drive away the gay vote just as they can drive away the women's vote, the elderly vote or the black vote—my party has tried to do it quite effectively over the years—but there is no single issue that it can be said will win over the gay vote. However, addressing issues such as those in the Bill will ensure that those who are gay, lesbian or bisexual can look at issues in the round and vote for the party that they believe in because it is advocating the right policies on health, education and the economy, rather than make their choice because they think that sexuality continues to divide the parties.

One of the most important quotes from the memorable speech of my hon. Friend the Member for Rutland and Melton (Mr. Duncan) is his remark that the Government should intervene to stop people hurting each other, but not to stop people loving each other. Good people have been hurt for too long by the situation under the law as it currently exists. It is time that that was stopped, and this Bill is a chance to stop it.

5.56 pm

Rev. Martin Smyth (Belfast, South) (UUP): It is a privilege to be called, even at this late hour, and to follow the hon. Member for Wealden (Charles Hendry), whose speech must have given great comfort to the Labour party with regard to the forthcoming election. I am sure that his remarks about driving away voters will be in the headlines.

The hon. Member for Rhondda (Chris Bryant) is not the only one in the House to have married people. Having done 25 years of parish work, I am possibly well ahead of him. He spoke of love, but we must bear it in mind that there are many types of love, so we must be careful about bandying that word around without thinking of its implications.

The other word that arises is "equality". I was fascinated by the fact that we are all carried away with the concept of equality. I could not help but think of the experience of a Presbyterian colleague of mine in a Samaritan hospital in Belfast, where one of his parishioners was in deep post-natal depression. Psychologists, psychiatrists and doctors were unable to do anything to help her. My colleague spent about 45 minutes with her trying to help. Finally, with a sense of despair, he said, "Well, we'll have a wee prayer before I go; these things come to all of us." At that, the woman started to laugh.

We are not equal. There are different issues, and one of the issues that we are debating is the fact that civil partnership is not merely civil partnership; it is giving recognition of something that some of us hold dear. I happen to be one of those—perhaps I am the only one in the House—who speaks having been put into the den of lions. A medical doctor and I had been invited to appear on the "Kelly" show in Belfast to deal with the question of homosexuality. We understood that two people on the panel would take the point of view of homosexuality, while the other two would take a different line. We thought that the audience would be a normal mixed audience, but it consisted completely of homosexual people. I had the privilege, for which I am thankful, of receiving letters of apology from members of that community, thanking me for the way in which I dealt with the programme and apologising for the way in which some people responded and acted.

When we talk about bigotry, we must remember that it is not one-sided. Even today, certain innuendos have been cast at some who may take a different line. It shows the kind of world in which we live—the real world—when an outside body tries to put pressure on a person who holds different views from it in order to remove that person from a directorship.

The hon. Member for Rhondda may have made one or two mistakes. There are different forms of theology, but I have never believed that penitence comes after repentance.

Mr. Seamus Mallon (Newry and Armagh) (SDLP): I watched the programme to which the hon. Gentleman referred. If we are ever to reach a settlement in Northern Ireland, it must be based on full equality and full justice. How can my political beliefs or those of the hon. Gentleman, however deeply and sincerely felt, prevent full equality and full justice for people because of their sexual orientation?

Rev. Martin Smyth: I take the hon. Gentleman's point, but we should bear it in mind that politics represents society. The hon. Member for North Antrim (Rev. Ian Paisley) made the point that 86 per cent. of people did not approve of the Bill before it was applied to Northern Ireland, but the Bill was suddenly extended to Northern Ireland on the ground of equality. For years, I pleaded for this House to pass legislation to give equal rights to disabled people in Northern Ireland, but it was regularly kicked into touch. If we deal with equality, we should do so across the board.

I am not convinced that the Bill will provide the rights mentioned by the hon. Member for Wealden (Charles Hendry). The financial issues could have been tackled differently, but Governments of both persuasions will always hesitate to introduce legislation that increases expense and makes them unpopular with taxpayers, and we must bear that issue in mind.

The hon. Member for Hornsey and Wood Green (Mrs. Roche) discussed goods and services and referred to Sandals. Have we reached the stage at which we introduce legislation that deals not with moral law, but with people's preferences, and that compels people to act in certain ways? If we go down that road, the legislation that we introduce will ultimately prove divisive. I have no time for homophobia, which is prevalent in all societies, but I am not convinced that the Bill will actually advance our response to young folk who hold such attitudes. Thankfully, many young people are beginning to react against the commercial side of sexuality, which is brainwashing our society.

David Cairns: The hon. Gentleman is sliding dangerously close to a view of homosexuality and young people from which I urge him to back off, because it will do his argument no good whatsoever. To return to his point about moral judgments, personal preferences and the law, does he accept that we legislate in a variety of other areas? If I ran a bed and breakfast and decided that I did not want to accommodate black people, it would be against the law, which we accept. Personal preferences and the law cross over, and we are here to make choices and pass legislation. We cannot stand back and say, "We should not get involved", because that is why we are here.

Rev. Martin Smyth: I understand the hon. Gentleman's point, which concerned a private boarding house.

We may discover that we are turning citizens into criminals and that we are putting people out of business and out of work, which may lead them to draw unemployment benefit.

[Rev. Martin Smyth]

The heart of the argument was expounded in Belfast by a representative of the homosexual community who said that in his opinion there is a difference between marriage, which is a sacrament, and civil partnership. There are those of us who believe that marriage is not a sacrament but an ordinance of God, and we wonder whether the state can continue to try to replicate the pattern that God has ordained.

6.5 pm

Mr. Gerald Howarth (Aldershot) (Con): This has been an interesting debate. I do not intend to disappoint my hon. Friends the Members for Buckingham (Mr. Bercow), for Wealden (Charles Hendry) or for Rutland and Melton (Mr. Duncan). I oppose the Bill in principle and feel just as passionately about that as those who have spoken in favour of it. I salute the hon. Member for South Ribble (Mr. Borrow), who made a courageous speech with great dignity, and I respect him for his position. I hope that the House, which has overwhelmingly declared that it is in favour of the Bill, will nevertheless recognise that some of us have equally passionate beliefs on the other side of the argument. I am afraid that simply to throw epithets at us does the House no credit. Serious issues are involved and they deserve to be addressed.

Let me say at the outset that there is no question that any hon. Member would tolerate bullying of any description. The activities that my hon. Friend the Member for Wealden described are unacceptable to anybody, but they are nothing to do with the Bill. The fact that action has not been taken is regrettable, and those who have failed to do so should be upbraided.

Mr. Borrow: Perhaps the hon. Gentleman could answer the question that I put to the right hon. Member for Maidstone and The Weald (Miss Widdecombe): does the Bill contain parts that he can accept and parts that he cannot, or is he opposed to the whole concept? Many right hon. and hon. Members have mentioned specific injustices in the current situation. Which of those injustices would he be prepared to address?

Mr. Howarth: I am opposed to the Bill in principle, because I am opposed to the creation of civil partnerships, but I shall turn later to some of the aspects that I readily understand.

So strong are my feelings about the principle of this matter that I have made common cause with Peter Tatchell, whose name has been mentioned. I supported Peter Tatchell when he was arrested by the Belgian authorities for rightly protesting against Mr. Mugabe when he visited Brussels. I have some wonderful letters from Peter Tatchell on file. The idea that people who are dealt with unfavourably by the police or bullied by their peers is acceptable is wrong and must be resisted with all the passion that we can muster.

Mr. Bercow: Will my hon. Friend give way?

Mr. Howarth: Very briefly, because I know that two of my hon. Friends want to speak.

Mr. Bercow: Of course I readily accept that my hon. Friend is opposed to bullying of, or violence against, gays. He will recall, however, that he is on record as having said on 10 February 2000 that he believes that homosexual relations between consenting adults should be permissible only with the consent of both sets of parents, which is a somewhat difficult state of affairs to achieve. Does he not accept that if the political culture and the law fail to respect the existence of gay couples, it is likely that discrimination against them, potentially including violence, will follow? As the late Enoch Powell would have said, that is so blindingly obvious that only an extraordinarily clever person could fail to see it.

Mr. Howarth: I shall assume that my hon. Friend thinks that I am extremely clever, as I know that he is a very generous man. I do not accept his point, and he is unfair in adducing those remarks to me. I cannot remember exactly what I said on 10 February, but obviously my hon. Friend, with his encyclopaedic mind, can.

Hon. Members, including Front Benchers, are overwhelmingly in favour of the Bill. My hon. Friend the Member for Rutland and Melton is a veritable pocket battleship, and he made a very good speech. I did not agree with it, but I entirely respect his right to make it, and I am delighted that he did so in his personal capacity. If the chips were down and we were under fire, I would happily share a trench with my hon. Friend. I hope that he will take comfort from that.

If there is an overwhelming view in this Chamber, I do not believe the view outside to be the same. This is a highly controversial issue, and there are people outside who do not agree with civil partnerships. Furthermore, those people will be astonished that the Bill is being rammed through the House in the space of about 10 days. That is not the way to treat an issue of such major importance. Such people regard this Bill as gay marriage in all but name, and they simply think that that is wrong. They are our constituents, they are decent people—

Mr. Douglas Hogg (Sleaford and North Hykeham) (Con): Will my hon. Friend give way?

Mr. Howarth: If my right hon. and learned Friend does not mind, I will not, as I know that two of my hon. Friends still wish to participate in the debate.

These are decent people that I am talking about. They are not homophobes, bigots or any of the other epithets so readily thrown about. They are tolerant and generally neither inquire nor want to be told what other people do in the privacy of their own home. However, they recognise that our laws ought to have a moral basis. They also recognise that the law sends a moral signal, for good or ill.

The Government also believe that, which is part of their reason for pressing ahead with the measure. The plan to create civil partnerships was first announced in December 2002, when the hon. Member for Hornsey and Wood Green (Mrs. Roche)—I am sorry that she is not in her place at the moment, although she spoke earlier—who was then Minister for Social Exclusion, indicated that legal change was intended to force cultural change. She said:

> "It would send a powerful message about the acceptability of same-sex relationships and about the unacceptability of the homophobia still far too prevalent in our society."

There is no room for middle ground in that statement: one either regards same-sex relationships as acceptable or one is homophobic.

People often say that one cannot use the law to force one's beliefs on other people, but clearly the hon. Member for Hornsey and Wood Green does not accept that, and nor does her successor, the Deputy Minister for Women and Equality, who is in charge of civil partnerships and responsible for the Bill today. She issued a consultation paper in June last year. In her foreword, she announced that thousands of homosexual couples are

> "living in exactly the same way as any other family".

Exactly the same way? That assertion is disputable.

Mr. Alan Duncan: Is it my hon. Friend's view that those who have religious objections to the Bill—the objections are primarily religious—are entitled to and should use the power of the House to impose those same religious views on people who may have no faith and who may not share those same religious views?

Mr. Howarth: My view is that this is a Christian country and that all our laws are grounded in Christian tradition. As my hon. Friend the Member for Salisbury (Mr. Key) said quite fairly, there is a difference of interpretation, and as time moves on, perhaps even more so. I am afraid, however, that I take the view that this is an overwhelmingly Christian country, that our laws must be founded on the Christian faith, and that it is right that bishops should sit in the other place. I support that.

There is no doubt that the Government are on a crusade. The Under-Secretary of State for Defence said in a debate on the armed forces that some measure was part of the Government's equality agenda. They want to force a cultural change on our society. To take lightly the deeply held convictions of so many people about the nature of marriage, and to try to force them to recant, is oppressive and dictatorial.

The issue is the nature of marriage, no matter what the Deputy Minister for Women and Equality may say. She has repeated the Government line, which is shared by my hon. Friends, that civil partnerships have nothing to do with marriage. I submit that that assertion has all the credibility of the Iraq dossier. It is gay marriage in all but name. Ministers cited the case in Brighton, where what has been called a "pink wedding list" is apparently being drawn up. Weddings are ceremonies that are associated with marriage—

Mr. Bercow: So what?

Mr. Howarth: My hon. Friend says from a sedentary position, "So what?", but the Government have asserted all along that civil partnerships are not gay marriage. I am sure that he fully accepts the concept of gay marriage, but the Government have said that this measure is completely different, although the Minister quoted with approval what was going on in Brighton. I shall not repeat the various clauses in the Bill that mirror exactly the provisions in relation to marriage, because we have discussed those at length.

All the newspapers call this gay marriage. I rarely quote *The Guardian*, but I shall at least quote what it said on 30 June 2003:

> "The tabloids may go wild over 'gay marriages' and New Labour will no doubt shrink timidly from the phrase. But in truth, it will be a legal marriage in all but name."

Here in the Chamber, we must pretend that this has nothing to do with marriage in order to perpetrate a deceit on the public, but in fact, not everyone in the Labour party is on message. I gather that in March, the Labour website ran a picture of the Bill covered in confetti to illustrate the similarity to marriage.

It has been said frequently throughout the debate that the case for civil partnerships exists because the current law is unfair, and my hon. Friend the Member for Wealden and others have rightly drawn attention to people who found themselves in some difficulty and experienced injustice. I understand how they must feel, but as my noble Friend Baroness O'Cathain pointed out in the other place, there are other injustices as well. Her amendments were designed to draw to the public's and Parliament's attention the fact that the Bill sought to remedy one set of injustices without remedying another. It is no good certain of my hon. Friends and others who support the Bill saying, "Well, those are separate matters and we will deal with them later." These people feel that their injustice should have been dealt with. They wonder why homosexual couples should be treated favourably in this way, when the problems that they face have not been resolved.

Peers of all parties—despite the Labour party's efforts, I am told, to get their Members in the other place to vote against the amendment—took the view that if the Bill is meant to be about helping people living in co-dependent relationships, it should apply to two sisters and other family members who live together as adults for more than 12 years, as has been discussed. The noble Prelate the Bishop of Rochester said:

> "If the intention of the Bill is really to address unfairness . . . rather than introduce social engineering through the back door, the Minister, the Government and noble Lords will have no hesitation in considering the amendments with sympathy."—[*Official Report, House of Lords*, 24 June 2004; Vol. 662, c. 1367.]

I suspect that it is less a case of the amendments being considered unworkable and more a case of their being unwanted. If the Government were serious about dealing with them, they would introduce proposals to ensure that the Bill was changed in such a way as to make the amendments workable.

Of course, certain of the difficulties that have been mentioned by Members from all parts of the House could be dealt with under existing law. For example, on inheriting tenancies, homosexual couples already have legal rights that other co-dependants do not. In 2003, the Court of Appeal held that two homosexuals should be treated as living together as husband and wife for the purpose of a statutory tenancy. The court gave the survivor a right to inherit his partner's flat.

I accept that genuine difficulties exist, and I should point out to the hon. Member for South Ribble that, like my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe), I feel that there are issues that ought to be addressed. But I do not believe that this Bill is the means by which to do so. Setting up an alternative to marriage—or a parallel to it, as my hon. Friend the Member for Rutland and Melton suggests—is not the answer.

Let us be in no doubt: we are legislating for what Baroness Scotland accepted in the other place is a tiny fraction—5 or 10 per cent.—of a small proportion of the

[Mr. Howarth]

population. I remind the House of an old adage that may seem harsh, but is not intended to be so: sad cases make bad law. To legislate on the basis of the cases mentioned, and to create a whole new raft of law, consisting of 383 pages—*[Interruption.]* I repeat: these are sad cases, involving people who are in difficulty. The expression that I use is familiar in legal circles, as the hon. Member for Glasgow, Maryhill (Ann McKechin), who is a lawyer, will know.

Many of the problems in today's society arise from the dysfunctional nature of the family and the breakdown of family life. We desperately need to do all we can to support and sustain marriage. I am opposed to the Bill because it sends out a false signal, particularly to young people, that somehow a homosexual relationship is an equally valid lifestyle. We shall see all the books coming out to support schools in their personal and social education, which will encourage children to believe that. I do not share that view; it is not the right thing to do.

The Bill permits children, whom virtually all the authorities concede should be brought up in a natural household of a man and woman, to be brought up in another form of household. Finally, the Bill creates inequalities to which Parliament should not be party, so I shall oppose it.

6.20 pm

Angela Watkinson (Upminster) (Con): I should like to make two points briefly so that my hon. Friend the Member for Gainsborough (Mr. Leigh) can also contribute to the debate. I intend to vote against the Bill and I shall briefly explain my two reasons for doing so.

First, the Bill is unfair. It purports to overcome inequality, but it introduces inequality where there was none before. It gives preference and advantages in law to homosexual couples over and above other same-sex couples, which is unjustifiable.

I listened to the opening speeches and noticed that the Minister repeatedly used the term "homosexual", so it is clear that the Bill's provisions are intended for homosexuals, though I cannot remember whether the precise terms "gay" or "lesbian" were used. I cannot claim to have read every page of the Bill, which is rather a weighty tome, but I saw no reference to homosexuality in it. It refers simply to "same-sex couples", so I am left wondering whether platonic same-sex couples are excluded.

The impression was created that two women who have been lifelong friends living in the same home and sharing a life together would not be subject to the Bill's provisions. I hope that the Minister will clarify that point, because she gave the impression that the Bill would exclusively benefit homosexual couples. If that is not the case, it puts a whole different slant on the matter. In any case, who apart from the two involved can possibly know the nature of a personal relationship? Some heterosexual opposite-sex marriages are platonic and two homosexual people can live together and share a home even though they are not involved in a personal relationship with one another. There are other variations on the theme. I therefore ask the Minister how eligibility for civil partnerships will be established, given that it is virtually impossible to know the real relationship between any two people.

The civil partnership provisions, as presented by the Minister, are unfair. Unamended, the scheme will apply only to gays and lesbians, and other house sharers will be excluded. Would two elderly ladies living together for most of their lives have to affect to be homosexual in order to gain the advantages in law as described in the Bill? Would one of two sisters sharing a house over a long period incur inheritance tax when the other dies? Under the Bill, if a homosexual couple registered their partnership, even after a few months, one would inherit tax free if a partner died. That amounts to an injustice where there was none before.

I suggest that the Bill is unnecessary. Let us get back to its purpose. If it is to overcome injustices regarding tax benefits, pensions and so forth, I concede that it is right to deal with such injustices, but I am not persuaded that the Bill is the proper device for doing so. If the purpose is purely to overcome those injustices, civil partnerships per se are unnecessary. If it is to provide legal recognition for civil partnerships by creating a pseudo-marriage, that amounts to an entirely different purpose. The traditional family provides the basis for a stable society and the procreation of children. The Bill rests on the view that marriage and same-sex partnerships are equivalent or the same, but I do not believe that they are.

6.24 pm

Mr. Edward Leigh (Gainsborough) (Con): It is difficult to summarise the debate from the point of view of the mediaeval wing of the Conservative party. We are accused of many things—of being homophobes and the rest of it—but I believe that we have a point of view that we are perfectly entitled to express. I must admit that I was surprised by the suggestion made by one of my hon. Friends in his closing remarks that the Conservative party as a whole was trying to turn away women, or people who are black or gay. Nothing is further from the truth. We are the party of all Britons. We want people to vote Conservative because they believe in freedom, the nation state, strong defence, deregulation or any of the other things that conservatism is about. We have as much right to speak up as anyone else.

Our present marriage laws discriminate against many people. Our existing law discriminates against gay people who wish to leave property to each other, but it also discriminates against sisters, uncles or nephews and many others who want to do the same. Yet it is not so much that the present law discriminates against those people as that it discriminates in favour of marriage. It is neutral about other relationships, but discriminates in favour of marriage because that is what has happened in every society and nation in history.

On the walls of every register office, it is stated that marriage is about a permanent union between a man and wife, to the exclusion of everyone else. All through history, societies have taken the view that that was necessary, and it was John Locke who said that marriage was mankind's first society.

Marriage is the building block of society. Over the centuries, Parliament has taken the view that we should discriminate in favour of marriage. We do not want to discriminate against anyone else—not sisters, brothers, uncles, nephews, stepsons or grandfathers, grandsons or gay people. We want to discriminate in favour of the building block that is marriage.

Mr. Bercow: Will my hon. Friend give way?

Mr. Leigh: No, as I have been told that I have very little time.

I have explained my concern about this Bill. We need a corpus of marriage law, and we have one. I have personal views about marriage. For many years, I have said that we must try to sustain it, just as I have argued against easier divorce laws, but that is a subject for another debate.

We must now create another corpus of law, either with this Bill or with a Finance Bill, to relieve the unfair burden placed on people who have lived together a long time and who want to leave pension rights or property to each other, or who want to visit each other in hospital or enjoy all the other benefits that have been mentioned today. Whatever such a Bill might be called—the Sharing of Long-Term Domicile Bill is one possibility—it would allow us to do what the Government want to do with this Bill.

The Government have tried to pull our heart strings on this matter. We have heard powerful stories about people called Chris or Rex, and about people who have been living together for 40 years who want to leave their property to each other but who cannot. We realise that that is unfair in the modern world. It is unfair that sisters who have lived together for many years in a non-sexual relationship should be placed in such difficulty and it is a problem that we must address.

I accept that the amendments passed by the House of Lords may be unworkable in their present form. I am trying to put my argument in an honest way but if the Government are serious about addressing anomalies that hit people who have been living together for a long time, they should use this Bill or the Finance Bill to introduce proposals that could work to help such people. The Bill as it stands does not provide that.

We are not homophobes or anything like that, but we are saying that this Bill does not do what the Government seem to want it to do. We must be honest about these matters. The hon. Member for Rhondda (Chris Bryant) made an honest speech, in which he gave a powerful exposition of his point of view. There is no doubt that there are people in this House who believe that gay people should be allowed to go through a form of marriage. If they love each other and have made a commitment to each other, why should gay people be denied something called marriage when the rest of us are allowed it? However, a person would have to be utterly credulous to believe that, by enabling people to register a civil partnership at a register office and by providing that a long-term relationship can be ended only after it has suffered irredeemable breakdown—in other words, by replicating what is contained in our ordinary marriage laws—we are not creating a form of gay marriage.

Why cannot we be honest about it? It will come and the next step will be for the gay community to insist—rightly, in their view—that gay marriage be recognised, that it should be an offence to attack homosexuality and that it should be taught in schools on equal terms. That is the agenda. Let us not be mealy-mouthed about it. That is why the mediaeval wing of the Conservative party, as we have been described, is standing foursquare against the Bill and why we will vote against it tonight. We believe that by voting against the Bill, we send a powerful message that there are still people in this House who are prepared to stand up for traditional values because they believe passionately that such values are the building blocks of a just, fair and right society.

6.30 pm

Mr. Tim Boswell (Daventry) (Con): Back to reform, now. This has been a fascinating and full debate. It has spoken for itself and will need only reasonably crisp and succinct winding-up speeches. Indeed, there is no time for more.

I shall draw on one or two speeches without, I hope, invidiousness, because they have all been of high quality. I was delighted by the speech of my hon. Friend the Member for Rutland and Melton (Mr. Duncan) from the Front Bench. He spoke with great fervour, a round appreciation of the issues and clarity of mind. It was a good start from our side. The hon. Member for Hornsey and Wood Green (Mrs. Roche) spoke with great authority and commitment to the cause of equality generally and to the elimination of discrimination. She will not be surprised to learn that I agree with many of her sentiments, although not all of them in detail. It is important that we make social progress in this area and that my colleagues recognise that such progress has been made.

My hon. Friend the Member for Wealden (Charles Hendry) made a distinguished speech and I also commend the passion and articulacy of my hon. Friend the Member for Buckingham (Mr. Bercow). As he occasionally admits in public, I can claim to have had a hand in his conversion, but I cannot be responsible for the ongoing consequences in relation to his speech this evening.

The Conservative party will allow a free vote on the issue and I will support the Bill tonight. Those of my hon. Friends who do not share my view of the Bill and will not join us in the Lobby have made progress in the sense that they have admitted that gay people in relationships face problems. However, my hon. Friends argue that others face problems with their tax position and so on, as mentioned in the debate.

My hon. Friend the Member for Gainsborough (Mr. Leigh) quoted John Locke. It may well be that marriage is the building block of society, but that does not mean that we cannot have civil partnerships as a secondary underpinning of society, for those who expect to require them. The two are not mutually exclusive and that is the fulcrum of the differences in this debate.

I have three points to make specifically and I shall then make some more general comments in conclusion. All three points draw on my previous experience of the Gender Recognition Act 2004, which addressed many of the same issues. That Act has not been mentioned today, but if the Bill were not passed it would lead to an invidious situation for persons affected by that Act. I have a constituent who has been married for several years but has undergone gender reassignation. That person may now apply for a gender recognition certificate, but if they do so their marriage is automatically voided. However,

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they wish to continue the loving relationship that they have had for many years. It would be intolerable not to afford them the opportunity to take out the parallel of a civil partnership to recognise that new position. Indeed, they have lobbied me on that point and have kept in touch with me throughout the passage of the Bill.

We touched on my second point when we discussed gender recognition, and it is also relevant to the Bill, so I hope that the Committee will consider it. It is important to be certain that the Bill is sufficiently alert to developing issues of private international law, especially relating to jurisdiction. As has been said in several quarters, a large number of European and other states have adopted legislation on civil partnerships that is similar to the Bill. Persons in civil partnerships will come to the UK and may establish businesses or work in this country, so it is extremely important that their rights are recognised and to some extent anticipated by our law and that we do not find ourselves in the European Court for non-compliance on the ground of discrimination. I advise Ministers to keep that point firmly in mind.

A third issue that I hope will be probed in Committee is the need to iron out any remaining disparities between civil partnerships and marriage. The two are distinct, but it is perfectly proper that they be parallel and as near identical as possible in terms of what they convey. To my more sceptical friends, I say that I feel strongly that the Bill is about conveying rights and although there may be certain privileges, or consequences in terms of benefits, that flow from those rights, they are secondary to the main purpose. I think that Ministers are aware that if their objective is to secure those rights through a parallel process, they should make clear tonight and in Committee how those rights will be pursued. That consideration applies not only to the points that have been made in many places about occupational pensions, where I have sympathy, but is also true in respect of the financial implementation of those rights. It would be helpful if the Minister could tell the House something about the first convenient or available Finance Bill and the timetable to bring in the validation of those rights.

Those three points have not always featured in debate. What has inevitably featured extensively is the tranche of amendments moved by my noble Friend Baroness O'Cathain, which cause real difficulty for the Bill, so I shall have no problem if the Government want to remove them in Committee. The difficulty is partly practical. For example, what would be the situation of three sibling sisters living together? Could they conclude a simultaneous civil partnership with each other, or if not, which of them would be excluded and on what grounds? The mind boggles.

It is also important to remember that whereas rights can be extended to groups through the civil partnership—indeed, it is part of the essence of the case against civil partnership put by some who have briefed us that it affects only a small number of people—by the same token, if the whole complex of family relationships and carers is included, the cost of any action taken would probably escalate by one or two orders of magnitude. We should be dealing not with a small amelioration of unfairness, or the ironing out that I described, but with an almost unsustainable financial consequence.

It is of course entirely right, as my right hon. and learned Friend the Leader of the Opposition has indicated in correspondence and as we have said during the debate, that we should look at action to remedy or improve the position of carers and family members through a Finance Bill. That is the right place to argue the point, having regard to the costs and resources available and the precedents for it. Such provision should not be used to obstruct or get in the way of the thrust of the Bill's equality legislation for civil partnerships.

I have some personal comments, which in a sense drive my support for the Bill. The nation, Parliament and society more generally have been on a rather long journey—as have I—and the Bill represents one of the final steps. Alongside the parallel evolution of discrimination and equality law—I have already indicated my sympathy with that broad approach and my continuing interest in it—I would describe what has happened since the Wolfenden report in 1959 through the 1960s and on through the 40 years to today as the conversion of our legal approach from the old prescriptive and even literally penal ways that we practised to an approach based on respect for the individual and the choices that he or she wishes to make.

Perhaps, taking the debate away from the Bill, the single most interesting and encouraging event in recent weeks has been the combined resistance of European Union countries to Turkey's proposed penalisation of adultery, which goes absolutely in the opposite direction and is not acceptable according to modern standards. Slowly but surely in western Europe and more widely in the western world, both among professed Christians and those of other faiths and no faith, we have come to cast off an approach based over the centuries on prescribing what people should do in their private lives and instead we have moved towards providing an acceptable institutional framework to enable individuals to pursue their lives by their own lights and to pursue their own relationships.

There remain entrenched—we have heard them today—overt and, perhaps more interesting, covert beliefs and habits that are hostile to gay relationships. Yet, and I say this as someone who has had 35 years in Christian marriage and has children and grandchildren—I celebrate that—I hope that I can recognise now the validity of the wish of my friends and the friends of my children who happen to be gay to enshrine their loving and faithful relationship in law. That is what the Bill is about. Simply, the time has come for all of us, but for my party as well, to learn to stop frustrating and even demonising individuals and instead to give them the space and encouragement to make their own life choices. That is the basis of my approach as a Conservative and of my support for this legislation tonight.

6.42 pm

The Parliamentary Under-Secretary of State for Scotland (Mrs. Anne McGuire): I congratulate the hon. Member for Daventry (Mr. Boswell) on an emotional winding-up statement and one that clearly identifies the journey that he has made in accepting the situation that we are discussing tonight. We have had a valuable debate. Seldom in this House over my short period in it have I heard such a thoughtful and thought-provoking debate. I say that in all sincerity to those people who perhaps do not accept the point of view that the Government are putting forward this evening.

I make it clear from the outset that we are not here to denigrate or undermine anybody's deeply held religious beliefs. We are here to discuss a secular arrangement for a commitment that two people make. I hope that we will gain, if not universal support, then significant support for that in this House. I am particularly pleased with the overall support for the principle of the Bill and the recognition of the inherent value and humanity of committed same-sex relationships.

Throughout today we have heard some outstanding speeches, and I want to comment on one or two of them. My hon. Friend the Member for South Ribble (Mr. Borrow) made a brave contribution to the debate today. It is very difficult to describe in the Chamber of the House of Commons in the full glow of publicity our own personal living circumstances, but he did so with great dignity. He also highlighted the fact that we are not talking about anonymous beings; we are talking about real people with whom we live and work.

I also congratulate the hon. Member for Rutland and Melton (Mr. Duncan) on his personal support for the Bill and on relaying the Leader of the Opposition's support. We divide on political grounds in many debates in the House, but I was absolutely delighted to hear about both his own support and that of the Leader of the Opposition. I wish to deal with a couple of points that the hon. Gentleman made and perhaps to give him some reassurance. On the compression of time, there is not a major difficulty. We intend to get the Bill through Parliament; it is a flagship Bill, and we certainly hope that we will have maximum support for it. On the design of premises, we will have a further opportunity to discuss that issue in Committee. I hope that that gives some comfort to him.

I wish to pick up on the comments made by the hon. Members for Belfast, South (Rev. Martin Smyth) and for North Antrim (Rev. Ian Paisley). Although I obviously do not wish to challenge their theological approach—that is not the purpose of my contribution—I hope that hon. Members will agree that very strong equality and social justice imperatives drive the introduction of civil partnerships and that they apply equally to Northern Ireland as to the rest of the United Kingdom. It would be invidious to treat same-sex couples in Northern Ireland differently from same-sex couples in the rest of the United Kingdom even, with the greatest respect to the hon. Member for North Antrim, if there were only 14 of those couples in Northern Ireland.

I also wish to highlight the comments made by my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche). I congratulate her on her work as a Minister in highlighting the issue when she was in government. She made a telling contribution, and she also highlighted the fact that, in a mature society, we should be able to discuss such issues and to recognise that it is important that, regardless of our background or sexual orientation, we are entitled to equality of treatment and fairness.

I am sorry in some respects to highlight the contribution made by the hon. Member for Christchurch (Mr. Chope) because, frankly, it brought a rather sour note to the debate. I can only say that it appeared to be a speech of single transferable family values.

We have heard about other countries throughout the debate. The hon. Member for Buckingham (Mr. Bercow) certainly identified, in a free-ranging and eloquent speech which brought seriousness to the debate, the range of countries that now adopt a position similar to the one that we speaking about this evening. One of his comments was particularly apposite: we cannot help those who cannot marry by somehow hurting those who can. That comment was very appropriate.

The hon. Member for Salisbury (Mr. Key) also made a thoughtful speech, and I want to use it as a hook to congratulate him and the hon. Member for Romsey (Sandra Gidley), my hon. Friend the Member for Colne Valley (Kali Mountford), the hon. Member for East Carmarthen and Dinefwr (Adam Price) and my right hon. Friend the Member for Islington, South and Finsbury (Chris Smith), who collectively, in a cross-party way, sent letters to all hon. Members to say that they should support this important social legislation. I congratulate the hon. Member for Salisbury and other colleagues on that initiative.

I do not know whether my hon. Friend the Member for Reading, East (Jane Griffiths), who is in her place, recognised when she introduced her civil partnerships Bill three years ago that she was ploughing a furrow that would end up here this evening on 12 October. She made a valuable contribution to our debate.

My hon. Friend the Member for Rhondda (Chris Bryant) asked about religious ceremonies. I appreciate that he is an expert on such matters, although he has not been so for quite such a lengthy time as the hon. Member for Belfast, South. My hon. Friend asked whether ceremonies should be involved in civil partnerships. I think that it is fair to say that same-sex couples could have a ceremony in addition to the registration process if they wished, but that would not be a legal requirement. The Government are clear about the route down which we wish to go. The confirmation of the civil partnership will be the signing of the partnership schedule.

My hon. Friend the Member for Glasgow, Maryhill (Ann McKechin) raised one or two issues relating to Scotland on which I hope that I can reassure her. She asked whether the Government will allow the Bill to grant the legal rights of succession that exist in common law for spouses. We will move amendments in Committee to provide legal rights of succession to civil partners, and we probably would have been able to do that in the House of Lords if we had not been so rudely interrupted. She asked whether the Executive plan to review the law on succession in the light of the Bill, but as she will appreciate that is purely a matter for the Scottish Executive.

I highlight to my hon. Friend and the hon. Member for Orkney and Shetland (Mr. Carmichael) the fact that it was disappointing that the only contribution to the debate from a representative of the Scottish National party, the hon. Member for North Tayside (Pete Wishart), was to chunter on about whether the House should be legislating in such a way. It is important to appreciate that some things are better done collectively across the United Kingdom's legislatures. When there is such complexity surrounding reserved and devolved matters, it is vital, as my hon. Friend said, for the Scottish Parliament to have the maturity to realise the

[Mrs. Anne McGuire]

importance of giving its powers back to Westminster in this specific case. I reassure Scottish Members—this might well interest other hon. Members—that I met representatives of the Scottish Parliament Justice 1 Committee and explained to them the procedures and the way in which we would implement the Bill.

The right hon. Member for Maidstone and The Weald (Miss Widdecombe) said at the outset that she thought the Bill was wrong, so I doubt whether anything that any hon. Member could say would change her mind. With the greatest humility, however, I must tell her that she is not the only person in the House who wishes to defend the institution of marriage. Many of us want to defend that institution, and after 32 years of marriage, rather like the hon. Member for Salisbury, I think that I could defend the institution in most instances. The right hon. Lady should not assume that people who oppose the Bill are the only ones who are willing to defend the institution of marriage.

I shall deal with several general issues before I conclude my speech. As we have heard from examples cited today, the amendments made in the other place frankly left us in a faintly surreal situation. Although I would not impugn the reputation of all those who supported the amendments, the Bill was hijacked for reasons that are generally recognised to be outwith its scope. Many examples have been cited this evening about situations involving divorce or dissolving a civil partnership with a parent. Rather like the hon. Member for Daventry, I would have had grave difficulties with the situation in my family. I have three sisters and do not know whether we could agree about which would enter a civil partnership. When my parents were alive, I doubt that they would have been able to choose between the four of us regarding a civil partnership—my father would have had to divorce my mother first in any case.

We have clearly highlighted the fact that same-sex couples are invisible in legal terms. That is a good phrase, which has permeated the debate. It describes the situation exactly. We all know gay people who are living together in relationships, but in legal terms they do not exist. The Bill goes an enormous way to deal with that invisibility. With the greatest of respect to the right hon. Member for Maidstone and The Weald, just because we want to give legal rights to people in that position, that does not mean that we are undermining the institution of marriage. We cannot defend the institution by perpetrating disadvantage and unfairness.

Pensions have been of great interest and were raised by various hon. Members on both sides of the House. My right hon. Friend the Minister mentioned survivor pensions in public service schemes. There has been a significant discussion on that throughout the lead-up to the Bill. I am pleased to report that the Government will follow the approach that we have taken in the tax system. As for tax purposes, for survivor pensions in public service schemes, registered same-sex couples will be treated in the same way as married couples. The change will be achieved by means of regulations, which will be introduced following Royal Assent. There is no need to amend the Bill.

The regulations will provide equality, as they will allow registered same-sex partners to accrue survivor pensions in public service schemes from 1988. That replicates the position for child and working tax credits, child benefit and guardian's allowance, which will be amended so that the rights and responsibilities of opposite-sex couples are replicated for same-sex couples. We have made it clear that we will use the first available Finance Bill to ensure that registered same-sex couples will be treated the same as married couples for tax purposes.

Angela Eagle: I thank my hon. Friend for the progress made since the debate started. She makes a welcome announcement and many people will be happy about it.

Mrs. McGuire: I thank my hon. Friend for her comments. There has been a great deal of activity and campaigning on the issue for genuine reasons, which is why the Government responded as they did. The hon. Member for Orkney and Shetland was cynical about that, but hoped that at the end of the day we would reconsider our position. I do not think that even he anticipated it would be at the end of this day.

We are looking forward to debating some of the issues further in Committee. I am sorry that I have not been able to address everything raised. At the start of the debate, my right hon. Friend the Minister referred to some of the personal stories of same-sex couples. We heard similar stories throughout the day. The people who will be affected by the Bill are not anonymous. They are ordinary people, going about their everyday lives. They are our friends, members of our families, neighbours and people with whom we pray in church or meet in a supermarket. They are from all airts and pairts of the United Kingdom. Some have shared their lives for decades, awaiting the opportunity to gain recognition for their relationship. In all sincerity, I hope that the House knows that it is now time to offer them dignity, justice and the right to be treated fairly. I commend the Bill to the House.

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 426, Noes 49.

Division No. 256] **[6.56 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Ainsworth, Peter *(E Surrey)*
Alexander, Douglas
Allan, Richard
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Atkinson, Peter *(Hexham)*
Austin, John
Bacon, Richard
Bailey, Adrian
Baird, Vera
Baldry, Tony
Banks, Tony
Barker, Gregory
Barnes, Harry
Barrett, John
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beith, rh A. J.
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Bercow, John
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz

Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Borrow, David
Boswell, Tim
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brady, Graham
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cable, Dr. Vincent
Cairns, David
Calton, Mrs Patsy
Cameron, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Sir Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Carmichael, Alistair
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chidgey, David
Clapham, Michael
Clappison, James
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Kenneth *(Rushcliffe)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Collins, Tim
Colman, Tony
Connarty, Michael
Conway, Derek
Cook, rh Robin *(Livingston)*
Corbyn, Jeremy
Corston, rh Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dorrell, rh Stephen
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Duncan, Alan *(Rutland)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flight, Howard
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Garnier, Edward
George, Andrew *(St. Ives)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gidley, Sandra
Gillan, Mrs Cheryl
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Heath, David
Heathcoat-Amory, rh David
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hendry, Charles
Hepburn, Stephen
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howard, rh Michael
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hume, John *(Foyle)*
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jack, rh Michael
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Alan *(Hull W)*
Johnson, Boris *(Henley)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Sir Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Keetch, Paul
Kemp, Fraser
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kennedy, Jane *(Wavertree)*
Key, Robert *(Salisbury)*
Khabra, Piara S.
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Sir Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lammy, David
Lansley, Andrew
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Letwin, rh Oliver
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Dr. Julian *(New Forest E)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Liddell-Grainger, Ian
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Loughton, Tim
Lucas, Ian *(Wrexham)*
Luff, Peter *(M-Worcs)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
McDonnell, John
MacDougall, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
Maclean, rh David
McNulty, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mallon, Seamus
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury & Atcham)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Maude, rh Francis
May, Mrs Theresa
Meacher, rh Michael
Mercer, Patrick
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Andrew *(Sutton Coldfield)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moore, Michael
Morgan, Julie
Morris, rh Estelle
Moss, Malcolm
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Diana
Osborne, George *(Tatton)*
Osborne, Sandra *(Ayr)*
Ottaway, Richard
Owen, Albert
Page, Richard
Palmer, Dr. Nick
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Portillo, rh Michael
Prentice, Gordon *(Pendle)*
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prisk, Mark *(Hertford)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rammell, Bill
Randall, John
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan

Ruffley, David
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salmond, Alex
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sayeed, Jonathan
Sedgemore, Brian
Shephard, rh Mrs Gillian
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Soley, Clive
Southworth, Helen
Spring, Richard
Squire, Rachel
Stanley, rh Sir John
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Syms, Robert
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Thurso, John
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Tyrie, Andrew
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Walter, Robert
Ward, Claire
Wareing, Robert N.
Watson, Tom
Watts, David
White, Brian
Whittingdale, John
Wicks, Malcolm
Wiggin, Bill
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Iain *(Hartlepool)*
Wright, Tony *(Cannock)*
Wyatt, Derek
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. John Heppell and
Ms Bridget Prentice

NOES

Amess, David
Arbuthnot, rh James
Beresford, Sir Paul
Brazier, Julian
Burnside, David
Campbell, Gregory *(E Lond'y)*
Chope, Christopher
Cormack, Sir Patrick
Davies, rh Denzil *(Llanelli)*
Davies, Quentin *(Grantham & Stamford)*
Dobbin, Jim *(Heywood)*
Dodds, Nigel
Donaldson, Jeffrey M.
Fallon, Michael
Flook, Adrian
Francois, Mark
Gale, Roger *(N Thanet)*
Gummer, rh John
Hawkins, Nick
Hayes, John *(S Holland)*
Hoban, Mark *(Fareham)*
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Knight, rh Greg *(E Yorkshire)*
Lilley, rh Peter
McIntosh, Miss Anne
McLoughlin, Patrick
Mawhinney, rh Sir Brian
Paisley, Rev. Ian
Paterson, Owen
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rosindell, Andrew
Smyth, Rev. Martin *(Belfast S)*
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Swayne, Desmond
Taylor, John *(Solihull)*
Trend, Michael
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Waterson, Nigel
Watkinson, Angela
Wilkinson, John
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*

Tellers for the Noes:
Miss Ann Widdecombe and
Mr. Edward Leigh

Question accordingly agreed to.

Bill read a Second time.

CIVIL PARTNERSHIP BILL [*LORDS*] (PROGRAMME)

Motion made, and Question put forthwith, pursuant to Orders [28 June 2001 and 6 November 2003],

That the following provisions shall apply to the Civil Partnership Bill [*Lords*]:

Committal

1. The Bill shall be committed to a Standing Committee.

Proceedings in Standing Committee

2. Proceedings in the Standing Committee shall (so far as not previously concluded) be brought to a conclusion on 21st October 2004.

3. The Standing Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.

5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

Programming Committee

6. Sessional Order B (programming committees) made on 28th June 2001 shall not apply to proceedings on consideration and Third Reading.

Programming of proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.—*[Jim Fitzpatrick.]*

The House divided: Ayes 337, Noes 105.

Division No. 257] **[7:16 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barrett, John
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beith, rh A. J.
Benn, rh Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burgon, Colin
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cable, Dr. Vincent
Cairns, David
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Sir Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Carmichael, Alistair
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*

Challen, Colin
Chapman, Ben *(Wirral S)*
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Connarty, Michael
Cook, rh Robin *(Livingston)*
Corbyn, Jeremy
Corston, rh Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Farrelly, Paul
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, Andrew *(St. Ives)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gidley, Sandra
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Heath, David
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heseford, Stephen
Hayes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hume, John *(Foyle)*
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Johnson, Alan *(Hull W)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Sir Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Keetch, Paul
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Sir Archy
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDougall, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moore, Michael
Morgan, Julie
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Prentice, Gordon *(Pendle)*
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rammell, Bill
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salmond, Alex
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Southworth, Helen.
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Teather, Sarah
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Thurso, John
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom
Watts, David
White, Brian
Wicks, Malcolm
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Iain *(Hartlepool)*
Wright, Tony *(Cannock)*
Wyatt, Derek
Younger-Ross, Richard

Tellers for the Ayes:
Mr. John Heppell and
Ms Bridget Prentice

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Barker, Gregory
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Brady, Graham
Brazier, Julian

Burnside, David
Burt, Alistair
Cameron, David
Campbell, Gregory *(E Lond'y)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Collins, Tim
Conway, Derek
Davies, rh Denzil *(Llanelli)*
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Francois, Mark
Garnier, Edward
Gillan, Mrs Cheryl
Green, Damian *(Ashford)*
Grieve, Dominic
Gummer, rh John
Hawkins, Nick
Hayes, John *(S Holland)*
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Howarth, Gerald *(Aldershot)*
Jack, rh Michael
Jenkins, Brian
Johnson, Boris *(Henley)*
Key, Robert *(Salisbury)*
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Maclean, rh David
McLoughlin, Patrick
Maude, rh Francis
Mawhinney, rh Sir Brian
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Murrison, Dr. Andrew
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paisley, Rev. Ian
Paterson, Owen
Prisk, Mark *(Hertford)*
Randall, John
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rosindell, Andrew
Sayeed, Jonathan
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spink, Bob *(Castle Point)*
Stanley, rh Sir John
Swayne, Desmond
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Walter, Robert
Watkinson, Angela
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Young, rh Sir George

Tellers for the Noes:
Mr. Geoffrey Clifton-Brown and
Mr. David Ruffley

Question accordingly agreed to.

CIVIL PARTNERSHIP BILL [*LORDS*] [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a) (Money resolutions and ways and means resolutions in connection with Bills),

That, for the purposes of any Act resulting from the Civil Partnership Bill [*Lords*], it is expedient to authorise—

(1) the payment out of money provided by Parliament of—

(a) any expenditure incurred under or by virtue of the Act by a person holding office under Her Majesty or by a government department, and

(b) any increase attributable to the Act in the sums payable under any other Act out of money so provided, and

(2) the payment out of the Consolidated Fund of any increase attributable to the Act in the sums payable under any other Act out of that Fund.—*[Jim Fitzpatrick.]*

Question agreed to.

MENTAL CAPACITY BILL (PROGRAMME) (NO. 2)

Motion made, and Question put forthwith, pursuant to Orders [28 June 2001 and 6 November 2003],

That the programme Order of 11th October 2004 in relation to the Mental Capacity Bill be amended by the substitution in paragraph 2 (time for conclusion of proceedings in Standing Committee) for the words '28th October' of the words '4th November'.—*[Jim Fitzpatrick.]*

Question agreed to.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

LEGAL SERVICES

That the draft Legal Services Complaints Commissioner (Maximum Penalty) Order 2004, which was laid before this House on 8th July, be approved.—*[Jim Fitzpatrick.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

EUROPEAN COMMUNITIES (AMENDMENT) ACT 1993

Ordered,

That, for the purposes of their approval under section 5 of the European Communities (Amendment) Act 1993, the Government's assessment as set out in the Budget 2004 shall be treated as if it were an instrument subject to the provisions of Standing Order No. 118 (Standing Committees on Delegated Legislation).—*[Jim Fitzpatrick.]*

PETITION

Driving Offences

7.28 pm

Tim Loughton (East Worthing and Shoreham) (Con): I seek the leave of the House to present a petition brought to Westminster today by my constituents, Ray and Jane McCabe, and signed by more than 23,000 people in my constituency and beyond in West Sussex, on the first anniversary of the death of their daughter, 21-year-old Natalie McCabe, who was killed in a tragic traffic accident exactly a year ago, together with a second passenger, Vicky Browne. A third young girl was maimed for life. The petition marks the first anniversary of their death at the hands of a driver who had no licence to drive, was not taxed or insured, was exceeding the speed limit excessively, and was well over the drink-drive limit.

The petitioners therefore request that the House of Commons pass legislation to increase penalties for driving offences; to introduce a system requiring the display of a valid driving licence and insurance documents on the windscreen of each vehicle; and to create a separate category of offence—to carry a similar penalty to that incurred by causing death by dangerous driving—for crimes committed by drivers without a licence who maim or kill.

And the Petitioners remain, etc.

To lie upon the Table.

Ectopic Pregnancy

Motion made, and Question proposed, That this House do now adjourn.—*[Jim Fitzpatrick.]*

7.29 pm

Jane Griffiths (Reading, East) (Lab): I am pleased to have the opportunity to initiate this important debate in the House tonight.

To commence, I declare an interest as an unpaid trustee of the Ectopic Pregnancy Trust and as someone who suffered an ectopic pregnancy 12 years ago.

Unlike eating and shelter, which are elemental requirements for the survival of an individual, reproduction is a primal requirement for the continuation of our species. If we as a species do not reproduce, we do not continue. It is also a powerfully personal issue. When things go well, it is the highlight of a life. When things do not go well, however, there is a great impact on a life. Within reason, we as a society should do what we can to maximise the number of times that things go right, and to minimise the number of times that they go wrong.

Ectopic pregnancy is one of the things that can go wrong. It occurs when the fertilised egg becomes caught either in the fallopian tubes or outside the reproductive system altogether. As it continues to divide and grow, it then bursts in the place where it is, leading to internal bleeding. If not caught, that internal bleeding can lead to death.

Around 10,000 women a year suffer an ectopic pregnancy. Around 10 die each year, and it is on the increase. Its impact is not just on the women who die and their families, but on those who survive when the ectopic pregnancy is not caught in time, who can suffer an emotional and traumatic time. They lose not only a potential child, but almost lose their life. The impact on the person of such an event is massive. There is a huge impact on their family, some of whom never get over it. There is a huge impact on the national health service, too, which need not happen.

Who is at risk of an ectopic pregnancy? Any sexually active woman of child- bearing age is at risk. An ectopic pregnancy is more likely if one has had pelvic inflammatory disease, endometriosis, any previous abdominal surgery, which does not have to be gynaecological surgery but could be having one's appendix out at a young age, if one has had a coil fitted, if one is on the progesterone-only contraceptive pill—the mini-pill—which is a little controversial in medical circles, or if one has chlamydia. The official view is that around half of all ectopic pregnancies are caused by chlamydia, although there are arguments in the medical profession about that. It is significant, however.

Looking back at the categories of women whom I mentioned, a huge proportion of the female population at any given time may have suffered from such conditions or may have used methods of contraception that might put them at greater risk.

What is worrying is that chlamydia is on the increase. In February 2002, I was able to introduce a debate in the House on sexually transmitted infections, which are often referred to nowadays as sexually shared infections—after all, it takes two to tango—as a result of the dramatic rise in the number of such infections. It is a matter of concern that the level of infections is still increasing.

At the time of the debate, I was promised that there was a Government commitment to extend the national chlamydia screening programme. The screening had initially been piloted in just two places—Portsmouth and the Wirral. It was extended to a further 10 sites in 2002 at a cost of about £1.5 million a year. Two years ago, the Department of Health estimated a cost to the nation of £50 million a year as a result of pelvic inflammatory disease, ectopic pregnancy and infertility as a result of chlamydia. Those costs, I suggest, are likely to increase, particularly as women with infertility problems are now to be offered a cycle of in vitro fertilisation treatment on the national health service. If conditions such as chlamydia continue to increase, infertility will also increase.

As I have suggested, some think that these figures are an underestimate. Compared with this country, there has been a massive campaign in Sweden in the past 15 years to educate and screen the population. Chlamydia in Sweden is now rare—the rate has declined from 15 per cent. to some 3 per cent.—and ectopic pregnancies have reduced at all ages, most markedly in women under 30.

Almost two and a half years ago, I called for a national screening programme for chlamydia, but it has not happened. Since then, the rate of infection has increased, and the number of women suffering ectopic pregnancies has increased. That is not to say that nothing at all has happened. Diagnosis has improved and the death rate is not increasing, although the number of ectopic pregnancies is.

I was pleased to read in the September issue of *Men's Health Forum* magazine about work carried out by the Men's Health Forum in partnership with Telford and Wrekin primary care trust and six local employers. Testing kits were made available in men's workplace lavatories, which could then be sent to Princess Royal hospital in Telford. The men were notified of the results by phone, post or e-mail, and if they tested positive, they could pick up antibiotics from a pharmacy without a prescription. I was also pleased to note that the scheme has been extended to include another local factory, a military base, a local college and some youth centres.

The importance of this work is shown in a study of young soldiers in Edinburgh undertaken last year. Some 10 per cent. of the men had chlamydia, and some 88 per cent. of those with the infection had no symptoms and no reason, therefore, to seek medical attention. A leading consultant in sexual health says that one would expect to find the same proportion of hidden infection in any group of young men tested, or, indeed, in any group of men who had recently changed sexual partners. That gives us some idea of how widespread the infection is, and how urgently we need the screening campaign.

If my hon. Friend the Minister is unable to announce tonight the nationwide roll-out of the national screening programme, I hope that he will at least be able to indicate further progress towards it. I urge him to encourage the Department of Health to expedite the programme if at all possible.

The Minister may not be aware that some of the sexual health services that were keen to implement the chlamydia screening programme have been prevented

[Jane Griffiths]

from applying for money by their primary care trusts. That is because the Department of Health provides the first year's pump-priming money and covers costs for years 2 and 3, but then requires the PCT to pick up the full cost. The sexual health clinic in Bristol, which is widely acknowledged as one of the leading centres for chlamydia research in Britain, submitted a bid for the most recent tranche of funds in 2003, only to have it withdrawn by its PCT on the ground that the PCT could not afford to pick up the cost in 2006–07. That decision surely beggars belief, given that Bristol's sexual health service problems were highlighted by my colleagues on the Health Select Committee in last year's report to the House. Does the Minister have any suggestions as to how PCTs can be encouraged to support, and given incentives to support, local health services in accessing the screening campaign, instead of obstructing them?

Whatever the cause of ectopic pregnancies, there is a more important change in the way in which services are delivered that could reduce the damage caused by them. As I said, ectopic pregnancy is a life-threatening condition that is on the increase. It has an impact on future fertility, and the emotional and physical trauma experienced is significant. But it is not only screening for chlamydia that can have a massive impact in terms of reducing the number of ectopic pregnancies, and we do not always have to look overseas for best practice. Some hospitals in the UK have established early pregnancy units. Any woman who might be pregnant is scanned to make sure that she does not have an ectopic pregnancy, and the provision of good ultrasound services and blood tests increases the accuracy of diagnosis. If early diagnosis can be achieved and the appropriate facilities provided, less invasive surgery or no surgery at all can be used to manage the condition. That will ultimately reduce the cost to the health service, the unnecessary suffering and the trauma to the woman, and will increase the chance of her future fertility. Medical advisers to the Ectopic Pregnancy Trust are already operating in that way. They have already made the changes necessary to reduce ectopic pregnancy.

What is being asked for is not so much money as training for accident and emergency staff and for obstetrics and gynaecology staff. It is about the way services are organised and about making A and E staff aware of ectopic pregnancy. It is about midwives and nurses being able to refer women who possibly exhibit ectopic pregnancy symptoms to early pregnancy units for an early scan. In many areas, though, that is not possible and it has to be done via a GP. We must accept that midwives are the lead professionals for healthy women and are ideally placed to make referrals. Woman who are perhaps pregnant or at the very least those who exhibit early pregnancy problems should have easy unrestricted access to early pregnancy units across the UK. That will result in a reduced number of hospital admissions.

Where GPs are involved, it is important that they are aware of problems in early pregnancies and have the necessary equipment to deal with them. For example, one of the medical advisers to the Ectopic Pregnancy Trust lectures to GPs across the country on the diagnosis of pelvic pain in women. Two years ago, at a course in Oxford, he found that half of the GPs worked in practices that refused to stock pregnancy testing kits on the grounds that they were too expensive and they were not being reimbursed for the cost. It costs approximately £1 for each test. The medical adviser was astonished to find that those GPs simply referred to hospital all women with pelvic pain that was viewed as severe enough by the doctor.

Those are precisely the circumstances under which women with ectopic pregnancies and mild pain could be missed—and could die. More recently, that adviser found fewer GPs with that attitude, but they still number around 5 to 10 per cent. of the total. Is it possible to ensure that primary care trusts insist that all general practices have pregnancy testing kits, and that GPs have adequate training in the diagnosis of pelvic pain in women to ensure that ectopic pregnancies will not be missed?

I have talked about the importance of chlamydia, screening programmes and the organisational changes that I believe are necessary. One thing that I ask is that the Department of Health meets the senior medical staff already running best practice to learn about what can be done to reduce the numbers of ectopic pregnancies, so that discussions can be held on the theme.

Having said at the start of my speech that I was involved in establishing the Ectopic Pregnancy Trust, I make no apology for ending my speech by talking a little about its work. The Ectopic Pregnancy Trust is the only organisation in the UK that focuses on this relatively common condition that affects around one in 80 pregnancies. Over the last five years, the trust has provided information and support to tens of thousands of women in the UK through a dedicated helpline and website, which receives 50,000 visits per month yet receives no formal funding.

It is very welcome that the Department of Health funded the initial start-up costs and sponsored the information leaflet on chlamydia and the link with ectopic pregnancy, though both those grants have now ceased and much of what we achieve is through the trust's fundraising activities and the good will of volunteers and supporters.

This debate is of particular importance to me. Twelve years ago I had an ectopic pregnancy, and had it not been for my brilliant GP, Dr. Asghar, in diagnosing it, I would not be here now. I had thought that I might be pregnant, but I waited to do a test until after celebrating my birthday over the weekend. On the Monday, I did a test and found that I was pregnant. On the Tuesday, I went to the doctor who said that he would arrange a scan for me as early as possible. He mentioned the possibility of an ectopic pregnancy, which meant nothing to me at the time.

At the weekend I began to feel very ill. Eventually, my then 10-year-old son called out my doctor and my son accompanied me to the hospital, hearing it said that I could die if not operated on very quickly. Confirming the foresight of my doctor, it was discovered that I had an ectopic pregnancy and I had a major operation. A nurse told me that I would have been dead if I had not had the operation within two or three hours. I was off work for several weeks, and received counselling for several months. I recovered fully, but what happened is still with me, as it is with every woman who goes through that. I do not want anyone else to go through what I went through, or anyone else's family to go through what mine went through.

It is very important that we do all that we can to ensure that no one else goes through the experience that I have described and to arrive at a position when no ectopic pregnancies occur, or almost none. That is achievable. With not a lot of money, but a lot of will, my hon. Friend the Minister can make a major difference to the lives of many women and families. I look forward to his reply.

7.45 pm

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): I begin by congratulating my hon. Friend the Member for Reading, East (Jane Griffiths) on securing today's debate on an important and harrowing subject. I very much appreciate the valuable work that she has undertaken, both as co-founder and now as chairperson of the Ectopic Pregnancy Trust. I also very much appreciate the work carried out by the trust itself in raising awareness of ectopic pregnancies among women of child-bearing age, the medical profession and the general public. I am also grateful to my hon. Friend for sharing her personal experience with the House.

Approximately one in 100 pregnancies is ectopic, sometimes known as tubal. As has been noted, this is a dangerous and potentially life-threatening complication, for which early diagnosis and treatment are essential. I am sure that all hon. Members have the greatest sympathy for all the women who experience this devastating condition and have to cope with the consequences. They have to deal not only with a threat to their own life, but also with the loss of a baby.

Diagnosing an ectopic pregnancy presents particular challenges, as its symptoms present very early in pregnancy, often before the woman affected realises that she is pregnant and usually before she has sought any antenatal care. So, at this point, I should say two things clearly. First, even one avoidable death from an ectopic or tubal pregnancy is one too many, but secondly—and thankfully—a woman is now very unlikely to die from an ectopic or tubal pregnancy.

Successive reports of the Confidential Enquiries into Maternal Deaths in the United Kingdom have highlighted delays in the diagnosis of ectopic pregnancy, sometimes with fatal results. So it is important that the possibility of ectopic pregnancy is considered for any women of child-bearing age presenting with abdominal pain, and that a pregnancy test—and, if possible, an ultrasound scan—is undertaken as a matter of urgency. My hon. Friend the Member for Reading, East was fortunate in having a doctor who understood that.

The most recent CEMD report covered the three-year period from 1997 to 1999, and identified 13 deaths from ectopic pregnancy in the United Kingdom. It found that a majority of the women who died from ruptured tubal pregnancies and who were known to have sought medical help before death had symptoms suggestive of gastrointestinal or urinary tract disease. The report identified a clear need to highlight the atypical clinical presentation of women with tubal pregnancies to undergraduate medical and nursing students, and to postgraduate trainees in relevant specialties. Those included primary care, emergency medicine, general surgery and obstetrics and gynaecology.

Without the CEMD reports for the UK, which are funded by the Department of Health, it would have been impossible for us to understand why women are still dying as a result of ectopic pregnancies, or from other causes. In February 2001, the chief medical officer reminded all doctors in England of the CEMD's detailed advice. Following the CEMD report, we asked the Royal College of Obstetricians and Gynaecologists to produce guidelines on the best way to manage a woman diagnosed with ectopic pregnancy. These were first produced in 1997 and have recently been updated. They have been distributed to all members and fellows of the college and are freely available on the college website.

It is encouraging that many hospitals have established early pregnancy units to allow for rapid assessment. However, I recognise that that is not the case everywhere. The maternity standard of the national service framework for children, young people and maternity services, which was published on 15 September, highlights the clear need to enable equitable access to rapid and skilled care for women currently unable to access those services. The maternity standard asks primary care trusts and maternity care providers to ensure that every woman who is experiencing problems in early pregnancy has access to an early pregnancy unit; that every pregnant woman whose unborn baby is found to have a possible problem has access to high-quality, appropriate services in an environment sensitive to her, and her partner's, needs; that as a minimum, early pregnancy units have access to high-quality ultrasound equipment and suitable expertise, other methods of assessment and therapeutic expertise, and provide a suitable environment for worried or distressed mothers and their partners; and that diagnostic guidelines are circulated to all health professionals likely to be consulted by a woman who may have an ectopic pregnancy. I hope that my hon. Friend will accept that, with the help of the national service framework, we are making progress in the direction that she set out.

In discussing our efforts to tackle ectopic pregnancy, it is also important to say something about what we are doing to reduce the numbers of people infected with Chlamydia, which my hon. Friend also highlighted in her comments. Chlamydia is the most common sexually transmitted infection in this country. It often causes no symptoms, but if left untreated can lead to pelvic inflammatory disease—the single most preventable cause of infertility—and ectopic pregnancy.

As part of the implementation of the Government's national strategy for sexual health and HIV, the Department of Health is rolling out a chlamydia screening programme across the country. England is the first European country to have such a nationally organised programme and I am pleased to report that, after just two years, it already covers more than a quarter of PCTs in England. We forecast that full coverage will be achieved by 2008–09. I appreciate that my hon. Friend and many other people would like to see the programme available across the whole country

[Dr. Stephen Ladyman]

immediately, but all screening programmes require time and commitment to implement successfully. Advice from the National Screening Committee is that it has taken at least five years to implement similar programmes successfully, and that our phased approach to rolling out the programme is the right one.

We have also invested funding to enable laboratories to switch to the more reliable and non-invasive type of chlamydia test. Last year, the chief medical officer publicly announced, in response to the Health Committee's report on sexual health, that £8 million would be allocated for 2004–05 to enable the improved test to be available in at least one laboratory in each strategic health authority. That money has now been allocated to those areas where it is needed.

Recently published data from the Health Protection Agency show a 9 per cent. increase in chlamydia between 2002 and 2003. It is encouraging to note, however, that the rate of increase for chlamydia, as with a number of other sexually transmitted infections, has slowed. I was interested to hear about the Telford programme, which—as my hon. Friend describes it—sounds very promising. However, there is no room for complacency and we agree with the Health Protection Agency that the numbers of sexually transmitted infections being diagnosed in sexual health clinics is still a cause for concern. We shall continue to tackle that in several ways. Those include investment in clinics to improve capacity and raising awareness of the risks of chlamydia and other infections through national campaigns, such as "The Sex Lottery" and the teenage pregnancy campaign.

Voluntary organisations, such as the Ectopic Pregnancy Trust, also have an important role to play. I am pleased that the Department of Health has, in the past, been able to support the Ectopic Pregnancy Trust with grant aid towards its core costs and its chlamydia and ectopic pregnancy project. I hear what my hon. Friend says about continued funding. The mechanism by which we fund voluntary organisations is the so-called section 64 grant. Of course if the trust were to put in a bid for further section 64 funding, it would be considered, although my hon. Friend will understand that I am not in a position to make any promises tonight.

I hope that my hon. Friend will accept that the Government recognise the need to ensure that facilities are available to enable women suffering from an ectopic pregnancy to be accurately diagnosed and treated, and that the maternity standard of the children's national service framework, in particular, will bring real benefits to all pregnant women. It gives us a real opportunity to drive up the quality of care offered to pregnant women, including those who have an ectopic pregnancy. I shall ensure that my hon. Friend's comments are carefully considered by all the officials involved in planning those services. I assure her that we shall reflect deeply on what she has told us about a very important subject on which further action is required.

Question put and agreed to.

Adjourned accordingly at five minutes to Eight o'clock.

House of Commons

Wednesday 13 October 2004

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

INTERNATIONAL DEVELOPMENT

The Secretary of State was asked—

Laos

1. **Andrew George** (St. Ives) (LD): What recent assessment he has made of the humanitarian situation in Laos. [190355]

The Parliamentary Under-Secretary of State for International Development (Mr. Gareth Thomas): Laos has 1.9 million people living on less than $1 a day. This year we provided some £350,000 through the mine action group for de-mining in the Nonghet district of Laos. We funded a number of other non-governmental organisations working there and the British embassy in Bangkok runs a grant scheme. In addition, we provide some £2.7 million to help tackle poverty in Laos through our contributions to the World Bank, the European Community and other multilateral organisations.

Andrew George: I am grateful for that reply, but is the Minister aware of the alleged persecution of the Hmong people in Laos and, in particular, of the recent harrowing tape brought out of the country, which includes evidence of the rape and murder of four teenage girls? It was publicised on CNN and by the BBC last month. What assessment have the Government made of the veracity of the evidence about the persecution of the Hmong people and what assessment have they made—both within the UK and the EU—of the wider implications? If they have made such assessments—

Mr. Speaker: Order. Questions must be brief.

Mr. Thomas: I can assure the hon. Gentleman that I am aware of the report to which he refers. We continue to be concerned about human rights abuses in Laos in general. Our ambassador to Laos, who is based in Bangkok, visited in June to discuss the issue with the Laos authorities. We continue to monitor the situation carefully, but I will bring the hon. Gentleman's question to the attention of my colleagues in the Foreign and Commonwealth Office.

David Taylor (North-West Leicestershire) (Lab/Coop): It is now almost 30 years since the end of the Vietnam war, during which the CIA sponsored a guerrilla army in Laos, the remnants of which are still active, but have been surrendering in recent months. Third parties have said that the brutal and repressive way in which the Vientiane regime is dealing with the problem is tantamount to ethnic cleansing. Does the Minister agree and does he think that we should treat the matter rather more seriously?

Mr. Thomas: As I said in response to the hon. Member for St. Ives (Andrew George), we take any allegations of human rights abuses extremely seriously. That is why our ambassador visited Laos in June to discuss our concerns with the Laos authorities, and it is why we are continuing to monitor the position extremely carefully.

Liberia

2. **Mrs. Claire Curtis-Thomas** (Crosby) (Lab): If he will make a statement on his Department's activities in Liberia. [190356]

The Secretary of State for International Development (Hilary Benn): Over the past year, DFID has contributed £3 million to the United Nations trust fund for disarming and reintegrating ex-soldiers in Liberia, and £1 million to UNICEF for education programmes for former child soldiers. We have also provided £10.6 million in humanitarian aid focusing on community-based services, including for the large number of internally displaced people and for refugees as they start to return. In addition, our share of the European Union's programme in Liberia is £7.5 million.

Mrs. Curtis-Thomas: I thank my right hon. Friend for that excellent response, which shows that we do not abandon states that desperately need us. However, there are people in my constituency who have fled Liberia and have protected children there, whose main concern now is that the UN will not be capable of disarming the various counties by the accepted date of 31 October. What assessment has my right hon. Friend made of that disarmament? Will he look again into the classification of Liberia as a safe state in order to ensure that if these people choose to return, it will be safe to do so?

Hilary Benn: The latest figures reveal that 87,000 ex-combatants have been disarmed and 25,000 weapons collected. The disarmament and reintegration process is organised on a regional rather than a county basis, and of the eight regional cantonment sites, four have completed their work and the UN is working hard to complete the rest of that process by the target date of the end of October, though there may be some slippage.

In order for a county to be declared as safe for return, the UN and the Government make an assessment of security, rule of law and basic services. To date, six of Liberia's 15 counties have been declared suitable for return and the UNHCR has started a strictly voluntary return programme to those counties.

Tony Baldry (Banbury) (Con): Does the Secretary of State agree that there is unlikely to be enduring stability in Liberia until Taylor is brought to trial and that it is disappointing that Nigeria is still giving him asylum? Can we do everything possible to impress on a fellow Commonwealth country and leading member of the New Partnership for Africa's Development that it really is time for Taylor to stand trial? He is wanted on a UN-backed warrant to stand trial in a war crimes tribunal in Sierra Leone.

Hilary Benn: I share the hon. Gentleman's desire that Charles Taylor should face justice. The Government of Nigeria have said clearly that they will respond to a request from an elected Government in Liberia to return him. The British Government's position is very clear. We support the special court—and the hon. Gentleman will be only too well aware that we do so in very practical ways—and we think that he should return to face justice. However, we must also recognise that Nigeria played a part in getting him out of Liberia, and that that has partly contributed to the relative stability that now exists in that country.

Mr. David Chidgey (Eastleigh) (LD): The Secretary of State mentioned that six out of Liberia's 15 counties have been declared safe. He will know also that hundreds of thousands of refugees over the border in Guinea remain very reluctant to return because they consider Liberia unsafe. To have six safe counties out of 15 is not very good when the target date is the end of October. What discussions has the Secretary of State had with his colleagues and counterparts to try to accelerate the process and to bring comfort and security to those refugees?

Hilary Benn: When I was in Geneva recently I met Ruud Lubbers and we discussed this matter. Progress will depend on the extent to which security, basic services and the rule of law are assessed to apply in those counties. I think that everyone wants to make further progress but, as the hon. Gentleman's question made clear, the situation is difficult and fragile. Liberia has suffered a great deal and the work of the UNHCR and other bodies, with our support, must be aimed at maximising the rate at which parts of the country can be rendered safe so that people will want to return. However, the hon. Gentleman is right to imply in his question that, in the end, the real assessment will be made by the refugees when they decide whether they feel that it is safe to return.

Former Soviet Union

3. **Mr. Gordon Marsden** (Blackpool, South) (Lab): What assessment he has made of the Department's strategy of working with non-governmental organisations to support the development of civil society in the countries of the former Soviet Union?

[190397]

The Parliamentary Under-Secretary of State for International Development (Mr. Gareth Thomas): The Department works with many NGOs in Russia and the countries of the former Soviet Union on a range of issues including improved governance, reducing the spread of HIV/AIDS, land reform and delivering better public services. Our approach is to encourage civil society to work alongside Government and businesses in comprehensive national programmes to reduce poverty.

Mr. Marsden: In thanking my hon. Friend for that answer, may I emphasise how crucial I believe DFID's role to be in raising the level of civil society in the countries of the former Soviet Union? That is especially important in those countries that are covered by the new European near-neighbourhood policy. One of those countries is Armenia, and I hope to visit one of DFID's projects there next week. Will my hon. Friend assure me that the Department will look closely at the operation of NGOs in the countries of the former Soviet Union, and that those bodies have a strategic plan to ensure that they are embedded locally? Success in those countries will be achieved only if we adopt a bottom-up approach to tackle matters such as corruption and the improvement of civil society.

Mr. Thomas: I wish my hon. Friend well on his visit to Armenia next week. He is right to say that civil society needs to develop much more in the countries of the former Soviet Union. That is one of the reasons why we are giving money to social development funds in Armenia, Moldova, Ukraine and Tadjikistan. Those funds support the development of NGOs in those countries, with the aim of getting communities better represented and more engaged with Government organisations.

Angus Robertson (Moray) (SNP): There is a distinct possibility that Turkey will join the EU in the short-to-medium term, and that means that bordering countries such as Armenia, Azerbaijan and Georgia are set to be the EU's immediate neighbours. What specific projects is the Department supporting as part of the EU's near-neighbourhood policy to secure peace, prosperity and democracy in the south Caucasus?

Mr. Thomas: The EU is working in a variety of ways in the countries to which the hon. Gentleman referred. In Armenia, for example, it is supporting a regional development programme that is helping to develop the capacity of civil society, along the lines of what I said in answer to my hon. Friend the Member for Blackpool, South (Mr. Marsden). We are also working with the EU on support for the extractive industries transparency initiative in the region. The aim is to get more transparency about how the resources from the extractive industries are generated, and to help to prevent the possibility of corruption in those countries.

John Mann (Bassetlaw) (Lab): Freedom-loving people the world over will celebrate the growth of independent trade unions in central Asia. What support do the Government propose to give to those independent trade unions in the future?

Mr. Thomas: I congratulate my hon. Friend on continuing to raise the matter of trade unions in that part of the world. The social development funds in Armenia, Georgia and Moldova to which I have referred already also provide support to trade union activity in those countries. My hon. Friend is right to say that we need strong trade unions and other civil society organisations if communities in those countries are to be better represented, and better able to engage with Government.

Trade and Development

4. **The Reverend Martin Smyth** (Belfast South) (UUP): What recent discussions he has had on the effects of trade on development. [190358]

The Secretary of State for International Development (Hilary Benn): I regularly talk to developing country Ministers about how we can make trade work for the poor. I have also recently talked to the director-general of the World Trade Organisation and the EU Trade Commissioner designate about the need for progress on more open and fairer trade to help developing countries lift their people out of poverty.

We also discussed trade at last week's meeting of the Commission for Africa in Addis Ababa.

Rev. Martin Smyth: I thank the right hon. Gentleman for that response. Does he agree that while aid is helpful, fair trade is better? What progress has been made in helping developing countries to promote trade when developed countries hinder them?

Hilary Benn: I agree with the hon. Gentleman. The World Bank estimates that opening up world trade could help to lift 300 million of our fellow human beings out of poverty by 2015. In one sense, it is the single most important step that could be taken. As for progress, after the disappointment of Cancun, a framework agreement was reached just after midnight at the end of July this year, which sets the scene for the WTO ministerial meeting that is due to be held in Hong Kong in December. The real challenge will be to demonstrate, by what we do collectively in reaching an agreement, that we are prepared to take the steps that give the poorer countries of the world the chance to earn and to trade their way out of poverty, because that is what they want. In the end, it will be economic development that will be the real engine for lifting people out of poverty around the world.

Mr. Tom Clarke (Coatbridge and Chryston) (Lab): Is my right hon. Friend aware that those who lobbied the Labour party conference, including aid agencies such as CAFOD, were impressed by what he and my right hon. Friend the Secretary of State for Trade and Industry had to say about economic partnership agreements? Will he therefore seek to continue to influence the Government to ensure that trade is at the heart of negotiations, especially during our European presidency?

Hilary Benn: I thank my right hon. Friend for his remarks. The economic partnership agreements, which are in the process of being negotiated, provide an opportunity to do what the hon. Member for Belfast, South (Rev. Martin Smyth) seeks to do. I am sure the whole House also seeks to do that. We should not write them off, as some people have done, when the negotiations have only just begun. There are big issues to be addressed in terms of market access and rules of origin. EPAs are intended to be tools to promote development. The negotiations between the EU and the five regional organisations will have to result in agreement, and it is the deal that will demonstrate whether those objectives have been met.

Mr. Julian Brazier (Canterbury) (Con): While I endorse everything that the Secretary of State has just said, I urge him to have early discussions with his colleagues in the Department of Trade and Industry on export credit guarantee cover. In particular, does he really think that it is right that businessmen who are willing to risk their lives trying to build trade with Iraq and to reconstruct that state are turned down for ECG cover on the ground that it is too risky?

Hilary Benn: I will happily raise the hon. Gentleman's point with my right hon. Friend the Secretary of State for Trade and Industry.

Huw Irranca-Davies (Ogmore) (Lab): On behalf of the trade justice lobby in my constituency, I ask my right hon. Friend to recommit himself and his fellow Ministers to pushing forward trade. Despite the fantastic achievements of this Government in doubling our aid commitment and promoting the international finance facility proposals, it is trade that will be the single most effective means of development. Bono described my right hon. Friends the Prime Minister and the Chancellor as our Lennon and McCartney. Where would my right hon. Friend the Secretary of State put himself and his Department in the fabulous four?

Hilary Benn: I am tempted by my hon. Friend, but I am not sure that I should go down that road. Lennon and McCartney will be remembered for their achievements, and that is also true of my right hon. Friends the Prime Minister and the Chancellor of the Exchequer.

We have made some progress. Export subsidies were a real cause of concern, but EU subsidies have more than halved in the past 10 years. The question is whether we will make further progress, and that is what we must work towards.

Tom Brake (Carshalton and Wallington) (LD): On a recent Oxfam-sponsored visit to Ghana, it was made clear that the livelihoods of Ghanaian farmers are seriously threatened through EU and US-subsidised produce. They also experience difficulties due to tariffs on goods that they want to export. Will the Secretary of State set out how DFID's agricultural strategy will ensure that when developing countries' markets are opened it is not done in a way that threatens food security and the livelihoods of rural farmers?

Hilary Benn: Principally, by pressing for special and differential treatment in the negotiations. Why? Because everybody recognises that it is important that developing countries have particular protection, especially for the commodities to which the hon. Gentleman refers, when they are dependent. That is one thing we need to do. Another thing we need to do—as the hon. Gentleman raised the question of Ghana—is to enable those countries to extract more value from their raw materials. For example, they can export cocoa quite happily, but if they try to turn it into refined chocolate themselves, they face a big tariff. That is the sort of case that we need to change in the negotiations.

Sudan

5. **Mr. John MacDougall** (Central Fife) (Lab): If he will make a statement on the humanitarian situation in Darfur province in Sudan. [190359]

The Secretary of State for International Development (Hilary Benn): May I first express what I am sure are the condolences of the whole House to the families of the two Save the Children staff, Rafe Bullick and Nourredine Issa Tayeb, who were killed by a land mine last Sunday in north Darfur?

The humanitarian situation in Darfur remains precarious, and it was discussed with the Government of Sudan by the Prime Minister and myself during our visit last Wednesday. The United Nations estimates that 2 million people are in need of assistance, including 1.5 million who have had to flee their homes. A further 200,000 refugees have fled to Chad. Security in the camps has improved but outside, displaced people remain vulnerable to attack. More humanitarian assistance is getting through; the World Food Programme estimates that food was distributed to more than 1.3 million people in September, but the needs are still enormous. The UK has pledged £62.5 million since September 2003, and we will sustain our commitment through the allocation of £100 million for humanitarian and development assistance next year.

Mr. MacDougall *rose—*

Mr. Speaker: Order. I ask the House to be fair to hon. Members who are listening; it is far too noisy—[HON. MEMBERS: "Hear, hear."] Those who are cheering are the ones who will be able to help me.

Mr. MacDougall: Thank you, Mr. Speaker.

I thank my right hon. Friend the Secretary of State for his response. I also thank the Government, the Prime Minister and the Department for their recent visits to Sudan where there is indeed a crisis. I am sure that their support is most welcome. I thank other people throughout the country for their efforts, such as the head teacher from my constituency—Ian Macaulay—who visited Sudan recently and made his contribution.

Will my right hon. Friend tell us whether the Government will back the efforts that have been made so far by considering some form of pre-emptive strike in terms of teacher training, so that the efforts of people who go to Sudan to make a contribution will be much more worth while and will make the best use of taxpayers' money?

Hilary Benn: I add my congratulations to those my hon. Friend offered to all the people who are contributing to the humanitarian relief effort in Darfur, by giving money and by being part of non-governmental organisations that are working there. He raises an important point about the long-term development prospects for Sudan. Let us be very honest: unless there is peace in Darfur, the chances of getting children who are currently huddling in refugee camps with their mums and some of their dads—those who have not been killed—to go to school will be extremely difficult. That is why, as well as the humanitarian aid effort, we need a political settlement, and in the meantime we need security for those people, so that in due course, when there is a settlement, they are able to return home. We have made it very clear that the prize at the end of the process, if there truly is peace in Sudan, is the prospect of development assistance for that country, where there is enormous poverty, high levels of maternal and infant mortality and very few children go to school. Only with a settlement can the hope that my hon. Friend expresses actually come to pass.

Mr. Alan Duncan (Rutland and Melton) (Con): I join the Secretary of State in paying tribute to the two workers who were killed. They were unfailingly selfless in the help they gave others.

The Secretary of State is aware that the situation in Darfur is deteriorating—let us face it. According to the UN, 200,000 people have been driven from their homes in the past month, while the UN humanitarian co-ordinator has said that security is now the main constraint on humanitarian assistance and that attacks on civilians have actually increased. Is it not now undeniable, as the United Nations has made clear, that the only organisation that can make a material difference on the ground is the African Union military force and that the time has now come for it to stop watching events unfold and instead become more actively involved in preventing them from doing so?

Hilary Benn: I agree with the hon. Gentleman's analysis of the current situation, but he is a little unfair to the African Union because it has played a leading role in trying to find a solution to the crisis. It has deployed the ceasefire monitors, and I hope that, in the next week, it will take a decision substantially to increase the size of the monitoring force—people who can supervise the police in Sudan and Darfur. It has also played a leading role in the only thing that will provide a solution to the crisis—a political settlement—because it is hosting the talks in Abuja. When I was there three weeks ago, I had the opportunity to meet Mr. El Ghabid, who is brokering those talks. It is very important that we put pressure not just on the Government of Sudan to reach a political agreement, but on the rebels who are in part responsible for the attacks to which the hon. Gentleman refers.

Mr. Duncan: Any attention that we can give to Sudan has to be welcome—paradoxically, I welcome the Prime Minister's recent visit to Sudan—but if we are to overcome the continuing disaster, there needs to be universal condemnation of those who are guilty of atrocities. Will the Government now echo the language used by Colin Powell and call what is happening there "attempted genocide", so that any politician or militia member knows that they will never be able to escape the fullest possible punishment for their sub-human crimes?

Hilary Benn: I agree entirely that those who have been responsible for what has gone on in Darfur should be called to account. The purpose of the commission of inquiry, which has been set up under the new UN resolution, is precisely to try to find an answer to the question: is it genocide; is it ethnic cleansing? There is no doubt that it is a crime against humanity. The honest truth is that, whatever description one gives to what has gone on, the most important thing that can be done is to take the right steps to bring the conflict to an end. In that respect, the undertakings that the Government of Sudan gave to the Prime Minister when we met President Bashir and Vice-President Taha last week—including immediately to implement the humanitarian protocol to identify the location of Government of Sudan forces and to co-operate with the expanded AU mission—are the right steps; but, once again, the Government of Sudan will be judged not by what they say, but by what they do.

Mr. Peter Pike (Burnley) (Lab): Does my right hon. Friend agree that the immediate priority is obviously providing humanitarian aid to stop the suffering of many people in Darfur and Sudan, but that the long-term aim involves the issue that he has just been talking about: so many of their problems are self-inflicted? We must seek an end to the continuing problems that that country has experienced, not only now but over many years, if it is to solve the problems that it faces.

Hilary Benn: My hon. Friend is right because the tragedy of Sudan is that the conflict in Darfur has exploded at the very moment when a peace deal has been reached to bring to an end the longest-running civil war in Africa between the north and the south. Sudan will have the prospect of development and a better life for its people only when there is peace across the whole country. That is why its Government need to use the framework that they have agreed under the north-south peace deal as a way to solve the conflict in Darfur.

Grenada

6. **Mr. David Heath** (Somerton and Frome) (LD): If he will make a statement on the humanitarian situation in Grenada. [190360]

The Parliamentary Under-Secretary of State for International Development (Mr. Gareth Thomas): Fifty per cent. of the population of Grenada is currently homeless; 90 per cent. of housing has been either damaged or destroyed; and as the House will already know, tragically, some 37 people lost their lives when the hurricane hit. Details of our support to Grenada and the other Caribbean countries that have been seriously affected by the hurricanes was provided to the House in my right hon. Friend the Secretary of State's statement on 14 September and the two subsequent written statements, the most recent of which was published yesterday.

Mr. Heath: I thank the hon. Gentleman for his right hon. Friend's very full and comprehensive written statement to the House yesterday, which I found very helpful. However, the one area where I would perhaps part company is in the description of the law-breaking in both Grenada and, more particularly, in the Cayman Islands as sporadic and opportunistic. Eye-witness reports suggest that it was anything but—organised crime was involved, possibly from Jamaica or otherwise, and it was on a very serious scale. Is there a case for building into contingency plans for operations of that kind some form of immediate support for the law and order operations, particularly in those territories for which we have direct responsibility, such as the Cayman Islands?

Mr. Thomas: The hon. Gentleman makes a particularly interesting point that I will consider after this session of questions. I should provide him with the reassurance that colleagues in government have sent a prison adviser to Grenada and provided £30,000 worth of support to enable the prison to be repaired. In addition, we have provided funding to enable the Royal Bermuda regiment to help with relief and reconstruction efforts on the Cayman Islands. Its presence will also help with law and order issues.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [190339] **Sir Teddy Taylor** (Rochford and Southend, East) (Con): If he will list his official engagements for Wednesday 13 October.

The Prime Minister (Mr. Tony Blair): Before listing my engagements, I know that the whole House would want to join me in sending our profound sympathy and condolences to the family of Ken Bigley. Throughout their ordeal, they have conducted themselves with the greatest dignity, courage and strength. Furthermore, I know that the whole House will join me in sending our condolences to the families of the two British soldiers who have lost their lives in Iraq since the House rose on 16 September. They were doing an extraordinary and heroic job. We can be proud of them.

This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I will have further such meetings later today.

Sir Teddy Taylor: As we have not heard a great deal recently about policy on the single currency, will the Prime Minister say whether it is still the policy of Her Majesty's Government to seek entry, subject to tests? If so, in the event of his being re-elected, when would the referendum be held? If there were a clear no vote, would he accept that absolutely as a decision for the foreseeable future?

The Prime Minister: The position on the single currency remains unchanged and, for once, the hon. Gentleman accurately describes it. In principle, we favour joining, subject to economic tests that have to be met. Were a referendum to be put to the British people on such an issue, the decision would, of course, be binding and would be accepted. He must be delighted that, after years of being a lonely campaigner on the Conservative Benches for withdrawal from Europe, he now finds himself in the mainstream of his party.

Mr. Gwyn Prosser (Dover) (Lab): Last October, P&O Ferries announced the sacking of 600 British seafarers in Dover. This October, it wants to sack another 1,200 seafarers and shore staff and it wants to threaten swingeing cuts to on-board manning, which will impact on safety. What help can redundant workers in Dover and other parts expect from Government, and what action will Ministers take to ensure that P&O is not allowed to compromise safety in the interests of profit?

The Prime Minister: We will, of course, make sure that P&O, as all others must, abides by its health and safety obligations. We are sorry about the number of my hon. Friend's constituents who will lose their jobs as a result of this announcement, but the Department for Work and Pensions stands ready to help anyone who is made redundant. I can speak from experience in my constituency. Emergency programmes that the Department for Work and Pensions has put in place have been very successful in finding redundant workers alternative employment. I assure him that we will do everything we can in Dover to make sure that that happens.

Mr. Michael Howard (Folkestone and Hythe) (Con): I join the Prime Minister in expressing my deepest sympathy to the family of Kenneth Bigley and my great admiration for the enormous dignity with which they have borne their dreadful ordeal. I, too, join the Prime Minister in expressing my condolences to the families of the British soldiers who lost their lives in Iraq.

I support the war; it was the right thing to do. Will the Prime Minister realise that, before he can move on, there is one matter that he must deal with? He did not accurately report the intelligence that he received to the country. Will he now say sorry for that?

The Prime Minister: I made it abundantly clear—and do so again—at the time of the Butler report that I take full responsibility and, indeed, apologise for any information given in good faith that has subsequently turned out to be wrong. That is entirely proper; I have already done that. I do not accept in any way that there was any deception of anyone. That has been looked into by four separate independent inquiries, and in each case the allegation has been found to be wrong. I will not apologise for removing Saddam Hussein. I will not apologise for the conflict; I believe that it was right then, that it is right now and that it is essential for the wider security of that region and the world. I wish that the right hon. and learned Gentleman would stop playing politics with the issue—that is precisely what he is doing. He should remember that he and his party supported the war for precisely the same reasons as we did. It would be more helpful if he would back our troops out in Iraq rather than doing what he is doing now.

Mr. Howard: We back our troops wholeheartedly. I did not ask the Prime Minister to apologise for the war, because I support it, and neither did I ask him to apologise for what he describes as "the information". I asked him very specifically about the way in which he misrepresented the intelligence that he received to the country. Why can he not bring himself to say sorry for that?

The Prime Minister: I cannot bring myself to say that I misrepresented the evidence because I do not accept that I did. What is more, in the light of some of the comments of the UN chief weapons inspector, Hans Blix, it is worth pointing out what was unearthed by the Foreign Secretary—he told the House this yesterday, but it deserves repeating—about Hans Blix's view of the September information that we gave to the House at the time. I hope that the House will permit me to read from the report by the UK United Nations mission about Hans Blix's view of the dossier. He said that he felt that

"it did not exaggerate the facts, nor revert to rhetoric".

Blix thought that

"the section risked understating Iraq's indigenous capacity to produce WMD".

In other words, it was the case that everyone at the time accepted the evidence on weapons of mass destruction. It is correct that some of that evidence, although not all of it, has subsequently turned out to be wrong, but that is a very different matter from deceiving the House, so I hope that the right hon. and learned Gentleman will withdraw that allegation.

Mr. Howard: The Prime Minister has just asserted that he accurately conveyed the intelligence to the country. The intelligence that he received made it clear that little was known about Iraq's chemical and biological weapons work since late 1998. The Prime Minister told the country that the intelligence had established beyond doubt that Saddam had continued to produce chemical and biological weapons. How can he maintain that he accurately reported the intelligence to the country? Why will he not say sorry for that?

The Prime Minister: As we explained when we had the debate in July, the intelligence was precisely that Saddam Hussein continued to produce WMDs. We know from the Iraq survey group that he indeed had the intent and capability and retained the scientists and desire, but that he might not have had stockpiles of actually deployable weapons. We have accepted that and I have already apologised for any information that subsequently turned out to be wrong.

Everyone knows what the right hon. and learned Gentleman is trying to do. Having supported the war and urged us to go to war, he is now attempting to capitalise on anti-war sentiment to try to give himself credibility. I have been through what he has been saying over the past few months, and at the last count he had no fewer than four separate positions on the Iraq war—three too many for anyone who seriously aspires to be Prime Minister.

Jeremy Corbyn (Islington, North) (Lab): In the light of the revelations concerning the intelligence documentation in the autumn of 2002, will the Prime Minister explain why, in the January before the war started, Britain and the United States prevented Hans Blix and the weapons inspectors from going back into Iraq to confirm their suspicions that there were no WMDs?

The Prime Minister: Hans Blix and his inspectors were in Iraq before the war began. We had no option but to go to war in the end because it was plain that Saddam Hussein had no intention whatever of complying with UN resolutions. Those people who want to pray in aid the Iraq survey group in respect of stockpiles of weapons must also accept the other part of what the Iraq survey group said, which is that Saddam retained the intent and the capability—the teams of scientists and so on—and was in breach of United Nations resolutions. That is what Mr. Duelfer expressly said. It was the breach of UN resolutions and their enforcement that was and is the reason for going to war.

Mr. Charles Kennedy (Ross, Skye and Inverness, West) (LD): I associate the Liberal Democrats again with expressions of sympathy for the family of Mr. Bigley and the two United Kingdom members of the armed forces who have lost their lives since we last gathered.

On a point of accuracy, when Sir David Manning, then the Prime Minister's top foreign policy adviser, minuted him on 14 March 2002—one full year before the war—that he had told the American Government that the Prime Minister

"would not budge in"

his

"support for regime change",

was he accurately reflecting the Prime Minister's views?

The Prime Minister: We always made it clear that if the only way of enforcing the UN resolutions was regime change, there had to be regime change. If the right hon. Gentleman looks at that minute as a whole, he will find that the basis for our argument throughout the entirety of that period was that we had to go back to the UN and we had to enforce UN resolutions. That is why we went back to the UN in November and got the further resolution. Had it been a case of us supporting regime change, rather than the enforcement of UN resolutions, we would not have gone back to the UN.

Mr. Kennedy: Now that we know that the 45-minute claim was unfounded and has been withdrawn, and now that we know that there were no weapons of mass destruction in Iraq, regime change becomes the only remaining argument, but the Prime Minister knows that regime change is contrary to international law. Where does all that leave the status of this war? Is it not the fact, and should not the Prime Minister accept it, that he led us into an illegal war?

The Prime Minister: No, I am afraid that I do not accept that. Let me put on the record again what was perfectly obvious from the debate in the House on 18 March. I looked at the debate—all of it—again the other day and the 45-minute intelligence was not mentioned once by anyone on either side of the House, although I shall leave that to one side.

We went to war because we took the view that we had to enforce the United Nations resolution because we could not continue—not post-11 September—with a situation in which a country was in breach of United Nations obligations in respect of the production of chemical, biological and nuclear weapons. That was the reason given at the time. That is the reason for the war now. I simply draw the right hon. Gentleman's attention to this: he has accepted the Iraq survey group's report, has he not?

Mr. Kennedy *indicated assent.*

The Prime Minister: In full, presumably.

Mr. Kennedy *indicated assent.*

The Prime Minister: Right. If the right hon. Gentleman accepts the report in full, he has to accept, just as I must accept, that the evidence indicates that there were not stockpiles of weapons, that there were breaches of UN resolutions, because that is what the report says—*[Interruption.]* So he accepts the report; he just disagrees with its conclusions—except the conclusion that suits him.

Let us make one thing abundantly clear. It was a difficult choice. I took the choice. I stand by it. But let us be clear about this also: if the right hon. Gentleman had had his way, Saddam Hussein and his sons would still be running Iraq. That is the case and that is why I took the stand that I did. I take it now, and I, at least, will stick by it.

Linda Gilroy (Plymouth, Sutton) (Lab/Co-op): Does the Prime Minister agree that although safe use of the internet opens up worlds of learning and adventure unknown to previous generations of children, it also opens up new dangers of cyber bullying, cyber stalking and cyber grooming, to name but a few? Will he welcome the work of WiredSafety in supporting Teenangels, a group of young people teaching themselves the safe use of the internet? Will he also welcome the launch of their UK activity in Portcullis House tomorrow?

The Prime Minister: I entirely agree about the importance of the issue that my hon. Friend raises and with what she said about the need both to help children use the internet safely and to combat child pornography. As she probably knows, the UK has perhaps the world's best regime for tackling child pornography, the Internet Watch Foundation, and we continue to work closely with the industry, law enforcement agencies and children's charities to seek ways of protecting children from abuse. The internet obviously bestows enormous opportunities and benefits, but it also creates the dangers to which she draws attention, so it is important that we make sure that we do everything possible to protect our children, who may be gaining access to unsuitable material.

Q2. [190340] **Tom Brake** (Carshalton and Wallington) (LD): At the Labour conference a couple of weeks ago, the Prime Minister said that after November he would make revival of the middle east peace process "a personal priority." Yesterday, an 11-year-old Palestinian girl was shot and critically wounded. About 100 Palestinians and many Israelis have died in the latest offensive, and Israel plans to purchase 500 bunker busters, the intended target presumably being Iran's nuclear installations. Does the Prime Minister believe that the Palestinian and Israeli people can wait until after the US presidential elections in November for the peace process to be revived?

The Prime Minister: I would like the peace process to be revived now, but the reality is that it is only after the presidential election that the President of the Untied States will be able to focus on that. I am determined, as we have done over the past few years, to do everything that we can to get the parties back into negotiation again. I credit the hon. Gentleman for mentioning the appalling death of the Palestinian girl and the fact that many Israelis die in terrorist acts [HON. MEMBERS: "That is what he said."] I have just said that he mentioned it. It is right to approach this in a balanced way. There is huge suffering on the Palestinian side, but there are also wholly unacceptable acts of terrorism that kill innocent Israeli citizens, which is why the only way of resolving this is to get back into a proper process of negotiation. As I said, I will make it my personal priority, but the reality is that it will be after the presidential election in the next few weeks before we can make progress.

Q3. [190341] **Mr. Kelvin Hopkins** (Luton, North) (Lab): My right hon. Friend may have seen reports that the Fundación Hospital Alcorcón near Madrid, the model for the Government's foundation hospitals, has proved to be a disastrous failure, and that the Spanish Socialist party now plans to take it back into the state sector. Will he look at the Spanish experience and consider abandoning plans for foundation hospitals in Britain?

The Prime Minister: I am afraid that I have not seen those reports, but I shall no doubt study them. However, the reason for establishing foundation hospitals is to give hospitals greater freedom to operate within the NHS, because they treat NHS patients. Many hospitals want foundation status because they recognise that in a modern NHS it is important to have a strong measure of devolution, and that is what such hospitals represent.

Mr. Michael Howard (Folkestone and Hythe) (Con): The Prime Minister said on Monday that he wants consensus on pensions policy. Age Concern, Help the Aged, the National Pensioners Convention, the National Association of Pension Funds, the CBI, the Institute of Directors, the Conservative party and many of his own Back Benchers all want means-testing to be reduced through a substantial increase in the basic state pension. Will he therefore join that consensus?

The Prime Minister: We have increased the basic state pension, and we have not merely introduced higher basic state pensions but the £200 winter fuel payment, which is awarded on a non-means-tested basis, free TV licences for the over-75s and the £100 payment for all over-70s to help with council tax bills. We have done many things, such as introducing concessionary fares and abolishing hospital downrating, on a non-means-tested basis, but the pension credit—I assume that that is what the right hon. and learned Gentleman is referring to—is necessary to tackle existing pensioner poverty. It is worth pointing out that the amount of money that the Government have spent on pensions is almost double what linking the basic state pension to earnings would have cost in the time that we have been in office. We have—and we make no apology for this—been trying to focus on the poorest pensioners first.

Mr. Howard: The Prime Minister dismisses out of hand the possibility of joining the consensus that on Monday he was keen to establish. Does he not accept that, after seven years with half of all pensioners caught by the means test—a number that is rising—£35 billion taken out of pension schemes by the Chancellor's pension tax, two thirds of final salary schemes closing to new members and more than 10,000 pension funds winding up since 1997, it is time to stop talking and start taking action? Does the Prime Minister accept, as Adair Turner does in the report that he published yesterday, that means-testing discourages saving?

The Prime Minister: It is correct that the pension credit is calculated on a means-tested basis, but that is the only way in which we are able to get help to the poorest pensioners first. However, we are dramatically increasing the amount of money that is going into pensions, and not only the poorest pensioners but all pensioners have gained advantage from the provisions that we have introduced. We are also doing things for people currently in work who will be pensioners at a later time.

The right hon. and learned Gentleman wants to talk about action. Of course, the Conservatives did act when they were in office. Let me tell him how they acted. When the Tories left office, one in four pensioners lived in poverty. The Tories broke the link with earnings. Today, the Tories go on about linking the basic state pension with earnings as though that had always been their great crusade. The fact is that they broke the link. In 1997, the poorest pensioners were expected to live on only £69 a week. The Tories twice slashed the value of SERPs, introduced VAT on fuel bills, and presided over the pensions mis-selling scandal; and occupational pensions fell, not rose, under the Conservative Government. And who was a Cabinet Minister for 10 of those years? The right hon. and learned Gentleman was. I agree that we need a consensus in taking this issue forward, but he will forgive me if we do not pay too much attention to what he says about it, given his record in government.

Mr. Howard: Pensioner poverty has not in fact declined under this Government. I will tell the Prime Minister what our policies would do. Conservative policies would commit us to taking specific action to deal with the pensions crisis by introducing a bigger state pension, abolishing compulsory annuities, letting companies promote their pension schemes, and operating a proper pension recovery programme.

If the Prime Minister wants a verdict on what he has done, I suggest that he refers to his first Minister for welfare reform, who said:

> "When Labour came to office we had one of the strongest pension provisions in Europe and now probably we have some of the weakest".

If the Prime Minister calls for a consensus but does not build one, and commissions a report but does not act on it, what prospect is there for pensions in this country?

The Prime Minister: It is precisely because we intended to take the final recommendations of the report very seriously that we set up the Adair Turner commission. That came about as a result of a decision by Government. It is not correct that we are doing nothing for people currently in work who will be pensioners. There is the state second pension, which is helping millions of low-paid people to build up a second pension; there is the pension protection fund, including the £400 million that is being paid out to those who have lost their pensions; and there is the Pensions Bill that is going through Parliament, which will simplify the rules and allow people greater flexibility in retirement. We are doing a whole series of things, and we will do more once we get the final recommendations of the Turner commission.

We do not need the right hon. and learned Gentleman to give us his forward policy on pensions, or a crystal ball to tell us what he will do on pensions—we simply need to study what he did on pensions during his years in government. The fact is that the Tory record on pensions was abominable in terms of pensioner poverty, mis-selling and provision for the future. Yes, we will build a consensus, but I rather suspect that it will be without the Conservatives.

Mr. Robert N. Wareing (Liverpool, West Derby) (Lab): The Prime Minister tries to justify the illegal war against Iraq to those of us who opposed it on the ground that if we had not gone to war Saddam Hussein and his two sons would still be in charge of Iraq. How, then, does the Prime Minister explain his statement to this House on 25 February 2003, in which he said:

"even now, today, we are offering Saddam the prospect of voluntary disarmament through the UN. I detest his regime . . . but even now, he could save it by complying with the UN's demand."—[*Official Report*, 25 February 2003; Vol. 400, c. 124.]?

The Prime Minister: Exactly. We have been saying that the reason for war was the breach of the UN resolutions. That is perfectly consistent. The reason we had to change regime was that it was obvious that Saddam was not going to comply with UN resolutions, and that is what the Iraq survey group found, but it is not correct that we said that the regime was irrelevant. If my hon. Friend goes back to the debate of 18 March 2003, he will see that I described in detail what the regime did. It would be good, perhaps, if we got the same amount of publicity for the report today on the mass grave found in northern Iraq. I will read the details to the House. The person who—*[Interruption.]*

Mr. Speaker: Order. Mr. Price, you had better calm down or you will be expected to leave the Chamber.

The Prime Minister: The person who uncovered the mass grave said:

"It is my personal opinion that this is a killing field . . . Someone used this field on significant occasions over time to take bodies up there, and to take people up there and execute them . . . I've been doing grave sites for a long time, but I've never seen anything like this, women and children executed for no apparent reason".

Let me make the position clear to my hon. Friend the Member for Liverpool, West Derby (Mr. Wareing). As we said at the time and as we say now, the legal case for war was breach of UN resolutions. Those breaches have been found specifically by the Iraq survey group. But I said then and say now that the regime was relevant in this sense: such a regime should never have the possibility of having WMD. I said that before 18 March 2003, I said it in the debate then and I say it now. The mass grave is the latest proof of what an appalling regime that was. Just as I have to accept the consequences of the difficulties in Iraq today, having taken the decision to go war, my hon. Friend, Liberal Democrats and others must accept that if they had their way that type of mass murder would still be going on.

Q4. [190342] **Mr. Andrew Turner** (Isle of Wight) (Con): Regularly, before March 2003, the Prime Minister told us that he had plans for post-conflict Iraq, and until recently he believed that there were weapons of mass destruction in Iraq. Did those plans include securing the sites where WMD were kept? Did they include the nuclear sites that have now been looted? Why did those plans not work?

The Prime Minister: They did, of course, include that, which is precisely the work that the Iraq survey group was due to do. They also included plans for humanitarian assistance. I do not believe there was no proper plan for the post-conflict situation. Now, however, outside terrorists and others are trying to disrupt the march to peace and stability that the vast majority of people in Iraq want.

Q5. [190343] **Dr. Phyllis Starkey** (Milton Keynes, South-West) (Lab): Will my right hon. Friend confirm that businesses in Milton Keynes are right to value the benefits to the British economy of our active membership of the European Union, and that employees are right to value the benefits of the social chapter? In that context, how would he respond to my constituent, Mr. Alex Swanson, a Conservative party member, who wrote that in relation to Europe the Tory party leadership

"seem to have suffered a collective failure of nerve so that . . . principles are regarded as an inconvenient impediment to office"?

The Prime Minister: For a Tory party member, my hon. Friend's constituent speaks remarkable sense.

Mr. Iain Duncan Smith (Chingford and Woodford Green) (Con): In a remarkable debate on Monday on a Bill that has much to commend it, the hon. Member for Crosby (Mrs. Curtis-Thomas) make an incredibly powerful and important speech. She raised concerns about the Bill, pointing out that it is possible that people in hospital who would otherwise live can have food and water—fluids—withdrawn from them. She also pointed out that the Bill does not sort the problem out. I believe that we in the House should deal with the issue, not leave it to the courts. I do not know the Prime Minister's view—he may want to give us his personal view—but it surely cannot be right in this day and age that the most vulnerable people can be starved or dehydrated to death simply because they cannot speak for themselves. Labour Members do not have a free vote on the issue. Could the Prime Minister please insist that they be given a free vote, so that all of us who share those concerns can resolve the issue in the House?

The Prime Minister: I will carefully examine the issue raised by the right hon. Gentleman, but the Minister made it clear that the Bill does not have that effect. I know that he accepts that the Bill is important, and I will get in touch with him on that specific point. I will re-examine the matter carefully, but the Minister disagrees with that interpretation.

Tenant Obligations and Vetting Arrangements

12.31 pm

Mr. Stephen McCabe (Birmingham, Hall Green) (Lab): I beg to move,

That leave be given to bring in a Bill to establish minimum obligations to be imposed on new tenants; to make provision about the vetting of such tenants; and for connected purposes.

It is fashionable in some quarters to try to paint a picture of our society as one in which crime is out of control. I can tell you, Mr. Speaker, that I do not believe it, and it is certainly not the case in my Hall Green constituency—if anything, the reverse is true. All the main indicators show that the men and women of West Midlands police, which is responsible for the operational command unit that covers my constituency, are achieving spectacular results—burglary is at an all-time low, vehicle crime is down, theft is down, and street assaults are down. The truth is that Hall Green has never been safer, but the fear of crime rides high.

Why is that? Antisocial behaviour is the factor above all others that fuels the fear of crime, and it is a constant daily event in the lives of decent ordinary people. The perpetrators have no regard and no respect for others. They include those who destroy property without regard to the cost; those who damage other people's property without regard to the impact on the victim's life; those who threaten and intimidate; those who use loud music as a weapon; those who rev their cars and motor bikes at all hours of the day and night; those who fail to control their children's behaviour; those who hold wild parties night after night; and those whose actions bear no relation to the normal decency that we are entitled to expect in a civilised community. Those people are responsible for the fear of crime and the damage to our communities.

Fear is a terrible thing: it contorts and diminishes people's lives; it makes people afraid to go out and use local facilities; it makes people uncomfortable in their own homes, which they have worked hard for; and sometimes it makes people think that life is not worth living. It takes a huge toll on decent families' daily lives, and nowhere is the problem of antisocial behaviour more acute than in the case of a neighbour who constantly and deliberately behaves so badly that they make their neighbours' lives intolerable.

I am delighted that the Government have introduced legislation that allows tough action to be taken. Such action should, of course, receive cross-party support, and I am saddened and disappointed by the Liberal Democrats' hostile approach.

There are many good landlords in this country, including local authority landlords, housing associations, charitable trusts and private landlords, but there are also landlords who pay far too little attention to the misery that a bad tenant can cause. Those landlords give the impression that, as long as the housing benefit is paid, they do not give a damn. I believe that it is time for all landlords to make it clear that they do give a damn.

The Bill proposes first, the imposition of a minimum set of obligations on all tenants by statute. They should include a signed agreement to pay rent regularly and to maintain the property and any garden in good condition. They should prohibit dumping rubbish that is likely to attract vermin. They should include a requirement to refrain from damaging another neighbour's property or right to enjoyment of their property through antisocial behaviour. Those obligations should be subject to a simple, legal, contractual process, whereby a breach can provide automatic grounds for eviction. They should apply to all tenants, irrespective of the landlord.

Good landlords already insist that tenants should agree to a basic set of obligations. Good landlords have nothing to fear from my proposals because they are already doing their job. If they choose to go further than my basic requirements in the interests of protecting their property and all their tenants, I have no problem with that. My request is for a minimum set of tenant obligations: a basic contractual agreement that a tenant must sign and will have the force of law.

My second request is even more straightforward. When tenants have been evicted because of antisocial behaviour, it is preposterous that they should be rehoused next to a fresh and unsuspecting set of neighbours only to begin again a campaign of abuse, harassment and intimidation.

It is common on many housing estates to come across former council properties that were originally sold under the right to buy but that are often, because of mortgage default or other financial pressures, in the hands of private landlords. Those properties are regularly used to provide houses for people whose previous bad behaviour has led to the loss of a tenancy. Surely the time has come to require all landlords to vet tenants. Surely it is right that some effort should be made to establish where people have come from, their previous tenancy history and the reason for their being in need of accommodation. Would that not be in every landlord's interest? Would that not increase the chances of finding of a tenant who was likely to pay the rent and maintain the property? Above all, would it not reduce the ability of people with a history of bad behaviour to move around different agencies and different areas, leaving in their wake a trail of broken lives and distraught individuals?

I have met some of the people who have been left behind—people who live on anti-depressants because of the constant fear of their neighbours; people who have lost their jobs because they cannot concentrate through lack of sleep; people who are denied the simple pleasure of sitting in their back garden, and, in the worst cases, people who end up with a criminal record because they finally snap and take the law into their hands. That cannot be allowed to continue. Surely the time has come to place a statutory requirement on all landlords to take reasonable steps to vet prospective tenants and ascertain their previous history.

That would prevent the absurd position in my constituency and that of almost every hon. Member whereby people are evicted after a long battle but acquire a new property only a few doors or a few streets away. Imagine how it would feel for people to go through agony, believe that they are rid of an antisocial neighbour who has destroyed their lives for months if not years, only to find that person living four doors away in the full knowledge that their testimony was instrumental in the earlier eviction. Just as the Home

Secretary has responded to the Bichard inquiry[1] by calling for a common-sense approach and sharing of central information, a similar requirement must be imposed on all landlords to share known information about tenants with a bad history. It is time that the Data Protection Act 1998 was used to exchange information sensibly and safely rather than, as is all too often the case, used as an excuse and a shield to hide behind, to prevent information sharing and to evade responsibility.

Finally, if a person has been the victim of a horrible and abusive neighbour, we owe it to that person to ensure that that never happens again. I therefore believe that as part of the vetting process, when an individual or group of neighbours have been the victim of antisocial tenants, those people should be consulted as part of the vetting process before a new tenant is put in place.

Those are simple requirements. They are designed to help good landlords and decent people who want to live in a civilised community. No one who intends to behave in a civilised manner has anything to fear from them; only those who believe that it is their right to abuse and destroy the peace of others should be fearful. Those who need to learn now that we are here to protect the ordinary decent majority and those who do not abide by the rules cannot expect to be accommodated alongside decent, hard-working people.

Question put and agreed to.

Bill ordered to be brought in by Mr. Stephen McCabe, Mr. David Amess, Mr. Adrian Bailey, Mr. Liam Byrne, Mr. Tony Clarke, Mr. Ivan Henderson, Andy King, Siobhain McDonagh, Ms Gisela Stuart, Mr. John Taylor and Mr. Anthony D. Wright.

TENANT OBLIGATIONS AND VETTING ARRANGEMENTS

Mr. Stephen McCabe accordingly presented a Bill to establish minimum obligations to be imposed on new tenants; to make provision about the vetting of such tenants; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 15 October, and to be printed [Bill 161].

Point of Order

12.42 pm

Hugh Robertson (Faversham and Mid-Kent) (Con): On a point of order, Mr. Speaker. You will be aware of comments made by Sir Jackie Stewart this morning to the effect that the 2005 British grand prix will not take place. Given that that will affect hundreds of thousands of fans of the sport, and 40,000 people who are directly employed in the industry, and that it will have a knock-on effect on our chances of hosting similar international events in the future, have you received an indication from the Minister for Sport and Tourism that he will come to the Chamber to make a statement, as he has been commenting at length in the press on the subject?

Mr. Speaker: The hon. Gentleman has put the matter on the record, but I put it on the record that that is not a matter for the Chair.

Opposition Day

[18TH ALLOTTED DAY]

Pensions and Welfare Reform

Mr. Speaker: We now come to the debate on the Opposition motion. I have selected the amendment in the name of the Prime Minister.

12.43 pm

Mr. David Willetts (Havant) (Con): I beg to move,

That this House condemns the Government's continued failure to bring forward proposals to strengthen pensions and savings or to reform the welfare state; takes note of the deeply worrying interim findings of the Turner Commission and of the contrast between the Commission's detailed analysis and the Prime Minister's empty and inadequate rhetoric on pensions and welfare reform; further notes with concern the high levels of economic inactivity; condemns the lack of incentive to make private pension provision and the failure to help 1.7 million people, including many of the poorest pensioners, who are entitled to the Pension Credit but do not receive it; regrets the failure of the Government to address the crisis in state, personal and company pensions; observes that the Pensions Bill is still widely regarded as poorly drafted and that the Pension Protection Fund does not provide the 'guarantee' claimed for it by Ministers; and urges the Government to join the growing consensus of organisations representing pensioners, pension providers, employers and trade unions that the basic state pension needs to be significantly improved and that the spread of means-testing should be reversed so that older people can be assured of dignity and security in retirement.

I draw the attention of the House to my entry in the Register of Members' Interests.

It has been an extraordinary 10 days, even in the history of this Government's attempts to reform the welfare state and to tackle the pensions crisis. The week began with eager anticipation of what we were told would be a major speech by the Prime Minister on the subject. It was heavily trailed in advance by No. 10. We were told by the *The Times* that

"Tony Blair will on Monday promise to transform the welfare state in a Labour third term".

The Independent said:

"Tony Blair will set out plans for radical reform of the welfare state today . . . Mr. Blair is likely to announce a far-ranging reform of incapacity benefit."

The *Daily Mirror* said:

"Tony Blair will signal his return to the political fray next week by launching a 'war on welfare'."

That is what we were told in advance of the speech, so of course the loyal troops of the left-wing think tanks all marched up the hill to hear this great pronouncement, accompanied by the long-suffering lobby, who had been told to expect something big. What they got was

"a vision of a true opportunity society."

That was the great new programme for reforming welfare. I guess that we do want an opportunity society, and 10 years ago the Prime Minister could have got away with just giving us another of his visions, but in the past 10 years we have had "a decent society", "a creative economy", "a stakeholder economy", "a new age of achievement", "a partnership economy", "the third way", "a giving age", and of course my favourite,

"This is no time for soundbites."

We have had pledges and vows and covenants. Notice how the currency gets devalued and these commitments have to get ever more intense. What we have not had, and we did not get on Monday, are any practical policies either to reform welfare or to tackle the pensions crisis. An interesting question is: what went wrong? Why did this much-trailed speech fail to deliver? Explanations are already flying around.

The Blairite explanation is that the Prime Minister was about to deliver a very good speech but the Chancellor got at it. He was just about to do it, but sadly it was copied to the Treasury over the weekend and all the stuff on incapacity benefit was removed by that guy at No. 11. The Brownites say that the Prime Minister does not have the faintest idea what to do, that their man knows what to do, but the Prime Minister has no substance at all.

I welcome the new Secretary of State for what I think will be his first speech in the House in that role, but I tell him that he will have a grim few months of being fought over by the Chancellor and the Prime Minister. It all goes back to that ancient international treaty known to political journalists as the Granita pact, which reserves economic and social policy for the Chancellor. The Secretary of State and his Department are in the position of one of those sad colonial outposts with two great imperial powers clashing over who controls it—one day it is the Chancellor and the next it is No. 10, and the poor Secretary of State is caught between them. The Kremlinologists will want to know when he speaks today whether he does so as the voice of No. 10 or of No. 11.

Meanwhile, as the Government are paralysed in this endless argument between Nos. 10 and 11, what is happening in the real world with the problems of people trapped on incapacity benefit, outside the labour market or worried about the security of their pensions? I shall turn in a moment to the pensions crisis, but as we are also talking about reform of the welfare state, let me refer the Secretary of State to the labour market statistics out this morning, which show that the Government are failing not only on pensions but on the reform of welfare and on tackling the problems of economic inactivity.

Will the Secretary of State confirm that today's figures show that the number of young people under 25 who are not working or studying or training has now risen above 1.1 million? Seven years after the introduction of the new deal, the number of young people out of contact with the labour market and neither working nor studying is as high as it was when Labour came to office in May 1997. The Government have made no progress whatever.

At oral questions on Monday, the Minister for Work—it is good to see her here today—seemed baffled when we cited these figures, and did not seem familiar with a table that Conservative Members have studied closely: table D4 of "Labour Market Trends", which is published monthly. —*[Interruption.]* I see my hon. Friends nodding. If the Minister studied that table every month, she would see clear evidence that, whatever the Government say about the new deal, it is failing to deliver.

Today's figures also contain new evidence on the number of people who are economically inactive—the number of people outside the labour market altogether. That figure has also hit a record high: 7.93 million, which is the highest figure since 1983, so we do need welfare reform. Even though the Government are bringing down official unemployment as measured according to the number of people claiming unemployment benefits, they are making no progress whatever in tackling the problem of those who are not participating at all in the labour force. If anything, as they reduce the number of people on unemployment benefits, the number claiming other benefits goes up. For example, the number of people on incapacity benefit is going up. That is why it would have been so good to hear some practical proposals from the Prime Minister on Monday.

Kali Mountford (Colne Valley) (Lab): Should not the hon. Gentleman tell the House the whole story behind these figures? Is it not true that fewer people are now claiming the very benefits that he is talking about? The problem is that the people who ended up on those benefits under the tenure of his Government have lost confidence and it is now very difficult to place them in jobs. The hon. Gentleman should tell the whole story. Is it not true that fewer people are now claiming such benefits?

Mr. Willetts: The whole story is that the number of people on incapacity benefit fell from its introduction in 1995 until 2000. We know what happened in 2000. The Prime Minister had another one of his welfare reforms: he introduced means-testing of new claims for incapacity benefit. We warned at the time what the consequence of that would be. Such claimants, who are vulnerable and on the margins of the labour market, are reluctant to leave the benefit because they fear that if they have to re-claim, they will do so on less favourable terms than before. As a result, the length of time that such people spend on this benefit is going up. That is the problem—the stock of people on the benefit. It is no good simply focusing on the flow on to the benefit if people are remaining on it for longer—or for ever—once they are on it. Under this Government, the average length of time that people spend on incapacity benefit has gone through the five-year mark. That is a scandal. This is why everybody hoped that on Monday, the Prime Minister would offer some practical measures to tackle the problem. He failed to do so.

Kevin Brennan (Cardiff, West) (Lab) *rose*—

Mr. Speaker: Adam Price.

Kevin Brennan: I am Kevin Brennan, Mr. Speaker; he is the naughty one.

The hon. Gentleman mentions past warnings that he has given, which presumably include his saying that raising the basic state pension in line with earnings is a wild and uncosted policy. He is a man of logic and he has mentioned the Turner report, which states that the implication of raising the basic state pension is that either taxation or the retirement age will have to go up. Which of those alternatives is the Conservative party proposing?

Mr. Willetts: Let me now turn, then, from the Government's failure to reform welfare to their failure to tackle the pensions crisis. *[Interruption.]* I will touch on the issue raised.

Several hon. Members *rose*—

Mr. Willetts: I give way to the hon. Member for Roxburgh and Berwickshire (Sir Archy Kirkwood).

Sir Archy Kirkwood (Roxburgh and Berwickshire) (LD): I understand political foreplay when I hear it, and the hon. Gentleman is obviously enjoying himself. Now that he has got it off his chest, will he not recognise that the Adair Turner report is a rather special moment in time? It is the next best thing to a royal commission in terms of setting out the extent of the problem, so is this not a sober moment at which we should try to deal with the issues and the context in a more deliberative way, rather than exciting all this party political clap-trap?

Mr. Willetts: Spoken like a true Liberal Democrat! They are so superior, so above the rest of us. I think that it is part of the real Opposition's job to hold the Government to account for what they have done on pensions, and that is what I am doing.

I want to remind Ministers of what they have said in the past, as set against the conclusions of what is indeed a very sober and important report. In the days of the Soviet bloc, one east European country had a law that made it a criminal offence to keep old newspapers. That made it very difficult for people ever to hold any Government to account for what they had promised or done in the past. Fortunately, in this country we can hold Ministers to account for what they have said or done, and I want to remind the Secretary of State of what we have heard from this Government on pensions since they took office in 1997.

In March 1998, a document entitled "New Ambitions for our Country: A New Contract for Welfare" rather rashly set out—I am sure that the Government would not risk this now—what they called their "success measures" for pensions. Success measure 1 states:

> "At the end of the process of reform, there should be a guarantee of a decent income in retirement for all."

Success measure 2 is:

> "An increase in the amount of money going towards savings and insurance, but without increasing the proportion borne by government."

Six and a half years later, we are entitled to ask Ministers how they are doing. Adair Turner's report states:

> "Current state plans and private savings patterns . . . will only deliver a small increase and contrary to the government's stated aspiration, the balance of provision will not shift from state to private savings."

The Government have completely failed to deliver on what they said in March 1998.

[Mr. Willetts]

We then had another attempt, in December 1998: "A New Contract for Welfare: Partnership in Pensions", with a foreword by the Prime Minister. He said:

> "This Green Paper sets out our plans for radical reform of the whole pension system, to rebuild trust and ensure that everyone can look forward to a secure retirement."

He continued:

> "These reforms mean that the total income of pensioners will rise in years to come, mainly fuelled by rising private contributions. Public spending on pensions will rise too in real terms, but less sharply, and will fall as a proportion of national income. This will ensure that the pension system remains both fair and affordable.
>
> This is our New Insurance Contract for pensions. This Contract will deliver the security we all want, now and for the future."

Six years on, what do we now have in the report that the Prime Minister himself commissioned? We have a completely different picture. It states:

> "In the Green Paper on Pension Reform of 1998"—

the very document from which I quoted—

> "the Government projected that government expenditure on pensions would remain constant as a percentage of GDP, and set a target that the balance of pensioner income should shift from 60 per cent. public: 40 per cent. private to 40 per cent. public: 60 per cent. private. This aspiration is extremely unlikely to be met".

That is what Adair Turner now says about what the Government promised.

It gets worse for Ministers. I do not know whether the Secretary of State has ever read the pensions documents previously produced by his own Government, but I hope that they would cause him at least one or two blushes. The Turner report states:

> "Britain's funded private pension system is in serious decline. The percentage of the workforce covered is not rising and the average level of pension provision is declining."

Yet as recently as December 2002, we had another of these outrageously optimistic documents. It stated:

> "Overall contributions to pension funds increased by nearly 40 per cent. in real terms between 1997 and 2001".

I should tell the Secretary of State that I have a nice collection of letters of apology from previous Secretaries of State. His two predecessors had to write to me to apologise for their mistake in claiming that we are saving more than we really are. Adair Turner's report finally shows that all those assertions were false. It shows that the December 2002 assertion, on which rests the policy that is still being defended, was also false.

What they also said in December 2002 was that

> "it has been reported that around a third of FTSE 100 companies have recently moved away from defined benefit provision".

They go on:

> "But this trend should not be overstated. The latest figures suggest that . . . only just over 1 per cent. of defined benefit schemes reported as having closed to new members. And only 0.5 per cent. closed to existing members."

That is what Ministers were saying. What do we now find? It is exactly the opposite. Adair Turner's report published this week states that

> "active membership of open DB schemes in the private sector has fallen by 60 per cent. since 1995."

At last, a dose of reality.

Mr. John Denham (Southampton, Itchen) (Lab) *rose*—

Mr. Willetts: I see a former Minister wanting to enter the debate. Perhaps he is about to accept some responsibility—it would be a nice change—for some of those extraordinary assertions of the past. I am happy to give way to him.

Mr. Denham: I should like to remind the hon. Gentleman of two points. The first is that the Turner commission clearly concluded that the current problems that we face arise from the "cumulative impact" of the decisions and commitments made, often with unintended consequences, by Governments over "several decades". People outside the House would be interested to know whether the hon. Gentleman accepts his party's share of responsibility for what happened. In particular, will he now accept that when he stood in the 1997 election on the Conservative policy to phase out the basic state pension over the coming years, he and his party were completely and utterly wrong? [HON. MEMBERS: "What?"] Those hon. Members who shouted out "What?" should have read the policy that was advocated by the right hon. Member for Hitchin and Harpenden (Mr. Lilley) when he was Secretary of State, which was to abolish the basic state pension. They were wrong, and Conservative Members should accept responsibility for it. *[Interruption.]*

Mr. Willetts: If the right hon. Gentleman wants to debate pensions and the 1997 election, it is about time that we received an apology from Labour Members for the way that they shamelessly misrepresented our views. Pensioners throughout the country thought that they were about to lose their pensions under the policy proposed by my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley), but that was absolutely not his intention, as the right hon. Gentleman well knows.

I accept, of course, that the serious pensions crisis that we currently face arises from a range of factors. The right hon. Gentleman is quite right about that. Not everything is under the Government's control and not everything is the responsibility of the present Government. I accept that. The evidence in the Turner report shows that it is a complicated story. The fact that Governments cannot control everything makes it even more important that the factors that Governments can control and influence are got right. The trouble with the present Government is that they have made a complete mess of the factors that they do control—the tax regime on pension and the benefit regime on pensioners. That is the case against the Government and the challenge that they face.

Mr. Bill Tynan (Hamilton, South) (Lab) *rose*—

Mr. Tom Harris (Glasgow, Cathcart) (Lab) *rose*—

Mr. Willetts: I shall continue, as I was about to tell the House how much I enjoyed reading the new book on the Chancellor by Mr. Tom Bower. It is very illuminating and I strongly recommend it to Labour Members, especially on account of its passages on the pensions crisis and the notorious pensions tax.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): On the subject of commitments given by parties, I seem to recall an interview recorded on Sunday night—I cannot quite remember the punch line—in which the hon. Gentleman was asked to confirm that the only pensioners who would benefit under his proposals were those who did not claim tax credit. Can he please remind me of the conclusion of that interview?

Mr. Willetts: I am afraid that I am not wholly clear about what the hon. Lady is referring to. Is she talking about the Chancellor and the tax credit or the Secretary of State and his pension credit? The Prime Minister gets confused between the two, so I would not be at all surprised if the hon. Lady is confused.

I was talking about the tax credit that people used to enjoy in the pension funds, whereby dividends from British companies did not bear tax, and the Chancellor's decision in 1997 to withdraw it. That is what I am talking about. The discussion about that policy in the book that I mentioned is fascinating. For Labour Members who have yet to decide whether they are Blairite or Brownite, I strongly recommend it. I particularly refer them to pages 222–23, where this crucial incident that affected our pensions so badly is discussed. Under the heading, "The Chancellor and his Tax", it states:

> "To those who warned that his policies would cause permanent damage to savers and pensioners, Brown retorted that the stock market was booming and the funds were now richer than ever"—

precisely what Adair Turner describes in the report as "the fool's paradise" of the past.

It continues:

> "'Many pension funds are in substantial surplus', he repeated. It was 'the right time to undertake a long needed reform.' He dismissed any contradictory opinion . . . Blair was urged to restrain the Chancellor."

We learn from the book that the Chancellor originally wanted £8 billion. The report continued:

> "Blair told Brown that everyone agreed that taxing pensions 'was not a good idea.' 'It is a manifesto commitment', replied Brown inaccurately."

We now know that the tax increase was got through by the Chancellor, despite the Prime Minister's concerns, by claiming inaccurately that it had been a pledge in the manifesto.

Mr. Jim Cunningham (Coventry, South) (Lab) *rose—*

Mr. Willetts: Is the hon. Gentleman going to defend that policy? I will be interested to hear it if he is.

Mr. Cunningham: I do not know about defending the policy and I am not going to engage in fairy stories. I do recall that period and I recall going into the House of Commons Library for an independent assessment of the taxing pensions policy. If the hon. Gentleman wants to do his homework, he could get a copy of that document. The argument in favour of the tax was that the profits made from pension schemes were being paid out in dividends rather than being ploughed back into the schemes. How does the hon. Gentleman answer that one? I repeat that it was an independent report.

Mr. Willetts: That was the argument that companies had to be stopped from distributing their dividends because it was bad for investment. It amounts to the constipation theory of investment—the idea that the only way to acquire investment is for companies never to distribute any cash. The whole purpose of having a modern financial system is that companies with a large amount of cash flow can distribute dividends, while others that want to invest can secure funds from the financial markets to do so. There is absolutely no reason to stop companies distributing dividends in order to encourage investment.

Mr. Tom Harris: The hon. Gentleman has previously made clear his opposition to the abolition of tax credit dividends in the past. Can he therefore tell the House when the next Conservative Government will reverse the move? Will it be in the first week, the first month or the first year? I would be most grateful if the hon. Gentleman could tell us that.

Mr. Willetts: We will be publishing our consultation document on tax reform in the near future. [HON. MEMBERS: "Ah!"] I have to tell the hon. Gentleman that when it comes to tackling the burden of tax under the Government, we are spoiled for choice in identifying the areas requiring reform. Taxes on pension funds are one of many candidates for reform.

Mr. Tynan *rose—*

Helen Jackson (Sheffield, Hillsborough) (Lab) *rose—*

Mr. Willetts: I shall give way to the hon. Lady, but then I want to make some progress.

Helen Jackson: I have been listening to the hon. Gentleman for nearly half an hour [HON. MEMBERS: "Too long."] and it does not really surprise me that he has made no comment on chapter 8 of Adair Turner's report, which relates to the huge discrepancy between women and men when they reach pensionable age. One thing that the pension credit has done is to help overcome that discrepancy. Failing to acknowledge that aspect of what the Government have achieved in their pensions policy is, I would suggest, a gross mistake from the point of view of any of the women pensioners—or women about-to-be pensioners—who might be watching or listening to the debate.

Mr. Willetts: I accept that that chapter, like every chapter of Adair Turner's report, is well worth studying and I accept that there is a problem about women and pensions. However, I remind the hon. Lady that 1.7 million pensioners who are entitled to the pension credit do not claim it, and many of those are the women whom she fondly imagines the pension credit is helping. The problem with the means tests is simply that many people do not get the help to which they are entitled. That is one of the biggest single objections to the policy.

I now want to make some progress. What have we had from the Government? On Monday we had a grand vision, and on Tuesday a grim reality. What we lack are any policies to connect the Government's vision with the

[Mr. Willetts]

reality contained in Adair Turner's report. It is at this point that we all turn to the Secretary of State. It is his responsibility to be the missing link—

Gregory Barker (Bexhill and Battle) (Con): The weakest link.

Mr. Willetts: No, not the weakest link. I thought about calling the Secretary of State that but refrained from doing so. He may become the weakest link, but let us hope not.

The Turner report contains some very grim evidence about the seriousness of the pensions crisis. The Secretary of State has that report and a vision from the Prime Minister. His job is to come up with the policies that tackle the problem. For the past 24 hours, he has been using some rather colourful turns of phrase. For example, he said that there is no "fairy dust" or "silver bullet" in this matter. It is as though we all live in a fantasy world and that the Opposition have a fairy-dust policy manifesto. What we want are good, solid, practical policy proposals. That is not too much to ask for, and it is why we produced on Monday our eight-point action plan aimed specifically at tackling the pensions crisis.

In contrast, the Government have asserted that the question is so serious and difficult that they will produce their policies after the next election. Am I right to be just a little suspicious about that approach? I thought that a party put its policies in its manifesto in order to get elected. The idea that a party tries to get elected and then launches policies when in government is not the conventional way of doing things in a modern democracy.

I do not know whether the Government's approach strikes the Secretary of State as a bit odd. Does it mean that he has no idea or policies at all, or that the policies that he has are so unpopular that he dare not reveal them to the electorate before people are able to vote? After seven and a half years of this Government, it is not unreasonable for the Opposition to ask him to put some policies on pensions before the electorate in advance of the next election. That is all that we are asking for, and it would be extremely helpful if the right hon. Gentleman felt able to do so.

Alan Howarth (Newport, East) (Lab) *rose—*

Mr. Willetts: That is especially important as on Monday the Prime Minister had the cheek to say that the Tories did not dare fight the next election on policy or on what they would actually do in government. What about the Prime Minister's own Government, who say that the problem is so difficult that they cannot be expected to produce any policies until after the next election?

Kali Mountford *rose—*

Mr. Willetts: I will give way to the right hon. Member for Newport, East (Alan Howarth).

Alan Howarth: Does the hon. Gentleman admit that his action plan, which would link the basic state pension to earnings but the guarantee element of pension credit—the old minimum income guarantee—to prices would damage the interests of people on low earnings, most of whom are women? Would not his action plan have the effect of widening inequalities and redistributing wealth from the poor to the better off, and from women to men? Is not that one more example of the modern Conservative party's willingness to let the devil take the hindmost?

Mr. Willetts: I am in a very odd position in this. I understand the arguments about what should happen to the pension credit and whether it should be uprated according to prices or earnings in the next Parliament. I have regularly asked successive Secretaries of State to set out clearly and authoritatively their plans for uprating both the guarantee credit and the savings credit by prices or earnings. As yet, I have never received an authoritative answer and I should be interested in doing so.

I am trying to get the Secretary of State to give us some policies today. Even if he will not do that—and I must say that I think we are entitled to expect some policies—I invite him to accept that there is a serious problem in our pension system and that the successive, complacent assertions made since Labour came into office in 1997 are now "no longer operative", as the former US President Nixon once said of his previous statements. Is the right hon. Gentleman going to abandon all those claims that everything is fine and that there is no need to worry because people are saving so much, and dump them in the bin? If he were to withdraw all the assertions made in previous policy documents and say that there is a serious problem, that in itself would bring a breath of fresh air to the debate.

Mrs. Joan Humble (Blackpool, North and Fleetwood) (Lab): Will the hon. Gentleman give way?

Mr. Willetts: I will give way to the hon. Lady, provided that I am not criticised for speaking at too great a length; it is because I am accepting so many interventions.

Mrs. Humble: I thank the hon. Gentleman for giving way. Does he accept that the Turner report acknowledges that the problems being described existed 20 years ago? Those include demography, savings and levels of pension. What was the plan of the previous Conservative Government who were in office at that time? Turner makes it clear that the policy changes should have been implemented 20 years ago. Where were the hon. Gentleman and his Government then?

Mr. Willetts: Of course, these are long-term issues. The Government have been in office for seven and a half years now. They have told us endlessly that either there is no problem or that they have marvellous policies on pensions, but Turner makes it clear that there have been significant mistakes since 1997. One of those mistakes has been the mass spread of means-testing, of which the report is very critical.

Mr. David Heath (Somerton and Frome) (LD): Will the hon. Gentleman give way?

Mr. Willetts: No, as I want to make a little more progress.

Even if the Secretary of State is not going to give us any policies today, will he say to the House that he recognises that assertions by previous Secretaries of State in previous policy documents simply no longer apply? Does he accept the overwhelming evidence in the Turner report that we have a serious problem? That is the first thing that I want the Secretary of State to do. The second thing that I want him to do is to accept the need for reform. Does he accept that there is a need to change the current direction of policy?

The evidence about the effects of means-testing contained in the Turner report is very powerful. Turner states:

> "Means-testing within the state system both increases complexity and reduces, and in some cases reverses, the incentives to save via pensions which the tax system creates. The scope of this means-testing would grow over time if current indexation approaches were continued indefinitely."

That is the warning over current policy. Where does the Secretary of State stand in the great argument about whether the pension credit should stay? Does he recognise that we need a different approach in the long term? I am not asking the Secretary of State to abolish the pension credit. We do not propose that: we want the basic state pension to rise in value so that fewer pensioners need to claim the pension credit. However, I am asking whether the right hon. Gentleman recognises that, in this territory, the tectonic plates are shifting. We believe that there is a debate going on in Government about carrying on with mass means-testing. It would be very much appreciated if the right hon. Gentleman were willing to share his thoughts on that subject with the House.

Mr. Heath: Does the hon. Gentleman agree that, in the real world, the pensioners who are most unhappy are those who receive a modest private pension? They do not qualify for the pension credit, but the state pension is a significant part of their income. Does he agree that they feel neglected and ignored? My concern about the Opposition's proposals is that although they would restore the earnings link with the state pension—which a previous Conservative Government abolished some time ago—the level that is being proposed would be too low. As a result, such a link could never represent the fair deal that many of us want for the pensioners to whom I have referred.

Mr. Willetts: We could try to increase the basic state pension so as to reverse the spread of means-testing in a variety of ways. There are various thoughts about that, and the Liberal Democrat spokesman on these matters, the hon. Member for Northavon (Mr. Webb), has put forward his proposals. We could have a serious discussion about how far and fast we should go, and about whether we should start with older pensioners. My view is that, given the existence of the pension credit, the best way to make progress is to try and increase the basic state pension—especially as there is clear evidence that most pensioners have very modest incomes. There are not large numbers of very affluent pensioners, on whom such a policy would be wasted, so to speak. Only the top 20 per cent. of pensioners have anything like real affluence.

I recognise all the arguments, but the point is that a consensus exists. As my right hon. and learned Friend the Leader of the Opposition made clear in Prime Minister's questions only an hour ago, that clear consensus is shared by the CBI, the TUC, Age Concern, Help the Aged, the National Association of Pension Funds, the Association of British Insurers and the Opposition. We believe that the way forward is to reverse the spread of means-testing. The Turner report provides further evidence, if any were needed, that that is what needs to be done.

Turner criticises widespread means-testing, and I am asking the Secretary of State whether he believes in mass means-testing or not. It is clear that an argument is going on about this inside Government. For Kremlinologists, the most significant moment in Monday's Work and Pensions questions came when a rather unusual figure arrived. The former Foreign Secretary, the right hon. Member for Livingston (Mr. Cook), was in his place, which was a rare honour for Work and Pensions questions. I wondered what he was doing there, but then I realised that it was because of those tectonic plates. The right hon. Gentleman turned up to give a robust defence of pension credit and means-testing. Why on earth would one of the Chancellor's new friends do that?

In fact, the right hon. Gentleman gave a far more robust defence of means-testing than the Minister of State was willing to give at the Labour party conference. *The Daily Telegraph* said:

> "Malcolm Wicks, the Pensions Minister, has said the controversial means tested pension credit, which tops up the incomes of the poorest pensioners, was 'a short to medium term policy only'".

The exit routes are being prepared. We are now in the extraordinary position that a former Cabinet Minister, who resigned from the Government because he did not agree with the Prime Minister's policies, comes along to Question Time to defend the Government's policies, and meanwhile the Minister responsible for those policies will not even defend them at the Labour party conference. That is a mad way to formulate pension policy.

We want to hear from the Secretary of State whether he agrees with his Minister that means-testing is a short to medium-term policy only. That is the hint we need—a recognition that they cannot carry on like this. We need a different and better approach. The Opposition believe in more incentives for saving, a higher basic state pension and reversing the spread of mass means-testing, which is the belief of the majority of right hon. and hon. Members. I am confident that it is also the belief of the majority of pensioners and other people, and that is why I moved this motion today.

1.22 pm

The Secretary of State for Work and Pensions (Alan Johnson): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

> "welcomes the Pensions Report commissioned by the Government; notes that it reinforces the conclusions of the 2002 Green Paper identifying the need for all to work longer or save more; commends the Government's commitment to face the challenges of an ageing society and to tackle inactivity by helping those who want to work; welcomes Pension Credit, benefiting over 3.1 million people, and the state second pension, helping millions build decent second pensions; further welcomes new tax credits making a huge difference to saving incentives for 3 million lower earners; commends steps to restore confidence in pensions

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through the Pension Protection Fund and the £400 million Financial Assistance Scheme; notes the Government's commitment to tackling age discrimination, and to rewarding those continuing to work after state pension age; believes both main Opposition parties' policies are unaffordable and do nothing for the very poorest; notes that Conservative policies would create a £500 million deficit within four years and be unsustainable in the longer term; commends proposals building on the Government's historic success in tackling pensioner poverty, which will continue to build a pension system with the basic state pension at its core, while still helping the poorest and offering saving incentives for hard-working families."

I was enormously disappointed by that contribution from the hon. Member for Havant (Mr. Willetts), given the importance of this issue. It was gossip and innuendo. I had some knock-about stuff and I discussed with my officials whether to use it in the debate, but it would be inappropriate. The hon. Gentleman is a competent politician and he can be proud of his experience on these issues. I respect his long record in the area. However, as he was speaking, the old Scottish phrase came to mind, "If he was chocolate, he'd lick himself." There was so much of the clever sixth form debating society approach, which is totally wrong in the context of the report that we received yesterday from the commission.

I welcome the first report of the Pensions Commission. It is probably the single most comprehensive piece of analysis and evidence on the British pension system that has ever been produced. I want to place on record my thanks to Adair Turner and his fellow commissioners for all the work that they have done. I hope that I can say that with the support of the whole House.

I intend to concentrate on two areas. The first is the position that the Government have reached in tackling the problems that we inherited in 1997. The second is the difference that this Government are making now and intend to make in the future through an evidence-based approach, building consensus where we can, to meet the long-term challenges that we face as a society. I am happy to do that not just for pensions, but—in the spirit of the propositions before us—in the wider context of our welfare reform agenda.

In 1997, there were 2.7 million pensioners—almost 30 per cent.—living in absolute poverty. Many were on an income of no more than £69 a week. In addition, one child in every three lived in poverty; numbers on incapacity benefits had trebled; 585,000 adults and 85,000 young people were long-term unemployed; and there were huge barriers to work for disabled people, single parents and older workers. The cold shadow of poverty had been cast across the generations. Disadvantaged children became unemployed adults who eventually entered an impoverished retirement.

The eradication of poverty has been at the heart of our approach to government and nowhere has that been more important than on the issue of pensions. We have lifted 1.8 million pensioners out of abject poverty. The fact that pensioners were in that situation in the first place was the real and immediate pensions crisis that we faced.

We believe that we are also making a real difference to the lives of the 3.2 million individuals who receive pension credit. I accept the points made by the hon. Gentleman about ensuring that those who are entitled to it receive it. That is a different point from saying that the way to tackle that problem is to take pension credit away from everybody. The average pension credit is more than £40 a week, with average arrears more than £1,000. All told, compared with the 1997 system, on average the poorest pensioners are now £1,800 a year better off in real terms. That is a record to be proud of and we should defend it on every occasion.

Mr. Quentin Davies (Grantham and Stamford) (Con): Does the Secretary of State agree with the Minister of State that the pension credit is a short to medium-term solution?

Alan Johnson: I have been invited to comment on that by the hon. Member for Havant and I will get to that question in due course. Hon. Members will have to wait with bated breath.

Mr. Tynan: One of the major issues that has been raised by the Opposition is the fact that 1.7 million pensioners do not claim pension credit. Does my right hon. Friend agree that the longer we continue to talk about means-tested benefits, the more difficult it will be to encourage people to take up their entitlements? Should we not develop a consensus that pension credit is an entitlement, not a means-tested benefit?

Alan Johnson: My hon. Friend makes an important point. Applying for the pension credit is a world away from people's experiences under the previous Government, let alone back in the 1920s and 1930s. People can make a free telephone call. At the other end of the line, a member of the Pension Service staff will do the work. There is no reassessment every week. Indeed, once the settlement is made it lasts for five years, and no prying questions are asked about irrelevant details of pensioners' incomes. We have to get the message across to all pensioners that it is an easy process. However, we should not talk in euphemisms. It is a means test. We want to target resources at the poorest. Our argument is that we could not tackle the terrible crisis of pensioner poverty that we inherited when we came to government without such an approach, and we should not be ashamed of that.

Annabelle Ewing (Perth) (SNP): The Secretary of State mentioned the situation that the Government faced when they came to office in 1997. However, he will be aware that after seven years of a Labour Government one in five pensioners in Scotland still lives in poverty. Does he accept that the only way to end that scandal is to move away from means-testing and to introduce a decent basic state pension?

Alan Johnson: I do not accept that at all. In a sense, it is the response to the question from the hon. Member for Havant about how long means-testing should continue. It is a fair question, but in my view we have to target resources at the poorest pensioners, precisely because some still live in poverty, as the hon. Lady points out, in Scotland and the other parts of the UK. However, to suggest that the solution to that is a higher basic state pension is a delusion. It is a delusion mainly because 50 per cent. of women do not have the national insurance contributions that would get them even to the level of the basic state pension. I shall say more about the basic state pension, which is important, but to suggest that it can provide a simple answer to abject pensioner poverty is a delusion.

Ms Karen Buck (Regent's Park and Kensington, North) (Lab): Given the centrality of the means-testing issue, it is perfectly reasonable that we discuss it, but does my right hon. Friend agree that it is also fair that we judge the comments of the Opposition by their record in office? Will he confirm my understanding that the decision to break the link between earnings and pensions in 1980 resulted in the basic state pension being £26 lower in 1997 than it would otherwise have been? Is not it reasonable to use that point to test the validity of Conservative criticisms?

Alan Johnson: It is wholly reasonable to point that out. It is also reasonable to point out that the hon. Member for Havant said that a return to the earnings link had not been properly costed and would leave a hole in the public finances.

Mr. Steve Webb (Northavon) (LD): The Secretary of State made the perfectly correct point that simply putting up the state pension, while it continues to be based on contributions, will be prejudiced against women. The weekend newspapers reported that the right hon. Gentleman was rather positive about the idea of a citizenship pension based on residence rather than on contributions. Can he give us a sense of his approach to that? Does he have an open mind? Is he positive about it or does he rule it out?

Alan Johnson: I have an absolutely open mind, veering towards being very positive about it. That is as much as I can say at present.

The issue is how to tackle the problem that we want women to undertake caring responsibilities while their national insurance contributions cannot possibly match up, bearing in mind the fact that retirement age for women will move from 60 to 65. There is a real argument for me to look carefully at that matter—

Mr. Willetts *rose*—

Alan Johnson: But first I shall listen to the hon. Gentleman's intervention.

Mr. Willetts: I just wanted to check on what the Secretary of State said when he talked of going from an open mind to being positive. Is he saying that he no longer believes in contribution additions and the contributive principle and that we shall be going over to a different basis for pensions? He has just said something very significant.

Alan Johnson: Of course I said something significant. This is a policy debate and I try as much as possible to give straight answers to straight questions. The universal pension idea is really interesting and deserves much closer examination, which is, incidentally, why, during the passage of the Pensions Bill, my hon. Friend the Minister for Pensions accepted the suggestion that we have a separate report on women next year, to supplement the chapter in the Turner report.

As I said to the House on Monday, we have not merely helped the poorest pensioners. There seems to an idea that lots of money is going to the poorest pensioners and that pensioners who are not as poor receive no additional help from the Government—a point made in an intervention. That is unfair criticism. We have helped all pensioners. Compared with the 1997 system, the average pensioner—not the average poorer pensioner—is £1,350 a year better off, with an extra £5 billion being spent this year on universal benefits. Let us consider, for example, a single pensioner, over 80, living alone but with a very good private pension and a full basic state pension, who would thus not be entitled to any means-tested benefits. To return to the point that putting the earnings relationship back into the basic pension would solve the problem, such an uprating would give her £9.90 extra a week. Instead, this year, as a result of our reforms, she has a basic state pension that has increased in real terms by 7 per cent. since 2000, a £300 fuel allowance—tax-free, of course—and a free TV licence worth £121 a year. That adds up to a gain of £13.55 a week, so even that pensioner, who would not qualify for pension credit, has set aside some savings and receives a full state pension, would be £3.55 a week better off than if we had simply restored the earnings link.

Ms Sally Keeble (Northampton, North) (Lab): Does my right hon. Friend agree that by proposing to increase the basic state pension, but not extending the increase to other pensioners, and retaining the means-tested minimum income guarantee, the Opposition would in fact be retaining means-testing, with all the pressures that involves for the poorest and most vulnerable pensioners, especially women? As he said, the real issue is the universality of pension entitlement and that is clearly reflected in the report.

Alan Johnson: My hon. Friend is right. I shall come on to some other aspects of the policy of Her Majesty's official Opposition, but that point is important. If we were to go down the route they suggest, the poorest pensioners would start to fall back again—from 21 per cent. of average earnings to 16 per cent. In the main, those people do not have a hugely influential voice in society and sometimes that is the problem in debates such as this. However, they are individuals, they live in all our constituencies and they are entitled to continue the advance in addressing poverty that we have begun.

Helen Jackson: Does my right hon. Friend recognise that the pensioners we are talking about often make some of the greatest contributions to society and to the health of their neighbours and families? Part of the reason why they are left at pensionable age with no proper means of support is that they have had caring responsibilities, perhaps for more than one person.

Alan Johnson: My hon. Friend is right. It is healthy that we are spending some time talking about such individuals. In the main, they are elderly widows who depend on their husband's national insurance contribution record. It was impossible for them to put in the full number of pensionable years. They have not been left in poverty because they were frivolous or

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because they did not try hard to put money to one side; it is due to the circumstance that they were bringing up our generation. That is a really important point.

Mr. Frank Field (Birkenhead) (Lab): Although it is clearly true that large numbers of poorer women could not achieve the full insurance record because they were caring for others, many other women took the married women's option when they could have paid a full contribution, so would not my right hon. Friend's life be easier if we had had a little more compulsion in those days? If everyone who could have done so had paid those contributions, he would not have to make the judgment of Solomon by trying to decide which groups are more deserving.

Alan Johnson: I accept that if some decisions made in the past had been different my life would have been easier. However, my life is not easier and I am in the current situation.

Even those people who are not receiving targeted support can be significantly better off through our help for all pensioners than they would be through the simple earnings link. The proposals of the hon. Member for Havant to restore that link are unfair to the poorest pensioners, for the reasons I have stated, and their relative position would worsen. His proposals would also impose an unsustainable burden on future generations. Even on his own figures, which I got straight from Conservative central office, a £500 million funding gap would develop in year 4, if there were a four-year Parliament; by year 5, the situation would be worse. That is another reason to question the policy.

How would a future Conservative Government—if there were one—pay for those proposals? The hon. Gentleman said that he would abolish the

"useless schemes and wasted money"

of the new deal. That is the new deal which has helped nearly 1 million people to find work and increased our gross domestic product by £500 million a year. That includes the new deal for young people, without which, according to independent evaluation, youth unemployment would be almost twice as high as it is at present.

We believe that work is the best benefit that Government can provide. As this morning's labour market statistics show, we have a record number of people in work, with a further increase of 220,000 in the last quarter. Also germane to the debate and the Turner report yesterday is the fact that those statistics show that the growth in employment among people aged 50 and over—a crucial part of the equation—has been faster than average. Since 1997, employment among older workers is up by nearly a quarter, and 1 million people are already working beyond the state pension age. This morning's statistics bring good news in relation to the messages that Turner gave to us yesterday.

We have increasingly focused support on the most disadvantaged groups: lone parents, those previously written off to become the passive recipients of incapacity benefits, and disabled people. We have removed the barriers for disabled people in particular, with much resistance from Conservative Members, especially in respect of the Disability Discrimination Act 1995. That Act, together with the measures that will be included in the disability discrimination Bill, will radically address the great emancipation issue of our time: civil rights for disabled people.

Alan Howarth: My right hon. Friend has just discussed the plans of the hon. Member for Havant (Mr. Willetts) to finance his policy, but my right hon. Friend did not mention that, in abolishing the new deal, the hon. Gentleman would of course abolish the new deal for lone parents. Is the hon. Gentleman not planning to discriminate against women three times over? He would freeze the guarantee element of pension credit, which mainly benefits women; he would concentrate the resources on the basic state pension, from which all too many women do not benefit; and he would fund the increase in the basic state pension by abolishing the new deal for lone parents, which is the policy that helps women into work and to build entitlement to a pension.

Alan Johnson: My right hon. Friend makes an absolutely superb point. Incidentally, the latest figure for single parents in work is up to 54 per cent., whereas, in 1997, unlike any other European Union country, we had a deep-seated problem with lone parents stigmatised by certain elements of the previous Government—not the hon. Member for Havant, who apologised for the stigmatisation of lone parents under the previous Government.

We should also acknowledge the fact that we have seen the first small reduction in the number of those who have received incapacity benefits for a long time. The figure is down by 4,000 on last year. That decrease is probably statistically insignificant, but the number has levelled off for the first time in many years. If the trend for people to go on to incapacity benefit under the previous Government had continued, 4 million people would now be claiming incapacity benefit—1.3 million more than the current figure.

Miss Anne Begg (Aberdeen, South) (Lab): Does my right hon. Friend agree that the pathways to work pilot shows an increase in the number of people who are coming off incapacity benefit and going into work? If the Government are allowed to continue with that project and it is not put at risk by the Conservative party, there will be a big downturn in the number of people who receive incapacity benefit.

Alan Johnson: My hon. Friend is absolutely right. On Monday, I announced to the House the very positive early findings of our groundbreaking pathways to work project. We are already seeing improvements in recorded job entries for people in pathways to work areas throughout the country. The number of people going into jobs is twice the average. There is also a sixfold increase in the number of people taking up new deal programmes and training for work. That is another significant development.

In fact, the pathways to work project is proving so successful that, as I also mentioned on Monday, people who have been on incapacity benefit for more than a year—the experiment relates to that cohort—are knocking down our doors to take part in the project.

They are saying that they have been left for years with no help, and they view the project as a significant step forward. So the Government have made a huge difference to millions of lives across the country, by acting across the whole welfare reform agenda, to tackle the pernicious problems that we inherited in 1997.

We are proud of the fact that we have lifted 700,000 children above the poverty line, virtually eradicated youth unemployment, transformed disability rights, halved unemployment and cut pensioner poverty by two thirds, but we need to go further. There is no bigger long-term challenge for domestic policy than that highlighted by yesterday's Turner report. There is no area of domestic policy in which there is a better case for examining the evidence in detail, avoiding knee-jerk reactions—as Adair Turner virtually pleads with us to do, as politicians—and working towards a plan for the long term. I hope that there is at least consensus on the approach urged on us by the Pensions Commission.

I want to concentrate on what the Government are doing to meet the challenges set out in the commission's report and to talk about how we intend to move towards a long-term, evidence-based approach that seeks to attract the consensus for which the commission pleaded. The report builds on the analysis of our 2002 Green Paper, which showed that many people ought to be saving more or working longer if they want to realise the kind of lifestyle to which they aspire in their retirement. Although the report deliberately does not draw conclusions at this stage, it emphasises that more people choosing to work for longer must be a crucial part of the response to longer lives. That is a difficult message. There were many difficult messages for politicians on both sides of the House, individuals and employers, but it is right that we address the issues that Turner raises in that analysis.

We believe that, given our age discrimination legislation, we are already committed to giving people greater opportunity to work for longer if they wish to do so. Crucially, in the Pensions Bill, we are increasing the rewards for working beyond state pension age. Our policy of state pension deferral will increase the increments for deferring to 10.4 per cent. a year, which will produce a basic state pension of about £120 for someone deferring until 70. Under measures in the Finance Bill, for the first time people will be able to continue to work while drawing an occupational pension from the same employer. That is an important contribution as well.

Of course, part of any increase in average retirement ages can come from increasing employment rates before state pension age. Our problem at the moment is that two thirds of men are out of the employment market by the time they reach 62, let alone 65. The report shows that those employment rates are rising, so there is cause for optimism. The rates have increased by 8 per cent. in the past 10 years, but the report says that they "could rise significantly more". So the Government are already taking steps to maximise the possible impact of people choosing to work for longer. Helping people to build up pensions is the other half of the equation.

Mrs. Jacqui Lait (Beckenham) (Con): Will the right hon. Gentleman give way?

Alan Johnson: I will give way in a second.

A crucial reform that has been barely mentioned in any of the coverage that I have seen is that, under the state second pension, for the first time women, carers, the long-term disabled and others with incomplete contribution records—to return to the problem that we were talking about earlier—are no longer losing out on building up rights to the state pension. The state second pension is up to twice as good as its predecessor—the state earnings-related pension scheme—so 20 to 30 years down the line, pensioners could retire with double what they would get under the basic state pension.

Mrs. Lait: I interrupted the right hon. Gentleman when I did because I thought that he might move on to the private pension sector. Before he does so—I accept entirely both Adair Turner's point about not rushing into hasty decisions and the right hon. Gentleman's agreement with that statement—will he say whether he is considering whether to raise the state pension age above 65 and, if so, whether that will happen before 2010, or after 2020?

Alan Johnson: I have said—my predecessor said this, but I will say it again—that Government policy is not to insist that people have to wait until they are 70 before they draw their state pension. We will have the debate, but our view is that people should have the choice. We should offer the inducements in terms of the increment to the weekly pension and the lump sum of between £25,000 and £30,000. However, if we insisted that people had to wait until they were 70 before they got their state pension, many people—who had spent their lives in heavy industry, who are not as healthy and fit as the rest of us and who cannot look forward to the longevity that, as Turner pointed out, actuaries underestimated in the past—would have short lives on their state pensions. The choice agenda may unite us in consensus. It is important not to introduce a level of compulsion in the age at which one draws the state pension.

Kali Mountford: Choice is better made when informed. Given the announcement that my right hon. Friend made at the Labour party conference, would he inform the House further on his ideas about how people can be better informed about the choices that they make and at a much earlier stage in their employment, so that their retirement can be comfortable?

Alan Johnson: I will come to my hon. Friend's point in a second. It is crucial to what will be the major aspect of the second report from the commission, which is whether there should be compulsion. Informed choice is important to that.

We believe that there is real potential—in fact, I come to my hon. Friend's point straight away—in revitalising the voluntary private approach. The newspapers erroneously said last weekend that I had ruled out compulsion in respect of whether to contribute to private pensions. I did no such thing; I have an open mind on the issue. I will wait for the Turner commission report. However, it would be strange to move to compulsion without properly exploring the voluntary private approach. It must be right to consider that further.

[Alan Johnson]

To that end, we are already pursuing policies that seek to restore confidence in private pension saving, create greater incentives for people to save and activate people to take advantage of the provision that is already there, making decisions based on clear, tailored information. The informed choice agenda and trying to wipe away the complexity that Adair Turner rightly identified as inherent in our pension system are issues that we must approach.

I would like to finish by saying a few words about each of those three aims: restoring confidence, creating greater incentives for people to save and activating people to take advantage of the provision that is already there.

Mr. Quentin Davies: The Secretary of State has said that he likes to try to give straight answers to straight questions. He also promised to answer before he sat down the question that I asked him earlier about whether he agrees with the Minister for Pensions that the pension credit is a short to medium-term solution.

Alan Johnson: I try to give straight answers to straight questions, but that does not mean that I always succeed. My view, which I mentioned earlier, is that the pension credit and means-testing should be there until we have solved the problem of abject pensioner poverty. It should not be the only part of our solution and divorced from a decent basic state pension, but it must remain a part of it. My hon. Friend the Minister for Pensions rightly asked, as Adair Turner asks in his report, whether we are planning to continue the policy indefinitely. I can say that there are no such plans to continue it indefinitely, but it has a role to play. I do not think that it has solved the problem of pension poverty yet. That is why we need to do more.

I return to the three aims that I mentioned earlier. First, it is critical that pensions are secure and it is crucial that they represent good value. Having cleared up the mess of mis-selling that we inherited, we went on to develop a groundbreaking approach to bringing security to members of final salary schemes who were losing their pensions when their company became insolvent and their pension scheme was wound up. I refer to the pension protection fund.

Next we had to act to protect employees whose accrued rights had been cut while working for solvent employers by introducing full buy-out regulations so that trustees can require a solvent employer who wants to wind up their pension scheme to buy out members' rights in full. We also need to implement the new Sandler pensions, which can be bought without expensive advice and with fees cut by one third compared with the old personal pensions. These and other changes in the Pensions Bill, which is currently in the other place, are crucial contributions to the pensions challenge. They will make a real difference, both now and in the future, to restoring confidence in pension saving and ensuring that pensions are secure and represent good value.

Tom Levitt (High Peak) (Lab): My right hon. Friend will be aware that issues such as the Turner and Newall pension fund are highly complex, but such events shatter confidence in pensions generally—both public and private. Although we should consider ways to ensure that such things do not happen again and protect those funds, is not the key long-term aim ensuring that those funds do not stand a risk of failing in the first place? Will he ensure that that message is taken forward not just for the individual cases that we seen so far, but for the totality of pension provision in the public and private sectors for the future?

Alan Johnson: I will, indeed. I understand my hon. Friend's concern about Turner and Newall. We picked up the recommendations in the Pickering report on the regulator's role, and that is another central element of the Pensions Bill.

As well as greater confidence, we need a revitalised voluntarism, and that means people need incentives to save. We are therefore, first, radically simplifying the taxation of pensions by replacing the existing eight separate taxing regimes, which are placed on top of each other, with one single lifetime allowance. That measure appears in the Finance Bill and has been widely welcomed. Secondly, we are also giving firms tax exemption on up to £150 worth of advice for each employee each year. Thirdly, for about 3 million lower-income working adults who are on the new tax credits, our reforms mean, as Adair Turner has pointed out, that they get 37p extra tax credit for every pound that they contribute to a pension.

Revitalised voluntarism means activating people to take advantage of what is already there. On this, we appear to have unanimity and consensus with the two Opposition parties. The commission pointed out that 4.6 million people work in companies in which the employer makes a contribution to their pension, but they have not joined the pension scheme. I cannot believe that that is a matter of informed choice. If it is, that is fine, but it is not and we need to find measures to deal with it. For example, auto-enrolment was one snappily titled approach. Its name does not send the blood pulsing through the veins, but it is an important contribution to that debate. We set out other issues that we think are essential to take forward in our Command Paper on informed choice. We are also taking steps to give people clear, tailored information about the choices they face today in relation to their prospects for retirement.

As a society, we need to end the head-in-the-sand culture, and the Pensions Commission report, uncomfortable as some of its evidence is for all of us, provides a major contribution. I will take the rap for the phrase "a pouch of fairy dust", but I believe that Adair Turner needs to take the rap for the phrase that there is no single magic bullet to solve the longer-term pensions challenge. However, the Government will build on the difference that we have already made in tackling the pernicious evil of pensioner poverty. We will build on the differences that we are making now in increasing the opportunity and rewards available from working longer, radically bolstering confidence in pension saving, enhancing incentives to save and empowering people to be able to make informed decisions about planning for retirement.

Just as we have evolved the state system in the past, so we will in the future. However, this evolution will be based on evidence and consensus where possible, and it will ensure that we strike the right balance between tackling pensioner poverty, helping all pensioners and ensuring the right incentives to save. I believe that yesterday's Turner report has really helped us with that debate. I look forward to engaging with the issues further over the weeks and months ahead.

1.59 pm

Mr. Steve Webb (Northavon) (LD): The new Secretary of State is a breath of fresh air and I hope that his candour will not diminish in direct proportion to his length of service in office. He said something important and significant this afternoon, as the hon. Member for Havant (Mr. Willetts) pointed out, and his contribution raised the tone of the debate from an argument about whose fault it is that we are in such a mess to one about how we will sort it out, which is what the focus of today's debate should be. I salute him for performing an important service for the House by taking us away from the puerile debate about who said what to whom and whose agenda we should pursue towards a consideration of how we will serve the needs of today and tomorrow's pensioners. I shall engage with him on the citizenship pension because it is an important way to reflect on where we might go from here.

The Conservative party initiated the debate and its motion outlines some of its proposals for reform, so it is appropriate for me to begin by examining what it says. We tabled an amendment to the Conservative motion because although we did not object to anything in it, there was an important omission. The Conservatives consistently and repeatedly fail to recognise the problems of women in the pension system. If hon. Members read the motion, although I trust that they have better things to do, they will discover that it makes no specific reference to the pension position of women.

I suspect that I am alone in the House in that I listened to the entire conference speech made by the hon. Member for Havant, but I heard no explicit reference in it to women's pension problems. Perhaps the most damning thing of all is that although the Conservatives have come up with an eight-point plan to tackle the pensions crisis, and despite the fact that the majority of pensioners are women and a greater majority of the poorest pensioners are women, that plan makes no mention of women's pension problems. When challenged on the issue, the hon. Gentleman says, "Yes, we must have a think about that." The problem is important, so he should not think that something should be done about women after the plans have been drawn up. The problems for pensioners will not be solved unless the problems facing women pensioners are tackled, so the Conservative party's consistent failure to address the matter represents a glaring omission. I think that the hon. Gentleman is aware of the problems, so I am disappointed that he has not come up with any concrete solutions.

The right hon. Member for Newport, East (Alan Howarth) highlighted the fact that simply linking the present national insurance contributory pension to earnings at its present inadequate level in proportion to what people are already getting is a policy of giving less money to women. We would start from a position in which women get less and reinforce our plans to tackle that problem with a link to earnings. I hope that the Conservative party will come up with proposals to tackle the problems, but they have been sadly lacking from the debate so far.

Mr. Frank Field: The hon. Gentleman is quite right to say that a link to earnings will not solve all the pension problems. Where do the Liberal Democrats stand on the link? Do they believe that it should be made, or will they omit it from next year's election manifesto?

Mr. Webb: I can give the right hon. Gentleman a clear answer to that question. The first point in our first Parliament plan is a proposal to link the pension for over-75s to earnings. We intend to do that on the basis of a pension paid to citizens, rather than a contributory pension, as a result of which women will benefit equally to men rather than in proportion to their contribution records. When we extend that pension from the over-75s to all pensioners, it is our intention that the citizenship pension will be linked to earnings. It is almost a quarter of century since the earnings link was broken and the state pension has become devalued to such an extent that increasing it to a credible level and linking it to earnings in one go would simply not be plausible, so we have reluctantly had to prioritise people. We will start with older pensioners, who tend to be women and the poorest pensioners.

Sir John Butterfill (Bournemouth, West) (Con): The hon. Gentleman says that the pension will be paid regardless of contributions. Would that not lead to the anomaly that women who had worked and opted to pay the full contribution would be no better off than those who opted to pay the lower married woman's contribution? Would that be fair?

Mr. Webb: The hon. Gentleman makes a perfectly fair point on which I can reassure him. One of the advantages of our phased approach is that women who retired today would receive an enhanced pension for the next 15 years because of their additional contribution. By the time that we extended the pension from over-75s to all pensioners, the married woman's stamp would have worked its way through the system because as he will know, no new women have been able to opt to pay that stamp since 1977. There would be a transitional problem with the system, albeit one that would last for perhaps a decade or more, but women who paid the full stamp would continue to benefit from that. We think that we must begin to end the penalty on caring that is inherent in a contributory system.

The Secretary of State referred to the funding hole in Conservative proposals. Just as the electorate will not accept the Government saying, "Mr. Turner will come up with the answers next summer, so vote for us and we'll implement them", they will not accept the fact that the Conservatives promise money for pensions without being clear about where it will come from. To be fair to the hon. Member for Havant, he has produced a document including tables and figures to show how the money will be found. One of my colleagues asked me the other day how the Conservatives were being allowed to get away with such implausible costing of their policies, so I thought that it was about time that we had a little look at them—believe me, I know something about that subject. I am sure that the hon. Gentleman will contradict me at each step if I make a mistake.

[Mr. Webb]

The Conservatives propose that £7 will go on the pension on the basis of a real earnings growth of 2 per cent. The hon. Gentleman has costed his proposals and said that if real earnings grow at 2 per cent throughout the next Parliament, he will be £180 million short, although that is actually a gross understatement. However, as the Secretary of State said, there would be a cumulative problem. When the hon. Member for Havant scraps the new deal, he will give himself £600 million in year 1, which is far more than he needs, but although he will still receive £600 million in years 2, 3 and 4, the cost of the policy will rise every year. Although he will have nearly £500 million more than he needs in the first year, he will have £500 million less than he needs in the fourth year. His policy suffers from a structural lack of funds. He would be £180 million short over a Parliament at the very least, but in the final year of a four-year Parliament, he would have introduced a structural deficit of £500 million. Where would the money come from? I was hoping that the hon. Gentleman would intervene on that point.

Mr. Willetts: I thought that the hon. Gentleman was being rhetorical, although come to think of it he is never rhetorical. We have set out clear figures on offsetting savings through means-tested benefits, on savings involving the new deal and on savings from changing the rules on income support for lone parents, which would enable us to finance our policy throughout the first Conservative Parliament. I set out in the document—no one has challenged any of the figures in it—that as long as we can continue to identify savings, which I am confident that we can, we will keep on going. I think that that is a more serious attempt to cost a policy than his proposal of simply abolishing the Department of Trade and Industry. If we are talking about who has bitten the bullet on what must be done to finance a policy, the pot is now calling the kettle black.

Mr. Webb: It took a moment to get that response from the hon. Gentleman, but I note that he did not query the £180 million shortfall—perhaps I should call it the pots and kettles black hole. He did not do that because the Conservatives admit to that deficit, but the figure is far too small. He says that he will offset savings through means-tested benefits, of which I have taken account, but there are two other ways in which he will pay for his policy, although that will leave him £180 million short.

First, the hon. Gentleman will scrap the new deal, which will provide £600 million every year, but I thought that the Conservatives said at their conference that they would replace it with a scheme through which charities and private companies would help people to get jobs. Will they do that for nothing? Where will the money come from to pay for that after the new deal is scrapped?

Mr. Willetts: A year ago, we set out in a document our policy on pensions and how that will be financed. I stand by the figures and no one has shown that they are wrong in any way. In the past few weeks, as a result of the exercise conducted by the James committee, further savings in the Department for Work and Pensions budget have been identified, so we will use some of those savings to finance the work-first policy that I launched at the Conservative party conference.

Mr. Webb: Such as?

Mr. Willetts: If it is not on our party's website, I am happy to send the hon. Gentleman the James committee report, which investigated the Department for Work and Pensions and identified further and different savings from the one that I used a year ago to finance our policy.

Mr. Webb: It is good to hear that the Conservatives are not going to use savings in other Departments to pay for their spending plans.

We have the new deal proposal and will have a closer look at where the alleged savings will come from, but another line has received almost no scrutiny whatever. The hon. Gentleman will say that there will be £100 million in the first year, £200 million in the second year, £300 million in the next year and £400 million in the year after that—nice round numbers—by requiring the lone parents of teenagers to look for jobs.

I suspect that most of us would not have a problem with the idea that lone parents whose youngest child is now a teenager should be thinking about the labour market, but where will the £400 million come from? It is necessary to make—dare I say it—heroic assumptions. The hon. Gentleman is assuming that half the lone parents whose youngest child is a teenager will get jobs. I do not know whether he has assumed that they will not get tax credits, or whether he has allowed for that. I do not know whether he has assumed that when they get a job, the person who would otherwise have got that job then goes on to benefits. Has he netted any of that off, or are they fantasy figures?

It is one thing to say that the Conservatives will give £7 a week to pensioners—although less to women—but it is another thing to make the figures up as the hon. Gentleman goes along. They are far less plausible than such documents give us reason to believe.

Mr. Willetts: The figures are cautious. If the hon. Gentleman looks at the evidence on the distribution of lone parents on income support by age of child, he will be surprised, as I was, at the number of lone parents on income support who have older children of secondary school age. I expected to find the figures bunched, with most of the lone parents on income support being parents of young children. That is not the case.

The labour force participation of lone parents is still much lower, even when their children are older, than mothers in couples. There is clear evidence from research at the London School of Economics that the best outcomes for the children of lone parents, especially the daughters, are if the parent is in contact with the labour force when the child is of secondary school age. We have made relatively modest assumptions for the savings once we take into account the large number of lone parents who have secondary age children.

Mr. Deputy Speaker (Sir Michael Lord): Order. Although I am enjoying the interchange, I remind the hon. Gentleman that it is an intervention.

Mr. Webb: It was an interesting intervention, which highlighted the extent to which the numbers behind the Conservative pension plans have not been explored—apart from by me, of course.

In a sense, I do not disagree with the hon. Gentleman. There are good reasons to think about whether the lone parents of teenage kids should have closer contact with the labour market, but if it is in their interests, we must ask ourselves why the lone parents are not already getting jobs. Is it because there are barriers, such as child care, which simply requiring them to look for jobs does not overcome? Is it because some of them are in parts of the country where the labour market does not work well, so requiring them to look for work does not give them jobs?

Many lone parents of teenage children are probably in the wake of relationship breakdown. That may be a significant number of people. Do we want to put pressure on people who have just got divorced or separated and who are finding life difficult by telling them that we will take their money away unless they start looking for a job on day one? There are many unanswered questions and assumptions that have not been probed. I hope that we will have the chance to do that nearer to the election.

Rob Marris (Wolverhampton, South-West) (Lab): I am listening with interest and the hon. Gentleman makes a powerful point about Conservative policy. In terms of lone parents, will he also bear it in mind that the labour force participation rate is 54 per cent.? Most lone parents are women. The labour force participation rate of women is approximately 72 per cent., so there is not much room for pushing up participation and there will be costs associated with it, as he points out.

Mr. Webb: The hon. Gentleman raises a fair point about how far we can go with such a policy. One gets the feeling that the figures have been plucked from the air. I almost wonder whether the £400 million was the difference between the two numbers and was what was required.

Let me make just a couple of other observations on the Conservative approach. I listened in full in a studio to the speech by the hon. Member for Havant. The rhetoric was credible and convincing. He gave a realistic description of the problems. He has likened the pensions crisis to global warming and the war on terror. He is trying to tell us how serious he thinks it is. However, it is clear from the eight-point plan that it is a good job that we are not relying on him to deal with global warming because we would already be flooded. It is so limited in scope. There is a huge problem and what are the Conservatives going to do? They are going to give people £7, if they are lucky, by the end of a Parliament, still leaving the basic state pension £18 below the poverty line. How does that address the scale of the problem?

Mr. Kenneth Clarke (Rushcliffe) (Con): The hon. Gentleman has spent about a quarter of an hour mainly analysing the Conservative proposals. We are meant to be discussing Adair Turner's commission, which warns us all that the proportion of people aged 65 or over will double between now and 2050. As I understand the Liberal approach, it is to abandon the contributory principle on pensions, extend pensions entitlement wider than it is now, raise the value of the basic pension for everyone as soon as possible, and link it to earnings thereafter. Does he think that that is facing up to the difficulties of the challenge we face? Has he given any thought at all to the appalling level of unfunded obligations that he proposes to land on our children and grandchildren if the Liberals are ever let loose on the subject?

Mr. Webb: One of the ways in which the world has moved on since the right hon. and learned Gentleman was a senior Minister is that in those days future liability was a price-linked unfunded basic state pension and a price-linked unfunded means-tested system. We have moved to a situation in which, on current policies, we have an earnings-linked means test, which will apply to between three quarters and four fifths of all pensioners. If that is the current projection—

Mr. Stephen Dorrell (Charnwood) (Con): Which is unaffordable.

Mr. Webb: That policy is projected to involve a modest increase in the share of national income going to pensioners. That is the projection of the Government's policy. If we are to have a system in which four fifths of all pensioners have to jump through a means test and have an earnings-linked income at the end, a policy of one decent earnings-linked pension—perhaps thought incredible at the end of the '80s—becomes a mainstream sensible approach, which as the Conservative leader said at Prime Minister's questions is becoming part of the wider consensus.

Mr. Kenneth Clarke *rose*—

Mr. Webb: I have huge respect for the right hon. and learned Gentleman, but he has criticised me for spending too long on his party and I want to make one further observation.

The hon. Member for Havant makes the proper point that as well concentrating on state systems, we have to think about incentives for private savings. He proposes the lease of a lifetime savings account. As I understand it, he is saying that the answer to the problem of people not saving enough for pensions is an instant access savings account. In other words, the Conservatives would establish an account that people can use in any way they like—to put money in or to take money out—and that that will solve the pensions crisis.

As someone who is just under 40, the idea that folk in my age group would put money into such an account and leave it in the hope that it will one day become a pension is implausible because without a tie-in we could take the money out at any time. The hon. Gentleman says that the carrot is that the Government will put money in if we leave the account untouched, but where would that money come from? Are the Conservatives going to touch pension tax relief? No. Are they going to touch rebates in the short term, because this is a short-term policy? Not as far as we know. So where would the money come from for the incentive to save? The hon. Gentleman stands up and says, "Buy one, get one free" and tells us to bog off—he said that to me mainly—but he has never said where the Government money would come from. It is another uncosted implausible Tory pension proposal.

The hon. Gentleman is an expert in these matters. We share many platforms and agree on many things. He carries great credibility with him. However, when one

[Mr. Webb]

examines what he says, it is full of holes. The House and the country deserve a better alternative, which I shall set out, to the Government's policies.

Miss Begg: Before the hon. Gentleman moves on, in the light of what he said about providing a basic state pension for everyone regardless of their contributions, how much does he estimate that that will add to the global sum paid out to pensioners in future?

Mr. Webb: We have costed our policy, including the citizenship component, the earnings link and the £25 for the over-75s, at roughly £3 billion year. The cost of the citizenship component is relatively modest, although it would increase over time as we extend it to more people. On the other hand, as the Turner commission says, some trends in women's pensions are going the right way, which means that in the medium term women's contribution records will improve anyway. The additional cost of filling the gap in the citizenship pension will therefore fall. The cost of the citizenship component is not huge, but it is an important way of valuing carers' work and so on. It is important to increase the £80 weekly pension to £105, as a huge shortfall has been allowed to develop.

Kali Mountford: I have enjoyed the hon. Gentleman's speech so far, and am glad that he is moving on to his own proposals. All pension proposals depend on a high proportion of people earning money, and pension contributions, whether state, personal or private, depend on people working. How do his party's proposals for the Department of Trade and Industry help that policy?

Mr. Webb: Interestingly, we propose that the DTI would not do some of the things that it does at the moment, such as subsidising arms exports. Some of its worthwhile responsibilities would be transferred to other Government Departments, and my hon. Friend the Member for Twickenham (Dr. Cable) has estimated in our published spending plans that the amount spent on DTI-related activities by other Departments would be the same in real terms as in 1997, when the Government came to power. The suggestion that such activities would be decimated is therefore quite untrue.

Turning to the important issue of citizenship as the basis of pensions, coverage and commentary on today's debate will focus on the Secretary of State's interesting and encouraging response to our proposal. Previously, I feared that the Government's response to citizenship-based pensions was not warm. On 14 September, before the Secretary of State took up his post, the Under-Secretary of State for Work and Pensions, the hon. Member for Gravesham (Mr. Pond) said:

> "At a stroke, the Liberals plan to scrap the national insurance scheme, which is the bedrock of pensions as they operate today . . . People who have contributed, in many cases for an entire working life, towards their national insurance pension would find that it was swept away."—[*Official Report*, 14 September 2004; Vol.424, c. 1231.]

In fact, that pension would still be there. However, I am heartened that a new broom has swept through the Department. Barely a month later, the Secretary of State has an open mind—indeed, he said that he was "veering towards the very positive"—on our proposals.

Annabelle Ewing: I am obviously a big fan of citizens pensions, as the Scottish National party came up with the proposal in the first place. However, having listened carefully to what the hon. Gentleman said about the scope of his party's policy, how many pensioners in Scotland will be excluded from the citizens pension, which he proposes to introduce on a targeted basis, unlike the SNP?

Mr. Webb: As the hon. Lady will be aware, our proposal will initially benefit pensioners aged over 75. She will know better than me how many pensioners under 75 there are in Scotland. She will know that our plans to scrap the council tax—I do not know whether the SNP has a similar proposal, as I sometimes lose track of its policies—would benefit pensioners under 75. The House attaches great importance to the credibility of Opposition promises, so it is regrettable that a fringe Opposition party should promise the earth on pensions.

The notion of a pension based on citizenship is an interesting one. I am sure that the Secretary of State has encountered the category D retirement pension but, if not, he can be forgiven. To refresh his memory, it is a citizens pension in the British pension system payable to people over 80 who do not have a pension or who have a very poor one. It is not means-tested and is paid regardless of contribution record to 23,000 people, three quarters of whom are women. It is based on a citizenship or residency test. Provided people have lived here for 10 years of a 20-year period they can draw the pension. Should the Secretary of State have to do battle within Government over a fundamental breach in the national insurance principle, I hope that he will remind his colleagues that we already have a pension that is based not on contributions but on a residency test. Admittedly, it is paid to older pensioners, and we propose that it should be paid to the over-75s, not just the over-80s. However, our proposals are not radically different from current arrangements, but are more generous. I hope that the Secretary of State is emboldened by the fact that the principle that some people claim is sacrosanct has already been breached, I assume by the Government who set up the national insurance system 50 years ago.

The Secretary of State asked why people do not make more of the state second pension that, he said, benefits carers. I would not want him to be under the impression that it benefits them to the extent that he believes. Although it is true that parents with children aged five or under receive credits, as soon as the children go to primary school they do not receive anything. A young mother, for example, whose children start at primary school, may work part-time, but if she is under the lower earnings limit she does not pay national insurance. She therefore does not receive credits for the state second pension, so that category of women is still excluded. Likewise, if carers work for 35 hours a week and draw carers allowance they receive help, but if they work for 30 hours a week they do not receive anything. Even with the improvements brought about by the state second pension, large numbers of carers continue to be excluded. The basic pension and the state second pension are still so limited in value that someone retiring on a full pension from both schemes, which are price-linked, will typically end up receiving pension credit. The Secretary of State is therefore right that there has been a marginal improvement for women, but it is much more limited than he realises.

Sir John Butterfill: If I understand the hon. Gentleman correctly, is it his party's policy to get rid eventually of the national insurance contribution system altogether that, presumably, would be subsumed by the tax system? Would that be welcomed by pensioners who continue to work, one advantage of which is that they will not have to pay national insurance?

Mr. Webb: We propose that revenue from national insurance contributions will be ring-fenced and spent on the NHS. It will be levied in exactly the same way and on exactly the same people as at present, so pensioners will not experience any difference in their liabilities. However, once we have got rid of contributory pensions it would be quite inappropriate, as the hon. Gentleman said, to levy a national insurance contribution to pay for them. We therefore advocate spending the money instead on the health service and using general taxation to pay for retirement pensions.

I shall conclude shortly, but first I want to ask the Secretary of State about the position of people who lost their occupational pension rights before the introduction of the pension protection fund. He will know that, after pressure from Members on both sides of the House, the Government introduced a financial assistance scheme of £400 million over 20 years, or £20 million a year. It is widely accepted that that sum will not meet the scale of liabilities, especially as pensions operated by Turner and Newall fall within its scope. However, there is an ambiguity about the scheme, which I hope the Secretary of State can resolve. Some people say that individuals who have lost their occupational pension since June this year, when the priority order on winding up changed, will not be covered by the financial assistance scheme. Some Government officials have intimated that when a scheme winds up the workers' position is slightly better than it used to be so the financial assistance scheme does not apply. That has created great anxiety among people who know that their firm is going to wind up its pension scheme before the pension protection fund is introduced. Will the Minister clarify whether they will be in or out of the financial assistance scheme?

The general stance of the Liberal Democrats is well known and well respected, so I shall say only a few words about our alternative approach to such issues. At our conference, a motion on a detailed package of proposals to deal with the pensions crisis was carried almost without opposition. At its heart was reform of the state pension system by making the pension universal and basing it on citizenship. It will be paid without means-testing and will be earnings-linked. We are the first to admit that we cannot do everything in one go, so we will phase our reforms, starting with our proposals to increase the pension for the over-75s by £25, lifting 1 million people out of means-tested benefits at a stroke. We believe that that is the right way to start.

We also have proposals to encourage private saving. Clearly, the higher the pension, the less the means-testing and the bigger the incentive to save. We propose an opt-out system for occupational pensions. I am glad that the Secretary of State mentioned that, and I think that it was the subject of an initiative by the hon. Member for Stalybridge and Hyde (James Purnell). Under such a scheme, the presumption is that people are in a scheme unless they actively opt out, although they can still make an informed choice to do so. That would improve coverage and make a significant contribution, and I believe that it offers some scope for agreement.

Another suggestion that I want to put on the table—I hope that hon. Members will refer to it—is that of a National Savings pension. Whenever I talk to people about pensions, they tell me that they simply do not trust them. They have more trust in company pensions because of the pension protection fund and the opt-out rules, but they do not trust private pensions. They are worried about Equitable Life, and Standard Life is getting itself a bad reputation at the moment. They want a brand that they can trust—a company that is not going to rip them off with commission, try to make a huge profit out of them or go bankrupt. Why not have a personal pension whereby people can make a long-term investment through National Savings? They will not be ripped off with commission charges, the provider will not go to the wall, and they will know that their pension has a secure organisation behind it—to the extent that the Government can be regarded as such.

I think that the public would warm to that innovative idea. When I put it to the pensions industry, the principal criticism was that it might be too successful. I am regularly criticised for Liberal Democrat policies that have the potential to be too successful, and that certainly applies to this one in particular. The people in the pensions industry were afraid that such a product might undercut the market. However, the more I talked to them, the more they said that it would appeal to a section of the market to which the private sector cannot deliver—that it does not reach because it is not economic to do so. If people could go to their post office, if they can find one, to put money into a pension with a brand that they trust, that would help to provide security in old age.

The debate did not start on a positive note, but it has developed one. The Secretary of State gave an encouraging response that indicated some fresh thinking and openness to ideas. I have said in the past day or so that after seven years in office it is a bit late for the Government to start a national debate, but I withdraw that comment. If the Secretary of State is genuine and is willing to debate our ideas for a citizenship pension, we will accept that invitation. We will meet him privately, publicly, wherever and whenever he wants to, to take forward these positive ideas to benefit women and pensioners as a whole. Opposition and Government should engage in such dialogue in partnership, and I look forward to working with the new Secretary of State.

2.32 pm

Mr. Frank Field (Birkenhead) (Lab): I congratulate the Liberal Democrats on adding new ideas to our debate, particularly their proposal on selling pensions at post offices. As the hon. Member for Northavon (Mr.

[Mr. Frank Field]

Webb) probably knows, Mr. Gladstone advocated that policy in this Chamber but was not successful in delivering it. I wish him luck where the grand old man failed.

I ask my right hon. Friend the Secretary of State to be careful in extending his goodwill to the variety of proposals that are advocated, particularly by Opposition Members. The right hon. and learned Member for Rushcliffe (Mr. Clarke) quickly exposed the fallacy on which the longer-term financing of Liberal Democrat proposals is based. The hon. Member for Northavon suggested that because Labour is committed to a means-tested pension credit that will rise with earnings, and because that will encompass an ever-growing proportion of the pensioner population—our Green Paper said that some 83 per cent. would eventually receive it—it is fair enough to transfer those funds into his citizenship pension.

The reason why today's debate is so important is that the pension credit, which we have committed on to the statute book, is not sustainable in the long run. In presenting it, the Government said that when 2050 arrives an 11p increase in the standard rate of tax will be required to pay the bill. I have never seen a shorter political suicide note. Although the pension credit is a valuable tool to help poorer pensioners now, it is not the basis for a long-term policy.

I want to make three short points arising from the Adair Turner commission's report, which was published yesterday and which I welcome, not only because it is written in very good English but because it helps us to centralise our ideas on where the debate should go.

My first point is a warning about the desirability of basing pension policy on evidence-based research. I challenge any hon. Member to stand up and say, "What new evidence is there in that report that we did not have before?" Let me go back to the Tom Ross report that the Government commissioned, which listed areas on which we need information if we are to take an evidence-based approach to pension policy. For example, we know how many people are in company pensions, but we do not know who is paying what contributions or, therefore, who will get what out at the end of the day. The report says that we cannot yet link people who happen to be paying contributions to a company scheme to any other wealth that they may have. It says, above all, that we cannot link knowledge about occupational pension rights and other wealth to housing ownership; nor can we produce a breakdown of the distribution of housing ownership in a way that is valuable in advancing the debate on pensions.

It is wonderful to have research—let us have it by all means—but nobody should kid themselves that if we only waited a little bit longer for even better research that would excuse us from having to make hard decisions, because that is what politicians are paid to do. As we go into the election, we will have to make a political judgment about what we advocate to the electorate in respect of pensions reform.

Now that I have heard it, I fundamentally disagree with the Liberal Democrats' idea of a citizenship pension. While no single measure will help to shore up our society, which is fast falling apart in too many of our constituencies, we cannot unthinkingly abolish the contributory principle, which gives ordinary men and women the right to build up a stake in society in respect of their pension. We cannot cast all that aside and advocate a system that says, "Irrespective of what you do, how worthy you are, how much you have worked or how effective you have been in putting your shoulder to the wheel, because you are a citizen you will get a pension." That is directly opposite to the way that we need to go when we consider how people earn their entitlements and subsequently draw them. The electorate will be very disturbed to hear about that proposal.

That is not to say that we do not want to help people who should be gaining a pension entitlement but have been unable to do so in the past. However, in reforming the state pension we must ensure that the contributions of people who do valuable work for the community, such as caring for young children and frail elderly people, are paid for them, and that we thereby salute them for their role. We must not demean what they do by saying, "Roll up, roll up—anybody who happens to be around can have a pension paid for by other people who have to work jolly hard."

Mr. Webb: We all want to salute the work that carers have done in the past, but saluting them is not enough if they are now retired and drawing a pathetically inadequate pension. Nor is it enough to increase the basic state pension, because they get a reduced percentage of it. The right hon. Gentleman does not want to means-test them, so what would he do for them?

Mr. Field: Quite a few of those people will have had carers allowance, so we have the records and we could check them. Some flexibility is possible, depending on who they cared for and how. That seems a more appropriate approach than the suggestion that the whole national insurance system should go because we have not yet devised a way of justifiably paying additional pensions to those who have grown weary looking after other people.

There is no dispute about that anywhere in the House. It is just that some of us baulk at the idea that under the guise of helping a moderately small number of elderly women who have carried out caring functions, we should overthrow one of the real successes of the welfare state—the contributory principle. People do not think of it as taxation. They think it is being earmarked for them and they think it is their duty as citizens to contribute to the national insurance system when they can, and that they thereby have a right to draw from it. The electorate would not be keen that we should put that system aside without thinking.

Kali Mountford: I am grateful to my right hon. Friend for giving way on the contributory principle. In his thinking on the matter, has he considered what would happen if we moved from a pay-as-you-go scheme, which we currently have, to a funded scheme, which could be developed under the national insurance principle?

Mr. Field: That will be my third point. It is the scheme about which I hope the Government will be thinking. My hon. Friend is right to highlight it. We cannot go into the election without laying down some outline plans for reforming pensions in the next Parliament. It would mean that almost 10 years had elapsed since we were elected, yet we still had not got on to the major subject of long-term reform of pensions.

It was a clever wheeze last year to set up the Pensions Commission and to toss the pensions time bomb into the long grass. We have now had a report from the Adair Turner commission, which has mowed the long grass. The pensions time bomb has not only been found, but it is ticking and people want to know what sort of approach each of the political parties will have when they go into the election.

It is an important call for the Government to make. If they continue to say that Adair Turner's commission will not make its final report until June next year, they will soon be trapped in that timetable. The timetable did not come down from Mount Sinai; it is the timetable that the Government gave the report in the first instance, and what Governments lay down, they can revoke. I suggest that they ask Adair Turner to make his report by the end of February next year so that all the political parties can study the detailed proposals and shape their election manifestos accordingly. I do not want us to go naked into the next election without putting before the electorate the main outlines of the kind of programme that Labour will support if it is returned in the next Parliament.

I come to that alternative and to proposals associated with the pension reform group, which tie in with the point just made by my hon. Friend. There are three main areas of policy within which the Turner commission says we will have to work if we are to have a viable long-term policy. First, I do not believe we can maintain the present retirement age. It was not Mr. Gladstone but that other great Liberal, Lloyd George, who first introduced old age pensions. He introduced pensions for those over 70, although life expectancy was 48 years. Since then, life expectancy has increased and we have endlessly brought down the retirement age. It is not sustainable.

As the Secretary of State said, and as we all know from work in our constituencies, there are a number of people—not just those who worked in heavy industry, but those who cared for their parents as the parents became increasingly frail and then died—who are simply knackered and who cannot work to the current retirement age, let alone to one that we raise. That is why proposals to reform incapacity benefit are crucial.

The original proposals for an old age pension came in when the trade unions, the friendly societies and the mutual aid societies realised that they were going bankrupt because there was no retirement income and people were claiming sickness benefit until they died. They therefore dropped their objection to a state retirement pension. If we are to raise the retirement age in the longer term, we must have a robust system of incapacity benefits for people who are genuinely worn out by the worries of this world and who can rightly draw an income from incapacity benefit. But the electorate will not buy that if we do not reform incapacity benefit. So we must raise the retirement age and link it with a workable and robust new incapacity benefit.

Secondly, the Turner report asks what we will do with the state pension. I do not believe that people will be prepared to accept, as the Institute for Public Policy Research is proposing, that we use the contracted-out rebate to put into a pay-as-you-go scheme so that we can immediately and substantially raise the state pension. That would mean transferring considerable sums that go towards a funded or investment-based pension scheme to a pay-as-you-go scheme, without any certainty that when those workers who were losing that substantial contribution to their funded or investment pension would get the same deal from taxpayers, many of whom are not yet born, so goodness knows how we can judge what their views would be.

Although there is a role for a pay-as-you-go scheme, that must be double-backed by a funded scheme. It needs to be a simple scheme and one that everybody is in. It should be looked after by trustees who are at arm's length from the Government. There would therefore be no possibility of the private market mis-selling, as everybody would be in the scheme. People who were in an additional form of provision would keep all that provision on top of the guaranteed minimum pension that they would get from the combined pay-as-you-go and funded scheme. I hope the Government would consider ways of accommodating the Conservative Opposition, who are very keen that in addition to making the minimum compulsory contributions, people should save.

If we are thinking about how the national insurance collection system can meet the future, rather than justifying its past record, then as well as collecting the contributions for the new funded scheme which in the first instance will be the contracted-out rebate, I hope the Government will start discussions with the private sector. If the private sector is successful in selling policies to those who want income additional to the new guaranteed minimum pension, I hope the Government will be prepared to collect those contributions through the national insurance scheme and pay them over to the companies, so the national insurance scheme would become a collection point servicing both the new funded scheme and the private sector.

That raises the big question, which no party has yet faced: what is the legitimate role of voters through their Government and of voters as individuals in providing for their retirement income? Labour has had a noble illusion—but it has been an illusion—that somehow we can use a collective state scheme to model the best of the private company pension schemes, and that we can deliver the resources that will give people an income of two thirds of their income before retirement. That is not on.

We must be much more modest about what we can do collectively. What we can do collectively is try to deliver that minimum guaranteed pension made up of a pay-as-you-go and a funded scheme. That goal is modest, but we have never achieved it in this country. The private sector's role will be to persuade people to make additional savings. It is not in taxpayers' interest either to legislate or to use huge amounts of taxpayers' money to try to bribe people to make additional savings. We know that the richest pick up the bribes—this is the first year in which more than half of all tax concessions on pension savings have gone to those who pay higher rate tax.

[Mr. Field]

I want to make three points. First, although it is cosy to say, "Labour's approach to pensions reform rests on evidence-based research", at the end of the day we must make a political judgment about the policy on which we want to campaign. Secondly, it is highly dangerous for us to go into the election without suggesting the main direction of our reforms, if the electorate return us. Thirdly, in making such proposals, we must answer the three questions that the Adair Turner commission addressed to all political parties. What role will raising the retirement age play? What role will a modernised state pension play? What role should funding provision play in seeking, for the first time ever in this country, the approval of the electorate to guarantee a minimum but adequate pension for all those who have played their part. Whether people work or undertake other functions that we value, we should salute them not by giving them credits, but by saying that this year's workers must pay this year's contributions for those people who carry out vital functions on our behalf.

2.51 pm

Mr. Kenneth Clarke (Rushcliffe) (Con): I congratulate Adair Turner and his commission on producing a substantial body of work. I also congratulate them on their optimistic assumption that it will oblige politicians of all parties to concentrate their minds and turn to the difficult problems that future generations will face unless we start tackling the pensions problem. I wish that I could say the same for the Government, whom I congratulate on having set up the Pensions Commission. However, the Government are losing control of the process because they did not think through the timing.

As the right hon. Member for Birkenhead (Mr. Field) said—as usual, I fear that I agreed with rather a lot of what he said—the commission has not told us anything terribly new. We all knew that we face a demographic time bomb, which we in this country tend to assume will hit us rather later than it hits some of our continental colleagues and the Japanese. However, the commission's authoritative work tells us that unless we make some difficult and tough decisions in the near future, future generations will not be able to finance the level of pension provision that we all think people should enjoy in retirement, if they have behaved with reasonable common sense and responsibility.

The Government's track record on pensions is poor. The situation has deteriorated through neglect and some bad decisions over the past six or seven years. The report says that something must be done soon on what the Secretary of State acknowledged in his speech as probably the biggest single social problem that the country currently faces. The Government's problem is that they have nothing new to say.

I agree with the right hon. Member for Birkenhead—he did not prompt me, because I had decided to start with this point before he made his speech—that the Government cannot put the report on the desk just before an election and say to the public, "We will decide our response to the report after the election. Vote for us, and shortly thereafter we will begin to enunciate some policies on the pension problem that will save future generations from difficulty and, incidentally, make every pensioner better off." No member of the public should believe that. It is absurd that we are meant to go through a period of purdah until just after May next year, when, having faced the electorate, the Government, if they are returned to the office, will say what they propose to do. In interviews this morning, I said that that point strikes me as today's oddest feature.

At moments during this debate, I thought that it might be best if we all went into purdah and did not start floating ideas until after the election because, as Adair Turner himself warns in his foreword to the report, the pre-election period is dangerous because politicians start committing themselves to some rather curious things. Those of us who have debated these matters for long enough know that politicians are never more prone to making incautious promises than in the run-up to an election and on the subject of pensions, and we heard a bit of that today.

The Secretary of State, whose appointment I welcome, can be excused because he is new to his post, but I was astonished when he cheerily hinted with a smile that he is tempted by the idea of abandoning the contributory principle. Has he read Adair Turner's report? Has he consulted the right hon. Member for Birkenhead, who probably knows more about the contributory principle than any other hon. Member?

The Liberals immediately pre-empted the Government. They offered us a vision in which the declining number of working-age people in this country paid for utopian pension provision for their elders. The vision included abandoning the contributory principle, much more generous pension provision for absolutely everybody and pensions rising in line with earnings, year by year. I sometimes wonder whether silence might be better until we all sober up and return to this House to face our responsibilities.

No Treasury spokesman from any party is present in this debate. The hon. Member for Northavon (Mr. Webb) rightly says that times have moved on since my day, and since the days, to which neither he nor I will confess, when the right hon. Member for Birkenhead and I first started debating these questions, but the rules of arithmetic are one thing that has not moved on. The new Secretary of State and the hon. Member for Northavon should talk to whoever is supposed to be responsible for costing their parties' future programmes. I am neutral—I have never aspired to the leadership of the Labour party and am neither a Brownite nor a Blairite—but the Chancellor should be alerted to what is being said.

I participated in a debate this morning with the hon. Member for Twickenham (Dr. Cable), the shadow Treasury spokesman for the Liberal party, who tried to persuade me that the Liberal party's programme for the next election is carefully costed. He only mentioned the proposals for pensioners over 75 and concealed the wider vision that has been unveiled today. I will send him a copy of the speech by the hon. Member for Northavon and ask him how on earth it squares with the responsible restraint that he tried to impress on me this morning. Today's contributions by Labour and Liberal Front Benchers failed to address the issue that Adair Turner has asked us to examine, and it behoves us all to do something about that.

The time bomb keeps ticking, and the situation has become more urgent over the past six or seven years because the Government's record is at best patchy and at worst damaging. Like the public, I am already fed up of hearing the mutual recriminations about who made which mistakes, but we should remind ourselves of some of the recent events in the Government's record.

With hindsight, the Chancellor's changes to the tax treatment of pensions were plainly scandalous. I was not the only Member who criticised the Chancellor's first Budget on social grounds, because it was bad social policy to take away the tax advantage from pensions. The cumulative effect has been disastrous and, as far as I am aware, nobody is paying attention to how we can deal with it. Tax incentives to get people to provide for themselves on pensions are essential, and that therefore includes tax concessions for those who manage pension funds.

The Government have also greatly damaged the climate for savings generally. One of my criticisms of Adair Turner's report—to the extent that I have managed to get through it—is that I do not believe that we can consider pension provision wholly apart from savings provision. When examining the wider question of how to enable as many people as possible to take some personal responsibility for matters such as social welfare, health and care in old age, we must consider the extent to which a section of society can be encouraged to build up a stock of savings as well as providing pensions entitlement to give them income in old age.

The Government's record on savings is disastrous. I do not want to stray too far outside pensions, but let me remind hon. Members that the previous Government spent much time trying to encourage savings and spread the idea of savings throughout a much wider section of the population. Nowadays, not many people argue with Mrs. Thatcher's doctrine of, "Every man a capitalist, every man a saver."

We had personal equity plans and tax-exempt special savings accounts and we gave tax concessions to those who were prepared to make some savings each year. The Government's record is dreadful. They replaced both schemes with individual savings accounts, which were never as attractive as PEPs and TESSAs, and the Chancellor continues to squeeze out the tax concessions available to ISAs and ISA holders. He proposes to reduce the amount of tax-protected savings that people can make each year. In that and in other ways, the climate for savings has worsened.

The fact that the savings ratio has sagged so badly in the past seven years poses a serious economic as well as social problem for the country. In 1997, the savings ratio as a percentage of gross domestic product was 6.8 per cent.; it is now 4.2 per cent. The figure has been falling steadily, especially in the past three to four years. At the same time, household liabilities—household debt as a proportion of GDP—has risen year in, year out throughout the Government's lifetime. It has increased from 73 per cent. of GDP in 1997 to 95.7 per cent. now. My guess is that the figure continues to rise. Although that may have helped the growth of our economy in that people spending rather than saving keeps the economy going in the short term, it is not sustainable—and not good when viewed alongside the demographic time bomb and general pensions problem that we are discussing. The Government's record is, therefore, not good.

The Prime Minister said at Question Time that he inherited a calamitous situation. We have heard various descriptions of what happened in 1997, when the problem started. None of us perceived it in that way then. I admit that it is obvious now, when considering the position that the seeds of the problem were there, but I suspect that no hon. Members realised that. We did not know what would go wrong with company and personal pensions. Indeed, we were rather complacent as British citizens about the fact that we had licked the problem while the feckless French, Germans and others would have to keep trying to solve it. My Eurosceptic friends even said that we would have to pay for German pensions if we stayed in the European Union because when other countries realised that we had solved a problem that they could not, the British taxpayer would find himself paying for German pensions. I hope that the German pensioners listening to the debate are not waiting for the money because we now have our own problem.

In 1997, we all worked on the principle of a basic state pension that was reasonably affordable—that is why we broke the link with earnings; heaven knows what the fiscal position would have been if we had not broken it in 1979—and placing emphasis on encouraging the growth of funded occupational and private pensions to give people the living standards that they expected in later years. That was perfectly sound and I do not regret it.

Mr. John Taylor (Solihull) (Con): My right hon. and learned Friend refers to breaking the link with earnings. Surely the Administration prior to 1979 paid no attention to that link. They paid heed to it when it suited them and neglected it when that suited them.

Mr. Clarke: That Administration kept altering the rules of what they linked to, according to the financial crisis they faced. Interminable debates about whether one acted on forecasts of inflation or by looking back at inflation are buried in *Hansard*. My hon. Friend is therefore right.

We did not strictly stick to tying pensions to prices. The basic pension was worth more in real terms when we left office than it was when we started. However, we tried pretty doggedly to stick to prices. The Government have also doggedly tried to stick to that, but it is to their credit that they have not altogether stuck simply to linking with prices. The pension has increased a little more than that in real terms. However, no one in the past felt able to move to an open-ended commitment to continue to increase the basic pension in line with earnings. We all believed that the problem would be solved provided that we facilitated the growth of occupational and private personal pensions.

We know what went wrong and shattered that complacency. First, everybody underestimated the rapid growth in life expectancy of those drawing pensions. Of course, we all blame the actuarial profession more than anybody else, but everybody shared the delusion that life expectancy could not increase so quickly. We all overestimated the returns

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that could be got on investment. That was the flaw in the plan of my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley) to move the state pension to a funded scheme. We were considering that in 1997. Even my right hon. Friend was rather carried away with the idea that as long as the scheme was funded, the sky was the limit in terms of the growth of the funds each year.

We also slightly scuppered the funding of corporate occupational pensions by getting rid of inflation. I played a part in that, which I should like to claim. It was amazing how the finances of occupational and corporate schemes worked provided that the wages of those who contributed kept going through the sky and therefore kept up the nominal value of the fund while it was paid out to pensioners. All that has gone wrong and we realise that we now face a considerable problem.

Sir John Butterfill: My right hon. and learned Friend said that none of us foresaw the problem. If he refers to speeches that I made in 1995, he will realise that I severely criticised our Government for the component of the minimum funding requirement. The operation of MFR meant that we did not get the returns on the investments that we thought that we might.

Mr. Clarke: I had already prepared a favourable reference to my hon. Friend for introducing a private Member's Bill, which I supported, two or three years ago. His expertise is considerable but he was a rare voice. Not many were heard in the Chamber casting doubt on our ability to proceed on the basis of private pensions.

The Minister for Pensions (Malcolm Wicks): I am following the right hon. and learned Gentleman's analysis with great interest and respect, but in fairness for the record, what weight would he give the Tory mis-selling of private pensions, which affected some 2 million cases and helped to undermine people's confidence in the system? Where is that in his analysis?

Mr. Clarke: The mis-selling of pensions was a sad story. It is rather harsh to describe it as Tory mis-selling. Introducing personal pensions was an important proposal, which Lord Fowler carried through. No one will unravel the personal pensions provision. When the scheme was introduced in the brave new dawn, I regret that many companies and their salesmen who sold the new personal pensions were careless. A scandal occurred, and I agree that it has helped to damage confidence in financial institutions generally. That is one of the problems in increasing the savings ratio now. However, I would defend with considerable vigour the policy of moving to personal pensions as an alternative to occupational pensions. It was far-sighted and one of the policies, of which we had several, whereby we did what elected Governments rarely do: look to the future and try to anticipate what our children would like bequeathed to them. Obviously, I do not dismiss the seriousness of the mis-selling scandal that ensued. It was an unfortunate incident, and I trust that protections against it now exist.

Following the interesting remarks of the right hon. Member for Birkenhead and my hon. Friend the Member for Havant (Mr. Willetts), we must accept that the state pension will be the most important pension for a high proportion of the population. When talking about encouraging people to save—even worse, compulsion to save—the House should bear in mind that for the foreseeable future quite a large proportion of the population would be ill-advised to save in any significant way over and above the state pension for their own provision. They will not accumulate a big enough fund to make it worthwhile, whether or not we get rid of means-testing. People mostly do not go into a pension or save because they cannot afford it. That will not change, as we discovered with the abortive attempt to introduce stakeholder pensions, by introducing new and attractive schemes to encourage people to save if they do not have the money. That scheme got nowhere. The state pension is therefore important.

The state pension will from time to time be increased modestly in value. Like every other Member of the House, I hope to [illegible] elected in the not-too-distant future, so who am I to stand in the way of the almost universal agreement that the basic state pension is now due for a bit of a surge forward? For the sake of my taxpaying constituents, I hope that the bidding match going on between the parties does not get carried away, but of course it must go forward a little. Therefore, I am happy with the idea, which is part of the eight-point plan put forward, that we restore the link with earnings for a time. I am extremely glad that my hon. Friend the Member for Havant has not extended that into the future indefinitely. He will be criticised for saying that at the moment it is only for this Parliament, and that he will find the savings thereafter to do so. In times gone by, I have spent 18 years defending that difficult line, so I look forward to seeing how we finance it more than three or four years out. I caution everybody against timeless commitments, which we heard the Liberal Democrats giving, to earnings-related state pension for ever, which is complete nonsense; the future pattern of demography makes it wrong. A little surge, however, would be welcome.

Some means-testing is therefore required because, for as long as I can remember, we have not expected those for whom the basic pension is their only pension to live on that. We used to have, for instance, the supplementary pension, which was means-tested, and that is still a requirement. On occasions, for older people in particular who had no opportunity to make provision, or for some of the women carers who have been rightly mentioned, some means-tested and even some non-contribution-linked addition is perfectly justified if it is worked out carefully.

Means-testing is one of those ridiculous issues that get batted backwards and forwards across the entire welfare field, usually from one extreme to another. All three main political parties have been on both sides of the issue at various stages over the past few years. The means test is the obvious way of targeting the poor, and it also seems one of the most obvious ways in which to destroy incentives to save, work or doing anything else if taken too far, when it becomes unfair. Some means-testing is called for. I have the impression that the Minister for Pensions agrees, as he has a valuable quotation in his record—that the Government have realised that they have taken means-testing much too far in what they are contemplating for pension credit. They have completely and utterly overdone it.

I am still not wedded to the tax credit system: it is expensive to administer, it has an appalling record of take-up, and it is mainly contrived to improve the presentation of the public accounts compared with the means-tested benefits that we used to give. The Government have not made as big a mess of pension credit as they made of child tax credit, working tax credit and various other things that they have tried to administer, but there are still many people who have never taken it up and never will. Some modest means-testing is called for, but we really must unravel the current excessive means-testing because, as my hon. Friend the Member for Havant rightly said, it is acting as a disincentive to save.

My main point is that when considering Adair Turner's three alternatives—I accept that we probably must do some of each of them—as a Tory, I find myself most instinctively drawn to doing everything that we can voluntarily to improve people's ability to make their own provision through private pensions and to encourage them to save. We are a more prosperous country, and the range of the population that can do that quite sensibly is greater, but they will not do it unless we create the right climate and enable and encourage them to do so.

I do not see a short-term solution to the occupational corporate pension problem. It is not corporate wickedness that has caused people to bail out of defined benefit pensions that tie everyone's pension to their salary; it is a realisation that their actuaries have been up the creek, that the market has collapsed and that pensioners are living longer. When we step back, we are able to see that it is absurd for a company and its pension trustees to give an absolutely open-ended guarantee of such substantial commitments in the future, which they claim to be able to finance out of a fund whose performance can be variable and which has no guarantee of meeting them. We have seen the dangers of the risk being carried by employers and their pension funds. It is inevitable that the risk will be transferred to employees in most cases, and I know of no easy solution that will reopen that. We are therefore talking about personal saving and personal pensions.

One of the things in which the Government are interested is compulsion, and the Secretary of State plainly hinted that after the election, compulsion will be on the their agenda: compulsorily joining one's occupational pension or making some provision. It is in the terms of reference of the Pensions Commission to consider in particular whether voluntaryism is defensible. I have at times been attracted to the idea of making compulsory saving or compulsory pension contributions part of our system, but I always come down against it. One reason is that voluntaryism is more flexible, and leaving people to make their own provision as they choose takes more account of the huge variety of circumstances in which people will bring themselves to save.

People are saving at the moment. We should therefore ask ourselves: what is happening at the moment? They are saving by buying a house or flat. They think that they are saving by going into property. They do not trust pension funds, the stock market and investment funds. They do not trust insurance companies. They do not trust Governments. They do not think that they can rely on the state for a pension when they get older. An awful lot of young and middle-aged people think that their bricks and mortar are their pension—it is the only thing that they can think of which is bound to go up by at least 10 per cent. each year, which can be sold when they wish to dispose of it, and which will somehow look after them in old age. That is a real danger, and I think that it is the principal reason why we have a housing bubble at the moment, why housing is 20 or 30 per cent. over-valued, and why we are in danger of seeing values fall back. What we need to do, first, is to hope that that bubble is deflated by the Bank of England in a comfortable fashion, without too much disaster, and get back to deciding how on earth we encourage people to save properly.

Not all people would be well advised to put X amount into pensions each year. The Turner report says that if we are 40, we should be paying 20 per cent. of our income to provide a pension. I would not put 20 per cent. of my income into my pension were I a 40-year-old. I would examine my career expectations and how one maps things out. We are trying to encourage the middle classes and middle-income groups to save, and they have a much more complicated outlook in looking after their financial affairs. Most sensible middle-income people are not at their most broke when they are elderly. They are at their most broke when they are married, have young children, and one of the partners must give up work for the first time. That is when they go through a period of being really broke. They should not be piling vast proportions of their income into pension funds when they are bringing up children with a wife and trying to pay off the mortgage. Most of them expect to start really saving for their retirement in their 50s. An awful lot of people do that.

I will not go into the endless other varieties of provision that sensible people can make, but if we opt for compelling them to put a staggering amount of money into their pensions, it is not always in their best interests, and it is an inflexible form of saving. If we want people to save more than they would of their own volition, and if we want to tie it into pensions—which is one of the most unattractive forms of saving if someone is 30, because he can never touch the money until he is old, and he might die young and never see it at all—we have to give pretty attractive tax concessions to pensions. What we have now is inadequate.

Of all the ideas that have been suggested for extending tax relief and more favourable treatment for private and personal pension provision, getting rid of the annuity purchasing requirement is one of the most attractive and overdue. My hon. Friend the Member for Bournemouth, West (Sir John Butterfill) had a private Member's Bill advocating that three years ago, and I was pleased to be one of the sponsors from various parties who helped him with it. I am astonished that the Government have not changed the rules on annuity purchase, which would plainly get rid of one of the greatest deterrents to people putting up their pension provision to the full extent of the tax relief if that fits their personal requirements.

Our response to the Turner report should be a modest increase in the basic pension, some means-testing for those who have no chance to provide for themselves, but

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mainly incentives to save and make pension provision across the whole area, which can be done only through tax concessions.

Instinctively, I am against changing the retirement age. There are many men in heavy manual occupations who will not be able to make it to 65, and there will be personal and financial problems if we say that people cannot get the state pension until they are 70. We may be driven to it, and there are four western countries that have now raised the state retirement age from 65 to 67 in response to exactly the problems that we face, but I would like to see how they get on in Norway, the States and elsewhere before we go in that direction ourselves.

Those are my provisional views, but we must all have clearer views by the election. We should try to reach consensus. We nearly got consensus on the Castle Bill in the late 1970s, when I was our party's spokesman on pensions and we prevented Barbara from destroying private pension schemes altogether. Lord Fowler tried to get consensus when he introduced personal pensions in the 1970s. It is in all our interests to get consensus now, but it cannot be reached through a crazy bidding match in the run-up to the election. I think that the electorate will respond to a responsible reaction to the Turner report. They know that the parties cannot deliver the earth. If we do not grapple with the problems now, people in this Chamber in 20 years' time will curse us, because they will face a really, really serious crisis as a reduced number of working people try to maintain probably half the Members of this House in their retirement at a level that is unaffordable.

This is a serious matter that deserves a serious response, and it seems to me, in my unbiased way, that my hon. Friend the Member for Havant, with his eight-point plan, has come much nearer to the reality of grappling with the problem than the rival spokesmen from the other two parties.

3.23 pm

Mr. Tom Harris (Glasgow, Cathcart) (Lab): I apologise for my brief absence earlier in the debate. I was required on other duties elsewhere, on the Committee Corridor.

I am delighted to follow the right hon. and learned Member for Rushcliffe (Mr. Clarke), for whom I have great admiration, as do many of my colleagues. He has the dubious distinction of being the only person here to have served for the whole length of Conservative government, from election day in 1979 until election day in 1997. For political anoraks, there is only one other former Member to have achieved that feat: Malcolm Rifkind.

The right hon. and learned Gentleman can therefore hardly avoid any criticism or responsibility for the dreadful pensions mess that that Government made. He started by suggesting that the debate should centre around the general election campaign and that our proposals should be in our manifestos. Similar comments were made by the hon. Member for Havant (Mr. Willetts). I disagree with them. This is too important a subject for us to turn our backs on the possibility of cross-party consensus, which will surely be best found in the aftermath of a general election and not in the few months leading up to one, if indeed we have one next spring.

The hon. Member for Havant made a valid point, for which he was barracked by some of my colleagues. I have to confess that his claim that some people in the Labour party tried to suggest in the 1997 election campaign that Conservative policy would result in the abolition of the state pension was correct. During campaigning with my predecessor, John Maxton, now Lord Maxton of Blackwaterfoot, we came upon two older voters in Mount Florida who were very suspicious of Government plans for pensions. I immediately got tore in, as we say in Scotland, and assured them vociferously that if the Conservatives got back in they would abolish the state pension. They thanked me for the information and moved on, promising to vote for John, who then took me aside and said that I should really not say such things, as that was not what the Conservatives planned. That was typical of John, as a very honest politician, and it was a lesson to me in our responsibility to tell the truth to voters.

Mr. Nigel Waterson (Eastbourne) (Con): Perhaps I can assist the hon. Gentleman. I have here a document issued during that campaign bearing the names of such luminaries as the present Prime Minister, Deputy Prime Minister and Chancellor, and containing the bald statement:

> "Now the Tories propose to abolish the basic state pension."

Mr. Harris: The hon. Gentleman makes my point. As we are now in the game of demanding and offering apologies for everything that we have ever said in politics over the years, I certainly apologise for that particular branch of campaigning in 1997. However, that claim was pretty irrelevant given that we were 20 per cent. ahead in the polls at that point, and it does not take away from the fact that the Conservative Government made a pig's ear of pensions policy over 18 years.

We will need a further debate when the concluding volume of the Turner report is published next year. We need to take a strategic view of the problem. We have discussed the fact that we have an ageing population and a proportionately declining work force, with the possibility of moving from the current five working people to every pensioner to perhaps only three in 40 or 45 years' time—the so-called demographic time bomb. We now need to look at the wider issues. For example, we now have far more students graduating with student debt. That, I am afraid, is an inevitability, but when it is combined with the challenges facing young couples buying their first house at inflated prices it is not a surprise that fewer and fewer people are able to save as much as they should be saving.

The pressures from various aspects of modern life are so great that, as the right hon. and learned Member for Rushcliffe said, many people are putting all their money into property. Many people are putting their money into repaying the student debts that previous generations did not have to cope with. Having said that, there seems to be little indication on the high street that people's disposable income is falling in real terms. But it is worth making these points because we have to look at all the reasons behind the so-called pensions time-bomb, instead of simply concentrating on the increasing number of older people in the years ahead.

It is very tempting to look at the Turner report and some of the news coverage and conclude that means-testing has had its day. It would be a huge mistake to turn our backs on the pension credit, at least before it has done its job, which is to abolish pensioner poverty altogether.

As a Labour MP, I would find it very difficult to justify increasing taxes in order to reinstate the basic state pension at the level that existed when the link with earnings was first broken, and then to upgrade it every year in line with earnings. I would find it difficult to tell my constituents that they should pay significantly higher taxes in order to give extra money to richer pensioners such as Mrs. Thatcher, Peter Stringfellow and the many other millionaire pensioners. Someone said that they account for only 20 per cent. of all pensioners, but that does not justify our paying extra tax to give money to people who do not need it.

In fact, means-testing redistributes wealth in the right direction. Taking away the pension credit, reintroducing the link between earnings and the basic state pension and upgrading the pension for everyone also constitutes a redistribution of wealth, but in the opposite direction. It takes money away from the poorest pensioners and gives it to the richest. That is totally unacceptable.

Mr. Webb: The hon. Gentleman is making a very thoughtful speech. If his constituency is typical, a third of the pensioners in it who are entitled to the pension credit are not claiming it. We can all push harder to change that, produce more leaflets, and so on, but because of the nature of the beast, there will always be a substantial number of pensioners who get nothing. The only way to get money to the poorest of the poor is through the pension.

Mr. Harris: The hon. Gentleman makes a very valid point. The problem that he mentions is a serious one, and the Government must redouble their efforts to ensure that those people do claim the pension credit. I have heard the argument before that many pensioners are too proud to claim. Well, they are not too proud to claim in my constituency. I have not met a single pensioner who has said, "I know that the money is there, but I am too proud to take it." That simply does not happen. The fault probably does lie with Government agencies, and we need to find far more effective methods to deal with the problem. We know who these pensioners are—they already receive the basic state pension in some form or other—but we need to find a more efficient way to contact them and to help them through the process, so that the figure of one third of pensioners who are entitled to the pension credit but do not claim it can be reduced massively, and hopefully eradicated altogether. I accept the truth of what the hon. Member for Northavon (Mr. Webb) is saying, but for reasons I have explained, we should not go down the route of redistributing wealth in the wrong direction.

Interestingly, the nature of the argument has changed out of all recognition. In the 1980s, re-establishing the link with earnings was seen as a great socialist left-wing principle. It is not, and it is no longer recognised as such. As the right hon. and learned Member for Rushcliffe correctly said, means-testing is about targeting. If we want to target the poorest people, the way to do so is not by increasing the basic state pension. It is a pity that the hon. Member for Perth (Annabelle Ewing) is not in her place. It is so typical that, just as everyone realises that re-establishing the link with earnings is not necessarily a left-wing policy, the Scottish National party decide to adopt it. When the Conservative party adopted it, the cat was surely out of the bag: it was surely clear then that it is not a redistributive policy—or not, at least, in the direction that we would like.

During Prime Minister's questions today, the Leader of the Opposition said—I cannot remember his exact words and I look forward to reading the text in tomorrow's *Hansard*—that pensioner poverty had not been reduced as a result of this Government's policy. No one seriously doubts that a huge number of pensioners have been brought above the poverty line, so I do not understand why the Leader of the Opposition said such a thing. The Government claim—the figures are open to examination by anyone—that 1.8 million pensioners have benefited from the pension credit and therefore now enjoy incomes that take them above the poverty line. None of the agencies dealing with old people seriously contradicts that figure, yet in the light of what the Leader of the Opposition said today, either he does not recognise it or he does not think that it matters.

Mr. Waterson: I may be able to assist the hon. Gentleman. What my right hon. and learned Friend the Leader of the Opposition may have had in mind were figures about pensioner poverty showing that 1996–97 levels were almost exactly the same as the 21 per cent. of pensioners living in poverty in 2002–03. It is fully set out in "Opportunity for All", the sixth annual report of the Department for Work and Pensions, that that is indeed the case.

Mr. Harris: I would have to question the hon. Gentleman's arithmetic on that. Given the huge increase in the number of people who have reached pensionable age over the past seven years, saying that the same numbers were living in poverty seven years ago as are today does not mean that no pensioners have been taken out of poverty. It is still possible for 1.8 million pensioners to have been taken out of poverty. The proportion of pensioners on poverty incomes has undoubtedly decreased drastically. I do not understand why Conservative Members want to dispute that or what they have to gain by doing so, since their own policies will do nothing at all for the poorest pensioners.

My hon. Friend the Member for Hamilton, South (Mr. Tynan) mentioned earlier how damaging it is constantly to refer to the term "means-testing" instead of "entitlement". Labour Members generously welcomed that comment, but my suspicion is that the term "means-testing" will be used even more frequently by Conservative Front Benchers. They are clear in their view that the fewer people take up the pension credit—and the more the Conservatives view it as a failure—the more it suits their particular political purpose. I believe that that is an incredibly cynical attitude to adopt. On both sides of the House, we should encourage our own constituents to persuade older people to claim exactly what they are entitled to. If we can adapt our language to use "means-testing" less frequently, we may be able to contribute to reducing the number of pensioners—currently a third—who do not claim their benefits.

[Mr. Harris]

In the aftermath of a general election, I hope that partisanship—I have to admit that I have just displayed it myself to some extent—can be put behind us, so that we can deal with the problem in an appropriately serious mode. I am sure that the official Opposition will take that into consideration next year and view the problem with the seriousness that it deserves. Whoever will be in government next year—it will be the Labour party—will have to take some tough decisions. This is not one of the matters that we can play about with or infinitely postpone taking tough decisions on.

There are three basic options that need to be considered: later retirement, which has already been mentioned; compulsory savings; and higher taxes or perhaps some combination of the three. Anyone participating in the debate who argues that we need not take account of any of those three options is kidding themselves and kidding the House.

Personally, I believe that a higher retirement age is inevitable. I was delighted to hear my right hon. Friend the Secretary of State say that he did not want to go down the compulsory route for a higher retirement age. At the same time, however, I hope that we do not rule out compulsion altogether, because when we enter the debate after the general election we need to have a genuinely open mind on all the options. Saying at the outset that we will not consider A, B or C is not conducive to producing the best conclusions.

However unpleasant the medicine, it is surely incumbent on MPs of all parties to recognise that, because an option is unpalatable, it is not necessarily avoidable. A week ago, at the Conservative party conference, the Leader of Opposition bemoaned the lack of trust that people have in politicians. How justified that lack of trust would be if we as politicians sought to avoid taking tough decisions in order to gain party political advantage.

3.39 pm

Mr. Stephen Dorrell (Charnwood) (Con): I begin by declaring an interest. Like every hon. Member, I belong to the House final salary scheme. I am also a member of a private final salary scheme run by a company of which I am a director, and in which I am a shareholder.

I was interested in the speech made by the hon. Member for Glasgow, Cathcart (Mr. Harris). He began by trying to argue that it was important for politicians to engage in honest campaigning during a general election campaign. I welcomed his apology for a misrepresentation of which he was guilty during the 1997 campaign, but he ended his speech by reasserting the proposition that honest campaigning was consistent with the principle that although the next Government will face "incredibly tough" decisions about the future of this country's pension system, it is reasonable to withhold from the electorate the nature of those decisions until after the votes have been cast. I must say that the justification for that escapes me.

Like my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke), I think that it is entirely right to say that tough decisions lie ahead of us. Honest politics requires that, in advance of the general election probably to be held in the first half of next year, we must be a great deal clearer than is at present the case about the subsequent direction that each of the three parties in England is likely to take.

Mr. Bob Laxton (Derby, North) (Lab): Are there not four parties?

Mr. Dorrell: There are three parties in England, but of course other parties will be involved in other parts of the country. As an English MP, I shall focus on the three parties in England. However, there might indeed be four parties in England, and I shall return to that point.

My right hon. Friend the Leader of the Opposition said earlier today that we need to establish a consensus in respect of the future evolution of pensions policy. The same point was made by my right hon. and learned Friend the Member for Rushcliffe. I agree, but the consensus that we need most urgently is one between Nos. 10 and 11 Downing street about where the proper balance lies when it comes to using mass means-testing as the foundation for pensions policy.

One key reason for the establishment of the Turner commission was to avoid the need to find a consensus on this matter between Nos. 10 and 11 Downing street. If the Labour party is to abide by the injunction for honest campaigning expressed by the hon. Member for Glasgow, Cathcart, the inhabitants of Nos. 10 and 11 must work out between them whether they favour the continued development of mass means- testing as the basis for UK pensions policy. On the other hand, the Prime Minister may succeed in persuading the Chancellor that that is an historic dead end, and that the emphasis of pensions policy needs to change.

An incipient consensus on this matter emerged before the 1997 general election and was potentially available immediately afterwards. We need to be clear about why that collapsed. It is not a matter of huge controversy that pensioner poverty was an issue in that election, but the huge difference between then and now is that at that time a system was developing to allow private funding to improve pensions.

That was especially true for the new generations of retirees who emerged through the Conservative Government's years in office. Pension provision improved for those new retirees, and the pensions that they enjoyed in retirement grew more generous as living standards rose. However, pensioner poverty was a problem for people whose private provision proved insufficient.

Immediately after the 1997 election, the Prime Minister famously appointed the right hon. Member for Birkenhead (Mr. Field) to think the unthinkable about how the issue should be addressed by the incoming Labour Government. The Prime Minister made stirring speeches at the time about how the evolution of the welfare state was one of the great challenges that his new Labour Government would address. The right hon. Member for Birkenhead, as Minister with responsibility for pensions and welfare, pointed out early in the process that the best way to deal with pensioner poverty was to recognise that it could not be remedied exclusively through means-testing and that the time had come to revisit the decisions that had been made in the early 1980s to de-link the state retirement pension from earnings. He argued that if we were to address the issue of pensioner poverty in a way that was consistent with a continued incentive to save for future generations of pensioners, we had to have a more generous level of basic pension available to all.

Mr. John MacDougall (Central Fife) (Lab): The right hon. Gentleman makes a valid point. People now live longer than ever before and spend more time in education than ever before. There is a greater draw on the public purse than there has ever been. How does that square with the Conservatives' intention to cut public expenditure?

Mr. Dorrell: The hon. Gentleman may be aware that the shadow Chancellor has published some spending plans for an incoming Conservative Government that set out clearly how we intend to continue to deliver proper spending for health and education. We had a debate between my hon. Friend the Member for Havant (Mr. Willetts) and the Liberal Democrat spokesman this afternoon about how the precise spending commitments that the Conservative party has made on state retirement pensions would be financed. If the hon. Gentleman chooses to research the issue, he will find that the arithmetic has been done.

I wish to confess a personal error, and this element of my contribution may appeal to the hon. Gentleman. The right hon. Member for Birkenhead was early in recognising the need to revisit the implications of the de-linking of the state retirement pension from earnings. I did not think that he was right in 1997, but I now fully recognise that he was. My hon. Friend the Member for Havant, who is an acknowledged expert on the issue, was among the first Conservatives to recognise that the right hon. Gentleman was right. My right hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith), when he led for the Conservatives on social security policy, also recognised that the right hon. Gentleman was right.

In fact, there is an emerging consensus that the de-linking of the state retirement pension from earnings has to be revisited. The consensus appears to include everyone apart from the Chancellor of the Exchequer. The consensus includes my hon. Friend the Member for Havant, the Liberal Democrats, most of the pensions industry, the right hon. Member for Birkenhead, who acts as the Prime Minister's shock troop on the subject, and even the Prime Minister himself. It does not, of course, include the Chancellor of the Exchequer.

The Chancellor is not part of the consensus because he is responsible for the great historic error in pensions policy over the past seven years, which had two key elements. The first was the huge increase in mass means-testing, and the second was the £5 billion tax increase on the pension funds. What people do not recognise is that a £5 billion hole in the revenues of pension funds is, because of the way in which they work, not a one-off. When expressed at a net present value, discounted at 7 per cent., it is a £70 billion hole in the capital financing of pension funds.

The Chancellor of the Exchequer was personally responsible for both those errors. They are not the only reason that we are in our current position, but both are huge contributory factors to the pensions crisis we face. It is because the Chancellor is responsible for those two historic errors that we face the need to build consensus from much further back than we would have been if the Prime Minister and the right hon. Member for Birkenhead rather than the Chancellor had won the argument at the beginning of the Government's period in office.

The Turner report provides a basis on which we can start to rebuild that consensus. The report is very good and, like all complex subjects, it can ultimately be reduced to some relatively simple, stark choices. As Members have said, there are three options. A fourth option is also listed—further pensioner poverty in the future—but we can dismiss that without dwelling on it for too long.

The three workable options are, first, increased tax revenues to pay for a tax-funded scheme; secondly, increased individual contributions for private funded pension provision; and thirdly, a longer working life. Those are the three variables open to us. The report suggests that it is unlikely that we will get through the crisis without some contribution from all three.

It seems inconceivable that the new consensus will not recognise what the right hon. Member for Birkenhead has been arguing since 1997—that mass means-testing must be substantially reduced. My right hon. and learned Friend the Member for Rushcliffe was right to say that we cannot eliminate means-testing—we are talking about balance—but the pendulum has swung much too far towards the means-testing option, so one element of the consensus must be less reliance on means-testing. I served as a junior Minister in my right hon. and learned Friend's Treasury team and as I listened to what he said I recognised the scepticism that he has always displayed, both in and out of office, about huge spending ambitions, but more generous basic benefits must inevitably be part of the overall package.

The area of uncertainty on which I want to focus my concluding remarks is the role to be played by the increase in retirement age. I agree with those who say that increasing the retirement age must inevitably be part of the total package. It is impossible to sketch a solution to the pensions problem that does not involve the majority of people contributing more to their pension scheme by working longer.

I have several points to make on the issue. There is a huge danger that we conduct an old-style political debate on it and imagine that the decision can only be collective, that we have to meet in Parliament and make a decision about the age at which people should retire in the world of the future. That is wholly contrary to the implications of the choice agenda that both sides of the House broadly agree should be part of our future social policy planning. We need to recognise that today's citizens expect to be able to make more of those choices for themselves and that our role as policymakers is to ensure that there is a structure that allows them to do that, consistent both with their objectives and with their wider obligations to the society in which they live.

At a quick reading, I think we still need to think through some of the implications of emerging pensions policy in terms of what the world will look like when voters and individuals expect increasingly to have a bigger influence on the decisions.

[Mr. Dorrell]

At one level, of course, this is very simple: if people retire early, they must expect a less generous pension; if they retire late, they expect a more generous pension because they have saved longer and will live for a shorter period in retirement. However, that is not good enough. It is based on a key assumption, which is simply not true, that all of us as individuals make decisions about how we provide for our retirement in a fog of complete ignorance about what our life expectancy will be in retirement and what the quality of life that we can enjoy is likely to be in retirement.

I referred in my declaration of interest to the fact that I am a director and a shareholder of a company with a private sector pension scheme. We are undertaking reforms of that scheme. One of the things that strikes me in talking to people about their plans for their own retirement is how realistic they are about their life expectancy and how it is influenced by a number of things in their lives that they know but are completely unknown to the actuaries—for example, how long their parents and grandparents lived, what life choices they have made in their own lives and whether they are smokers or non-smokers. Those are elements of knowledge that people have when they make such decisions for themselves, and they do, in fact, influence the choices that they make. For us to seek to make public policy on the assumption that it is not quite nice to think about those issues is to run the serious risk that we shall make policy that is unable to accommodate the choices that people want to make about their own lives.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): My right hon. Friend is making a cogent speech, but is there not another element that has not yet been considered in the debate? During the past seven years, the Government have taken on a large number of extra public sector employees, who have significant pension contributions. We are all finding that our police and fire budgets are under pressure because of those increased contributions. Is that not something that we must consider very seriously in the future if we are to afford present pensions?

Mr. Dorrell: My hon. Friend makes an important point in referring to the multiplier in our public funding commitments. We must consider the funding implications not only of the choices that we make about the state retirement pension, but of what are essentially choices in the private sector in relation to other employment groups, because the groups to whom he refers are those for whom the public sector picks up the employer's obligation, which is privatised elsewhere, so he is entirely right.

In a world where people expect to make these choices increasingly for themselves, using information that they know and that we have traditionally not regarded as relevant to pension decision making, we have to extend our understanding of what it means to base pensions policy on individual choice. I want to mention something that is hugely sensitive, hugely dangerous and, to my knowledge, is never mentioned in the context of pension policy development: the impact of the improving understanding of genetics.

If we are to make choices about how long we will save and how long we expect to live in retirement, the idea that we can do so blind to the knowledge that is now available to us about genetically influenced life expectancy seems a bit like living in a world with nuclear arms and preferring them not to be there. That reminds me a bit of the Victorians who, it is said, used to put skirts around the legs of their pianos because it was not decent to look at them. I must say that I always suspect that that is a proverbial story.

If we are to make real choices, informed choices—to pick up a phrase that was used earlier—we must understand the reality that people in the real world use all the elements I have described to make decisions about how long they will work and how long they expect to live in retirement. If we work through the implications of real personal choice about when people will retire, we realise that we have a considerable way to go before we reach a workable set of policy structures.

3.59 pm

Rob Marris (Wolverhampton, South-West) (Lab): It is a pleasure to follow the right hon. Member for Charnwood (Mr. Dorrell). He ended up referring to choice, and I, too, shall cover that issue later in my speech. Unlike the Opposition Front-Bench spokesperson, the hon. Member for Havant (Mr. Willetts), the right hon. Gentleman put forward an intellectually coherent case and differentiated between the situation facing pensions and that facing pensioners. They are obviously linked but, for reasons of life expectancy and lifestyle choices that he and others have mentioned, the question as to the future of pensions as saving vehicles must be separated intellectually from the position of pensioners—both those today and prospective pensioners.

The debate is about an Opposition motion, but I shall begin on a point that the hon. Member for Havant did not cover when he opened the debate. Surprisingly for a man who is reputed to have two brains, his approach lacked intellectual coherence. For example, he castigated the Government about means-testing, but he wants to keep the pension credit. It appears that, under Conservative proposals, means-testing would wither, but the pension credit would stay. However, a key plank of the pension credit is means-testing, and rightly so.

The hon. Gentleman produced figures and a 10-point plan—I am sorry, an eight-point plan; there may be a couple of points more now—that he hardly dealt with today, except after questions raised by the hon. Member for Northavon (Mr. Webb), the spokesman for the Liberal Democrats. The hon. Member for Havant opened the debate on a Conservative motion and he is one of the authors of the eight-point plan, but he totally resiled from it and hardly mentioned it. He did not offer a coherent way forward and he did not defend or explain the plan. In particular, and perhaps for understandable reasons, he did not explain that some of the proposals in the eight- point plan would benefit the most well-off in our society the most. That is not a suitable way forward for pensions or for pensioners.

The hon. Gentleman said nothing about women pensioners. That is a huge problem, and it is very belatedly being recognised, partly through sterling work from my hon. and learned Friend the Member for Redcar (Vera Baird).

The hon. Gentleman also gave figures on economic inactivity that struck me as extraordinary. I question them, to put it mildly. The labour force participation rate in the United Kingdom has gone up markedly in recent years, but the motion refers to "economic inactivity" and he spoke about growing or static economic inactivity. That is comparing an absolute figure—I think that he gave a figure of 7.39 million—with the relative figure that one should use because the work force have grown markedly, partly because we are an ageing population, as has been repeatedly said in the debate.

The Conservative party's proposals for restoring the link between pensions and earnings, attractive as the concept may be to many of us, do not add up. As I understood it, the hon. Member for Havant more or less admitted in response to questions from the hon. Member for Northavon that there is a £500 million hole, but suggested that we should worry about that in the second term of a Conservative Government, if we ever got one. In a way, he is right: there is a big question mark as to when there might ever be a second term of a Conservative Government. The pendulum swings and, no doubt, it will happen, but the pension debate will have moved on by then.

On his eight-point plan, the hon. Gentleman spoke about scrapping the obligation to use savings to purchase an annuity at the age of 75. I realise that it is a contentious issue. It was raised forcefully by the right hon. and learned Member for Rushcliffe (Mr. Clarke) in his excellent and interesting speech. Although I did not agree with all of it, he referred to the private Member's Bill introduced by the hon. Member for Bournemouth, West (Sir John Butterfill). People who have funds in retirement plans and hold the funds without an annuity after the age of 65 have had tax relief on the funds while they were accruing and on the contributions that they put into them. There is a risk that unless society says to them, as a quid pro quo, that they should buy an annuity, they could blow the money and be dependent on—hey, we are back to it—means-tested state benefits. That is the concern. It might or might not happen, but it is reasonable for society to say, as a quid pro quo, that at 75 they must get an annuity.

Andrew Selous (South-West Bedfordshire) (Con): It is a pleasure to serve on the Work and Pensions Committee with the hon. Gentleman. Perhaps I can help him with the figures cited by my hon. Friend the Member for Havant (Mr. Willetts) that he was questioning. The figures came from the Government's labour market statistics for September 2004, which were produced by the Office for National Statistics. They show that in the three months up to July 2004, the total number of 16 to 24-year-olds who were not in work or full-time education was 1.069 million. My hon. Friend was referring to the Government's figures.

Rob Marris: The hon. Member for Havant certainly did refer to that figure, but I was talking about the figure of something like 7.93 million—I recall that from memory, so it might be wrong—that he cited regarding overall economic inactivity. I was not talking about the figure to which the hon. Member for South-West Bedfordshire (Andrew Selous) referred. The fact that the hon. Gentlemen have been talking about figures from that three-month period shows a classic difficulty with the pension debate, given that we are talking about a possible pensions settlement and consensus for the next 30 or 40 years.

Andrew Selous: I shall be more specific and go back to the figure of some 7 million. The same September 2004 labour market statistics from the ONS showed that there were 7.6 million economically inactive people in 1997, but that that figure has now increased to 7.85 million.

Rob Marris: I know from serving with the hon. Gentleman on the Select Committee that he is at least as adept at maths as me—he might have a calculator in his pocket, but I cannot do the calculations on my feet. He is talking about a situation in which the figure of 7.6 million people increased by 250,000 to 7.85 million over an eight-year period, although I hazard a guess—it is an informed guess, but it might be wrong—that the overall labour force has increased by a greater proportion over that time. Economic inactivity has thus fallen proportionately overall, although it might well be true that the absolute figure has increased from 7.6 million to 7.85 million. However, if we consider the whole work force and prospective work force in our society, which includes the economically inactive, economic inactivity has proportionately fallen in the United Kingdom over the past seven years.

Mr. Waterson: May I reassure the hon. Gentleman about a point that he made regarding my party's policy to liberate pensioners from compulsory annuitisation? Our policy makes it clear that people would not be able to dissipate their pension funds below levels at which they would incur a charge on the public purse.

Rob Marris: The hon. Gentleman makes an interesting point and I am grateful for the clarification.

Sir John Butterfill: The hon. Gentleman referred to my Bill and said that people would be able to extract from their pension pots money that had enjoyed tax relief, and blow it all. They could not extract it without paying tax on it, so there is no question of people being able to receive tax relief at one end and not having to pay tax when money is taken out at the other.

Rob Marris: I am grateful to the hon. Gentleman, because I was not aware of that fact, although I was talking about the general situation rather than the specific provisions of his Bill. I shall rethink the issue after hearing those two interventions, but I am not saying that I shall change my mind.

As I said earlier, the hon. Member for Havant expanded little on the official Opposition's eight-point plan, so I thought that I should touch on its suggestions. The third proposal is a lifetime savings account in which Government contributions would remain intact to help during retirement, although personal savings could be withdrawn provided that they were replaced. Such a system already exists, and I participated in it when I lived in Canada. The scheme is called the registered retirement savings plan, although I am not sure whether the Conservative's proposal is on all fours with it. Under the system, people receive tax relief on contributions

[Rob Marris]

made to a RRSP up to a ceiling. They may withdraw money from the fund before retirement, but in a similar way to that mentioned by the hon. Member for Bournemouth, West regarding annuities, they must pay tax on it at the appropriate marginal rate of income tax for the year in which it is withdrawn.

The scheme worked well for me. I put money in when I was earning a good wage and took it out when I was a student. I had a low taxable income and a low marginal rate of tax. That system can work, but it is not a panacea and there are difficulties, as those who look at the Canadian experience will find. In times of economic downturn, people tend to pull out loads of money from their registered retirement savings plan. That can cause problems with the investment market and so on, and can cause problems for them later on in their life when they might wish to use the money for retirement.

The fourth part of the Conservative's eight-point plant is for longevity bonds, which the Government would issue to help pension providers—the institutions—insure against the risk of providing a pensioner with an annual income for life. If I understand the proposal correctly, that strikes me as nutty. It asks the Government to underwrite huge amounts of private pension liabilities. It amounts to the semi-nationalisation of private pension provision, which is the last thing I would expect from a Conservative party and I do not think that it would work.

What I think would work is allowing companies to promote their pension schemes to employees, which is also a Conservative proposal. A strange situation arose from 1988, when the Conservative Government changed the legislation so that employers could no longer force employees, as a condition of their employment, to join the company pension scheme. Many of us said at the time that that was a mistake. Looking back on it 16 years later, it was clearly a mistake. I am glad that the Conservatives are proposing to reverse it to some extent by at least allowing companies to promote pension schemes. We should take it further by having an opt-out approach, which the hon. Member for Northavon mentioned and attributed to my hon. Friend the Member for Stalybridge and Hyde (James Purnell). Companies could assume that someone was in the pension scheme unless that employee specifically opted out.

A proposal in the eight-point plan with which I do not agree is having no limit on senior executive pension funds. The Government proposed a £1.4 million pot, as hon. Members will remember. That went up after discussions to a tax-free pot of £1.5 million. Even with today's annuity rates and the figures that people might aspire to save, £1.5 million is a huge amount. On today's rates, it would provide a 65-year-old man with £70,000 a year as a pension. Those people are the very rich, but the Conservatives, who as we all know have an affinity for the very rich—it is nice to see them being true to that every now and again because it helps socialists like me—say, "We should lift that; £70,000 a year for a pension? Not enough. Lift the cap." I disagree. The cap is too high as it is. It was extremely generous of the Government to budge upwards rather than downwards from £1.4 million.

Mr. Waterson: The hon. Gentleman keeps picking out bits of our policies without explaining them in their context. I am sure he appreciates that in return for removing that cap, our policy is that the same scheme on the same terms should be available to all employees of a company. There is no longer the idea of senior executives having their own cosy little arrangement. It is what we call our fat kittens as well as fat cats policy.

Rob Marris: Whoopee-do. Is not that a great balancing concession from the Conservative party? The hon. Gentleman is right that I did not mention it, but I am aware of it. I take it as being almost nothing. Fat kittens? Great. The tiny pitter-patter of kittens is not a balancing concession for what I regard as a social inequity and inequality, although he clearly does.

The eighth point in the Conservative proposals is—no doubt the hon. Gentleman will correct me if I have got this wrong—to do with orphan assets. They want to nick those as well, but there are two considerations. First, orphan assets belong to someone in a legal sense, although it may be impossible or extremely difficult to trace those to whom they belong. Secondly, they are one of those things that lots of people would like to get their hands on. It becomes a bit of a panacea: "We've got a problem here with financing. Let's use the orphan assets." That proposal comes from a party which, when in government, stole the bank to which I belonged—the Trustee Savings bank—and flogged it off. I never received a penny, as the Conservatives stole £1 billion from its members.

Mr. Ken Purchase (Wolverhampton, North-East) (Lab/Co-op): How did my hon. Friend get £1 billion?

Rob Marris: I did not have £1 billion personally, but members of the bank must have had that sum collectively, as that is was it was flogged off for. However, like many Conservative sales of the family silver, it was probably underpriced for a quick sale.

The history of pensions in the past 30 years shows that there have been questionable acts and mistakes by both parties. The dividend tax credit could, with the benefit of hindsight, have been introduced differently, although the £5 billion figure that is bandied about is suspect. When that tax regime was introduced, corporation tax was reduced. I am happy to be corrected, but advance corporation tax, which had been knocking around for years, allowed people to keep a chunk of money. The £5 billion figure is therefore not correct and neither is the £70 billion at a 7 per cent. discount, invented by the right hon. Member for Charnwood.

We should learn from past mistakes and problems, but we must also learn from our current circumstances. Our Government introduced a regime of increased means-testing, which I support, to address pensioner poverty. If we want to deliver resources to the poorest pensioners we must use means-testing. Of course, there is the problem of people who choose not to apply for means-tested benefits or who do not do so out of ignorance, but the solution is certainly not to abolish the whole system, as the Conservatives believe. In my constituency, the average pension credit is about £44 a week, and we need to try harder to find out why some people have not applied for it. They may have chosen not to apply—choice was an issue raised earlier in our debate.

Means-testing is a catch-up mechanism. The right hon. and learned Member for Rushcliffe talked about the condition in which his Government left the state pension system in 1997. He mentioned a pension of £69 a week, and said that affordability was key. I accept that it is important, but so is poverty. The Conservative Government placed too much emphasis on affordability, because they would not raise taxes, even though they were borrowing money like crazy and pushing up Government debt. To achieve affordability, they increased pensioner poverty, which has not disappeared. Figures on the extent of the problem have been bandied about today, but most observers—but not all, given what has been said in our debate—appreciate that in the past seven years, particularly the last four or five, pensioner poverty has been significantly reduced. There is still a long way to go, but the statistics show that the trend is moving in the right direction. That was not achieved deus ex machine, but was the result of conscious policy decisions by this Government that were put before Parliament and accepted before being enacted in legislation. I fully support those decisions to tackle pensioner poverty and abolish it if we can, just as I support our efforts to tackle child poverty. I accept that in both cases there is still a long way to go, but to say so or argue that we could have done more should not detract from how far we have come as a result of conscious policy decisions.

The expectations that people of my generation, who are in their 40s, have of retirement are unlikely to be fulfilled unless their attitude to saving changes markedly. We know people five to 10 years older than us, many of whom worked in public services, who retired on a full pension in their 50s. They benefited from an uprating to the sum they would have received at 65, as pseudo-retirement packages were used to disguise redundancies that were made in the 1980s and 1990s. People of my generation look at their older cousins and siblings who received such packages and believe that they, too, can retire in their 50s. That will not be possible unless my generation is prepared to save an awful lot of money.

Those of us who take an interest in pensions—I may hitherto have been in a minority of the population—expect that one's pension should provide two thirds of one's income in retirement: that is, two thirds of the income that one had while working, if employed. Nobody knows where that figure comes from—it may or may not be suitable—but it is treated as though it is written in stone. Personally, I am not sure whether I will need two thirds of my income when I am retired, but that should be my choice. The Government are at last, albeit belatedly, ensuring that age discrimination legislation goes on to the statute book by December 2006. I hope that this Government are re-elected in order to do that, because a Conservative Government would have a real problem with it as it is part of the Amsterdam treaty.

That will affect people's ability to carry on working if they choose to do so. The right hon. Member for Charnwood talked about retirement age. The average retirement age may rise, or may be rising now, but we need to separate that from the state retirement age. The Government have been clear—I fully support them on this—that the state retirement age should not go above 65. We are already starting to phase women's retirement age from 60 to 65. The state retirement age does not need to go above 65.

In today's climate, we must be aware that final salary schemes in the private sector will wither and die. The right hon. and learned Member for Rushcliffe adverted to that. They are sustainable in the public sector, although one has to look closely at their funding, but they are unsustainable, both politically and socially, in the private sector. A final salary scheme in the private sector says to the employee member, "You will have certainty as to how much you will get when you retire", but for many people, sadly, that certainty has already been done away with. Employees will increasingly wish to trade that supposed certainty for the certainty of a pot of money that has their name on it under a defined contribution scheme—or money purchase scheme, as they used to be called. That is part of the changing pensions landscape.

The question of compulsion looms because, according to Turner's excellent report, 9 million people are not saving adequately for their retirement. The reason he gives is that—as Labour Members, and probably those on both sides of the House, have long recognised but not necessarily translated into action—they cannot afford to save. That is not because they are wilful or profligate and want to blow all their money now. A tiny minority might fall into that category, but the vast majority cannot afford to save; it was ever thus. We already have some compulsory provision for those who are employed: national insurance contributions.

The Turner report talks about four alternative scenarios in relation to pension incomes in years to come: first, that pensioners will become poorer relative to the rest of society; secondly, that taxes or national insurance contributions devoted to pensions must rise; thirdly, that savings must rise; and fourthly, that average retirement ages must rise. As I understand it, it is not necessarily the case that only one will apply—there could be a mixture. For example, average retirement ages could rise at the same time as savings. Nevertheless, they encapsulate the kinds of choices that our society faces in relation to prospective pensioners who are mostly currently employed, although some are unemployed, self-employed or carers.

I will now—briefly, because I realise that other Members wish to speak—put forward an immodest proposal to sort out the pensions mess. *[Interruption.]* I know that my hon. Friend the Member for Wolverhampton, South-East (Mr. Turner) has come in especially for this part of my speech. I am sure that my proposal will not command instant support, but it may prove to be a rolling stone that gathers moss.

The current private pension system is predicated on tax incentives for people to save for their retirement. If one asks the Department for Work and Pensions, as I have publicly done as a member of the Select Committee—it is in our proceedings from last year—what evidence there is that tax incentives actually encourage people to save, the Department replies that

"there is little evidence that tax incentives can significantly increase the overall level of saving".

It goes on to say that

"there is a degree of consensus in the research that there is little evidence of tax incentives increasing the level of savings."

[Rob Marris]

To counterbalance that, the Department for Work and Pensions also told us in the Committee, following questioning from me, that although there was little evidence, as I quoted, that tax incentives increase the overall level of saving, they can significantly affect its allocation. So does an individual who is not one of the 9 million who cannot afford to save actually save in a pension fund or in some other form of savings? Well, tax incentives may direct savings into pensions.

The reason, as I understand it, that we as a society encourage people through tax incentives, even though they are not very efficient, to save for their retirement is that we do not want people living in poverty in their retirement. But those who are saving, by and large—not all of them—will not be living in poverty in their retirement anyway. The tax relief regime, which costs £14 billion a year in forgone tax revenue, is highly regressive, and I have to say to my Government as a progressive Government that we should not continue to support it. I have said it in the House before but it is worth repeating: half the benefit—that is, £7 billion out of that £14 billion—is received by the top 10 per cent. of taxpayers.

It is unlikely that more than one or two of the top 10 per cent. of taxpayers would blow everything deliberately and rely on means-tested benefits when they got older. They would be saving anyway for their post-employed life—presumably after the age of 65—just as many right hon. and hon. Members have savings outside their pension schemes. Because we are well paid, we can afford to save.

The other figure that shows the tax regime to be regressive is the £3.5 billion a year of forgone tax revenue—a quarter of that tax relief—that is claimed by the top 2.5 per cent. of earners. We can hardly get more regressive than that. My immodest proposal is to take it all off them, including all of us right hon. and hon. Members who are presumably getting tax relief, except perhaps my hon. Friend the Member for Wolverhampton, North-East (Mr. Purchase), who I think is already outside the pension scheme because he is above that age. Almost all of us are getting that tax relief. We do not need it. We are earning £57,000 a year, Ministers are earning more, and we are getting tax relief on pension contributions. That is crazy.

My immodest proposal will, I think, take a long time to gather enough support to go through the House, but I ask hon. Members to bear with me. If one added 2 per cent. to national insurance contributions by employees and 2 per cent. to contributions by employers, that would raise £14.2 billion a year. If one abolished the tax relief on pension contributions, which is coincidentally almost the same—£14 billion a year—that would make £28 billion a year.

The minimum income guarantee and pension credit cost £9.9 billion a year and the income tax relief, as I said, is £14 billion. If one got rid of means-tested pensioners benefits and put all those figures together—I am happy to go through them with the Minister—one could have a non-means-tested basic state pension, or a citizens pension as it has been called, not dependent on national insurance contributions or stamps, of £150 a week for a single pensioner and £250 a week for a couple. Other than that, the state could get out of the pensions market. Means-tested benefits such as pension credit could be abolished because the basic pension would be enough to live on.

The right hon. Member for Charnwood referred to choice, and I said that I would return to that subject. Under my proposal, people would have the choice of saving for a richer retirement than £150 a week, but if they choose not to do so, we, as a society, would say, "You will not starve in your retirement. You will get £150 a week." We can afford such a policy.

The Pensions Bill is going through Parliament, and the state is worrying whether eight regimes will become one or two—different parties count them differently. Under my proposal, all we would have to do is carry on regulating saving, which we have done with variable success. One would still expect people to save, but tax relief would not be available and savings would be regulated in a building society, stock market or bank, as they are now. However, the £1.5 million total fund, tax relief on pension contributions and the regulation of pension companies, which is necessary because of the tax benefits, would be cut, which would simplify the regime.

Pensioner poverty would be abolished on those figures. Yes, the cost would be great, but we are rich enough to afford a 2 per cent. increase in national insurance contributions for both employees and employers, which is double the amount that the Government successfully put through this House for the national health service in last year's Finance Bill. Leaving aside demography for one moment, a link with earnings rather than prices would be sustainable because the forgone tax revenue—£14 billion of almost useless tax relief that would go into the pot to pay for the policy—would otherwise rise with earnings, unless the saving rate dropped dramatically, and the 2 per cent. increase in national insurance for employers and employees would also provide increasing sums.

The structural question mark against the proposal is that demographic changes—I cannot remember the figures, but another hon. Member may want to provide them—mean that the ratio of workers to retired people will change adversely in the next 30 to 40 years, particularly as the baby boomers work through the system, as we are starting to.

On current trends, the projected population fall is 3 per cent. by 2050, but we could reverse that trend through immigration. There are enough people in the world—more than 6 billion—so we do not have to rely on the UK fertility rate. The history of the United States, along with that of other countries such as Canada and Australia, shows that net immigration is often beneficial for an economy, particularly—I realise that this point raises some questions—if the labour imported to work and pay for the older population is already educated. The demographic time bomb is not fixed, because it depends on millions of individual decisions by UK couples in the ensuing years. However, if the ratio of workers to retired people did not support my proposal, we could import labour.

I urge the Minister to examine my proposal. I realise that it has some political downsides, but it would provide simplification, get rid of means-testing, get the state out of providing tax incentives on private pensions, and provide enough for people to live on in their old age.

4.34 pm

Sir John Butterfill (Bournemouth, West) (Con): It is always challenging to listen to the hon. Member for Wolverhampton, South-West (Rob Marris). I wish that he had not taken 35 minutes to speak, but at least he shows us old Labour philosophy: tax the rich and everything will be all right. We might as well go back to the days of 98 per cent. taxation, which I can remember. That was intended to solve everything, but it did not. It was interesting to hear the hon. Member for Glasgow, Cathcart (Mr. Harris), who made a thoughtful speech that was worthy of his distinguished predecessor. However, both hon. Members made the mistake of claiming that means-testing was the best way of delivering to poorer pensioners.

All hon. Members are worried about the predicament of pensioners, who continue to be the poorest group in our society. Many are extremely poor and I share the concern for that specific group with everyone in the Chamber. The poorest pensioners also tend to be the oldest and there is a good reason for that. Those who are 75 and older lived through the last war and grew up in the post-war austerity period. People were unable to save for their old age then and we therefore especially need to look after that group. Pensioners who are over 75 should get a higher rate of pension than the rest of us because they could not save. The younger ones—people of my age who grew up in a period of greater prosperity—have been able to save for our retirement. If we have not done that, it is our fault. However, I repeat that we should especially look after pensioners who are over 75.

I disagree with some hon. Members who believe that we should have a higher rate for those who are 75 and over—

Miss Begg: Will the hon. Gentleman give way?

Sir John Butterfill: I should like to finish the point.

I disagree with hon. Members who believe that the higher rate for those who are 75 and over should roll on for ever, because that would begin to include people, like most of us, who do not need it. The higher rate should be fixed for those who were born in 1930 or before because it would thus be targeted at a special group. I shall give way to the hon. Lady.

Miss Begg: No, the hon. Gentleman has answered the very question that I intended to ask.

Sir John Butterfill: That was prescient.

We also need to look after and provide special treatment for other groups, who, for specific and special reasons, may not have been able to save for retirement. The right hon. Member for Birkenhead (Mr. Field) mentioned them. However, I disagree with the hon. Members for Wolverhampton, South-West and for Glasgow, Cathcart and, indeed, the Chancellor, that means-testing is the best way in which to provide relief for the remaining poor. It is not.

Of course, the fact that universal benefits go to everybody means that a few very rich people benefit disproportionately. However, the tax system already deals with those people. If the hon. Member for Wolverhampton, South-West feels even more aggressive, he will probably want to increase their overall tax rate. The position can be tackled through the taxation system; such people pay a lot of tax in any case.

Means-testing has two specific problems. Many people do not go through the tests—approximately 2 million people currently do not receive the benefit. That is a serious number, despite the Government's best efforts—and I accept that they have made determined efforts to get people to claim. There is also a profound disincentive to save, which arises out of means-testing. We do not want that downside. Means-testing is expensive and requires many civil servants to administer it. If we scrapped the means test, I doubt whether the "wasted money", in the terms of the hon. Member for Wolverhampton, South-West, that goes to the very rich would even approach the cost of conducting the means test, with all the indignity that it involves for those who have to undergo it.

However we dress up the means test and call it an entitlement, it remains an indignity and I therefore do not believe that it is the right way forward. We should have a non-means-tested increase in our pension provision for everybody, to an amount that gives everyone reasonable dignity in old age, and then provide special help for special groups—the very old and others.

Mr. Michael Jabez Foster (Hastings and Rye) (Lab): I understand the logic of the hon. Gentleman's argument. At present, however, the basic pension credit is at £105. Is not the logic of his argument therefore that the basic pension would need to increase to £105 before there would not be a disincentive to save?

Sir John Butterfill: No, that would not follow precisely, because if we were making special arrangements for special groups not everybody would need to go up to that level. Of course, such a level is being achieved already through the various benefits that are available. All sorts of other benefits are available for those on low incomes. If we add all those up, the money that we would save by not having all sorts of other special benefits—

Miss Begg: The hon. Gentleman seems to be implying that the basic state pension is a universal benefit. We know that it is not—1.5 million people do not have complete national insurance contributions and do not get the basic state pension. What he proposes, therefore, misses out that whole group of people. The pension credit and income guarantee are particularly useful for that group of people, who are often on lower incomes than the basic state pension, and who would continue to need to be means-tested anyway.

Sir John Butterfill: The hon. Lady is absolutely right, and I have said that there are other groups to which we would need to make payments. The people who would not otherwise get anything would have to be included in those payments. The point is that we do not need means-testing to do that.

We should also consider the encouragement of pension saving. The hon. Member for Wolverhampton, South-West says that there is no evidence that tax relief encourages people to save. Human nature would lead us to believe otherwise. However, tax relief is not necessarily well targeted at the moment, and perhaps I can refer to that later.

[Sir John Butterfill]

On the problems with private sector pensions and pension funds—at this point I declare my interest because, as hon. Members know, I chair the parliamentary contributory pension fund and I am also chairman of trustees of the pension fund for the People's Dispensary for Sick Animals—*[Interruption.]* No, I do not think that it is a similar organisation.

A lot of people are making all sorts of allegations as to what is the cause of the private pension crisis. If we go back only about seven years, I remember the Chancellor saying what a wonderful pension system we had, how well funded it was, and how it could easily withstand his £5 billion a year grab. At that time, it did look pretty good, although some underlying problems were about to surface. But the fact was that we had a pension system that was the envy of most of the rest of the world, and it looked very well funded. Two things were wrong with that. First, the investments, which were largely in the stock exchange but were also elsewhere, were growing at an unprecedented rate. People thought that the stock market boom would go on for ever. Why they should think that I do not know, because stock market booms never have done previously, and never will in future. They will always be cyclical. Nothing that any Chancellor, however clever, can do will alter that sad fact.

When the stock market was high, pension funds, including our pension fund and the Treasury, were all getting valuations showing massive surpluses. Employers said, "Oh good, we won't need to put as much money in. We will take a contributions holiday." What my party should have done when it legislated in 1995, and what this Government should subsequently have done, is to say that such pensions holidays should not be lawful. If the scheme actuary says that a certain amount will be needed over time by the employer and the employee, where the employee makes contributions as well, that is how much should go into the fund. However big the temporary surplus, the contributions should continue, assuming that the actuary has got his sums right, which has not always happened.

Had people continued with the sums recommended by their scheme actuaries as opposed to looking at how much was in the piggy bank and thinking that it would be enough for all time, schemes would not be in the trouble that they now claim to be in. We recently had to vote an extra £25 million into the Members' fund, despite the fact that the previous valuation had shown a massive surplus. In fact, that was only a fraction of the saving that successive Governments of both parties have made in failing to put in the amount recommended by the scheme actuary. They thought that the public were getting a good deal, but in the end all these chickens come home to roost.

Successive Governments have created a further problem in attempting to meddle with the investment policies of those charged with looking after the funds. I fundamentally disagree with the structure of the minimum funding requirement introduced by my own party in the Pensions Act 1995. I also disagree with the way in which regulators subsequently, even today, have tried to move people in certain directions of investment. The general trend, fed by the actuarial profession, has been to say that the only safe place for pension money is in bonds—if schemes are in trouble, they should put more money into Government bonds.

Mr. Dorrell: Especially at the peak of the market.

Sir John Butterfill: Yes, when bonds are at the peak of their price and shares are at the bottom. Could anything be madder? Do we normally sell things that are on the floor and buy others to replace them that are on the ceiling? Not if we have any common sense—but that is what the regulators have been urging pension funds and the insurance companies that provide them to do. They have all had to restructure their portfolios in a way that is contrary to common sense if we look at the market as a whole.

Mr. Purchase: Is not this a perfect example of why our pensions are far too precious to leave to the vagaries of fluctuating prices and markets? The stock market mechanism may allocate funds to deserving companies very successfully, but when it comes to our pensions, we should really consider what we could do in a safer, perhaps state-funded way.

Sir John Butterfill: I shall come to that in a moment, if I may.

Our system of regulation has of itself been pernicious. With a falling stock market, the regulators told people to get rid of their shares and buy bonds. What happens in that situation? The price of the bonds goes up, the yield from them goes down and the regulator then says that we have to buy even more bonds and sell more equities, and money is sucked into a black hole with ever decreasing returns and an ever increasing price for bonds. The cost of this is to aggravate the situation in the stock market, as people are selling equities that are already falling, forcing their price down still further and causing regulators to urge that more bonds be bought. It is the policy of the insane—clinically insane.

Mr. Nick Hawkins (Surrey Heath) (Con): Will my hon. Friend give way?

Sir John Butterfill: I am conscious that I am now beginning to intrude on other Members' time, so I hope that my hon. Friend will forgive me if I do not.

We need a far more sensible, broad spread of investment. Although they go up and down, the graph over 50, 60 or 100 years shows that equities continue to go up and are the best form of long-term investment. The difficulty has been that people have taken a short-term, snapshot view. When things are good they think them too good, and when they are bad they think them too bad. What we need is a sensible system of regulation. Sadly, we have not had that from previous Governments or from this one.

We must now encourage more people to save, and I will return to how, in my view, we should structure such tax relief as the hon. Member for Wolverhampton, South-West might be prepared to accept—or not. The problem—he correctly identified it, in a way—is that most of the tax relief goes to the richest. That happens because of the way it is structured. If tax relief went instead to everyone, but principally to those at the bottom of the pile, that would be a much better bet. Some people will never be able to afford to save; others will, but modest amounts. The big problem is persuading people who do not have a lot of money to save something. We can go either for compulsion or for giving them an incentive to save.

Although I applaud some of the well-thought-out initiatives of my hon. Friend the Member for Havant (Mr. Willetts), they do not deal with those people who make very modest savings, find themselves locked into buying an annuity and then pay tax on the small amount of additional income that they managed to save. Concentrating tax relief on the lowest portion of income—for example, by making the first £4,000 tax-free—would be of significant benefit to poorer savers and would give them an incentive to save. By applying the relief that way around, we would make a difference and provide a real incentive for poorer people to save. At the same time, we would remove quite a lot of people from means-tested benefits—if they are retained—so instead of having to come cap in hand to the state for their money, they would have their own. That would give much greater dignity to poorer pensioners and provide a real incentive for those poorer workers who have had the courage to save for their old age.

4.52 pm

Kali Mountford (Colne Valley) (Lab): It is a privilege and pleasure, as always, to follow the hon. Member for Bournemouth, West (Sir John Butterfill). He made a thoughtful and interesting speech that has given us real food for thought. His suggestions on taxation and saving incentives were perhaps more progressive than even Labour Members sometimes dare contemplate, and I congratulate him in that regard.

I first heard about what has become known as the demographic time bomb in the mid-1980s, when I was examining high unemployment and the effects of unemployment. I did not do very much about it then, other than to attend a few conferences here and there and moan a lot. In 1995, I wrote a paper on unemployment and its effects. I also developed my thinking on the relationship between work and people's ability to save for their pensions, and the relationship between the age at which one might become unemployed, and what might happen during the rest of one's life. I considered such issues from the point of view of people in their mid-30s and 40s—in other words, those who were in work, or who could be in work. At that time, unemployment was very high.

The correlation between employment and people's ability to save for their retirement is pointed out in the Turner report. Unlike others, I have not scrutinised the report in detail. I congratulate those who have, as it involves quite a bit of reading. In fact, I have given it only a cursory glance, and it certainly deserves a great deal more attention than I have yet been able to give it. What I want to bring to today's debate is how my own thinking has developed over the years and how what is in the Turner report accords with my own experience. Something that we should consider—I have not so far found it in the report—is not just the relationship between work, retirement and our ability to save, but the other social changes that also impinge on people's life choices and what they decide to do.

When I first became aware of the problem—and, still earlier, when I was a young woman having my own children—people tended to start families early in life, but the decision to start a family is now taken much later. Those decisions affect people's ongoing life choices, their ability to save and the subsequent decisions that they take. We also find that young people—I certainly include my own family—want to stay at home for considerably longer than they used to, so that their mothers can continue to do their ironing and washing and can save on their behalf while they go out and have a very good time, thank you! I make no complaint—honestly, son! It is a fact that young people stay at home considerably longer than my generation would have considered doing. I recently heard of a son saying that he was not yet ready to make a commitment—and he was only 28.

Those sorts of considerations and social changes will obviously impact on people's decisions about their future lives. Many younger people are not thinking about what they may be doing in the immediate future and they are certainly not thinking in the longer term about what to do for their retirement. That is the group of people who worry me most. I believe that we have spent much time, quite rightly, thinking about people who are pensioners today and how we should provide for them. Some people were left out of the pensions decisions. Before the hon. Member for Bournemouth, West leaves the Chamber—

Sir John Butterfill: Not yet.

Kali Mountford: I want to agree with the hon. Gentleman on another point—that decisions about pension holidays reduced the available funds and affected some of the people in the greatest need. He made a genuine and fair point that we should consider using a particular date or time rather than a particular age as the basis for pension payments. His points were well made. We will all be affected—even those 21 and 28-year-olds that I mentioned earlier. It is right to say that we owe the older generation a great deal and that they should be cared for.

I disagree with the hon. Member for Bournemouth, West on one point. Adopting a targeted approach to pension provision for those who were unable to provide for themselves was the right and proper thing to do. I recall encountering old age pensioners in my constituency who were blue with cold. That was always wrong, and I am pleased that I do not have the same experience now. Some of my pensioners—including those in the age group that the hon. Gentleman mentioned—now tell me that they have never been so well off. I am pleased about that, though it does not mean that they could not be better off or that there is nothing more to do. What I fear now is the expectation among young people that the old-style pension schemes will continue for ever and that everyone of pensionable age will somehow be all right.

That leads me to a completely different conclusion from that of my hon. Friend the Member for Wolverhampton, South-West (Rob Marris). I believe that his socialist analysis of pension contributions misses out half the equation. The analysis was always "from each according to his means, to each according to his needs", but my hon. Friend is dealing with the needs

[Kali Mountford]

and not the means. Let me explain the main problem with his analysis. With all rights must come responsibilities, so where are people's responsibilities to contribute? We already have a generation of young people who have not yet realised the significance and importance of providing for their own old age. They should already be doing so.

Simply saying that we can tinker a bit more with the state system is not enough, though I want to be fair to the Liberal Democrats, who have given a lot of thought to their idea of a citizen's pension. Some members of my own party have done the same. I think that there is a problem with that approach, however, and it has to do with responsibility. It is a question of means: how do we draw all that money together? That flaw is present in all the ideas presented today. We could go through all of them with a fine-toothed comb to work out whether all the sums add up, but even then what I perceive to be the central question—each individual's responsibility to contribute to state or to private provision—would not be resolved.

Miss Begg: Does my hon. Friend agree that guaranteeing everyone a basic state pension would mean that the responsibility that she has described would consist of people providing extra income for themselves? She has said that people now expect a much higher standard of living in old age than a basic state pension could ever provide.

Kali Mountford: I have considered that proposition a lot, and my difficulty with it is that the present national insurance contribution system has become the consensus on which our pensions system is built. I dispute the earlier assertion that everyone has a fund on which they can draw, but people believe that the national insurance system is fair. They see a link between the amount contributed over a lifetime and the size of the pension received at the end of the process.

I have always felt that the national insurance contribution system was somewhat misnamed, as no fund actually exists under what is essentially a pay-as-you-go system. The present system has many flaws, and I have even toyed with the thought that it should be discarded, but its great value lies in the relationship between contribution and recipient. Over many years, people have grown attached to the perceived fairness of the system. We must be careful if we are going to play around with that connection.

I am very drawn to the proposal by my right hon. Friend the Member for Birkenhead (Mr. Field) that we should convert the present pay-as-you-go system into a funded scheme. That could offer a way forward that people would accept, as it takes with it the most important parts of the current system, on which the consensus has been built. Under my right hon. Friend's plan, each person would be responsible for contributing to the state pension, and for making any additional provision that he or she may choose.

Mrs. Lait: I want to press the hon. Lady a little on this matter. Will she expand on the fate of the national insurance contribution? Does she expect that all of that contribution would be transferred into a funded scheme, or only a proportion? If the latter—and we must remember that national insurance pays for employment and sickness benefits, among other things—would a funded scheme such as she has described be sufficient to provide a comfortable retirement?

Kali Mountford: No, I do not believe that it would be sufficient. The hon. Lady makes a fair and proper analysis of the current national insurance scheme.

One problem with the proposal from the Liberal Democrats is that it would not be possible to devote funds to the NHS, for example, as we would not be able to see where the funding for a universal citizenship pension would come from. I therefore believe that only a proportion of the national insurance contributions could be used in the funded scheme that I have described, and that such a scheme would have to be carefully costed. It would take time for the funds in such a scheme to be built up to a sufficient level, and the scheme would not be able to provide sufficient funds for people to live on without additional income from some other source. I remind the House, however, that that is the case with the present state pension, which has only ever been the foundation stone for the rest of the pensions structure. It has never been enough for people to live on with no additional income, and anybody who did live in such a fashion would certainly be pension poor.

Nobody should be on that level of income, and no one needs to be. That is one of the messages that should emerge from this debate today. Although we must always make sure that people entitled to a benefit receive all of it, to deal with that argument simply by denigrating the benefit will not take us any further either. We need confidence in whatever system emerges from our lengthy considerations of both the state pension and the private pension system. The consensus that was built up lasted for many generations. It was built up before the second world war, and after the war a clear vision for the future emerged. Everybody knew where they stood and the system that was introduced stood the test of time. Whatever we do now must stand the same test of time as that system. I do not want to discard what was good in that system in one go. Instead, we should see how we can adapt and build on that system for a future pension scheme that is robust in the future.

Mr. George Mudie (Leeds, East) (Lab): Does my hon. Friend really believe that there has been a consensus? We have seen different pension Bills introduced by the parties after every election. Does my hon. Friend want to see a genuine consensus, instead of the posturing that is going on between the three parties before the general election? The eventual winner will make a decision that will be overturned before it reaches the end of its lifetime of some 30 years. There is a real need for a consensus, but we have not had one yet. Should we not use this debate to ask the three parties to agree on a consensus?

Kali Mountford: I stand suitably admonished and I shall clarify my point. The consensus is outside the Chamber. People agreed that the system was fair for decades. In the Chamber, we will always have political posturing, but we also have the possibility of a growing consensus. As we look forward to the next review and presentation by the Turner commission, we should reach some agreement on considering its findings together. The other parties claim that the Government are tossing the issue aside until after the general election in order to avoid making a decision, but this is far too important an issue for such an approach.

That approach has been possible in the past with other Government policies. I do not know if I dare mention Dearing, but the House came to a consensus view that Dearing would be considered after an election. Everyone signed up to that, but not everyone was happy with the interpretation after the event. In any event, it was possible for the House to consider a policy issue collectively. This is another issue that is important enough for the House to take that approach again. We should be able to take the next stage of Turner, together with the details that have been presented so far—they provide a good analysis of how we have arrived at where we are—and look at some clear pointers for the future.

The right hon. Member for Charnwood (Mr. Dorrell), who is not at present in his place, simplified the conclusions in the report neatly and elegantly. The report does not go through all the various social changes that affect decision making for families, but it does point out the glaringly obvious about the way forward. We must look at the age of retirement, the contributions we make privately or the contributions we make publicly. All of those factors interact with each other to provide a conclusion about the way forward. At this stage, we will obviously have a variety of views about how the cake can be carved up sensibly, but at the end of this debate it would be useful if the House could come to the common conclusion that Turner is a way forward. It has provided a good analysis as a basis for our decisions, as well as some clear pointers for the way forward.

We should say not that one of those three factors will be the cornerstone for pensions for decades to come, but that all of them will. In my report in 1995, I considered an idea that was popular at the time—I did not think of it all by myself—the flexible decade of retirement. We no longer need to talk about flexible decades, but we should look at flexible retirement. Why do we need a fixed date? Obviously, in respect of provision, we need a point at which entitlement should start, but it does not have to start on a fixed day. We could extend it a decade or so into the future so that people can make choices.

The crucial point, however, is that those choices must be informed, and the ability to make such choices has been severely limited for some time. The Government made an attempt to consider how we could provide people with information about their national insurance contributions—how much had been accrued and what that meant for their pensions—but we need to go further. We need to be able to inform people early in their lives not only about their national insurance contributions but also about their contributions to private, personal pension schemes. They need to know what it would mean if they retired at the age of 50, 60, 70 or 80, if that is their choice.

People need to know what their decisions will mean, when they choose between taking a holiday in Spain or putting a little more in their pension fund. Do they really need the holiday, especially if it is their second one that year? At present, some young people decide to take that second holiday in Spain, and I urge them carefully to reconsider such decisions. A small extra contribution to their pension fund now could give them extra comfort for a year or so in their old age. As they sit on the beach, they might not realise that they could be doing the same thing at the age of 70, instead of sitting over a two-bar fire wondering why they took that extra holiday when they were 28.

People need to be making these real-life decisions. Some are doing so already, but they are making some mistakes and we need to give them advice. I congratulate the Government on starting to think about how we can put money into a fund. At this stage, the Government are looking to trade unions to give that advice. There is nothing wrong with that, but I am concerned that some employers do not yet have trade unions on their premises. I hope that the trade union movement will sell the idea of pensions advice as a means of recruiting more members.

Such advice is certainly necessary so that people can make choices. I hope that they can make sensible, reasonable choices to maintain themselves. If they do not, compulsion will have to be the way forward. We should then have to make decisions a decade from now, when a decade's fewer people would be in a proper pension scheme, with a decade's less contributions. That would be folly.

5.13 pm

Sir Archy Kirkwood (Roxburgh and Berwickshire) (LD): As Chair of the Select Committee on Work and Pensions, I am privileged in that I have the chance to get access to Ministers and to discuss these matters more often than other Members. I realise that colleagues want to contribute and that it is an official Opposition day, so I shall save my speech for another day and quickly make a couple of points.

The debate has been interesting and fascinating. It is the first time I have heard socialist dialectic discussed—by the hon. Members for Colne Valley (Kali Mountford) and for Wolverhampton, South-West (Rob Marris), both of whom think about such things carefully. That was a first for me and I have been a Member for more than 20 years. It was certainly a good thing.

I apologise to the hon. Member for Havant (Mr. Willetts) in his absence for being a bit prickly in an earlier intervention. Earlier this week, when I heard that a day was to be devoted to pensions, I was overjoyed. I thought that a full-day's debate would be a good chance to discuss something philosophically and strategically different. We have a new Secretary of State and a new opportunity, with the most comprehensive report that I have ever come across. It is certainly not the first report on the subject but it is the most comprehensive, drawing together all the evidence.

The report may not tell those of us in the Chamber who have studied the issue for a long time much that is blindingly new, but it brings the information together most effectively. It also gives the public the chance to enter the argument. We all know too much for our own good and we need to be very careful about that. Explaining pensions in a way that people can understand is difficult.

Talk of £57 billion does not mean an awful lot in real terms to ordinary people. Screaming headlines about black holes here and there, huge sums and arcane

[Sir Archy Kirkwood]

terminology turn people off. People in my constituency are already reconciled to the fact that they must work for longer. That is absolutely inevitable, so we must be realistic about that.

The extent of change is shown by what has happened in the course of one generation—my lifetime. My father was a railwayman all his life. He went to work at 16 and stopped at 62, after some bad health. He received a railway occupational pension and then died. My son and heir has just finished two rather expensive Glasgow university courses, at the hands of his parents, and has started work at 24. He works in the financial sector, so he is planning to retire at 55, and he will then live for another 30 or 35 years. In the space of one generation, that is a huge change, and we must respond to the extent of it when trying to make policy now for the next 50 years.

I do not care who is to blame for some of the decisions—some good, some bad—that have been made, but one thing is common to them: most of the policies were piecemeal; they were responses to the things that were going on at the time that people felt had to be addressed. Certainly some of them had to be addressed. I think that some means-testing, which is an important element in all this, was essential and that the Government had to introduce it to cope with the problem, but whether it is safe to found the policy for all time coming on that—I was pleased to read the reported remarks that the Secretary of State for Work and Pensions made at the party conference—is a very different and separate question.

This is an important opportunity. Ministers can serve the House and the debate best by keeping an open mind. The Secretary of State's response to my hon. Friend the Member for Northavon (Mr. Webb) is an important sign of that, and we and, I hope, the rest of the House will respond to it, as this is an important debate.

We also have to use the election, although its timing is uncertain. The electorate have something say about the issue. We must try to get the job done of simplifying the argument into understandable concepts—I believe that Turner does so—such as whether the solution lies in more tax, longer working lives or greater savings. People can understand discussions like that. We politicians—the right hon. and learned Member for Rushcliffe (Mr. Clarke) nearly got there during his interesting speech—should be explaining our priorities by theme, schematically, almost in terms of the philosophy of pensions. We should be explaining where we want to be in 50 years, which of the three elements to which Turner has adverted we want to use and what priority we should give to them.

Of course, parties must have manifestos, and it is too late to change them. Our manifesto is already more or less cut and dried—I am not giving away any state secrets about that—and I guess that so is everyone else's, more or less. I am not daft or naive enough to think that there will be no party political exchange and party political advantage sought in the debate that we must have, but we must try to get the public engaged in a discussion that is meaningful to them and that can feed back into our debate and the decision making that will flow from the election.

My second point is the need for simplification, simplification, simplification. The job has been started. I did not serve on the Committee that considered the Pensions Bill, and I am grateful for that. I am also grateful for the content of the Pensions Bill in so far as it does simplify. I recognise that it is a good start, but it is only a start. If Ministers are to offer the best service that they can on this subject in the fullness of time, more work should be occasioned in that direction. Inevitably, trying to produce a system that people can understand, discuss and make reasoned choices about is an important part of that question.

This debate has been useful and I congratulate the Conservative Opposition on initiating it. I hope that we will have more like it, and I look forward to the Turner report informing such debates positively in future.

5.19 pm

Miss Anne Begg (Aberdeen, South) (Lab): I, too, am pleased to take part in today's debate. Like the Chairman of the Select Committee on Work and Pensions—I keep thinking of him as my right hon. Friend—when I saw the motion on the Order Paper, I thought that this would be a chance to debate the future of UK pensions and something that would be robust, intellectual and possibly even provide us with some new thinking about a way forward, around which all hon. Members could perhaps begin to build consensus. This is something for the long term; it is not a quick fix.

I, too, was disappointed by the opening speech of the hon. Member for Havant (Mr. Willetts). It was party political knockabout. I appreciate that that is part of the style of Opposition day debates but the day after the publication of one of the biggest reports into the structure of, and what is happening in, the pension system is the day to put such arguments aside and to consider what we might do for the future. We should consider the issues with which we should engage. Many hon. Members have begun to float ideas and, in the best possible sense, there has been disagreement even among Members on the same side as they have tried out new ideas. However, there has also been consensus across the Floor.

I commend the speech made by my right hon. Friend the Secretary of State, which was thoughtful and laid out the parameters of what we should be discussing. Much as it pains me to say something nice about the Liberals, the hon. Member for Northavon (Mr. Webb) also made a thoughtful contribution to the debate.

The pension credit has come in for much criticism today, but it is worth remembering that it was introduced to deal with the specific problems that we inherited when we came to power in 1997. Old age pensioners were dying from hypothermia or going blind because they did not want to spend their money on eye tests. Some pensioners were struggling to feed or clothe themselves or even just to live. The Government had to do something about that, so we introduced the winter fuel allowance, which—thank goodness—means that we do not hear scary statistics every winter about the number of pensioners who have died because they were frightened to put a coin in the meter.

Chris Ruane (Vale of Clwyd) (Lab): Does my hon. Friend recall that a previous Minister, Edwina Currie, advised pensioners who were suffering from hypothermia to go to charity shops to buy extra woolly clothing? Will my hon. Friend compare and contrast that with our record?

Miss Begg: Pensioners can now go to high quality shops to buy their winter clothing if they so desire, because we have given pensioners the money to make such choices. I am sure that not all pensioners always use their winter fuel allowance for fuel, but that is their choice.

I visited a pensioner's house in a multi-storey block of flats at the weekend. A new combined heat and power system has been introduced, and that has kept the costs of the heating down. Previously, the block had electric storage heaters that were incredibly expensive to run, but this pensioner will now be able to heat her house and have money left over from the winter fuel allowance. I thought that "Heat your house for free thanks to this Labour Government" might make a nice headline for the next election. That, after all, is what has happened.

We also introduced free eye tests for old age pensioners to remove their fear about having to spend money to have their eyes tested. We introduced the pension credit, and I am extremely proud of it and what it has done. I spent the summer recess going round most of the sheltered housing complexes in my constituency. As with the experience of my hon. Friend the Member for Colne Valley (Kali Mountford), most of the pensioners I spoke to are incredibly and surprisingly happy. They were as nice to me as they have been in the seven years since I was elected. That said, the summer in which the basic state pension increased by only 75p was a rough one, but this summer I thought that the Government were getting somewhere.

Andrew Selous: Hon. Members on both sides of the House have agreed that a certain level of means-testing is essential and that it will play a part in any future system. I have the pleasure of serving with the hon. Lady on the Work and Pensions Committee. Is she happy with projections that some 83 per cent. of pensioners will end up being means-tested if we continue with current plans? It is the extent of means-testing that worries many of us.

Miss Begg: It is interesting that the phrase "means-testing" seems to be thought of as such a derogatory term. I am interested in what pensioners are entitled to. If lots of pensioners are entitled to lots of money, I do not have a problem with it. I find it quite difficult to argue against a system under which pensioners get extra money for spending half an hour on one phone call every five years.

A lady whom I met this summer has been £78 a week better off since October 2003 as a result of the introduction of the pension credit. She did not receive that money before because although she received only £40-odd from the basic state pension, she had £17,000 of savings, so she was over the eligibility limit for the minimum income guarantee. Her savings were disregarded under the pension credit, so her income more than tripled. She told me that she would quite fancy a nice comfortable chair and I said that she could afford to buy one now because she is receiving extra money and because she feels that her savings are safe. That shows how the pension credit works in practice.

Andrew Selous: I am sure that the hon. Lady agrees that there are several ways in which we could get money to poorer pensioners. However, although I am not demeaning means-testing per se, will she comment on the unintended consequences for savings and incentives to save of applying it to such an extent? That is why many of us have deep worries about the future.

Miss Begg: The hon. Gentleman has got a point, so I shall return to incentives when I address the wider debate of how we can encourage tomorrow's pensioners to save for their future.

One thing worries me about the official Opposition's position against means-testing: they seem to think that it is all right for people who are very poor to be means-tested, but that it is somehow demeaning to people with any money. If it is demeaning to people with some money, it is also demeaning to the very poor. The pension credit allows the poorest people to feel part of a wider spectrum of people who qualify for it, which perhaps takes some of the stigma out of the system. Why should it be all right to means-test people who are poor, but not those who are slightly better off?

Perhaps the biggest element of means-testing carried out by the state is the calculation of our taxation. Income tax is a form of means-testing. I am fairly sure that the official Opposition's position is not that means-testing is okay when the Government are taking money from someone, but not okay when used as a mechanism to give money to someone, yet that appears to be what they are saying.

We are demonstrating today the extent to which the debate on pensions has moved on. We are discussing today's pensioners because they are doing much better than before. Elderly women say that they are much better off than they used to be, and they often say that they are better off than they were during their working lives. One lady told me that all that she could afford when she was working was a bit of sausage meat, but that thanks to the pension credit she can now afford a bit of frying steak.

Mr. Michael Jabez Foster: My hon. Friend rightly points out that pensioners are better off than they were under the previous Government, but if the Conservatives were to abolish the pension credit system, surely the worry is that people on that credit would experience a freeze for 20 years while the basic pension caught up, so real poverty would return in the meantime.

Miss Begg: That is an enormous concern because, again, the poorest pensioners will have their income frozen. Those are the very pensioners who, for the first time in their lives, feel that they have enough of a disposable income to live comfortably. Their generation is not frivolous. They do not spend their money on sirloin steak. My constituent was buying frying steak. However, her expectation is that she will have a comfortable retirement, which is how it should be.

If we are to reform the pensions system, which I hope will come out of the Turner report, and seriously tackle the problem of women and pensions and poorer

[Miss Begg]

pensioners, we have to ensure in the meantime that the pension credit keeps it value. However, I accept that we may move away from that some time in the future because most things are not set in aspic. The pension credit exists to deal with the problem that has resulted from 100 years of a pension system that was structured to deal with working men with a dependent wife. We have to start looking at how we might want to restructure pensions. That is a long-term business and we have to consider long-term aims. I am glad that the debate has moved on to tomorrow's pensioners because it is important. The debate is not just about today's pensioners.

People in this country always associate pensions with old age. I have just come back from Australia. I was confused for the first couple of days when they kept talking about unemployment pension and disabled pension, but any welfare benefit there is called a pension, so it does not have the same association with old age. Whenever we talk about a pensions debate, we think that we mean the pensioners of today. The Government have done extremely well in dealing with the anomalies in our pension system and with the pensioners of today, but the real challenge is how we make provision for the pensioners of tomorrow, which all Governments must do. We need to debate that and reach some consensus.

It is simplistic for any political party to say that by merely increasing the level of the basic state pension, we will solve many of the problems. Many of them exist because of the structure of the existing state pension. It does not take account of women who have not worked—perhaps because they have cared for children or elderly relatives or have been dependent on their husband. The state pension system is based on the dependency of one person on another.

The system is unfair. A married man with a non-working wife pays the same national insurance contribution as an unmarried man or an unmarried woman with no dependent spouse. Yet the married man gets 160 per cent. back from the state, whereas a single person gets only 100 per cent. That was fine when most people were in marriages with a dependent spouse, but that is not how society is structured today. It is not how we live our lives. People have more than one relationship. Women are in and out of work and have their own pensions. Indeed, the married man whose wife has worked and has her own pension only gets 100 per cent. of the basic state pension, not 160 per cent. So the unfairness is not about married men, but dependency. We have to consider ways of breaking that dependency to ensure that people have a basic state pension in their old age to which they are entitled by dint of the fact that they have lived for 60 or 65 years. Perhaps this is the time to talk about whether we should raise the state retirement age.

The hon. Member for Havant said that there was consensus between the CBI, the TUC and other bodies about what should happen with pensions, but there is not. The CBI thinks that the retirement age should be raised to 70, but the TUC disagrees. The TUC thinks that the private and occupational pension sector should include an element of compulsion, but the CBI does not. There is therefore an absence of consensus on significant areas of policy. I agree with the Secretary of State that the retirement age should remain 65 for the foreseeable future, as it would be nice if most people worked until they 65. My mother retired at 60 and my father at 65, but they are in the minority. Most people retire much earlier, and I was frightened to learn that one of my friends has just retired at 50. Other friends are looking forward to retirement at 55. I hope that they will go on to do other things, but we need a pension system that allows people to retire from their main job and take another without a reduction in their pension. We must provide the flexibility and incentives to encourage people to work longer, as has been said. If everyone knows that they will receive at least the basic state pension they will have an incentive to save for their retirement.

With the best will in the world, the basic state pension is just that—basic. Hopefully, it lifts people out of poverty, but pensioners on the lowest level of pension credit of £107 are still living in poverty. The younger generation, however, want much more than the basic state pension and want more than any Government can afford. They expect to retire on the same disposable income that they enjoy while working. Even the most generous pensions are only two thirds of people's final salary, but when someone retires they pay less tax and do not have to pay contributions towards national insurance or their pension. They have probably paid off their mortgage, so the money at their disposal is not very different from their net income after housing costs and other expenses when working. To achieve that income level in retirement people must make extra arrangements on top of the state provision. Younger people quite reasonably expect to receive the income that their parents and grandparents enjoy in retirement, but they will not do so unless they are kicked into the realisation that they must start making provision now.

This is a big problem and needs a great deal of discussion. I am relaxed that the next phase of the Turner commission will not produce a report for another year, as there may be an election in the middle of that period, when there will be a lot of party political point-scoring. Pensions should have been the subject of an investigation 20 years ago.

I will be very proud of my Government at the next election when they start to answer these difficult questions and to equalise the pensions of men and women. As the hon. Member for Bournemouth, West (Sir John Butterfill) said, we should not have special groups for whom we have to make special allowances. We must ensure that everyone has at least a basic level of dignity in retirement and a basic pension, as well as anything that we can do on top of that to fulfil their expectations of higher standards when they retire. It is a great challenge, but I am sure that this House and the country outside are up to it.

5.40 pm

Mr. Quentin Davies (Grantham and Stamford) (Con): We have had an extremely interesting debate and we have before us an extremely interesting report. The report is an authoritative source of facts that will be the locus classicus of discussions on this matter for many months to come, and the debate will prove to be an authoritative and much-referred-to source on the range of arguments that have been exchanged.

I want to make a few brief remarks under three headings. First, I shall comment on the responsibility for the situation that we are now in, because the Government are getting away with it a little too lightly; secondly, I shall discuss some of the new ideas that have come out of the debate; and thirdly, I shall make a few suggestions of my own.

There is no doubt that the present situation represents a crisis—that emerges clearly from the pensions commissioner's report. It is actually a double crisis, which is the worst of all possible crises because one reinforces the other. The first crisis is that of occupational pension schemes, particularly defined benefit schemes, which were once the pride of this country. Only seven years ago, people felt very confident about the future of those schemes, but since 1997, as the report states, 63 per cent.—virtually two thirds—of existing schemes have been closed to new members and not a single new one has been opened. That is a disastrous sea change in pension provision. Our occupational pensions, which were the envy of so many places around the world, are now in crisis.

The second crisis is that of the collapse of the savings ratio. That, too, emerges clearly from the report. Those two crises reinforce each other in undermining our people's prospects for a secure retirement. It is a very serious situation.

The Government have tried to evade responsibility for all this by saying that it is caused by the strains placed on pension schemes by increasing life expectancy or by disappointing stock market performances over the past few years. They say, "It's nothing to do with us, guv; it's not the fault of Gordon Brown's pension tax." That argument will not wash. We have had steadily increasing life expectancies over the past 50 years or so during which the occupational pension movement gained strength. Figure 1.1 of the report is a graph showing that the curve of rising life expectancies between 1970 and 1990 was distinctly steeper than it has been since 1990 or is projected to be over the next few years. Occupational pension schemes have to face a greater hurdle in terms of dealing with increasing life expectancy and actuarial risk than they did over the past seven years when many of them were closed to new members.

The fact that the stock market has not behaved very encouragingly over the past few years is a problem, but we have experienced far worse stock market crashes before. The occupational pension movement managed to survive the appalling stock market crash of 1974 as merely a blip in its history. Equally, the 1987 stock market crash was a good deal more serious than what has happened over the past few years. I have to tell the Minister that those excuses will not wash.

As for the collapse in savings, the key factor is undoubtedly means-testing. There is nothing new about my saying that—I have been saying it since 1997. I recall saying, when I was pensions spokesman at the beginning of the last Parliament, that the Government could not get away with increased means-testing. They were means-testing everything that moved. They means-tested incapacity benefit, widows benefit and support for students. All sorts of benefits that previously depended merely on a contributions record were suddenly means-tested. I remember saying at the time that that could not be done without having a devastating effect on the savings rate.

On pensions, I remember saying in the Chamber some six or seven years ago that a financial adviser could not with integrity advise anybody on less-than-average earnings to save for a pension.

Mr. Tom Harris *rose—*

Mr. Davies: I will not give way, if the hon. Gentleman will forgive me. We have only a short time available.

I made the calculation then that a person would need to save £80,000 by the time of their retirement, whether in a pension fund or elsewhere, in order to get nowhere—in order for all that money to be wasted, because the £80,000 would produce an income of £4,000 or £5,000 at the then annuity rates, which would mean that the person would have to forgo all the means-tested benefits, such as housing benefit and council tax relief, not to mention personal care and so on. Saving £80,000 would require a heroic effect—I think I used that term all those years ago—from someone on low earnings, and the money would be wasted. Think what £80,000 could buy by way of increased consumption in the course of a working life.

It follows mathematically that if someone saved £160,000 they would end up with half the rate of return that the market would require, for the sacrifice of saving and the risk of saving. It was clear that people on small incomes would be deprived of every rational ground for saving. The crisis in savings was thoroughly predictable.

We heard this afternoon from the right hon. Member for Birkenhead (Mr. Field). I remember debating with him when he was my opposite number six or seven years ago. I well remember a conference at Oxford when I first said that means-testing was not part of the solution; it was part of the problem. The right hon. Gentleman was in some consternation because he secretly agreed with me. He did not agree at all with what the Chancellor was doing at the time, but he could not very well say so in public. He told us this afternoon, and I am sure he is right, that half the tax relief on pension savings that the Revenue forgoes is taken up by people on the 40 per cent. marginal tax rate. The implication was that there was something wrong with the tax relief system.

There is nothing wrong with the tax relief system. What is wrong is that people below the 40 per cent. marginal tax rate have had their incentive to save destroyed by the means-testing policy. The responsibility lies fair and square with the Government. It would have been nice if we had had a higher savings ratio in this country in the 1990s. It was always low by international standards and certainly by European standards. I accept that, but the Government turned the situation into a crisis and they did so on two fronts—occupational pensions and incentives to save. That is a serious matter and they should not be allowed to escape responsibility for it. Those were the deliberate policies and the specific contributions of the Labour Government to occupational pensions and to saving for retirement and other purposes.

I shall deal with some of the interesting ideas that have been thrown out during the afternoon. One is compulsion. The right hon. Member for Birkenhead, for

[Mr. Davies]

whom I have the greatest regard in every respect, seems to be in favour of compulsion. It would be disastrous, for the reasons so ably and lucidly set out by my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke), to which I might be able to add two. First, if the state gets into the business of compelling people to save, it takes on a moral responsibility for ensuring that the real value of that money is at least maintained, even if there is not a substantial savings return. That is a difficult position for the state to be in, given that moral responsibility and, conceivably, legal responsibility.

Another related issue is that it is enormously morally dubious for the state to tell people to save irrespective of whether it is in their interests to do so, particularly when the state, by its own deliberate action, has made it cease to be in their interests to save by, for example, means-testing, as I outlined. If, in those circumstances, the state said to people on low incomes, "You would be a damn fool to save now. You will make an absolute idiot of yourself if you save because of the way in which the means-tested benefits system is structured, but, nevertheless, we will compel you to save. Taking a sensible view of your own interests, we know that as a rational human being you will not save, but we will compel you to do so", it would not be compulsory saving; it would be a tax, and everybody would see it as such. Let us remove from our minds the temptation of trying to deceive the public.

Miss Begg: I am interested in the hon. Gentleman's remarks about disincentives to saving. The Turner report points out that people have not saved enough for their pensions for the past 20 years, but the pension credit was introduced only last October. How does he explain the historical gap, when the measures that he describes as disincentives to save have existed only for the past year or, in the case of the minimum income guarantee, for slightly longer?

Mr. Davies: I do not know whether the hon. Lady was following my remarks about five minutes ago, but when I explained how the Government have increased means-testing, I did not talk about the pension credit for the precise reason that she mentioned—it was introduced only last year. I discussed other means-tested benefits and the minimum income guarantee, which has been in place since the beginning of this Government. Means-testing has increased substantially. A few minutes ago, I also made the point—perhaps the hon. Lady missed it—that I have been saying exactly the same thing since 1997–98. I do not make the point because of the institution of the pension credit, but the pension credit is another means-tested benefit and it has perverse and damaging effects.

I listened to the hon. Member for Northavon (Mr. Webb) with great interest, because he is extremely well-informed and I admire his work. When I was a Front Bencher, he used to contribute to debates, and I have learned many things from him over the years and do not mind paying him that compliment in public. However, he made two points this afternoon with which I must take issue. First, he suggested that National Savings is a proper vehicle for pension saving. I have no objection to the Post Office collecting the money, but did he mean that those savings should be invested in National Savings?

Mr. Webb *indicated dissent.*

Mr. Davies: No, he did not. I am greatly relieved, and the hon. Gentleman's high reputation in my eyes is at no risk of damage.

Secondly—he repeated this point on several occasions—he favours the abolition of the contributory principle. The most shocking and thought-provoking thing that came from the Government this afternoon was the new Secretary of State's implication that he is tempted in that direction, too. I was struck by the irony of the Liberal spokesman making that point, when Liberals invented the contributory principle—Lloyd George and Beveridge will be spinning in their graves. I agree with the right hon. Member for Birkenhead, who lucidly deconstructed that argument.

The economic arguments on contributory entitlements concern both incentives to save and to work. No one will work a day longer than they need to if they are working for benefits that they would get anyway, even if they did not work. That would be economically crazy and morally unjust. A civilised society cannot send out the signal that it does not matter whether one works because the rewards will be exactly the same. That message would corrode not only our economy, but our value system. I object to that and I want to place my objection on record.

I should like to make one or two suggestions. Despite the enormous damage that the Government have done to the occupational pensions system, especially the defined benefit aspect of occupational pensions, we should not give up on it. I hope that the next Conservative Government will make reviving such schemes a priority, but we must think carefully about how to do that. Tax and other incentives are always expensive and one must therefore be cautious. I hope that my Front-Bench colleagues will consider the possibility of following the example of the American employee retirement funds—the famous Employee Retirement Income Security Act, or ERISA, scheme. A central principle is that the tax benefits of the regime that applies to the funds are available only to a scheme that is open to all the relevant firm's employees. That breaks the distinction between special deals for top executives and provision for everyone else in the company.

There will always be a powerful incentive for members of top management to devise pension schemes that are good for them. As we know, defined benefit schemes are the best and impetus towards them will continue despite the difficult experiences under the Labour Government between 1997 and 2005. We should harness that impetus and ensure that there is an incentive to establish a defined benefit scheme with the same conditions for all employees. Clearly, the actual benefit will differ, depending on whether the person's final salary is £20,000 a year, £200,000 a year, or even £1 million a year in the case of a company chairman or chief executive. Nevertheless, the terms, conditions and principles will be the same for all employees.

The Americans have run such a system extremely well for many years. I believe that I am right—doubtless the hon. Member for Northavon will correct me if I am not—that the ERISA system was introduced in the 1960s. It is therefore not experimental or untried.

We need to go back on means-testing, which is a disease. Its appalling consequences are economic, social and, indeed, moral in the sense of injustice that it creates. I have already elaborated a little on that. How do we go back on it? Of course, some means-tested benefits have to exist—we all appreciate that we must have some sort of safety net if we believe in a civilised society, with nobody starving on the streets. There has always been an element of means-testing in the system. Even in the days of Beveridge, the system was not purely contributory.

However, we could and should switch the positions of the pension credit and the state retirement pension. The latter should be earnings related. My hon. Friend the Member for Havant (Mr. Willetts) is right about that; his policies have been thoroughly worked out over several years. Indeed, he and I were shadow Cabinet colleagues when the proposal was introduced. It makes sense. Of course, one sets a programme for only the length of the next Parliament. At the end of it, we would have to consider the extent to which it was possible to continue with the earnings linkage. However, I am convinced that it is a sensible move.

The pension credit should not be abolished. We cannot abandon the poor pensioners about whom the hon. Member for Aberdeen, South (Miss Begg) spoke with great and genuine feeling in a good speech. Although it possibly reflected a different political standpoint from mine, I genuinely admired it. We cannot leave people destitute. However, the pension credit should be linked to prices so that, instead of indexing at a higher rate the benefit that people who do not work or contribute get, we should reward best those who have worked and contributed, while providing something for people who have no contribution record. That is rational, economically sensible, prudent, fair and just, and therefore economically and morally sustainable.

I want to deal with the issue of age discrimination, which was raised earlier by a Labour Member. As life expectancy increases, it is generally expected that we will have a longer active life—to which I look forward, God willing, if my electors and the Almighty allow it to me. It is completely barmy to produce documents that say that we will need to work longer, and even to provide moral exhortation to people to work longer, and yet to have a situation in which the greatest form of discrimination in the job market is not with regard to sex, race or disability—from which we have suffered in the past, and which have been effectively dealt with by legislation—but age. All of us have people who come into our surgeries who are in their 50s, well qualified, motivated and keen, who have sent off 200 job applications and who do not get a single response. They know why: it is because they declared their age. Occasionally, I have told them to try not declaring their age, and it works. I have carried out some experiments, and I take full responsibility, having said it in the House of Commons. It is not deception; it is self-protection from a complete scandal.

The best solution would be an age discrimination Act. I do not want to blow my own trumpet too much, but I first proposed a private Member's Bill on age discrimination, under the ten-minute rule, under the Major Administration. Of course, I got nowhere. I tried again at the beginning of the first Blair Administration, and of course got nowhere. I asked the Prime Minister at Prime Minister's questions back in 1998 what he was going to do about age discrimination, as I thought that he was in favour of doing something. He said that he and the Government were still committed to that. After seven years, we are still waiting, so I hope that something can be done.

My final point is simple. It is a party political point, but it seems artificial not to say it because it is blatantly clear. The Government now say that they will not tell us their policy on pensions and pension-related issues until after the election. But they have been thinking about it for months—they have commissioned a report, they are talking about it now, and they have several months to go before the election—so that will not wash. I have great regard for the Minister for Pensions; he is a great expert, and he has said some very sensible things on the subject, about which we have been talking for many years in different contexts, on the Back Benches and the Front Benches. He probably knows more about the subject than most in the House, and I know that he has strong views. But what he is about to tell us, and what the Secretary of State has told us, is that they will not tell the public or the electorate what the Government's real views are until after the election.

Even were the Government's credibility much higher than it is, and their reputation for reliability, frankness, candour and keeping their promises much higher, people would still be intensely suspicious of a Government who went through an election saying, "We will give you the news as to what our policy is on this vital matter after the election, if we're elected." As the Minister for Pensions cannot acknowledge, but knows perfectly well, the Government's reputation for those qualities is far from high, and I am afraid that the policy on which he is embarking will be a disaster. Everybody knows what it means, en clair: some very bad news will be in the pipeline if the electorate re-elect a Labour Government. The Government know what it is, but they will not say it. It is so bad that they do not even think that they can spin their way out between now and polling day.

Mr. Tom Harris: Will the hon. Gentleman give way?

Mr. Davies: Not at this stage.

The Government hope to keep it quiet. That will not work. It should not work in an open society or a sophisticated democracy. The Government have hung a millstone round their necks. The Opposition will be delighted, and the Government will thoroughly merit the fate that they then receive.

6.3 pm

Mrs. Jacqui Lait (Beckenham) (Con): It is a great pleasure to follow my hon. Friend the Member for Stamford and Spalding—*[Interruption.]* Sorry, I meant my hon. Friend the Member for Grantham and Stamford (Mr. Davies). Historically, I have always

[Mrs. Jacqui Lait]

made a mistake with his constituency, even though I worked with him on various Pensions Bills and can endorse his attacks on the means-testing introduced by this Government.

I came to the Chamber today thinking that we would probably concentrate primarily on the Turner report. I was glad that the hon. Member for Aberdeen, South (Miss Begg) differentiated the immediate crisis facing many pensioners today because of the actions taken by this Government—although I acknowledge that some pensioners are better off—and the longer-term view. I want to concentrate on the longer-term view. I see from a hasty reading of the Turner report that it reiterates most of the principles that have created the foundations for a long-term debate on the future of pensions. My age dictates that I am interested in this subject, and I share the concern of the hon. Members for Colne Valley (Kali Mountford) and for Aberdeen, South about the need for the young to learn to save as early as possible.

It was interesting to hear some big ideas exploded today. First, the Liberal Democrats and one or two Labour Members urged the ending of the insurance principle. Then it was suggested that we should have a nationally funded scheme for pensions through national insurance. That was the bones of one of our policies at the last general election, which I endorsed, but what bothered me slightly was the thought that it could be one huge national fund. I am sure that my hon. Friend the Member for Grantham and Stamford and others with City experience will know that the size of such a fund could distort markets—and especially if it became a politically correct fund, invested for reasons other than the best interests of the pensioners. Then it was suggested that reducing tax was not an incentive to save and that we would all be happy to pay an extra 2 per cent. in national insurance. That, I have to say, is not my experience. I hope that the Turner commission will not take that suggestion on board.

It is too early to draw any firm conclusions. Alan Pickering castigated us as mere politicians rather than statesmen if we were to have a knee-jerk reaction today, but there is general consensus about certain clear issues. We all agree that the system is far too complex in both state and private provision, and we tend to lump everything together rather than look at each aspect clearly, while recognising that there is an interrelationship.

In the last Parliament, we debated the introduction of the state second pension. My party objected to the principles entirely, apart from the suggestion that carers, and especially women carers, should have access to such a pension, which would go some way in the longer run to helping poorer women pensioners and carers. The state second pension is an additional complexity in a state system that is already so complex that most people do not understand it, beyond knowing that they have to pay national insurance.

We have barely talked about the public sector system and the need for the Government to be able to draw back from the unfunded liabilities of that sector. Luckily, we are not in the position that the French Government are in, where to fund the pensions for Electricité de France—and perhaps Gaz de France—alone has put them in hock to the tune of £57 billion, which is allegedly the total black hole for all pension provision in the UK. Our own Government face a huge future commitment that will have to be met one way or another. Someone will have to get to grips in the long run with the unfunded public sector pensions.

Direct benefit and direct contribution schemes are both complex issues and there have been mistakes, so changes are needed. We have the opportunity to stand back and ask what is the principle behind pension provision. At present, legally, it is an insurance. Occupational pension funds are definitely an insurance principle, but there is a question whether direct contribution personal pension funds are an insurance or a form of relatively tax-free saving.

If we were more honest about the direct contribution sector of private pensions, we might be able to resolve some of the associated complexities, including, indeed, the question of annuities. The legal position is that we have to have annuities because they are insurance rather than, as most people regard them, their own pot of money. I was honoured to be the person who officially announced our policy on this issue to the Conservative party conference, but I should point out that my hon. Friend the Member for Bournemouth, West (Sir John Butterfill) and other colleagues present have been very active in campaigning for an end to the annuity provision at 75. One of the easiest ways to solve this technical problem is to consider whether such provision should constitute an insurance policy.

We need to consider other issues, such as the housing market and people contemplating investing in housing as a way of replacing pension provision. We should think about what would happen if the Deputy Prime Minister were allowed to get away with his housing proposals. People need to be aware that a significant increase in housing provision would down bring prices, rather than increasing them, so it would not be sensible for them to rely on investing in housing as a way of replacing their entire pension provision.

The Turner report is the basis for extensive discussions and I am sure that we will have plenty of them in this Chamber. I look forward to participating in them in greater depth, and at perhaps boringly greater length. We must consider carefully what we do with pensions. The Government, however, are on a very pleasurable hook of their own making. We will accuse them, as my hon. Friend the Member for Grantham and Stamford said, of going into the next election with no pensions policy whatsoever. The voters will be buying, as usual, a pig in a poke.

6.12 pm

Mr. Mark Field (Cities of London and Westminster) (Con): It is finally dawning on many of our fellow countrymen that pension provision is an important issue, but I fear that there is a risk that the political class will regard it as an electoral issue and an electoral problem alone. In my view, the question should not be how to solve, spin or sweep under the carpet this issue in the next six and a half months; instead, we need to look ahead with real vision and leadership at how pension provision should develop in the next 20 to 30 years and beyond.

This has been a very interesting debate and I endorse the comments of the right hon. Member for Birkenhead (Mr. Field). Looking ahead in pension provision is indeed very much a political judgment, rather than a question of amassing ever more evidence. A number of contributors have referred today to the need for consensus. If we accept that our collective—and, indeed, our individual—pension shortfall will be a major problem in future decades, we need to create a consensus among the political class on the correct way forward. We do, however, need to start by discussing with some candour how we have come to this pass.

I shall not reheat the arguments of my hon. Friends the Members for Havant (Mr. Willetts) and for Grantham and Stamford (Mr. Davies), other than to say that some of the blame must lie at the door of No. 11 Downing Street. I fear that, somewhat tragically, because the incoming Labour Government of 1997 was so committed to maintaining Conservative spending plans, the pensions "hit" became a very easy pool of money for the Chancellor of the Exchequer to draw on—or so it seemed at the time—in order to bring about his various spending plans.

Mr. John Horam (Orpington) (Con): My hon. Friend makes a very important point about the Chancellor of the Exchequer's position regarding these matters. Is it not a great pity that no Treasury representative has been present at any stage during this debate?

Mr. Field: I agree entirely; however, that is in the past. If I had longer, I would have said a wee bit more about that issue, but I want now to consider the future.

One of my great concerns about pensions is the real risk of a battle, almost, between the generations. History shows that almost every generation has been able to look ahead in the hope and confidence that, except perhaps in time of war, economic life gets better for progressive generations; but no longer.

Part of the problem is down to what has been described as the demographic time bomb, but there is also the perception that in order to maintain the somewhat unrealistic and often uncosted expectations of an older generation, those either in their 20s or not even among the work force today will have an increasing burden to bear. That applies not just to pensions, but to the increasingly irresponsible public-private partnerships favoured by an imprudent Chancellor. There is nothing prudent in his "jam today" policy with its off-balance-sheet financing, which will have to be paid for in the generations ahead. It strikes me that if public policy continues to be constructed on the basis of pitting the interests of one generation of taxpayers and electors against another, we are heading for some very serious unrest in the years ahead.

I was going to say that I was speaking as a 30-something, but I am not quite that any more, having celebrated my 40th birthday last week. I still consider myself relatively young and I believe that my generation lacks confidence in the whole area of pensions. My hon. Friend the Member for Beckenham (Mrs. Lait) rightly pointed out that all too many people in their 20s and 30s feel that the only safe investment is that of property, particularly in London and the south-east, but it now looks as though even that market is over-heating so we are seeing the first signs of further problems there.

Some hon. Members have touched on the issue of compulsion. I must confess that after the mis-selling scandal—some of it occurring prior to 1997—it seems to me that the Government's refusal to take responsibility for Equitable Life makes it very difficult to make a supportable case in favour of compulsory saving. The lack of confidence among many would-be savers is tangible. Only if the pensions industry can be made much safer can we seriously contemplate compelling people to place their trust in it. If the law forces you or me to hand over an unspent surplus of our hard-earned cash to the unqualified or incompetent, there will be little incentive for anyone to save. I would reiterate the words of many Conservative Members—that experience shows that the Government, above all, are often the most unqualified and incompetent of savings vehicles.

Amid all the talk on compulsion, there is also a lack of appreciation of why so many people fail to make provision for their future. No amount of new legislation and no new initiatives will overcome the fact that the great majority of people in Britain today are too poor to make adequate savings for their retirement much beyond the state pension. I believe that compulsory saving can be only a small part of the solution.

There is an argument that goes against that. If the Government simply use taxation to spend for the future, it is in a sense the most compulsory vehicle of all, but I believe that there is a lesson to be learned from experience across the world that lower taxes may be the best incentive to save. The dismal and disappointing stock market performance of recent years in this country—it is poor compared even to many of the European bourses—has in large part been affected by the increasing tax burden. We should perhaps consider allowing people to keep more of what they earn and hope that they will put it into saving for their future.

Many contributors to today's debate have mentioned the possibility of raising the retirement age, and I must confess that I take on board some of the concerns of Labour Members about the difficulties of hard-working manual labourers. It is easy in a service economy, such as my constituency of the Cities of London and Westminster, to think of 65 and 70 as a relatively young age at which people could continue to work, but it is much more difficult for those who have carried out manual work either in the agricultural industry or manufacturing. We need to get that right. Younger people in the work force increasingly seem to appreciate—for the reasons set out today—that the retirement age will have to go up. Clearly, expectations of life have increased rapidly in recent decades.

We also have to ensure that those in retirement have realistic expectations. I do not wish to sound overly negative, but I believe that politicians of all parties have failed in the past to tell it as it is. Pensioners may well have paid their stamp, but they have not contributed anything like enough to justify receiving the state pension for the number of years that many require it, or their health care or other welfare benefits. However, we are where we are: clearly, we cannot expect pensioners to go back to work, but politicians of all parties must not raise unrealistic expectations as part of a Dutch auction aimed at winning the votes of pensioners and of people who are soon to be pensioners.

[Mr. Field]

Many older folk feel insecure and very worried about what the future holds. All of us, as constituency MPs, will discover from the contents of our mailbags in the weeks and months ahead that many of our older electors are becoming very worried by what they read in headlines about a pensions crisis. Yet we must face facts. As a nation we cannot go on as we have over recent years. I hope that we will discuss this urgent problem in the months before the next election, and it is beholden on all parties to produce sensible plans for the future.

I entirely agree with the right hon. Member for Birkenhead, who made a plaintive cry to his colleagues on the Front Bench, but this matter in a sense transcends some aspects of party politics. We need to get it right, and politicians of all parties will pay a large penalty if we fail so to do.

6.21 pm

John Barrett (Edinburgh, West) (LD): I begin by thanking the hon. Member for Cities of London and Westminster (Mr. Field), who is my MP when I stay in London. However, he may not get my vote at the next election.

Life has moved on since Beveridge and the introduction of the welfare state. It is clear from today's debate that there are many different points of view around the House, but also that there is no consensus about what needs to be done. Consensus can be found on one issue only—that a pension crisis now exists.

All the different parties have produced different ideas. I was especially pleased to hear the Secretary of State open the door to the possibility that women might receive a pension that was not linked to the amount of contributions that they have made. Many women have spent their lives bringing up families or as carers and they will welcome what the right hon. Gentleman said, as do I.

Every week, I meet constituents who have worked all their lives who do not know what will happen to them when they retire. The more elderly of them have fought for their country, while others have watched children and grandchildren grow up. All the time they have thought that their pension would look after them in their later years. Those who have made contributions throughout their lives imagined that all would be well, but now they hear and read about the pensions crisis. As a result, many realise that they have been living in a fool's paradise—that they have not paid enough, worked long enough or saved enough.

For many, it is too late to make any change. When the state pension was first introduced, life expectancy was about 65. People live much longer now, but it is not possible to tell everyone to work longer. Those who have worked in industry or in any type of manual labour do not have a long life expectancy, so working longer is not an option.

People are being told to save more, and that is all very well if they have the cash, but many do not. Again, in an ideal world it would be fine to say that people should pay more into pension schemes, but for many it is not an option. Many people are also amazed to discover that, although they have saved for their pensions, their caution brings little or no dividend. Recent figures show that savings have to be very substantial if they are worth making at all.

Earlier, it was stated that some people may choose between taking a second holiday and putting money into pension schemes. However, if that money were to bring no gain because of the effects of means-tested benefits, people might be better advised to take that second holiday and go off to Spain.

Many of our old people feel dazed and confused. Perhaps they are not as fit as they used to be, and their memories may not be as sharp as they once were, but they are watching post offices close and their pension books being replaced while council tax goes up every year. The link between council tax and people's pensions is crucial, and many pensioners devote a huge proportion of their pensions to paying their council tax bills.

Means-testing produces many problems, but I shall concentrate on just two. The first is that many pensioners do not apply for means-tested benefits. That exposes as a lie the contention that the poorest pensioners are helped by targeting them in that way. The poorest pensioners are not those who apply for and get the benefits to which they are entitled. The poorest pensioners are the ones who do not claim the benefits to which they are entitled, and those people must be moved out of poverty and on to a decent basic pension without delay. At present, 125,000 Scots do not claim their benefits.

The second group are an as yet unknown number—those who know that they are entitled to means-tested benefits but have decided, for whatever reason, not to apply for them. That could be because they have never claimed benefits and do not want to start now, or it could be, like some of my constituents who attended the pension credit stall at a local shopping centre, that they feel that they can do without the additional benefit. If they did not claim it, they thought, more deserving people would get it. We know that that does not happen and it was explained to my constituents that that would not happen.

The system for many is confusing, complex and keeps many old people poor. Older people fail to claim £2.5 billion in benefits, and hundreds of thousands of them live in poverty. Pension credit is a benefit aimed at the poorest older people, but it is claimed only by half of those entitled to it. It has changed its name three times in the past seven years, and that only adds to the confusion. Many people do not know what they are entitled to and they see the system as too complex. Moreover, means-testing is just not popular. Many people also do not claim the amount of council tax benefit to which they are entitled. It has been estimated that approximately one in seven pensioners is entitled to council tax benefit, but do not claim it.

Miss Begg: In Aberdeen, the Pension Service has done a lot of outreach work. When it did the calculation for pension credit, it discovered much under-claiming of housing benefit and council tax benefit. The whole process of claiming for pension credit has been beneficial to many pensioners who have received much more than just the credit. Many have also received attendance allowance as well.

John Barrett: It is still a huge problem. Pensioners paid a staggering £770 million too much council tax in 2001-02.

I am running out of time, but as I said earlier, it will be an improvement if the Secretary of State is prepared to give a fair deal to women who do not have a full contribution record. I also wish to mention the sometimes questionable behaviour by trustees of company pension funds, such as directors receiving large sums of money before they retire and bleeding pension funds dry. I hope that current legislation will ensure that people who have paid into a pension fund can be sure that the money will be there on their retirement. There is a real crisis in company pensions.

As many hon. Members have mentioned, we here are all right because we have a decent pension scheme. However, many hon. Members used to be councillors and in non-pensionable employment. There are many people, both inside and outside the House, who will struggle through retirement. As we approach the general election, it is vital that the report that was published yesterday engages the public in the debate. They will hear different views from different parties, but what they want to hear is a degree of honesty. The public also want politicians to think for the long term. Whatever happens, and whatever view we take of means-testing or ways of funding pensions in the future, the general public will not be impressed by a bidding war for their votes. Unrealistic promises will let the public down, and the lack of respect that they have for politicians of all parties will only increase. The debate must start now. Pensions are a long-term problem and we have to deal with it for the sake of this generation and of generations to come.

6.29 pm

Mr. Nigel Waterson (Eastbourne) (Con): I am always taken by a Liberal Democrat talking about honesty in politics. I declare an interest, in that I have private pension provision.

This has been a fine debate. There have been many knowledgeable and interesting contributions, against the backdrop of the Turner report, which has informed much of the debate.

We now know that the Prime Minister intends to postpone his retirement from No. 10, but he did not make it clear at the time that he would be forcing millions of other people to work longer, too. Almost everyone agrees that there is a pensions crisis, except possibly Ministers at the Department for Work and Pensions. The new Secretary of State said:

> "It is not a crisis happening now."

He said that it would happen in 10 or 15 years when, on any view, he will be doing another job—perhaps returning to delivering letters. He also asserted that we do not want what he described as a knee-jerk reaction. I have news for him: he is dead wrong about that. The crisis in pensions is with us now. There is no getting around that fact, even if Ministers are in denial.

Ministers are trying to shut down the whole debate. We shall not let them do that and nor will the country's pensioners. As Rodney Bickerstaffe, the president of the National Pensioners Convention, said, something must be done now. One example is the Government's financial assistance scheme for those who have already lost pension rights—at least 65,000 people. Faced with defeat in the House, the Government cobbled together a rescue package at the last minute, and it shows.

Everyone agrees that the allocated figure of £400 million is grossly inadequate to compensate even those people who are already in difficulties. Obtaining details of how the scheme will actually work and how the money is to be distributed is like pulling teeth, a point made in the Lords only this week during debates on the Pensions Bill.

Rob Marris: The hon. Gentleman says that the fund is inadequate. Can he tell us how much additional money his party would put into it, and whence that extra money would come?

Mr. Waterson: I shall come to the hon. Gentleman's distinctive contribution to the debate later on, when I put him right about unclaimed assets. I hope that he will be patient for a moment.

As I said, everyone agrees that the fund is inadequate, and we cannot obtain details of how it will work. The FAS was announced on 14 May, five months ago. Can the Minister for Pensions give us the answers to a few simple questions? When does he expect the first payment to be made? Will the scheme exclude victims of solvent wind-ups? Does he still intend to exclude victims of wind-ups that commenced between May 2004 and May 2005, when the pension protection fund is supposed to open its doors? The Minister is not writing down my questions. Perhaps he has a very good memory.

Will payments be means-tested? Will they be taxed? Has the Minister made any progress at all on extracting contributions from industry to top up the £400 million? Will he look again at our proposal to use unclaimed assets to top up the FAS to the necessary limit? For the information of the hon. Member for Wolverhampton, South-West (Rob Marris), the Government are already using unclaimed assets. If he looks at the small print of the Budget, he will see that the Chancellor is trying to grab them for another purpose altogether.

The reality is that although pensioners are already suffering, the Government are moving as slowly as possible on this massive problem. Surprise, surprise! Their timetable seems to put everything off until next spring at the earliest. I wonder why.

Meanwhile, I understand that Labour Back Benchers, who have substantial numbers of affected constituents, people who have lost their pension rights, are being urged not to rock the boat and not to express in public their concerns about the inadequacy of the scheme. It would be shameful if that pressure stopped any of them doing so in the debate, although it is interesting that none of the Labour Members who has spoken, often eloquently, in previous debates has raised the issue today.

David Taylor (North-West Leicestershire) (Lab/Coop): I have raised the plight of pensioners of the former British United Shoe Machinery Ltd., a Leicester-based firm in which many North-West Leicestershire people

[David Taylor]

worked, and neither the Government nor the DWP have made any contact with me, private or public, e-mail or paper, that suggests what the hon. Gentleman implied a moment or two ago.

Mr. Waterson: I very much hope that the hon. Gentleman has made contact with his own Government to make clear his concerns about the size of the pot that is being made available.

On the broader pensions policy issues, why wait to do something? During the debate, we all heard about the growing consensus on long-term pensions policy. We heard about that with great eloquence from my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke). Mr. Rodney Bickerstaffe, again, had this to say:

> "The interesting thing is that a consensus is now emerging amongst many different and diverse groups, who all agree that we need a much bigger basic state pension for every older person that is linked to earnings and free from means-testing."

I could not have put it better myself.

The answer is obvious: the Government—having sat on their hands for seven years and presided over the collapse of pensions, both public and private—now want to put the whole thing off until after the next election. Assuming that happens in May or June next year, it seems terribly convenient that the final report of the Turner commission is not expected until next autumn.

Mr. Tom Harris: To help the debate come the general election, is the hon. Gentleman confirming to the House that the Conservative party will include in its manifesto detailed proposals to shape pensions in the long term? In other words, will the Conservative manifesto pre-empt the final volume of Turner's report and include all the details that the hon. Gentleman accuses the Government of not putting into our own manifesto?

Mr. Waterson: Yes, I can give the hon. Gentleman that categoric assurance, as he has asked for it. What is the point of an election manifesto if it does not deal with these matters? Indeed, the right hon. Member for Birkenhead (Mr. Field) made that point when he said that he did not wish to see his party go naked into the next election campaign.

I urge the Government, for once on pensions, to be bold. The Turner report sets out in painstaking and sometimes painful detail the scale of the problem, plus the only possible solutions. The Government should now come up with their own proposals, and it is no good the Secretary of State going on about a knee-jerk reaction. Seven years is hardly knee-jerk.

What about the perfectly sensible suggestion made by the right hon. Member for Birkenhead to bring forward Turner's final report to perhaps February next year? That would allow Turner some time to consult on the interim report. It would allow us all to digest his final conclusions. Perhaps more importantly, it would also allow the Government to go into the next election campaign with some clearly defined proposals on pensions—otherwise, what do they have in mind? Will they have a blank page in their manifesto where it says, "Pensions"? My right hon. Friend the Member for Charnwood (Mr. Dorrell) made that point, again eloquently, as did my hon. Friend the Member for Beckenham (Mrs. Lait).

The Labour party was much less reticent on the subject of pensions at the 1997 election. I received a letter only today from Mr. Richard Sharp, who is the chairman of the south-east region of the National Pensioners Convention. He enclosed a briefing produced by the Labour party before the 1997 election and asked me to use it to

> "publicly denounce them for the charlatans they are on the basis of pre-election commitments."

[Interruption.] Those are his words, not mine, and I hope that the lead charlatan is taking careful note. The document is headed, "The Tories have betrayed pensioners", so hon. Members will get the drift, and it includes the names of the current Prime Minister, the Deputy Prime Minister and the Chancellor of the Exchequer. It says:

> "Millions of people face poverty in retirement."

As I said earlier, it says:

> "The Tories propose to abolish the basic state pension".

That was a lie then, and it is still a lie. It says—this is the good bit—

> "Labour will defend the basic state pension, without means-testing, and ensure that it remains the foundation of our pensions policy."

Hard as I look from one of end that disgraceful document to the other, I can find no reference to a promise to take £5 billion a year from pension funds if the Labour party won that election. *[Interruption.]* At least I have had an apology, which I am happy to accept from the hon. Member for Glasgow, Cathcart (Mr. Harris), about that campaign. Members should have been there.

The plain truth is that, by putting off decisions now, the Government are condemning a raft of pensioners to penury in old age or utter dependence on degrading means-tested benefits. That is borne out entirely by the Turner report. That is why we need Conservative policies such as restoring the earnings link, rolling back means-testing and abolishing the annuities rule. We have been exhaustively through the eight-point plan, or the 10-point plan as the hon. Member for Wolverhampton, South-West described it when allowing for inflation. However, just as important is our lifetime savings account that is designed to encourage people not already saving—the 9 million whom we have heard about—to do so.

These are all well costed, well thought-out proposals. *[Laughter.]* They are designed to tackle the pensions crisis, but if they cause such hilarity among Labour Members, why do they not come up with their own ideas rather than having a self-imposed moratorium between now and next autumn that takes them conveniently, or perhaps not, through the election campaign?

We heard from the Liberal Democrats. Their policy is designed only to help the over-75s. They would scrap the contributory principle altogether, and that argument was effectively demolished by the right hon. Member for Birkenhead. Despite what the hon. Member for Northavon (Mr. Webb) told me in a previous debate, they intend to erode tax relief for those making pension contributions and, as usual with the Liberal Democrats, the figures are, of course, not properly costed. Perhaps it does not really matter, because their policy is about as relevant to who will be in government after the next election as the UK Independence party's policy to renationalise the railways. It deserves about as much attention.

Where is this Government's big idea on pensions, or even its small idea? The sad fact is that, where pensions are concerned, the Government are an ideas-free zone. The Secretary of State in his conference speech ruled out increasing the pension age, which is one of the main solutions set out by Turner. We had an interesting exchange at Question Time on Monday when I put to the Minister for Pensions his comments at a fringe meeting at the party conference. He seemed to take offence at the thought that he had referred to the pension credit as a

> "short-to-medium-term policy only".

But within a column, he quickly reneged on that and said of the pension credit:

> "I repeat that we are proud of it."—[*Official Report*, 11 October 2004; Vol. 425, c. 18.]

His Secretary of State went on at inordinate length to say what a wonderful thing it was.

In today's debate, however, the Secretary of State has suggested that the pension credit will not be there indefinitely. It is clear that there is a debate going on within the Government, and we get occasional glimpses of it down long narrow corridors. However, it would be rather good if some of it could be put to the electorate when the time comes.

At the moment, we have to take it that the Government are as committed to expanding means-testing as ever, thereby deterring more saving in this country—again, saving is one of the Turner prescriptions to end the crisis. Let me remind the House of what he said in his report:

> "Means-testing within the state system both increases complexity and reduces, and in some cases reverses, the incentives to save via pensions which the tax system creates."

That is a classic definition of the problem caused by means-testing in the system.

We had the false dawn of the speech by the Minister for Pensions to a fringe meeting at the party conference, but the Government seemed to have rowed back from that—an issue referred to by my hon. Friend the Member for Bournemouth, West (Sir John Butterfill). They have also been quiet on compulsion, another issue on which the final report will presumably reach a conclusion next year. In fairness, the Secretary of State said that he had an open mind on this issue, but he seems to have an open mind on almost every issue affecting pensions in this country. It is probably time he began to reach provisional conclusions about what should happen.

What does that leave? Extra taxes—a point made by my hon. Friend the Member for Cities of London and Westminster (Mr. Field)—and I do not suppose we shall hear much about them this side of an election. How typical of the Government to heap extra taxes on individuals to pay for a decent pension! We are looking at yet more third-term taxes from Labour, but on the welfare state, as on so much else, it does not deserve a third chance, let alone a third term. If the Government are not prepared to take the action needed on the nation's pensions, they should make way for someone who will. I urge the House to support our motion.

6.45 pm

The Minister for Pensions (Malcolm Wicks): We have had a good debate in which we have heard several serious speeches, although I did write that line 15 minutes ago. I hope that hon. Members will forgive me if I do not mention all the contributions that were made. We heard notable contributions from Labour Members, and I hope that the hon. Member for Havant (Mr. Willetts) will forgive me if I say that I especially enjoyed the analysis presented by the right hon. and learned Member for Rushcliffe (Mr. Clarke).

The hon. Member for Bournemouth, West (Sir John Butterfill) made a useful and thoughtful speech. He reminded us that he is the chairman of the parliamentary pension fund and also told us that he chairs the People's Dispensary for Sick Animals pension fund. If there is ever a black hole in the parliamentary fund, I hope that he will not decide to put some of us down. We are into joined-up governance, but that would be a step too far.

As usual, I enjoyed the contribution made by the Chairman of the Work and Pensions Committee, the hon. Member for Roxburgh and Berwickshire (Sir Archy Kirkwood), under whose chairmanship I had the honour of serving at one stage.

We once again thank Adair Turner and his colleagues on the Pensions Commission for what everyone has acknowledged as a fine and authoritative document. We greatly appreciate the further insights that the report provides, the opportunity that it presents for thorough and evidence-based debate, and the options that it offers for consideration to produce long-term solutions to long-term concerns. However, it is disappointing that in some, but not all, quarters, there has been such an immediate and highly politicised response to the report, despite the fact that both the commission and the Government are calling for a serious and considered analysis of the complexities of the issues at stake today and, more importantly, over the long term.

It was sad that the shadow Secretary of State entertained us a little too much tittle-tattle and one or two polemics that he has been reading over his long summer holidays because he does not usually do that. I am bound to say of the shadow Minister, the hon. Member for Eastbourne (Mr. Waterson), that rather than rising to the occasion, he managed uniquely to sink into it.

The hon. Member for Northavon (Mr. Webb) knows that I always enjoy his contributions. I was interested that he spent some 20 minutes mainly attacking another Opposition party, which we enjoyed, although I was a bit embarrassed to be in the same room as them. However, given that there are three major parties in Britain—one of which comes fourth in a by-election—I understand that at least some of his speech had more to do with electoral psephology in parts of our country than pensions policy.

To those who encourage us to act in haste by taking the sound bites of the report and basing a policy on them—they know who they are—let me point out that

[Malcolm Wicks]

the report itself states in no uncertain terms:

"it is more important to arrive at policy recommendations which are well founded, comprehensive and sustainable than to develop those recommendations this year rather than next".

We will not, therefore, provide a knee-jerk reaction just to make the headlines. Conservatives can knee-jerk if they want to, but we will not. We will not put forward unsustainable policies for political gain, and thus we will not jump to rash conclusions before the commission has completed its work and published its report next year.

We acknowledge that societal evolution over the late 20th century and the 21st century necessitates a concurrent evolution in pensions policy, so we welcome the commission's considered assessments of the challenges of voluntarism, of compulsion, of extending working lives for those who want that and of encouraging greater pension saving. There will be much more such consideration after the consultation and discussion in the next volume of the report.

The problems that women have traditionally faced in accumulating a decent pension income are acknowledged. The report states that we need to look at adjustments to public policy that

"should have been started in the last 20-30 years."

We should all bear some responsibility for that.

I shall outline our current strategy and also look to the future. The lack of action and the mismanagement of the state pension system under the Opposition left a terrible legacy. The situation in 1997 was one that we did not want repeated: a Britain in which 2.7 million pensioners were living in poverty and where, pound for pound, pensioners' savings were subject to a 100 per cent. marginal tax rate. Yet curiously those Conservatives who presided over that regime now lecture us on savings incentives despite pension credit now rewarding modest savings. It was also a Britain in which carers, disabled people and many women were excluded from accruing second state pension provision. Urgent action was required, and the Government acted.

Today's pensioners are significantly better off than they were under the last Conservative Government. Reforms to the state system have lifted 1.8 million pensioners out of poverty. Nearly 2.4 million people are getting extra mon[redacted]ave got under the previous system, with an average gain of more than £16 a week. We are spending £10 billion extra each year on pensions compared with 1997. Restoring the earnings link would have cost just £3 billion.

Pension credit guarantees an income of £105 a week for single people over 60—it was £69 in 1997—and £160 for couples. These benefits are designed for the people who need them most, which inherently necessitates some form of income or means-testing. Despite constant accusations about the "humiliation" that the Opposition claim such an approach causes, when we asked people in our surveys—because we listen—70 per cent. of pensioners believed that the process was easier than the previous system and 85 per cent. stated that they would recommend applying for pension credit to someone else.

The Opposition would have us believe that pension credit degrades pensioners. On the contrary, it is poverty that degrades our elderly people. That is why we have made the reduction of pensioner poverty our highest priority. We now have a Pension Service, and many colleagues will have met our excellent staff in the local pension service who run advice centres and do home visits, of which we made more than 500,000, showing that there is a human face to the service. If people do not like the forms—many of us do not—they can apply over the phone for pension credit.

There have been a number of changes and pensioners have fewer changes to their circumstances to report. Whatever the important arguments about the advantages and disadvantages of targeting or means-testing—I know that there are advantages and disadvantages—let us at least acknowledge that what we are doing with the pension credit and the Pension Service is a million miles away from the folk-lore memory of old-style means-testing.

There is an important point about gender and pension credit. Getting on for 3.2 million individuals benefit from pension credit. It is no coincidence or accident that 2 million-plus of those are women. Women have not often accumulated a full national insurance pension because they either brought up children or were carers, which made them less likely to have occupational pensions.

Mr. Willetts: The Minister talks about the pension credit. This is an opportunity for him to set out the Government's plans if they were to have a third term. Will he clearly state, for the record, that if they win they will uprate both the guarantee credit and savings credit by earnings, not prices?

Malcolm Wicks: I thought that the hon. Gentleman was going to talk about the important issue of gender, and I am disappointed. For this Parliament, we have made the commitment to index link with earnings the pension credit. He will have to wait until the election and our manifesto to see what happens.

Many things are already in place that will support future generations. The state second pension, which perhaps we do not hear enough about, is important for low to middle-income earners. It gives people the opportunity for further state pension income, not just for those who are in full-time work, but also, most importantly, for disabled people, carers and many women. Up to 20 million people will benefit from the scheme. Low earners will receive at least double the sum to which they would have been entitled under the state earnings-related pension scheme. We have recognised the need to increase confidence in private pension provision in our Pensions Bill. The financial assistance scheme provides £400 million to help people who face the reality of losing their pension rights. The pension protection fund, very much to the credit of the former Secretary of State, my right hon. Friend the Member for Oxford, East (Mr. Smith), will be regarded in future as a major piece of institutional reform by the Labour Government, ending the scandal of workers who have worked hard all their lives and paid into a final salary scheme losing their pension rights when, through no fault of their own, their company goes bust. The pension protection fund will stop that scandal, and we are proud of that.

Mr. Webb: Can the Minister answer a question asked by both Opposition spokesmen? Will the financial assistance scheme cover funds that have gone to the wall since May or June this year?

Malcolm Wicks: Of course we are looking at that difficult issue. Judgments are being made about many of those schemes. I hope that the hon. Gentleman accepts that there is an issue of moral hazard, as we do not want to force companies to behave wrongly in the operation of their winding-up schemes. Given our commitment on PPF and the financial assistance scheme, he and the House will understand that we want to do the right thing but, for reasons of moral hazard, we must be careful.

The informed choice programme is important, and combined pension forecasts are now being produced. The nature of the pensions problem is partly demographic. Forecasts suggest that in the next 50 years—the right hon. and learned Member for Rushcliffe made a strong point about this—the number of people over 65 will increase by three quarters, with numbers increasing more among the over-80s. As a result, the ratio of over-65s to people aged 20 to 64 will increase by 75 per cent. by 2050. There are therefore significant problems to consider, many of them related to demography. There are three main issues that will arise in future, and colleagues touched on them in their speeches. First, we are moving back to full employment, but too many people in their 50s, whatever the debate about the retirement age, are out of work. Employment rates are, however, moving in the right direction. Between 1997 and 2004, employment rates for people between 50 and the state pension age increased by more than 5 per cent. I am not complacent, however, as there are still too many people who are economically inactive. One million people on incapacity benefit would prefer to be in work, and we have policies to support them.

Secondly, ageism is an important problem. The Government will outlaw age discrimination. I have talked to constituents and other people in their early 50s who have been told that they are too old to work. Ageism can be as debilitating to individuals and as wicked and cruel as racism or sexism, and must be abolished. Thirdly, we are looking carefully at the state pension system. The Prime Minister said at our Brighton conference:

> "We will . . . design a pensions system that has the basic state pension at its core, gives special help to the poorest and provides incentives for hard-working families to save whatever their wealth or income."

That is our strategy in outline. We must enable more people to have a decent second pension, and the state second pension is important. The Turner commission will look at the complex issue of whether we should maintain voluntarism in occupational pensions or consider compulsion. We need to debate that difficult issue, and we await the commission's report.

These are important issues. The way in which we respond to the challenge of an ageing society is a big question for the 21st century. We are determined to respond to it positively, looking at the commitment of older people, not negatively and pessimistically. The pension question is a major issue in any consideration of an ageing society, and we should all address it seriously.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 201, Noes 313.

Division No. 258] **[6:59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, rh James
Bacon, Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burns, Simon
Burnside, David
Burstow, Paul
Butterfill, Sir John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Sir Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gidley, Sandra
Gill, Parmjit Singh
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hermon, Lady
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John

Marsden, Paul *(Shrewsbury & Atcham)*
Mates, Michael
Mawhinney, rh Sir Brian
May, rh Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham & M Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Dame Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Hugo Swire and
Mr. Peter Atkinson

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Beard, Nigel
Begg, Miss Anne
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cousins, Jim
Cox, Tom *(Tooting)*
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Farrelly, Paul
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, rh Bruce *(Walsall S)*
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Sir Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*

Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Merron, Gillian
Milburn, rh Alan
Miller, Andrew
Morgan, Julie
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Iain *(Hartlepool)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Margaret Moran and
Mr. Tom Watson

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments):—*

The House divided: Ayes 308, Noes 192.

Division No. 259] **[7:14 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Beard, Nigel
Begg, Miss Anne
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cousins, Jim
Cox, Tom *(Tooting)*
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Farrelly, Paul
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, rh Bruce *(Walsall S)*
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*

Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Sir Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Merron, Gillian
Milburn, rh Alan
Miller, Andrew
Morgan, Julie
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Iain *(Hartlepool)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Margaret Moran and
Mr. Tom Watson

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Baldry, Tony
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burns, Simon
Burnside, David
Burstow, Paul
Butterfill, Sir John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Sir Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cotter, Brian
Cran, James *(Beverley)*
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Donaldson, Jeffrey M.
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gidley, Sandra
Gill, Parmjit Singh
Goodman, Paul
Gray, James *(N Wilts)*
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hermon, Lady
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Johnson, Boris *(Henley)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne

Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, rh Sir Brian
May, rh Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Dame Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Hugo Swire and Gregory Barker

Question accordingly agreed to.

MR SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the Pensions Report commissioned by the Government; notes that it reinforces the conclusions of the 2002 Green Paper identifying the need for all to work longer or save more; commends the Government's commitment to face the challenges of an ageing society and to tackle inactivity by helping those who want to work; welcomes Pension Credit, benefiting over 3.1 million people, and the state second pension, helping millions build decent second pensions; further welcomes new tax credits making a huge difference to saving incentives for 3 million lower earners; commends steps to restore confidence in pensions through the Pension Protection Fund and the £400 million Financial Assistance Scheme; notes the Government's commitment to tackling age discrimination, and to rewarding those continuing to work after state pension age; believes both main Opposition parties' policies are unaffordable and do nothing for the very poorest; notes that Conservative policies would create a £500 million deficit within four years and be unsustainable in the longer term; commends proposals building on the Government's historic success in tackling pensioner poverty, which will continue to build a pension system with the basic state pension at its core, while still helping the poorest and offering saving incentives for hard-working families.

Parcel Delivery Charges (UK Islands)

Motion made, and Question proposed, That this House do now adjourn.—*[Joan Ryan.]*

7.29 pm

Mr. Alistair Carmichael (Orkney and Shetland): I expect that all hon. Members will have had occasion at some time to curse the acres of adverts that are a common feature of every Sunday newspaper and supplement, and all the various inserts that come with them, offering a remarkable and sometimes exotic array of mail order goods. For some of my constituents, however, those Sunday supplements, alongside the internet and more traditional mail order catalogues, offer access to a range of goods and services that would otherwise be difficult for them to obtain.

Many Members, I suspect, will be less likely to understand the significance of the small asterisk attached to the banner headline offering "free delivery", which explains only in small print and at the bottom of the page, "UK mainland only". One business that offered a delivery charge of £7.75 to mainland customers wanted to charge one of my constituents £85. Such practices penalise local people and add significantly to the costs incurred by businesses. Of course, this creates a great deal of frustration in Orkney and Shetland—a frustration that my constituents bear with great patience and good humour. Companies boasting of a next-day delivery service are often met with a wry smile. The services offered by courier companies to the isles are often the poorest.

A few weeks ago, one of my constituents in Foula told me of a batch of veterinary medicines that were to be sent to the island from a supplier in southern England. I should say in passing that the supplier could just have easily been located anywhere in mainland Scotland, given the attitude that is often demonstrated there. Again, the supplier in question was adamant that the medicines would be with my constituent the next day. Knowing the reality of the situation, he was happy to expect them to arrive within four or five days. Two weeks later, he still had nothing.

It eventually transpired that the courier had dumped the package in the shed for goods to be transported to Foula from mainland Shetland, without anyone bothering to make arrangements for its onward transportation to the island. Such service is particularly damaging to an island such as Foula, which is 14 miles due west of mainland Shetland, in one of the most remote parts of my constituency. It has what could best be described as a challenging ferry service, and an air service four days a week. Driving to the local wholesaler if something does not arrive is simply not an option for the crofters of Foula. To discriminate against a market of some 50,000 people strikes me as short-sighted. One can to a degree understand why some companies add an extra charge for delivery to non-mainland residents; but to refuse to deliver to those communities at all is indefensible.

It would be remiss of me not to give credit were it is due. Some companies have been prepared to look again at their delivery charges, following representations that I have made. To favour the House with but one example, I commend a small internet company based in

[Mr. Alistair Carmichael]

Devon that supplies arts and crafts materials, called Kered. As a result of a constituent's complaint, I wrote to Kered to bring to its attention the inequity of its charging extra for delivery to islands. It went to the trouble of renegotiating its agreement with the courier. It previously charged £18 plus VAT for parcels delivered to the isles; the charge has now been reduced to £8.95 plus VAT. Would that there were more companies like Kered. If a small company such as Kered is able to make such significant progress, why cannot more major firms follow suit, given their economic clout?

Several other companies have realised that they can send parcels weighing less than 20 kg by Royal Mail for a relatively modest charge. It is disappointing that many businesses are oblivious to that service; however, I fear that that is as much a comment on the Royal Mail as it is on the businesses themselves. It is not just private individuals who are penalised by the poor and expensive postal service; many local businesses suffer, too.

According to a report produced by Postwatch Scotland in April 2003 on parcel and other postal services in the highlands and islands, 12.5 per cent. of companies have experienced difficulty with businesses refusing to send them goods. I suspect that the figure for businesses in island communities is higher than for those in the mainland highlands. The Postwatch report also revealed that 17 per cent. of highland and island firms were being charged higher delivery charges than businesses elsewhere in the UK.

Since the Postwatch report was published, many highland firms have experienced a reduction in postal charges. In January, Parcelforce announced that parcels travelling within mainland Scotland will no longer be surcharged if they cross Parcelforce's "invisible line", which has divided Scotland for some 15 years. However, parcels sent from elsewhere in the UK to the north of Scotland still have a surcharge added, and parcel recipients who live on Scottish islands still have to pay a surcharge, wherever the parcel comes from.

Andrew George (St. Ives) (LD): I represent a constituency that includes the Isles of Scilly, where Sunday newspapers and supplements do not arrive until the Monday. Does my hon. Friend recognise—I am sure he does—that other islands in the UK do not receive or benefit from what claims to be a universal service obligation? Does he also agree that there should be more equity in the service?

Mr. Carmichael: My geography is not all that it might be, but I certainly recognise that there are other islands within the UK. They do not necessarily have the good fortune of being within Orkney and Shetland, but no doubt they have their own charms. My hon. Friend makes a very good point. There is a history of discrimination here. I was born and brought up in an island community, and I, too, grew up to expect to get the Sunday papers on a Monday morning. The matter I raise is just one aspect of that particular difficulty.

When the Minister responds, I suspect that he will tell me that there is little he can do. That would be a perfectly fair comment. We now have a liberalised parcel market, so if companies cannot make a profit from deliveries to a constituency such as mine, they have the right to refuse to do so or to make extra charges. That may be true, but I hope the Minister will concede that the same would inevitably be true if we were ever to have a completely liberalised mail service for letter post. For my constituents, it would likely mean a worse service that would end up being more expensive.

I believe that a large part of my job in this place is to bring to the Government's attention the very real challenges that come from living away from the main centres of population in this country. Liberalising the mail market in the same way that the parcel market has been opened up would only add to our difficulties and to the pressure to move to already overcrowded parts of the country. The one yardstick by which I measure any proposal that comes before this place is what it is likely to do for population levels in the isles, because an island community is constantly struggling to maintain the critical mass of population. It is apparent from the contents of my mailbag that my constituents identify having a good reliable service that is comparable if not the same as that on offer to people in the rest of country as a crucial consideration in their decision either to come to or remain in our part of the country. In my experience, it is up there with the quality of health and education available to people in their communities.

This is not the first time that I have raised this subject with Department of Trade and Industry Ministers. I previously met with the Minister's predecessor and as recently as 16 September raised the matter with the Secretary of State at DTI questions. I have always received a sympathetic response from the Government, particularly the DTI, but I am not persuaded that they have any great ideas as to an answer. I await the Minister's reply with interest.

What I am looking for tonight is, first, a recognition that the Government understand the nature and extent of the problem, and secondly, that they are prepared to look for some means of solving it. If the Minister stood up in his place tonight and said that the Government would re-regulate the parcel service, I should be delighted. I should be absolutely astonished, but truly delighted. What we must achieve is somewhat more imagination and lateral thinking about how best to use the liberalised market that we are left with to ensure that island communities such as Orkney and Shetland—and others, which I am delighted to see represented in the Chamber tonight—do not suffer from this continued discrimination, which has a real impact on private individuals and businesses within our communities.

When I think back to my maiden speech, I remember saying that we were not looking for any special handouts or treatment. We wanted the same treatment as anyone else. This is one area in life where we previously had the same treatment, but it was removed from us, probably as a result of an unintended consequence. The challenge for me and for the Government now is to find some means of ameliorating the worst effects.

I am aware that my hon. Friend the Member for Argyll and Bute (Mr. Reid) wants to make a short contribution to the debate. He, too, represents a constituency that contains a number island communities—not least the one in which I was born and brought up. In view of the short time that has elapsed so far, I hope that the Minister will be able to range a little wider in his response.

7.40 pm

Mr. Alan Reid (Argyll and Bute) (LD): I congratulate my hon. Friend the Member for Orkney and Shetland (Mr. Carmichael) on securing this debate and on presenting his case very well. As he said, this problem affects our constituencies, as well as two or three others in the country. In the couple of minutes for which I shall speak, I shall concentrate on Parcelforce, which is a state-owned company.

Parcelforce takes a day longer to deliver parcels to Scottish islands than is the case with other parts of Britain. My constituents fully understand why that is, and accept it. However, the company charges double for that poorer service, and that is not acceptable. The double charge applies to parcels sent from England, Wales and lowland Scotland.

As my hon. Friend the Member for Orkney and Shetland noted, Parcelforce has made a concession: from early next year, parcels sent from lowland Scotland to the highlands will not be subject to the double charge. However, the concession does not extend to the islands.

Mail order is probably far more important to islanders than it is to people who live in other parts of the country, yet Parcelforce—as I said, a state-owned company—charges islanders double for the privilege of using it. I simply do not see the justification for that. What is it based on? It cannot be based on the cost of delivery. A parcel sent from, say, Largs to Cumbrae—a 10-minute ferry journey—still attracts the double rate charge. In contrast, it must cost much more to send a parcel from Cornwall to Aberdeenshire, yet that attracts only the ordinary rate. The price charged is therefore not based on distance or cost, nor on the fact that a parcel is going to an island. For example, there is no surcharge on parcels sent to the Isle of Wight. The surcharge applies only to the Scottish islands and to the Isles of Scilly.

A very small part of the country is therefore being charged double by a state-owned company. If living on islands is to be economically sustainable, islanders must be able to access public services such as Parcelforce at the same rate as the rest of the country.

My suggestion to the Minister is that the Royal Mail's universal service obligation should be extended to Parcelforce. That would entail only a slight extra cost, in the context of Parcelforce's overall budget, but it would be of tremendous benefit to the economies of the islands.

7.43 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Gerry Sutcliffe): I congratulate the hon. Member for Orkney and Shetland (Mr. Carmichael) on securing this debate. As he said, this is an important issue for island communities, wherever they may be. I am aware that in March last year he met my predecessor as Minister with responsibility for postal services, who is now the Financial Secretary to the Treasury, to discuss parcel services. I know, too, that the hon. Gentleman raised his concerns with my right hon. Friend the Secretary of State for Trade and Industry during parliamentary questions on 16 September this year, and that he has also met with representatives from Parcelforce to discuss these concerns.

The House will be interested to know that, since I took over responsibility for the Royal Mail and postal services, I have met many of the stakeholders involved. I shall meet Parcelforce representatives in the near future and I shall take that opportunity to raise these concerns with them again.

This debate gives me an opportunity to set out the background to the restructuring of Royal Mail. My right hon. Friend the Secretary of State for Trade and Industry made two statements in the House, in March and June 2002, following the announcements by Allan Leighton, the chairman of Royal Mail—which was then known as Consignia—about the company's three-year plan to restructure its postal services.

The need for that restructuring was clear. The company showed a pre-tax loss of £1.2 billion in 2001–02. Even allowing for exceptional costs from restructuring, there was still an underlying loss of £318 million on day-to-day operations—about £1.2 million for every single working day. The aim of the company's renewal plan was to reduce costs by £1.4 billion a year, wipe out the losses, and return the business to profit by April 2005. I am pleased to say that Royal Mail has returned to profitability and the management has gripped costs and reduced overheads. While that is a real achievement, there is still a huge task ahead to turn the company around to long-term sustainable profitability.

The first phase of Royal Mail's plans, announced in March 2002, included the restructuring of Parcelforce, as the hon. Gentleman said. Again, it was not difficult to see why a radical overhaul of the business was necessary. Parcelforce had been loss making since its conception back at the end of the 1980s: from 1992 to 2002, its losses totalled £508 million. Despite initiatives to stem those losses, including investments in Parcelforce of about £200 million in recent years, the business has continued to lose money. Several business models have been tried, but in 2002 it was losing £15 million a month as the company failed to reduce its costs fast enough as the business declined. It was clear that the business model had failed, and the board decided to restructure Parcelforce in order to try to return the company to profitability.

Parcelforce has been restructured into an express parcels carrier and now provides customers with a range of highly reliable time-certain and day-certain delivery services. Parcelforce is, therefore, operating in a fully competitive market. The universal service for parcels—the standard three to five day delivery service—was transferred to Royal Mail and provides for delivery of parcels weighing up to 20 kg at a uniform price anywhere in the United Kingdom.

After two years of the renewal plan, there has been an improvement in Parcelforce's performance, but it still lost more than £100 million in 2003–04. More change is being implemented during the current financial year, with the aim of Parcelforce's operations breaking even by the end of the year. That is by no means certain, so the management need to keep control of costs. Otherwise, the target will not be achieved and the cycle of losses will continue.

[Mr. Gerry Sutcliffe]

The hon. Gentleman raised the issue of mail order companies refusing to send goods to the islands. There is no reason why any mail order company cannot use Royal Mail's standard parcels service, which, as I have said, delivers parcels weighing up to 20 kg at a uniform price anywhere in the United Kingdom. For example, a parcel weighing up to 1 kg and delivered within three to five working days after posting costs £3.46.

Mr. Alan Reid: With Royal Mail's standard parcel service, the customer does not sign for a parcel. For mail order companies, having parcels signed for is an important part of the process. That is the problem with the standard service.

Mr. Sutcliffe: When I speak to Parcelforce, I will raise that issue. I shall do that as the Minister with responsibility for postal services, but also as the Minister with responsibility for consumer affairs. Consumers in the islands are not getting a reasonable deal, and we need to address that.

Mr. Carmichael: Does the Minister share my concern that it seems to be up to Members such as myself to go to mail order companies and tell them that they can use the Royal Mail's standard parcel service? It does not seem to be properly marketed. That is also an issue for Royal Mail generally. I met representatives of Royal Mail recently about the newspaper registration service. It turned out that Royal Mail had services that would better serve the users of the newspaper registration service, but nobody had ever thought to market those services to those users. Does not that cause the Minister some concern?

Mr. Sutcliffe: It does, but I hope that the hon. Gentleman will forgive me if I do not get into a detailed discussion of Royal Mail and the issues he raises. I have been responsible for the matter for only a few weeks and at some time in the very near future I will have a view about progress for the Royal Mail and post office services. The hon. Gentleman makes a fair point and the work that he and other hon. Members on both sides of the House are doing is raising the profile of the services with the mail order companies. He will know that mail order companies have issues about delivery in terms of the development of their businesses, and I will look at the issues that he has raised.

I recognise concerns that Royal Mail's standard parcels service does not meet some mail order companies' requirements for a signature as proof of receipt. Although Royal Mail can offer a range of product services for contract customers, it is true that contract standard parcel services are not included within the universal service obligation, which applies only to non-account services paid for through stamps or meter frank impression.

If the standard product does not meet the needs of individuals or contract customers, including mail order companies, they can take advantage of a range of alternative services offered by Royal Mail, although I acknowledge that there is an issue about the marketing of those services. They include Packetpost for business customers who send more than 5,000 parcels in a year and Packetpost Returns for businesses whose customers return 2,000 or more parcels annually. In addition, the second-class Packetpost service was extended to a maximum weight of 2 kg, providing customers with an option for relatively small and lightweight packages, including mail-order goods.

I appreciate concerns that Parcelforce charges higher prices for delivering to some parts of the country, including the highlands and islands of Scotland, the Scilly Isles and the Western Isles. However, the pricing structure for Parcelforce's new express services is a matter for the company, which is operating in a commercial and highly competitive environment—there are about 4,000 other carriers in the UK. Zonal pricing is nothing new. Parcelforce's zonal tariff structure for Scotland, for example, has been in place for 15 years, and such structures are also employed by Parcelforce's competitors. It would not be right to oblige Parcelforce to provide uneconomic services while other companies are free to pick and choose.

Parcelforce "has listened"—it says in my notes—to the concerns that have been raised. It will listen to them. As the hon. Gentleman said, the company introduced a new pricing structure for Scottish customers in January 2004, following its review of services in Scotland. That review, which began in February 2003, was carried out in response to the demands of customers and focused specifically on the Scottish network, looking both at the services the company provided to customers and at pricing.

Mr. Carmichael: The Minister is being generous in giving way. My experience as a constituency Member has been that Parcelforce has done its level best, but does the Minister accept that the difficulty is the underlying structure of the market in which the company is required to operate? Parcelforce cannot subsidise operations to my constituency, to the Western Isles or anywhere else; it would be swiftly picked up under competition law if it did so. Can we find a mechanism to make competition law work in our favour instead of always working against us? Is not this a case of market failure?

Mr. Sutcliffe: The hon. Gentleman again tempts me into an interesting debate about competition and marketing, but I must refuse to engage in it at present. We shall return to the matter, as under my consumer brief there are certainly issues about performance and detriment to consumers. However, so that I can deal with the issues under debate in the context of my responsibilities for postal services, I am sure that the hon. Gentleman will forgive me if I stick to the script and investigate further after our debate.

Parcelforce has maintained its policy of not surcharging parcels being sent from the highlands and islands to England and Scotland. In addition, Parcelforce does not make a surcharge for customers sending parcels from one island to another; they pay only the zone 1 rate. The company has also abolished its zonal surcharge for parcels travelling within mainland Scotland.

I appreciate that not all customers are entirely satisfied with the outcome of the review, as has been pointed out. However, Parcelforce has considered the issues long and hard and believes that it has achieved the best balance between meeting the needs of its Scottish customers and providing services on an economically sound basis, but I am sure that the company will listen to representations and to the discussions that will take place.

As I said, the universal service obligation for parcels—the standard three-day service—has transferred to Royal Mail. Concerns have been expressed that Royal Mail has raised proposals to abandon its universal service obligation. I can appreciate those concerns, but I can assure the House that they are unfounded. Royal Mail has not raised that issue with the Government, nor do I expect it to do so. The Postal Services Act 2000 requires that the universal service must be provided at an affordable, uniform tariff throughout the UK. The Government have no plans to change that requirement.

Postcomm, the independent regulator for postal services, and Royal Mail have been discussing the possible introduction of some geographic pricing in relation to bulk mail products used by the company's larger customers. Royal Mail wants to introduce that approach to enable it to compete with other postal operators as the market is further liberalised. I understand that Postcomm intends to publish its initial views on the proposal later this month. Let me make it clear, however, that those proposals will not affect everyday users of postal services, such as small businesses or, for example, individuals sending birthday cards to relatives. So people will continue to be able to send parcels, as well as letters, at a uniform tariff to every part of the country, including remote and rural areas.

As I said earlier, during parliamentary questions on 16 September, my right hon. Friend the Secretary of State for Trade and Industry said that we would draw the concerns of the hon. Member for Orkney and Shetland to the company's attention. As I have already said, I will raise those concerns with Parcelforce when I meet its representatives in the near future. However, I wish to make it clear that Parcelforce—I know that the hon. Gentleman will accept this—must be allowed to operate commercially in a highly competitive environment in competition with other companies in the parcels sector and that its pricing and services structure is therefore an operational matter for the company, as it is with its competitors.

I must stress—I am sure that I will do so on many occasions in time to come—that it is not for the Government to subsidise the continuation of unprofitable services in a competitive market. That would be unfair to other operators and, as the hon. Gentleman said, it would probably constitute illegal state aid.

I want to ensure that that the hon. Gentleman's issues and those of other hon. Members are addressed. We will do so in the usual discussions that take place. I undertake to respond to the hon. Gentleman on the issues raised, probably in writing, after the meeting with Parcelforce. I will consider the issues in the way that he suggests in the context of the marketplace and the detriment that his and other hon. Members' constituents are suffering because of the attitude of the mail order companies. I do not know whether the hon. Gentleman has had an opportunity to speak to the Mail Order Traders Association.

Andrew George: I am grateful to the Minister for giving way, as time is now running out, but I want to emphasise something to him. My hon. Friend the Member for Orkney and Shetland (Mr. Carmichael) has articulately made the case, particularly in relation to his constituents and those of the Scottish islands. In fact, many of the issues raised have significant parallels in the Isles of Scilly in my constituency. I hope that the consultations and reviews that the Minister mentions in respect of parcel services will bleed south of the border and south of the English border, down to Cornwall and the Isles of Scilly as well.

Mr. Sutcliffe: The hon. Gentleman never fails to take the opportunity to mention his constituency and west country issues. I am grateful to him for that, but the debate relates to the areas that are suffering detriment at the moment.

There are another six or seven pages of the brief that is before me, but I simply wish to say that I will consider the issue and see what can be done in the spirit in which the hon. Member for Orkney and Shetland has dealt with it. I congratulate him on raising the issue. I hope that he will rest assured that we will take note of what he and other hon. Members have said, and we will get back to him in due course.

Question put and agreed to.

Adjourned accordingly at two minutes to Eight o'clock.

House of Commons

Thursday 14 October 2004

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

TREASURY

The Chancellor of the Exchequer was asked—

Income Tax

1. **Mr. Gordon Prentice** (Pendle) (Lab): How many people pay income tax at the top rate; and what the figure was in 1997. [190537]

The Paymaster General (Dawn Primarolo): Some 2.1 million people paid higher rate tax in 1997, compared with the current year in which 3.4 million pay it. The reason is that twice the number of people now earn more than £30,000, £50,000 and £100,000 than in 1997. In 1997, 2.6 million employed people earned more than £30,000, but now almost 6 million do so.

Mr. Prentice: I wonder how many people share my concern that the number of people captured in the higher rate tax band appears to be growing exponentially. Is my right hon. Friend aware of the forecast produced by the Institute for Fiscal Studies, which suggests that by the end of the next Parliament a staggering 4.4 million people will be higher rate taxpayers? Are we happy with that?

Dawn Primarolo: As my hon. Friend will know, the Government and Labour Members are extremely happy with the economic stability, the growth in employment and earnings and the way that tax and benefit reform has ensured that the poorest receive the most. He will also be aware that the Government have undertaken not to raise the basic or top rates of income tax within the lifetime of this Parliament.

Miss Julie Kirkbride (Bromsgrove) (Con): At what level of income does the Paymaster General consider someone to be rich?

Dawn Primarolo: I am sure that the hon. Lady will want to concentrate much more on ensuring that the poorest in our society receive support from this Government. She will have noticed from my reply that twice as many people are now earning more than £30,000, at the same time as the poorest fifth of households have been helped considerably by the Government's tax and benefit reform.

Mr. Dennis Skinner (Bolsover) (Lab): There is another way of looking at this issue. If more people pay tax in the highest band, it means that the booming economy has resulted in more people getting more wages and salary. If we added on another 2 per cent. tax for higher rate taxpayers, such as MPs, Cabinet Ministers, directors and the rest of them, we would be able to pay a pension of £150 to every pensioner. That is another way of looking at it.

Dawn Primarolo: I thank my hon. Friend, who is always challenging in the ways he tackles problems both in his constituency and in the Chamber. I am sure he would agree with me that the fact that pensioners, especially the poorest ones, are now considerably better off is yet another way of looking at this problem. The reforms that the Government have undertaken, including the pension credit, ensure that the poorest third of pensioners receive more money. My hon. Friend will note that twice as many people earning more than £30,000 is a tribute to the success of my right hon. Friend the Chancellor and his brilliant stewardship of the economy.

Mr. George Osborne (Tatton) (Con): More than 1.3 million extra people have been sucked into paying the higher rate of income tax under Labour. The Paymaster General failed to say that the main reason is that while average earnings have gone up by 39 per cent., the higher rate threshold—including the personal allowance—has gone up by only 29 per cent. Does she agree that that means that a Chancellor who promised not to increase income tax has in fact increased it for 1.3 million people?

Dawn Primarolo: That is ridiculous. I welcome the hon. Gentleman to his new post and thank him for pointing out the spectacular growth in earnings under this Government. A family with one earner on average male mean earnings of £29,300 a year has a tax rate of 20.1 per cent. That is lower than it was in 1997 under his Government and lower than in any year under his Government, right back to 1979.

Mr. Osborne: Because of the Chancellor's stealthy trick with the tax thresholds, which even the hon. Member for Pendle (Mr. Prentice) pointed out to the House, the 1.3 million extra higher rate taxpayers now include deputy head teachers, police inspectors and warrant officers in the Army. Does the Paymaster General think that it is fair that those people pay the higher rate of income tax? Indeed, does she think that they are rich?

Dawn Primarolo: The hon. Gentleman himself pointed out the vast growth in average earnings, which, as I said to the House, are doubling the number of those earning £30,000, £50,000 and £100,000, in a progressive tax system in an economy that is growing, with 1.8 million extra jobs. Those are the figures we see. The question that the Opposition have to answer is:

what would they do? What are their proposals for tackling that? The only commitment we appear to have from them is that they will slash public expenditure.

Mr. Mark Lazarowicz (Edinburgh, North and Leith) (Lab/Co-op): When my right hon. Friend considers future taxation policy, will she also consider the merits of moving further along the road of using environmental taxation? If she does so, she may be able to reduce tax rates below even those that the Government have so far been able to achieve.

Dawn Primarolo: I thank my hon. Friend for his support for the climate change levy, which was implicit in his question. Just in case the Chancellor did not hear his early Budget representation, I shall certainly make sure that those views are brought to my right hon. Friend's attention.

Dr. Vincent Cable (Twickenham) (LD): The Paymaster General knows that we disagree with both her and the Conservatives over the top rate of income tax and believe that it would be fair and practical to have a top-rate marginal tax of 50 per cent. on earnings over £100,000. As she believes that there are significant economic disincentives for a higher marginal rate of tax, will she explain the findings of the Pensions Commission, published this week, that four in 10 pensioners—a growing proportion—are now paying marginal rates in excess of 50 per cent., and that a quarter of them pay marginal rates in excess of 75 per cent.? Is there not massive inconsistency in the Government's thinking on the matter?

Dawn Primarolo: I am sure that the hon. Gentleman will welcome the pension credit reducing the 100 per cent. marginal rates that existed previously. Much as I respect the hon. Gentleman, the real problem with the Liberal Democrats is that they advocate one particular proposal to raise funding to cover all their expenditure—which it will not—thereby fundamentally undermining the very economic stability that ensures that people are earning more and are in employment, and that we have a stable economic framework.

Third World Debt

2. **Mr. Laurence Robertson** (Tewkesbury) (Con): If he will make a statement on the progress being made towards writing off third world debt. [190538]

The Chancellor of the Exchequer (Mr. Gordon Brown): I can report to the House on progress at this month's World Bank meetings and the International Monetary Fund meetings that I attended and chaired on behalf of the United Kingdom.

We decided to extend debt relief for an additional two years, making possible a debt write-off of more than £100 billion, and the decision was also made to examine in detail the British plan to match 100 per cent. bilateral debt relief by, for the first time, 100 per cent. multilateral debt relief, paid for by contributions from donor countries and, potentially, by receipts from IMF gold.

The House will also want to know of discussions I held at those meetings that led me today to instruct the Bank of England to freeze with immediate effect the assets of JTJ, the terrorist group that publicly admitted involvement in the murders of Kenneth Bigley and five other hostages and has perpetrated a range of terrorist acts across Iraq. Following our discussions, we are working with international partners to deny JTJ access to funds across the world. We must do all in our power to ensure that there is no hiding place for terrorists and no hiding place for those who finance terrorism.

Mr. Robertson: I thank the Chancellor for that answer. The whole House will welcome what he announced in the second part of his reply.

May I draw the right hon. Gentleman's attention to the situation in Ethiopia? The UK has helped that country through debt relief and through contributions; in fact, we are increasing contributions to Ethiopia. However, the amounts that we are able to give are only a fraction of what the country has to pay in servicing its remaining debt, which is about £2 billion. Will the Chancellor, therefore, redouble his efforts to persuade the rest of the international community to speed up debt relief to Ethiopia?

Mr. Brown: I thank the hon. Gentleman for his initial remarks. I believe that our outlawing of that terrorist organisation will be welcomed by everyone in the House.

On Ethiopia, I appreciate that the hon. Gentleman has a long-standing interest as secretary of the all-party group on Ethiopia and that he is very much involved in looking at the problems of Africa as a whole. He will, therefore, be interested in the proposal that we put to the IMF and the World Bank. Half the debts of Ethiopia are multilateral debts; as a result, it has not benefited as much as it might have from bilateral debt relief and, as he says, the remaining debts are in the order of £2 billion or more. Our proposal to reduce multilateral debt relief will be of particular benefit to Ethiopia.

I understand the urgency with which the hon. Gentleman puts his case. We know that, as a result of all the problems in Ethiopia, life expectancy is little over 40. We know that, despite all the attention that has been given to Ethiopia, there are only 2,000 doctors for 70 million people. We know, too, that one in five infants dies before the age of one. It is, therefore, urgent that we do more both on overseas aid and on wiping out the debts that arose from a previous regime. I hope that we can work together on solving that problem.

Mr. Andy Reed (Loughborough) (Lab/Co-op): I am sure that we will all be delighted to hear that multilateral debts will at last be tackled because this country has taken a lead on our bilateral debts and it is necessary for other countries to follow us. What progress has the Chancellor been able to make on the international finance facility, which will not only increase the money available, but involve the other international partners that we need to bring in? We need to look beyond the original heavily indebted poor countries. He knows that many other low-income countries would benefit from debt relief, so what progress has he made on that?

Mr. Brown: On my hon. Friend's last point, our proposal for 100 per cent. multilateral debt relief will extend beyond the 37 HIPC countries to what are called

International Development Association-only countries. Such countries do not have high debts, but have problems because of some of their debts.

In addition, we have been gaining support for the international finance facility. More than 40 countries are supporting our proposal. A report has been done for the World Bank and the IMF and a report is being done for the United Nations. The matter will be on the agenda when we chair the G7 in Britain next year. I hope that we will receive support from not only international organisations and national Governments, but campaigning organisations—I know that my hon. Friend has played a big part in helping that to grow. The proposal for the international finance facility has been helped by our decision in the spending review to set a timetable for raising overseas development aid to 0.7 per cent. I hope that the Conservative party will change its policy that would lead to massive cuts in such aid because it would be completely unacceptable.

Sir Peter Tapsell (Louth and Horncastle) (Con): Does the Chancellor now regret his missed opportunity to become the managing director of the International Monetary Fund?

Mr. Brown: The managing director of the International Monetary Fund, Mr. Rato, is a very good friend of mine. He used to be the Finance Minister for Spain. He is doing an extremely good job and was supported by the United Kingdom. I know that the hon. Gentleman is interested in what happens to gold, so I can tell him that Mr. Rato is now supervising an investigation into the possible off-market disposal of IMF gold so that we can raise sufficient money to write off the multilateral debts that are owed to the IMF. Some 15 per cent. of multilateral debts are owed to the IMF, so I hope that the hon. Gentleman will be able to support the sale of gold on this occasion.

Mr. Wayne David (Caerphilly) (Lab): Does the Chancellor share my view that development aid is not administered by the European Union as effectively as it could be?

Mr. Brown: Both sides of the House should have a common opinion of the problem that we face. Although 90 per cent. of our overseas aid goes to the poorest countries in the world and we use untied aid so that it can go to help the poor directly, less than 50 per cent. of the European Union's overseas aid budget goes to the poorest countries in the world, with the result that only €3 per head goes to Africa and €0.3 per head goes to Asia—the two poorest continents in the world. We propose to release €1 billion from the EU external aid budget so that the money can go to the poorest countries in the world. I am asking the overseas aid Commissioner, who has not given total support to my proposal for the international finance facility, to tell his successor that he should seriously consider increasing the amount that the EU gives for debt relief, getting money to the poorest countries and supporting our proposal for an international finance facility, which is now receiving support throughout Europe.

Mr. Roy Beggs (East Antrim) (UUP): I congratulate the Chancellor on the action that he has taken to date, and the international leadership that he has given, to write off third world debt. What support from overseas aid has been given to the Cayman Islands and other islands in the Commonwealth that have been devastated this summer by hurricanes?

Mr. Brown: We have given money to the Caribbean countries and we are giving additional support as a result of what has happened over the past few weeks. Such countries with debt burdens that are unmanageable and unpayable are part of the process through which we are writing off debt. Although we talk about Africa and Asia as the poorest continents, there are Caribbean countries that need their debts writing off. I hope that we can get all-party support for moving forward on that, but difficult decisions must be taken. We must invest more of our overseas aid budget into debt relief and win support from other countries for the international finance facility. I tell the shadow Chancellor that the process would be helped if all political parties supported an increase in the international development budget instead of calling for massive cuts to it.

Small Firms Loan Guarantee

3. **Mr. Jim Cunningham** (Coventry, South) (Lab): If he will make a statement on the small firms loan guarantee. [190539]

The Chancellor of the Exchequer (Mr. Gordon Brown): Following the Graham review, which reported in the past few days, I can report to the House a major change in the scale, quality and speed of small business support throughout the United Kingdom. For firms less than three years old with turnovers of £5.6 million or less, loans now under the small business guarantee scheme will increase from a maximum of £100,000 to £250,000 and will be administered by an independent company at arm's length from the Government.

Based on the successful US model, we are also piloting enterprise capital funds that could invest up to £2 million in small businesses. With low interest rates and small business tax cut from 23p to 19p, all types of small business can get the extra finance that they need.

Mr. Cunningham: I thank my right hon. Friend for that answer. Has he implemented the recommendations on the small firms loan guarantee?

Mr. Brown: The Graham report is into the small firms loan guarantee scheme and is being implemented by the Government. The main change is that instead of being able to borrow only £100,000 for new investment, firms of less than three years' standing can now borrow £250,000. The scheme has helped thousands of companies over the years. Twice as many companies are getting help now. It is as a result of that scheme and others that 400,000 more small businesses are in the economy than there were in 1997, which shows the success of an economic policy based on stability.

Mr. Paul Goodman (Wycombe) (Con): The Chancellor of the Duchy of Lancaster has

> "a cross-government role in the co-ordination of government policy."

When did the right hon. Gentleman last meet the Chancellor of the Duchy to discuss small business and co-ordination? If they disagree about the co-ordination, who has the final say? Is it the Chancellor of the Exchequer or the Chancellor of the Duchy?

Mr. Brown: I think I met him at the Cabinet meeting only a few minutes ago.

Chris Bryant (Rhondda) (Lab): What the Chancellor has announced is very good news. In some of the poorest constituencies in the land, such as my own, it is difficult for new start-up businesses to access finance. Will the company have a specific remit to work proactively in some of the poorest constituencies, which have the lowest number of new businesses starting up, to help those companies to set up?

Mr. Brown: We have created enterprise areas in those areas where historically there has been high unemployment. Some 2,000 enterprise areas have greater advantages in terms of the help that can be given to start-ups and the fastest planning permission that can be granted for starting up a business. There is more help for new investment projects in my hon. Friend's constituency and others around the country.

The range of support available to small business starting up is greater than at any time in our history. It is for that reason that we now have 4 million small businesses compared with just over 3.6 million in 1997; that the number of self-employed has risen by more than 100,000 since 1997; and that the number of people employed in small business has risen by two thirds of a million since 1997. We are not complacent and intend to do more, but in every constituency of this country there are more small businesses—in some cases, several hundred more—than there were in 1997.

Mr. Henry Bellingham (North-West Norfolk) (Con): The Chancellor realises that the scheme is excellent, and we support it. It was set up by a former Conservative small business Minister. Is he aware that most of the small firms organisations have been saying for some time that it should be administered by the clearing banks without day to day involvement by civil servants? Will he heed that advice?

Mr. Brown: I announced only a few minutes ago that that is exactly what we are doing. The scheme will be at arm's length from the Government, administered by a company that can make independent decisions, free of interference from the Department of Trade and Industry. Both the Liberal party and the Conservative party had better look at their proposals for the future of small businesses because I understand that both not only want to cut the support that is available, but want to abolish the Department in its entirety.

Science Strategy

4. **Ross Cranston** (Dudley, North) (Lab): What representations he has received on his Department's measures to support science. [190540]

The Chancellor of the Exchequer (Mr. Gordon Brown): Following 200 representations in support of our 10-year science strategy and the announcement of an additional £1 billion of funding for science by 2008, I can report that we will have a national conference on science and innovation, in advance of the Budget, with all members of the scientific community and industry. We will discuss with them further ways of building on the successful 10-year strategy that was launched in the summer to improve the quality and quantity of science investment in the United Kingdom.

Ross Cranston: I thank my right hon. Friend for that answer. He will know that we have an excellent science base. The problem is translating that into practical reality, demonstrated by the historical low research and development expenditure. Professor van Reenen recently demonstrated that that was especially low in the 1980s because of a lack of Government support. Van Reenen and his colleagues have also said that tax subsidies have an effect, so the Government's measures on tax credits are to be welcomed. But could the Chancellor ensure that at the conference the separate issue that the Economic and Social Research Council identified in its report on productivity, namely intellectual property rights, will be on the agenda?

Mr. Brown: My hon. Friend is right—the protection of intellectual property is crucial, particularly for a country such as ours, which holds a sizeable number of the new patents that are issued throughout the world. It is also important to recognise that the development of the science base in this country is possible only if there is substantial Government funding for science. The increase of £1 billion from the Government in the next few years, together with the welcome investment by the Wellcome Foundation, which is providing an additional £1 billion, will build up the science base in this country over the next few years in a way that has not happened before. A few minutes ago, I said that we now have the best support in living memory for small businesses to develop, and we also have the best support available, and we want to do more, to aid science and technology in this country, and to help spin-off companies from the universities. Not only will we do what we can to protect intellectual property but we will maintain the growth of incentives available to science-based industries.

Chris Grayling (Epsom and Ewell) (Con): I have to say that what the Chancellor has just said is complete rubbish. Is he not aware that his changes to the rules on venture capital have killed start-up businesses emerging from our universities stone dead? Will he go away, look at the problem and come back with something positive to tell the House? He should stop telling us things that, frankly, are not what universities are experiencing on the ground.

Mr. Brown: I would take the hon. Gentleman's representation seriously if he had been right about the windfall tax, which he opposed, extra spending on the NHS, which he opposed, and the minimum wage, which he opposed. He is factually wrong about what is happening to the venture capital industry in this country. The extra incentives that we have given that industry have been welcomed by all parts of it, which shows how remote the Conservative party is from business and industry in this country.

Mr. John McFall (Dumbarton) (Lab/Co-op): The Chancellor may be aware that the Treasury Committee is currently conducting an inquiry into regional productivity. On a recent visit to Germany, we were impressed by the nationwide Fraunhofer research institutes, which bridge the gap between higher education research and manufacturing industry. What measures is he taking to ensure that the welcome increase in science spending will secure the linkage between universities, higher education, manufacturing and other industries so that we can increase economic prosperity and productivity throughout the United Kingdom?

Mr. Brown: My right hon. Friend, who is undertaking that investigation as Chairman of the Treasury Committee, is quite right—we want to build modern manufacturing strength in this country, which depends on investment in science and technology and on universities being in a position to produce spin-off companies. However, it also depends on businesses investing in innovation in ways that they did not in previous years. We have set a target to raise innovation expenditure from 1.9 per cent. to 2.5 per cent., and have put in additional money ourselves. The research and development tax credit has been taken up by thousands of small firms—

Mr. Mark Prisk (Hertford and Stortford) (Con): The Chancellor is wrong—it has been taken up by only 5 per cent. of all firms.

Mr. Brown: The hon. Gentleman is quite wrong, as 95 per cent. of the firms eligible for the small business R and D credit have taken it up. I shall write to him today to put him right about the facts. Perhaps the Treasury Committee should undertake an inquiry into the Conservative party's lack of knowledge about what is happening to British industry. We will have to offer a course of education so that its candidates are prepared at the next election.

Mr. Prisk: As the Chancellor wants to talk about innovation, let us do so. Innovation and science, as he knows, rely on good research and development. He mentioned his tax credit scheme, yet it specifically and quite intentionally excludes the smallest partnerships and firms. Given that those are the very entrepreneurs who are at the cutting edge of both science and technology, why is the Chancellor deliberately excluding them from the scheme? Perhaps he should learn that lesson.

Mr. Brown: We are spending £600 million on the small business R and D credit scheme. The hon. Gentleman proposes to extend the scheme to other firms, so presumably he wants to spend more on that credit. Why, therefore, does the shadow Chancellor want to cut the budget for science and research and development? Perhaps the hon. Gentleman should have a seminar with his right hon. Friend to try to square the circle.

Mrs. Anne Campbell (Cambridge) (Lab): Scientists in my constituency appreciate the Chancellor's championing of science and the vast increase in that budget under this Government. How can we ensure that 2.5 per cent. of publicly funded research and development actually gets to small businesses?

Mr. Brown: Small businesses collect the R and D tax credit themselves. The tax credit is efficient; it works in America; and now it is working in Britain. The Conservatives should understand that thousands of companies' innovation plans depend on the R and D tax credit, which would be abolished under a Conservative Government. Not only the CBI, but all major businesses in this country welcomed our 10-year science document. The Opposition may want to disparage the Royal Society, Microsoft, the Wellcome Trust, the CBI and Qinetiq, which wanted the science strategy. The Conservative party would cut science expenditure, which, like the health service, education, transport and law and order, is another area of public expenditure that is at risk from a Conservative Administration.

Tobacco Duty

5. **Mr. Anthony Steen** (Totnes) (Con): If he will commission research to assess the impact on revenues from duty on tobacco of Government initiatives to seek to reduce levels of smoking. [190541]

The Economic Secretary to the Treasury (John Healey): Smoking kills 120,000 people in this country every year and adds more than £1.5 billion to NHS costs. The Government's primary concern is to reduce those health and other social costs by cutting smoking. Of course, we also review the consequences for the tax system caused by changes in consumption each year as part of the Budget process.

Mr. Steen: I am a long-term campaigner to restrict smoking in public places. Bearing in mind that hon. Members on both sides of the House have taken their positions, will the Economic Secretary tell the House whether he is in favour of people smoking themselves to death in restaurants, not to mention passive smoking, so long as it brings in a healthy sum to the Treasury?

John Healey: I explained to the hon. Gentleman that the Treasury keeps an eye on tax receipts from tobacco. However, the Treasury strongly supports the NHS's stop smoking services, the expansion of those services, campaigns to raise awareness of the risks of smoking for young people and the comprehensive ban on cigarette advertising. The hon. Gentleman's argument is—how can I put this gently and politely?—rubbish.

Paddy Tipping (Sherwood) (Lab): Are not health and education programmes the most appropriate way in which to help people—particularly people from low-income families—quit smoking, rather than simply pricing them out of the market?

John Healey: Successive Governments, including this one, have used the high price of cigarettes to encourage people to reduce smoking. That policy has been successful after the past two decades, but it is not the only measure that we take. The education campaigns that my hon. Friend mentioned are, in part, responsible for the recent cut in young people's regular smoking. The Government are considering a wide range of measures as part of our public health consultation, and my hon. Friends in the Department of Health will take my hon. Friend's comments as a late representation to that process.

Mr. Mark Field (Cities of London and Westminster) (Con): Will the Economic Secretary also examine high levels of tobacco duty and smuggling? He knows that it is now estimated that some 30 per cent. of UK cigarettes are counterfeit and are therefore practically tax exempt, which obviously impacts on not only the overall tax take, but on the health programmes discussed by other hon. Members.

John Healey: The hon. Gentleman is rightly concerned, as we are, by tobacco smuggling's impact—about £3 billion a year—on the public purse. The differences in duty between the UK and other EU member states are not the point. The vast majority of smuggled cigarettes arrive in bulk with no duty having been paid within the European Union or anywhere else. Such organised criminal activity, which we are taking steps to disrupt, is the major problem that is causing a loss to the taxpayer.

Third World Poverty

6. **Mr. John MacDougall** (Central Fife) (Lab): When he last met G7 leaders to discuss third world poverty. [190542]

7. **Mr. Tom Clarke** (Coatbridge and Chryston) (Lab): What his Department's policy is on ensuring that the resources allocated to tackling poverty in developing countries are used to best effect. [190543]

The Chancellor of the Exchequer (Mr. Gordon Brown): At the IMF and World Bank meetings that I attended a few days ago, I proposed that we make better use of existing aid by reorganising priorities, untying aid and pooling funds internationally. That includes calling on the European Union to focus more of its aid on the poorest countries. We also propose that other countries set a timetable for spending 0.7 per cent. of their national income on aid, as well as a doubling of aid through the adoption of the international finance facility.

Mr. MacDougall: I congratulate my right hon. Friend not only on his response but on the effort that he has put into tackling world debt, which is well recognised across the House. Can he tell me how many countries are able to meet their public service requirements given the background of third world debt, and what hopes he has for the future as regards tackling that problem?

Mr. Brown: There are 27 countries receiving debt relief which has made it possible for them to spend more on their social policies, including health and education. Madagascar's spending has risen by 60 per cent., Uganda's has risen by nearly 50 per cent., and some countries have been able to double their expenditure on health and education. In Tanzania it has been possible to offer all children school education, and in Uganda the pupil:teacher ratio has been cut from 100:1 to 50:1. Those are the results of existing debt relief. Our new proposal for multilateral debt relief will release further funds for health, education and—this is absolutely crucial for the future—economic development.

Mr. Clarke: I acknowledge, as does the whole House, how much the Chancellor has done to increase real overseas aid. In doing so, however, may I encourage him to continue to demand the utmost transparency so that the funding that is made available grows to challenge illiteracy, poverty and all the ills of developing countries; and to continue to challenge corruption so that the people whom he intends to help—the many, not the few—are recognised by his policies?

Mr. Brown: Members on both sides of the House will agree with what my right hon. Friend says about tackling corruption and introducing transparency into public accounts and the way in which Governments operate. I applaud him for the work that he has done over many years in promoting the cause of developing countries.

When the economic group of the Commission for Africa met, uppermost in our minds was whether it was possible to secure a bargain with the African countries whereby in return for our providing additional aid, perhaps through the international finance facility, the central banks and finance ministries of those countries are prepared to be far more transparent by opening their books to show where the money is really being spent. That could be agreed at next year's meeting of the G7. I met central bank governors and finance Ministers from many countries in Africa to discuss a proposal that would require far greater transparency and the opening of the books before additional money was made available. That is why the conditionality to which my right hon. Friend refers is essential if we are to ensure the best use of overseas aid.

Dr. Jenny Tonge (Richmond Park) (LD): I add my congratulations to the Chancellor on what he is doing for the very poorest people in the world and on what he is still trying to achieve. However, there have recently been disturbing reports that Department for International Development projects in Africa are being stopped or suspended and the money for them diverted to the reconstruction of Iraq. Is he not concerned that money promised to the very poorest people of the world should be used to repair the damage that our country and the USA have inflicted on Iraq? Should not that money more properly come from the Treasury, the Ministry of Defence, or even No. 10 Downing street?

Mr. Brown: I can tell the hon. Lady, who has also been a campaigner on debt relief and overseas aid, that the budget for the poorest countries in Africa is not falling, but increasing, and that no money has been taken from the budget that is available to the poorest countries for the necessary reconstruction of Iraq. The budgets for those countries are rising this year, next year, the year after and the year after that, and the money is going specifically to the poorest countries and poorest people in Africa and Asia. As the hon. Lady will see from the figures that DFID publishes, overseas development aid is rising each year so that we meet 0.47 per cent. by 2008 and 0.7 per cent., in line with the timetable, by 2013. If our international finance facility proposal is accepted by the rest of the world, or at least by many countries, we could get to 0.7 per cent. by 2009. That would be a major achievement indeed.

One of the effects of what we have managed to do in increasing our development aid budget and setting a timetable is that five additional countries over the last year have set a timetable for getting to 0.7 per cent. So what has started in some countries is being adopted by others, but I caution the hon. Lady against saying that money is being taken for Iraq, because more money is going to African countries.

Mr. Desmond Swayne (New Forest, West) (Con): Does the Chancellor agree that the simple cancellation of debt is perhaps one of the least effective ways to ensure that money is spent for the relief of poverty under what are, after all, some of the less accountable regimes in the world?

Mr. Brown: The cancellation of debt is the beginning—the starting point—for countries to be able to sort out their problems. If they continue to carry that burden of debt, it is not possible for them to take action on the problems that we have been talking about in the last few minutes. We have stood up for a very intense form of conditionality in relation to the poverty reduction strategies that have to be produced for the International Monetary Fund and the World Bank. That requires country ownership of the problem, community involvement and civil society being involved in the discussion.

We have set down new guidelines, new rules and codes and standards that all countries have to follow in relation to the transparency of their public accounts, but it would be a terrible mistake for the hon. Gentleman to say that there should be no debt relief because he is dissatisfied with some of the ways that were adopted in the past. We are making huge improvements in transparency—more has to be done—but the problems in many of those countries will not be solved unless there is more generous debt relief.

Taxation and Saving

8. **Mr Andrew Mackay** (Bracknell) (Con): What assessment he has made of the effect of the level of taxation on (a) personal and (b) retirement saving. [190544]

The Financial Secretary to the Treasury (Mr. Stephen Timms): Relief on the taxation of savings has a very positive effect. Tax support for individual savings accounts and other forms of personal saving amounts to more than £2 billion a year. Annual tax relief to individuals and employers for retirement saving amounts to more than £11 billion.

Mr. Mackay: As the Chancellor has raided £5 billion each year from our pension funds, will the Financial Secretary accept some responsibility on the Chancellor's behalf for the awful mess that our pensions are now in?

Mr. Timms: The change that the right hon. Gentleman refers to removed a distortion in the system that favoured dividends at the expense of investment—a point made in 1993 by the Chancellor, Lord Lamont, in his Budget speech. Commenting on surplus advance corporation tax, he said:

> "This can have damaging economic effects . . . It cannot be right to distort the commercial decisions of British companies in this way".—[*Official Report*, 16 March 1993; Vol. 221, c. 186.]

I note that the Conservative party is not proposing to reverse that change. Of course, my right hon. Friend the Chancellor, at the same time, introduced reductions in the rate of corporation tax, offsetting that change. That package has led to the unprecedented period of economic stability and growth that we have enjoyed since.

Miss Anne Begg (Aberdeen, South) (Lab): Is it not clear from the Turner report, which was published this week, that if our country is to continue to pay the basic state pension we obviously have to keep the level of taxation that we have at the moment or increase it, or indeed increase the age at which people retire? The Opposition propose to link the basic state pension back to earnings, and they have been disingenuous in pretending that they can also lower taxation—

Mr. Speaker: Order. The Minister does not answer for the Opposition. The Opposition worry about Opposition policies.

Mr. Timms: Certainly the Opposition's policy is unaffordable. The Turner commission has done us a great service by setting out the challenges that we face, not so much in the next 10 years, but over a 20 or 25-year period. I hope that we can have a mature and sensible debate across the House about what is the right way forward.

Mr. Howard Flight (Arundel and South Downs) (Con): Does the Minister not realise the indirect damage that the pension tax has done, particularly to pensions saving, in terms of its leading to a 35 per cent. underperformance of the British stock market? There has been a major loss of value, and basically £5 billion is worth £100 billion of value.

Mr. Timms: The Turner commission makes the point that the impact of that change is comparable with that of the changes in the Finance Act 1986—a subject on which we hear rather less from those on the Conservative Benches. Turner also says—this is the key point—that the effects of both changes are small compared with the impact of the stock market fall and the rapid increase in longevity. Those are the big challenges that are affecting our pension system, and I hope we can have a mature and sensible debate about how best to address them.

Mr. Bill O'Brien (Normanton) (Lab): In considering the prospects for pensioners, will my hon. Friend ensure that the policies introduced by the Chancellor on pension credits, the 10p starting rate and the other benefits that pensioners receive continue—that is what pensioners are requesting, particularly poorer pensioners—so that we can ensure that they have a reasonable quality of life in retirement?

Mr. Timms: I welcome all the work that my hon. Friend has done in campaigning for improved income for pensioners. In 1997 a large number of pensioners were on a total income of £69 a week. Through the changes that we have introduced and the pension credit in particular, there have been dramatic improvements. I assure him that we will ensure that the pace of progress continues.

Mr. Oliver Letwin (West Dorset) (Con): It would be churlish not to begin by welcoming the Financial Secretary back to the post he once occupied with some distinction, and by offering him my commiserations on having to deal with the Chancellor's mess on pensions.

This week, one newspaper carried the banner headline, "The Great Pensions Betrayal". Does the Financial Secretary understand that headline? Does he see why people feel betrayed by the Chancellor's taxes on savings, the £5 billion tax raid on pension funds, and the means tests for pensioners?

Mr. Timms: I am grateful to the right hon. Gentleman for his words of welcome, but I do not accept for a moment the characterisation that he has presented. As I said earlier, and as the Turner commission spells out clearly, the fall in the world stock market has raised big questions for the future of our pension system, as does the rapid increase in longevity, which of course all of us welcome. The impact of the items that the right hon. Gentleman listed is very small compared with those big changes. I genuinely hope that we can have serious reflection across the House on the basis of the Turner commission's useful work on the right way forward to deal with the big challenges that our pension system faces.

Mr. Letwin: When will the Financial Secretary and the Chancellor see that it demeans the whole of British politics when Ministers stand there and claim sole responsibility for all the good things in the economy and then claim that they have no responsibility whatever for the pensions crisis? Is he not concerned that, partly because of the Chancellor's taxes and his means test, we now have a savings ratio which is half the European average? Does not the Financial Secretary see that there is now an urgent necessity to restore the incentive to save?

Mr. Timms: The right hon. Gentleman needs to acknowledge that pensioner incomes have risen dramatically since 1997—faster than the rate of earnings growth. It is true that policy has focused, in our view, rightly, on the incomes of the least well off pensioners, but average pensioner incomes as a whole have risen faster than earnings. The current savings ratio is about the same as it was in the 1960s, the last time we had a period of stability and stable growth. Of course, in the early 1990s, because of the instability in the economy, the picture was different, but the savings ratio is currently higher than in the US. The right hon. Gentleman should pay tribute to my right hon. Friend the Chancellor for the long period of stability and growth that we have enjoyed, which means that pensioners and all of us are much better off.

Health Expenditure

9. **Siobhain McDonagh** (Mitcham and Morden) (Lab): What the change in public expenditure on health has been in real terms since 1997. [190545]

The Chief Secretary to the Treasury (Mr. Paul Boateng): As a result of the Government's policy in successive spending reviews, public expenditure on health has risen by about 60 per cent. in real terms since 1997. By 2008, it will have risen by 90 per cent., to nearly £110 billion across the United Kingdom. That is the biggest ever sustained increase in national health service funding.

Siobhain McDonagh: May I thank my right hon. Friend for that brilliant answer, particularly for the people in my constituency? Under the last Conservative Government, the only remaining hospital in my constituency was closed, despite opposition from thousands of constituents. By contrast, my local health authority is today looking at ways to expand the health service, and one of its most amazing recommendations is that the Wilson hospital should reopen. If that recommendation is supported, as I anticipate it will be, what reassurance can my right hon. Friend give my constituents that the funds will be available to reverse the Tory decision and reopen the Wilson hospital?

Mr. Boateng: My hon. Friend is kind, but much more important she is also an effective campaigner for the health service in Mitcham and Morden. She will know that as a result of this Government's actions her primary care trust is seeing its budget rise by some 20 per cent. in real terms in just three years. The good news is that that resource is accompanied by reform that creates a more responsive service with greater choice and information for patients. I have no doubt that her constituents will continue to benefit from the reforms and resources that we are applying to the NHS. I have no doubt either that, in re-electing her at the next general election, whenever it comes, her constituents will comprehensively reject the mishmash of cuts and privatisation that are on offer from the Opposition.

Miss Anne McIntosh (Vale of York) (Con): If the Chief Secretary is right and so much more money, in his view, is being spent on hospitals, why is their state of cleanliness so poor, and why are thousands more people dying from MRSA?

Mr. Boateng: No one, least of all someone who has had the pleasure of working in the Department of Health, for one moment underestimates the challenges that are faced in terms of infection in hospitals or the extent to which dedicated NHS staff and managers are working to address those challenges. It is important to keep them in perspective, however, and to remember, too, that as a result of the investment in the NHS we are addressing those challenges, not simply with new build but also with training. We are making sure, too, that the procedures in place at every NHS facility correspond with the highest standards and the best international practice.

Andy Burnham (Leigh) (Lab): Does the Chief Secretary agree that this unprecedented rising tide of investment presents an historic opportunity to correct local deficits in health funding and to tackle some of the health inequalities that blight our country? While all primary care trusts got at least double figure percentage increases last time, nevertheless some in the most deprived parts are more than £10 million away from target funding, while others in more prosperous areas are probably £10 million over target. With the next round of PCT allocations imminent, will the Chief Secretary meet colleagues from the Department of Health to see what can be done to remove entirely all distance from health funding targets?

Mr. Boateng: I know that my hon. Friend spends a great deal of time in his constituency on health service issues, and I will certainly make sure that his concerns on deficits and their impact in terms of our capacity to meet the targets that we have set ourselves for reducing health inequalities are made known to my right hon. Friend the Secretary of State for Health—who, I am sure, will be only too happy to make sure that he and his departmental team are fully aware of all those concerns.

Mortgage Rates

11. **Mr. Peter Pike** (Burnley) (Lab): What assessment his Department has made of the effect on the housing market of recent mortgage rate increases. [190547]

Mr. Boateng: Interest rates remain low by historical standards, ensuring that mortgage interest payments also remain historically low. Households' total interest payments are now 7.6 per cent. of disposable income, compared with a peak of over 15 per cent. in the early 1990s.

Mr. Pike: I thank my right hon. Friend for that answer. It is to the Government's great credit that we have seen low interest rates and low mortgage payments, which are so important. He knows that we have had to do something to stop the increase in house prices in London, which were escalating at too high a rate. Does he recognise that in my constituency, which I know he knows well, we have a problem with low demand, and that we do not want that to be affected by increases in interest rates?

Mr. Boateng: On previous occasions, my hon. Friend raised his particular concerns, which I know are shared by his constituents, about housing in Burnley. Interestingly, mortgage interest rates are only one factor impacting on the housing market in his constituency. As research has shown, in the north-west there remains a need to tackle underlying problems of poor quality and insufficient choice in housing. That is why the Government are ensuring that we are investing nearly £7 million this year specifically in housing in Burnley, and that is on top of the investment being leveraged in by the East Lancashire housing market renewal pathfinder, which amounts to some £15 million over two years. I will be visiting—next week, I believe—the Burnley pathfinder, where I look forward to seeing for myself the good work that I know is being done.

Ms Sally Keeble (Northampton, North) (Lab): Is my right hon. Friend looking at any particular measures to help first-time buyers, particularly in my constituency where there are real difficulties now because of house prices?

Mr. Boateng: There continue to be real concerns about affordability in relation to the housing market. That is why the Deputy Prime Minister is working on a long-term national goal for affordability in the housing market. Reforms to the planning system are being introduced to facilitate and help with that and we intend to consult on those changes in the coming year. It has to be about long-term solutions, but in the short to medium term we are also of course taking steps to improve access to the housing market for key workers.

It is important to remember that since 1997 there have been over 1 million new households as a result of the stability of the housing market, which reflects the underlying stability of the economy. People have more money that they are able to spend on housing, and that money is being spent, and spent in a way that improves not just people's access to housing but the quality of housing available to those people who will never be able to buy, because they are important too.

Financial Advice and Services

12. **Mr. Nigel Beard** (Bexleyheath and Crayford) (Lab): If he will reform the rules governing the delivery of financial advice and services through the workplace. [190548]

The Financial Secretary to the Treasury (Mr. Stephen Timms): Yes we will, as part of the two-year review of the Financial Services and Markets Act 2000. We have had a large and supportive response to the consultation on our proposals, which concluded in May. I will announce the key outcomes of the review shortly. The changes will make it easier for employers to promote their pension scheme in the workplace, subject to safeguards.

Mr. Beard: I thank my hon. Friend for that reply. Is he aware that in the evidence to the Treasury Committee on restoring confidence in long-term savings, there was widespread agreement on the advantages of being able to promote pension and savings schemes in the workplace, but at present employers are prevented from doing that? An employer cannot, for instance, promote a stakeholder pension scheme to which they contribute, although a very similar occupational scheme could be promoted. Does my hon. Friend agree that unless these legal inhibitions and anomalies are removed, the pension and savings issues raised by the Turner commission report this week cannot be properly addressed?

Mr. Timms: My hon. Friend makes a very important point. I had noticed that that point had been made in the evidence and I pay tribute to him for his work on the Select Committee and on the all-party group on financial markets and services. Research by the Association of British Insurers has shown that about 40 per cent. of employers feel inhibited from promoting their schemes by the current financial promotion regime. We are proposing an exemption from the regulations for employers so that they can provide advice to employees on their pensions without having to be regulated by the Financial Services Authority, along the lines that my hon. Friend proposes. I also take his point about urgency. I want to announce the outcome of the two-year review before Christmas and I hope that the regulations will be in place by next spring.

Mr. David Laws (Yeovil) (LD): Is it not difficult for advisers to give good financial advice when Government policy keeps changing so rapidly, particularly in areas such as pensions? For example, can the Minister give people any guarantee that the pension credit will still be around in 10 years' time?

Mr. Timms: I think the hon. Gentleman would acknowledge that there have been enormous gains from the economic stability that we have enjoyed since 1997, including confidence for people making their preparations for the future. The pension credit has been an enormous success and I can certainly say to him that, subject to this Government's being re-elected, we will maintain the policy that has done so much to increase the incomes of the less well-off pensioners.

Pensions and Saving

13. **Mr. Damian Green** (Ashford) (Con): If he will make a statement on pensions and saving. [190549]

The Financial Secretary to the Treasury (Mr. Stephen Timms): Since 1997, the Government have provided £80 billion in support for pensions and saving. The pension credit supports more than 3 million of the least well-off pensioners, ending the scandal of pensioners forced to live on as little as £69 a week. With stakeholder pensions, individual savings accounts and, from next year, the child trust funds, we are delivering new incentives, simpler products and better information for pensioners and all savers.

Mr. Green: A few minutes ago, the Minister called for a mature, cross-party debate on pensions. I agree with him, and in that spirit I commend to him the words of the Secretary of State for Work and Pensions, who said in the House yesterday that the means-tested pension credit could not continue indefinitely. It is welcome that the Secretary of State is moving into the consensus that already contains the Conservative party, other Opposition parties and many outside bodies with an interest in pensions. So may I invite the Minister today to join that widening consensus—that progressive consensus, as the Chancellor would, no doubt, call it—and agree with the Secretary of State for Work and Pensions that the means-tested credit will go?

Mr. Timms: I was present at the debate yesterday. Of course, my right hon. Friend the Secretary of State—who made an excellent speech on the subject, by contrast with the speech made by the hon. Member for Havant (Mr. Willetts), who led the debate for the Conservative party—was talking about the future trajectory of indexation, which is a rather different matter from the one to which the hon. Gentleman refers. However, I can tell him that our determination to increase the income of the least well-off pensioners will continue. We have seen very dramatic improvements as a result of the pension credit, and I want that progress to be maintained.

Business of the House

12.31 pm

Mr. Oliver Heald (North-East Hertfordshire) (Con): Will the Leader of the House please give us the business for next week?

The Leader of the House of Commons (Mr. Peter Hain): The business for next week will be as follows:

MONDAY 18 OCTOBER—Opposition Day [19th Allotted Day]. There will be a debate entitled "Government's Failure on Crime", followed by a debate entitled "Government's Failure to Tackle Climate Change". Both debates arise on an Opposition motion.

TUESDAY 19 OCTOBER—Remaining stages of the Companies (Audit, Investigations and Community Enterprise) Bill *[Lords]*.

WEDNESDAY 20 OCTOBER—Consideration of Lords Amendments to the Armed Forces (Pensions and Compensation) Bill, followed by a debate on the national service framework for children, young people and maternity on a motion for the Adjournment of the House.

THURSDAY 21 OCTOBER—A debate on defence in the world on a motion for the Adjournment of the House.

FRIDAY 22 OCTOBER—The House will not be sitting.

The provisional business for the following week will be:

MONDAY 25 OCTOBER—Opposition Day [20th Allotted Day]. There will be a debate on an Opposition motion. Subject to be announced.

TUESDAY 26 OCTOBER—A debate on programming and other House business.

WEDNESDAY 27 OCTOBER—Remaining stages of the Domestic Violence, Crime and Victims Bill *[Lords]*.

THURSDAY 28 OCTOBER—Second Reading of the School Transport Bill.

FRIDAY 29 OCTOBER—The House will not be sitting.

I should like to inform the House that business in Westminster Hall will be:

THURSDAY 28 OCTOBER—A cross-cutting question session on antisocial behaviour, followed by a debate on the United Kingdom in the United Nations.

THURSDAY 4 NOVEMBER—A debate on the report from the Foreign Affairs Committee on foreign policy aspects of the war against terrorism.

THURSDAY 11 NOVEMBER—A debate on the western Balkans: the challenges of post-conflict development.

As the House will have noted, I have announced the Second Reading of the School Transport Bill for Thursday 28 October. The House will also wish to know that we intend to introduce the Gambling Bill and, subject to the progress of business in the Lords, the Disability Discrimination Bill. All three Bills will be carried over into the next Session.

With permission, Mr. Speaker, I should like to announce the recess dates for the Commons calendar for the Session 2004–05. In doing so, I should reinforce my previous warning to the House that it is in the interests of everyone to treat the following dates as very provisional. Clearly, they are subject to the progress of business and I am sure that hon. Members on both sides of the House and staff will bear that in mind before making any plans to travel abroad.

The dates are as follows. For Christmas, the House will rise at the close of business on Tuesday 21 December and return on Monday 10 January. The constituency week will start at the close of business on Thursday 10 February, with the House returning on Monday 21 February. The House will rise for the Easter recess on Thursday 24 March and return on Monday 4 April. For the Whitsun break, the House will rise at the close of business on Thursday 26 May and return on Monday 6 June. The House will rise for the summer recess on Thursday 28 July and return on Monday 10 October.

The printed calendar will be available in the Vote Office for next week's business statement. However, details of the calendar are now available to our constituents, and to Members, on the website of the Leader of the House—www.CommonsLeader.gov.uk.

Mr. Heald: I thank the Leader of the House for publishing the annual parliamentary calendar today. It is very helpful for Members planning ahead to have such early notice. Now that the Prime Minister has told us that he would like to serve another five years—although I am not sure that the electors will necessarily give him the chance; I certainly hope not—is the Leader of the House thinking of bringing out another of those pseudo-Stalinist five-year plans, this time for parliamentary business? I look forward to hearing about that idea.

I understand why we shall not be sitting next September. Will the right hon. Gentleman treat next year's non-sitting September as a pilot for the future and can he assure the House that he will take the necessary steps to ensure that there is no resulting loss of the time available to scrutinise what the Government are doing?

Yesterday the Prime Minister apologised a little more for the information that he published before the war. Can we expect a statement next week pushing the apology another centimetre or two, perhaps admitting that—no doubt in good faith—he exaggerated the intelligence that he had been given? Surely, it will only be when he makes a full apology for misrepresenting the evidence that the public may begin to trust him again.

The Leader of the House has announced that the Gambling Bill will start its passage through the House. That is extremely welcome, given the worrying effects of unregulated internet gambling on children and the vulnerable. Why, however, was it necessary for that to be reported in the *Financial Times* today, rather than the Leader of the House simply coming here and telling us what he was doing? The report says:

> "Peter Hain, leader of the Commons, is expected to tell MPs that the gambling bill will be introduced into the Commons during the next four weeks. It will then be carried over into the new parliamentary session".

Surely we were entitled to hear that news first, particularly on an issue that I have raised with the right hon. Gentleman in the past.

Will the Leader of the House consider a debate on the middle east peace process? In all parts of the House, and in the country, there is deep concern about the continuing suffering and death on all sides. Perhaps the

[Mr. Heald]

best time to hold such a debate would be after the presidential election, but the House will wish to discuss the situation soon.

Can the right hon. Gentleman confirm that a full list of Bills and draft Bills that the Government intend to bring forward during the next Session will be published at the time of the Queen's Speech?

Finally, will the Leader of the House confirm that details of Members' expenses will be published next week? It would be helpful if he could tell us the date. Those expenses are governed by strict rules of the House and the proper mechanism for raising any questions is by means of the Parliamentary Commissioner for Standards, Sir Philip Mawer.

Mr. Hain: I am grateful for some of the points that the shadow Leader of the House raised, especially about the calendar, because one of the reasons why I wanted to bring the information to the House as soon as possible was to allow Members—and, equally importantly, staff—to plan ahead.

May I deal with the hon. Gentleman's last point next? I am grateful to him for raising it. Details of Members' expenses will be published at 3.30 pm next Thursday, as agreed by the Members Estimate Committee. They will be published on the Parliament website, www.parliament.uk. As every Member is aware, the allowances are crucial in enabling MPs to undertake their duties, deal with the wide range of issues brought to them by constituents and represent their constituents' interests in Parliament.

To avoid any possible misinterpretation, I want to emphasise very strongly the point made by the shadow Leader of the House that all such expenses are accounted for in accordance with the strict rules of the House. Both the director of finance and administration and the Parliamentary Commissioner for Standards have a role in ensuring that those rules are followed and would, I am sure, be happy to answer any inquiries and questions. Each hon. Member, of whatever party, is affected equally, and I trust that no Member, not even a prospective parliamentary candidate, will deal with the disclosure in an irresponsible manner.

The Prime Minister's duration in office is a matter for the electorate in the first instance. After that, he has made clear his intention, with all our support, to serve a full third term. That cannot be clearer.

The hon. Gentleman asked about the Iraq war and recycled the tired old attack—the Leader of the Opposition repeated it yesterday—that virtually questions the Prime Minister's integrity. The Prime Minister, with the support of the Cabinet, saw the intelligence that all the other intelligence agencies in the world saw and accepted as accurate. That includes the Russians, the French and the Germans, who disagreed with the decision to go to war. They accepted that the intelligence was accurate and we acted on it in enforcing the will of the United Nations. It does the hon. Gentleman and the Leader of the Opposition no credit to continue the recycled attack on the integrity of the Prime Minister, who showed a great deal of courage in making a tough decision, as was shown by the uncovering of the awful evidence of mass graves under Saddam. That evidence justified the decision to go into Iraq in support of United Nations resolutions.

I welcome the fact that the shadow Leader of the House is pleased about the introduction of the gambling measure. It is important that we regulate properly gambling on the internet and by other means. I have made an announcement about the Bill at the first opportunity. I thought that the hon. Gentleman would welcome that.

I am sure that the hon. Gentleman noticed that the Prime Minister announced in his speech at the Labour party conference that, as soon as the American presidential elections are out of the way, he will seek immediate re-engagement to secure an outcome that will achieve an independent Palestinian state and an Israeli state that is secure from terrorists and other attacks, living side by side. It is the only future for that part of the world. The sooner we engage actively—the Prime Minister has constantly worked for that with the United States Administration—in bringing that outcome to fruit, the better.

The hon. Gentleman also asked whether we would publish the full list of Bills and draft Bills alongside the Queen's Speech. We intend to do that. It is in the interests of the House and the Liaison Committee was grateful for the advance notice of draft Bills that I was able to provide earlier this year.

Keith Vaz (Leicester, East) (Lab): As the Leader of the House knows, next year, Britain will hold the presidency of the G8 and the European Union. The Prime Minister has made clear the themes of the G8 presidency—there is even a logo for it—but there has been no clarification of the precise themes for the EU presidency. Can we have an early debate about what the themes should be so that the Government can gauge hon. Members' mood on such an important issue? The Government could then use the presidency to campaign on Europe. When are we likely to have the logo for the presidency?

Mr. Hain: I am not in a position to help my hon. Friend but I welcome his interest in a crucial time when British leadership under the Labour Government will, through the G8 and EU presidencies, again be displayed. He may rest assured that the Prime Minister and our Labour Government will tackle with great vigour and energy all the key challenges that face Europe as well the G8 countries.

Mr. Paul Tyler (North Cornwall) (LD): In response to the comments of the Leader of the House, I reassure him that my colleagues and I do not primarily question the Prime Minister's integrity. However, we question his judgment. Would not it be helpful if we could see the full facts, including the Attorney-General's advice, before taking a final decision on the matter?

We, too, welcome what the Leader of the House said about Members' expenses, but we hope that he is not being over-optimistic in assuming that the media will not indulge in misrepresentation and misunderstanding.

The Leader of the House made an announcement about the non-September sittings next year, and I would like to ask him a number of questions about that. Can he confirm that the removal of those two weeks will not set a precedent, as it is happening due to the one-off need for building works in the House? What will he do if there is pressure on time next year? Will he extend our sittings from July into August—that was the quid pro quo—or will he take time out of the constituency weeks at half-term? Can he assure us that, during the 11 weeks when the House is not sitting, there will be arrangements for Members on both sides of the House to question Ministers and hold them to account?

I have previously congratulated the House of Commons Commission on the excellent annual report that it published recently. Indeed, I have referred to the introduction, Mr. Speaker, in which you say:

> "There can be few groups of customers more demanding than 659 Members of Parliament".

I hope that the Leader of the House will agree that this is an extremely important report containing important issues and a great deal of useful information for Members. It is difficult, however, for Members to debate these issues. I and other Members have sought to discover whether we debate the annual report in Westminster Hall. We are spending £140 million in cash outturn terms, and that is clearly a big sum. This place is dependent on holding people who spend taxpayers' money to account—that is our role in life. Surely there must be some way for us to have a debate on this matter. It involves the whole issue of accountability. I think that the Leader of the House might be sympathetic to the idea that, in addition to the dates that he has already given us for Government business in Westminster Hall, there might be an opportunity for us to discuss the matter on a Thursday afternoon. The House authorities advise me that that is the only way in which we can debate this extremely important function of the House.

Mr. Hain: To deal with the hon. Gentleman's last point first, I am grateful—as I am sure all members of the Commission will be—for his acknowledgement that the annual report is an excellent one. It is indeed; it contains very useful information and it is very important. Right hon. and hon. Members often ask questions whose answers are to be found in it. I take his point that it would be an advantage if there were an opportunity—apart from putting questions to the hon. Member for Roxburgh and Berwickshire (Sir Archy Kirkwood), his colleague who answers for the Commission—to debate the Commission's annual report. I shall certainly look at his suggestion, in concert with the Commission, because it seems a little odd that, because of our rules and procedures, we cannot address the important work that the Commission does in representing all of us.

I welcome the hon. Gentleman's point about the Prime Minister and Iraq, unlike the rather grubby attacks from the Conservatives. He said that this was not a matter of the Prime Minister's integrity but of his judgment. One issue of judgment that I would have thought that the hon. Gentleman would have taken into account is what the impact would have been if Saddam had been allowed to remain in power. We have seen in this morning's newspapers the most graphic description of the sickening legacy of Saddam's regime, in the form of a mass grave at Hatra containing at least 300 victims of his tyranny. There were pictures of the bodies of women, some pregnant, some with babies in their arms, who had been blindfolded and shot in the head. That is the kind of occurrence that could well have continued, had Saddam stayed in power under Liberal Democrat policy. When we talk about judgment, we need to take account of the consequences of allowing him to stay in power.

On the freedom of information disclosure of Members' expenses, I very much welcome the all-party agreement. It affects everyone equally. I also take account of the hon. Gentleman's point that the media might not act responsibly in this regard, but I hope that they will. All the categories of expenses that will be available for inspection by our constituents are to do with our work here as MPs, and the work that we pay our staff to do to help us to serve our constituents properly. The House is now providing a level of service that is historically unprecedented compared with what was happening 10, 20 or 30 years ago, let alone before that. The expenses also provide for the operation of constituency offices and enable Members to live in their constituencies and, as we necessarily must, in London. Those are all properly accounted-for expenses that are claimed under the rules and should be treated accordingly.

I apologise to the hon. Member for North-East Hertfordshire (Mr. Heald) for not picking up on his point about September. He raised many issues and I am afraid that I missed that one. The hon. Member for North Cornwall (Mr. Tyler) echoed his point about whether the absence of September sittings next year—on the advice of the House authorities about the need to proceed with security arrangements for the Chamber and the construction works involved—would be a pilot for the future. I know that Members have strong feelings about the conditions in which we came back in September—feelings that you share, Mr. Speaker. In the end, it is a matter for the House. There will be a vote on whether to retain September sittings—[HON. MEMBERS: "On a free vote?] Of course it will be on a free vote, as it was before, because it was on House business. We will also have a vote on the sitting hours early next year, following the report of the Modernisation Committee, which is currently concluding its evidence taking and will shortly consider its recommendations.

Mr. Paul Truswell (Pudsey) (Lab): Is my right hon. Friend aware that, last year, several police authorities, including West Yorkshire, which serves my constituents, did not receive a full and fair share of the resources to which they were entitled under the revised funding formula? Can he arrange for Ministers to come to the House at the earliest opportunity so that we may press them on whether that situation is likely to be repeated this year or whether authorities such as West Yorkshire will get the resources that they need to continue to combat crime in our communities?

Mr. Hain: My hon. Friend raises an important local matter and I know that my right hon. Friend the Home Secretary will want to look into it. My hon. Friend will of course have the chance to question my right hon. Friend on Monday at Home Office questions. However, my hon. Friend will also acknowledge that crime has fallen rapidly under this Government and that some 10,000 extra police officers have been recruited, alongside more community wardens and community

[Mr. Hain]

support officers, all of whom are helping to defeat crime in his constituency and police authority area, as well as through the length and breadth of the United Kingdom.

Sir Nicholas Winterton (Macclesfield) (Con): I thank the Leader of the House for finally arranging a debate on important House issues, not least programming and allied matters. I hope that, as a result, the House will give you, Mr. Speaker, additional discretion in respect of the time limits on speeches by Select Committee Chairmen when important reports by their Committees are discussed by the House. Will the Leader of the House print in the Order Paper in plenty of time the motion that will be debated? It is very important for the Procedure Committee to know whether he intends to accept all or at least a majority of its recommendations in respect of programming, which is vital to the House if it is to scrutinise Government legislation adequately.

Mr. Hain: I welcome the hon. Gentleman's question on that matter, especially given his role as Chairman of the Procedure Committee, a job that he does very well and with great diligence. I am happy to answer his points. The debate on Tuesday week will cover programming matters, deferred Divisions, short speeches, the carry-over provisions and the Strangers motion that arose out of the last report by the Modernisation Committee. I assure him that he will have plenty of time to consider the motions that I intend to table and I have been clearing the detail of them this week. I take his point about allowing Select Committee Chairmen greater scope than the current rules prescribe.

The hon. Gentleman did not ask me about the other Procedure Committee report, but he has properly done so in the past—

Sir George Young (North-West Hampshire) (Con): I shall.

Mr. Hain: The right hon. Gentleman says that he will do so if he catches your eye, Mr. Speaker. The Procedure Committee report on Sessional Orders will be a matter for debate in the House in the very near future. I hope to provide early information of the date.

David Taylor (North-West Leicestershire) (Lab/Co-op): This time last week, I was in Dublin with my hon. Friends the Members for Glasgow, Anniesland (John Robertson) and for Cardiff, North (Julie Morgan) and three peers. We were looking at the impact of the smoking ban in the workplace that the Irish Government have introduced. Has my right hon. Friend seen early-day motion 1738?

[That this House notes that the medical and scientific evidence of the dangers of exposure to secondhand smoke in the workplace is now overwhelming; further notes that exposure to secondhand smoke in the workplace may cause more than 700 premature deaths a year, three times the number killed in industrial accidents; further notes that the Scientific Committee on Tobacco and Health has concluded that exposure to secondhand smoke may increase non-smokers' risk of both lung cancer and ischaemic heart disease by about one quarter; further notes that the voluntary approach to smoking restrictions has left at least two million people still working in places where smoking is allowed throughout and at least another 10 million in places where smoking is allowed somewhere on the premises; further notes that the legislation in Ireland ending smoking in workplaces has been a medical and political success, resulting in a 97 per cent. observance rate, large falls in cigarette sales and a large rise in the number of smokers seeking to quit; believes that an end to smoking in the workplace would be a major advance towards a healthier population; and calls on the Government to commit itself to legislation ending smoking in all workplaces in the forthcoming White Paper on public health.]

Has my right hon. Friend had any intimation of the likely publication date of the White Paper that has been imminent, according to the Government, for some time? This issue is more important than most to many people and it is time that we got to grips with those in the food, drink and tobacco industry who cause—sometimes inadvertently, but sometimes recklessly—such serious ill-health and premature death for many people.

Mr. Hain: I agree with my hon. Friend that both passive and active smoking are serious health issues. The Irish experience will be very interesting, as has been the experience in New York and other parts of the world. We have some catching up to do and my right hon. Friends the Secretary of State for Health and the Prime Minister are both seized of that. My hon. Friend will be encouraged to note that the White Paper on public health will be published later in the year. Since there is not much left of the year, that will be reasonably soon.

Several hon. Members *rose*—

Mr. Speaker: Order. I appeal for brief questions, because I have to consider the business before the House today.

Sir George Young: Further to the helpful reply that the Leader of the House gave to my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton), can he confirm that the debate on Sessional Orders will take place in what remains of this Session? Can he confirm that he will table resolutions related to that debate to enable the House to express its view on the continuing disturbances in Parliament square?

Mr. Hain: The debate will be next month, so it will certainly be before Prorogation. I am grateful to the right hon. Gentleman for giving me the opportunity to clarify that. I will certainly look closely at the terms of the motions that we are drafting and bear in mind the point that he makes.

Mr. Martin Salter (Reading, West) (Lab): My right hon. Friend will be aware that my right hon. Friend the Secretary of State for Transport recently announced a major consultation on the Crossrail project, which will end on 27 October. He should also be aware of the strong view of the business community in the Thames valley that the western terminus for Crossrail should be Reading, not Maidenhead as is currently proposed. Will he ensure that the House is given ample opportunity to debate that important transport project once the consultation period is over?

Mr. Hain: My hon. Friend is a great champion of Reading, including its football club, and he makes an important point about the western terminus being in Reading, not Maidenhead. I am sure that my right hon. Friend the Secretary of State for Transport will note carefully my hon. Friend's powerful advocacy. The consultation period on that matter is open until 27 October, so he and his constituents will have an opportunity to make their case.

Mr. Alex Salmond (Banff and Buchan) (SNP): Is the Leader of the House aware that we have unfinished business from the Energy Act 2004, namely the final decision on connection charges to the grid from the National Grid Company and Ofgem? Is he aware that some of the proposals are unfair, discriminatory and sky-high for Scotland, and would sabotage not only the Government's alternative energy targets but Scotland's future as the renewable powerhouse of Europe? Can we have a debate as soon as the final proposals are published, so that we can illustrate to the Government the folly of allowing their energy policy to be dictated solely by Ofgem?

Mr. Hain: Ofgem has an important independent regulatory role to perform and I am sure that the hon. Gentleman does not want to question that—at least, in general. The Government do not allow anyone to dictate their energy policy, which is the most coherent of any Government for a generation and will allow us to make secure progress. The hon. Gentleman talks about sky-high bills for Scotland. The only sky policies coming out of Scotland are the pie-in-the-sky policies from the Scottish National party. The idea that the Government would in any way sell Scotland short is ridiculous. Scotland has a great deal under this Government and the hon. Gentleman should acknowledge that.

Paul Flynn (Newport, West) (Lab): Would not the best way to add to the magnificent work the Government have done on aid to developing countries be for them to alter the terms of international trade? One of the greatest problems for the third world is that subsidised imports from Japan, the United States and Europe undercut its own production, while tariffs mean that it cannot export products to this country. May we have an urgent debate on the malign effects of the common agricultural policy on the developing world?

Mr. John Bercow (Buckingham) (Con): Excellent man.

Mr. Hain: My hon. Friend is indeed an excellent man. I can confirm that. He is a good Welsh colleague.

I agree entirely with my hon. Friend's point, as do the Government. The Government are leading the international drive to achieve trade justice and to stop those protectionist barriers ringing Europe, the United States and other rich countries, blocking opportunities for poor countries in Africa and elsewhere to lift themselves out of poverty. We are also leading the world on the lifting of debt and on the provision of much more overseas aid and development. Indeed, we have been leading Europe in pressing for reform of the CAP and have already achieved much. We would like to see the CAP completely abolished and will continue to press for that objective until we reach it.

Sir Patrick Cormack (South Staffordshire) (Con): Bearing in mind that no institution, including Parliament, can function effectively without a degree of trust and confidentiality, will the Leader of the House join me in deploring what appears to be an extensive leak from the Joint Committee on Security yesterday? Will he further agree that we should consider disciplining Members who leak documents, whether they sit on the Government or the Opposition side? Any Member who leaks a document or a meeting of that sort should automatically be suspended from the service of the House for at least a month.

Mr. Hain: The hon. Gentleman is an experienced and excellent parliamentarian and I shall bear in mind the points he made, as we all will. I read that report with great interest; it contained a lot that was news to me—I do not know whether it was accurate. The hon. Gentleman and I are members of the House of Commons Commission, which will shortly discuss those matters, but, in general terms, I take his point: we cannot operate, especially in the sensitive area of House security, without some trust and confidence among ourselves.

Mr. Mark Lazarowicz (Edinburgh, North and Leith) (Lab/Co-op): My right hon. Friend will be aware of the growing consensus among Labour MPs, and perhaps on the other side of the Chamber, too, that the proposal to elect the House of Lords on a secondary mandate—the Billy Bragg proposal, as it has become known—would be a compromise acceptable to many of the different points of view on House of Lords reform. Given that point, is he prepared to make arrangements for an early debate, with, I hope, an indicative vote on the issue, to gauge the degree of support for that proposal among Members?

Mr. Hain: I understand my hon. Friend's desire for such a debate. There is a bit of unfinished business that, as a Government, we are determined to finish after the next general election—with the permission of the electorate. Personally, I am very taken with the idea of a secondary mandate—of an election of Members of the House of Lords at the same time as a general election, so that there is no independent route of countervailing power—which keeps this House supreme while democratising the House of Lords and dealing with its powers and procedures. The latter are, frankly, anarchic.

Mr. John Bercow (Buckingham) (Con): May we have an urgent debate in Government time on cancer services and the devastating effect of the postcode lottery on patients' chances of receiving them? In January 2002, my constituent, Margaret Griffin, was diagnosed with multiple myeloma and told that her condition was terminal. She now has only weeks or months to live. Given that the new drug, Velcade, could extend her life by up to 18 months, is not it both tragic and unacceptable that because her local health trust will not pay for the drug for her, even though it is available and has been provided in the Royal Marsden, the Royal Free and, I understand, in hospitals in Basildon and Bedford, she faces the grim prospect of an early death? What is to be done?

Mr. Hain: The hon. Gentleman has properly raised that deeply troubling situation for Margaret Griffin and I am sure that we are all very sympathetic to him and to her.

[Mr. Hain]

Obviously, I cannot comment on the detail, but the Secretary of State for Health will have noted his point. I can, however, point out that 99 per cent. of patients with suspected cancer are seen by a specialist within two weeks of being referred by their GP, which is up from 63 per cent. in 1997, despite a 30 per cent. increase in referrals over that period. As a Government, I think we have a good record of achievement, although there is much more to do and, in this case, clearly a lot more to do.

Mr. Gordon Prentice (Pendle) (Lab): Has my right hon. Friend had the opportunity to read early-day motion 1703 concerning Adam Evans and NHS dentistry?

[That this House expresses its regret and disappointment at the decision of Adam Evans to abandon NHS dentistry from January 2005 and only offer private treatment from his Diamond Smiles practice in Barnoldswick; understands the shock and dismay felt by many people in the town at the loss to the private sector of a dentist whose NHS credentials were paraded with such fanfare in 2001 when his practice opened; recalls that Mr Evans sought the help and assistance of the honourable Member for Pendle in securing a grant of £30,500 from the NHS to establish the practice, telling the honourable Member on 20th February 2001 that he felt 'there is a severe need in the Barnoldswick area for NHS dental provision'; further notes Mr Evans' statement of 25th January 2001 to the Consultant in Dental Public Health at the East Lancashire Health Authority that the grant 'will enable me to create a modern NHS practice available to all those people in the East Lancashire area who are seeking to register for NHS dental care'; believes Mr Evans has let down his patients and public alike after proclaiming so loudly his commitment to the NHS; further believes that he has cynically used NHS funds to help him set up shop in the town; calls on him to return the £30,500 to the Primary Care Trust in January 2005 when he ceases to take NHS patients; and urges the primary care trust to take steps to establish a new NHS dental surgery in Barnoldswick to allow those patients at Diamond Smiles who wish to stay with the NHS to transfer across to the new practice leaving Mr Evans with those who are content to go private.]

Is my right hon. Friend aware that NHS dentists are not on the breadline and can easily earn £65,000 a year, and does he share my concern that our efforts to rebuild NHS dentistry are being undermined by people such as Adam Evans who accept grants from the national health service to set up an NHS practice and then go private? Will my right hon. Friend ask the Secretary of State for Health to come to the House and tell us what the Government intend to do to end that sort of abuse?

Mr. Hain: I understand that the Burnley, Pendle and Rossendale primary care trust is currently seeking advice about the contractual relationships in that matter. It is also discussing alternative methods of ensuring the continued provision of NHS dentistry in Barnoldswick. The PCT will continue to ensure the provision of emergency dental treatment. My hon. Friend will understand that we have invested more resources in recruiting and training NHS dentists and we shall continue to take that work forward.

Sir Michael Spicer (West Worcestershire) (Con): Will the Leader of the House make sure that the parliamentary authorities allow Members to use the parliamentary computer system for casework during a general election period?

Mr. Hain: We are looking into that matter, because obviously those of us who are tied into our constituency offices through the use of Commons equipment, as many are, cannot be in the situation where a constituent comes to our local constituency office and we are unable to provide them with a proper level of service. On the other hand, however, the normal purdah rules affect us, because we cease to be Members of Parliament after Prorogation and are simply candidates. The issue is being looked into at present and I gladly sympathise with the point the hon. Gentleman raised.

Julie Morgan (Cardiff, North) (Lab): Will my right hon. Friend arrange for an urgent debate on women in prison? I am sure that he is aware of the tragic suicide of yet another woman prisoner, last Monday, which brings the number of women suicides in prison to 12 this year. Many of those women have mental health problems and prison is not the right place for them. Will my right hon. Friend arrange an urgent debate on policy for women offenders?

Mr. Hain: I am sure that the whole House will want to praise my hon. Friend for the consistency of her campaign on the troubling rise in suicide among women prisoners. The incidence of youth suicides in prison is also troubling. There will be an opportunity to raise the matter at Home Office questions on Monday and I am sure that my hon. Friend will continue to press the Home Secretary and will raise the issue to see whether we can make an improvement in that troubling situation.

Sue Doughty (Guildford) (LD): The Government are bringing forward the draft Gambling Bill, which changes the emphasis from out of town gambling to town centre gambling and could bring three casinos to the centre of Guildford—none of which are wanted. Will the Government take into account international research into the harm done when children are allowed to play slot machines and the link between that and the problems of adult gambling?

Mr. Hain: As the hon. Lady will be aware, the Bill has been subject to extensive pre-legislative scrutiny and the Government have taken account of many of the important points made during that process. The Bill is about properly regulating gambling. Whether any casino—let alone three—comes to Guildford is a matter for the local authority, not for the Leader of the House or even for my right hon. Friend the Secretary of State for Culture, Media and Sport. The hon. Lady should properly take her concerns to the local authority rather than raising them in this place. However, I emphasise the point that the Bill is welcome legislation for regularising and bringing up to date law and procedure that desperately need it.

Llew Smith (Blaenau Gwent) (Lab): The Leader of the House will be aware that Kofi Annan has declared that the war with Iraq was illegal and that the Iraq survey group has declared that the weapons of mass destruction did not exist. Does he accept that we owe it to the tens of thousands of people who have been—and are being—slaughtered in this worthless war to revisit and debate the issue? As a result of the debate, we would hopefully hear not only an apology, but an apology without qualifications. Although an apology would not be enough, at least it would be a start.

Mr. Hain: My hon. Friend and I have an honest difference of opinion on the matter. I respect his point of view, but I am entitled to expect him to respect mine and that of the Government. He mentions the deaths that have occurred since the action took place last year, but I would like him to remind the House of the nearly 1 million deaths that occurred under Saddam's murderous tyranny.

Llew Smith: I demonstrated against that.

Mr. Hain: Indeed my hon. Friend did, as did I, so we are in the same situation.

It is important for us to bear in mind what Saddam did. I do not know of any ruler in history other than Saddam Hussein who has murdered up to a million Muslims. If he had continued in office, we would have seen further examples such as those uncovered by the new Iraqi Administration. They have identified 40 mass graves throughout the country. We do not yet have all the evidence of the full horror of Saddam Hussein, but he would still be in power if my hon. Friend's views had been taken into account when we took the decision last year.

Mr. Keith Simpson (Mid-Norfolk) (Con): The Leader of the House and hon. Members will be aware that over the summer period and the early autumn when we had our problems with security, there was a lot of press coverage in which disparaging remarks were made about the Speaker and the so-called men in tights. There was an inference that some of that briefing had come directly from either the Leader of the House or his staff. Will he take the opportunity, as I am sure that he will want to, to deny that either he or his staff were involved in that?

Mr. Hain: I am happy to deny that, and since the hon. Gentleman has given me the opportunity, I put it on record. If he had been in the Chamber during previous business questions, he would have known that I expressly praised the role of the Doorkeepers in the invasion by the huntsmen and on the previous occasion. They perform a fantastic job for us. I do not think that the hon. Gentleman should have lowered the tone of the consideration of such a serious matter by making that kind of accusation.

Mr. Harry Barnes (North-East Derbyshire) (Lab): May I press for that debate on Iraq? There are people with different perspectives on the matter, ranging from my hon. Friend the Member for Blaenau Gwent (Llew Smith), who asked for the debate, to my right hon. Friend the Leader of the House. There are some of us who believe in a third way—I thought that the Government might be interested in third ways. We say that the invasion itself was wrong and that some of its consequences were predictable, but that everything must now be done to assist democratic forces in Iraq to build a proper, decent society. Although there might still be big differences between both sides, there might be an area on which we could get agreement, so let us have the debate.

Mr. Hain: I am very sympathetic to my hon. Friend's point of view. Whatever opinions are passionately held about the merits, or otherwise, of going to war in Iraq, the truth is that we are where we are. The objective now, as he says, is to ensure that we have a democratic Iraq that includes a strong and independent trade union movement. We must support that enterprise and use all our efforts and resources to ensure that the Iraqi people have the chance to run their own country for the first time in at least a generation, if not ever.

Mr. John Taylor (Solihull) (Con): When the House came back in September, apparently to debate fox hunting, certain parts of the motoring industry in the west midlands—Rover, Jaguar and, in my constituency, Land Rover—were in a state of dire anxiety. May we even now have a debate on the motor industry in the west midlands, and will the Secretary of State for Trade and Industry reply to it?

Mr. Hain: We have Transport questions on Tuesday and the hon. Gentleman can put his point to the Secretary of State. I do not accept that we came back in September only to debate fox hunting because we debated several important pieces of legislation during those two weeks. Job losses in manufacturing, including those in the midlands, are important, but the fact is that under the Tories, nearly a million manufacturing jobs were massacred by the early 1990s alone.

Several hon. Members *rose*—

Mr. Speaker: Order. We must move on.

Points of Order

1.15 pm

Dr. Julian Lewis (New Forest, East) (Con): On a point of order, Mr. Speaker. It was in January this year that I first raised a question that was alluded to today regarding the incessant noise of the protest in Parliament square. We have heard that matter linked today to the Procedure Committee report. I have spoken on numerous occasions to the head of the police in the Palace of Westminster who tells me that he has made many representations to the police outside the Palace to take action about the noise, but that they do not do so. Is it not time that the Leader of the House picked up the telephone, spoke to the police and asked them why any demonstrator should be allowed to broadcast his rantings and ravings at a volume that is totally unacceptable to the general public?

Mr. Speaker: As the Leader of the House said, we will have an opportunity to debate the matter. Please be assured that I have also complained to the police on behalf of Members and staff who have to put up with the noise and that I shall continue to do so.

Mr. Peter Atkinson (Hexham) (Con): On a point of order, Mr. Speaker. The Leader of the House failed to explain why the announcement on the gambling Bill was leaked to the *Financial Times* and *The Times* newspapers this morning. To make matters worse, an official spokesman for the Department for Culture, Media and Sport was quoted in *The Times*, which shows the contempt that Government Departments seem to have for the House of Commons. Will you reiterate yet again that such important announcements should be made to the Commons, not the press?

Mr. Speaker: I keep saying that, and on Tuesday I mentioned the press being given advance information. We have a Press Gallery, and excellent correspondents get a pass from the Speaker so that they can be there to hear the case that Ministers make. I do not know why phone calls must be made the night before when they can be here. They seem to enjoy coming here to listen to our debates. The best advice that I can give Ministers is to come to the House of Commons because the press will hear what they have to say.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): Further to that point of order, Mr. Speaker.

Mr. Speaker: I would not want to keep pursuing the matter.

Mr. Clifton-Brown: Thank you, Mr. Speaker. As Ministers of the Crown have consistently ignored your rulings on the situation, if it goes on, will you consider summoning one of them to explain to the House why such a thing has happened? That would set a good precedent for the others.

Mr. Speaker: Sometimes Back Benchers ignore my rulings as well. As the hon. Gentleman knows, I receive requests for urgent questions from time to time and bring Ministers before the House regularly.

BILL PRESENTED

SCHOOL TRANSPORT

Mr. Secretary Clarke, supported by The Prime Minister, Mr. Secretary Prescott, Mr. Chancellor of the Exchequer, Mr. Secretary Darling, Mr. Secretary Johnson, Mr. Richard Caborn, Mr. Stephen Twigg and Dr. Stephen Ladyman, presented a Bill to make provision for school travel schemes; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed. Explanatory notes to be printed. [Bill 162].

EU Justice and Home Affairs

[Relevant document: The Twenty-eighth Report from the European Scrutiny Committee, Session 2003–04, HC 42-xxviii, The EU's Justice and Home Affairs Work Programme for the next five years.]

Mr. Speaker: I inform the House that I have selected the amendment in the name of the Leader of the Opposition.

1.19 pm

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): I beg to move,

That this House takes note of European Union document No. 10249/04, with ADD 1 and ADD 2, Commission Communication on the Area of Freedom, Security and Justice: assessment of the Tampere Programme and future orientations; notes that the Communication forms the basis of negotiations for the next European Union Justice and Home Affairs Work Programme; and supports the Government's position that the Work Programme should focus on measures that complement the efforts of Member States and will be of most benefit to European Union citizens.

I am pleased that the European Scrutiny Committee managed to secure time to debate this important issue in the Chamber. We live in a world in which crime does not recognise national borders. Although we maintain our right to have national systems of justice and law enforcement in operation, in pursuing criminals and seeking justice we have recognised that by co-operating we on occasion have a good result in foiling those who want to make victims of our citizens, whether they are in the UK or in other parts of the EU. It is important that we discuss the new justice and home affairs work programme because it will guide EU work in this sector for the next five years.

We know that co-operation on counter-terrorism, asylum and immigration and on fighting crime makes a real and positive impact on the lives of UK citizens, but Europe should not be involved for the sake of it. The basis of our engagement with Europe is respect for national sovereignty—a view that is shared by many other member states. The Commission communication is a useful tool to stimulate discussion, but that is all. There is much in it we can support: an emphasis on mutual recognition of judicial decisions rather than harmonisation and a commitment to strengthen efforts on counter-terrorism and on document and border security. However, we do not agree on some things. In that regard, we have much in common with colleagues on the Committee. We are working with others to ensure that concrete proposals reflect UK priorities. We do that by our involvement in positive engagement and by winning support from other Ministers throughout the EU.

Mr. Nick Hawkins (Surrey Heath) (Con): As is so often the case with the Government, the Minister gives the impression that there is nothing to worry about. Did she see the superb article about the matter by the distinguished home affairs editor of *The Daily Telegraph* on Monday this week? He explains that if the House does not kill the document now, what is regarded as simply a discussion document to "take note of" will be pushed through on the nod next time and we will be stuck with it. When so little comes from the Committee to the Chamber, does she not recognise that it is our responsibility to stop it and to stop it now?

Caroline Flint: I have seen the article and the Conservative party press release parrots the same myths and distortions. It is important to have time in the Chamber to discuss the subject. I strongly believe, as a Home Office Minister and a constituency MP, that in fighting terrorism and crime and, importantly, in tackling abuse of our immigration systems, there are times when we have to work with others across the EU. I make no apology for that.

I shall be clear about dispelling some of the myths that have been put about by papers such as *The Daily Telegraph* and by the shadow Home Secretary only this morning on the radio—and where is he? It would be nice if he made time to focus on the issues. From his contribution on the "Today" programme, I thought he could do with a bit more briefing.

Keith Vaz (Leicester, East) (Lab): The Minister dealt adequately—in fact, superbly—with the shadow Home Secretary this morning. Tampere is about co-operation. It is not about giving up powers. It is about European partners working together to combat crime and illegal immigration. It has been a success so far. Will she pledge that at the summit, when we have Tampere II, the Government will reinvigorate the agenda to ensure that there is even greater co-operation?

Caroline Flint: I thank my hon. Friend for his kind words. He has my assurance that when it comes to catching criminals, tackling terrorism and dealing with fair migration, but also abusive migration systems, we will wholeheartedly look for ways in which we can co-operate while at the same time preserving what is right for a nation decide to decide on.

Mr. William Cash (Stone) (Con): Will the Minister give way?

Caroline Flint: I want to make some progress—

Mr. Cash: The hon. Lady is going to duck the question.

Caroline Flint: No. In fact I think that I am going to pre-empt it.

My hon. Friend the Member for Leicester, East (Keith Vaz) mentioned success. It is important to talk about the situations that affect people's lives. The European arrest warrant has been of practical value at an EU level by ensuring quick and efficient extradition between member states. Already this year, we have contributed to 28 arrests in the UK and returns to other EU countries. Those people have been accused of criminal offences and we have helped the justice process. As a result of our requests, 16 people in other EU countries have been returned to the UK to stand trial. That is important. It is important that when offences are committed against UK citizens there is no place to hide for criminals throughout the EU.

[Caroline Flint]

On asylum, Eurodac is a European fingerprinting system. It has helped to reduce asylum shopping and the ability to make multiple claims. Consistently, we return 150 asylum seekers a month because of that co-operation. Applications are also down.

Mr. Cash: *Will the Minister give way?*

Caroline Flint: I want to make a little more progress.

Europol is improving the exchange and analysis of criminal intelligence. The police college is exchanging best practice, not so that there is one training system for police throughout Europe, but simply to share best practice. The UK is leading on the police college and it is a way of improving co-operation. Eurojust is improving co-operation in cross-border prosecutions so that criminals can be properly punished wherever they go.

Mr. Michael Connarty (Falkirk, East) (Lab): I thought that the Minister would emphasise the Government's position, which is supported by members of the Committee. We do not support the idea of giving Europol its own investigative powers, which would turn it into a European police force.

Caroline Flint: I concur with my hon. Friend. We do not think that there is a role for that, but there is a role for exchanging intelligence and information. We want some of the other member states to put more into that process to give our police the ability to share intelligence information to track the criminals who cross different borders. I thank him for making that point. It is another aspect of the justice and home affairs work programme. We need to examine what we have agreed and ensure that it is implemented before we embark on new ideas.

Mr. Cash: Does the Minister concur that the Committee made it clear that the work programme affects policies that are at the core of national sovereignty? Furthermore, there is a risk that the proposals on the area of freedom, justice and security encourage the notion that such an area is a unitary state, separate from the member states that make up the EU community. In relation to the Committee's recent consideration of procedural rights in criminal proceedings—another draft framework decision—does she also accept that she has not tackled the argument that we put in the Committee, that the EU measures should stick to cross-border cases because criminal proceedings are a matter for national Parliaments?

Caroline Flint: I agree that it is right to take every opportunity—the Committee is right in that regard as well—to reaffirm our red lines on European co-operation. I was going to say something about that later, but let me deal with it now. The Commission's document is for discussion. It does not set out concrete proposals. No one has signed up to it. That will be done by Ministers who are sent by nation state Governments to decide on such issues.

Mr. Hawkins: Will the Minister give way?

Caroline Flint: No, I want to finish this point.

On judicial co-operation, we strongly support the embedding of mutual recognition as the cornerstone of criminal judicial co-operation. It is important to recognise that those words are not just mine; the Commission uses the same phrase in its document. We welcome the fact that it recognises that as the first principle. It ensures, through mutual recognition, good co-operation between member states without requiring harmonisation of member states' criminal justice systems.

We will work with other member states because we are not on our own. One of the benefits of being at the heart of Europe is that we can make the case and make our position stronger. We will ensure that the EU continues to respect the distinct and diverse legal traditions of member states. Let us not forget that the United Kingdom does not have just one legal system. In particular, we will ensure that the things that concern us will not be changed. So the prosecution of individuals must remain a national competence and we do not support the proposal for a European public prosecutor, and many other member states agree with us. We have ensured through the treaty that we have safeguards so that if there is a threat to our legal system and criminal procedural law we have an emergency brake that we can apply to make sure that there is a unanimous decision.

Mr. Hawkins: Is the Minister giving a firm undertaking at the Dispatch Box on behalf of the Government that if anything that they oppose is changed before the matter comes before the Council of Ministers they will veto it? All too often, Ministers say that they do not agree with parts of EU documents that subsequently go through on the nod at the Council of Ministers. The Government claim that they tried to protest, but to no avail. That is the thin end of a very large wedge that is destroying Britain's independent sovereignty, and that is why we are so angry.

Caroline Flint: If Opposition Members wish to make a speech, they should put their name down on the list and queue with everyone else who wishes to speak. However, I challenge the hon. Gentleman to look at my record at the Justice and Home Affairs Council—I assure him that I never pass anything on the nod. There is no question of the UK signing up to a harmonised legal system, and the communication does not propose one. The constitutional treaty, as I said, rightly protects key areas of our criminal procedural law, but we accept some approximation of criminal acts and penalties. It is important to look at the issues involved, such as serious cross-border crime.

Mr. John Wilkinson (Ruislip-Northwood) (Con): Will the hon. Lady give way?

Caroline Flint: No, I am in the middle of explaining something, and I should be grateful if the hon. Gentleman listened.

The European framework decisions on combating terrorism are important. Previously, eight countries in the EU did not have adequate counter-terrorism measures, but as a result of co-operation and discussion they have since implemented legislation. The UK is fortunate to have adequate legislation on counter-terrorism. I make no apology for saying that the sexual exploitation of children in the EU is another important issue in cross-border crime, but we would need to see robust justification for any new measures. Criminals do not respect national boundaries, and increased practical co-operation between the police, courts, immigration and customs services has the potential to make a difference.

The Commission communication rightly recognises that people must experience the many benefits of justice and home affairs co-operation to appreciate the value of Europe, which is why we agree with the European Scrutiny Committee that in the next work programme we must evaluate the impact of measures already agreed and focus on making them work at a practical level. We need less rhetoric and more action and accountability.

Mr. Wilkinson: Will the hon. Lady now give way?

Caroline Flint: I will do so, provided the hon. Gentleman makes a point, not a speech.

Mr. Wilkinson: It is just a small point. Will the hon. Lady assure the House that there will not be an extension of qualified majority voting in justice and home affairs?

Caroline Flint: The position on which matters QMV can be used has already been discussed, and we are in full agreement. We have made sure that we have safeguards on both criminal procedural law and asylum and immigration so that we do not have to take part in certain discussions if we do not want to. We believe, however, that in some cases QMV is helpful, enabling us to get things done quickly and effectively to achieve a genuine impact on our communities.

I am conscious that Members wish to contribute to our debate, but I wish to deal with immigration in a little more depth. In the past 24 hours, the Conservative party has peddled the myth that we are giving up control of our frontiers. I want to nail that myth, which is quite wrong. We can opt in, where it is in Britain's interest, to measures that tackle asylum and immigration issues. There is no justification for the Tory suggestion that there is a threat to control over our frontiers.

Angus Robertson (Moray) (SNP): Does the Minister not find it odd that a Conservative spokesperson pontificated on the "Today" programme this morning but does not have the good grace to come to the House to make his points at the Dispatch Box?

Caroline Flint: I quite agree. If someone is going to perpetuate myths and allegations they should at least be here to hear the answers.

The new justice and home affairs work programme should seek to strengthen external borders, concentrating on practical measures to improve cross-border co-operation and to respond to operational demands. It should continue to embed and evaluate measures that are helping to reduce the number of people who are using and abusing the asylum system—there has been a fall in applications of 70 per cent. since October 2002. We should exploit new technology to improve document security, including biometrics and identity cards. We can use all those methods to try to make sure that we have a better system in which we co-operate where necessary but act on our own where that is in our national interest.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): As the Minister knows, Britain has opted out of the Schengen agreement, but will she confirm that under the QMV regulations that the House is being asked to approve we would no longer be able to do so and would lose control of our borders?

Caroline Flint: The hon. Gentleman is wrong, and I shall write to him in detail to explain why.

Illegal immigration knows no borders. We can work together to strengthen practices and procedures to ensure that they cannot be exploited by organised criminal gangs. It is important to secure cross-border co-operation on the trafficking of human beings, which takes place throughout the EU. Men, women and children are trafficked throughout Europe and, as the Minister responsible for reducing organised crime, I know only too well what that means. Hon. Members may know that we are conducting a review of prostitution. Many young women are caught by the vice market in EU cities, and we should seek to work together to end that unacceptable practice. We will continue our own independent efforts, but the EU can sometimes add extra value when tackling such issues.

The new justice and home affairs work programme represents a genuine opportunity to improve the freedom, justice and security enjoyed by UK citizens, both at home and abroad. I assure hon. Members that the Government will defend UK interests robustly in negotiations, but I hope that everyone accepts the justice and home affairs agenda, which is about real issues that affect real lives, including those of UK citizens, who may be victims of crime and can expect a reliable standard of justice wherever they are in the European Union.

1.37 pm

Mr. Jonathan Djanogly (Huntingdon) (Con): I beg to move, in line 4, to leave out from "orientations" to the end of the Question and to add instead thereof:

> "but believes that the Government has failed adequately to support the national interest in its response to the Tampere Programme, including its failure to halt the proposal to introduce co-decision and Qualified Majority Voting on immigration, asylum, visas and border measures and the Commission's aim further to harmonise the civil and criminal justice systems of Member States."

The approval in 1999 of an EU programme of action covering visas, asylum and immigration, civil and criminal justice, and police and customs operations to create an area of freedom, security and justice was always going to lead to an ambitious agenda. The way in which the programme has developed presents grave dangers to the sovereignty of this country. Our debate is particularly relevant against the background of the preparation of the proposed EU constitutional treaty, a substantial part of which impacts on the Tampere agenda.

Some of the concepts in the programme are complicated and couched in legalese. Others are more obvious, but we should not underestimate the huge implications for British justice and parliamentary sovereignty of giving up our veto in home affairs policy,

[Mr. Jonathan Djanogly]

giving European police investigating powers and adopting minimum sentences. We should also be aware of the federal state implications of appointing a European public prosecutor. The communication from the European Commission that we are debating today, however, merely provides a summary of progress to date, whereas we clearly need a full evaluation of the measures that have been implemented in member states over the past five years.

Keith Vaz: The Tampere agenda, as agreed in 1999, dealt with co-operation between EU partners. Is it Conservative policy to oppose co-operation on crime and illegal immigration?

Mr. Djanogly: I shall specifically address the question of mutual recognition, but the Tampere agenda goes much further than co-operation and attacks the generally held concept of mutual recognition. It is bizarre that we are expected to endorse a set of proposals that form part of the programme for the next five years without a full review of those measures' potential benefits. I would like to say that I am confident that the Government will not attempt to commit our nation to the proposals, the end results and benefits for our citizens of which are unknown, but I am not. A blind Commission is leading a blind UK Government towards an undefined federal superstate, to which we say, "No, thank you very much".

Mr. Connarty: I wonder whether the hon. Member for Huntingdon (Mr. Djanogly) was listening to the Minister, who confirmed that the Government oppose Europol's having investigative powers. Had he taken the trouble to read the document, he would know that the Government and the European Scrutiny Committee are opposed to a European public prosecutor. He should stick to facts rather than mythology.

Mr. Djanogly: The Government maintain that they oppose further investigative powers for Europol, but that does not mean that the Commission is not suggesting that Europol should have those investigative powers or that the Government have stood up for British interests.

A key issue identified in the European Scrutiny Committee report is the Commission's desire to introduce co-decision and qualified majority voting on those measures—immigration, asylum, visas and borders—that fall within article 67(2) of the EC treaty, supposedly in an attempt to increase the amount of work that is completed. However, the alarm bells will start ringing for anyone who cares to examine those proposals.

The principle of unanimity and the possibility of veto, where required, are in place for a reason. Such checks and balances maintain our nation's right to decide which measures are most appropriate for British citizens in the European arena. The Commission itself has identified that many of the issues that fall within that programme remain at the core of national sovereignty, and so they should. That is why I am concerned by the prospect of the Commission imposing legislation on member states through QMV. That must be resisted at all costs, and the Government are not actively fighting that threat to our country's ability to withstand legislation from Brussels that is not in the British public's interest.

Mr. Robert Key (Salisbury) (Con): Did my hon. Friend share my amazement that the Minister did not seek to justify the proposals in her bad-tempered introduction to the debate? All she said was, "The system works wonderfully. We have got this example and that example. It is all absolutely super, isn't it?" If the system works so well, why do we need new proposals?

Mr. Djanogly: My hon. Friend makes a good point. The Minister's opening comments were extremely defensive and she did not constructively support the agenda.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): The Opposition are in serious need of some help. Some of the proposals, such as Eurodac, which is an enforcement unit that uses fingerprinting in order to deport people, are extremely good. Some countries opposed Eurodac, but QMV allowed us to achieve an objective that we could not otherwise have obtained, which was good. Can the hon. Gentleman tell me the consequences if the House votes no after today's debate?

Mr. Djanogly: The Tampere agenda contains 23 proposals that relate to policies on crime, most of which have either been fulfilled or are on the way to being fulfilled—it is not a pie-in-the-sky agenda; it is a real agenda. After this debate, I hope that the British Government return to the Commission and start to say no on issues such as, most importantly, getting rid of our veto.

Mr. Cash: May I offer my hon. Friend some assistance on the point raised by the hon. Member for Birmingham, Edgbaston (Ms Stuart)? If the House were to reject the proposal—I hope that it does—the Government would be in the dog-house and would be obliged to give effect to the sovereign will of Parliament. That is the key question, and we should reject the proposals.

Mr. Djanogly: My hon. Friend states the obvious, although his point may be optimistic given the Government's position.

It has been proposed that the European corps of border guards should fall under the control of Brussels. We agree with the Minister that the long-term goal of establishing a European corps of border guards is objectionable in principle as well as being impractical. However, we support the development of co-ordination mechanisms designed to strengthen member states' ability effectively to guard their own borders. Although additional resources to support that function are welcome, they should not be ploughed into the creation of the European corps of border guards, but used by member states to improve their own national guards' training.

The British people want control of our borders and the right to draw up our own policy on asylum. In an ICM poll from earlier this year, 77 per cent. of those polled wanted Westminster to exercise control over asylum procedures. We need an accountable and efficient policy that addresses the needs of those migrants who have a genuine claim and who seek our help, as well as preventing bogus claims from those who would abuse our system. Can we guarantee the British public that those requirements will be met by a single European policy covering all member states? I think not. Indeed, the Government currently fall short of those requirements. Given the disaster of the Government's asylum policy, they probably cannot wait to offload their problems on to Europe. Conservative Members regard that as a cop-out, pure and simple.

Mr. Hawkins: My hon. Friend knows that I fought those battles for a number of years from the Front-Bench position that he now occupies. Since the Government came to power, they have promised in the House to oppose things, but then signed up to them, however reluctantly, because of the inclusion in the same package of something else that is good. They have spent years saying that they will oppose things and then failed to do so.

Mr. Djanogly: My hon. Friend makes a good point, and I think that he will relate to my conclusions.

Having had the pleasure of participating in the Statutory Instrument Committee and the European Scrutiny Committee B debates on both the European arrest warrant and the harmonisation of criminal sanctions, I have become particularly familiar with the Commission's ludicrous proposals on criminal justice. The principle of mutual recognition has long been deemed the cornerstone of European judicial integration. The Commission denies that it intends to challenge legal systems in individual member states through the promotion of harmonisation—so far, so good—so why does the communication say that it is necessary to avoid a situation in which two separate legal regimes cover cross-border crimes and internal disputes?

The communication also states:

> "duality could be inconsistent with the aim of a single area of justice for all".

How is it possible to adhere to mutual recognition, which apparently supports the judicial traditions of each member state, without the operation of separate regimes? The answer, of course, is that it is not possible, as my hon. Friend the Member for Stone (Mr. Cash) said earlier in the debate. That is a clear indication that the Commission deems the ultimate result to be interference in the judicial systems in operation in each member state. It strikes me that the Government seem all too willing to accept the Commission's proposals at face value without true, open consideration of the Commission's real aims. This represents a clear threat to national sovereignty. Is the Minister going to stand by and let these measures—which purport to further the principle of mutual recognition, but in fact aim towards a unitary legal system—creep in? In no way can such aims comply with and respect the subsidiarity principle. The Scrutiny Committee got it absolutely right and went to the heart of the matter when it said in its report:

> "If Parliament has not chosen to unify the separate legal systems of England and Wales, Scotland and Northern Ireland, we see no justification for this being attempted by the European Union."

That is spot on. We see no justification for it either, and we urge the Government to do everything in their power to prevent it. Trust is based on knowledge, and without greater knowledge of the workings and standards of judicial systems in other member states, it is difficult to see how even the procedure supporting mutual recognition will be adequately implemented.

The Commission has stated that it supports further action to define and fix minimum penalties for certain offences, to end life sentences, and to move towards further approximation—for which I read harmonisation—of national laws to secure effective mutual recognition of judgments. Again, harmonisation rears its ugly head. At the extreme end, we are facing a massive overhaul of the criminal laws of all member states, yet that prospect raises insurmountable practical problems in a Union where national systems are so incredibly diverse and bear so little resemblance to each other.

Mr. David Heath (Somerton and Frome) (LD): I am listening to the hon. Gentleman with great care. Over the past few months, he and I have appeared many times in the Joint Committee on Statutory Instruments, where we have both prayed in aid the views of the Law Society. Has he, too, received the Law Society's very long briefing—it runs to 33 pages—which makes it clear that it supports the mutual recognition programme because it has considerable advantages for practitioners?

Mr. Djanogly: The hon. Gentleman misses my point. I support mutual recognition, as does he and as do the Government, but this agenda is not, in practice, about mutual recognition. That is our worry.

Aside from the practical issues, we also believe that the agenda is objectionable in principle. Do we, as a nation, want to submit our decision-making power on criminal policies and sanctions to the will of Brussels? I do not think so. This country has developed to date a legal system of which we can and should be proud. Accordingly, we should firmly rebuke any potential threat to it.

Angus Robertson: The hon. Gentleman refers to a legal system. Is he not aware that there are three different legal systems in the UK? Will he explain the position of the Scottish Conservative party in that regard and give one example of any concern that has been expressed north of the border?

Mr. Djanogly: The hon. Gentleman may have missed my earlier comments in which I referred specifically to the different judicial systems in the United Kingdom and how their own systems are respected. This agenda will end that.

A prime example of a crime in one country that may be entirely overlooked in another is that of animal rights terrorism, which is prevalent in my constituency. Public opinion on that has changed massively in this country over a very short space of time, yet many other member states have no concept of what the crime is, let alone ideas about how to tackle it. The power to determine which crimes attract which sentences should never be removed from Westminster. It is only by retaining control over our own system that the British public will feel secure about the fact that justice is obtainable and adaptable to the demands of the day.

[Mr. Djanogly]

We also oppose the creation of a European public prosecutor, as such a position promotes harmonisation rather than co-operation.

Mr. John Denham (Southampton, Itchen) (Lab): We are discussing the five-year JHA—justice and home affairs—programme. Is the hon. Gentleman telling the House, in all seriousness, that he believes that in five years' time this country will be unable to have laws dealing with animal terrorism, which he cites as an example of how that programme will go wrong? If he really believes that it will affect our right to have laws on animal terrorism, he should say so; if he does not, he should accept that he has raised a completely irrelevant and nonsensical issue as part of his scare campaign.

Mr. Djanogly: I am afraid that the right hon. Gentleman has got completely the wrong end of the stick. I am simply maintaining that the definition of a crime and the sentence that attaches to it will be considered differently in each member state and should therefore be the prerogative of that member state's judicial system. I do not think that the Government would detract from that—the problem is that they are not going over to Brussels to tell it what we want.

As I said, we oppose the creation of a European public prosecutor. Sufficient justification has yet to be provided for such a move, which seems more suited to preparing Europe for federal statehood than to any practical purpose. The attainment of security throughout the member states of the Union underpins the achievement of freedom and justice. As the Minister said, the biggest threat to that in recent years has been terrorism, so the prospect of increased co-operation between law enforcement agencies of all member states is to be welcomed.

We do not believe, however, that there is justification for extending the powers of Europol to become a separate, fully functioning European police force. In its current form, Europol makes large contributions to the exchange and analysis of information, rather than undertaking investigatory work. As such, it has a significant role to play in increasing co-operation and the sharing of best practice between member states, and it should continue to do so. That is not to say, however, that Europol needs to become a full Union agency feeding from the Community budget.

As with the Government's position on the Commission's Green Paper on criminal sanctions, I sense that although they have a lukewarm response to much of this communication, they are not prepared to do much about it. That is dangerous. It leaves the door open to creeping harmonisation, whereas what is needed is a strong rejectionist stance in favour of maintaining the British interest such as that which my party would provide.

Why are the Government taking such a soft position on this? In the conclusion to the communication, the Commission took the opportunity to reinforce their approval of the proposed constitutional treaty. This statement particularly grabbed my attention:

> "the final adoption of the Constitutional Treaty and its rapid entry into force are becoming essential, as this will offer the legal and institutional means of meeting . . . expectations".

The key word is "essential". As Conservative Members have argued time and again, the constitutional treaty is by no means essential either for our country or for the European Union. If this agenda is to go forward, the Commission's proposals for the next five years must be viewed as a way of seeking increased intergovernmental co-operation and progress in the fields of justice and home affairs. That ceases to be the case at the point where the proposals represent an attempt by the Commission to reinforce their desire to gain the ability to impose potentially unwanted legislation on member states that have lost their right of veto and the power to control their own country's policies and, therefore, their futures. That is exactly the situation that could become a reality under the umbrella of the constitutional treaty.

Mr. Connarty *rose—*

Mr. Djanogly: To the extent that the Labour party will support a yes vote for the European constitution, I cannot see how it will wish to destroy its own campaign—

Mr. Connarty *rose—*

Madam Deputy Speaker (Sylvia Heal): Order. The hon. Member for Huntingdon (Mr. Djanogly) is clearly not prepared to give way.

Mr. Djanogly: Thank you, Madam Deputy Speaker. I have given way many times, including to the hon. Member for Falkirk, East (Mr. Connarty), and I am about to conclude my speech.

I cannot see why the Labour party should wish to destroy its own campaign by attacking elements of the treaty, such as the giving up of our veto on home affairs, that are included in the Tampere agenda. This therefore becomes Labour's Trojan horse whereby it is preparing to sell this country for the sake of its constitutional treaty. It is a chilling prospect for our nation, but one that we need to face up to in the context of the Government's continued silence on this programme's true implications for our justice system and our national sovereignty.

Several hon. Members *rose—*

Madam Deputy Speaker: Order. Many Members hope to catch my eye but we have limited time for the debate, and I hope that they will bear that in mind when making their contributions.

1.59 pm

Keith Vaz (Leicester, East) (Lab): This is an extraordinary debate, partly because of the contribution that we have just heard from the hon. Member for Huntingdon (Mr. Djanogly), but also because of the astonishing absence of the shadow Home Secretary. I know where he was last night; he was at the Dorchester hotel—celebrating Diwali, tucking into his chicken tikka masala and rice.

I know where the shadow Home Secretary was this morning; he was on the "Today" programme, debating with my hon. Friend the Minister. Where is he this afternoon? Why is he not here? A new precedent has been set—shadow Ministers do not bother to come to the House of Commons to defend their position—but I am not surprised that he is not here: my hon. Friend gave him such a trouncing on the "Today" programme that he is too frightened to enter the Chamber.

I had the privilege of representing the Government at the Tampere Council between 15 and 16 October 1999. I remember it well, because it was the first time that member states came together to consider the issue of justice and home affairs in this way. An agenda was set out, and it is right that we should be reviewing it now.

Mr. Oliver Heald (North-East Hertfordshire) (Con): Before the hon. Gentleman gets to his main thrust, does he agree that there are four Opposition spokesmen, covering constitutional affairs and home affairs, on the Front Bench, whereas only two Ministers are present?

Keith Vaz: Never mind the quality, feel the width, I say. The point is, where is the shadow Home Secretary? It is a disgrace that he is not here.

The purpose of the Tampere Council was to create an area of security, freedom and justice in the European Union, and it is right that we should be reviewing it this year. It is also right that the European Scrutiny Committee has produced such an excellent report, and recommended that we should have a discussion on the Floor of the House. I commend members of the Committee for doing so.

The fact remains that this agenda was important in 1999 and became even more important because of the events of 11 September. The achievements of the agenda over the past five years have kept the issue of justice and home affairs right at the centre of the Government's thinking. I commend the Minister and her colleagues for going to the justice and home affairs meetings, defending the Government's position time and again, and making a positive contribution to the way in which the agenda has been taken forward.

As with all European agendas, there are disappointments at the fact that certain benchmarks have not been achieved that should have been achieved by now, but the purpose of December's European Council is to give this whole agenda a new thrust to ensure that we consider it in the light of what has happened over the past five years.

Mr. John Wilkinson (Ruislip-Northwood) (Con): Does the ex-Minister not think that the EU, instead of pursuing its hegemonistic ambitions in justice and home affairs, should concentrate on matters closer to home and not permit such disgraceful episodes as the sacking of the chief accountant, Mrs. Andreasen, for exposing fraud, maladministration and corruption in the European Commission?

Keith Vaz *rose*—

Madam Deputy Speaker: Order. We are wandering rather wide of the motion.

Keith Vaz: I shall abide by your ruling, Madam Deputy Speaker, and I will not answer the hon. Gentleman's point.

The fact remains that we must make progress. I want to raise three brief points, because I know that lots of my hon. Friends want to take part in the debate. First, there has been success in combating illegal immigration because of the work that has been done by the Home Secretary and his predecessor, the Foreign Secretary. Other EU nation states must take responsibility for the immigration problems in their areas. We cannot solve the problem of illegal immigration unless there is good, strong co-operation between our countries. That is shown, frankly, by the number of asylum seekers and of claims for asylum, which have declined over the past few years. That has been one of Tampere's successes.

The second point relates to combating crime. Surely the Conservative party must appreciate the importance of ensuring that those who commit crimes are brought to justice as quickly as possible. They should not be able to hide in another member state to evade justice. If they were able to do so, that would make a nonsense of the EU, which is why the European arrest warrant has been such a success. It was so difficult to get extradition before impetus was given to the justice and home affairs agenda. If someone commits a crime in another area of the EU, they must be brought to justice. By and large, people have to be brought to justice in their member states, because that is usually where the crime is committed.

The third point—the question of different judicial systems—is important. That is brought home to us by the European Scrutiny Committee's excellent report. Why is it that every time a European document is debated in the House, Opposition spokesmen go quite berserk, saying, "This is the last straw and the superstate will be created"? I am surprised that the hon. Member for Huntingdon did not mention the abolition of the pound: I realise that every speech that Conservative Members make is written with reference to what Mr. Roger Knapman and Mr. Kilroy-Silk might think about it, because all Conservative Members are concerned about is protecting their position from the United Kingdom Independence party.

The fact remains that we need a serious debate—a grown-up debate—in the House on European matters, which will allow us to explore the crucial issues that are at stake in the EU. There is absolutely—

Mr. Hawkins: Will the hon. Gentleman give way?

Keith Vaz: No, because time is short.

There is absolutely no question of our judicial system being changed because of this take-note document: it is absolutely ridiculous. We have a completely different judicial system from that in Scotland, and we know that four of the six Members who serve on the Committee have Scottish constituencies. Their judicial system is completely different from ours in England. There is no question of one being created. There is no question that we will be harmonised with the French judicial system or the German judicial system, which are quite different from the systems here.

The one point on which I can agree with the hon. Member for Huntingdon is that we have a judicial system of which we can be extremely proud. Of course it is the role of our Government—not just the Home Office, but the Department for Constitutional Affairs—to protect the integrity and independence of our judiciary.

[Keith Vaz]

Finally, I want to address the question of mutual recognition. Of course we want to ensure that there is mutual recognition. It is absolutely vital that decisions taken by courts in member states—

Mr. Dominic Grieve (Beaconsfield) (Con) *rose*—

Mr. Jimmy Hood (Clydesdale) (Lab): He has just come in!

Keith Vaz: I will not give way to the hon. Member for Beaconsfield (Mr. Grieve) because, as the Chairman of the Committee points out, he has only just wandered in to give some legal advice to the hon. Member for Huntingdon. The hon. Member for Beaconsfield should wait his turn if he wishes to take part in the debate, or perhaps he was busy at the Dorchester, like the shadow Home Secretary.

The fact remains that mutual recognition is a core principle of what we have been discussing. My constituents want to know about the practical problems, which my hon. Friend the Minister so eloquently placed before the House, because if they go to France and have an accident or there is a problem they want to know whether they will have access to justice in such countries. Those are the practical questions being asked by our constituents, involving the practical co-operation that must exist between member states, the judicial authorities and the police forces. That is what we are talking about here, so let us hear no more nonsense about a federal state in respect of this document. Let us have some proper support from this Conservative Opposition—supporting the Government as they stand up for Britain's interests.

2.9 pm

Mr. David Heath (Somerton and Frome) (LD): I open by thanking the European Scrutiny Committee for its work and for the quite sensible views it has expressed in the report. The subject has considerable import, and it should be put before the whole House. My only regret is that there is still a problem with our procedures. If the Committee considers a matter to be of serious import, it is somewhat bizarre that it should be debated on the Floor of the House to enable other Members may participate, only for the debate to be so brief that they cannot do so.

There would have been more debate if the matter had been referred to European Standing Committee A, B or C, because a Standing Committee would have had longer to consider it. I modestly suggest that it would be better for the matter to go first to the European Standing Committee, after which, with the benefit of its advice, we could debate it on the Floor of the House.

Mr. Hawkins: The hon. Gentleman makes a most constructive suggestion about the matter going from the European Scrutiny Committee to the European Standing Committee and then to the House. Does he agree that when the European Scrutiny Committee states that the matter is so vital that the whole House should consider it, there should be a full-day debate in Government time?

Mr. Heath: I am not sure that I would go quite that far, but the House will have heard the hon. Gentleman's comments.

What saddens me is that, thus far, we have not had a debate about the European Scrutiny Committee report. We have had the nonsense of an amendment, thought up as a jolly wheeze by the right hon. Member for Haltemprice and Howden (David Davis), who could not be bothered to attend the debate that he started, although he was happy to go on the radio this morning.

I am going to defend the hon. Member for Beaconsfield (Mr. Grieve), because it was suggested earlier that he was not here. He may not have been sitting up and paying attention sufficiently to be seen on the other side of the Dispatch Box—

Madam Deputy Speaker: Order. I have already said that time is limited for the debate. Perhaps we can concentrate on the motion rather than on some of the personalities involved.

Mr. Heath: I am happy to do so. I was defending the honour of another Member of the House, whom I felt had been traduced.

The hon. Member for Huntingdon (Mr. Djanogly) used his rather lamentable contribution as a proxy for a debate on the European constitution. We know, or at least we think we know, that we will have a referendum on the constitution—we had certainly better have a referendum on it—so there will be an opportunity to debate those issues then; this is not that opportunity.

I am surprised that there has been no mention of the debate that is convulsing a lot of the European Parliament and European Commission: the identity of the person who will put these proposals into effect. The name of Rocco Buttiglione has not been mentioned, yet we have the extraordinary situation of the civil liberties committee rejecting his nomination as European Commissioner—on sound grounds, I think, given the views that he has expressed and the actions he has taken. I hope that the debate on his confirmation, or otherwise, will be on the right terms—that it will be not on what he believes but on the way in which he intends to pursue the proposals that are before the Commission. I also hope that Mr. Barroso will take careful note of what parliamentarians are saying about Mr. Buttiglione's suitability for that role. He may be a perfectly good commissioner in another role, but he is not the right man to take forward a programme that is concerned with the liberties of individuals and the fight against discrimination.

I hope that not a single Member of the House does not believe that co-operation between member states is essential to fight organised crime, terrorism and domestic crime, drug smuggling and the like.

Keith Vaz: The Conservatives.

Mr. Heath: I do not believe that that is the case. I believe that they simply choose to use this as a Hartlepool agenda to try to get themselves out of a hole.

It is an unfortunate misuse of the proceedings. It is a great shame that we have these announcements of doom every time we have a European debate. I am staggered—*[Interruption.]* A cameo appearance by the right hon. Member for Haltemprice and Howden. It is staggering that we are debating this at all because we were told after Amsterdam and Nice that there would be no Parliament to have these debates—it was the end of the world every time. I wonder whether the right hon. Gentleman is going to join us—*[Interruption.]* Yes, he is.

Madam Deputy Speaker: Order. Will the House please settle down? This is a debate on a serious motion.

Mr. Heath: I am glad to see the right hon. Gentleman in his seat. Of course, his hand signed many of the treaties that his colleagues find so objectionable now.

I think that hon. Members on both sides of the House agree that we wish to maintain the integrity of our legal systems. I do not hear a single person who wants the English, Scots or Northern Irish legal systems to be eroded by decisions taken elsewhere. I hope that the Government will stand firm on that. I am confident that they will because they have said so—and, in this instance, I believe them.

I hope that we have effective border controls. I have my doubts about British border controls. I wish to see a single border force, which I think would be more effective than the disparate arrangements that we have at the moment. I recognise that we have had a massive expansion of the European Union, that there are significant new issues about border control that need to be effectively acknowledged within the European Union, and that new member states may need assistance from better established and perhaps richer states to provide the border controls that we want. That, however, should not affect what we do in this island state. We have an advantage over most of the other member states.

Mr. Mike Hancock (Portsmouth, South) (LD): If we are going to help the new member states of the EU to tighten their border controls, is it not a bit invidious for anyone in the Chamber to suggest that we need not take the issue seriously? It is wrong if we are reluctant to take any strong action and to support a Government who, for once, are moving in the right direction.

Mr. Heath: Of course, I agree with my hon. Friend.

We are trying to ensure that people cannot slip through the criminal net. Is there any hon. Member in the Chamber who wants criminals who ply their trade across borders to get away scot-free, simply because we do not have the apparatus to deal with them effectively? Of course there is not. Therefore, if we can find ways of recognising each other's judicial systems—improving them on occasion and recognising their strengths, in a context of respect—it is sensible that we do so.

Mr. Ian Davidson (Glasgow, Pollok) (Lab/Co-op): Do the Liberals disagree with any Government policies on this matter? If not, would any of the proposals be red line items for the Liberals?

Mr. Heath: I am working my way down the list, but we believe that the Government and the European Scrutiny Committee have the balance approximately right in most areas. As I develop my speech, the hon. Gentleman will recognise that that is the case.

Some people see the minimum standards as a Trojan horse, but, again, do we have no concerns about whether British citizens will be dealt with appropriately in EU member states? I suggest that we do, that we want reasonable standards of justice to pertain in the European Union and that that is a prerequisite for a common area of security, which is what this discussion is all about.

Mr. Paul Tyler (North Cornwall) (LD): My hon. Friend might recall the case of my constituent, Caroline Dickinson, the young school girl who was murdered in Brittany some years ago, which is still outstanding. It is a classic example of where we want to be absolutely reassured that standards of investigation and justice are common throughout the European Union. If this is a step in that direction, and I believe that he is right in accepting that it is, surely we should all support it.

Mr. Heath: I am grateful to my hon. Friend. That was a tragic case and it perfectly illustrates the point that we wish to pursue.

Europol is an area where we may have a slight difference of opinion with the Government. We are concerned about the operation of Europol within the United Kingdom. Some hon. Members may recall that it was the Liberal Democrats who, both in Committee and on the Floor of the House, opposed the statutory instrument that gave immunity to Europol officers within the UK, perhaps embarrassing the Conservative Opposition in so doing. We take seriously the limits to what Europol can and should do, although we do want it to be effective and accountable. At the moment there is a limit to its accountability. I should like to see a more direct relationship between Europol, as part of the European Union structure, and the European Parliament so that, for example, the director of Europol is confirmed before the European Parliament. That seems a perfectly sensible suggestion, albeit one to which the Government are not, I think, acceding.

I have concerns about fundamental rights in some of the new countries to have entered the European Union. I strongly support enlargement, but in some of those countries the basis for human rights is tenuous. We should be extremely careful to ensure that all member states live up to the responsibilities into which they have entered in joining the EU and, indeed, through membership of the Council of Europe. British Governments of all colours have constantly promulgated that.

Mr. Djanogly: The hon. Gentleman is kind to give way yet again. In relation to the European arrest warrant, is he aware that it is easier to have someone extradited to Slovenia than it is to the United States? Given his earlier comments on states that have just entered the EU, is he not concerned about that?

Mr. Heath: I wish that the hon. Gentleman had not said that because it tempts me into a debate on our extradition treaty with the United States. People can be extradited from Britain to the United States but there is

[Mr. Heath]

no reciprocal arrangement from the United States to Britain, and that is absolutely wrong. I would abuse my position, however, if I discussed that now.

It is absolutely essential that we have a degree of co-operation and co-ordination on asylum policy. Otherwise, anything that we do is likely to be meaningless because of the free movement of citizens within the EU, and I think that the right hon. Member for Haltemprice and Howden signed his name to that document. It is important that we have a common view on how to manage asylum and immigration issues properly.

I do not view the Law Society as the ultimate arbiter, nor do I view it as naïve, as does the hon. Member for Surrey Heath (Mr. Hawkins). It assessed the Tampere process and broadly supports it because it believes that the agreement is in the interests of justice. That is an important accreditation.

Sometimes, the European Commission is its own worst enemy. An example of that is in its wording on qualified majority voting:

> "The legal and institutional constraints of the current Treaties, where unanimity in the Council generally remain the rule, partly explain these difficulties. The Member States are sometimes reluctant to cooperate within this new European framework when their interests are at stake."

I should hope they are unhappy and reluctant to co-operate when their interests are at stake. If the Commission thinks that that is not the proper role of sovereign Parliaments and member states within the European Union, it needs a lesson in what the proper attitude towards subsidiarity is. That is the sort of language that allows the straw men to be put up by people who have no interest in what is contained in the documents, but want to foment an argument within the country that they believe to be to their electoral advantage. That is a sad reflection on the state of oppositional politics.

On this occasion the Scrutiny Committee has it about right.

2.24 pm

Mr. Jimmy Hood (Clydesdale) (Lab): I intend to please you, Madam Deputy Speaker, and to disappoint Opposition Members by sticking to the Scrutiny Committee report and the subject of today's debate. I am pleased that the Leader of the House has given us this opportunity. I support earlier comments that it is a pity that we do not have more than one and a half hours to discuss such an important issue.

The European Scrutiny Committee published in July its report on the Commission's programme for the next five years. We say in the report that these proposals relate to matters that are "at the core" of our national sovereignty. Therefore the programme directly affects the lives of individual citizens. I am pleased that the report has been so widely supported in the House and in particular that the Government also support it.

Under the treaty of Amsterdam, the European Community acquired in 1999 a new objective:

> "to provide citizens with a high level of security in an area of freedom, security and justice."

In that year the European Council held a special meeting at Tampere to set priorities for the European Community as

> "an area of freedom, security and justice."

That meeting approved a detailed programme for action for the next five years, covering civil and criminal justice, asylum and immigration, and police and customs co-operation. As we know, the measures under title IV of the EC treaty on visas, asylum and immigration and other policies relating to the free movement of people do not apply to the United Kingdom unless it expressly opts in to them. At Tampere, the actions were agreed by unanimity.

These new Commission proposals failed, in the Committee's view, to evaluate the practical benefits achieved so far as a result of the Tampere programme of 1999, in relation to

> "creating an area of freedom, security and justice, covering criminal and civil justice, visas, asylum and immigration, and police and customs cooperation."

Our report questions whether there is a risk that the expression

> "an area of freedom, security and justice"

is encouraging the notion that such an area is a unitary state separate from the member states which make up the European Union. Regardless of the countless assurances from Ministers, it is not easy to be comfortable with the Commission's rhetoric throughout its proposals.

On harmonisation of asylum policy, the European Scrutiny Committee argues that we should not go beyond the establishment of reasonable common minimum standards. The proposals for the creation of a European public prosecutor and a European corps of border guards and to give Europol some investigative powers excited the Committee. The report states:

> "We have not yet seen sufficient justification for giving the European Union its own prosecutor, border guards and police force."

Again the Government have indicated support for that view.

The extension of the Community's activities into crime prevention could conflict with the principles of subsidiarity and proportionality. We also agreed that the scope of measures relating to civil and criminal justice should be strictly confined to those which are necessary for mutual recognition, and should not affect purely internal cases or otherwise encroach on the integrity of the legal systems of member states; otherwise there would be no limit in practice to EU competence to harmonise national legal systems. Our concerns are compounded by the Commission's apparent wish to rely on qualified majority voting to secure the adoption of its justice and home affairs legislation against the wishes of some member states. As has been pointed out, the Tampere agreement in 1999 was agreed by unanimity.

Mr. Connarty: Obviously it is a joy to hear such a clear elucidation of the points that we considered and put forward and with which, as my hon. Friend said, the Government have agreed. Does he not think it essential that in summing up our Minister makes it quite clear that, in terms of the motion before us, negotiation will always be approached by the Government on the basis that they will stand by the commitments they gave to support the points put forward by him and by our Committee?

Mr. Hood: I certainly would agree with that; indeed, the last paragraph in the report asks the Government to do that. The Minister's contribution suggested that she has taken on board the comments we made; we should welcome that.

David Davis (Haltemprice and Howden) (Con): Will the hon. Gentleman give way?

Mr. Hood: All hon. Members, including Conservative Members, know that I always try to be courteous and polite in the House. However, as you know, Madam Deputy Speaker, I am also a member of the Chairmen's Panel, and we do have conventions in the House. It is a bit rich for the shadow Home Secretary to come in half way through the debate and then seek to intervene on a contribution by an hon. Member who has sat here from the beginning, so if he will excuse me on this occasion, I intend to carry on with my speech and not accept an intervention.

The Commission states that substantial progress has been made in most aspects of justice and home affairs since 1999, but that the original ambitions of Tampere have been hampered by institutional constraints and sometimes by the lack of sufficient political consensus. The proposals state:

> "It was not always possible to reach agreement at European level for the adoption of certain sensitive measures relating to policies which remain at the core of national sovereignty. The legal and institutional constraints of the current Treaties, where unanimity in the Council generally remains the rule, partly explain these difficulties.
>
> The Member States are sometimes reluctant to cooperate within this new European framework, and when their interests are at stake they do not hesitate to threaten the use of the veto . . . in order to lower the level of ambition of the Commission's proposals and reject [the European] Parliament's opinions."

The Commission says that once legislation is adopted, the limited role of the European Court of Justice and the restricted powers of the Commission are an obstacle to ensuring it is effective.

The Committee criticises the fact that the communication does not evaluate the practical benefits and measures already adopted, and says that it is therefore not possible to judge whether expected benefits have been achieved.

> "Moreover, the Communication does not state what practical benefits the Commission expects from the priorities it proposes for the next five years.
>
> We consider that it would be prudent, therefore, for member states to withhold commitment to the inclusion of these proposals in the work programme until they are presented with, and have considered, such a statement."

The European Scrutiny Committee adds, on unanimity:

> "It seems to us reasonable and proper for member states to withhold their agreement from measures they do not support and which, to use the Commission's own words, 'remain at the core of national sovereignty'. It bodes ill for the future if, on such sensitive matters, the Commission envisages reliance on QMV to impose on Member States legislation to which they are opposed".

Mr. Djanogly: I thank the hon. Gentleman for giving way. Is it therefore the view of the Committee that QMV should become a red-line issue for the Government; in other words, should the Government insist on not giving up our national veto?

Mr. Hood: The Committee would agree with the view that QMV is not suitable when deciding the issues that are contained in the proposal.

On visas, asylum and immigration, I refer to the Commission's proposals again. One proposal is the development of an integrated border management system and visa policy. The external agency and co-ordination mechanisms must be

> "supplemented with the long-term objective of establishing an European Corps of border guards to complement the national border guards."

Visa policy should address the security of documents—including biometric identifiers—and improved consular co-operation.

Another proposal is a common policy on the management of migration flows, including proposals relating to links between legal and illegal migration, such as legal admission for employment purposes, better integration of legal migrants, targets for legal admissions, an effective policy on returns and readmissions and partnerships with countries of origin to deter illegal immigration and trafficking of human beings.

The Government support the development of a common EU asylum policy, which quickly and fairly identifies those in need of protection.

Caroline Flint: I thank my hon. Friend for giving way. Does he agree that one thing that the Government secured is that even where there is QMV, on asylum and immigration issues we have an opt-in to any measures that protect our frontiers? Also, in regard to criminal procedural law, we have an emergency brake which would mean that any issue that we felt undermined the judicial systems throughout the United Kingdom could be put to a European Council where a decision would have to be made unanimously?

Mr. Hood: Yes I certainly agree and the Committee accepts that in its report.

As I said, the Government support the development of the EU asylum policy, which quickly and fairly identifies those in need of protection whilst tackling abuse and inefficiencies in the system. They support a more practical approach to EU co-operation, in particular through partnership with countries of origin and transit, but are not convinced of the need for further harmonisation of EU asylum policy. Again I took comfort from what the Minister said earlier.

The European Scrutiny Committee says:

> "the Commission has not presented a sufficient justification for the proposal"

for the creation of a European corps of border guards. We say that the Convention did not support a reference to such a corps in the draft treaty and that the proposal is objectionable in principle. We say:

> "Control over admission is a good illustration of the sensitive matters which remain at the core of national sovereignty."

The Scrutiny Committee also notes that the common policy on asylum is not necessarily the same as a uniform policy and, while recognising the importance of

[Mr. Hood]

common minimum standards for asylum, agrees with the Government that the case for further harmonisation remains to be made.

Mr. David: I thank my hon. Friend for giving way and I agree with the comments and criticisms of the European Commission made by the European Scrutiny Committee. However, does he agree that what we need to do is ensure that in future the European Commission is held to account to a greater extent both by national Parliaments and the Council of Ministers, and that is not in any way an anti-European argument?

Mr. Hood: I will not surprise my hon. Friend when I say that I very much agree with him. As Chairman of the Committee and as a member of the 16-member Committee, I should say that we were very much maligned by some sections of the press recently for our scrutiny successes. However, I can say that as a Committee we very rarely, if ever, follow party lines in our deliberations. We see our function as looking after the national interests of this Parliament, and anything that we do and say and anything that we report on has that at the core of its considerations.

Mr. Denham: Does my hon. Friend agree that one of the reasons why the debate on the proposals becomes so polarised is the truth that the Commission has produced an extraordinarily poor-quality JHA document? In fact, if it came to my hon. Friend the Minister in her red box this weekend as a work programme from officials, she would chuck it back in the box and say, "Go away and do it again." Should not one of the messages that we send to those in the Commission be that, if they produce such vague and ambiguous documents, they lay themselves open to the type of misinterpretation that we have heard from the Opposition today?

Mr. Hood: I thank my right hon. Friend for his intervention and for making that important point. In accepting it, I can reinforce the fact that much of our work identifies what I would class as incompetence. Such things are, by their incompetence, provocative and cause unnecessary provocation in national Parliaments of other member states as well. That message should go out loud and clear, and it is one that the Committee often sends to the Commission, both in our reports and, if we are given the opportunity to meet or take evidence from individual commissioners, in Brussels.

On civil and criminal justice, the Commission proposes the creation of a European judicial area, respecting the legal traditions and systems of the member states. It says:

> "The development of the European judicial area has neither the objective nor the effect of challenging the legal and judicial traditions of member states, and total harmonisation would be neither proportionate nor appropriate . . . For this reason, the principle of mutual recognition has been placed at the heart of European integration in this field . . . However, mutual recognition requires a common basis of shared principles and minimum standards."

It adds:

> "It will be necessary to avoid a situation where in each member state there are two separate legal regimes, one relating to the disputes with cross-border implications and another purely on internal disputes."

Mr. Hawkins: Will the hon. Gentleman give way?

Mr. Hood: No. I am sorry; I hope that the hon. Gentleman will forgive me.

Measures proposed include the definition of fundamental guarantees, the conditions of the admissibility of evidence and strengthening the protection of victims. The Commission calls for a coherent crime policy to enable the European Union to fight serious crime effectively and for action to define fixed-minimum penalties for certain offences.

Mr. Cash: Will the hon. Gentleman give way?

Mr. Hood: In a moment.

The Commission also calls for a European public prosecutor's office to be created from Eurojust. On the European public prosecutor, the Government say:

> "We support strong action to tackle fraud against the Union's interests. But any role of a European Public Prosecutor in this area is dependent on our agreement. We will not agree to anything that is not in the national interest."

On minimum standards, the Government have

> "reservations about the statement that mutual recognition requires a common base of shared principles and minimum standards, which suggests that criminal procedural law measures are a pre-condition for mutual recognition."

Mr. Cash: Will the hon. Gentleman give way?

Mr. Hood: I will in a moment.

Mr. Cash: We have not got many moments.

Mr. Hood: In a moment.

The European Scrutiny Committee emphasises that the principle of mutual recognition does not necessitate uniformity of procedural or substantive law. We regard

> "such uniformity both as unnecessary and as prejudicial to the integrity of the different legal systems of the Member States."

The Committee is concerned by the implications of the Commission's view that it is necessary to avoid a situation where each member state has separate legal regimes for disputes with cross-border implications and for purely internal disputes.

Mr. Cash: Will the hon. Gentleman give way?

Mr. Hood: Yes, I certainly will, briefly.

Mr. Cash: I am most grateful to the hon. Gentleman for giving way. I should have liked to say much more, but I shall keep it to some simple points. First, the European Scrutiny Committee has condemned the proposals. That is basically what the report boils down to. Secondly, when the vote takes place, I hope that hon.

Members who have contributed to the report will follow me into the Lobby. Thirdly, in 1967, the then Labour Government said:

> "Nothing in Community law would . . . materially affect the general principles of our criminal law . . ."—

and the same was repeated in 1975. In a nutshell, the fact is that, as the Leader of the Opposition said at the Conservative party conference:

> "Politicians . . . have made promises they have failed to keep."

This is about the existing treaties, and those treaties must be renegotiated, repealed and amended.

Mr. Hood: For my sins and for reasons better known to some higher authority, I am rather fond of the hon. Gentleman. He served on the European Scrutiny Committee before me, and I have served on that Committee for 17 years. I always leave him to make his own points, even though I do not necessarily understand them too clearly.

The Committee's report says:

> "We draw attention to the danger that measures which are ostensibly concerned with mutual recognition will have the effect of creating uniform rules which will then apply to all cases, whether they have any cross-border implications or not. As we have commented before, Commission proposals on the 'area of freedom security and justice' have appeared to treat this 'area' as synonymous with a unitary State, with only one legal system. We do not believe that there is any treaty basis for such an approach, or that it complies with the principle of subsidiarity. If Parliament has not chosen to unify the separate legal systems of England and Wales, Scotland and Northern Ireland, we see no justification for this being attempted by the European Union."

Angus Robertson: I agree with every word that the hon. Gentleman has said until now. Is he concerned that the explanatory memorandum on that very issue—he notes the important separate legal systems—has had no input from the Scottish Executive, as noted in the paper itself?

Mr. Hood: I accept the point that the hon. Gentleman makes and has made on previous occasions. Indeed, the report covers that issue as well.

In trying to reach my conclusion, I wish to say that the Commission's proposals include strengthening the role of Europol, including giving Europol some powers of investigation, extending the work of the European police college and creating a legal framework to improve the sharing of intelligence between enforcement authorities and possibly making Europol a Union agency, financed from the Community budget.

Mr. Davidson: Will my hon. Friend give way?

Mr. Hood: No, I am sorry. I will try to be fair.

The Commission's proposals include counter-terrorism activity, including the creation of an information exchange centre, action to combat the financing of terrorism, and action in the fight against serious crime, such as public-private partnerships. The European Scrutiny Committee recognises the possible benefits of further co-operation between member states and improved exchanges of information—

It being one and a half hours after the commencement of proceedings on the motion, MADAM DEPUTY SPEAKER *put the Question, pursuant to Standing Order No. 16.*

Question put, That the amendment be made:—

The House divided: Ayes 115, Noes 277.

Division No. 260] **[2:49 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Burns, Simon
Burt, Alistair
Butterfill, Sir John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clifton-Brown, Geoffrey
Conway, Derek
Cormack, Sir Patrick
Cran, James *(Beverley)*
Cunningham, Jim *(Coventry S)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Duncan, Alan *(Rutland)*
Evans, Nigel
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Francois, Mark
Gale, Roger *(N Thanet)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Grieve, Dominic
Hammond, Philip
Hawkins, Nick
Heald, Oliver
Hendry, Charles
Hermon, Lady
Hogg, rh Douglas
Howarth, Gerald *(Aldershot)*
Jack, rh Michael
Jenkin, Bernard
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
May, rh Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paterson, Owen
Prisk, Mark *(Hertford)*
Redwood, rh John
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Dame Marion
Rosindell, Andrew
Ruffley, David
Selous, Andrew
Shepherd, Richard
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Tredinnick, David
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Wilshire, David
Wright, Iain *(Hartlepool)*
Young, rh Sir George

Tellers for the Ayes:
Mr. Hugo Swire and
Mr. John Randall

NOES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Austin, John
Bailey, Adrian
Barnes, Harry
Barrett, John
Battle, John
Beard, Nigel
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blizzard, Bob
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Brennan, Kevin
Brooke, Mrs Annette L.
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burgon, Colin
Burnham, Andy
Burstow, Paul
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cable, Dr. Vincent
Cairns, David
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Sir Menzies *(NE Fife)*
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Corbyn, Jeremy
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Don *(Bath)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, Andrew *(St. Ives)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hancock, Mike
Hanson, David
Harris, Dr. Evan *(Oxford W & Abingdon)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Heyes, David
Hodge, Margaret
Hood, Jimmy *(Clydesdale)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green & Bow)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Levitt, Tom *(High Peak)*
Linton, Martin
Love, Andrew
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Meacher, rh Michael
Merron, Gillian
Miller, Andrew
Mole, Chris
Moran, Margaret
Morgan, Julie
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Quinn, Lawrie
Rammell, Bill
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Salmond, Alex
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watts, David
White, Brian
Whitehead, Dr. Alan
Williams, rh Alan *(Swansea W)*
Williams, Roger *(Brecon)*
Wills, Michael
Winnick, David
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*

Wright, Tony *(Cannock)*
Wyatt, Derek
Younger-Ross, Richard

Tellers for the Noes:
Joan Ryan and
Mr. Tom Watson

Question accordingly negatived.

Main Question put:—

The House divided: Ayes 275, Noes 114.

Division No. 261] **[3:02 pm**

AYES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Austin, John
Bailey, Adrian
Barnes, Harry
Barrett, John
Battle, John
Beard, Nigel
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blizzard, Bob
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Brennan, Kevin
Brooke, Mrs Annette L.
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burgon, Colin
Burnham, Andy
Burstow, Paul
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cable, Dr. Vincent
Cairns, David
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Sir Menzies *(NE Fife)*
Cassale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Corbyn, Jeremy
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
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Fitzsimons, Mrs Lorna
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Foster, Don *(Bath)*
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Gapes, Mike *(Ilford S)*
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George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hancock, Mike
Hanson, David
Harris, Dr. Evan *(Oxford W & Abingdon)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Heyes, David
Hodge, Margaret
Hood, Jimmy *(Clydesdale)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Joyce, Eric *(Falkirk W)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
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Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Levitt, Tom *(High Peak)*
Linton, Martin
Love, Andrew
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Meacher, rh Michael
Merron, Gillian
Miller, Andrew
Mole, Chris
Moran, Margaret
Morgan, Julie
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Quinn, Lawrie
Rammell, Bill
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Salmond, Alex
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Speller, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*

Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watts, David
White, Brian
Whitehead, Dr. Alan
Willetts, David
Williams, rh Alan *(Swansea W)*
Williams, Roger *(Brecon)*
Wills, Michael
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Iain *(Hartlepool)*
Wright, Tony *(Cannock)*
Wyatt, Derek
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Tom Watson and
Joan Ryan

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Burns, Simon
Burt, Alistair
Butterfill, Sir John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clifton-Brown, Geoffrey
Conway, Derek
Cormack, Sir Patrick
Cran, James *(Beverley)*
Davies, rh Denzil *(Llanelli)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Duncan, Alan *(Rutland)*
Evans, Nigel
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Francois, Mark
Gale, Roger *(N Thanet)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Grieve, Dominic
Hammond, Philip
Hawkins, Nick
Hendry, Charles
Hermon, Lady
Hogg, rh Douglas
Howarth, Gerald *(Aldershot)*
Jack, rh Michael
Jenkin, Bernard
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
Malins, Humfrey
Maples, John
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
May, rh Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paterson, Owen
Prisk, Mark *(Hertford)*
Redwood, rh John
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Dame Marion
Rosindell, Andrew
Ruffley, David
Selous, Andrew
Shepherd, Richard
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Tredinnick, David
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Wilshire, David
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Mr. Hugo Swire and
Mr. John Randall

Question accordingly agreed to.

Resolved,

That this House takes note of European Union document No. 10249/04, with ADD 1 and ADD 2, Commission Communication on the Area of Freedom, Security and Justice: assessment of the Tampere Programme and future orientations; notes that the Communication forms the basis of negotiations for the next European Union Justice and Home Affairs Work Programme; and supports the Government's position that the Work Programme should focus on measures that complement the efforts of Member States and will be of most benefit to European Union citizens.

HORSERACE BETTING AND OLYMPIC LOTTERY BILL (PROGRAMME) (NO.2)

Motion made, and Question put forthwith, pursuant to Orders [28 June 2001 and 6 November 2003],

That the following shall apply to the Horserace Betting and Olympic Lottery Bill for the purpose of supplementing the Order of 8th January 2004.

Consideration of Lords Amendments

1. Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement at this day's sitting.

Subsequent stages

2. Any further Message from the Lords may be considered forthwith without any further Question being put.

3. The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—*[Mr. Ainger.]*

Question agreed to.

Orders of the Day

Horserace Betting and Olympic Lottery Bill

Lords amendments considered.

Clause 10

CONTROL WHEN NO EXCLUSIVE LICENCE

Lords amendment: No. 1.

3.15 pm

The Minister for the Arts (Estelle Morris): I beg to move, That this House agrees with the Lords in the said amendment.

I am sorry, Mr. Deputy Speaker, that I was almost not in my place just now. That will serve me right for believing the Whips when they told me that there would be three Divisions, not two. I would also like to apologise for the absence of the Minister for Sport and Tourism, who has guided the Bill through its many stages. He cannot be with us today as he has ministerial duties elsewhere, but he sends his apologies to the House and has left me to deal with this last stage of the Bill.

I propose that the House accept this amendment that was made to the Bill in the House of Lords. In the original draft of the Bill, provision was made for point-to-point racing to be made exempt from regulatory requirements. During the discussions on the Bill in another place, concern was expressed that those provisions were not generous enough, and that the original maximum of four days proposed by the Government risked bringing a number of point-to-point races within the regulatory structures.

The Lords amendment that we are now considering reflects the Government's positive response to representations. The Government wished to avoid such an unnecessary regulatory imposition, and accordingly tabled an amendment to raise the maximum exemption to seven days of racing. Representatives of point-to-point organisations have welcomed the amendment, as I do now. I hope that the House will accept it.

Hugh Robertson (Faversham and Mid-Kent) (Con): Before I comment on the amendment before us, I would like to take this opportunity to pay tribute to Members on both sides of both Houses who have worked so hard to scrutinise the Bill. Although we are considering only a few amendments today, the important debates that have taken place have played their part in ensuring that the Government are aware of the concerns of racing. In a Bill that frequently requires Parliament to trust the Government to keep their word, it is important to get commitments clearly on the record, if not always in the Bill.

I would like to pay particular tribute to the dedication and hard work of my colleagues, my hon. Friends the Members for South-East Cambridgeshire (Mr. Paice) and for Surrey Heath (Mr. Hawkins), who have brought their considerable experience, knowledge and passion for racing and sport to the Committee. I believe that the debates were the stronger for that. I should also like to pay tribute to Lord Moynihan in the other place, who was ably assisted by the noble Lord Luke. He clearly did a first-class job, and the Bill is the stronger for it. The British Paralympic Association has particular reason to be grateful, as we shall hear later.

I should highlight the fact that we are considering Lords amendment No. 1 entirely due to the foresight of my colleague Viscount Ullswater, who has ensured that the interests of point-to-point racing have not been forgotten. Currently, the Tote does not run pool betting at point-to-point races. However, it has been prepared to grant authority to the secretaries of the various point-to-point committees to run their own pool-betting operations for a nominal fee. In 2003, 82 point-to-point fixtures ran their own Tote.

Clause 10(1) amends the Betting, Gaming and Lotteries Act 1963 by substituting a new section 4. Under the Bill as drafted, the new section 4(4) allowed for a point-to-point exemption certificate to be applied for from the Gaming Board. However, that application had to specify a maximum number of days, not exceeding four, on which horse racing could be carried out. In the other place, Viscount Ullswater rightly pointed out that two point-to-point courses, Garthorpe and Larkhill, were to hold more than four meets in 2004.

I welcome the Government's decision to look again at this provision. On Report, the Government tabled the amendment that we see before us today, which changes the limit from four to seven. I acknowledge that the amendment represents a step forward by the Government in protecting point-to-point racing. I am interested, however, in understanding exactly how the Government reached the figure of seven meets. I accept that it is a compromise, but why that particular figure?

Viscount Ullswater called for the limit to be scrapped completely. Why have the Government ignored that option? So far, the Government have failed to provide a justification for maintaining a limit of any sort. Indeed, the Minister in the other place provided a curious answer:

> "My Lords, seven is better than four . . . Seven is satisfactory for all point-to-point racing, except for Larkhill, as far as I can see. This is a compromise; I hope it is an acceptable compromise."—[*Official Report, House of Lords*, 19 July 2004; Vol. 664, c. 43–4.]

That does not really let us know a lot about the Government's thinking.

We do not intend to overturn this amendment, which is certainly a considerable improvement on the original drafting of the Bill. It would be useful, however, if the Minister could give the Government's reason for choosing seven rather than any other number.

Estelle Morris: I readily acknowledge the work of Viscount Ullswater in the other place and accept that the amendment came about because of the work that he did and the representations he made. That is the spirit in which the legislation has gone through its stages in both Houses. That is not unique, but it is unusual, and I pay tribute to that. I read the same bit of *Hansard* as the hon. Member for Faversham and Mid-Kent (Hugh Robertson), which is why I was smiling a little as he quoted it.

Unfortunately, I cannot give the hon. Gentleman a scientific explanation as to why it is seven and not four. It is a compromise, as the Minister in the other place said. It has been accepted by those with a keen interest

[Estelle Morris]

in the issue and it was accepted by Viscount Ullswater. I think that we should accept that and move forward. The amendment will not jeopardise any point-to-point races in coming years and if a change is thought necessary in future years, the Government will by then have evidence against which to set any further amendment. This is a case of test it and see. Given that no point-to-point race will be discriminated against, I hope that the House will agree the amendment so that we may make further progress.

The hon. Gentleman raises a legitimate question. All of us like to think that legislation is rooted in extensive evidence and careful logical thought, but sometimes we have to estimate what will work best in certain circumstances. When I read the report of the debate in the other place, I thought that that had happened in this case. I trust that the hon. Gentleman will accept that explanation. In any case, I welcome his general comments on the amendment.

Lords amendment agreed to.

ABOLITION OF LEVY

Lords amendment: No. 2.

Estelle Morris: I hope that this second amendment will find favour with the House. It is an important, although not a major point. It acts on the recommendation of the Delegated Powers and Regulatory Reform Committee of the other place. Clause 15(1) will enable the Government to commence, under order-making powers, the abolition of the horserace betting levy system. In the Bill as originally drafted, no parliamentary procedure was specified. The Committee was concerned that consequential amendment could be made to primary legislation without Parliament having the opportunity to consider it. The Government accepted that recommendation and moved an amendment to provide that the negative resolution procedure shall apply to all orders made under clause 15(1), and not the positive resolution procedure.

Hugh Robertson: Given that the occasions when the Government decide they should give more power to Parliament rather than keep it for themselves are few and far between, I can only welcome the amendment. We should be grateful to the Delegated Powers and Regulatory Reform Committee's seventh report, which recommended that clause 15 should be amended. The Committee wrote:

> "Clause 15(1) provides for an order, subject to no Parliamentary procedure, activating repeals and the dissolution of the Horserace Betting Levy Board . . . Clause 15(2)(c) enables the order under clause 15(1) also to make consequential provision which can include amending enactments. The Committee normally expects such provisions to be subject to the affirmative procedure but, in this instance, since the provision is limited to consequential provision and in the light of Schedule 4 to the bill, the Committee recommends that the appropriate level of Parliamentary procedure in this case is negative procedure."

If Members understand that, they are doing much better than me.

Accordingly, in Committee, the Government tabled an amendment to provide that the negative resolution procedure will apply to all orders made under clause 15(1). It is right that the Government responded appropriately to the recommendations and I am grateful to them for doing so.

My colleagues in the other place expressed several concerns about the timing of the abolition of the levy and have sought assurances to protect the legacy of the Horserace Betting Levy Board's good work. Unfortunately, despite the force of our arguments, we did not manage to convince the Government that they should make important changes, so, given that the amendment places a check—albeit a small one—on the Government's power to abolish the levy, I offer it our support.

Mr. Richard Page (South-West Hertfordshire) (Con): I echo the words of the Minister and of my hon. Friend the Member for Faversham and Mid-Kent (Hugh Robertson). The Committee proceedings were conducted with a conviviality that is not usual in political affairs; the whole Committee came together in a single drive to ensure that, in particular, the Tote was returned to a racing trust. I was surprised and delighted by that atmosphere and only wish that our other debates could be conducted in similar fashion.

I welcome moves for the abolition of the levy. It has been a source of friction over the years. I can understand the Secretary of State's wanting to get rid of it at the earliest possible opportunity, but there have been a number of difficulties.

Mr. Don Foster (Bath) (LD): I entirely agree with the hon. Gentleman about the spirit in which our deliberations in Committee were conducted. In view of his belief, which I share, that the most appropriate sale would be to a racing trust, does he acknowledge that some difficulties were created in another place by some of his colleagues who took a rather different view? Does he disagree with them?

Mr. Page: I am very disappointed that the hon. Gentleman endeavours to bring friction where there was peace and unanimity. However, bearing in mind the political party he comes from, that situation can be taken as the norm. My noble Friend was simply trying to tease out further the Government's commitment to a sale to a racing trust. He in no way wanted to scupper the Bill or see it destroyed; he did what he did for the purposes of clarity and explanation. Personally, I would have gone about things slightly differently, but there we are. We all take individual approaches to our aims and objectives in life.

I welcome abolition of the levy, but I want to ensure that what takes its place will be for racing, so I welcome the Minister's statement that the provisions will be subject to resolution by Parliament. It is extremely important that the statements by Ministers over the years that the sale will be to a racing trust actually come to pass. We take the racing industry very much for granted in the UK. It is not fully appreciated that 100,000 people are employed in the industry and if it is put at risk it could go abroad, as so much of our manufacturing has done. All the trials and tribulations and dramas of the past year or so have actually put our racing industry on to a strong basis.

Some of the major owners—the gentlemen from the Arab states—have behaved with a dignity and maturity that I can but admire, and in some cases wish was emulated in the rest of the industry, and have given tremendous support. I want nothing that would drive them away. The amendment offers further reassurance about the way forward, so I can only hope that when it reaches the statute book the Government move quickly to see the Tote put into the hands of a racing trust for the benefit of racing.

Mr. Alex Salmond (Banff and Buchan) (SNP): I fully support the racing trust concept for the future of the Tote and welcome the acceptance of the amendment, which applies some additional parliamentary protection in respect of the abolition of the levy. I want to make three points about why that protection may be important.

The levy has been criticised; it has been a matter for dispute. One advantage enjoyed by the levy board is that by custom and practice it has always included an independent Scottish member to protect the particular interests of Scottish racing. That provision was not in the legislation, but came about through custom and accord. Many Scottish Members are worried that the successor organisation, the British Horseracing Board, has no such organisational connection with Scottish racing. Some of us held a cross-party meeting with the BHB this morning to discuss that point, and we await its proposals on how it will accommodate the specific dimension of Scottish racing in its structures. The Minister for the Arts will know that the Minister for Sport and Tourism has expressed his sympathy and support for, and interest in, the matter, so I hope that she is aware of the situation.

3.30 pm

My other two points relate to the funding of racing. We read in this morning's *Racing Post* that the future system of support for the racing industry will depend on hypothecation relating to betting turnover. However, at least one major bookmakers firm, Ladbrokes, intends to try to charge the industry to supply it with information on which to base the hypothecation. While a firm may legitimately charge a fee for commercial data, the future funding of racing will depend on that information, so it will not be commercial data. Incidentally, that information cannot come from only one company because it must be produced by all bookmakers and betting exchanges if it is to provide a solid base of information for the future funding of racing. What is the Minister's view of a company that apparently wants to hold the rest of the racing industry to ransom by demanding payment for information? Such an arrangement would put a question mark over the basis of the new funding settlement.

Whatever the faults, trials and tribulations of the levy board, it provided a balance so that informed judgments could be made on developments in racing that were for the good of the sport as a whole. The various interested parties in racing have reached an agreement that in addition to the hypothecation from betting revenue there will be a development fund. The fund will apply to races that might not be especially commercial and might involve only a few runners, yet are essential preparatory races for other events because if they were not to take place, the eventually championship races up to which they led could encounter considerable difficulties. The development fund will be part of the new concept, but it might make up only as little as 6 per cent. of racing's overall revenue. It cannot be right that the money available to support racing as a sport should be such a small percentage of the overall revenue generated by the racing industry.

I support the amendment, the Government's willingness to accept it and the camaraderie with which we will, I hope, proceed towards a racing trust running the Tote. However, before we all celebrate the departure of the levy and the levy board, we must remember that that system of funding included vital protections. It is up to the Government to tell us that those protections will continue to be offered under the new framework towards which we are moving.

Estelle Morris: I thank the hon. Members for South-West Hertfordshire (Mr. Page) and for Banff and Buchan (Mr. Salmond) for their contributions. It is clear from our short debate that it is essential for us to accept the Lords amendment. There is general agreement about the course of action that has been taken, but understandable worry about whether the benefit that has accrued to the industry will continue under the new arrangements. Indeed, the industry is thriving and it contributes to our nation economically and in other ways.

I hope that the hon. Member for Banff and Buchan will appreciate that I have come to the Bill exceptionally late in its passage and, if I am honest, I have not taken a day-to-day interest in it throughout its stages in the Commons and the Lords. I shall refrain from commenting on the article in today's *Racing Post*.

I hope that the procedure that we are adopting means that there will be an opportunity for both Houses to discuss legitimate concerns about percentages, the meaning of data that may be sold as a commercial activity and the protection of the industry. I hope that the general principles are agreed and that debates on detail will be held in both Houses.

Lords amendment agreed to.

Clause 31

DISTRIBUTION POLICY

Lords amendment: No. 3.

Estelle Morris: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker (Sir Michael Lord): With this we may discuss Lords amendment No. 4.

Estelle Morris: As this is the final group of amendments, I join the hon. Member for Faversham and Mid-Kent (Mr. Robertson) in taking the opportunity, on behalf of my right hon. Friend the Minister for Sport and Tourism, to thank him and to congratulate all hon. Members, officers and officials who have worked so hard to get the Bill through both Houses.

The amendments, tabled by Lord Moynihan, Lord Luke and Lord Glentoran, are sensible. It is right that they be included in the Bill. It was no one's intention to rule out discussion or consultation with the British

[Estelle Morris]

Paralympic Association. The amendments add the British Paralympic Association to the list of bodies that the Olympic lottery distributor must consult when preparing or revising its distribution policy and to which the distributor must send a copy of any policy or revision.

The Government fully endorse the central role of the British Paralympic Association in our bid for the 2012 London Olympics and Paralympics, and the other place was happy to accept the amendments. I propose that the House accept both of them.

Hugh Robertson: I am delighted that the Government have accepted our amendment. It is even more satisfying when the purpose is so important and the cause so patently just. Lord Moynihan rightly identified that the Bill failed to include the British Paralympic Association in its list of statutory consultees on the Olympic lottery strategy. I am pleased that that omission has been corrected.

It is right and just to take stock of the achievements of our Paralympic athletes and their association. Our Paralympic athletes gained 35 gold medals, 30 silvers and 29 bronzes in Athens. It is right that we should pay tribute to that outstanding achievement. I and other members of my party had the privilege of meeting at our conference in Bournemouth two gold medal winners—Darren Kenny in cycling and Danny Crates in athletics. I am sure that other hon. Members had the same opportunity at their conferences.

Each performance is an individual achievement, but our Paralympians receive an outstanding service from the British Paralympic Association. It is clearly best placed to advise on the specific specialist requirements of its athletes and their sports. The Bill, as amended, will allow that expertise to be tapped into by the new Olympic lottery distributor. That is why I support the amendments.

Mr. Don Foster: Many of us had the opportunity to congratulate our Olympic team and I now echo the words of the hon. Member for Faversham and Mid-Kent (Hugh Robertson) in praise of all members of our Paralympic team.

We fully support the amendments. We are delighted that the Government accepted them, although we acknowledge that they intended to involve the Paralympic organisations at all stages. However, it is an important gesture to include the British Paralympic Association in the Bill because that demonstrates the importance that this House and the Lords place on the Paralympic games. They are a crucial part of the package for which we are bidding in 2012. We are not bidding just for the Olympics to come to London, but for the Paralympic games as well. Both those games will bring an enormous benefit to London and all parts of the UK. It is for those reasons that the Liberal Democrats fully support the activities of the team that is working so hard to ensure that the bid is successful and both games come here.

I share the comments made by others about the effective way in which the Bill was scrutinised in both Houses. I pay tribute to all the members of the Committee, who worked hard on the Bill. Will the Minister, who has taken up the baton at short notice, pass a message on to her right hon. Friend the Minister for Sport and Tourism, congratulating him on his work on this and related issues? Nevertheless, there remain a number of concerns about the Olympic lottery fund, which the amendments address.

Members on both sides of the House believe that the new Olympic lottery game will begin if—and I hope that this is the case—we mount a successful bid for the 2012 Olympics. The money that the game will raise, however, is unlikely to be sufficient to meet the overall lottery contribution to the funds. As a result, there will probably be a modest reduction in the money made available to other good causes, and the House understands that the loss will be distributed equally among them. I would be enormously grateful if the Minister confirmed that that is the Government's intention and that nothing in the lottery Bill expected in the Queen's Speech will change that plan. I congratulate the Minister on picking up the baton at such short notice, and I apologise to her, because the House will have noted that she was late for the start our debate, and had to rush into the Chamber. I plead guilty to detaining her, for which I apologise.

Mr. Deputy Speaker: Order. Before the Minister responds, I hope, with regard to the final remarks of the hon. Member for Bath (Mr. Foster), that she will not stray too wide of the mark. The amendments before the House are narrowly drawn, so she may decide to respond to the hon. Gentleman at a later date.

Estelle Morris: It will not be the first time that the hon. Member for Bath (Mr. Foster) has led me astray, Mr. Deputy Speaker.

I am grateful to the hon. Members for Bath and for Faversham and Mid-Kent for their favourable welcome for the amendment. I join them in congratulating our Paralympic athletes on their achievement, and I emphasise that the Paralympic games are very much part of the 2012 bid. Our strength in that area will help to make the bid attractive and, we hope, successful. I underline the importance of cross-party support for the bid, and appreciate the backing that our preparations have received from members of all parties.

It is not for me to say whether lottery legislation will, or will not, be announced in the Queen's Speech. How much money will be raised by an Olympic lottery is very much a guesstimate. We do not know how many people will buy tickets or how much will be raised. We hope that the lottery will raise £750 million, but the hon. Member for Bath is right that it is unlikely to raise sufficient funds for other recipients to remain unaffected and I am not going to pretend otherwise. It would be wonderful if that were not the case, but that is not the likely outcome. However, although our figures are very much guesstimates, the "fair share" funding for recipients has worked well since the inception of the lottery. The hon. Gentleman must wait for the contents of any lottery legislation introduced after the Queen's Speech, but I am happy with the success of that funding scheme. He ought not to be afraid that any single recipient will bear undue losses in the effort to provide more money for the Olympic bid. We must wait, however, for any such legislation and, as Mr. Deputy Speaker said, to go further may be to stray from the subject of the amendments. However, the hon. Gentleman's question was half-legitimate, so I was happy to answer it.

I hope that the amendment will find favour in the House. I thank hon. Members for their consideration of the Lords amendments, which was indicative of the Bill's passage through both Houses. I also thank them for their patience during my short, late and not very knowledgeable appearance.

Lords amendment agreed to.

Lords amendment No. 4 agreed to.

School Sport

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Stephen Twigg.]*

3.45 pm

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Stephen Twigg): I am pleased to have the chance to set out the Government's strategy on school sport and physical education. Strong support exists on both sides of the House for the promotion of sport in schools and for increased participation and physical activity levels among children and young people. As a minimum, every child, whatever their circumstances, should spend at least two hours a week on high-quality physical education and school sport, both within and beyond the curriculum, and our national strategy is about turning that ambition into reality.

By March 2006, we will have invested more than £1 billion in transforming sport in our schools. We will shortly confirm how much we will spend on school sport in 2006–07 and 2007–08 as a result of the 2004 spending review settlement, and I am confident that we will again make a significant investment further to improve physical education and school sport. Our public service agreement to increase the percentage of five to 16-year-olds who spend at least two hours a week on PE and school sport to 75 per cent. by 2006 and to 85 per cent. by 2008 is ambitious but achievable.

It goes without saying that sport has a proven and essential role to play in many of our priority areas in education. Sport is worthwhile in and of itself, and it contributes to the central educational goal of raising standards. It is crucial to our cross-Government work to enhance the nation's health, not least by tackling childhood obesity, an issue to which I shall return later in my speech. It has an important role to play in improving attendance and behaviour in our schools, issues of which all hon. Members on both sides of the House are well aware, not least in our constituencies.

Sport offers some children their first chance to succeed at school. Such success builds confidence and social skills and engages such children with education, which leads to less disruption for not only them but the school community as a whole, thereby enhancing other pupils' learning opportunities and impacting on academic attainment and standards. For example, one primary school that benefits from the sporting playgrounds programme found that after it zoned its playground, the number of antisocial incidents in the playground fell by about two thirds and the number of children involved in purposeful physical activity significantly increased.

Let us not underestimate the importance and impact of doing well on the international sports stage. May I join hon. Members who participated in the previous debate in congratulating the teams at the Olympics and Paralympics on their performances in Athens and, of course, in wishing our bid for the 2012 games every success?

Simon Hughes (Southwark, North and Bermondsey) (LD): I should like to take the Minister back to the grassroots, where he began. I share his objectives, but I want to put two points to him. This lunchtime, I was at

[Simon Hughes]

Ilderton primary school in my constituency. I asked the head how much swimming the children did, and she said that only one year goes swimming for two hours a week. Does the Minister agree that every child in every year should have the opportunity to go swimming, for all the obvious reasons?

Will he consider the idea that part of the Government's plan for an 8 o'clock-to-6 o'clock package of provision for young people should be to provide sports and swimming alternatives between 3 o'clock—or the end of the formal school day—and 6 o'clock, which would allow every primary school child to take part in those activities every week if they wish to do so?

Mr. Twigg: I thank the hon. Gentleman for his comments. On his first point, I agree that the extended school day provides incredible opportunities to enhance learning, including in the field of physical education and sport, of which swimming is a part. However, I am not in a position to make the firm commitment that he seeks.

On the hon. Gentleman's second point, the Under-Secretary of State for Northern Ireland, my hon. Friend the Member for Brent, North (Mr. Gardiner), is pioneering, with Brent council and schools in the borough of Brent, a scheme precisely along the lines that the hon. Gentleman outlined. It aims to extend the school day and to provide opportunities for sport as part of that. Additionally, earlier this year we launched a swimming charter that set out some important requirements for school swimming. The Mayor of London funded certain boroughs in east London to ensure that they can offer swimming during the Easter holidays, and he is looking to build on that for future years.

Good things are happening on the ground, and part of our job is to monitor them and to encourage other places to take up those opportunities. I certainly regard swimming as an important element of our physical education and sports strategy, and I thank the hon. Gentleman for drawing that to the House's attention.

The broad strategy on school sport is jointly led by the Department for Education and Skills and the Department for Culture, Media and Sport. We seek to achieve several things. First, we want to build a national infrastructure that invests in people so that we have people who can really make a difference in physical education and sport. Evidence from Ofsted shows that the quality of PE teaching in primary, secondary and special schools has improved dramatically over recent years.

Secondly, we want to do all that we can to make a step-change improvement to the facilities for school sports.

Thirdly, we want to deliver opportunities for professional development to enhance expertise and subject knowledge.

Fourthly, we want to strengthen links between schools and sports clubs to create a culture that supports participation in clubs and, importantly, offers young people leadership and volunteering opportunities that will improve their skills and employability.

Fifthly, we want to ensure that there is better support for our most talented young athletes—the Olympians of the future—to help them to excel both in sport and in their wider education.

Sixthly, we want to address an important issue that has been in the headlines for years by doing our best to protect school playing fields. I am very pleased that we recently reached an unprecedented partnership agreement with the National Playing Fields Association. In August, my right hon. Friend the Secretary of State for Education and Skills was able to announce the strongest ever protection for school playing fields. The new arrangements build on the legislation that was introduced in 1998, which has already stemmed the tide of uncontrolled sales by making it clear that the sale of a playing field must be the absolute last resort; that the proceeds need to be used to improve outdoor school sports facilities wherever practicable; and that the new facilities must be sustainable for at least 10 years.

Mr. William Cash (Stone) (Con): Does the Minister agree that there is a real distinction between PE and other sports and that it is essential to have people with sufficient skills and qualifications to teach cricket and rugger, as well as other sports such as football? Is that not reflected in the fact that pupils at Christ Church middle school in my constituency, who have just reached the national finals at Headingley—a tremendous achievement—received coaching from outside, not inside, the school, and that that problem should be addressed within the state system?

Mr. Twigg: First, I congratulate Christ Church middle school on its success in getting to Headingley. We want to do two things: strengthen the expertise of teachers in schools and tap into resources in the wider community. I do not think that that needs to be an either/or. In some communities, people will come from clubs and coaches will come from elsewhere to work in school gyms and classrooms and on the playing field. We need both.

John Mann (Bassetlaw) (Lab): I seek clarification: are there any circumstances in which a school playing field could be sold off and the proceeds go to anything other than school sports facilities?

Mr. Twigg: The only slightly wider circumstance is the proceeds perhaps going to the broader facilities of a school. They could not be used for other purposes that go beyond sport and education.

John Mann: In other words, is the Minister saying that a local education authority could subsidise its capital programmes for school buildings by selling off playing fields?

Mr. Twigg: That would be a very last resort. An LEA would have to clear a series of hurdles before it could even present an application. Such an application would then go before a panel including the National Playing Fields Association before it could even be considered by me. Ultimately, it would come to me for approval. I have not approved anything along those lines.

John Mann: I am delighted that the Minister has not accepted any such application so far. Is he aware of, and does he expect in the next three months, any application in respect of which he might consider doing anything other than allowing the proceeds of the sale of school playing fields to go into sports facilities only, rather than subsidising the capital programme of a big-spending LEA that receives a lot of rates?

Mr. Twigg: I suspect that my hon. Friend may be referring to a particular example, possibly in his constituency. I shall await any news that I might receive on that, either from him or from the applicant, rather than speculate on how I might respond to it.

I shall now try to make progress, because a number of hon. Members want to speak and only two hours remain in the debate. We have conducted a large and comprehensive survey of school sport in England, which was published on 29 April. It shows some of the progress that is being made. For example, overall, 62 per cent. of pupils in the 6,500 schools surveyed spend at least two hours in a typical week on high-quality physical education and school sport. We believe from this that we are on course to achieve the 2006 and 2008 targets. I put on record my thanks to the teachers, coaches and volunteers who have done so much to make that possible.

What we need to do now is consolidate what has been achieved, to press on and do more. For example, we need to increase participation among some of the youngest children in education and to encourage girls, pupils from ethnic minorities and those with special needs or disabilities to take up their entitlement to sport on an equal basis with everyone else.

Andy Burnham (Leigh) (Lab): While it is good that more and more schools are reaching the two-hour target, does the Minister agree that a message needs to be sent to schools that it is a bare minimum? It is not "job done" when that target is reached and schools should go on to provide many more hours of sport as well as a diverse range of sports to take part in. Achieving the two hours is the first box ticked.

Mr. Twigg: I thank my hon. Friend for that intervention. He is known for the hard work that he has done and is doing in this area, and he is absolutely right to remind me and the House that the two hours is a minimum. We shall certainly look kindly on schools that can reach a much larger figure. Clearly, with 62 per cent. of pupils achieving the two hours, we still face a big challenge in getting the other 38 per cent. to follow. That has to be our priority. I will certainly do all I can to encourage, support and recognise those schools that find themselves able to go beyond the two-hour minimum.

Sport is a powerful medium to re-engage young people. It is now widely accepted that learning should not start and stop at the school gate or at the end of the school day, and that partnerships beyond the classroom are essential if we are to enable children to realise their potential.

One programme that does that very well is Playing for Success. There are now 83 Playing for Success centres—state-of-the-art study support centres—at football and other professional sports clubs. We have set a target of at least 100 being open by 2006, and there is every sign that we will meet that target a year ahead of schedule.

The centres support young people who may be struggling with literacy and numeracy, getting them back on course, strengthening their motivation to learn and improving their self-esteem and confidence. Every FA premier league club has a centre. Many clubs in the football league do too, but it is not just football clubs—rugby, cricket, basketball and tennis clubs are also involved.

I recommend that hon. Members on both sides of the House visit a Playing for Success centre to see some of the marvellous work that is done to motivate young people. It is not something woolly about motivation—the centres are having a serious impact on standards. Independent evaluation by the National Foundation for Educational Research has found that the centres significantly improve pupils' skills and motivation and that they make significant progress in independent study skills and self-image, which help them when they return to their schools.

Since 1997, specialist sports schools, the sports colleges, have been raising sporting and academic standards, establishing successful partnerships with the private sector and working with the wider community. We now have 291 schools that specialise in sport, including four of the academies, benefiting more than 250,000 pupils. We aim to reach 400 by 2006, which will represent one in nine of all secondary schools.

Bob Russell (Colchester) (LD): Is there any evidence at this stage to show whether the academic achievements of schools that specialise in sport have remained the same, got worse or improved?

Mr. Twigg: I thank the hon. Gentleman for anticipating the next paragraph of my speech. Performance in PE at GCSE, A and AS-level is improving in sports colleges, as one might expect. More interestingly, there is a wider benefit—it is the case with all specialist schools. The curriculum focus is used to drive improvement across the school. The percentage of pupils in specialist sports schools achieving five or more A* to C grades at GCSE, the standard measure, increased from 41 per cent. in 1997 to 48.7 per cent. in 2003—almost double the national average increase for all schools. The hon. Gentleman highlights an important feature of the programme. It brings not only what we would expect—benefits with respect to PE and sport— but a broader benefit across the board.

Mr. Derek Wyatt (Sittingbourne and Sheppey) (Lab): Is there not a problem if we insist that specialist sports schools have to achieve rigorous academic qualifications? Work carried out by social anthropologists at Stanford shows that people who cannot read and write need to do sport, art, music and acting first in order to get the confidence to return to maths and English. I wonder whether that is a core dilemma in the specialist sports school concept.

Mr. Twigg: I do not think that it is. We are certainly not saying that, in order to be a specialist school, it is necessary for that improvement to happen. The improvement is in large part a consequence of the curriculum focus that comes from specialism. On those figures, 51.3 per cent. of pupils did not achieve five or

[Mr. Twigg]

more A* to C grades at GCSE, but they enjoyed some of the other important benefits that my hon. Friend rightly describes.

Mr. Cash: This is an interesting issue. I do not think that the Minister has mentioned the word "competition" yet. One cannot be good at games unless one is highly competitive. Surely that transfers across to an ethos within the school, which the Minister demonstrated from the figures, that some do better than others in school work as well as in sport. Does he agree that it is psychologically important to get across the idea that there is nothing but good to come from competition?

Mr. Twigg: Hon. Members are kindly anticipating different sections of my speech. I shall deal with competitive sport later—and, by way of reassurance, I shall be saying very much what the hon. Gentleman has just said. I intend to wrap up my remarks because several hon. Members wish to speak.

School sport partnerships are clustered around the sports colleges, establishing a network of 400 such partnerships—families of schools—which receive additional funding to enhance sports opportunities for all children. We have reached a position where just over half of all schools in England are within this network of 313 partnerships. Last week, I had the opportunity to attend their national conference at Nottingham university, with about 1,000 people. There was a powerful sense of dynamism, energy and enthusiasm, sharing the benefits of specialism in secondary schools with other secondary schools and, importantly, primary schools, special schools and the broader community.

More than 1,700 secondary co-ordinators and 10,000 primary and special school link teachers have been appointed and are in place within the partnerships, sharing best practice, organising competitions and activities, and building and strengthening subject leadership, particularly where it is seen to be most needed—in the primary sector. The prime objective of the partnerships is to enable pupils to take up their entitlement to the minimum of two hours of high-quality PE and sport.

The hon. Member for Stone (Mr. Cash) has left the Chamber, but it is at this point that I should like to reiterate the Government's strong commitment to competitive school sport. The PE national curriculum requires that all pupils are taught competitive games. After years of decline, the co-ordinators and link teachers, with support from sports clubs and volunteers, are turning the tide to breathe life back into local, regional and national school sports competitions. For example, the Ellis Guildford partnership in Nottingham has just won a national development award for setting up six new competitive junior leagues in basketball, hockey, tennis, netball, cricket, rugby union and softball, involving 1,400 children from 36 schools. This is precisely the direction that we want to take, and competitive school sports are at the heart of our PE and school sport strategy.

At the beginning of my speech, I mentioned that I wanted to place the sport strategy in the broader context of healthy living and the positive role that schools can play in promoting good health and, in particular, tackling obesity. We are working closely with colleagues in the Department of Health. Last month, we published the healthy living blueprint for schools, which re-emphasises not only the importance of PE and sport, but the broader benefits of physical activity, as well as focusing on issues such as food in schools. We want to build on that blueprint when the public health White Paper is published shortly.

Mr. Paul Truswell (Pudsey) (Lab): The two sports colleges in my constituency are concerned at their inability to engage local NHS bodies, such as the primary care trusts, in their operations and in cascading out the local schools sport partnership. Would he be prepared to have words with his right hon. and hon. Friends in the Department to try and ensure that that particular gap is filled?

Mr. Twigg: I am happy to do that.

Bob Russell: Joined-up government.

Mr. Twigg: As the hon. Gentleman says from a sedentary position, the success of this relies on different parts of government, nationally and locally, working well. If my hon. Friend wants to write to me with more details on that specific instance, I shall be happy to look into it, but I want to send out a general message that for the healthy living approach to work, it requires schools to take it seriously, which itself is a challenge, and effective working together, locally and nationally. That is the way to make a success of this, and primary care trusts have an important role to play.

Let me finish by saying something about the European year of education through sport. *[Interruption.]* The hon. Member for Stone is back in his place for this part. He sadly missed the part of my speech in which I think he and I would have been in full agreement, on the role of competitive sports, and I look forward to hearing him give his full endorsement today to the European year of education through sport. We would all agree that, to be world class, it is necessary to be aware of the wider world, and it is encouraging that the work that we are doing on sport is increasingly regarded by many of our international partners, including in the European Union, as a positive example from which lessons can be learned.

Mr. Cash: I am sorry, but the Minister's remarks have tempted me to ask another question. He would, I am sure, repudiate the remarks of Romano Prodi, who suggested that we should be represented as Europeans at the Olympics. Could we just get that one completely out of the way?

Mr. Twigg: I am reliably informed by colleagues behind me that Mr. Prodi did not say that. However, I can certainly reiterate that we have absolutely no intention of doing anything of the sort and that we want to build on our nation's success at Athens. We hope to do that not only in Beijing, but in London in 2012.

The European Union has designated 2004 the year of education through sport and we are playing an active role in that, helping to share best practice and to strengthen links with our friends in continental Europe.

The prime objective of the year, very much mirroring and complementing the approach that I have been describing this afternoon, is to identify and showcase the contribution that sport is making and can make to education and to raising educational standards.

The European Union has invested nearly £500,000 in 16 projects across the United Kingdom, including an international camp run by the Easington school sport partnership in Durham, where several hundred young people from across Europe took part in a camp focused on promoting healthy lifestyles. A project in Hull targeted young people at risk of under-performing and used sport as a medium to motivate and raise their expectations. Working with the British Council, we are developing a broader international perspective at the sports colleges and in the partnerships. For example, Angley school in Kent has developed links with a school in Bangkok, and through the dreams and teams programme, pupils at the schools have gained a greater awareness of each other's cultures and languages. The British Council is extending that programme to 21 countries, using the Department for Education and Skills' global gateway to help foster and sustain international school links—a positive example of sport as a medium not just for education but for promoting international ties and breaking down barriers between different nations and cultures.

A great deal is already happening to promote school sport and increase participation. I pay tribute to school sport co-ordinators, link teachers, coaches, volunteers and others who are working hard to see this strategy through. We are on track to meet our targets, but I absolutely accept points made in interventions that many of those targets are minimums; we want to go beyond them. I believe that we can go beyond them and, in doing so, that we are on track to transform physical education and sport and place it at the heart of what schools do. By increasing participation in school sport, we shall enhance children's health, raise educational standards and better prepare young people for adult life, laying sound foundations to encourage their lifelong participation in sport. That is a set of objectives that Members in all parts of the House can support.

4.14 pm

Hugh Robertson (Faversham and Mid-Kent) (Con): May I say what an enormous pleasure it is that you, Mr. Deputy Speaker, are in the Chair? You are well known as a school sportsman of some distinction, as was your son, I believe, so it is a particular pleasure that you are in the Chair today.

It is also an enormous personal pleasure for me to speak in this debate on school sport not only because it is such an important and worthwhile subject but because I know that I gained an enormous amount personally from playing sport at school. Indeed, it is no exaggeration to say that my experience of playing sport at school shaped much of the rest of my life.

During my two years in the Whips Office before taking on this job, I attended, I am sad to say, a considerable number of debates on Thursdays on a one-line Whip. Despite the unappealing timetable, they were often excellent debates, precisely because the hon. Members who contributed cared deeply about the subject and often had personal expertise to bring to bear. I have no doubt that this debate will be no exception and that we will hear a number of interesting and thought-provoking contributions.

My only regret is that my opposite number, the Minister for Sport and Tourism, is not here to listen to those excellent speeches. Of course, it is an enormous pleasure that the Under-Secretary of State for Education and Skills, the hon. Member for Enfield, Southgate (Mr. Twigg) is here, but a visible sign of commitment from my opposite number would have been welcome. [HON. MEMBERS: "Where are the Tories?"] Quite a few of my hon. Friends are here.

I should like to remind the House of exactly why sport is so important to young people, and I am sure that hon. Members on both sides of the House can agree about that. Sport is good for young people because it gets them fit, which is good for their health. It teaches them about the benefits of exercise, so they are more likely to maintain a healthy lifestyle throughout their adult years—something that the Minister touched on. It teaches them about leadership, commitment, teamwork, success, and of course, occasionally, failure. It keeps them occupied and channels their energies towards worthwhile and rewarding activities. It may well provide future career opportunities and, probably most importantly, it is fun.

Before I address the main issues that affect sport in school, it is important to emphasise that not all young people play all their sport at school. Sadly, some traditional school sports have virtually died out in some state schools, as my hon. Friend the Member for Stone (Mr. Cash) said; cricket and rugby are two excellent examples, as anyone who reads the trade press on those sports will know. There are also several sports where the necessary coaching expertise can be found only in clubs. For example, I was struck by a recent article in the Sunday papers about Kelly Holmes, because it was immediately obvious that the majority of her early athletics training had come, quite properly, from her local athletics club. It is vital, therefore, that the House recognise the crucial role that clubs play in encouraging young people to play sport and that the link between clubs and schools should be strengthened. I hope that the Minister will address that in his closing remarks.

There is a consensus that sport is good for young people and needs to be encouraged and promoted, and the Government certainly recognise that, as I would be the first to admit. Their 2001 manifesto stated:

> "We pledge a sport entitlement for all children, giving them access to at least two hours a week of sport in or after school."

The Department for Culture, Media and Sport was given a new public service agreement target in the spending review—shared with the Minister's Department—to increase the proportion of schoolchildren who spend a minimum of two hours a week on high-quality PE and school sport to 85 per cent. by 2008, and to ensure that at least 75 per cent. of schoolchildren are in a school sport partnership by the same year.

On 4 March this year, DCMS published to statistics on the take-up of PE in schools that have been part of the school sports partnership for three years. The results come from a sample of 1,807 schools that were surveyed, of which 74 per cent. replied. I thought that that survey found that 68 per cent.—the Minister said 62 per cent.—

[Hugh Robertson]

of pupils in schools that have been in such a partnership for three years are spending at least two hours each week on high-quality PE and school sport. Let us all admit that that is greatly to be welcomed. However, even after three years of being in a schools partnership, it sounds as though 38 per cent.—I thought that the figure was 32 per cent.—of pupils are not doing so.

Mr. Stephen Twigg: We are both right. The hon. Gentleman quotes a figure that relates to those schools that have been in the partnership for the full three years. The 62 per cent. figure includes schools that have come into the partnership in the second and third year of the programme.

Hugh Robertson: I am grateful to the Minister for clearing that up, not least because his figures suit my argument better than mine do. That means that 38 per cent. of pupils—one in three—are not spending two hours a week on sport, and I am sure that we would all agree that that is far too many.

Furthermore, 26 per cent. of schools did not reply to the survey, so it is probably safe to assume that they are not meeting the target. A number of schools have not been part of the school sport partnership for three years, so are not eligible to be included in the figures in the first place. If we break those ~~figures down~~, we see that that leaves 68 per cent.—or perhaps 62 per cent.—of the 74 per cent. that replied, as opposed to a target of 75 per cent. by 2008. We would all agree that there is much left to do.

Several hon. Members have already asked why a mere two hours a week should be the holy grail. I am always nervous, particularly in the company of one or two of my hon. Friends who are here today, of drawing lessons from Europe, but France, for example, specifies three hours. That is an example from the continent to which we could safely aspire—and if we are to do so, funding is the key.

The national lottery, which will soon celebrate its 10th birthday, and of which my party can rightly be proud, is a welcome source of funding for sport. Many Members on both sides of the House will have facilities in their constituencies that have been improved since 1994 with the help of lottery funding. Four years ago, in his keynote speech to the Labour party conference, the Prime Minister said:

> "Today we set out plans to invest £750 million of lottery money in schools and community sport as part of a £1 billion investment over three years".

However, last January, more than three years after that speech, we discovered that only £8.5 million of that £750 million had been spent. There cannot be one MP in the House who regards that as satisfactory.

Andy Burnham: I was at the Department for Culture, Media and Sport when that policy was developed, and I can tell the hon. Gentleman that my constituency, which previously had no floodlit Astroturf pitches, now has two, at Bedford high school and Westleigh high school, and there are two more to come under that policy. It takes time to put such facilities in place, but they are now coming through, and they are very welcome.

Hugh Robertson: I am delighted to hear it, but by the same token, the hon. Gentleman will admit that £8.5 million out of £750 million—

Andy Burnham: More than that.

Hugh Robertson: That was the figure to which a DCMS Minister admitted one Question Time, when we had an exchange on the subject, so clearly he could not produce better figures. Perhaps we could clear the matter up by asking the Minister to confirm how much of that lottery money has been spent, and what plans his Department has to improve the situation.

I want to mention three further factors, the first of which is school playing fields, which the Minister has already touched on. I have no wish to enter into what could only be described as a sterile party political debate on school playing fields. I am well aware that Labour Members will criticise the Conservative Government for starting the sales—although I have never seen any great statistical evidence to back that accusation up. We will inevitably respond by pointing out that the Government have been in power for seven years, and have had ample time to honour their commitments. However, I am sure that we would all agree that the record is, at best, mixed.

On 4 March the DCMS published statistics on the applications for developments on playing fields relating to applications made between April 2002 and March 2003. There were 1,297 applications relating to playing fields, and 807—62 per cent.—were approved. The remainder were either rejected or are yet to be decided. Of the 807 approved applications, in only 212—26 per cent.—did the redevelopment provide new or improved sporting facilities. Nineteen per cent. of the applications related to changing rooms, access or floodlights—although I would be the first to agree that floodlights allow people to play sport for longer. Thirteen per cent. of the applications were simply like-for-like replacements. Those figures, as the Minister has been big enough to admit, give cause for concern. The fact that the Secretary of State for Education and Skills felt compelled to announce last August that new regulations are to be introduced is a sure sign that things are not going well. That announcement is welcome and I pay tribute to him for making it. However, we must wait and see its effect before we pass judgment.

John Mann: The hon. Gentleman's comments have been commendably precise and I am sure that he will want to give a commendably precise answer to my intervention. What advice would he give the leader of Bassetlaw council, whom I am meeting on Monday? In the past few weeks, he has received £2 million from the sell-off of playing fields that schools use. Should all that money be spent on sporting facilities, or should it go into subsidising the general council budget?

Hugh Robertson: The hon. Gentleman tempts me. Since he has listened to the introduction to my speech, I suspect that he knows where my sympathies lie. However, given that I know nothing about Bassetlaw, the council budget or the facts behind the case, it would be unfair to get off the fence.

In his winding-up speech, will the Under-Secretary confirm the Government's intention about the sale of school playing fields, and especially deal with the concerns of several hon. Members, including the hon. Member for Vauxhall (Kate Hoey), who believe that the new regulations will not protect smaller school playing fields? The hon. Lady has appeared in the press about the matter a lot recently.

My second point is the time available to teachers to coach or supervise sport. Once a school has a playing field, the next obvious requirement is for a teacher with the time and expertise to coach the pupils. There is no doubt that many teachers throughout the country give up a great deal of time to coach school sport. All of us would wish to pay tribute to them. However, many people—I have met them in my constituency on several occasions—feel so weighed down by the burden of bureaucracy that they are unable to free up more of their time to coach school sport. In a recent poll, 92 per cent. of teachers believed that the amount of red tape that they faced reduced the time available for preparing lessons. If that applies to academic work, it is easy to appreciate its detrimental effect on school sport. The Under-Secretary has expertise in the subject and I hope that he can tell hon. Members about his proposals for reducing teacher bureaucracy to free up more time for teachers to coach school sport.

Mr. Cash: Let me take my hon. Friend a little further. Should not the people who are prepared to acquire the necessary skills to teach cricket, rugger and tennis be paid a bonus? One cannot expect people to act entirely out of love; they need an additional incentive. Does my hon. Friend agree with that as a matter of principle?

Hugh Robertson: My hon. Friend is right. I suspect that the time when people did such things purely out of public spirit has passed. We need concrete proposals and firm incentives.

Mr. Truswell: We are listening to the hon. Gentleman's pious comments, but did not the Government that his party formed create the backlash from teachers in the dispute about teacher contracts? Did not choking off revenue and capital and alienating teachers help to dig the grave for school sports? The Government are trying to get us out of that predicament.

Hugh Robertson: I said a moment ago that I believed that there was little point in a sterile party political debate because the obvious answer to the intervention is that the Labour Government have been in power for seven years—nearly two terms. Ten and 11-year-olds who currently play school sport will have never known this country governed by anything other than a Labour Government. The Government have had ample time to put the matter right.

My third point is about the compensation culture. A plethora of rules and regulations governs almost every aspect of every game. It is regrettable that parents are all too quick to sue if something goes wrong. I shall give two recent examples. First, the regulations that came into effect on 1 May this year that prevent an adult from taking more than two children into public swimming baths—

Mr. Andy Reed (Loughborough) (Lab/Co-op) *rose*—

Hugh Robertson: I knew that the hon. Gentleman would want to intervene at that point.

Mr. Reed: I am grateful to the hon. Gentleman for giving way. Only today, I received a letter on this matter from the Institute of Sport and Recreation Management, which is based in my constituency. I have raised the issue with my local authority, as I have two young children, and we are often unable to take them to the local swimming pool. I have received reassurances that the guidelines are very old, and that there is flexibility within them. I have arranged a meeting with the institute to see whether it can reissue the guidelines to remove this ridiculous anomaly, which makes it very difficult for families to take young children swimming if only one parent is available.

Hugh Robertson: The hon. Gentleman and I discussed this issue in the Lobby some weeks ago, and I am delighted to hear what he says. He will also be aware that we raised it at Department for Culture, Media and Sport questions three weeks ago, and that I have written to the Under-Secretary of State for Education and Skills about it. The Minister was extremely helpful and promised that he would take the matter up, which I imagine will help us to get a response.

A further example of a ridiculous situation involved a cricket match between two teams of 12-year-olds that took place this summer. Every 12-year-old who plays cricket nowadays has to wrap himself up in a helmet, despite the fact that hardly any 12-year-olds have the physical strength to bounce a ball head-high in a game of cricket. As a result, six of the players on one side were run out when the player at the far end could not hear the call because he was wearing a helmet. I cannot believe that that is in any way defensible.

My hon. Friend the Member for Canterbury (Mr. Brazier) recently introduced a private Member's Bill offering protection to teachers who take children away for adventure training. That idea has now been adopted by my party in the form of a teacher protection Bill that would give teachers protection from prosecution unless there was an unambiguous case of clear negligence. I hope that the Government will look at that issue.

I would like to pay tribute once again to all those who do so much to encourage sport in schools. It would, however, be wrong to conclude that everything in the garden is rosy. I hope that the Minister will be able to address the five points that I have raised. First, will the Government introduce proposals to strengthen and encourage the key link between clubs and schools? Secondly, will the remaining £741.5 million—or whatever the figure is—of lottery money allocated for school sport be rapidly distributed? It really is a sad state of affairs that only £8.5 million has been distributed thus far. Thirdly, will the Minister address the question of school playing fields, and particularly the concerns of the hon. Member for Vauxhall? Fourthly, will he outline

[Hugh Robertson]

the concrete steps that the Government are going to take to cut teacher bureaucracy and free up more teacher time for sport? Fifthly, will he address the question of legal protection?

School sport is almost universally a good thing. We would all agree on that. It is vital for us, as politicians—whichever side of the House we are on—to create the conditions in which it can flourish.

4.32 pm

Mr. Paul Truswell (Pudsey) (Lab): It has already been noted that this is a crucial debate, and I do not intend to reiterate why sport is a good thing. The fact that it is carries the consensus of the whole House. It worries me, however, that levels of physical activity in Yorkshire and the Humber are, at 30.4 per cent., lower than the national average, and that only 28.3 per cent. of our region's adults take enough physical activity to benefit their health.

The other crucial statistic that concerns me is the investment per person in sport. In this country, it is £21; in Germany, it is £30; in Australia, it is £51; in Canada, it is £76; and in France, £112. We have a long way to go. I do not want to engage in a party-political knockabout on this issue, but we have heard nothing from the Opposition about what exactly they would do in terms of investing in sport. The Government's PE, school sport and club links programme, and the accompanying £454 million, represent a brilliant start to addressing this challenge. What is most daunting, however, is the fact that so many different strands have to come together to haul school sport out of the doldrums into which it has fallen over many years.

Two specialist sports colleges serve all the schools in my constituency: St. Mary's comprehensive school, Menston, and Priesthorpe high school in Pudsey. They are highly valued for the way in which they are cascading their expertise and support to more than 70 primary schools and 10 high schools. They deserve credit, but this Government also deserve credit for having set them up.

There are many positives to report and I shall sprint through some of the headlines from the monitoring report:

> "Much improved quality of teaching and learning in PE, which are reflected in PE department results . . . huge expansion of activities provided for students out of school hours . . . large increases in uptake of exam courses, leadership courses, and post 16 sport related qualifications . . . massive improvement in partnership working between schools—both primary and secondary—and a willingness to share expertise . . . and greater and more positive links with local sports clubs—improved training for volunteers has led to better quality of provision within the clubs for young people."

Unfortunately, as with everything in life, there are also negatives. These include poor facilities, especially outdoors, and lack of access to other facilities. As the hon. Member for Faversham and Mid-Kent (Hugh Robertson) said, we need to ensure that the resources that are available are effectively targeted in support of specialist colleges and school sport partnerships.

It is significant that very few of the high schools in my constituency—I am sure that it is also true of many others—have decent cricket pitches. The best school facilities, not to mention coaching, are invariably found in the private sector. It cannot be a coincidence that private schools are disproportionately visible at representative level in sports such as cricket.

Hugh Robertson: The hon. Gentleman is absolutely right. A perfect illustration of that came a month or so ago when I turned out for the Lords and Commons cricket side against a Hackney community college side, a smashing institution that was set up to try to encourage young people to play sport and obtain a formal qualification. The problem is that there is not a single local authority cricket pitch on which they can play in the London borough of Hackney.

Mr. Truswell: Given the time available, I should not allow myself to be diverted on to that issue, but the historical problem was the choking off of resources, especially capital resources, in the 1980s and the early 1990s. That made it very difficult for schools to maintain cricket pitches. The school that I attended—it feels like it was 101 years ago—no longer has a cricket pitch. It has been subsumed into the general parkland across the road from the school. Therefore, to some extent, there is a party political response to the point that the hon. Gentleman makes.

I mentioned links with local health bodies to my hon. Friend the Minister, and I am pleased that he has agreed to take them up. Other problems include transport, especially for people with disabilities. The sports colleges in my area are trying to get people with disabilities more involved in their activities.

At least one of the colleges is experiencing a shortage of PE staff to cover all the posts that need filling because of the introduction of the liberating concept of sports colleges. I hope that we are moving away from the old Woody Allen observation, based on the wisdom of George Bernard Shaw, that "Those who can, do; those who can't, teach; and those who can't teach, teach gym." Perhaps the specialist colleges and sports partnerships are already sowing the seeds necessary to address that problem, with all the young people who are taking GCSEs, A-levels and other sport leadership initiatives.

The Central Council of Physical Recreation has campaigned vigorously to secure two hours of quality PE time in the curriculum. Specialist colleges are beginning to deliver that provision, but teachers can provide safe, high quality PE only if they are appropriately trained. I would welcome the view of my hon. Friend the Minister on the CCPR recommendation that a minimum of 30 hours should be devoted to PE in the initial teacher training for primary school teachers.

The National Council for School Sport recognises the need for school sport and national governing bodies to align their approaches, which in my experience does not always happen. We need coaches to go into schools, but we also need to accept that teachers are in schools, day in and day out, and they are crucial to the development of sport in their schools.

The NCSS stressed the need to support and acknowledge the volunteers who run major national sports events. I give just one example: the London Schools Cricket Association, which organises four or five week-long cricket festivals for county teams, including girls, at Ampleforth college in North Yorkshire. I was fortunate enough to be able to attend two of those weeks during the summer. The fact that London should go to Yorkshire to stage such an event is refreshing.

I agree with the hon. Member for Faversham and Mid-Kent that there is a definite role for coaches in schools where the school does not have the necessary expertise. I know from the experience of my sons and their peers, who are keen and accomplished cricketers, what coaches can do in enthusing and in developing skills and thus enjoyment. They can point players towards clubs and engage parents.

My great sporting love is cricket—that great male bastion. Indeed, it is so much of a bastion that even many males find it difficult to break in, so it was uplifting when visiting a local primary school to find a cricket coach in attendance and even better to find that the coach was a woman. In later months, I was delighted when she raised an all-girl under-13 team that acquitted itself well in the Airedale and Wharfedale league, beating several all-male teams. Women in cricket and so many other sports are not there simply to make the tea, drive the transport or wash the kit; they have a valid role to play, which that team demonstrates locally.

An important point, made forcefully by the Women's Sport Foundation, is that there is consistent evidence that the conventional school sports system too often fails girls. We know from figures produced by Sport England two years ago that girls as young as seven begin to show negative attitudes to sport. From research undertaken by the Youth Sport Trust, we learn that 40 per cent. of young women have dropped out of physical activity by the age of 18. Research published by the University of Bath last week stated that 79 per cent. of girls want to be fitter, compared with 68 per cent. of boys, and that 49 per cent. of girls do not feel comfortable exercising in front of other people.

That is why I support the foundation in its request for key measurements, with an evaluation of PESSCL programmes to be broken down on a gender basis and I would welcome the Minister's view on that. The future targets for PESSCL also remain generic. There is no specific reference to the need for girls to be given the chance to catch up with boys in sport.

I also welcome the Government's gifted and talented programme. I accept that a line must be drawn between targeting talent and ensuring that resources are targeted on promoting involvement and activity for all. Indeed, those who will never aspire to the greatest heights are probably more important to sport than the stars. They are the club players, the volunteer organisers, the coaches, the parents and the fans of tomorrow, without whom sport will die.

I have an interest to declare. My 12-year-old youngest son returned from Denmark on Monday after representing England at badminton. He also plays cricket for Yorkshire schools and has been chosen for the north of England squad. Incidentally, he has been wearing a helmet since the age of 6.

Andy Burnham: Has he been run out?

Mr. Truswell: Many times, but youngsters are run out not because they wear helmets but because they cannot gauge a run. That is well known in cricket circles. That is why I think the example given earlier was farcical.

For the present, my son is obviously gifted and talented, although such things are often transient in young people. Even with hindsight, how he progressed from where he was four years ago, when he was simply whacking a shuttlecock as hard as he could at his decrepit old dad, to becoming an England player is almost impossible to explain. There was certainly no clear route. We learned as we went along and made many mistakes. I hope that such routes will be better signposted under the Government strategy to which my hon. Friend the Minister alluded.

Truswell minor is an expensive and exhausting individual to run, although my hard-pressed wife, on whose shoulders most of the burdens fall, and I are not personally looking for any support—financial or otherwise. But what happens to all those young people who do not have parents who are supportive in general or are specific sport enthusiasts, or who do not have the resources to fund their children's sport?

There must be a worry about the possible clash between school and sport—not sport in school. Michael Truswell might be an outstanding sportsman at the moment, but he is no academic leviathan. Such a situation must be a worry to many parents of gifted and talented children. I know of schools in my constituency that have gone the extra mile to support talented youngsters. One school has a young woman whose international prowess demands that she train far from home during the week. It has provided her with a customised GCSE timetable, with a senior teacher acting as her mentor, so that her schoolwork does not suffer. Youngsters at other schools must take a day off a week for football or half a day for tennis and they are receiving similar support. I suspect that such good practice is the exception rather than norm, but I hope that it will become the norm as the Government roll out their gifted and talented strategy.

I shall cite an example of the benefits of not taking too idealistic a view of school playing fields. Crawshaw high school in my constituency spent years trying to persuade the local authority to sell a small section of its playing fields that was virtually unusable because of its slope. It succeeded at long last and used the money raised to install drainage to waterlogged rugby pitches, to pay for a floodlit all-weather pitch and to help to fund its new Sir Leonard Hutton sports centre, which has been named after one of Pudsey's greatest sons who attended school on that site 80 years ago. There are advantages to taking the constructive approach on school playing fields that the Minister suggested.

I realise that I have already taken up far too much of the House's time by scratching the surface of some of the challenges that we face, but I know that the Government are making a real and genuine effort to address them to a greater extent than their predecessors.

4.46 pm

Bob Russell (Colchester) (LD): I realise that the clock is against us. The allocation of little more than two hours to debate such an important subject indicates that those who set the rules of the House do not regard the matter as highly as those of us who are in the Chamber. I suggest that the Minister discuss with his colleagues whether we should have more time for such a debate. Although there are differences among us on emphasis

[Bob Russell]

and issues around the edges, there is clearly more that unites us. I urge him to continue with the consensual approach that the hon. Member for Faversham and Mid-Kent (Hugh Robertson) also adopted.

School sport is a great idea, but not everyone agrees with that. Hon. Members in the Chamber agree with the Minister that sport should be at the heart of what schools do, but I suspect that the mandarins at the Department for Education and Skills and those at Nos. 10 and 11 Downing street do not share that view, because I have seen no evidence that sport is at the heart of what schools do. I was grateful to the Minister for his response to my intervention, because the evidence shows that schools that promote sport, physical exercise and health have better academic achievements than those that do not promote a healthy lifestyle. One of the problems of recent years has been an emphasis on academic achievement and school league tables to such an extent that head teachers and the educational establishment in general has felt that sport and music must be excluded or pushed to the sidelines so that schools can concentrate on academic subjects. However, a sporting environment promotes both greater academic achievement and young people's enjoyment. I sometimes get the impression that young people are not supposed to enjoy life, so we must get away from that.

Not all people want to engage in competitive sports, so we must cast the net more widely and loosely. "Sport for all" was a great slogan, but it might have discouraged those who did not think that they were good at sport and thus considered that it was not for them. Our aim should be participation regardless of ability. I would hope that that would create a broad-based pyramid that would lead to different degrees of attainment ranging from beginners and those who simply want to engage in sport for fun through to elite performers.

Obesity could be good news for sport. Thanks to the Health Committee's report on obesity, the ticking time bomb of a looming health crisis provides sport with a chance to get its rightful place on the political agenda. Schools must use the report as a means to do that, and the Department for Education and Skills must take the lead. Hitherto, successive Governments have seemingly only shown an interest in sport to bask in the glory of an international sporting triumph.

Sport is a neglected activity and has been for years, locally and nationally. Sport provision has been the Cinderella and one of the first things to face cuts. The educational establishment has failed sport. Different figures have been given, but however we look at it, a large number of the nation's children do not get the minimum two hours' physical recreation a week that they should. I am concerned that the Minister repeated the Government line that the two hours should be within and beyond the curriculum. For many parts of the country, anything beyond the normal school day is not an option. School buses do not hang around. Public transport does not exist. Safe cycle routes do not apply. So the two hours must be the minimum within the school curriculum. Anything beyond that is a bonus, but unless we get those two hours in the curriculum, everything else we talk about cannot come to pass for a vast number of children.

I recognise that many other hon. Members wish to participate in the debate. The subject is not party political in the broadest sense. I finish by urging the Minister to go back to his business managers to get longer and more frequent debates. If sport is at the heart of what schools do, we must prove it. The only way to do that is to have more discussions, more debates and more conclusions. The Government must get going on all the good things that they say they want to do, so that after seven years we see more fruit than we have hitherto.

4.52 pm

Mr. Doug Henderson (Newcastle upon Tyne, North) (Lab): I agree that the subject is not party political. It is about lifestyle and is beyond politics. I have always taken part in competitive sport and still do. I love competitive sport, but my comments do not relate entirely to it; they relate also to non-competitive sport. I could talk about competitive sport all day and there are excellent examples in my constituency of local sports clubs playing an important role. Such clubs are essential if there is to be a link between the community and the schools.

Role models are important. It is crucial in my constituency that Newcastle United has provided community teaching and sports facilities on a wide scale since 1997. In fact, my son is a beneficiary of that. Newcastle Falcons rugby club does the same thing. It has extended contact to 30,000 young people in recent years, which is an excellent example. My local amateur cricket club—Benwell cricket club—has an excellent winter coaching scheme with youngsters in Walbottle school. I am sure that colleagues have similar examples. Such initiatives are important. I support them and want to see more of them, but although I want people to benefit from competitive sport, not everyone is prepared to take part in it.

I do not know whether hon. Members remember the film "Kes". Perhaps I am one of the few old enough to do so. The hon. Member for Stone (Mr. Cash) will certainly remember it. I always recall the scene in which the gym teacher is playing football with the two sets of kids. He thinks he is Bobby Charlton and scores a goal. "Charlton 1" flashes up on the film. Meanwhile, the little boy—he is fascinated by falcons but has been forced to play competitive sport—is swinging from the goalpost without any interest at all in the proceedings. That sums up many people's reaction to competitive sport. I very much support the need to achieve our fitness goals. I do not believe in preaching, but I am annoyed when I see youngsters in my constituency with a sedentary lifestyle. They eat the wrong food and hang about with nothing to do for much of the time. Some of them probably smoke cigarettes and others probably get involved in worse things. After all the development and growth that we have experienced in this country, I am annoyed that we still have those problems. "Everyday Sport" is a campaign set up by Sport England in co-operation with the Department of Health, the Department for Culture, Media and Sport and the Department for Education and Skills with the aim of trying to improve the fitness of the whole community in different ways. If it is to meet its targets it must reach young people—if we do not get people to do sport when they are young we will not get them to do it when they are older. Some individuals may change their ways when they are older, but it is better to get people to adopt a healthy lifestyle in their teens, as at least some of them will maintain it.

It is crucial that such a programme be linked to school activity. The Department of Health wants to introduce "Everyday Sport" activities, the school system thinks that they are a good thing and the local authority thinks they are wonderful for the area, but finding someone to organise them is a big problem. The Government are doing excellent work, but there is more to do, as I am sure the Minister recognises. Although the campaign is backed by the Department of Health, I urge him to accept that implementing it for young people should be the responsibility of his Department. The only facilities in most communities, apart from some community centres, are in schools, and, as has been said for a long time, we must use them outside school hours. Someone, however, must take charge of the programme, which is not cheap, even though the nation would save on health spending by investing in it. If 75 young people take part in sport between 4 and 6 pm a professional coach will be needed, although a teacher may be prepared to help out, along with four or five other people, who will be needed to police activities.

Teachers' duties were different when I was at school, when the geography teacher took me for cricket and the maths teacher took me for football. That does not happen in state schools to such an extent today, and someone needs to be responsible for the fitness regime after school, in the holidays and so on. The Government have proposed paying someone for two hours extra a week so that they can contribute to the scheme, but I think that that is inadequate. We should go right to the top—a deputy head teacher should be charged with the responsibility of administering the scheme, working with the local offices of the Department of Health, the council, the principal gym teacher in the school and others to try and co-ordinate activities. We are not necessarily looking for someone with a background in sport, although we need someone who is sympathetic to the aims of the scheme. It is an administrator's job. I do not usually like to call for administrators, but in this case we need one, and the job requires someone with the status of a deputy head teacher. Their contract should not be a traditional one, but should reflect the need to cover holidays and after-school activities. I could say much more about this subject, about which I am passionate, but many colleagues wish to take part in our debate, so I thank the House for listening and hope that the Minister is prepared at least to look at that suggestion.

4.59 pm

Angela Watkinson (Upminster) (Con): I begin by apologising to the Minister for unintentionally missing the beginning of his speech. Despite that, I hope that he will join me in congratulating two schools in my constituency. Coopers' Company and Coborn school achieved specialist sports college status about two years ago and Emerson Park school achieved it more recently—the London borough of Havering has a good reputation for school sport.

I worked in a special school for many years, where one of my responsibilities was running a riding for the disabled group. Some of the children were heavily disabled wheelchair users and others had invisible disabilities such as diabetes and epilepsy, but they all participated in the riding for the disabled group. The freedom that comes from being mounted on and controlling a horse is unimaginable for children who are unable to walk in other circumstances. That non-competitive sporting activity was extremely worthwhile.

I also took the children swimming. Once children who are unable to walk are in the water, they experience freedom and can exercise in a way that would otherwise be impossible. Once a year, I used to organise an inter-special schools swimming gala for about eight London boroughs. The gala was competitive, and I used to announce the children's names and the lane in which they were swimming. After each race, the children would come up to the table and ask, "Which school won? What was my time? How did we do? How many points has my school achieved?"

After many years, somebody decided that competitive sport was not good for those children, and a non-competitive annual gala was introduced. The first year was such an anti-climax: I announced the children's names and their lanes, and they gave their all to get from one end of the pool to the other—children who cannot walk swim surprisingly quickly because their upper-body strength is high—but it was pointless to reach the other end first. The children came to the table and asked, "Who won? Did I win? How many points does my school have?" The event fell flat, and the children did not get half as much enjoyment from the non-competitive gala as they did from the competitive gala. The gala continued to be held in a non-competitive spirit for a time, but interest waned.

Sport is not only a question of getting fit or being part of a team. One of the most important lessons in life is learning to win and lose with good grace, and school sport is the most important vehicle for teaching children that essential life skill.

5.3 pm

John Mann (Bassetlaw) (Lab): If there were time, I would talk at some length, which I will not do, about competitive sports. Suffice it to say, last week a highly competitive riding and angling competition occurred between a Labour Member and a Conservative Member. The House will be delighted to know that the Labour Member won the angling competition by a significant amount, and the Conservative Member, who will remain nameless and who called for a steward's inquiry after an unexpected swerve to the left by my horse, had to concede defeat in the racing too.

I want to raise the issue of facilities, including school playing fields. These days, one cannot play competitive sport in the streets and back alleys, which we all did, because the speed of motor cars and constituents' expectations precludes such activities. The Government rightly say that they will not sell off playing fields, and a recent press release states:

> "the sale of a playing field is an absolute last resort with local authorities having to demonstrate that they have exhausted all other sources of funding for the required school sports facilities".

Nottinghamshire, which is one of the largest local authorities in the country, recently received £126 million-worth of DFES private finance initiative

[John Mann]

credits to rebuild secondary schools in the county, specifically in and around my constituency. That is the largest investment in secondary schools in any one district or constituency, and I fought tooth and nail for it. I would trust that the same Government and the same Department would not look kindly on an amalgam of local authorities that subsequently announced that it has a funding gap in building the new schools, because if that were the case they would presumably have put in a different PFI bid. Even more strangely, the funding gap emerged despite the fact that on the site in contention two schools have merged into one, so the amount of capital required is less than it would have been.

As a big supporter of the PFI schools programme, I think that the bid was well constructed but highlights several anomalies. In a speech on 27 August, the Secretary of State talked about land surplus to the needs of other local schools and the community. Who defines the "other local schools" that might use playing field facilities? More interestingly, who defines "the community"? Who is to determine the community demand for sports fields? Will it be the local authority that wishes to sell off the school fields? I invite the Minister to meet "the community" before taking a decision that will be referred to him because of objections made by me, by the vast majority of local people and by Sport England to the selling off of playing fields at Portland school in order to fill a funding gap that has arisen not at that school but somewhere else in the local authority's budget.

Before my hon. Friend makes that decision, I invite him to meet the Manton Spitfires boys' and girls' football teams, to whom I will present new kit at 11 o'clock on Saturday morning. Unfortunately, the many new community youth football teams organised by volunteers from the Manton Spitfires do not have fields on which to play. He could then go and meet the Blyth Bombers, a long-established set of youth teams who have just lost their field for playing community football, and the Worksop Town football club juniors, who comprise nine different teams that are soon to be expanded to 18. Again, they do not have fields on which to play football. I suspect that local authority submissions suggesting that they need to sell off said playing fields do not take any account of that demand, because the community view has somehow been lost.

Adjoining those playing fields are three primary schools: Holy Family, a Catholic school that would like to use the facilities; the Priory Church of England school, which has never had grass fields in its history; and Ryton Park, the school that produced Danny Thomas, an England footballer, despite the fact that it is a purely Tarmac-based old redbrick school without a sports field. Are their views to be taken into consideration, given that they are not contained in any LEA documents?

There is a further anomaly. Rather unfairly, I questioned the hon. Member for Faversham and Mid-Kent (Hugh Robertson) about the situation at yet another school with a PFI bid, where playing fields have been sold off for £2 million. In this case, the decision does not go to the Minister. The fields belong to the district council, not the local education authority, so it is allowed to sell them off although they have been there for as long as houses have been there. Will it spend the £2 million on sports facilities? Well, it gave no indication of that, although a small amount will be spent on them. I understand that it proposes to contribute to the establishment of a private gym opposite the fields that are to go for ever and be replaced by buildings, but why is there this anomaly whereby a local authority but non-LEA school sports field can be sold off? How can it get away with that?

I shall wind up my speech after making a final point, rather than taking up any more of the House's time. We look for leadership. Last night, I was with a constituent of the Minister's and we discussed leadership among those on the Government Front Bench. We agreed that the Minister is a particularly strong and bold leader, and I shall be looking for such leadership in his decisions.

In considering the application I have described or any other comparable application, will the Minister simply accept the science thrown at him by a £500 million-worth LEA—which can put forward every fact and figure it can construe without bothering to consult any primary schools or community sports organisations and without raising the issue of current use—that wants to sell off playing fields, pocket the money and put it in its budget?

If an LEA needs money for buildings, it should provide it by having the guts to go to the people to demand more out of taxation or by going to the Government to demand more. It should not, through nefarious means, try to sideline playing fields that are desperately needed by schoolchildren and the community. In Nottinghamshire in particular, I hope that the Minister will address joint use between district and county council—the ruse that has been used repeatedly to sell off playing fields by giving promises that one side will do this and the other will do that.

In this specific example, neither side will fund new facilities such as replacement swimming pools, so we lose a swimming pool. Neither will fund replacement athletics tracks, so we lose an athletics track. We lose not only the playing fields, but other sporting facilities, all in the name of progress. I hope the Minister considers this application very closely when it is put before him and backs Government policy of putting playing fields and schoolchildren first.

5.12 pm

Mr. William Cash (Stone) (Con): Other Members want to speak so I shall be brief and move rapidly to the point. I believe that sport is a fundamental ingredient of education. Recently, however, successive generations in both political parties have failed to recognise that, so I very much welcome the debate.

The question is, does the sportsman or the person who can excel in sports acquire his sense of achievement and his sense of competition, which is essential to most sports, from his character or from the sport? I think the two interact. It is apparent that people such as Don Bradman or some of the great West Indian cricketers lived in extremely deprived circumstances but became brilliant merely because they wanted to excel. They did that without any facilities or resources to speak of, yet I could not for a moment imagine that it is not essential to try to provide the best-quality sporting facilities in schools if it is possible to do so.

A point has been made about private schools. On the whole, they have extremely good facilities. It is utterly disgraceful that state schools have found themselves selling off playing fields. Indeed, the Staffordshire Playing Fields Association is still concerned about the extent to which school playing fields have been sold off. It is a disgrace. However, without incentives for teachers, it is not practical to imagine that the quality of sport that is required to give satisfaction and fulfilment to those children will be achieved. Those children must be taught by people who are sufficiently skilled to enable them to do well.

I have clubs in my constituency that work with schools, including Eccleshall cricket and rugby clubs, Cheadle cricket club and Blythe Bridge. There are so many of them. One of the reasons why Staffordshire was top of the minor counties cricket league for so long was the interaction between Stone cricket club and local children as they grew up and got into clubs.

There is an interaction between the human spirit and the facilities that are available in a school to generate that competitiveness and a desire to excel. The latter is an essential ingredient and is as important as intellectual achievement. Of course, there are some who manage both—I think of Mike Brearley, who got a double first and a double blue. In a slightly different context, my son played cricket for the Middlesex second XI when he was 16. I heard what the hon. Member for Pudsey (Mr. Truswell) said. Look at Richard Hutton and Len Hutton. It is a fact that, in a competitive environment, people can take enormous steps.

In relation to swimming, life-saving is also an important skill that needs to be cultivated and on which training needs to be provided. Sport gives confidence and builds self-esteem. Those who are not intellectually gifted must be given the opportunity to excel. That is of fundamental importance to the nature of our education. I have already mentioned the excellence of Christ Church middle school's performance in getting to Headingley earlier this year.

For me, sport has always been fundamental. In fact, at Oxford, I read cricket and history in that order. I was fortunate to have the opportunity to do that and I know that that combination has had an enormous effect on my life, not least on my sense of competition, which is visible in some of my political activities, particularly on the European front. I do not understand how it is possible to be beaten.

Andy Burnham: One question intrigues me. When the Ryder cup is on, whom does the hon. Gentleman support?

Mr. Cash: Jointly and severally.

There is an element of adventure and risk in sport that needs to be cultivated. This is about human nature, the soul, the way in which people interact with their fellow beings. It is so important. I do not believe that two hours a week is anything like enough. In the 1980s, during my first years in Parliament, I tabled an amendment to the Education Bill calling for the compulsory provision of sport, in consultation with the Central Council of Physical Recreation. There was a lot of correspondence in *The Times* about it afterwards.

For the reasons that I have given about the interaction between sport and human nature and the importance of giving people opportunity, sport should be a compulsory provision at school. That is not to say that every person should be driven to do whatever is prescribed but schools must have the necessary facilities. Furthermore, they must have the staff who can teach. If the money has to be found, find it. For the nation, as well as for schools, it is as important that pupils should be able to participate in sport and do well as it is for them to achieve intellectually.

5.19 pm

Mr. Derek Wyatt (Sittingbourne and Sheppey) (Lab): First, I congratulate the hon. Member for Faversham and Mid-Kent (Hugh Robertson) on taking up his position. In case the House thinks that peace has broken out, let me explain that our constituencies are coterminous and we often work together.

Hon. Members have mentioned the Women's Sports Foundation. I am proud to say that I was its founder in 1985, but after the first three meetings I was asked to leave as I was a man. It was an interesting time and I was inspired to do that by Billie Jean King and Donna Verona in America. I am pleased to see how well it is doing.

Before talking about school sport, one must talk about sport in society. The one weakness in the whole sport debate is that we do not have a think tank for sport. Every other Secretary of State has a think tank. We do not have a Royal Academy for sport. Nearly every other science—chemical, engineering—architecture, theatre and art has a royal body, but sport does not. In this House we can become a fellow for business, a fellow in charity, a policeman and an Army fellow, but we cannot become anything to do with sport. I am pleased to say that we will be announcing a change to that in the new year when we introduce a sports fellowship programme for MPs and peers. Sport is at a disadvantage because it is not in the core culture and it is certainly not in the core culture of politics.

Time is short, so I shall ask a series of questions. For 20 years, there was a debate inside the Foreign Office about the Department for International Development. Finally, in 1997, we brought it out. That Department now prospers, with a bigger budget than that of the Foreign Office. It is now time that we had our own sport and health education Department because until we have a Secretary of State for sport and health education covering sport education at school, sport in the wider community, the business of sport and the policing of sport, society will not give us the credibility that we need.

Yesterday, a report on BBC 3 and BBC 4 was published. The £148 million that has been spent on them would buy about 600 primary school swimming pools, yet no one is watching. Could we persuade Ofcom not to provide the three-hour new public sector service, but to create a broadband channel for sport education? We want from the BBC a 24-hour channel on sport education, sport psychology, sport science, sport motivation, sport history—everything to do with sport. That is what we want from a public sector broadcaster and tomorrow is not quick enough. It is appalling to see the lack of interest inside the BBC to service the public need for sport and sport education.

[Mr. Derek Wyatt]

My hon. Friend the Member for Newcastle upon Tyne, North (Mr. Henderson) has left the Chamber. Some premier league rugby and football clubs do the most astonishing work. I am a shareholder and season ticket holder at Charlton Athletic. We do more work than any other professional club in Britain with the disadvantaged, with women, with homework clubs and on race issues. We do not work just in Woolwich or Greenwich; our work extends all the way to the A2. We are starting in Dover and coming up to Sittingbourne.

People want to rub shoulders with the famous. We need a memorandum of understanding between the great football, rugby league, rugby union and cricket clubs and our county councils to create a sport charter mark that is second to none and covers the areas that I have mentioned. We have to grab sport out of schools. Kelly Holmes is one of Kent's heroes. What are we going to do with her? We should give her a hundred grand for a three-year contract to run round schools. We need a leadership campaign that takes gold, silver and bronze medallists around our schools as part of the scheme. They should form part of the memorandum of understanding and should focus on that.

We tell our children on their school report cards how bright they are. Could we not also tell them how physically advantaged or disadvantaged they are? Could the report cover step-ups and body fat, how fast the children are over 20 yards? Is there some way that we can tell parents, "The national average is this; your child is minus one. We must try to improve on that"? What about encouraging some sort of affinity card so that we can say, "Look, that gap gets you salsa dancing, quad biking or rifle shooting"? We need to provide incentives to get children back into the system, rather than just saying, "You're fat and awful and you do no exercise."

For 30 years we have been talking about opening up schools. It is time to stop just talking about it. Let us appoint an overall director of each school and separate head teachers for daytime and for after school, so that schools are not just open from 8 am to 6 pm. I want all my local secondary schools to open until 10, 11 or 12. In Washington DC, where floodlit basketball is the most successful school sport, it starts at 2 in the morning—and it does so in schools that used to close at 5 pm. We have to foster a different mentality about school buildings. The heads are holding things back; they will not let their school building go. Until we appoint a director, and a headmaster or headmistress for the daytime and someone else for the evening, nothing will change.

Groundsmen are essential. These days, cricket fields have all-weather wickets. That is because, sadly, we got rid of groundsmen and librarians: they were the two categories that fell off school staff. Can the the lottery or the Secretary of State be persuaded to bring back groundsman training in further education colleges? We have hairdressers and plumbers, but we have no groundsmen. We could sponsor something that would change overnight the quality of fields in our secondary schools, which are a disgrace, and which get closed down by health and safety people because they are unsafe. That cycle will go round and round unless we grab it and get the further education people to come round.

I could go on, but I shall make just two more points. This summer, my local police, Swale police, did something amazing. With their own funds they created an excess energy club for 150 of the poorest in the community, so that every day, at a cost of £3, they could do exactly what they liked to do—exciting, dangerous things. And guess what? Crime is down. But why should the police pay for that, and why did they have to rent the land off a farm? What the hell were the schools doing? We need these partnerships to ensure that the Home Office and schools do this together.

May I make a radical suggestion? Who knows whether we shall all be here in five years, but if we have this debate then, and if by that time we have not increased the activity of schoolchildren by more than 2 per cent. or 5 per cent., so that 25 per cent. are still not taking activity, why do we not take PE and games out of schools altogether? Why do we not set up pilots, giving the money to rugby, cricket and football clubs to teach schoolchildren? I bet we could get 95 per cent. participation by adopting that very different approach.

5.27 pm

Andy Burnham (Leigh) (Lab): It has been a fascinating debate. There is rarely a spirit of unity across the House, but for the first time since I have been in this place I have agreed with every word from the hon. Member for Stone (Mr. Cash), so it was certainly worth being here this afternoon.

As my hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt) said, we are seeing a lot in the media about the problems of antisocial behaviour teenage obesity. We have a ready-made answer in sport, yet we seem not to exploit it to its full potential. It still has far too low a priority in politics and in public life.

Before we ask questions of schools, local authorities or anyone else, perhaps we should ask ourselves in this House whether we are doing enough for sport. I would argue that we are not. I checked up before the debate and found that 354 Members list sport of some kind among their interests in "Dod's". Why on earth is that interest not translating into making sport a hard-edged political priority that is backed by investment, with a proper structure underneath it to lever change? That has been done in France, Australia and New Zealand, but it seems to be beyond us.

We all know that sport is a unifying force like no other in our communities. Leigh Centurians rugby league club in my constituency won a hard-earned promotion to the super league on Sunday night. It will lift our town as nothing else can. It is a fantastic achievement, which will boost participation in our schools, yet we do not recognise the importance of sport enough in terms of funding.

Having worked in government as a sports adviser for a while, I would argue that a prejudice against sport runs through much of Whitehall. Sport is the poor relation in meetings at the Cabinet Office. Sport is not taken seriously, and that must change. We can change it here if we act together, across the House, when we agree—we do agree on many of these points—to give it greater priority. Let us have some statutory responsibilities to provide high-quality sports facilities. In the cultural sector, councils' only responsibility is to provide a full and comprehensive library service, whereas there should be clear responsibilities to provide good sporting facilities.

Unlike the arts, sport is seen within government as sufficiently wealthy and with enough volunteers to look after itself. That thinking partly allowed the demise of the sporting infrastructure in this country in the 1980s and '90s. Let us give credit where it is due: John Major introduced the national lottery, which has helped, but it is a drop in the ocean. We need far more investment if we are to make changes.

Some Opposition Members and those on the right in this country must accept the argument that sport needs investment, but we must accept that sport is about competition. Let us make no apology for the fact that sport encourages competitiveness. That is where its true value is realised; it is how young people learn vital life skills: teamwork; loyalty; discipline; the responsibility that comes with representing their schools and the loyalty that they feel when doing so; performing under pressure; and dealing with winning and losing. Scoring a match-winning penalty or holding a high catch at mid-off is one of the most life-affirming things that they can do at 12 or 13 that is legal, yet those on the liberal left can still be heard arguing against competitive school sport.

Peter Wilby, editor of the *New Statesman*, wrote in *The Observer Sport Monthly*:

> "Organised competitive sport is agony for many children: it can lead to humiliation and indignity."

Perhaps it does for some children—some children may not like it—but is that an argument for denying it to those who will thrive on it and seek to gain most from it? There is a generation of liberal thinkers in journalism, public life and education who allow their own painful memories of school sport to become a justification to deprive others of it. Many people love sport. As the Minister rightly said—he was spot on—it lifts the self-esteem and self-confidence of some young people who may struggle in the classroom. That is one of its real benefits. So we must confront those arguments head on. We cannot allow the corrosive notion to succeed that competitive sport is in any way controversial to run, and we must do something about that.

The Government have done a lot—we are definitely moving in the right direction—but I argue that the manifesto should take us a lot further and push sport right up the political agenda. I am afraid that the figures show, regretfully, that sport in this country is far too class based. At the Sydney Olympics, 80 per cent of our medallists went to private schools. Some analysis of the Athens games shows that 40 per cent. of the winners went to private schools. I have nothing against people from private schools, but it cannot be right that the talent of so many young people in our state schools is not coming through. We need to do much better by them. Loth as I am to say it, private schools have shamed some public sector schools in providing quality sporting opportunities.

In closing, I want to give the Minister a few ideas. What would I do if I had the opportunity and chance to sit where he is sitting? I would expand the entitlement and begin it at primary school, with the competitive, playing-to-win ethos at the very core. I would ensure that children not only have access to inter-school competitive fixtures in the main sports, but the right to receive qualified coaching in them. How many children go through our state system never having been told how to play cricket with a straight bat, how to hold the seam across a cricket ball when they are bowling or how to hit a tennis ball properly? They go through school without ever learning how to do that. That is talent lost to our country.

Like the hon. Member for Stone, I would go further: let us guarantee three hours of sport in schools and do away with traditional notions about which sports are acceptable. If girls want to play football in school, they should do so, and they should play organised, competitive football in school. Likewise, if boys want to play hockey, they should do so. Whatever the demand, schools should seek to meet it.

Why do schools let their children go out at lunchtime, cause mayhem on high streets and buy chips and biscuits? Schools should keep children in for the full day and provide a full range of sporting activities in the lunch-hour break, giving their pupils more chances to take part in sport. It seems to be a case of out of sight, out of mind, with people saying, "Off you go. Go and cause trouble somewhere else." Lunchtime activities are part of the solution, but the core of my argument is that we need a vibrant, competitive school league structure in all the main sports, starting from the age of 7, and that schools should be required to provide teams in all those categories.

As my hon. Friend the Member for Newcastle upon Tyne, North (Mr. Henderson) said, let us make sport the personal responsibility of a senior person in schools—perhaps the deputy head or possibly the head teacher. It is too important to be an ad hoc arrangement—something that may happen and may not. Let us make it someone's direct responsibility. Let us have extended Wednesdays, when everyone knows that a whole slate of competitive sports will take place and the school day will continue until 5 or 6 o'clock.

Let us shatter some of the prejudices. Personally, I would have no problem about boxing being provided in state schools, if there were young people who wanted to do it; it appeals to a particular hard-to-reach group, and has an edge over other sports in terms of personal focus, discipline and fitness. Let us provide what young people want to do. If there is a demand, let us not have hang-ups and prejudices about what is right and what is wrong, but let us provide what they want. Sport must begin at the beginning, with high-quality coaching and a play-to-win ethos from the very bottom of British sport.

5.35 pm

Mr. Adrian Bailey (West Bromwich, West) (Lab/Co-op): I shall make my remarks short, as much of what I wanted to say has already been said by others.

I welcome the Minister's statement, and the development of a policy that has been overdue for the past 30 years. In another life, I was one of those enthusiastic but inept comprehensive school teachers who ran a football team, and I hate to think how many budding international footballers I must have ruined with my coaching. We must have a far more professional approach, and a recognition that sport is a vital part of education, but also that education is a vital part of sport.

That is particularly relevant to areas such as mine, where there is a proud sporting tradition, involving not only the fanatical following for West Bromwich Albion and Wolverhampton Wanderers, but athletics, with clubs such as Tipton Harriers. Despite that sporting tradition, there are very low educational aspirations—but we have a

[Mr. Adrian Bailey]

sports college, Wood Green high school in Wednesbury, which has brought enormous benefits to the area in both sport and education.

Someone asked earlier about academic qualifications. Not only is Wood Green high school a sports college, doing great work in linking with the 50 other schools in the local area to raise standards, it is also the highest performing academic school in the borough. There used to be a feeling, especially in the state sector, that schools were either sporting but not academic, or academic but not sporting. That has been totally disproved by our experience, which shows the success of the policy at the grass roots.

Wood Green high school is also breaking new ground in providing sporting activity before conventional school times for primary school pupils. With the help of the local authority, it is bussing in primary school pupils at 8 o'clock for an hour of PE and lifestyle education, which will not only help them through their lives but will also break down the barrier involved in moving between primary and secondary education.

Let me say a few words about competition. I love competition in sport, but we must have a broader perspective. We have moved a long way from the historical caricature of sport in schools, with the sadistic schoolteacher humiliating inept schoolboys or schoolgirls—if it ever existed. However, the fact remains that if we force young people to take part in a sport that they are not good at, it undermines their self-confidence and puts them off sport in general.

We must have not only a sports strategy in schools, but a physical fitness strategy, involving a range of activities. Those who want to play competitive sport and excel in it could do so, but others, who may not want to do that but who want to be fit, to feel on top of things and to have self-esteem, could take part in other activities—even just plain walking—to reach a certain level of physical fitness. I see no reason why schools should not have some measure of the physical fitness of their pupil population, as well as of their academic competence.

I shall finish with a couple more points. I welcome the Academic Coaches Ensuring Success—ACES—initiative that West Bromwich Albion runs. It is a new scheme, which is designed not for the most under-achieving pupils but for those who have potential and are not fully realising it. It is intended to help them through their GCSEs. It was launched in my borough this week and I await the results with interest.

I want to underline the problem of the drop-off in young women's participation in active sport in their early teenage years. It requires serious consideration and, if necessary, serious investment in schools to tackle it. In addition, in ethnic minority communities, cultural issues overlay the problem. I simply flag that up to the Under-Secretary as a matter that needs to be addressed.

When I learned about the target of two hours of PE a week, I could not believe that it was so low and that we are so far behind. However, we are getting there. We have made good progress so far but much remains to be done. I hope that the debate will contribute to that.

5.41 pm

Mr. Andy Reed (Loughborough) (Lab/Co-op): I am pleased to have the opportunity to speak, given that I managed to secure an Adjournment debate on the same subject only a few weeks ago, which shows how vital the issue is. Hon. Members wanted our élite athletes to do well in Athens and want them to do well in Beijing—and in London in 2012—but that will not happen unless we begin to generate support for the next group of athletes. Many of those who will compete in Beijing or in London in 2012 are still at school. We still need talent identification to ensure that we provide the right support for athletes at places such as Loughborough so that they are ready to win medals next time around.

However, mass participation is as crucial as picking the best to become élite athletes. For the majority of us, such participation is vital not only at school but throughout life. We have already heard many examples of the problems of obesity and antisocial behaviour. Sport can tackle that. It has enormous potential to do so much good in this country, yet, as hon. Members have said, we have missed the opportunity.

Sport has never spoken with a single voice. It has been pushed aside by the arts or other organisations. It is now time for hon. Members who are passionate about sport to convince others in Whitehall and our colleagues who are not present that sport has a vital role to play. We shall do that by building on our current position.

There is a mish-mash of initiatives and money is coming in. Although it is great that so much is going on, we have had to act in that way because of our starting point in 1997. We inherited a poor picture. I would not have designed the current position, but that is where we are. How can we make it succeed and how can we progress?

First, we must ensure that teachers have enough experience and time in their initial teacher training to do the basics at primary school. The school-club link is vital for the future. I still kick around—and sometimes catch—a rugby ball on a Saturday afternoon. I play at my local community college, where I have played since I was 18 and at school. I would never have gone away and joined another club. That is most people's experience. If they do not play school sport and do not have the club link, they drift away at 18. My hon. Friend the Member for West Bromwich, West (Mr. Bailey) highlighted a specific problem, especially among girls, of people who drift off much earlier. The drop-off rate at the age of 13 or 14 is significant.

As Professor Gratton stated in a recent article, if people stop participating by the age of 16, it is much harder to get them to return to the clubs later in life. They do not have the experience or the skills, and returning is a daunting prospect. We need to develop the club link, and that means support for the clubs.

My club struggles. We have a small committee of people and willing players, but giving up time to do the coaching is difficult. Modernisation and work with national governing bodies is vital to ensure that the coaches, who are fit for the purpose, are in the right place at the right time. It is harder now, because in our day we had cricket and athletics during the summer and football during the winter. Now, however, there is a much greater choice of sports, so the links need to be made not only with the traditional clubs; they need to go much wider. Girls, in particular, have a much greater requirement in this regard. Our talks with the Football Association earlier this year showed how many girls want to play football, for example, yet their chances of doing so at school are limited. The FA is doing a lot of work on this, but the Department for Education and Skills needs to work with it to ensure that girls get that choice.

I got myself into a bit of trouble following our last debate on these issues, when a local newspaper misquoted me. I had cited an example from the Youth Sport Trust's Nike report, which said that one of the reasons girls were put off sport was that they found it uncool and too sweaty. As hon. Members can imagine, the media had great fun with that, saying that I was accusing all girls of thinking that they were too sweaty. Unfortunately, my Tory opponent jumped on the bandwagon and made a complete fool of herself on the same issue, without even trying to get the facts. We have to recognise, however, that such barriers might exist.

Mr. Doug Henderson: My hon. Friend reminds me of an important point that I meant to make. A survey conducted by Sport England showed that about two thirds of young women would rather go dancing than participate in any other sport. Does my hon. Friend agree that dancing is a very valid activity that should be included in any fitness programme?

Mr. Reed: Yes, I was about to come to that. We need a wide variety of sports. A lot of girls want to play football, although many are still happy to play traditional sports such as netball or hockey. There is, however, a vast variety of sports out there competing for their attention—basketball, dance and aerobics, for example—and they should all be available.

With regard to facilities such as changing rooms, many people have now had experience of private clubs and find school facilities inadequate for many of the activities that have been mentioned. That brings me to one of my real bugbears. I really feel passionate about the use of school sports facilities and the idea that we should be able to use them 24/7. We have all stood here and agreed on that in numerous debates, and the Department knows that we all agree on it, yet when I go back to the school where I play rugby every Saturday afternoon, we are the only ones using the facilities there. There are 10 pitches, and there must be 12 or 13 tennis courts, yet we are the only group using the facilities every weekend. It cannot be rocket science for us to put in place a plan to ensure that this improves.

Sport England is looking at a multi-club approach to providing sport across the communities. Most communities have some form of educational facility. When we look across the water to France, we see the idea of the community stade—which I think most Members quite like—in which lots of clubs use the same facilities. They share the shower and changing facilities, and there are lots of athletics tracks, football pitches and other amenities available. We could do that in the schools that exist in almost every community here. We do not need to reinvent clubs up and down the country. In some cases, it would be difficult, but we just need to take the idea one step further. We need to ensure that there is someone responsible for the programme in each location, working not in isolation with the educational facility but with the county sports partnerships to ensure that facilities are available for all children as near as possible to their homes. We are not that far away from achieving that. Many of the facilities are there, but they are underused at the moment.

I want to refer briefly to the number of initiatives being undertaken. I recall that, when I became chair of East Midlands Sport, we were in charge of 57 initiatives relating to distributing lottery money, Sport England programmes and other things. Fortunately, that number has been reduced, and Sport England now takes a much more strategic approach. My fear, however, is that we are still generating more initiatives. I have a list of some of them here, which includes the sports colleges, the co-ordinators, the step into sport programme, and club links. Each of these is great on its own, but we have all been in head teachers' offices when they have shown us how much has come in from the Department that week. We need to consolidate many of those initiatives in order to get sport back into schools and get it going.

I take a slightly different view from that of my hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt) on the role of the BBC. The coverage of the Olympics this year was a fine example of how good the BBC can be. That and other facilities such as its website and the sports coaching programmes in which it is involved offer a fine example of why we need to keep as much sport as possible on terrestrial television, so that as many people as possible get to see their sporting heroes. I have not been able to watch a premiership rugby game for several years, because coverage has been sidelined and tucked away on Sky. I am unwilling to pay the £40 a month extra it would cost me to watch a few games. I do not know how many other people are missing out on watching their sporting heroes in cricket, rugby, football and other sports. Without those national sporting heroes, our children do not have an incentive to get out and play sport. I urge those responsible to ensure that our sporting heroes are not seen only on television, but go around schools to encourage the sportspeople of the future.

I would say to my hon. Friend the Minister, "A lot done, a little way to go; three hours would be better; not 85 per cent., but 100 per cent.; and 2010. Get on with it."

5.50 pm

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Stephen Twigg): That is quite a challenge. We have had 11 contributions to the debate and I shall do my best to do justice to each of them. I will not be able to respond to every point raised, but I shall happily respond to specific points that I cannot cover now in writing to hon. Members.

I welcome the hon. Member for Faversham and Mid-Kent (Hugh Robertson) to his new position on the Front Bench. We have had a constructive debate. I also wish to apologise to the House on behalf of my right hon. Friend the Minister for Sport and Tourism, who is away on Government business; otherwise, he would certainly have been with us here today.

Several hon. Members talked about how we can ensure that sport is at the heart of the mission to educate. That is a significant challenge and it sits well

[Mr. Stephen Twigg]

with the broader debate about schools policy. I shall return to that point when I answer the challenges posed by the hon. Member for Faversham and Mid-Kent.

My hon. Friends the Members for Sittingbourne and Sheppey (Mr. Wyatt) and for West Bromwich, West (Mr. Bailey) and the hon. Member for Colchester (Bob Russell) asked how we can recognise sport and physical activity as being on a par with some of the academic and other achievements of a school. We have consulted people in education and beyond about school profiles, whereby we would not simply define a school's achievement according to academic outcomes, tests and examination results but more broadly according to its performance in sport, the arts and citizenship. Some of the points raised today are relevant to that idea in general. They are also relevant to a consultation that is under way at the moment on how we can build on the successes of the active mark and the sports mark, perhaps through the development of a new sports partnership mark. I encourage hon. Members to participate in that consultation, which will run for another two and a half months, and to engage with schools, clubs and young people in their constituencies on the subject.

Almost all hon. Members made the point that two hours is a minimum. Some powerful points were made by Members on both sides of the House about the entitlement to much more than two hours. I would like to think of the two hours as a minimum. I have heard what has been said about an increase to three hours, but more important is a broader entitlement for those who want to do much more. That will be necessary if we are to achieve all the different aims we have.

My hon. Friend the Member for Loughborough (Mr. Reed) made the point that the extended—or 24/7, as he put it—school idea is one that has been around for some time. Its time has now come, not only for sport and physical activity, but more broadly. We have an incredible opportunity over the next 10 to 15 years in our secondary schools, through the building schools for the future programme, to provide the best possible facilities right across the curriculum. Facilities for sport and physical education must be a part of that.

I shall try to address the five points that the hon. Member for Faversham and Mid-Kent put to me, many of which were reinforced by points made in the rest of the debate. The hon. Gentleman referred to the decline in the teaching of rugby and cricket in schools. The survey that we both mentioned from earlier this year showed that 97 per cent. of schools provided football, unsurprisingly, but that 86 per cent. provided cricket, 67 per cent. provided rugby union and 12 per cent. provided rugby league. I am not saying that those figures are good enough, but they demonstrate what a majority of the state schools surveyed are doing and the difference that the school sport partnerships can make.

The hon. Gentleman asked about clubs and schools. The links between clubs and schools are vital. Through the school sport partnerships, about one in five young people participate in high-quality club activity, which is a big step in the right direction, although we clearly need to do much more. Other programmes are relevant to those links. I was interested in what my hon. Friend the Member for Sittingbourne and Sheppey said about Charlton, as there are some extremely good examples in football, rugby and other sports of links that enhance not only sporting and physical achievement but academic achievement.

I referred to playing for success. Arsenal's Double Club makes a big difference in London, working with some of the most challenging inner-London schools in Islington and Tower Hamlets. It has a remarkable and proven record of enhancing literacy, numeracy and other basic skills. That is of great importance.

There has been contention about how much of the lottery money has actually been spent, so I am pleased to be able to assure the House that as of 5 October grants totalling £446 million have been awarded. That means that 2,000 new facilities have been given the green light; 127 are already completed and open, and a further 595 are on site. It is fair to say that the money was not spent quickly, but I would rather we spent it well than spent it quickly. I am confident that the programme is on course and that the vast majority of projects will be completed between this year and 2006, as was always envisaged.

Playing fields were mentioned several times during the debate. With the recent announcement to which I referred in my opening remarks, we seek to strengthen the available guidance and protection. In the last two years, 90 per cent. of the approved planning applications relating to playing fields have led to the provision of better sport facilities, or have left sport facilities unaffected. Over that two-year period, the approved planning applications for playing fields have led to an investment of almost £540 million in new sport facilities. We have allowed the loss of only 148 school playing field areas since 1997, 60 of which were at schools that were closing. In all cases, the proceeds were used to provide better sport or educational facilities for schools—most of them for sport. I shall come to the specific points made by my hon. Friend the Member for Bassetlaw (John Mann) in a moment.

Voluntary organisations, such as the National Playing Fields Association and the Central Council of Physical Recreation, raised serious concerns about the number of playing fields that were sold in the 1980s and early 1990s. That is why we legislated and, more recently, acted as I described to strengthen the follow-up from the legislation.

The fourth point made by the hon. Member for Faversham and Mid-Kent was about red tape, which poses a serious challenge. Work force reform is an opportunity for other professionals to go into the classroom and support good sport education. The implementation review unit is at the heart of the Department for Education and Skills to ensure that we minimise unnecessary bureaucracy and the burdens it can bring for schools. I shall write to the hon. Gentleman about his fifth point on legal protection.

In the remaining minute and a half, I shall pay tribute to the other speeches in the debate. My hon. Friend the Member for Pudsey (Mr. Truswell) and the hon. Member for Colchester, who spoke for the Liberal Democrats, made powerful points about the importance of enjoyment as well as excellence in education. That is certainly reflected in developing policy, not simply on sport and physical education but more broadly.

My hon. Friend the Member for Newcastle upon Tyne, North (Mr. Henderson) made an interesting suggestion about a deputy head having specific responsibility to lead on matters of sport. I shall discuss that further in the Department and with colleagues.

The hon. Member for Upminster (Angela Watkinson) paid tribute to the two specialist schools in her constituency. I am happy to associate myself with her remarks.

My hon. Friend the Member for Bassetlaw invited me to meet objectors to a proposal. I shall be happy to meet him and some of his constituents to discuss that, but for reasons of balance I shall then have to meet people who hold the opposing point of view.

The hon. Member for Stone (Mr. Cash) made a thoughtful speech, with which everyone in the House could agree. I have already responded to several of the points made by my hon. Friend the Member for Sittingbourne and Sheppey.

My hon. Friends the Members for Leigh (Andy Burnham), for West Bromwich, West and for Loughborough are closely associated with the issue and raised significant points. My hon. Friend the Member for West Bromwich, West asked how we can ensure that physical fitness is at the heart of what schools do. I would like—

It being Six o'clock, the motion for the Adjournment of the House lapsed, without Question put.

PETITION

Crowlands Junior School

6 pm

Mr. Andrew Rosindell (Romford) (Con): I rise on behalf of no fewer than 264 of my constituents who send their children to school in, or reside in, the Crowlands and London road area of Romford. They have collected the petition to ask the House of Commons to take urgent action to ensure that adequate numbers of secondary school places are made available for children who attend Crowlands junior school. They find it unacceptable that so few such places are made available for the community and that schools do not ensure that sufficient places are available so that every child and parent can have a free choice of schools.

The petition states:

To the House of Commons

The Petition of Parents of pupils of Crowlands Junior School

Declares that there are not enough secondary school places in the Crowlands and London Road area of Romford to accommodate pupils who leave Crowlands Junior School. This results in children from the area having to take left over places from distant schools instead of being given a proper choice.

The Petitioners therefore request that the House of Commons calls on the Secretary of State for education to ensure that all parents in the area have the choice of quality education at secondary level in the local community.

And the Petitioners remain, etc.

To lie upon the Table.

Medicinal Cannabis

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kemp.]*

6.2 pm

Peter Bradley (The Wrekin) (Lab): I cannot claim to be an expert on science, and much less so on pharmacology. I also accept the precautionary principle in the licensing of medicine, especially for new drugs about which insufficient is known or those on which there is room for significant doubt about their safety or efficacy. However, an exceptional case can be made for medicinal cannabis for reasons on which I shall elaborate. The art of good government is to know when to exercise compassion and discretion, and there is no more a pressing need for that than when its object is to relieve pain and suffering, which is the case that I shall make today.

I became involved in the campaign to legalise medicinal cannabis when my constituent, Kate Bradley, who is no relation, visited my surgery four or five years ago. Her story is compelling and poignant. In earlier years, she was a drug squad officer with West Midlands police until she took medical retirement. She was subsequently diagnosed as suffering with multiple sclerosis. Prescription medicines do not work for her, and she cannot legally obtain the one medicine that does work—cannabis. She is forced to procure what she regards as her medicine in her wheelchair on the streets from the kind of people whom she was locking up a few years ago.

The problem is not that Kate Bradley fears arrest, because I do not think that that is a significant risk, but that she cannot obtain a suitable supply of her medicine. In addition to the physical torment that MS visits on her, she suffers bitter humiliation. She and thousands of others do not wish to break the law, but what choice do they have when the only medicine that relieves the pain that they suffer is placed beyond their reach?

My concern is not about the Government's approach, because Ministers have been sympathetic. They are not unwilling to find a solution to the difficult problem, and I cannot believe that they are unable to do so. When I first raised the matter with the Department of Health in a parliamentary question in January 2001, it was confirmed that trials were under way on the GW Pharmaceuticals product Sativex, and that a report was expected in 2003.

There was a major step forward in October 2001 when, in reply to a further question of mine, a Home Office Minister confirmed:

> "the Home Secretary has made it clear that if a product licence is recommended by the Medicines Control Agency he would approve the necessary changes to the Misuse of Drugs legislation. These changes can be made swiftly".—[*Official Report*, 29 October 2001; Vol. 373, c. 500W.]

That was encouraging, but since then progress has been painfully slow. We expected approvals by the end of 2003, perhaps with medicinal cannabis on the market by now, but on 3 November last year the Under-Secretary of State for the Home Department, my hon. Friend the Member for Don Valley (Caroline Flint), told me:

> "The Medicines and Healthcare Products Regulatory Agency",

which had succeeded the MCA,

[Peter Bradley]

> "has yet to complete its evaluation of the safety, quality and effectiveness of the medical preparation of a cannabis-based drug developed and tested by GW Pharmaceuticals."—*[Official Report, 3 November 2003; Vol. 412, c. 708.]*

She went on to assure me that once marketing approval had been received, the Government would act quickly to ensure that the necessary changes were made to legislation.

The Minister then wrote to me on 12 May to tell me of a further setback in the process and that the MHRA had asked for further evidence from GW Pharmaceuticals. I stress that I am not criticising the Minister or, for that matter, the MHRA. They are doing things by the book. However, while delay follows delay, patients with MS are suffering and that suffering is unnecessary.

Mr. Martin Salter (Reading, West) (Lab): I endorse every jot of my hon. Friend's case. Does he agree that there is a danger that with Parliament and the Home Office downgrading the recreational use of cannabis from a class B to a class C drug, unless action is forthcoming quickly MS patients and others who require the medicinal use of cannabis will resent the fact that the Government can take action on the drug in respect of its recreational use but drag their feet when it comes to its medicinal use?

Peter Bradley: My hon. Friend anticipates my case and, indeed, makes it for me. He will forgive me if I do not respond immediately, because it will become clear that I agree with him.

Earlier this summer, Kate Bradley sent me an e-mail, which makes the case on its own. She said:

> "The spasms I suffer are sheer hell. From the soles of my feet all through my body into my brain is a searing, crippling, unholy pain. It is so powerful it can force my body to crunch into a foetal position one moment and switch to plank-like rigidity the next. Only cannabis unlocks them. Following this my legs are then attacked by pain akin to that of a blow torch burning my skin off. Cannabis is the only relief from this too. There is nothing orthodox medicine can do. Only cannabis helps. The government has said that if its medical advisers give the go-ahead, it will legalise medicinal cannabis and that's been very encouraging. But the waiting is almost too much to bear."

Kate Bradley is not alone. According to the MS Society:

> "in a recent survey of 100 patients, 43 per cent. said they used cannabis. Of the people who said they have never used it, 76 per cent. said they would do so if the drug were not illegal".

I do not want to make statistical claims that are too strong, but based on that survey, my calculations suggest that of 85,000 MS sufferers more than 36,000 will have used medicinal cannabis—albeit illegally—and a further 36,000 would have used it if were it legal. That adds up to 86 per cent. of all those people who suffer from MS. So 86 per cent. of them believe that cannabis could relieve their symptoms.

This prompts the question of why patients should have to choose between controlling their pain and breaking the law. That is why I asked the Minister in the summer whether, pending the approval from the MHRA, the Government would allow the limited and controlled cultivation, and dependable quality monitoring, of cannabis for those for whom their GPs prescribe it, which is the arrangement in Canada.

In repeating that call tonight, I believe that I have a simpler and much more acceptable proposition, which I shall come on to.

I said earlier that an exceptional case can be made for the legalisation of medicinal cannabis. A huge amount, for example, is already known about the drug's medicinal qualities and properties as well as its side effects. It has been in use as a therapy for 5,000 years. Queen Victoria used it as a tincture, and it has properties as an analgesic, anti-emetic and appetite stimulant. MS is the principal condition that it can alleviate, but it has also been argued that it can help patients suffering from AIDS, arthritis, cancer, chronic pain, epilepsy, glaucoma, menstrual and labour pain and migraine. Recent research by Dr. John Zajicek of the Peninsular Medical School in Devon suggests that it may not simply relieve the symptoms of MS but arrest them.

There is a dispute about the side effects of medicinal cannabis, and some people believe that it contributes to memory loss. Those side effects, however, are unlikely to be significant and I doubt that much will be discovered now that has not been known for many hundreds of years. Alternative pain treatments are far more harmful and, in some cases, dangerous than cannabis. Some, for example, can damage the liver severely. A single overdose of morphine can kill. There is no recorded death from cannabis—at least, I am not aware of one—in the past 100 years, and I have been advised that someone has to take many thousand times the normal dose of cannabis to die from its toxicity.

Cannabis is legal in Canada and eight US states. A growing body of opinion in the UK supports its legalisation here. The MS Society said:

> "On the evidence now available . . . those who might benefit should have treatment prescribed on the NHS".

The British Medical Association says that

> "the law should be changed to allow the therapeutic use of cannabis",

although it wants further research to isolate its therapeutic properties. *The Lancet* said that

> "it would be reasonable to judge cannabis less of a threat than alcohol or tobacco".

Indeed, before it stopped taking the drugs, the *Daily Express* said in an editorial on 10 January 2001:

> "The Government must legalise the use of cannabis for medical purposes immediately. Otherwise we are going to get many more instances where normally law-abiding citizens are forced to go to the criminal underworld to get the one drug that can help relieve a devastating medical condition."

A growing number of medical practitioners share that view. I recently received a letter from Paul Davies, a consultant neurologist at Northampton general hospital, who has been involved in the trialling of GW Pharmaceuticals' new product Sativex, a spray that is applied under the tongue. He said:

> "I have seen some very beneficial effects of this drug in some of my patients. Of course there have been others who have not been helped, and we have had a few side effects but none has been serious. My own judgement based on experience and available data to date, is that Sativex is a safe drug and can be very helpful to treat symptoms in patients with multiple sclerosis, who have not obtained benefit from currently licensed products."

Dr. William Notcutt of the James Paget hospital in Great Yarmouth has campaigned to have medicinal cannabis recognised for 10 years or so, and I pay tribute to him for helping me to develop my knowledge and views. He told me that

> "when patients ask why they cannot be prescribed what they know will relieve their pain and will most likely be more effective and less harmful than what they are currently taking, I simply have no answer for them. It is a matter of common sense as well as humanity that medicinal cannabis should be made available to patients whose doctors wish to prescribe it and without further delay".

Patients who participated in the recent trials were lucky, as medicinal cannabis worked for 80 per cent. of them. In September, the Home Office agreed to license the continuing prescription of the drug to more than 500 of those patients. That enlightened decision prompts the question—why, if they are allowed access to a pain-relieving drug, cannot the other 85,000 people with MS, whose problems and pain are just as bad, receive it?

Although, as my hon. Friend the Member for Reading, West (Mr. Salter) said, recreational cannabis was recently reclassified from class B to class C, medicinal cannabis remains on schedule 1 under the misuse of drugs regulations. It is grouped with LSD and ecstasy in schedule 1 as a drug with no medicinal value, which is patently absurd given cannabis's 500-year history as a therapy, and schedule 2 includes drugs that are far more dangerous than cannabis such as morphine, heroin and cocaine.

If cannabis were in schedule 2, or for that matter any other schedule, GPs and other doctors could legally prescribe it even if it were not approved by the MHRA, which happens with many other well known, often used and perfectly safe drugs under MCA guidance note 14. Despite cannabis's known therapeutic value, it cannot be prescribed, which is nonsensical. It was removed from the British formulary comparatively recently—1971—and I simply ask for its restoration to the position that it occupied for many hundreds of years.

It is only in the past few decades that cannabis, a drug which has been used as a medicine for 5,000 years, has become associated with recreational abuse, but most therapeutic drugs can be abused. Tranquillisers such as Valium and diazepam, hypnotics such as Temazepam and painkillers are frequently abused, but there is no question of banning them. If all drugs that could be and are abused were banned, few medicines would be left in the cabinet. The argument is that cannabis, which has become known as a recreational drug, also has medicinal properties and arguably greater benefits and less dangerous side effects than drugs that are in common use. It should not be proscribed; it should be prescribed.

MS patients are suffering because we have a hang-up about the 1960s. The generation that grew up with recreational cannabis should not deny patients access to cannabis's medicinal properties. The solution is simple: we should apply to cannabis the same exemption as already applies to many other treatments under the MCA guidance note of February 2000, which is entitled, "The Supply of Unlicensed Relevant Medicinal Products for Individual Patients." If cannabis were exempt, doctors could prescribe to individual named patients who, in their professional opinion, would benefit from it, which is, as I said, already common practice—cannabis could not be marketed until it received its approval.

In making that plea, I simply echo the recommendations made some time ago by the House of Lords Science and Technology Committee. In 1998, in a report on the scientific and medical evidence about cannabis, it said:

> "the Government should take steps to transfer cannabis and cannabis resin from Schedule 1 to the Misuse of Drugs Regulations to Schedule 2, so as to allow doctors to prescribe an appropriate preparation of cannabis, albeit as an unlicensed medicine and on the named-patient basis, and to allow doctors and pharmacists to supply the drug prescribed."

Three years later, the follow-up report criticised the "excessive and disproportionate caution" on the part of the MCA:

> "Patients with severe conditions such as multiple sclerosis are being denied the right to make informed choices about their medication. There is always some risk in taking any medication; patients and their doctors should certainly be informed about toxicological concerns that the MCA have raised, but these concerns should not prevent them from having access to what promises to be the only medication available to them."

Often, I do not agree with the views of the House of Lords—certainly not over the past few days—but I certainly agree with it on that matter, as do some 50 MPs from all parties who have signed my early-day motion calling for the legalisation of controlled cannabis for medicinal use.

Let patients make their own informed decisions whether the risk from the only relief from their excruciating pain represents a greater threat to their health and well-being than the disease from which they suffer. Who are we, as politicians, to stand between people suffering torments that we cannot imagine and the medicines that they need to make their lives tolerable?

My original plea to the Minister was to allow the production and prescription of herbal cannabis for therapeutic uses, but since then GW Pharmaceuticals has conducted successful trials, and the Home Office has granted a licence to prescribe to participants. It would be a small step to act out of common sense and compassion and move medicinal cannabis to schedule 2 of the regulations so that doctors can prescribe more widely on a named-patient basis as MCA guidance note 14 allows. As I said at the outset, the hallmark of a good Government is that they know the difference between the done thing and the right thing, and I hope that my faith will be supported by my hon. Friend the Minister's remarks.

6.19 pm

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): I congratulate my hon. Friend the Member for The Wrekin (Peter Bradley) on securing this debate. I welcome my hon. Friend the Member for Reading, West (Mr. Salter), who is a patron of the Berkshire multiple sclerosis therapy centre, and my hon. Friend the Member for Bassetlaw (John Mann), who takes a keen interest in all issues to do with drugs.

I welcome my hon. Friend's acknowledgement that the Government are committed, both through the Department of Health and the Home Office, to take the

[Caroline Flint]

necessary procedures to ensure that if a suitable product derived from cannabis can be licensed, it can be provided as a product for people suffering from illnesses that mean that they would benefit from such a drug.

The medicinal use of cannabis is a cross-party issue, as has been clearly shown by the support that my hon. Friend has received for his early-day motions. The Government, too, would like to contribute to easing the plight of those with debilitating illnesses such as multiple sclerosis and other intractable, painful conditions by bringing to their assistance whatever relief is to be had as a result of an appropriate medicinal use of the drug.

My hon. Friend mentioned the reclassification of cannabis, as did my hon. Friend the Member for Reading, West. We should be clear that we reclassified cannabis to class C not because it is not a harmful drug, but because it is not as harmful as drugs in classes A and B.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I am sorry to interrupt the hon. Lady, but she should not turn her back permanently on the Chair. That also has the practical defect of taking her voice away from the microphone.

Caroline Flint: I apologise, Mr. Deputy Speaker.

Cannabis was reclassified to class C because it is relatively less harmful than drugs in classes A and B. Since reclassification, we have been very conscious of lobbying from organisations linked to mental health and to young people as regards the problems associated with cannabis in several different forms. Cannabis is not a harmless drug, and we must be aware of that when we discuss its relationship with products derived from cannabis that could be used for medicinal purposes.

The Government have been clear and consistent in our position on the medicinal use of cannabis. I confirm again that we are prepared to license a medicine should it get the go-ahead from the Medicines and Healthcare products Regulatory Agency—the MHRA. As we have heard, it has been assessing an application made by GW Pharmaceuticals for its cannabis-based product, Sativex. Like my hon. Friend, I hope that there can be a safe and speedy resolution of that application so that we know exactly where we stand on this issue. I understand his and others' disappointment about the time that it has taken to reach a decision. Discussions between the MHRA and GW Pharmaceuticals are ongoing. Obviously, the details of this particular application are commercially sensitive, but we hope that a conclusion will arrive sooner rather than later.

The MHRA has a responsibility to ensure that all medicines meet the required standards of safety, quality and efficacy before they are granted a market authorisation. Those standards are laid down in European pharmaceutical legislation, so this is not an area that allows for unfettered flexibility. Applicants have to demonstrate that they can produce the product repeatedly to a consistent standard and that it is stable. The MHRA is an Executive agency of the Department of Health, not part of the Home Office, and it would be inappropriate for me to comment on how it reaches its decisions in any particular case. However, a cannabis-based medicine, like any other prospective medicinal product, can be granted a marketing authorisation for medical purposes only when sufficient data have been submitted to demonstrate that the product is satisfactory for the intended use.

This evening, my hon. Friend has called on the Government to place cannabis-based medicine in schedule 2 to the Misuse of Drugs Regulations 2001. In an early-day motion in July, he also argued for authorising the controlled production and prescription of cannabis itself for medicinal use. Although I understand the motivations behind those two demands and am sympathetic to them, it is difficult for the Government to support those proposals.

It would not be appropriate to circumvent or undermine the well-established process attached to the evaluation of the safety, quality and effectiveness of all products that are prospectively prescribable by the MHRA. That process is designed to protect public health.

Comment has been made on why cannabis cannot be moved to schedule 2, like heroin and cocaine, so that GPs may prescribe it on a named-patient basis. Heroin and cocaine may be prescribed under the Misuse of Drugs (Supply to Addicts) Regulations 1997, but in very restricted circumstances in the treatment of addiction where a person has become so dependent on the drug that he has an overwhelming desire for its administration to be continued. I should add that, because of this issue, we are looking into other areas involving the prescription of heroin. We have a number of pilots under way.

I do not think that there is a real parallel with the prescription of raw cannabis for therapeutic purposes. The transfer of cannabis from schedule 1 to schedule 2 of the regulations on a named-patient basis would enable the substance's lawful prescription. However, allowing the prescription of raw cannabis of uncertain quality and strength as a medicine would seriously blur the distinction between misuse and therapeutic use. It might create its own health problems. For example, it would usually be smoked and there is no guarantee that those who suffer from severe illnesses such as multiple sclerosis would get access to the quality of product that would bring them relief, so we do not intend to depart from our consistent, long-standing stance of reliance on the role of the MHRA.

My hon. Friend mentioned the idea of Sativex being included in schedule 2 as well, but, as I have said, it is undergoing an assessment as a product for use by the agency. We do not think, therefore, that at this stage it would be right or suitable to undermine that process.

My hon. Friend also mentioned that patients who were on the GW Pharmaceuticals trials and have benefited from Sativex are being continued on that medication on a compassionate basis and for free by the company, pending the MHRA's decision. However, I should make it clear that they are being provided not with raw cannabis, but with a product that is inhaled—a derivative of cannabis.

We supported that position because we thought it was the right thing to do, given the nature of the trial. Therefore, I am afraid to say that I must disappoint my hon. Friend this evening because we think it would be wholly premature to move a cannabis-based medicine to schedule 2 now.

Peter Bradley: Will my hon. Friend explain why, if it is acceptable for the 500 patients who participated in the trials to have Sativex on an exemption from schedule 1, it is not possible to extend that to those whose symptoms are just as distressing and painful, pending the conclusion of the MHRA process?

Caroline Flint: There are a number of reasons for that. First, to trial a drug we have to pilot it with a group of people in the first instance. Therefore, there are clear boundaries within which that trial can take place, which are overseen by the company and those who have been part of that pilot.

To place the medicine in schedule 2 at this stage would raise issues about the role of general practitioners, the schedules that needed to be changed, funding, the number of people who may come forward for treatment, and how that would operate in practice—there would be all sorts of issues in terms of practicality. However, first and foremost, even though people have had the product as part of a trial, we should not give the green light to something that has yet to receive its full licence. I understand where my hon. Friend is coming from but, under the circumstances, the reasons I have outlined do stand. We hope that there is a speedy conclusion to the agency's investigation into Sativex as a possible solution to many people's pain.

I understand the sentiments of hon. Members on this matter. Anyone who has had a relative suffering from an illness such as multiple sclerosis naturally wishes them to have relief as soon as possible but, in terms of my hon. Friend's suggestion, in this situation, we do not think that it is right to set a precedent with regard to schedule 2.

Having said that, I recognise how important the issue is to many people. We want it to be resolved as quickly as possible, so I offer my hon. Friend a meeting with me and Lord Warner, the Under-Secretary of State for Health, to see what can be done to bring the issue to a conclusion more quickly.

Question put and agreed to.

Adjourned accordingly at half-past Six o'clock.

House of Commons

Friday 15 October 2004

The House met at half-past Nine o'clock

PRAYERS

The First Deputy Chairman of Ways and Means took the Chair as Deputy Speaker, pursuant to the Standing Order

[SYLVIA HEAL *in the Chair*]

Points of Order

9.33 am

Mr. Greg Knight (East Yorkshire) (Con): On a point of order, Madam Deputy Speaker. You have probably noticed in the press today that there is likely to be a decision announced on whether to build about 500,000 homes across the east of England. If that decision is to give the go-ahead to that building, I wondered whether you had had any indication that the Deputy Prime Minister is due to come to the House to make a statement. If the go-ahead is given to building these homes, which will blight many houses in the UK, it is important that the Deputy Prime Minister should be prepared to put himself before the House and subject the decision to parliamentary scrutiny.

Madam Deputy Speaker: I have had no indication that the Deputy Prime Minister is seeking to make a statement to the House today.

Mr. Christopher Chope (Christchurch) (Con): On a point of order, Madam Deputy Speaker. I wonder whether you can help me. On Tuesday, on Second Reading of the Civil Partnership Bill, I asked the Minister about the report of the Joint Committee on Human Rights. The Minister assured me that she had written in extenso in response to the concerns expressed. I have been seeking, through the Library, to get a copy of what the Minister said in response. The Library, despite waiting all day yesterday, had not been able to get a response from the Minister. Today is the last day for the tabling of amendments to the Bill if they are to be in order for consideration in Committee on Tuesday.

I wonder whether you can advise me, Madam Deputy Speaker. My understanding is that if a document is referred to by a Minister in the House, that document should be made available immediately to Members, and especially so when the document is highly material to a very contentious Bill.

Madam Deputy Speaker: I advise the hon. Gentleman that perhaps it would be helpful to him if he contacted the secretariat of the Joint Committee on Human Rights.

PETITION

Fisheries

9.38 am

Mr. Alex Salmond (Banff and Buchan) (SNP): It is with great pleasure that I present the petition of Mrs. Carol MacDonald of the Cod Crusaders' community campaign.

The material allegations in the petition are as follows: first, it represents the ongoing national petition, which currently has gathered 111,000 signatures from the fishing communities of Scotland, England, Ireland and Wales; secondly, it marks the day when my Fisheries Jurisdiction Bill will not be considered in the House through lack of time, disgracefully, but will be re-presented in the new Session, so forcing a debate on a vital issue; thirdly, the petition comes immediately after the European Commissioner has made it clear that the new regional advisory committees will have no management role over fisheries, and therefore will be unable to improve the situation of our fishing communities; fourthly and finally, it comes after the Government have failed to take the opportunity of renegotiations on the European constitution to improve the situation of our fishing communities, following on from previous Conservative Governments who considered these communities to be "expendable" in terms of Britain's wider European interests.

The petition reads:

> The petition of the Cod Crusaders' Community campaign declares that the European Union common fisheries policy has failed to conserve fish stocks and that it has caused untold hardship for fishermen and their local communities . . . The policy has proved ineffective and inadequate in the conservation and management of fish resources, has resulted in bankruptcies, the uprooting of individuals and families, and the destruction of thriving communities with centuries-old Cultural traditions and Communal lives.
>
> There should be an obligation to the . . . future generations and therefore assurances should be made to safeguard the fishing industry for our children to follow in the steps of their forefathers.
>
> The petitioners therefore request that the house of commons urge the Government to restore . . . Sovereign Waters to National Control and free them from European bureaucracy.
>
> And the petitioners remain, etc.

To lie upon the Table.

Mr. Andrew Dismore (Hendon) (Lab): I beg to move, That the House do sit in private.

Question put forthwith, pursuant to Standing Order No. 163 (Motion to sit in private):—

The House divided: Ayes 0, Noes 25.

Division No. 262] **[9.38 am**

AYES

Tellers for the Ayes:
Mr. Andrew Dismore and
Lawrie Quinn

NOES

Arbuthnot, rh James
Bercow, John
Bruce, Malcolm
Calton, Mrs Patsy
Chope, Christopher
Clifton-Brown, Geoffrey
Coffey, Ms Ann
David, Wayne
Eagle, Maria *(L'pool Garston)*
Fitzpatrick, Jim
Foster, Michael Jabez *(Hastings & Rye)*

Gale, Roger *(N Thanet)*
Grieve, Dominic
Griffiths, Jane *(Reading E)*
Howarth, Gerald *(Aldershot)*
Jones, Kevan *(N Durham)*
Knight, rh Greg *(E Yorkshire)*
Leigh, Edward
Mackay, rh Andrew
Randall, John
Russell, Bob *(Colchester)*
Salmond, Alex
Smith, rh Andrew *(Oxford E)*
Sutcliffe, Gerry
Watson, Tom

Tellers for the Noes:
David Wright and
Mr. Nigel Beard

It appearing on the report of the Division that fewer than 40 Members had taken part in the Division, MADAM DEPUTY SPEAKER declared that the Question was not decided in the affirmative.

Orders of the Day

Christmas Day (Trading) Bill

Lords amendments considered.

A New Clause

PROHIBITION OF LOADING AND UNLOADING AT LARGE SHOPS BEFORE 9 A.M. ON CHRISTMAS DAY

Lords amendment: No. 1.

Motion made, and Question proposed, That this House agrees with the Lords in the said amendment.—*[Mr. Kevan Jones.]*

9.51 am

Mr. Greg Knight (East Yorkshire) (Con): I beg to move amendment (a) to the Lords amendment.

Madam Deputy Speaker (Sylvia Heal): With this it will be convenient to take amendments (b) and (c) and Lords amendments Nos. 2 to 6.

Mr. Knight: I congratulate the Bill's promoter, the hon. Member for North Durham (Mr. Jones), on getting into the home straight. He is nearly home and dry. That in itself is an achievement. In all the time I have been in the House, I have never had the good luck to be in the top 20 of the ballot for private Member's Bills. I was, however, on one occasion able to amend the law when I was a member of the Committee amending licensing legislation. I suggested that the 10-minute drinking-up time be increased to 20 minutes. Much to my astonishment, the Conservative Minister said that there was no answer to my arguments and he accepted the amendment. So if I am remembered for nothing else, I am the person who gave people 20 minutes to drink up in pubs at closing time.

Mr. John Bercow (Buckingham) (Con): My hon. Friend is rightly unstinting in his praise of the hon. Member for North Durham (Mr. Jones). Does he not think that it is especially to the credit of the hon. Gentleman to have done so well given that he is, in parliamentary terms, something of a virgin, having been elected only at the last general election?

Mr. Knight: We all have to start somewhere. The hon. Member for North Durham has shown himself to be expert at guiding the Bill. I hope that he has more success in the ballot in future.

I welcome Lords amendment No. 1 because it improves the Bill. I commend my amendments (a), (b) and (c) because they would improve it even further. However, I have a query on the rather strange wording of the Lords amendment. Proposed new subsection (1) states:

> "Where a shop which is prohibited by section 1 from opening on Christmas Day is located in a loading control area, the occupier of the shop must not load or unload, or permit any other person to load or unload, goods from a vehicle at the shop from before 9 a.m. on Christmas Day".

So far, so good. It was as a result of pressure from Opposition Members that the Bill's promoter agreed to the amendment being made in the other place. However, the proposed new subsection goes on to say:

"in connection with the trade or business carried on in the shop".

I am baffled as to why those words are necessary. Do they mean that if the owner of a large shop wants to bring in demolition contractors at 6 am to knock about the inside of his shop because he is redesigning it, they would be exempt from the provision? If that is the case, the words run a coach and horses through what we are trying to achieve. We want to ensure that people who live near a large shop do not suffer noise nuisance before 9 am on Christmas day. Why is that peculiar phrase included in proposed new subsection (1), which would be more effective without it? I hope that my fears can be allayed, because it seems that the owner of a shop could carry out redevelopment work at an earlier hour on Christmas day.

Mr. Roger Gale (North Thanet) (Con): On a point of order, Madam Deputy Speaker. I would be grateful for your clarification of something that, given my position in the House, I should know the answer to, and I am ashamed that I do not. Are we embarking on a stand part debate or are we merely debating the amendments? Will you see fit to hold a stand part debate later, because my right hon. Friend is trying to introduce something that should be discussed then?

Madam Deputy Speaker: There is no stand part debate. We are debating the group of Lords amendments and the amendments to the Lords amendments.

Mr. Knight: I give way—

Mr. Edward Leigh (Gainsborough) (Con): Perhaps this is a naïve question to which there is an obvious answer, but if the shop is prohibited from opening on Christmas day, why on earth should it want to load and unload on Christmas day?

Mr. Knight: That is a logical question. I hope that most shops would not want to load on Christmas day. However, a shop that wishes to launch a presentation with gusto after the Christmas holiday may decide that the only way it can do that is by getting provisions delivered on Christmas day. Opposition Members, in particular my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), who unfortunately cannot be with us, were concerned that the Bill may stop large shops trading on a Sunday, but deliveries could still take place. It has been accepted that that is a possibility. Remote as the possibility may be, however, the purpose of Lords amendment No. 1 is to ensure that it does not occur before 9 am.

Mr. Christopher Chope (Christchurch) (Con): Does my right hon. Friend accept that that is especially relevant this year because Christmas day is on a Saturday, which is obviously followed by a Sunday? The temptation for a large shop to take deliveries early on Saturday morning so that the shop is fully stocked ready for Monday morning—perhaps for a sale—would be great, and the Bill will prevent that from happening.

Mr. Knight: My hon. Friend makes his point well. That is precisely the scenario that we envisaged when we asked the Bill's promoter to consider inserting a clause on loading.

Christmas is important, whatever one's religious beliefs. It is a holiday that has been observed since 336, when the Christian Church in Rome observed the feast of the nativity on 25 December for the first time. Ever since then we have continued to regard 25 December as a special day, which for many people is not just a religious holiday.

Mr. Dominic Grieve (Beaconsfield) (Con): I fear I have to correct my right hon. Friend. The holiday was not observed in the period of the Commonwealth which was one reason why, when the Commonwealth finally foundered, people were so heartily glad it was gone.

Mr. Knight: I am grateful to my hon. Friend for that information.

Mr. Kevan Jones (North Durham) (Lab): Further to that information, this House abolished Christmas in, I think, 1647.

10 am

Mr. Knight: I am glad that that is one decision that was reversed. While we are trading stories about Christmas day, I can tell the House that on Christmas day, 1830, the first regularly scheduled passenger train in the United States began operations. I mention that en passant.

Amendment (a), in my name, would mean that loading could not take place on Christmas day before 10 am, rather than 9 am. I think 10 am a more appropriate time because on Christmas day, just as at weekends, many families like to have a lie-in. They do not want to have to get up at the hour they normally do during the working week. I know that most families with children would say that the last thing they get on Christmas day is a lie-in; because of the excitement they get woken up even earlier. I know that my hon. Friend the Member for Gainsborough (Mr. Leigh) is an expert on that, because it used to be said in the Conservative Whips Office that he had so many children that he was the only Member who paid income tax at the higher rate on his child benefit.

My hon. Friend will well know the problems of having young children when Christmas day comes round, but there are many families and couples who do not have children and who like a lie-in on Christmas day. Why should they be woken up at 9 o'clock by the sound of vehicles loading and unloading at a nearby supermarket? The Lords amendment refers to 9 am, but if a supermarket were seeking to load provisions on Christmas day, the vehicle would probably arrive at 8.45. We all know that these are heavy goods vehicles with diesel engines, and we can imagine the scenario: the driver leaving his engine running while the gated area at the rear of the supermarket is unlocked.

Mr. John Randall (Uxbridge) (Con): I had better declare an interest as the director and major shareholder of a family retail business. I have not worked out whether it comes under the definition of a large store. It does when it comes to rates, I think, but at the moment, not when it comes to turnover.

My right hon. Friend is being rather optimistic in thinking that these lorries will arrive only a quarter of an hour before their allotted time. My many years of

[Mr. John Randall]

experience suggests that they arrive hours before, and not only do they keep their engines running, especially in the winter, but when they reverse into the yard there is the "beep, beep" noise of the safety warning, so I am not sure that, even with a start time of 10 o'clock, we would avoid the problem.

Mr. Knight: I am grateful to my hon. Friend for bringing his experience to bear in this debate. His remarks make the case for my amendment even more compelling. If the start time is 10 o'clock, however early the delivery vehicles arrive, it will at least be an hour later than it would have been under the Lords amendment, so I hope that hon. Members on both sides of the House are convinced that the 10 o'clock start is better.

These vehicles will, of course, be loading as well as unloading. The reason for that came to my attention through a constituent who is a bit of a character. I saw him after Christmas day one year and he said that he had had a wonderful Christmas, with all sorts of provisions on the family table that he could not have afforded, but he had come across them for nothing. I asked whether he had a benefactor, and he said, "No, I went past my local supermarket and saw the shop assistants skipping some wonderful food items because they would have been out of date after the holiday. When they had gone, I emptied the skip. I took the food home and we had a wonderful Christmas." I do not know whether he was committing theft. I suppose that if the supermarket owner had skipped the items, one could argue that they had been abandoned.

Mr. Grieve: I fear that he was committing theft.

Mr. Knight: Well, I said that he was an eccentric, and I certainly did not encourage him in that behaviour.

Mr. Bercow: My hon. Friend the Member for Uxbridge (Mr. Randall) rightly referred to the noise that would likely be made by an arriving vehicle, but very typically, rather understated his case. Ought we not also to take into account the great probability that radios or CD players would also be in operation, possibly playing music of a very discordant character, which would be very unsettling?

Lawrie Quinn (Scarborough and Whitby) (Lab): It might be music of a seasonal character.

Mr. Knight: Indeed. That, too, would be unsettling at an hour when one was seeking to have a lie-in.

Returning to my eccentric constituent who, it appears, committed theft, I have noticed, since he told me about his behaviour, that every supermarket I have seen now has a compound, and the area where they dispose of their goods is behind locked gates, presumably to stop such behaviour. It is not, therefore, simply a question of a vehicle arriving, pulling up to the loading bay and starting to unload; often the gates have to be unlocked and the vehicle has to be reversed into the yard. As my hon. Friend the Member for Uxbridge (Mr. Randall) said, most heavy goods vehicles emit a beep to warn pedestrians which is very piercing and annoying.

I know that because, a few years back, I took part in a classic car run during which I found myself in the constituency of my right hon. Friend the Member for Bromley and Chislehurst. I stayed at a rather upmarket hotel in his constituency, and at about 6 am I was rudely awoken by a heavy goods vehicle beeping as it reversed into the yard. I do not understand why, but it seems that every person I have come across who is involved in loading and unloading takes relish in making the loudest, most prolonged noise possible. Trays are thrown on the floor, loading racks are rattled and doors are slammed. That is why such activity should not take place before 10 am on Christmas day.

Mr. Leigh: I am sorry to be unhelpful to my right hon. Friend, but does he have any evidence that this is a problem at the moment? Given the costs of overtime and people's natural unwillingness to work on Christmas day anyway, is there any evidence that large numbers of our fellow citizens are being inconvenienced by loading and unloading on Christmas day?

Mr. Knight: When one is framing legislation, one should not always wait for a problem to be so acute that people are driven mad by it before one legislates. We are changing the law, and it is right and proper that in doing so we seek to pass good legislation that takes account of areas in which nuisance may be caused to nearby residents.

Malcolm Bruce (Gordon) (LD): Does the right hon. Gentleman accept that it is the practice of those who celebrate Christmas to attend midnight mass, which is followed by a long peal of bells, and perhaps a service early in the morning which is similarly celebrated? Does he believe that that is not a nuisance, but loading is?

Mr. Knight: At Christmas, one should have a charitable attitude towards those who are using the day for religious purposes, which is how it all started.

Mr. Randall: My right hon. Friend is being generous in giving way. One consideration, which he may have been about to come to, is the people who would have to do the unloading. They might want to have a lie-in, rather than being at work at 9 o'clock, or they might welcome an opportunity to go to the early morning service beforehand. After all, the whole point of the Bill is to give shop workers, which includes those who do the unloading, some rest on Christmas day.

Mr. Knight: I am grateful to my hon. Friend for remarks that will, I hope, guarantee my amendment support from Labour Members.

Several hon. Members *rose*—

Mr. Knight: I did not think that I had said anything provocative. I give way first to my hon. Friend the Member for Beaconsfield (Mr. Grieve).

Mr. Grieve: The point that has just been made is critical. If the Bill's purpose is to prevent large supermarkets from forcing their workers into work on Christmas day, which it was greatly feared they would do, and they could still carry out administrative, maintenance or unloading work on that day, that purpose would be circumvented.

Mr. Knight: That is an excellent point. I give way to the promoter.

Mr. Kevan Jones: I am interested in the right hon. Gentleman's argument about loading and the related noise occurring before 10 am. On behalf of those who believe in Father Christmas, may I ask whether he will be covered by the legislation in respect of the sleigh bells that ring through the sky on Christmas morning, and so be prevented from going about his task?

Mr. Knight: I think that most presents are in place before midnight, so Santa Claus will be exempt from the provision.

The Government have acknowledged that the noise made by vehicles reversing is a problem. The website of the Office of the Deputy Prime Minister has a page relating to development areas. Under the heading "Controlling Environmental Effects", the ODPM states that, to reduce noise,

> "Management controls should be used to reduce vehicle movements within sites and provide alternatives to reversing alarms . . . minimise the impacts of vehicle movements",

and

> "minimise 'drop-height' of material and use chutes/conveyor covers."

The Government are already on the case of reducing unnecessary noise, and I welcome the action that they have taken. That is why I do not think that the provision is over the top. I think that it is necessary and will be welcomed.

The state of California has similar provisions. Ordinance No. 166,514,EFF1/24/91 sets restrictions to prevent people loading and unloading at certain hours of the day. The provisions prohibit the operation of

> "any dollies, carts, forklifts, or other wheeled equipment which causes any impulsive sound, raucous or unnecessary noise within 200 feet of any residential building."

We are not going as far as California has.

Mr. Chope: My right hon. Friend draws attention to the ODPM website, but does he accept that it is Government regulation that requires such noises to be emitted by reversing vehicles? If the Government removed that regulation, the problem would be solved, but the ODPM seems to want to have it both ways, by suggesting that it is against the provisions that the Government themselves have imposed.

Mr. Knight: What is new about one Department of the present Government not knowing what another is doing? The recent transport White Paper reveals that the Government want to expand Stansted on the grounds that there are no houses there—

Madam Deputy Speaker: Order. The right hon. Gentleman is going very wide of the amendment under discussion.

Mr. Knight: I was, Madam Deputy Speaker, but I was using the example to illustrate yet another area in which one Department does not know what another is doing. None the less, I live in hope that the Under-Secretary of State for Trade and Industry, the hon. Member for Bradford, South (Mr. Sutcliffe), will be able to pull all the threads of argument together and change the regulation that requires heavy goods vehicles to emit a piercing beep when they are reversing.

Mr. Grieve: Of course I do not wish to contravene your ruling, Madam Deputy Speaker, but may I point out that airports have been described as supermarkets with a runway attached?

Mr. Knight: It would be stretching even my ingenuity to argue that airports come within the scope of the provisions, but I take my hon. Friend's point.

On Gloucestershire county council's website, I found reference to the lorry watch scheme, which is

> "A scheme operated using local observers, to detect the misuse of weight restricted routes by heavy goods vehicles in local towns and parishes."

I commend the council on its action in encouraging members of the community to "rat" or "grass" on any lorry that—

Madam Deputy Speaker: Order. I remind the right hon. Gentleman of the scope of his amendment and that his comments should relate to it.

10.15 am

Mr. Knight: That is what I was about to do. The lorry watch scheme seems excellent to me, and to ensure that the legislation is effective, perhaps there should be an ignorant loader or unloader watch scheme, so that when a vehicle arrives hours early and the driver leaves the engine running and plays loud music, causing nuisance and annoyance, neighbours are encouraged to report such behaviour to the local police or trading standards department, just as Gloucestershire county council encourages people to report when lorries deviate from their proper route.

Action is needed, and I believe that my amendment (a) will make Lords amendment No. 1 even better than it already is. Amendment (b) would add a new subsection to the Lords amendment so that a local authority could vary the time at which loading or unloading may start. That is necessary because, in some areas, even 10 o'clock may be too early. A local community might feel as a whole that loading should take place only in the afternoon. The Bill extends to Wales, and I can envisage communities there feeling that Christmas morning should be kept free for chapel and that those who would otherwise be doing deliveries should go to chapel, so loading should take

[Mr. Knight]

place only after 2 pm. My proposed subsection would allow the local authority to determine what time it considers appropriate.

Mr. Leigh: Is my right hon. Friend, as a Conservative Member of Parliament, really in the business of giving local authorities even more powers to interfere in the proper conduct of local businesses?

Mr. Knight: There are many good local authorities. I would much prefer to give power to local authorities, which tend to be in tune with the local community, than to some large regional assembly. I think that it is Conservative policy to allow local authorities to serve their local communities in the manner that they deem appropriate.

Mr. Bercow: I think that my hon. Friend the Member for Gainsborough (Mr. Leigh) is genuinely troubled on philosophical grounds, because he thinks that the amendment does violence to Conservative principles. I put it to my right hon. Friend, by way of underlining his argument, that the diffusion of power to the localities in the way recommended in his amendment is wholly consistent with Burke's idea of "the little platoon" of people at local level determining their own fate. Furthermore, the amendment's excellence lies in the fact that it will deter businesses that are considering behaving badly. Those that do not plan to behave badly can hardly complain that the provision entails an additional burden: palpably, it does not.

Mr. Knight: My hon. Friend makes an excellent point.

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Gerry Sutcliffe): Earlier, the right hon. Gentleman complained about a lack of joined-up government. Now, I am concerned about a lack of joined-up opposition. Has he run his proposals by his right hon. Friend the Member for Wokingham (Mr. Redwood), who I understand is looking in great detail at regulation?

Mr. Knight: I have not run amendment (b) past my right hon. Friend, but the provision merely allows a local authority to vary the time should it decide to do so. It is not adding to the burden of red tape to insert such a provision in the Bill, so I tend to discount the Minister's point.

Mr. Leigh: It is ridiculous for my right hon. Friend to say that. He is opening up a whole new area of local government. Do we really want local government to tell businesses—

Madam Deputy Speaker: Order. I do not want to open up a whole new area in this debate. Can we keep our discussion to the group of amendments that we are debating?

Mr. Knight: I advise my hon. Friend the Member for Gainsborough to calm down and re-read amendment (b), which says:

> "A local authority may vary the time at which loading or unloading goods under subsection (1) may commence."

This is not a matter of great moment. I am simply saying that if there are local reasons why 9 am, if amendment (a) is rejected, or 10 am, if it is accepted, are not applicable the local authority can vary the time. I should have thought that my hon. Friend would welcome amendment (b) with open arms.

Mr. Chope: Can my right hon. Friend confirm that amendment (b), which I, too, have signed, would not give local authorities the power to prohibit unloading altogether?

Mr. Knight: That is indeed the case. The word "prohibit" does not appear in the amendment, which simply says that local authorities "may vary the time". Doing so does not amount to a prohibition.

Mr. Leigh: Will my right hon. Friend give way again?

Mr. Knight: I do so reluctantly.

Mr. Leigh: I must take issue with my right hon. Friend. Is he claiming that a local authority in, for example, Wales may wish to vary the time because people want to go to chapel? That is a fatuous argument. Cannot he do better?

Mr. Knight: That was merely an example, and there may be a host of reasons why people in a particular locality prefer peace and quiet, and do not want loading or unloading to take place in the morning.

Mr. Randall *rose—*

Mr. Knight: I shall give way to my hon. Friend, who is an expert on these matters.

Mr. Randall: I want to raise a local concern. Tesco has submitted a planning application for a megastore that will be open 24 hours a day, and wants to put 220 dwellings on top. That is a prime case of the need for variation, because people are literally living above the shop.

Mr. Knight: I am grateful to my hon. Friend. May I refer my hon. Friend the Member for Gainsborough back to my California example? The state has a 200 ft rule, and such activity cannot take place at certain times if the large store or supermarket is within 200 ft of a residential building. I assume that the dwellings that my hon. Friend the Member for Uxbridge spoke about would be within 200 ft of the large supermarket. My amendment therefore has merit and should be supported.

I ask the Minister and the hon. Member for North Durham whether Lords amendment No. 1 will be effective, whether or not my amendments are accepted? Could the Minister tell the House how the provision will be policed? Will it be a matter for the local police or for trading standards officers? I am concerned that even if there is effective policing, that will not act as a deterrent. The Lords amendment offers a disincentive to offend, which is why I tabled amendment (c). Yesterday, I looked at the recorded profits of some of our largest supermarkets. Sainsbury, which has been having a difficult time recently, made a whopping £125 million last year. Morrisons made £198 million and Tesco,

£822 million. Large stores therefore make significant profits, but Lords amendment No. 1 would merely impose a level 3 fine on transgressors.

There is no limit on the size of a fine imposed when someone is convicted by the Crown court. Magistrates courts, on the other hand, are limited to the maximum level provided by statute for the offence of which a defendant is convicted. The standard scale of maximum fines was introduced by the last Conservative Government in the Criminal Justice Act 1982, and was designed to rationalise maximum fines and make inflationary increases easier to implement. The maximum level 1 fine is £200; the maximum level 2 fine, £500; the maximum level 3 fine, which the Lords deemed appropriate to impose on large, profitable supermarket chains, £1,000. It is a sure bet that magistrates would impose a fine significantly less than the maximum, and may fine stores half—£500—for loading or unloading outside the permitted hours, which is no more than a slap on the wrist. I question, therefore, whether a level 3 fine will act as a deterrent for stores that believe they will enjoy bumper sales the day after Christmas, and may do their damnedest to load stock early on Christmas day. I therefore propose imposing a level 4 fine with a maximum of £2,500, which is two and a half times as much as the level 3 maximum. I thought about proposing a level 5 fine with a maximum of £5,000, but I decided that it was better to err towards the more reasonable punishment of a level 4 fine.

Mr. Bercow: My right hon. Friend said that he was minded to err on the side of being reasonable, but it could be argued that he is erring towards being feeble. Given that he alerted the House to the possibility that a large store in anticipation of a bumper day immediately after Christmas might take the view that breaking the law was commercially worth while, would not a more sensible basis for determining the level of fine be the expected profits on that bumper day?

Mr. Knight: That is a good point, but my hon. Friend will know that politics is often the art of the possible. We are dealing with a fairly narrow Lords amendment, so I believed that it would be possible only to substitute a different fine level rather than open up the basis on which fines are imposed in magistrates courts. My hon. Friend has offered an excellent argument for a criminal justice Bill, and if he is lucky enough to reach the top 20 of private Members' Bills next year, I hope that he will run with it.

Mr. Leigh: My right hon. Friend has been very patient with me, and I shall try to be polite, but does he really think that reputable companies such as Sainsbury and Tesco are likely to break the law? The publicity would be bad, so they simply would not do so. There would be a further regulation, fine or imposition on business. Is that what he really wants?

Mr. Knight: I clearly do not have the same faith that commercial operators will obey the law as my hon. Friend. If the end result is profit, there is always a temptation to break the law, which is why we need to legislate in Parliament.

Mr. Grieve: It may be helpful for my right hon. Friend to know that before Sunday trading was allowed, the laws against it were regularly flouted by large supermarkets and retail outlets. They happily broke the law and paid the derisory fines that were imposed when the local authorities bothered to prosecute them.

Mr. Knight: I am grateful to my hon. Friend. I do not know whether my hon. Friend the Member for Gainsborough wants to leave the Chamber to digest his words in the light of that intervention.

I have concluded that level 3 is inadequate and that level 4 is appropriate. I hope the House will agree that amendment (c) is by no means over the top and should be supported. The other Lords amendments seem to be consequential only. I should be grateful if the Minister would confirm to the House that there is no item of substance in those amendments, which all seem appropriate.

We welcome Lords amendment No. 1. It would be improved by the addition of my amendments (a), (b) and (c), which are sensible, fair, appropriate and reasonable.

Mr. Chope: My right hon. Friend has not dealt with the concern which those opposed to the amendments have expressed: that if the amendments were passed, the entire Bill would be put in jeopardy. If the House passed the amendments, the Bill would have to go back to the other place, which might result in the Bill being lost, which I am sure my right hon. Friend would not wish to happen any more than I would.

Mr. Knight: When one is debating legislation, one needs to argue for and support what is right. Procedural matters are secondary. I am telling the House what I believe is the right and proper way to proceed. I therefore commend my amendments to the House.

10.30 am

Mr. Chope: Hon. Members seem rather timid about joining in the debate. They are still digesting the fantastic speech of my right hon. Friend the Member for East Yorkshire (Mr. Knight). They are probably torn, as I am, between recognising the logic of his arguments in support of his amendments—would it not be good to go for those amendments?—but they may be slightly inhibited because they are worried that, were we to go for the amendments, we would jeopardise the entire Bill.

I supported the Bill originally because it is relevant to the upcoming season. With Christmas day falling on a Saturday and Christmas eve on a Friday, and with the ordinary Sunday trading rules applying on the Sunday and the prospect of bank holidays after that, there might be a great temptation for large stores to open on the Saturday. The temptation for them to start loading and unloading in anticipation of that long period when people would be able to shop—people who may not have had time to go shopping before that—would be very great.

I do not want the Bill to be lost, and although I have signed the amendments tabled by my right hon. Friend and wholly support them, I am nervous about the knock-on effect. The Minister may be able to help us, and the promoter of the Bill may be able to share with us any insights he has into the prospects of the Bill being

[Mr. Chope]

completed successfully before Prorogation if the amendments were passed in the House and found favour in the other place.

One thing has emerged clearly from the debate. This is the first occasion for many years when we have had what we call a private Members' Friday after the long summer recess. The advantage of that is that it enables Bills that have gone through this place and have been considered in the other place to be considered again in the light of any Lords amendments. Much private Members' legislation has gone on to the statute book imperfect because Members in the other House were of the opinion that it was better for it to be imperfect than not to be passed at all. They felt that were they to amend the Bill, there would be no opportunity for it to be debated again here and it would effectively be ditched. So I hope the Government will ensure that in future we can have one of the private Members' Fridays after the summer recess.

Next year or the year after, there might be more Lords amendments to consider. It is probably a little late in the day to consider ab initio Bills that come from this House, but Bills that have been through the other place and been subject to amendment could properly be considered. Even though he knew that we had the opportunity today to consider the amendments, the noble Lord who is promoting the Bill in the other place was inhibited about allowing the amendment because he feared that the consequence would be to place the entire Bill in jeopardy. I hope that the message has got across. I commend the promoter and his colleague in the other place for trusting that we would be able to deal with the Bill effectively today and improve it as their lordships have done.

I am grateful to the promoter and the Government for responding so positively to the concerns that we expressed on Report—again, a good example of the House at its best. My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), who is sorely missed today—

Mr. Andrew Dismore (Hendon) (Lab): Where is he?

Mr. Chope: As I understand it, he is away on parliamentary business. I do not know where he is as I have not received any postcards from him, but he may well be outside the country. If he were in the country, I am sure he would have made every effort to be present today.

Mr. Gale: Hurricane relief.

Mr. Chope: I note my hon. Friend's suggestion. I am not sure whether he has gone east or gone west, but as we know, he is very much here in spirit. He will be disappointed not to be present this Friday. Perhaps on future occasions he will have to adjust his annual calendar to accommodate the fact that we will have a private Members' Friday in October, rather than finishing the whole process in July, as has been the case hitherto.

Mr. Greg Knight: Will my hon. Friend not leave this part of his speech without paying tribute to the Minister? He has been unique in the Government in that he has listened, heard forceful arguments and been willing to amend the Bill in the light of those arguments. He should be commended and we hope he goes far.

Mr. Chope: Certainly. I hope the Minister goes as far as he can prior to the general election. That is as far as I am prepared to go along with my right hon. Friend's comments. Seriously, though, we are grateful to the Minister. It makes so much difference to the way in which legislation is dealt with in the House whether Ministers listen and are reasonable, or whether they become rather arrogant and defensive and say, "We have a large parliamentary majority. This is what we are doing and so be it." As a result of the Government's flexibility, the Bill will be better than it would otherwise have been.

On the substance of the amendments, I strongly support the Lords amendment. Loading and unloading outside large shops is a serious problem, particularly for adjoining residences. Although the amendment states that the regulations should apply only before 9 am, that is a great deal better than the situation would be without any regulation at all. I supported the amendment that would have extended the restriction to 10 am.

If the prohibition runs till 9 o'clock, people attending the 9.45 service will probably already be getting out of bed by 9 o'clock, so they will not be disadvantaged. If the prohibition extended to 10 o'clock, people intending to attend the 11.15 service would probably be all right. Without the amendment extending to 10 am, people intending to attend the 11.15 matins on Christmas day might find that their sleep was disturbed earlier in the morning than they would have wished. No doubt that is small beer compared with what might happen if they were disturbed in the early hours of the morning.

One problem relates to transport and logistics. Policy on haulage and deliveries is largely forced by conditions on the roads. Those of us who have to leave London on Friday afternoons experience the nightmare of traffic congestion. A heavy goods vehicle travelling 100 miles from a distribution depot to a supermarket at that time will consume much more fuel, create much more pollution, cause its operator much greater cost and detain an expensively paid lorry driver for much longer than a vehicle travelling in relatively free-flowing conditions. One can thus understand the temptation for logistics companies and the large supermarkets, which are their employers, to make their lorries go to their destinations, as much as possible, through the middle of the night. I have no objection to that; it makes good common sense, but when we consider the impact of such a policy on the sanctity and peace of Christmas, I begin to be concerned.

The amendment addresses a problem that arises from the congested roads over which the Government preside and to which they contribute further congestion by refusing to implement reasonable improvements to the road network. Until those improvements are made, the incentive for heavy goods vehicles to travel in the early hours of the morning will be very great indeed.

Other Members may have received a copy of the Transport for London five-year investment programme, which came out this week—interestingly after the elections for the Greater London authority. I do not know what the Mayor and the authority had in mind in the paragraph that states:

"A sustainable freight distribution project is designed to reduce the impact of freight deliveries in London. It will include freight information on the journey planner and legal loading information."

That could mean anything, so it is important that the House accept the amendment, which is precise in its application, so that everyone knows where they stand. That will not only be good for people living near supermarkets; it will put less pressure on people employed by supermarkets to supervise the delivery process—the unloading, checking and so on. It will also put less pressure on lorry drivers to work over Christmas eve and Christmas day to fulfil their obligations to their employers. Much good will come from the amendment.

The amendment does not address loading and unloading at large shops that are exempt under the Bill—a point that we might address on a future occasion. The Minister will correct me if I am wrong, but my recollection is that when we discussed the measure on Report we were concerned that large shops that were exempt from the provisions of the Bill would be open on Christmas day and would attract deliveries. I think it was the intention of some of the people who spoke then that there should be some control over the delivery process for large shops that could already legitimately open on Christmas day. Perhaps the Minister would comment on that. It could be a problem as heavy goods vehicles are even more likely to be making deliveries to large shops that are in that category than to those that are not.

Mr. Greg Knight: Can my hon. Friend shed any light on the words to which I referred in my opening remarks? Lords amendment No. 1 refers to loading

"in connection with the trade or business carried on in the shop".

Does he share my concern that that could enable a coach and horses to be driven through the restrictions? If, for example, a shopkeeper was carrying out major construction work inside the shop, would not it mean that the delivery of materials that were not connected with the trade or business carried on in the shop would be exempt?

Mr. Chope: I note my right hon. Friend's point, but if we removed that limitation we might as well say that all activity should be restricted on the morning of Christmas day.

Mr. Greg Knight: Why not?

Mr. Chope: I do not support that. Christmas day, when shops are closed, may give people an opportunity to carry out improvements to their shops if they want to do so. My right hon. Friend may think I am being uncommonly open-minded. I am not sure about the scope issue, but arbitrarily to prohibit on Christmas day or Sunday any vehicular activity at a shop that is not connected with the trade or business being carried on there would be rather draconian.

10.45 am

Mr. Randall: Refurbishment could already be covered by the measure; it could be argued that that was in connection with the trade or business, as it would presumably be designed to enhance the business or trade. That could apply to maintenance work, too, unless it was essential maintenance, so I think that my right hon. Friend the Member for East Yorkshire (Mr. Knight) may be worrying unduly, as my hon. Friend the Member for Christchurch (Mr. Chope) is right to point out.

Mr. Chope: I am grateful to my hon. Friend for that point. He has probably read the provisions rather more carefully than I have, and the concerns of my right hon. Friend the Member for East Yorkshire should be allayed by what he said.

Mr. Bercow: Might not the concern of our right hon. Friend the Member for East Yorkshire be grounded in the possibility that a large store of that kind could be planning to take loads with a view to operating a mail-order business that would not be undertaken from within the physical confines of the shop? That is a possible get-out clause and we should be alert to it.

Mr. Chope: Yes, that may be so. In this ghastly internet world, that sort of thing might happen. My hon. Friend may be described as a moderniser, but he certainly anticipates the ghastly things that might happen in the future. Perhaps if he is successful in the private Members' ballot, he may want to bring forward a measure to address those awful developments. He is right to draw the House's attention to that concern.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): As one of the few Members of Parliament who holds a heavy goods vehicle operating certificate and who has had to organise for such vehicles to deliver, I can tell the House that drivers prefer to get up early in the morning and reach their destination at the earliest possible time. There could thus be a scenario where there is not simply one lorry at 9 o'clock in the morning but a queue of several lorries, so amending the time from 9 am to 10 am would have considerable benefits for local residents.

Mr. Chope: My hon. Friend has been rather reticent. We did not realise that he had such expertise in these matters and I hope that we will benefit further from it. He refers to the problems of lorries queuing up and although I am instinctively against regulation, we may need further regulation in future.

In the United States, there is a contractual arrangement whereby a lorry has a 20-minute window of opportunity only, so it has to be at the gates on time. If it is not, it loses its slot and has to come back several hours later.

Mr. Clifton-Brown: My hon. Friend is exactly right and that is precisely what happens in this country. If a lorry is not there on time, it loses its slot and the driver is told that, if he is lucky, he can come back later in the day. If he is not lucky, he loses the slot altogether.

Madam Deputy Speaker: Order. We are of course discussing amendments relating to Christmas day.

Mr. Chope: I am sure that my hon. Friend was addressing his remarks to the situation on Christmas day. If he is right and such distinct slots are used—I know that the slot system is used in north America, but

[Mr. Chope]

I did not realise that it is used in this country—the question is: what should vehicles do that arrive early in anticipation of reaching their destination? The problem will probably not be so great on Christmas day because, as I have said, in general the traffic on that day is much lighter and therefore more predictable. So there should be no need for vehicle operators to advise their drivers to allow a two or three-hour margin in case of possible motorway congestion, or of a motorway's being closed to all traffic because of an incident.

The situation on Christmas day is probably not as serious as on other days, therefore, and for that reason I agree with you, Madam Deputy Speaker, that there is a distinction to be drawn here that appears to favour keeping the Bill in its current amended form, rather than adopting the 10 o'clock provision. As Members can tell, I am slightly in two minds about this issue. Obviously, 10 o'clock would be better than 9 o'clock, but I am worried about losing the benefit that the Bill will bring.

The points that my right hon. Friend the Member for East Yorkshire made about penalties and deterrents are very important indeed. My hon. Friend the Member for Beaconsfield (Mr. Grieve) reminded us just how cavalier a large commercial organisation can be when inconvenienced by the problem of fines. In the case of Sunday trading, in the end it was necessary for local authorities to seek injunctions—involving effectively unlimited penalties and the possibility of imprisonment—in order to bring these large organisations to book. So there is a need for a deterrent penalty, and probably even more so on Christmas day. We do not necessarily want to have to employ a huge number of police officers on Christmas day, and people from local trading standards departments probably do not want to be got out of their beds on that day. If a deterrent penalty can be established that is likely to result in greater compliance with the law, so much the better. Indeed, on that issue, it might be in the spirit of Christmas day to say that no speed cameras will operate on that day, for example. As a result, people from the—

Madam Deputy Speaker: Order. That is wide of the scope of the amendments. Perhaps any further remarks might address them.

Mr. Chope: Okay, Madam Deputy Speaker. Perhaps that subject will have to be dealt with through a separate private Member's Bill on another occasion. On the importance of deterrents, I am far from convinced that the level 3 fine will succeed, but let us hope that it does. If there is compliance, there will be no need to amend the provision. But if compliance is not forthcoming, or if it appears that one of the large companies is collectively intent on defying the law, we should consider the possibility of obtaining an injunction against it.

I am enthusiastic about the Lords amendment and I am delighted that we have enabled such an amendment to the Bill by sitting on this Friday in October. I am also delighted that their lordships trusted that this House would not try to destroy the Bill in bringing it back here. I hope that, in terms of its future progress, its promoter or the Minister will advise us on the consequences of accepting one or more of the amendments.

Mr. Kevan Jones: Lords amendment No. 1 arose from our discussions on Report and the efforts of the right hon. Member for Bromley and Chislehurst (Mr. Forth), who, sadly, cannot be with us today. In the course of piloting the Bill through this House in the past few months, I have had the benefit—on balance, it is a benefit—of getting to know the right hon. Gentleman very well. I should point out that his public and private personas are very different. He has played a very constructive role on this Bill, and he, the right hon. Member for East Yorkshire (Mr. Knight) and the hon. Members for Christchurch (Mr. Chope) and for Canterbury (Mr. Brazier) argued the case for the amendment—that a provision on loading and unloading should form part of the Bill—genuinely. In the spirit of the good will and good-natured debate that took place on Report—indeed, there have been good contributions and some good-natured debate throughout the Bill's passage—I gave a commitment to introduce an amendment, with the Minister's help, that deals with the loading and unloading issue. That is the process by which we arrived at the amendment before us.

I congratulate the Lords on the amendment, which does improve the Bill and is clear and tightly defined in its dealing with loading and unloading. I have listened carefully to today's discussion, and although I am flattered by the praise that has been offered for my piloting of the Bill through this place, as I said on Report and Third Reading, in order to get a private Member's Bill through one has to keep the definitions within it very tight. Some of the suggestions made today would widen the Bill's scope tremendously and thereby create problems not just on Christmas day, but in respect of other issues. That said, those suggestions were genuinely argued, and issues such as noise do arise, but I doubt whether this is the Bill in which to deal with them.

The Lords amendment introduces a core prohibition of loading and unloading before 9 am in loading and unloading control areas designated by a local authority, unless the large shop concerned has the local authority's consent, which might be subject to conditions. Subsection (2) of the amendment applies paragraphs 3 to 8 of schedule 3 to the Sunday Trading Act 1994 to clause 1. Paragraph 3(1) concerns a local authority's ability to apply conditions to consent given to loading and unloading. Paragraph 3(2) concerns the local authority's ability to vary the conditions under which consent was granted, and its giving notice of any variations made.

Paragraph 4 of schedule 3 deals with the procedure for applying for consent to load and unload in a designated area. It requires the applicant to apply in writing and to include the relevant information, which is the information that the local authority regards as fit to assess the application. Paragraph 5 is concerned with the fee payable. An applicant must pay a reasonable fee, which is determined by the local authority in question. Paragraph 6(1) establishes the grounds on which a local authority might refuse consent—namely, that loading and unloading has caused, or would be likely to cause, annoyance to local residents. As has been argued this morning and on Report, that is the core reason why the Lords amendment is needed. Indeed, the hon. Member for Canterbury argued the case for such a provision very eloquently on Report.

We have had a fascinating discussion on the issues raised this morning and on the amendments before us. I come back to the fact that the amendment is tight—deliberately so—and we need to ask whether it is ever possible to have an amendment that covers every aspect of a problem. I am not sure that we can. In this instance, we are dealing with large shops trading on Christmas day, though we have posed a range of other issues around noise and, fundamentally, the way modern society is structured.

11 am

The right hon. Member for East Yorkshire explained that the point behind his amendment (a) was to restrict other activities in the shops and he referred particularly to demolition. I know from my days in local government that much of that would be covered by building control regulations and, in the case of noise nuisance, by anti-noise legislation. Many local authorities, including mine at the time, had what was called a considerate contractors' contract, where one of the key aims was to ensure that no nuisance was caused to neighbours. Thus I believe that other provisions cover [illegible] point and there is no need for the amendment.

Mr. Greg Knight: The amendment started out as a question: why were the words

"in connection with the trade or business carried on in the shop"

included in Lords amendment No. 1? It seemed to me that the provision would remain perfectly lucid without those words, so my main point was to ask why they were deemed necessary.

Mr. Jones: They were included in order to relate specifically to the activity of trading and trading activities in a store. Bringing into the scope of the Bill the broader issues around other activities such as building works would present difficulties.

Mr. Sutcliffe: To shed a little further light on the point, the issue is about the scope of the Bill and the wording is a direct lift from the Sunday Trading Act 1994. Other issues are relevant—for example, someone might be living above a shop and want to move on Christmas day. My hon. Friend's position would stop that person from doing that, but does he really want to stop that sort of activity? The technical drafting of the Bill relates, as I said, to the Sunday Trading Act 1994.

Mr. Jones: I am grateful to the Minister for that point. The broader issues—noise from delivery vehicles, for example—present a whole feast of material for future private Members' Bills. I have learned from what I have heard this morning that some Conservative Members have some exciting hobbies—hanging around loading bays, watching lorries delivering their goods and listening to the noise.

Mr. Randall: In case some people think that my retail days were a bit of a hobby, I want to point out that what I did was part of my job.

Mr. Jones: I am relieved to hear that, because the idea of the hon. Member for Uxbridge (Mr. Randall) hanging around a Tesco loading bay on Christmas day—

Mr. Bercow: With his anorak on.

Mr. Jones: Yes, the hon. Gentleman with his anorak on is quite a thought.

I am grateful to the right hon. Member for East Yorkshire, because I now know that there is a website called Lorry Watch. I know that as soon as hon. Members leave the Chamber today, they will rush to go online to discover that website. Equally, the Office of the Deputy Prime Minister website includes material on noise nuisance and other issues. Overall, the issues have been well argued, but in order to preserve the Bill and maintain its relationship to the 1994 Act, I am inclined to reject the amendments.

Ms Ann Coffey (Stockport) (Lab): On that point, does my hon. Friend believe that it would be a great tragedy if the amendments to the Lords amendment were accepted and that, as a consequence, the Bill were wrecked on account of running out of time. We are trying to pass a Bill designed to stop shops trading on Christmas day. The Bill has much support and people in the Union of Shop, Distributive and Allied Workers have worked particularly hard to support it.

Mr. Jones: I totally agree with my hon. Friend, but it is not just USDAW. As has been said on other occasions, the churches, for example, support the Bill and I know from the letters I have received that many members of the public support it. It would also be very sad from the point of view of the right hon. Member for Bromley and Chislehurst. He is not in his place today. Wherever he is in the world or in the UK, he may be watching our debate and it would be tragic for him to see the Bill fail after all the hard work that he has put into it over recent months.

Mr. Dismore: Does my hon. Friend know whether the right hon. Member for Bromley and Chislehurst (Mr. Forth) has gone to the Christmas islands?

Mr. Jones: I have got to know the right hon. Gentleman rather well over the last few months and I have to say that I quite like him, though it may be a sin to say so for some of my hon. Friends. He has not yet, however, got to sending me postcards from wherever he is in the world. When I start receiving postcards from him routinely, I shall seriously start questioning my judgment on certain issues.

It is clear in the Bill that it is down to the local authority to appoint inspectors to enforce the provision. The costs were raised when we debated the money order. The Minister will correct me if I am wrong, but I do not envisage armies of inspectors lurking around the loading bays of Tesco on Christmas day. There may be some volunteers, along with the hon. Member for Uxbridge. What I envisage is inspectors dealing with any complaints raised by the public, as occurs already with noise and other problems.

On amendment (c) and the issue of the level of fines, I agree with the point so eloquently made by the hon. Member for Gainsborough (Mr. Leigh) when he said that large supermarkets do not want to upset their local communities, which they rely on for their custom. The idea that they would flagrantly flout the law does not

[Mr. Jones]

convince because that convention acts as a deterrent in itself. I would not want to make the fines as onerous as £1,000 to £2,000. Frankly, I do not think that it would make much difference. The deterrent is already there and, at the local level, stores do not want to upset local people. The big multiple retail outlets spend millions of pounds a year not just advertising their products, but on building up their image in local communities.

Mr. Bercow: I fear that the hon. Gentleman's generosity of spirit is getting the better of him. Is he not open to the possibility that a large store might calculate that the number of people whom it would offend by breaking the law would be outweighed by the number of people to whom it would be able to make successful sales and that the logic of the hon. Gentleman's belief that the company would not transgress, even if the fine were modest, is therefore flawed?

Mr. Jones: I do not accept that and I shall explain why. Sunday trading is different in the sense that what the Bill proposes is a popular outcome that many people really want. I am well aware from the large retail stores in my own constituency of the amount of effort that they put into winning the trust of communities. All credit to some of them who put money directly into local community groups and building partnerships. I am not convinced that the stores want to jeopardise that for the sake of being able to load up on a Christmas morning. I am sure that the hon. Member for Uxbridge could tell us about the ways in which the supply chain could be organised without upsetting local residents. If the local Tesco were to flout the law in my constituency, I am sure that the local newspapers would know about it and the stores would receive much bad publicity.

I said earlier that the Bill has widespread support. I give credit to hon. Members on both sides of the House who have genuinely tried to improve it. The Lords have succeeded in doing so with this amendment. I have made it clear that, in seeking to get the Bill passed, I was prepared to accept reasonable amendments. This is a reasonable amendment. I also give tremendous credit to my hon. Friend the Minister, who has worked hard—sometimes against internal opposition—to ensure that this amendment could be considered. I hope that we can ensure that the Bill becomes law today. To that end, I ask the right hon. Member for East Yorkshire to withdraw his amendments. They were well and passionately argued, but if they were accepted the Bill would fall at this very late stage. That would be sad, given the hard work that has been done by right hon. and hon. Members on both sides of the House to get to where we are today.

Mr. Gale: As the hon. Member for North Durham (Mr. Jones), who introduced the Bill—which commands widespread support—has just indicated, we are between a rock and a hard place. I take the mood of the House this morning to suggest that tremendous sympathy is felt for the amendments tabled by my right hon. Friend the Member for East Yorkshire (Mr. Knight), with good reason. Their Lordships went part of the way down the road and many, both in and outside the House, would like to go further or, indeed, much further. I am one of them.

This is not the place for a Second Reading debate and I shall not rehearse all the arguments. I am sure you will be relieved to hear that, Madam Deputy Speaker. The opposition of some of us even to Sunday trading, never mind Christmas day trading, goes back a long way. We bear the scars—honourably, I hope—to prove it. Mine is one of the names on the apocryphal list in the black handbag after some 60 Conservative Back Benchers voted against the then Government to defeat the first Sunday trading Bill. We did so because we believed passionately that it was a bad thing. We believed that the Lord's day should be available for observance and held as a day of rest and recreation for those of other faiths who did not choose, need or feel obliged to go to church.

It was a glaring omission that Christmas day was inadvertently omitted from the precautions in the legislation that finally went through the House. The hon. Member for North Durham has done a tremendous job—I pay tribute to him—in seeking to redress that imbalance. The amendments are about peace and quiet. I do not share the view that because some large stores, which are exempted by the legislation, need to take deliveries on Christmas day in order to open on Boxing day that they should be allowed to do so. Indeed, I do not share the view that they should be allowed to open on Boxing day.

I am told that there are some sad people who have nothing better to do on the day after Christmas than go shopping. I recall a remark by the right hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes), a longstanding friend of mine, who was standing almost exactly where I am standing today. He said—hon. Members should bear in mind the social sentiments of that time—that there were coffee table books called "The Joy of . . . ", such as the "The Joy of Music" and "The Joy of Sex", but that he had the feeling that if someone published "The Joy of Shopping" it might not be a bestseller. I subscribe to that view myself.

Some people wish to go down that road, but it is still not necessary to deliver on Christmas day. The people who drive the lorries have as much right to that day of rest as anybody else. We all accept that some key workers and some people who work in television and newspapers, as well as those who keep the trains running and the roads clear in the case of snow, have to work on Christmas day. Most particularly and honourably, that includes those who work in the medical professions. But why should a lorry driver have to drive at all on Christmas day, whatever time he arrives, just to ensure that a store can open on Boxing day? I do not accept that that is necessary and I would dearly like to vote against Lords amendment No. 1. Failing that opportunity, I would like to be able to support the amendments tabled by—

11.15 am

Mr. Greg Knight: I have followed my hon. Friend's argument as far as his conclusion. He wants to vote against Lords amendment No. 1, but that would create a free-for-all in which loading could take place at any time on Christmas day. If he wants to discourage unloading on Christmas day, the amendment would at least be a step in that direction.

Mr. Gale: I indicated in an earlier intervention my less than mastery of procedure, but this is where we are between a rock and a hard place. Were I and others to chuck out the Lords amendments, the Bill would have to go back to the other place. That would provide the opportunity to re-amend the Bill. Unfortunately, because of the procedures of the House, which are arcane and less widely understood than we would wish, that is not possible. The amendments tabled by my right hon. Friend are an improvement on the Lords amendments, if only by one hour. I would have gone further. Indeed, I could have gone further and tabled an amendment to the effect that unloading would not be allowed until midday.

The difficulty that we have is that if we follow our natural inclination and vote as we believe we should—that is, with my right hon. Friend if he chooses to press his amendment—we would kill the Bill. It would have to go back to the other place and because, for reasons unknown to most of us, the House will not sit next Friday, we would have no further opportunity to consider an alternative Lords amendment and the Bill would fall, as will, it has to be said, many other Bills on the Order Paper today, including my own Criminal Justice (Justifiable Conduct) Bill. It will go the way of all private Member's Bills at this stage. We have run out of parliamentary time in this Session.

We are faced with a stark decision: we can run with the Lords amendments as they stand or lose the Bill, and none of us wants that to happen. There are issues that arise from the Lords amendments that have not been mentioned. It is the provision that gives the power to local authorities to vary the provisions of the amendment—the 9 o'clock rule. What worries me is that we could end up with a wide variation across the country in the restriction or lack of restriction that local authorities impose. That is unsatisfactory. If we are to make a law, it should be constant, universal and understood by everybody. I do not want lorry drivers to have to drive at all, but given that they will have to do so, we cannot have a situation in which a road haulier is in breach of the law because of a local authority variation of which he may be unaware. That provision is highly undesirable, but we are stuck with it. We keep it or we lose the Bill.

Mr. Bercow: I might have been under a misapprehension. I thought that the power of discretion allowed for later unloading. If, as my hon. Friend suggests, the discretion could be used to allow unloading to take place earlier than 9 am, I would be very alarmed.

Mr. Gale: I am grateful to my hon. Friend for raising that matter; perhaps the Minister can clarify it. Paragraph (a) talks about variation

"with the consent of the local authority for the area in which the shop is situated, granted in accordance with this section".

Mr. Grieve: My reading of the Lords amendment makes it fairly clear to me that the variation must apply to the period before 9 am, so the local authority is being given the power to allow for earlier deliveries upon application by the trader. I certainly do not read it as a device to enable local authorities to delay beyond 9 am.

Mr. Gale: My hon. Friend is much wiser in law than I, and if that is his reading I bow to his knowledge. I am sure that he is correct, so that makes matters worse rather than better. It means that the local authority can ride roughshod over the 9 o'clock rule and say, "Well, if you want to drive in at 4 o'clock in the morning on Christmas day, you can."

Bob Russell (Colchester) (LD): Santa Claus.

Mr. Gale: We have heard about Santa Claus already. I do not think that the hon. Gentleman was with us—

Bob Russell: I never am.

Mr. Gale: I do not think that he was with us mentally, physically or spiritually when Father Christmas came thundering across the skies earlier this morning.

Mr. Sutcliffe: We should not leave this issue without pointing out that there was a great deal of consultation on the Bill, for the reasons that have been outlined by my hon. Friend the Member for North Durham (Mr. Jones), and that many of the major retailers wanted to see the Bill as a pre-emptive strike to prevent them from operating on Christmas day. I hope that the hon. Gentleman will look upon what we are trying to achieve in that spirit.

Mr. Gale: I am grateful to the Minister, and accept what he says, but the fact is that that paragraph in the Lords amendment could make matters worse. We would be voting for a 9 o'clock rule this morning. The Lords carried that amendment, so fine—although it is not what we would all like. We would prefer 10 o'clock, as my right hon. Friend the Member for East Yorkshire suggests in his amendment to the Lords amendment, or midday, as I might have suggested myself. However, I have not made that suggestion, because we know that we would lose the Bill if we went down that road. That paragraph, however, could negate the provision of the Lords amendment, so we are pretty much back where we started.

Mr. Kevan Jones: Surely any local authority worth its salt will listen to the local people, who will have a big impact on what it does. It would be a brave local authority that rode roughshod over local people's views and imposed a 4 am rule if that caused them nuisance. In my experience of local government, that does not happen.

Mr. Gale: I am aware—I suspect that deep in his heart, the hon. Gentleman is aware too—of local authorities controlled by all three major political persuasions that cheerfully ride roughshod over local people's wishes when it suits them. If a local authority were placed under duress by a major retailer, I think it highly likely that it would say, "Yes, that's all right; not many people live in that area." I do not care whether many people live in the area. This is about quality, not quantity, and if even one person lives in the area, that person has a right to rest on Christmas morning, and that is just as significant in principle as if 100 or even 1,000 people were affected.

Mr. Bercow: I entirely agree with what my hon. Friend has said. Is it not also important to give a voice to the voiceless when we debate such matters? I have a

[Mr. Bercow]

young son who will celebrate his first birthday at the beginning of December. Customarily, my wife and I expect little Oliver to start making a noise from about 7 in the morning—although it is conceivable that on Christmas day he will be minded to do so somewhat earlier. The thought that he might have his sleep wrecked by some unconscionably inconsiderate corporate lorry driver at 4 o'clock on Christmas morning is unacceptable to me, and I feel sure that it would be unacceptable to him.

Mr. Gale: My hon. Friend is probably right, at least in saying that his and his wife's sleep is more likely to be disturbed by the raucous behaviour of young Oliver at 4 o'clock on Christmas morning than by the horrendous reversing noises that we heard described earlier, from multinational supermarkets' vehicles outside.

I have made my point. We are in a difficult situation. I have the greatest desire to support the amendment moved by my right hon. Friend the Member for East Yorkshire, but I have an even greater desire to see this modest, just and necessary measure go through the House and reach the statute book. We cannot have both, so with great reluctance I have to say to my right hon. Friend that I hope that he will concur with what I suspect will be the majority view and, when the time comes, see fit to withdraw his amendment.

Mr. Andrew Smith (Oxford, East) (Lab): In this brief contribution I shall first say that I am pleased to follow the hon. Member for North Thanet (Mr. Gale), who has a very distinguished history of contributing to the campaign to keep Sunday and Christmas day special. I concur with the conclusion to his argument, because we can all see how important it is that the Bill should complete its passage today. The hon. Gentleman is right: further tinkering and attempts to make further changes can only put it at risk.

I have been following the debate closely and have some sympathy with the arguments of the right hon. Member for East Yorkshire (Mr. Knight) and others. However, as the debate has shown, they open up large areas of territory for consideration, which, as my hon. Friend the Member for North Durham (Mr. Jones) said, could be the subject of other private Members' Bills, or even Government legislation, which would be popular with the public.

This is a very good Bill, and I join in the commendation of my hon. Friend's great work. He has made a great contribution and has worked with the representations that have been made to him and carried public opinion with him. He has the overwhelming support not only of shop workers and the Union of Shop, Distributive and Allied Workers but of the general public. Those who think that they could make the Bill more perfect by tinkering with it further are making the perfect the enemy of the good. It is an excellent measure, and the House should send it forward to a successful conclusion today.

Mr. Randall: Perhaps I should repeat my earlier declaration of interest—although as there will be thousands of people listening live to the debate or watching it on the Parliament channel, that might be seen as unfair advertising, so I shall simply refer to that declaration of interest.

I worked in a retail outlet for 18 years, and contrary to what Labour members might think, I worked upwards, and worked on delivery vans and as a shop assistant. I have great sympathy for shop workers, who have had a rough deal over the years. Our business has been in operation for more than 100 years—110, I think—and one sees cycles come and go. I can look back at earlier eras when opening hours were much longer, but because of shop workers' legitimate rights, the hours became shorter. I can remember when we first closed on Wednesday afternoon, and then all day Wednesday. That has now ceased because of public pressure and the pressure of competition.

I nearly lost a vote at the general election when someone said that they would vote for me, although they would not normally vote for my party, because they liked the fact that our shop never opened on a Sunday. I nearly lost the vote by replying, "Unfortunately, in this world you can never say never." However, I can categorically say that I would never open on Christmas day.

I have great sympathy with the amendments tabled by my right hon. Friend the Member for East Yorkshire (Mr. Knight), but there are forces at work here, and they come from the public. The public say that they do not want something, but in fact they are happy to take advantage of it. I have to hold my hand up and say that when Sunday trading started I was absolutely opposed to it, yet I now find myself buying things on a Sunday.

Mr. Bercow: Ah!

11.30 am

Mr. Randall: It is a fact of life; it is more convenient. I, with a young family, could not see myself wanting to go shopping on Christmas day, but I can understand that, sadly, there are people who do.

I want to approach the situation from the viewpoint of those who have to go to work on Christmas day. The point that I tried to make with regard to the amendment tabled by my right hon. Friend the Member for East Yorkshire about the later hour of unloading is genuine: people will have to come in, and they might not want to be there at 9 o'clock, because in fact they will probably have to be there just before. But equally it could be that the sooner they get on with it, the sooner they can go home. The snag is that it is impossible to legislate for that. It is actually down to the good will of the people who are doing these operations.

Most of the concerns we are talking about are responsible. However, sometimes, to get one step ahead of the competition, they are inclined to do things that perhaps they should not, and it becomes a bit of a bidding war about which days they open and at what time. Who would have thought a few years ago that we would have 24-hour opening in supermarkets? I still cannot quite get my head around who wants to go shopping at 3 o'clock in the morning, but I have found people who have done it because they thought there would be shorter queues or something, and I can understand that.

My wife does not let me go shopping very often because I tend to—

Madam Deputy Speaker: Order. The hon. Gentleman is now going very wide of the amendment. Perhaps he would confine his remarks to it.

Mr. Randall: I am extremely sorry, Madam Deputy Speaker, and of course I will revert to the unloading time.

Although I have a great deal of sympathy with those who would like to change the hour, bearing in mind also the result that the right hon. Member for Oxford, East (Mr. Smith) has just mentioned and which other colleagues have talked about, I do not think that it will make much difference, because even if the large lorries are not to be unloaded at 10 am they may still arrive at 8.45, and it would be virtually impossible to legislate for that. It is a great pity that, for example—I hope this is still in order—there are plans in my constituency for a very large supermarket, and they are planning to put housing on top of it. We all know that we want housing, but those people who are living on top of that supermarket will have to—

Mr. Kevan Jones: Would not large lorries delivering to a store and leaving their engines running for an hour beforehand be covered by complaints that local residents could make under, for example, noise legislation? That is clearly not covered by the Bill, but surely it would be covered by other powers that local authorities have and could enforce?

Mr. Randall: I am grateful to the hon. Gentleman. Noise of that level would probably not be covered. I am not an expert on the subject. It has nuisance value. There is a lot of ambient noise around—it seems to have increased over the years—but it probably is not covered by noise regulations, because it must be pretty loud to be covered.

I believe that the Bill should be welcomed by us all. I am sad in a way that it has to be necessary; I had hoped that people would realise that there are times when perhaps one should resist the urge to go shopping. I will try not to be sidetracked into discussing one of my favourite subjects, Madam Deputy Speaker. However, when I saw the hon. Gentleman on Parliament square this morning surrounded by Father Christmasses, my heart melted and I thought to myself that we must ensure that the Bill passed today. Therefore I will be urging my right hon. Friend the Member for East Yorkshire to withdraw his amendment.

Although in an ideal world the local authority takes consideration of matters such as lorries sitting with their engines running, I am worried about the variation that we have just been discussing. A case could be made for unloading earlier, and very often, unfortunately, the decisions are taken not by councillors but by council officers, who are not directly reliant on their electorate's votes. I know of decisions that have been taken which I think the elected representatives did not want, but which the officers sometimes felt to be appropriate; that is the politest way I can put it. Therefore I do not think on this occasion we should give councils those powers.

Mr. Greg Knight: My hon. Friend has great experience in this area and I think the House would value hearing from him at what times vehicles load and unload at his own shop premises. What is the earliest he will accommodate deliveries at his business and what is the latest hour in the day? That would help to give us a picture of how one large shop operates.

Mr. Randall: We have a system which my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) alluded to, which we call "booking in", so that we know in advance who is coming in. Because we are not such a large store, that will be done by and large by morning or afternoon on a particular day, in order not to have too much to unload all at once. I know from my experience of bigger stores that some of them have a very narrow window of opportunity. We open to the public at 9 o'clock. At 8.30 there are enough staff there to unload, and on many occasions I have unloaded myself when I have arrived. But—this is the point that I was trying to get to earlier—very often I will arrive at 8 o'clock in the morning to find Cricket Field road in Uxbridge clogged up with large vehicles waiting to deliver.

Madam Deputy Speaker: Order. I remind the hon. Gentleman that we are discussing loading and unloading on Christmas day.

Mr. Randall: I understand that of course, Madam Deputy Speaker, but the point is that, whether it is Christmas day or any working day, drivers who want to do their job properly and be there on time will always try to get there early, and if they find that there is another lorry in front of them early, there will be clogging up. I have to say also that if they have come from abroad, as happens quite a lot these days—

Mr. Bercow: On the Autobahn.

Mr. Randall: On the Autobahn, yes, and various other ways into Uxbridge. We do even find them coming in the night before, so it is an incredible logistical problem, which is why it leads me to think that, whatever legislation we try to put in, and whatever times we try to put in, it will be very difficult to achieve the optimum, which would be some protection for the workers who are unloading, and of course the residents. I simply hope that those stores that might have been covered by such a provision will read the report of the debate and realise that there is a very real need to be responsible—to ensure that their delivery drivers and those unloading do it in a sociable way at sociable hours, do not play the radio too loudly, and do not too often shout "up your end" or "down that bit" or whatever delivery drivers are taught to say at an early stage.I think that if we were to support this amendment, unfortunately it would have the net effect of killing off an admirable private Member's Bill.

Mr. Leigh: I do not want to be the Scrooge of today's debate. I am personally very happy with the Bill; I think I spoke in favour of it and I think I originally voted, much to the disgust of other members of the no turning back group, against the Sunday Trading Act 1994. So I do not come to the House as the voice of big business and certainly have no commercial personal interest in road hauliers or big retailers. I live on Horseferry road in London, where I am driven crazy by people unloading at 5 am and so on, so I am very sympathetic

[Mr. Leigh]

to all the arguments that have been made today, but I feel duty bound, in this short debate, to strike a note of caution. That is why I think it right that somebody like me should come along and give the alternative point of view. That is what debate is all about, after all.

I often think that if normal Government legislation were debated as thoroughly as private Members' Bills are on Fridays, we should have much better legislation. We have very good debates on Fridays. One of the reasons for my occasionally taking the trouble to turn up on Fridays is that I think it right to give scrutiny to Bills generally, and particularly right to give scrutiny to Bills like this and other Bills that we consider on Fridays. They tend to be regulatory.

I hope my colleagues will forgive me for saying that there is a tendency for those who come along on Fridays to wrap themselves in moral fervour and, dare I say, play to the gallery. They tend to forget that we live in a commercial nation, and that those who run businesses, often in very difficult circumstances, have a right to be heard.

I am afraid I must tell my right hon. Friend the Member for East Yorkshire (Mr. Knight) that I do not support his amendments. The obvious point has been made repeatedly this morning that if he forced them to a vote, that would effectively kill what is clearly a popular Bill. There is, however, another reason for opposing the amendments: they go too far. To be honest, I am not even very happy with the Lords amendments. I go along with the tenor of the Bill because there is plainly public support for the idea that shops should not be allowed to open on Christmas day, although I agree with my hon. Friend the Member for Uxbridge (Mr. Randall) that people are very divided on that. As I have said, we can wrap ourselves in moral fervour and say that it is outrageous for shopkeepers to be forced to work on Christmas day, and ridiculous that anyone should want to go and shop on Christmas day. In fact, though, many people do want to do that.

Madam Deputy Speaker: Order. This is not a Second Reading debate; we are discussing a group of amendments.

Mr. Leigh: I am worried about the Lords amendments. The Bill is fine, but they impose another layer of regulation, control and difficulties on businesses. I think that the point about loading and unloading poses a particular difficulty. As others have pointed out, Lords amendment No. 1(1) contains a confusing phrase. It states that the occupier of a shop prohibited from opening on Christmas day must not load or unload

"in connection with the trade or business carried on in the shop, unless the loading or unloading is carried on",

and so forth.

To be fair to businesses, there may be circumstances in which, while they do not want to cause unnecessary inconvenience to the public, they have to do some sort of work in their shops on Christmas day. At an early point in my right hon. Friend's speech, I said that I did not really understand what was going on here. If a shop is prohibited from trading on Christmas day, why on earth should the occupier want any loading or unloading to be done? My right hon. Friend's immediate riposte was that he might be preparing to open on Boxing day, and why should he not do so? He is running a business.

Are we not pushing things too far? We have already made the point that people are to be prevented from trading on Christmas day. Fair enough: there is public support for that. But do we want to go on adding, like decorations on a Christmas tree, more and more bits to make it more and more difficult for people like my hon. Friend to run their businesses? They are not in the business of deliberately inconveniencing the public, and for all sorts of reasons it may be necessary for loading and unloading to take place on Christmas day.

Mr. Bercow: My hon. Friend has just used a very infelicitous phrase. He said that it might be necessary for a business to load or unload on Christmas day "for all sorts of reasons"—over which, I am sorry to say, he then glossed. How many reasons are there? What are they? We ought to be told. I am not convinced.

Mr. Leigh: As I said, a business might want to open on Boxing day, or to have stock delivered. There might be a fault in the shop, or preparations might have to be made. I do not know—there are all sorts of reasons.

Mr. Randall: I do not necessarily want to side with my hon. Friend, but I can give some examples. Our shop was broken into on several occasions on Christmas eve; I had to go in on Christmas day and clear up, and—although we do not open on Boxing day—to get everything ready for the following day. I can envisage circumstances in which the occupier would need to be on the premises, and to get more stock in.

Mr. Leigh: It is useful for us today to hear from someone who has practical experience of working in retailing for 20 years. He has told us that he would never open on Christmas day. He is a local trader, completely in touch with his local community. I must tell my hon. Friend the Member for Buckingham (Mr. Bercow), however, that there may be reasons for him to want to go in on Christmas day—perhaps to do some work on his shop—and in such circumstances loading and unloading may be necessary. Why, when so many problems confront people like my hon. Friend the Member for Uxbridge, should we impose another layer of control, regulation and difficulty on them?

11.45 am

I am very dubious about the Lords amendments, but I accept that they are now in the Bill. If I forced a Division, there would probably not be a quorum. Even if I had my way, the whole Bill would be killed. Therefore, I shall not push my argument.

Mr. Greg Knight: Is it not important for the quality of life of those living near supermarkets to be at least enhanced on Christmas day by a requirement for no loading before a designated hour? That is all that the amendments seek to do. What is wrong with that?

Mr. Leigh: That is an entirely fair point, but for reasons given by my hon. Friend the Member for

Uxbridge, in the real world a shop owner is not always in control of his suppliers and when they will arrive. Ensuring that they arrive at a certain time is just another thing to worry about. Now my right hon. Friend wants to make the situation even more prohibitive and difficult for such people.

The fact is that the Lords amendments will be passed, but why does my right hon. Friend want to impose even stiffer fines? He says that these are big businesses which can afford to pay. My hon. Friend the Member for Beaconsfield (Mr. Grieve) says that there is a history of people deliberately flouting Sunday trading regulations—but as Opposition Members have pointed out, most retailers want to operate with public support. They do not want bad publicity. What worse publicity could there be than being caught breaking the law on Christmas day? Is Sainsbury's or Tesco going to flout the law deliberately? I do not think that that is a fair point.

Even worse, my right hon. Friend wants to involve local government. My hon. Friend the Member for Buckingham has a romantic view of local government as the voice of the local community, but surely, as a Conservative MP, he knows that that is not always the case.

Someone running a business does not want the burden of worrying about whether a delivery will turn up at 8.45, 9 am or 9.45. Now a local authority, perhaps playing to public opinion, may make the delivery even later. It does not add up.

For all these reasons, I hope that my right hon. Friend the Member for East Yorkshire will accept that he is proposing a bridge too far, or a loading bay too far. I hope also that he will withdraw his amendments and give a fair run to business. Further, I hope that he will accept that it is our duty in the House not just always to support what seems to be what public opinion wants, but to remember that behind public opinion are those who are trying to run their businesses and provide a service to the public.

Ms Coffey: I, too, urge the right hon. Member for East Yorkshire (Mr. Knight) to withdraw his amendments. I understand all the issues relating to noise on Christmas day. However, we are debating issues about noise because of the amendment to the original private Member's Bill, which basically seeks to prevent trading on Christmas day. It would be sad if we were diverted into other issues that could be the subject of another private Member's Bill, and in doing so wreck the original Bill.

I congratulate my hon. Friend the Member for North Durham (Mr. Jones) on his skill in steering the Bill through this place to this stage. He has put in an enormous amount of hard work and made a huge commitment of his time to so doing. The Bill will be only the third private Member's Bill to be passed this Session. I understand that all of these Bills have been introduced by Members who came into the House in 2001. That is quite a record.

I supported the original Sunday trading Bill. The retail sector provides about a third of the jobs in my constituency, so it is extremely important. I am one of those sad people who have been known to shop on Boxing day. I feel that when we debated the Bill originally we did not think about Christmas day; we were focused on Sunday trading. I do not believe that the House would ever have wished Christmas day to become a day like any other. It is a national holiday and we must preserve it as such. I entreat the right hon. Gentleman not to prejudice the passing of the Bill, which in a few minutes could become law. That would be an historic occasion. I ask him not to put to a vote amendments that are tangential to the Bill.

Mr. Bercow: In considering the Lords amendments, we are thrice blessed. We are blessed by the hon. Member for North Durham (Mr. Jones), to whose assiduity and careful preparation I enthusiastically pay tribute. We are blessed, secondly, by the presence and participation of my right hon. Friend the Member for East Yorkshire (Mr. Knight), who has given careful thought to the questions of loading and unloading. I discussed these issues with him at some reasonable length earlier this morning—it was some time before 9 o'clock. It is particularly welcome that my right hon. Friend has been prepared to take an interest, to become involved and to be present in the Chamber today.

I am not sure that we are very good at paying tribute to our right hon. and hon. Friends. I want to do so because my right hon. Friend's celebrity in this place should not be understated. He is a former Deputy Chief Whip. The fact that someone who has been a senior member of the Government machine can, nevertheless, trouble himself to come to the House on a Friday and take part in a narrow but important debate, in terms of the impact on human life and the local environment, is much to his credit.

I said thrice blessed because I was concerned that proper recognition would not be paid to the right hon. Member for Oxford, East (Mr. Smith). It is extremely welcome that the former Secretary of State for Work and Pensions—a prominent Brown ally and a man of noted significance in the House—should take part in a debate on loading and unloading.

Madam Deputy Speaker: Order. The hon. Gentleman might now limit his remarks to the amendment and not extend them to personalities in the Chamber.

Mr. Bercow: Of course, Madam Deputy Speaker. I was referring to personality only, as you will readily concede, I am sure, as a prelude to the observation that the right hon. Gentleman has a substantial retail and industrial set of facilities within his constituency. Therefore, he speaks today not only out of parliamentary consideration for others but on the basis of some background knowledge and concern.

Let us be clear. In thinking about the issues that are raised by the amendments, we on the Opposition Benches face a peculiar dilemma. That dilemma has been animadverted to periodically by several of my right hon. and hon. Friends. On the one hand, we are the party of free enterprise, individual initiative, entrepreneurship and capitalism. On the other hand, we are the party that has a particular regard for national tradition, the significance of Christmas and the legitimate demands of quietude. In that sense, it is quite difficult to know on which side of the argument we should fall.

[Mr. Bercow]

On this occasion, I do not agree with my hon. Friend the Member for Gainsborough (Mr. Leigh). I usually do so but not on moral matters, on which my hon. Friend is almost invariably wrong. I think that he has jumped to the wrong conclusion. He is concerned that the effect of the regulation on loading itself, and at least as importantly, if not more so, the effect of the amendment that would allow for the exercise of discretion and variability as to time—discretion to be exercised by local authorities, to which my hon. Friend is extremely hostile—means that we are getting into the business of over-regulation.

The basis for my hon. Friend's concerns about the loading and unloading amendments is derived from the legendary and generally wise observations of our noble Friend Lord Lawson of Blaby. Although I have not discussed loading and unloading with him, he probably more pithily than any other colleague, living or dead, encapsulated the Conservative attitude to government and business. He famously said that, as far as Conservatives are concerned, the business of government is not the government of business. As eloquently described by the American observer, Walter Lippman, in a different way—

Madam Deputy Speaker: Order. I think we understand the point that the hon. Gentleman is making. Again I ask him to comment on the amendments.

Mr. Bercow: I certainly will, Madam Deputy Speaker; I am itching to do so.

In a free society, the state does not administer the affairs of men and women, but it does administer justice among men and women who conduct their own affairs. That is the basis for the belief that, now and again, the state can legislate properly to protect the local or national interest.

There is a good argument for having a restriction on loading. It strikes me as very unsatisfactory that we should leave open the possibility that such conduct should take place on Christmas day. If, in fact, there is a real risk that such behaviour will be widespread, we are entirely justified—in a sense, as an anticipatory and preventive measure—in legislating against it. We know that we are anticipating legislating against, and helping to prevent or deter, what would otherwise be a widespread and socially unacceptable practice.

If, on the other hand—as I think is the sense of the point expressed by my hon. Friend—it is not very likely that the activity will take place on a significant scale, my conclusion would be: what conceivable objection can businesses have to our including a modest amendment with no significant costs in a Bill that we otherwise agree is very good? The regulatory impact assessment is of the essence here. If we consider the issue in the way that the Government and Opposition traditionally do in terms of the regulatory impact-assessment—what the consequences for business will be and what the costs imposed will entail—it is pretty clear that the impact will be extremely modest.

Mr. Gale *rose—*

Mr. Bercow: I believe that my hon. Friend is twitching.

Mr. Gale: When I spoke, my hon. Friend appeared to share my concern about the powers of the local authority under the Lords amendment. My hon. Friend the Member for Uxbridge (Mr. Randall) painted a lovely vision of queues of German lorries trailing back down the side roads of Uxbridge waiting for the gates of Randall's to open. I had an even lovelier vision of slumbering German lorry drivers being awoken at 4 o'clock in the morning by young Oliver Bercow banging his first Christmas drum. However, to put that to one side, has my hon. Friend any concept of how long the unloading process will take? I see a situation in which a local authority varies to an earlier hour and there is a cacophony of sound from unloading from the early hours of the morning until possibly midday on Christmas day.

Mr. Bercow: As is usually the case, my hon. Friend, whose perspicacity in the House is legendary, has effectively expanded the parameters of the debate. I am grateful to him for doing so. On the basis of the evidence that I have thus far adduced, it is more likely that little Oliver will be making a speech on Christmas day than banging a drum. There is an element of heredity in these matters, and he is more likely to copy me in that respect. I have no drum-playing skills of note.

My hon. Friend has highlighted the important point that there may not be enormous abuse around the country, but it is perfectly possible that there will be concentrations of activity in particular areas. That is perfectly sufficient to irritate and disrupt the lives of many people on Christmas day. Many right hon. and hon. Members might be inclined to wear their halos and say, "What are Conservative Members bothered about? No large retailer in my constituency would dream of behaving in this way for fear of provoking local consternation and damaging business, causing undue and adverse publicity." We know as legislators that it takes only a relatively small number of recalcitrants to cause untold misery.

12 pm

As far as the Uxbridge area is concerned, from my fairly regular experience of the A40, travelling to and from my Buckingham constituency, I can well imagine that there could be a substantial gathering of vehicles moving towards the intended destination to load or unload, and that the noise would be considerable. I do not think for one moment that my hon. Friend the Member for Uxbridge (Mr. Randall) would be a willing sponsor of such antisocial behaviour, but I can perfectly concede that others might be. We must have—I say this as a passionate believer in free enterprise capitalism—a protective cloak of legal regulation that guards against the danger that those who have no regard for the interests of others will abuse a loophole in the law to advance their own interests.

Mr. Greg Knight: In passing, if Oliver does want a drum lesson, I am happy to give him a free one.

Will my hon. Friend put our hon. Friend the Member for North Thanet (Mr. Gale) right when he says that the problem is primarily one of unloading? The scope of the problem includes loading and many large shops have waste to remove, such as food that is out of date. It is not just a case of big vehicles unloading.

Mr. Bercow: I am grateful for the offer of the free lesson, but I will not dwell on it because I would probably incur your disfavour, Madam Deputy Speaker. The thought of your usually shining countenance being transformed into an expression of disapproval is something that I find too unattractive to contemplate.

I am glad that my right hon. Friend has drawn attention to the possibility of loading. The omission by my hon. Friend the Member for North Thanet (Mr. Gale) was entirely inadvertent. My right hon. Friend is right that loading can take place. I had not thought of the other unattractive accompanying consequence of a considerable and possibly potent smell. That is the ugly spectre that he conjures up, and I do not like the sound or the smell of it. It certainly could happen and we should legislate to avert that eventuality.

On amendment (b), which deals with discretionary hours, I hope that my right hon. Friend will not think that I am abandoning him. I said, although I do not feel bound by it, that I was minded to support the amendments, but I was under a misapprehension. I thought that the variability amendment on hours was variability allowing for later loading or unloading. The thought had not occurred to me that it might be possible, under the aegis of this otherwise well intentioned discretion-based amendment, for loading to take place substantially earlier. That is simply not acceptable to me and I think he will find that it is not acceptable to a good many other Members either.

Mr. Kevan Jones: Variability is down to the local authority. Is the hon. Gentleman aware that paragraphs 7(a) and (b) of schedule 3 of the Sunday Trading Act 1994 contain powers that enable the local authority to revoke consent, first, if the applicant has committed an offence in breach of its conditions, and, secondly and more importantly, if the local authority is satisfied that consent given to loading and unloading has caused undue nuisance to local residents?

Mr. Bercow: That is welcome, though precisely what its practical impact would be is rather uncertain, to put it mildly. I was keen to underline that it should be possible—I believe that it is—to take a mixed view on the merits of the amendments. I was a little concerned by the general drift of the argument of the hon. Member for North Durham, ably supported by the hon. Member for Stockport (Ms Coffey), which was that we ought simply to accept the Bill, and any attempted amendment would risk the Bill being lost, with all the sad consequences that would flow from that.

I do not think that we ought to legislate in haste on this matter; it is more important to get the Bill right. Although, as I have indicated, one of the amendments I do not think desirable, and it may be desirable to amend it or substitute another for it, Amendment (a), which would shift from 9 am back to 10 am the permitted time at which loading or unloading could take place, seems thoroughly sensible. I therefore hope that the hon. Member for North Durham, in his legitimate and thirsty quest for legislative satisfaction, will not conclude that anyone who offers a differential view on the various amendments before us is somehow threatening the advance of his Bill. I would like nothing more than to be able, metaphorically or actually, to pat the hon. Gentleman on the back and congratulate him on the successful passage and translation into law of his Bill, but we must get it right and he must not be too impatient.

Mr. Jones: I concur with the hon. Gentleman: we must get the Bill right. Certainly, on Second Reading and on Report, I, as the promoter, have been conscious of the need to take on board the points made in debate. That is why we are considering a Lords amendment. The spirit in which I have tried to ensure the Bill's passage has been one of trying to compromise where possible.

Mr. Bercow: Compromise where possible; legislation if and when necessary. It is desirable that we should legislate, but it is necessary that we do so to best possible effect.

Mr. Greg Knight: My hon. Friend is making a speech of the highest order, but will he address my concerns about his remarks on amendment (b)? Surely the local authority in any area is the body best placed to make a decision about what will be acceptable to people who reside in the area. Amendment (b) is loosely drafted precisely to give local authorities that freedom. It may be that because of some event in the locality a local authority wants all loading carried out in the morning, rather than dragging on into the afternoon.

Mr. Bercow: I accept with due humility the possibility that my right hon. Friend is right and I am not. My only concern on this point derives from my belief that there is a great difference between the quality of local government to be found in the county of Buckinghamshire and that which is regularly on display, to its considerable discredit, in other parts of the country. I know that I will have enthusiastic agreement on this matter from my hon. Friend the Member for Beaconsfield (Mr. Grieve).

I do not want to make the point too forcefully—I am not a member of the council, so I am not in any sense congratulating myself—but Aylesbury Vale district council, under which my constituency falls, is an authority of the highest order, and its good burghers would not dream of behaving in an antisocial way. The same might also be said of Buckinghamshire county council. Some local authorities, however, seem inclined to make decisions of such bewildering stupidity and antisocial character that there is something to be said for Parliament adopting a belt-and-braces approach to deny them the opportunity to do so.

[Mr. Bercow]

My right hon. Friend the Member for East Yorkshire might not like my answer or think it satisfactory, but it is an answer, and a clear and honest one at that. I do not wish to tax your patience, Madam Deputy Speaker, or that of other right hon. and hon. Members, and I am sure that they will all be pleased to know that my speech is now at an end.

Mr. Grieve: It can, I am sure, be said that scrutiny of this Bill has not been lacking in thoroughness. As the hon. Member for North Durham (Mr. Jones) knows, his Bill enjoys the blessing and support of the official Opposition, because we believe that it was a mistake to fail to deal properly with Christmas day opening when Sunday trading was debated and the Bill goes a long way towards rectifying that mistake.

Today, we have carefully examined the Lords amendments to the Bill. It seems to me that they are in spirit extremely well intentioned. However, I share some of the concern that my right hon. and hon. Friends have voiced about whether Lords amendment No. 1 covers well enough the mischief that needs to be addressed. The argument is that the drafting leaves loopholes whereby a large number of deliveries could take place at a store because the goods in question are not part of

"the trade or business carried on in the shop".

That argument has some force. The difficulty is that we must not be unfair to those who run stores.

My hon. Friend the Member for Uxbridge (Mr. Randall) touched on the point that sometimes it will be necessary urgently to carry out works or bring supplies to a store on Christmas day because some problem has arisen. I recollect that at least one of the really notable snowstorms that took place during the 19th century occurred on Christmas eve. Although such events might be a thing of the past owing to global warming, they could reoccur and result in damage being caused to premises that require repair. To prevent a person from bringing to a store a load of tiles to replace those that had been ripped off the roof by a high wind would clearly be undesirable. Although the new clause makes provision for getting the local authority's consent to operating at an earlier hour than the one set down, it is stretching credulity to imagine that in the early hours of Christmas morning it will be easy to get the local authority to take a rapid decision in one's favour on altering the regulations.

Mr. Leigh: One of the difficulties of our procedure is that it is now almost too late to deal with the problem. However, we could have resolved it by inserting after

"trade or business carried on in the shop"

the words "on that day". Doing so would have prevented people from loading or unloading before 9 am simply to facilitate that day's delivery, but allowed them to deal with leaks or disasters.

Mr. Grieve: It may indeed be too late, because the House must reach a decision on whether it wishes to prolong the debate and thereby lose the Bill. However, I do not entirely agree with my hon. Friend. Inserting the words "on that day" would mean that there should be no activities relating to the Bill taking place on that day, because the Bill prohibits Christmas day trading except for certain exempted premises. We would thereby create a loophole. In addition, I am not sure that the words he suggests would add much to the Bill. If I have misunderstood my hon. Friend's point, I am sure that he will intervene to clarify it.

The amendment proposed by my right hon. Friend the Member for East Yorkshire (Mr. Knight) to change from 9 to 10 o'clock the hour at which such activities may commence seems to me to have a considerable degree of force. However, it must be seen in the context of whether such a late amendment, carrying with it the near certainty that the Bill would be lost, is justified. I must tell my right hon. Friend the Member for East Yorkshire that any resulting improvement would be wholly negated by losing an extremely important measure, and I hope that he considers that carefully before pressing his amendment to a vote.

12.15 pm

Another of my right hon. Friend's thoughtful proposals, amendment (b), allows a local authority to

"vary the time at which loading or unloading goods under subsection (1) may commence."

However, it does not add very much to the Lords amendment. His concern that the fine for loading is only set at level 3 on the standard scale has much more force. I agree wholeheartedly that a fine of £1,000 is derisory, given the commercial activities that take place in large retail premises. Indeed, even a level 4 fine of £2,500, as was suggested, may be inadequate. I am afraid that I must part company with my hon. Friend the Member for Gainsborough (Mr. Leigh), who takes an elevated view of the morality that prevails among people who run large commercial organisations. My own professional experience of undertaking a considerable amount of enforcement work for local authorities in the planning and regulatory sphere persuades me that that morality is, generally speaking, non-existent if people can make a neat calculation that the fine is far less than their profit from continuing with the activity in flagrant violation of the law. I witnessed such behaviour on many occasions, and I hope that I do not digress if I say that it is a problem that the House will have to tackle in future. While there is indeed provision to secure injunctions against repeat offenders, the procedure is ponderous and difficult. It is only used as a last resort and is extremely costly, so many local authorities hesitate to invoke it. We need to look again at simplifying the system, so that if someone commits two or three offences an automatic injunction can be granted somewhere other than the High Court, violation of which would lead to imprisonment. If the Government introduced such proposals, many hon. Members and I would welcome them, because I am afraid that the law is repeatedly violated in a number of regulatory areas.

The House therefore faces a choice. Commendably, the Lords amendment has gone some way towards meeting the criticisms on Report that loading is not included in the Bill. We have performed the valuable exercise of highlighting other ways of approaching the problem, and the Minister's advisers and people who work in back offices considering matters suitable for future legislation may find it useful. However, I very much hope that my right hon. Friend the Member for East Yorkshire will not find it necessary to put his amendment to the vote. I hope that he and the House accept the Lords amendment, enabling the Bill to complete its passage and become law.

Mr. Sutcliffe: It is a privilege and a pleasure to join the debate and speak on behalf of the Government on the Bill. I congratulate my hon. Friend the Member for North Durham (Mr. Jones) on securing the opportunity to introduce the Bill and on the immense amount of work that he has done, which is evident not only in today's proceedings, in Committee and on Report, but from his deep involvement with many organisations and bodies that he consulted on the scope of the Bill. I refer particularly to my hon. Friend's work with the Union of Shop, Distributive and Allied Workers and other representative bodies that had an interest in the Bill.

I put on record my thanks to the many right hon. and hon. Members who contributed throughout the lifespan of the Bill, and especially today—the right hon. Member for East Yorkshire (Mr. Knight), to whom I shall return, the hon. Member for Uxbridge (Mr. Randall) and the hon. Member for Cotswold (Mr. Clifton-Brown), who is no longer in his place. It was interesting to hear them speak from their technical knowledge of these matters. I, too, was once a shop worker for two years after leaving school, so I can speak with some knowledge of the issues. We have had a wide-ranging debate on the Lords amendments and those tabled by the right hon. Member for East Yorkshire.

I thank the business managers for ensuring that the Bill was afforded sufficient time to be amended, debated and returned to the House for consideration. The agreement reached on those procedural matters demonstrates a shared concern in both Houses to preserve the special nature of a tradition that the majority in this country value highly.

As I said in our previous discussion of the Bill, the overwhelming support expressed in the House and the other place is further evidence of the desirability of the Bill, and reflects its popularity among the public, as has been said. Given the rapid and wide-ranging pace of change in many spheres of modern life, I am not surprised that the preservation of something that provides a collective sense of identity and shared experience should resonate with the public. Maintaining the special nature of Christmas day contributes to that nationally and at a more personal and local level provides the opportunity to unite both the immediate and extended family. That is a social good which it is important to preserve.

On Report Opposition Members tabled a number of amendments, two of which were discussed in some depth. Those who were present may recall that the amendments were not accepted at that time, for what could be described as technical reasons. I signalled a preference to take an informed look into the possible consequences, were the amendments to be accepted in one form or another. I therefore undertook to consider the two proposed amendments and make changes accordingly subject, of course, to parliamentary time and with the benefit of consultation.

The first amendment, which was proposed by the right hon. Member for East Yorkshire, was to include large pharmacies in the list of exemptions to a prohibition on opening. In particular, he proposed that where there was currently an exemption for pharmacies whose trading consists solely of medicinal or surgical appliances under the Sunday Trading Act 1994, that should be amended to read "mainly" those products. In assessing the practical implications of the amendment, my Department made some limited inquiries and found that currently no pharmacies match this description.

It is interesting that the type of shops that I believe the right hon. Gentleman had in mind are not in favour of the proposed amendment. For example, Boots expressed a preference to continue opening its pharmacy counters while cordoning off the remainder of the store. This is what Boots currently does on Sundays and what it has signalled that it will continue to do on Christmas day. Hon. Members may recall that my main concern was that pharmacy services should continue to be delivered on that day, and I believe that that will still happen. By maintaining the status quo, not only is that achieved, but the potential for undermining the purpose of the Bill is averted.

The second amendment at that time was proposed by the right hon. Member for Bromley and Chislehurst (Mr. Forth) and related to loading and unloading at large shops on Christmas day. I miss the right hon. Gentleman's presence during the debate. He demonstrated a lively involvement on Report and I add my congratulations to those of my hon. Friend the Member for North Durham. During the discussion that day, it was remarked that private Members' Bills allow for detailed scrutiny, for whatever motivation may drive right hon. and hon. Members to do that. I acknowledge the role that the right hon. Member for Bromley and Chislehurst has played.

The regulation of loading and unloading by large shops was covered by the Sunday Trading Act 1994 but was not carried over into the Bill. In discussing the right hon. Gentleman's amendment, I recall that the House agreed that it was not only consistent with the aims of the Bill, but was an extension of the logic of preserving the special nature of Christmas day. That is why the Government amended the Bill in the other place and we all agreed on the merits of the proposal.

The core amendment would simply prohibit loading and unloading before 9 am on Christmas day in areas designated by the local authority as loading control areas. They would be the same as those designated under section 2 of the Sunday Trading Act 1994. A person contravening such a prohibition would be liable to a fine not exceeding level 3 on the standard scale, currently £1,000. Debate centred on the relevance of that amount.

To achieve that prohibition, several minor consequential amendments were made, such as changing the long title to include the words "loading or unloading". The principal benefits of the amendments, and indeed the reason that many consider Lords amendment No. 1 an improvement, is that they would reduce the risk of Christmas morning becoming a noisy affair for people living in close proximity to large shops.

[Mr. Sutcliffe]

Like Sunday, when such provisions already apply under the 1994 Act, Christmas day is always considered a day when ordinary weekday sounds are not welcome. We have heard some good examples this morning of the type of sounds that people feel are unwelcome—the banging of drums and so on. Most of us would not relish waking to the sound of pneumatic road tools on a Sunday and we would also agree that the noise emitted by lorry engines, refrigeration units and manoeuvring forklift trucks would be an unwelcome feature of Christmas morning.

Although the provisions of the 1994 Act are not widely applied by local authorities, nor do many large shops open on Christmas day at present. As has been said, the Bill is a pre-emptive measure and giving local authorities the power to prohibit loading and unloading on Christmas day must also be considered as such. Although most local authorities from our consultation sample confirmed that they had not used the provisions under the Sunday Trading Act, they none the less all believed that the proposal was a good and sensible idea. That is certainly the case when one considers that in preparation for the busy sales period beginning on Boxing day many large shops will, in practice, be tempted to load and unload before 9 am.

The Lords amendments are both necessary and worth while and I thank the right hon. Member for Bromley and Chislehurst for raising those matters on Report.

Mr. Greg Knight: Can the Minister tell us why he feels that the words

"in connection with the trade or business carried on in the shop"

are essential?

Mr. Sutcliffe: We believe that they maintain the scope of the Bill. There is a direct link to the provisions of the Sunday Trading Act and, as my hon. Friend the Member for North Durham pointed out earlier, we would be going beyond that if we changed the words significantly. I hope that the right hon. Gentleman accepts that.

I noted the right hon. Gentleman's points about the change from 9 to 10 o'clock, but again we were asked for consistency—joined-up government. A change would make the position different from that in the Sunday Trading Act.

Mr. Grieve: It seems to me that those words—

"in connection with the trade or business"—

are the correct ones, because they cover bringing in not only goods that are to be sold but also hoardings, advertising material and other related things. They would not cover—properly—the need to bring in bricks or material to repair the structure if it had been damaged during the night.

Mr. Sutcliffe: Exactly. I am grateful to the hon. Gentleman for making those points and to the Opposition for their support for the Bill.

Mr. Chope: Will the Minister respond to the point I made? The amendment deals with large shops that do not open on Christmas day but does not actually cover loading and unloading restrictions on the few large shops that will be exempt from the controls and will be able to open on Christmas day.

Mr. Sutcliffe: Under the legislation, it will be small shops that are exempt. I refer the hon. Gentleman to the points made by my hon. Friend the Member for North Durham about the existing restrictions and regulations that local authorities can apply. There would be no significant move away from that.

The key point is the pre-emptive nature of what we are trying to achieve. If one big store opened the rest would feel obliged to do so, too, and that is why the legislation is vital.

I was asked who will deal with enforcement. Clearly, the various local authority departments, including trading standards departments, will deal with that issue. Fines will be consistent with those in the Sunday Trading Act 1994.

I am grateful to Members for the way in which they have discussed the Lords amendment and the amendments tabled by the right hon. Member for East Yorkshire. I am also pleased that we discussed shop workers being disadvantaged at Christmas time—even though we did not focus on that issue—when the rest of us are able to enjoy the festivities. This is a major Bill affecting shop workers, and I am grateful to my hon. Friend the Member for Stockport (Ms Coffey) and my right hon. Friend the Member for Oxford, East (Mr. Smith) for their comments on them.

I respectfully ask the right hon. Member for East Yorkshire to withdraw his amendments, as he has been urged to do by Labour Members and many of his colleagues, notwithstanding the sincerity with which he tabled them. I ask the whole House to support the Lords amendment and to give the Bill good passage.

12.30 pm

Mr. Greg Knight: We have had a very good debate and there have been a number of powerful speeches, including in particular those by my hon. Friends the Members for Christchurch (Mr. Chope) and for North Thanet (Mr. Gale). The hon. Member for North Durham (Mr. Jones) also made an excellent contribution, as did the hon. Member for Stockport (Ms Coffey) and my hon. Friend the Member for Buckingham (Mr. Bercow). My hon. Friend the Member for Gainsborough (Mr. Leigh) made a very passionate speech, although it will come as no surprise to him to learn that I do not agree with his conclusions.

I want also to pay tribute to the Minister. When we were last here debating this subject, I raised a number of issues with him, as did my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), whose ghost, I feel, is with us, even though he is not. [HON. MEMBERS: "Where is he?"] I understand that he is on a Commonwealth Parliamentary Association visit, looking at trading practices overseas.

Mr. Dismore: Where?

Mr. Knight: I am not prepared to say where.

Mr. Leigh: Yet our right hon. Friend is the man who constantly derides the rest of us for not being in our place and for not being good parliamentarians.

Mr. Knight: I do not want to go there, Mr. Deputy Speaker.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. It may just be that a question of security is involved in keeping the whereabouts of the right hon. Member for Bromley and Chislehurst (Mr. Forth) quiet. *[Laughter.]*

Mr. Knight: I am grateful to you for your protection and suggestion, Mr. Deputy Speaker.

I pay tribute, as I said, to the Minister. The concerns that we raised with him when we were last here were genuine, and he undertook to look at them. Most unusually for this Government, he did indeed do so. He also said that he would contact me, which he did, and he also contacted my right hon. Friend the Member for Bromley and Chislehurst. Indeed, he went even further. Where he thought it appropriate, he acted on the concerns expressed by arranging for an amendment to be moved in another place. I hope that I will not blight his future career in saying that he has behaved impeccably throughout this process. We are delighted that he has done so.

I did have a number of concerns about the wording of the Lords amendment, particularly, as I have mentioned several times before, the inclusion of the phrase

"in connection with the trade or business carried on in the shop",

but the Minister and my hon. Friend the Member for Beaconsfield (Mr. Grieve) have convinced me that I need not worry about that, so I am happy with the scope of the Lords amendment.

Most commonly in this place, one tables an amendment or new clause and argues why it is necessary, only to hear the ministerial response and realise that one's concerns are unfounded. Of course, one is then happy and willing to withdraw it. What has happened today has not quite followed that usual procedure. Conservatives have argued why amendments (a), (b) and (c) should be accepted, and those arguments were overwhelming. The Minister has done nothing to make me think that they are any less compelling.

Secondary issues are not normally our main concern in this place, because we are legislating and seeking to get such legislation right. But I accept that our procedural rules could cause a difficulty for the Bill that might prove fatal, were I to press my amendments to a vote. Someone said earlier that the hon. Member for North Durham is a political virgin. Well, Mr. Deputy Speaker, I do not want to put myself in the way of his first consummation, so I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Lords amendment agreed to.

Lords amendments Nos. 2 to 6 agreed to.

Mr. Gale: On a point of order, Mr. Deputy Speaker. Earlier this morning, a point of order was raised with your colleague about the publication of a report on housing in the east of England. You will be aware, Mr. Deputy Speaker, in view of the location of your constituency, of the importance of that report. Your colleague was asked whether any Minister had expressed a wish to discuss the report before the House. The answer was no. Can you tell the House whether, by now, any indication has been given to Mr. Speaker that a statement will be made on Monday?

Mr. Deputy Speaker: I am afraid that I know nothing that I can add to what has already been said from the Chair. I am not aware that any notification has been given. If there were any intention to make a statement to the House, no doubt a request to do so would reach Mr. Speaker on Monday.

Crown Employment (Nationality) Bill

Not amended in Standing Committee, considered.

New Clause 1

APPEALS

'(1) A person who is ineligible to be employed or hold office in a civil capacity under the Crown by reason of the rules made under section 2 ("the rules") may appeal to a Crown Employment (Nationality) Rules Tribunal ("the Tribunal") for an exemption from the rules.

(2) In determining an appeal the Tribunal may recommend to a Minister of the Crown (or any person or body to whom the power has been delegated under section 2(3)) that an exemption to the rules be made.

(3) The Secretary of State shall make regulations with the respect to the composition, conduct and operation of the Tribunal.

(4) The Secretary of State may not make regulations under this section unless a draft of the regulations has been laid before and approved by a resolution of each House of Parliament.

(5) The power to make regulations under this section is exercisable by statutory instrument.'—*[Mr. Chope.]*

Brought up, and read the First time.

12.36 pm

Mr. Christopher Chope (Christchurch) (Con): I beg to move, That the clause be read a Second time.

The new clause would effectively introduce some control over the very open wording of clause 2. To show how wide-ranging that clause is, one could do worse than quote the promoter of the Bill in Committee on 7 June. It was all too brief a sitting on Monday 7 June. All that was said about clause 2 was:

"The clause is the mirror image of clause 1 in that it gives Ministers the power to make rules in respect of the nationality requirements of certain categories of post, which I envisage are those where it is clearly necessary in the national interest for a job to be reserved for a UK national. Those would account for about 10 per cent. of civil service posts. It is expected that the Bill would open up about 90 per cent. of posts to selection on merit, regardless of nationality. That would enable us to build a civil service that reflects the diversity of the society that it serves."—[*Official Report, Standing Committee C*, 7 June 2004; c. 9.]

That was the full extent of the Committee debate on this wide-ranging clause.

Clause 2 confers the power to impose new nationality requirements, stating:

"Rules may be made imposing requirements as to nationality, which must be satisfied by a person employed or holding office in a civil capacity under the Crown specified in the rules."

It continues:

"The rules may also impose requirements as to nationality which must be satisfied by persons of a description specified in the rules who are related to, or living with, such a person."

The rules, it continues, may be made by a "Minister of the Crown" or by somebody effectively under his control and may include provision for some exemptions.

The problem is that there is no control at all, as the clause stands, over the way in which the Minister or the person or body to whom power has been delegated by a Minister exercises that power. Indeed, there is an absolute discretion vested in the Minister, or someone beholden to him, to make rules as he sees fit. The implications of those rules could be very serious.

The first scenario I shall describe is that of someone who wishes to take up employment but is barred from doing so under the rules. Without new clause 1, that person would have no remedy. He would be at the mercy of Government fiat. However, under the new clause, if the person were concerned about the decision that had been reached, he would be able to appeal to a Crown employment nationality rules tribunal for an exemption from those rules. The tribunal would be able to listen to the evidence and decide to make a recommendation to a Minister or any person to whom the power had been delegated by the Minister that an exemption should be made.

The Secretary of State would be required to make regulations about the composition, conduct and operation of the tribunal and he would not be allowed to make regulations unless a draft of the regulations had been laid before and approved by resolution of each House of Parliament. That power to make regulations would be exercisable by statutory instrument.

In the scenario that I have described, the person who wanted to apply for a post but found that rules had been made under clause 2 that prevented him from taking up that post would be able to apply to a tribunal for an exemption. The second scenario I shall put before the House is possibly more serious and demands some proper redress, as provided in new clause 1. What happens if someone is already in employment or holds office under the Crown and the rules are changed by the Minister, thus barring that person from the job that he has been doing, perhaps for many years? Under the Bill as drafted, he would have no rights, unless the Minister volunteered to exempt him.

In that situation, the Minister could decide, on a day-to-day basis, the nationality of those eligible to be Crown civil servants. The Minister could change the rules, and people who were already civil servants could be disqualified from holding their positions. There is a good introduction to the problems that could be faced by employees of the Crown in today's news about what has been happening in Uzbekistan. I do not know whether the Government would intend to include nationals of Uzbekistan in the list of those entitled to hold positions in the civil service under the Bill, were it to become law. If the Government did intend to do so, some people might be concerned about that in the light of the evidence provided by our erstwhile man in Tashkent, Mr. Craig Murray.

Let us suppose that Mr. Murray, or someone like him, was serving as a civil servant. He might find that the nationality of his wife became relevant. Let us also suppose that the situation in Uzbekistan went from bad to worse and the Minister decided to change the rules so that Uzbeki nationals were no longer entitled to hold office under the Crown as civil servants. Although our man in Tashkent might be a British rather than an Uzbeki citizen himself, his wife might be Uzbeki. Indeed, that might be one of the reasons why he was qualified to serve in that overseas civil service posting in Uzbekistan. Then, however, the status of Uzbekistan, under the control of the Government, might change, and that country would shift from being a country whose nationals were entitled and welcome to be members of our civil service, to being one whose citizens were disentitled, and unwelcome.

12.45 pm

Under the wide terms of clause 2, that would read across not only to employees of the Crown, because of their own nationality, but to the nationality of their wife or husband. Somebody in the civil service who was married to a foreign national would be disqualified from their employment because the foreign national had moved from a category acceptable to the Government to an unacceptable one. Surely the least we would expect in such a situation is a right of appeal, which new clause 1 would add to the Bill.

The next possible scenario involves a relative of someone seeking employment, if a Minister decreed that their nationality was forbidden. Why should the applicant for employment be discriminated against because of the nationality of his or her relative, without recourse to having the case considered by an objective panel, as would be provided by the new clause?

The relative might be a close relative, such as a brother, sister, father or mother—and one might be able to argue that it would be in the national interest that someone with such a relative who was a national of a country hostile to this country's national interests should not be entitled to enter the civil service. However, the Bill goes wider and specifies not a close relative, but any relative. That relative could be an in-law, an aunt, a stepchild or whatever. Under the Civil Partnership Bill, which we discussed earlier this week, a relative might even include the civil partner of a brother, sister or child. Again there should be a right of appeal.

Absolute power would be vested in a Minister, and the Opposition are becoming increasingly concerned about the way in which Ministers exercise some of the powers that have been given to them.

The most dangerous scenario in terms of individual liberty, the right to employment and human rights in general involves the person already employed or holding office in a civil capacity under the Crown who finds that his sister, brother, son or daughter has chosen to marry someone of a forbidden nationality while he is serving. How can the Government think that as a consequence the person should lose their job? In any other world, people would say that that would be wholly discriminatory and unreasonable, yet under the terms of clause 2 that is exactly what could happen.

Let us suppose that someone is pursuing a career, perhaps very successfully, and they know that their child has fallen in love with a person of a prohibited nationality. Does that mean that when the son or daughter comes and asks, "Daddy, can I get married?" the father is put in the invidious position of replying, "Of course you can get married but the consequence of your getting married is that I will lose my job"? What a burden to put on a family relationship—yet that is exactly what the Bill contemplates.

Mr. John Bercow (Buckingham) (Con): I confess that I am rather alarmed by what my hon. Friend has just reported to the House. Neither of us has ever been known for an enthusiasm for matters European, but both of us are committed to the application of the law. Would not such a provision cause the Bill to become incompatible with the European convention on human rights?

Mr. Chope: I do not know. It might, but quite often when Ministers have signed off Bills, saying that they are compliant with the European convention on human rights, we find out later that they are not or may not be. However, my hon. Friend makes a valid point.

All that we can do at the moment is try to prevent the worst excesses by allowing at least a right of appeal, so that the person may seek an exemption for the situation that I have described, but it is invidious that someone should even be pushed into a position where they have to seek such an exemption, and that it would then be open to the Government to rule them out of order and to effectively terminate their contract of employment.

Mr. Greg Knight (East Yorkshire) (Con): But would not the same rules apply to members of the tribunal?

Mr. Chope: They would. Obviously, if the members of the tribunal were themselves foreign nationals, they could find themselves in that situation. Indeed, there might be a scenario in which the Government knew that a case was being referred to the tribunal, the tribunal's membership had been established, and the Government knew—because the Government know everything these days—the nationality not only of members of the tribunal but of their spouses and relatives close and distant. If they did not like a member of that tribunal and wanted to remove them from it by taking away their employment, they might introduce a rule with the effect that from then on, people who were married to anyone who was a North Korean citizen would no longer be eligible to serve as employees in the civil service. As a consequence, the person who would have adjudicated on the tribunal would no longer be able to do so. That is a possible scenario and, knowing the Government, I do not think that it is necessarily too far-fetched, particularly in view of the account given by our erstwhile representative in Tashkent, Craig Murray. We have to be concerned about this issue and the amount of power that clause 2 would give to the Executive, particularly Ministers.

The fifth scenario that I want to share with the House is one in which the applicant for a job is living with a person of an outlawed nationality. What if that person is qualified to become naturalised as a British citizen, but has not yet been able to do so? There will be a time gap. That is a real scenario today, and I am sure I am not the only Member to whose advice centre people have come saying that, while in the process of applying for British naturalisation, they have found that they now cannot acquire it because they must demonstrate that they can pass an English-speaking test. Those new rules were introduced in July. Although there is provision for the Government to allow authenticated persons to certify that someone can speak English, the Government have not yet got around to deciding who they might be—although there is a rumour that Members of Parliament might be included.

In any event, the process of acquiring naturalisation as a British citizen is now much more long-winded. A constituent of mine came here about 40 years ago, and has been married to a British citizen for about 25 years. She wanted to become a British citizen herself, but her naturalisation papers have been sent back to her because there is no certificate stating that she can speak English—although she has been conversing with her

[Mr. Chope]

English husband for 25 years, and has lived in this country for about 40. The situation is ironic. The test of whether an applicant can speak English is, or used to be, pretty fundamental to whether he can be employed in the civil service, but it would not be enough now—a naturalisation certificate would also be needed.

What would happen in the intervening period? Someone might say, "My partner"—or wife, or husband—"is desperately trying to obtain naturalisation, but cannot do so, so I am seeking an exemption under the rules." What will that person do if the exemption application is rejected? He or she will have no right of appeal, and I think that that is wrong.

Clause 2 includes the phrase "living with", which is an extremely broad definition. It could apply not just to people living as man and wife or even as civil partners, but could extend to any people sharing a house or flat, if not a bedroom. That throws up all sorts of examples of what could happen. Let us suppose that someone is sharing—this is the case with many young professionals such as civil servants, or aspiring civil servants—a flat in a big city with half a dozen others. According to the very wide definition in clause 2, if one of them were of a nationality verboten by the Government, the others would be disentitled to remain in the civil service, or to join it. I hope that the Minister and the hon. Member for Hendon agree that such scenarios require a remedy.

To sum up, the purpose behind the new clause is to ensure that many more people would be protected from being adversely affected by a Government arbitrarily changing the list of nationalities to be excluded from eligibility to work in the British civil service.

1 pm

As we know, what might be described colloquially as the pariah nations are always changing. There may be some pretty regular members of that group. In the eyes of many European Union countries, including the UK, Libya has recently left that group. However, it seems that Iran is coming back into the group pretty fast. North Korea is still there. Sudan may be about to enter the group, if it is not already there. I suppose that that depends on how soon the Government of Sudan will be prevented from running rings round western diplomats, as they seem to be doing so successfully at present.

Then we have Zimbabwe, with its erstwhile Commonwealth status. Is it a pariah nation? There is also the perennial Taiwan and China question. The Taiwanese are finding it extremely difficult to find any countries that are prepared to recognise their very existence, notwithstanding the length of time that they have obviously been an independent sovereign nation state.

These are the scenarios in which people might wish to apply for exemption so that they can continue in employment or obtain employment under the Crown. That brings me to subsection (2) of the new clause, which reads:

> "In determining an appeal the Tribunal may recommend to a Minister . . . to whom the power has been delegated . . . that an exemption to the rules be made."

The tribunal would not be able to impose its will on a Minister. Some right hon. and hon. Members might say, "Why should the tribunal not be able to impose its will?" I suppose the answer is that one would hope a Minister would, in the spirit of public accountability, accept a recommendation from a tribunal on such a matter. That is why subsection (2) is worded in such an open way. I do not think that any Minister could object to being subject to a recommendation by a tribunal, suggesting that perhaps discretion could have been exercised differently.

Subsection (3) gives the Secretary of State the power—indeed, the duty—to make regulations with

> "respect to the composition, conduct and operation of the Tribunal."

The tribunal, although standing on its own, would probably best be considered as a body that would come under the auspices of the tribunals and inquiries Acts. It would probably need to comprise more than one person. It may be appropriate to have some expert advisers on hand to assist the tribunal in its deliberations.

The question would arise whether the tribunal should sit in public or in private because of the sensitivity of some of the issues it might be having to consider. There will be issues as to whether it would have to meet immediately because someone has sought to have their exemption upheld or the Government ruling overturned, or whether there would have to be a time lag before that. I hope that any Secretary of State tabling regulations under subsection (3) would ensure that the tribunal met almost immediately. For that reason, it might be an ad hoc, rather than a standing, tribunal. It would meet only on those occasions it was required to do so.

The issue would then arise as to whether the tribunal should listen to people in person or whether the requirement should be that they are represented by lawyers. It would probably be better to have both options available, so that people could make representations themselves or through legal counsel should they so desire. Would money be available for the costs of those who were unsuccessful before the tribunal or for those applicants who were successful? Should legal aid be available to people seeking to bring cases before the tribunal? That is another relevant issue.

We also have to consider whether the tribunal would meet only in the United Kingdom—perhaps in London or the other major capitals in the UK—or whether it could move to the location overseas where the person appealing was located. The Secretary of State would have to take account of such issues when making the regulations. I am sure that much more detail beyond that would also have to be considered.

I am just thinking aloud about the tribunal's work, but it is clear that that could be contentious territory. That is why subsections (4) and (5) make it clear that the power would have to be subject to regulations that would have to be approved by both Houses of Parliament.

The tribunal appeal system would force Ministers to behave reasonably. They would know that if they did not, their decisions and judgments could be questioned by an independent tribunal. It would also provide people thinking of or already working in the civil service with the confidence that they need not worry or have sleepless nights if their son or daughter married, let us say, a North Korean. They would know that that would not jeopardise their career. They would be sure in the knowledge that a reasonable tribunal would say that the ability of someone to serve their nation as a member of Her Majesty's civil service should not be questioned because their son or daughter chose to marry a North Korean.

I have nothing against North Korea. You will know, Mr. Deputy Speaker, that if Members start speaking about a country, it is normally not long before a representative of that country invites them to visit it. I am sure that my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) is not in North Korea, but I am not sure whether there is an all-party North Korean group. If there were, I certainly would have no intention of belonging to it, and I do not aspire to visit the country.

It would be wrong to single out one country, because there are more than 150 members of the United Nations. Those countries move almost overnight from being threats to world peace and security in this country to a more benign status. The Bill's only merit is that it offers flexibility in such a situation. The other side of the coin, however, is that such flexibility should not be exercised to the detriment of people who are engaged in proper employment.

The worst-case scenario would be the Foreign Office wanting to get rid of a British ambassador. It knows that he has a relative who is of a particular nationality and decides to change the rules so that anyone of that nationality or related to them is excluded from being a member of the civil service. By doing that it achieves its objective of removing the person it had set its eyes on. The tribunal process would ensure that such jiggery-pokery by the Foreign Office or any other part of the civil service would be brought to the public's attention. It may have been fanciful to contemplate such scenarios before, but we now have to do that and guard against them.

Mr. Greg Knight: The new clause has been tabled for some time. Has my hon. Friend received any indication from the hon. Member for Hendon (Mr. Dismore) that he is prepared to accept the provision?

Mr. Chope: I am sad to report to my right hon. Friend that I have received no communication whatever. In fairness, it may be that because my right hon. Friend the Member for Bromley and Chislehurst is the lead name on the new clause, he has been the recipient of such information. However, had the Bill's promoter wanted to discuss the merits of the new clause, he would have sought and obtained the opportunity to do so by now. In the absence of anything from the hon. Member for Hendon (Mr. Dismore), one assumes that he and perhaps the Government oppose it. We shall have to find out.

Mr. Dominic Grieve (Beaconsfield) (Con): My hon. Friend the Member for Christchurch (Mr. Chope) has done a signal service in bringing the new clause to our attention. When the Bill came into Committee, as so often happens with private Member's business, we proceeded expeditiously on the sound basis that the best place for such a short Bill to receive scrutiny is on Report.

The hon. Member for Hendon (Mr. Dismore) will recollect that I expressed reservations about the workings in practice of the proposal. Although it looks good on paper in terms of freeing up what has been called an archaic procedure, it has the consequence of leaving open an anxiety in the public's mind about what constitutes a civil servant and whether that requires a high standard of conduct and confidence in them. It also has the consequence, as has been highlighted, of doing something that we do frequently in this place. It pretends to remove what had been a blanket prohibition with very limited exceptions, but then gives Ministers power to regulate entirely as they see fit—in this case so as to pick and choose which foreign nationals may thereafter be able to work in the civil service—setting out rules that, to all intents and purposes, will be devoid of parliamentary scrutiny.

1.15 pm

That is a serious matter, because once we, as a House, pass this Bill, we surrender our scrutiny rights, and it will be for Ministers to make those regulations. There must be a fear that, in the process, people will start to consider that they have been treated unfairly. They will have had their expectations raised as to their ability to apply for a civil service job, notwithstanding the fact that they are foreign nationals. However, they will then find that they are prevented from being in that employment by potentially complex rules introduced by the Government. They might be excluded because they are of a nationality that the Government regard as dubious in relation to working in the civil service because it might prejudice their impartiality or their ability to be a loyal servant of the Crown, or, even worse, as my hon. Friend the Member for Christchurch pointed out, because they are married or related to somebody who falls into a category regarded as being of dubious loyalty to this country, or even as having inimical views about it. Effectively they would have no redress.

I suppose that the situation might be susceptible to judicial review, but that is a ponderous process, as we all know, and it is the only mechanism by which the Government's rules and guidelines would be capable of being tested. My hon. Friend has therefore touched on an important issue. If we are to free up the civil service in the way that the hon. Member for Hendon wants—I understand that the Government support his ideas—there ought to be a tribunal system to allow for an easy method of appeal if somebody feels that they have been unfairly excluded from taking employment with the Crown.

In Committee, I proposed a way round that, or at least one that might go some way to solving the problem. I suggested that an oath be taken by those who want to take up Crown employment in a civil capacity, on the basis that people might be uneasy about taking such an oath if they had hostile intentions towards this country. It would at least put people on the spot and require them to state publicly whether they intended to be a loyal Crown servant. That did not commend itself to the Government or the hon. Gentleman, and it was suggested to me that such an oath would present certain problems because it would have to apply to everybody, not just foreign nationals, and that could not be done in this Bill.

[Mr. Dominic Grieve]

I was therefore unable to take my idea further, but it was a matter that troubled me a great deal at the time, and the new clause goes some way towards solving the problem in a satisfactory manner. It provides for a framework of greater fairness and, above all, ensures that the Government are not simply given free rein to pick and choose which country is on the list of those prohibited. After all, such a list might change from week to week. It seems to me that an individual's country of origin has very little bearing on his likely loyalty to this country. Indeed, arguably, those who come from the countries that are most hostile to ours, and are perhaps living here as refugees, might be the keenest to serve this country and the Crown in a civil capacity and might do so extremely well. Yet in all likelihood those are the very people whom the Government will exclude, without any means of redress.

Mr. Edward Leigh (Gainsborough) (Con): It is precisely the people who fled Nazi Germany in the 1930s, because they hated Nazi Germany, who were interned by the Government. That makes the point that the people who are here are often those whom we should trust most.

Mr. Grieve: I agree entirely. It will be interesting to hear from the Minister how the categories of countries are to be determined and what the rationale will be. I know that the Government exercised a supportive hand in relation to the Bill. Presumably, they would not have encouraged the hon. Member for Hendon to present the Bill in its current form had they not had in mind regulations and countries that would fall within those regulations. Given that the issue has not been debated in Committee, the Minister must now give the House chapter and verse on those countries that she envisages will present difficulties.

We are talking of two different things. The first is an individual's personal characteristics, which could lead them to be turned down for work in the civil service even if they are a British national. The second is the fact that an individual is associated with a specific foreign country. The Government must already know which foreign countries they will put on the blacklist, and in the course of this afternoon's debate the House should be told which.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): Is it sufficient to have a country blacklisted? There may well be within a country with a pernicious regime nationals who oppose that regime and who would therefore be perfectly acceptable.

Mr. Grieve: I agree entirely. One could break down the categories. Certain segments of the population in some countries are hostile to the Governments of those countries; such people could be regarded on first assessment as likely to be extremely loyal to this country. Then again, we must face the fact that we live in a diverse world and we are all individuals. To say something pleasant about the Bill, I have always maintained that its merit is that it correctly identifies the fact that blanket prohibitions are often foolish. We highlighted in Committee examples of British citizens who in the 18th century went abroad to take service with foreign Governments, which was fully permissible because they did not have an Act of Settlement as we have. One of my forebears did precisely that in Russia. They served those foreign Governments very well, but apparently that did not interfere with their loyalty to this country, as they tended to retire here.

Concentrating on an individual's qualities or lack thereof is very sensible. However, the Bill replaces one set of prejudices with another. A blanket prohibition whereby only British nationals may be British civil servants—other than in exceptional cases, when an Order in Council has to be passed and signed to enable them to take up service—at least has the merit of having some rational sense behind it. The Bill would replace that with a system whereby the Government can pick and choose what regulatory framework they want to set up to facilitate the nationals of some foreign countries, who might turn out to be disloyal, and to disadvantage the nationals of other foreign countries, who might have served this country well.

That is why I think that the new clause proposed by my hon. Friend the Member for Christchurch should be supported. Subject to the Minister's response, to which we will listen carefully, I shall support the new clause if it is pressed to a vote, and I encourage other hon. Members to do so as well.

Mr. Andrew Dismore (Hendon) (Lab): As has been mentioned, we are somewhat haunted by the absence of the right hon. Member for Bromley and Chislehurst (Mr. Forth), in whose name the amendments originally stood. I am sure that he is working extremely hard on behalf of the taxpayer—in the Maldives I think, and no doubt I shall be corrected if I am wrong.

The arguments that have been advanced in support of the new clause are disingenuous, because it is essentially about wrecking the Bill. The right hon. and hon. Members who have put their names to it have all expressed opposition in principle to the Bill. In that connection, I exclude the hon. Member for Beaconsfield (Mr. Grieve), who has honourably indicated overall support for the Bill. He believes strongly that something needs to be done, but I suspect that he is somewhat out of step with the large number of Back Benchers who have queued up to try to wreck the Bill, no doubt for their own reasons.

Mr. Chope: Has a new Government doctrine spread to the Back Benches? Is it the case that anyone who seeks to amend a piece of legislation is regarded as an enemy of the people for wanting to wreck it?

Mr. Dismore: Certainly not. I suspect that some Opposition Members may be here today as enemies of the hon. Member for Hendon, given my track record on Fridays, but I certainly have not adopted such a doctrine. However, based on previous occasions on which the Bill was discussed, I believe that certain Members, including the right hon. Member for Bromley and Chislehurst, have no time whatsoever for the notion of a multicultural society and will do everything that they can to frustrate the progress of the measure.

I am neutral about the amendment, and understand the arguments behind it, although some of them are a little disingenuous and far-fetched. We must keep our feet on the ground. As the hon. Member for Beaconsfield said, the rules will be subject to judicial review, the procedure for which has improved dramatically in recent years, as he will concede. It is sensible and cost-effective to use the systems already available, as setting up a new tribunal would create a new layer of bureaucracy and red tape, which the Opposition oppose. Interestingly, one or two signatories to the amendment are at the forefront of opposition to red tape but are now suggesting a new form of bureaucracy. Tribunals would be used rarely and setting them up would involve substantial costs and bureaucracy. They would not be financially viable, so we would be using a sledgehammer to crack a nut. I do not have strong feelings about the amendment, but the Government will resist it. To ensure that the Bill makes progress, as I hope it will, I will fall in behind them.

The Minister for the Cabinet Office (Ruth Kelly): My hon. Friend the Member for Hendon (Mr. Dismore) and I have had many exchanges in the Chamber on a Friday and I congratulate him, not only on introducing the Bill but on his tenacity in securing its progress. I believe that this is the furthest stage that it will manage to reach in the House but, none the less, it is an extremely good and important measure with a significant deregulatory effect. I am only sorry that the right hon. Member for Bromley and Chislehurst (Mr. Forth) is not here to pick me up on some of the arguments I am about to make.

There has been misunderstanding about some of the Bill's proposals. The hon. Member for Beaconsfield (Mr. Grieve) is worried about the blacklisting of certain nationalities, but the rules will not result in such a blacklisting. The Bill reserves certain posts to British citizens where necessary—a very different proposition—who are still subject to European law restrictions. Anyone taking up such a position will of course be subject to the usual security checks governing such posts. There is not an absolute power for the UK Government—not only do European law restrictions apply but, as my hon. Friend the Member for Hendon ably pointed out, there will still be a provision for judicial review, enabling cases to be settled prior to a hearing, which is probably as effective as any industrial tribunal system.

Mr. Chope: Does the Minister not agree that judicial review is incredibly expensive to access let alone to undertake? How will people who want to become relatively junior members of the civil service engage in judicial review to secure their rights?

1.30 pm

Ruth Kelly: I cannot agree with the hon. Gentleman. The judicial review process has been streamlined and there are now effective mechanisms for settling cases prior to the hearing taking place. There is no guarantee that an industrial tribunal would be any more effective. In fact, the tribunal would consider general public law principles—exactly the sort of issues that would normally be subject to judicial review. In addition, at a time when the public finances must be kept under control, it would be fiscally irresponsible to set up a duplicate mechanism—an industrial tribunal—when such a resolution mechanism already exists through the judicial review system. On those grounds, the clause should be resisted.

Mr. Chope: What a fascinating debate. We have drawn out the promoter of the Bill—he made a short contribution—and the Minister has told us where the Government stand on the matter. I am disappointed with her approach. Whatever may be the informal processes prior to a judicial review hearing, not many individuals would be prepared to contemplate the enormous financial burden and risk involved in engaging in judicial review.

I need only look at my constituency caseload of people who are dissatisfied with planning decisions. Those are people who, for the most part, have property, so they have capital against which they could borrow, but they are very reluctant to engage in judicial review, even when a decision has been taken that seems to be in breach of all natural justice. It is totally unrealistic to expect people who are teetering on the brink of joining the civil service or who are junior civil servants to engage in judicial review when they come up against the Government.

Perhaps we shall see whether our erstwhile representative in Uzbekistan seeks judicial review in order to try and remedy the gross injustice that he seems to have suffered at the hands of the Foreign Office, as reported in the newspapers today. There is a further example from another jurisdiction, which again features in this week's newspapers and concerns the European Union employee Marta Andreasen, who has been kept hanging round for years hoping that justice would be delivered and now finds that she, too, will be out of a job, because she had the temerity to criticise and whistleblow what was going on on the part of her employers.

I do not accept that it will be easy for people who are disadvantaged by the Government's proposals, particularly people from blacklisted countries, any more than it is easy for people who whistleblow against the Government.

Mr. Grieve: My hon. Friend will have listened carefully, as I did, to the Minister's comments that it was not the Government's intention to blacklist countries, but he may agree with me that if it is intended to reserve certain jobs for UK nationals, the wording of clause 2 could have been different to restrict it to that specific purpose. Although the Government have clearly indicated their intention, the rules as drafted in clause 2 would allow them to regulate much more widely.

Mr. Chope: My hon. Friend is right to draw that to the attention of the House. That is the pattern of behaviour of the Government. They put words on paper, which are summarised orally to give the impression that they mean something different or have a more limited application. This is the last time this week that I shall refer to it, but the Civil Partnership Bill is nothing to do with civil partnerships: it is about same-sex partnerships. That is another example of the Government choosing language to create one impression, whereas a totally different impression is gained from the language they use in the small print. I share my hon. Friend's articulate critique

[Mr. Chope]

of what the Government are about. Contrary to what the promoter of the Bill says, I can see that there is a case for rationalising the situation.

Indeed, that is what motivated many Opposition Members to support some form of amendment to the present civil service regime. However, to replace a set of firm principles, however anomalous, with a system whereby the Government would have carte blanche to do whatever they wanted would be a step in the wrong direction, especially if it was not accompanied by the protection—albeit limited—of my new clause. I shall, therefore, put new clause 1 to the test.

Question put, That the clause be read a Second time:—

The House divided: Ayes 1, Noes 21.

Division No. 263] **[1:35 pm**

AYES

Grieve, Dominic

Tellers for the Ayes:
Mr. Geoffrey Clifton-Brown and
Mr. Christopher Chope

NOES

Beard, Nigel
Bruce, Malcolm
Calton, Mrs Patsy
Clark, Paul *(Gillingham)*
Corbyn, Jeremy
Dowd, Jim *(Lewisham W)*
Fitzpatrick, Jim
Foster, Michael Jabez *(Hastings & Rye)*
Gapes, Mike *(Ilford S)*
Gerrard, Neil
Griffiths, Jane *(Reading E)*
Hughes, Simon *(Southwark N)*
Jones, Kevan *(N Durham)*
Kelly, Ruth *(Bolton W)*
Ladyman, Dr. Stephen
McCabe, Stephen
Pound, Stephen
Prosser, Gwyn
Quinn, Lawrie
Russell, Bob *(Colchester)*
Smith, Angela *(Basildon)*

Tellers for the Noes:
Mr. Andrew Dismore and David Wright

It appearing on the report of the Division that 40 Members were not present, MR DEPUTY SPEAKER declared that the Question was not decided, and the business under consideration stood over until the next sitting of the House.

Mr. Dismore: On a point of order, Mr. Deputy Speaker. Bearing in mind the fact that the Conservative party generally expressed support for my Bill, are you surprised to hear that Opposition Whips advised Conservative Members not to take part in the Division to ensure that the Bill was frustrated today? Is not that a complete negation of their position? Is it not an abuse of Parliament for Whips to engage in such practices on private Members' Bills on a Friday?

Mr. Greg Knight: Further to that point of order, Mr. Deputy Speaker. I certainly advised my right hon. and hon. Friends not to vote, but I have not been a Whip since 1996.

Mr. Deputy Speaker (Sir Alan Haselhurst): Many things happen at Friday sittings of this House that do not surprise me. Given the experience of the hon. Member for Hendon (Mr. Dismore), I would not imagine that he could ever be surprised by such things.

Sex Discrimination (Clubs and Other Private Associations) Bill

Not amended in the Standing Committee, further considered.

Clause 1

DISCRIMINATION: PRIVATE CLUBS

1.51 pm

Mr. Christopher Chope (Christchurch) (Con): I beg to move amendment No. 3, in page 3, line 35 at end insert—

> '29E Unreasonable works and alterations
>
> Nothing in the provisions of sections 29Ato 29D requires unreasonable works or alterations to be carried out on existing buildings.'.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss amendment No. 43, in page 3, line 35, at end insert—

> '29E Limit to expenditure on works and alterations
>
> There shall be a limit on works and alterations to facilities and buildings required by sections 29A to 29D of five per cent of the assessed value of the premises occupied by the association.'.

Mr. Michael Fallon (Sevenoaks) (Con): On a point of order, Mr. Deputy Speaker. On inquiry at the Vote Office, it appears that there are neither notes on clauses nor an impact assessment for this particular Bill. That is a particular problem as we debate amendment No. 3, because we will not be able to quantify what might be unreasonable or incurs extra expenditure without those documents, to which the House is normally entitled. Have you any information about whether those documents are available or will be made available during the debate?

Mr. Deputy Speaker: I have no such information, but those documents are not always available in the case of private Member's legislation.

Mr. Chope: The previous Bill was enthusiastically supported by the Government, and we saw where they got to with it. Let us see how they do with this one.

I hope that the promoter of the Bill will accept my amendments, although I have not received any indication from him that he intends to do so. The amendments would prevent the financial burden that would fall on the clubs that would be subject to this Bill being too great. Amendment No. 3 provides that nothing in the Bill would result in the clubs having to carry out unreasonable works or alterations to existing buildings. Amendment No. 43 provides for a limit on works or alterations to facilities and buildings of 5 per cent. of the assessed value of the premises occupied by the association, which is an ingenious way of putting a limit on such expenditure. In answer to the point of order raised by my hon. Friend the Member for Sevenoaks (Mr. Fallon), it does not matter what the overall cost of the Bill would be, because the limit in amendment No. 43 would apply to protect private clubs and their members.

Mr. Greg Knight (East Yorkshire) (Con): I refer to my entry in the Register of Members' Interests on this issue.

My hon. Friend makes an interesting case for the inclusion of the amendments in the Bill, but is he aware that many clubs are in financial difficulty already? If they had to carry out substantial building works as a result of the Bill, it might prove fatal for some of them.

Mr. Chope: I agree. One of the reasons why some clubs face financial pressure is because their members want access to Sky Sports, but that company keeps putting up the cost of the service that it provides to clubs. It is now a significant burden for many clubs, although not as great as the potential burden under this Bill if it remains unamended.

David Wright (Telford) (Lab): I hope to be able to respond to the hon. Gentleman's remarks in a few moments if I catch your eye, Mr. Deputy Speaker, but the point is that the Bill relates to mixed-sex clubs, which will already have facilities for both sexes because both women and men are members of them. Why would such clubs have to spend more cash making alterations?

Mr. Chope: In that case, I see no reason why the hon. Gentleman will not accept our amendments.

David Wright: I am pleased to follow the hon. Member for Christchurch (Mr. Chope), who summarised the amendments well in the absence of his right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), who, we have heard, is away performing other duties today. A phrase employed during the last quarter of American football matches is the "hurry-up", and every Friday I have presented the Bill to the House I have been on what the National Football League would call the hurry-up. I do not want to detain the House too long, but I want to talk about how clubs can adapt their premises and move forward effectively to provide equal access for men and women.

The amendment would require a reasonableness test, to be judged by the courts, to assess whether clubs carrying out works had complied with the Bill. It would be an incredibly complex process for the courts to assess whether changes were reasonable, and I think that the amendment is unnecessary. I remind hon. Members that, as I said in my intervention on the hon. Member for Christchurch, the Bill would provide that clubs that already admit both men and women should treat them without discrimination. It is not about clubs being required to make extensive changes—for example, for people with disabilities who cannot gain access to premises. Such matters are subject to other legislation that we have passed in recent years to tackle discrimination against particular groups of people.

Mr. Stephen Pound (Ealing, North) (Lab): I am a reasonable man, and so is my hon. Friend—but has he given any thought to the analysis of the word "reasonable" in this context? I am not paying tribute to the late Jacques Derrida and talking about semiotic deconstruction, but surely reasonableness could mean anything we want it to. I would be glad to be reassured by my hon. Friend that the amendment is not an example of that crude tactic known as the wrecking motion.

David Wright: I could not, of course, assess whether the amendment is a wrecking motion by the Opposition, although it may well be. Their tactics on the previous Bill showed that they are capable of such behaviour.

Clearly, the Bill is about ensuring that people have equal access to mixed-sex clubs. There are many clubs that offer different levels of membership for men and women. Golf clubs often give men full membership rights and women lesser rights in terms of course time, and using bars and facilities. The Bill would give men and women equal status in membership. For example, a man would be able to apply for reduced membership rights in a golf club, with reduced green time and reduced access to bars. That seems reasonable. Women could apply for full membership and have complete rights. That seems reasonable, too. This is about allowing both men and women access to the different levels of membership.

Mr. Dominic Grieve (Beaconsfield) (Con): I did not participate in the earlier debates on the Bill, so will the hon. Gentleman clarify something for me? What about all-women clubs, of which there are a number? I am trying to understand what would happen to them under the Bill.

David Wright: The Bill would apply to clubs with 25 or more members, but not to single-sex clubs. A club established purely for men or purely for women would be excluded from its scope. It is about giving equal access and treatment to men and women in clubs that purport to be open to both. So for example, in relation to a club that was merely for men, where only men could secure membership, if women were invited to an event in that club one evening they would have to be afforded equal access and equal rights on that evening, but that club would not be required to admit women members.

2 pm

Mr. Greg Knight: The hon. Gentleman has been telling us about his Bill in the round. Will he now tell us about its minutiae? Proposed new section 29A(4) states:

> "It is unlawful for an association to which this section applies, in the case of a woman who is a member or associate of the association, to discriminate against her—
>
> (a) in the way it affords her access to any benefits, facilities or services".

Does not that mean that if a club has a ladies' lavatory on the first floor and a gentlemen's lavatory on the ground floor, if the Bill became law the club could be forced to install an extra ladies' lavatory on the ground floor, because otherwise it would be deemed to be discriminating against them? That was the point that my hon. Friend the Member for Christchurch (Mr. Chope) was seeking to make when he spoke to his amendment.

David Wright: I am grateful for the intervention. The hon. Gentleman knows full well that that would not happen under the remit of the Bill. In fact during debate on the Bill we have heard a lot about the Bill being

[David Wright]

couched in terms of she, rather than she or he; of course, under the Sex Discrimination Act 1975 both apply, so the Bill would apply equally to men and to women. But as to whether a lavatory would have to be moved from a second floor to comply with the Bill, I do not think that that would be applicable here.

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Gerry Sutcliffe): Is my hon. Friend not surprised that the detailed points that have been raised by Opposition Members flow against the central thrust of the Bill, which is the issues surrounding the Sex Discrimination Act 1975? No attempt is being made to cause clubs to incur any extra costs anywhere. Is not my hon. Friend surprised that Opposition Members are focusing on these minutiae instead of accepting the principle of what we are trying to achieve?

David Wright: I totally agree with my hon. Friend. The Bill is about giving people who have been excluded from clubs that purport to be open to all members access to those clubs.

Mr. Grieve: The hon. Gentleman uses the expression, "clubs that purport to be open to all members", but what are the criteria? Most clubs have their origin in a group of people deciding to set up a club. If they decide that it is for male members or for female members, that is their decision. An outsider may well look at the club and say, "Given the activities that you are doing and the sort of people that you are attracting, you should have members of both sexes." In the case of the club to which I belong, I have voted consistently to admit women—unsuccessfully, and I regret very much that that should be the case, but the fact is that it was set up as a men's club and, in my view, it is only when the men decide to change their view about that that women should be admitted.

David Wright: I congratulate the hon. Gentleman on his stand in relation to the club of which he is a member. This legislation would relate to clubs that are open to both sexes already. We already know that many clubs, such as working men's clubs, discriminate against women. They do not allow them to use certain bar facilities. They do not allow them to take part in annual general meetings. They do not allow them to vote in proceedings in their club. About 50 per cent. of working men's clubs currently do not allow women to participate fully, even though they open their doors to them for membership. So the Bill is about giving people access.

The amendment talks about changes to buildings. What we are trying to do here is to allow women to use the snooker room, for example. There is no particular problem in allowing women to use the snooker room or to vote at the AGM of their club or to use the golf course on the same day as men. It seems to me ridiculous, in this day and age, that women should be excluded from using the snooker room in a club purely because they are women.

Malcolm Bruce (Gordon) (LD): Does the hon. Gentleman accept that there is a danger that if the Bill were to become law it would encourage clubs to become single-sex clubs in order to avoid the law? The hon. Member for Beaconsfield (Mr. Grieve) makes a very fair point about women-only clubs or predominantly female clubs. My brother belongs to a ladies' golf club. He chooses to do so because it is cheaper than joining a male golf club and he is perfectly happy with the arrangements that the ladies have made for him as an associate member, yet the Bill would prevent that arrangement from continuing. So the hon. Member for Telford (David Wright) would be interfering with the workings of existing clubs and in danger of having the opposite effect to the one he wants, namely driving more clubs to become single sex rather than opening them up.

Mr. Deputy Speaker: Order. The hon. Member for Telford (David Wright) is making a valiant effort to speak to the amendment, but I suspect that others are making observations that would have been better made on Second Reading.

David Wright: I value your protection, Mr. Deputy Speaker. Having considered the issues pretty extensively in Committee and before that, I acknowledge the point made by the hon. Member for Gordon (Malcolm Bruce).

Throughout the Bill's progress, assurances have been given—by the Government, indeed—about the provision of a reasonable transition period for clubs that need to carry out works. I hope that, on that basis, the hon. Member for Christchurch (Mr. Chope) will accept that the amendment is unnecessary.

Mr. Fallon: The hon. Gentleman now seems to be contradicting his earlier statement that not much work would be required, and the Minister's assertion that not much expense would be involved. He cannot have it both ways. If not much expense is involved and the transition period is relatively short, why will he not accept the amendment, with its test of reasonableness?

David Wright: I do not believe that there is a significant amount of work to be undertaken. Clubs have approached me and told me that they would like a transition period relating to the entire Bill. If that were to apply, they would want to consider the elements covered by the amendment in that context.

The Royal & Ancient golf club at St. Andrews has covered much of the ground in lobbying over the Bill. It has come up with the notion that clubs would have to address issues of

> "design, layout and decoration so as to accommodate the different tastes of the male and female membership".

A court would find it very difficult to determine what type of wallpaper men or women would prefer in their club. Is that what is meant by a test of reasonableness? It would mean an incredible waste of court time for clubs and other organisations attempting to block the Bill.

Mr. Sutcliffe: Clause 4 gives the Secretary of State power to introduce transitional arrangements.

David Wright: I was trying to stick to the amendment, as you insisted I should, Mr. Deputy Speaker; but clause 4 does indeed cover the point.

The key question is not whether the decoration in a bar is appropriate to men or to women. In many mixed-sex clubs, women are not even allowed to go into the bar. I am all in favour of women being allowed to go into a bar and buy a drink—I am sure we all agree about that—but I do not think that the decoration of a club bar is particularly important.

I do not accept that the transition period would involve significant costs. I think that the amendment is entirely unnecessary, and I hope it will be resisted.

Mr. Grieve: I am grateful to the hon. Member for Telford (David Wright) for clarifying one or two points that I raised with him. I will confine my remarks to the amendment, although in doing so I may have to touch on some slightly wider issues.

I understand the hon. Gentleman's motivation in concentrating on clubs that admit members on a differential or two-tier basis, or prohibit members of one sex from using certain parts of the club. The Bill, however, constitutes a flagrant interference in private rights—the right of people to form their own associations and their own rules for the purpose of sociability. If they want to establish a club for both men and women but to allow only men to use the bar, that is entirely a matter for them.

Moreover, the Bill's wording—this is why the amendment is absolutely right—will undoubtedly lead to knock-on financial consequences in terms of building work that will have to be carried out. I think it appalling that Parliament should legislate to dictate to people about the need to spend money. As a consequence, many of these clubs will revert to single sex male clubs, which I regard as socially undesirable. The mixing of the sexes, where people wish to do it, is a good thing. I support the amendment; it is sensible. It is wrong that if the Bill is to be enacted, which I hope it is not, the consequence will be to require clubs to carry out works or alterations at the cost of the membership.

Mr. Fallon: The amendment is not only sensible but necessary. Long-established clubs may well be in long-established buildings that are listed and therefore involve much more expense when alterations have to be made.

Mr. Grieve: My hon. Friend makes a good point.

This piece of proposed legislation is the triumph, to an extent, of good intentions, or high moral intentions, over reality. At every level, it will penalise people in terms of their private associations. That is a deplorable state of affairs. If we cannot stop the passage of the Bill, which I hope we may be able to do, we should certainly regard the amendment as a step in the right direction.

Malcolm Bruce: I concur with the hon. Member for Beaconsfield (Mr. Grieve). I, too, was not present when the Bill was considered on Second Reading. I shall try to confine myself to the amendment, and my intervention was relevant to it.

I shall take my example of an all-women's club. If that club felt that it had to conform with the proposed legislation, and there were costs associated with that, the consequence would be increased subscriptions, and male members' subscriptions would increase by more than the subscriptions of female members. Therefore, a satisfactory arrangement, which both sexes find to their mutual agreement, would be prejudiced. That is a specific example.

I am much in sympathy with the thrust of the Bill. I would like clubs generally to be more relaxed and to be more mixed sex. These are genuine points of issue that a piece of legislation may eventually have to address. In principle, we have always accepted that clubs are entitled to define, within the broader law rather than sex discrimination legislation, their own parameters. It would be a big step if we were to tear that up.

I guess that the Bill's passage has probably shed some light on the difficulties of applying this sort of legislation. However, that is not a case for abandoning it. It may well be a case for accepting that the Bill is not quite the right vehicle.

Mr. Sutcliffe: First, I apologise to the House for not being present at the start of the debate. I was stuck in a lift at the Department of Trade and Industry.

David Wright: Was the lift open to men and to women to be stuck in?

Mr. Sutcliffe: Well, the lift was never open at all in terms of getting into the House.

I shall return to the amendment. I agree with my hon. Friend the Member for Telford (David Wright) that there is no need for the amendment. Such a provision was not seen as necessary when the Sex Discrimination Act 1975 was enacted. That legislation imposed more sweeping demands on employers and providers of goods and services, and very little by way of physical alteration to premises that is likely to be needed in the great majority of these cases. If a compelling need can be demonstrated, provision can be made under the transitional arrangements that are provided for in clause 4.

The Bill relates to clubs that already admit both men and women who are members. The men should not be the subject of discrimination. The Bill is not about making clubs undertake extensive changes to provide for people with disabilities to enable them to access premises. Disability discrimination in relation to private clubs will be dealt with by other means. Through disability legislation, the test of reasonableness already exists.

The purpose behind the Bill is to let women who are already members of clubs use, for example, the snooker room or to vote at the annual general meeting, or to have access to the golf course on different days. There is no change in the way in which single sex clubs are organised.

Members quite rightly like to consider private Member's Bill line by line, but my hon. Friend, whom I congratulate on developing the Bill through much consultation, has tried to deliver that. However, clause 4 provides the opportunity to deal with any transitional costs, and we are not attacking the principle

[Mr. Sutcliffe]

of association. We are saying that when people are legitimate members, they should be given the opportunity to participate fully.

2.15 pm

I hope that the hon. Member for Christchurch (Mr. Chope) will withdraw the amendment and support the thrust of my hon. Friend's Bill. The Sex Discrimination Act 1975 was introduced nearly 30 years ago, but we still face a ridiculous situation. The hon. Member for Beaconsfield (Mr. Grieve) described what he had tried to do in the clubs that he was a member of, and I wholeheartedly agree with him. I am a member of the CIU and hon. Members will be aware of the great debate in which women have been trying to obtain full rights in the CIU. The executive supports that aim, but cannot get the two-thirds majority to have the change accepted at the annual conference.

As my hon. Friend has said, I hope that the hon. Member for Christchurch will see the issue in the round and withdraw the amendment.

Mr. Chope: The best thing to do is put the amendment to a vote.

Question put. That the amendment be made:—

The House divided: Ayes 7, Noes 20.

Division No. 264] **[2.16 pm**

AYES

Bruce, Malcolm
Calton, Mrs Patsy
Clifton-Brown, Geoffrey
Grieve, Dominic
Hughes, Simon *(Southwark N)*
Knight, rh Greg *(E Yorkshire)*
Russell, Bob *(Colchester)*

Tellers for the Ayes:
Mr. Christopher Chope and
Mr. Edward Leigh

NOES

Beard, Nigel
Clark, Paul *(Gillingham)*
Corbyn, Jeremy
Dismore, Andrew
Dowd, Jim *(Lewisham W)*
Fitzpatrick, Jim
Gapes, Mike *(Ilford S)*
Gerrard, Neil
Griffiths, Jane *(Reading E)*
Hill, Keith *(Streatham)*
Jones, Kevan *(N Durham)*
Ladyman, Dr. Stephen
McCabe, Stephen
Mactaggart, Fiona
Prosser, Gwyn
Quinn, Lawrie
Shipley, Ms Debra
Stuart, Ms Gisela
Sutcliffe, Gerry
Watson, Tom

Tellers for the Noes:
David Wright and
Mr. Stephen Pound

It appearing on the Report of the Division that 40 Members were not present, Mr. Deputy Speaker declared that the Question was not decided, and the business under consideration stood over until the next sitting of the House.

Remaining Private Members' Bills

TRESPASSERS ON LAND (LIABILITY FOR DAMAGE AND EVICTION) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker (Sir Alan Haselhurst): Second Reading what day? No day named.

SOVEREIGNTY OF PARLIAMENT (EUROPEAN COMMUNITIES) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

CHILDREN'S FOOD BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day?

Ms Debra Shipley (Stourbridge) (Lab): On a point of order, Mr. Deputy Speaker. I ask your advice. Is there is an available date?

Mr. Deputy Speaker: The hon. Lady can name a date, but whether it is available is another matter. *[Laughter.]*

Ms Shipley: Seven days in the future.

Debate to be resumed on Friday 22 October.

LIGHTER EVENINGS BILL

Order for Second Reading read.

Hon. Members: Object.

To be read a Second time on Friday 5 November.

GENETICALLY MODIFIED ORGANISMS BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

CINEMAS (RURAL AREAS) BILL

Order for Second Reading read.

Hon. Members: Object.

To be read a Second time on Friday 5 November.

MARINE WILDLIFE CONSERVATION BILL

Order for Second Reading read.

Hon. Members: Object.

To be read a Second time on Friday 5 November.

HARBOURS BILL *[LORDS]*

Order for Second Reading read.

Hon. Members: Object.

To be read a Second time on Friday 5 November.

CIVIL SERVICE BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

RIGHTS OF WAY (AMENDMENT) BILL

Order read for resuming adjourned debate on Question [21 May], That the Bill be now read a Second time.

Hon. Members: Object.

Debate to be resumed on Friday 24 December.

TELECOMMUNICATIONS MASTS (NEED AND SAFETY TESTS) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

CRIMINAL JUSTICE (JUSTIFIABLE CONDUCT) BILL

Order read for resuming adjourned debate on Question [14 May], That the Bill be now read a Second time.

Hon. Members: Object.

Debate to be resumed on Friday 24 December.

DISPOSALS OF PUBLIC LAND AND PROPERTY (DESIGN COMPETITIONS) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

RITE OF PASSAGE (WELCOMING AND COMING OF AGE) BILL

Order for Second Reading read.

Hon. Members: Object.

To be read a Second time on Friday 5 November.

GP Services (South Lincolnshire)

Motion made, and Question proposed, That this House do now adjourn.—*[Paul Clark.]*

2.37 pm

Mr. Quentin Davies (Grantham and Stamford): This is an occasion when 90 per cent. of the purpose of a debate has been achieved before it has commenced. In a dramatic reversal yesterday, the Government announced that they were restoring GP accessibility at night in south-west Lincolnshire. That does not mean that there is little point in holding this debate, nor does it reduce my great gratitude to Mr. Speaker for allowing me the opportunity to do so. Far from it—Mr. Speaker's decision to allow a debate is justified, and Parliament has been memorably and strikingly effective in changing policy and removing a considerable problem.

Parliament is the only forum in which Ministers can be held to account. Of course, they speak to the press all the time and give press conferences, issue press statements and answer questions when they feel like it. However, they are compelled to come to the House to answer for what has been done in their name. That is a generally accepted principle, and on this occasion it has proved enormously effective in its practical consequences.

It is less widely recognised that an Adjournment debate also provides an opportunity for Ministers to hold to account the bureaucracy for which they are responsible. Before attending such a debate, they ask questions about the background to it, and investigate the reason why a Member has asked for it and why Mr. Speaker has granted it. They must satisfy themselves that they are willing to defend what has been done. To his great credit, the Minister clearly has examined the position and decided that he did not want to defend the indefensible today, so yesterday he changed the position to a defensible one. Of course I am grateful for that. I am aware of the difficulties that the Government will have had in making such a change in policy, so I shall not carp, crow or score party political points. The matter is far too important for that. It goes to the most important issue of all—people's lives. One can get seriously ill at 3 am just as easily as at 3 pm on a working day. It is just as important that one should have access to a doctor at night as it is during the working week.

The role of GPs in making an initial diagnosis when something goes wrong and in making the essential clinical judgment as to what is to be done is indispensable. While I have been fighting this campaign over the past few weeks, one of the most foolish things said to me by those who tried to defend the changes that they had made in Lincolnshire was that they had put in place a system of trained nurse practitioners that was better than the availability of GPs at night, which we have always had in Lincolnshire, as in other parts of the country, since 1946, as the Minister well knows.

How could such a system be better? Nurses do wonderful work. In any context, I would be the first to praise what they do and the high standards of their profession. I recognise that as time proceeds they have an ever greater degree of training and they can be used in an ever greater number of roles, but those roles should

[Mr. Quentin Davies]

not seek or pretend to replace the role of a doctor. In the function of diagnosis, the doctor's role is and must be irreplaceable. In making a diagnosis, a doctor draws not only on probably years of experience but on that deep immersion in the clinical disciplines of anatomy, physiology, biochemistry and pharmacology which a nurse does not have available to him or to her.

If it were true that a nurse was as good as a doctor at making a diagnosis, often in difficult circumstances in the middle of the night when something goes badly wrong, we should say that nurses are doctors. They ought to have MD, MRCP or FRCP after their name, if one argued that they were equally able to fulfil the traditional vital role of doctors. The second thing wrong with that stupid argument was the response—perhaps a slightly Socratic response—that I gave to the person who put it to me. I said, "If you are right that the new system is better for patients, you ought to have it round the clock. You ought to get rid of GPs in the morning, in the afternoon and on weekdays as well. We should just have nurses and no GPs at all." There was no response to that, of course.

I said that I would not carp and I shall not, but I must ask a number of questions to clarify the position and remove the remaining anxieties, fears and concerns, which have been very great over the past few weeks and months, about the consequences of what was being done in south-west Lincolnshire, and to prevent it happening again. Why was there so little public consultation before the change was made, and no consultation at all with local elected representatives? There was no consultation with me or with local district councils.

Two weeks ago in the *Grantham Journal* the leader of the Labour group of the South Kesteven district council, Councillor John Hurst, wrote in support of what I was doing in my campaign. He shared my views about the urgent necessity to bring back doctors at night. Of course, he is a clever politician. He did not want me to have a monopoly of the issue and he was trying to defend the Government's back. I understand that. However, there was no doubt about his sincerity, nor that he was as shocked and surprised as I was to discover—as I only did from patients during the summer recess—what was actually going on.

When the Government abolished community health councils, which was a mistake, they gave a commitment that they would carry out more consultation, not less, with the public and elected representatives. That was far from the case; on this occasion, there was no consultation. Of course, the Minister will have been briefed to say that there was some public meeting attended by two passers-by and a dog and that a statement was made last March that GP night-time services would be removed. However, there was no public consultation; the process was thoroughly inadequate.

Is it true, as has been put to me, that the primary care trust, in deciding to remove night-time access to GPs last April, was implementing earlier Government guidance? Is it also true, as has also been put to me, that the Government did not understand the implications for out-of-hours care of the new GP contract, which they negotiated last year, and that that is why the original guidance was faulty?

After the introduction of the new contract, why did the PCT refuse even to negotiate on the offer made by Welldoc—a co-operative consortium of GP practices and health centres in my constituency—which had been supplying night cover for many years in a large part of the area, to provide cover for the whole south-west Lincolnshire area, which corresponds, more or less, to my constituency? That offer was dismissed out of hand. The PCT apparently did not even ask Welldoc what the system would cost or how it would run. Why not?

Why did the PCT seem determined to eliminate GP services at night at all costs? Does the Minister recognise that that behaviour, and indeed the lack of consultation with the public and with elected representatives, created a crisis of confidence in the PCT, both among many GPs and among elected representatives in the area—in no way confined to elected representatives of my party political complexion.

Does the Minister recognise that a series of recent Government actions has tended to devalue—or looked as though it were intended to devalue—the role of the GP. The process started with NHS Direct, whereby nurses diagnose on the telephone patients they have never seen and for whom they have no medical records, with no access to a doctor. At least use of that service was voluntary; people could still call a GP at night, so there was no particular reason to object to NHS Direct—indeed, I have never done so. The system was voluntary and there were alternatives; nevertheless, it is something of a waste of resources.

The system in place over the past few months was quite different. As a result of the Government's assurances, given yesterday, I hope that it will soon come to an end. It was not voluntary, and it was quite impossible to see a doctor at night unless one could get to a hospital or was already in hospital.

Another worrying and sinister development, which is going in the same direction, has occurred in my constituency: the system for triaging referrals. In my constituency, in an increasing number of specialities, GPs do not make a referral to a particular surgeon or physician at a hospital: a triaging committee decides whether the patient is to be referred to the secondary sector and, if so, to whom. That is a fundamental devaluation of the role of the doctor. Is there not a danger that such measures are damaging the morale of GPs and directly affecting the willingness of young medical students to enter general practice?

I can see from the Minister's body language that he does not agree with some of the strictures implied in my remarks. Will he state unambiguously that the role of the GP in medicine, especially in the vital aspects of initial diagnosis and clinical judgment, remains as important as ever in the protection of the nation's health? Will he tell us that his Government have no intention of eroding or devaluing either that role or the influence that GPs can exert on the secondary sector on behalf of their patients? Will the Government make those commitments clear both to existing GPs and to all medical students who may be contemplating careers as generalist physicians?

2.49 pm

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): As the hon. Member for Grantham and Stamford (Mr. Davies) supposed, I do not entirely agree with everything that he said. I nevertheless congratulate him on raising this important matter and on his interest in health issues. I know that this subject is of great importance to his constituents, and that he is delighted about yesterday's Government announcement concerning out-of-hours services. I have to disappoint him slightly, in that that announcement was not entirely in response to the prospect of this Adjournment debate. The Minister of State, Department of Health, my right hon. Friend the Member for Barrow and Furness (Mr. Hutton), has been concerned about the way in which out-of-hours services are being implemented in certain areas for some time, and has said so publicly. He has worked very hard for some time to produce guidance that will provide Members such as the hon. Gentleman with the assurances that they need.

Mr. Quentin Davies: I understand that the Government have some face to save today; however, the primary issue is the future of health care. Is the Minister seriously trying to tell the House that it was a complete coincidence that, just after Mr. Speaker granted me this debate some four weeks ago, the Secretary of State said that he was contemplating new guidance, and a complete coincidence that the statement was made yesterday, just 24 hours before this debate?

Dr. Ladyman: The Government of course have the greatest respect for Parliament, but on this occasion, yes, it was a coincidence. We recognised that the public are concerned about the way in which out-of-hours services are developing, and we made a statement pointing out that we are going to do something to address that concern.

Mr. Davies: Will the Minister give way?

Dr. Ladyman: Very briefly; otherwise, I will not be able to deal with all the hon. Gentleman's points.

Mr. Davies: Nobody will believe what the Minister has just said. Certainly, no one in Lincolnshire will believe it, and the PCT itself knows perfectly well that it is untrue. This was not a coincidence: it was simply against the backdrop of today's debate that the Government took this decision, which I continue to welcome.

Dr. Ladyman: I am grateful that the hon. Gentleman continues to welcome the decision; we will simply have to agree to differ on the motivation for it. That is not to say that I minimise in any way the importance of Adjournment debates. I do a great many of them and they are valuable in terms both of raising local issues and of focusing Ministers' minds on Members' concerns, thereby ensuring that we focus our officials' minds on them.

I congratulate health service staff across the whole of Lincolnshire on their work and I thank them for their efforts in delivering high-quality services. They are dedicated to producing a good service for everyone, and they deserve our admiration and gratitude.

Back in April 2002, we announced that local health services would be given the freedom to commission care in order to get the best services for their own people, subject to the highest clinical standards and best value for money. These wide-ranging health care changes mean that strategic health authorities and locally based PCTs now have the role of running the national health service—of making real health improvements in their areas. It is not for Ministers miles away in Whitehall to second-guess them. At the centre, the Government set the strategic framework, but local delivery decisions are very much for local people in the local NHS. The job of running local health services is theirs, as is that of driving up standards and making improvements.

I will return to the regard in which we hold general practitioners, but I should point out now that if we in any way wanted to diminish the role of GPs, why on earth would we have put the NHS's future and strategy into the hands of PCTs? It is because we understand the importance of primary care and the role of GPs in it that we now devolve 86 per cent. of NHS money to PCTs, so that decisions on such matters are made by local people based in primary care, including GPs themselves.

Mr. Davies: I am sorry to interrupt and correct the Minister once again, but in fact he destroyed the system of fundholding practices, through which GPs themselves commissioned secondary care, and replaced it with another form of bureaucracy. PCTs are responsible for spending a lot of money but they do not necessarily have to spend it on GPs. Indeed, in this case the PCT decided—foolishly and wrongly, as the Minister has now conceded—to spend it on nurse practitioners rather than on GPs.

Dr. Ladyman: Primary care trusts consist of local people who make local decisions. They include decisions on general practice and the funding for it, and on the commissioning of all other health services in the PCT area. I encourage the hon. Gentleman to engage more closely with his PCT, so that he can be better involved in some of the decisions. I have regular timetabled meetings with my PCT, as do the other MPs in my area. As a result, we feel involved in the process, just as councillors, GPs and others involved in the health service do.

South West Lincolnshire PCT has made considerable improvements and I would like to begin by congratulating the trust on achieving three-star status earlier this year, which the hon. Gentleman did not mention in his comments. Not only is it a high-performing trust, it is one of the first PCTs in the country to achieve teaching status, offering wider career development opportunities to clinicians to improve recruitment and retention of staff. Acquiring teaching status means, of course, that it will be very much easier to recruit the general practitioners that are needed in the area.

The trust has been innovative in its approach to service redesign and work force development and has a good track record of consulting local general practitioners and engaging the general public. The hon. Gentleman suggested that there had been no consultation on the changes to out-of-hours services, but 30,000 information leaflets and 500 posters were distributed in his area. There were briefings to all the local newspapers, which featured articles about the changes, and there were a number of presentations at public meetings. For example, two annual public

[Dr. Ladyman]

meetings of the PCT were held in open, at which these matters were fully discussed. It is a matter of considerable surprise to me that the hon. Gentleman, who I know takes a great interest in his constituency, seems unaware that all that consultation was taking place—very publicly and very openly—over a considerable period of time.

The PCT is responsible for training the first wave of first contact practitioners on behalf of the National Health Service university. It has been actively involved in international recruitment of GPs from Spain and a similar campaign is under way to recruit Spanish dentists. In no way does the hon. Gentleman's PCT underestimate the value of general practitioners. I would say that he should be proud and supportive of its work. It is an excellent PCT.

Of course, Members attach the highest importance to developments in the NHS and the quality of local care within their constituencies. That is absolutely right. It is a matter of great importance to our constituents and Members should be involved in the process. The development of out-of-hours services and unscheduled care services is of great concern to many people. That is why there was an independent review of GP out-of-hours services in 2000, which is when we began the process of review. The Government accepted the recommendations of that independent review in full, and a key principle of them—they have shaped policy for out-of-hours services—is to deliver an integrated model of out-of-hours services, in which a high quality of care is available to everyone irrespective of where they live and who provides it.

Following the review, we introduced national quality standards to act as the benchmark for providers of out-of-hours care. Those standards ensure that out-of-hours care, wherever provided, is delivered to a consistently high standard. They cover areas such as clinical governance, organisational and service standards, patient access and clinical assessment. Those are the standards that we are setting centrally, but I reiterate that delivery is a matter for local discretion.

The hon. Gentleman mentioned the impact of the new general medical services contract, but it fully supports the development of an integrated system of high-quality out-of-hours care. Prior to the contract, most GP practices sub-contracted their out-of-hours responsibility to providers such as GP co-ops. The new contract allows practices to transfer that responsibility to the PCTs—the lead commissioners of NHS services. PCTs are now commissioning services from providers or organising provision themselves. It is a choice that they make and it provides an opportunity for PCTs to rethink and reconfigure the provision of out-of-hours services across their area and to co-ordinate it with other services, including accident and emergency, social care, and NHS walk-in centres. The long-term aim is for out-of-hours to be part of a seamlessly integrated unscheduled care network, which brings together all services meeting patients' unplanned needs.

We have greatly increased investment to support all that at the centre. We have doubled the out-of-hours development fund this year to £92 million. We have provided additional resources of £14 million to assist PCTs in very rural and urban areas, and we have made available to them £30 million in capital incentives.

Mr. Davies: No one is going to object to the Minister's bureaucratic jargon about seamless integration and so forth. What is important to my constituents is that they have access to a doctor at night. Can the Minister confirm that, as the PCT told me yesterday, from November, it will once again, after a sad interval of several months, be able to provide such access? In the first instance, the call may well be taken by a nurse—that happens when one walks into a doctor's surgery: one sees a nurse first and it may not be necessary to waste the doctor's time—but the important thing is that patients have access to doctors. Will the Minister also confirm that, if a patient insists on his or her right to speak to a doctor, that right will be granted?

Dr. Ladyman: I can indeed assure the hon. Gentleman that his local PCT is adjusting its arrangements to ensure that where medically necessary, people will be able to obtain access to a GP out of hours. In addition to the funding changes that I have already mentioned—

Mr. Davies: Answer the question.

Dr. Ladyman: I will come back to those issues in a moment, but I want to put on record that, in addition to the other incentives that I have mentioned, there is some £180 million available, which was previously given to practices to pay for out-of-hours services. Under the new contract, which the hon. Gentleman criticised, that money goes to the PCTs to enable them to fulfil the obligations. In total, £316 million is available for out-of-hours services. That does not include the additional investment that we have made available in PCT unified budgets for out-of-hours services. For South West Lincolnshire PCT, that figure is more than £156 million in this financial year.

The most effective out-of-hours care is that which permits patients to receive the advice or treatment they need from the professional with the right skills to deliver it. I am sure that the hon. Gentleman would agree. The effective use of skill-mix and team working is well established in in-hours primary and secondary care. Out-of-hours care is embracing the opportunities of the contract to capitalise similarly on the skills of the NHS.

The new arrangements will depend on the effective use of a multi-professional approach. However, there remains the need for GPs to continue to play a leading role in helping to deliver out-of-hours services, working alongside nurses and other practitioners to ensure that patients get the right service at the right time from the right person.

PCTs need to plan for services that are provided by a number of networked and integrated providers with multidisciplinary teams, making more use of telephony and a wider range of professional skills, including nurses and paramedics. PCTs are already laying the foundations in developing training opportunities for staff and broadening their vocational experiences, so that they can bring their skills and experience to bear in the future.

The model of out-of-hours provision in the South West Lincolnshire PCT provides a good example of that multi-professional working, in its use of GPs, alongside first contact practitioners and paramedics, working in partnership with colleagues in accident and emergency departments. Patients access the service via a dedicated phone number. Patients can be assessed on the phone and referred to the appropriate course of action. They may be requested to attend the emergency care centre to be seen by the appropriate professional for their needs or visited at home.

The service currently provided meets the national quality standards for out-of-hours care, which all organised providers must meet. Those standards remain in force until the end of the year. From 1 January, they will be replaced by the new national quality requirements, which the Minister of State, my right hon. Friend the Member for Barrow and Furness launched yesterday. The requirements will be a contractual obligation on providers, who will be performance-managed by PCTs in the delivery of their contracts.

Mr. Davies: The Minister is giving me all sorts of answers and abstractions that I do not need. He seems to be intoxicated by his own bureaucratic gobbledegook. Can he just answer my question? Now that the Government have made a necessary reversal of policy, can we look forward in south Lincolnshire to a patient being able to see a GP if he or she considers it necessary, even in the middle of the night?

Dr. Ladyman: That is the position that the new guidance will ensure.

The new requirements provide clear guidance to PCTs on what is expected of their out-of-hours services while continuing to build on the existing high-quality services that all organised out-of-hours providers currently have to meet. The requirements will offer reassurance to patients that whenever they access out-of-hours services, they will receive high-quality, responsive care.

The requirements guarantee that patients will be treated by the professional best equipped to meet their needs. When it is clinically appropriate, patients will be able to have a face-to-face consultation with a GP, including when necessary, at a patient's home. I hope that that is the assurance that the hon. Gentleman seeks. The telephone assessment and subsequent triage will identify clinical need, and determine the nature of the subsequent consultation or referral, which is an established process in out-of-hours services. The new requirements will keep GPs at the heart of out-of-hours services. Indeed, those services will continue to be supported by a large GP work force.

At this point I shall deal with the hon. Gentleman's suggestion that we are underestimating the value of GPs. Had we not made the changes and given GPs the freedom to alter the services that they provide and take advantage of the new arrangements, it would have become increasingly difficult for us to recruit GPs. One of the messages that we got from GPs was that it was necessary to allow them, if they wanted to, to opt out of providing out-of-hours services themselves, because they considered providing those services too great a burden, and it was making it very difficult for us to recruit. Now that primary care trusts are providing out-of-hours services, they can commission them from GPs who want to provide them.

Mr. Davies: I understand that, as the Minister says, GPs should be allowed to opt out of out-of-hours responsibilities individually, but as I have just told him, one of the GP co-operatives in my constituency, Welldoc, offered to take over the whole night-time responsibility, and the offer was not even negotiated on.

Dr. Ladyman: That is a matter for the local primary care trust. It has the responsibility to commission a service that provides the highest quality in the best and most cost-efficient way for its local area. All sorts of providers might want to provide services for remuneration, but that does not mean that primary care trusts have to accept them. They have to make a decision about how best to deliver services for their area, and I am sure that the hon. Gentleman would not want it any other way.

I can provide the hon. Gentleman with the assurance that South West Lincolnshire PCT, and indeed all PCTs in England, will provide a service that will meet the quality requirements from 1 January, so that patients with clinical need can have a consultation with a GP, including, where necessary, a home visit. Trent strategic health authority will also continue to play a strong role in ensuring that out-of-hours services are developed and delivered appropriately for the population of south-west Lincolnshire.

I would like to emphasise that, contrary to recent press comment, there is no evidence to suggest that a rise in accident and emergency attendance is linked to the handover of responsibility for evening and weekend medical cover from GP practices to PCTs. In fact, there has been an overall decrease in emergency admissions at Grantham accident and emergency department, and patient waiting times are falling.

Question put and agreed to.

Adjourned accordingly at seven minutes past Three o'clock.

House of Commons

Monday 18 October 2004

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

HOME DEPARTMENT

The Secretary of State was asked—

Burial Law

1. **Andrew Bennett** (Denton and Reddish) (Lab): What progress is being made with the review of burial law. [191190]

The Parliamentary Under-Secretary of State for the Home Department (Paul Goggins): We are completing an extensive consultation on the review of burial law, to which we have received more than 400 responses. We are considering them very carefully, and I hope to be able to announce detailed proposals early next year.

Andrew Bennett: I thank my hon. Friend for that reply; but does he accept that it is more than four years since the Select Committee reported to the House on the very worrying state of cemeteries in many parts of the country, the lack of burial spaces for future interments and all the other problems that go with that? Will he bring a little more urgency to getting those problems sorted out?

Paul Goggins: I pay tribute to my hon. Friend's work on the Environment, Transport, and Regional Affairs Committee; the report of the Sub-Committee that he chaired was an important piece of work. I was reading that report recently and noticed that, in the first section, it quoted a remark made by one of my predecessors, who stated that the issue was only exceeded in its importance by its difficulty. That predecessor was speaking in 1846 and he promptly rushed to legislation. It is important that we get the matter right. My hon. Friend is correct: we need to look at sensitive issues, such as the reuse of burial grounds. We are doing that carefully and I promise him that we shall introduce proposals, based on the consultations, as soon as possible.

Helen Southworth (Warrington, South) (Lab): My hon. Friend knows that the gaps in the current legislation can result in difficult and distressing cases that are hard to deal with, so will he pay particular attention during the review to requiring all burial authorities to give specific consideration to the needs of bereaved relatives? Families can be extremely distressed in those circumstances and it is important that all burial authorities give proper consideration and respect to their needs at such times.

Paul Goggins: I agree strongly with my hon. Friend. It is true that sometimes I have to make some very difficult decisions on those matters. It is important that burial authorities have due regard to the needs of bereaved families at such a difficult and sensitive time. I want to see a commitment not only on that issue but on death certification, too, where it is vital that our public officials, who bear responsibility for those services, have due regard to the feelings of families.

Gun Crime

2. **Mr. Gordon Prentice** (Pendle) (Lab): How many drive-by shootings have been recorded in each of the last three years; and if he will make a statement. [191191]

4. **Alan Simpson** (Nottingham, South) (Lab): What action he is taking in response to the latest incidents of gun crime in Nottingham. [191193]

The Secretary of State for the Home Department (Mr. David Blunkett): This is the first opportunity that I and the House have had to send our condolences and our heartfelt sympathies to the family and friends of Danielle Beccan. All gun crime is a tragedy, but the death of a child is a bigger tragedy than any other.

We do not collect statistics on drive-by shootings, but the statistics we do collect demonstrate a fall in the number of deaths from gun crime over the last three years, while there was a rapidly rising curve until 2001 in relation to the use of guns. That has been stabilised but it is still not acceptable. Although 77 per cent. of all gun crime ends up with no one being hurt and only 18 per cent. have some minor hurt, it is a tragedy for individuals, families and communities that even a small number of people are killed by guns. It is, therefore, beholden on all of us to ensure that we join together to find the solutions.

Mr. Prentice: I thank my right hon. Friend for that reply; we all think of the victims of those senseless, drive-by shootings. Did he see the piece in *The Observer* yesterday, quoting the Manchester police, who say that the average life expectancy of those involved in gun crime in Manchester is 24? Who are the people supplying those guns? Surely we need to come down like a ton of bricks on those who supply illegal firearms. A sentence of five years is far too lenient.

Mr. Blunkett: We can certainly debate whether five years as a minimum is unsatisfactory, but when the House debated the matter the average sentence for carrying a gun was 18 months. I think we all agreed that that was outrageous and that something should be done about it. I have to point out that, for the first time ever, we have raised the minimum sentence for death from use of a gun to a minimum starting point of 30 years. Every time we make proposals to the House on minimum sentences, there is conflict within, as well as between, parties about whether it is right for us to do so. The measures that we took last year, including those that we added to the Anti-social Behaviour Act 2003, are a starting point, not an end point, for getting a grip on gun crime. Gun crime deaths amount to 8 per cent. of all murders in this country, and with the use of other weapons, including knives, we face another major challenge in protecting our communities.

Alan Simpson: I thank the Home Secretary for his kind words about Danielle Beccan, and I pay tribute to the work done by my hon. Friend the Member for Nottingham, East (Mr. Heppell), in whose constituency the family live. Will the Home Secretary, however, accept that the best way in which we can overcome the problem of guns on our streets is to stop the guns getting there in the first place and to look carefully at how those guns get through the current system? Will he also support the initiatives that are being taken by the local authority and local communities in Nottingham? One of our most urgent challenges is to give those in the communities the confidence to come forward with evidence about the holding of guns, without putting their own lives at risk. In that context, will he send support to the local communities and local authority in Nottingham for their initiative next Friday, when, with Danielle Beccan's family, people will stand together in Nottingham in an act of solidarity and defiance against the gun crime that we face?

Mr. Blunkett: I shall be very happy indeed to send a message of support. The whole ministerial team will visit Nottingham and the east midlands on 4 and 5 November, and we have already agreed to meet representatives of the communities most affected. Indeed, in July, we gave £145,000 to the community of St. Ann's and Radford. I want to reinforce my tribute to the work done by my hon. Friend the Member for Nottingham, East (Mr. Heppell), who is unable to raise these issues this afternoon because of his position on the Front Bench. We have also given £10,000 to Mothers Against Guns, which is playing a signal role in changing the culture and attitudes of local people. It is only through a combination of working within and from the community that the action plan that was agreed with the Association of Chief Police Officers a year ago can be made effective in Nottingham and throughout the country.

Mr. James Clappison (Hertsmere) (Con): Surely the current position is entirely unacceptable. The stark fact is that gun crime has doubled in the past five years. In trying to tackle the supply of guns and to return to the position that originally obtained, will the Home Secretary consider imitation firearms, which, as the all-party group on gun crime found, have been converted on far too many occasions to fire live ammunition?

Mr. Blunkett: Yes, we will. Although we were sceptical about the ability to differentiate between the different types of model gun, given that we had to avoid criminalising toy guns, it is an offence to carry a model gun in public, and the police have the power to intervene if they think that someone is carrying a gun. There is a lot more to do, and although everyone agrees that it would be a good idea to do it, they have not yet produced an acceptable definition of such a firearm, even though we have now taken the steps to which the House agreed last year—unanimously, if my memory serves me correct. It is clear from that that we did not disagree about banning the import and sale of such weapons, about the arrest of people carrying them and, of course, about dealing with Brocock guns. There is more to be done, but we have made progress in the past two years. We certainly needed to do so because, as we acknowledged, the carrying and, regrettably, the use of guns had grown exponentially from the mid-1990s onwards.

David Davis (Haltemprice and Howden) (Con): I join the Home Secretary in offering condolences to the family and friends of Danielle Beccan and, indeed, the families and friends of the other people who have died in Nottingham in the past year.

Although I understand the Home Secretary's response to the original question on the measurement of drive-by shootings, given the changing nature of shootings in Britain recently, it might be worth while to consider reclassifying or attempting to reclassify some of the measurements of such shootings. I understand only too well the problems that he faces with the definition of replica firearms—that needs to be dealt with—but may I take it from the tone of his comments that he does not agree with the director of the police standards unit, Paul Evans, who said that we have

"a very, very small gun problem"?

Mr. Blunkett: On the right hon. Gentleman's first observation, we obviously have a degree of common cause in trying to find a definition of replica and model guns that would work and that would be usable by the police.

On the right hon. Gentleman's second question, the head of the police standards unit—who, having been the chief of police in Boston, has more experience of gun crime than I or anyone in this Chamber—was reflecting on the relative incidence of gun crime, the relative incidence of death from gun crime and the relative incidence of serious injury from gun crime. There is no difference between us in accepting that the carrying, use and availability of guns is totally unacceptable. The issue between us is only how we tackle that and whether we are able, working with the communities most affected, to ensure that we do not exaggerate the situation to the point where it looks as though there is nothing that can be done and that it is out of control. That would play into the hands of those who want to foster among young men, in particular, a view that they are invincible, that authority can do nothing and that the carrying and use of guns is somehow trendy and a fashion accessory that makes others proud of them. None of us wants that. That is why the head of the police standards unit merely made the observation that we should not exaggerate.

David Davis: I thank the Home Secretary for that; no doubt, we will return to the issue in detail later today.

I would not normally ask the Home Secretary an operational question, but there was a write-up in the weekend press that, three months ago, the National Crime Squad had ceased an intelligence operation in Nottingham that was aimed at the very gangs that have been causing some of these problems. As I said, I would not normally ask an operational question, but will he at least consider that decision? If it was necessary to withdraw an intelligence operation against the advice of the people involved in it, either there are not enough resources in the National Crime Squad or there was a strategic misjudgment in withdrawing it from one of the more dangerous cities in Britain.

Mr. Blunkett: I appreciate the way in which the right hon. Gentleman puts the question. We are always being harangued for not getting involved in operational decisions from the Dispatch Box. I take the point entirely and I would be very happy for him to talk to Bill Hughes, the head of the National Crime Squad, about its work and how it has been working with Operation Stealth, which has successfully begun the process of turning the situation round in Nottingham, as has the Sherwood initiative, which deals with the corollary of drug crime. I will happily arrange for such discussions; I appreciate the nature of the question.

Mr. John Denham (Southampton, Itchen) (Lab): As yet, few, if any, cases of possession of firearms have found their way through the criminal justice system to have the new mandatory minimum sentence applied. That sentence was aimed particularly not so much at the hardened criminals who are determined to use guns but at the young men whom my right hon. Friend mentioned a few moments ago and who might casually carry guns and become involved in gun crime. In the period before that sentence is seen to bite, will he see whether more can be done to get across the fact that the sentence is now in the system and that the price to be paid for casually carrying guns is now very high?

Mr. Blunkett: My right hon. Friend is correct. As we know, even with a speeded-up criminal justice system, the ability to take someone through the courts on this charge has not yet been possible. We have just initiated a poster campaign, but we probably need to think even more imaginatively about how we get the message across. Without making a party political point, I note that, when I was in Brixton at the beginning of August, I found that young men and women were very keen to work with us in developing their music as part of the message. If the music can become the message, the culture itself might change.

Mr. Mark Oaten (Winchester) (LD): May I also express the sympathy of the Liberal Democrats to the family of Danielle?

The Home Secretary is obviously aware that one of the problems with firearms is the number of them that come into the country illegally. With that in mind, will he look again at the structures that we have to police our ports and airports? Police officers, Customs officers and immigration officers are currently involved and there is quite a bit of overlapping work. Will he look again at the suggestion that has been made by a number of people to set up a dedicated national border force? Having that in place may actually make our borders more secure and, in doing so, may help to stop some of the traffic of guns into this country.

Mr. Blunkett: The new Serious Organised Crime Agency will join together the police, Customs and the immigration service in a combined operation that will use the intelligence of the National Criminal Intelligence Service and be joined with the National Crime Squad. We will have a unified approach to tackle the organised smuggling of guns and thus the ability to address the problem. Part of the challenge that we face is those who are adapting existing weapons in this country, part is the use of the internet—we need to clamp down on the availability of such weapons through the internet—and part is the smuggling of weapons, sometimes from former Communist central and eastern European countries. When taken together, the measures that we have already enunciated can work. A border control force relates to a different issue, but if it were to be needed, it could be established as a subset of the Serious Organised Crime Agency.

Fireworks

3. **Mr. David Drew** (Stroud) (Lab): What action is being taken to tackle the misuse of fireworks. [191192]

The Minister for Crime Reduction, Policing and Community Safety (Ms Hazel Blears): Over the past 18 months, we have introduced new legislation to control the supply, possession and use of fireworks. In addition to the existing criminal sanctions for committing those offences, earlier this month we extended the penalty notices for the disorder scheme to include three new firework offences. That provides the police with an alternative sanction, if they consider it appropriate, by punishing offenders immediately with on-the-spot fines.

Mr. Drew: I thank the Minister for her reply. She will be aware that my hon. Friend the Member for Hamilton, South (Mr. Tynan) is a hero in Stroud, as he is in many other constituencies, for piloting his private Member's Bill. Of course, the legislation can only be as effective as the police choose to make it, so will she guarantee that she is informing the police and the ancillary services that the matter is a priority? Will she assure me that the police will deal with the problem, because although any improvement could only be a step in the right direction, we have a long way to go?

Ms Blears: My hon. Friend is absolutely right that my hon. Friend the Member for Hamilton, South is a hero, but my hon. Friend the Member for Stroud (Mr. Drew) is also something of a hero because he chairs the all-party fireworks group and has made a tremendous contribution. He is absolutely right that the misuse of fireworks causes misery and distress to thousands of people and their families throughout the country. I recently received a dossier from Liverpool police showing where fireworks are being used as explosives to blow up cars, rather than for fun and entertainment. I assure him that I am in discussion with the police and trading standards and environmental health officers because tackling such antisocial behaviour is a matter for not only the police, but all our agencies.

Sir Sydney Chapman (Chipping Barnet) (Con): In joining the hon. Member for Stroud in commending the private Member's Bill of the hon. Member for Hamilton, South that was successfully enacted, will the Minister examine the specific problem of the selling of illegal fireworks, which is a cause of concern despite the welcome tightening of the regulations? Will she take this opportunity to praise the British Fireworks Association for doing everything possible to co-operate towards ensuring that the new legislation will be effective?

Ms Blears: The hon. Gentleman is right that it is important to tackle the issue on two fronts: first, the misuse of fireworks and, secondly, the import, supply and licensing of fireworks. We must follow fireworks that enter this country to ensure that they are not sold illegally and used for the activities that I outlined. I am in close contact with my hon. Friend the Economic Secretary to the Treasury to examine import, supply and licensing issues. We will continue to bear down on the misuse and illegal use of fireworks, which causes much anguish and distress to many people.

Mr. Bill Tynan (Hamilton, South) (Lab): May I reinforce the point on the importation of fireworks? Some companies that bring fireworks into the country have no legal licensed storage areas. The fireworks go to farms and are then sold indiscriminately to white-van cowboys. Unless we deal with the individuals responsible for that, antisocial behaviour problems caused by fireworks will continue. Will my hon. Friend closely look into companies that are importing fireworks in such a manner and prevent that from happening in the future?

Ms Blears: I am delighted to give my hon. Friend that assurance. It is vital that such fireworks are properly tracked so that we know where they are going, and that they are not going to unlicensed suppliers. My hon. Friend has done a marvellous job in highlighting this issue. Before his involvement, there was a tendency to say that fireworks were harmless fun, but we all know from our postbags that that is not the case for people throughout this country. The misery and distress that has been caused is a matter of great concern to the House, and I can assure my hon. Friend that we will continue to press particularly on licensing and supply, which are as important as bearing down on actual misuse on the streets.

John Cryer (Hornchurch) (Lab): Will my hon. Friend look again at the possibility of a universal licensing system for all firework outlets? Will she also consider giving greater powers to trading standards officers to revoke licences under particular circumstances? Although the Fireworks Act 2003, which was originally proposed by my hon. Friend the Member for Hamilton, South, is extremely welcome, there could be loopholes in how it was redrafted as a Government Bill, which would leave the way open for unscrupulous traders.

Ms Blears: I understand my hon. Friend's concerns, but I believe that the current legislation means that a robust set of measures are in place. Of course we will want to monitor the impact, and if it is necessary to have a further review, we will do that. The range of measures that we now have includes a curfew on the use of fireworks during night hours, banning the supply of category 3 fireworks, ensuring that category 4 fireworks can be used only by professionals and ensuring that there are offences covering the throwing of fireworks in the street and youngsters under 18 who have adult fireworks in their possession. That is a major package of measures, and together with the tracking and licensing, it will provide robust legislation to minimise the problems. We will keep the situation under review, but all Members will agree that the measures that have been taken in recent times should make a significant difference to the problems that have been caused.

Mentally Ill Prisoners

5. **Miss Anne McIntosh** (Vale of York) (Con): What provision is made for the supervision of mentally ill individuals on probation on release from prison. [191194]

The Parliamentary Under-Secretary of State for the Home Department (Fiona Mactaggart): Prisoners who are released into probation supervision in the community are subject to licence conditions. Every licensee will be allocated a designated probation supervising officer who is responsible for developing with the individual a supervision plan based on a careful assessment of risk and need. Where a prisoner who is released on licence is identified as having a mental health problem, arrangements will be made either by the prison prior to release or by the supervising probation officer for the individual to be referred for assessment and appropriate treatment through the primary care trust local to the area in which he or she will be residing.

Miss McIntosh: I am grateful for the hon. Lady's answer, but actually, it is the Under-Secretary, her hon. Friend the Member for Wythenshawe and Sale, East (Paul Goggins), who has been dealing with the specific case I have in mind, which is very serious. The gentleman in question, who is at serious risk of reoffending, is of no fixed abode and has no specific supervision over him. There is a multiplicity of agencies in charge, but not one in overall control. In the event that this young lad reoffends, who will take responsibility for that?

Fiona Mactaggart: I have spoken to my hon. Friend about the case to which the hon. Lady referred, in which a multi-agency public protection arrangement is in place. It tries to draw together a range of services—health and housing services, for example—in order to prevent offending. If the hon. Lady is saying that present arrangements are not satisfactory in terms of having a designated, fundamentally responsible person, she is right. That is precisely the reason for developing the National Offender Management Service, which will provide a named person to act as back-stop for any offender in such a position.

Mr. Kelvin Hopkins (Luton, North) (Lab): Does my hon. Friend accept that a high proportion of prisoners released suffer from not just mental health problems but personality disorders. Many also have a dual diagnosis of alcohol and drug addition. Is proper monitoring taking place, and are arrangements in place to ensure that they have proper support for all their problems?

Fiona Mactaggart: My hon. Friend is right. A survey conducted in 1997 found that nine out of 10 mentally disordered offenders had one of the conditions to which he referred. We need to draw together the provision available to support people in the community. That is why we are working on a strategy for mentally disordered offenders, which will build on the work done in prisons—substantial extra investment has been made in mental health care in prisons—and ensure that there is carry-through into the health service.

Mr. Nick Hawkins (Surrey Heath) (Con): As one whose constituency is not far from mine, the Minister might be aware that the northern end of my constituency is very close to Broadmoor hospital—indeed, schools in that part of the constituency all have Broadmoor alarms. The hon. Lady knows that recently, while on leave from Broadmoor to visit a hospital, a prisoner managed to escape the guards. That has caused considerable concern in my constituency and throughout the country. People might have got the impression from her answers today that the system remains far too bureaucratic. Sadly, in far too many cases, there are far too many cooks spoiling the broth. Does she recognise how much concern there is about this matter and that, for far too long, there has been confusion in government and bureaucratic systems about mentally disordered offenders who pose a risk to the public? I appreciate that she is trying to do something about the problem, but it is urgent.

Fiona Mactaggart: The hon. Gentleman knows that we have a good record on dealing with escapes—the original focus of his question. Our fundamental aim is to try to prevent escapes and reduce their number, and we have achieved great successes in that respect. We have made substantial extra investment in mental health care for prisoners and people on release, which is beginning to show results. The impression that he is trying to spread is unfounded.

Chris Bryant (Rhondda) (Lab): Further to the question asked by my hon. Friend the Member for Luton, North (Mr. Hopkins), it is clear that many criminals who fall into that category are in danger of self-harm. In several incidents in south Wales, criminals on release have taken their own life. In developing new suggestions, will my hon. Friend the Minister work closely with the health service and the National Assembly for Wales to make sure there is follow-through in terms of ensuring support for vulnerable criminals in both England and Wales?

Fiona Mactaggart: My hon. Friend is right that the issue is important. I assure him that we have never done more than we are doing now, but I shall communicate his concerns to the Assembly. I agree that we should be able to create effective follow-through for all prisoners, wherever they are released.

Mrs. Cheryl Gillan (Chesham and Amersham) (Con): But the Minister must know that there is a problem. The probation service is so overstretched that administrative workers are covering supervisors' jobs; parole and court reports are late, or so last-minute that risk assessment processes are compromised; and now probation officers are being prevented from making prison visits to offenders who are due for release. With 60,000 prisoners with mental health problems released from prison each year, does the hon. Lady really feel that the public are adequately protected?

Fiona Mactaggart: They are more adequately protected than they have ever been. The hon. Lady should look at the investment that has been put in, resulting in 1,800 additional probation offices and 300-plus extra staff dealing with the mental health of prisoners and released prisoners. We are making the investment that would not have been made had the Conservatives remained in charge.

Police Funding

6. **Tony Lloyd** (Manchester Central) (Lab): What steps he has taken to define objective measures of performance of policing to provide a standard base of funding for police forces in England. [191195]

The Minister for Crime Reduction, Policing and Community Safety (Ms Hazel Blears): Most grant funding is distributed by formula broadly to reflect the relative needs of forces, taking account of local resources; it is not based on performance. We are working with the Association of Chief Police Officers and the Association of Police Authorities to ensure that the formula remains up to date and continues to take account of the requirements of modern-day policing.

Tony Lloyd: My constituents inevitably judge the local police force by things such as the police not answering the telephone or failing to respond to serious incidents in a timely fashion, but we need proper, objective standards to enable us to judge whether the Greater Manchester police force really deserves its place near the bottom of the ranking by most objective measures of policing, or whether the force is improving, as my hon. Friend the Minister has told me it is. In the end, Greater Manchester police's contention that they are underfunded would be better addressed if we could arrive at an objective view on whether their performance is good or bad compared with other inner-city police forces.

Ms Blears: My hon. Friend is right, and I have a personal interest in making sure that GMP's performance is of the highest possible standard. I refer him to the police performance monitors, which were published about six weeks ago and provide an objective assessment of a police force's performances compared with that of similar forces. Although Greater Manchester still has a long way to go, it improved its performance in reducing crime, with burglary down by nearly 11 per cent., vehicle crime by 12 per cent. and robbery by 14 per cent., and there has been quite a good improvement in detections. Even though it is not doing anything as well as it ought to, its efforts to reduce the fear of crime have improved significantly. Police performance monitors provide the objective assessment that my hon. Friend is seeking.

Mr. Julian Brazier (Canterbury) (Con): Would not the best way of improving police performance and getting value from funding be to have less central control and paperwork so that police officers did not take several hours to perform a simple arrest and spend vast amounts of time filling forms with information, much of which is used for those ever increasing numbers of performance measures?

Ms Blears: Perhaps the hon. Gentleman has not heard about fixed-penalty notices, which provide the police with a cost-effective way of disposing of crime. Twenty thousand such notices have been issued for disorder offences, and each one saves the police two and a half hours. That is just one example of the way in which we are freeing up police forces from the bureaucracy that has been imposed on them. A measure of central intervention and support is vital. If the hon. Gentleman looks at the performance of the forces engaged with the Police Standards Unit, he will see that their reductions in crime are greater than those for forces that are not so engaged, which shows that if the centre and the forces work together, we can reduce crime and protect our communities better.

Jon Trickett (Hemsworth) (Lab): Thanks to changes both to funding and to the formula, West Yorkshire police have received an increase of about £30 for every single citizen in west Yorkshire since 1997, for which we thank the Minister, and we have gone from being below average to above average. During the recess, I met residents of Girnhill lane in Featherstone, who said that their partnership with the police was becoming stronger every day. In Moorthorpe in my constituency, I heard how the recidivists—40 of the worst criminals in the area—were going to be tackled. Despite the increases, we are still underfunded relative to comparable authorities. Will the Minister look at making further increases in police funding over the coming period?

Ms Blears: I am delighted to hear such a great deal about the improvements in west Yorkshire, particularly the evidence of a stronger partnership between the police and local residents. However, I realise that this year's funding settlement impacted on the force's funding. We are keen to return to a system of floors and ceilings rather than a flat-rate increase if we can, and we are doing everything we can to maximise the settlement for the police. I am delighted, however, that the settlement is having such a good effect in my hon. Friend's constituency.

Prison Population

7. **Mr. Desmond Swayne** (New Forest, West) (Con): What forecasts he has made for the prison population over the next 10 years. [191196]

8. **Sir Teddy Taylor** (Rochford and Southend, East) (Con): What recent assessment he has made of the reasons for the change in the numbers of women in prison over the past 10 years. [191197]

The Parliamentary Under-Secretary of State for the Home Department (Paul Goggins): The most recent prison population projections were published in September 2003. A new projection, which will take into account changes in sentencing trends and reforms to the criminal justice system, will be published later this year. Between 1993 and 2003, the female prison population increased by almost 200 per cent. The main reasons for this increase were a growth in the number of women sentenced for drugs offences and more severe sentencing.

Mr. Swayne: My experience over a number of years as a prison visitor leads me to believe that we must never underestimate the redemptive power of grace, but given the growth in violent crime, does the Minister agree that it is both expedient and prudent to continue to plan to accommodate a significant increase in the prison population?

Paul Goggins: I pay tribute to the hon. Gentleman for his important work as a prison visitor. I agree entirely that people who commit acts of violence should go to prison and, as my right hon. Friend the Home Secretary made clear earlier, should go to prison for longer than they have done in the past. That is why he announced at the end of September that, following some new investment, we would have more than 80,000 prison places available by 2006. We are also investing in the probation service so that we can deliver robust community sentences as an alternative to short-term prison sentences.

Sir Teddy Taylor: Does the Minister share my concern and alarm about the massive increase in the number of women in prison? In the 10 years until the end of last year, the number was up by 173 per cent. from 1,500 to 4,299. The number is now up by 200 per cent. As this is the largest increase ever recorded in the history of the United Kingdom, should not he give us a more detailed explanation of why he thinks there has been such a huge increase, particularly as the number of men in prison increased by only 55 per cent. in the same period? Is he wise to say that the increase has to do with tougher sentencing, bearing in mind that there has been a more liberal attitude to letting women out of prison? Should not we have a detailed study to find out why things have gone so terribly wrong and what we can do about it?

Paul Goggins: The reason more women have gone to prison is that sentences have sent them there. My responsibility as the Minister for Correctional Services is to ensure that we have robust alternatives to prison sentences, where that is merited. I share the hon. Gentleman's concerns about the increase in the number of women going to prison, which is why, earlier this year, I launched the women's offending reduction programme, which looks at the causes of women's offending and seeks to reduce the number of women in prison. Last Friday there were fewer women in prison than there were on the same Friday the previous year, so we are making some progress. There are fewer women in prison this year than last year.

Mrs. Helen Clark (Peterborough) (Lab): Will my hon. Friend join me in welcoming the new prison in Peterborough, and will he condemn the Peterborough Conservative Association, which clearly does not understand the policy of its own party or its own shadow Home—

Mr. Speaker: Order. *[Interruption.]* The hon. Lady must please have a seat; she has finished. The Minister may mention the prison in his reply, but not the Conservative party.

Paul Goggins: I join my hon. Friend the Member for Peterborough (Mrs. Clark) in welcoming the opening this year of Bronzefield prison for women and, next year, of Peterborough prison for men and women. That is adding to the quality of the prison estate, which we need to invest in so that we have a prison estate that is fit for purpose.

Mr. Huw Edwards (Monmouth) (Lab): Does my hon. Friend acknowledge that because of overcrowding, decisions have been made to house sex offenders in open conditions at Prescoed in my constituency? Within two days of a prisoner being allocated there the week before last, a very serious sex offender absconded. Does the Minister understand the deep anxiety in my constituency about the fact that, despite all the assurances that the prisoners would be low risk, one who absconded was deemed to be a danger to children? I ask the Minister to reverse the policy.

Paul Goggins: The decision to place a limited number of sex offenders who are coming to the end of their prison sentence in Prescoed prison was not the result of overcrowding but part of a planned programme under which suitable risk assessment takes place. Of course, I understand the anxiety that my hon. Friend expresses on behalf of his constituents. I have written to him and to other local representatives to confirm that I will monitor the programme carefully. I will meet him and other representatives in the near future to discuss the issue.

Sir Patrick Cormack (South Staffordshire) (Con): Should not whoever dreamed up the title "Minister for Correctional Services" be sentenced to detention to study the Queen's English?

Paul Goggins: I apologise to the House; it slipped out, as it occasionally does. I am the Minister with responsibility for prisons and probation.

Linda Gilroy (Plymouth, Sutton) (Lab/Co-op): May I welcome the visit that my hon. Friend the Minister and other hon. Friends paid to Devon and Cornwall, and say how much I learned from accompanying him on the visit to Exeter prison about how to try to prevent the revolving-door syndrome? On women prisoners, has he discussed with the Under-Secretary of State for the Home Department, my hon. Friend the Member for Don Valley (Caroline Flint), the very good provision in Plymouth that she visited? Trevi house is a model for preventing women from going into prison so that they may stay with young children and learn not only how to kick their drug habit, but how to become good mothers.

Paul Goggins: I thank my hon. Friend for accompanying me on the visit to Exeter prison. It was indeed an encouraging visit, during which we saw many dedicated staff working very hard with prisoners on resettlement. I saw similar work at Dartmoor prison the following day. I pay tribute to all the staff involved and to the facility that she mentioned, which works with women who have a drug problem. Of course, such a problem needs to be dealt with and it sometimes can be dealt with outside prison. If women can keep contact with their children, so much the better. We are also seeking to develop a range of other alternatives, including the greater use of intermittent custody, which allows women to serve part of their sentence in prison during the week and to look after their children at other times. We have to be imaginative in trying to tackle this problem, but we are determined to do so.

Rifles

9. **Mr. David Rendel** (Newbury) (LD): What restrictions there are on the firing of rifles in the open countryside. [191198]

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): It is an offence under section 19 of the Firearms Act 1968 for a person to have a firearm in a public place without lawful authority or reasonable excuse. It is also an offence, subject to an exemption under the Act, for a person to possess a firearm without a current certificate.

Under section 27(2) of the Firearms Act 1968, it is for the police to determine when issuing a firearms certificate what conditions should be applied. New shooters in particular are restricted to shooting on land deemed suitable by the chief officer of police for the area concerned. In all cases, the certificate holder must have permission from the landowner or occupier.

Mr. Rendel: Given that the use of rifles in the open countryside for shooting foxes is likely to increase after the ban on hunting is introduced, what further steps does the Minister intend to take to ensure that those involved in lamping are properly trained and competent to use rifles in those conditions properly, safely and effectively?

Caroline Flint: For anybody to have certain firearms, they have to be certificated, and local police decide the conditions on the basis of guidelines. The hon. Gentleman raises an important point about access to open countryside and, as he will be aware, while the Firearms Act 1968 makes it an offence for a person to have a firearm in a public place, the Government believe that that does not prevent landowners and their invited guests from carrying out legitimate activities such as organised shoots and pest control on land to which there is a right of access under the Countryside and Rights of Way Act 2000. The Countryside Agency has issued guidance to land managers on practical ways to manage public access, but action must be taken against those who break the law in circumstances such as those that he described, and they must be charged for doing so.

Mr. Patrick McLoughlin (West Derbyshire) (Con): If the Government's Bill on fox hunting gets through, will the use of rifles in the countryside increase or decrease?

Caroline Flint: Rifles are used in the countryside for a variety of activities, including target shooting and sports, which we support, and the running of land for farming and other pursuits. Of course, rifles have been used and will continue to be used for vermin control and the control of foxes. I cannot say how much that will increase, but such activities should be carried out in safety and in accordance with certification and licensing. We have just had a consultation on firearms legislation to which there were more than 4,000 replies. I look forward to seeing what they might say about certification, training and other issues of public safety.

Police Numbers

10. **Mr. Paul Goodman** (Wycombe) (Con): What recent representations he has received about police numbers; and if he will make a statement. [191199]

The Minister for Crime Reduction, Policing and Community Safety (Ms Hazel Blears): The Government have responded to the concerns of all hon. Members and their constituents by providing record police numbers. There are now nearly 140,000 police officers, an achievement of historic proportions and a record that we will continue to protect.

Mr. Goodman: Our local police force in the High Wycombe and Marlow area has lost 18 officers to other forces in the past year, including 15 to the Met, where the starting salary is £6,000 higher. What does the Minister propose to do to stop that drift of officers from areas such as ours with very high housing costs to the Met and other better-paid forces?

Ms Blears: The hon. Gentleman failed to mention that Thames Valley police has 339 more officers than it did when this Government came to power. That said, I recognise the issues about retention and housing costs, and I am delighted to say that the Government have introduced a £2,000 a year allowance for officers in such circumstances. We have also introduced the key worker housing scheme, which has assisted 175 people in the hon. Gentleman's area. This year, Thames Valley police received £4.7 million more than the sum granted by the formula. Given the key worker housing, the extra police officers and the extra grant, Thames Valley is doing significantly better under this Government than it ever did under the Conservative party.

Mr. James Plaskitt (Warwick and Leamington) (Lab): Just four years ago, we had 899 officers in Warwickshire; now the figure is 1,011, which is a record. That increase was both necessary and welcome, but does my hon. Friend agree that the issue is not only police numbers, but deployment and procedural reforms? Such changes were just as beneficial as the increase in numbers in Warwickshire.

Ms Blears: I am delighted to agree with my hon. Friend. I am sure that all hon. Members welcome increased police numbers, but the issue is not only police numbers, but what the police do. He knows that we have funded, to the tune of £13 million, a range of work force modernisation pilots up and down the country, including in his area. Increasingly, civilian staff carry out functions such as custody, detention, investigation and escorting, freeing up more police officers to do front-line work. The public want to see the police out on the beat, patrolling and providing reassurance. We have also introduced nearly 4,000 community support officers, who are welcome in every community and who reassure the public.

Mr. Andrew Mitchell (Sutton Coldfield) (Con): Does the Minister accept that it was a mistake to allow special constables, who, unlike community support officers, have the power to arrest, to decline in number by more than 40 per cent. since 1997? Is it not extremely important to boost that vital area of policing, which reassures the public and is particularly cost-effective?

Ms Blears: I am delighted to welcome the hon. Gentleman to his new Front-Bench position and look forward to many robust and lively debates on policing. It is interesting that he seeks to highlight the contribution of specials, who do a fantastic job policing our communities. Is that because he is reluctant to discuss police officers? Police numbers fell by 1,100 under the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), whereas the figure has increased by 12,500 under this Government. Many special constables have been recruited into the full-time force, where they have been well supported, and we are delighted to welcome them to the police. We have a big programme to increase the number of specials over forthcoming years.

Mr. Peter Pike (Burnley) (Lab): Is not the key factor not the increased police numbers—to which the Minister referred and which are welcome—community safety officers or neighbourhood wardens, but seeing increased numbers on the streets, which gives the public confidence and stops a mindless minority from destroying the lives of the majority? The situation has been reversed since the previous Government were in office.

Ms Blears: My hon. Friend is right. I am sure that, like me and other hon. Members, he has seen the impact of increased police numbers, community support officers and our big push on tackling antisocial behaviour. The Together campaign has brought together local authorities and the police, and a record number—nearly 2,500—of antisocial behaviour orders have been issued. We are tackling, not tolerating, antisocial behaviour and constituents up and down the country are breathing a sigh of relief that someone is at long last taking notice of the issues that concern them. We are making a difference on the front line by reducing not only crime, but antisocial behaviour, which blights far too many people's lives.

Animal Rights Terrorism

11. **Dr. Vincent Cable** (Twickenham) (LD): If he will make a statement on animal rights terrorism. [191200]

The Secretary of State for the Home Department (Mr. David Blunkett): In July, we set out in the paper, "Animal Welfare—Human Rights: protecting people from animal rights extremists", additional measures that we intend to take and on which we want to legislate this winter. All hon. Members will join me in condemning the bestial extremists who desecrated a grave in Staffordshire 10 days ago and in sending our sympathy to the family. Our licensing laws in that area are the strongest in the world, but now we must take the strongest action to ensure that people can go about their business of increasing our safety and enhancing our health without their being intimidated.

Dr. Cable: Will these additional measures provide sufficient reassurance to an elderly couple in my constituency, the Halls, about whom I wrote to the Home Secretary 18 months ago, who continue to be terrorised by having acid thrown over their car, for example, despite having disposed of their Huntingdon shares some time ago? In particular, will the measures enable the police to close the SHAC—Stop Huntingdon Animal Cruelty—website, which specifically targets victims' homes?

Mr. Blunkett: The new legislation will aim specifically to protect people such as the hon. Gentleman's constituents. We are amending the Protection from Harassment Act 1997, enhancing what used to be called the rattening laws in relation to attacks on people's homes, and ensuring that the police presence for those most affected can be stepped up. We now have a taskforce, under an assistant chief constable, which will prioritise and target resources, and we will ensure that it does its job properly. If the hon. Gentleman's constituents continue to feel harassed and intimidated, I ask him to get directly in touch with me again.

David Taylor (North-West Leicestershire) (Lab/Co-op): There is an animal-breeding establishment between the villages of Belton and Osgathorpe in my constituency, and we have seen activities by some protesters that would come within the remit of the question. Does the Home Secretary believe that the time will eventually come when it will be necessary to tackle animal rights terrorism through a single piece of legislation that strikes a balance between protecting those who legitimately try to persuade and coming down very heavily on those who use intimidation in a criminal and violent way?

Mr. Blunkett: New legislation is required, as well as increasing the use of available powers and ensuring that the tactical co-ordination unit does its job better. The real issue for the coming Session, although obviously I cannot announce the Queen's Speech before she does—*[Interruption.]* I do my best to write my bit of it. We need to ensure that the proposed legislation gets on to the statute book as speedily as possible; if I can use a vehicle that has already been agreed, that would be the most sensible way of proceeding.

Mr. Jonathan Djanogly (Huntingdon) (Con): How many more scientists, research workers and their suppliers will feel afraid to drive home from work, sit up at night awake with scared children waiting for their cars to be fire-bombed and their houses daubed, have their neighbours harassed and, now, have their dead relatives dug up from graveyards? That will continue until such time as the Government stop shilly-shallying about and get on with protecting the British research industry and its workers, which they have consistently failed to do.

Mr. Blunkett: I do not mind our being taken to task when we are not doing anything, but that is a bit rich given that we have put a very large sum of money, including £3 million over the past three years for the Cambridgeshire constabulary, into dealing with the problem. In addition, we have set up the new co-ordinated tactical force, agreed to legislate this Session, increased arrests and charges from 109 to 179 last year and ensured that the police are aware that every right-thinking person wants us to get hold of these extremists and protect their victims. The Under-Secretary of State for the Home Department, my hon. Friend the Member for Don Valley (Caroline Flint), who has been doing a first-class job with me on this issue, has met those in the industry and victims, all of whom know that we are responding to and acting on their requirements, which we will continue to do.

Michael Fabricant (Lichfield) (Con): I am grateful to the Home Secretary for mentioning the desecration of the grave in Yoxall in my constituency. Is he aware, however, that that is just the culmination of more than five years of intimidation of not only the Hall family, who breed guinea pigs in my constituency for medical research, but other villagers in Newchurch and Yoxall and people who supply the Hall family with everything from newspapers to groceries? Is the Home Secretary convinced that the legislation that he outlined will put an end to this intimidation once and for all?

Mr. Blunkett: With the very positive way in which the hon. Gentleman, alongside my hon. Friend the Member for Burton (Mrs. Dean), has been dealing with this issue, I believe that it will. It has already cost the taxpayer an additional £250,000 for Staffordshire to be able to police the guinea pig farm. It has been, as has correctly been spelled out, a nightmare for everyone involved and for the local community, trying to help one another. I pay tribute to the hon. Gentleman for the dedication with which he has engaged with Ministers on the issue, and I believe that if we work together we can get this right.

Vulnerable Adults

12. **Ms Meg Munn** (Sheffield, Heeley) (Lab/Co-op): What plans he has to introduce an offence of (a) causing harm to and (b) exploitation of a vulnerable adult. [191201]

The Parliamentary Under-Secretary of State for the Home Department (Fiona Mactaggart): In addition to offences that protect any adult from violence, sexual exploitation, theft and fraud, we are introducing further measures, including the familial homicide provisions in the Domestic Violence, Crime and Victims Bill, making it an offence to cause or allow the death of a vulnerable adult within the household, and the Mental Capacity Bill, which will make it an offence to ill-treat or neglect an adult who lacks capacity.

Ms Munn: I know that my hon. Friend is very familiar with the Longcare inquiry, which reported in 1998. I pay tribute to her work in that area, but that inquiry recommended that there should be a specific arrestable offence of causing harm to or exploitation of a vulnerable adult, with a maximum penalty of 10 years' imprisonment, to reflect the seriousness of such offences. May I urge her and the Government to consider again introducing the offence, six years after the report was written?

Fiona Mactaggart: I thank my hon. Friend for her kind remarks. I am glad that she has taken over my former role in the all-party Voice group, which campaigns on these issues. The initiatives that we have taken to date, the new legislation that I described, the response following the consultation on the Mental Capacity Bill of increasing the penalty for such offences and the action that we have taken on care standards all need to bed down. Many of those steps will achieve the result that the Longcare inquiry identified as necessary, but if they do not, the Government will seriously consider introducing a further offence.

UK Forces (Iraq)

3.32 pm

The Secretary of State for Defence (Mr. Geoffrey Hoon): With permission, Mr. Speaker, I would like to make a statement about the deployment of UK forces in Iraq.

There has been considerable speculation in the media over the past several days about the United Kingdom deploying forces outside its current area of operations in southern Iraq. The only relevant fact is that the UK military received a request for assistance on 10 October from the US military command in Iraq. Such requests and discussions between allies are routine. There is regular dialogue with our coalition allies and with the Iraqi security forces on all aspects of operations in Iraq. Requests for assistance form part of these exchanges.

The disposition of coalition forces in Iraq has been adjusted regularly since the end of combat operations. The Danish contingent, for example, has taken on a greater share of responsibility within Multi-National Division (South-East), and the Japanese have deployed a 500-strong contingent into the Dutch area of operations.

This request, if agreed, would involve UK land forces operating outside MND(S-E). It is worth bearing it in mind that Royal Air Force personnel have been operating over the whole of Iraq when required to support the coalition, and that some British personnel are based in Baghdad to support coalition operations. Other British land forces have previously operated outside MND(S-E).

Iraqi security forces and coalition forces have recently been involved in intensified operations to restore areas under the control of militants and terrorists to the authority of the Iraqi Interim Government. Recent operations in Najaf, in Samarra and in North Babil have been undertaken as part of this effort. The political process is moving ahead as a result of these actions. This strategy is designed to increase pressure on and deal with those terrorists who are trying to prevent the rebuilding of Iraq, and who threaten the holding of free elections in January.

The US request is for a limited number of UK ground forces to be made available to relieve US forces, to allow them in turn to participate in further operations elsewhere in Iraq, to maintain the continuing pressure on terrorists. The request does not ask for UK troops to be deployed to Baghdad city or to Falluja.

We are obviously considering the request. A number of issues require assessment, including timing, the length of the potential operation, command and control arrangements, logistics and which forces would be the most appropriate to conduct the operation. None of these details has, as yet, been decided, and a UK reconnaissance team will deploy to the area tomorrow to provide further information, which will inform the chiefs of staff. I expect the final recommendation from the Chief of the Defence Staff by the middle of the week. All these factors require careful consideration. Once we have made a decision, I will inform the House in the usual way.

Speculation over the weekend has focused on the suggestion that the request is somehow political, and that its timing is linked to elections. I want to make it clear that the request is a military request, and although it is linked to elections, it is linked not to the US elections but with efforts to create the best possible security situation in which to hold the Iraqi elections in January.

A number of commentators have voiced concerns about UK forces coming under US command, and about the rules of engagement. If we agree to this request, the arrangements will ensure that UK forces have a specific task; they will be responsible for a particular area. There are no practical difficulties for UK forces operating alongside those from the US. Our forces are fully engaged with all our coalition partners at every level of planning. UK forces work daily alongside forces from Italy, Denmark and other nations, including Poland, the Netherlands and Japan. This is a matter of routine, and it is an effective and practical way of ensuring coherence in our own area and with the areas surrounding it.

UK rules of engagement are more than adequate for tasks of the type envisaged; there is no need to adjust them. They will provide proper protection for UK forces, as they have during operations in volatile areas in our own sector, such as in al-Amarah.

It is worth noting that as the capabilities of the Iraqi security forces develop, they will expand the areas under their independent control. As a result, coalition forces will need to become more able to act flexibly in support of the security forces as they, in turn, take on greater responsibility for the protection of Iraqi civilians and property.

The Government remain totally committed to the holding of free elections in January, and to seeing a Government in Iraq who take their rightful place in the international community and who deliver prosperity and a new future for the Iraqi people. That should unite all parts of the House. It is right that the United Kingdom should do what it can to contribute to this fundamental strategic objective.

Mr. Nicholas Soames (Mid-Sussex) (Con): I thank the Secretary of State for his statement and for providing an advance copy earlier today. I start by saying that the Opposition express again with great pride our highest confidence in, and admiration for, the professionalism, courage and skill of the men and women of the British armed forces serving in Iraq. We fully support the coalition as it seeks to bring democracy, stability and freedom to Iraq, and to preserve her territorial integrity; and we agree with the Secretary of State that we should do what we can to contribute to the fundamental strategic objective.

I note the Secretary of State's assertion that no decisions have yet been finally taken, but may I, on behalf of Her Majesty's loyal Opposition, raise a number of important markers that we hope he will bear in mind? As he moves to a decision on this deployment, will he consider following? Although we of course instinctively wish to assist our American allies, does he not agree that such a deployment would leave a big capability gap in Multi-National Division (South-East)? Will he also confirm that as the British divisional reserve, the Black Watch has itself been heavily engaged in that role since its deployment in MND (S-E)?

Given that the security situation could well deteriorate between now and the Iraqi elections, how does the Secretary of State plan to fill such an important

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capability gap, were this deployment to be made? Which Warrior-equipped battle group would undertake the role of the divisional reserve?

I turn to the issue of British troops coming under United States' command. Britain and the United States are, after all, the closest of allies and we have always operated together, but will the Secretary of State spell out how he sees the important detail of the likely command and control arrangements? Such a deployment would represent a fundamental change. Despite the assurances given in his statement, does he not agree that the rules of engagement will need to be extremely robust to cope with the change of area and the possibility of support from the Americans, who may well be using almost entirely different ROE?

Further and vitally, may we have the Secretary of State's absolute assurance that British troops, who are subject to the International Criminal Court—in contrast to their US counterparts, who are not—will not be compromised by any likely changes in the rules of engagement? The Secretary of State must answer that question and give the House an absolute assurance in this respect: what limit in time and manpower do the Government intend to assign to the deployment?

Does the Secretary of State further agree that, if our troops are deployed, they should have the power to influence the decision-making process rather than just the responsibility to execute it? Is he accordingly satisfied as to the general scale and input of British views and expertise in current coalition counter-insurgency planning? What is the latest date on which the US has requested that our troops be deployed, and is it not leaving it all to rather short notice to send out a recce group tomorrow to report back with the Chief of the Defence Staff's decision due on Wednesday? Do not US forces have their own deployable reserves, or are they all already fully engaged? Will the Secretary of State explain to the House what he believes to be the operational justification for this proposed substantial change to our dispositions, and will he also explain the nature of the military advice that he has thus far been given?

In view of what the Secretary of State has said, is he aware that Black Watch was told last Tuesday that it would not be coming home in November and that it would be redeployed? The Secretary of State needs to understand the feelings of the families, who will have watched with disbelief the unfolding shambles of the last few days and the Government's uncertainty and inability to make clear and prompt decisions on such vital matters.

Finally, given recent events and the need to look to the future, does not the Secretary of State now accept that it is fundamentally irresponsible to cut four infantry battalions from the order of battle while the Army is so clearly and obviously under such great pressure?

Mr. Hoon: Again, I am grateful for the hon. Gentleman's unqualified support, and I hope that our American allies feel the same about the support that he appeared to give them—not least because he was quoted in *The Sunday Times* this Sunday as saying:

> "The concept of peacekeeping is one alien to our American friends."

No doubt that will be read with great enthusiasm in the White House and, indeed, in the Pentagon. Notwithstanding the hon. Gentleman's criticisms of our American allies, this is about a request from a close ally to provide assistance in a very difficult operation in and around the important centres that the Americans have been attacking in recent days. That has been designed to ensure that the terrorists do not have the opportunity of killing more innocent Iraqis and more innocent citizens not only of the UK but of other countries as well. That is why it is so important that, if we accept the request, we take the necessary action. It is a coalition effort—one ally strongly supporting another.

I shall try to deal with each of the hon. Gentleman's questions as best I can, given that a number of the issues necessarily fall to be decided by the chiefs of staff following appropriate information on the reconnaissance, to which I referred. It is important that we bear in mind the importance of assisting allies. To that extent, I agree with the hon. Gentleman. The Black Watch has been heavily engaged, and if we take the decision to move it or other appropriate forces north we should cover the gaps in our capability. We are mindful of that.

The rules of engagement that we provide for British troops are already extremely robust and I do not anticipate any difficulty with them, either in their own right or as far as any possible remote threat from the ICC is concerned. There will be no compromise on those rules of engagement. I was slightly surprised over the weekend to hear the hon. Gentleman apparently calling for their publication. No doubt he has since reflected on that, as no Government—certainly no Conservative Government—have contemplated that in the past. I draw his attention in that respect to his own remarks in *Hansard* when he was Minister of State for the Armed Forces.

It is right that we do not set out the time limit in detail; it is a matter for military advice. The situation is similar for the scale and input of the UK's contribution. That equally applies to any latest date for deployment. I have set out the strong operational justification for the deployment. I do not believe, however, that it in any way affects our decision to take advantage of the withdrawal of four battalions from Northern Ireland, not least because this is an extra deployment that will require support, as hon. Members will recognise if they consider the decision calmly and rationally. The reason for readjusting our Army numbers to allow more support to logisticians and signallers is to permit this type of extra commitment. There is no shortage of infantry battalions, but there is an acute shortage of those who support the battalions.

Mr. Paul Keetch (Hereford) (LD): I also thank the Secretary of State for notice of his statement and associate Liberal Democrats with the statements of support for United Kingdom forces in Iraq. Their performance in difficult conditions has been outstanding and we offer them our wholehearted support.

The United States has 130,000 military personnel in Iraq. Is the proposed deployment of 650 extra British troops purely for operational reasons? If so, what are those reasons, and why specifically British forces and not other United States forces or other coalition forces used to working under US control? Are none of those available?

Will the Secretary of State be specific about whether he has put the Black Watch under a warning to stay inside Iraq? Given that the Black Watch is the reserve force for the south, what other arrangements will be made to ensure that the effective capability of our force in the south will not be affected, especially at a time when the situation could deteriorate? What consideration has been given to the logistics implications, in particular for Warrior vehicles taken away from the south? Will he comment on the morale of the Black Watch, given that it was supposed to return to the UK in two weeks?

We know that American military tactics in Iraq are different from our own. Indeed, General Jackson told the House of Commons Defence Committee just that two weeks ago. Will our forces have to work under a different military doctrine? If the deployment is required for convincing operational reasons, will the Secretary of State assure the House that he will not go against the advice of the chiefs of staff who are going out to Iraq tomorrow to make their assessments?

Mr. Hoon: I assure the House that this is a military request, as I made clear. It is made for clear operational reasons. The House will not be surprised to learn that there is a continuing effort against those parts of Iraq that have been harbouring and sheltering terrorists. It is necessary to deal with those areas, and some have already been dealt with. Samarra was an outstanding military operation and proved very successful. It is necessary to maintain such operations to ensure that free elections take place in January, so there is a clear operational justification.

Incidentally, I cannot think of any other country that has worked more closely with US forces in recent times than Britain has. If the hon. Gentleman's argument is that those countries that have worked closely with the US should step forward, we would be the first in the queue. Attention will be paid to the provision of appropriate reserve forces and to necessary logistics.

I, too, asked about morale in the Black Watch. I emphasise that the Black Watch is toured for six months, as all British Army units are, and it will be back in the UK before the completion of that tour of duty. I was concerned that members of the Black Watch had been told informally that they might expect to return before those six months had elapsed. Having raised the problem of morale, I was left in no doubt that if there was any question about their commitment to participate in such an operation, I could take my criticisms and put them somewhere else—I paraphrase.

I do not accept that the deployment will involve a different military approach from the one that the UK adopts in its area of operations. As I said, if the operation is agreed to, the UK forces will be responsible for a discrete and particular area.

Mr. Frank Cook (Stockton, North) (Lab): Will my right hon. Friend the Secretary of State call to mind the statements of his counterpart in the United States and indeed the President that the US forces can handle events in Iraq and that there should be no need for UK forces to get involved? My right hon. Friend will also have noted reports of American statements that the British attitude is one of institutionalised cowardice. Will he assure the House that he will bear both those elements in mind before coming to a decision—if he has not already done so?

Mr. Hoon: I assure my hon. Friend that no decision has been reached. I have set out the necessary steps before any such decision is made and, as I have already indicated, I will inform the House as soon as possible once the decision has been taken. I will certainly take his observations into account, but I wish to emphasise to him and to the House that we are part of a coalition and it is necessary for the participants to support each other. That is one of the factors that we will have to take into account before reaching any conclusion on that request.

Annabelle Ewing (Perth) (SNP): As the MP for Perth, where the Black Watch has its regimental headquarters, I know that people in my constituency do not understand why it is operationally necessary to deploy the 600-plus battalion in the US zone, where there are already more than 130,000 US soldiers. What does the Secretary of State have to say to my constituents who are anxiously awaiting news about their loved ones, who are currently on their second tour of duty within a year and who are being stabbed in the back at home by the Government's plan to disband their historic regiment? My constituents want to know when the Black Watch will come home.

Mr. Hoon: I thought that I had explained. I recognise that the hon. Lady represents a number of people closely concerned with the Black Watch. The Black Watch would have expected to fulfil a six-month tour of duty, as is consistent with all Army units. However, informally, it might have expected to return after four months. Those expectations may not be satisfied if the request is agreed to on an early basis. I am sure that the Black Watch will have strong views about that and, as I said a few moments ago, I raised the question of morale in the Black Watch, given the efforts that it had made in the past. I am sure that the hon. Lady knows the Black Watch much better than I do, but the message that I got was that it was determined to carry through this operation should it be decided that it should participate.

Joan Ruddock (Lewisham, Deptford) (Lab): Will my right hon. Friend accept that there is a clear perception—among those, such as me, who opposed the war and those who supported it—that British troops have been more intelligently and sensitively led in Iraq than the US forces? At a time when two thirds of Iraqi civilians who are killed die at the hands of the coalition, is not this the time to review the conduct of the war rather than to place British forces, which have done a fantastic job in their own way, under the command of the US?

Mr. Hoon: I have had the privilege of visiting British troops in their area of operations on several occasions and I acknowledge the remarkable way in which they have gone about their job. It is sometimes unfair to compare them with US troops in and around Baghdad,

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who have faced a wholly different kind of threat from that faced by British troops in the south. There have been some real difficulties in our area of operation, such as in al-Amarah, which has been superbly handled but has put great strain on British troops. The insurgency and terrorist threats that the Americans are dealing with are of a different order from those that British troops have faced in, for example, Basra. It is important that we offer our assistance, as part of the coalition, when it is requested.

Dr. Andrew Murrison (Westbury) (Con): Warminster in my constituency is currently the home of Lieutenant-Colonel Cowan and his battalion, who face a move to northern Iraq. What assessment has been made of the likely casualties that may be sustained in the event that that move takes place? Many of my constituents and their families will be deeply concerned.

Mr. Hoon: I am grateful to the hon. Gentleman for raising that issue. It is obviously a matter that will have to be taken into account, not only by the chiefs of staff as they reach their conclusion based on the reconnaissance that will take place tomorrow, but by Ministers, who will report to the House about it.

Mr. Iain Luke (Dundee, East) (Lab): I echo the sentiments that have been expressed about the redeployment of the Black Watch for the third time. I have no doubt that the regiment will serve admirably, as always; it will do a great job and morale will be as good as ever. As there is obviously a greater need for American troops to be involved in combat in the run-up to the elections in January, does my right hon. Friend foresee further requests from the Americans for more British troops to be redeployed outwith their area of operations? Are we not getting into a quagmire, given the mishandling of the war by America, which could lead us into a Vietnam situation?

Mr. Hoon: I have been at great pains to emphasise that this is a specific request for a particular purpose, arising from the need to deal with the terrorist threat in particular cities. Those cities are well known; Samarra has already been dealt with, and there has been negotiation to reduce the level of threat in places such as Sadr City. Incidentally, that has been of considerable benefit to British forces in the south of the country, as there seems—at any rate, for the moment—to be agreement among certain of the Shi'a militant forces to relax their efforts. That has obviously made life calmer, for the present, in the south. It is important to emphasise that this is about ensuring that the terrorist threat in particular parts of the so-called Sunni triangle is reduced, to allow the prospect of elections in January.

Mr. Iain Duncan Smith (Chingford and Woodford Green) (Con): I am one of those who continue to support the war and believe that it is right and that what is going on is right to bring democratic government to Iraq, but it is important that when the Secretary of State comes to the Dispatch Box he clarifies the position exactly, to show that there will be a genuine and clear military advantage, that our troops, under the guidance of the chiefs of staff, will bring added value to the operations that are taking place in Iraq and that the rules of engagement are clear. I have one simple question about something that I feel he glossed over slightly and which was brought up by my hon. Friend the Member for Mid-Sussex (Mr. Soames)—the ICC. Will the Secretary of State explain how our different approach will not end up creating huge problems for us in the conduct of operations under the command, or associated command, of the Americans?

Mr. Hoon: This is not necessarily the occasion on which to debate the precise terms of the ICC statute. The right hon. Gentleman knows that we have robust rules of engagement and that we have consistently supported our troops and will not allow them to be placed in jeopardy due to some legal failure, or indeed as a result of our signing up to a statute, which, among other things, requires that the ICC intervene only when the state—in this case, the United Kingdom—had not taken appropriate action. That is a clear difference between our position and that of almost any other country. We would take robust action where it was appropriate.

Mr. Robin Cook (Livingston) (Lab): Will my right hon. Friend confirm that it is the restraint that has been shown by British troops in peacekeeping that has earned them respect among the Iraqis? Will it really be possible for them to maintain that restraint if they are deployed to a US sector that has been policed for more than a year by US forces who have not shown the same level of restraint? Does my right hon. Friend recall that the last time US forces besieged Falluja, they left Iraq in uproar over the many civilian casualties? In assessing the request, will he consider carefully the risk to British troops, in that if they free up US forces for the next attack they may be seen by some Iraqis as equally responsible for civilian casualties over which neither he nor they will have any control whatever?

Mr. Hoon: I am grateful to my right hon. Friend for the tribute he pays to British troops, but I qualify his observation to this extent: British forces are able to adjust their approach and tactics in the light of the threat they face. They will have to be less restrained—if I may adopt his word—if there is a direct physical threat to them. I hope that will not be the case, but obviously they have the flexibility and sophistication to be able to adjust appropriately to the conditions. What has changed since the last time that Falluja was approached in the way that it is proposed to deal with it is that sovereignty has passed to the Iraqi Interim Government and it will ultimately be their decision as to whether those operations take place. Indeed, significant numbers of Iraqi forces on the ground will participate in any operation, as they did in Samarra. This is no longer simply a question of the Americans deciding and doing, but a matter for the Iraqi Interim Government.

Mr. Kenneth Clarke (Rushcliffe) (Con): Does the Secretary of State accept that the difference between the British and American approaches to peacekeeping is not just a question of defending themselves against attack—British troops are just as robust in defending themselves against direct attack as any of their allies—but involves an approach to peacekeeping based on trying to keep the support of all the favourably disposed, non-insurgent civilian population? As the latest deployment is plainly intended to facilitate a further assault on Falluja, will the Government take the opportunity to try to exercise more influence on the Americans in their conduct of operations? In particular, will they stress the need to ensure that the force used is proportionate to the threat that is definitely known, and that action is conducted on a basis that minimises the threat to civilians and reduces the amount of air and artillery attack on densely populated areas of a city?

Mr. Hoon: The right hon. and learned Gentleman is at risk of making unfortunate generalisations about the US and the UK. I have conceded already that, in those areas where US forces are under a direct and regular threat from terrorist organisations, they must necessarily respond robustly. He quite fairly said that that would be the case if British troops faced the same kind of threat, but he must recognise that there are large parts of Iraq where US forces are deployed where, frankly, there is a degree of restraint—to adopt a phrase used by my right hon. Friend the Member for Livingston (Mr. Cook)—and a degree of interaction with the local population that are no different from the way in which British forces operate in the south. The response of any force to a particular situation must depend on the threat that it faces and how often that threat occurs.

Sir Gerald Kaufman (Manchester, Gorton) (Lab): I accept what my right hon. Friend says about this being a military request; I also accept what he says about the response to that request being a matter of timing. Will he take into account the fact that many hon. Members would hope that that timing will take into account the possibility of United Kingdom forces risking their lives being exploited politically in a closely fought United States election?

Mr. Hoon: I am very conscious of that, which is why I was at pains to emphasise that this is not about the politics of the US election; it is, however, about the politics of the Iraqi election in January.

Mr. Ian Taylor (Esher and Walton) (Con): The Secretary of State convinced the House that the terms of engagement will be sufficiently robust, and I have no doubt that our forces are quite capable of operating outside their current area of operations. The problem is that much of the terrorism that they will take on was inevitable because of the way in which we went into the war. Quite a lot of the problems that we and our American allies are experiencing result from the fact that we did not have a proper plan for the peace. Regardless of what the chiefs of staff say, what does he believe will make the British influence sufficient to ensure that we do not get ourselves sucked further into a morass in Iraq, which is very dangerous and unlikely to be stable before the elections in January?

Mr. Hoon: Generally, I would agree with the hon. Gentleman's premise, but on this occasion I do not quite follow why the current attacks by vicious, brutal and ruthless terrorists have anything to do with the way in which the war was prosecuted. Indeed, many of the people whom we are trying to deal with in places such as Falluja are not even Iraqi citizens and were not based in Iraq at the time. The truth is that we are trying to deal with people who have killed more Iraqis than they have killed coalition forces—by a huge number. Trying to deal with those people is vital, and I hope that all hon. Members will support that if we are to restore Iraq to the international community and to legitimacy.

Geraldine Smith (Morecambe and Lunesdale) (Lab): My right hon. Friend must be aware of the widespread public alarm at the possible deployment of British troops. Does he not realise that what the British people really want is a clearly defined exit strategy from Iraq, not greater commitments and greater danger for our troops out there?

Mr. Hoon: If my hon. Friend will forgive me, I believe that there is a clear exit strategy: it is to ensure that elections can take place and that the security conditions are right to permit those elections and the election of a democratic Iraqi Government, together with, as I indicated, the training of Iraqi police, security forces and a new Iraqi army that increasingly takes responsibility for Iraqi security. That seems to me to be a clear exit strategy, and I hope that she supports it.

Bob Russell (Colchester) (LD): May I remind the Secretary of State that 3,000 troops from the Colchester garrison served Queen and country in the Iraq war, a war that we now know was fought under a false prospectus, and that 500 further troops from Colchester served in the peacekeeping? He will be aware that several troops from Colchester lost their lives. He may be of the view that public opinion in this country does not link the request with the American presidential election, but clearly public opinion in this country does. May I ask him specifically whether, if the Black Watch is moved into the American zone, any further British troops will be called in to make up for the gap left by the Black Watch?

Mr. Hoon: I made it clear earlier that that will be one of the considerations that will have to be addressed if we decide to accept this request.

Mr. Dennis Skinner (Bolsover) (Lab): Is my right hon. Friend aware that the same President Bush who now wants the British forces to bail him out is the same man who, more than 12 months ago, said that the war was over? Is there not a strange irony about that? Why is it that it has to be done before 2 November? If it is going to be done before then, it is political. It is handing an oxygen cylinder to this President Bush, who was not elected properly the first time, and giving him a lifeline in order to win again. I have to tell my right hon. Friend that I and many others, not only in the House but outside, do not take kindly to the idea that we are being engaged with President Bush and the Pentagon in order to bail them out.

Mr. Hoon: I shall ensure that my hon. Friend's remarks are fully and thoroughly communicated to our American allies as we consider the timing of any request.

Mr. Crispin Blunt (Reigate) (Con): When the Secretary of State rebuked my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke) for unfortunate generalisations, I assume that he included the Chief of the General Staff, who told the Defence Committee that we fight with the Americans but not necessarily as the Americans. The House will require a great deal of reassurance that this distinction, which is not lost on the Iraqis, can be sustained if this battle group finds itself under American command.

The Secretary of State also said that gaps must be covered. If he is to deploy the divisional reserve, I think that General Rollo and the rest of the troops—particularly those under such pressure in al-Amarah—will want the Secretary of State to be rather more than simply mindful of the need to replace the divisional reserve and give them and the House an assurance that the divisional reserve will be replaced if it is to be deployed under American command.

Mr. Hoon: I think that it is very important that we recognise that all countries have a particular style and way of conducting operations. In response to the right hon. and learned Member for Rushcliffe (Mr. Clarke), I emphasised the importance of not simply generalising about the way in which different countries conduct military operations. There are many parts of Iraq where Americans are keeping the peace no differently from the way in which British soldiers keep the peace in the south of Iraq.

Glenda Jackson (Hampstead and Highgate) (Lab): If the request for assistance is, as has been widely reported, to enable American troops to launch an all-out attack on Falluja, why have the British Government not already said no? Such an attack would result in the deaths of innocent Iraqi civilians, the terrorists having long gone, and will serve only to underline the total failure of the American Government to win the hearts and minds of the Iraqi people. Surely it will afford those who are opposed to this country the oxygen to be able to say that one of the best and most highly skilled and disciplined fighting forces in the world—namely the British Army—has been reduced to the level of mercenaries for a Republican White House.

Mr. Hoon: Notwithstanding my hon. Friend's concluding remarks, I hope that she agrees that it is necessary to deal with the kinds of terrorist organisation that are operating from Falluja. It is vital that we deal with that threat to democracy and security. Knowing her very impressive record in condemning injustice, breaches of human rights and murder, I am slightly surprised that she is not saying that this is the right thing for coalition forces—not American forces—to do. As I indicated in response to an earlier question, the final decision as to whether operations are conducted against Falluja will be taken by the Iraqis. It is their country; it is their hearts and minds. If they judge it necessary to deal with the threat to Iraqi citizens, they will be the ones to take the decision.

Sir Teddy Taylor (Rochford and Southend, East) (Con): Although I was one of the minority on the decision to invade Iraq, does the Secretary of State accept that many people feel that we are not winning the propaganda war in Iraq, especially that for the hearts and minds of the people there? To that extent, may I ask him a simple question: if he goes ahead with putting the extra troops where they are required, will he make it abundantly clear at the same time that the British and American Governments will withdraw their troops when the newly elected Government in Iraq take the view that they can look after the security of the country themselves?

Mr. Hoon: It is vital that the Iraqis are responsible for their own security, which is why British and other coalition forces are engaged in extensive training programmes to equip Iraq with the right kinds of security forces. I do not accept that the hon. Gentleman is right about the battle for hearts and minds and the question of public opinion in Iraq. If some slight good has come from the appalling and tragic death of Ken Bigley, it is that it has shown to huge numbers of people in Iraq and throughout the Arab world the appalling brutality of which the terrorists are capable. There are clear signs that that terrible death has swung opinion firmly on the side of those who are trying to deal with the terrorists.

Mr. Alan Williams (Swansea, West) (Lab): My right hon. Friend referred to political perception. Is it not a political reality that in the US election campaign, the role of the allies has become a central area of dispute between the two candidates? Is it not therefore essential that British troops are not seen as being used to favour one candidate over another?

Mr. Hoon: I certainly agree, and that will not happen.

Dr. Jenny Tonge (Richmond Park) (LD): If we refuse the Americans' request, what penalties are we likely to incur?

Mr. Hoon: There would be no penalty, but we would have failed in our duty as an ally and as a country that has closely supported the United States—*[Interruption.]*

Mr. Speaker: Order.

Mr. Malcolm Savidge (Aberdeen, North) (Lab): Given such serious worries as increased risk to our forces, mission creep, and British involvement in military strategies that could cause major civilian casualties, alienate more Iraqis and perhaps be distorted by US domestic politics, will my right hon. Friend assure the House that we will have a full opportunity to debate and deliberate before a decision is taken?

Mr. Hoon: The answer to my hon. Friend's question is the same as the one that I have given him on many previous occasions: it has never been this country's constitutional arrangement that the House of Commons necessarily approves the redeployment of forces that have already been committed to a specific theatre. He might take a different view of what the constitutional arrangements should be, but I assure him and other hon. Members that when any decision is taken I shall report it to the House immediately.

Sir Peter Tapsell (Louth and Horncastle) (Con): Is it not self-deluding to continue to describe the people defending Falluja as terrorists when the great majority of them are unquestionably Sunni nationalists who regard themselves as Arab patriots? Does the Secretary of State remember that before the war, from my personal experience, I warned him of the difficulties and dangers of fighting in Arab towns, to which he replied, "It depends which side the population is on"? He knows the answer to that question now, does he not?

Mr. Hoon: I do not accept that terrorists such as al-Zarqawi who lead significant numbers of foreign fighters in places such as Falluja are entitled in any way to be described as Sunni nationalists. They are brutal killers and they are killing Iraqis. It is our responsibility, on behalf of the coalition, to make the effort to deal with those people.

Andrew Mackinlay (Thurrock) (Lab): I listened to the Secretary of State and I think I am correct—he will confirm this—that a decision has not been made and that it will be taken on military terms. May I put this simply: I beg him not to accede to the request? In addition to the military aspect, there is a political dimension to the situation, and hon. Members are entitled to ask him to take their views on that into account. Not one member of the parliamentary Labour party has supported the deployment. Many of us find it totally incredible that the United States of America cannot find the logistic support and infantry to fill the gap. I found his response to the hon. Member for Richmond Park (Dr. Tonge) deeply upsetting, because he said that he had not made up his mind but then said that to turn down the request would be letting down allies. It would not. The United Kingdom has given 110 per cent. on this issue, and some of us have provided political cover and support for this Government. I beg him not to try to stretch the envelope too much; otherwise it might burst. Some of us will not stomach it and—

Mr. Speaker: Order. Before the Secretary of State replies, may I say that many hon. Members still wish to speak, and brief supplementaries would be very helpful?

Mr. Hoon: Thank you, Mr. Speaker. I am not sure that I can reply to my hon. Friend, because I did not detect a question, but I will certainly take his observations into account.

Mr. Peter Viggers (Gosport) (Con): Following earlier questions and answers, does the Secretary of State agree that the courage and determination of our armed forces are such that they will concur with any request that is made to them by the Government?

Mr. Hoon: That is the great strength of armed forces that are answerable constitutionally to Government and to this Parliament.

Mr. David Watts (St. Helens, North) (Lab): It is clear that there might be a strong case for the need for more troops in the American sector, but can the Secretary of State spell out why those troops should be provided by the British Government and not the American Government?

Mr. Hoon: I have set out the case right from the start of my statement. These are extra operations being conducted in areas of particular difficulty. The US requires extra forces, and extra support from allies, including the United Kingdom, to be able to achieve those operations.

Mr. Douglas Hogg (Sleaford and North Hykeham) (Con): Does the right hon. Gentleman understand that some of us who opposed this war, and *still oppose it*, believe none the less that, given the fact that we are there, and subject to the points made by my hon. Friend the Member for Mid-Sussex (Mr. Soames), it would be extremely difficult to refuse a request from the United States for military assistance? However, does it not also demonstrate the dangers of our presence? Therefore, will he give an undertaking to the House that he will give no assurance to anybody, explicit or implicit, that British forces will remain deployed there after the expiration of the current mandate in June next year?

Mr. Hoon: The right hon. and learned Gentleman sets out an argument that I have sought to use to persuade hon. Members on both sides of the House. When those who have opposed military operations look at the situation today in Iraq, they should be saying precisely what he said: here we are, we have a very difficult situation, and we have to continue our efforts to restore a degree of security in Iraq, to allow democratic elections to take place and to defeat terrorism. That is precisely the argument that I hope all hon. Members will subscribe to. As for a time limit, I shall not give the right hon. and learned Gentleman any guarantees, but obviously there are legal requirements that the United Kingdom would have to satisfy were the mandate to continue beyond the date that he specified.

Kate Hoey (Vauxhall) (Lab): Will the Secretary of State tell us when exactly was the last time that British troops operated in a war zone under the direct control of a foreign country?

Mr. Hoon: UK forces regularly come under the command of others—and not only of the United States. Whether they are operating in the south, as they are today, or whether they operate, if this request is accepted, under the control of a US commander further north in Iraq, a US commander is still ultimately in charge. A British commander is the No. 2. Whenever we deploy on multinational operations, for example as part of NATO, the commander may well be American or from any other of the NATO states. What my hon. Friend suggests may be unusual is actually a regular occurrence.

Mr. Quentin Davies (Grantham and Stamford) (Con): This is not a time for ambiguity, vacillation or prevarication of any kind: a decision needs to be taken.

[Mr. Quentin Davies]

Perhaps a decision already has been taken but, if it has not, may I express the hope that we will accede to the request, so long as our commanders on the spot confirm that we have the resources to do the job? We were right to get into this operation alongside our American allies; my only regret is that we did not do it before, and did not complete the job in 1991. Now that we are in, it is very important that we continue to show ourselves to be firm and reliable allies, utterly committed to seeing this thing through and therefore prepared to take our share of the risks of the operation. I believe that the gallant British servicemen and women whom I met in the Gulf on two occasions when I was a defence spokesman would want that.

Mr. Hoon: I have set out to the House the process that we will follow. I assure the hon. Gentleman that when a decision is reached, I shall report it to the House in the usual way.

Jeremy Corbyn (Islington, North) (Lab): Since the Secretary of State appears to have made up his mind, given his response to the hon. Member for Richmond Park (Dr. Tonge), will he tell us whether British troops will be present in the anticipated all-out attack on Falluja after 2 November? Will they be expected to take casualties as the United States has, and will they be involved in that sort of operation? Does he actually have any control over the matter once he has acceded to the request?

Mr. Hoon: I made it clear in my statement that the request does not involve the deployment of British troops to Falluja.

Mr. David Heathcoat-Amory (Wells) (Con): The National Security Committee under the Iraqi Interim Government is attended by the American forces commander, but not the British one. Why is that? If we are to commit extra forces as the Secretary of State has outlined, will he seek attendance at that committee for the British commander, or is he content for us always to claim great influence over our allies while failing to deliver it where it counts—on the ground?

Mr. Hoon: There is significant British representation at that meeting at a very high level.

Mrs. Anne Campbell (Cambridge) (Lab): Will my right hon. Friend explain why he is considering deploying additional British reserve troops when it is American forces that are under pressure? Will not the people of this country realise that this is political expediency with a large P?

Mr. Hoon: I do not accept that, and I believe that I have answered that question several times already. There is a clear operational reason for conducting the operation to remove the terrorist threat in places such as Falluja. The Americans have made a request of an ally to assist. We shall consider that request very carefully in the next few days.

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): In answer to an earlier question, the Secretary of State accepted that our forces are so professional and well trained that they will rise to any challenge that is asked of them. Surely, therefore, their political masters have to be that much more responsible and careful about what challenges they ask them to rise to. To that end, what assessment has the right hon. Gentleman made of the overstretch in the US forces such that they cannot find the 600 troops from their own resources?

Mr. Hoon: The hon. Gentleman is right that a careful assessment is required. That assessment will be conducted, but it does not include a detailed assessment of whether the United States is right to make the request. An ally has made a request. It is necessary that we consider it carefully.

Tony Lloyd (Manchester, Central) (Lab): My right hon. Friend has been at pains to say that our troops will not be committed in, for example, attacks on Falluja or direct action against terrorists. However, he has failed to say what precisely British troops will be required to do that cannot be done by the many American troops already present. That is particularly important given the fact that if British troops are deployed into the American zone, gaps will be created in the British zone.

Mr. Hoon: The specific reason is to free American forces to conduct extra operations in places such as Falluja where terrorists are well established and are attacking both coalition forces and innocent Iraqi civilians. We have been asked to fill in in the areas left by the American forces who will be engaged in such operations.

Mr. David Tredinnick (Bosworth) (Con): If we start to serve in the American sector, what input in the decision-making process will British commanders on the ground have? What will the relationship with their American counterparts be? What discretion, if any, will they have? Does he not agree that his defence of the morale of the Black Watch is a vindication of the regimental system, which he has pledged to destroy?

Mr. Hoon: Let us just deal with the point about the regimental system. Opposition Members have had an entertaining time in their local and, indeed, national newspapers talking about attacks on that system, but there is no such attack. There will still be a regimental system, and I am sure that if the hon. Gentleman reads more carefully the statement that I made to the House and the material that has been published, he will accept that that is the case. That demonstrates the importance of studying the Government's proposals carefully.

Mike Gapes (Ilford, South) (Lab/Co-op): Is there not a danger of exaggerating the political significance in the United States of any decision that we take? Is it not a fact that the woeful economic performance of the Bush Administration and Democrats' anger at what happened four years ago are more likely to decide the outcome of the election than any simple decision made in the House? Will my right hon. Friend assure me that whatever decision we make will be made in the light of sending a clear message to the Iraqi people that we will not desert them and will see things through to next year to help them in their elections?

Mr. Hoon: I suspect that there might be as much danger in answering the first part of my hon. Friend's question as there was in less friendly questions earlier today. It is important, however, that we consider the future of Iraq and make the decisions required to allow it to hold elections in January. That is what this is about.

Mr. Desmond Swayne (New Forest, West) (Con): My interest is in the register.

The Secretary of State rightly spoke about the robust rules of engagement. I am inclined to support the deployment, but I have a reservation. Perhaps he can reassure me by telling me that he shares my anger and indignation that a soldier carrying out his mission in Iraq can be cleared of wrongdoing by his commanding officer and yet be arraigned at the Old Bailey? That is an outrage.

Mr. Hoon: That is a matter for the courts. The hon. Gentleman knows better than I do that it is best left to the legal authorities. It is not a matter for Ministers to comment on or, indeed—*[Interruption.]*

Mr. Speaker: Order. May I tell the hon. Member for Mid-Sussex (Mr. Soames) that the Front Bench has had its turn, and he must be quiet?

Mr. Hoon: I was hoping that the hon. Member for New Forest, West (Mr. Swayne) would refer to his excellent work in co-ordinating our efforts with Italian forces, which was a valuable illustration of the importance of coalition activity. The House, and the Government in particular, are extremely grateful to him for the way in which he promoted good alliances with our coalition counterparts.

Alan Simpson (Nottingham, South) (Lab): I know that the Secretary of State said that no decision has been made about the request, but given his answer to the hon. Member for Richmond Park (Dr. Tonge), I was reminded of a line from a song in the musical "Oklahoma":

> "I'm jist a girl who cain't say no".

Can he tell the House of any occasion when a request from our American allies was turned down? If not, would he as Secretary of State place any limits on the deployment of British troops in out-of-area activities at the request of the Bush Administration?

Mr. Hoon: "Oklahoma" was a bit before my time.

Mr. Skinner: The actress's name was Gloria Grahame—an American.

Mr. Hoon: I am getting help with the participants; but I do not accept the assertion of my hon. Friend the Member for Nottingham, South (Alan Simpson). It is important to concentrate on the operational nature of the deployment and recognise that it is in the interests of the Iraqi people.

Hugh Robertson (Faversham and Mid-Kent) (Con): Both the report by the Iraq survey group and the initial report by the Volcker inquiry highlighted the extent of corruption at the United Nations during the oil-for-food programme and its effect on the insurgency in Iraq. Given that Saddam Hussein and his entourage personally benefited to the tune of $10 billion, what effect is that having on the current insurgency, particularly in the Sunni areas, where our forces may be deployed?

Mr. Hoon: The hon. Gentleman raises an extremely important issue. There is no doubt that some people who are continuing to fight are fighting for the restoration not of Saddam's regime in particular, but of the privileges and money that they enjoyed as a result of the corruption that existed during his time in office. There is no doubt that many of those people benefited significantly and are using some of those funds to buy weapons to kill not only members of the coalition, but Iraqis.

Rob Marris (Wolverhampton, South-West) (Lab): I salute the work of our troops in Iraq, but urge my right hon. Friend to treat the request with great circumspection for fear of putting them in greater danger. Can he explain how it is that, as he has repeatedly said, he is considering a request from the United States of America, when in theory earlier this year sovereignty was transferred in Iraq? Has there been any request from the Iraqi Government? Will he explain the command structure in that relationship?

Mr. Hoon: The request is from a fellow member of the multi-national force. We are there at the behest, and with the consent of, the Iraqi Interim Government and, as I indicated earlier, should there be any operations against Falluja, or any other place in Iraq, they will take place only with the agreement of the Interim Government.

Mr. Mark Francois (Rayleigh) (Con): The whole House will be conscious that the Secretary of State bears a heavy responsibility. Discharging that responsibility a little while ago, he said in response to a question that we would fail to support an ally if we were to turn down this request. How can he have come to so concrete a conclusion if, as he has claimed repeatedly this afternoon, no decision has yet been taken?

Mr. Hoon: It is clear that the reason why we would want to accede to this request—if that is what we decide to do—would be because we would be in support of an ally. We cannot go into a coalition and then simply cross our fingers and say that there are certain circumstances under which we will not participate. I am sure that the hon. Gentleman is not suggesting that for a moment. Were we to refuse that request, it would go to the heart of our relationship not only with the United States, but with other members of that alliance.

Mr. David Kidney (Stafford) (Lab): Will my right hon. Friend say a little about the logistical prerequisites of any such further deployment, with particular reference to the greater need for armoured vehicles?

Mr. Hoon: Those are matters that will be the subject of the reconnaissance that is about to take place and they will be taken into account by the chiefs of staff in their advice to Ministers.

Dr. Julian Lewis (New Forest, East) (Con): Does the Secretary of State accept that, from conflicts as diverse as Malaya in the 1950s to the Balkans in the 1990s, the British Army has both developed and implemented peacekeeping strategies that are superior to those of any other army in the world? Does he recall the dispute between the British and the Americans over the occupation of Pristina airport and the way in which that was resolved? Does he therefore think that he should pay more attention to the point made by my hon. Friend the Member for Mid-Sussex (Mr. Soames) that, if the British are deployed in this way, it is vital that they have a key input into the counter-insurgency strategy that is followed?

Mr. Hoon: As I made clear, the request is for British forces to participate in operations in a discrete and particular area of Iraq and therefore their position will be no different from the one that they are in today in conducting operations in the south of Iraq.

Miss Anne McIntosh (Vale of York) (Con): I join the Secretary of State in paying tribute not just to the troops, but to the excellent work of those in the RAF, many of whom will have come from the Vale of York. If he accedes to the request, will he not be moving further away from his target of having 24 months between operational tours? Does that not support the thesis of my hon. Friend the Member for Mid-Sussex (Mr. Soames) that we need more battalions rather than fewer?

Mr. Hoon: Unfortunately not, because the very people who have the least opportunity of a 24-month rotation are those who have precisely the kinds of skills that we are intending to reinforce by redeploying the four battalions from Northern Ireland into those areas of shortage. It is no good the hon. Lady shaking her head. If she really is concerned about those who have been most stretched in recent times, she needs to look at the logistics and at engineers, intelligence personnel and signallers, who are precisely the kind of people who support operations. If she looks carefully at what I said, she will see that our intention is to use the strength released from those four battalions to help those shortage areas.

Mr. John Bercow (Buckingham) (Con): This is clearly no time for narrow partisanship or opportunistic repositioning. Speaking as one of those who voted for the war, would back exactly the same text again, believe that the Prime Minister has been honest on this subject throughout and think that the coalition forces should finish the job that they have quite properly started, may I put it to the Secretary of State that, subject to the caveats that he has very properly highlighted this afternoon, in seeking to reinforce United States efforts to establish security in Iraq and fight terrorism there, he is entitled to receive the strong, principled and consistent support of people in all parties for doing what is right, however inconvenient it may be?

Mr. Hoon: I am grateful to the hon. Gentleman. I assume that he was not accusing the Government of opportunistic repositioning. He seemed to be directing his gaze towards his own Front Bench.

Tomlinson Working Group

4.35 pm

The Secretary of State for Education and Skills (Mr. Charles Clarke): I should like to make a statement on the reform of education and training for 14 to 19-year-olds on the occasion of the publication of the final report from Mike Tomlinson's working group on 14 to 19 reform.

I welcome the working group's report and commend it wholeheartedly to the House. I am extremely grateful to Mr. Tomlinson and his colleagues for their very hard work over the past 21 months. They have consulted widely and openly, and have now produced a cogently argued, challenging and compelling vision of the future. Through their regular engagement with the many stakeholders, including schools, colleges, universities and employers, I believe that they have laid the basis for the development of a broad consensus on the best way forward. I believe that it is important that this consensus extends across the whole House, so I have encouraged Mr. Tomlinson to keep in touch with the main Opposition parties and have authorised my hon. Friend the Minister for School Standards to give early briefing to their spokespeople.

I appointed Mr. Tomlinson with the view that the status quo is not sustainable. Doing nothing is not an option. Under the current system, many of our young people achieve very high standards, whether in schools, colleges or work-based training, and move on to higher education or employment. But too many drop entirely out of education or training by the age of 17. Some do not have sufficient grasp of the core skills that they need for work and life. Others cannot find a straightforward path to meet their vocational ambitions. Some are simply not stretched enough to enable them to fulfil their own potential.

When we published our policy document "14–19: Opportunity and Excellence" at the beginning of last year, we concluded that those problems could not be solved simply by short-term measures, important though they are. Longer-term reform is also necessary. We therefore asked the working group to advise on a framework for qualifications that would enable all our young people to achieve their full potential, motivate them to stay in learning after the age of 16 and also reduce the burden of assessment on students, their teachers and the examinations system.

The working group's report covers all aspects of the curriculum and qualifications framework for the 14 to 19 phase. Its recommendations have far-reaching implications for the structures of education and training. They include proposals to introduce the study of core skills in literacy, numeracy, communication and ICT for all 14 to 19-year-olds; direct employer engagement in the development of vocational programmes; provision of coherent routes to fulfil vocational aspirations; the introduction of an extended project to replace coursework; and a more academically stretching system of assessment. Each of these will require short and medium-term reforms. On that basis, the report recommends development of the diploma, with the recommendation that, over time, all existing academic and vocational qualifications would be brought within its framework.

The report argues that that approach has many advantages. It would establish a single coherent, understood qualifications framework for the first time. It would put vocational and academic qualifications on a common footing, again for the first time. It would promote greater personalisation of the curriculum to meet the needs of individuals and greater choice for young people. The report also argues that a diploma would stretch our most able young people while re-engaging with those who currently drop out of learning. Such an approach would, of course, bring great challenges, as the working group acknowledges. It would be the biggest single reform of qualifications in any of our lifetimes.

Mr. Tomlinson's report rightly states that the Department for Education and Skills and its partner organisations must undertake further work before a blueprint for reform is drawn up and that the reforms will take at least 10 years to introduce. I agree with the careful, deliberate approach to reform adopted by the working group, and I accept it. Above all in that complex area, we owe it to our young people to ensure that the stability of the qualification system is paramount in our thinking and that reform is based on consensus, evolution, careful planning and the rigorous piloting of any change.

For those reasons, I shall, of course, consider the report carefully, and I intend to make positive and detailed proposals in a White Paper early in the new year. The White Paper will include my assessment of how the working group report measures up to the five tests that I set when the working group's interim report was published. The tests are: excellence—will the system stretch the most able; vocational—will it address the historical failure to provide a high-quality vocational offer that motivates young people; employability—will it prepare all young people for the world of work; assessment—will it reduce the burden of assessment; and disengagement—will it stop our high drop-out rate at 16?

In preparing the White Paper, I shall, of course, work closely with my colleagues with responsibility for education and training in Wales and Northern Ireland, which share our qualifications framework, and with our statutory partners. I am writing today to the Qualifications and Curriculum Authority to ask it to undertake the necessary work to enable us to develop our detailed proposals for the White Paper. I shall also discuss my proposals with a wide range of stakeholders, including schools, colleges, universities and employers, and I look forward to hearing the views of the Education and Skills Committee in due course. I expect this to be the first of many opportunities to consider those crucial issues in this House.

I am determined that any evolution of the system must increase public confidence in the system. My approach will therefore build on all that is good in the current system, including the real and great strengths of A-levels and GCSEs. The Tomlinson report rightly confirms the place in the system of A-levels and GCSEs, which it seeks to build on and which will stay as the building blocks of any new system. Mike Tomlinson's report also makes it clear that assessment must and will continue at all levels on the basis of rigorous, trusted and externally marked examinations, but, again as Mike's report proposes, we will need to consider the number and nature of those exams. We also believe it essential that full public accountability for results is maintained, including the publication nationally of exam results, school by school, at 16 and 19.

The Government have made tremendous strides in taking action to raise standards in primary and secondary schools, and we have also addressed both the challenges of higher education and the development of the nation's skills base. Now we must move on the reform of 14 to 19 education and training. A number of the most pressing problems are already being addressed. For example, this September saw the first 1,000 pupils on young apprenticeships start their programmes and the introduction into the national curriculum of work-related learning for all 14 to 16-year-olds, with an increased take-up of vocational qualifications. The increased flexibility programme allows 14 to 16-year-olds to spend time out of school in colleges or work-based learning, in which approximately 90,000 pupils are currently involved.

The working group's proposals give us an opportunity to consider more far-reaching reform that will shape 14 to 19 education for decades to come. Its proposals have implications for every young person in school, college or the workplace, and for those who work with them. The opportunity is great, but with it comes the heavy responsibility to turn Mike Tomlinson's vision of a 14 to 19 system that meets the needs and aspirations of all our young people into a practical reality, and I hope that both sides of the House share that objective.

Mr. Tim Collins (Westmorland and Lonsdale) (Con): I thank both the Secretary of State and the Minister for School Standards not only for an advance copy of the statement, but for the constructive, positive and non-partisan way in which they have handled this important matter. As the Secretary of State said, today is hugely important for schools, employers and future generations of young people. I hope that he will pass on from both sides of the House our gratitude to Mike Tomlinson and his team for their diligent, detailed and painstaking work.

Does the Secretary of State agree that, given that what has been sketched out is a 10-year programme that is likely to stretch across three Parliaments, it is important to reach cross-party agreement on at least some aspects of the proposals? Does he accept that the objectives set out by the Tomlinson report—to raise core skills of literacy, numeracy and ICT, to improve vocational education, to encourage greater participation beyond the age of 16, and to stretch and differentiate the most able more clearly and rigorously—are issues on which we can and should all agree? In that spirit, does he accept that proposals to reduce coursework will be widely welcomed as a means by which simultaneously to reduce pupil and teacher workload and to tackle growing allegations about the prevalence of plagiarism, and that the extended project must not become a back-door route to the same problems?

Does the Secretary of State share our strong welcome for the proposal to make receipt of a diploma absolutely contingent on passing a tough, externally assessed literacy and numeracy test? Does he agree that the aim should be to put our young people through fewer but more rigorous exams and to encourage flair and

[Mr. Tim Collins]

originality rather than an excessively mechanistic approach? Does he further agree that we must move away from the days when academic subjects were exclusively for the best and vocational subjects entirely for the rest, and that in future every child will need the encouragement and incentive to do well, in challenging and inspiring ways, in both? Does he agree that if we get that right, we can make huge progress in reducing truancy and improving staying-on rates?

The Secretary of State rightly said that the report requires and deserves in-depth study before final detailed conclusions are reached. We entirely endorse that approach and will pursue it ourselves. However, may I press him on some issues not of detail but of principle? Does he agree that Britain, not for a few years under one party but for generations across all parties, has undervalued and under-invested in vocational education? Can we agree that getting it right will require substantial new resources and that we cannot and must not ask schools or colleges to transform their vocational offerings without the wherewithal to do so?

Does the Secretary of State agree with successive Labour and Conservative Ministers in the past 15 years that school league tables are valuable and useful to parents? Does he accept that one can have neither the Prime Minister's vision of choice for parents nor the Conservative vision without those league tables and does he recognise that external assessment at 16 is the absolute prerequisite for them? Does he accept the unequivocal view of the British Chambers of Commerce that external assessment at 16 is essential for employers too?

Does he agree in principle that greater differentiation of the most able means that fewer young people at 18 would get the very highest grade? Tomlinson recommends that the top 5 or 10 per cent. should get his proposed A-double-plus or distinction diploma. We take the view that 5 to 10 per cent. should get the very highest grade by norm referencing. We may well differ on the mechanism, but will he confirm that he accepts the principle that we can no longer have more than 20 per cent. of all A-level students attaining the very highest grade?

Does the Secretary of State agree that it is vital to make sure that all school leavers have some qualification, but that the way to do that is to raise teaching standards, not to give out qualifications without justification? In that context, will he be very careful about the report's idea that the first of the four proposed tiers of the diploma—the entry level—should be given to people who have not reached the standard of a level 1 NVQ or even a grade G at GCSE?

Does the Secretary of State agree with the CBI that the absolute priority for employers is to raise the standards of functional literacy and numeracy among school leavers, which have been unacceptably poor under successive Governments? Does he therefore agree that that aspect of reform requires the most urgent action? Does he agree with the CBI that an attempt to scrap all existing exams would be an unwelcome and unnecessary diversion from that task?

Finally and most importantly, does the Secretary of State agree that, although there are considerable virtues in the diploma idea, it should include, not replace, GCSEs and A-levels? As this is the most important issue for many of those observing these discussions, may I press him specifically? Is it his view, as it is mine, that the relevant diploma should have, up front on its front page, the subject and grade that a pupil has attained at A-level or GCSE? Does he agree with Mike Tomlinson's repeated denials in interviews that he is recommending the end of A-levels and GCSEs? If that is the Secretary of State's view, will he make it clear that he will not allow abolition to become the agenda of those who seek to implement recommendation 2 of the report, which is, as he knows, somewhat ambiguous? It says both that

"the existing system of qualifications taken by 14–19 year-olds should be replaced"

and that

"Existing qualifications such as GCSEs"

and

"A-levels . . . should cease to be free-standing qualifications in their own right but should evolve to become components of the Diploma".

Which is it? Will the Secretary of State join me in clearly, unequivocally and finally ruling out the abolition of those exams?

The Tomlinson report offers a real chance for progress if we focus absolutely on the imperatives of improving vocational education and raising basic standards of functional literacy and numeracy. We must not waste time instead on a debate about abolishing and replacing well-understood and respected GCSEs and A-levels. We must build on what works, not scrap everything and start all over again. Above all, we must raise standards, not water them down. I, too, hope that we can all agree about that.

Mr. Clarke: I am grateful to the hon. Gentleman for his overall approach. I will pass on his gratitude to Mr. Tomlinson and his committee. I endorse what he said about having to work on a cross-party basis in so far as we can. That does not mean that we will agree on every particular—no one expects that—but it requires that we have a mature discussion in a positive way.

I agree with the hon. Gentleman's general points about the extended project work and coursework, the external rigours of the diploma, the need for flair and originality and the importance of academic and vocational education. I also agree that the development of a proper vocational offer has resource implications that need to be dealt with properly, although I think that collaboration between schools and colleges and employers can take us some way down that route.

League tables do indeed have value at 16 and require rigorous external assessment. As I said in my statement, a rigorous external assessment regime at 16 is critical to the system.

I do not agree with the hon. Gentleman's points about a quota for A-level grades. I heard his party leader making similar remarks earlier today. I believe that their view is an outdated concept of awarding A-level grades by quota, not quality, and I think it is entirely the wrong approach. It was in fact my predecessor, Sir Keith Joseph, who brought about the changes that led to the situation of which they are complaining. It is rare that I would applaud Sir Keith and pray him in aid against the current Conservative party, but the fact is that we have to have an assessment system that looks at people's quality and drives forward their attainment rather than taking some arbitrary "Graded grains make finer flour" approach.

The whole thrust of the proposals is to raise standards throughout, including in the core skills, such as literacy and numeracy, and we will certainly support that. I agree that progress can be made very quickly in this area, but perhaps I should emphasise that I announced the White Paper early in the new year because I want to set out a very clear programme of work dealing with all those proposals in order, precisely as the hon. Gentleman suggested.

I need to reassert what Mr. Tomlinson said today on A-levels and GCSEs. He said:

> "The point I would like to make very clear is that these proposals will not—and I do not know how many times I will have to repeat it—not mean the abolition of external examinations, nor the abolition of GCSE, AS and A-levels as courses and subjects."

I agree that this diploma must show the grades in each of the subjects and the particular level of qualification—that is what it ought to be.

Finally, I agree that the suggestion that the whole report is about the abolition of exams is a complete misreading of the whole thrust of what we are about. The report is about raising standards at all levels of education and ensuring that every young person can fulfil their aspirations in a way that the current system makes difficult rather than simple to achieve.

Mr. Phil Willis (Harrogate and Knaresborough) (LD): I, too, thank the Secretary of State and the Minister of State for the courtesy of an advance copy, and also for fully briefing myself and the Liberal Democrats on today's proposals from Mike Tomlinson. The Secretary of State's efforts to maintain a broad consensus over the key proposals is appreciated by my party, and we say that it is absolutely critical to their success. It is, however, a great pity that some have sought to undermine the review for narrow party political gain, without even considering the proposals in detail. I should also like to offer our appreciation to Mike Tomlinson and the 14 to 19 working group for undertaking what has been a Herculean task. They deserve the praise of the whole House.

As a party, we Liberal Democrats offer broad support for the review's overall direction and welcome the concept of the new diploma. We also welcome the time span involved in implementing various aspects of it and hope that it will be possible to introduce many of those aspects within that time scale, where appropriate.

I am absolutely delighted that the Secretary of State made it clear that he will have no truck with a return to norm referencing for any stage of the diploma. To deny young people recognition of their achievements on the basis of a mathematical quota would be unacceptable to my party, and I am delighted that it is unacceptable to him. But will he also make it clear—he did not do so in his answer to the hon. Member for Westmorland and Lonsdale (Mr. Collins)—that he rejects a single-subject qualification structure within the diploma? We strongly support the principle, laid out by Mike Tomlinson today, of retaining much of the content of GCSEs and A-levels, but we agree that the qualifications themselves, as single subjects, must go. The diploma cannot simply be a wrapper for existing qualifications, and if the Secretary of State believes that Mike Tomlinson is saying that it can, perhaps he will say so at the Dispatch Box.

I am sure that the Secretary of State has noted the comments of the CBI and of the British Chambers of Commerce. We are delighted that there will be differentiation within the diploma at all levels, but will he confirm that unless a student gets the necessary grades in ICT, numeracy and literacy, they will not be awarded the diploma at the level in question? Will he also explain in what way he expects British business to be involved in and influence the vocational curriculum, because the record of such involvement is certainly not a good one to date?

Liberal Democrats support the use of internal assessment throughout the 14 to 19 phase and a move away from age-related examinations, but will the Secretary of State explain how it is possible to move away from such examinations while retaining league tables at 16, as he seemed to suggest earlier? The two ideas seem to contradict each other. We also support the concept of chartered examiners and accredited centres to guarantee quality. We find it remarkable that a first-year postgraduate is allowed to mark the work of an undergraduate, leading to the award of a degree, yet a teacher with 20 years' experience cannot mark the work of a 15-year-old.

The aspect of the Tomlinson reforms that pleases us most is that they begin to meet the needs of an army of young people who have so far been left out of a curriculum and qualifications structure that is largely irrelevant. How does the Secretary of State reconcile his own five-year plan, which encourages institutional autonomy, with a 14 to 19 review that seeks institutional collaboration? How does he propose to offer all young people independent quality guidance in the making of informed choices? How are young people going to access transport to enable them to move between institutions and the workplace? Crucially, how will the diploma stimulate learning post-16 for young people who are not in full-time education or training?

There are many vital issues that need clarification, and hopefully, when the Secretary of State introduces the White Paper it will deal not just with the Tomlinson reforms but with the entire 14 to 19 phase, including those vital issues. Today's report gives us a blueprint for the future, but we hope that it will prove to be more than just an interesting wrapper. We hope that, in 10 years' time, it will provide the four-year-olds of today with a completely new curriculum and choice.

Mr. Clarke: I echo what I said to the hon. Member for Westmorland and Lonsdale (Mr. Collins), in that I appreciate the constructive approach taken by the Liberal Democrats and the hon. Member for Harrogate and Knaresborough (Mr. Willis) in particular. I shall respond to five of the points that were made. I do not believe that a diploma can, under any circumstances, be simply a wrapper for individual qualifications. The whole point of the proposed diploma as it evolves in five or 10 years' time—or whenever it may be—is that it should provide a way of interrelating the various qualifications arising at various points. That means that we still have the key A-level subjects or whatever at the top, but there is a relationship between the subjects, which I believe is the right way to proceed. It is certainly not simply a wrapper.

[Mr. Clarke]

On the core, the hon. Gentleman is entirely correct. He is right that Mike Tomlinson is suggesting that at each stage there should be a certain core of basic skills that everyone should have—and it will be tested. Incidentally, as Mike Tomlinson pointed out today, that is a sharper requirement than the current one for five A* to C GCSEs, because it requires English and maths to be part of that approach overall. It is a significant development—a toughness, in a way—to move forward on that basis.

I also agree with the hon. Gentleman's points about employers and would remark simply that Her Majesty's chief inspector of schools, David Bell, particularly emphasised today the key role for employers in designing the curriculum. We believe that, through the sector skills councils and other work that we are carrying out, we are laying the proper basis for that to happen. That is why I very much hope that the CBI will adopt a positive approach towards it.

On the question of rigour, I agree completely with the hon. Gentleman. The key issue is how it is established at each stage of the examination regime—

Mr. Desmond Swayne (New Forest, West) (Con): Rigor mortis.

Mr. Clarke: It is interesting to hear the Conservatives talking about rigor mortis, as it largely characterises their party.

On collaboration for the 14 to 19 phase, I agree completely with the hon. Gentleman, and we believe that the process that we already have in train will allow it to happen.

Ms Joan Walley (Stoke-on-Trent, North) (Lab): I welcome my right hon. Friend's statement to the House this afternoon. With respect to what is proposed for 14 to 19-year-olds and vocational training, may I tell him that we cannot get the places quickly enough? If he wants to make progress in advance of the 10 years that he anticipates, north Staffordshire would be happy to be involved in a pilot scheme between the college of further education and the schools.

On my right hon. Friend's statement and the taking of further advice from the Select Committee on Education and Skills, given that one of the really serious issues that we face today is climate change, I ask him to take seriously the issues in education for sustainable development and to use the Tomlinson report to integrate that subject into the new curriculum that we will be establishing.

Mr. Clarke: First, I enthusiastically accept my hon. Friend's offer to have Stoke help with the piloting work. Secondly, we published a year ago our action plan for sustainable development, which included particular aspects of curricular organisation, and I agree with my hon. Friend that this report provides important opportunities.

Mr. Graham Brady (Altrincham and Sale, West) (Con): Does the Secretary of State agree that one of the principal factors that has called the rigour of the current exam system into question is the increasing prevalence of course work in it? I welcome the Tomlinson commitment to reduce it. However, does he also accept that over the next 10 years many millions of young people will be taking exams as they are at the moment? What proposals does he have to bring forward the reduction in the amount of course work, so that those pupils can be brought into the new exam system before the Tomlinson report is fully implemented?

Mr. Clarke: I said in my earlier response that the White Paper will include a timetable for implementing the various changes. We will work in close consultation with the examination boards and others, precisely to address the points of rigour that the hon. Gentleman makes about the relative merits of course work vis-à-vis examinations and similar issues. One mistake that I do not intend to make is to introduce a set of changes in a relatively instantaneous way without consulting fully the relevant interests. I want to ensure that they are properly locked in, which is the principle that I shall apply to course work as to other issues.

Alan Howarth (Newport, East) (Lab): The whole House will be grateful to Mr. Tomlinson and his colleagues for their work. Does my right hon. Friend accept that a forlorn quest at 16 and 17 to achieve perhaps a D or an E at A-level never was part of any true gold standard? Does he not have some concern that a highly elaborate contrivance to certify within a single system basic numeracy and literacy, vocational skills and advanced conceptual ability may turn out to be fool's gold?

Mr. Clarke: I do not think that it is fool's gold, with very great respect to my right hon. Friend. The fact is that there are too many criticisms of the quality of the core skills of those entering employment and those going to university. Even if some of it is saloon bar comment, however, too much of it has some substance for me to be able to ignore it as I reflect on what changes should be made. That is why I believe that it is right to establish a proper core of skills that individuals should have as they leave school and either go to university or into employment. Is that fool's gold? I see no reason why it needs to be. There is no reason to assume that many more young people than now will not achieve the basic skills in literacy, numeracy and IT that are necessary to equip them for life. It is a reasonable ambition for a Government to seek to make that happen.

Mr. John Maples (Stratford-on-Avon) (Con): We will all need some time to digest what Mr. Tomlinson has said, but I wish to express two general hopes to the Secretary of State. The first is that if we are going to endure the disruption of replacing one exam system with another—or developing the exam system in the way that is envisaged—we should put in place something that will last a generation. That means that it must have the support of schools, teachers, parents, employers, universities and as wide a range of political opinion as possible. Secondly, I hope that we end up at A-level with a genuine objective assessment of people's suitability for university education. It is widely accepted that the current A-level does not do that, but it is equally unacceptable that it should be adjusted in some subjective way to try to decide who is qualified for a university education. If the A-level that results from this process provides that genuine objective assessment, it will be a huge advance.

Mr. Clarke: I agree completely with the hon. Gentleman's first point. That is why I have approached the issue as I have done so far. I am also grateful to Conservative and Liberal Democrat Front Benchers who have participated in serious discussion with us on these questions. It would be extremely undesirable if we were to set off on some ideological bean feast, and I am well aware that consensus is important. I also agree that it is important to ensure that A-levels are fit for purpose in terms of determining university admission. It will require several reforms to A-levels, as Mike Tomlinson has set out, including the extended essay and the possible greater differentiation between awards at different levels. However, I cannot accept the proposal from the Leader of the Opposition that the quality of somebody's achievement at A-level is seen as irrelevant and that what is important is whether one comes in the top 5 per cent. of the cohort. The Leader of the Opposition is wrong, but the hon. Gentleman is right to say that we must aim for standards and quality at A-level to ensure that universities can choose those who will most benefit.

Mr. Parmjit Dhanda (Gloucester) (Lab): I very much welcome the Tomlinson report, but I wish to draw my right hon. Friend's attention to one small element of it that causes a little concern, which is the greater use of mixed-age classes. That can be a great help because some have the opportunity to take exams early, but much international research suggests that if the age range is too wide it can cause personal and emotional development problems for the youngest and the oldest in the group. I hope that my right hon. Friend will take that into consideration before the White Paper is produced in the new year.

Mr. Clarke: My hon. Friend makes a fair point, but it is a question of horses for courses. It is, for example, possible to imagine learning a modern foreign language with people of a slightly wider range of ability working together, although one would not do that more generally across the curriculum for the emotional and developmental reasons that my hon. Friend mentions. I take his point seriously and will look into it carefully as we decide how to move from where we are now to the White Paper.

Dr. Jenny Tonge (Richmond Park) (LD): Like my hon. Friend the Member for Harrogate and Knaresborough (Mr. Willis), I welcome the proposals that we think are in the Tomlinson report—I have not read it yet. Can the Secretary of State reassure me that my grandchildren, many of whom are just starting their school careers, will not be taught for the next 10 years by confused and muddled teachers who do not know what the new system involves?

Mr. Clarke: That is a rather unfair attack on the hon. Member for Harrogate and Knaresborough (Mr. Willis). Confused and muddled is Liberal Democrat and teachers are teachers, and there we have both in Harrogate.

Mr. Willis: That is unfair.

Mr. Clarke: It is grossly unfair, indeed.

I accept that we need to increase the quality of teaching significantly. A central element of that is continuous professional development, and that is especially true in a climate in which we move to a greater parity between academic and vocational qualifications. I also accept that any process of reform, such as that set out by Mike Tomlinson today, must be slow, stable and mature, instead of being imposed by diktat at some given point. That is why I have been keen to operate on the basis of consensus and of clear signposts. I hope that the White Paper sets out the way in which we intend to do that to the hon. Lady's satisfaction.

Colin Burgon (Elmet) (Lab): As an ex-teacher, I can confirm the perception that our approach to vocational education has been woeful over the past 20 or 30 years. I welcome this golden opportunity to put things right. I notice that my right hon. Friend said—I welcome this as well—that there will be direct employer engagement in the development of vocational programmes, and we heard much about the CBI's role. However, when we talk about the world of work, there is another social partner—the TUC. What role does he envisage for it in vocational schemes?

Mr. Clarke: Full partnership. We have established the skills alliance to address such matters, including at the final stages of school and in college. Its two key members are the CBI and the TUC, along with other partners across government—so the TUC has a key role.

Let me emphasise that it is a mistake to identify employment purely with private sector employment. The major public sector employers also have a big role to play. There are some interesting developments, such as hospitals working with schools in their locality. Many people in school look for opportunities to work in, for example, health, and public sector employers can work well with schools. So, trade unions are involved, but so are public sector employers, not simply private sector employers.

Alistair Burt (North-East Bedfordshire) (Con): May I simply ask the Secretary of State that when he considers the implications of the report and the future implications for the curriculum, he has an external reference point beyond these islands, as well as looking at the historic problems that we have had? Anything in the 14 to 19-year-old curriculum that does not address the rapidly widening educational gap between ourselves, the United States and, in particular, the far east will not be doing its job. If he can give us the assurance that he will look at the implications in a world context, as well as in that of our own, we will all be much relieved.

Mr. Clarke: I can give that assurance. The key international comparative statistic that we have highlighted throughout the process is our very low

[Mr. Clarke]

performance in people staying on in education and training at 16 compared with many other countries. We do relatively well at the ages of 10 and 11 and at university, but we do poorly at staying on at 16 and 17, precisely because of our historic failure, under Governments of all parties, to address the vocational issue correctly, as the hon. Member for Westmorland and Lonsdale (Mr. Collins) acknowledged. That is what the report is designed to address.

I agree with the hon. Member for North-East Bedfordshire (Alistair Burt)—we are living in an international marketplace for labour. We need therefore to ensure that our young people are educated to the highest international levels. I believe that our sector skills council approach has a good chance of achieving precisely what is needed to meet his aspirations.

Dr. Ian Gibson (Norwich, North) (Lab): This is a real A-plus report, which will have hugely positive implications and ramifications across the British education system. However, does it address the problem of the gender imbalance and the problems of different results between the two sexes and the different motivations?

Mr. Clarke: May I say how delighted I am to see my hon. Friend, who is also my personal friend—most of the time—in the House?

I can give my hon. Friend the assurance he seeks. Although we have a strong record on increasing the number of apprenticeships, which have trebled since 1997, it remains the case that in some sectors—for example, construction and engineering—there is a very low number of young women taking on apprenticeships. Our approach, across the range, is to ensure that there is a real attack on the issues of gender imbalance, which exist throughout the education system. The proposals allow ways in which we can address that more effectively.

Mr. Damian Green (Ashford) (Con): I am glad that the Secretary of State signs up to the universal consensus that one of the historic failures of our education system—probably going back to the second world war—has been the inability to make vocational education attractive enough early enough, so that those who could most benefit from it do so. That is why the drop-out rate is so high, as he emphasised.

In that context, may I urge him to be radical in his White Paper and not simply restrict himself to the idea of changing the qualifications? We should learn from other countries, especially in other parts of Europe that have a much better record on vocational education, and allow pupils access to vocational education much earlier. It is often too late in our system to wait until they are 14-plus because by then they have been turned off full-time education. If the Secretary of State has that as part of his White Paper, I suspect that it will stand a much greater chance of long-term success.

Mr. Clarke: We do indeed have that. Under the existing pre-apprenticeship schemes, young people aged 14 to 16 take time out from school with an employer and a local college, and there are some interesting pathfinder schemes, which I can show the hon. Gentleman if he is interested, that demonstrate precisely the truth of his remarks. From the age of 13 or 14, many young people want to start getting at least an understanding of the workplace and how things go, which is very positive indeed. Mike Tomlinson's report reflects that approach and drives it forward, and I am sure that the White Paper we shall publish in January or February will continue to do so.

Mr. David Drew (Stroud) (Lab/Co-op): The Tomlinson report is welcome, even if long overdue. Will my right hon. Friend use the report as the opportunity to make a clarion call and take up with the professions and the wider establishment the long-held belief—certainly held by me and, I am sure, many others—that there is an anti-industrial culture in this country? It is time to accept vocationalism in its own right, as it is vital to the future of our country. Will my right hon. Friend take that up as a matter of urgency?

Mr. Clarke: It is interesting that my hon. Friend used the phrase "anti-industrial". There has never really been an issue about some vocations; a vocation in medicine or law is seen as okay academically, but industrial vocations are seen to be more complicated. In general, other countries—Germany is the example often given—have paid much more attention to that matter. That culture is deep and difficult to move. I think we shall succeed in moving it, but my hon. Friend is right: achieving it will require a tremendous amount of effort and consensus across the country. The reason that we are standing at a turning point is that there is now the will to make that happen, and I look forward to working with colleagues to ensure that we can really drive out the anti-industrial emphasis in our education system.

Mr. Nick Gibb (Bognor Regis and Littlehampton) (Con): Tomlinson expresses concern about literacy and basic skills in maths, but should not those matters be sorted out by the end of primary school? By the age of 14, it is too late in many cases. Surely, the real problem is not the exam system in secondary school but the teaching methods in primary school, where, despite the national literacy strategy, too much emphasis is put on whole language teaching of reading at the expense of phonics. Far too few primary schools teach multiplication tables by rote. Does the Secretary of State accept that Tomlinson is over-complex, will undermine the gold standard of the A-level and, as my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) said, will be a huge distraction from the real issues and causes of concern in our education system? Doing nothing is not an option, but doing the wrong thing would be catastrophic.

Mr. Clarke: I do not accept the hon. Gentleman's analysis in just about any respect. I do not share his analysis of the pedagogical measures that are being used. I draw attention to the fact that, thanks to the work of my right hon. Friend the Home Secretary—who is sitting next to me on the Treasury Bench—when he was Secretary of State for Education and Employment, the literacy and numeracy strategies have made a material difference and have increased performance at the age of 11. It is necessary to address those questions by improving teacher quality as other Members have outlined, but the proposals are not about abolishing A-levels or anything of that type. People can try to run a scare on that basis—they are entitled to do so—but the report simply does not bear that interpretation, as Mike Tomlinson himself has made clear today and previously.

Mr. David Heath (Somerton and Frome) (LD): May I ask the Secretary of State about the breadth of the academic curriculum? In the traditional sciences, far too often there seems to be a lack of imagination and relevance. There are invidious choices in the humanities, especially between history and geography, and there is a lack of opportunity in languages, both modern and classical. Will the proposals create more latitude to allow able students to explore to the fullest extent the whole range of the curriculum?

Mr. Clarke: Yes, they will. As I said in response to the question asked by the hon. Gentleman's Front-Bench colleague—the hon. Member for Harrogate and Knaresborough (Mr. Willis)—collaboration is particularly important so that different schools and colleges work together to make real curriculum offers to young people as they reach the age of 16, 17 and 18. That is already happening much more now, including with some of the more surprising and narrow subjects. I am confident that what the hon. Gentleman is looking for will indeed be met in the proposals in our White Paper.

Miss Julie Kirkbride (Bromsgrove) (Con): I agree with what the Secretary of State said today about his aims and aspirations, but like the right hon. Member for Newport, East (Alan Howarth) I worry about the one-size-fits-all approach. The Secretary of State is right to say that vocational education has been lacking in the UK, but at the other end of the spectrum he must also worry about the many fewer Nobel prizes, for example, in science that the UK now wins compared with some years ago. Will he reassure the House that a rigorous academic standard of externally assessed education will be available for the benefit of those young people who are capable of it, for the benefit of the UK economy and for the betterment of mankind?

Mr. Clarke: I can give that specific assurance, as I have tried to do all afternoon in terms and quite unequivocally. The report is about raising academic standards, raising educational standards, raising achievement and raising aspiration. I believe that we can do that and, for the reasons that the hon. Lady mentions, we need to make great progress, but she is quite wrong to categorise any diploma idea as a one-size-fits-all approach. In fact, some existing qualifications are much more in that one-size-fits-all model. I do not refer particularly to A-levels or GCSEs; some of the complicated qualifications for hairdressing, bricklaying or whatever have absolutely no application for anything else at all. We need to build skills, talents and creative thinking in a way that allows people to take on things more widely. That is precisely what the framework that the diploma offers will achieve.

BILL PRESENTED

GAMBLING

Secretary Tessa Jowell, supported by The Prime Minister, Mr. Secretary Prescott, Mr. Chancellor of the Exchequer, Mr. Secretary Blunkett, Mr. Secretary Darling, Mr. Secretary Reid, Mr. Secretary Murphy, Ms Secretary Hewitt, Mr. Peter Hain, Margaret Hodge and Mr. Richard Caborn, presented a Bill to make provision about gambling: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed. Explanatory notes to be printed [Bill 163].

Opposition Day

[19TH ALLOTTED DAY]

Crime

Madam Deputy Speaker (Sylvia Heal): I inform the House that Mr. Speaker has selected the amendment in the name of the Prime Minister.

5.22 pm

David Davis (Haltemprice and Howden) (Con): I beg to move,

> That this House notes the rising tide of firearms offences that has led to one gun crime being committed every hour; is appalled by the recent spate of gun-related incidents across the country; believes that after seven years the Government has failed to deal with the scourge of guns in towns and cities; further notes the link between gun crime and drugs; deplores the rise in violent crime; resolves that 40,000 more police are needed on the streets to reverse this trend; and believes that local communities should be given greater freedom to direct the efforts of their police force if streets are to be made safer.

When he was appointed, the Home Secretary said:

> "I enter this job with key priorities in mind: tackling crime, particularly violent crime, and fighting those trafficking in drugs, people or guns."

Since 1997, gun crime has doubled. It now stands at 10,000 a year—one every hour of every day. Attempted murder with firearms has doubled to more than 1,200 a year—more than three attempted murders every day. Serious wounding with firearms has more than doubled to more than 400 a year—440 was the last estimate—and those last two categories have increased significantly in each of the past six or seven years. All that should be set against a backdrop of burgeoning drug addiction and drug trafficking.

The motion is principally on gun crime, but as we shall see, hard drugs are often the main cause of gun crime. The Prime Minister, when he was shadow Home Secretary, coined the phrase "tough on crime, tough on the causes of crime". I am afraid that what we see with gun crime is a Government who are neither. In the past few weeks, we have heard a great deal about gun crime in Nottingham. Gun crime is a major problem in a number of cities—most obviously, Manchester, Birmingham and London—and a possible problem in many others.

The reason we have called for this debate today is not that gun crime affects every corner of Britain—so far, it does not—but that in some parts of our nation it has spiralled out of control. In my view, the problem can be checked by a series of measures, and in today's debate I propose to put a series of questions to the Home Secretary to determine whether he intends to take those measures. If he implements them, we will give him our full support. First, however, we need to understand the causes, to stop such outbreaks before they become an epidemic that afflicts the whole country, and they might do so because the conditions that create such gun cultures exist in many parts of Britain. If we focus on one city, Nottingham, and on why this attractive, historic, medium-sized city in the heart of England has suddenly faced this assault on the lives of its citizens, we will understand the dangers that many British cities face.

A few months ago, the chief constable of Nottingham said:

> "Since January 2003, 51 people have been shot, another 164 have been robbed at gunpoint and 300 have been threatened with a firearm."

In the last weeks, the nation has been horrified by the senseless and apparently random killing of a child. I am sure that the whole House, especially those who were not here earlier, will join me in reiterating the sympathy and condolences that the Home Secretary offered to the parents, relatives and friends of Danielle Beccan. The murder of 14-year-old Danielle is one of a long line of gun crimes in a city where police dealt with more than one shooting a week last year.

Some of the other killings that have given Nottingham a reputation as England's gun city include that of Brendan Lawrence, a 16-year-old killed in February 2002 as he stepped out of a car close to his home in St. Ann's, and that of Marvyn Bradshaw who was shot dead outside a pub in August 2003. The parents of the man convicted of Mr. Bradshaw's murder were thereafter shot dead. In September 2003, Marian Bates was shot dead at her jewellery shop; two months later, Omar Watson was shot in a barber's shop; and, in May this year, Donzal Munn was shot dead as he sat in his car. Finally, little Danielle Beccan was murdered. We should remember that many of these victims were innocents, caught in the crossfire. It is not just gangsters who are murdered. In the words of one police intelligence briefing:

> "In Nottingham, as in other drug-ridden cities, if you live by the sword, it may not only be you but your family, friends or neighbours that die by it."

These horrific murders are not the whole story. For every actual murder with a gun, there are 15 more attempted murders. Nationally, there are between 1,200 and 1,300 a year, double the figure in 1997.

In Nottingham this year, there was the case of Derek Senior who was viciously attacked along with his girlfriend. He gave evidence against the attackers, leading to their conviction. The very next day he was shot three times on his own doorstep. What we are seeing in Nottingham is a culture of enforcement and revenge killings—a culture of vendetta and reprisal; a culture of corruption and intimidation of witnesses; a culture of both contract killing and casual murder; a culture in which the law is failing. That, in turn, has led to a street culture that leads young men to grow up believing that they buy respect by carrying weapons. That creates an environment in which they wear body armour and carry guns—real or replica—in a sort of macho fashion statement. Today, it is estimated that, around the country, there are 20,000 youngsters in gangs dealing in guns and drugs. In Nottingham, a youth of 13 has been found with loaded weapons and another police authority, Manchester, has had to use antisocial behaviour orders to prevent young men from wearing body armour precisely because that leads to violence.

What creates the conditions for this casual viciousness and the cavalier use of lethal firearms in a manner reminiscent of Chicago in the 1930s rather than an historic English town? The biggest single cause of the explosion in gun crime is the growth of the hard drugs trade. With that trade come drug gangs, drug barons, drug territories and drug wars. Britain now has for the first time more than 1 million class A drug users. In Nottingham, it is estimated that there are 6,000 crack cocaine and heroin addicts. Hard drugs are all too easily available, as is shown by the falling price of drugs on the street. In Nottingham, the prices for class A drugs are said to be some of the cheapest in the country. One can buy crack cocaine for as little as £10 rather than the national average price of £22. The average cost of heroin on the streets of Britain has fallen dramatically—from £80 in 1997 to under £40 today.

Alan Simpson (Nottingham, South) (Lab): Will the right hon. Gentleman confirm that drug prices in Nottingham are not a product of anything that its local authority or communities are doing, but that they are entirely due to the supply of drugs to the country as a whole? Although Nottingham has been targeted today, any other city in the country could just as easily be targeted in precisely the same way tomorrow. We must address the question of how drugs get on to the streets in the first place.

David Davis: The hon. Gentleman makes an apposite point. I believe that his constituency includes St. Ann's.

Alan Simpson: I lived in the St. Ann's area for most of my life, but it now has the honour of being represented by my hon. Friend the Member for Nottingham, East (Mr. Heppell).

David Davis: I apologise to the hon. Member for Nottingham, East (Mr. Heppell). Of course the prices in Nottingham have nothing to do with its local authority or any of its local politicians. As the hon. Member for Nottingham, South (Alan Simpson) says, they are due to a combination of access to Britain and what criminals do with the drugs when they get here.

The price of drugs throughout the country is falling because the Government are failing to disrupt supply both at home and abroad. At home, we have what the Metropolitan Police Commissioner rightly calls our "porous borders". It is too easy to smuggle anything into this country, be that people, guns or drugs. Our border controls have been allowed to become too weak.

The failure abroad has been just as dramatic. The G8 countries nominated the British Government to control and eradicate the drug trade in Afghanistan. The Government accepted the task, but an American anti-narcotic official described the effect of that to me. He said:

> "Last year Afghan heroin flooded the British market. This year, if it is not under control by the October crop, it will flood the world market."

Regrettably, the Government have yet again failed miserably this year to act effectively against the Afghan drug producers.

Mr. Mark Oaten (Winchester) (LD): The shadow Secretary of State will have heard me ask the Home Secretary during Home Office questions what he thought about the establishment of a national border force to manage those problems. Does the shadow Home Secretary share my view that such a body should be put in place?

David Davis: I have a great deal of sympathy with that idea. The hon. Gentleman will hear that my speech and questions to the Home Secretary resonate with that suggestion.

The Secretary of State for the Home Department (Mr. David Blunkett): I want to pursue the question of Afghanistan because it is important and we face a major challenge. Does the right hon. Gentleman agree with many people in the United States who want to undertake a policy of mass bombing to eradicate the poppy fields as a solution to the problem? We are engaged in a struggle to find a sensible way of providing an alternative viable crop.

David Davis: The Home Secretary is right that the task is not easy, but the Government accepted it and took it on. If they could not do the task, they should not have accepted it. The situation has a material effect on our country and every other country in the world. As the American said, Afghan heroin will flood not only the British market, but the world market.

Mr. Nick Hawkins (Surrey Heath) (Con): My right hon. Friend made a point about the Government's failure to deal with our country's porous borders. Does he agree that one of the main worries about the link between the drugs trade and violent gun crime is the number of Albanians who were involved in serious crime in their homeland and have been able to take over both the vice and drugs trade in our major cities? Does he accept that the heads of the National Crime Squad and the National Criminal Intelligence Service are worried that such people have been able to enter the country by claiming to come from other eastern European countries? Is not the fact that they found that so easy yet another indictment of the Government?

David Davis: To be fair to the Home Secretary, he has identified the fact that the issues are linked, but my hon. Friend is right that senior police are worried about the problem.

It is not impossible to defeat the scourge of drugs. The Americans have cut addiction among teenagers by 11 per cent. in two years. I am told that that was achieved through a strategy of attacking both supply and demand at the same time. The Home Secretary's policy on controlling demand for drugs was so confused that it led to the resignation of his drugs tsar. The Government's failure to eradicate the supply of drugs and to close porous borders means that there is more availability, lower prices and more demand, and thus more addicts, more drug gangs and more guns, which means that there will probably eventually be more deaths.

Sadly, if a town or city has a drug problem, it is likely to have a gang problem and eventually a gun problem. The Home Secretary said in an interview last year:

> "We will not tolerate an escalation of the number of guns on our streets."

Unfortunately, it is not too hard to get a gun. On the streets of Nottingham, Birmingham, Manchester and London, it is too easy: £100 or £200 for a pistol, and

[David Davis]

£1,000 for a sub-machine-gun. Where do they come from? There are essentially three sources for weapons: conversions, smuggled weapons and internet purchases. The first of these is conversions of replica weapons and air guns that enable them to shoot real bullets. Certain air guns, self-contained gas cartridge guns and the so-called Brococks are particularly easy to convert to fire real bullets.

To be fair, the Government recognised that some time ago. Unfortunately, they then made a complete hash of the policy. They properly acted to make it illegal to own, buy or sell such convertible firearms without a firearms certificate. However, at the time, the chairman of the Home Office's Firearms Consultative Committee told the Home Secretary:

> "Compensation should be paid. Otherwise we are concerned that these proposals will have less effect than they might on persuading those owners to give up these arms".

I agree with him, but the Government refused, and because of that false economy, there are probably 50,000 convertible firearms at large. If only a tiny percentage are converted and get into criminal hands, the consequences will be disastrous. Action is necessary to stop that happening.

Mr. Bill Wiggin (Leominster) (Con): When my right hon. Friend correctly identified the three sources of illegal firearms, he put his finger on the problem for legitimate gun owners, whom he rightly did not include in that group. The Government's treatment of Brocock owners has created a pool of people who did not break the law when they purchased a gun but now find themselves on the wrong side of the law. Does he deplore that as well?

David Davis: I understand my hon. Friend's point, but I would not encourage those people to do anything other than hand in their guns. It is important that they do that. Sadly, at the moment, many have not, and that is what we need to deal with.

Nine out of 10 real weapons used in crimes in the UK are smuggled in from abroad. The end of the Balkan wars is thought to have led to a massive rise in the sale of illegal weapons. The Home Secretary himself said that the Balkans were

> "the gateway to Europe for organised criminals"

and that

> "Criminal gangs are behind a multi-million pound business smuggling people, drugs and guns"—

the point made earlier by my hon. Friend the Member for Surrey Heath (Mr. Hawkins). Yet firearms continue to be smuggled into the UK. Again, our porous borders are to blame.

There is also the problem of postal and internet supply of weapons, either real or convertible. The Intelligence and Security Committee raised serious concerns about the number of weapons coming into the country via post from overseas suppliers, the weakness of the screening and the criminal and terrorist dangers. It first raised those concerns two years ago, and in the last debate on this matter, one of its members complained that nothing had been done. Indeed, I believe that he accused the Home Office of being "complacent". The screening of materials entering Britain via postal and courier services is erratic at best and useless at worst. As a result, it is too easy to bring real or convertible weapons into this country. It is long past time that the Home Office took a proper grip on the availability of illegal weapons in this country.

The increase in drugs, gangs and violent crime has left many police forces overwhelmed. The only way to curb the increase in crime is to provide more policemen. In recent years in Nottingham, violent crime has increased by 37 per cent., but since 1997 the city has been given only 7 per cent. more police—who have largely been paid for by the council tax. For some time, the chief constable in Nottingham has been asking for 1,000 extra police officers, but the Home Office has ignored him. It is by no means the only force in that situation. For example, Manchester, which faces similar problems, needs 3,000 extra police, according to its chief constable.

This weekend, we discovered that not only has Nottingham been denied extra local police, but that attempts by the National Crime Squad to help it break its gang problem have been stopped, apparently because of a lack of funds or targeting, against the advice of officers on the ground. Action that could have either prevented recent and future attacks or, at the very least, caught their perpetrators has thus been thwarted.

The Home Secretary must now recognise that a number of our cities are in danger of being overwhelmed by guns and drugs and that the police are finding it difficult to cope. I cite the example of Nottingham not because what has happened there happens everywhere; it does not. I cite it because in a society in which drugs and guns are freely available, it could happen anywhere. We are witnessing a formula for disaster: drug use is getting out of control, drug barons are steadily increasing in strength, and all too often the outcome is violence and gun crime.

Mr. Stephen McCabe (Birmingham, Hall Green) (Lab): Will the right hon. Gentleman give way?

David Davis: Not at this point in my speech.

For some victims, it is too late. Now, the Government must act to stop the outbreaks of violence turning into an epidemic.

I have six questions to ask the Home Secretary. First, will he act to increase the physical security of our borders to stop the import of both drugs and guns? Secondly, when will the British Government curb the exploding supply of heroin from Afghanistan? Thirdly, will the right hon. Gentleman now agree to pay compensation to those who dispose of convertible weapons, or find some other way of taking the 50,000 convertible guns out of circulation? Fourthly, will he tell the House whether he intends to introduce measures to stop the postal and internet supply of guns? Fifthly, after the recent spate of dreadful gun crimes, will he listen to the chief constables and give at least the hardest-pressed forces the police that they need? Finally, will he ensure that the National Crime Squad is properly resourced and targeted to attack the drug gangs wherever they are in the country and break their insidious assault on our cities?

Parts of our cities are spiralling out of control. Whole communities live in fear of whatever the next day may bring. It is time—and more than time—for the Home Secretary to act. If he does, we shall support him. If he does not, it will be more than the Conservatives who condemn him: it will be the entire British people.

5.41 pm

The Secretary of State for the Home Department (Mr. David Blunkett): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

> "welcomes the record falls in crime achieved by this Government since 1997, recognising that the chances of becoming a victim of crime are now at their lowest level since records began and that gun crime fatalities are falling; recognises that these achievements are the result of record numbers of police officers on the streets, reinforced for the first time by Community Support Officers; welcomes the Government's achievements in reducing anti-social behaviour which has blighted the lives of too many of the most vulnerable people; and supports the Government's continuing programme of action to tackle crime, including the recruitment of 25,000 Community Support Officers and wardens, the provision of extra prison capacity and tougher penalties for those who break the law."

I am disappointed. I came here this afternoon expecting a real battle. I expected to be savaged with real facts and figures, unknown to us, that would once again reveal a truly incisive Tory party policy that gives us real answers for the future. Instead, I have heard made-up statistics, such as 1 million people being on class A drugs. One in 50 people in this country—one in 40 adults—are not on class A drugs.

The actual number of problematic regular class A drug users is 280,000. That is why we have a policy to double the number of people in treatment over the next two and a half years, and why the number of people in treatment increased by 125 per cent. between April and September this year. The money is now flowing through and the treatment places are being created. The drugs intervention programme in the most affected areas, including Nottingham, is putting targeted money—millions of pounds—into localities throughout the country. In Nottingham's case, it has been doing so since last April. That programme, linked with additional policing, with the intelligence model of policing and of course with the development of the Serious Organised Crime Agency and proper interventions by the existing National Crime Squad and National Criminal Intelligence Service, is essential.

We do not dispute what the right hon. Member for Haltemprice and Howden (David Davis) said about the growing problem of gun crime linked to organised criminality linked to the drugs industry. That is self-evident, which is why we have and are continuing to put so much resource into drugs, why we have decided to pull together and expand the agencies that deal with serious organised crime, and why the Labour Government set up the NCIS, developed the NCS and began to get a grip on an international problem. As I was discussing with Interior Ministers in Italy this morning, in the case of crack, we have to deal with trafficking from south America. We have to work together with the other countries that are desperately affected to break that trade. In the case of the heroin that reaches our streets, we have to deal with Afghanistan and the trade through Turkey. There is no dispute about that. How to tackle the problem, however, is the $2 billion question. Bombing the poppy fields of Afghanistan is not the answer, as it would allow the Taliban to recruit people in those marginalised areas and offer individuals whose livelihood had been destroyed an alternative living. A more sophisticated approach is needed. When the new Afghan Government are in place, it will be possible to do the things that President Karzai, whom I have met three times in the past year alone to discuss this issue, has been attempting to achieve against the odds. His Administration have been fighting a battle against terrorists on the fringes of Afghanistan, stabilising the country as a whole, preparing for an election that people said would never happen, taking part in that election, establishing a new Government and working with us.

We must, however, tackle supply routes in neighbouring countries and through Turkey. The Foreign Secretary and I will, of course, ensure, that any transition by Turkey into the European Union, and even the first stage of reconsideration of its application in 2007, is based on its willingness to work with us. Along with France and other countries, we have put resources into the Balkans, where there are crucial supply routes. This is not about picking up heroin only at our ports; it is about stopping it crossing the continent and reaching Britain.

Mr. Wiggin: If the Home Secretary is doing such a marvellous job, why is the price falling?

Mr. Blunkett: I did not say that I was doing a marvellous job, but I am glad to receive the accolade. Organisations in the UK and across Europe are working with us to revamp and improve Europol—another issue that I discussed with Interior Ministers in the past 24 hours—which is crucial if we are to tackle the problem, but the price of the world supply, not just the supply to the UK, fluctuates. *[Interruption.]* Well, we can make a graph from the statistics, perhaps not this afternoon, but I am happy to send the hon. Member for Leominster (Mr. Wiggin) a copy later. Seizures of both heroin and crack cocaine have increased, with tonnages going up dramatically. However, it is a fact that the price has continued to drop. About three years ago, two dozen people in Glasgow died within a short period because there was a temporary cut in the heroin supply and prices rose. A contaminated supply led to those tragic deaths.

We therefore need a more intelligent approach to the problem. We must block the supply routes and change the nature of the crop, so that the producers can survive. We must work with our partners in Europe, if I may use a term that the Opposition never like to hear, because we can break supply lines and undermine organised gangs only if we operate together. Project Reflex, which will be incorporated in the Serious Organised Crime Agency, has done a good job in further disrupting the supply. We can, of course, continue to do so only by improving surveillance at our borders. Outside wartime, we have

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never had tighter border controls. No one ever envisaged that we would move our border controls to France.

Mr. Wiggin: We have only done so in theory.

Mr. Blunkett: No, it is not theory at all. Our border controls have moved to France, and clandestine entry has been reduced by 65 per cent. When Customs and Excise is divided and Customs becomes part of the new agency, that will allow us to co-ordinate surveillance at French ports. I shall shortly announce further measures at additional French ports. The Under-Secretary of State, my hon. Friend the Member for Don Valley (Caroline Flint), has signed an agreement with the Belgian Minister of the Interior to improve and co-ordinate our response with that country, and it is obviously important to do so across northern Europe. That is the backdrop to the problem. This afternoon, however, we have heard nothing but doom and gloom from the Opposition. I do not dispute any of their statistics, except the figure of 1 million drug users; but instead of making positive proposals to tackle the problem, we heard a litany of problems in Nottingham, and how what is going wrong there is indicative of a total collapse.

Mr. David Drew (Stroud) (Lab/Co-op): Does my right hon. Friend accept that, just as we should be going after drug dealers, there is a problem with those who deal in guns? Although the vast majority of people in this country who deal in firearms do so legitimately, there does seem to be a problem. When we look at how people trade internationally, we can see that weapons can even be exported legitimately and then re-imported as different types of firearm, which then get on to the streets. I was surprised that the Opposition did not pick that up. Would my right hon. Friend care to talk about that issue, because it is a key problem?

Mr. Blunkett: The issue is complicated because quite a lot of the guns that come into our country are not formally imported. Many of them are adapted from weapons that are already here. Some are part of the historic export trade of this country, which goes back a very long way. Perhaps the Liberal Democrats cannot remember far enough back to a time when they were responsible for any of this, although my city was built on exporting weaponry in the 19th and early 20th centuries, when the Liberal Democrats had a smell of office. We and the official Opposition need to examine our consciences and think about who we have exported to over the years and how we get the exports back in all sorts of different ways.

I take the point, and it is important that we are on the ball when tracking what is happening, which is why the intelligence-based approach is so crucial and why the National Criminal Intelligence Service and its successor are vital to stop what is going on.

Mr. McCabe: I agree with my right hon. Friend that we need to track guns, try to control them and take them out of circulation. The point that the shadow Home Secretary made earlier interested me. He seemed to think that the key element was compensation. Apart from the fact that those are resources that could be used in the war on crime, is it not the case that in South Africa when compensation was paid it led to the importation of more guns so that compensation could be claimed?

Mr. Blunkett: Regrettably, that is true and there is always someone with an eye to a quick buck, especially if the Government are paying. I do not know where the resources to compensate the alleged 50,000 owners would come from. I suspect it would come from the money for the additional police officers requested today, including officers for Nottinghamshire. I will come on to that later. We cannot pay people for doing what we expect them to do under the law.

The amnesty that we had 18 months ago was the most successful ever. Some 44,000 weapons, some of them very serious, and more than a million items of ammunition were handed in. It was a great success—a greater success than after the tragedy in 1996. It was a success because a lot of people joined together: church groups, Afro-Caribbean community groups, young people's groups and people giving concerts. The movement of people who are now prepared to help to change the culture is encouraging. As I said in Home Office questions, that means that the communities that are most affected, and affecting, will be part of the solution. If that can happen in Nottingham, as it has in other parts of the country, we will be able to build optimism.

We do not want to frighten people to death, which is why I support what the head of the police standards unit, Paul Evans, said about getting things in proportion. If we scare people—if they are worried and concerned—the chance that they will come together and do something is diminished rather than increased. What we need is not doom and gloom and a negative response; we need to address the true facts, be prepared to come up with sensible policies and work together to implement them. Do not take my word for it; take the word of someone who has a lot of experience of dealing with the issue, who said we should stop indulging in

"the national passion for denigrating good news".

That was said by a Home Secretary—the current Leader of the Opposition—in September 1995. He should know because, when he first took over as Home Secretary, gun crime rocketed. *[Interruption.]* Yes, it did. It then came down.

I am happy to deal with true statistics. I have no problem with addressing the reality, but I am against myth and things being made up, such as when people go down to Brixton and pretend that there are no police available, that crime has risen, and that things have gone drastically wrong and the Government are to blame for not putting the police in. If there is to be no hiding place and no wriggle room—or whatever the term might be—for any Conservative politician, good luck to them. How long does wriggle room last? Does it last 24 hours or 12 months? Take the words of the previous shadow Home Secretary, who said just 12 months ago in October 2003:

"... back in June, I saw Inspector Sean Wilson and his team reclaiming the streets for local people. Burglary is down, robbery is down, graffiti wiped away, abandoned cars towed away. Central Brixton is a safer, happier place than it was a couple of years ago. What made the difference? I'll tell you: real and sustained neighbourhood policing, bobbies on the beat."

That was said at the Tory party conference on 7 October 2003 and was contradicted a year later by the Leader of the Opposition.

We do not even have to go that far back. On 6 October this year, a question was asked about the commencement of the Conservative policy for more police—whether we will ever get 1,000 more officers in Nottinghamshire, as the right hon. Member for Haltemprice and Howden has just asked me to affirm that I will do immediately. I cannot do it immediately, so I will not promise to do it. It would be a silly thing to do. There would be no wriggle room. We are in government, not in opposition, so we would not be able to wriggle anywhere. We will not promise 1,000 more officers in Nottingham and Nottinghamshire immediately.

When people get on television programmes on the same day—6 October—they need to be very sure what they are saying. I want the House to hear what two Front-Bench spokesmen said on the same day. The shadow Home Secretary was challenged about funding for the extra 40,000 police offices, which would help him give Nottinghamshire 1,000—that is slightly disproportionate, but I am sure that Nottinghamshire would get 1,000 police officers from somewhere—and he said that he thought that it would take about a billion pounds in the first Parliament. He said that the Opposition were talking about 5,000 officers a year. We do not dispute that. That is 5,000 officers a year to get to an overall figure of 20,000—not 40,000. Those extra officers in the first Parliament would cost around a billion pounds, but it would not get them to 40,000 officers, because, unless the Opposition plan to extend the franchise, if they do ever get elected, they will have a maximum of only five years, not eight years, to do it.

The shadow Home Secretary talked about the billion pounds being lopped off the nationality and immigration budget, which he said he would be able to halve in the first four years. Actually, he could not do so because we have already built into our forward plans, as part of the spending review, hundreds of millions of pounds worth of reductions in the figure that he proposes to halve. We have already allocated that money for the extra community support officers, police officers, technology and investment in CCTV that we are undertaking. The real dilemma is that, having taken a billion pounds out, where are the border controls and the extra people to stop the drugs and guns coming in which the right hon. Gentleman demanded this afternoon? People are needed to do those things, and those people have to be paid.

What we have is a billion pounds being lopped off the nationality, immigration and border control budget, a pledge to meet half the commitment that the Conservatives have made for 40,000 extra police officers, a demolition of the promises made this afternoon to increase border controls and stop people getting in, and the honest words of the hon. Member for Chesham and Amersham (Mrs. Gillan). In an appearance on News 24 on the same day, she said that the Conservatives would be "held accountable" and deliver, and would

"start recruiting those police officers immediately".

How can one start recruiting police officers immediately if it will take a Parliament to raise the money from cutting the immigration and nationality budget at the same time as increasing border controls? *[Interruption.]* When does immediately not mean immediately? It is when a Tory Front-Bench spokesman says it. *[Interruption.]* I am happy to give way to the hon. Member for Chesham and Amersham so that she can tell the House what immediately means, and put me straight.

Mrs. Cheryl Gillan (Chesham and Amersham) (Con): Immediately means immediately. If the Home Secretary thinks that it is outwith the wit of man to place an advertisement or ask his officials to place advertisements to recruit more police officers, I do not know what he is doing in his job.

Mr. Blunkett: It is not about recruiting police officers; we are recruiting them. We have recruited 10,000 over the past two years. We have a budget to retain those numbers and invest in 25,000 community support officers. We have identified the money, but promising to raise the number of recruits by 5,000 a year, plus everything else that the Tory party has promised, including 20,000 extra prison places in their first Parliament—there is no budget for that either—is different. If they are promising 5,000 officers over and above what we have allocated and promising to provide them immediately, they must say where the money will come from. Keep on wriggling, and we will keep on governing.

Mr. Roger Gale (North Thanet) (Con): The Home Secretary says that he has just recruited 10,000 new police officers. Does he recognise the very real anger felt by ordinary coppers on the street about the amount of time that those 10,000 officers and their colleagues have to spend filling in forms?

Mr. Blunkett: Absolutely. When the Conservative Government of 20 years ago introduced the Police and Criminal Evidence Act 1984 and the PACE codes, the amount of paperwork legitimately shot up. There is a tendency for all Governments to demand extra statistical information. We are asked at the Dispatch Box to do so. We are asked whether we can find out from any part of the country—*[Interruption.]* It seems that we have returned to Nottingham, despite the fact that I gave the right hon. Member for Haltemprice and Howden a perfectly reasonable answer earlier. *[Interruption.]* I was not able to give the figures on drive-by shootings, because we do not collect them. I was asked to comment on what the National Crime Squad had done in terms of operational matters, but I could not do so as I did not have the statistic to hand.

The more statistical information the Opposition ask us for and the more we are asked to break it down, the more we have to ask somebody to collect it. It does not drop from the sky. We cannot put on a database data that we do not have. We cannot disaggregate a database that we do not have. There is a challenge to reduce the amount of paperwork that is being demanded nationally and locally, and we are doing that. I have set up a gateway blockage involving all ranks of the police service so that no form or data requirement is put in place without the clearance of that gateway.

We have also introduced fixed penalty notices. Some 20,000 have already been levied, which is a terrific boon for constables who do not have to take people down to

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the station and go through the process of arrest. We are spending £1 billion on the criminal justice information technology system, so that the police can at last use technology to tap into palm-top computers that go straight into the mainframe computer, available through the criminal justice system, instead of writing something on a pad, going back to the station and writing it in a book and then tapping it themselves into a computer, as I saw them doing when I became Home Secretary. That transformation in technology includes the introduction of Airwave, allowing police officers to communicate properly with each other and the station. There are also new methods of ensuring that they do not have to wait in court. *[Interruption.]* I am just telling hon. Members the answer to the question that I was asked: what about getting more police officers on the beat and in the community, doing the job? That is precisely what we are going to do.

Patrick Mercer (Newark) (Con): The Home Secretary talks about the difficulties of police recruitment, and I am sure that he is right. We have some wonderful police officers in Nottingham and Nottinghamshire, but the fact is that, ever since I have been elected, we have heard promises about extra officers, and all that has come forward is a handful of CSOs, none of whom can deal with drive-by shootings or gun crime. When will he honour his promises and restore the morale of Nottinghamshire constabulary?

Mr. Blunkett: Is the hon. Gentleman suggesting that the Nottinghamshire police would like to come to me—I challenge him to ask Steve Green, the chief constable, to affirm this—to ask to go back to the situation that we inherited, when there had been a drop of 1,100 in police numbers over the previous four years? *[Interruption.]* Oh yes there had been. Police numbers were tumbling exponentially—*[Interruption.]*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. There is far too much extraneous noise from the Opposition Benches.

Mr. Blunkett: In the words of Sergeant Jones, they do not like it up them. [HON. MEMBERS: "Corporal."] Goodness me, I have promoted him. I would rather get the rank of sergeant and corporal wrong in a fictional television programme than I would statistics about the number of police. There was a drop in police numbers up to 1997. They were dropping like a stone, and we have restored the amount; we are now 13,000 up on 1997. There was a drop in Nottinghamshire, and we have restored the force and are expanding it. There was no street robbery initiative, but we have put millions of pounds into Nottingham over the past two and a half years. There was no drugs intervention programme in Nottingham, but there is now, and it is beginning to work.

Mr. David Heath (Somerton and Frome) (LD): As the Home Secretary knows, the Liberal Democrats acknowledge the increases that are now appearing in some of our constabularies, but we are getting near the stage at which either he or, more worryingly, the Deputy Prime Minister will again be deciding on capping for police authorities. Before we get to that point, can he say whether he believes that any single police authority has sufficient police for local needs at this moment?

Mr. Blunkett: Not a force in the country has the number of police officers that it would like, in a world where money is of no object in being able to deliver the service. We cannot promise that, and I do not think that the official Opposition, even with Mickey Mouse figures, are promising it. Surely the Liberal Democrats are not going to make such a promise. Surely it is not the case that whatever a police chief requires in order to say that he can do his job properly, the Liberal Democrats will promise it to him. Would the hon. Gentleman like to intervene to tell me the answer?

Mr. Heath: I am happy to intervene, as we have already set out our police proposals. The Home Secretary knows that we have a figure, but I am asking him whether he will countermand the views of local people, as he did last year by nominating certain police authorities, as to the level of policing they want in their local communities.

Mr. Blunkett: I was very pleased that we did not override local people in terms of police authorities and reduce this year's budget.

The Liberal Democrat figures, with which I am of course familiar—they include 10,000 extra officers—are complete mythology. The Liberal Democrats say that they will fund the changes by not using the money for ID cards. However, ID cards will be paid for on the back of introducing biometrics and a clean database underpinning them for passports and visas. As a consequence, people will pay a charge that is additional to their passport increase. How on earth can police officers be funded from the Passport and Records Agency? How can the UK Passport Service raise the same money without delivering the service and also pass that money over to the police service instead? It is simply Mickey Mousedom. That is the end of the 10,000 police officers from the Liberal Democrats. *[Interruption.]* Do not argue with the hon. Member for Somerton and Frome (Mr. Heath), because it is not worth it.

Let us return to the challenge laid down this afternoon by the shadow Home Secretary: how can we further reduce gun crime—we have stabilised it—and deaths from gun crime?

Mr. Mark Francois (Rayleigh) (Con): Will the Home Secretary give way?

Mr. Blunkett: I have been giving way all evening.

Mr. Francois: Not to me.

Mr. Blunkett: I do not want anyone to burst into tears, so I shall give way.

Mr. Francois: I thank the Home Secretary for his great courtesy in giving way. Does he agree that the officers deployed on the street in the busiest periods—Friday and Saturday nights—are a combination of regular police officers and special constables? Will he concede that, because the number of special constables has plummeted by more than 40 per cent. under this Government, when regulars and specials are combined, in many parts of the country fewer officers go out on patrol than did so in 1997?

Mr. Blunkett: The hon. Gentleman appears to think that specials are full time. *[Interruption.]* The matter is simple—one must aggregate the full-time equivalent. I favour specials not only because they are good for policing, but because they are part of civil renewal, active citizenship and protecting workplaces and communities, which is why we are working with employers to get a joint policy of release from work and volunteering in the community. We will work to get a better deal and better training for specials, many of whom have joined the police service because they want to become full-time officers.

The combination of 13,000 extra full-time equivalent police officers and 4,000 community support officers is more than equal to the drop in specials over the past seven years—it is quadruple the size—and it is nonsense to pretend anything else. The street robbery programme has invested additional money over and above the police grant in those areas most affected by street crime, which includes low-level thuggery.

While I am on the subject, let us put the Opposition's duplicity about the British crime survey on the record. According to the British crime survey, crime dropped by 5 per cent. last year and has fallen by 30 per cent. since 1997. The Opposition say that the British crime survey is rubbish, but it was their survey of preference for years after they set it up in 1981—Margaret Thatcher said that, and, in their bunker, the modern Conservatives are returning to Margaret Thatcher.

The British crime survey has been revered throughout the world for 23 years, in which time it has used the same methodology, but widened the sample to show what is happening to crime across the country. A recording change in 1998 and the new national recording standard in 2001 dramatically changed the amount of recorded crime, including violent crime. Reported and recorded violent crime rose from 62 to 77 per cent. over that period, which more than cancels out the increase in recorded crime between 1997 and the present day.

Mr. Eric Joyce (Falkirk, West) (Lab): I do not know what my right hon. Friend thinks, but I think that the Tories are all over the place. On 12 October, the hon. Member for Beaconsfield (Mr. Grieve), the shadow Attorney-General, said:

> "It is certainly true that crime rates have been coming down."—[*Official Report, Westminster Hall*, 12 October 2004; Vol. 425, c. 50WH.]

Mr. Blunkett: I am glad that the hon. Member for Beaconsfield (Mr. Grieve) said that, because honesty is important. If something is wrong, say so; if there is a problem with drugs in our country, say so; and if gun crime causes difficulties for young people and our communities, we must address it. However, it is no good saying that crime has increased when it has come down; it is no good saying that police numbers are lower, when they are massively higher; and it is no good saying, "We do not want community support officers," before writing to Ministers to demand more community support officers.

There is no point in asking for more statistics before demanding that the Home Secretary's powers should be reduced to merely allocating a budget and setting strategic objectives. The shadow Home Secretary said that in his speech to the Tory party conference, and the policy also appeared last year in a Conservative document. One either does or does not want a proactive Home Office that bears down on crime, that takes spreading best practice seriously, that uses the police standards unit and the inspectorate to ensure that we can overcome failures, where they occur, that has the data to compare like with like and that directs the Serious Organised Crime Agency, rather than being completely hands off, as the Opposition demand.

Either one wants a Home Secretary who is held to account at the Dispatch Box and who has something to be held to account for, or one wants a Home Secretary who has a fantastically easy life and who simply says, "I have left it to the 43 forces. I have set the budget and gone out to lunch," which is an exact description of Tory party policy. The Tory party can go out to lunch next year, the year after and the year after that. When we publish our strategic plans, the Tories can go to America, they can toddle in from lunch an hour late when we debate justice and home affairs and they can take themselves wherever they like.

We need a vigorous Opposition who are intelligent and thoughtful and who act as a Government in waiting with statistics that add up, budgets that make sense and policies that address real issues. However, everyone knows—Conservative Members know this—that they will not be in government after the next general election, which is why we are acting, investing and thinking seriously about Britain's problems. We are mobilising Britain's forces to take pride in our country and do the job.

6.16 pm

Mr. Mark Oaten (Winchester) (LD): The Home Secretary was unfair on the shadow Home Secretary, who presented a reasonable case on firearms. I do not always agree with the shadow Home Secretary, but I found it difficult to disagree with him this time, particularly on the six questions that he put to the Home Secretary. I disagreed with him on some issues, which I shall address later, but the Home Secretary's approach was unhelpful.

We could argue endlessly about whether crime has gone up or down in this country. I agree with the Home Secretary that an overall drop in crime has occurred, which is welcome, but none of us welcomes the 6 million crimes that take place in this country. Whether or not a slight dip has occurred in one area, far too many crimes take place, and we have seen a big increase in the most serious crimes—particularly gun crimes.

Behind those statistics, actual individuals are victims of crime, and I have talked to some of then in the past week. In Taunton, for example, I met an estate agent, Mark Jeans, who was stabbed six weeks ago. Fortunately, his life was saved because the knife went into his ribs, and the only item that was taken was a packet of cigarettes. Last week, a friend of mine was mugged in London—a brick was pushed into his face in order to take his mobile phone. In my constituency,

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70 people's cars were scraped and had their wing mirrors pushed in. When we discuss the figures, it is important to remember what crimes mean for individuals.

Mr. Ian Liddell-Grainger (Bridgwater) (Con): The hon. Gentleman mentioned Taunton. One reason crimes occur in Taunton is that the majority of police in Somerset must go into Bristol, because they are part of Avon and Somerset police. That reduces police numbers in Somerset, but the Home Secretary consistently refuses to address the issue.

Mr. Oaten: I agree that visible policing is one issue that concerns the public. In the area that I saw, the police station was round the corner and CCTV cameras were all around, so many of the precautions that we like to see to stop crime were in place, but I obviously take the wider and general point.

Let me say a few words about firearms, which the shadow Home Secretary mainly focused on, although his motion goes wider. The very large increase in such crimes—from just under 5,000 in 1997 to 10,000 in the last set of recorded figures—is troubling. Generally speaking, the pattern of firearm crime could be described as "bad versus bad"—organised crime carried out by individuals who are involved in the crime itself and in the associated gun traffic. The sadness, as we have heard through the examples given, is that innocent people often get involved in such crime.

Recent gun crime statistics suggest that not only those involved in drugs and organised crime perpetrate gun crimes, as petty criminals are starting to carry guns as well. That is a worrying trend, because it means that gun crime is spreading into areas beyond those that we have seen in the past.

I agree with some of the arguments advanced by the shadow Home Secretary, but I wish to raise one concern. The Government are considering the whole question of firearms legislation. Like many hon. Members, particularly those who represent rural constituencies, I have received several representations from those opposed to changing the law to cover individuals who hold guns for the purposes of sport. I am sure that the Minister for Crime Reduction, Policing and Community will be sensitive to that in carrying out the consultation. We are right to express our worries about firearms, but individuals in rural constituencies who have a legitimate reason for carrying guns do not want a further extension of legislation in that area.

Mr. Blunkett: One of the reasons I was more robust than the hon. Gentleman would have liked with the shadow Home Secretary is that it is a little aggravating to hear someone advocating policies about removing guns from people when their party voted against the legislation on handguns. The hon. Gentleman makes a perfectly reasonable point about sensitivity in considering such issues, but every time that they are raised in this House we hear contradictions from Members with a particular interest in maintaining the status quo: that is why they have been so difficult to handle.

Mr. Oaten: I entirely recognise the Home Secretary's dilemma. Without wishing to open up a set of arguments against me, there is sometimes an obvious contradiction in being a liberal in such matters, because on the one hand we ask for legislation but on the other we tend not to want the state to over-legislate. It is a balancing act.

Given that gun crimes generally happen in urban and city areas rather than rural areas, we should consider legislation for different parts of the country that reflects where the main problems lie. I hope that, when the Government undertake their consultation, they will consider striking a balance between rural and urban communities in controlling firearms.

Mr. McCabe: It does not make much sense to say that guns are focused in particular areas and assume that criminals will not travel. That is a strange suggestion. Surely—this would not affect sportsmen and those with other legitimate needs—we could say that a person must have an exceptionally strong need for a gun. We could ask why someone needs to buy 100 starting pistols or has a collection of replica guns that can be converted—

Mr. Deputy Speaker: Order. An intervention is meant to be more singular than plural.

Mr. Oaten: I agree with the hon. Gentleman to some extent on replica guns, because legitimate questions need to be asked in that respect. However, my point about different parts of the country is not about whether criminals can move around it but whether conditions should be placed on having a gun in a particular area.

Liberal Democrats support the establishment of the Serious Organised Crime Agency—SOCA—as a good and sensible measure, but will the Minister confirm that one of its responsibilities will be intelligence gathering on gun crime? That is not in the business plan for Customs and Excise, and it would be useful to know whether it will be one of SOCA's business plan objectives.

We have heard about the problem of purchasing fake guns on the internet. I would add to that the issue of eBay, where I have seen how remarkably easy it is to get into sites that sell guns. We must consider how to handle that as eBay grows in popularity. I should have thought that the people who run it would be amenable to a dialogue about how they introduce measures to control the situation.

In that context, I want to restate my concern about border control, which the Home Secretary dismissed at Home Office questions by saying that serious co-operation would be taking place through SOCA. However, it remains the case that where three bodies—Customs and the immigration and police authorities—have responsibility there is a danger of overlapping. That is not just my idea, or one for which the shadow Home Secretary has some warmth; it was the subject of a firm recommendation by the Select Committee on Home Affairs and has the support of the police. There is merit in reconsidering the issue, perhaps in a couple of years' time when SOCA finds that it needs particular help in those areas.

I want to move away from the issue of firearms to that of crime in general, which is the subject of the Conservative motion.

Mr. Nigel Jones (Cheltenham) (LD): Did my hon. Friend see last night's "Panorama" programme on the subject of blade crime, which concluded that a quarter of school children now take knives to school for protection and that probably only a third of those injured by knives report their cases to the police? Does he think that we need a review on blade crimes as well?

Mr. Oaten: I am grateful to my hon. Friend for raising that, particularly given his own experiences. I did not see the "Panorama" programme, but clearly the number of knife crimes is a major cause for concern. The situation is different from that which applies to firearms, but some of the same issues apply—for example, the ability to purchase such knives and the way in which their sale over the internet is managed. There is a strong argument for considering how we should put such controls in place.

We have had a small debate about the police and police numbers. The police clearly play a front-line role in acting as a deterrent. It is almost inevitable that in the next six months, in the run-up to a general election, we will get involved in a bidding war between the three parties as to who can put the most police on the streets. I try to avoid that, but it is impossible because the question is asked so many times.

Mrs. Joan Humble (Blackpool, North and Fleetwood) (Lab) *rose*—

Brian Cotter (Weston-super-Mare) (LD) *rose*—

Mr. Oaten: Let me just explain our position, then Members can cross-examine me on it if they wish.

In my judgment, going beyond 10,000 police would be unrealistic. The Home Secretary does not portray our funding figures accurately. We believe that providing 10,000 police and 20,000 community support officers in the course of a Parliament is an effective way forward.

Mrs. Humble: We have heard a lot of discussion about police and community support officers and community wardens, but other people are involved in reducing crime. I met some of them a couple of weeks ago in Fleetwood—they are the individuals who help people with drug and alcohol abuse problems. We need to take a multi-agency approach. Does the hon. Gentleman agree that my right hon. Friend the Home Secretary is doing that by targeting the small group of people who, through their drug abuse, contribute to a disproportionately large amount of crime?

Mr. Oaten: I am pleased that I accepted the hon. Lady's intervention, because I could not agree more. The Government have been at their best in relation to such policies, particularly in youth justice, where I have witnessed some of the exciting schemes that are taking place. If the Government are brave enough to extend that beyond the youth area to work closely with probation services, that will be a creative way in which to tackle crime.

We made the judgment that 10,000 police is a realistic approach to take over the next five years.

Brian Cotter: Does my hon. Friend agree that it is not only the numbers but how the police are deployed that is important? I had a meeting in my local police station recently and I was reminded that some incidents give rise to eight hours of paperwork.

Mr. Oaten: That is an excellent point. The Home Secretary listed some ways in which he has tried to cut the time spent on paperwork, but whenever I speak to police that is still one of the first subjects that they bring up. A police officer in Devon last week told me that following every incident of domestic violence to which they are called, they have to fill in a matrix of 17 questions about every individual in the house. He told me that following an incident that was merely a domestic row and involved no abuse, the police were at the scene for only two minutes, but the process of filling in the matrix took about three hours. We should give the front-line police the ability to make a professional judgment on whether it is really necessary to fill in such forms.

Mr. Drew: The problem is not only what the state asks the police to do but the fact that if the procedures are not carried out properly—regardless of whether they are laborious—a defence solicitor can point that out and the case may be dismissed. Any police officer knows that that is the dilemma.

Mr. Oaten: Absolutely. We have talked before about our increasingly litigious society and the blame culture. Perhaps we need to allow police officers to get it wrong on occasions, as the price for giving them some discretion. The problem is that, in some sensitive cases, the consequences of getting it wrong can be tragic. I accept that it is a difficult balance.

I found it interesting that the shadow Home Secretary chose to ignore the part of the motion referring to an extra 40,000 police and to concentrate mainly on gun crime. We have a problem with the 40,000, because we do not think that it is frank or fair to talk of such a figure. The Home Secretary said that the figure is more likely to be 20,000 over a Parliament.

The idea that we can achieve the 40,000 figure by having some sort of offshore processing for asylum seekers has not been properly explained to the House. We have tried to identify the island before, and offered to bring in atlases, and now we are told that an offshore process has been developed, but we need many more details about how it will happen, where the funds will come from and what evidence there is that it would be cheaper than the existing system. The question was asked earlier whether it would be possible to begin recruitment immediately, and I wonder whether it would be possible to move immediately to an offshore processing system. There are many gaps in the Conservatives' proposals, and I believe that they did themselves an injustice in coming up with a 40,000 figure that, in the rigour of a general election campaign, will be seen by the public as unrealistic.

[Mr. Oaten]

Our police need to be more visible, and one way of achieving that is to start giving them more technology. There have been real breakthroughs in technology in some forces, and some police officers have the same kind of kit that I have—a mobile phone and a palmtop, and perhaps a mobile fingerprinting kit—but that is quite rare, and we need to do much more to give them technology that will enable them to be on the street much longer. If one calls out the AA or the RAC, the patrols that arrive will have more kit than the average policeman on the street. The Government would be wise to invest more in that area.

The Home Secretary briefly mentioned that he wants to do something to tackle the problem of the amount of police time wasted in magistrates courts, which would certainly be welcome. I hope that the Minister can say more about that initiative. Far too many police officers waste mornings outside courtrooms not being called and finding that other professionals asked to give evidence are called before them. We need to change the rota planning.

Mr. Parmjit Dhanda (Gloucester) (Lab): Does the hon. Gentleman agree that one of the most effective things that the police could do in working with magistrates is to implement an antisocial behaviour order on conviction, as that has a serious effect on low-level crimes? If an ASBO is active on someone when they come out after a short sentence, there is not much bureaucracy involved, because it has all been completed already to get the conviction in the first place.

Mr. Oaten: My point about magistrates courts concerned police having their time wasted when being called to give evidence, and I hope that we will hear from the Home Office about plans to reduce that. Clearly, ASBOs can be a useful tool, which police and magistrates can work through together, but my experience is that other measures also need to be in place to change the individual's pattern of behaviour over the longer term.

The final part of the motion concerns the need for policing to be more local and for the community to have more say and more direct involvement in what the police do. I was very disappointed that the shadow Home Secretary did not expand on that point, because there is an interesting debate to be had among all three parties on what we mean by localism, and where we are going. The previous shadow Home Secretary, the right hon. Member for West Dorset (Mr. Letwin), talked about sheriffs and elected individuals, and the Home Secretary has a consultation paper out on the concept of more directly elected bodies.

As a democrat, I am extremely hostile to such ideas, and not, as one might expect, keen on direct election for those who would run the police. There is not a great appetite out there for individuals to vote in elections, as we have seen in both general and local council elections. The idea that people on a rundown estate with severe problems are going to rush out to take part in this is not entirely convincing. The danger is that, on a low turnout, a set of individuals will vote with particular ideas that may not chime with our own about how the police should be run or, worse still, BNP-style candidates may run successfully in such areas. That could lead to a headlong collision with a chief constable who is given orders that he or she finds impossible to implement, but that will be hard to say no to, given the democratic mandate. I advise the other two parties to tread carefully in this area, because there could be damaging consequences.

As the Government have acknowledged, tackling crime involves being tough on its causes, too. The Government have not done enough on that. I would like to have talked more in this debate about their prison policy and tackling reoffending, and about education and retraining to make punishment work and reduce crime committed by individuals who have already been to prison. We need to tackle that, as reoffending rates are far too high. I would like to have been able to explore issues about community punishment, on which the Government have some good ideas, including their concept of prison without bars. We could do more with tagging and with giving the community a say in sentencing.

I hope that we can step back a little from knocking the figures back and forth and acknowledge that there are some complex issues. Given what the shadow Home Secretary said on firearms, we will support the motion, despite the 40,000 figure—the Conservatives have made some positive suggestions on firearms.

6.39 pm

Alan Simpson (Nottingham, South) (Lab): I do not represent the area in which Danielle Beccan was killed—it is represented by my hon. Friend the Member for Nottingham, East (Mr. Heppell)—but I lived most of my adult life in St. Ann's. For many years, I was the chair of governors of the school that Danielle attended, and all my children went to that school. I now represent the adjoining constituency, which includes areas such as the Meadows, Radford and Lenton.

Such places are often caricatured as areas of conflict, in which gangs of young people are permanently at violent odds with each other. Indeed, I regret some of the past week's press coverage, which has painted the city that has become my home in terms that I often do not recognise. I walked around the streets in many of those communities over the weekend, and talked to families that I have known for decades. The people who make up Nottingham are kind, decent and generous, and the city needs to be understood and recognised as comprising such people.

Mr. Dhanda: I do not mean to interrupt my hon. Friend's flow—he is making a very good point about his home city—but as a former resident in his constituency, I wanted to endorse his comments. I spent five very happy years in Lenton, at the university of Nottingham. Nottingham is one of the most sought-after places to live in the entire country, and like many others I spent some of the happiest times of my life in that city. I commend everything that my hon. Friend says about Nottingham.

Alan Simpson: I am grateful for that intervention, which illustrates one of the reasons why, on coming to Nottingham as a student, I stayed and have never wanted to leave. But I have to recognise that some of the things that families were telling me over the weekend paint a rather different picture of life in the inner city since my children's school years. Indeed, I have been confronted in a stark way with the huge changes that have taken place since my own childhood.

At the age of 14, it was easy to identify the many young males aged between 13 and 15 who cycled around estates delivering vegetables or groceries. Yet families tell me that the sight that they most frequently readily identify now is of young teenage men age cycling around delivering drugs. In Nottingham, such kids are known as "shotters", because they deliver shots of drugs on behalf of drug dealers. The process is fairly simple. They stick the consignment of crack cocaine or heroin between their buttocks, get on their bike and deliver the package to whomever the dealer has specified. Some £30 a day is the going rate, which is much better than the pay for delivering vegetables, so one can see the financial attraction. The process begins with a simple and innocent set of instructions: "Just deliver this package to the fellow on the corner." As a result, kids are being drawn into this world.

The families told me that they want us to stand with them in support of strategies that intervene at every level of that process, and preferably long before the drugs reach the kids on the streets. Those families also said that we need to understand that the same "benevolent" dealers also have a pretty unscrupulous and exploitative record in terms of their kindnesses towards children. These people offer children access to crack cocaine, and such "kindness" very quickly gives way to a set of demands that draw children into prostitution. We are confronted as much with the cynical and cruel theft of childhood—the theft of a generation's childhood—as we are with the problem of hard crime and hardened criminals. In many ways, the biggest challenge that we face is the theft of the security in which children can play on, and live in, estates.

Communities in every part of the city are saying that we have to find ways to separate their children's lives from the activities of those who deal in drugs and guns. That will be difficult. We already know that, in addition to those involved in shotting, some kids are being asked to stash drugs. I am told that very rarely are the main dealers of drugs and guns found in possession of them. Parents are terrified that, unbeknown to them, their children are being asked, "Will you just stash this somewhere safe? Don't open it; just put it somewhere safe and you'll be looked after." We have to understand that in getting people to come forward, we must make it clear that, however tough we are going to be on those caught with guns, we will not be tough on the kids who are inadvertently being drawn into this world at the sharpest end of all. Our intervention should constitute almost a rescue mission, to ensure that the children who are pulled out of those broader networks are not criminalised at our first point of contact with them.

We need also to address another complaint that was regularly made to me over the weekend. Why, I was asked, are guns are so easily available? I am told that it is possible to rent a gun for £200. The deal is that if it is returned unused, a £100 refund is given. Families in these communities are telling us that we—as a Government and as a society—have to prevent our entering an era in which guns are as easy to rent as videos. We must tackle that absurdity at the level at which we interrupt the supply of drugs and guns.

I have a number of specific proposals about the strategies that we need to employ to deal comprehensively with the problem. We need partnerships between Government and national agencies, between Government and local authorities, and between local authorities and local communities. People tell me that the first thing that they want from the Government is additional resources to allow us in Parliament to be confident in our ability to intervene on the supply of drugs and guns to this country. They repeated the message that the easiest way to take guns off the streets is to prevent them from getting there in the first place. They want the Government to ensure that sufficient resources are deployed to make life tough for dealers in drugs and guns.

In Nottinghamshire, pressure is being brought to bear through the "More Cops for Notts" campaign. That is an issue in its own right and I do not want to distance myself from it, but in some respects it is separate from the specific issues that the Opposition have raised today. I would love to believe in my heart that an extra 1,000 police on the streets of Nottingham that day would have saved Danielle Beccan's life. Can I in all honesty say that? No, I cannot, and it does not help if I pretend otherwise.

We have to get the resources to target dealers of guns and drugs. There might be a case for deploying additional police, but if we do, I want such resources to be akin to the people who turned up in the film "Butch Cassidy and the Sundance Kid" every time Butch and Sundance got off a train. Butch and Sundance would look behind them, see dust in the distance and ask, "Who are those guys?" I want the drug dealers and gun dealers to know that the resources that would drive them out of Nottingham would not be happy if they ended up in Leicester—that they would continue in pursuit of such gangs wherever they went. This is a national problem that happens at the moment to be manifesting itself specifically in Nottingham. We have to deal with the problem by deploying national resources in a national strategy.

Mr. Kerry Pollard (St. Albans) (Lab): My hon. Friend talks about the national dimension, but does he accept that we must also consider the huge significance of the international dimension? I was on board HMS Sheffield in the West Indies two years ago, while efforts were being made to stop crack cocaine coming to the UK from Colombia via Florida. So before considering the specific issues that my hon. Friend mentions, we must consider the international dimension and get right the rules of engagement of our forces, who are trying to stop this stuff getting into the country.

Alan Simpson: I accept that and it forces us to address other difficult issues about how best to approach those with a hard drug dependency. However, the issues raised with me on the doorstep include the point that Britain is an island. People know that there are many problems beyond our reach or competence as a single country to deal with—the work has to be done on the basis of international collaboration. However, the question is whether it is right to assume that, as a Government, we can do nothing more to halt the supply of the guns and

[Alan Simpson]

drugs that come into the UK—and the answer is no. It has to be the case that we can find more effective intervention strategies to attack the supply side both where it is generated and where it enters this country. I also know that, at the local level, the resources that people ask for to deal with these problems are not primarily police related. People are looking for resources, security and clarity from the Government about strategies to empower communities to be an effective part of the process.

David Taylor (North-West Leicestershire) (Lab/Co-op): My hon. Friend lives in the centre of the very city that he represents. I know the area very well. When he talks about numbers, deployment and the responsiveness of the police in Nottingham city centre—it has quite a bleak reputation within the east midlands—does he agree that things could be improved somewhat if the licensing regulations in the city centre were radically altered to free up police from their current roles on Thursday to Sunday evenings? If that happened, it would help to stem the reduction of much-needed resources and help in the fight against drugs and guns.

Alan Simpson: I agree with my hon. Friend's point and I remind him that those were precisely the amendments that I tabled to the Licensing Bill. They would have given local communities and the local police much greater powers to object to some of the large-scale watering holes that currently absorb disproportionate amounts of police time on a Friday evening.

My point about the use of existing resources is that local people told me that what they needed from the central Government was to feel that they, the Government, were there with them on tackling a number of issues that they rightly viewed as their own. They wanted resources to allow them to break the links between kids and gangs. They wanted the backing of the Government for some of the initiatives taken by mothers, for example, working across the communities traditionally regarded as hostile to each other, to trash the myth and foolishness of that inter-community conflict. They want to know that the information that they pass on to the police can be given safely—in ways that will not imperil their lives.

Mr. Kenneth Clarke (Rushcliffe) (Con): The hon. Gentleman talked about the wider implications, then the national and regional implications, of the problem. Does he recall that the regional crime squads that used to operate have, for desirable reasons, largely gone? In the past, it would have been to the regional crime squads that Nottingham, Derby and Leicester would have turned for resources to tackle the issues affecting all those cities because of the gangs and all the rest of it. Is the hon. Gentleman satisfied that the new national unit is effectively replacing the old effort that we used to have on a regional basis—in other words, that enough national support is available to Nottinghamshire police service to tackle the drug and gun problems that are particularly acute in the city of Nottingham, but whose origins extend over the whole region, in many cases across the police force boundaries?

Alan Simpson: There are two elements in that question. Not enough national resources have been available to tackle Nottingham's current problems, but I remain agnostic about whether there is a compelling case for revisiting the regional crime squads as opposed to the National Crime Squad. It would be nice to feel that the drug and gun problems could be dealt with in an east midlands context, but in reality the networks run much further afield—from Nottingham to Manchester, from Nottingham to Birmingham and from Nottingham to London. At this stage, I do not want to create unnecessary boundaries that might allow someone to feel that they could escape surveillance if they simply crossed a boundary.

Mr. Clarke: I agree with that. I am not suggesting that we should go back to having regional crime squads. I am just wondering whether the hon. Gentleman shares my feeling that, having lost the regional crime squads, we are now at a time of crisis insofar as drugs and guns are concerned because not enough resources are getting through to a particular area from the national service that has been set up. The resources are being diverted to immigration crime and all sorts of other areas. We no longer have the specialist support that we might have had in the past and could, perhaps, have again if we were able to draw on more national resources.

Alan Simpson: Again, I do not know what the National Crime Squad has done in respect of diverting its resources. I made the point initially that Nottingham has not had sufficient support from the National Crime Squad to address or halt the problems with which the police, local authorities and local communities are being confronted. In that sense, I can say yes to the right hon. and learned Gentleman. It is for the National Crime Squad to come up with an explanation. My gut feeling is that local communities—and, to some extent, the police and local authorities—feel that they are on their own.

I was coming on to the point that local people do not feel that it is safe to come forward with information about the possession of guns that are circulating in their communities. One family said to me that it was very easy to talk about the problem from the outside, but that until someone has had the experience of having a gun pointed in their face with the threat that if they say a word to the police, they—or their kids—will be dead, they cannot truly understand it. It changes people's sense of how safe they can feel when they realise that to stay alive is to stay silent. We have to deal with that fear by putting mechanisms in place to allow safe channels for information that do not put the lives of others in the community at risk. I would like to set out how that might be done.

When I spoke to people about the problem, they were aware that the Government had successfully run a rat-on-a rat campaign. My belief is that we should now be telling people in Nottingham to grass on a gun. The experience of the tragic and completely senseless death of Danielle Beccan has forced people to cross a line. It is no longer seen as an issue between rival gangs, but as an issue that intrudes on innocent young lives. I believe that we will see a huge response from local communities and the local authority in Nottingham, but there must be mechanisms in place to make them feel safe.

People told me that it would be good to run a grass-on-a-gun campaign, but that more amnesty days would also have to be provided. If we are to say to our own kids in our own communities, "If I hear that you are carrying or stashing or that your mates, nephews or school friends are doing it, I will pick up the phone to send the information on", there has to be an element of security.

The problem is twofold. First, people have to know that there will be a police response, so the police need resources to back it up. It is not an effective message if people believe that the police will follow it up only in two or three days' time, when the guns may no longer be in the place reported or in the possession of the people reported. The police must be available to deal with the level of information at the point at which communities feel safe to provide it.

Secondly, people's own confidence and security is important. I am often asked to explain why we allow cars with blacked-out windows on our streets. It is easy to see what happens on the pavements when cars with blacked-out windows slow down—people back away. The expectation is that there is something untoward going on inside the car that could easily threaten their lives. People often ask me what is the case for allowing that to happen. A case could be made for allowing blacked-out windows only with special licences. The ambulance service and perhaps Securicor services need such windows. Licences could be extended even to people running stretched limos for certain social occasions, but why does anyone else who has nothing to hide require the right to drive round streets in vehicles that are perceived as constituting a threat to local communities? I cannot see any reason why we do not make it a requirement for all vehicles to have a special licence to have blacked-out windows. The police could then have the power to stop vehicles to check the licence and, if necessary, to check the vehicles. It would remove a completely unnecessary threat from the streets of the communities where people live.

Patrick Mercer: What consideration has the hon. Gentleman given to an extended witness protection programme?

Alan Simpson: I know that that is a very weak area. Families who are willing to give information that could be traced back to them ask us how their families can be protected. They do not want much, but they do want to live. We have seriously weakened the ability of local authorities to offer emergency rehousing as part of witness protection schemes. I know of several cases in which people have given evidence and have been moved by the local authority. However, the details of their relocation in Nottingham have been discovered and they have asked to be moved to another part of the country, but the transfer system between local authorities has broken down. It requires a police officer to say that the people involved must be moved as part of a witness protection scheme. The bureaucracy stretches out across a time scale that does not equate to the day-to-day sense of risk that the families involved feel. That is a matter of cash resources and the inability of local authorities to put the safety of families before the bureaucracy of the system.

I am pleased that my right hon. Friend the Home Secretary and his team will visit Nottingham on 5 November. It will give Ministers an opportunity to talk directly to those involved in making the policies and driving the strategies that will intervene at a community level. It will give Ministers the chance to hear and co-ordinate what needs to happen nationally with what happens in local areas. I hope that my right hon. and hon. Friends will be able to bring us some positive news about the resources that are needed. Piecemeal resources are no good—we need the clarity of a structured intervention.

I hope that the message that will come across in the press and to the people of Nottingham is that the Stand Together initiative in the city will be continued in the days and years to come. That has to involve the measures needed to tackle national and international sources of supply, as well as empowering communities to make a stand on their own behalf. The killing of Danielle Beccan was a watershed for the people of Nottingham. The outrage that it provoked will change the way in which communities feel willing to act in partnership with others. That amounts to a policy challenge for the Government and for local communities. People now know that the challenge at local level is to take the toys from the boys. We have to do that because they are not toys any more, but weapons that take lives—and not only of those involved in gang conflict or in drug and turf wars. They kill children. In many ways, the guns are now a threat to our future. Unless we stand together, we will not deliver a future safe for our children to live in. I hope that we can.

7.4 pm

Mr. Nick Hawkins (Surrey Heath) (Con): It is a genuine pleasure to follow the hon. Member for Nottingham, South (Alan Simpson). He is a thoughtful, sincere and well informed Member of Parliament, as well as a diligent constituency representative. He has proved that once again this evening.

Like the hon. Gentleman, I grew up in the midlands, albeit a little further south. I also practised at the Bar, prosecuting and defending criminal cases involving drugs and firearms offences for several years from the late 1970s to the late 1980s. As the hon. Gentleman will be aware, I share his concern about what is happening in all the midlands cities. Our thoughts are with the family and friends of Danielle Beccan at the moment, but we all share the same concerns about all our inner cities and the problems that drugs and crime cause.

This is my first set-piece speech from the Back Benches for more than five years. Since I was first appointed to the Front Bench in 1999, I have always been either a shadow Home Office or shadow legal affairs Minister—although at times I also had other responsibilities, such as sport. I mention that because I have therefore had the privilege of receiving detailed briefings on several of the issues that are the subject of the Opposition motion and the Government amendment.

I shall, for obvious reasons, refer to the briefings only in general terms, but I raised one particular issue in an intervention on my right hon. Friend the Member for Haltemprice and Howden (David Davis): the concern that many of the leading investigation authorities, such

[Mr. Nick Hawkins]

as the National Crime Squad and the National Criminal Intelligence Service, have had for several years about the greater prevalence of the use of guns by drug barons who have come to this country from other countries—in particular, from Albania. One of the sad effects of the collapse of the former Yugoslavia was a big increase in criminals coming into this country, sometimes surreptitiously from Albania or Kosovo, and sometimes openly, by claiming to come from other eastern European countries. We have seen the detection recently of a few of those drug and crime barons. When they entered the country, they claimed to be from Hungary, Bulgaria or the Czech Republic, but on investigation they were crime lords from Albania and Kosovo. We have also had an influx of serious criminals from India and Pakistan, and also from China.

The criminal gangs link the trafficking of drugs, people and guns, the exploitation of women and children and associated kidnap and ransom crime. It has been said that Albanian criminals have proved too wild and murderous for the Italian police and the police in southern France to cope with. They are a major problem that we ignore at our peril. The Albanians have in many cases taken over the drug rings from the Jamaican Yardies, who for many years brought in large quantities of crack cocaine, which is, as we know, both psychologically addictive and associated with a very violent culture. We now have an extraordinary problem, the like of which this country has not had to deal with before.

There are now far too many people using hard drugs in all our inner cities and even in our country towns. The hon. Member for Nottingham, South described all too vividly the kind of problems that his constituents face, with children being used as drug runners. I am sure that his description will have been chilling for anyone who heard it and for those who read it subsequently.

The police are doing their best to cope with these new problems and challenges. For my own area of Surrey, I wish to pay tribute to Denis O'Connor, who recently retired as chief constable but who has gone on to become one of Her Majesty's inspectors of constabulary. He was a superb leader of the Surrey county force and engendered the spirit within Surrey police that enabled many of his officers to produce great success in tackling crime, including major drugs seizures. Only recently there was a successful prosecution of drug dealers who were using a gymnasium in my constituency as the centre of their operations. I pay tribute to the work of Surrey police, led by Denis O'Connor, in tackling the drugs menace in recent years.

Unfortunately, people are concerned that the priorities in every part of the country and in the mind of every senior police officer are not the same as the general public would wish them to be. I was horrified, and I think that most law-abiding people were horrified, to hear a senior spokesman from the Association of Chief Police Officers recently say that the police will not spend much time on crime detection if there is no compelling evidence pointing to those responsible. Some crimes that are of huge concern to the public are so infrequently detected that informed commentators have pointed out that an air of hopelessness, which affects the victims of crime and the police, now sadly affects the whole process.

Official figures show that only 12 per cent. of burglaries are being cleared up. Even in the metropolis, where much good work has been done under Sir John Stevens, crime screening guidelines, which are being copied—in my view wrongly—in many parts of the UK, have downgraded some offences to "less serious crimes", which, to my amazement, include burglary. It is said that unless immediate and compelling evidence points to the culprits, such crimes will not be investigated further. We have reached a pretty pass if dwelling house burglary is no longer regarded as a serious enough crime to receive police priority.

The statistics relating to police clear-up—what are called detection rates—demonstrate that. In 1980, 40 per cent. of all recorded crimes were detected. The most recent figure that I have is for the year ending 2002, when the rate was down to 23 per cent. Moreover, the proportion of those detected crimes that resulted in a conviction fell from 18 to 9 per cent. There is a huge variation in detection rates between forces. The Audit Commission concluded that the variations are not explicable simply in terms of work load or local circumstances. It thinks that such patchiness is indicative of a misuse of resources. That is why Conservatives want a vast increase in police numbers and a guarantee that they will be properly deployed. One of the things that I find from talking to people about policing and crime is that the law-abiding population are, sadly, now far less confident that the police are being properly deployed and that they are concentrating on the right things. There is certainly huge concern that the law-abiding members of our community do not see police officers out on the beat.

I recognise that intelligence-led policing, as the vogue phrase has it, has a role to play when we talk about tackling serious and organised crime, but surely the first duty of every police force is to ensure that the law abiding are protected and feel protected. All too often in conversations with law-abiding people, I find that there is a lack of confidence in the police because there has been too much concentration on slogans and the kind of things that the Home Secretary talked about. If law-abiding citizens were to read what I can only describe as a contemptuous and dismissive speech by the Home Secretary of Great Britain, many of them would be angry because he complained that he heard nothing but doom and gloom, but the law-abiding people of this country know that the position in terms of guns, drugs and crime is, sadly, doom and gloom.

The Opposition motion makes it clear that the problem with the Government is that they think that having a strategy, initiative or announcement means that they are solving the problem. When the Home Secretary was challenged on that, he said that when the Conservatives were in government they did not have this initiative or that strategy, but it is not initiatives or strategies that the people of Great Britain want: it is criminals being caught and locked up so that they can no longer prey on the law abiding. Strategies, initiatives and bureaucracy do not achieve that.

There are few better examples of what I and law-abiding people are complaining about than the Home Office brochure that I have here entitled "Policing:

Building Safer Communities Together". About half the questions in it are on things like the community advocacy service. It says:

> "Would you like a community advocacy service in your area? . . . Who do you think should sit on the"

police

> "boards? . . . Would you welcome the creation of a neighbourhood panel in your area?"

I do not know how much taxpayers' money was spent on producing a huge number of copies of the brochure, but I guarantee that every law-abiding person would rather give money to chief constables to have more police officers on the beat than spend it on producing glossy brochures asking nonsensical questions about new ideas that the Government have for bureaucracy. Bureaucracy is not the answer; it is the problem. It is not what the people want. Unfortunately, it is what the Government believe in.

There are few better examples of the problem than the Home Secretary's response to an excellent intervention by my hon. Friend the Member for Rayleigh (Mr. Francois) about the collapse in the number of special constables. The Home Secretary simply did not understand my hon. Friend's point that if special constables are no longer available, and the number has reduced hugely since the Government came to power, they cannot patrol with the regulars. The Home Secretary's response was to say that some of the specials have become regulars. That is true and welcome, but it does not explain the huge collapse in the number of special constables. People are so upset about the lack of policing in their area because the Government have shown little interest in getting police on the street. It is all talk, strategies, committees, bureaucracy and no action.

The Home Secretary speaks as if all he has done is to improve the position, but that contrasts with what serving police officers say. A police sergeant was quoted in *Police Review* as saying:

> "Officers spend so much time dealing with administration. The increased bureaucracy from"

Labour's proposals for more changes

> "will further add to the time a sergeant spends on the whole process."

The Government are not taking any notice of that problem.

The Government are obsessed with their complex and expensive IT solutions. I predict here and now that their incredibly complicated and expensive IT project will turn out to be a disaster, just like every other IT project with which they have been associated. I predict that in a few years' time the Public Accounts Committee will have to inquire into the huge waste of taxpayers' money and the fact that the project has gone wildly over budget and does not work. It will be just like all the other IT disasters over which the Government have presided.

If I am right in predicting that the project will be another publicly funded IT disaster, all the taxpayers' money will be thrown down the drain instead of being spent on getting police officers back on the streets. I am not saying that there is no use for IT; I am just saying that the Home Secretary's decision to concentrate on the IT project as solving all the problems will not cut any ice with people who are worried about the rise in crime.

Mr. Oaten: I am interested in the hon. Gentleman's analysis of the Government's ability to run a major national IT scheme. I take it that he will vote against proposals for an identity card system on that basis?

Mr. Hawkins: In the past, I have expressed my concerns about the use of technology in all kinds of Government projects, not merely the one I was just talking about, and clearly some of the issues that arise in this context may also apply to identity cards, but I do not intend to make predictions without knowing what the motion would be. The hon. Gentleman made a nice try and I understand what lies behind his point, but I shall not commit myself to what my vote might be on a motion that has not yet come before the House.

When we look at the issues that have come to the centre of public attention recently due to the tragic shooting of Danielle Beccan, we have to consider whether the police forces affected have received what they asked for. Even Government Members have made it clear that forces such as Nottinghamshire have been asking for vast increases in officers—the chief constable of Nottinghamshire obviously wants that, as he has asked for it repeatedly—but they have not been getting those increases. As my right hon. Friend the shadow Home Secretary pointed out, Manchester has been asking for 3,000 more officers. That is why we phrased our motion as we did; we feel that law-abiding people want a vast increase in policing. It is not good enough for the Government to say that they will solve all the problems with IT projects when we face a situation where violent crime is up by 20 per cent., as even they accept, gun crime is up by 30 per cent. and drug offences have gone up by 16 per cent.

As other Members want to speak, it would be wrong of me to take too much time explaining my view that the Government have presided over far too great a relaxation of drugs policy; I made speeches on that subject when I was shadow drugs Minister. I shall refer to some headlines as they describe what the law-abiding people of this country are seeing: "Labour drops key targets on drugs"; "Government goes soft on club drug-taking";"'Give young crooks £20,000 a year to stay out of trouble', urges Minister. So, who says crime doesn't pay"; "Crime shambles. Offences up"; "Plunging prices of drugs on the street"; "Cut-price drugs hit the streets"; "Cannabis explosion—when police tried going soft on the drug its use tripled. That same approach is about to become national policy"; "Cannabis laws in shambles"; "Real offenders are not paying price of crime"; "MPs urged to reconsider the dangers of cannabis".

It is not good enough for the Government to wash their hands of their responsibility for that explosion in drugs since they came to power in 1997. My right hon. Friend referred to the Prime Minister's use of the phrase "tough on crime, tough on the causes of crime". The greatest cause of crime, as all law-abiding people know, is drugs. The Government have not been tough on drugs as a cause of crime, they have been soft. There can be no argument about that; everybody in the country knows it. The Government have given misleading signals, especially to the young.

[Mr. Hawkins]

I feel strongly that the Government have created a situation in which the drug barons, who use guns so ruthlessly, can take advantage of the greater market for drugs and the lower street price for drugs. They have moved into our inner cities in increasing numbers and that has led to the rise in organised crime over which the Government have presided. I put the finger of blame firmly on the Government, because all those matters are linked.

I want to refer to one final quote from a paper that is not my normal reading, but perhaps that makes the words even more effective. *The Independent* stated:

> "Mr. Blunkett's ideas grab headlines, but won't prevent a single crime."

I would go further: the policies of the Government—all about headline-grabbing initiatives, strategies and glossy brochures—are failing to tackle the problem and are ensuring, unfortunately for the law-abiding people of this country, that crime will continue to rise. It is not good enough for the Government to wash their hands of the serious problems that affect every part of the UK. As recent events have all too tragically demonstrated, the Government have lost control. That is why Members on both sides of the House should support the Opposition motion.

7.24 pm

Linda Gilroy (Plymouth, Sutton) (Lab/Co-op): I am pleased to follow the hon. Member for Surrey Heath (Mr. Hawkins), as I come from a constituency that is well endowed with some of the Government's special initiatives. We have a very can-do approach to tackling some of the problems.

I want to pay special tribute to the thoughtful way in which my hon. Friend the Member for Nottingham, South (Alan Simpson) has dealt with the issues in his constituency. Our constituencies have much in common. Nottingham is a city of similar size to Plymouth and faces similar challenges. Thankfully, we do not have the gun crime that appears to be endemic there, but we have severe drug and alcohol-related problems. I congratulate my hon. Friend on the recent establishment of an all-party group on the night-time economy, as that will enable us to undertake some constructive thinking about the issues.

In Plymouth, we have a "Catch a Rat" initiative, rather than "Rat on a Rat", so I was interested in my hon. Friend's idea for "Grass on a Gun". I wondered what the equivalent might be for knives, but perhaps we could pursue the catch a rat theme on guns and knives. Those with such weapons are rats infesting our communities and making people's lives a misery.

I hope that the visit from the Home Office team that my hon. Friend mentioned will go as well as the recent visit to Plymouth. It certainly created a buzz in our community; the knowledge that Ministers were willing to talk to people in our communities about the challenges that we face brought very positive feelings. The Home Secretary and his team now have a first-hand view of our policing, crime and community challenges in Plymouth and of the way in which our local partnerships are working to tackle the deep-seated problems of antisocial behaviour, substance abuse of all sorts and binge drinking in a city that has for hundreds of years been associated with the abuse of alcohol, especially in the Barbican area where I live.

I am trying to choose my words carefully, because such things matter. When we talk about crime and crime figures, it is important to distinguish, as the Home Secretary did, between what the British crime survey and the figures for recorded crime are telling us. There has been a significant rise in violent crime in Plymouth, but the story is interesting and it may inform our debate to consider exactly what that rise means and how it chimes with what the British crime survey tells us about a fall in violent crime.

As my hon. Friend the Minister for Crime Reduction, Policing and Community Safety knows, alcohol and drugs problems are as serious in Plymouth as anywhere, and although, thankfully, we do not have the gun problem, we have a knife problem and I shall return to that point towards the end of my remarks. In May this year, we carried out a successful blitz on yobs and drunken louts, using on-the-spot fines, as part of the national campaign that the Home Secretary launched on 22 March. In the four months between March and July, 490 on-the-spot fines were issued throughout Devon, 170 of them in Plymouth. Chief Superintendent Maurice Watts welcomed such fines as a valuable weapon to allow police to tackle offenders without getting tied up in paperwork, so that they could get back on patrol and—guess what?—catch more offenders; hence the rise in the statistics. We want them to rise. One of the few points on which I could agree with the hon. Member for Surrey Heath was that detection rates—catching people and successfully holding them to account—matter and on-the-spot fines are proving to be useful in that respect. They increase the chances that people are caught and fined.

Mr. Oaten: I am beginning to warm a little more to fixed penalties, but is not one of the problems the number of individuals who fail to pay them? Is there any evidence that a fixed penalty will stop an individual committing further crimes in future?

Linda Gilroy: The hon. Gentleman makes a relevant point. I do not have the figures in front of me, but I was reading about them earlier today. Certainly, when they were reported in July at the end of that programme, more than half of such fines had been paid—a significant number—but I am not certain how many remain unpaid a few months later.

Mr. McCabe: I was surprised to hear the comments made by the hon. Member for Winchester (Mr. Oaten). Perhaps I can direct him to a survey conducted by West Midlands police, which shows the difference in the payment rates for on-the-spot fines and conventional court fines. The police advocate on-the-spot fines for precisely the reasons that my hon. Friend mentions.

Linda Gilroy: I thank my hon. Friend for that information. The cost of issuing such a ticket is £2, because the police time involved in bureaucracy is eliminated, compared with £90 if the case has to go to court. So measures that the Leader of the Opposition ridiculed at Prime Minister's Question Time only a short time ago are proving extremely effective.

Plymouth also took part in the summer alcohol misuse enforcement campaign, which involved developing a partnership approach to tackle alcohol-related violence and disorder and to target those who encourage under-age and binge drinking in our city. In the nine weeks from 8 July to 5 September, the campaign proved somewhat successful, as Ministers found when they visited Plymouth.

A small part of that programme included a night bus pilot scheme, with part of the money coming from the Home Office and part from Plymouth city council. On two weekends, arrangements were made to ensure that buses were available at the times when clubs tend to close and people tip out on to the streets in large numbers—sometimes 10,000 people do so on Union street in Plymouth—and the buses took them away to the outlying estates. That seemed to prove effective, even though it was available only on those two weekends.

The programme also made use of a dispersal order under section 30 of the Anti-social Behaviour Act 2003, which was in force between the end of July and the beginning of September and was often used to disperse groups on the streets in Plymouth.

What was the result of that summer campaign? Offences of grievous bodily harm were down by 50 per cent.; common assault was down 18 per cent., most of the reduction occurring in weeks 4 to 9 while the dispersal powers were in use; street offences were reduced; and there was a spread in the peak of offending, which tends to happen every Thursday to Saturday night. When the clubs close, crime tends to peak and policing is difficult, but running those buses seemed to help to spread the peaks, helping the police in the area and producing the sort of results that I have just mentioned.

If the figures on offences of drunkenness are removed from the area covered by that project—drunkenness is not part of the Home Office violent crime statistics—violent crime fell by 2 per cent., against an increasing 10.2 per cent. trend in the southern sector, which is the surrounding area, since April 2004. Using those powers and the partnership approach proved very effective. Indeed, the city council and the police will consider how to build on this through the community safety partnership in the busy period, the run-up to Christmas.

Plymouth has also made good use of antisocial behaviour orders, on which we also enjoy strong partnership work, involving the youth offending team and ensuring that we explore alternatives before using ASBOs as a last resort. There are currently more than 40 ASBOs in the area covered by the Plymouth basic command unit. Their huge potential to reduce crime has been illustrated in Stonehouse, which I have often referred to as being the poorest ward in England in 1997—thankfully, we are moving away from that position now—since proceedings were instigated against Clark Graham, a prolific offender who was obviously responsible, with his associates, for a substantial amount of crime in that area. If the trend that was established when the ASBO had been in place for a month or two continued, it would represent an enormous 28 per cent. annual reduction in crime in the area, a 25 per cent. reduction in police calls and a reduction in calls to my office in Plymouth. A substantial number of my constituents have contacted my office there and said, "Please help us", and the ASBO is providing an effective means of doing so.

We have also used the new powers to close two crack houses in Prince Rock and one on the Barbican. Again, that has made a transformational difference to residents there, bringing a new calm to areas that were previously blighted by crime and antisocial behaviour. The local evening paper quoted a resident who said:

> "The community feels a lot safer. At times we used to have up to 40 people hanging around the houses. They would call round at any time of day or night and shout up at the windows or throw stones to wake them up. We were finding it impossible to live."

Again, the new powers and initiatives that the Home Office has introduced are proving very effective in bringing greater peace and security to parts of Plymouth.

My hon. Friend the Minister for Crime Reduction, Policing and Community Safety knows that I go out most Saturday mornings with my team to conduct a roving surgery. Over the past six months, I have conducted an antisocial behaviour survey in that way. One of the things that I have found is that crime is incredibly localised. In some parts of the city, the majority of people still rate drugs as an issue, but in other places not very far away, drugs do not feature at all in the survey. People say things quite spontaneously. There is no tick box for this; people just fill in the part of the form for other comments. They say, "Police are much more visible", "I'm quite happy—no major issues", "Things are better", "Area has cleaned up", "Things pretty good now" and "Very happy with all local issues." I am not sure how this fits with antisocial behaviour, but some say, "Pensions are good", "Health service better now" and "Vandalism better than it was." So the Home Secretary's remark that we should not lose sight of the good news stories is extremely important.

We have also had considerable success with the introduction of neighbourhood beat managers, who are beginning to instil confidence in communities that they will be listened to. As I know from some of the phone calls that I made this weekend, there is still an enormous amount to be done. Over the weekend, I put about four or five people in touch with the contact for their neighbourhood beat managers, who are keen to hear from and work with the communities. For years, the communities have been asking for the police to go back on the beat, and with the extra police numbers that we now have in Plymouth it is possible to make that happen.

My hon. Friend the Minister appreciates the partnership work that underpins all that. There will be an awful lot of competition for the together programme bids that she or the Home Secretary is considering. I hope that, from what she and her colleagues have seen in Plymouth, we will be one of those successful bidders. She can be absolutely certain that we shall make very good use of that programme. If the money for special initiatives is not welcome in Surrey Heath, it is certainly welcome in Plymouth. I am already thinking, with Chief Superintendent Maurice Watts, of things that could be done. Just today, I was talking to him about how we could crack down on binge drinking and the resulting misbehaviour that plagues our communities.

[Linda Gilroy]

I recently saw on London television that one of the police forces, I think, in or around London is using the embarrassment factor of having a large bucket of soapy water—containing disinfectant, I hope—to clean up the mess made by people who urinate in the street. The Home Secretary was very concerned to hear of the extent to which that is a feature in some of our communities in Plymouth. Zero tolerance of those antisocial offenders has a bearing on creating the climate in which we can achieve major reductions in all sorts of crime, including violent crime.

There are many good news stories in Plymouth, but my hon. Friend the Minister will also understand that we have persistent levels of serious violent crime, including murder in the city.

Two such crimes stick out in my mind and it would be remiss of me to concentrate only on the good news stories in Plymouth. I am sure that people in Plymouth will recognise these cases, the first of which is the tragic death two years ago of baby Perran. Despite many reports from members of the community, he died a tragic death. He should never have been left in the care of the couple who were his so-called parents, and he died in tragic circumstances. They were drugs users, and reports from people in the community should have been taken note of, but they were not. However, when a ward has approaching 200 looked-after children in a population of only 10,000, the challenges for the public services are significant.

The same is true of the recent tragic death of Flo Seccombe. Last week, her murderer, Hartshorn, was put down for 14 or 15 years—for once, a sentence that fits the crime. The young man had been drinking and high on drugs for many hours before he committed an unprovoked knife attack on a woman who was sleeping rough in a bus station. It took many months to trace him, because some of the many criminals of that description better fitted the profile than he did.

People tend to call for reviews after such tragedies, and while it is important to learn the lessons, we must pay attention to what has happened before and to the action plans that come from the reviews. When reviews are put in place, they often do not recognise that things have already been done in the community in response to previous reviews and to the stringent audit and inspection processes that we now have across the public services—whether local government, social services, health services and so on. I hope that my hon. Friend the Minister for Crime Reduction, Policing and Community Safety will agree that it is important that those reviews are proportionate to, and take account of, changes already in hand from previous inspections and reviews.

We have had a number of such reports in Plymouth—from social services, the Commission for Healthcare Audit and Inspection, internal reviews of serious cases and incidents, and the good guidance emanating from Lord Laming's review into the tragic death of Victoria Climbié. Many of them have already resulted in changes to senior management, to action and recovery plans, to closer working relationships, to more joined-up working between the public services and to joint commissioning of services between social and health services.

I worry that, because the reviews are expensive in terms of management time in particular, money and management time could be better used in developing front-line services and in investing in things such as Sure Start, children's trusts, programmes to tackle domestic violence and all the initiatives that the hon. Member for Surrey Heath so derided. For example, substance abuse and alcohol dependency contribute much to the circumstances that result in the tragic deaths that are all too frequently reported in the press. Some would agree that investing in preventive measures has far more to contribute to turning round the fractured families and communities about which we all share a concern.

7.44 pm

Mr. Gary Streeter (South-West Devon) (Con): May I commend you, Mr. Deputy Speaker, on your wisdom in calling me immediately after the hon. Member for Plymouth, Sutton (Linda Gilroy)? I wish to raise one of the city-wide constituency cases that she has just mentioned. I agree that many good things are happening in Plymouth and that we are blessed with an excellent police force that is well led by Chief Inspector Maurice Watts. Much progress has been made. However, it is worrying that violent crime is still on the increase, and that is one of the points that I want to address in my remarks.

Linda Gilroy: I am not sure that the hon. Gentleman was listening when I said that serious violent crime had gone down and that the programmes over the summer period in which more people were caught had resulted in the figures going up.

Mr. Streeter: I am grateful for that point but, not many weeks ago, I sat in the same meeting with Chief Inspector Watts as the hon. Lady. We were told that violent crime was on the increase, and I certainly believe that to be the case in Plymouth. Many things are positive but, sadly, we must address that problem.

I want to commend my right hon. Friend the shadow Home Secretary for a very powerful and positive speech setting out serious points and asking serious questions of the Home Secretary. I confess that I normally enjoy the Home Secretary's speeches. He is a talented man and speaks well. I am afraid that I do not know what went wrong today. We were treated not to a serious response to some very credible questions but to sixth-form party political debating points. That did him no service and did not grace the debate. I was disappointed to witness that; it is not normally the way that he performs.

We have heard a little of the infamous saying by which the Government came to power claiming that they would be tough on crime and tough on the causes of crime. I want to tackle a couple of issues relating to that in what I hope will be a fairly brief speech. A primary cause of crime is drug addiction, and in Plymouth we face a serious problem. We heard earlier that Nottingham has perhaps 6,000 heroin addicts and crack cocaine users, and we normally use a figure of 2,500 to 3,000 for Plymouth. I want to put it on the record again that the waiting time for treatment for a young heroin addict who bravely comes to the decision that he wants to kick the habit is still about 12 to 18 months. That is far too long to be meaningful.

The Minister for Crime Reduction, Policing and Community Safety (Ms Hazel Blears) *indicated dissent.*

Mr. Streeter: The Minister frowns and shakes her head, but I invite her to look carefully at the statistics. I have checked recently with some of the voluntary agencies that are involved with these brave young lives, and they confirm those figures. She may have figures that come from a mandarin in Whitehall, but I assure her that young people are waiting months before they get the treatment and help that they require to kick a drugs habit that is fuelling crime and causing much distress in Plymouth.

Another primary cause of crime is surely mental health difficulties, which seem to affect many people and may be on the increase. I raise with the Minister the troubling case that the hon. Member for Plymouth, Sutton mentioned about the recent tragic murder of Flo Seccombe and the conviction on Friday of her killer, Ian Hartshorn. I refer briefly to something that the judge said when he passed sentence in that case. A newspaper report points out:

> "Judge Taylor said that in the run up to the killing Hartshorn had been drinking for 13 hours on an empty stomach, had taken cannabis and also his daily amphetamines.
>
> The judge said: 'You ignored your curfew and stayed out getting into difficulties'.
>
> Judge Taylor said that Hartshorn eventually went to Bretonside Bus Station where he came across 'the prone figure of Flo Seccombe as she slept in a duvet'.
>
> He said she was a 'frail and particularly vulnerable person who posed no trouble to Hartshorn as she was fast asleep and snoring'.
>
> He said Hartshorn told her to stop snoring or he would stab her and when she didn't he 'thrust a knife into her neck so that it severed a vital blood vessel on the opposite side'."

Flo Seccombe sadly died.

As the story unfolded, it became clear that, before the killing, Mr. Hartshorn had been to seek help from the psychiatric services in Plymouth.

The report added:

> "Paul Dunkels, defending, in mitigation, said to the court: 'He thought there was something wrong with him.' . . . Hartshorn was referred to an adolescent consultant psychiatrist on September 23, 2003, when he showed signs of 'frustration and anger'. Mr Dunkels said that the psychiatrist said Hartshorn expressed 'paranoid, morbid thoughts about his family, constantly wanting to know they were safe'. He was also suffering from night sweats, panic attacks, and had 'particular thoughts of harming other people'.
>
> Mr Dunkels said Hartshorn 'assaulted his own sister in the past and has stopped himself from stabbing her by removing himself from her presence'."

The psychiatric report on Hartshorn concluded that he

> "was not in need of psychiatric care"

and Judge Taylor said of the report:

> "I could not believe that I read that"—

and nor could I. It is easy to second-guess professional people, but it seems that there is a crisis in mental health support and provision in Plymouth, Devon and perhaps other parts of the country.

What do I want from Ministers? I do not expect to hear answers about the specific case this evening, but I invite them to call for an urgent report on the case to determine what lessons that can be learned from it so that law-abiding people in Devon and Cornwall are kept safe from violence flowing from mental health problems. If the Minister calls for such a report, I hope that she will write to me to tell me how it is getting along.

I pay tribute to the police for the way in which they tracked down and prosecuted the killer of Flo Seccombe. They attribute that to good old-fashioned detective work, and I agree with them. I pay tribute especially to Detective Chief Inspector Andy Boulting and his team for solving such a difficult case.

I put it on record that I appreciate that it is extremely difficult to deal with disturbed young people. We should not deprive people of their liberty lightly, yet we cannot force people to choose what is best for their lives. The provision of quality care, and especially residential care, for such troubled young people is expensive, and such issues raise all kinds of complex challenges. I accept all those facts, but Ministers have an overriding duty to protect the public.

Ian Hartshorn had a turbulent history and was well known to the authorities. When he killed poor Flo Seccombe, he had just come off a tagging scheme, which was the sentence for burglaries that he had committed, and he was under a police curfew. However, the murder took place in the middle of the night, so what was the point of him being under a curfew that did not work? Will the Minister review how the curfew system operated in the case?

Ian Hartshorn was in supervised social services accommodation, although I am not yet clear about precisely what kind. What kind of supervision allows a disturbed young man to drink himself senseless and wander around the streets of Plymouth with a knife in his hand in the small hours of the night? Will the Minister call for a report on that matter?

My main worry about the case is the fact that Hartshorn had a history of mental health problems and that he presented himself to the authorities to ask for help only nine days before the murder. He was an alcoholic at the age of 11 and indulged in self-harm. He was consistently involved in a range of crimes for which he had received a variety of sentences, and he was infatuated with knives and other sharp objects, but when he went for help nothing was done. How could a psychiatric consultant conclude that he was not in need of psychiatric care? Judge Taylor could not believe that, and neither can I. Will the Minister please examine that matter?

I am worried about the way in which mental health services are delivered in Plymouth and I suspect that there are such concerns elsewhere. Perhaps too many agencies are involved. We heard earlier that the answer to all our problems was a multi-agency approach, but sometimes that is another way of saying that no single person or organisation takes responsibility, and I fear that that is happening in Plymouth.

[Mr. Streeter]

The report on the case in the Plymouth *Evening Herald* said:

> "A spokesman for the Strategic Health Authority, overseeing all health care, said: 'The South West Peninsula Strategic Health Authority will consider the internal investigations into the care and treatment of Mr Hartshorn by Plymouth PCT and Plymouth Hospitals NHS Trust before deciding on what further action is necessary.'"

It seems that the primary care trust, the hospital trust and social services are involved in the process, but who is responsible for delivering mental health services in Plymouth? How could a disturbed young man such as Ian Hartshorn slip through the net in such a way? Does anyone know what is supposed to happen to him and people similar to him? Perhaps they should receive institutional care, but if so, where? Plymouth has the Glenbourne unit at Derriford hospital, but that small unit is nearly always full, so where are people supposed to go? Such people may use halfway house accommodation, but the rules in such places are so lax that nocturnal prowling with a knife is permitted. We need to get more of a grip on the situation.

As the case was raging in our local media throughout the weekend, a person told me about their experiences of dealing with Plymouth's mental health services. His son had been on cannabis and had tried to kill his parents—I am sure that hon. Members will agree that that is a serious matter. The son spent two months in the Derriford hospital psychiatric unit, and in the first two weeks after he left the unit, 13 different people tried to help him. He did not see the same person twice. After that time, he received only one call per week from the mental health services to his mobile phone. He is now slipping back into his old and violent ways. I am forced to conclude that there are insufficient places for disturbed young people in Plymouth and that they do not get the right treatment from the mental health services. That situation contributes significantly to Plymouth's crime levels, so I ask the Minister to address the problem.

The pressure on services is getting worse. Recent revelations that cannabis can cause a violent reaction in 10 per cent. of users alone should have caused the Government to rethink their idiotic and shameful decision to reclassify cannabis as a class C drug. The more that I learn about the case—I read that Hartshorn had taken both cannabis and vodka—the more I realise that such substances can cause certain people to have a serious reaction that can lead to violent crime.

The problems are likely to increase. More and more young people in our society are growing up in homes that fail to nurture and support them. More and more young people are on hard drugs or experiment with cannabis and indulge in binge drinking. More and more young people are being affected by disturbing experiences. That situation will produce—and is producing—more and more young people who experience various forms of mental health challenges. For their own sake, such disturbed young people need better help than they are receiving at present, and Ministers need to take more effective action to protect the public.

An internal review is now under way into Plymouth's mental health agencies, but that is not enough. I ask the Minister to intervene and call for a full report before someone else gets killed.

Linda Gilroy: The hon. Gentleman is making some—

Mr. Deputy Speaker: Order. I am sorry, but the hon. Gentleman had concluded his speech.

7.58 pm

Mr. Stephen McCabe (Birmingham, Hall Green) (Lab): I shall make a brief contribution to a debate in which several hon. Members on both sides of the House have raised good points. However, one of the problems with the debate is the fact that the motion is designed to serve too many purposes, which probably explains why the shadow Home Secretary had such difficulty addressing it. There is a serious problem with guns and drugs about which several hon. Members have made valid points, but there is also a problem with the Conservatives' ludicrous promise of 40,000 extra police, which no one believes and the shadow Home Secretary could not explain. Of course, the final part of the motion refers to greater freedom for communities to direct policing, but that concept is clearly so difficult to explain that he did not bother to address it.

That seems to have been the difficulty with our debate tonight. When Members have been free to concentrate on real issues, we have heard valid contributions. However, it is absurd that the Conservative party, whose leader allowed police numbers to fall by more than 1,000 when he was Home Secretary, should now say that it will increase them at a rate of 5,000 a year and achieve a 40,000 growth within five years. It is absurd that, while the Conservatives plan to cut £1.6 billion from the Home Office budget, they say that they can afford policing costs that will run at about £1.3 billion. It would be better for the public if we did not waste time on what is clearly political nonsense designed solely to catch the odd headline and achieve nothing.

That damages the case that Opposition Members could make. I was interested when the hon. Member for Rayleigh (Mr. Francois), who is not now present, mentioned special constables. There is a valid argument that we could make greater use of special constables. I am intrigued by the number of senior policemen who tell me that, because they cannot rota special constables, they are not as useful as they could be. We should be considering the array of support available: community support officers, special constables, and neighbourhood and other wardens.

Mr. Heath: The hon. Gentleman is making an important point. There is an analogous example in the case of the retained firefighter, who can be rostered and trained to the same high degree as a regular officer. Is there not a case for retained police officers, directly analogous to firefighters, who could fill some of the gaps and be proper, omnicompetent constables?

Mr. McCabe: I have a lot of sympathy with the hon. Gentleman's point. I was about to say that I accept that, at one level, we need a larger police force. I believe that we need specialised officers—people who can deliver a particular service. When the public talk about the visible uniformed presence, they want reassurance. I am not sure whether that always requires a fully trained, highly specialised police officer and I believe that there is scope for examining how we could add extra support. We would make more progress if we were all honest about that and did not waste time with ludicrous claims about police numbers that no one believes will ever be achieved.

In the same vein, we would make much more progress with the public, and with people's anxiety about crime, if we confined ourselves to talking about things that are actually true. It is easy to see how politicians get themselves locked into a position in which they bid up ideas about crime and the fear of it. We are witnessing that at the moment. However, the reality is that a small number of serious crimes are causing problems, and we should all be applying ourselves to tackling them. Against that, we should acknowledge that general crime figures are coming down. It does not pay to tell people lies about what is happening.

Mr. Andrew Mitchell (Sutton Coldfield) (Con) *indicated dissent.*

Mr. McCabe: The hon. Gentleman shakes his head. I should perhaps tell him that the West Midlands police's own figures show that crime is coming down according to all their main indicators. Burglaries, vehicle crime, street assaults and thefts are all down. I suggest that he speaks to the commander at his local operational command unit if he does not believe that that is the case.

Mr. Mitchell: If the hon. Gentleman looks at his own Government's Home Office website, he will see that, since 1997, when the Conservative Government left office, crime in the west midlands has increased.

Mr. McCabe: The hon. Gentleman is making an obvious mistake, although I do not know whether that is by design or accident. He will know that we changed the method for recording crime and we made it obvious that there would be an increase in figures based on that more accurate record. The fact is that the trend is going in a particular direction, and I think that he knows that perfectly well. Recently, when I met the chief superintendent in the operational command unit that covers my constituency, he showed me superb figures for the work that the men and women of West Midlands police are doing. Rather than trash or attack them, we should be commending them for their achievements, and I find it outrageous that people are not prepared to do that.

I concede that, despite the fact that the police are making progress, there are some problems and certain crimes that we have to be anxious about. We have heard about them tonight—drug and gun-related offences. There is also the constant fear of antisocial behaviour, which fuels people's fear of crime and makes them feel less safe even when the statistics are moving in the right direction. On the motion, therefore, we would be better served if we could concentrate on the real issues, and steer clear of nonsensical policing figures and hysterical and untrue arguments about crime.

I want to make a couple of specific points about guns. The right hon. Member for Haltemprice and Howden (David Davis) made a number of useful points on guns, but he was wrong to emphasise compensation. That is not the route to getting guns out of the hands of criminals or to cutting the supply. If he were to look at the South African experience, he would realise that compensation is often the way to increase the flow of guns. We should be making it more difficult for people who have no reason to have a gun to have access to one. I make it clear again that I am not against legal gun clubs or people who use guns for legitimate sporting purposes, who are normally responsible and reliable. I have no problem with them, but it is far too easy for people to get their hands on guns.

I will give one example. The other week, it was possible for me to buy a gun from the eBay internet site. The way in which the sellers work is simple. They advertise an empty bag or box. The buyer bids for that bag or box, and when that is done, the seller throws in the gun for free. In this case, I paid £80 for a .22 air pistol, which is technically legal. However, the gentleman who sold it wanted to conduct the sale in a motorway service station, where he produced the gun from the boot of his car, complete with gas cylinders—which promptly took it beyond the legal range. It would have been possible for a 12-year-old child to purchase that weapon and have it sent through the post. That is why we have a problem with guns, and that is what we should be seeking to tackle. We should be trying to cut the supply.

Considering the money that an organisation such as eBay is worth, it has no need to engage in that trade. One group that proudly advertises on its site is known as Guns2thugs. I strongly recommend that hon. Members look at the site, because I can assure them that they will be appalled. We should focus our attention on cutting the supply of guns and taking active steps to reduce the number of replicas available. A police officer confronting a replica has no way of knowing whether it is a real gun.

About two years ago, according to the most recent statistics that I have seen, 85 per cent. of the incidents to which the West Midlands police armed response unit was called out involved replica weapons, but there was no way for the police to know that they were replicas at the time. If we want to take the guns out of our society, we have to find ways of ensuring that people who do not need guns do not have them.

Ms Diane Abbott (Hackney, North and Stoke Newington) (Lab): My hon. Friend knows that, in the Greater London area, the majority of gun crime is committed by persons using replica weapons that have been rebored so that they can be used to shoot bullets. The police and all concerned groups are calling for a complete ban on replica weapons.

Mr. McCabe: I agree entirely—that is the only logical step for us to take. It is far too easy for people to acquire replica weapons and for the weapons to be re-engineered in back-street workshops, then sold in back-street pubs or traded on things like the eBay internet site. The only thing to do is ban them. The idea that definition is a problem is absurd. If we want to stop weapons getting

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into the wrong hands, we can do it. It is surely not beyond the legal minds of this country to come up with a simple, straightforward definition.

That is an area in which we could make real progress and about which hon. Members on both sides of the House want something to be done. We should ask people, "Why do you need a gun?" and restrict the ways in which guns can be bought and sold. We should take every possible step to ensure that guns cannot be transferred through the postal service. It is ludicrous that guns can be sold on internet sites. We should seriously consider whether there are any present or potential laws that could be used to tackle organisations such as Guns2thugs, which proudly tells its customers that it will get them the real thing to do the real job. In this day and age in a society such as ours such things are almost beyond belief. If we focused our attention on that area we could make a big difference to communities across the country.

My final observation about today's debate is to say how struck I was by the comments of the hon. Member for Winchester (Mr. Oaten) about the final part of the motion and the proposal to give

> "Local communities . . . greater freedom to direct the efforts of their police force".

I am slightly surprised that the Liberal Democrats intend to support the motion because I thought that two thirds of the hon. Gentleman's speech was telling hon. Members why they should not support it. It is extraordinary that he wriggled himself into opposing his own instincts; perhaps that is Liberal Democrat policy. However, he made a valid point: we should think carefully about what we mean by that phrase. It would be absurd to have direct elections for people who can control the police. That would be the last word in politicising the police and it would open the door—or at least pose a risk of doing so—to the problem of groups such as the British National party getting control of our police forces. That would be a terrible way to proceed.

To return to my earlier point about the need to deal with real crime, not the fear of crime, and not to exaggerate, we must bear it in mind that, in some areas, those who, for some political reason, had a vested interest in whipping up the fear of crime would be the ones who ended up controlling our police force. They would not make rational decisions about where crime is high, which problems need to be tackled and what type of policing would have the greatest impact. They would act solely out of narrow prejudice, bias and political positioning. That would damage the police and the public's relations with the police.

Such a policy makes a nice soundbite—it is superficially attractive—but it would have long-term consequences that none of us should want. I am glad that the shadow Home Secretary decided not to refer to that part of the motion because I would have hated to hear him trying to defend such a thing. It is in our interests to drop such notions, which would not help us to tackle crime but would damage the public's relationship with the police. I cannot see how any decent law-abiding citizen would gain from that.

8.15 pm

Mr. Damian Green (Ashford) (Con): Like many hon. Members, I was moved and horrified by the speech of the hon. Member for Nottingham, South (Alan Simpson)—moved because we all share his heartfelt wish that the terrible recent shooting in Nottingham acts as a turning point for the local community, and horrified by the picture he painted of daily life in parts of Nottingham, especially for young people. It is terrifying that 12 and 13-year-olds have become inured to becoming drug carriers.

In the course of the debate, we have heard many facts and figures about the national scene, many of which have been disputed. I shall give a local snapshot to illustrate the reality on the streets of the statistics, and contrast my constituency experience with that of hon. Members on both sides of the House, including the hon. Gentleman. By timely chance, I spent Saturday night doing what I am sure many hon. Members do regularly: I spent the night patrolling with my local police. Much of what I experienced throws light on issues that are often discussed in terms of national statistics.

To put my comments in their proper context and to contrast them with those that we have heard about Nottingham, let me say that if my speech sounds like a report from the front line, it should not. My constituency, Ashford, is part urban, part rural, and extremely prosperous. The unemployment rate is less than 2 per cent. and the area is fast growing. Precisely because so many people have moved into the area, the facilities available, especially the night-time entertainment facilities for the sort of young people who often get involved in low-level disorder, are much better than they were 10 years ago. Although there are pockets of deprivation, the background is broadly peaceful and prosperous. If any part of the country ought not to be suffering the sort of violent crime, disorder and drug problems that the debate is about, it is Ashford. Given all that, some of my experiences on Saturday night are instructive and very worrying.

Having travelled less than 200 yd from the police station in the centre of Ashford, our police van was flagged down. We saw three men: one was lying on the ground, blood pouring from several wounds in his head; the other two were able to stand but they, too, were bleeding from various wounds. It turned out that they had been attacked by another local gang using metal pipes or baseball bats. Whatever had led to the attack—there might be charges, so I cannot give all the details that I know—it was not a drunken punch-up. It took place relatively early in the evening and was not a traditional fight: serious weapons were used and serious injuries inflicted. At the same time—7.30 on Saturday night in a peaceful and prosperous town—another patrol had to leave the station at the same time as us to investigate the smashing of every window on the ground floor of a house in central Ashford, and the spraying of CS gas into that house to act as a form of intimidation.

As I said, that all took place before 8 pm in a largely peaceful, medium-sized town. In many ways, that is the real world background to our debate. I am giving anecdotal, not statistical, evidence, but several issues thrown up in the course of that Saturday's evening patrol are directly relevant to the introductory speech of my right hon. Friend the Member for Haltemprice and Howden (David Davis), particularly the issue of guns and knives. Several hon. Members have discussed the remarks of Mr. Paul Evans about whether we should be more worried about gun or knife crime on our streets. The answer clearly is that we should be worried about both, and I am sure that the Minister is. Statistically, there are far more knife crimes than gun crimes, but if gun crime is increasing she, I am sure, will be extremely worried.

In the context of our discussion about Nottingham, it is interesting to relay the views of the Ashford police who, thankfully, say that there is not a gun culture in the town or in that part of Kent. There are serious drug dealers who carry guns, but the problem is not nearly as prevalent as it is in other towns and cities. Knives, however, have been a growing problem for some years. Kent police are a good, proactive force, and they have a strategy for dealing with the problem. Their basic method involves the proactive use of stop-and-search, which, they assure me, works. The word is out on the streets, so that people who a few years ago thought it fashionable to carry knives, know that they are taking a big risk if they do so in Ashford. If a police car goes past, officers are likely to get out and stop and search such individuals. The net result is a reduction in the use of knives in and around the town, so such policing works.

Similarly, the police use a stop-and-search technique to attack known drug dealers in the locality, and they find it very effective. One of the strongest points that I absorbed from my evening patrolling was that they are extremely worried that the Government's extra demands will discourage such activities. If they are required to fill in forms every time they stop someone, let alone stop and search them, they are worried that young constables who are being trained will never get into the habit of using stop-and-search properly. They will be deterred from doing part of their job which the police know is effective in helping to stamp out the type of violent crime that we are debating. In addition, it will be more difficult to obtain intelligence.

I part company from my hon. Friend the Member for Surrey Heath (Mr. Hawkins), who made an excellent speech, but appeared to decry the concept of intelligence-led policing, which was pioneered by the Kent force and has proved effective in many ways. The police say that without intelligence they cannot operate effectively against the most serious criminals. One of the best ways of gathering intelligence is to be out on the streets, constantly stopping people and talking to them. I hope that Ministers will take heed of the message that anything that deters police from undertaking such activities will probably lead to a net increase in violence.

Many hon. Members have spoken about young people on the streets. My information is that it is now quite usual in Ashford to find children as young as five out on their own after dark, which I find appalling. Such behaviour is standard for teenagers. At about 10.55 pm, just before most pubs turned out their clientele, we came across two young boys outside the local video stop on the high street. When we stopped and asked them whether they were waiting for someone to come out of the shop, they said no, they had just been in there on their own. They both lived about a mile away and were just hanging around the high street at 11 o'clock on a Saturday night. It was another sign of the effectiveness of proactive police intervention that, having been talked to and told to go home by the police, they both walked off. We followed them in the police van and they went home. The Minister will be relieved to hear that I do not propose to hold the Government responsible for the fact that teenage boys think it reasonable to be out on their own, but if we rely on the police to try to deal with such problems—frankly, we should rely on parents rather than the police—anything such as form-filling that keeps them off the streets is a bad thing.

The subject of drugs is clearly central to much of our discussion. I agree with many points made by Members on both sides of the House, and shall merely add a wry observation. A poster on the wall at Ashford police station reminds officers that cannabis is still illegal, and that they can still arrest people for possession. The existence of such a poster in a police station suggests that it is not just teenagers who are confused about whether or not cannabis is illegal. If police officers who deal with the problem have to be told that it is, Ministers are deluding themselves if they think that they have not sent out mixed messages on cannabis. As a society, we need to resolve the debate. If cannabis is still illegal—and it is—that message needs to be spelled out much more clearly.

Returning to the issue of stop-and-search, during the evening we came across known local drug dealers. Officers jumped out of the van and stopped and searched them. No one was found to have anything on them, but the technique of disrupting the lives of known serious drug dealers is an extremely effective way of keeping a lid on the drug problem. Again, if Ministers make decisions that make it more difficult for the police to conduct such searches, they should reverse them. The increased paperwork that the police must undertake when they stop people and the ambiguity of the drugs message are two examples of the way in which Government policy has reduced the effectiveness of local police, who are conscientious, hard-working and intelligent.

I move on to the statistical facts. The hon. Member for Birmingham, Hall Green (Mr. McCabe) said that he wished to deal only in real facts and figures, so I shall please him by quoting from Home Office figures, which I hope those on the Government Front Bench will not challenge. The Kent recorded crime statistics show that violence against the person was up 11.7 per cent. between 2003 and 2004, and sexual offences were up 7 per cent.

Mr. McCabe: I am not in any sense disputing the figures that the hon. Gentleman quotes, but would I be right to think that violence against the person includes domestic violence cases, on which the police have been instructed to take a tougher line?

Mr. Green: And rightly so. I am sure that the hon. Gentleman would agree that domestic violence is as serious as any other type of violence. If the statistics include that, so they should. I want to paint a realistic picture. Not every statistic from the Kent recorded crime statistics is going up. Burglary, theft and handling of stolen goods, and fraud and forgery are going down, but criminal damage is up hugely—18.8 per cent.—and overall, total violent crime is up 11.5 per cent. and total offences are up 5.1 per cent.

Perhaps the most alarming figure is the detection rate. In 1998 the detection rate in Kent was 34 per cent. This year it is 25 per cent. That is key to the problem. We all

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know that the best deterrence against crime being committed in the first place is the likelihood of being caught. It does not matter what we do with sentencing—if people do not believe they will get caught, they will not be deterred. It is axiomatic that for detection rates to rise, police intelligence needs to be good. For intelligence to be good, officers need to be out of the station talking to people. For officers to be out of the station, they must not be spending half their shift filling in forms. The pledge from my right hon. Friend the Member for Haltemprice and Howden to reduce the amount of paperwork and to increase the number of officers is central not just to solving the crimes that have been committed, but to deterring future crimes.

My final point relates to the patrol with which I went out. The patrol looked in at a number of potential trouble spots, or houses where dubious activity was known about, or where the neighbours had been complaining. I therefore spent most of my Saturday night in and around such areas in my constituency. I can tell the House that I was not spending it in the leafier, more comfortable parts of the town or the surrounding villages. The people most likely to be the victims of crime and disorder and with the constant threat of drug dealers around their area are those who are least comfortably off—those who need strong public services, including a strong police force, to make their lives tolerable.

No one can tell me that tough policing enforced constantly by highly visible police officers is uncompassionate. It is precisely on our most difficult and deprived estates that the quality of life must be improved by tough policing. The Government's failures in this area, by making the job of police officers more difficult, let down most of all the most vulnerable in our society. That is why we need a radical change in policies to cut crime, and why I urge the House to support the motion.

8.31 pm

Patrick Mercer (Newark) (Con): It is a pleasure to follow my hon. Friend the Member for Ashford (Mr. Green) and to reflect on many of the points that he made. The opening speech by my right hon. Friend the shadow Home Secretary posited some extremely powerful points. Although those on the Government Benches have criticised that speech for lacking practical points, I think that they are wrong. I hope to add some practical points that particularly relate to the problems and difficulties in Nottingham and Nottinghamshire.

The hon. Member for Nottingham, South (Alan Simpson) made a powerful speech about the effects of crime, particularly gun crime, in Nottingham. I shall return to that. My constituency is in Newark and Retford, and although it is in Nottinghamshire, it is quite a long way from Nottingham. It takes a good hour to get to Nottingham from where I live. We do not have anything like the level of gun crime that the city of Nottingham has. We have it, but it is nothing like as serious. We do not have the same level of drug crime as Nottingham has. We have it, but it is nothing like as serious. We do not have the level of general violent crime that Nottingham has. We have it, but it is nothing like as serious.

So why is the vast proportion of my postbag made up of complaints, observations and general whinges about policing in my constituency? The answer is simple. We live in a series of rather prosperous towns and villages, where the pace of life is thoroughly agreeable. But there is a lack of police officers on the streets of Newark and Retford to both deter and reassure, as a result of the operations of the police in Nottingham.

Perfectly reasonably, the chief constable has to make decisions to concentrate his resources where the problems occur, and that frequently means that officers from our constituency are taken away. It means that people such as Inspector Gary France from Retford and Inspector Jeremy Butler from Newark, whose performances year on year and month on month are impressive, and who are getting on top of the crime that we face in our small market towns and doing a good job, have grave difficulties in engaging with the public and making sure that the public whom they serve are thoroughly reassured. The difficulty is simply a lack of resources.

You could have been forgiven, Madam Deputy Speaker, for concluding from what has been said tonight that the city of Nottingham—I appreciate that there is at least one Nottingham Member on the Labour Benches, and one former Nottingham Member on the Opposition Benches—[illegible] some sort of lawless hell hole. Interestingly, however, Stephen Green, the chief constable, has pointed out that shootings in the city of Nottingham are 40 per cent. down over the past two years. There have been initiatives such as Operation Lance, which is a bit of political hot potato and is targeted principally against Jamaican drug crime. Some 340 drug arrests have occurred as a result of Operation Lance, while Operation Stealth, which has been running for the past two years, has resulted in the arrest of almost 1,000 people. The sentences of those convicted amount to more than 1,000 years, yet the operation has been carried out by only 25 officers. That suggests that things in Nottingham are not quite as bad as the press and public may perceive.

Ms Abbott: The hon. Gentleman said that Operation Lance was targeted against Jamaican drug crime. I am sure that that is the case, but I wish to make the point—it may be a minor one—that much of what is described as Jamaican drug crime is carried out by British-born black kids, and some of them are of Jamaican origin, while others are not. In a way, it is the involvement of the British-born black kids that is more frightening for society as it goes forward.

Patrick Mercer: I am grateful to the hon. Lady for her comments. That is why I underlined the fact that Operation Lance was a bit of a political hot potato. This operation has specifically targeted those who are Jamaicans by birth and are being welcomed into the city of Nottingham by a mixture of black and white drug gangs, and it has been very successful.

The hon. Member for Nottingham, South made the point that the sad and unnecessary shooting of Danielle Beccan was a watershed. That is absolutely right, because there is no doubt that we in Nottingham and Nottinghamshire felt that things were improving. Without detaining the House too long, I may say that it is interesting to note that this shooting came in a climate of lack of expectation; there was no warning and no intelligence to suggest what was going to happen. It seems to have been completely random, unlike the planned shootings that take place between criminal organised gangs. Such a shooting was almost impossible to stop from the point of view of Nottingham police, and it was particularly depressing in that regard.

The fact remains that if these remarkable statistics can be achieved by Nottingham and Nottinghamshire police, how much more could be achieved if the correct level of resourcing was given to them? In particular, what would happen if some specific points were being dealt with much more imaginatively? I wish to mention three of those points. First, the police would like to use covert operations much more than they currently can. The difficulty with such operations is clear; they are extremely expensive in terms of money, manpower and training. The "more cops for Notts" campaign is a pretty blunt and unrefined campaign. Perhaps the answer is not just more cops for Notts, but more specialised cops.

Secondly, as has been pointed out, there is the programme of witness protection. It is very difficult for the police to produce convictions if witnesses do not feel secure and are unwilling to come forward. Will the Minister comment on the possibility of anonymous evidence being permitted in court to allow witness protection to be more effective?

My final point is hardly innovative and has already been referred to in passing: there are hardened users of both drugs and guns, but on top of that a gun and knife culture exists, particularly inside the city of Nottingham. How can youngsters be weaned off that culture? How can they be taught that to be big on the street does not necessarily involve being tooled up and that they do not need to carry a firearm or blade?

We have heard several statistics tonight about youngsters from around the country being found with weapons on them. When children are found carrying weapons, the police are frequently blamed without much thought being given to the problem. Several different initiatives have been implemented in Nottingham, many of which were instigated by the city council. If those programmes were more coherent and subject to national leadership, if there were set targets and more proper organisations, and if the approach were less random, maybe the culture of the carriage of guns and weapons by children might be overcome.

So much for the city of Nottingham specifically, although it is interesting that since I was elected Nottinghamshire police have constantly discussed the need for an extra 1,000 officers. Tonight, we heard from my right hon. Friend the Member for Haltemprice and Howden (David Davis) that Nottinghamshire police have received about a 7 per cent. increase in their number of officers, and I have seen a number of CSOs deployed on to the streets of both Newark and Retford. However, a 7 per cent. increase and a few CSOs is only a handful of officers. Will the Minister tell me why nothing more has been done to add more officers and resources to Nottinghamshire constabulary? Is that just a convenient excuse that a failing police force trots out time and again to defend itself—I think not—or are Nottingham and Nottinghamshire a special case that needs special attention?

To stop tragedies such as that of Danielle Beccan happening again, my county and that city need some form of special attention as a matter of urgency. In the comfortable towns of Newark and Retford, the police bear the blunt of the blame for the lack of officers. Instead of a trusting relationship between people and police, Government policy and Government under-investment mean that a wedge is being driven between the service and the people. That state of affairs is disgraceful, and I call upon the Government to do something about it now.

8.43 pm

Mr. Parmjit Dhanda (Gloucester) (Lab): First, I reiterate my earlier intervention on my hon. Friend the Member for Nottingham, South (Alan Simpson). Understandably, many hon. Members mentioned the tragic case of Danielle Beccan, but it is also important to get across the fact that Nottingham is a vibrant, exciting, diverse and sought-after place in which to live. As I said earlier, I spent five of the happiest years of my life in Nottingham as a student at Nottingham university.

When I first became an MP in 2001, I held a surgery in one of the slightly more leafy areas of my constituency, Quedgeley. A mother who came to visit me told me that she had to spend time in local car parks in the city centre trying to get hold of heroin for her teenage son because of the 16-week wait for methadone. Earlier this year, I opened a drug rehabilitation centre in the heart of my constituency, and that 16-week wait for methadone is now a five-week wait. That is real progress, so we must keep things in context.

Statistics represent another element of the debate. People always talk about lies, damn lies and statistics, so which set of statistics can we really trust? The Conservatives certainly believed in the British crime survey when they came up with it in 1982, and I dare say they believed in it when it suggested that crime figures were going up, but they need to believe in it now, as do we all. We should not lose trust in it because it shows that vehicle crime is down by half, house burglary is down by 47 per cent., assault is down by 43 per cent., wounding is down by 28 per cent., and vandalism is down by 27 per cent. But who are we to be trusted? We are just politicians. It is anybody's guess whether people in the Public Gallery or viewing this debate at home trust the Home Secretary, Home Office Ministers or, indeed, the Opposition, but I would say to them, "If you are not going to trust us with regard to these statistics, who should you trust?"

In my constituency and in almost every other, people should trust their local police. I know what my local police are saying loud and clear, because they said it last month in a local newspaper, the "Gloucester Citizen". On 14 September, they commented on local crime statistics and gave two reasons for them: first, their innovation at a local level; and secondly, the resourcing that they are receiving from Government. Not one, two or three but four of the most senior police officers in the Gloucestershire constabulary were quoted in the article. The assistant chief constable, Craig Mackey, said:

> "This has been a truly remarkable start to the 2004/5 operational year."

[Mr. Parmjit Dhanda]

The chief constable, Dr. Tim Brian, said:

> "It demonstrates the success of the investment and changes we made in 2003".

There is slightly more explanation in the remarks of a man whom I know very well, the chief superintendent of the Forest and Gloucester division, Chris Merrick, who says:

> "Our efforts around controlling the supply of controlled drugs on the streets of Gloucester have also had an impact on crime generally".

Perhaps the person who goes furthest—my neighbour, the hon. Member for Cotswold (Mr. Clifton-Brown), will know him better than I do—is Chief Inspector Jim McCarthy of the Cotswolds and Stroud division, who said of the statistics:

> "They prove that our intelligence-led approach to reducing the opportunities for committing crime is paying off."

So what are the key innovations and what difference are they making at a local level in my community, as in communities all over the country? There has been a release of 17 additional police officer posts for general policing duties—that means more bobbies on the beat—through the civilianisation of custody detention officers, and there have been 61 additional community support officers, 31 of whom have been funded above and beyond the Government match funding figure. I hope that police forces that have stuck their necks out by trying to innovate in the same way as the Gloucestershire constabulary will be rewarded when their settlements come up later in the year. That innovation has made a significant difference locally. Overall crime is down by 19.2 per cent., domestic burglary is down by 27.2 per cent., and vehicle crime is down by 31.8 per cent. Perhaps most significantly, the level of crime fell by one third—33 per cent.—between last August and this August.

The other key element is resourcing. Several hon. Members spoke about resourcing, and not least the hon. Member for Newark (Patrick Mercer), who made an eloquent plea for an extra 1,000 police officers. This debate comes up year after year, and usually in May in areas such as mine, when there is an election around the corner, so a couple of years ago I decided to request a study by the House of Commons Library to consider the pattern of policing in Gloucestershire and the number of civilian support staff and police officers down the ages, all the way back to 1979.

It is an interesting pattern. Back in 1979, Gloucestershire constabulary had 1,096 police officers. In fairness to the Thatcher Government, police numbers then went up, peaking in 1984 at 1,149. The figure then stayed largely the same, varying up and down a bit, and peaking in 1992 at 1,174. That was the highest number of police officers that we ever had under the Tories—back in 1992—and from then on the number kept dropping, right the way through until 1999, when the Government had changed and had put in the resources. However, one cannot turn the battleship around in a couple of years. In 1999, there were only 1,104 officers, less than there had been in 1992.

Since then, the rural policing fund, which has brought us about £750,000, and the crimefighting fund, which is over and above our annual settlement and has been worth about £4 million to my constituency in the past four years, have made a huge difference. When the work was done for me back in 2002, we had 1,183 officers—far more than ever before—and 545 civilian support staff, compared with only 367 in 1992. I know that hon. Members may argue that civilian support staff are not that important or that we could get rid of them and have more officers on the beat, but one cannot say that, because some of these people do jobs that make it easier for officers to get out on the beat. For example, there are civilian statement takers.

Those figures were for 2002. This morning, I decided to get in touch with the Library again. I was told that on 31 December 2003 the constabulary had 1,269 officers—far more than it had even in 2002—and the number of support staff had grown from the 1992 figure of 367 to 738. We have had innovation and resources, making a difference and reducing crime in my constituency by a third between August last year and August this year.

Mr. Wiggin: Would not it have been even better for Gloucester if the hon. Gentleman had been able to cite an increase not only in civilian back-up but in jobs for real police officers?

Mr. Dhanda: I like the hon. Gentleman immensely and he makes some very good points in the House, but he was not listening to what I was saying. I said that we had 1,269 police officers—more than we have ever had before; and for the first time in the history of Gloucestershire, we have more than 1,000 constables. Compare the figures with those of years gone by, and they reveal a huge difference. On top of that, we have additional civilian staff and 61 community support officers, 31 of whom are funded—this is a message for my own Front Benchers—over and above the match funding figure. It is a right to take such decisions at local level, and police authorities and constabularies can do so. Innovating in that way demonstrates that they can reduce crime statistically.

I say not just to Members of this House but to members of the public listening to this debate in the Chamber, on television or on the radio that if they if they are not prepared to trust the statistics of the British crime survey and other organisations, and if they are unwilling to trust what Ministers or Back Benchers such as I say—if so, they are unlikely to trust Opposition Front Benchers, either—they should listen to and trust local police officers, who are saying that crime is going down and that they are better resourced than ever, and in areas such as mine, they are also innovating like never before.

8.55 pm

Mr. Bill Wiggin (Leominster) (Con): I reciprocate by pointing out that I am fond of the hon. Member for Gloucester (Mr. Dhanda), who is doing his very best to defend a difficult position. He will remember that "tough on crime, tough on the causes of crime" was one of the promises that, sadly for the people of Britain, simply has not proven true. People feel less safe than they did seven years ago, and not without good cause.

The facts on Labour's crime record speak for themselves. Well over 1 million violent crimes are committed every year in the UK, and crime is rising year after year. Some 800,000 more offences are committed each year compared with 1998–99; that equals an extra 90 crimes every hour, compared with five years ago.

Of course, the Government try to hide behind selective statistics and changes in the recording of crime. So why, then, do adjusted records since the method of recording was changed still show an increase in crime? Violence against the person went up by 14 per cent. between 2002–03 and 2003–04. The number of serious assaults has increased by more than 1,000, and there were 30,000 of the less serious, injury-causing crimes in the past year. The number of sexual offences is up; criminal damage is up; and total violent crime is up by more than 100,000 offences since 2002.

In my constituency, the number of thefts of motor vehicles has risen by 5 per cent. in the past year. It is a telling sign of the state of crime in Britain that this seems to be a relatively lucky situation. We should consider some of the crime rate figures for Wales. In the last year, robbery offences were up by 30 per cent., and sexual offences in Dyfed-Powys increased by 90 per cent. Robbery offences in south Wales went up by 71 per cent. Violent crime has risen almost twice as fast in Wales as in Manchester or London. No matter what we do with these figures, it is impossible to conceal what everyone in Britain already knows—that crime is soaring.

Yet this is not all that we have to worry about. Detection rates are falling. More crimes are being committed, yet fewer criminals are being punished for them. In fact, detection rates have sunk to just 23 per cent. For every 100 crimes, 77 are left unsolved. Nearly four out of every five criminals are left unpunished, and for all the unpunished criminals, there are the many victims of crime who are left knowing that justice has not been done. No wonder people feel disappointed. We are living in a country in which the law-abiding majority are losing out. People do not feel safe going about their everyday life because the system is leaving criminals to roam our streets.

According to a survey carried out last year, nearly a quarter of adult females admitted to feeling "very unsafe" when they were out at night. People are unable to go out and enjoy themselves because they do not feel safe in their own towns. Crimes are left unreported because people have no hope of the criminals being caught, or because they know that if they are caught, the punishment will probably not fit the crime. Not only have crime rates grown and detection rates fallen in the past seven years, we have also witnessed the introduction of schemes that impose on criminals punishments that simply do not bring justice, so even when offenders are caught, there is no guarantee that they will be punished fairly.

We know that Labour's early release scheme has led to 3,600 crimes being committed by people who were let out of prison early. Earlier this year, the Home Office confirmed plans to hire a public relations firm to launch a £1 million pound publicity drive. What for? Its purpose is to increase public confidence in alternatives to sending convicted criminals to jail. People do not want alternatives to sending criminals to jail; they want their money to be spent on more effective policing to stop crime. They want it to be spent on safe prisons to hold dangerous criminals. They want prisons to hold the 100,000 prisoners predicted by 2010, not 20,000 fewer prisons, as the Home Office is planning.

The Home Secretary has rejected pressures for a major prison-building programme. Instead, he wants to refurbish prisons and use weekend jail sentences for convicted criminals. Perhaps he has been listening to the Liberal Democrats—not sending burglars to prison, abolishing mandatory life sentences for serial rapists and cutting prison sentences for people who deal in ecstasy and cannabis. The fact remains that the soft approach to crime will not work.

No one is suggesting that all criminals should be sent to prison and that there should be no alternative. Of course rehabilitation and help should be available as well. We need to combine effective support with effective punishments. We need better, more rehabilitative sentences for persistent offenders. Two issues perhaps stand out more than any others here—young offenders and those affected by drug misuse.

Young offenders are being failed by the present system. The Government introduced an intensive surveillance and supervision programme for young offenders, a community sentence involving curfews and 25 hours a week of education and therapy. Yet that was completed by fewer than half those sent on it over the past year. The way in which jail sentences are being managed is not working either. Just 7 per cent. of young offenders were given custodial sentences last year, yet providing prison places for young offenders cost the Youth Justice Board £283 million of its £394 million budget. Of those, 80 per cent re-offended on their release, so nearly 70 per cent. of the Youth Justice Board's budget was spent on successfully punishing and rehabilitating just 1.4 per cent. of young offenders. Once again, something is clearly not working here. Tackling young offenders properly would prevent those youths from going on to a lifetime of crime and destruction. It is one of the most important aspects of bringing crime down. It is more than just punishment; it is prevention. Prevention is one of the keys to fighting crime in Britain, as is tackling the drug problem.

It does not take much to realise that the current system is failing criminals with drug problems as well. Britain now has a million or so hard drug addicts. *[Interruption.]* We all know that drug addiction often leads to other crimes, such as violence, theft, robbery and organised crime—

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): That is rubbish. Get the facts right.

Mr. Wiggin: I hear Government Front Benchers claiming that the figures are wrong. I wish that they were and I hope that the Government will continue to do more to cut crime, but they are not succeeding.

The Prison Service now believes that in some jails up to 80 per cent. of prisoners are hard drug users. Other estimates suggest that half of all crime is drug related. We should think how many crimes could be prevented if drug offenders were treated effectively, but it is simply not happening. There are examples everywhere of the failure of the Government's methods for tackling drug crime. In my own constituency of Leominster, known drug dealers are left unpunished. Indeed, local people have been to see me to express their anger and despair at the fact that drug dealers are flouting the law, openly

[Mr. Wiggin]

selling drugs on the streets and laughing in the face of justice. Drug addicts need to be given the simple choice between rehabilitation and criminal punishment. We want a system that will work for everyone and not leave drug addicts to suffer and hurt others. Harm done to others is, of course, one of the saddest results of crime.

Let us consider the increasing problem with gun crime in the UK. We do not have to look any further than the tragic news stories that come out so often nowadays to realise that gun crime is growing. The facts and figures are there to prove it. Home Office figures show that, in England and Wales, there were nearly 25,000 firearm offences in 2003–04 compared with fewer than 15,000 in 1998–99. Firearms used in crimes, excluding air weapons, increased by 36 per cent. between 2000 and 2003, and the number of firearm fatalities has increased from 49 in 1998–99 to 81 in 2002–03. However, clamping down on legal gun owners is not going to help matters. Forcing more and more legislation on responsible, law-abiding gun owners is not going to help cut crime. I do not believe that any of the firearms crimes were committed by legal owners of guns. It is time to think again on that. If I am wrong, I know that the responsible Minister will intervene, but I suspect that she is thinking that suicide is the only crime in which a legitimate owner may have used a gun against himself. Making legislative changes, which the Government believe will help, will not succeed in tackling the problem.

It is also time to think again not just on crime, but on the way our police work. Our police work hard. Unfortunately, they have to spend most of their time hard at work at their desks, buried under the unnecessary paperwork that the Home Secretary has forced on them. Just 17 per cent. of police time is spent out on patrol—and most of that in vehicles. We do not need much of the super-political correctness that leads to most of that red tape—the sort that requires forms to be filled in every time a policeman stops or speaks to someone in the street, even if that person has not done anything wrong and it would be a waste of time to take down details. Of course, it does matter. The police should be on our streets, where we need them and, importantly, where they want to be. They should be visible and active within the community, where they are clearly failing at the moment. Survey after survey reveals that people feel the presence of police on their streets is too low.

The police should be able to focus on their local issues. They should not be chained to Government directives affecting everything they do. Policing plans, targets, funds and grants are forced on to them at national level, without consideration for local priorities. The Government provide up to 85 per cent. of police funding. A significant amount of that money is granted through specific ring-fenced funds. That means that what is in many cases desperately needed cash has to be spent on particular schemes, such as community support officers. There is no guarantee that such schemes will be the best form of policing for an area. Local police, not Whitehall, should be tackling the issues that matter most in their area. Nor should the police have to worry about the 58 performance criteria—a ridiculous number—or the best value regime, which add to their work load. They should also be accountable to the residents of the area they police, which cannot happen while they are so controlled by the Government.

The Government make much of the increase in police numbers in their time in power. Indeed, the hon. Member for Gloucester—my neighbour—did so in his contribution. But we all know how much police authority precepts—the income from council tax—have increased in that time. The £955.5 million increase between 2000–01 and 2003–04 could have paid for an extra 19,100 police officers. That is nearly 7,000 more than were actually recruited. So even the improvements are not all that they might have seemed to be. We have more police officers, but not as many as we could have had.

Many of the additional police officers are part of the community support schemes and are officers with very limited powers. They are police officers, but not as we know them. The Government need to realise that their schemes are not working. We need many more police and many more prison places. Community sentences simply are not effective, and approaches such as the early release scheme are impractical and dangerous. Red tape and bureaucracy are stopping our police forces doing their job. The people of Britain deserve better than to live in fear of criminals. It is the criminals who should be living in fear of punishment. There is no escaping the fact that crime is a growing scourge on the lives of people in Britain.

The new regulations and initiatives that the Government have introduced on crime are worthless if they have no effect. We all want a decline in crime and an effective system for rehabilitating criminals. We all want to make Britain's streets safer. Unfortunately, the Government are failing to achieve that.

9.7 pm

Ms Diane Abbott (Hackney, North and Stoke Newington) (Lab): I am grateful to have a chance to speak in this important debate and I have listened with care to the contributions of hon. Members on both sides of the House. For more than a decade, gun crime has cast a shadow over my constituency. Sadly, every so often an incident occurs, normally involving a young girl or girls, such as the incident in Nottingham or the incident in Birmingham 18 months ago, and for a few days gun crime makes the headlines and we have debates in the House. But in Hackney, parts of Brent, Lambeth and Southwark and other inner-city areas in Birmingham and Manchester, gun crime has taken its toll year in and year out for a decade.

It is always important to remember in our discussions that levels of gun crime in this country are still only a fraction of those in cities such as New York and Chicago. I congratulate my right hon. and hon. Friends on the Front Bench on the steps that they have taken to deal with the gun crime menace—including increasing sentences for carrying a firearm and funding community organisations that address the issue. My Labour colleague, Ken Livingstone, the Mayor of London, has also been responsible for putting many more policemen on the streets of London, with the results that we see.

The particular problem of urban gun crime that I face in Hackney seems to be rediscovered every 18 months or so. We have always had armed professional criminals who commit a crime, take the gun home and put it away, but what has been happening on the streets of inner London for more than a decade is new. For young men—it is primarily young men—going out routinely armed is part of their style. They are not dressed to go out clubbing of an evening unless they carry a gun. The notion of guns as a style accessory that is part of a person's culture is new. As an east-end MP, I know all about professional armed robbers, but what we see on the streets of Hackney, Lambeth, Brent and Southwark is something else. We see young people for whom the gun culture is part and parcel of their youth culture.

Although the level of gun crime is tiny and it is important not to sensationalise it, the fact that an increasing number of innocent passers-by are caught up in the crossfire creates real fear in inner-city communities. The people most likely to be on the receiving end of a bullet fired by a professional armed criminal is another professional armed criminal and, sadly, security guards. In Hackney, however, people waiting at a bus stop have been caught up in gun crime. People have gone to clubs, a gun has been fired in one room, the bullet has travelled through a wall and has hit an innocent person in another room. Most recently, an 18-month-old child was shot as a result of a gun incident. Such pervasive and random crime creates fear in the community out of all proportion to the statistics.

In the short term, it cannot be repeated often enough that the majority of gun crimes are performed with replica weapons that have been re-engineered. I have asked Ministers about that before and heard about the difficulties of definition. I can only repeat that the police and people in the community want a complete ban on replicas. It cannot be beyond the wit of Home Office lawyers and the great brains that advise Ministers to devise a way of dealing with the menace of replicas that does not mean arresting children for carrying toys. The majority of the guns involved in inner-city gun-crime incidents are replicas. As has been said, a policeman called out to an incident at which there is a gun does not know whether he faces a replica or a real gun. It will not be too long before a policeman opens fire only to find that he has fired on a kid with a replica. I urge Ministers to consider a total ban of replica weapons.

Other steps need to be taken to keep guns off the street in the short term. I am chairman of the all-party group on gun crime, which last year took evidence on the subject. We were concerned to find that Customs does not keep records of the number of guns it confiscates when people try to smuggle them into the country. It needs to make gun crime more of a priority by tracking guns going in and out of the country. It is extraordinary that it cannot produce those figures. We need a more joined-up approach to gun crime, that embraces what is happening in Customs. Those are some of the short-term measures.

In the medium term, we need to do something about witness protection. A witness to a major gangland killing will be whisked away by the police, have their identity changed and the rest of it. Unfortunately, in Hackney, as in other inner-city areas, gun crime is almost too routine for that to happen. I cannot speak for Nottingham, Gloucester or other parts of the country, but gun crime in inner-city London is not stranger crime. By and large, people know who committed the crimes. If they do not know the individual, they know the gang.

The problem is that people are still frightened to come forward, because they believe that the police cannot protect them. As I have told Ministers before, more needs to be done to protect witnesses, not only witnesses to major gangland killings but to the intermediate type of gun crime. A middle-aged woman visited my advice session. She was a churchgoer and had gone to court as a witness. Since seeing someone go down for a gun crime, that woman, who is in her 60s, has had to move four times. She rings the police to ask for help, but the trial is over and they no longer have a role.

How can we crack down on gun crime if people who genuinely want to be witnesses feel that the police cannot protect them? We need to focus on witness protection, not just for major crimes but for the intermediate gun crime that is tragically an everyday reality in my constituency.

Simon Hughes (Southwark, North and Bermondsey) (LD): As the hon. Lady knows, I support her hugely in what we are trying to do in the all-party group. May I add one more thing to her list? It is about victim support. My experience is that if people know that when they give evidence or a statement to the police it is bound to mean that they have to go to court, they will not come forward; whereas if they know that they can talk to the police but that a separate process requires their consent for the use of that evidence, we will receive much more evidence. People are willing to share information, but not if the result is their having to stand publicly in the witness box six months later.

Ms Abbott: That is a reasonable point. It is all too easy to bandy statistics on the subject, but I am looking at practical steps forward for people who face the reality of gun crime day in, day out. That would help my constituents, who want to go to court and see criminals behind bars but are terrified and, for whatever reason, rightly or wrongly, do not feel that the police can or will afford them protection, especially once the criminal has actually been sent to prison.

The police cannot fight gun crime on their own. It is in the nature of inner-city gun crime that the community often knows who is behind it. It is vital to have links with the community and to work with it. The Metropolitan police have shown the way with Operation Trident, although there is always more that could be done, but they were ahead of many police forces in realising that they had to enlist the support of the community.

The House may not welcome what I am about to say, but I have to point out that there is a history between many inner-London communities and the Metropolitan police. For centuries, the history in Hackney has been that Hackney people do not grass—rightly or wrongly. When, in addition, we consider some of the incidents of brutality and corruption that have characterised some inner-city police stations, we have to acknowledge that history. I say to the community that we must put the suspicions and issues of the past behind us, and work with the police to put criminals behind bars. However, I say to the House and the police that there is a history and we must work to bring the community and the police together.

I now turn to the long term. As I said, gun crime has been a problem in Hackney for more than a decade. Years before the House was talking about it, years

[Ms Abbott]

before the papers were talking about it, people were coming to me saying, "We see people on the bus with these guns. What is going on?" What really brought the situation home to me was when, four or five years ago, officers from Operation Trident showed me slides that they had taken of people who had died as a result of gun crime—the actual criminals, the young men carrying the guns. I saw pictures of young black men, not much older than my son, lying face-down in pools of blood and I asked myself, "What has our community come to that young people hold their lives and their communities so cheap that they will throw away their lives?" And for what? For nothing.

Gun crime is a particular tragedy for the communities in which it occurs. I have spoken of the fear that criminals often engender and of how people are frightened to come forward, but it is a tragedy for communities that there is a generation of young men, even if it is only a minority, who are so socially alienated that carrying a gun and being the muscle for a hard-drug operation is the height of their aspiration.

Obviously, criminals commit crime, but criminals are created from a pool of social alienation, and part of that alienation is the frightening, continuing educational underachievement of black boys in our schools system. I have said this before, but I will say it again: we cannot allow a situation where, year after year, other ethnic groups catch up with white children—in some cases, overtaking them—and black boys continue to fall further behind. Unless we address the underlying causes of that social alienation, a proportion of young people, a fraction, will always fall through the school system, fall into social alienation and become prey to the gun culture.

I would advise against exaggerating gun crime in this country—it is nothing like what is seen in the United States—but I have no doubt, as a mother, a resident and a Member of Parliament in somewhere that has been a hot spot for gun crime for more than 10 years, that it creates fear in the hearts of residents, even if the figures about what is likely to happen and whether they are likely to see it are relatively low.

Thanks to the work of Operation Trident, gun crime has begun to recede. Trident has been successful, but there is more to be done. We cannot afford to let 18-month-old children become the victims of gun crime. We cannot afford to lose even one life to gun crime, so I urge Ministers to consider taking practical steps about replica weapons, to consider witness protection issues and to help those in Operation Trident work closely with other police forces to roll out its lessons about the importance of listening to the community. Above all, I urge Ministers to look at why some young men in some of our big cities seem to feel that life has nothing more to offer them than demonstrating their masculinity and status by holding on to guns.

It is tragic that, every 18 months, hon. Members get up in the House to say, "We have reached a watershed on this issue." We heard that about the Birmingham shootings; we have heard it today. This is not just about the rare case of a young girl that excites public opinion; some of us will not be satisfied until the relentless, week-on-week toll that gun crime causes in our communities is ended.

9.22 pm

Mr. Ian Liddell-Grainger (Bridgwater) (Con): Time is running short, so I wish to consider a specific point about crime in the south-west. The hon. Member for Somerton and Frome (Mr. Heath), who is in his place, and I face a particular problem in that Avon and Somerset police force is involved in a difficult balancing act because it covers the conurbation of Bristol and a vast rural area to the south. I pay tribute to its chief constable, Steve Pilkington. The last time that the Home Secretary set targets to reduce burglary in urban areas, it decreased by 8 per cent. in the urban area, but it increased by 8 per cent. in Somerset. The reason is that the resources had to be put into Bristol to fight crime there. In the latest round, more than two thirds of the officers who have been created have gone to Bristol, with few coming to the rural areas. That has exacerbated the problem of rural crime.

We also have a problem with the M5 making it easy for criminals and others to move quickly around the west country. Rural crime is becoming more and more of a problem, which, as far as I can see, the Government have not addressed in any way or form. In the past week, three support officers have been created for the whole of the west of Somerset. That is it; no new policemen have been created. We had some parish wardens, but the problem was that the Government removed the funding and told the district councils that they could take them on. The districts councils could not afford to do so. We made representations, but we got absolutely no joy.

The problem is that it is getting harder to do the jobs that we need to do. We have heard a lot about gun crime in Hackney. Luckily, we have had only one gun crime on Exmoor, but when the police support units that were coming down from Bristol and up from Exeter got there, they realised that their radios do not work on Exmoor—a fundamental problem when dealing with an incident with a gun. The incident was contained and dealt with, but the police could not operate normally when they got up on to the moor. The person was eventually brought down and the situation was resolved. If we are going to create extra police, their numbers must be distributed fairly. It is easy to say that we have created 1,000 or 10,000 more police, but if they are not distributed to do the job, we will be failing people.

We face another problem that has not been covered in the debate. We have lost our probation officers: one end of my constituency has none now and the other has one for half a day a week. As we well know, the probation service in Bristol has just asked whether the courts in Somerset could just take a quota of court reports. The quota suggested is under half of what is required per month. The courts cannot physically do their job, because there are not enough probation officers. The justices of the peace are under more and more pressure to sort out serious crime and crime generally, but they cannot obtain the reports that they need. The Government have not addressed the problem, even though Members from Somerset have pushed it time and again. In fact, the problem has got worse over the past few months, because the justices of the peace cannot do their job.

I pay tribute to one measure that has been a great success—the antisocial behaviour order. In rural areas where one family causes the trouble, we know exactly who they are and what they are doing. In one of the large villages in my constituency, we faced a terrible problem with a family who, interestingly enough, had been moved from an urban conurbation. The police applied for an order, got it and resolved the problem. However, in the meantime, urban area problems that we are not used to were placed upon us and the police could not deal with them because they had no experience of them. However, the Bristol police came to the area and resolved the problem.

I know that my hon. Friend the Member for Upminster (Angela Watkinson) wishes to speak, so I shall conclude my remarks. I ask the Government to distribute police numbers fairly. We cannot fight rural crime in the same way as we fight urban crime. Chief constables, such as Steve Pilkington who was criticised by the Home Secretary for no fault of his own, are just not able to deal with it.

9.26 pm

Angela Watkinson (Upminster) (Con): The premise of my speech was to illustrate that if antisocial behaviour and low-level crime go unchecked, they escalate into more serious crime and, at the other end of the spectrum, to the gun crime that has been the subject of this debate.

I was in the main police station in my constituency recently for the celebration of the 175th anniversary of the Metropolitan police. It was a rather happy occasion, with a splendid cake—it was a shame to cut it. While I was there, I made a shocking discovery. A row of posters on the wall showed the successes of Havering police in exceeding the targets set by the Metropolitan police for clearing up crime in certain categories. Havering was first out of 32 London boroughs in the detection rate for total notifiable offences, second for vehicle crime, fourth for robbery and 12th for residential robbery. I hope that the Minister will join me in congratulating Havering police on their excellent achievement in scoring way above its targets. What shocked me was that the Metropolitan police clear-up rate for total notifiable offences is 20 per cent. It gets worse. For residential burglary, the figure is 17 per cent., for robbery 16 per cent. and—wait for it because this is the real shocker—for vehicle crime it is 5 per cent. If the figure were any lower, stealing, damaging or breaking into a car would be a non-crime. This is corporate trivialisation of crimes that are the breeding ground for yet more serious crime. Such crimes need to be treated seriously so that young criminals do not become bolder and turn into serious criminals.

I telephoned my main police station last night and asked why it had taken so long for Havering to issue its first antisocial behaviour order. I asked what police resources and time have to be invested into achieving an ASBO. An officer replied and referred to the youngster involved. He said:

> "I identified him as a burgeoning community problem in July 2003 when he was subject of an ABC"—

an acceptable behaviour contract—

> "which he breached twice . . . In 2004, he seemed to take off and from April-August committed ten substantive offences of shoplifting/criminal damage/assault and public order, which were not proceeded with essentially because witnesses and victims were unwilling to attend Court through in the main fear of reprisals. There were three other offences which did go to Court—robbery, assault and burglary—for the last, after two supervision orders had failed miserably, he was sentenced to 4 months in prison at a YOI."

The officer initiated proceedings for an ASBO in June 2004 and finally achieved his objective when it was granted on 22 September. He says:

> "I would not even try to assess the number of hours I have been involved upon this project, but needless to say it was considerable, revisiting victims, reinvestigating allegations, attempting to persuade victims to put their fears to one side and attend Court (unsuccessful), attending multi-agency case conferences, taking third party statements so that I could present the case, jumping over a succession of new hurdles erected by the Defence and sanctioned by the Court. This is on the face of it a user friendly piece of legislation, but in reality, which is exacerbated by the misunderstanding and misinterpretation by the Courts, but mainly the Clerks of the Courts, it has become so unwieldy that Officers tend to shy away from the prospect."

The measure would be an excellent tool if it were more user-friendly. Although the concept behind ASBOs is good, their methodology needs serious revision. The police need the freedom to use the targets that they feel are most appropriate to their local circumstances.

9.41 pm

Mr. Andrew Mitchell (Sutton Coldfield) (Con): We have had a serious debate and I should say at the outset that, although I shall make a few disobliging comments about Government policy, Her Majesty's Opposition have attempted today to consider these serious problems and help the Government to face up to them.

My right hon. Friend the shadow Home Secretary said that the debate would focus largely on Nottingham, as indeed it has. Conservative Members think that Nottingham gives us a powerful warning, not that Britain is consumed by gun crime, but of what could go wrong throughout our society if action is not taken now. My right hon. Friend has visited Nottingham on several occasions and I went there on Saturday. I am pleased to hear that Home Office Ministers will go there shortly to find out what can be done to help. The Home Secretary said that he understood the problem. Although we take him at his word, we expect him to take the necessary action.

The motion is specific and addresses, above all, gun crime, which has risen steeply in Nottingham. We could have widened the debate in many different ways. For example, we could have dwelt on last week's Metropolitan police figures for London that showed that knife crime had increased by 13 per cent. over the past year and that half the offenders were under the age of 21. We could have considered the figures from Birmingham and Manchester—they will come out shortly, but they have been trailed—that will show a sharp rise in alcohol-fuelled street violence in Britain's towns and cities. We could have considered the general rise in crime and the fall in detection rates, but we wanted to face up today to the dangerous escalation of gun crime.

Gun crime in this country has risen by 35 per cent. over the past year. In the past 100 days—since the House rose for the summer recess—25 people in Britain have been shot, the youngest of whom was a child in Hackney aged one and a half, and 18 people have died, the latest being 14-year-old Danielle Beccan. In Nottingham alone, there have been 11 fatal shootings over 27 months

[Mr. Andrew Mitchell]

and there are 17 ongoing murder inquiries. As the House heard earlier, the usually quiet suburb of Arnold, which I had the pleasure of representing for 10 years, was recently the scene of the murder in broad daylight of Marian Bates, a local jeweller.

We are all sorry that the Home Secretary is not in the Chamber. He chided my right hon. Friend the Member for Haltemprice and Howden (David Davis) for citing a figure of 1 million drug users and suggested that that was not true. I can only say that he should read page 64 of his own 2002–03 crime survey for England and Wales on which he will find the direct quote that my right hon. Friend used.

The Home Secretary talked about bombing Afghanistan, but my right hon. Friend said nothing about bombing Afghanistan. Instead, he outlined to the House the problem of increasing amounts of heroin from that country appearing on our streets and asked the Government to set out their policy to deal with that.

The Home Secretary then chided my right hon. Friend for what he had said about the 5,000 extra police for eight years, the 20,000 prison places and the 20,000 drug rehabilitation places that are part and parcel of the Conservative party's forthcoming manifesto for the general election. I have just moved from our economic team, and I can tell the House that my right hon. Friend is absolutely right: those are costed policies approved by the shadow Chancellor, and they will be introduced when we return to government.

The right hon. Gentleman then had the nerve to tell the House that the police were burdened with bureaucracy and form-filling because of the Conservative party's parliamentary questions—a statement that was met with astonishment across the House. He then defended the British crime survey—but all Governments use the British crime survey, and all Oppositions look at recorded crime figures. I would also say to the Home Secretary, were he here, that the British crime survey excludes sex offences, illegal drug use, retail crime—of which there were 8.5 million incidents in the past year—gun crime, and crimes against people under 16, which constitute one of the fastest growing categories of crime.

The Home Secretary's response left us with an impression of his stunning complacency. He did not seem to care much about the six questions asked by my right hon. Friend the Member for Haltemprice and Howden, which are extremely important, and to which I shall return later.

The House then heard a speech by the hon. Member for Winchester (Mr. Oaten), who defended the seriousness of the shadow Home Secretary's speech and said that he would support us in the Lobby. He also raised points about the locally elected police boards and the use of legitimate firearms, to which I am sure we shall return in due course.

The House also heard a moving speech by the hon. Member for Nottingham, South (Alan Simpson), who said that the city of Nottingham was populated by people who are kind, decent and honourable. Having represented some of those people in the suburbs of the city, I entirely agree with him. He also talked about the cynical and cruel theft of childhood, and the need to separate children from drugs and guns. I agree with much of what he said about that too. He said that we must do more to protect our borders from guns and drugs, and made a good point about the lack of necessity for cars to have blacked-out windows, which I hope those on the Government Front Bench will consider carefully. He spoke of his hope that the murder of that little girl nine days ago would be a watershed for Nottingham, and the whole House will agree strongly with him about that.

My hon. Friend the Member for Surrey Heath (Mr. Hawkins) expressed his concern about villains coming into this country from eastern Europe, and launched a trenchant attack on Government drugs policy. The hon. Member for Plymouth, Sutton (Linda Gilroy) endeared herself to the Government Whips Office by the way in which she spoke about law and order issues in her constituency, whereas my hon. Friend the Member for South-West Devon (Mr. Streeter) spoke about violent crime rising in Plymouth, the murder of Flo Seccombe and the crisis in mental health services in Plymouth and the rest of Devon. He also asked the Minister a number of questions.

The hon. Member for Birmingham, Hall Green (Mr. McCabe) brought us back to the west midlands, and three times questioned the Conservative party's pledge about the 40,000 extra police. He did so because he knows that that pledge is going down extremely well in his constituency and the rest of Birmingham. The Conservative party's costed promise of 2,414 policemen and women will go down well in the west midlands.

My hon. Friend the Member for Ashford (Mr. Green) spent Saturday night on patrol in his constituency, and shared some of his experiences with the House. My hon. Friend the Member for Newark (Patrick Mercer) offered wise words about some of the wider issues on the national stage, as well as issues particular to Nottinghamshire.

My hon. Friend the Member for Leominster (Mr. Wiggin)—*[Interruption.]* I apologise if I mispronounced my hon. Friend's constituency. He inveighed against the Home Office's public relations budget, and said that prison works. How right he is.

The hon. Member for Hackney, North and Stoke Newington (Ms Abbott) spoke about the dreadful events in her constituency, reminded the House of the dreadful events that happened in Birmingham at new year 2003, and gave some insights into the horror of young men carrying guns as fashion accessories—a point that was mentioned earlier by the hon. Member for Nottingham, South.

I visited Nottingham on Saturday and met two representatives of Mothers Against Guns: Janice Collins, whose son Brendan was shot near where Danielle Beccan was murdered, and Christine Bradshaw, whose son Marvyn was murdered at the age of 22; his murderer was convicted in July. Those two dignified and decent women, whose every waking hour has been ruined by the pointless and vile murder of their children, speak for many when they say what needs to be done. I hope that when the Home Office team go to Nottingham, they will have a chance to listen to what that organisation says.

Mothers Against Guns makes it clear that there are not enough police. Nottinghamshire's chief of police has asked for an extra 1,000 police; under Conservative proposals, he will receive an extra 714 as swiftly as possible. Everyone knows that there are not enough police on our streets and it is extremely important that we get more. The organisation says, rightly, that the five-year minimum sentence for possessing an illegal firearm is not enough. Guns have replaced the baseball bats that gangs carried five to 10 years ago. We need to send the strongest possible message that those who carry, keep, sell, maintain or import firearms illegally will be imprisoned for a very long time. Mothers Against Guns also speaks of the importance of better witness protection, which has been mentioned today, as well as the availability of firearms and the danger of our porous borders, which has been mentioned often in this debate.

The Government amendment to our motion invites the House to welcome

"the record falls in crime achieved by this Government since 1997, recognising that the chances of becoming a victim of crime are now at their lowest level since records began".

What a brass neck and nerve the Government have. Recorded crime has increased in almost every category since 1998. The overall number of offences has increased by 16 per cent., from 5.1 million to 5.9 million. Violence against the person has increased by 90 per cent., sexual offences by 44 per cent, robbery by 51 per cent., total violent crime by 83 per cent. and criminal damage by 37 per cent. Over the same seven-year period, detection rates have fallen. Detection rates for violence against the person have fallen from 79 per cent. in 1997 to 50 per cent.; for sex crime from 77 per cent. to 39 per cent.; for robbery from 27 per cent. to 18 per cent.; for burglary from 23 per cent. to 13 per cent.; and for violent crime from 69 per cent. to 47 per cent. Those figures are not manufactured in Conservative central office. They are the Home Office figures produced in July this year.

We have not heard an answer to any of the six questions posed by my right hon. Friend the shadow Home Secretary. We did not hear what the Home Secretary will do about the physical security of our borders or the burgeoning supply of heroin from Afghanistan. Will he introduce an amnesty? We heard nothing. Will he take measures to stop postal and internet supply of guns? Again, no answer. Will he provide the extra police—not community support officers—that Birmingham, Nottingham and Manchester are crying out for? The answer to those questions is apparently that he does not have an answer.

I have been reading some of the speeches made by the Prime Minister when he occupied the position currently graced by my right hon. Friend the Member for Haltemprice and Howden. The right hon. Gentleman now blames the '60s for disorder in Britain, but when he was shadow Home Secretary he inveighed against the then Tory Government who, he said,

"will not take any blame or responsibility but puts it on the 1960s or the trendy liberal establishment—anywhere but on the Government, who have been in power and have had a chance to do something about it. That is what people dislike about the Government. What people dislike about the Government more than anything else is that . . . they do not have the guts to take any responsibility . . . for the situation that they created."—[*Official Report*, 11 January 1994; Vol. 235, c. 38.]

That is what they have done. Labour has been in power for seven and a half years—seven and a half years of rising crime. For seven and a half years, Labour has had the chance in government to put those things right. Instead, we have had seven and a half years of Labour failure. That is the real record for which the Labour Government now stand condemned.

9.44 pm

The Minister for Crime Reduction, Policing and Community Safety (Ms Hazel Blears): We have had an excellent debate, which has highlighted serious issues about guns and drugs and other problems that beset our communities. However, I may have made an error at Home Office questions, when I welcomed the hon. Member for Sutton Coldfield (Mr. Mitchell) to the Front Bench. Ear plugs would have been welcome tonight, and I may need them for his future performances.

I shall try to bring some sanity to our debate. It is right that we consider these important matters, particularly in view of the tragic events in Nottingham, Hackney and other parts of the country. The thoughts of everyone in the House are with the families and the friends of people struck by those events. However, it is also important to get the facts right and set our debate in context. I am saddened by the Opposition's attempt to paint the country as crime ridden and to whip up fear of crime among decent, law-abiding citizens. I am also saddened by their failure to acknowledge the tremendous progress that has been made over the past few years. As my right hon. Friend the Home Secretary explained, the Government have a positive record in this area, and I am delighted to put it before the House. Let us get some facts into the debate and get away from the high-flown rhetoric that characterised the contribution of the hon. Member for Sutton Coldfield.

It is an incontrovertible fact that police numbers have increased by more than 12,000 since 1997. It is also an incontrovertible fact that when the Tories were in power, despite their saying that they wanted to recruit an extra 5,000 police officers, they managed to reduce the number of police officers on the street by 1,100. The Opposition often say that they do not like national targets or direction from the centre. They think that the Home Office is interfering when it tries to drive policies through, but they must examine their own record. They put extra money into the police service, but they managed to reduce the number of police officers, which is a pretty inefficient way of operating. Today, there are 4,000 community support officers, who spend 70 per cent. of their time patrolling the streets. They are building relationships with the community and working with schools and hospitals. Again, it is an incontrovertible fact that there were not any community support officers under the Tories.

Mr. Michael Jabez Foster (Hastings and Rye) (Lab): Does my hon. Friend share my concern and distress at the way in which the Opposition demean hard-working community support officers, who are doing such a good job in our constituencies?

Ms Blears: My hon. Friend is quite right. In a debate in Westminster Hall last Tuesday, the hon. Member for Mid-Worcestershire (Mr. Luff) unfortunately described

[Ms Blears]

CSOs as "two-thirds police officers". Any CSO described in such terms by his Member of Parliament would feel let down.

I have given the facts on police numbers. We have heard a lot about the British crime survey, which Mr. Richard Garside, the director of the Crime and Society Foundation said in a report provided

"a far more accurate picture of the crimes it measures than . . . police figures."

The survey gives the following facts—burglary is down by 42 per cent., which means that 500,000 fewer people are being burgled than under the Tories; vehicle crime is down by 40 per cent., which means that there are 1 million fewer victims than under the Tories; and violence is down by 26 per cent., which means that 380,000 fewer people are subject to violence than under the Tories. In half of all recorded violent crime there is no injury, and half of that crime is fuelled by alcohol, which is why there was such a brilliant campaign against alcohol misuse over the summer.

I shall give the House some more facts. In 2001–02, gun crime was, I accept, a very serious problem, and increased by 35 per cent. The following year, it was up by just 3 per cent., as we began to get a grip on it; and in the past year, 2003–04, it was up by just 1 per cent. I would not for a moment suggest that it is not a serious or significant crime, but the number of homicides in which firearms are involved has gone down slightly and the number of robberies with firearms has gone down by 13 per cent. Members who spoke on the issue, including my hon. Friends the Members for Nottingham, South (Alan Simpson) and for Hackney, North and Stoke Newington (Ms Abbott), made the point that we need to engage communities so that we can fight this scourge together.

Let us have some facts about drugs: 3,000 people went into drug treatment between June and August this year, up nearly 100 per cent. Fact: when the Tories left office, there were fewer than 100,000 treatment places. They never regarded treatment as a priority. It was bottom of the food chain as far as they were concerned. The Government have put nearly £500 million into drug treatment and making sure we break the cycle between drug addiction and crime. We are now seizing £1 million a week from criminal assets and recycling those funds back into the communities to make sure that we are fighting crime.

The final figures that I shall give this evening—I could go on with figures all evening, but I do not want to do that—are an important set of statistics relating to the fear of crime. For the first time all the figures around fear of crime are beginning to come down. Does not that say something about why the Opposition tabled the motion today and engaged in scaremongering? People's fear of burglary, vehicle crime, violent crime and antisocial behaviour is down from 21 per cent. to just 16 per cent. in the past 18 months—a pretty good result for our determined policies to tackle crime and antisocial behaviour.

We had a depressing contribution from the right hon. Member for Haltemprice and Howden (David Davis). He mentioned several areas of concern. He spoke about drugs and residential rehabilitation, which has been an obsession of the Tory party, but there was no mention of what happens when people come out of residential rehabilitation. Do we put them back into the same communities? What we have done with our drugs intervention programme is not just get people into treatment, but provide them with education, training, alternative housing and support in their communities to make sure that they do not go straight back into the arms of the dealer—a well thought through, sensible, thoughtful, practical solution that appears to be alien to the Opposition.

Mr. Hawkins: The Government's flagship policy was drug treatment and testing orders. The latest figures show that 80 per cent. of all those sentenced to those orders reoffend. Does not that show that what the hon. Lady is saying is nonsense? She is living in a dream land and the British public do not believe a word of it.

Ms Blears: Not at all; it is the hon. Gentleman who lives in fantasy-land, but we will leave his fantasy island policies for the moment. The figures on drug treatment and testing orders are pretty early figures. Previously, before we had drug treatment and testing orders, there was no intervention. If the hon. Gentleman was in touch with the real world, he would know that the kind of people who are sentenced to drug treatment and testing orders lead some of the most chaotic lifestyles that could ever be imagined. He ought to recognise that the very early results show 20 per cent. success.

The second area that the right hon. Member for Haltemprice and Howden mentioned was prison places to lock up more people. Again, he did not deal with the question of what happens when people come out of prison. Those are simple headline policies, not thought through and not sensible. He did not speak about the persistent offender strategy that we are developing, which will prevent people from becoming persistent offenders. We will catch and convict those who are and we will resettle and rehabilitate people who come out of our prisons. He did not refer to the fact that we have a higher number of drug treatments going on in our Prison Service than we have ever had. There are about 57,000 detox treatments going on in prison, 44,000 CARATs—counselling, assessment, referral, advice and throughcare—and 4,000 rehabilitation places. These are sensible, practical policies. I am sorry that the contribution from the right hon. Gentleman was full of headlines today and incoherence tomorrow. It illustrates for me the bankruptcy of the Tory party.

I shall try to deal with as many of the issues that hon. Members raised as I can. The hon. Member for Winchester (Mr. Oaten) mentioned the sale of guns on the internet. I am pleased to be able to tell him that Operation Bembridge was mounted this year, the largest-ever operation consisting of co-ordinated raids of items bought on the internet. It led to more than 100 arrests and hundreds of illegal weapons being seized, together with hand grenades, Semtex, anti-personnel machine guns and machine pistols. That kind of concentrated operation is going on. I was delighted to have the hon. Gentleman's welcome for the Serious Organised Crime Agency. He said that he was warming to fixed penalties. Goodness me, he will be reviewing his policy on antisocial behaviour next, and we will welcome the Liberal Democrats to the fold.

My hon. Friend the Member for Nottingham, South made a moving speech and expressed the views of his community extremely well. The fact that he said his community would be standing together was important. We will be sending our support and visiting in the next few weeks. We will look at a range of Home Office policies and at how we can help to support those communities so that they become more stable and more safe, and better places for people to live and work in. I pay tribute to him for his contribution, and also to other Nottingham Members for trying to ensure that that happens.

I shall gloss over the contribution of the hon. Member for Surrey Heath (Mr. Hawkins). I was surprised that he did not want to take into account the views of local people. He did not think that information technology worked, but I say to him that, with regard to DNA, automatic number plate recognition and case and custody programmes, I think that he is living in the world of 1940 rather than the modern day policing world.

My hon. Friend the Member for Plymouth, Sutton (Linda Gilroy) made an excellent contribution, as she usually does. Her work in her area is tremendous. I was delighted to visit the area recently and see the bobbies on the beat project in the new deal for communities area. The dispersal orders have now been used 70 times in the alcohol misuse enforcement campaign, and we have got some extremely good results. The powers to close crack houses have been used 100 times, and we have closed 100 crack houses in Hackney using the powers 11 times there.

The hon. Member for South-West Devon (Mr. Streeter) made some important points about the tragic murder of Flo Seccombe. I am happy to say that I shall look into the matter and I shall certainly write to him. I know that the case has caused a lot of concern locally, and it is a very important matter. That lady was very vulnerable indeed in those circumstances.

My hon. Friend the Member for Birmingham, Hall Green (Mr. McCabe) made an excellent contribution. It was a breath of fresh air; it was refreshing and grounded in reality. He talked about the fact that crime was down and about the difficulties associated with buying guns on the internet. I hope that Operation Bembridge will help to reassure him.

The hon. Member for Ashford (Mr. Green) spent an extremely entertaining evening with his police. I am glad that he saw for himself the problems of binge drinking; I hope that he did not indulge. He also brought to our attention issues about stop and search. Some 75 per cent. of knives seized by the Met were found through stop and search, so it is an important power. He is right that we have more to do on detection rates, and forensics and science are very important.

I am sorry that I was not present to listen to the contribution of the hon. Member for Newark (Patrick Mercer). I was delighted that he said that he had a very effective police force. He called for more specialised officers for Nottingham. I appreciate the pressures that exist, but we must ensure that we take action across the piece in the area.

My hon. Friend the Member for Gloucester (Mr. Dhanda) made an excellent contribution. Crime is down in his area, and waiting times for methadone prescribing are down from 16 weeks in 2001 to just five weeks now. That is a significant advance, but we again have more to do.

The hon. Member for Leominster (Mr. Wiggin) talked about young people on intensive supervision programmes. He said that half those programmes had been completed successfully. I am delighted; again, the kind of people that go on ISPs lead very chaotic lifestyles, and we are beginning to get a grip. He also said that people do not want effective community sentences. Yes they do; people in communities are supporting the work that we are doing on drug intervention. His contribution was very disappointing—he had no ideas or policies, and no proposals to make. There were simply empty and depressing complaints and a litany of empty ideas.

My hon. Friend the Member for Hackney, North and Stoke Newington made a very helpful contribution in which she brought to our attention the shadow of gun crime in her constituency. She also highlighted the point that although gun crime is a serious issue, it is very small in comparison with what happens in New York, Chicago and other parts of America. She pointed out that young men are increasingly going out with guns as part of a style culture. We need to ensure that that does not happen in future.

The hon. Member for Bridgwater (Mr. Liddell-Grainger) talked about rural crime and deployment and raised the issue of probation. An extra 1,800 probation officers are now in the service. Clearly, we try to direct our resources to the areas of highest need. Where places are suffering repeat victimisation, such as in some of our poorest communities, it is right that they get resources.

The hon. Member for Upminster (Angela Watkinson) talked about zero tolerance of antisocial behaviour and low-level crime. I am delighted that she supports our proposals to tackle antisocial behaviour, but I am very disappointed that her police force has got only one antisocial behaviour order. If ASBOs were so difficult to obtain, we would not have 2,455 nationally. I have 50 in my constituency.

At the Tory party conference in Bournemouth, the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) made much of his 10 words on policy. I have 10 words—

Mr. Patrick McLoughlin (West Derbyshire) (Con) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put, That the original words stand part of the Question:—

The House divided: Ayes 163, Noes 290.

Division No. 265] **[9:59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Arbuthnot, rh James
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian

Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Burnett, John
Burnside, David
Burstow, Paul
Burt, Alistair
Butterfill, Sir John
Cameron, David
Carmichael, Alistair
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger *(N Thanet)*
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Gummer, rh John
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, rh Francis
May, rh Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Pugh, Dr. John
Redwood, rh John
Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Dame Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Waterson, Nigel
Watkinson, Angela
Widdecombe, rh Miss Ann
Wiggin, Bill
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Geoffrey Clifton-Brown
and
Mr. John Randall

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Bailey, Adrian
Banks, Tony
Barron, rh Kevin
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bell, Sir Stuart
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Caborn, rh Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Corston, rh Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Doran, Frank
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David

Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, rh Sir Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lammy, David
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
McDonnell, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marshall, David *(Glasgow Shettleston)*
Marlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Picking, Anne

Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Squire, Rachel
Starkey, Dr. Phyllis
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*

Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom
Watts, David
Whitehead, Alan
Weir, Michael
White, Brian

Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winterton, Ms Rosie *(Doncaster C)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Iain *(Hartlepool)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Vernon Coaker and
Gillian Merron

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments):—*

The House divided: Ayes 287, Noes 162.

Division No. 266] **[10:12 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Bailey, Adrian
Banks, Tony
Barron, rh Kevin
Beard, Nigel
Beckett, rh Margaret
Bell, Sir Stuart
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
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Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Caborn, rh Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
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Caton, Martin
Cawsey, Ian *(Brigg)*
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Chaytor, David
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Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann

Cohen, Harry
Connarty, Michael
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Corston, rh Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
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Davies, Geraint *(Croydon C)*
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Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Doran, Frank
Drew, David *(Stroud)*
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Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
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Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
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Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Win *(Bridgend)*
Grogan, John
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Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*

Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, rh Sir Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lammy, David
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
McDonnell, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morley, Elliot
Morris, rh Estelle
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Squire, Rachel
Starkey, Dr. Phyllis
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr. Alan
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winterton, Ms Rosie *(Doncaster C)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Iain *(Hartlepool)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Gillian Merron and
Vernon Coaker

NOES

Ainsworth, Peter *(E Surrey)*
Arbuthnot, rh James
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Burnett, John
Burnside, David
Burstow, Paul
Burt, Alistair
Butterfill, Sir John
Cameron, David
Carmichael, Alistair
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger *(N Thanet)*
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Gummer, rh John
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*

Liddell-Grainger, Ian
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, rh Francis
May, rh Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Redwood, rh John
Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Dame Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shepherd, Richard
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Younger-Ross, Richard

Tellers for the Noes:
Mr. Geoffrey Clifton-Brown and
Mr. John Randall

Question accordingly agreed to.

MR. SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the record falls in crime achieved by this Government since 1997, recognising that the chances of becoming a victim of crime are now at their lowest level since records began and that gun crime fatalities are falling; recognises that these achievements are the result of record numbers of police officers on the streets, reinforced for the first time by Community Support Officers; welcomes the Government's achievements in reducing anti-social behaviour which has blighted the lives of too many of the most vulnerable people; and supports the Government's continuing programme of action to tackle crime, including the recruitment of 25,000 Community Support Officers and wardens, the provision of extra prison capacity and tougher penalties for those who break the law.

CIVIL PARTNERSHIP BILL (PROGRAMME) (NO. 2)

Motion made, and Question put forthwith, pursuant to Orders [28 June 2001 and 6 November 2003 (Programming of Bills)]

That the Order of 12th October 2004 (Civil Partnership Bill [Lords] (Programme)) be varied by the substitution in paragraph 2 (time for conclusion of proceedings in Standing Committee) for the words '21st October 2004' of the words '26th October 2004'.—*[Mr. Ainger.]*

Question agreed to.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6)(Standing Committees on Delegated Legislation),

LEGAL SERVICES

That the draft Legal Services Ombudsman (Extension of Remit) Regulations 2004, which were laid before this House on 15th July, be approved.—*[Mr. Ainger.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6)(Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the draft Roads (Amendment) (Northern Ireland) Order 2004, which was laid before this House on 7th September, be approved.—*[Mr. Ainger.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9)(European Standing Committees),

INDUSTRIAL POLICY FOR AN ENLARGED EUROPE

That this House takes note of European Union Document No. 8875/04, Commission Communication entitled Fostering Structural Change: an Industrial Policy for an Enlarged Europe; and supports the actions proposed by the Commission to facilitate the process of structural change, namely better lawmaking, better exploitation of synergies between different Community policies impacting on competitiveness and analysis of the specific needs of various sectors; but believes that such analysis should concentrate on sectors with potential for growth.—*[Mr. Ainger.]*

Question agreed to.

DELEGATED LEGISLATION

Ordered,

EMPLOYMENT TRIBUNALS

That the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004 (S.I., 2004, No. 1861), dated 19th July 2004, be referred to a Standing Committee on Delegated Legislation.—*[Mr. Ainger.]*

COMMITTEES

Ordered,

PUBLIC ACCOUNTS

That Ruth Kelly be discharged from the Committee of Public Accounts and Mr Stephen Timms be added.—*[Mr. Bob Ainsworth, on behalf of the Committee of Selection.]*

Mobile Phone Masts

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Ainger.]*

10.25 pm

Mr. Paul Truswell (Pudsey): Major concerns have arisen in my constituency—as in many others—about the siting of mobile phone masts. In the past four years alone, constituents have contacted me about more than 60 applications, half of which have been refused or withdrawn, so unacceptable were they. We have had applications for masts on the roof of a day centre for people with learning disabilities and for masts feet from people's homes, and a major proposal for a church tower split a community apart. As a result of those experiences, I became a founder member of the all-party parliamentary group on mobile communications and I am now privileged to be the group's secretary.

In May, the group conducted a two-day hearing into planning procedures relating to mobile phone masts. We did not feel that we had the expertise to adjudicate on health issues, but there are still several inescapable references to them in our report. We believe that the perceived risk and fear arising from health concerns can and should be reduced by the adoption of consultation methods that involve communities and others much more. Our report, containing 19 recommendations, was published in July.

Brian White (Milton Keynes, North-East) (Lab): Following that report, we met the Under-Secretary of State, Office of the Deputy Prime Minister, my hon. Friend the Member for Pontefract and Castleford (Yvette Cooper), who was very positive and welcomed many of the recommendations. Many of them could be delivered without legislation. Does my hon. Friend agree that the Government should implement the non-legislative recommendations as soon as possible?

Mr. Truswell: I thank my hon. Friend for that intervention and I concur with his conclusions.

The purpose of this debate is to elicit a response to our report from the Office of the Deputy Prime Minister. I intend to conduct a whistle-stop tour of the recommendations, leaving my hon. Friend the Minister ample time to respond in full. The report is a rounded package of recommendations, designed to improve confidence in the planning process relating to mobile phone masts. Our first, and perhaps major recommendation, is that permitted development rights should be revoked, in line with the proposal made by Sir William Stewart in the independent expert group report on mobile phones in 2000.

We believe that the Town and Country Planning (General Permitted Development) Order 1995—or GPDO—is outdated. The 56-day deadline is arbitrary and difficult for planning authorities to meet, especially given the number and controversial nature of many applications. It is difficult for communities to engage in the process. Indeed, one of the latest objections in my constituency was on Knott lane in Rawdon, where considerable concern was expressed about the time scale and the notifications. As the process is not seen as transparent and open, many of the concerns regarding health are increased by the perceived inadequacy of the permitted development process. The GPDO is difficult for all parties to understand and apply consistently. We therefore believe that its provisions in respect of telecoms should be comprehensively reviewed and revised using plain English. Indeed, I apologise that so much of this speech and the report itself has to use jargon that is somewhat removed from plain English.

Our report also highlights the inconsistencies in planning approaches across the UK. We feel that the ODPM should take the lead in a comparative review of relevant law and practice across the UK to ensure consistent best practice and a common approach where that would be beneficial. Many of us are aware that emergency provisions can be abused. I have a case in my constituency in which a mast was erected on Carlisle road in Pudsey, causing great concern, and was not removed for more than a year. The all-party group recommends that, in revising the GPDO, the Government investigate ways in which emergency provisions can prevail, but with much more stringent regulations about what constitutes an emergency and with suitable penalties for operators who do not comply with those procedures. In addition, we recommend that temporary consent should be reviewed.

There is a strong view that communities are not properly consulted in the process of development of mobile telecoms, as I suggested when I mentioned permitted development rights. We were attracted to the practice of Basingstoke and Deane council of holding a telecommunications inquiry, which produced guidance on three stages of consultation: roll out, pre-application and when prior approval or permission had been applied for—more jargon.

The provision for earlier involvement of interested parties, in particular the public, led us to recommend that a revised planning policy guidance note 8—the planning guidance relating to the issue—should specify much more clearly the arrangements for public consultation during annual roll-out discussions to encourage local planning authorities, in conjunction with operators, to publicise the strategic plans for mobile phone networks.

As a further aid to public involvement in scrutiny we also recommend that under the Planning and Compulsory Purchase Act 2004 all local planning authorities should be obliged to include a telecommunications plan as a local development document, or LDD, in their local development scheme, or LDS—even more jargon. Later in the report we recommend that mobile phone operators adopt common digital mapping techniques to enable a national map of the location of mobile phone masts and base stations to be produced on an ordnance survey basis. That would help to inform discussions on the overall siting of masts.

The often controversial and time-consuming nature of mast applications can demand extensive work from planning officers for which the fee levels are grossly inadequate. We were attracted by proposals for notification of neighbours within 200 m of an application site and for councils to have dedicated planning sub-committees, developing real expertise on mast applications. Even a city the size of Leeds has limited expertise in dealing with such applications.

Extending involvement in the ways suggested carries a financial cost. It is therefore our view that a revised PPG8 should include further guidance on pre-application discussions with a view to allowing local planning authorities to charge for them. We also believe that consultation and advertisement arrangements should be widened to ensure that everyone who might be affected by a proposal is well informed. A further important recommendation is that fees should be increased to reflect the resource demands on local authorities in their consideration of applications and that more guidance should be published by the Secretary of State on where charges can be made for pre-application discussions.

In the midst of concerns about the proximity to people's homes and workplaces of proposed masts, we must also consider the visual impact, and our report contains two specific recommendations, which I shall not go into in detail. Mast sharing is often seen as an underexplored option. We appreciate that it can cut two ways. It reduces the number of sites required on the one hand, but it can lead to higher emissions where masts are concentrated on a particular site. Indeed, there was uproar recently in my constituency about plans to attach additional antennae to a shop on the busy New Road Side in Horsforth. The group has recommended that further research should be carried out into mast and site sharing to better inform the Government in their formulation of policy guidance and also local authorities in their dealings with applications for masts.

As I said, the group did not think that it could adjudicate on health considerations, which are obviously at the forefront of many people's minds. The perceived risk and fear arising out of health concerns could be reduced by the adoption of consultation methods that are aimed at involving communities much more closely and at an earlier stage. Until more detailed and scientifically robust information on any health effects from the use of mobile phone technology becomes available, the precautionary approach should be adopted in line with Sir William Stewart's recommendation in his report. That should be reflected in a revised PPG8.

I mentioned the idea of planning committees developing special expertise. We also think that the Government should actively seek methods of providing technical advice to local planning authorities. We suggested that those might include a dedicated adviser employed by the Government, a Government-sponsored website offering independent information, and the identification of sources of funding for local authorities to share experts and resources for specific training for local authority planning officers dealing with mobile phone mast applications.

There are other recommendations, of which my hon. Friend the Minister is no doubt aware having assiduously read the report, which I am sure he has done. They call for more rigorous procedures to enable locations to be on optimum sites and for further research to be carried out to identify best practice in other European countries for possible application in the UK. We called for a formal joint body to be established by the Government and the industry, with representation from local authorities and the regulator, to build confidence between all parties, especially the community, on the range of issues that our report covered.

Our final recommendation acknowledges that changes to legislation can take some time to implement, but to restore confidence in the planning system we recommend that a ministerial statement be made as soon as possible to add strength to the requirements for consultation on pre-development and pre-application proposals for telecommunications installations. I shall conclude on that point and hope that my hon. Friend the Minister will use this opportunity to make just such a statement.

10.35 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): I congratulate my hon. Friend the Member for Pudsey (Mr. Truswell) on using this opportunity to secure a debate on the subject of planning procedures, mobile phone base stations and many other things besides. The topic is clearly important to him, both as the representative of his constituents—he described some of the difficulties they had been experiencing—and as the secretary of the all-party group on mobile communications. He has a reputation for carrying out that post with great effectiveness.

As evidenced by the intervention of my hon. Friend the Member for Milton Keynes, North-East (Brian White), the topic is of interest to many Members, in part due to the widespread public interest in the subject. Indeed, the Government recognise that in some cases that public interest takes the form of grave concern, especially about the siting of such developments, as my hon. Friend the Member for Pudsey described.

The topic has been and remains high on the Government's agenda. We constantly review and assess our policies against the latest developments, and strive to maintain balance between public demand for mobile services and the need to protect the environment and manage public health concerns. I was struck by my hon. Friend's concern about the jargon in the language used in the planning system, which can sometimes act as a barrier to people's understanding of the process that they are trying to influence. It is, therefore, a barrier to their having effective influence. That is a constant problem not only in the planning system; we all try to ensure that our constituents can understand how such systems work so that they can have appropriate influence on them.

I am grateful to my hon. Friend for his kind words about the Under-Secretary of State, Office of the Deputy Prime Minister, my hon. Friend the Member for Pontefract and Castleford (Yvette Cooper), whom he and others met recently. As he knows, the Government welcomed the publication of the all-party group's report of its "parliamentary hearing" into mobile phones, base stations and planning. I hope that in the meeting with my hon. Friend the Under-Secretary and subsequently, we have shown that we recognise the tremendous work that was done in preparing the report and by those who presented written and oral evidence to the all-party group. It was clear that everyone who participated in the process had a genuine interest in improving the planning for telecommunications developments. Of course, the

[Phil Hope]

group was able to draw on the expert knowledge and advice, as well as the practical experience, of those participating in the hearing process.

The Government have taken receipt of the report and are giving its recommendations careful consideration. The report will help to inform the decisions that will be necessary in taking forward Government policy on planning for telecommunications.

I congratulate my hon. Friend on covering a huge amount of territory in a short time, as well as taking an intervention from our hon. Friend the Member for Milton Keynes, North-East. My hon. Friend the Member for Pudsey will appreciate that it is not appropriate for me to make a detailed response to each of the recommendations the group made—*[Interruption.]* I hear cries of "Shame" from the Back Benches. I shall try to address some of the key recommendations and set out the Government's current position, and deal with some of the specific points that my hon. Friend raised this evening.

First, let me assure my hon. Friend the Member for Pudsey and other hon. Members that careful consideration was given to the current planning arrangements before they were introduced. My hon. Friend mentioned the Stewart report on mobile phones and health. The report, published in 2000, recommended that telecommunication development be subject to the normal planning process to improve local consultation. As he said, the all-party group's report recommends that the Government now adopt that recommendation.

The Government considered the Stewart group's recommendation in detail and accepted the importance of ensuring that effective public consultation took place. As a result, in August 2001, we significantly strengthened the planning arrangements for telecommunications development. We specifically increased the time for authorities to deal with prior approval applications—forgive me, but I need to use the specific words used in the system—from 28 and 42 days to a uniform 56 days and strengthened public consultation requirements on prior approval procedures so that they are exactly the same as applications for planning permission. We also increased the fee from £35 to £190, to enable authorities to carry out full public consultation. The fee has now risen to £220. I may say a bit more about that later. Our revised arrangements for prior approval applications have the same consultation requirements as for applications for planning permission.

We believe that we have met the concerns that led the Stewart group to make the recommendation for full planning permission. There is concern about the fact that, under the prior approval procedures, consent is deemed to be granted if no decision has been made after 56 days—a point that my hon. Friend raises. However, those arrangements are necessary to ensure that development is not delayed. It has been suggested to the Office of the Deputy Prime Minister that the 56-day period should be extended because notification is sometimes received by the operator on the 57th day, or that there should be a seven-day period at the end of 56 days that still counts as a valid notification period.

I know that this will not be to my hon. Friend's liking, but we do not think that extending the 56-day period would resolve the problem; it would only defer it. We have already made the switch from the two periods to the uniform 56 days. The problem of notification being received on the day after the end of the period, or whatever, would remain the same even if we extended the time period; regrettably, some local planning authorities would still miss the deadline occasionally. The discipline of the prior approval arrangements is still needed because many authorities fail to meet their best value targets for determining planning applications.

There are telecommunications developments under the permitted development rights conferred by the GPDO. I emphasise that those installations are, by definition, the smallest and most discreet developments. The Government do not want to restrict those rights because local planning authorities need to focus their attention on the developments that will have the greatest impact. Furthermore, network operators estimate that only about 15 per cent. of installations are allowed under those permitted development rights.

The current arrangements have the effect of encouraging network operators to install smaller apparatus on existing buildings and structures, wherever possible, thus minimising the environmental impact of such developments. However, there is still a need to ensure that people are properly consulted. Simply because those small developments do not need planning permission does not mean that there is no public consultation. The code of best practice that was produced jointly by local and central Government and the mobile phone industry clearly says that every potential site is rated using the traffic light model. My hon. Friend did not raise that issue, but we must realise that it is an important part of the system. The traffic light model determines the level of public consultation that will be required if the site is selected for the installation. The Government believe, therefore, that limiting the rights of network operators to install telecommunications equipment would be detrimental to their ability to meet public demand for mobile services. More important, it would not materially increase or improve consultation with local communities.

Of course, requiring full planning permission for all telecommunications developments would have significant consequences for the planning system. Removing permitted development rights for telecommunications development would increase the amount of casework for local planning authorities at a time when they are struggling to find the resources to handle a growing volume of planning applications. Furthermore, these planning cases would be more likely to end up as planning appeals, either because the local planning authority had failed to determine the application in reasonable time or because an application had been refused.

The statistics from the Planning Inspectorate suggest that a disproportionate number of telecommunications applications are refused at local level. Approximately two thirds of telecommunications cases are approved on appeal compared to the usual rate of one third for all cases. Of course, the Government recognise why so many applications are refused at a local level, and I will return to this in a moment. However, as Members may be aware, the Planning Inspectorate has had to deal with a greatly increased work load and we do not want add to the burden. The Government believe therefore that removing the permitted development arrangements would significantly add to the burden of the planning system to the detriment of all applications and appeals.

I appreciate that one of the reasons that the all-party group's report recommended that the GPDO be reviewed was to ensure that it was easier to understand and interpret. Members may be aware that, on 10 September this year, the ODPM published a research study on permitted development rights from Nathaniel Lichfield and Partners Ltd. This is the first phase of the wide-ranging review of the GPDO that my hon. Friend requested.

The report from the study also concluded that the GPDO could be clearer in respect of part 24, which relates to the permitted development rights for licensed communications code system operators. The Government accept this criticism of the order, and we will be looking to clarify part 24 through the review process. We are working towards undertaking a public consultation exercise early next year, and I would like to take this opportunity to encourage all interested parties to comment at that stage. I hope that my hon. Friend recognises that that is an important new development.

As I said a few moments ago, the Government appreciate why so many applications are refused at a local level. We recognise the public concern that leads to campaigns against telecommunication developments. Concern about the siting and design of such developments is fuelled by public concern about the perceived health risks associated with this technology. We agree with the group's view—it has been reiterated tonight—that

> "the perceived risk and fear arising out of health concerns could be reduced by the adoption of consultation methods which are aimed at involving communities and others more."

The Government have repeatedly stated that we are particularly sympathetic to full consultation with local people. We have also said that we will look carefully at the group's recommendations to see what more can be done in this area. We are doing this and, interestingly given the timing of this debate, my right hon. Friend the Minister for Housing and Planning will make a statement about this shortly. I regret that I cannot say anything tonight, but watch this space.

I said that the Government prepared the code of best practice, which includes the traffic light model, to ensure the delivery of significantly better and more effective communication and consultation between operators, local authorities and local people. The mobile network operators and local planning authorities are well aware of the importance the Government attach to the observance of the best practice guidance set out in the code. Ministers in the ODPM regularly meet the Mobile Operators Association to discuss a range of issues, including operators' progress in meeting their commitments to improved local consultation.

My hon. Friend may know that the mobile network operators have commissioned a second independent review of their ten commitments, which will demonstrate quantitatively how their operations and procedures align with the requirements of the code. To complement that research, the Office of the Deputy Prime Minister is commissioning a study to assess the impact that the code has had more widely since its introduction, the way in which local authorities have implemented the code and the way in which the public has perceived its operation. Perhaps some of the questions that were raised about jargon and accessibility will form part of that discussion.

I hope that the study will provide the Government with evidence on whether the code has been effective and whether there are any areas of weakness that need to be addressed. In the light of that evidence, the Government will consider whether changes to the code would be appropriate. Clearly, my hon. Friend and the all-party group will contribute to that process.

The work is being overseen by the electronic communications working group, which is chaired by ODPM officials and on which there are representatives from local and central Government as well as the industry. It also includes officials from the devolved Administrations—I think that that matter was also raised in the all-party group report. The aims of the group include developing working relationships among Government Departments, local authorities and operators to improve planning procedures continuously. We believe that the work of the group will go a considerable way towards addressing recommendations 3 and 18 of the all-party group's report.

I want to return to the question of planning fees. On 16 September, the Government issued a consultation document entitled "Changes to the System of Planning Fees in England". The document sets out the Government's proposal to raise the fee for installing a telecommunications mast from £220 to £240. However, it is widely acknowledged that such applications to a local planning authority, under both the prior approval and planning permission procedures, result in a disproportionate amount of work for planning officers, as I said earlier. The Government thus consider that there might be justification for charging a still higher fee. I know that the all-party group also supports that view and that the Local Government Association gave evidence to the group to that effect. Network operators also recognised the resource problem in local authorities and responded openly to the group's suggestion that the industry should consider the extent to which it would be reasonable for the fee for applications to fund the shortfall.

In the light of that, we have invited views on whether the work undertaken by local planning authorities on telecommunications mast applications is sufficiently different from the work involved in processing standard applications to justify an increased fee. The review of fees is also considering whether to regulate the process for charging for pre-application discussions, which was another of the all-party group's concerns. The consultation period on fees closes on 9 December, and I would encourage anybody with relevant comments or evidence to respond to the document. The new fees regime will come into force on 1 April 2005.

My hon. Friend raised questions about mast sharing. We agree that the number of telecommunications masts should be kept at a minimum level that is compatible with effective network operation. I assure him that

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Government policy is firmly to encourage mast sharing when appropriate. The conditions attached to the powers granted to individual mobile operators by the Secretary of State for Trade and Industry, which are incorporated in their operating licences, include a requirement for an operator to investigate mast sharing before trying to put up any new mast. It is quite right to stress that it is important for good use to be made of existing masts and other structures when installing new antennae.

My hon. Friend also raised questions about sites and design. There are several different design solutions for masts, and we want to ensure that they are used creatively and innovatively so that masts that look like trees or street furniture may be developed. We can, and want to, do more on that subject.

My hon. Friend also mentioned technical advice. The Government are making available an additional £425 million to local planning authorities over the next three years to help to improve planning performance. The authorities are free to spend the money as they choose. We would welcome the idea of them buying access collectively to telecommunications expertise if that would be more cost-effective.

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at five minutes to Eleven o'clock.

House of Commons

Tuesday 19 October 2004

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

TRANSPORT

The Secretary of State was asked—

Chase Railway Line

1. **Tony Wright** (Cannock Chase) (Lab): What steps are being taken to improve reliability on the Chase line from Birmingham to Cannock, Hednesford and Rugeley. [191988]

The Minister of State, Department for Transport (Mr. Tony McNulty): Poor performance has been a problem on that line, mainly stemming from infrastructure problems. I understand that Network Rail has initiated a project to look at every problem on the line and identify solutions.

Tony Wright: I am grateful to my hon. Friend for that answer. The Chase line, which serves my constituency, has been a huge success in terms of passenger usage since it opened, but its reliability has been a continuing disaster. We need serious investment in that line if we are to get people off the crowded west midlands roads and on to public transport. Will he do some real joined-up thinking and talk to Central Trains, which acknowledges the need for infrastructure investment, and to Network Rail, so that we can achieve some reliability improvements on that line?

Mr. McNulty: I certainly agree with my hon. Friend. As he suggests, the problems are mostly the result of aged infrastructure, and Central Trains has raised the issue, as a matter of major concern, with Network Rail. They have had a number of meetings, and they will meet again today. I will certainly take a keen interest in what flows from that meeting and in the subsequent infrastructure projects that Network Rail proposes, and I will get back to my hon. Friend because I accept his points.

Road Casualties

2. **Mr. Jim Cunningham** (Coventry, South) (Lab): What steps have been taken to reduce the number of road casualties in England since 2003. [191989]

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): Reducing the number of people killed or seriously injured on our roads is the central feature of our wide-ranging road safety strategy. The provisional 2004 first quarter casualty figures show that we are now over halfway towards our 2010 target of achieving a 40 per cent. reduction in the number of people killed or seriously injured and over three quarters towards our 50 per cent. reduction target for children. There is no room for complacency, but I believe that we can be justifiably proud of the progress that we are making.

Mr. Cunningham: I thank my hon. Friend for that answer, but will he tell the House what discussions he has had with the Secretary of State for Education and Skills on road safety training in schools, which is a very important factor?

Mr. Jamieson: I agree that the education of children in better road use is extremely important. I have had recent discussions with the Under-Secretary at the Department of Education and Skills, my hon. Friend the Member for Enfield, Southgate (Mr. Twigg), on that matter and on issues that relate to the School Transport Bill, which covers some wider issues, as well as the safety of children on the journey to school. I am pleased to say that much of the money that has come from my Department and gone to local authorities, through local transport plans and other revenue expenditure funds to create safer journeys to school, has been a large contributor to the massive reduction in the number of children killed and seriously injured on our roads in the past three years.

Mr. Christopher Chope (Christchurch) (Con): The Minister says that he is not being complacent, but why has he not mentioned the fact that road fatalities have been increasing under this Government? Is that not a matter of great concern? Does he not think that the Government are spending too much money on education in relation to obesity and the consequences of smoking in public places but not spending enough money on road safety education? If the Government were concerned about road safety education, why did they not allow safety camera partnership money to be invested in such education?

Mr. Jamieson: I thought that the hon. Gentleman was against safety cameras and that he wanted them all removed. If that were to happen, there would be no such spending on road safety. He says that we are complacent and he often recites lines to suggest that, somehow or other, there was a golden age when he was the Roads Minister and things were better. I do not want to be party political, but for the further information of the House, I remind him that, when he was a Minister, there were 1,000 more deaths and 18,000 more people seriously injured each year on our roads than today. Things are getting very much better. There has been enormous progress in the past three years. I just wish that the hon. Gentleman felt that he could share in the success that we are clearly achieving.

Mr. Michael Clapham (Barnsley, West and Penistone) (Lab): My hon. Friend will be aware that the roadway is a workplace for many people and that about 1,000 of the people killed on the roads each year are professional drivers. Has he given any further thought to how he might work with the Health and Safety Executive to draw up a strategy to prevent those accidents?

Mr. Jamieson: Yes, about 1,000 people each year who die on the roads—about a third of road deaths—are killed in connection with their work. We have had discussions with the Health and Safety Executive for some time to consider ways in which we can make improvements, and many of the larger companies now use a code of practice that relates to the safety on the road of drivers of their company vehicles. Sadly, although some companies probably take health and safety seriously in the workplace, they still do not consider that drivers who have left the factory gate or the office remain their responsibility. We are greatly concerned about that, but I am sure that my hon. Friend would agree that it is a very complex and difficult issue to tackle. Nevertheless, we are focused on it.

John Thurso (Caithness, Sutherland and Easter Ross) (LD): Is the Minister aware of the worrying trend of motor cycle accidents? Motor cycle use last year rose by 10.4 per cent., but accidents rose by 14 per cent., and something like one in five of all those killed on our roads are motor cycle users. Does the Minister accept the recommendations and strategy of the Advisory Group on Motorcycling, and especially its recommendation for a fundamental review of the direct access scheme? What are the Government doing to give effect to those suggestions?

Mr. Jamieson: I thank the hon. Gentleman for his question. One of the reasons why road deaths increased slightly in 2003 was the number of motor cyclists killed on our roads, which is to be regretted. As he said, people on two-wheeled vehicles account for about 20 per cent. of road deaths. The Advisory Group on Motorcycling, which we set up, has met for some time and all motor cycling and safety interests are represented on it. It produced a wide-ranging, sensible and pragmatic report, after which we considered immediately the action that the Government, motor cyclists and the motor cycle media must take. We are seriously examining the matter of direct access to large bikes that he raised to determine whether measures could be implemented to stop people from rapidly accessing very large bikes because sadly a disturbing minority of their riders are killing or seriously injuring themselves.

Mr. Andrew Miller (Ellesmere Port and Neston) (Lab): I congratulate my hon. Friend on the leadership that he has given on the subject. May I follow on from the point made by my hon. Friend the Member for Coventry, South (Mr. Cunningham) and ask the Minister whether he is in constant contact with Government Departments—not only the Department for Education and Skills, but the Home Office and the Department of Health—and other key players to help to bring together a strategy that embraces all aspects of the risks on our roads?

Mr. Jamieson: My hon. Friend will probably know that the strategy is the three E's: enforcement, education—I have forgotten what the other one is, but it will come to me in a moment—*[Laughter.]*—and engineering. Those three things involve not only our Department, but all Departments. We work closely with the Department for Education and Skills on issues relating to school transport and we are also working with the Home Office on enforcement and offences, so other Departments are involved. The good work that is done by local authorities and other road safety organisations also contributes to the improvement in safety on our roads.

Dr. Andrew Murrison (Westbury) (Con): The A36 in my constituency is rightly known locally as death valley. Will the Minister acknowledge the safety case for the long-awaited Codford to Heytesbury improvements and fund them accordingly?

Mr. Jamieson: I would be interested if the hon. Gentleman made that point to his Front-Bench team because it is committed to cutting most of that expenditure. I will happily examine that specific road. If he wants to drop me a line, I shall be happy to have a discussion with him.

Tees Valley Rapid Transit System

3. **Vera Baird** (Redcar) (Lab): What progress is being made with the proposal for a Tees valley rapid transit system. [191990]

The Parliamentary Under-Secretary of State for Transport (Charlotte Atkins): The Department is aware that a rapid transit proposal is being developed for the Tees valley, but no formal bid for funding has been received.

Vera Baird: I am very pleased to have asked what I think is the first question to my hon. Friend in her new role. She is hugely welcome to the Front Bench and we wish her well. I thank her for her reply.

Does my hon. Friend agree that such a potentially key regional project should be verified as a good tool of regeneration or abandoned—the idea has been around for a long time—by a regional transport body? Does she agree that a regional transport body working closely with a directly elected regional assembly is likely to achieve the truest focus?

Charlotte Atkins: I am grateful to my hon. and learned Friend for her kind remarks and welcome. I agree that certain decisions about transport are better taken locally and regionally. Indeed, we introduced local transport plans to encourage local authorities to plan their transport provision. Regional assemblies can help to ensure that such plans are developed throughout a region in an integrated, strategic and far-sighted way.

Mr. Frank Cook (Stockton, North) (Lab): Does the Minister agree that the provision of good-quality transport facilities is essential for economic welfare and advance? Does she also agree that the Tees valley has not really been allowed a proper voice to achieve that status in the past? Would she further agree that it might be able to improve its voice if it were granted city status, as Sunderland was?

Charlotte Atkins: Regrettably, that decision is not for me. However, Tees valley will always have a voice in the Department for Transport. I am willing to welcome my hon. Friend's constituents if they want to speak to me about that. He can be assured that that area will have a voice.

Bus Contracts

4. **Mr. John Grogan** (Selby) (Lab): What plans he has to enable local councils to increase the number of quality bus contracts. [191991]

The Secretary of State for Transport (Mr. Alistair Darling): As announced in the White Paper "The Future of Transport" in July, we shall be bringing forward specific measures to assist councils and passenger transport authorities to improve bus services.

Mr. Grogan: I welcome the development of that policy. Will my right hon. Friend give more thought to rural areas, where local councils may wish to introduce quality bus contracts in order to have more say on routes and frequency of service but, unlike urban areas, passenger transport authorities will find it difficult to introduce bus lanes or measures to deal with congestion in return?

Mr. Darling: I understand my hon. Friend's point about rural bus services. I have said many times that although quality bus contracts might be the answer, and we have shortened the time that it would take to put them in place, there are many good examples of rural bus services that have been provided, such as dial-a-ride and more specific services as opposed to the conventional bus service. Such schemes work well when a good local authority and a good bus company work together. That is the best way to provide bus services in rural areas. They are, of course, offered significant support by the Department.

Chris Grayling (Epsom and Ewell) (Con): May I invite the Secretary of State to visit Stoneleigh in Worcester Park in my constituency where many pensioners are hugely frustrated because the Government allocate substantial funds to Transport for London and little to the counties outside London, which means that their neighbours only a few hundred yards away are entitled to free travel on public transport and they are not?

Mr. Darling: It is a matter for the local authority to help people. There are countless examples of Labour authorities up and down the country that help with concessionary bus fares. The hon. Gentleman's constituents might want to draw a conclusion from that.

Mr. Clive Betts (Sheffield, Attercliffe) (Lab): I thank my right hon. Friend for agreeing to review bus services in Sheffield. Will he join me in congratulating Sheffield city council on launching a major public consultation on the public's views of their local bus services, although it is likely to show that they think that they are bad and getting worse? Does he accept that in undertaking the review the Government will not begin by ruling things out, but will have a genuine open mind and consider all possible ways of improving local bus services so that more people use them, which includes making them more frequent and reliable?

Mr. Darling: Of course we always look at such things with an open mind. If Sheffield, or anywhere else for that matter, has proposals that would encourage bus use, we will see what we can do to support them, as we set out in the White Paper. I remind the House that I said in the summer that the Government are prepared to make additional sums available, especially to the larger transport authorities, provided that the proposed measures will genuinely increase the number of people using buses or other forms of public transport. We are not going to say, "Okay. You can regulate the buses again because you haven't made the thing work in the past." There are too many examples of where councils could do more with the local bus companies, and it is up to them to show the initiative that many other local authorities have shown up and down the country. If Sheffield comes up with proposals, we will of course look at them.

Mr. John Randall (Uxbridge) (Con): Has the Secretary of State taken advice, or is he able to offer advice, on bus request stops and hail-and-ride services in respect of the new disability regulations?

Mr. Darling: The answer to that is no, but I shall certainly consider the matter. It would help if the hon. Gentleman could let me know what he has in mind and what he thinks the difficulty is.

Rail Services (Milton Keynes)

5. **Dr. Phyllis Starkey** (Milton Keynes, South-West) (Lab): What recent discussions the Department has had with the Strategic Rail Authority on rail services from Milton Keynes. [191992]

The Secretary of State for Transport (Mr. Alistair Darling): I have regular meetings with the chairman and other senior members of the SRA to discuss a range of railway matters. May I also draw the attention of the House to the fact that I made a written statement this morning confirming that we intend to reduce the number of railway franchises in line with the proposals I made in July in the White Paper on the future of the railways?

Dr. Starkey: May I draw the attention of the Secretary of State to the fact that the new timetable introduced on 27 September following the SRA's decisions has resulted in a huge deterioration in the quality of rail services to and from Milton Keynes? Commuters now experience very much longer journey times, particularly from Bletchley, but also from Central Milton Keynes. The small number of Virgin trains that now stop at Milton Keynes in the morning are extremely overcrowded while enormous number of Virgin Pendolinos rush half-empty through the station in both directions. The fact that Virgin trains no longer stop at the station creates huge problems for businesses in Milton Keynes whose employees commute to the city from London or the north. Will my right hon. Friend ask the SRA to review its decision, and will he look at ways of increasing capacity at Milton Keynes by extending the platform at Bletchley so that it can take 12-carriage trains and—

Mr. Speaker: Order. I think that the hon. Lady should apply for an Adjournment debate.

Mr. Darling: I shall resist the temptation to reply to an Adjournment debate. My hon. Friend has raised these matters with me before, and I understand her concern. The SRA was anxious to ensure that the new Pendolino trains did not become overcrowded, and also that timetable for trains to the north-west was robust. New Silverlink trains will be available next year, which will increase capacity by about 5,000 seats. However, I will look further at my hon. Friend's concerns. As I said earlier, I was at Milton Keynes station last week, and saw something of the problems that she has encountered. I shall look at the issue and get in touch with her. Although there will be additional train capacity next year, there are no easy answers, because there is tension between long-distance and commuter trains.

Mr. Tim Boswell (Daventry) (Con): Will the Secretary of State also bear in mind the fact that Milton Keynes serves as the railhead for many residents of south Northants and adjacent rural areas? Does he accept that they, too, are concerned about the practical implications for anyone attempting to commute or travel to London through that station?

Mr. Darling: I am aware of that issue. When I was at Milton Keynes station I was en route to the hon. Gentleman's constituency, so I understand the point that he is making. As I told my hon. Friend the Member for Milton Keynes, South-West (Dr. Starkey) a few minutes ago—*[Interruption.]* I think that the hon. Member for Daventry (Mr. Boswell) did know about that visit. We must try to ensure that we have adequate commuter services from Milton Keynes, as they are important not just for the city itself but for the surrounding area.

Mr. Greg Knight (East Yorkshire) (Con): Is the Secretary of State aware that a train service of historic and national significance originates at Milton Keynes and is used by Her Majesty the Queen? Will he confirm that he has no short, medium or long-term plans to scrap the royal train?

Mr. Darling: Not only can I do so but I can report that only recently the royal family confirmed that it wished to maintain and use the royal train. I am sure that it will continue to do so.

Uninsured Drivers

6. **Annette Brooke** (Mid Dorset & North Poole) (LD): What steps his Department (a) has taken and (b) plans to take to reduce the number of uninsured drivers on the roads; and if he will make a statement. [191993]

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): Uninsured drivers on our roads are a menace. We have taken a number of steps to bear down on uninsured driving, including setting up a review of motor insurance arrangements in the United Kingdom by Professor David Greenaway. His report was published on 11 August this year, and we are now taking urgent measures to implement its recommendations. We are working closely with the insurance industry, and we now plan to introduce legislation, further education and enforcement programmes to force uninsured drivers from our roads.

Mrs. Brooke: Does the Minister acknowledge that fines can be as low as £150, which, in many cases, is less than the cost of insurance? Liberal Democrats have long called for higher penalties, as recommended by Greenaway. What will the Minister do as soon as possible to clamp down on the million and more motorists who are creating danger every day and cheating the law-abiding motorist?

Mr. Jamieson: While the Liberal Democrats are calling for action, the Government are taking action. The top end of fines for being uninsured is very high indeed, and we are introducing a range of measures, we hope in legislation, to give power to the police, for example, to seize a vehicle at the side of the road and, if necessary, have it destroyed if someone is driving while uninsured. We are also looking at other measures to improve the insurance database and give police access to it so that they can use automatic number plate-reading cameras to take pictures and identify people who are not only untaxed but uninsured. Recent action that we have taken has considerably reduced the number of uninsured drivers on the road, and we want to drive those figures down further.

Mr. Lindsay Hoyle (Chorley) (Lab): I am sure my hon. Friend is aware of the great campaign for the introduction of insurance discs, which would have the same benefits as tax discs. Is it not time to come into line with other countries that have seen the advantages of insurance discs, which motoring organisations and police alike believe would be of benefit to them?

Mr. Jamieson: The Republic of Ireland has an insurance disc system and it has twice the rate of non-compliance. Professor Greenaway looked at the matter closely and discussed it widely throughout the industry with interested parties. It is not one of the recommendations that he made. I should point out to my hon. Friend that there are people who drive around without a tax disc. It does not stop them doing so. What does stop them is being spotted, with the fines in place and being enforced. We want a similar system for the insurance industry as well, so that a number plate camera can pick up whether a vehicle is insured or not. That will be a much more powerful way of making sure that people cannot get away with driving while uninsured.

Mr. Tim Yeo (South Suffolk) (Con): Will the Minister confirm that as many as one driver in 20 drives without insurance and that the cost of those irresponsible drivers to the responsible motorist exceeds £500 million a year?

Given that he has belatedly adopted one of the key planks in our policy to deal with uninsured drivers, will he explain a little further how toughly he proposes to enforce the new approach? How many vehicles a year does he expect will be confiscated and destroyed if repeat offenders are discovered to be driving without insurance?

Mr. Jamieson: We will introduce legislation in the House, I hope, in the next parliamentary Session, which will give the police the power to seize and destroy such a vehicle. I look forward to the hon. Gentleman's support for that measure. But we are taking a variety of measures, including enforcing more rigorously the vehicle excise duty—the car tax. Hundreds of thousands more vehicles are taxed in this year alone. For a vehicle to be taxed, it must be insured. In the next few weeks we will produce figures that show a substantial increase in the number of taxations and therefore in the number of people who have insured.

Vandalism/Antisocial Behaviour (Rail Stations)

7. **Mr. Huw Edwards** (Monmouth) (Lab): If he will meet representatives of the British Transport police to discuss how to combat vandalism and antisocial behaviour at railway stations. [191994]

The Minister of State, Department for Transport (Mr. Tony McNulty): Over the past year I have had regular meetings with the chief constable of the British Transport police. Next week I am to meet Sir Alistair Graham, the new chair of the British Transport police authority. Among other things I will discuss what action BTP are taking to reduce crime on the railways, including vandalism and antisocial behaviour.

Mr. Edwards: Will my hon. Friend acknowledge that vandalism and antisocial behaviour are a depressing feature of many of our local stations, especially those that are unstaffed, like Chepstow in my constituency? When I recently met representatives of Arriva Trains to discuss the problem, they informed me that since British Transport police are responsible for policing railway stations, their resources are so limited, especially in south Wales and outside the main cities, that the job cannot be adequately done. When my hon. Friend meets the chief constable of British Transport police will he see whether a strategy can be devised whereby the policing responsibility can be effective between BTP and local police stations in order to combat this serious problem?

Mr. McNulty: I undertake to raise those matters with Sir Alistair Graham when I see him next week. Although there has been huge success in tackling graffiti, vandalism and antisocial behaviour in cities and many urban areas and key interchanges, more needs to be done at some of our more rural railway stations. I shall raise with Alistair Graham the specific issues relating to Wales, and when I have something constructive to tell my hon. Friend, I shall do so.

Mr. John Horam (Orpington) (Con): From the Minister's reply, which was very interesting, he seems to accept that the hon. Member for Monmouth (Mr. Edwards) raised an important point. The problem is antisocial behaviour and vandalism not just in railway stations, but around railway stations. A particular problem is open-access stations, such as Pett's Wood in my constituency. There are steps that can be taken—not just the introduction of ticket barriers, but proper staffing, as the hon. Member for Monmouth mentioned. I find train operators resistant to such measures. They speak about the cost and say it is a matter for the police and so on. Will the Minister write to train operators and stress to them the importance of doing something about antisocial behaviour in and around railway stations?

Mr. McNulty: The hon. Gentleman's first point is certainly right, and I recognise that my hon. Friend the Member for Monmouth raised a serious issue. Much is being done in urban areas both in and around stations. In London, the Metropolitan police and community support officers have brigaded both the approaches to key interchanges and key interchanges themselves. The hon. Gentleman makes some fair points, which I shall pass on to the train operating companies and British Transport police.

Airport Security Systems

8. **Mr. Peter Pike** (Burnley) (Lab): What monitoring his Department undertakes to check the effectiveness of airport security systems. [191995]

The Secretary of State for Transport (Mr. Alistair Darling): Although the industry is responsible for implementing the appropriate security measures, my Department carries out a regular programme of compliance monitoring visits.

Mr. Pike: I thank my right hon. Friend for that answer. In this day and age, airport security is unfortunately essential, and that job is not always easy for workers to perform. As well as his Department's independent monitoring of airport security, we should ensure that all airports follow best practice. Does he agree that photographing all passengers, which occurs at Gatwick and Manchester airports, is a good idea that should be introduced into all UK airports?

Mr. Darling: I agree with my hon. Friend that it is important for the Department to continue to inspect security regimes. Airport security is a fact of life and it will remain so for the rest of our lives. Photographing passengers was introduced at Manchester and Gatwick because of those airports' particular layouts, and I suspect that it will be extended to other airports, in which case newer and sometimes more thorough security measures can be introduced at the same time. We will keep the matter under review.

David Taylor (North-West Leicestershire) (Lab/Co-op): Security at airports, including East Midlands airport in north-west Leicestershire, is important. Will the Secretary of State acknowledge that in addition to the security offered by airport operators, civil servants, Customs officers and others have an important subsidiary role to play? Does he share the concerns of those people who have contacted me from East Midlands airport that the reductions in staff associated with the Chancellor's plan might imperil security?

Mr. Darling: I am not sure that those fears are particularly well grounded. The Chancellor's proposed reductions in civil service numbers are independent of security considerations. As far as security is concerned, we make sure that adequate security cover exists at each airport. Such matters are reviewed from time to time, but the Chancellor's proposals on Customs and Excise officers are not related to safety. If my hon. Friend has a particular concern, however, I will, of course, be pleased to hear from him.

Fuel Prices (Haulage Industry)

9. **Mr. Bill Wiggin** (Leominster) (Con): What recent representations he has received about the effect of fuel prices on the competitiveness of the road haulage industry. [191996]

The Secretary of State for Transport (Mr. Alistair Darling): The Government have regular discussions with the haulage industry through the Road Haulage Forum, and meetings with the Road Haulage Association and the Freight Transport Association.

Mr. Wiggin: The AA says that the average fuel price is 83.5p per litre in the UK—it is 84p per litre in Wales—but it is 61.85p per litre in France. The Government take 71.3 per cent. or 59p per litre in tax, which is 2p less than the French pay in total. The UK fuel price has increased by 0.7p per litre in the past month and is the most expensive in the EU. With such a tax burden, how does the Secretary of State expect UK hauliers to remain in business?

Mr. Darling: The hon. Gentleman no doubt knows that in broad terms successive Governments have taken the view that a certain proportion of expenditure should be financed by fuel taxation. He also knows that anyone who conducts a business in France must pay costs that British hauliers do not have to pay, such as employment costs, insurance costs and social costs. I am surprised that the hon. Gentleman advocates that course of action.

Mr. David Chaytor (Bury, North) (Lab): Given that the United Kingdom is shortly to become a net importer of oil and that we face the global peak of oil production by the end of the decade, is not the real issue for competitiveness to increase the fuel efficiency of large vehicles and to encourage the use of more biofuels?

Mr. Darling: I agree with my hon. Friend. Even were there limitless supplies of fossil fuels, which of course there are not, it would still be necessary, for competitive and for good environmental reasons, to improve the fuel efficiency of vehicles. Engines generally are cleaner and much more efficient than they were 10 or 20 years ago. The Government support that trend and want to encourage it—the road haulage modernisation fund is one way in which we do so. There are some very good examples of new technology that are improving matters.

Looking further ahead, we need to invest in the possibilities of using fuels such as hydrogen and liquefied gas. Many initiatives are being financed by the Government and supported by the industry, all of which are absolutely necessary in their own right, as well as for the obvious reason that fossil fuels are, by their very nature, finite.

Pete Wishart (North Tayside) (SNP): Can the Secretary of State explain why Scotland's hauliers have to endure higher fuel prices than the rest of the United Kingdom? What he is doing to address that?

Mr. Darling: On the basis of my experience, I can tell the hon. Gentleman that if he travels around Scotland he will see a wide range of fuel prices. Indeed, in the city in my constituency petrol is cheaper than in many parts of England. The hon. Gentleman sometimes looks at the United Kingdom through a set of blinkers that is extremely narrow even by his standards. He cannot get away with this nonsense that everything in Scotland is bad and everything in England is good, because the facts do not support that argument.

Mr. Patrick McLoughlin (West Derbyshire) (Con): This is the manifesto on which the Secretary of State fought the last general election:

> "We will . . . ensure that hauliers from overseas pay their fair share towards the cost of our roads."

Many British hauliers feel that they are unfairly treated compared with their European competitors who trade in this country. What is the Secretary of State doing about implementing his manifesto commitment?

Mr. Darling: I shall tell the hon. Gentleman what we are doing. We will introduce the lorry road user charging regime, which is under development at the moment—[HON. MEMBERS: "When?"] Conservative Members say, "When?", but they always give the distinct impression that they are dead against it. It is supported by the industry and is on track to be introduced in 2007–08. I believe that it will be a far better way of charging lorries and, as I have told the House many times, there is great potential for taking the same approach to general road pricing if that proves technically possible. That is what we are doing, and I am glad that the hon. Gentleman now supports us.

Rev. Martin Smyth (Belfast, South) (UUP): The Secretary of State referred to the way in which taxes in France work. Does he agree that the remoter areas of the United Kingdom suffer because the competitiveness of their manufacturing industry is hit as well as the road haulage industry?

Mr. Darling: I understand the hon. Gentleman's point. I am aware of the concern in Northern Ireland about the fuel price differential between it and the Republic. A whole series of issues must be taken into consideration in relation to competitiveness, including labour costs, the availability of skilled labour, and the general environment for doing business. The hon. Gentleman will be well aware that many businesses in Northern Ireland are successful because of the amount of investment and people's determination to improve their economic circumstances. I readily agree that fuel tax is a consideration, but there are many others.

Mr. Tim Yeo (South Suffolk) (Con): Will the Secretary of State confirm that the rise in fuel duty since July alone, which was mentioned by my hon. Friend the Member for Leominster (Mr. Wiggin), is costing the average haulier £5,000 per lorry? As fuel in Britain now costs at least 20p per litre more than in several other European countries, why have not the Government absolutely ruled out the 1.9p per litre duty increase that the Chancellor merely postponed from September until November? Why are they going to dither around for another four years before tackling the unfair competitive advantage that continental hauliers have over their British counterparts?

Mr. Darling: First, fuel duty has not increased since July. Fuel prices have gone up but that is because of what is happening to world prices. Progress is being made on lorry road user charging. However, given successive Governments' difficulties with big IT projects, it is important that we get the detail right. We are working closely with the industry to introduce lorry road user charging.

The hon. Gentleman asked about fuel duty. The Chancellor made it clear that he will revert to that when he presents his pre-Budget report in the autumn.

Rail Network (South Yorkshire)

10. **Helen Jackson** (Sheffield, Hillsborough) (Lab): What plans he has to bring about improvements to the rail network in South Yorkshire. [191997]

The Minister of State, Department for Transport (Mr. Tony McNulty): Sheffield station will receive a major refurbishment, which is expected to be completed in 2007. The midland main line and transPennine express franchises include the provision of new rolling stock, leading to increased capacity, improved service quality and improved performance and reliability.

Helen Jackson: I thank my hon. Friend for his answer. I have asked at previous Question Times about better links from South Yorkshire to major cities such as Manchester and Leeds. However, although the enhanced faster service to Leeds is welcome, it has been established at the expense of stopping trains between towns in South Yorkshire. That is serious because there is a huge job improvement programme in south Yorkshire through objective 1 areas, and public transport is simply not keeping pace with the jobs that are being created. Will my hon. Friend reconsider investment that allows services to Chapeltown, Elsecar and the other stations that are losing services to be reinstated, as well as maintaining the fast link to Leeds?

Mr. McNulty: I take my hon. Friend's point. There needs to be a balance between connections to various cities in the north, job opportunities and the stopping services. We keep that constantly under review, both in the wider scheme of things in our general strategy and through rail substitution and other matters in the local transport plan.

Mr. Richard Allan (Sheffield, Hallam) (LD): Does the Minister support the efforts of the Hope Valley rail users group to get more evening train services from Manchester to stop at Dore station in South Yorkshire to relieve the appalling overcrowding on the evening services on that line?

Mr. McNulty: The honest answer is no, because I do not know anything about that. Let me find out some more in the context of the new transPennine express franchise and I shall happily get back to the hon. Gentleman.

John McDonnell (Hayes and Harlington) (Lab): In examining the available resources for improvements in the region, will my hon. Friend reconsider the escalating costs of the tendering process for Northern Rail? In a parliamentary answer in June, he estimated that the cost had risen to £3.9 million. Further delays mean that the cost will have increased again. My hon. Friend could avoid those costs by implementing Labour party conference policy to bring Northern Rail back into the public sector.

Mr. McNulty: I understand that the Strategic Rail Authority let the northern franchise at 11 o'clock this morning. In the context of the broader issue, whatever happened at the party conference, the Secretary of State made clear the Government's position on rail in the two White Papers that were issued in July. That is the way in which the Government will take the matter forward.

Rail Network (Disabled Access)

11. **Jon Trickett** (Hemsworth) (Lab): If he will make a statement on disabled access for users of electronic mobility scooters to the rail network. [191998]

The Parliamentary Under-Secretary of State for Transport (Charlotte Atkins): Scooters are generally not considered to be suitable for carriage on trains. That is because of concerns over size, weight, manoeuvrability and stability. However, some train operators will carry smaller models. I shall place a copy of my letter of 13 October to my hon. Friend in the Libraries of both Houses.

Jon Trickett: I thank my hon. Friend for her answer. Mr. Gill, my constituent, was recently prevented from making a journey on GNER because his scooter was not considered suitable. He is one of several thousand constituents who are disabled. Will my hon. Friend continue to keep the matter under review as technology changes and develops and scooters become smaller and lighter? Is it possible to convene a meeting with the rail operating companies and others to ascertain whether the issue can be pushed forward at a later stage?

Charlotte Atkins: I certainly will. A recent trial involved South West Trains attempting to board a range of scooter models on different sorts of trains, and it showed the difficulty of a single policy on motorised scooters. In the light of new scooter availability, some train operators are re-examining their current policies to allow smaller scooters on to their trains. We are reviewing the legal position of scooters and gathering views from stakeholders about current laws on their use.

Mr. Archie Norman (Tunbridge Wells) (Con): Does the Minister recall the Transport Select Committee saying that there was not much point in spending billions of pounds making trains accessible if disabled people could not get on to the platforms in the first place in order to get on to the trains? Is she aware that the then Minister of State, the hon. Member for Pontypridd (Dr. Howells), wrote to me in June to say that there would be a

"nationally prioritised, ring fenced Access for All fund",

which would start to address this problem, on which the Government would consult in the autumn? It is now autumn, so will the Minister give the House an update on how the consultation in going and on how large the fund is going to be? What hope can she offer to my disabled constituents in west Kent, where there is not a single disabled-friendly station?

Charlotte Atkins: I am not aware of the statement that my hon. Friend made in June. However, we are looking at the whole issue of accessibility and we are committed to ensuring that disabled people have access, but there is no law to require train operating companies to carry scooters. As the technology and the models improve, however, I am sure that there will be a way of ensuring that disabled persons can use trains more effectively. This is a priority for the Department for Transport and I shall certainly make it a priority for me.

Miss Anne Begg (Aberdeen, South) (Lab): If the Minister looks at early-day motion 1740, she will find that in it I condemn Southern for still operating slam-door trains, on which people in wheelchairs have to travel in the guard's van. That happened to me last Tuesday, when I boarded a train at London Bridge and discovered that that was the only way in which I could travel. I was going to Dorking, but I could not get off the train at Dorking because that station is not accessible, so I had to get off at Redhill. These slam-door trains are old rolling stock, and this is a barbaric practice. I was not in a big scooter; I was in a very small, lightweight wheelchair. The guard's van was little better than a cattle truck and, in this day and age, we should be doing something to stop this practice.

Charlotte Atkins: I certainly regret that incident. I have seen my hon. Friend's early-day motion and I sympathise with her. It is ridiculous, in this day and age, that any lady or gentleman should have to travel in a carriage that is almost a cattle truck. That is unacceptable. Obviously, as the new rolling stock comes on stream those arrangements will be ended, but my hon. Friend has made her point very strongly. I am sure that no operating company would want there to be a repeat of that experience, and that they would want to assure her and her colleagues that it will not happen again.

Mr. James Gray (North Wiltshire) (Con): The Minister said that the train operating companies have no legal responsibility to carry powered scooters. How, then, does she explain the fact that First Great Western has told my constituent, Mr. Graham Coe of Downing street, Chippenham—he lives at No. 67, not No. 10—not only that he may not take his scooter on the train, even though he has done so successfully for the past six years, but that he may not take it on to the platform for fear that he might crash into other passengers? First Great Western tells me that this is not its fault and that the Department for Transport was looking into providing kitemarks for scooters, but that it has now stopped doing that. Will the Minister assure First Great Western that it is her intention to allow constituents such as Mr. Coe maximum access to First Great Western trains, and that she will do whatever she can to avoid this perverse consequence of the Disability Discrimination Act 1995?

Charlotte Atkins: We will certainly look at all those issues, but it is clearly a matter for the train operating company whether it allows access. I would be interested to see the hon. Gentleman's correspondence on that matter, and if he shows me a copy of it I will certainly respond to him in detail.

Flight Paths

12. **Andrew Selous** (South-West Bedfordshire) (Con): If he will make a statement on the criteria for changing airport flight paths. [191999]

The Parliamentary Under-Secretary of State for Transport (Charlotte Atkins): Airport flight paths are changed through the Civil Aviation Authority's airspace change process. The CAA sets out the criteria for assessing airspace change proposals in its civil air publications 724 and 725, which are available on its website.

Andrew Selous: Luton airport's option 3A flight path proposal, if accepted, would leave Leighton Buzzard as the only town on the whole flight path to be directly overflown. If Luton airport is to be allowed to expand from 7 million to 28 million passengers a year, will the Minister ensure that such expansion would be allowed only along flight paths that do not overfly major growing towns such as Leighton Buzzard? If the directorate of airspace policy allows option 3A, will the Minister call in that decision, as it would be wholly unacceptable to the residents of Leighton Buzzard?

Charlotte Atkins: I understand that the hon. Gentleman has recently met the Civil Aviation Authority to discuss the informal consultation on proposed changes around Luton. I understand his concerns about Leighton Buzzard being overflown should the 3A proposal go ahead. At this initial stage, I agree to meet him should he want to push forward those issues. Should the matter come to me later, however, I could not meet him at that stage.

CABINET OFFICE

The Chancellor of the Duchy of Lancaster was asked—

Government Services (E-delivery)

20. **Miss Anne Begg** (Aberdeen, South) (Lab): What plans he has to develop the electronic delivery of government services to improve access for disadvantaged groups. [192009]

The Minister for the Cabinet Office (Ruth Kelly): The new Directgov site is the main access point for the electronic delivery of government services. It draws together a comprehensive range of information and services from the whole of government, making it easier for all people to access. "Disabled People and Carers", one of the launched sections of Directgov, focuses on the needs and services required by disadvantaged groups.

Miss Begg: I thank the Minister for that reply. The Disability Rights Commission has produced guidelines to ensure that web design in particular is as accessible to disabled people as possible. Those consist of fairly easy-to-follow instructions on how to make web pages clearer and easier to use. Will the Government set a standard ensuring that all Government websites comply with those guidelines, to make sure that everybody in society can access Government services?

Ruth Kelly: My hon. Friend is absolutely right to draw attention to the need to make websites as accessible as possible to disabled users. That is why, in 2001, the Government adopted those guidelines. Clearly, however, there is a long way to go. About half of Government websites are currently compliant with the guidelines, which compares favourably with the private sector, in which about one in five websites are compliant. As of this month, however, the Government have said that all websites with "gov.uk" attached to them must be compliant to be able to use that in their address.

Mr. Richard Allan (Sheffield, Hallam) (LD): I welcome the Minister to her new position. Will she, at an early date, discuss with the new head of the e-government unit the development of standard procedures for the audit of e-government services at both local and central Government level, so that we can understand which social groups are using them and, importantly, which social groups are not using them and what the barriers are to access?

Ruth Kelly: The hon. Gentleman is absolutely right to draw attention to the fact that there are key barriers to encouraging people to use the internet and digital technology. For example, we already know that income plays a great role, with only 12 per cent. of the lowest income group having home internet access, compared with 86 per cent. of the highest income group. Age also plays a big role, as does motivation. Of course, the head of the e-government unit, Ian Watmore, who has recently taken up his post, has as part of his responsibility the encouragement of the transformation of e-government services. As part of that project, we will examine in great detail the barriers that remain to web take-up.

Civil Service (Disabled Representation)

21. **Lawrie Quinn** (Scarborough and Whitby) (Lab): What action is being taken to ensure that people with disabilities are represented across the civil service. [192010]

The Minister for the Cabinet Office (Ruth Kelly): The Government are committed to increasing the representation of disabled people in the civil service. The latest published figures show that 4.3 per cent. of civil servants are disabled, which is up from 1 per cent. in 1998. Action to increase representation of disabled people includes a bursary scheme for disabled staff with high potential and a summer placement scheme to encourage disabled applicants to join the graduate fast stream.

Lawrie Quinn: Everyone in the House would commend the Government for the progress that has been made to encourage people with disabilities to come into the civil service. The Minister's ambition is surely to make sure that the civil service reflects the composition of society as a whole. Can she say a little more about how she proposes to ensure that people who are already in the civil service can develop their fullest potential, and that the top ranks of the civil service also reflect the composition of wider society, while obviously also being based on merit and not just on quota or any other device?

Ruth Kelly: My hon. Friend is right to draw attention to the challenge that we face in trying to open up the senior civil service, in particular, to disabled people. In that context the challenge is much greater, and progress much slower.

One of the most important things that we can do, through the summer placement scheme, is to give disabled people access to work placements for six to eight weeks, which enables them to gain work experience similar to that of fast-stream applicants. However, we must also change the culture of the senior civil service so that it recognises the contribution made by disabled people. I believe that the Cabinet Secretary has committed the service to that change in its cultural approach.

Rev. Martin Smyth (Belfast, South) (UUP): I welcome the improvement in numbers, but can the Minister tell us how much of it has taken place in the Department of Health and its personal social services division, which ought to be leading the way in this regard, and which Departments may be lagging behind?

Ruth Kelly: In the drive to include the whole civil service in this initiative, it is of course the Cabinet Office's responsibility to set best practice guidelines, change the organisational culture of the service and encourage people to declare themselves disabled. We know that people are reluctant to do so when they have to name themselves. In addition, however, each Department must take up the challenge. The Cabinet

Office is committed to organisational changes and is encouraging other Departments to introduce them, but I will draw the hon. Gentleman's specific comments to the attention of the Minister involved.

Public Appointments (Diversity)

22. **Keith Vaz** (Leicester, East) (Lab): What steps he is taking to promote diversity in the appointments he makes. [192011]

The Chancellor of the Duchy of Lancaster (Mr. Alan Milburn): The Duchy of Lancaster has a policy of equal opportunities in respect of both internal and external appointments. When dealing with magisterial appointments, advisory committees follow the directions prepared by the Department for Constitutional Affairs. I have ensured that, wherever appropriate, best practice and the Cabinet Office guidelines are followed.

Keith Vaz: I congratulate my right hon. Friend on his appointment to his new post and welcome his statement, but lament the fact that of the 191 appointments made by his predecessors, only seven have been of Asian origin. I cannot give him the number of appointees of Afro-Caribbean origin, because the Department will not tell me what it is.

Does my right hon. Friend not agree that although the political will is there—as expressed by him—the implementation is not? What steps will he take, now that he is vigorous and fresh in his new post, to ensure that the diversity agenda is expressed in the appointments that he makes?

Mr. Milburn: I am extremely grateful for my hon. Friend's support. I suspect that I shall need it.

Last week I met Sir Michael Bunbury, chairman of the Duchy Council, and Paul Clarke, chief executive and clerk of the council, to discuss precisely those issues. I reiterated, as I reiterate to the House now, the importance of securing a reasonable representation of the public in, especially, the appointment of magistrates. Over the last few years there has been a 73 per cent. increase in the number of Duchy appointments of magistrates from ethnic minorities, although there is clearly more progress to be made. My hon. Friend will also be pleased to learn that phase 2 of the magistrate shadowing scheme, which is intended to attract more magistrates from the black and ethnic minority community, has targeted 12 areas across the country including not only Lancashire but, I am happy to say, Leicester.

Dr. Julian Lewis (New Forest, East) (Con): On behalf of the Opposition, I welcome both Ministers to their new responsibilities—although they were formerly discharged by a single Minister at non-Cabinet level. May I reassure the Minister for the Cabinet Office in particular that, while she may have only half the job title, I am sure that she will be doing all the work?

What advice has the Chancellor received from Alastair Campbell on the question of diversity of appointments, given that official calls to Alastair Campbell are now directed to a Cabinet Office secretary employed at No. 10 Downing street? Is this one more diverse appointment that has yet to be reported publicly?

Mr. Milburn: I am extremely grateful to the hon. Gentleman for his support. With him, it is not so much a question of the poisoned chalice as the poison; however, I am grateful—one takes what one can get in this job. *[Interruption.]* As he says, I am sure that there will be a lot more to come, but if I were him I would take heed of one piece of advice. *[Interruption.]* I am just about to answer the question, if the hon. Gentleman will pipe down for a moment. He says that a single Minister previously did this job, and he and his hon. Friends have made the absurd allegation that the current post is a waste of public money. That is a bit rich given that, according to my figures, the Opposition's Short money has been increased by 400 per cent. since 1997. Given the performance of the hon. Gentleman and rest of the Opposition, one wonders what they are doing with it.

Congenital Heart Disease (Exemption from Prescription Charges)

12.30 pm

Mr. Ivan Henderson (Harwich) (Lab): I beg to move,

That leave be given to bring in a Bill to exempt those who suffer from congenital heart disease from prescription charges.

The Government have achieved a lot in drawing attention to the importance of a healthy lifestyle. They can take much credit for the fact that there is far greater public awareness of the need to make lifestyle choices in order to avoid heart disease. I have tabled this ten-minute Bill on behalf of a group of people for whom the ability to improve their health by pursuing a healthy lifestyle is not an option. Those born with complex congenital heart disorders face a life in which ill fortune has decided that no amount of exercise, healthy diets or avoidance of unhealthy living will allow them to live free from the rigours of a heart that does not function properly.

Avoiding cigarettes, alcohol or junk food will not offer them the level of health that most of us take for granted. Their condition denies them the choices that we enjoy about how we live our lives, and how much importance we place on lifestyle. Most of us make conscious, informed decisions as to whether we smoke or drink, or take regular exercise to try to keep our hearts in good shape. Those born with a congenital heart disorder do not share those choices.

Congenital heart disease is a heart condition resulting from an abnormality in the heart's structure or function that is present at birth. Most congenital heart conditions occur because the heart or its valves and vessels are not properly formed. Additional defects such as holes between the chambers of the heart may also be present.

The House will be aware of the Grown Up Congenital Heart Patients Association. GUCH is a charity that was formed 10 years ago by Professor Jane Summerville, who was then a member of staff at the Royal Brompton hospital, and is the only national charity run by patients on behalf of patients. One of my constituents, Stephanie Tyrer, is a founder member of GUCH, and she is listening very intently as I present this Bill.

I wish to make the House aware of Stephanie's life, as it is typical of those with a complex congenital heart disorder. It is a story of the strength, determination and courage that is necessary if those with such a disorder are to reach adulthood and face the enormous difficulty of simply trying to live a normal adult life. When Stephanie was born, her parents were told to take her home and enjoy her while they had the opportunity. At only 18 months old, she underwent major surgery that was designed to prolong her life. Remarkably, that procedure is still functioning 35 years later.

When Stephanie reached school age, her parents were actually asked if it was worth educating their daughter, given that she was terminally ill. During her teenage years, it became necessary for oxygen to be administered at home, and shortly after her 18th birthday, Stephanie suffered her first heart attack. As a result of constant infections and hospitalisation, she was forced to leave school before taking her A-levels because she was too ill to continue her education. What a tragedy for a person who later achieved membership of Mensa.

In spite of her ill health, Stephanie has dedicated her life to aiding others. As a result of her charity work through Rotaract, Rotary International awarded her the Paul Harris fellowship—the first time that a member of Rotaract achieved this honour. Stephanie is also a keen environmentalist. She has campaigned with me, and—it is only fair to say—against me when our views on a particular environmental issue have differed. She is a highly intelligent, extremely determined and totally motivated woman; if she were not, her condition would have made it impossible for her to achieve a fraction of what she has achieved.

Stephanie lives a few hundred yards from me in my Harwich constituency. I could not begin to imagine how much the effort of coming to Westminster today has taken out of her, and how many days it will take for her to recover from that exertion. It is a journey that does nothing more than irritate myself and fellow Members if our trains are delayed.

Stephanie is one of around 149,000 inhabitants of the United Kingdom who suffer from a congenital heart disorder. The particular significance of those represented by GUCH is that they have become adults and have to face adulthood in a society that is ill prepared to offer them the support that they require and deserve. By that, I am not suggesting that they are denied medical facilities, but those with a complex congenital condition are often denied the opportunity to work, to obtain insurance, to take out a mortgage that would allow them to own their own home and many other basic opportunities that we take for granted.

Those who are fortunate enough to obtain the basic independence and dignity of employment have to pay prescription charges for the drugs that are necessary to keep them alive. That is the specific point that my Bill is intended to address. Since I tabled it, I have received a letter from a constituent, Benjamin Dale, who provides a clear example of the inequality that currently exists. His sister suffers from diabetes and receives her prescriptions free of charge. He has congenital heart disorder and is subject to prescription charges. I believe that those suffering from a congenital heart disorder deserve the same Government support. Their condition does not result from poor lifestyle choices and it most certainly does not result from a lack of willingness to help themselves. They have simply been born with a congenital heart disorder and I believe that they should not have to face the additional burden in adult life of finding the money to pay for the medication that is necessary to keep them alive. Thanks to the availability of pre-payment prescription certificates, the cost can be restricted to £91.80. If such certificates were not available, the cost could easily exceed £500. In my opinion, no cost should be incurred.

In the year 2000, there were 149,000 adults in this country with a congenital heart condition and that number is predicted to rise to 185,000 by the year 2010. In the past, only one in five children born with such a condition achieved adulthood but now, thanks to better diagnosis, better facilities and a greater understanding of the condition, more than 80 per cent. survive into adulthood. It is important that the support and assistance that enables them to achieve adulthood is then tailored to provide the kind of support and assistance that is relevant to adult life.

[Mr. Ivan Henderson]

Around 4,500 babies are born each year with a congenital heart condition—a figure that represents approximately one in every 145 births. Every Member of the House will have constituents who suffer from a congenital heart disorder and who strive to live as normal a life as possible. The simple truth is, however, that to live as near a normal life as possible requires a strength and determination that we can only begin to imagine and everything that can be done to reduce the burden should be done. The Government have a good record of acknowledging such situations and taking the necessary action to offer assistance where possible.

This is one such case and it is a case that does not affect a particularly large number of people. Out of the 149,000 people with congenital heart disorders, we are talking only about those who have a complex congenital heart disorder, have reached adulthood and who are eligible to pay prescription charges. Those people, represented by GUCH, deserve the support of the Government and I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Ivan Henderson, Mr. Stephen McCabe, Mr. Tony Clarke, Mr. Anthony D. Wright, Mr. Stephen Hepburn, Ms Dari Taylor, Dr. Howard Stoate, Bob Russell, Mr. Kevan Jones, Andrew George, Mr. John Bercow and Dr. Doug Naysmith.

CONGENITAL HEART DISEASE (EXEMPTION FROM PRESCRIPTION CHARGES) BILL

Mr. Ivan Henderson accordingly presented a Bill to exempt those who suffer from congenital heart disease from prescription charges. And the same was read the First time; and ordered to be read a Second time on Friday 5 November, and to be printed [Bill 164].

Orders of the Day

Companies (Audit, Investigations and Community Enterprise) Bill [*Lords*]

As amended in the Standing Committee, considered.

New Clause 1

AMENDMENT OF COMPANIES ACT 1985: LIMIT ON AUDITOR'S LIABILITY (NO.1)

'(1) Section 310 of the Companies Act 1985 (c 6) (provisions exempting officers and auditors from liability) is amended as follows.

(2) In subsection (2) delete "subsection" and insert "subsections".

(3) After subsection (3) insert—

"(4) A company may, in pursuance of such a provision, enter a contract with any such auditor to limit any liability which by virtue of any rule of law would otherwise attach to him in respect of any such negligence, default or breach of duty to an amount equal to the proportion of the total loss or damage suffered which is directly attributable to the negligence, default or breach of duty of the auditor having regard to the contribution to the loss or damage of any other person provided such contract is approved by members in general meeting".'.—*[Mr. Andrew Mitchell.]*

Brought up, and read the First time.

12.40 pm

Mr. Andrew Mitchell (Sutton Coldfield): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to discuss the following:

New clause 2—*Amendment of Companies Act 1985: limit on auditor's liability (No.2)*—

'(1) Section 310 of the Companies Act 1985 (c 6) (provisions exempting officers and auditors from liability) is amended as follows.

(2) In subsection (2) delete "subsection" and insert "subsections".

(3) After subsection (3) insert—

"(4) A company may, in pursuance of such a provision, enter a contract with any such auditor to limit any liability which by virtue of any rule of law would otherwise attach to him in respect of any such negligence, default or breach of duty to an amount equal to twenty times the fees paid in respect of the audit of the company, provided such contract is approved by members in general meeting.

(5) Where an act of negligence, default or breach of duty arises in two or more consecutive periods of account, the liability under subsection (5) shall be restricted to twenty times the average of the audit fee for the company for those periods of account".'.

New clause 3—*Amendment of Companies Act 1985: limit on auditor's liability (No.3)*—

'(1) Section 310 of the Companies Act 1985 (c 6) (provisions exempting officers and auditors from liability) is amended as follows.

(2) In subsection (2) delete "subsection" and insert "subsections".

(3) After subsection (3) insert—

"(4) A company may, in pursuance of such a provision, enter a contract with any such auditor to limit any liability which by virtue of any rule of law would otherwise attach to him in respect of any such negligence, default or breach of duty to the sum of £75 million.

(5) Where the company is a member of a group of companies the sum of £75 million shall be divided between members of the group pro rata to the audit fee charged to each company within the group, provided such contract is approved by members in general meeting.

(6) Where an act of negligence, default or breach of duty arises in two or more consecutive periods of account, the liability under subsection (4) shall be restricted to £75 million for those periods of account".'.

New clause 4—*Amendment of Companies Act 1985: limit on auditor's liability (No.4)*—

'Section 310(3) of the Companies Act 1985 (c 6) (provisions exempting officers and auditors from liability) is amended, by adding at the end—

"(iii) From entering a contract with its auditors to limit their liability in respect of any negligence, default or breach of duty provided such contract is approved by members in general meeting.".'.

New clause 5—*Limit on auditor's liability (No.1)*—

'The liability of an auditor which by virtue of any rule of law would otherwise attach to him in respect of negligence, default or breach of duty shall be limited to an amount equal to the proportion of the total loss or damage suffered which is directly attributable to the negligence, default or breach of duty of the auditor, having regard to the contribution to the loss or damage of any other person.'.

New clause 6—*Limit on auditor's liability (No.2)*—

'(1) The liability of an auditor which by virtue of any rule of law would otherwise attach to him in respect of any negligence, default or breach of duty shall be limited to an amount equal to twenty times the fees paid in respect of the audit of the company.

(2) Where an act of negligence, default or breach of duty arises in two or more consecutive periods of account, liability under subsection (1) shall be restricted to twenty times the average of the audit fee for the company for those periods of account.'.

New clause 7—*Limit on auditor's liability (No.3)*—

'(1) The liability of an auditor in respect of any liability which by virtue of any rule of law would otherwise attach to him in respect of any negligence, default or breach of duty shall be limited to the sum of £75 million.

(2) Where the company is a member of a group of companies, the sum of £75 million specified in subsection (1)(b) shall be divided between members of the group pro rata to the audit fee charged to each company within the group.'.

New clause 8—*Limit on auditor's liability (No.4)*—

'(1) The liability of an auditor in respect of any liability which by virtue of any rule of law would otherwise attach to him in respect of any negligence, default or breach of duty shall be limited to the lower of—

(a) an amount equal to the proportion of the total loss or damage suffered which is directly attributable to the negligence, default or breach of duty of the auditor having regard to the contribution to the loss or damage of any other person; and

(b) the sum of £75 million.

(2) Where the company is a member of a group of companies, the sum of £75 million specified in subsection (1)(b) shall be divided between members of the group pro rata to the audit fee charged to each company within the group.'.

New clause 10—*Amendment of the Companies Act 1985: Exemption, indemnity and limits on auditor's liability*—

'(1) Section 310 of the Companies Act 1985 (c.6) (provisions exempting offices and auditors from liability) is amended as follows.

(2) At the end of subsection (1) add—

"; but before considering any exemption, indemnity or limit on auditor liability, the auditors shall prepare a statement of terms for the approval of shareholders and the information of employees.

(2) A statement prepared in pursuance of subsection (1) shall—

(a) recognise a duty of care owed to each individual who is a shareholder or employee;

(b) recognise the auditor's duty to detect material fraud; and

(c) set out how the audit working papers and files to which any exemptions, indemnity or limit of liability is applied will be made fully available to the listing and regulatory authorities.".'.

Mr. Mitchell: I begin by drawing the House's attention to my interests, which are declared in the Register of Members' Interests. This is an interesting, complex and much discussed Bill, and on Second Reading I specified the matters of concern that the Opposition wished to discuss in Standing Committee. The matters that we have not brought back to the House for discussion on Report today include the independent monitoring of major audits, the levy, and the unduly burdensome and onerous obligations that the Bill places on those below board level.

In Committee, we also discussed the nature of disciplinary hearings, the effect on them of the European convention of human rights, and individuals' right to representation. The Committee divided on a number of these matters and in the votes on independent monitoring of major audits and on fair disciplinary hearings the Conservative Opposition had the support of Liberal Democrat Members. Unfortunately, we were not successful in either.

Conservative Members forced a vote on the levy without the support of Liberal Democrat Members. We believe the levy to be very burdensome for business, and the Government have said already that they expect there to be a 400 per cent. increase in the level. I am sorry to say that we were again unsuccessful in persuading the Government to move on that matter.

Many important matters were raised in the two days of Committee sittings, but the Minister showed herself to be unflinching, and she remained unmoved by the arguments that we presented. However, since then I have received a very decent letter from her, in which she accepted that the Opposition had identified one lacuna—as she called it—that will be put right today. Obviously we are grateful to her for that.

Today, we shall bring to the Floor of the House the issue of auditor liability, which is covered by these new clauses. We shall then spend some time on the extremely important question of the investigatory powers available to officials of the Department of Trade and Industry. Also, given that lack of time meant that we were unable fully to discuss part 2 of the Bill in Standing Committee, a probing amendment has been tabled to allow the House to discuss the question of community interest companies, if they so wish.

In general, the Bill is unexceptional and modest, but it does not touch on the really big question of auditor liability, even though the DTI consulted on it. The issue is rather like the elephant in the drawing room, in that the Government seem to want to ignore it.

The Opposition's concerns about liability have nothing to do with the auditing profession, which, as far as I know, is not a specific target for the Conservative

[Mr. Mitchell]

party at the next general election. Indeed, I have spoken out on the Floor of the House against various tax schemes invented by auditors that deprive the Exchequer of national insurance and tax funds to which it is entitled. I yield to no one, therefore, in my vigorous distaste for sophisticated avoidance schemes. It is wrong, for example, for a doctor earning £60,000 or £70,000 a year to pay 40 per cent. income tax while a well paid and heavily bonused American banker working in the City does not.

The comments that I make today about auditing are not so much about the position of the auditing profession, but about the good and proper management of the UK corporate system. Apart from auditors, I can think of no other group in commercial life in Britain that can neither limit their liabilities through insurance nor by contract with their customers. Auditors, as far as I know, are the only group stuck in that position. They are in that position because of section 310 of the Companies Act 1985. The measure was first introduced in 1929—some 75 years ago—under a Conservative Government, as the Minister was kind enough to remind us in Committee, and was designed to deal with collusive relationships between companies and their auditors. Those relationships were at the expense of the shareholders and Parliament rightly decided that action should be taken.

It is bizarre that men and women in the auditing profession are asked to take on personal risks that the insurance market, with all its resources, experience and analysis, now says are unacceptable.

Mr. Greg Knight (East Yorkshire) (Con): My hon. Friend is developing a powerful case. As I recall, the Government undertook a consultation online on the very issue of auditors' liability, which ended in March this year. If so, why have the Government not introduced any provisions in the Bill in that regard? One would have thought that they would have had ample time to have reached a conclusion on the consultation and included some provisions in the Bill, making new clause 1 unnecessary.

Mr. Mitchell: My right hon. Friend pre-empts much of my argument. It is at the heart of the Opposition's concerns about this Bill that the Government have yet to take action, which we believe is urgently needed, not in defence of auditors but in defence of the good governance of the British corporate system.

Mr. Jim Cousins (Newcastle upon Tyne, Central) (Lab): I remind the hon. Gentleman that the 1997 Labour manifesto contained a commitment to introduce limited liability partnerships. Such partnerships go a considerable way towards addressing some of the issues that he raises, and that commitment was put into law in 2000.

Mr. Mitchell: The hon. Gentleman is correct on those two points, but as I explained in Committee, they do not resolve the problems.

There are four major auditors left. It is common ground on both sides of the House that we need more auditors to enter the market. The big four audit all of the FTSE 100 companies and not quite all of the FTSE 350. We would like more of those who audit at the bottom end of the FTSE 350 to compete with the big four. The law, as the hon. Gentleman just pointed out, allows audit firms to be limited liability companies or limited liability partnerships. That provides some protection for firms and the capital invested by the partners. However, audit firms are funded entirely by their partners' capital, which has often to be borrowed from banks or through leasing agreements. Those frequently have to be guaranteed by the partners and that is why the legislation, although welcome, is not adequate.

I want to make two other points at this juncture. The first is to do with the law of joint and several liability and the second relates to the fact that only four firms in the world are capable of auditing our largest multinational companies.

The law of joint and several liability means that the audit firm is liable not only for its own negligence but also for that of other parties if it is unable to pay for the loss those other parties have caused. That is what hugely increases the jeopardy facing an audit firm. As there are only four firms, we need to ensure that they survive and prosper and, preferably, that others make the necessary investment, as I have just described.

Lynne Jones (Birmingham, Selly Oak) (Lab): The hon. Gentleman may be aware that in the United States the Federal Reserve has banned Ernst & Young from practising for six months, which has left only three of the major companies available in the US. As a consequence, that has helped smaller and medium-sized audit firms to expand their business. Is not that the opposite approach to the one he advocates?

Mr. Mitchell: Were one of the big four to go under, or be banned, in this country, I have no doubt at all that, within a short period, major public firms, with many shareholders and many pension funds invested, would be unable to secure an audit, so it would be most unwise to draw the hon. Lady's conclusion.

Let me give the House an example of the problem that must be addressed. Let us suppose that a major company is bankrupted because its directors either followed a disastrous strategy or had engaged in fraudulent behaviour, notwithstanding the era of shareholder activism, the work of the auditor and, of course, the new corporate governance codes that have been greatly strengthened by this and the last Government. Let us assume that the liquidator successfully sues the auditors and the directors for £1 billion—by no means the largest amount claimed by liquidators in broadly similar circumstances. Let us further assume that, between them, the directors have some insurance and some limited private assets but that that does no more than cover the legal costs and that the auditors are left with a bill for £1 billion, so they, too, are bankrupted.

It is clear that the directors in that case are to blame; they bear the greatest responsibility for having embarked on a strategy that failed and, in the circumstances I described, for perpetrating a cover-up.

Mr. Michael Fallon (Sevenoaks) (Con): I am trying to follow my hon. Friend's argument. He said that in those circumstances the auditors would be sued, but it would be perfectly possible for them to mount a defence.

Mr. Mitchell: It would, but because of the way in which joint and several liability works—the heart of my argument—the auditors would be held responsible in the circumstances I described. A judge might conclude that the directors were 90 per cent. to blame but that the auditors were 10 per cent. to blame, as they were responsible for failing to discover what had been going on. But for the law of joint and several liability, the auditors' liability would be £100 million—a large amount, but one that the big four could probably manage, even bearing in mind that they would also have to pay legal fees, regulatory fines and so on.

Mr. Greg Knight: Could not the situation be worse than my hon. Friend describes? Under joint and several liability, the plaintiff can choose who to sue; he does not have to sue every person who may share responsibility, so it would be perfectly possible for a liquidator to mount an action against the auditors and not bother with the directors of the company.

Mr. Mitchell: My right hon. Friend, who is a distinguished lawyer, is absolutely right.

Mr. Michael Weir (Angus) (SNP): I am having some difficulty following the argument about joint and several liability. Unless the auditors and the directors were in some way involved together in the situation that the hon. Gentleman describes, I do not see where joint and several liability would come into it. If, as he suggests, the directors were involved in fraudulent activity, that would be a separate matter from the auditors. Either the auditors would have to be involved in that activity, or—if my understanding is correct—they would be extremely negligent in not discovering an obvious liability. Would not that be the case?

Mr. Mitchell: I think that the hon. Gentleman's point was answered by the intervention made by my right hon. Friend the Member for East Yorkshire (Mr. Knight). Although I am reluctant to get involved in a detailed seminar on the workings of joint and several liability, my understanding is that my right hon. Friend is correct.

The Government rightly recognise that there is a real problem relating to stability in the audit profession. More important, there is a significant threat to UK capital markets, which is, I believe, why the Government launched their consultation in December 2003. The Department of Trade and Industry seemed to be conducting that consultation sensibly until the big feet of the Treasury intervened and a compromise deal was done: the Office of Fair Trading was to produce a report, and if it said that the result of the measures that the DTI was considering would promote competition—I argue that that is the case—all would be well, but if not, the DTI proposal could not proceed.

The OFT produced a report that was not one of its best, which commentators rightly branded suboptimal and which has led to an embarrassing stand-off between Treasury Ministers and DTI Ministers, who are red-faced and doubtless extremely irritated. The Opposition offered to go with the Minister for Industry and the Regions to a meeting with the Chancellor of the Exchequer during the Committee stage, to try to persuade him to listen to his DTI colleagues. The right hon. Lady has yet to take up that offer, but it remains on the table.

It is the duty of the Opposition to help out. It is bad government not to proceed; it will let down the business community, which could have serious consequences for business, savers and pensioners. We face the real prospect that the big four could become the big three and that a major company would be unable to obtain an audit. The Government are behaving like a rabbit caught in the headlights and it is time that they took action. That is why we have offered every possible way out of the problem that we can think of; we tabled amendments in Committee and have re-tabled today no fewer than eight new clauses and amendments. The Minister thus has a galaxy of choice and opportunity; she can choose which measure she wants to adopt. I hope that she will either make it clear that the Government will legislate with one of our proposals as soon as possible, or that she is moving towards a conclusion and will soon be able to announce to the House a programme for action.

New clause 1 would accommodate the Government's recent but much welcomed conversion to the concept of limiting auditors' liability on a proportionate basis by contract. Until recently, according to last December's DTI consultative document on director and auditor liability, the Government believed that the adoption of proportionate liability would need to be part of major reform of the law of negligence. As a result, the document concentrated on forms of monetary capping rather than examining proportionate liability. Although the document explicitly ruled out reform permitting proportionality, a large number of respondents volunteered the view that it was the solution that they most favoured. Indeed, it may be the widespread support for proportionality evident in the responses to the consultative document, which the Minister has most helpfully placed in the Library, that has led to the Government's new-found enthusiasm for proportionality. Whatever the reason for their conversion, it is extremely welcome.

The current system of joint and several liability, which I have set out, allows a claimant to sue any party who has contributed to their loss for the full amount of that loss, regardless of the extent to which that party was directly responsible. It is, of course, open to that party to sue all the other people who may have contributed to the loss, but if they have no money the first party has no redress.

1 pm

To illustrate that point, I shall consider another example—the case between Equitable Life and Ernst & Young. I stress that I have no direct knowledge of the case, but I understand that the board of Equitable Life is suing Ernst & Young for £2.4 billion. I do not know whether those at Ernst & Young were negligent in their

[Mr. Mitchell]

work, but, even if they were, it is inconceivable that they and they alone are responsible for the total loss suffered by the poor policyholders at Equitable Life. However, quite properly under current law, the board is suing those at Ernst & Young as though they were the only people involved. The board is doing so, I imagine, because it perceives that Ernst & Young has deep pockets.

Let us consider what would happen if Ernst & Young were bankrupted. First, Equitable Life policyholders would probably end up with far less than they would if Ernst & Young continued in business, simply because there would be many other creditors and no future income from which to pay them. Secondly, the 7,000 people employed by Ernst & Young in the UK would lose their jobs, and its 400 partners would lose their jobs and their capital as well. No doubt, some of those people would obtain employment, but many others would not.

Mr. Cousins: The hon. Gentleman raises some interesting issues about one case—I certainly do not want to dwell on the case—but, surely, those are issues for the courts, not for the House of Commons. It is not for the House to ring-fence and protect some of the actors involved with special legislation.

Mr. Mitchell: The hon. Gentleman is entirely wrong on that point. The House determines the law and the courts interpret it. It is very much a matter for the House to consider whether the laws that we pass and the regulations that we make are in the best interests of the good governance of the British corporate system.

Mr. Cousins: I am grateful to the hon. Gentleman for giving way to me again, but let me make the point clear. The new clauses that he proposes would entrench protection for one of the actors in such an action. How can it be right for the House of Commons to do that?

Mr. Mitchell: The hon. Gentleman's point is a matter for debate. If he catches your eye, Mr. Speaker, he will be able to progress that argument, but I do not agree with him.

Of greater significance—in no way do I ignore the current consequences for Equitable Life policyholders or the possible consequences for employees and partners at Ernst & Young—the bankruptcy of Ernst & Young would be a disaster for UK plc. The big four would become the big three, further restricting the choice of auditor available to our largest global companies. Ernst & Young's clients would have to find a new auditor, but it cannot be assumed that the remaining big three or the next tier of audit firms would necessarily wish to take on all Ernst & Young's clients. The shock waves from the collapse of a firm of Ernst & Young's size and stature would make the remaining firms even more risk adverse. It seems almost inevitable that some companies in the riskier segments of the marketplace would end up without an auditor. That would be a crisis for UK plc, and the Government would have the task of trying to find a solution.

It would not be possible to create a new global firm either by dividing the remaining big three in half or by forcing some of the mid-tier firms to merge. Neither route would create a new global auditor firm, with the global reach, specialist skills and ability to invest in new technology necessary to audit the largest multinational companies that make up the FTSE 100. The Government would, however, have to introduce liability reform if there were to be any hope that the remaining big three and the mid-tier firms would take on those audits that they would otherwise reject. It is never easy or sensible to legislate in a hurry. Rather than introducing reform in the midst of a crisis, it would be far better to do so now, before the crisis erupts.

Mr. Greg Knight: Will my hon. Friend clarify a matter that may indicate whether the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) made a valid point in his intervention? If my hon. Friend is arguing that we should accept new clause 1 and the associated new clauses, that is a perfectly legitimate point to make, but if he is urging us to accept new clause 1 and is saying that its operation should be retrospective, the hon. Gentleman's point might have some merit.

Mr. Mitchell: I reassure my right hon. Friend that I am certainly not suggesting that new clause 1 should apply retrospectively. I am trying to propose a range of different opportunities to resolve the problem. New clause 1 contains the solution that the Government will eventually reach—it is certainly my preferred solution—but it is not the only way to resolve the problem, as I shall attempt to persuade the House.

Permitting auditors to limit their liability by reference to proportionality does not remove financial risks from audit firms. Furthermore, proportionate liability does not guarantee the survival of an audit firm. In an extreme case, the loss caused by a firm's negligence could be greater than its financial resources. However, such liability would reduce significantly the likelihood of a catastrophic corporate failure bankrupting an audit firm, while making it far more attractive for some of the mid-tier firms to compete more vigorously to audit companies in the FTSE 350, and perhaps later, in the FTSE 100. For all those reasons, new clause 1, which would permit auditors to limit their liability by reference to proportionality, has a great deal to commend it, and I hope that the Government will at least accept the principle today if not the new clause.

I offer new clause 2 as an alternative approach. Although the Secretary of State for Trade and Industry has ruled out the introduction of a cap, she had concluded in favour of doing so until she learned of the Chancellor's strong opposition. The OFT confirms in its report, to which I referred a moment ago, that a cap set appropriately would not be anti-competitive, so clearly, any cap would have to be set by the Secretary of State or by someone else with delegated authority, such as the Financial Reporting Council. That would be necessary to ensure that the cap was set appropriately.

New clause 2 proposes to set the limit at twenty times the UK audit fees. I am not wedded to a multiple of twenty. Some have argued that it is too high and others have suggested that it is too low, but it represents an appropriate level, high enough to provide proper redress when something goes wrong and low enough to reduce significantly the possibility of a large claim bankrupting the auditors. There are not many providers of services and goods in the UK that face a penalty of twenty times.

Sometimes, a single failure at a certain moment gives rise to the audit failure. More often, however, the problem has arisen over several months or occasionally years, and it is necessary for that purpose to regard the failure as what the insurance industry calls a single event. In other words, if the auditors fail to detect a fraud that begins in one accounting period and it is detected in a later period, the auditor's liability would be limited to twenty times the average fees paid to it in those years. That is an important principle if we are to avoid double counting, and it forms the substance of new clause 2.

New clause 3 is similar to new clause 2, except that a single monetary sum—£75 million—would be imposed on all companies. PricewaterhouseCoopers suggested that sum in its response to the Government's consultative document. I am persuaded by its logic that £75 million is not an unreasonable figure. In its submission to the Department, it says:

> "For all but the very largest companies, losses arising from an auditor's negligence are very unlikely to exceed this amount, so such claims would effectively not be capped. For the very largest companies, which give rise to risks of loss greater than £75 million, it is appropriate that they should carry the excess risk themselves. We further believe that a statutory cap at this level will improve the likelihood of mid-tier firms taking on larger audit engagements, thereby increasing choice in the marketplace."

The Government have made it clear that they expect any form of limitation of auditors' liability to be such that it promotes competition. I can certainly understand that a cap of more than £75 million would be so far in excess of the ability of mid-tier firms to meet an award of damages against them that it would do nothing to encourage them to compete for larger audits. Indeed, even for the big four, a settlement of damages much above that figure could be met only by the firm mortgaging its future, with the inevitable consequence that the firm would become unattractive to possible new partners and, indeed, many of its existing partners. Inevitably, therefore, in the long term, such a settlement would lead to terminal decline. Such a firm's ability to invest in new technology and in the development of the people whom it was able to retain would be severely damaged. That would not be in the interests of either competition or preserving high-quality audits, which are dependent on the involvement of high-quality people as audit partners and audit managers.

New clause 4 is both the simplest and most deregulatory measure in the group. It would permit a company to enter into any contract to limit liability with its auditors provided that shareholders approved such a contract in a general meeting. The requirement for any contract to limit auditors' liability to be approved by shareholders in such a meeting would address the abuse that gave rise to the provision in the Companies Act 1929 that I cited at the start of my speech, which eventually became section 310 of the Companies Act 1985. The measure was required because of directors and auditors who conspired to enter into cosy contracts to limit their liability that became known to shareholders only after a loss had been suffered and an action had been launched against the directors or auditors. No doubt some would argue that the 1929 Act would have been better if it had simply required such contracts to be approved by shareholders. In any event, 75 years later, in a radically different and more litigious and transparent age, we can ensure that any contract would be effective only if it were visible to, and approved by, shareholders.

Mr. Fallon: Before my hon. Friend moves on from new clause 4, does he accept that there could be an alternative danger? A big four auditor could put huge pressure on a company by saying that it would withdraw its services unless the company approved such a contract in a general meeting.

Mr. Mitchell: My hon. Friend might be on to a good point, but once a new system were set up—albeit not necessarily that outlined in new clause 4—the risk of such an event would be less than he suggests.

New clauses 5, 6 and 7 effectively mirror new clauses 1, 2 and 3. However, they would impose a limitation by statute, whereas new clauses 1, 2 and 3 are permissive and would allow companies to limit auditors' liability by contract if shareholders so wished. New clause 8 combines the benefits of proportionality with those of a cap. It would provide for a belt-and-braces approach that would combine the equity of proportionality with the safety net of a cap to guard against a catastrophic claim.

We have tabled the eight new clauses to help the Government. Conservative Members have no vanity of authorship, so we are happy to be corrected by the many skilled officials and draftsmen who serve the Minister.

Several events have taken place since Committee. It was said in Committee that the Government would amend section 310 of the 1985 Act to permit auditors to limit their liability by contract with reference to proportionality if it were made clear that the audit profession, the business community and investor organisations supported it, and that such an amendment would enhance competition in the audit market and improve the quality of auditing. I understand that all those conditions have been satisfied—I shall deal with each in turn—yet the Government have failed to table an amendment to address the matter.

The Institute of Chartered Accountants in England and Wales, which represents the auditors of almost every listed company in the United Kingdom, supports proportionality by contract and has said that the big four and mid-tier audit firms, which are the actual auditors of the listed companies, support such reform. Other accounting bodies, especially the Institute of Chartered Accountants of Scotland, also support the reform. It is thus clear beyond doubt that the Government's first requirement that the audit profession supports the reform has been met. The CBI, which represents larger quoted companies, and the Quoted Companies Alliance, which represents smaller quoted companies, support the concept of auditors being permitted to limit their liability by reference to proportionality.

Mr. Greg Knight: Would there not be a further benefit if liability could be limited by entering into free contractual negotiations because there would be no need to alter the law on negligence, which is a tort?

Mr. Mitchell: My right hon. Friend makes an extremely good point.

The support expressed by the CBI also comes from the Hundred Group of Finance Directors and many individual businessmen. It is thus clear that the Government's second condition has been met.

1.15 pm

The Government's third requirement was support from the investment community. The Association of British Insurers, the National Association of Pension Funds and a substantial number of individual investment houses have made it clear that they support the principle of auditors being able to limit their liability by proportionality. However, they have said that they would need to see the fine detail of how such a proposal would work before finally committing themselves to it. That is perfectly reasonable, yet it provides absolutely no excuse for the Minister's failure to amend section 310 of the 1985 Act.

It had always been envisaged that the Financial Reporting Council, on which investors, businesses, the audit profession, the Financial Services Authority and the Government are represented, would oversee the detailed terms of clauses in an audit contract to limit liability, so there would be no question of anyone signing up to the proposition before seeing the detail. Furthermore, given that the appointment of auditors is subject to a shareholder vote at an annual general meeting, investors would always have the last word on the matter, so, as I say, the legitimate requirement of investors and others to see the fine detail before making a commitment should not be used as an excuse for failing to introduce enabling measures today.

I have always found it rather strange that the Government thought that enhancing competition in the audit market was a prerequisite for auditor liability reform. We need the UK's capital markets to be competitive and highly regarded. Sound financial reporting, backed by high-quality auditing, is a prerequisite for that, and it is clear that liability reform would improve the work of auditors. Contrary to the assertions of the Office of Fair Trading, it is clear that competition in the audit market would improve if liability reform were embraced. It would improve the chances of the existing big four avoiding catastrophic litigation, which could ultimately destroy them, and increase the likelihood of mid-tier firms being prepared to take on audits about which they had specialist knowledge and for which they had global reach, if necessary.

The final condition laid down by the Government was that liability reform should improve the quality of auditing. I understand that several useful discussions have taken place between the Institute of Chartered Accountants and the users of accounts on how there could be more innovation in audit reports, how further assurance could be provided and how better information for capital markets could be given within an appropriate liability regime. However, audit quality fundamentally depends on the quality of people in the auditing profession. There is no doubt that the risk of catastrophic litigation is a deterrent for high-quality people, so it is possible that quality will reduce if we do not have liability reform.

All the conditions that the Government laid down have been met, so if they prevaricate there is a risk that great damage could be caused to not only auditors—I accept that that might not worry every hon. Member—but financial stability, which should worry each and every one of us. Immensely damaging consequences would arise from the collapse of one of the big four or if a company were unable to find an auditor simply because the perceived risks associated with undertaking its audit were too great. Permitting auditors to limit their liabilities would not avoid those risks completely, but would significantly reduce their likelihood. The Government's failure to legislate is thus as irresponsible as it is disappointing.

It has reached my attention over the past few days that the situation might be getting even worse. I understand that the European Union transparency obligations directive will make the position and liability of auditors and directors more uncertain. It is arguable that the directive might make them liable to investors in general rather than just to existing shareholders, as is the case under current English law. Auditors can cap their liabilities in other states of the European Union. The Minister will know that in Germany the cap is set at €4 million per audit, which is £2.5 million. In Austria, it is a lesser sum of €350,000. In Greece, the cap is set at five times the salary of the president of the Supreme Court.

Auditors are liable to existing shareholders if they are negligent in their audit, but the transparency directive means that there is a risk that auditors could be liable to an investor who was not a shareholder when the audit certificate was given, but who became one subsequently on the basis of those accounts. In other words, a far bigger group of people could join in an action against the auditors.

These are dry but extremely serious matters. We have tried to help the Minister in Committee and today. We did not vote on the subject in Committee and are shocked at the way in which she and her colleagues have been treated by the Chancellor of the Exchequer and Treasury Ministers. If she can give a copper-bottomed assurance of action, with a time scale that satisfies us, that will suffice, but if she cannot, we shall put new clause 1 to the vote.

Mr. Cousins: I apologise to you, Mr. Speaker, and to the hon. Member for Sutton Coldfield (Mr. Mitchell) for missing the first two or three minutes of his speech.

The debate is remarkable in that the Conservative party seeks to entrench the powers of a cartel by embedding new principles in legislation. To pray in aid the company laws of Greece to allow that to happen is a double conversion to more badness of an extraordinary kind.

I shall be frank. I see little requirement or necessity to consider the idea of limiting auditor liability. None the less, having regard to the debate on Second Reading and some of the discussions in Committee, it is clear that the Government are at least willing to consider the principle of limiting auditor liability in some form.

Mr. Andrew Mitchell: The hon. Gentleman opposes limiting auditor liability. Will he therefore explain why new clause 10, which he has tabled, does precisely that?

Mr. Cousins: I am about to do so.

That limit on auditor liability could be achieved by one of the three methods outlined by the hon. Gentleman: proportionate liability, a cap on the sum or a system of contract between the company and its auditors. I remind him of the intervention by the hon. Member for Sevenoaks (Mr. Fallon), who explained to him some of the risks and dangers in a system of limiting liability in a contract between a company and its auditors which could give the company's auditors an even greater control of its workings and their activities within it. That is a new and unfortunate principle. To entrench a cartel is one thing, but to entrench a cartel by giving it new rights over companies to enforce its will is wrong.

It is clear that the Government are considering the matter. We all know the way in which debates work. I thought that it might assist the Government, who are coming under intense pressure from one side of the argument, to consider opposite views and the factors that might be relevant were they minded to consider proportionate liability in the future. I have set out some of those factors in new clause 10 as a contribution to the debate.

I referred to a cartel, which is perhaps unkind but not untrue. The hon. Member for Sutton Coldfield said that the FTSE 100 companies are audited by the big four auditors. I am informed that all but eight of the FTSE 250 companies are audited by the big four. That looks like an embedded, entrenched and powerful cartel that has a stranglehold on the current marketplace, effectively barring access to smaller companies, many of which are not small by any normal judgment but small by comparison with the big four.

Mr. Greg Knight: If limited liability were in place, might not the auditing work be more attractive to the smaller companies, which would enter the market?

Mr. Cousins: Not if the limit on liability was carried out in the form of a contractual relationship between the auditor and company. That method of limiting liability gives the mechanism to entrench the existing cartel.

As for the financial cap, the Opposition's new clauses set a cap that would be way too high for most medium-sized firms to enter into if money were a consideration. So that is not a powerful argument. We are talking about a fundamental principle of British company law since at least 1948. In that year, the Government of the day—a Labour Government—agreed to the requirement that audits would be acceptable only if they were carried out by a limited range of firms. In effect, that gave the auditor firms a professional monopoly over such work.

The other part of that understanding, however, was that the moral hazard that was thereby created would be dealt with by exposing those auditor firms to the full test of absolute liability. That principle has guided the House in its discussions of the issues and through the company legislation of the 1980s steered by the Conservative party. That approach recognises that once we remove the fact of moral hazard, and if we are also prepared legally to entrench a cartel, we are moving in a profoundly wrong direction.

Mr. Fallon: In new clause 10, the hon. Gentleman seems to accept a diminution of the moral hazard that he is now championing, as it refers to "exemption, indemnity or limit". Could he elucidate?

1.30 pm

Mr. Cousins: If the Government were tempted to limit liability a wide range of market actors should be able to contribute to that decision. Also underlying new clause 10 is the principle that the auditors owe a duty of care to people concerned with the company that they are auditing. I shall discuss the duty of care later, as it is a legally contested principle with a bearing on our debate. Finally, if we wish to limit liability, new clause 10 would give the regulator full and automatic right of access to all the documents and working papers of both the company and the audit firm. If, therefore, we go down the route of limited liability there must be an exchange—there must an increase in both the regulator's power and the ability of other market actors to contribute to the debate, and the duty of care that ought to guide the new relationships that are created should be much clearer.

Among the motives that underpin new clause 10 is a recognition of auditors' duty of care. Auditors' responsibility has been eroded by case law. Under the Caparo Industries judgment of 1990, auditors generally owe a duty of care to the company only as a legal person rather than to individual shareholders. The Law Lords further decided that the audit report was prepared to enable shareholders to exercise their rights as members of the company, and not to enable them to make any investment decisions. That reversal of the principle of the duty of care has had some unfortunate effects. It is doubtful whether we can always rely on audit reports to provide public actors, market participants, investors in the market and shareholders with a guide to what is going on in a company. Another legal judgment in 1996 held that auditors may be liable to third parties beyond the company and the auditor where

> "the purpose of audit work has been widened so that it is no longer confined to the statutory one . . . and the auditor in all the circumstances ought to have regarded himself as carrying out the audit for the plaintiff's purpose as well as the company's."

Such circumstances, however, are rare, which is why I have sought to revisit the auditor's duty of care in new clause 10. If the Government wish to limit auditor liability, in exchange we should at least be able to re-establish the broad principle of the duty of care that existed before the Caparo judgment.

The Law Commission reviewed those issues in 1993 and 1996, and rejected the call for a cap on auditor liability. It concluded that

> "we can find no principled arguments for a 'capping' system . . . that . . . cuts across a principle that a wrongdoer should compensate the plaintiff for loss caused by its tort or breach of contract".

It also said that a capping system would

> "put the plaintiff at a disadvantage, since the cap would represent the upper limit in negotiations for a limit".

That demonstrates the unfortunate implications of the new clauses tabled by the hon. Member for Sutton Coldfield. The sum of £75 million in new clause 3, for example, would be significant in discussions and negotiations between companies and auditors. The Law Commission regarded

> "the policy objections to joint and several liability to be at worst unproven and, at best, insufficiently convincing to merit a departure from the principle".

[Mr. Cousins]

It responded to propaganda from the big four accountancy firms by arguing that it was

> "misleading to say that defendants can currently be called on 'to provide 100 per cent. of the damages even though they are only 1 per cent. at fault' since the principle of joint and several liability is . . . relative to the plaintiff".

I made that point in an intervention on the hon. Gentleman.

The Limited Liability Partnerships Act 2000 passed by the Government increases the concessions and protection given to accountants. We have already moved a long way from the 1948 bargain, but very few of the concessions made in the intervening period have been accompanied by a compensating quid pro quo to increase the rights of companies, shareholders, employees and other market actors. If the Government embrace limited liability, new clause 10 would create a clear quid pro quo so that powers and rights are given to participants other than the big four accountancy firms.

Mr. Greg Knight: I am listening carefully to the hon. Gentleman's argument, but what is the rationale in new clause 10 for extending the duty of care to existing shareholders, but not future shareholders who may rely on a previous auditor's report?

Mr. Cousins: That point was covered backhandedly in the speech of the hon. Member for Sutton Coldfield, who rightly drew a distinction between the liabilities of auditors in mainland Europe and those of their British counterparts. In Europe, there are shallow financial penalties, but auditors can cast a wide net. The UK has evolved a different principle—auditors' rights and obligations are narrow but deep. I have therefore framed new clause 10 in a way that respects the traditional narrowness of obligation at the heart of the British approach. I do not want to move towards a mainland European system in which obligations are shallow but responsibilities are much wider. I want to maintain the traditional British principle of a network of narrow auditing obligations that are specific to a limited range of actors but have a deep application. I hope that that is helpful to the right hon. Gentleman.

Some of the mainland European principles that guide the connection between auditors and companies were prayed in aid by the hon. Gentleman to support his new clauses. However, they are full of bad consequences and under future legislation could allow all sorts of people to pursue action on various grounds against company auditors. My purpose, however, is to defend the traditional British principle of maintaining a pattern of narrow but deep obligations.

I do not want to detain the House too long. I have sought to put a contrary view to that being expressed by Conservative Members, and I have sought to introduce into the debate some discussion of issues that might be helpful to the Government when they consider their next moves on these matters. We should all bear in mind as legislators that major accountancy firms are sometimes fairly adept at non-co-operation with regulators. In the case of Parmalat, an Italian company, we heard recently that the UK parts of Parmalat were audited by a firm called Grant Thornton, but the firm says that the real auditor was Grant Thornton International, an Italian firm, and that the UK firm would not share its working papers and files with the regulators. That illustrates some of the mechanisms that auditors currently use to defend their position, without the House being motivated to entrench their powers still further.

I could go on at length, discussing some of the disciplinary schemes and some of the issues of Enron that have guided American legislation. I will not do so. Suffice it to say that when the hon. Gentleman says that the Institute of Chartered Accountants in England and Wales supports the principle of Parliament adding to the entrenchments of limits on auditor liability, it is difficult to avoid the conclusion that they would say that, wouldn't they?

If the House is minded to consider moving in the direction of further entrenching the powers of a cartel, it must also consider what additional rights it gives other actors in the situation to defend themselves and their interests. It must also make sure that we do not accidentally contrive a situation in which we agree to limitation by a contract between a company and an auditor that could result in new forms of blackmail being applied to companies in order to secure an audit. That would be wholly wrong. The House should never engage lightly in the entrenchment of cartels. When it does so, it should seek new rights and obligations in exchange.

Mr. Peter Atkinson (Hexham) (Con): The hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) mentioned Parmalat. I would have cited Parmalat as one of the special reasons why the Government should reform the present arrangements and support my hon. Friend the Member for Sutton Coldfield (Mr. Mitchell) on new clause 1.

The hon. Member for Newcastle upon Tyne, Central also said that all our new clauses would strengthen what he described as the cartel of the big four companies. If that were the case, why would the organisations on the other side of the fence—the Federation of Small Businesses, the Institute of Directors and the CBI—be enthusiasts for reform of the law in this area? They would surely not campaign for a change if they thought it would be disadvantageous to them and strengthen the monopoly that the four major players had in the market.

Mr. Cousins: The hon. Gentleman should also consider the comments of the hon. Member for Sutton Coldfield that some of the support given by those trade organisations to the idea of further limiting auditor liability is accompanied by all sorts of caveats about the need to consider the details. What will probably not commend itself to them is the principle of limiting auditor liability by a contract with the company.

Mr. Atkinson: I agree that the trade organisations will want to see the small print of the Government's proposals, but that does not affect the broad principle that all the organisations on the business side of the fence are keen on a change in the law. The hon. Gentleman cited the 1993 Law Commission report. The world has moved on considerably since 1993. Equitable Life, Enron and Parmalat are all major events that have happened since the Law Commission reported in 1993, and it must be right for us to look again at the issue.

I cannot say whether the Government will go for new clause 1, 2, 3, 4 or any other of my hon. Friend's new clauses, but it is a matter of considerable urgency.

1.45 pm

Much of the debate so far has revolved around the big four companies, the FTSE 100 and the FTSE 350 companies. However, the issue has an impact on many other companies in the wider market, particularly small and medium-sized business, organisations and charities, all of which must have their accounts audited. The additional costs of the risks involved flow down the chain to the prices that are charged by the medium-sized and even small firms of auditors. As we heard earlier, many partners in the large audit companies are required to borrow large sums in order to take up their partnerships. Because of the higher risk involved, the cost of borrowing that money is greater. The costs of auditing therefore rise, not just for the big firms, but for firms down the line.

For those reasons the Government should consider urgently the reform of the law. The Minister will know what businesses are saying to the Government. Every small and medium-sized business is complaining about additional cost and additional regulation. This year has been a vintage year for that, with the costs of meeting the requirements of the disability regulations, the costs of all the new employment regulations that have been heaped on businesses and the soaring costs of audits. Many medium-sized businesses are paying thousands of pounds a year in auditors' fees. That unnecessary burden should be addressed, which is why I support my hon. Friend's new clauses. For the benefit of the health of the smaller companies in our economy, reform is urgently needed.

Mr. Fallon: I remind the House of my business interests recorded in the register.

Like the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins), I initially found the new clauses somewhat unappetising. My hon. Friend the Member for Sutton Coldfield (Mr. Mitchell) is vulnerable to the charge of entrenchment. No Member of the Opposition likes to be in the business of reinforcing cartels, and the hon. Member for Newcastle upon Tyne, Central was right to draw our attention to that.

It is dangerous to legislate because of a particular case: that of Equitable Life, which is before the courts. We should not legislate in advance of the case—my hon. Friend the Member for Sutton Coldfield assured us that the measure would not come into effect in time—and we should not legislate alongside it. If we did, we might well be asked why liability should be limited for auditors, rather than for the unfortunate shareholders in the event of the sort of catastrophic business failure to which he referred. However, I do not disparage my hon. Friend's motives. Clearly, if the big four were reduced to the big three, that in itself would reduce competition and choice for the large companies. There may well be other work that needs to be done to improve the audit marketplace, and the banks, insurance companies and lawyers may need to be better educated as to the merits of the mid-cap firms.

My hon. Friend the Member for Sutton Coldfield is in that position because we are not where we would like to be. Her Majesty's Government have, of course, reneged on their commitment, have not followed through on the consultation and, although we have yet to hear from the Minister, do not appear to be in a position to legislate. If the Department of Trade and Industry has failed to win its battle with the Treasury, and if the Government, who have a massive majority, cannot make up their mind on auditors' liability, my hon. Friend the Member for Sutton Coldfield is right to step into the breach and offer the House a range of alternatives.

I sympathise with new clause 10, which was tabled by the hon. Member for Newcastle upon Tyne, Central. However, the definition of the recognition of the duty of care is unclear, so I cannot support it without further detail as to how it would work, although I certainly applaud the motivation behind it.

On the alternatives—we are being offered a menu of hot and cold food—I do not set much store by new clause 4, which is naive. Perhaps my hon. Friend the Member for Sutton Coldfield has spent too long in merchant banking rather than the business world. In the real world, auditors would simply to say to firms, "This new companies legislation has come in, and unless you sign this kind of contract, you will lose us as your auditors." New clause 4 would put auditors in the driving seat.

Mr. Greg Knight: The flaw in my hon. Friend's argument is that if new clause 4 became law, a thrusting, up and coming firm might say, "We will offer better contractual terms than the four auditors in the cartel." That would weaken the cartel, rather than strengthen it, and more big players would enter the arena.

Mr. Fallon: My right hon. Friend and I share the objective of widening the audit marketplace for companies that are outside the FTSE 100, so I hope that that scenario would occur. Because firms do not change their auditors that often, however, the equal and opposite danger is that the auditor who holds the contract with a particular firm would simply go to the directors and say, "We are offering you this new contract because the new companies legislation has come in. We want you to put it to the general meeting in these terms; otherwise we will no longer be your auditor.". My hon. Friend the Member for Sutton Coldfield has clearly toiled hard in the kitchen over his menu of options, but new clause 4 is not his best offering.

Mr. Andrew Mitchell: I say to my hon. Friend what I said to the Minister: it does not matter which of my new clauses you do not like, so long as you like one of them. We have tried to lay every possible option before the Commons today, so that hon. Members can make a decision. Saying nothing, a policy to which the Minister has been getting perilously close, is not an option, and that is the lacuna that we seek to address today.

Mr. Fallon: I applaud my hon. Friend's hard work, but I want to comment on the individual options. We must choose one of the options, but new clause 4 is not the strongest.

I am not particularly attracted by new clauses 2 and 3, because a cash-terms cap is vulnerable to changing circumstances and nobody knows exactly how the mid-market audit firms will evolve. I am always suspicious

[Mr. Fallon]

when PricewaterhouseCoopers or any of the other large firms proposes a cash ceiling, and handling matters on a fee-related basis would not work either.

If the Minister does not come up with a solution, which she has promised and to which the Government were initially committed, the House must choose one of the options. As my hon. Friend the Member for Hexham (Mr. Atkinson) said, new clause 1, which is based on proportionality, has received support from not only PricewaterhouseCoopers, but across the business community and is therefore the least worst option. If my hon. Friend the Member for Sutton Coldfield were to press new clause 1, I would support him.

Brian Cotter (Weston-super-Mare) (LD): I congratulate the hon. Member for Sutton Coldfield (Mr. Mitchell) on new clause 1. It is an acceptable response to the issue of proportionate liability, which, as we all know, must be addressed.

In a moment, I hope to congratulate the Minister on making a clear commitment to a solution along the lines of new clause 1, which, as the hon. Member for Sevenoaks (Mr. Fallon) said, is supported by much of the business world. I hope that the Minister will make such a commitment, because, as she knows, we need such a solution, which is why it is incumbent on her to accept new clause 1 or to make a precise commitment on when and how the solution will be produced.

We are all taken by the galaxy of choices offered by the hon. Member for Sutton Coldfield, who, like Father Christmas, has many tempting trinkets that glitter in front of our eyes, but a solution based on new clause 1 is the prize that we want. I hope that the Minister will respond positively; she knows that she should respond positively and that everybody is calling for such a response.

Mr. Greg Knight: The debate has been interesting. I congratulate my hon. Friend the Member for Sutton Coldfield (Mr. Mitchell) on having done his homework. I trust that the Minister has done her homework too, although Conservative Members fear that it has been retained on the desk of the Chancellor of the Exchequer. The hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) also made an interesting and thoughtful speech. If the Minister has other things to do this afternoon, she could rise to the Dispatch Box and indicate that she is minded in principle to accept one of the new clauses tabled my hon. Friend the Member for Sutton Coldfield, and we could all get away earlier.

It is odd that the DTI conducted a consultation on auditors' liability. The consultation commenced in December 2003 and specifically covered that issue. Responses were requested by 12 March this year, so the closure date has long since passed. One would expect the Minister to have assessed the value of that consultation and to have reached a policy decision. I do not like piecemeal legislation or a piecemeal approach to problems, which is the approach taken in the Bill.

A full overhaul of company law is required and provisions such as the new clauses tabled by my hon. Friend the Member for Sutton Coldfield should be encompassed in wider company law legislation. I am therefore disappointed that the Government are seeking to proceed in one area, while we await whatever proposals they may have to change company law in the future.

My hon. Friend the Member for Sevenoaks (Mr. Fallon) said that he was attracted to new clause 1, which I, too, find the most attractive of those tabled by my hon. Friend the Member for Sutton Coldfield. However, I do not share his concern about new clause 4, which could have the opposite effect to that which he suggests; that is, it could lead to mid-market firms entering the marketplace, thereby weakening the cartel that was mentioned by the hon. Member for Newcastle upon Tyne, Central. New clause 4 is not as bad as my hon. Friend suggests, because it seeks to allow free contractual relations to take place. The benefit of proceeding in that way is that the law on negligence does not need to be reviewed because free contracting parties are allowed to build into their agreements a scope on the limit of liability.

2 pm

The hon. Member for Newcastle upon Tyne, Central spoke eloquently to his new clause 10. Looking at its precise wording, I see nothing that is incompatible with new clause 1; indeed, it could be a supplement to the provisions of new clauses 1 or 4. There is no conflict between taking a twin-track approach in allowing free contractual relations and imposing the duty, as would new clause 10, that before any exemption or contractual limitation is agreed, the shareholders and employees must have a statement. That would be a belt and braces approach. In supporting new clause 1, I am also somewhat attracted to new clause 10, which is in no way incompatible with the argument advanced by my hon. Friend the Member for Sutton Coldfield.

Mr. Cousins: I am grateful to the right hon. Gentleman for his kind remarks. Does he also accept that recognising a duty of care would be a significant change to the legal framework in which the big four accountancy firms operate?

Mr. Knight: I am attracted to a duty of care provided that it is circumscribed and well defined so as to avoid court actions of the sort that take place all too often in the United States.

I hope that the Minister will be prepared to respond positively to the constructive suggestions that have been made, particularly by my hon. Friend the Member for Sutton Coldfield, and that she will tell us what action the Government intend to take.

The Minister for Industry and the Regions (Jacqui Smith): In response to the opening remarks of the right hon. Member for East Yorkshire (Mr. Knight), I can think of nothing more rewarding or enjoyable to do this afternoon than to take part in the Report and Third Reading debates on this Bill. Having said that, I do not intend massively to extend the proceedings, because, as the hon. Member for Sutton Coldfield (Mr. Mitchell) said, we had a relatively short but good-natured and well-informed Committee stage in which we dealt with many important issues. That followed considerable scrutiny, and changes that the Government were willing to make, in the House of Lords.

With these new clauses, we return to the aspect of the Bill—auditor liability— that has given rise to the most significant debates, not least because the eight new clauses that the hon. Member for Sutton Coldfield has tabled for consideration today are those that we also debated at some length in Committee.

I am grateful to my hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins) for tabling his new clause, which enables us to widen the debate.

It is worthwhile returning to first principles. There is widespread agreement that audit plays a crucial role in our market and in ensuring trust and confidence in our businesses. It is therefore important, as the hon. Member for Hexham (Mr. Atkinson) observed, that all those who need and want to access high-quality audit services are able to do so. We need to maintain a complete market in which the principles of competition ensure that completeness and help to drive quality through the system. In addition, we need to maintain, and preferably to improve, the quality of the audit process and of the information that is available to those who need it.

Those are the criteria by which we should judge any reforms that we make, and I shall use them to judge the eight different dishes that the hon. Member for Sutton Coldfield has served up to us.

I shall start with new clause 4 because it is the most straightforward. It would remove auditors from section 310 of the Companies Act 1985 and allow them to negotiate limited liability with their clients, free of statutory constraints and subject only to shareholder agreement to any proposed limitation of liability. The Government consultation considered a similar option and found that just over half of respondents were opposed to the proposal, partly for reasons that hon. Members rehearsed today.

Under that system, the market would set the level of any limit. That was a key fear of some of the respondents to the consultation. One major company commented:

> "if the cap is left to individual negotiation, lack of competition would probably mean that the audit profession will push liability caps down over time".

Other respondents were concerned about the client's ability to negotiate an appropriate limit. There was concern that companies could find themselves in a weak bargaining position, particularly in situations where only a very few firms are capable of conducting the audit or where there have been past issues arising out of the audit. It is obviously important that the Government take note of those concerns and of the fact that more than half the respondents did not see this option as the way forward.

Furthermore—I hope that this is music to the ears of my hon. Friend the Member for Newcastle upon Tyne, Central, although I cannot promise to provide that all afternoon—we are conscious that the current rules were introduced in the late 1920s in the light of difficulties whereby directors and auditors had, in effect, colluded to the detriment of shareholders. We certainly do not want to see the return of those scandals.

New Clauses 2 and 6 would restrict, or permit restriction of, any liability to a figure of 20 times the audit fee, or—when the auditor has committed the same act of default in two or more consecutive audits—the average of the audit fee paid by the company in those periods. An upper ceiling set as a multiple of the audit fee has the merit of making the limit proportionate to the audit fee. However, it does not in any way reflect the loss caused to the company. To that extent, it is an entirely arbitrary figure in relation to any actual loss, and it will have arbitrary results.

At one extreme—where there are very high audit fees, for example—that approach could result in liability at levels that auditors suggest they cannot afford, thereby not solving the problem that hon. Members set out in the first place. At the other extreme, where there are low audit fees, it could mean investors being compensated, for only a small proportion of the loss that they suffered through the auditor's negligence.

That dichotomy and problem cannot simply be addressed by changing the multiple from, for example, 20 to 10 or 20 to 40, because what improves the position at one end of the scale makes it worse at the other. That is a fundamental problem with the idea of a cap that reflects a multiple of the audit fee. It is of further concern that any limit that is based on a multiple of the audit fee would create a potential incentive for auditors to keep the fee as low as possible. At first sight, that might appear to be a good thing, but it is not in shareholders' interests for auditors to take short cuts. Indeed, under the regime set out in the new clauses, they have a positive interest in paying a high fee so that they can claim more back if things go wrong. It is therefore ironic that the new clauses could create a position whereby, because of the potential for claiming back in the case of a problem, the purchaser wishes to pay more than the supplier wants to charge.

The Government have considered the options in new clauses 2 and 6 carefully and concluded, again with the majority of the respondents to the consultation, that they are wrong in principle and in operation.

Let us consider new clauses 3 and 7, which, in some ways, are even more arbitrary in their effects. Under the proposals, the auditor's liability could or would be limited to £75 million. We have serious concerns that the approach would be anti-competitive. Some alternative arguments have been put today, but a major difference already exists between the big four audit firms and the next group, the so-called tier A firms, on the proposal. The Government have been told that a simple limit, which is fixed at a figure such as £75 million, would benefit the biggest firms but do little or nothing for some of the smaller and medium-sized firms, which risk being wiped out by such a sum. That approach could therefore entrench the current position and do nothing to aid our objective of enhancing competition in the audit market. The option clearly does not have the unanimous support of auditors, let alone investors. It is seriously flawed and the Government cannot accept it.

Let us consider new clauses 1 and 5, which, as hon. Members have said, are based on proportionality. New clause 8 mixes that idea with the sort of numerical cap against which I have just argued. New clauses 1, 5 and 8 raise more questions than they answer in running together contract and tort, and contribution between two or more liable people and that between company and auditor. However, despite the comments of the hon. Member for Sutton Coldfield on the disadvantages of the system of joint and several liability, I welcome his apparent agreement that any solution such as a proposal

[Jacqui Smith]

to limit liability proportionately by contract should be placed in the context of the current law on joint and several liability.

One of the attractions of a proposal to limit liability proportionately by contract is that it would not involve some of the much wider implications and unintended consequences of a full-scale reform of the law on joint and several liability but could enable the introduction of elements of proportionality.

The response to the proposals, especially in new clause 1, is that there may be scope in the system of joint and several liability for the auditors to limit their liability in some way to an amount that, in lay terms, is proportionate to their responsibility. That idea emerged in the course of our consultation. The Government did not present such a proposal for consultation but, as happens in good consultations, it emerged during the process and has rightly received serious consideration. It has come to be known as proportionate liability by contract.

2.15 pm

It is relatively easy to understand how a system of proportionate liability by contract could work between professional advisers, albeit with shareholders or the liquidator bearing the risk that one or more of those who had been negligent are unable to pay their share of the sum involved. As I have made clear, the Government certainly does not rule out that approach. However, it raises many questions that we need to work through with companies, auditors and investors before reaching a conclusion and a way forward.

For example, what should happen when directors have been dishonest, the auditors have been negligent in not detecting the dishonesty, and the company has suffered further loss? It is possible to argue that the company would not have suffered such losses if the auditors had done their job. According to that logic, auditors should be responsible for all the loss that their negligence caused the company. However, that would not do much to reduce auditor liability.

Alternatively, one could argue that the shareholders were responsible for choosing the directors and ensuring the maintenance of proper systems of corporate governance and hence should bear the risk of the possible dishonesty of the people whom they choose for the job. Accordingly, the auditors should not be held responsible for any loss. I hasten to add that that is not an argument that the auditors wish to advance; it would deprive the audit of purpose. However, I hope that it demonstrates some of the difficulties.

There are key questions, such as: should auditor's liability vary according to how much money a negligent or fraudulent director can pay back, assuming that he can be found and has assets? How different is that from the current position? Should the auditor's maximum liability vary in some way according to the negligence of the conduct of the audit? Some recent cases show that simple slips can play a key part in leading to huge losses. Do the simple slips matter, or should we ask the courts to consider the whole question of how the audit was planned and conducted? What guidance can we give them to distinguish between an audit that was 10 per cent. flawed and one that was 5 per cent. flawed? Is it possible to have degrees of audit failure?

Those are not easy questions but that does not mean that they have no answers. However, new clauses 1, 5 and 8 propose no answers. The Government have therefore concluded that there are too many unanswered questions currently to ask hon. Members to approve any reform. Moreover, stakeholders have stressed that it is important that changes to the liability regime take place only as part of a package of reform in which both the audit's quality and competition in the audit market are enhanced. Indeed, there is no reason why work to improve further the quality of the audit should not proceed immediately, in parallel with consideration of the rules of liability. I am pleased about the proposals from the Institute of Chartered Accountants in England and Wales to which the hon. Member for Sutton Coldfield referred. That is a good sign of action to deal with quality of audit.

Mr. Fallon: The Minister has explained at some length and helpfully some of the prevailing arguments about the difficulty of following the route of new clause 1. However, we are considering a companies audit measure. Is she genuinely claiming that it is not possible to propose such a package before the Government's Bill, which deals with audit, is passed?

Jacqui Smith: I have pointed out some of the problems involved, and I am now going to talk about some of the possible solutions. While I cannot support any of the amendments that are before the House today, I am personally determined to make progress on these issues, not least because of the importance of maintaining confidence in the operation of our capital markets.

Since the House last debated this issue, in Committee on 14 September, the Government have taken the lead by bringing together all the parties involved. Our goal in doing that was to see whether a joint approach could be developed which would meet the different concerns of the parties, as well as meeting the Government's objectives of ensuring that all companies that require them can readily obtain audits, that further improvements in the quality of audit are delivered, and that competition in the audit market is improved. These discussions have resulted in some progress being made, and they are continuing.

In particular, it is crucial that we should be able to address the issues of competition as well as some of the issues raised in report of the Office of Fair Trading. It is only right, when we set up an independent competition authority, to take seriously the issues raised in such a report. The job now is to move from the principle that the approach involving proportionality by contract could well be the appropriate way forward, as the Government believe—I acknowledge that there is agreement in this regard—to the detail of how that will work, and the consequences that will ensue. To ensure that that happens, following further discussions involving officials, I plan to meet the key players personally soon, and I hope to gain an agreement that meets all their concerns. Urgent though the issue is, it is also important that we get this right.

If an appropriate package of reforms can be constructed in time—I reiterate my concern to ensure that that happens—the Government will aim to consult further next year on the details of proposals to be included in the forthcoming companies Bill. We have the opportunity to legislate at that time, and I will certainly work hard to ensure that we move from the principles on which there is agreement to the details that will enable us to take this issue forward.

I want to turn to the points raised by my hon. Friend the Member for Newcastle upon Tyne, Central. He has made clear his objectives. While he opposes caps on auditor liability, he believes that the law may be changed to permit auditors to limit their liability at some point in the future, and he is seeking to establish a framework within which any such limitation would operate. I agree with his desire to protect the interests of groups other than auditors, and I hope that I made that clear when I described the process that we have undertaken and will undertake as we go forward on these issues. He is not alone in having concerns in this regard. I have also explained that the Government are determined to protect the interests of all key stakeholders, including shareholders, in this work. The representatives of investing groups will also be fully involved and consulted.

My hon. Friend expressed his concern that proposals to limit auditor liability could lead to the entrenchment of cartels. I have made it clear on every occasion on which I have talked about this issue that the reason that we have already ruled out many of the more simple, unsophisticated limits and caps is that they would not help to improve competition and would therefore not fulfil our objective in that regard. I can assure my hon. Friend that the proposals that we introduce will ensure that competition is sustained and improved. The whole point of an approach involving a contract that limits liability proportionately with respect to responsibility is that it would not introduce a crude limit that would entrench or over-protect the position of auditors. Instead, it would enable liability to be more effectively divided in proportion to responsibility. That seems to be a reasonable way of going forward.

I am also grateful to my hon. Friend for raising the issue of audit working papers and files. He rightly said that, in order to maintain the quality and regulation of audit that we need, it is important that such documents should be available to the regulatory authorities. The work of all audit firms and individual auditors is subject to monitoring by their supervisory body, and part of the monitoring process consists of the review of audit working papers and files.

Clauses 1 and 2 of the Bill will ensure that the monitoring of the audits of listed companies, and other companies in whose financial condition there is a major public interest, is carried out independently of the supervisory bodies. We expect that this independent monitoring will be carried out by the audit inspection unit which will report to the professional oversight board for accountancy of the Financial Reporting Council. Clause 1 specifically requires supervisory bodies to have rules to ensure that the auditors registered with them

"take such steps as may be reasonably required of them"

to enable their performance as auditors to be monitored. This will include making available audit working papers and files where these are required by the audit inspection unit.

The new power contained in clause 12 of the Bill will give the financial reporting review panel—the body authorised to investigate departures from the accounting requirements of the Companies Act 1985—the power to obtain information and explanations from, among others, the auditor of a company. I can confirm that auditors could be required to disclose audit working papers to the panel if those papers are reasonably required by the panel to carry out its statutory functions.

Mr. Cousins: I thank the Minister for many of the things that she has said. May I press her, however, on whether the provision of a framework for the auditors' duty of care will form part of the debate that she expects to take place before the next companies Bill is introduced to address these issues?

Jacqui Smith: I was just coming to that point. My hon. Friend has raised some important issues about the duty of care, but it is not the case that they have not already been considered in some detail by the company law review, which gave detailed consideration to the arguments—some of which my hon. Friend made—for extending the duty of care. The review consulted twice on possible ways of resolving the issues identified. Some of those were highlighted today by the right hon. Member for East Yorkshire, who said that he could see benefits in extending the duty of care but instantly provided caveats involving how broadly it should be extended and whom it should apply to.

Those are precisely the difficulties that resulted in the company law review—despite having consulted twice on ways of resolving these issues—concluding that it did not believe that the case had been made for the statutory extension of the duty of care of auditors. That is why the Government's own consultation sought further views on this matter—the majority of respondents were opposed to any change—and why my right hon. Friend the Secretary of State therefore announced to the House on 7 September that the Government were not planning to extend the duty of care at this point. That consultation was carried out at the same time as we considered the issues surrounding the limitation of auditor liability. These issues have, therefore, been given quite a considerable airing.

To conclude, I hope that hon. Members feel that we have given serious consideration to the issues raised during this debate. We have made considerable progress. I am committed to ensuring that that progress continues, and we have the ability, and I hope that we will have the wherewithal, to legislate in the draft companies Bill next year on the basis of an agreement not only on the principles but on the detail as to how we can make the proposals work.

Mr. Andrew Mitchell: This has been a most interesting debate on an important matter. It is important that those outside the House see that such issues are properly addressed in this place.

[Mr. Andrew Mitchell]

2.30 pm

The hon. Member for Newcastle upon Tyne, Central (Mr. Cousins), who has a longstanding interest in these matters, mentioned the issue of duty of care. The suggestion that the auditor's duty of care should be extended has been subject to much discussion and was one of the matters on which the Department of Trade and Industry consulted. The overwhelming response, not just from the auditing profession but from business and investor organisations, was that the present system had much to commend it, and that widening the duty of care would not, overall, bring benefit to investors. As far as employees are concerned, their remedy, of course, is related to the company, and I am pleased that the Minister has wisely said that she does not intend to alter the duty of care of an auditor. On that point, I am happy to support the DTI.

The hon. Member for Newcastle upon Tyne, Central spoke about the dangers of entrenching a cartel, which was also a point made by my hon. Friend the Member for Sevenoaks (Mr. Fallon). I assure both of them that that is not my intention. I want to widen competition, and there is nothing between the Opposition and the Government on that point. My hon. Friend the Member for Hexham (Mr. Atkinson) signalled widespread support for the reforms but warned against the costs and burdens imposed all too readily, sadly, by this Government on business.

My hon. Friend the Member for Sevenoaks made several other points: he went through the menu that I put before the House this afternoon, and selected new clause 1. The concern about one of the big four going bust is that major public companies will not get an audit as a result. That has significant implications for pensioners, the work force, customers and dependants. That is at the heart of our argument.

The hon. Member for Weston-super-Mare (Brian Cotter) who spoke for the Liberal Democrats and whom I thank for his kind comments, urged the Minister to give in to my advances and also selected new clause 1. My right hon. Friend the Member for East Yorkshire (Mr. Knight) spoke up for good government, and showed that not only does he have the eye of an extremely able lawyer but, as a distinguished former Government Deputy Chief Whip and DTI Minister, that he understands the importance of the provisions that we are debating today. He said that he awaits the wider Bill, subject to the company law review, and in that respect he joins almost everyone else in the House.

The Minister came tantalisingly close to agreeing with the view put by the Opposition and the Liberal Democrats. She undertook a tour d'horizon of the argument. She went through the new clauses, which we tabled today, and gave the House a dissertation on the choice. I fully accept that she and her colleagues have seriously examined the arguments and the new clauses, and I agree with much of what she said. I accept her point that the £75 million cap might be anti-competitive—this is a case of trying to examine all the possible options in a clear-sighted way. She, like many others in the debate, came down on the side of limiting liability proportionately and by contract. But having come tantalisingly close, she then proceeded—to use what I believe is the military metaphor—to lay down smoke, and started talking about the number of important and fringe issues affecting the debate, and the issue of how to measure the degree of audit failure. She teased me with the fact that while in this Bill she could not come forward with a new clause, she was absolutely committed to a package of reforms for another Bill later in the Parliament.

Clearly, the House feels that new clause 1 is the best way of resolving this matter. Certainly, the business community, those who speak for the investor community and investors themselves feel that. The regulatory and professional bodies feel that. In fact, everyone apart from the hon. Member for Newcastle upon Tyne, Central feels that. If I have read the comments of the Secretary of State aright, and if I have interpreted the Minister's body language correctly, it is new clause 1 that basically takes her fancy. To strengthen her position in her negotiations with the Treasury, I hope that she and her colleagues will remonstrate vigorously with the Chancellor over the embarrassment that he is causing to the Department of Trade and Industry team and the irritation of the business community, as she knows well that the blame for the embarrassment that she is about to be caused rests fairly and squarely with him. Even so, it is right that we should test this matter out and put new clause 1 to the vote.

Question put, That the clause be read a Second time:—

The House divided: Ayes 145, Noes 283.

Division No. 267] **[2:35 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Atkinson, Peter *(Hexham)*
Baker, Norman
Barker, Gregory
Barrett, John
Beith, rh A. J.
Bellingham, Henry
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Burnside, David
Burstow, Paul
Burt, Alistair
Butterfill, Sir John
Cameron, David
Carmichael, Alistair
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Cotter, Brian
Davey, Edward *(Kingston)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger *(N Thanet)*
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Keetch, Paul
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*

Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Laws, David *(Yeovil)*
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Pugh, Dr. John
Randall, John
Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Dame Marion
Rosindell, Andrew
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Teather, Sarah
Thurso, John
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. David Ruffley and
Mr. Geoffrey Clifton-Brown

NOES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Barron, rh Kevin
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blunkett, rh David
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Byrne, Liam *(B'ham Hodge H)*
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Connarty, Michael
Cook, rh Robin *(Livingston)*
Corbyn, Jeremy
Cousins, Jim
Cranston, Ross
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Doran, Frank
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ewing, Annabelle
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gerrard, Neil
Gilroy, Linda
Godsiff, Roger
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hoon, rh Geoffrey
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Sir Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lammy, David
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
MacShane, Denis
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marshall, David *(Glasgow Shettleston)*
Meale, Alan *(Mansfield)*
Merron, Gillian
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken

Purnell, James
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Squire, Rachel
Starkey, Dr. Phyllis
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watts, David
Weir, Michael
White, Brian
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Wills, Michael
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Iain *(Hartlepool)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. John Heppell and
Mr. Tom Watson

Question accordingly negatived.

New Clause 9

AMENDMENT OF THE COMPANIES ACT 1985: AUDITORS—INELIGIBILITY

'(1) The Companies Act 1989 (c.40) is amended as follows.

(2) After section 27 (Ineligibility on ground of lack of independence) there is inserted—

"Ineligibility on ground of the sale of non-audit services

27A. Any auditor or audit partnership that has sold consultancy and advisory services or tax avoidance schemes requiring registry to a company shall be ineligible to act as an auditor for the financial statements covering the period of the sale.

Ineligibility on ground of lack of rotation

27B(1) In the case of a large company, an auditor completing five continuous terms in office shall become ineligible for appointment for the next five years.

(2) Upon completing the five continuous terms in office, the outgoing auditor shall issue a statement addressed to shareholders, creditors and employees.

(3) A statement pursuant to subsection (2) shall be accompanied by a notice stating—

(a) that there are no circumstances in connection with company financial statements that shareholders, creditors and employees need to be aware of; or

(b) that there are circumstances connected with company financial statements that shareholders, creditors and employees need to be aware of; and in such cases, full details of the circumstances shall be provided.

(4) Within 14 days of the receipt of the statement from the outgoing auditor the company shall—

(a) circulate it to all shareholders, creditors and employees; and

(b) file it with the Registrar of Companies.".'.—*[Mr. Cousins.]*

Brought up, and read the First time.

Mr. Cousins: I beg to move, That the clause be read a Second time.

I shall have regard to the Government's intentions as set out during the last debate. They have made it clear that auditor liability will be debated again in a future companies Bill, which is why it was unnecessary to press new clause 10 to a Division. I shall also have regard to the fact that, according to the Government, we shall have an opportunity to revisit all these matters in the fairly near future.

Nevertheless, new clause 9 draws attention to two issues that the Bill does not cover, but which I hope will be dealt with in some form in any new Bill that comes before us next year. I shall deal as rapidly as I can with those issues, the first of which is the importance of rotating auditors. The current position is that the auditing and accountancy world has accepted the need to rotate audit partners, but not the case for rotating audit firms. That contrasts with the provisions applying to our colleagues in local government, in respect of whom the Audit Commission has insisted on a review of audit relationships every five years and required a test of the continuity of the audit service provided by an audit firm. That service must include the ability to report irregularities, and to report independently and clearly on the effectiveness of the organisation involved. Of course, that provision is not framed in quite the same way as a requirement to rotate audit firms, but it perhaps provides the Government with some guidance on how they should address such issues. It would be wholly wrong for the Audit Commission to impose on local government and other public bodies requirements that were not to be imposed on public companies in general.

It is also true that the rotation of auditors is an issue that constitutes unfinished business so far as the famous Sarbanes-Oxley legislation is concerned. The United States Congress did not resolve that issue clearly through its discussions, but that is no reason for this House to avoid addressing it. There is a need for a clearly independent relationship between auditors and those whom they audit. It is difficult to see how that can be achieved where there is a long continuity of relationship between audit firms and those whom they audit. Such a relationship clearly leads to collusion and connection, and to established practices that might not be in the interest of a fully independent audit.

The current practice of changes in audit partners—itself achieved as a result of much campaigning and debate in the 1980s—has not led to robust audits. There is no example of an incoming audit partner produced by rotation having blown the whistle on the conduct of a previous audit partner. Of course, audit partners change anyway—some retire and others leave the firm in question—but even in those contexts, there are no examples of partners commenting unfavourably on the work of other partners.

A further concern, about non-audit services, is addressed in new clause 9. In a recent case involving the Royal Automobile Club, the outgoing firm of auditors suggested that the incoming auditors, PricewaterhouseCoopers, had undercut it by 50 per cent. in order to secure the audit. It claimed that that demonstrated a determined approach to price audit work on a predatory basis, so as to secure an appointment that might enable PWC to introduce higher priced consultancy services to the RAC in due course. Yet that seems not to have produced any corresponding robustness in the first year of the PricewaterhouseCoopers audit.

There is considerable evidence that big investment management organisations would prefer a system involving the rotation of audit firms. The pension fund company Hermes has called publicly for such rotation and, in a survey published in February 2002, a majority of finance directors expressed the belief that companies should be compelled to rotate auditors every few years. The issue is very much on the agenda and the risk of collusion certainly informs the debate on corporate governance.

New clause 9 also deals with the separation of audit services from non-audit services. It is a fact that almost three quarters of accountancy firms' income derives from selling non-audit services to their audit clients. That creates the danger that audits might be used as loss-leaders to secure non-auditing work, with big firms sometimes undercutting mid-market ones in precisely the way that I described in respect of the RAC case. It is clearly essential that auditors be completely independent of the company in question and that they have no material interest in the judgments that they make concerning the financial statements that they audit. By selling non-auditing services, auditors acquire a material interest in protecting and defending aspects of those financial statements. Their position is no different from that of an employee and the potential for conflicts of interest is clear.

According to a poll carried out on behalf of the accountancy regulators, nearly 83 per cent. of company executives said that a desire to gain more non-audit work impairs auditor independence. Nearly two thirds of auditors themselves agreed with that point of view, and more than half the auditors surveyed also agreed that the remuneration of audit partners is affected by their ability to generate non-auditing services within the same company. Such a connection between the audit function and non-audit services in respect of the same source has been a factor in a number of well-known company failures. Recent examples include Enron and Parmalat, and there are a whole host of examples from the more distant past. Enron's auditors, Arthur Andersen, also supplied quite expensive non-audit services to that company. Its financial rewards were directly connected to those sales, and the same incentives and possible collusive relationships are also a factor in the UK audit market.

Similarly, the Department of Trade and Industry's inspector's report on Maxwell called for major reforms of auditor independence. That has been reflected over the years in a whole host of DTI inspectors' conclusions. In 1979—a year that many of us in this Chamber will remember for other reasons—one such report reached the following succinct conclusion: "In our view, the principle of the auditor first compiling and reporting upon a profit forecast is not considered to be good practice, for it may impair their ability to view the forecast objectively and must endanger the degree of independence essential to this work."

Finally, I should tell the House, that whether it likes it or not, this issue will come before us in some form. Under the Sarbanes-Oxley Act 2002—the recent legislative result of the Enron affair—the provision of nine kinds of non-audit services from a company's own auditors is now banned. Congress did not accept the idea of a disconnection between audit and non-audit services, but it did set out nine things that would be banned from being provided by an audit firm to the firm that it audits.

3 pm

It is instructive to list those nine aspects. The first is bookkeeping services relating to the accounting records. Then we have the design and implementation of financial information systems; evaluation services or expressions of the opinions of fairness; actuarial services; the ability to outsource internal audit functions to the same firm that was supplying the external audit; non-audit services such as management functions or human resources advice; any activities as a broker or dealer or investment adviser; legal services or other expert services unrelated to the audit; and any other service that the accounting board set up under the legislation would later determine by its own regulations to be impermissible. That is a fairly comprehensive range of services that audit firms are banned from providing to the companies that they audit.

The issue will not go away because many British-registered companies will have those rules applied to them if they list in the US. It is very much a live issue. I would like to know how the Government intend to respond to the issue now. The House will have to consider the matter again and it should certainly form part of our debates on the new companies Bill that the Minister outlined in the previous debate.

Mr. Fallon: The House can well understand the background against which the hon. Gentleman introduced the new clause. As he said, there have been too many financial and accounting scandals, not just in the United States, but in the UK. That is why many of our international companies, as well as American companies, now face having to implement Sarbanes-Oxley. When we consider Cousins-Jones against Sarbanes-Oxley, I fear that Cousins-Jones—the new clause before us—is equally vulnerable to some of the difficulties of implementation. I would like to take issue with some of drafting of the new clause.

First, the proposed new subsection 27A pejoratively lumps together tax-avoidance schemes with consultancy and advisory services. The hon. Gentleman might have strengthened his case if he had not linked them so ostentatiously.

[Mr. Fallon]

Secondly, as the hon. Gentleman told us, Sarbanes-Oxley makes a clear distinction between the different types of advisory service, which is an important point. It is too easy to say that there is "audit" on the one hand and "non-audit" on the other. It is possible for an auditor to identify some important tax advice that is needed in a company. There is no one more natural than the auditors themselves to carry forward that tax or other accounting advice that is needed. That is why it is interesting that tax advice is not on the list that the hon. Gentleman read out. With great respect to the hon. Gentleman, who has followed this subject for a very long time, it is too easy to brand in a single sentence consultancy and advisory services and tax-avoidance schemes. There are many non-audit services that may be directly linked to audit and many others that may not.

With respect to proposed new subsection 27B, the hon. Gentleman's example from local government was not a valid one. As he recognised, the test in local government is a continuity test. What new subsection 27B proposes is an absolute bar. Auditors would not be allowed to carry on after the five years, even if they met some of the criteria laid down under the local government test. That is why I am not attracted to that proposal.

Let me clarify what the important issues are. Where there is an imbalance between the audit fee and the remuneration for non-audit services, there should be some recognition of the fact and perhaps some test of proportionality. Clearly, if predatory pricing is taking place or an audit firm is simply offering an incredibly cheap audit in the full knowledge that there will be a whole package of non-audit work that it will then secure, that amounts to a real issue. The hon. Gentleman may recall that I raised that matter with the Financial Services Authority, which was itself engaging in the practice of paying its own auditor three times as much for its non-audit work as it was for the audit. The issue is real but, with great respect, it needs to be tackled in a slightly more sophisticated way.

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): Will the hon. Gentleman expand on the point about balance? Does he mean balance in respect of the volume of work or the value for money of that work as between the audit and the non-audit function?

Mr. Fallon: I was thinking neither of the volume of the work nor of the value for money, but of the fee that would be available to a particular firm. Predatory pricing takes place in any business or industry and I would like to see some safeguard so that audits cannot be bought on the cheap and new audit firms cannot buy their way in with the knowledge that a great volume of non-audit work would immediately fall to them. It is an issue that we need to reflect on and tackle, but it is not properly covered by the new clause.

The independence of partners is also an issue. We have already discussed the practice of ensuring that partners are fully independent not just from one audit to the next when they take over the audit from another partner, but within an audit firm as between partners responsible for audit work and those responsible for non-audit work. It may well be that more could be done to ensure that those Chinese walls remain impenetrable.

Finally, will the hon. Gentleman reflect again on what never seems to be considered when proposals such as this come up—the whole issue of costs? There is a related issue because, if all firms have to rotate their audit every five years, that could well reinforce the cartel rather than opening it up, with firms being passed round between the big four on an automatic rotating cycle. That is one issue, but there is also the issue of cost. It may be that a firm is perfectly happy with the auditors that it has, and simply has to go through the whole process of tendering the audit out, with all the extra cost that that entails, simply to meet some box-ticking requirement.

Cost is an issue, not so much for the big firms that have big auditors, but for the others. The new clause refers to "a large company", but I am not sure whether that is a Companies Act 1989 definition or refers to the FTSE 100 or 300 companies or to all public limited companies. In any case, there is clearly a cost to such requirements and we need to be more careful to establish what exactly it is before going down the route of automatic rotation. For all those reasons, I have some doubts about the new clause.

Mr. Andrew Mitchell: I pay tribute to the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) for tabling this interesting new clause, but I fear that I cannot be much kinder about it than my hon. Friend the Member for Sevenoaks (Mr. Fallon).

Early on in his remarks, the hon. Gentleman referred to Sarbanes-Oxley, which I fear he was praying in aid. He will be aware that the US decided against the mandatory rotation of audit firms and against a prohibition on auditors providing advisory and other non-audit services. Sarbanes-Oxley was largely about the US catching up with the UK. Where Sarbanes-Oxley leapfrogged the UK, the Government's consultative group on accounting and auditing recommendations brought the UK up to the level of the US. Indeed, there is some argument that this Bill completes that process.

It is clear that, taken together, the proposals in new clause 9—and new clause 10 in the previous group—would mean that the private sector would withdraw from auditing listed and public interest companies. Perhaps the hon. Gentleman believes that a state-owned auditor such as the National Audit Office should undertake the audit function. I do not, but I recognise that it would be the fastest way to persuade the Treasury that auditors should have limited liability, as under no circumstances would it wish to have to fund the NAO—or any other state auditor—on a joint and several liability basis when something went wrong, as it assuredly would.

The combination of mandatory audit firm rotation, together with a prohibition on the auditor selling non-audit services such as tax or consultancy advice to the company—both while it is that company's auditor and in the previous five years—would mean that the large firms of accountants will simply concentrate on everything that they do other than audit. Frankly, on any sensible commercial criteria, those large firms could hardly come to any other conclusion.

As I have said, the combination of the various proposals would certainly drive all private-sector audit firms out of the business of auditing. However, each measure on its own would be likely also to have that effect. Furthermore, each of the measures would have exactly the opposite effect from that which I assume is intended, in that the quality of audit would be reduced rather than enhanced. First and foremost, the quality of an audit depends on the quality of the people conducting it. Auditing is not simply a question of following a rulebook but of the exercise of judgment. It is about understanding a business and recognising where risk may lie. It is also about making sure that the audit is directed into the right areas and that the findings are understood, so that the right conclusions can be drawn from the audit.

I am advised that, almost without exception, the very high quality of people attracted into the accountancy profession say that they have chosen that qualification above other business qualifications because of the diversity of activity conducted by chartered accountants. It is essential, therefore, that we continue to permit auditors to conduct a wide range of activity, so that they can attract the very high-quality talent necessary for them to conduct high-quality audits.

Secondly, it is ludicrous to imagine a situation where an auditor could not offer any advice to a client. The auditor's knowledge of accounting, internal controls, corporate governance and many other related issues qualify him or her to give such advice. The auditor's deep—indeed, intimate—knowledge of a business that he will have gained from conducting an audit frequently makes him far and away the best person to give advice. The new clause would deny that source of advice to companies, thereby lowering the standards of financial reporting, internal controls and corporate governance in the UK, rather than improving them.

The Auditing Practices Board is independent of the accounting profession and is chaired by an eminent lawyer. It has just published new ethical standards for auditors. Broadly, they permit auditors to provide a wide range of services to their audit clients, subject to appropriate safeguards. That approach builds on earlier standards pioneered in the UK that since have been adopted around the world. The approach also makes sure that auditors have appropriate objectivity and independence and allows companies to take full advantage of the particular skills that the audit firm can bring to them. It would be insane to move away from that well-developed and much-copied system.

The second proposal is every bit as unwise as the first. If I understand it correctly, the intention is that a large company should be required to change its auditors every five years. I imagine that the hon. Gentleman is aware that such a system using a nine-year rotation period has operated in Italy for some years. I remind him that it was in Italy that the largest corporate scandal in Europe—to which he referred twice—took place. I do not know whether he has had a chance to look at the research conducted by Bocconi university in Milan, but it concluded that that system of audit firm rotation has reduced rather than improved the quality of auditing in Italy.

The fact that I can present that information shows that the Conservative party's research facilities have been working overtime. The hon. Gentleman must have been unaware of the Bocconi research, as he could not possibly have tabled this new clause if he had read it. I am sure that he is aware that the US General Accounting Office recently conducted a study into whether a system of mandatory audit firm rotation would improve audit quality. It concluded that the opposite would be the case.

Indeed, the concept of a system of mandatory audit firm rotation was considered here in the UK as recently as last year by the Government's consultative group on accounting and auditing issues, under the joint chairmanship of the then Financial Secretary to the Treasury and the DTI Minister then responsible for consumer affairs. The conclusion was that the risks associated with such a system more than outweighed any benefit. It found that the benefits could be achieved in other ways and, indeed, that they were being achieved as a result of measures introduced by the profession voluntarily and by the Auditing Practices Board.

I have some sympathy with the notion that auditors should make clear to shareholders the reasons for their resignation. However, that requirement is part of the law at present, and so that aspect of the new clause is not necessary.

3.15 pm

Jacqui Smith: We have had a short debate, but the quality has been high. I assure my hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins) that the Government do not have a closed mind about anything that might help to improve confidence in financial reporting and the quality of audit, but I said on Second Reading that there are two approaches to audit regulation. We can either take the rules-based legislative approach adopted in the US, or we can build on the principles-based approach that we already have in the UK.

The new clause adopts a rules-based approach to the questions of non-audit services and of rotation of the auditor. In many ways, that allows me to set out more fully why the Government believe that the better route for the UK is to build on the existing principles-based approach.

There is a general consensus about what we want to achieve. We all want to be sure that auditors act with integrity, objectivity and independence. We want to guard against two specific risks: the provision of non-audit services alongside audit services, and the development of a relationship between the auditor and the company being audited that is inappropriately familiar, cosy or collusive. However, there are many other possible risks in the relationship between auditors and the companies that they audit. I shall deal with them in a moment, when I explain about the ethical standards of the Auditing Practices Board.

One of the difficulties of adopting a rules-based approach dealing with only two specific areas of the problem is that it can imply that other matters are not important. The benefit of the ethical standard is that it covers a broader area. However, we recognise the risks that were outlined by my hon. Friend the Member for Newcastle upon Tyne, Central, and we share his overall objective. We depart from him only in respect of how that objective can best be achieved.

As the hon. Member for Sutton Coldfield (Mr. Mitchell) noted, in 2002 the Government established the co-ordinating group on audit and accounting issues. That was a direct response to the events at Enron and

[Jacqui Smith]

later at WorldCom. One of the group's key concerns was auditor independence, and it devoted a great deal of time to looking at non-audit services and at auditor rotation in particular.

The conclusions that the group reached were firmly against imposing a ban on non-audit services or on compulsory rotation of audit firms—precisely the two measures proposed in this new clause. In its final report, the group stated that

> "firm rotation is a blunt regulatory instrument, and there are a number of arguments against mandating it."

The report went on to list those arguments, some of which have been touched on in today's debate. The first problem has to do with the quality and effectiveness of audit in the years immediately after a change of auditing firm. That is especially difficult given the ever-growing complexity of large groups. In other words, there can be some benefits as well as dangers in the development of continuity and understanding.

Secondly, rotating auditing firms would impose substantial costs on business, as it would take up a lot of management time. The third factor is that there is no evidence that the rotation approach is effective. It has been tried and abandoned in Spain, for example, and the hon. Member for Sutton Coldfield pointed out that it is still in operation in Italy. Other countries that have considered the issue have all decided against it. Indeed, my hon. Friend himself highlighted the fact that despite the rigours of the Sarbanes-Oxley Act 2002, the US has not gone down that route either.

The fourth issue was the problem of being able to find large audit firms to carry out all the audits if frequent rotation were required, especially as some might be prevented from taking on the work as a result of auditor independence requirements also being introduced. As we discussed in the debate on the previous group, the market for large audits is very concentrated.

Finally, the Office of Fair Trading expressed concerns about rotation being in effect a form of compulsory retendering with one of the potential bidders excluded. That is what the group had to say about compulsory rotation of the audit firm.

My hon. Friend the Member for Newcastle upon Tyne, Central identified the alternative approach, which we have adopted—ensuring the rotation of the leading audit firm partner through the application of ethical standards. The previous rotation period was seven years, but it has now been reduced to five.

Let me deal next with what the co-ordinating group had to say about banning certain non-audit services. I will then come to what steps have been taken as a result of the group's recommendations to further auditor independence and, in particular, the role of the Auditing Practices Board. I do not oppose my hon. Friend's proposals because I think that there is no issue to address. On the contrary, we should perhaps take a broader approach to the problem than he adopts in new clause 9.

The co-ordinating group concluded that the provision of non-audit services was indeed a problem—in appearance, if not in fact—but that the solution was not to impose a ban on particular types of services being provided; rather, it was to re-emphasise and strengthen the key principles that were already in place in the UK, namely that auditors should not carry out work for a company that they are auditing if that would involve the auditors taking management decisions, auditing their own work, or acting as an advocate for the client. The group concluded that tougher mechanisms were needed to safeguard those principles. Specifically, it recommended that ethical standards on auditor independence should be set by an independent standard-setting body; the audit firms should be monitored frequently and by an independent monitoring unit in the case of public interest audits; the audit firms should be more transparent in publishing details about their own structures, processes and financial position; the role of the audit committee within the company should be enhanced through changes to the combined code guidance; and companies should be required to disclose more detail in their annual reports.

The last of those requirements, of course, is the subject of clause 7. In response to the point made by the hon. Member for Sevenoaks (Mr. Fallon), I can say that clause 7 also requires more transparency about the costs of non-audit services that are bought by the company.

The combined code has been expanded as a result of the excellent work of Sir Robert Smith and his group on the role of audit committees. The major firms have published more information about their own internal practices, and that is also a matter that is covered in the draft European directive on audits. The audit investigation unit is up and running as part of the newly created Professional Oversight Board for Accountancy, itself part of the newly expanded Financial Reporting Council.

Finally, and most importantly in the context of new clause 9, the Auditing Practices Board has been taken out of the control of the professional bodies, brought into the expanded Financial Reporting Council family and given responsibility for setting ethical standards for auditors on auditor independence. We now have independent standard-setting for audit standards. That covers a lot more than just the provision of non-audit services and the rotation of auditors.

There are five standards and they cover, to take some examples at random from a lengthy list, issues such as financial relationships, employment relationships, family and other personal relationships, fees, remuneration and gifts, litigation and the overall principles of integrity, independence and objectivity. They set out clearly the standards to which auditors are expected to adhere in the provision of non-audit services to a company to which they also provide audit services more broadly than could a legislative list that simply banned certain services.

I accept my hon. Friend's objectives in tabling his new clause, but I am not convinced that the solution he has chosen would work. It has been tried in the US, but we have seen nothing to change our view that lots of rules mean only lots of lawyers looking for ways to get round the rules. The new clause lists three services that it would be unacceptable for an auditor to provide for a client, but that might imply by omission that other services are acceptable. That is clearly not the case. If the rules cover long association with a company and the provision of non-audit services, why should they not cover all the other threats to auditors' integrity? There are many, as

I have demonstrated, and we need to ensure that they are all covered. That is where standards play an important role.

To anticipate my hon. Friend's reply, I should say that just because the standards are not set in legislation, it does not mean that they have no force: they do. They are not just "guidance" or "recommendations". Auditing is a statutory function and to carry it out an auditor must be a member of a recognised supervisory body. The supervisory bodies are required by law to have rules and practices designed to ensure that audit work is carried out with integrity and without conflicts of interest. Clauses 1 and 2 require such standards for the purposes of those rules to be set by a body independent of the profession and for the recognised supervisory bodies to require the auditors registered with them to comply with those standards. Compliance with those standards is rigorously monitored and enforced. Clauses 1 and 2 increase the independence of audit monitoring and disciplinary processes by requiring that they must be carried out independently of the recognised supervisory bodies where the audits are of public interest.

I hope that I have given my hon. Friend some reassurance. I do not take the defensive approach that the hon. Member for Sutton Coldfield takes, because I share my hon. Friend's concerns that we need to ensure that a cosy relationship does not develop between auditors and the companies that they audit. We need much more clarity and transparency in respect of the value and provision of non-audit services to firms. The principles-based approach, with the additional independence and rigour brought in by the legislation, is the most appropriate way to achieve those objectives.

Mr. Cousins: The debate has been short but illuminating. I especially thank my right hon. Friend the Minister for her remarks and for taking this opportunity to set out the Government's approach. We shall obviously be able to debate all these matters again in the context of the companies Bill that we have been promised this afternoon. That is a joyous prospect for those of us gathered here today. What an opportunity it will be to convince many of our colleagues that they should join us in considering these intricate and interesting matters.

3.30 pm

I sound a warning to my right hon. Friend, however: the test for a rules-based or a principles-based approach cannot be absolute. Through the International Accounting Standards Board, we must seek reconciliation between the different approaches being developed in the United States and in Europe. It would be a disaster if we closed our minds, and our legislation, to acceptance of some of the rules-based requirements that are emerging from the US. That could produce tensions for companies registered both in this country and the United States, especially the larger ones. We must avoid the conflict between the two systems that is now a real possibility.

We may want to create a truly competitive market in the provision of audit services, but we are already in an extreme situation. The competitive market is eroding before our eyes. When we return to these matters, I suspect that the Minister will find that the measures required to preserve a competitive market are even more extreme than those she is willing to consider at present.

Finally, Senator Sarbanes himself wanted to go for radical separation of audit and non-audit services, especially in relation to tax avoidance, which has become a profitable global industry of the most powerful kind. The Government tried to address that aspect in the Finance Act 2004, which requires for the first time the registration of tax avoidance schemes—or tax mitigation schemes, if that is a more acceptable formulation. A real issue will emerge under our regime for companies supplying the same company with both tax mitigation devices and audit services. Whatever happens to new clause 9, that issue will certainly not go away. None the less, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 21

POWER TO REQUIRE DOCUMENTS AND INFORMATION

Mr. Andrew Mitchell: I beg to move amendment No. 1, in page 27, line 29, at beginning insert

'Where there appears to be good reason.'.

Mr. Deputy Speaker (Sir Michael Lord): With this it will be convenient to discuss the following amendments: No. 20, in page 27, line 29, after '(1)', insert

'If he thinks there is good reason to do so'.

No. 2, in page 29, line 12, in clause 23, leave out 'thinks' and insert 'reasonably believes'.

No. 3, in page 29, line 12, in clause 23, after 'thinks', insert 'on reasonable grounds'.

No. 21, in page 29, leave out line 14 and insert—

'(2) Subject to subsection (9) an inspector or investigator may at all reasonable times within the first 30 days following his authorisation under subsection (1)(a)–'.

No. 4, in page 29, line 14, after 'may', insert

', subject to subsection (3A),'.

No. 5, in page 29, line 14, at end insert 'during normal office hours'.

No. 6, in page 29, line 16, after 'there', insert 'during normal office hours'.

No. 7, in page 29, line 16, leave out 'thinks' and insert 'reasonably believes'.

No. 8, in page 29, line 16, after 'necessary', insert 'on reasonable grounds'.

No. 9, in page 29, line 16, after 'necessary', insert

', not exceeding one month,'.

No. 10, in page 29, line 16, after 'necessary', insert

'not exceeding one month (or such longer periods as may be authorised by the Secretary of State)'.

No. 22, in page 29, line 17, at end insert

'provided that unless authorised to do so by the Secretary of State under subsection (9) he shall not remain on the relevant premises for the whole or substantially the whole of the company's normal working hours for a period of more than 7 consecutive days.':

[Mr. Deputy Speaker]

No. 11, in page 29, line 17, at end insert—

'(2A) Except when the investigator or inspector reasonably believes that the exercise of his functions under this Part would otherwise be seriously impaired the powers under subsection (2) shall be exercised between the hours of 9 am and 5.30 pm and between Monday and Friday.'.

No. 23, in page 29, line 18, after second 'premises', insert

', or if in mixed use the parts or parts thereof,'.

No. 12, in page 29, line 20, after subsection (3) insert—

'(3A) Where the relevant premises consist either of premises all parts of which are used for residential purposes or of premises which can only be accessed via premises or parts of premises which are used for residential purposes an inspector or investigator shall not exercise his powers under subsection (2) without a warrant issued under section 453C by a justice of the peace and if such a warrant is issued the inspector's or investigator's powers under subsection (2) shall be limited to his powers under such warrant.'.

No. 13, in page 29, line 21, after '(2)', insert

'subject to the terms of any warrant issued under section 453C'.

No. 24, in page 29, line 32, at end insert—

'(9) The Secretary of State may on the written request of the inspector or investigator—

(a) if satisfied that it is necessary for the purpose mentioned in subsection 1(b) extend for a period which he may specify beyond the initial 30 days the period of authorisation under subsection 1(a); or

(b) extend the number of consecutive days during which the inspector or investigator may remain on the relevant premises.

(10) There shall be no limit on the number of extensions which may be requested of or granted by the Secretary of State under subsection (9).'.

No. 14, in page 30, line 7, at end insert—

'(c) the grounds for his belief that entry onto the company's premises will and that remaining thereon for a period will be necessary to materially assist him in the exercise of his functions under this Part.'.

No. 15, in page 30, line 42, at end insert—

' "453 C Entry into residential premises

(1) A justice of the peace may issue a warrant under section 453A(3A) if satisfied on information on oath given by or on behalf of the inspector or investigator authorised under section 453A(3A) that there are reasonable grounds for believing that access to any premises falling within section 453A(3A) will materially assist the inspector or investigator in the exercise of his functions under this Part.

(2) A warrant under section 453A(3A) may authorise the inspector or investigator, accompanied by a constable and any persons thought appropriate under section 453A(4) and any other constables—

(a) to enter the premises, and

(b) to remain there for such period as the inspector or investigator thinks necessary, or for such period as the warrant may provide, for the purpose mentioned in subsection 453A(1)(b).

(3) A warrant may be issued under section 453A(3A) subject to conditions.

(4) Sections 448(5) and 448(9) shall apply to the issue of a warrant under section 453A(3A) as they apply to the issue of a warrant under section 448(1).".'.

No. 16, in page 59, line 31, in schedule 2, at end insert—

'(d) any person accompanying an inspector or investigator pursuant to section 453A(3A).'.

Government amendments Nos. 17 and 18.

Mr. Mitchell: We now come to the guts of the Opposition's concerns about the Bill: investigations and the powers of investigators. I draw the attention of the House to amendments Nos. 1 and 20, in which we argue that the Secretary of State must have "good reason".

Clause 21 reformulates section 447 of the Companies Act 1985 and excludes the requirement under that section for the Secretary of State to act only if he thinks there is good reason to do so. The amendments propose alternative forms of words but which have the same intention: to maintain in section 447 an express requirement for the Secretary of State to act only where it appears to him or her that there is good reason to do so.

Amendment No. 1 adopts the form of words found in section 167(1) of the Financial Services and Markets Act 2000, which provides for the Financial Services Authority's power to appoint persons to carry out general investigations. Amendment No. 20 retains the form of words in section 447 of the 1985 Act. A similar amendment was proposed and defeated in the other place on 22 March and was proposed and debated in the Standing Committee on 16 September. I subsequently withdrew it, to give the House an opportunity of considering the proposal further today.

The Government's answer throughout has been doggedly to maintain that those words are superfluous and add nothing to the requirements imposed by general administrative law. In Committee, the Minister suggested further reasons for the Government's refusal to adopt such an amendment. First, she suggested that there is a thorough approach to vetting complaints that give rise to investigations under section 447 of the 1985 Act, which will not change if those words are omitted. Secondly, she suggested that the courts have never given any special meaning to the words, which she described as

"a somewhat antiquated expression with no transparent, obvious and precise meaning."

Thirdly, as a consequence of the second point, she said that the phrase

"could, over time, produce a result that we do not want to achieve by narrowing or widening the circumstances in which the power can be used." ."—[*Official Report, Standing Committee A,* 16 September 2004; c. 89.]

I am sorry to tell the Minister that neither my colleagues nor I found those arguments remotely convincing. There are compelling answers to those points and strong, positive reasons to accept one or other of the amendments.

I challenge the Minister's assurance that the approach to vetting will not change if the words are omitted. That is dangerous speculation on her part. In fact, the thorough and admirable vetting procedures to which she referred that are carried out in practice by the Secretary of State's officials at the companies investigation branch of the Department of Trade and Industry have come about precisely because section 447 of the 1985 Act has hitherto contained the words.

The officials who carry out the vetting procedures will have at the forefront of their minds at every stage these questions: "Is there good reason to take the step that I am contemplating? What is that good reason? How do I express it? Can I justify it if challenged?" That is why the vetting procedures have evolved in the way that they have. No one can assert with confidence that rigour will be maintained in the future, as it has been in the past, if those important words simply vanish from the lexicon of that section, new and challenging situations develop or budgetary constraints begin to bite on the Department's budget. The words are not surplus. The discipline imposed on officials by the inclusion of explicit words of limitation in a section under the authority of which they propose to act is a powerful, positive justification for adopting the amendment.

The criticism of the words "good reason" by the Minister as "antiquated" and lacking transparency or precise meaning was rather surprising. The same so-called antiquated and precise phrase has been incorporated in the parallel section 167 of Financial Services and Markets Act 2000—legislation enacted by the Government in the past four years. Something that happened four years ago is surely not yet to be relegated to antiquity, even if four years certainly feels like a very long time under this Government. The words were included because they have a real context.

The Government have not suggested that developments in administrative law have now made redundant words that were, by necessary implication, considered essential and not superfluous in 2000. The Minister conceded on two occasions in Committee—I draw her attention to columns 88 and 102—that the Secretary of State will have to give sound reasons for using the powers. She is right: let the clause say so expressly to stand as a reminder and a check.

The Government argue that the words have not been judicially defined and may later be construed as unexpectedly to narrow or, indeed, widen the powers intended, but they are missing the bigger picture. It may be that the words have never been subjected to judicial interpretation because their plain and natural meaning is clear enough. For example, where wording that contains the notion of reasonableness has been considered, the courts have recognised the fact that what is or is not reasonable will depend on the facts in any case. It is plain beyond argument that a similar approach will attach to any consideration of what is or is not a good reason to act.

The Minister makes the criticism that the phrase is not precisely defined, but that dodges the real question that it is incumbent on the Government to introduce legislation that precisely defines the powers and discretions given to Ministers and their officials. Even without attempting to pre-empt any judicial interpretation, I suggest that the more obvious and more serious risk of unexpected and undesirable consequences of interpretation springs from the Government's refusal to incorporate the words suggested in the amendment. The reason is plain to see: the requirement for good reason to act appears in other closely analogous provisions in other Acts and, crucially, in similar provisions in the Companies Act 1985.

Leaving such words out of proposed new section 447 of the Companies Act 1985 represents a great risk. The courts will be induced to conclude that Parliament's intention was for the provision to confer far wider executive power or discretion on the Secretary of State than that enjoyed under analogous provisions that are expressly constrained by the "good reason" requirement. If that is the Government's intention, let that be expressed, exposed to debate and set out in the Bill. The power should not be expanded on by stealth.

I shall cite the analogous provisions to which I referred. First, under the heading "Appointment of persons to carry out general investigations", section 167(1) of the Financial Services and Markets Act 2000—as enacted by the Government—which is the exact counterpart to section 447 of the Companies Act 1985, states:

> "If it appears to the Authority or the Secretary of State . . . that there is good reason for doing so, the investigating authority may appoint one or more competent persons to conduct an investigation on its behalf".

Secondly, section 442 of the Companies Act 1985 confers powers on the Secretary of State to appoint inspectors to report on company ownership. It states:

> "Where it appears to the Secretary of State that there is good reason to do so, he may appoint one or more competent inspectors".

Thirdly, section 444 of the 1985 Act confers powers on the Secretary of State to obtain information as to those interested in shares. It states:

> "If it appears to the Secretary of State that there is good reason to investigate the ownership of any shares in or debentures of a company and that it is unnecessary to appoint inspectors for the purpose, he may require any person"—

and so on.

The Government seem to rely on general administrative law as the bedrock of the limitations on the Secretary of State's powers, but administrative law is a fluid discipline and the legislature has no control on its development. By leaving out the words "good reason", yet not inserting any other words of limitation, the Government are denying themselves and the legislature a voice in defining the scope of law. They are replacing bedrock with shifting sands, and more importantly they are failing to address the fundamental question of the intended effective limit on the Secretary of State's powers. It is worth remembering that if words are interpreted as narrowing the power that Parliament intends to confer, the remedy is in our own hands. However, if a power is conferred by statute that is far wider than that intended, it creates a licence for future abuse.

There is a further compelling and positive reason to include such words in new section 447. They would act as a signpost to not only officials, but a lay person or company director who was the object of the exercise of the powers. The corollary of the Government's position is that an onus will be placed on an individual either to have knowledge of, or to obtain legal advice on, the complex area of administrative law. It is right that legislation should be internally comprehensible to the man in the street as well as practitioners at the administrative Bar, so it would be unfair to pass legislation that would impose such a burden. Given that the Executive could subject companies and individuals to intrusive action, the Bill should plainly set out the Secretary of State's obligation to act for good reason.

[Mr. Mitchell]

Amendments Nos. 12 and 15, which address relevant premises, characterise the amendments that I have tabled to clauses 23 and 24. Those clauses will insert new sections 453A, 453B and 453C in the 1985 Act, thus conferring on inspectors and investigators the entirely new power to require entry to, and to remain on, relevant premises. Relevant premises are defined in proposed new section 453A(3) as

> "premises which the inspector or investigator believe are used (wholly or partly) for the purposes of the company's business."

The provision will broaden for the first time the powers of inspectors and investigators by permitting them to enter into and remain on domestic and residential premises. Section 448 of the 1985 Act provides that investigators and inspectors must obtain a warrant before they are able to enter any premises.

3.45 pm

The amendments would require inspectors and investigators to get a warrant before entering and remaining on residential premises. Their purpose is to restrict the possible abuse of the broad and largely unfettered power of entry and to control its impact in situations in which domestic or family circumstances overlap with company activity. In reality, they would preserve the status quo for residential property without restricting the powers to enter and remain on separate company premises. A similar amendment was moved and debated in Committee. Regrettably, it was rejected by the Government. I hope to be more fortunate in attracting the Minister's support this time.

The matter is of real concern. Investigations pursuant to the powers conferred by section 447 of the 1985 Act are frequently targeted at small businesses. Such businesses often trade from, or have a registered office at, the director's home address, or they use domestic premises for storage if space at trading premises is constrained. No one disputes that there may be cases in which it will be necessary, in order not to frustrate the purposes of an investigation, to have access to premises that may be of mixed use. However, the power to enter into and to remain on company premises is highly intrusive. How much greater is the intrusion and how much more carefully must we tread if the power is to be operated in respect of domestic property, which means an individual's or a family's home?

As drafted, the Bill allows the Secretary of State to appoint an official, although she has no need to show good reason for doing so. That authorisation will be made as a matter of course at the beginning of every investigation, whether it is necessary or not. The official will be empowered to enter into commercial or domestic premises merely because he thinks that that will materially assist him. No mechanism requires him to explain why he has come to that conclusion.

The official can remain on the premises without limit of time so long as he continues to think in that way, although no one can know if and when he may change his mind or exceed his right to remain. He may be accompanied by one person or as many as he sees fit. Further, there is no requirement that there should be a lack of co-operation before the powers are exercisable, contrary to what the Minister appeared to understand in Committee. That is a chilling prospect and it would be an abdication of Parliament's function to protect the citizen to allow a Bill in this form to be passed without better restraints against abuse.

The Government were exhorted in Committee to consider the amendment in that context by no less than a distinguished former Labour Minister, the hon. Member for Stoke-on-Trent, Central (Mr. Fisher). He said:

> "All these amendments say that Parliament must think carefully about the way that we word powers given to civil servants. Because the Minister has total confidence in her carefulness, reasonableness and intelligence, and in the carefulness, reasonableness and intelligence of her ministerial colleagues, she knows that she and they will not abuse these powers. But we always legislate not just for the Ministers who will introduce the powers, but for future Ministers, who often act in very different circumstances. Future Governments may have very different intentions and different pressures on them.
>
> We all know from bitter experience in recent years that the thing that most undermines confidence in Parliament and most leads Parliament to take bad decisions is Ministers' sense that something has to be done in response to a particular crisis. In those circumstances, the hon. Gentleman's warnings"—

my warnings—

> "about the powers that are delegated to civil servants are very important."

The hon. Gentleman finished by saying:

> "The hon. Gentleman"—

again, he meant me—

> "was careful to heap praise on the Minister and the Secretary of State for being reasonable people. He was genuine in that. These are reasonable Ministers and we can be confident that they will not allow their civil servants to abuse these powers. But I hope that between now and consideration on Report the Minister will consider the wording and perhaps devise some small but crucial amendments to some of these powers to ensure that we retain ministerial control over some powers in the Bill so that they cannot inadvertently be misused in different circumstances in the future."—[*Official Report, Standing Committee A*, 16 September 2004; c. 100–01.]

Those were not the words of Members of the Conservative Front Bench or, indeed, of the Liberal party, who would agree with them; they were the words of an experienced former Labour Minister and express succinctly and eloquently the powerful argument that we are trying to make.

Mr. Greg Knight: I am less satisfied with ministerial control in that area than with judicial control. Would it not be much better to allow the courts to say that the use of the powers must be reasonable instead of allowing a decision to be made on the whim of a transient Minister?

Mr. Mitchell: My right hon. Friend has put his finger on an important point. Parliament must add the necessary safeguards to the Bill so the courts can exercise them. The safeguards on which the Minister relies sadly offer little reassurance. In Committee, she referred to the obligation on inspectors when seeking entry to produce proof of identity and provide a statement of their powers and the company occupier's obligations under proposed new section 453B. Those responsibilities will be prescribed by regulations, but we have not been given any comfort about their content.

Will the Minister give us an undertaking that the regulations will require that the statement will make it unequivocally clear to people on whom it is served that they may, without penalty, refuse to admit the inspector or may request that he and anyone accompanying them should leave? The occupier may believe that the investigation is to take place at an unreasonable time, but will the statement provide examples of such circumstances? Will the statement make it clear that officials have no power to search for or seize documents, and will it refer occupiers to the code of conduct and the published complaints procedure for Department of Trade and Industry officials?

The Minister reminded us that a thorough vetting procedure would be completed before the visit took place and that the Secretary of State must give sound reasons for authorising an investigation. In fact, I cannot find any obligation on the Secretary of State to give any reasons to anybody. In Committee, the Minister resisted an amendment that provided expressly for the Secretary of State to have good reason for authorising an investigation, as I explained earlier. I agree with her about the liabilities that directors of limited liability companies enjoy and the responsibilities, such as the exposure to investigations, that are a natural consequence of those privileges. However, those responsibilities may not be assumed willingly by spouses and family members, who may be reluctant to accept that business activities should be carried out in their home. The Bill, however, exposes them to the full force of untrammelled officialdom in their home and the prospect of being hauled before the courts on the inspector's written certification.

The Minister reminded us that the Bill does not entitle inspectors to enter premises by force. However, it entitles them to visit people at home and seek entry with the threat, which will no doubt be set out in the statement issued pursuant to new section 453B, of contempt of court proceedings for non-co-operation. It entitles inspectors to enter premises and remain there, even though no one connected with the company is present. We are assured that, during that time, they will not conduct searches of any kind. The availability of redress, which the Minister accepted was important, turns out to be an action for trespass. Given the way in which the Bill is drafted, any such action would require knowledge of administrative law, practice and quite possibly procedure.

The Minister objected that the amendment requiring a warrant to enter domestic premises would mean the inspector turning up accompanied by a policeman. For reasons that escape me, she appeared to conclude that that automatically would create the impression that criminal activity was being investigated and would make the investigation public. I do not follow her logic, as there may be any number of reasons why a police officer should visit a house; such a visit does not imply the conduct of a criminal investigation. The presence of a neutral third party such as a police officer may be a comfort for people affected by the potentially oppressive exercise of the powers.

I am sure that the Minister accepts that my words have added weight, given the fact that since we began our deliberations on the Bill I have become the Conservative spokesman on policing. The powers are highly intrusive and affect the private lives of children and people without any direct connection to the company's business. Where such intrusion is necessary, it should be proportionate, and there must be effective safeguards against abuse, tested not by the high standards and integrity of the Minister and her officials but by measures to deal with unforeseeable pressures that may operate in a very different political climate.

The Bill has got the balance wrong. The requirement for inspectors and investigators to obtain a warrant, which may be subject to conditions, before entering and remaining on residential premises provides an effective safeguard against over-zealous officialdom or abuse, and ensures that any necessary intrusion is carefully and independently weighed for proportionality before it takes place.

The third of the four subjects that we are raising under this set of amendments is characterised by amendment No. 11. The purpose of this and its sister amendments is to include in section 453A, which is to be introduced into the 1985 Act by clause 23, a clear and express limit on the times during which the power to enter and remain on premises—as I have already underlined to the House, these may include domestic as well as business premises—can be exercised by inspectors. In the present form of the Bill, the right to exercise the powers is triggered by what the inspector or investigator thinks would assist him materially in the exercise of his functions and what, in the case of remaining on premises, is necessary for that purpose. The only limitation in the Bill on the exercise of this power is that it may be exercised "at all reasonable times".

The amendment would introduce a subsection into section 453A to make clearer what will in the normal case be regarded as a reasonable time. The exercise of the powers would be limited effectively to the normal working hours of a company unless exercise of the powers only during that time period would seriously impair the work of officials. The limitation applies both to the power of entry and to the period during which an investigator or inspector may remain on the premises.

Mr. Greg Knight: My hon. Friend has taken me with him thus far, but I am a little concerned about the provisions. If the inspectors were in effect allowed to work only during normal office hours, would that not enable a dishonest and unscrupulous director to dispose of damning evidence outside office hours, knowing that the inspector could not possibly appear on his doorstep?

Mr. Mitchell: Once again, my right hon. Friend makes a very good point, to which I shall come shortly.

As I pointed out in Committee, the explanatory notes state:

> "A visit to business premises outside the company's trading hours would not ordinarily be regarded as taking place at a reasonable time."

The amendment neatly encapsulates what those preparing the Bill clearly intended, and it is difficult to see what objection there can be to including my amendment in the form proposed.

No guidance is given in the Bill as to what reasonable times might be. The Government suggested in another place a number of alternative situations as a reason for not rising to the drafting challenge: the possibility that a company trades only at night; that it might not have its own normal business hours; or that it might change them in order to frustrate investigation, the very point made a moment ago by my right hon. Friend.

[Mr. Mitchell]

In Committee, the Minister refused to adopt amendments that sought to limit the exercise of the entry and remainder powers to normal office hours or to define "reasonable times" as 9 am to 5.30 pm. The grounds for refusing to accept the amendments were, respectively, that a company may not have normal office hours, and that if the hours between 9 and 5.30 were set out as normal office hours, companies would trade outside those hours to avoid or frustrate investigation.

The amendment provides answers to both concerns. First, it refers to "normal working hours", a phrase that encompasses a wider range of activity than the phrase "office hours". Secondly, in the case of companies whose activities extend to evenings and weekends, the inspector would not be precluded from pursuing investigations at those times if necessary, because they would be the company's normal working hours. In any event, the amendment preserves the inspector's power to enter premises at any other times, provided that he reasonably believes that to be necessary because his investigative functions otherwise would be seriously impaired.

Our amendment provides desirable certainty for companies and the public, as well for Department of Trade and Industry officials, about what, in the vast majority of cases, will be reasonable times for the exercise of powers of entry, while preserving the power of inspectors to operate at other times when their investigations otherwise would be seriously impaired. At other times and during other periods, investigators will be required to act at reasonable times.

4 pm

The final change is characterised by amendment No. 24, which limits officials' wide powers in proposed new section 453A of the Companies Act 1985 to enter and remain on premises. First, the amendment imposes a one-month time limit within which inspectors may initially seek entry into premises, which may be mixed business-domestic premises as well as commercial premises. Secondly, it limits the period in which investigators may continuously remain at a company's premises without express authorisation by the Secretary of State. A limit on the period in which the power of entry may be exercised should encourage inspectors to get on with their investigations and not hang about squatting in somebody's home. It provides an effective safeguard against possible abuse in the form of excessively long, drawn-out investigations that cease to be fruitful and begin to border on the oppressive.

In the case of genuinely lengthy and complex investigations, the amendment provides the Secretary of State with the power to extend the one-month period. The requirement for reauthorisation should focus the minds of the Secretary of State and officials on the reasonableness of continuing to use those powers and requires circumstances and considerations to be reviewed and formally recorded regularly.

The intention is that, unlike investigations conducted under section 431 of the 1995 Act, which are intended to be public, investigations under proposed new section 447 should be conducted confidentially and without publicity. That addresses the concern that the continued presence of inspectors at a company's trading premises could result effectively in the investigation being publicised.

In Committee, I raised the example of a business that was largely a front-of-house operation to which customers or the public had access. The presence of an investigation would be effectively and publicly advertised by the persistent presence over a period of time of DTI inspectors on the premises asking questions of employees in front of customers, or even asking questions of customers themselves. Such practices are envisaged in proposed new section 447(3) of the 1985 Act, and nothing could be calculated to cause greater damage to the reputation of a company, which might prove to be entirely innocent of any wrongdoing.

It is possible to envisage a different political climate in which inspectors might or might not be encouraged or induced by political pressures to remain on the premises of a particular company—perhaps a company that conducts a politically controversial, but lawful and legitimate activity—in order to close down its trading operations by stealth. That might involve driving away customers by persistent questioning and making employees uncomfortable or insecure by a continuous and oppressive presence in the workplace. The possibility of such abuse is effectively balanced by the requirement to seek, explain and justify the need to attend a business premises continuously for an extended period.

Mr. John Gummer (Suffolk, Coastal) (Con): Will my hon. Friend point out to the House that that scenario is not as far fetched as it is sometimes made out to be? In a number of our fellow member states of the European Union, political pressure can result in the use of such powers. That is a possibility and, as my hon. Friend said, it should not be discounted merely because we have been lucky enough to live in an atmosphere in which that has not happened to any great extent in the past.

Mr. Mitchell: My right hon. Friend makes a good point. Those concerns apply to the potentially oppressive and excessive presence of inspectors at domestic or residential premises, and I have no doubt that his point is correct. We did not have the pleasure of his presence in Committee, but I assure him that the Opposition made such points trenchantly.

In conclusion, the investigatory powers are significant and Parliament should not grant them without good reason. Conservative Members reluctantly accept the Minister's general point that investigatory powers must be enhanced, but the legislation is defective in the ways that I have set out this afternoon.

I have set out at some length the safeguards that we seek to place in the Bill, which would deal with how long an inspector can stay on premises, when they can enter those premises and the test they must pass in order to do so. In Committee, I drew attention to a likely scenario in which a harassed mother is feeding her children, with an aged, possibly infirm, relative upstairs, and an inspector is able to enter the premises without adequately demonstrating that they should be there. The inspector then stays on an open-ended basis for as long as they wish without being bound to answer questions of the kind that I propose.

These are strong powers, as was pointed out in Committee by a former Labour Minister who listened to the arguments advanced on both sides. The measure would significantly enhance the powers of inspectors at the expense of our constituents. The Minister will have to make an extraordinarily good case in order to undermine my arguments and to prevent us from dividing the House.

Mr. Fallon: There are some 23 amendments in this group, and I hope that the House will forgive me if I do not deal with all of them. I want to support my hon. Friend the Member for Sutton Coldfield (Mr. Mitchell) on amendment No. 1. His case is so overwhelming that I am surprised to learn that it was not supported in Committee. Adding these words to the clause would do no harm to anybody and would considerably strengthen the position. I hope that the Minister, with her usual courtesy, will at least do the House the service of explaining why that cannot be done. I shall certainly support the amendment if it is pressed to a Division.

I also support my hon. Friend on amendments Nos. 14 to 16, which deal with the investigation of premises. He made some powerful points and I hope that they will be answered.

I want particularly to speak to amendment No. 2. Clause 23(1)(b) states that the inspector or investigator may act in relation to a company if

> "he thinks that to do so will materially assist him in the exercise of his functions".

I do not like using "thinks" as a test. Indeed, my hon. Friend the Member for Sutton Coldfield proposes in other amendments to remove the word "thinks" and either to add to it or to replace it with a test of reasonable belief. Is it enough for an investigator to stand up in a court of law and say, "I undertook this investigation and entered these premises because I thought it would assist me"? I am not a lawyer, but I presume that if pressed he would be able to say, "Well, that is what I thought at the time; I may not think it now, but I thought it then", or, "I was misguided, and it turned out that I was wrong, but that is what I thought."

That test is not sufficient, and I should prefer it to be replaced by the test of reasonable belief. The word "thinks" is entirely subjective, and it would be extremely unfortunate were it left in the clause. I hope that the Minister will explain why it is used and whether that has any precedent in previous legislation that allows people to enter or to remain on premises.

Mr. Gummer: I sometimes think that it is helpful to the House to insert the negative of an amendment into a Bill in order to demonstrate why it is necessary. The Minister might find it reasonable to suggest that if one does not insert the words in amendment No. 1,

> "Where there appears to be good reason",

one is really saying, "Even when there appears not to be good reason." If the Minister does not insert those words, she is effectively condoning circumstances in which there appears to be no good reason for such activities to take place. In my long experience of business, I have met with nothing but courtesy and helpfulness from those concerned with companies' money, and I therefore speak without angst about people who are likely to perform the activities that we are considering. I simply want to put the case for our being careful to ensure that the public are happy about the way in which we deal with investigations of all kinds.

It is possible for investigations to arise perfectly properly from misinformation and misunderstanding or simply because people have presented their accounts in a way that leads to questions that are not immediately answerable. Some investigations will, therefore, always be carried out, in reasonable circumstances, of people who have nothing to hide but for whom it would be embarrassing if it were thought that they had behaved other than correctly.

I therefore do not suggest that there will not be occasions when investigations take place to protect the public and ensure that there is no dishonesty, and it is discovered that no dishonesty has occurred and that there was no reason for the investigation, which was nevertheless properly carried out. However, it is difficult for one's constituents to understand that. Several constituents have approached me to point out the huge damage done to them by investigations that have turned out to be groundless. I cannot blame the investigatory authorities because the facts as presented to them made an investigation necessary. In some cases, the way in which it was conducted or the fact that it was made public had a serious effect on business.

It is proper for us to consider the wording carefully for two reasons. First, that would protect our constituents in the circumstances in which they are investigated. Secondly, it is important to ensure that our constituents feel that somebody has thought about the circumstances. I have participated in several discussions about changes to, for example, the Finance Bill. It is clear from them that, the more complicated we make matters, the more our constituents feel harried and harassed simply by the difficulty of understanding what they should be doing.

That is also true about responsibilities that we place on directors' shoulders. I am in favour of that—I believe that directors should have more responsibilities. However, the quid quo pro is recognising that there is a fear and a concern that needs to be assuaged. I wonder whether it would be easy to say to a constituent that the Government are not prepared to insist that some things happen only when there appears to be a good reason. I would not like to hold that discussion in my surgery.

Would the Minister be happy to sit opposite someone who says, "This happened and there was no good reason for it. I've been told that it could happen because there was no protection"? I believe that she would find that difficult. She might have an esoteric argument that she could present in Committee, but face to face with a constituent, she would find it hard.

Mr. Fallon: Would it not be worse if my right hon. Friend had to answer his constituent by saying, "The investigation was some sort of fishing expedition that's lawful under the Bill"?

Mr. Gummer: I agree but I was trying to address the Minister. It would be even more embarrassing for her. She would have to say, "I stopped something happening in the House of Commons so that fishing expeditions could go on." At least I could say, "I fought against this because I don't approve of fishing expeditions." The Minister would have to say that she was in favour of fishing expeditions. That would be difficult for her.

[Mr. Gummer]

4.15 pm

I should like to turn to amendment No. 2, which proposes replacing the word "thinks" with the words "reasonably believes". I have a number of constituents who think that Britain should leave the European Union. I think that they are entirely wrong. That is not a reasonable proposition, in my opinion, but there are those who hold that view. Some of my constituents think that Joseph Smith found the Book of Mormon on a hill, where he was led by the angel Moroni. They think that, but I think that they are entirely wrong, and that it is not possible for them reasonably to believe it as a matter of fact. I certainly do not think that it is possible reasonably to believe that Britain should leave the European Union. There is, therefore, a fundamental difference between "thinks" and "reasonably believes", and it is quite clear that, in normal circumstances, we can draw that distinction.

I find it extremely hard to understand why the Government do not like the words "reasonably believes". They are a reasonable Government, I am often told. They certainly appear to be a believing Government, otherwise the Prime Minister would not have been able to come to the House to speak on the Iraq war in the way in which he did. So they are a believing Government; they are also a thinking Government. What is wrong with the words "reasonably believes"?

What is wrong with the words "on reasonable grounds", which are proposed in amendment No. 3? Why should "thinks" be better than "on reasonable grounds"? In normal circumstances, we know precisely the distinction between the two concepts. Thinking involves a matter of opinion. People think the most ridiculous things, but they cannot reasonably believe those things, and they cannot have reasonable grounds for believing them.

Amendment No. 5 proposes the inclusion of the words "during normal office hours". The Government often talk about the importance of entrepreneurial activity, and they are determined to appear in favour of small businesses. However, they do not seem to realise how small businesses begin and bear their first fruits. They often begin in a domestic situation, in circumstances in which the business is able to do what it needs to do because it does not have the overheads that a larger business would have. It is important to realise that we have more unconventional businesses now than we have ever had before. It is therefore reasonable to include a provision about normal office hours to protect people from unreasonable intervention and interference in certain circumstances.

I also want to point out the importance of some of the time limits that are being proposed. I do not know anything about the Minister's private life or her private reactions, but a large number of my constituents are easily frightened, even when they have no reason to be. We have all had people come into our surgeries to describe cases in which they are entirely innocent, but in which they have been frightened by the tone of a letter, by the way in which people have approached them, or by the fact that they have been held without being given an answer for a long time. All those things cause fear where fear is unnecessary.

When Members of Parliament are asked why they came into politics, most would say that one of the reasons was to ensure that people were not bullied, and to stand up for people who found it difficult to stand up for themselves. These provisions are an example of how we can, in a small way, do something for such people. We are merely saying that there are necessary interferences in the way in which individuals carry on their lives, particularly if their lives are to some extent public, in the sense that those people run businesses. We are not objecting to that, or making any suggestion that there should not be investigations. Nor are we saying that such investigations should not be given all the aid that they should necessarily and properly have. We are saying something quite different—namely, that the terms of those investigations should not unnecessarily raise fears or concerns among people who are innocent and have no real reason to fear or be concerned. Therefore I hope that the Minister will think seriously about these small amendments, which are nevertheless important. What they do is assure the public that we have thought through the circumstances in which they may find themselves.

That is my last point: Parliament is often thought ill of because the public do not believe that we have put ourselves in their position in such ordinary, common circumstances. They think that we have not felt for them in relation to how they may be frightened or concerned if matters go on longer than is necessary; that we have not thought that they can be seriously inconvenienced or have their business entirely closed down if people act without good reason, act because they "think" rather than "reasonably believe", or act because they "think" rather than "have reasonable grounds".

I hope that the Minister will recognise that this is not mere nit-picking about individual words, but a different way of examining the relationship between Parliament and the public. If the public understood that we understood the positions in which they quite easily find themselves, they would be more willing to accept the legislation that we pass and to have respect for this institution. They would feel that when the Minister went to her surgery, she would not have to pretend—she could say that she insisted that none of this was done unless there were reasonable grounds, unless people could reasonably expect, and unless there appeared to be good reasons. I did that. I did not need to be pushed by the House—I saw why it was sensible. If she cannot do that, it is an embarrassment to her, and I would hate to embarrass her or any of her colleagues.

Brian Cotter: I am particularly pleased to speak after the right hon. Member for Suffolk, Coastal (Mr. Gummer), who offered some good thinking and reasonable points, not least of which is that we have a duty in the House this afternoon to address the fact that we decide what we do in the circumstances that we see in front of us. He was right to make the point that circumstances do not always remain the same. Climates can change, and therefore changes can happen subtly. To use a different example, times have changed in relation to the way in which we must now face up to the threat of terrorism. Times can also change in other sorts of ways: future Governments could be less understanding and reasonable than the Minister is.

I will not stray on to whether my constituents think differently from me about various issues, as I could get myself into trouble, not having thought about it beforehand. The right hon. Member for Suffolk, Coastal is right to make those points, however. Certainly, "reasonably believe" would define more clearly where we should go than "think".

On this occasion, the hon. Member for Sutton Coldfield (Mr. Mitchell), as on many other occasions, has made some reasonable points, particularly with this set of amendments. We are appealing for reason from the Government on the basis that that must be applied in so many areas of investigation. It is right to argue that the new rights being granted open up the possibility of inspectors' abuse of power. The Bill would put only the barest limits on inspectors' rights to demand entry to domestic premises where they believe relevant company documents or information may be kept. The DTI inspectors will no longer have to have a search warrant under the Bill and will instead rely on authorisation from the Secretary of State. It is a concern that that permission will be granted virtually automatically once an investigation has begun. Investigators will be able to enter premises to obtain material merely if they "think", as has been said, that there are problems ahead.

Without labouring the point too much, it is key that we hear from the Minister. On this occasion, it is not unreasonable to ask the Minister to address the issue of the difference between "thinking" and "reasonably believing".

I agreed less strongly with some of the arguments advanced by the hon. Member for Sutton Coldfield than with others. We Liberal Democrats need to hear what the Minister thinks. Certainly we would be minded to support some key amendments. Amendments Nos. 17 and 18, for instance, deal with the prevention of inspectors gathering information about a business from disclosing it to unauthorised individuals. The Government have always conceded that information acquired by an accompanying person needs to be treated in a way that is consistent with the treatment of information obtained by an investigator or inspector. I should like the Minister to clarify the position.

As I said at the outset and as others have said, we must ensure that what we decide does not infringe people's liberties, and provides a balance between the need to investigate and the need to respect those liberties.

Mr. Richard Page (South-West Hertfordshire) (Con): I did not intend to speak, but I was provoked by what my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) said about what amounted, in my view, to the number of angels that could dance on the head of a pin.

As one with a degree of experience of running small businesses and knowing exactly what goes on, I think that we are deluding ourselves. Whether the Secretary of State "thinks" or—with respect to my hon. Friend the Member for Sutton Coldfield (Mr. Mitchell)—"appears" to have "good reason" could almost be described as a massive irrelevance. The Secretary of State will not "think" in any of these cases. All that will happen is that a series of regulations, rules and items of guidance will be conveyed down to the inspectors, who will take that material as their authority to proceed.

We can fiddle around with this part of the Bill as much as we like, but—my hon. Friend the Member for Sutton Coldfield touched on this briefly—it is the wording of regulations that will mean something. Removing the protection that was there—the requirement for court orders—and descending to the "thinks" argument merely means directing the regulations towards the inspectors to give them the necessary authority.

I listened with great interest to my right hon. Friend the Member for Suffolk, Coastal, who demonstrated his theological training with considerable skill and expertise. I enjoyed his speech, but it seemed to me massively irrelevant to the practicalities. I think we shall only be able to judge how the system will work when we see the rules and regulations, and see what authority is given to inspectors. That is the only way in which we shall know how companies will be treated when the inspector knocks at the door.

Jacqui Smith: Let me put the provisions in context. The statistics are fairly familiar by now, but they bear repeating. Some 5,000 complaints or referrals are received by the DTI's companies investigation branch each year. Following a thorough vetting process, only 5 per cent. of those result in investigations affecting around 300 companies—300 out of some 1.8 million registered companies, or less than 0.04 per cent.

In 2002–03, following DTI investigations, 80 companies were wound up by the courts, 17 directors were disqualified and seven individuals were convicted of offences. Where appropriate, complaints were also referred to other regulators, such as the Financial Services Authority. The average investigation lasts about three months and there is a team of some 40 investigators.

4.30 pm

I make these points because, during the Bill's passage, and certainly today, I have heard some Members offer descriptions of the investigations provisions that might leave the uninformed listener with the impression that an army of investigators routinely conducts fishing expeditions into the affairs of many companies, the greater proportion of which should be left in peace to carry on with their legitimate business. The same listener might also have concluded that officials will be able to abuse their powers without fear of reprisal. If accurate, that would be very worrying, but as I said, those impressions are simply not the reality.

Mr. Greg Knight: Is an injustice less of an injustice if it happens to only a few people?

Jacqui Smith: Absolutely not, which is why I will respond in due course to all the issues that were raised, but I want first to set the context for the investigatory powers that we are considering. In citing their constituents' experience and so on, some Opposition Members have given the impression that we are talking about a mass investigation of lots of innocent companies. Some companies will have no case to answer; many will. It is of course right that those

[Jacqui Smith]

investigations be carried out in a proportionate manner, but the Bill's provisions will not change the basis on which they are carried out. This is not about casting our net more widely, nor is it about doing away with warrants in cases where they were previously needed, as the hon. Member for Weston-super-Mare (Brian Cotter) seemed to suggest. Nothing in the Bill would do away with the need for warrants in such cases, a point to which I shall return in more detail.

The provisions are about increasing the effectiveness of the investigations undertaken. We want to ensure that we uncover misconduct and that we do so quickly. Investigators will not be able to operate on a whim and the investigatory powers cannot be used without a sound basis for using them. The fact is that, rather than an army of individuals hounding innocent firms, a small team of trained individuals is conducting investigations in response to a small number of carefully vetted complaints and referrals to discover whether there is any substance to them. Of course, that team is also ensuring that all firms can carry out their business in the confidence that those with whom they do business are also behaving honestly and responsibly. Those of us who are investing our money in, or spending it with, such businesses can also share that confidence.

What investigators are doing is uncovering information. Such information might suggest that a criminal investigation is necessary, or that it would be in the public interest for the company to be wound up or its directors disqualified. Alternatively, such information could be referred to another, more appropriate regulator, such as a professional body. But the investigators are neither judge nor jury and they have no powers beyond those that enable them to obtain relevant information.

In setting the context for these powers, we also need to remember that limited liability offers companies significant benefits. However, not all companies operate honestly or within the law. If we are not effective in addressing abuse of the company form, real harm can be caused. Indeed, the greatest impact is often on customers, investors or suppliers. Such abuse also undermines trust in the corporate framework, so it is crucial that this process should operate properly.

Amendment No. 1 would add the phrase

> "Where there appears to be good reason."

to the beginning of proposed new section 447(1) in clause 21. I assume that amendment No. 20 is an alternative, as it would add the words

> "If he thinks there is a good reason to do so"

at the beginning of the same line. Neither in amendments Nos. 1 and 20 nor in a similar amendment in Committee has the hon. Member for Sutton Coldfield (Mr. Mitchell) attempted to define the phrase. However, he and other Conservative Members seem to believe that the amendments would somehow send a clear message about the test being set for the use of the powers, particularly for those who may be ignorant of the law. I am afraid that I disagree.

The amendments would offer a dangerous comfort blanket, because without definition, the phrase "good reason" may mean different things to different people. What appears good reason to a complainant may not be regarded as good reason by a company and it would leave open for the future a debate about whether the Secretary of State needs better grounds than administrative law would allow or, alternatively, whether she could act in a wider range of circumstances than such law would allow. That is what the drafters of legislation mean when they say that unnecessary words have a habit of turning septic.

Mr. Andrew Mitchell *rose—*

Jacqui Smith: I shall give way so that the hon. Gentleman can, for the first time in the process, give us a definition of what the phrase "good reason" means.

Mr. Mitchell: I do not need to give the Minister a definition. What she needs to explain is why it was thought necessary to add this definition four years ago in the Financial Services and Markets Act 2000 and why her predecessors also took precisely the same view in the Companies Acts 1985 and 1986. Why are the Government unwilling to concede the same definitions in this particular case when they accepted them in the year 2000?

Jacqui Smith: That argument suggests that the hon. Gentleman adopts a sort of cut-it-out, stick-it-down and paste-it-in approach to legislation. Simply because one set of words is used in one piece of legislation, it does not necessarily mean that the same words are right in another context. I have spent some time outlining the dangers of otiose words in legislation—

Mr. Gummer *rose—*

Mr. Andrew Mitchell *rose—*

Jacqui Smith: I shall give way in moment. I am going on to explain the legislative basis for the Secretary of State to take action.

Mr. Gummer: Would the Minister like to reflect on previous debates on precisely the same issues? The reason that the Government offered at the time for including those particular words was precisely the same reason why Conservative Members are asking the Minister to include them here today—so that people will realise that these things do not happen without good reason. If she refuses to accept that, she is effectively saying—there is no doubt about it—that these matters can take place without good reason. She cannot have it both ways: if she will not allow "with good reason", it means that she accepts that these things can take place without good reason.

Jacqui Smith: It is a trivially attractive argument to say that we should reverse what is in an amendment to find out what legislation really means. Really, though, the right hon. Gentleman, with all his experience in government, should have more sophisticated arguments than that.

Mr. Andrew Mitchell: For the first time during the course of the Bill, I must chastise the Minister for failing to give a proper answer. It is no good her talking about doing a scissors-and-paste-job on the legislation. These are words and phrases that her predecessors expressly used in 1985 and 1986. I have given chapter and verse on why her Government put them in and where they put them in—particularly in the Financial Services and Markets Act 2000. Why does she think that they were right then, but wrong now?

Jacqui Smith: Because this is a different Bill and we are debating the impact of what happens when words are put into legislation without any clear reason. As I am about to explain, there is a clear legislative basis for action. Fundamentally, the decision whether to act is one for the Secretary of State and the basis on which she may so decide is circumscribed by the principles of administrative law. As I said in Committee, the Secretary of State will have to have a sound reason for using the powers. She cannot act lawfully without one. Her decision to act must be within the legal scope of the provision and it must be in pursuit of the policy and objectives of the Bill. It must also be reasonable. Neither amendment No. 1 nor amendment No. 20 would change that. The risk is that they would do the opposite of what is intended—that is, that they could muddy the waters sufficiently to mean that a person could misapprehend the circumstances under which an investigation might be carried out. Ultimately, new section 447 could be interpreted by the courts in a way that was not intended, so I do not accept that there is a need to reintroduce the so-called good reason test.

The remaining amendments in this group concern clause 23, which provides powers for inspectors and investigators to require access to—and to remain on—premises that they believe are being used wholly or partly for the purposes of the business of the company that they are investigating. That is an important addition to the range of powers available to inspectors and investigators. The ability to gain access to company premises, and to spend time there, has great practical benefits, as information is the lifeblood of a successful investigation. Without it, inspectors and investigators cannot operate effectively.

The simple observation of a premises can be enormously valuable in allowing inspectors and investigators to build an understanding of the company's business. They can find out who controls the company's operation on a daily basis and form a view about its viability. Companies with something to hide have been able to impede investigation by refusing access to their premises, leaving investigators or inspectors unable to identify the people to whom they should talk, or to approach them.

For example, investigators or inspectors might want to establish what telephone script was being used with potential customers in a call centre, but that would be less easy to do if they were unable to gain access to the premises. Lack of access also means that inspectors or investigators cannot ascertain the relationship between individuals. For example, they could not establish whether a disqualified director was acting as a consultant to the company or whether he had a management role.

Without access, it is impossible to determine whether the records presented to inspectors or investigators provide a complete picture. Investigators have found themselves being kept off premises and being drip-fed papers over a period of time. In such circumstances, their investigation is delayed and it is possible for companies to use the delay to destroy information or amend records.

I reiterate that the powers in the Bill must not be confused with the existing search and seizure powers available to investigators and inspectors. The two sets of powers are entirely distinct. The search and seizure powers in section 448 of the Companies Act 1985 depend on a warrant: a justice of the peace must issue that warrant, in specified circumstances, to allow an inspector or investigator to enter premises, if necessary by force, for the purposes of a search and the seizure of documents. However, the powers in the Bill are not about forcing entry, searching or the seizure of documents.

I turn now to amendments Nos. 2,3,7 and 8, which concern the basis on which a judgment is made by an inspector or investigator using the new power to enter a premises and remain there. All four would amend or replace references to what an inspector or investigator thinks: under the proposals, either the word "thinks" is replaced with the phrase "reasonably believes", or it is amended to read "thinks on reasonable grounds". New section 453A contains two references to an inspector or investigator being able to act on the basis of what he or she thinks.

An inspector or investigator may use the power to enter premises and remain there if he or she thinks that that would materially assist the investigation. I emphasise that that is not the only criterion applied to use of the power, as its use by the inspector or investigator must also be authorised by the Secretary of State.

Secondly, inspectors or investigators will be able to remain on the relevant premises for as long as they think is necessary to assist the investigation. I stand by the clarification that I gave in Standing Committee: there is no difference in legal effect between the word "thinks" and phrases such as "reasonably believes". Inspectors and investigators must act within the law, and that means that they must have reasonable grounds to believe that gaining access to the premises in question will help the investigation. They will be able to remain on premises only for as long as they have reasonable grounds for believing that that is necessary. The context and safeguards for inspectors' actions are already set out in the legislation. The length of their stay is likely to be a matter of hours rather than days, but I will return to that point when I reach amendments Nos. 9 and 10.

4.45 pm

Amendment No. 14 seeks to include in the written statement a description of the inspector or investigator's grounds for belief that the use of the power of entry will materially assist them. I understand that the hon. Member for Sutton Coldfield wants to guard against any possible misuse of powers that he regards as extensive, but I do not think that his amendments are necessary or desirable. There is already a series of specific safeguards that will apply to the use of the powers. I touched on those in Committee, but they bear repeating. The power to require entry to premises can be used only if the investigator or inspector has been authorised to use it by the Secretary of State in the

[Jacqui Smith]

investigation in question. The power can be exercised only at reasonable times. The investigator or inspector must produce evidence of their identity and of their appointment or authorisation. They must provide a written statement of their powers and of the rights and obligations of the company or other occupier and of persons present on the premises and they must produce a written record of the visit.

We are consulting on the content of the written statement that will be prescribed by regulations. I understand that we have sent out the consultation document and that we have sent a copy to the hon. Gentleman. As he has not had the chance to look at it yet, I shall ensure that he gets another copy. It is intended that the statement will be more than just a bald repetition of the statute. It will set out in plain English what the company, for example, can expect. However, I do not think that it would be right to set out the reason why the inspector or investigator thinks that gaining access to the premises would assist their investigation. It might be difficult to do so without including some detail of the complaint that led the investigator there. Were the investigator to provide information about the substance of the complaint, it might make obvious the source of that complaint. That could, for example, be an employee or a supplier or customer. It could make life difficult for them and it might dissuade other complainants from coming forward in the first place. Clearly, there will be an opportunity to have some discussion with the inspector or investigator, when they arrive, about the reason for their visit, but it would be disproportionate for the inspector or investigator to be required to provide what amount to written reasons. We have gone a long way with safeguards already and, in my view, nothing more is necessary or desirable.

Before I turn to the hon. Gentleman's amendments on residential premises, let me deal with amendment No. 23, which seeks to modify the definition of "relevant premises". He appears to have the situation in mind where, for example, the company under investigation occupies one or more parts of a building and other people occupy other parts of the building. He wants the power to enter and remain on premises to be exercisable only in relation to the parts used for the company's business. He thinks that the definition of "relevant premises" needs to be amended to achieve that. It does not. That is the effect of the clause as it stands.

Although the expression "relevant premises" is defined in new section 453A, the word "premises" is not. So it must take its natural meaning, in context. "The Shorter Oxford English Dictionary" defines it as including

"(a part of) a building housing a business etc".

Therefore, where a company trades from a building such as an office block, the "relevant premises" under new sections 453A and 453B are those parts of the building that are used for the purposes of the company's business. If the business is carried on in only one part of a building, it is only that part of the building that is the "relevant premises" and not any other part.

The reference in new section 453A(3) to premises that are "wholly or partly" used for the purpose of company business is there to deal with the situation where, for example, the company shares an individual office with another company. So the inspector or investigator can require entry to and remain in that individual office even though it is also used for the purpose of another company's business.

Where a private home is concerned, the words are intended to make it clear that, for example, the inspector or investigator can require entry to a director's home study, despite the fact that the director also uses that study for other unconnected business or domestic affairs. The words "wholly or partly" are not included so as to entitle an inspector or investigator to enter, and remain in, parts of a building not used for the company's business, although of course the right of entry to company premises inevitably entitles them to pass through such other parts to reach the company premises.

I suggest that what I have described as the effect of the new provisions is in fact their most obvious and natural meaning. They could not properly be construed as enabling inspectors or investigators to enter and remain in one part of a building simply because another part of the building was used for the business of the company they are investigating.

Amendments Nos. 4, 12, 13, 15 and 16, would, together, introduce a warrant procedure to gain access to residential premises. I am aware that the hon. Member for Sutton Coldfield has genuine concerns about the fact that the definition of relevant premises extends to residential premises also used for a company's business, and that inspectors or investigators will be able to get to relevant premises by moving through premises used entirely for residential purposes. He wants to establish a regime with regard to those premises whereby an inspector or investigator can use the new powers only if a justice of the peace has issued a warrant, and with the assistance of the police. As he sees it, he would be introducing an additional safeguard, but as I have already emphasised, clause 23 is not a power of search and seizure and no force can be used.

As I explained earlier, the inspector or investigator will be trying to establish the facts. I reiterate the point I made in Committee: to introduce any kind of judicial warrant procedure, whether or not involving the police as the hon. Gentleman seeks to do, would be entirely unsuitable and, I contend, unnecessary in light of the safeguards that will be in place. Indeed, with his new responsibilities for policing, I am not sure that he would consider it a good use of police time if, in all circumstances, there was a warrant and, presumably, a police officer attending alongside the DTI investigator.

It is inevitable that there will be circumstances where a company under investigation is trading from residential premises and where access will materially assist the investigation. I have already outlined the vetting process that leads to an investigation into a company. Furthermore, a trip to residential premises will not be the first step in the investigation process, but it is right that it should be an option, should that prove helpful to the inquiry. We must not allow people running dodgy companies to think that they can increase their chances of hiding from inspectors or investigators by trading from their residential address. I have spelt out the safeguards in the provisions and they offer a fair balance.

I turn to the hon. Gentleman's amendments on time limits for the exercise of the new powers to enter and remain on premises. Amendments Nos. 5 and 6 would restrict investigators' powers to enter and remain on premises to "normal office hours", while amendment No. 11 would limit visits to the hours between 9 am and 5.30 pm, Monday to Friday, unless the inspector or investigator "reasonably believes" that his investigation would be "seriously impaired". The purpose of amendments Nos. 9 and 10 appears to be to limit the permitted duration of a visit to a maximum of one month.

At this point, I want to say something about co-operation. I have already referred to information as the lifeblood of an investigation. Obviously, co-operation from those being investigated is always the most desirable circumstance, as it makes the investigation easier, speedier and more effective. It is crucial, of course, that inspectors and investigators have powers to conduct an effective investigation even when there is a lack of co-operation, but the norm for the inspector or investigator will always be to maintain the most productive relationship.

As I said earlier, the inspectors and investigators will be seeking to obtain information. They will try to achieve that by making contact with the company under investigation during the normal working hours of its business. However, normal working hours will vary from one business to another.

Companies that use call centres to interest members of the public in a wine investment scheme or a holiday club are likely to trade during the evening and at weekends. The days when every business in the high street opened only between 9 am and 5.30 pm, Monday to Friday, are a distant memory. Nowadays, companies target their resources to suit their customers' needs and expectations, and, in just the same way, Department of Trade and Industry inspectors and investigators must be flexible in their approach to investigations. However, their powers cannot, of course, be open-ended, so we have stated that inspectors and investigators can enter and remain on premises only at reasonable times. As I have already said, any other limitation is not practical in the modern business environment.

We have included a test of reasonableness in proposed new section 453A(2) of the Companies Act. The inspector or investigator must take into account all the circumstances of a case. He or she must take into account the company's actual trading hours, who is on the premises and what they are doing.

Amendments Nos. 9 and 10 refer to an inspector or investigator being able to remain on premises only for a period not exceeding one month. That would be inconsistent with the protection already afforded by proposed new section 453A. The effect of the first line in new section 453A(2) is that an inspector or investigator must leave the premises as soon as it becomes unreasonable for the company or other occupier to allow him to remain there and he is asked to leave. It is unlikely that it would be reasonable for an inspector or investigator to remain indefinitely for days at a time. However, the hon. Gentleman's proposal might have the effect of implying that it would be reasonable for the inspector or investigator to do so, up to a limit of one month.

The reasonable times test is likely to constrain the inspector or investigator to remaining on premises for a matter of hours, rather than days. On every occasion that the inspector or investigator wishes to gain access to premises, he or she must be satisfied that doing so will materially assist the investigation. Together with the reasonableness test, that will rule out the possibility of visits being repeated or drawn out for no good reason. The combination of the two tests—the reasonable-times test and the test about materially assisting the investigation—provides a strong limitation on the use of the powers. In my view, nothing further is required or desirable, as it could weaken the safeguards in the Bill.

Amendments Nos. 21, 22 and 24 appear to be intended to add a layer to the process, whereby an inspector or investigator can use the power to enter and remain on premises. Once the inspector or investigator had been given authority by the Secretary of State to use the power and could show that its use would materially assist the investigation, such authority would last for only 30 days. It would be possible to renew it, but only on the written request of the inspector or investigator to the Secretary of State.

In addition, the hon. Gentleman proposes that the ability to remain on premises be confined to a period of seven consecutive working days. We see no point to that. It seems to be a cumbersome, artificial and unnecessary system of statutory checks on the use of the power to enter and remain on premises. It would add nothing of value to the existing process. The deadlines of 30 days in respect of the authority or seven days to remain on premises are entirely arbitrary—something that is impossible to avoid with that approach.

Moreover, the hon. Gentleman, in dealing with one way in which he perceives that the powers could be used oppressively, has not dealt with other situations about which I am sure he would be equally concerned. What would happen, for example, if an inspector or investigator were to visit the premises for eight hours every other day for 30 days? Why is he not tackling that?

The truth is that all the necessary checks and safeguards are already in the new powers. For example, our approach provides a test that will be applied so that each case is judged on its merits. On every occasion when inspectors or investigators seek to enter premises using the power, they must think that it will materially assist the investigation. They must have reasonable grounds to think that the investigation will be helped by gaining access to the relevant premises. Once on the premises, they could stay for only as long as they thought it necessary to achieve their purpose. They may remain only for a reasonable time, which is likely to be a matter of hours rather than days. The necessary safeguards are in place to deal with such situations, so I remain of the view that our approach in clause 23 is appropriate. I am not attracted by the regime proposed by amendments Nos. 21, 22 and 24 because it would introduce an arbitrary, artificial and cumbersome layer of bureaucracy to the process without adding any value to the system.

5 pm

I have responded at length to the worries that were reflected in amendments and raised by Conservative Members. However, the right hon. Member for Suffolk,

[Jacqui Smith]

Coastal (Mr. Gummer) asked what I will say to my constituents. I will be in a strong position if my constituents tell me that they have lost their savings or investments in a company and that Department for Trade and Industry investigators cannot investigate the matter properly because they cannot enter premises at an appropriate time, remain on the premises or get the information that they need to ensure that justice is done. I will be able to say that I have ensured that their interests will be safeguarded. I will be able to reassure constituents who are worried about whether to make a complaint about the company for which they work because they think that something dodgy is going on that I resisted calls from Conservative Members for investigators to have to submit information that could give away the fact that they had done the right thing by reporting such dodgy dealings.

I am confident that I have struck the right balance between safeguards and improvements to the company investigations regime and that I will be able to defend that to the House and my constituents. The system will improve the current situation by safeguarding not only people's savings, jobs and investments, but the corporate framework that is important to this country's prosperity.

Let me turn to amendment No. 16 and especially to Government amendments Nos. 17 and 18. The high point of the time spent by the hon. Member for Sutton Coldfield in Committee was when he rightly identified a lacuna in the Government's approach, and the Government amendments are my response to that. We thus cannot claim credit for the inspiration behind the amendments—I am grateful for the assiduous attention that he gave the matter.

Inspectors or investigators who use the new power to enter and remain on premises will be able to take other individuals with them as appropriate, such as technical experts or interpreters. While on the premises, inspectors or investigators will be able to use their other powers to require information. They will also be able to take in their surroundings by observing and hearing people and activities and by observing the layout of the premises for themselves. As the hon. Gentleman rightly pointed out in Committee, it cannot be right for information acquired by an accompanying person to be in any way less protected than that gained by an inspector or investigator. We were guilty of overlooking that crucial point of principle, and Government amendments Nos. 17 and 18 will put that right.

I hope that the House will support Government amendments Nos. 17 and 18 and that the hon. Member for Sutton Coldfield will not press amendments Nos. 1 to 16 and 20 to 24 to a Division.

Mr. Andrew Mitchell: In spite of the Minister's charming concluding remarks, for which I am most grateful, her arguments are wholly inadequate and we will seek to divide the House on amendments Nos. 1 and 24, which I sense would meet some of the concerns expressed.

Nowhere was the Minister so dangerously exposed as in her exchanges with my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) and me on the issue of good reason. *Hansard* will show that the Government lamentably failed to demonstrate why they refuse to accept the amendments.

Colleagues raised the danger of investigators going on fishing expeditions. That goes to the heart of the sort of thing from which the House should be protecting our constituents. The failure to accept the amendments encourages officials to go on fishing expeditions and there is nothing to stop them doing so. It was noticeable that not one Labour Back Bencher spoke up for the Government.

A number of my hon. Friends expressed the sensible view that this is a reasonable Minister with a reasonable team of officials, but times can change. We cannot legislate so easily to give away such powers just because the Minister and her colleagues showed a degree of reasonableness until the Bill was discussed in Committee and on Report. The Minister does not serve the House well by dismissing so lightly our words and those of a former Labour Minister, the hon. Member for Stoke-on-Trent, Central (Mr. Fisher), who warned her against the powers.

The Minister summed up her case by saying that we must not allow dodgy companies to escape. Of course she is right, but we must not expose entirely innocent—perhaps wrongly suspected—people to undue pressure and unfair practices. It is that balance between protecting the innocent and catching and punishing the guilty that our amendments flag up and would change. It is a great pity that she did not heed the wise words of two senior former Ministers who served in her Department and one distinguished Cabinet Minister. They warned her in a gentle and encouraging way to think again about the powers.

The Minister addressed many of our amendments; indeed, she addressed some that Mr. Speaker did not select. We are grateful to her for covering the points that we raised. However, she has seriously underestimated our legitimate concerns. At one point she said that we should get the matter in perspective because we were talking about 5,000 cases a year, only 5 per cent. of which are investigated. That is all right, then: only 0.04 per cent. of companies are investigated. But what if it is her constituent or one of mine who is investigated unfairly and as a result of her failure to accept the amendments the law is not as constrained as it should be?

The Minister said that the average investigation lasts only three months, but 12 weeks is an awful long time if the inspector is going to sit in your home. She also said—this was the low point of the debate—that we are not talking about search and seizure operations, for which a warrant is required. I should think we are not. An Englishman's home used to be his castle. It is outrageous that she should dismiss our reasonable arguments. Our constituents' homes deserve better protection. An inspector may come to someone's home and stay there. He may have no good reason to do that. He certainly will not have to declare it. He can stay as long as he likes, including during the night. That has all the characteristics of a Chekhov play. We will vote to protect the ancient liberties that our constituents have every right to expect us to preserve.

When there is a great row in the press about excessive bureaucratic powers that have been ill exercised and the Bill is cited as the way in which those powers were given, Conservative Members will be able to say that through the amendments, painfully argued in Committee and the Chamber, we have discharged our duties and opposed the powers that the Minister is too lightly granting.

Question put, That the amendment be made:—

The House divided: Ayes 158, Noes 255.

Division No. 268] **[5:10 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burnside, David
Burstow, Paul
Butterfill, Sir John
Cable, Dr. Vincent
Carmichael, Alistair
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Cotter, Brian
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Francois, Mark
Gale, Roger *(N Thanet)*
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Howarth, Gerald *(Aldershot)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Laws, David *(Yeovil)*
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Randall, John
Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Dame Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Geoffrey Clifton-Brown
and
Andrew Selous

NOES

Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Blackman, Liz
Blizzard, Bob
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Byrne, Liam *(B'ham Hodge H)*
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Caton, Martin
Challen, Colin
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Connarty, Michael
Cook, rh Robin *(Livingston)*
Corbyn, Jeremy
Corston, rh Jean
Cousins, Jim
Cranston, Ross
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Follett, Barbara
Foster, rh Derek
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Harris, Tom *(Glasgow Cathcart)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*

Hodge, Margaret
Hood, Jimmy *(Clydesdale)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jones, Helen *(Warrington N)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Sir Gerald
Keen, Alan *(Feltham)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green & Bow)*
Lammy, David
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McDonagh, Siobhain
McDonnell, John
McFall, rh John
McGuire, Mrs Anne
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Squire, Rachel
Starkey, Dr. Phyllis
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Timms, Stephen
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom
Watts, David
White, Brian
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, Iain *(Hartlepool)*
Wyatt, Derek

Tellers for the Noes:
Mr. Nick Ainger and
Mr. Jim Murphy

Question accordingly negatived.

Clause 23

POWER TO ENTER AND REMAIN ON PREMISES

Amendment proposed: No. 24, in page 29, line 32, at end insert—

'(9) The Secretary of State may on the written request of the inspector or investigator—

(a) if satisfied that it is necessary for the purpose mentioned in subsection 1(b) extend for a period which he may specify beyond the initial 30 days the period of authorisation under subsection 1(a); or

(b) extend the number of consecutive days during which the inspector or investigator may remain on the relevant premises.

(10) There shall be no limit on the number of extensions which may be requested of or granted by the Secretary of State under subsection (9).'.—*[Mr. Andrew Mitchell.]*

Question put, That the amendment be made:—

The House divided: Ayes 159, Noes 264.

Division No. 269] **[5:24 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burnside, David
Burstow, Paul
Butterfill, Sir John
Cable, Dr. Vincent
Carmichael, Alistair
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Cotter, Brian
Cran, James *(Beverley)*
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Francois, Mark
Gale, Roger *(N Thanet)*
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick

Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Howarth, Gerald *(Aldershot)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Keetch, Paul
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Laws, David *(Yeovil)*
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Randall, John
Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Dame Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Weir, Michael
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Geoffrey Clifton-Brown
and
Andrew Selous

NOES

Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Blackman, Liz
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Byrne, Liam *(B'ham Hodge H)*
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Caton, Martin
Challen, Colin
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Connarty, Michael
Cook, rh Robin *(Livingston)*
Corbyn, Jeremy
Corston, rh Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Doran, Frank
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Follett, Barbara
Foster, rh Derek
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Sir Gerald
Keen, Alan *(Feltham)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green & Bow)*
Lammy, David
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McDonagh, Siobhain
McDonnell, John
McFall, rh John
McGuire, Mrs Anne
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*

Plaskitt, James
Pollard, Kerry
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Squire, Rachel
Starkey, Dr. Phyllis
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Jack
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom
Watts, David
White, Brian
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, Iain *(Hartlepool)*
Wyatt, Derek

Tellers for the Noes:
Mr. Nick Ainger and
Mr. Jim Murphy

Question accordingly negatived.

Clause 26

COMMUNITY INTEREST COMPANIES

Mr. Andrew Mitchell: I beg to move amendment No. 19, in page 32, line 7, leave out subsections (2) and (3) and insert—

> '(2) The Secretary of State shall by regulations make provision about—
>
> (a) the formation of new community interest companies, and
>
> (b) the types of existing company that may become a community interest company.'.

This is primarily a technical amendment and I have tabled it to offer hon. Members the opportunity to discuss community interest companies. In Committee, time was short and we did not have a chance to deal with the subject to the extent that we would have wished. I made a number of remarks about community interest companies on Second Reading, and there is no dispute that community and social enterprises are not currently well served by legal forms, or that it is appropriate for the promoters of these enterprises to have available a type of company that is, in the jargon so beloved of the Secretary of State, "fit for purpose".

The idea of creating a non-charitable company with an asset lock to serve the public interest, which is at the heart of this proposal, is not a new one. For example, in June 2001, the Public Management Foundation put forward the case for public interest companies, looking at the advantages of what were then referred to as PIC forms being used as legal forms to fill the perceived gap between Government and the voluntary sector. The foundation's proposals were rather more ambitious than those that we are considering today.

By the time the strategy unit's report was published in September 2002, the public interest company had been whittled down to become a community interest company, or CIC. The original proposal for a legal form capable of delivering both public and social services was then being presented as a form confined to objectives in the public and community interest. By March 2003, in the DTI consultation entitled "Proposals for a Community Interest Company", further whittling had occurred. The CIC is described as meeting

> "the needs of local communities, complementing core Government services in areas such as childcare provision, social housing, leisure and community transport".

The proposals make it clear that the Government do not intend the CICs to deliver essential public services. Why the public interest company moved to the community interest company, and why the need was felt to allow only companies serving a community interest to have the privilege of an asset lock—if it is a privilege—therefore remains something of a mystery. But that is the perhaps less ambitious proposal in the Bill.

The Government, having created this narrower remit for the CIC, seem to have some difficulty in deciding what that remit is. I will return to that point in a moment. The concerns that I expressed on Second Reading are best examined by asking the following question: does the CIC achieve what it is supposed to achieve? The CIC, according to the March 2003 proposals, is supposed to achieve two simple aims. The first is to provide a distinctive brand for social enterprise and the second is to create a form of company with an asset lock, which does not rely on charity law or other statutory provisions, such as those for registered social landlords.

Those aims are illustrated in the consultation that led to this Bill, with examples of why current legal forms are regarded as inhibiting to social entrepreneurs:

> "The legal process of creating a not-for-profit company can currently be lengthy and expensive, so the transaction costs of setting up are high.
>
> Social and philanthropic investors can be deterred by the lack of an obvious profit and asset lock, and so prefer to support other organisations such as charities . . . Conversely, commercial investors can be puzzled by the complexity and diversity of not-for-profit structures, and so can see social enterprises as riskier than they really are, which"—

as the Minister will appreciate—

> "raises the cost of funds."

All those are perfectly reasonable observations about the current structural issues facing social enterprises and other community-based initiatives. What is difficult to see is whether the CIC and the regulatory structure proposed by the Bill will deliver those aspirations.

On whether creating a company with an asset lock is a difficult and expensive process, the idea was that the CIC would be

> "clearly defined, easily recognisable and understandable by users, staff and the wider community they serve".

The CIC could have been a completely new corporate form, such as the charitable incorporated organisation, but instead it was clearly decided somewhere along the way that it was more appropriate to make the CIC a share or guarantee company with special features. A share or guarantee company is a familiar form to most people. However, there is no real attempt in the Bill to make those special features easily understandable. For example, there is no modified version of table A for the share CIC or table C for the guarantee CIC. Instead, the social entrepreneur or his advisers must take a normal company and then weave compulsory provisions, set out in schedules, into the regulations that will ultimately accompany the Act.

Perhaps the intention is that the regulator will produce standard forms, or perhaps it will be left to bodies such as the Social Enterprise Coalition. But what has appeared so far is hardly consistent with a Government desire to make this new form clear and understandable. We also remain in the dark about the real cost of setting up a CIC. A schedule for fees has recently appeared in the draft regulations published on the DTI's website. Unfortunately, the schedule, unhelpfully, remains completely blank.

Those barriers to entry may seem minor, but it must be remembered that the Government are providing no fiscal incentive to become a CIC—a point that we were able to explore briefly in Committee, thanks to a note received from the Royal National Institute of the Blind. Every time that this point comes up, we are told that the incentive is in the form of funds collected by intermediary community development financial institutions. But a CDFI does not fund CICs specifically; it funds community action generally.

At present, therefore, it is far from obvious how quick and simple the formation of a CIC or conversion into a CIC will be. Perhaps the Government intend to provide finance to the social enterprise sector, to enable it to work up the proposals into a genuinely user-friendly form. They do not look user-friendly at the moment. I have suggested that a fund could be created to enable organisations to meet the cost of converting to the new form owing to those concerns.

5.45 pm

The next problem that the CIC was supposed to address was that social and philanthropic investors could be deterred by an obvious profit and asset lock. I will not dwell on the nature of the asset lock, other than to remark in passing that the regulator is being left with a very difficult task by the draft regulations. The regulator must set the dividend cap and the interest cap on the asset lock. Much has been made before now of the enormous diversity of the social enterprise sector, and the vast range of undertakings and initiatives that it covers. What must also be recognised is the vast range of circumstances for which the cap will have to cater. On the one hand, the regulator must reassure philanthropic investors that the cap is not too generous to commercial investors; on the other, commercial investors will want to be reassured that they can get a proper return from their investment. It will take a regulator with the judgment of Solomon to set those rates. At least the regulations now provide that he or she can do so in a manner chosen by him or her, not by the Secretary of State.

One of my main concerns relates to the asset lock. Why are we bothering at all? There already exists a corporate form—the industrial and provident society, which I spoke about on Second Reading—one type of which can be formed for the benefit of the community. The extra statutory guidance produced by the Chief Registrar of Friendly Societies—now run by the Financial Services Authority—is refreshingly straightforward when it comes to describing what is meant by "the benefit of the community". He says

> "A society must demonstrate, amongst other things, that it will benefit persons other than its own members and that its own business will be in the interests of the community. Other factors relevant to the decision on qualification are whether it is non-profit making, whether its rules prohibit distribution of assets amongst members and whether the same considerations relating to member control, interest rates etc as are applied to bona fide co-operatives are satisfied".

Since 2003, the Government have been capable of making regulations enabling an industrial and provident society to adopt an asset lock. We now have, at last, a consultation document from the Treasury on the subject. Lo and behold, one of the options canvassed in the consultation is that the asset lock should be the same as that proposed for the CIC.

It is perhaps churlish to take issue with such generosity of spirit—two forms instead of none—but one of the founding principles of this legislation was supposed to be that it would create a distinctive brand for social enterprise. Of course that aspiration was lost as soon as it was decided that a community interest company could not be a charity—although it was accepted that many charities did things that were akin to social enterprise.

I suspect that the Minister, in her usual charming way, will give me an answer along the following lines. First, she will say that the industrial and provident society is a complex and moribund form, and the company is well understood. Secondly, she will say that an industrial and provident society is a democratic organisation, and a company need not be. Both are perfectly legitimate points as the industrial and provident society stands, but the clear intent—expressed both in the strategy unit's report and in the legislative action taken since that report—is to drag the industrial and provident society as a form into the 21st century, and indeed to make it more like a company.

It is also worth pointing out that social entrepreneurs, particularly small community groups, might prefer the form of constitution that an industrial and provident society takes, set out in a simple set of rules, to the memorandum and articles of a company. One of the classic examples of an industrial and provident society is, of course, an allotment association.

The second reason is also unconvincing. If an industrial and provident society can have an optional asset lock, could it not also have an optional undemocratic structure? Why do we need two forms of vehicle performing what, at the end of the day, will be essentially the same function?

The third reason why the 2003 proposal considered that a CIC might be a good idea was the concern that commercial investors might be blinded by the

[Mr. Andrew Mitchell]

complexity and diversity of current not-for-profit structures. You will have gathered, Mr. Deputy Speaker, from what I have said so far that I cannot see the increasing plethora of forms that must be filled in helping in this respect. The proposal also perhaps overstates the case for arguing that commercial investors are easily confused simply because one social enterprise might describe itself as a company, while another might describe itself as a charity or an industrial and provident society.

At the risk of over-generalising, what puts off commercial investors is uncertainty: uncertainty about what the enterprise in which they are investing can or cannot do, how its freedom of action might be inhibited by a regulator, and what might happen to its assets if it becomes insolvent. However, if we are looking for certainty in part 2 of the Bill, it is the last thing that we will find.

Let us consider one of the fundamental strands of this new form: the community interest test. According to clause 35(2), a CIC will pass the community interest test

> "if a reasonable person might consider that its activities are being carried on for the benefit of the community."

I appreciate that the test is intended to be flexible and an easy hurdle to jump, but doing so is hardly certain. Unlike the test for charities, it is an activities test; in other words, one looks not at the objects of the organisation to determine its status, but at what it is doing or intending to do. Such activities must be "beneficial" to a community, but as those who listened to the debate about public benefit arising from scrutiny of the draft Charities Bill will know—I had the honour to sit on the Committee that considered that Bill—"benefit" is a far from easy subject to define. In the charities context, it has taken the courts 400 years to fine-tune a concept similar to the one that the CIC regulator will be expected to produce overnight.

On looking at the draft regulations, the level of confusion does not really get much better. On the one hand, it is accepted that the employees of a single employer can be a community for the purposes of the test; on the other, that cannot be so if, according to regulation 4(e), a reasonable person would regard the activities as being conducted solely for the purposes of private gain. Again, it is impossible at this point to know what that means for an organisation that ordinarily can benefit private individuals, provided that they are part of the community whom the CIC serves.

There is yet another complication to the test, and it relates to the nature of the activities that a CIC can undertake. As was made clear by Lord Sainsbury when the Bill was in Committee in another place, a CIC does not need to have community interest objectives in its constitution. It could be a general trading company that has simply confirmed that its activities will be for the community interest, which would enable it to undertake trading activities designed to raise funds for the benefit of the community. The example was given of an allotment society running a bar. Doing so is fine, provided that a reasonable person would gather that the real intention was to raise money for the benefit of the allotment owners; the bar could not be an end in itself.

Where does this leave the community interest test? It would seem to place it somewhere in the realm of the social entrepreneur's intentions: provided that they intend to do good by whatever it is they are doing, they pass the community interest test. Frankly, we will not know the answer until the regulator has been regulating for some years. We need to wait and see how much trading the regulator will let a CIC get away with before it concludes that it is trading for the sake of trading, rather than for the sake of the community it is supposed to serve.

Of course, this might not be such an issue for the commercial investor if they can rely on the regulator one way or another to recover their investment. However, the test makes the CIC brand indistinct to the point where one wonders whether it is really worth having a community interest test at all. Indeed, it has been suggested that the voluntary adoption of an asset lock is more than sufficient evidence of a desire to benefit others. The Government might well discover that that is a less bureaucratic and regulatory way of achieving what we all want in this respect. I should be most grateful if the Minister commented on that specific point when she replies, because it seems to present a sensible way forward.

We must assume that, despite the complexities and uncertainties surrounding the new form, it will remain in the Bill. The amendments that I tabled in Committee were intended to focus on ensuring that the actions of the regulator were proportionate, explicable and rational. The CIC—and, more importantly, its ability to attract finance—will depend on the actions of the regulator being predictable and proportionate.

The discretions reserved to the regulator seem to appear at any point when the issues get difficult. The regulator thus has to decide the dividend and interest cap, whether the community interest test is passed and, effectively, what the test is. He has to decide whether and how to investigate a CIC and whether and how to intervene in the affairs of a CIC, having determined that it is in the interest of CICs at large that he does so under the Bill. The regulator has to determine whether or not a CIC can change its objects, what guidance should be issued on what subjects and who gets the surplus assets when a CIC is wound up under the provisions of the Insolvency Act 1986. I am afraid that that list is not exhaustive. The Bill should flesh out the discretions and add to our certainty about its effects on CICs by increasing transparency and enhancing the accountability of the decisions taken.

I end on one last helpful note for the Minister. One must hope that the regulator takes one leaf worth taking out of the Charity Commission's book by publishing significant decisions and the reasons behind them. The earlier the information about how the regulator is taking the key decisions is made available, the more likely we are to achieve what we all want from these measures—a real boost for community enterprise and voluntary endeavours throughout our constituencies.

Jacqui Smith: As the hon. Member for Sutton Coldfield (Mr. Mitchell) said, part 2 of the Bill contains a range of provisions to bring the concept of community interest companies into being. We have had an interesting debate about both the principles and the detail at previous stages of the Bill, both here and in the other place. As the hon. Gentleman also made clear, the amendments provide another opportunity to identify some of the key issues around the development of CICs. I greatly welcome the support across the House for the concept of community interest companies and I would like to take the opportunity, in speaking to the amendment, to say a little more about why the Government are promoting the concept.

We have taken the CIC forward in the Bill not just because it is a useful technical addition to the body of company law, but because we expect it to make a real difference to the way that communities can work creatively and enterprisingly for the common good. That is why the CIC was proposed in the strategy unit report on the not-for-profit sector, and why it was warmly welcome by a wide range of stakeholders when we ran a detailed technical consultation last year. As my right hon. Friends the Secretary of State for Trade and Industry, the Chancellor of the Exchequer and the Home Secretary wrote together when we published that consultation:

> "The CIC will create real opportunities for people in areas where they are needed most."

I can also say that, throughout the process of developing the CIC, we have continued to work closely with all the interested parties in the social enterprise sector to try to ensure that the end result achieves what we all want. I should like to take this opportunity to record my thanks to all those who have participated in that effort and been willing to give us the benefit of their experience and their expertise, particularly in the social enterprise sector. As I said, I want to put my thanks to them on the record. I assure them and others that we will continue to work with them to finalise the secondary legislation on CICs, and ultimately to support the new regulator in helping CICs put theory into practice. We want CICs to be a success.

6 pm

The result will be a welcome and useful addition to the range of legal forms available to the not-for-profit sector. There has been much debate here and in the other House about the range of initiatives that the Government are introducing to improve and modernise the legal environment for social enterprise. That debate will continue as other legislation comes forward, for instance in respect of charities. Although I do not want to go over that ground again, I should like to remind the House of why the Government think that CICs will be so useful.

For the first time, social entrepreneurs in Britain will be provided with a tailor-made form of company that is distinctive and easy to use. The CIC will offer a clear and effective mechanism to ensure that assets and profits are used for the good of a community rather than for private gain. In turn, that will make it easier for others, including service users, financiers and supporters, to understand and support the social enterprises that adopt this new form.

One of the key arguments in this matter was, I think, rather underplayed by the hon. Member for Sutton Coldfield. The advantage for those social entrepreneurs who have had to struggle to devise their own version of an asset lock is that this legal form will provide the certainty of an asset lock. That means that they will be able to enjoy certainty when it comes to gaining investment and doing business, and that will be a major step forward.

In addition, CICs will take their place alongside the industrial and provident societies, which are themselves being modified under the ongoing work by the Treasury to update the legislation on mutual societies. They will also complement the various legal options available to charities, which will themselves expanded by the forthcoming Charities Bill. The end result will be a modern range of legal options that reflect and support the breadth and diversity of social enterprise and voluntary activity.

I shall deal briefly with the relationship between CICs and the industrial and provident societies. In Standing Committee, I said that the introduction of the CIC is one of a group of measures proposed in the 2002 report from the strategy unit. That report also recommended a number of measures to modernise the form of the IPS. I disagreed with the hon. Member for Sutton Coldfield when he described the IPS form as moribund, although I do not know whether he was presenting his own view or reporting the opinion of others. Not only did I twitch at that suggestion, but I can assure the House that my Parliamentary Private Secretary, my hon. Friend the Member for Edmonton (Mr. Love), who has a detailed knowledge of the co-operative movement, twitched too.

The IPS form is not moribund: it is very vibrant in many of our communities. Reform is needed for other reasons. The strategy unit proposed the creation of an optional asset lock for the benefit of community IPSs, and the Government are taking its recommendations forward. Considerable assistance is being rendered by my hon. Friend the Member for South Derbyshire (Mr. Todd), who introduced a private Member's Bill in this area. As has been noted, the Treasury published a consultation paper in July on the technical issues surrounding the introduction of the optional asset lock.

The hon. Member for Sutton Coldfield has asked previously, and did so again today, why CICs are needed, given the proposed introduction of an asset lock for IPSs. It is the Government's strong view that CICs and IPSs have different but complementary purposes. The CIC will be ideal for those social enterprises that want the flexibility and familiarity of the company form. The IPS is more appropriate for those that want to be part of the long and proud tradition of mutual and community benefit societies, closely identified with co-operative principles and "one member, one vote" governance. The consultations that the Government have carried out on the strategy unit report and the CIC proposals have strongly supported that view. The whole legal framework for companies will be strengthened, not weakened, by the diversity represented by community interest companies, modernised IPSs and charitable incorporated organisations. I shall resist the hon. Gentleman's admonition that we should mush all those forms together into one. We would lose out if we got rid of that diversity.

The hon. Gentleman also raised the question of what support the Government are providing for community interest companies. The first fundamental point to make is that the creation of the CIC overcomes a real barrier for social enterprise wishing to use the company form. At present, it can be expensive for a social enterprise to set up a company with an effective asset lock. We have estimated that the associated legal costs for social enterprises of setting up an asset lock at present average around £1,500. Even then, the nature and extent of such

[Jacqui Smith]

asset locks is not usually apparent to stakeholders and not always transparent to funders. Our proposals directly address those concerns, and offer non-charitable organisations that wish to use the company form an asset lock that is ready made, in standard form, and fit for their purposes. We have also designed the community interest test, and the application process, to be as straightforward as possible. The resulting structure should in itself provide significant savings for new social enterprises.

The hon. Gentleman also raised the issue of the fee for registering to become a CIC. It will be set in regulations and it will be comparable to the company registration fee, which is currently £20. The DTI will provide support for the costs of the regulator and his office in the early years, when fee income will not be at a high enough level to allow self-sufficiency. We have also of course recognised the need to support the introduction of the new form in various ways.

The hon. Gentleman highlighted the need for information and I agree that that will be important. Initially, the DTI will produce a series of fact sheets on CICs to provide information, and will work to raise awareness among relevant organisations, especially advisory services. Subsequently, the Bill provides that the regulator is able to provide guidance and assistance on any matter relating to community interest companies and, if necessary, the Secretary of State also has a power to require him or her to do so. Community interest companies, like other enterprises, will also have access to the full range of help and advice that the Government provide through the Business Link service. A range of funding is available for social enterprises, from sources including the devolved Administrations, regional development agencies and local government. Additionally, specific funds have been set up by the Government, such as the adventure capital fund and Futurebuilders, which are available to social enterprises.

The Government have begun the process of preparing the ground for the introduction of community interest companies. We intend that it will be possible to register as a CIC from July 2005 onwards. There is a substantial amount of work to do before that date, not least appointing a regulator and making arrangements for his or her office, which will be based in Companies House in Wales. The appointment process for the regulator is under way, and we envisage that we will be able to announce the successful candidate before the end of the year.

We are in the process of planning for the integration of the regulator's functions into the Companies House company registration and reporting systems. That will provide CICs with an effective one-stop shop when dealing with registration and reporting—one place to go to fulfil the requirements of the company form and the additional requirements of the CIC form.

On the legislative side, on 11 October, we launched a consultation process on the draft regulations to be made under the Bill. The set of draft regulations on which we are holding consultations is substantially the same as the one that I provided for members of the Standing Committee last month. As I said, we intend to continue close dialogue with interested parties when finalising the regulations, pursuing the consultative approach that we have taken throughout the development of the proposals for CICs. We anticipate finalising the regulations and putting them before both Houses for debate early next year.

I am glad that we have had this opportunity—albeit a relatively short one—to discuss community interest companies, and that we have debated them in some depth in Committee and in another place. The proposals have received considerable scrutiny, especially in the other place, and as I said, we are heartened by the support that the concept has received. The Government are committed to making a success of community interest companies and we are taking the practical steps that will ensure that.

Part 2 provides the right legislative base on which to create that success and to provide opportunities for the social entrepreneurs in our communities, who make such a difference and who will be able to build on their potential by using this new legal form. On that basis, I am sure that the hon. Member for Sutton Coldfield will not want to press his amendment, but I welcome the opportunity that it has afforded us to discuss community interest companies and to put some points on the record, including the considerable progress that we are making towards the development of that form.

Mr. Andrew Mitchell: It would certainly appear that the generosity of spirit that characterised the tabling of the amendment, which was intended to give the House an opportunity to discuss the interesting new concept of community interest companies, has not attracted quite the support and interest from Members that might have been expected. The Minister and I have been left holding the baby, as it were—the CIC is an embryonic concept—in discussing the amendment this afternoon.

The Minister has answered several of the points I raised, and I am grateful to her for that. There were a couple of other points that she did not answer; her eagle-eyed officials will have noted them, and I shall be grateful if she could write to me about them, so that those outside the House who watch these matters and are interested in them can also see the answers.

My reservations about CICs are not about such companies per se. In isolation, CICs are fine, but when we consider them alongside all the other new changes—the industrial provident societies and the charitable incorporated organisation, currently included in the draft Charities Bill, which may, or may not, come before the House in the next Session—there is a daunting amount of confusion. The charitable and social enterprise sectors will find the proposals rather daunting, too.

In fact, the Minister tried to pre-empt my comments. In part of her speech, she was clearly responding to the points I made in Committee about the confusion that exists, although I was not especially trying to ventilate those issues today. She mentioned the fact that the DTI would shortly produce fact sheets on CICs. We welcome that and hope that they will be simple, clear and short; so I hope that the group of officials the Minister finds to draft them will be different from those who drafted the notes that accompanied the Bill.

I do not even remotely want to risk the wrath of the Minister's Parliamentary Private Secretary, the hon. Member for Edmonton (Mr. Love), by insulting industrial provident societies. Part of the reason why the CIC concept arose is because the Government did not consider that the aims of those societies, enshrined in the original legislation, were sufficiently broad. Indeed, part of my argument on Second Reading was that, with some tweaking of the industrial provident society legislation, it would be unnecessary to introduce this new form, but I accept that we have gone past that point.

I end on this note. By the middle of next year, we have the prospect that the social enterprise brand will be even less distinct than it is at present. We will have CICs with asset locks. There will be the CIO—unfortunately, a similar acronym—which must be a charity and thus cannot be a CIC, but could be a social enterprise. We will have industrial and provident societies, but they will be rebranded as community benefit societies, which can have an asset lock and may be charities. However, even though community benefit organisations—bencoms—may have exactly the same features as CICs and not be charities, they will not be able to call themselves CICs. Is there a need for that legal soup? That is my main concern, and it will be the main concern of other hon. Members.

6.15 pm

We want the proposals in part 2 to work—there is no question about that—and we all agree that they represent a way to improve and increase social enterprise. My warning to the Minister is that she may have to revisit the form of the CIC because, although nobly inspired, it may not achieve quite what she and her colleagues hope. I very much hope—my colleagues join me in this sentiment—that we are wrong in that, but I warn her that she may find that this is not the end of the legislation required to set up CICs, but merely the beginning of it. However, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Schedule 2

MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO PART 1

Amendments made: No. 17, in page 60, line 16, at end insert—

'(9A) For the purposes of this section, information obtained by an investigator in consequence of the exercise of his powers under section 453A includes information obtained by a person accompanying the investigator in pursuance of subsection (4) of that section in consequence of that person's accompanying the investigator.'.

No. 18, in page 60, line 32, leave out paragraph 20 and insert—

'20 (1) Section 451A (disclosure of certain information) is amended as follows.

(2) For subsection (1) substitute—

"(1) This section applies to information obtained—

(a) under sections 434 to 446;

(b) by an inspector in consequence of the exercise of his powers under section 453A."

(3) After subsection (5) insert—

"(6) For the purposes of this section, information obtained by an inspector in consequence of the exercise of his powers under section 453A includes information obtained by a person accompanying the inspector in pursuance of subsection (4) of that section in consequence of that person's accompanying the inspector.

(7) The reference to an inspector in subsection (2)(b) above includes a reference to a person accompanying an inspector in pursuance of section 453A(4).".'.—*[Jacqui Smith.]*

Order for Third Reading read.

6.16 pm

Jacqui Smith: I beg to move, That the Bill be now read the Third time.

This is a worthwhile and useful Bill. On Report and now on Third Reading, we have managed to retain if not the quantity, then the quality of those hon. Members who are present for the final stages. Of course, the process has enabled the Bill to be further improved during its passage through both Houses, and I am grateful to all hon. Members on both sides of the House who have contributed to the proceedings.

I am particularly grateful to the hon. Member for Old Bexley and Sidcup (Derek Conway) and my hon. Friend the Member for North-West Leicestershire (David Taylor), who jointly chaired the Standing Committee so effectively and expeditiously, and to all the right hon. and hon. Members who served on the Committee. In particular, the hon. Members for Sutton Coldfield (Mr. Mitchell) and for Weston-super-Mare (Brian Cotter) have done a very fair job in opposition, while recognising the important development that the Bill represents. I should also like to record my gratitude to my officials for the very hard work that they have done in preparing the Bill and during its progress.

Company law is important. It constitutes the legal framework for nearly 2 million businesses, from one-person companies to multinational giants—companies that create the prosperity, jobs and investment on which we all depend. Given that companies are so important and diverse, Governments must pay particular attention to company law. That is why we set up the independent company law review to prepare the way for the major overhaul of company law that we shall introduce as soon as parliamentary time allows. It is also why the Bill has been the subject of extensive consultation.

The provisions in part 1 on company accounting and audit stem largely from the work of the co-ordinating group on audit and accounting issues. As the hon. Member for Sutton Coldfield has said, that group was jointly chaired by my predecessor as Minister with responsibility for corporate governance—now the Under-Secretary of State for Health, my hon. Friend the Member for Welwyn Hatfield (Miss Johnson)—and the then Financial Secretary, now the Minister for the Cabinet Office, my hon. Friend the Member for Bolton, West (Ruth Kelly). I pay tribute to their work in setting the important foundations on which parts of the Bill are built.

The co-ordinating group on audit and accounting issues included senior members of regulatory bodies, such as the Financial Services Authority and the Financial Reporting Council. It published interim and final reports, the latter in January 2003. Its conclusions were clear. It said that we have

"a sophisticated and effective system of oversight in this country, to the extent that the UK can claim, with some justification, to be at the forefront of best practice."

[Jacqui Smith]

However, it went on to say:

> "Nonetheless we believe that change is required . . . Though the recent problems have arisen in the US, their effect has been international and they required a response in the UK. The actions we recommend in this Report will, we believe, make a real difference and ensure that there is justified confidence in financial reporting, accounting and the quality of independent audit."

As I explained on Second Reading, much of the action recommended did not require legislation. The audit firms made changes to some of their practices and the combined code on corporate governance was revised following reviews by Sir Derek Higgs and Sir Robert Smith. However, some of the recommendations did require legislation, so we brought forward the Bill to implement them as quickly as possible in advance of the main reform of company law to which I referred and to which we remain committed.

The Government consulted separately in March 2003 on proposals for the reform of the regulatory regime of the accountancy profession and the responses to that process helped to shape the Bill. We also consulted between December 2003 and March 2004 on director and auditor liability. The responses to that consultation prompted amendments to the Bill to allow companies to indemnify directors in certain circumstances and led to the further work that we are now doing with auditors, investors and others to reach agreement on the best way forward on the difficult issue of auditor liability, which I mentioned on Report.

Part 2 of the Bill, on community enterprise companies, has also been the subject of extensive consultation. As I said earlier, the idea of community interest companies was first proposed in the strategy unit's consultative report "Private action, public benefit", which was published in September 2002. The responses were overwhelmingly supportive. My Department, working with the Treasury and the Home Office, developed the concept further through a more detailed consultation that was launched in March 2003.

The preparation of the Bill has been open and transparent with much expert input. Moreover, it was thoroughly debated in another place and the Government tabled many amendments in response to the points made there. That was seen most evidently in clause 9, which we completely redrafted.

Given the consultation process and the successful form in which the Bill has reached this stage, its measures deserve to be put in place as quickly as possible, so I shall outline how we intend to implement them. We expect to commence the Bill in three stages. We plan to commence the powers in the Bill to make subordinate legislation, together with the provisions on finance and liability for the Financial Reporting Council, in January. We shall then make the necessary implementing regulations and orders and bring them into force in parallel with most of the substantive provisions in part 1—on auditors, accounts and reports, directors' liability and company investigations—in April 2005, with the remainder of provisions coming into force in July 2005.

The provisions on directors' liability close what some regard as a current loophole under which parent or subsidiary companies may provide to directors indemnities that would be void if provided by the company itself. We want to close that loophole in the period between Royal Assent and the commencement of the provisions on directors' liability. We thus intend to provide in the commencement order that existing contracts that are currently permitted, but will become prohibited under the Bill, will remain effective only if they were made before Royal Assent. As I said earlier, we also intend to make the regulations on community interest companies by April and to appoint the regulator by then. We expect the first community interest companies to be able to register in July next year. Companies and individuals are already contacting us and showing the enthusiasm about the opportunities provided by the new legal form that will no doubt exist throughout the whole social enterprise sector.

The Bill is a model of good legislative practice. It focuses on specific and clearly identified objectives and is the product of extensive consultation, both formal and informal. It is proportionate and will be good for business, good confidence in business and good for social enterprise. It deserves the support of all hon. Members, and I commend it to the House.

6.25 pm

Mr. Andrew Mitchell: It feels like we have run a marathon, but we are in sight of the finishing tape.

I join the Minister in thanking my hon. Friend the Member for Old Bexley and Sidcup (Derek Conway) and the hon. Member for North-West Leicestershire (David Taylor), who did a first-class job chairing our Committee proceedings. I also commend the usual channels. The Bill was not programmed but was accomplished in the old-fashioned way and the system worked extremely well. I thank the Minister for her courtesy. We spent much time together working on the Bill and I shall treasure the formal letter she sent conceding that we were right on two small points in Committee, which she addressed by tabling two Government amendments on Report.

It has been a frustrating experience for Her Majesty's Opposition because our powerful arguments have been politely but firmly rejected. All my attempts at reasonable amendments have been unsuccessful. The Bill would be better had the amendments been accepted. The Minister will appreciate that we regret that they were not.

The Bill is not party political. It is required and has benefited from a great deal of good work in the Lords. It would be wrong of me not to mention the work by my colleague the noble Lord Hodgson, especially on clause 9. The Government agreed to Opposition amendments on that and, as a result, the clause is now much better.

There is broad strategic agreement on both sides of the House on what we are trying to achieve. Of course we want to punish wrongdoing and promote good practice. We have been in firm agreement with the Government on those measures that attempt to do that. Our main reservation is that Parliament has been ill used by introducing such measures in this form. They owe it to the House and the business community to bring forward the company law review. The Government have been sitting on that for nearly four years. The good governance of the British corporate sector requires a Bill on that. We are grateful to hear that one will be introduced soon. Although we did not tie the Minister down to precisely when, she made the right noises.

The second part of the Bill deals with community interest companies. We think that that small measure should be part of a much bigger Bill. It could easily have been tacked on to the draft Charities Bill, which will introduce the charitable incorporated organisation. Our reservations are principally that the Government are wrong to introduce this minnow when they should have introduced the serious legislation that is required following the company law review and the important legislation on charities, for which the charitable organisations have been waiting for so long.

There are things with which we disagree over and above those two central strategic points. The Government firmly misunderstand the effect of regulation, which stifles initiative and entrepreneurialism. As many commentators have said, it is not the high tax that is the main threat afflicting the business community but the stifling increase in regulation, red tape and bureaucracy that makes Britain less competitive than its neighbours.

As the Minister knows, we are concerned about the Government's delay in addressing the problem of auditor liability, on which we had a good debate this afternoon. The Government can be left in no doubt about the urgent need for action on auditors, not for their benefit but for the sake of good governance of the corporate sector. Although I did not receive a copper-bottomed assurance from the Minister, I sensed that Ministers in the Department understand the importance of taking action, are consulting and will shortly introduce something very similar to the measures that they obliged their Back Benchers to oppose in the Lobby this afternoon.

We have not dealt today with director's liability, which we discussed in Committee. The Government satisfied us that they had made some progress when the Minister announced her conclusions on the consultation exercise. However, bigger issues, which I set out on Second Reading, govern the role of non-executive directors. The Government must ensure that governance does not mean that people whom we want to be non-executive directors are unwilling to take on that important role in major public companies because the risk to their reputation and, indeed, their wealth is disproportionate to the rewards. We failed to persuade the Minister in Committee to give greater protection to people below board level. In the other place, the Opposition were successful in changing the onerous burdens imposed on directors by clause 9, but we should give more protection to individuals below board level. I explained on Second Reading that just because I have an encyclopaedia in my study, it does not mean that I have encyclopaedic knowledge. It is important that people below board level who are assumed to have knowledge and are therefore held to account are protected. We made that argument powerfully but, regrettably, the Government did not accept it.

We tabled amendments on the extent of independent monitoring of major audits and the levy, as well as the nature of disciplinary hearings and whether they accord with natural justice. The Minister politely but firmly resisted all those amendments and the core of her argument was that there was already sufficient protection in the Bill. Time will tell whether that is the case. We are pleased with some of the measures in the Bill, but sorry that not all the changes that we asked for have been accepted. We look forward to the Government introducing other long-awaited legislation and we send the Bill on its way with one cheer but, alas, not with three.

6.33 pm

Brian Cotter: We have had some interesting and important debates on the Bill, which makes a welcome effort to improve public confidence in companies and financial markets by strengthening the systems for regulating auditors and accounts in the light of recent scandals such as Enron and Parmalat. The Minister promised further legislation to modernise company law and we believe that the Government will introduce it, because the issue has been in the air for a long time.

We rightly had robust discussions on the liability of auditors and I hope that the Minister accepts that the issue should be addressed. We had some interesting discussions about investigations and there are issues still outstanding in that regard.

The Bill includes important provisions relating to the establishment of community interest companies. As I mentioned previously, that is welcomed by the Liberal Democrats, who have a historic commitment to co-operative and mutual structures. Any measures that encourage social enterprises working on behalf of the local community or other good causes are to be welcomed. As we know, social entrepreneurs who want their companies to operate on a not-for-profit basis run into difficulties because company law provides no simple and transparent way to lock profits into a company. The legal process of creating a not-for-profit company can therefore be lengthy and expensive, so the transaction costs can be high.

Social and philanthropic investors may be deterred by the lack of an obvious profit and asset lock, and may therefore prefer to support other organisations, such as charities. Commercial investors may be puzzled by the complexity and diversity of not-for-profit structures and can see social enterprises as riskier than they really are, which raises the cost of funds. The Bill is welcome because it deals with these concerns and creates a community interest company structure that will address the problems. The Minister announced a short time ago that a great deal of information, fact sheets, advice and help would be available. I reiterate that, as the hon. Member for Sutton Coldfield (Mr. Mitchell) said, it is important that the information is provided in clear and easily understood language.

I return to an aspect of corporate governance that I raised in Committee—late payment. During the Committee's last sitting, the Minister responded to my amendment which would have required company directors to report their payment performance in a standard and transparent way that would make it easy for their small suppliers to determine the payment record of a large potential customer. Because there is no standard means of reporting payment performance times, a small firm may—and frequently does—find that the job of establishing the payment record of a larger firm is like trying to find a needle in a haystack. Despite the assurances that I was given, I maintain that that is so.

The lack of clarity and openness does nothing to promote best practice among larger companies or to bring about the culture change necessary to ensure that

[Brian Cotter]

businesses pay their bills on time. We know that the problem is a significant and continuing one. The Federation of Small Businesses estimates that one in four of all business failures are the result of cash-flow interruption stemming from the culture of late payment that seems to be so entrenched in this country, yet I was disappointed that, in Committee, the Minister apparently brushed aside those concerns. She mentioned the Grant Thornton European business survey as evidence that the situation has improved.

The survey does suggest that, but there is plenty of contradictory evidence showing that matters are getting worse. The Federation of Small Businesses payment performance league tables show that the average time that it takes a business to pay its bills remains 46 days. That figure has remained the same for the past five years. That is just one example from a list of surveys that have reported a worsening situation, particularly over the past year.

The Government have taken steps to improve the situation as part of an overall package of measures to tackle late payment. I very much welcomed the Late Payment of Commercial Debts (Interest) Act 1998 and the establishment of the better payment practice group, but unless we ensure that plcs come clean about how long it takes them to pay their bills, how can larger companies be held to account effectively? What motivation will there be for them to improve their performance? At the moment, reporting methods are insufficiently transparent. The Federation of Small Businesses told me that Companies House told it that some 14,000 plcs exist in the UK. By law, each of those companies must provide a statement of payment performance in their annual accounts. The Minister may claim that such a statement can easily be found for each business, but that is far from the case.

Over the past five years, the FSB has used one of the largest credit reference agencies in the UK and researchers from the university of Leeds, which the previous Minister for Small Business and Enterprise referred to as the "UK's late payment observatory", to compile its payment performance league tables. Yet, even utilising that level of help, the highest number of compliant companies that the FSB has ever found with that data is 4,100, as against the figure of 14,000 UK plcs. Surely the fact that the information is available for less than one third of plcs in the UK undermines the aim of the legislation and means that the Government are failing to implement one of the key elements needed to tackle late payment, namely transparency.

We have clear evidence that the law is not working, yet the Minister told me in Committee that, under section 257 of the Companies Act 1985, the Secretary of State has the power to introduce a standard method of reporting payment performance. I hope that the Minister will confirm exactly why the Secretary of State has chosen not to use those powers, given the growing weight of evidence. I hope that the Government take late payment seriously and do not brush it to one side.

It was a pleasure to work with the Minister and other hon. Members on the Bill. I thank the officials and others for the fact that we have a Bill that is an advance, but, as Liberal Democrat Members and others have said, we are looking for something more comprehensive. That said, the Bill has provided an opportunity to raise a significant issue for small businesses, namely the growing problems of cash flow and payment of bills, which I hope that the Government will address now or very shortly.

Question put and agreed to.

Bill accordingly read the Third time, and passed, with amendments.

PETITION

Planning (Castle Point)

6.42 pm

Bob Spink (Castle Point) (Con): Castle Point is overdeveloped for its current infrastructure, yet the Office of the Deputy Prime Minister is forcing 4,000 more houses on my small community, which is against the community's strongly expressed wishes, without any additional infrastructure support whatsoever.

The petition relates to additional flats opposite Castle View school on Canvey island. The application to build those flats should be rejected for real and substantial planning reasons, including overdevelopment, road safety and other traffic considerations, and public health and safety. I am most obliged to those of my constituents who have signed this petition, because by doing so they show how much they care about defending their community.

The petition states:

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

The Humble Petition of Mr. and Mrs. Archer and others of like disposition sheweth

That there is considerable public concern about an application to build residential flats opposite Castle View School, Canvey Island No. CPT/664/04/FUL.

Wherefore your Petitioners pray that your Honourable House shall urge Castle Point Borough Council to decide this matter by a decision of the Planning Committee rather than under delegated powers and reject the application.

And your Petitioners, as in duty bound, will ever pray.

To lie upon the Table.

Bats (Churches)

Motion made, and Question proposed, That this House do now adjourn.—*[Gillian Merron.]*

6.44 pm

Mr. John Greenway (Ryedale) (Con): I am grateful for the opportunity to raise on the Adjournment of the House a very difficult issue affecting the conservation of our wildlife and of our built heritage, which appear to be in conflict in several locations across Britain. I am deeply grateful for the Minister's time. I hope that he feels that I am approaching the subject in a measured way and that it is worthy of an airing in this place and, ultimately, of more effective action.

Several hon. Members, including my hon. Friend the Member for North-East Bedfordshire (Alistair Burt), have churches in their constituencies that have become the summer habitat of bats, which are wreaking havoc on their fabric. One such church in my constituency is St. Hilda's church in Ellerburn, near Thornton-le-Dale, which is a very beautiful part of Britain. It is a Saxon church that is more than 1,000 years old. As things stand, it is proving impossible for the bats and the congregation to live side by side. The purpose of this debate is to try to find a solution to a seemingly intractable problem.

I am grateful to the Bat Conservation Trust for a detailed resumé of the occurrence of bats in the United Kingdom and the law relating to their preservation. I am told that there are no fewer than 16 species of bat in the UK, all of which are protected by law because their numbers have declined—although not necessarily in each case to a level where all species can be said to be endangered.

The Wildlife and Countryside Act 1981, which was later amended by the Countryside and Rights of Way Act 2000, made it an offence to kill, injure or disturb bats and to damage, disturb or obstruct access to a bat roost. I understand that similar protection is afforded by the European Union habitats directive on the conservation of natural habitats and wild flora and fauna.

St. Hilda's church in Ellerburn is one of Yorkshire's most significant sites for bats. It is home to four of the county's eight bat species—the whiskered bat, the pipistrelle, the brown long-eared bat and the Natterer's bat. Whiskered and pipistrelle bats roost in the roof space—not in the belfry as is commonly thought—but Natterer's and brown long-eared bats roost in the church itself. Clearly, problems emerge if the church is small, as is St. Hilda's.

The Bat Conservation Trust claims that the colony of Natterer's bats at St. Hilda's is particularly important as it is one of only 25 in the whole county of North Yorkshire. I have no information about how many other colonies there are across the country, but I gain the impression from my research into the number of churches complaining about Natterer's bats that there are many similar roosts and that, although English Nature claims that it is threatened, the species cannot be said to be close to extinction. If it were, my attitude might be rather different.

The Bat Conservation Trust claims that during a survey in May this year around 65 bats were found to be using St Hilda's church. Not surprisingly, because some of the bats prefer to roost inside the church, the church fabric is suffering significant and largely irreversible damage. I apologise, Mr. Speaker, because this is not a pleasant topic, but the sad truth has to be faced that the volume of urine and bat excreta throughout the entire church at Ellerburn is ruining all the internal fabric of the church, including the furniture and a number of artefacts. The experience at St. Hilda's appears to be in keeping with that of other churches that have suffered significant damage and disfigurement, mostly from chemical erosion, to works of art, wall paintings, brasses, pews, organ pipes, sculptures, stone floors, wooden carvings and even historic gravestones.

The continuing presence of bat droppings is a health hazard for the congregation and, unsurprisingly, attendance at St. Hilda's has declined to a handful of elderly parishioners. I am told that English Nature and the North Yorkshire Bat Group, with the support of the Archdeacon of Cleveland, who e-mailed me today, have tried to mediate between the Bat Conservation Trust and local parishioners but that it has proved impossible to find a compromise. Would that they had found one: we might have been spared being here now. The problem is that the parishioners would like to be rid of the bats inside a relatively small church. They find suggestions that they should put up with the constant deluge of bat urine and faeces every summer a trifle hard to take.

Guidelines that English Heritage and English Nature published, of which, for greater accuracy, I have a copy, do not appear to offer a long-term practical solution. They suggest the use of covers, synthetic lacquers, deflector boards, stuffed owls and sound generating devices, but none of those appears able to do the trick. The parishioners have decided that they would like to be rid of the bats, and, in truth, I do not blame them.

The alternatives of relocation and exclusion offer little comfort. Relocation simply moves the problem to another part of the church, and, in a small church, that is practically impossible. So far as exclusion is concerned, the advice to the church is that, in effect, the law denies that opportunity as it could represent the obstruction of access under the legislation. I shall revert to that later because it is one of the key points.

The joint English Nature and English Heritage leaflet is valuable in demonstrating the damage that can be done by bats in churches. I do not know whether you can see the leaflet, Mr. Speaker, but it shows some of the damage to which I referred and that occurs in counties throughout the country. It is a serious matter and, although it has an amusing aspect, I am afraid that we have reached the stage when people are rightly saying that something must be done.

In any event, all the advice from English Nature, English Heritage and other quarters that I have been able to access is directed at trying to protect the structure or fabric of the church. It offers absolutely no comfort or help to the people who use the church. As Bishop David Galliford, retired chaplain to the Queen, rightly said:

> "Clearly the law is unfair. It gives bats far more rights than humans and no one can accept this when it threatens to drive people out of the church and close it."

His poor wife, Clare, fell ill with severe food poisoning after attending a service at St. Hilda's, and I am told that she was unwell for a fortnight.

[Mr. John Greenway]

The rector of Ellerburn church, David Clark, believes that the bats accessing the church through a gap in the door cause the problem. The congregation believes that the gap could be sealed, as one would seal any door in one's home through which draughts, insects or small creatures may gain access. However, I am told that the advice to the church is that sealing the church door with, for example, rubber would require a licence from the Department for Environment, Food and Rural Affairs and approval from the European Union. The church has been discouraged from following that road on the basis that it would be wasting its time. If nothing else, I want the Minister to confirm today the exact position on that. I hope that something can be done along those lines.

It is said that the bats have been at Ellerburn church every summer for the past 10 years. We are considering those inside the church, not those in the roof. If nothing is done to redirect them to another site, the inevitable consequence is that the church will be lost to its congregation and simply become a roosting site for bats. Another parishioner, John Grimble, who is aged 79 and has been going to church all his life, commented:

> "If we can't find a solution, we will be forced to lock up this beautiful church where folk have worshipped for over 1,000 years."

I know that we sometimes do daft things in this place, but I cannot believe that such an outcome was the intention of Parliament or the European Union when they considered the current legislation. However, unless something is done, whether through a change in the law or through guidance, the inevitable consequence will be that this church and many others will become derelict, and centuries of ecclesiastical architectural history will be lost.

I suppose that one of the reasons that churches are so attractive to bats is that they are uninhabited for long periods of time or, dare I say it, inhabited by just a few, as the House is now. Their ceilings and timbered roofs are particularly appealing. When I was preparing my remarks, it crossed my mind to wonder what would happen if these Natterer's bats, or similar bats, got into the Palace of Westminster. Unlike another recent invasion, it might take rather longer to spot them. Westminster Hall is nearly as old as St. Hilda's church in Ellerburn, and there are many other parts of the Palace that might be similarly attractive. I appreciate, of course, that we are not surrounded by the beautiful countryside of North Yorkshire, and we do not have the caves in the North York Moors national park where the bats over-winter just up the road. But the point that I am trying to emphasise is that I am quite sure the Accommodation and Works Committee here would not take kindly to having to deal with the problems of mess faced every Sunday by the parishioners at St Hilda's and scores of other churches up and down Britain.

So, enough about the problem: what needs to be done? In the first instance, I would like the Minister to consider issuing fresh guidance to churches about exactly what can be done about this problem. Church authorities need to know what, if anything, they can do under the existing law to take the action needed during the winter months to prevent the bats from regaining access in the spring when they return from their winter roosting sites. If this were possible under licence from DEFRA, will the Minister make it clear in what circumstances such consent would be granted and what role, if any, the EU would have in such circumstances?

It would also help if clarification could be given on what action is permissible to relocate the bats not to another part of the church but to an alternative site. If, as I suspect, the answer to all those questions is that nothing practical is realistically possible, I would ask the Minister to consider at the very least tabling an amendment to the law to allow churches the opportunity of blocking access points without fear of prosecution under the existing legislation. Otherwise, as I have already said, these churches are going to be abandoned and simply left as roosting sites for bats.

That would be an unacceptable outcome for any church. It is even more unacceptable if the church is listed or generally regarded as uniquely historic. There is no doubt whatever that St Hilda's church in Ellerburn—a beautiful Saxon church, few of which remain in Britain—fits the latter description. It seems ludicrous that while the present law, with the permission of English Nature, allows bats, common or rare, to be removed from the interior of someone's dwelling, they cannot be removed from the house of God.

Sadly, there is a seemingly irreconcilable conflict between the conservation of one species of wildlife and the conservation of our built heritage, not to mention the interests of churchgoers. While I agree that every effort should be made to enable the two to live side by side whenever possible, I would urge the Minister to accept that there may be circumstances where the differences are, sadly, irreconcilable. At present, the law appears to come down on the side of the bats. I believe that it is time the balance was redressed just a little towards the interests of parishioners and the fabric of their church.

To conclude, I would like the Minister to consider allowing an exemption for our most historic churches. It is not right that we just stand aside and, in the interests of bat conservation, allow historic churches to be destroyed.

It being Seven o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kemp.]*

Mr. Greenway: That is why I sought to raise this issue on the Adjournment. I hope that whatever the Minister may have prepared to say, he will at least give some thought to the suggestion about how we give greater protection to our most historic churches.

7 pm

Alistair Burt (North-East Bedfordshire) (Con): I am grateful to my hon. Friend for allowing me a few words in his Adjournment debate, and I congratulate him on raising the subject. I am also grateful for the courtesy of the Minister in allowing me to make some comments.

Some of the historic churches of North-East Bedfordshire suffer from the same problem as that described by my hon. Friend. In particular, I have been addressed on this matter by the church wardens of St. Mary's the Virgin, Stevington, to which St. Hilda's sounds similar. I have visited the church and seen the damage. It is pitiful to see what can happen to a church over long years of bat infestation. I also commend to the Minister, if he has not had a chance to see it, "Our Beleaguered Heritage", published in 2000, which is by Catherine Ward, who has made a considerable study of the problem on behalf of parish churches. I am sure that I can obtain a copy for him.

My constituents, the church wardens of St. Mary's the Virgin, Stevington, put it most clearly in a letter:

> "we have for many years had a serious bat problem which is worsening. Every week the church is cleaned on Fridays and has to be swept again before morning service on Sunday because of the faeces of the bats. The woodwork and brass in this 9th century church is pitted, the tiled floor is splashed and permanently stained with urine. Even during the winter months of so called hibernation there is evidence of the bats."

They continued:

> "The church is not just a building, it is for the congregation who worship, take refreshments and care for it".

Naturally, my constituents are concerned for the health and welfare of those who worship there, particularly children, because the cleaning, however effective, cannot be wholly complete.

As my hon. Friend said, we have no desire to reverse the entire law relating to the protection of bats, as they are indeed one of the glories of our countryside, but there is a clear clash of interests in this corner of England's heritage. We ask simply that our historic churches, which are surely as much a part of England's glory as the bats, have a more equal voice than they have had up to now; otherwise, some of the precious heritage of which we have spoken will not only be pitted and stained but lost for ever.

7.3 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Ben Bradshaw): May I start by congratulating both the hon. Members for Ryedale (Mr. Greenway) and for North-East Bedfordshire (Alistair Burt) on bringing to our attention this serious issue, and on doing so in a constructive and balanced way?

The hon. Member for Ryedale will not be surprised, as he successfully secured this Adjournment debate, that I made it my businesses to find out a little more about some of the problems that he was addressing in his constituency in the church of St. Hilda's in Ellerburn. As he has pointed out, they have been going on for some time. The church authorities in Ellerburn have already talked to English Nature about their problem, and English Nature, which is the Government's statutory wildlife adviser, has been involved in trying to help the church minimise the problems caused by bats in that instance. It may help if I outline briefly some of the general issues behind the problems that he has mentioned.

As the hon. Gentleman has said, there are 16 species of bat in the UK, some of which have declined significantly in the past. That decline has been caused by a number of factors, including the reduction in food sources, in part, pesticide use, the loss of feeding habitats and the loss of roosts in trees and buildings. Most UK species were originally woodland bats, but as the amount of suitable woodland has declined they have adapted themselves to use man-made habitats. Churches are an ideal habitat for bats: they tend to offer little disturbance, constant temperatures and many crevices and gaps in timber that can be used for roosting.

As has been said, bats are afforded the highest level of protection under the UK's conservation legislation. Any activity resulting in the damage or destruction of a roost would be an offence under the Wildlife and Countryside Act 1981 and the Conservation (Natural Habitats) Regulations 1994 unless an appropriate licence had been obtained from my Department.

Licences are free of charge. No fee is charged for the assessment, or for any site visits by DEFRA officials. Licences may be applied for, for any of the purposes stated in the 1994 regulations. They include

> "imperative reasons of overriding public interest including those of a social nature."

I think that both hon. Members would agree that attending church, particularly in rural areas, would be considered an important social activity—certainly by those who attend church.

Four species of bat are known to use St Hilda's. The presence of a sizeable maternity roost of Natterer's bats is of important conservation interest. Maternity roosts of that species are not commonly found, and English Nature believes that this is possibly the largest of the few roosts that are known in North Yorkshire.

Churches are a major repository of a wide variety of objects, both fixed and mobile, many of which are of historic and artistic interest. Far be it from me to damage further the unjustifiably negative reputation of the bat at this time of the year, but the hon. Member for Ryedale was right to point out that bats stain such objects with their faeces. Droppings and urine can cause a problem: urine can stain brass, marble and wood. Some bats are worse than others in that regard, and Natterer's bats fall into that category. I am told that there is also a problem with smell.

I understand that, in the past, English Nature has offered to pay for cleaning and covers in the church concerned, and also for deflector shields to protect important church artefacts. I am informed that those offers have not so far been taken up. My Department has advised on the licensing provisions and the system available to the church to alleviate the problem. To date no application has been received. In my view, the problem that the hon. Gentleman mentioned with a gap in the door would merit at least an application of the sort that I have described. There is no need for permission for such a licence from the European Union. As for the hon. Gentleman's suggestion that there should be a general exemption for historic churches, I do not think that that is justified at the moment. I am happy to look at it again, but until the current licensing system is tested, it would be premature to talk about changing the law.

Mr. Greenway: The Minister has made a very constructive suggestion, but may I ask him a question? If the church made an application, presumably those who disagreed—of whom there are a number, some of them my constituents—would be able to make objections. I do not want the Minister to pre-empt decisions that he may make later, but will he reassure me

[Mr. Greenway]

that the licences can be issued, and that this is not simply a means of going through the motions and getting nowhere in the end?

Mr. Bradshaw: I can say without pre-empting any such application that I understand from the background to the case, and from what the hon. Gentleman and his hon. Friend have described as a growing problem, that this may represent a rather interesting test case. Of course there would be objections, and the Government would be obliged to take advice from statutory advisers including English Nature. I think all Members would agree, however, that laws are there to be implemented in a reasonable way. This is the first case of this kind of such seriousness that I have encountered, but I would certainly encourage the church authorities concerned to use the powers that they already have under the law before we start examining other options.

Both hon. Members mentioned the fear that the bats might pose a health risk. I can reassure them that the health risk from bat droppings is minimal, since they consist of the indigestible hard parts of insects. I am aware of the hon. Member for Ryedale's concern, reported in the local press, about the perceived health risk to human beings, including to one of his constituents, who reportedly suffered from food poisoning after attending church. I should point out that there is no known instance in the United Kingdom of diseases being transferred to humans from bat droppings, so we have no reason to believe that bat droppings in this country pose a serious risk to humans. I suggest to the hon. Gentleman and his parishioners that if members of the congregation are concerned about taking communion after having possibly touched bat droppings, there is always the option of receiving the Host directly on to the tongue, rather than via the hand. That might be a sensible hygiene precaution.

My officials and I are very sympathetic to the plight of churches and the problems that they face when there is perceived conflict between their needs and those of bats. In view of the importance of St. Hilda's church to both humans and bats, we should all work together to ensure that they can co-exist. If the church officials wish to exclude bats from the main body of the church, I urge them to apply to my Department for a licence to do so.

Question put and agreed to.

Adjourned accordingly at eleven minutes past Seven o'clock.

CORRECTION

Official Report, 15 September 2004: in col. 1400, above "8.41 pm" insert the following:

Mr Andrew Robathan (Blaby): I know that my hon. Friend has a farm, and that he was a farmer before coming to the House. I too have a farm. We heard the hon. Member for Worcester (Mr Foster) talking about the "round Worcester" ride. I want foxes to be kept down, but I do not want my land to be torn up by hundreds of yahoo, tally-ho types riding across it. I do not want my land to be a pleasure ground for people on horses.

Mr Clifton-Brown: My hon. Friend is right. The hon. Member for Worcester went out hunting once and thinks he knows all about it. He quoted from his local newspaper, saying that the summer ride of the Warwickshire hunt would be an alternative to fox hunting. That shows how little he knows about fox hunting. For years, most hunts have used these summer rides as a means of raising money, or as an activity at a time of year when there is no fox hunting. I wish that Opposition Members would check their facts before speaking on the subject. Nothing annoys my constituents more than Opposition Members talking about fox hunting when they know nothing about it.

I make one plea to the Minister. People in my constituency will lose jobs; that will cause hardship. They are badly paid. The Government could make this measure a little more palatable by conceding on the compensation point. It would not cost much money, but for those people who lose their jobs it would help considerably if they had a compensation package.

House of Commons

Wednesday 20 October 2004

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

DEPUTY PRIME MINISTER

The Deputy Prime Minister was asked—

Park Homes

1. **Richard Younger-Ross** (Teignbridge) (LD): If he will make a statement on further reform of legislation on park homes. [192476]

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): The Housing Bill contains key measures to improve the position of park home owners, which have been widely welcomed on both sides of the House. We are currently consulting on secondary legislation to take forward the provisions in the Housing Bill. We will consult further in the coming months on additional measures recommended by the park homes working party.

Richard Younger-Ross: I thank the Minister for that response. I praise the Government for the measures that they have put in place and the fact that there will be a consultation process, which I understand will reopen the debate about the 10 per cent. fee that is charged on the sale of park homes. Will he confirm that that is the case and that there will be consultation with both residents and park home owners on the matter?

Phil Hope: I am glad that the hon. Gentleman appreciates the work that the Government are doing to improve the situation for park home owners. I have visited a manufacturer of park homes in my constituency and I am aware of the concerns that residents and site owners have. He is right to say that there is still a lack of transparency in the payment regime. Although the Bill addresses some of those problems, I confirm that we will examine the 10 per cent. commission payments further in consultation later this year.

Shona McIsaac (Cleethorpes) (Lab): I too welcome the measures in the Bill, because they will protect my constituents from Barton-Upon-Humber who are residents of Barton Broads from the frankly unscrupulous and intimidatory activities of owners such as Avondale Park Homes. We have the consultation ahead of us, but when will the new rules come in? The residents of Barton Broads want to know when they will have the same rights and protections in law as other home owners.

Phil Hope: My hon. Friend is right to press for early action. The Bill will help to prevent unscrupulous—as she puts it—site owners from exploiting and harassing park home owners, many of whom are elderly or vulnerable. I am pleased to say that the secondary legislation will come into force next year. There is more to be done and we will consult further on the other recommendations in the working party's report. We want to ensure that the rights of residents on those sites are clearly protected.

Mr. Peter Luff (Mid-Worcestershire) (Con): I am afraid that I must strike a slightly discordant note. Although what the Government are doing is welcome, it is too little, too late for people such as the residents of—*[Interruption.]*

Mr. Speaker: Order. Let the hon. Gentleman speak.

Mr. Luff: Labour Members seem to forget that they have been in power for seven years—some things are actually their fault now.

Will the Government set a timetable for the secondary legislation and the further consultation that they promise, because the lot of park home owners in this country is still desperate?

Phil Hope: The hon. Gentleman makes a mistake by suggesting that we have acted insufficiently quickly. The Conservatives were in power for 18 years, but we are amending the Mobile Homes Act 1983. There is consensus throughout the House that all parties involved—owners and residents—should have clear, fair, consistent and proper protection. We see a positive future for park homes, not least because of the way in which they can provide affordable housing throughout the country. However, we want to ensure that site owners are given decent protection in law.

Mr. Hilton Dawson (Lancaster and Wyre) (Lab): Park home owners from throughout the country write to me about the excellent progress that the Government are making. They know exactly who is responsible for the improvements to the law and who neglected the issue for decades. My hon. Friend the Minister talked about the positive future for park homes. Does he agree that there is a real future for a responsible park home sector, run under proper legislation, that can provide affordable, secure, safe and adaptable accommodation, especially for older people and those with disabilities?

Phil Hope: My hon. Friend is right to stress the benefits that park homes bring to people who choose to live in them. It is important for those people to have adequate protection in law, but the previous, Conservative Government failed to give them that. The reform package significantly strengthens the rights of residents of park homes and puts in place a regulatory framework to ensure that park homes may play their part in meeting the growing need for good quality, affordable housing.

Bob Spink (Castle Point) (Con): There has been a lack of balance so far on the question. Does the Minister accept that the majority of park home operators are decent people who give a good and much needed product to park home residents? Does he accept that there are controversial matters to deal with, such as the retrospective aspect of legislation? Will he take a breath and ensure that he does not destroy the income streams that enable good park owners to reinvest and to maintain park homes to a decent standard for their residents? Will he look again at what he is doing?

Phil Hope: We recognise that site owners have concerns about the proposals that are out for consultation. They have not been finalised. We are in consultation and want to know their views. I am aware that the hon. Gentleman has written to my right hon. Friend the Minister for Housing and Planning about the Kings residential park in his constituency. A reply is on its way and he can look forward to the possibility of meeting my right hon. Friend to discuss his concerns. There is cross-party support for the need to get the balance right between the needs and interests of the home owners and the park residents, and that is what the legislation is designed to do.

Housing

2. **Mr. David Drew** (Stroud) (Lab): What plans he has to encourage co-operative options for housing provision with particular reference to (a) community land trusts and (b) community gateway. [192477]

The Minister for Housing and Planning (Keith Hill): We have no immediate plans to pursue community land trusts. However, the Housing Partnership, the joint unit of the Housing Corporation and English Partnerships, is holding discussions with proponents of a community land trust model. The community gateway is an approach to housing stock ownership and management that gives tenants, where they want it, more involvement and control over their homes. We are currently supporting the community gateway model in two local authorities.

Mr. Drew: I thank my right hon. Friend for that answer. I also thank him for coming to Stroud to listen to its tenants. Could he not be a little more enthusiastic, however, because we need to find alternatives to the problem of a lack of affordable housing, especially in rural areas? The co-operative model, and community land trusts and the community gateway in particular, is a way to take that forward. I look forward to working alongside him to ensure that that happens.

Keith Hill: I am grateful to my hon. Friend for referring to my visit to Stroud, which was a good visit. During that visit my hon. Friend asked about the possibility of using a community gateway model in the options appraisal process in Stroud. I said that that was a perfectly legitimate approach and I am sure that we will work with the community housing task force to take that further as part of the stock options appraisal.

On community land trusts, the Housing Partnership is holding discussions with CDS Co-operatives to develop proposals for a demonstration project. The aim would be to use the demonstration project to develop good practice for partners and to simplify delivery, using the model for the future.

Miss Anne McIntosh (Vale of York) (Con): May I press the Minister on the quality of the schemes, in particular the £60,000 affordable homes? Does he share the view of the experts that the quality might be mediocre and not necessarily what tenants or residents need? If his approach is not predict and provide, does he agree that it is dictate and provide?

Keith Hill: That is a curmudgeonly response to the Government's initiative to provide £60,000 homes for first-time buyers who so desperately need them. Of course those properties, on which we have consulted in depth with the industry, will be built to the highest design standards and will certainly meet all the required building regulations.

Rescue Control Centres

3. **Diana Organ** (Forest of Dean) (Lab): What assessment he has made of the effect on (a) job numbers, (b) service standards and (c) response times arising from the proposed transfer of rescue control centres in the south-west to one regional control centre. [192478]

The Minister for Local and Regional Government (Mr. Nick Raynsford): The establishment of nine regional fire and rescue control centres is prompted by the need to ensure more effective and efficient responses to the whole range of local, regional and national incidents, including significant or complex ones, such as a terrorist incident or severe flooding. The new centres will strengthen the capability of the fire and rescue service to deal with exceptional call volumes, will improve resilience, and will provide more effective fall-back arrangements.

The move to nine regional control centres in England will result in a reduction in the number of control room staff, but together with fire and rescue authorities, we will fully explore the opportunities for the redeployment of staff whose skills and experience are transferable.

Diana Organ: My right hon. Friend is aware that Gloucestershire has a relatively new rescue control centre in Quedgeley. Much has been invested in it and it works well and efficiently. It has knowledge of the local area and is in the public sector. Why then are all the proposed bidders for the new regional centre in the south-west coming from the private sector?

Mr. Raynsford: There have been a number of bids as part of the procurement process from both the public and the private sectors. Our aim is purely and simply to ensure that the premises of the site that is chosen for the regional control centre are the best in terms of resilience, efficiency and effectiveness as a centre for the region.

The estimates of the Gloucestershire fire and rescue authority show that its likely costs per incident of maintaining the current arrangements at Quedgeley, which is a good centre with a good reputation, is £112, which is more than double the estimated cost of dealing with incidents on the regional control basis. The savings that will come from that can be ploughed back into life-saving measures such as fire prevention work, installing smoke alarms and so on. Our approach is all about improving safety and saving lives, which I hope my hon. Friend recognises.

Mr. Paul Tyler (North Cornwall) (LD): Does the Minister accept, as the Deputy Prime Minister himself knows, that the recent severe flooding in Cornwall was well handled by our local rescue and emergency services? Why, then, is the region being picked on in the extraordinary experimental pilot that was imposed on the area without proper consultation?

Mr. Raynsford: The hon. Gentleman is right that the response of the emergency services to the flooding crisis in Boscastle was exemplary. I spoke to the regional resilience forum in Plymouth a few weeks ago, and all the services involved thought that it was an effective and well co-ordinated operation. Indeed, my right hon. Friend the Deputy Prime Minister visited the area very soon after the incident to congratulate everyone involved on the way in which they coped.

Logic therefore points in the direction of a regional control centre, as I suggested in my reply to my hon. Friend the Member for Forest of Dean (Diana Organ). The estimate produced by Cornwall's fire and rescue services for the cost of responding to incidents under existing arrangements is more than double the cost of doing so under a regional control centre. Such savings, which can enable resources to be ploughed back into fire prevention and safety work and saving lives, will surely be welcomed by the hon. Gentleman and his constituents.

Mr. Parmjit Dhanda (Gloucester) (Lab): My hon. Friend the Member for Forest of Dean (Diana Organ) highlighted her concern about the 21 fire control jobs at Quedgeley control centre. Quedgeley's bid for the south-west region failed, but is it still fair to say that Gloucester still has a good chance of operating the regional fire control room for the south-west?

Mr. Raynsford: Restrictions in the EU services directive make it impossible for me to reveal details of the outstanding bidders. However, my hon. Friend is right that the fact that Quedgeley has not been selected for the final shortlist does not mean that there is no possibility of the regional fire control centre being located in Gloucester.

Mr. Philip Hammond (Runnymede and Weybridge) (Con): Is the Minister aware of the difficulties that fire and rescue authorities expect to face in recruiting and retaining fire control staff in centres that are certain to close in 2007? In the south-west, those centres are located too far from the regional call centre for commuting to be a practical option. Can he tell the House what practical steps the Government are taking to ensure that the fire control service does not deteriorate, or even collapse, between now and 2007?

Mr. Raynsford: I can assure the hon. Gentleman that we are committed not just to maintaining but to improving the quality of the service delivered by fire and rescue authorities throughout the country. He will be aware that when making a change of this nature the issues of staff confidence and recruitment and retention are important. We are paying attention to them, but there are exciting prospects under the new arrangements, and the skills of existing fire control staff are generally transferable, so there will be a premium on ensuring both that people who are not going to find jobs under the new arrangements are helped to relocate and secure other jobs and that the service will continue to operate in the most effective way.

Regional Government (North-East)

4. **Vera Baird** (Redcar) (Lab): What assessment has been made of the potential benefits to Teesside from regional government in the north-east. [192479]

The Deputy Prime Minister (Mr. John Prescott): Improving economic performance and the quality of life in Teesside and the north-east would be a key objective of the elected regional assembly, which would have general powers to enable it promote economic and social development and protect and improve the environment. It would also be responsible for developing an economic strategy for the whole region. The regional development agency would play a crucial role in delivering that strategy, as it did in the recent announcement of a £205 million investment in the Huntsman chemical plant in my hon. and learned Friend's constituency.

Vera Baird: Does my right hon. Friend agree, after meeting the vice-president of the Huntsman Corporation with me in Redcar this week, that he is clear that the RDA played a key role in getting the world's biggest polyethylene plant to be built in Redcar? Is it not clear that the RDA's arm will be stronger still if there is a boosted regional identity in the north-east brought about by a regional assembly?

The Deputy Prime Minister: Yes, I met the vice-president of Huntsman and he made it clear to me that he was investing in the north-east because he realised that the Government saw the north-east as an important area for economic help and development, and also that the regional development agency played an important part in achieving that. He noted that the Opposition have committed themselves in their manifesto to abolishing the regional development agency, and the Liberals have committed themselves to abolishing the Department responsible for the RDA. Nevertheless, he knows that people in the region want a strong regional voice. That is what the referendum is about.

Mr. Edward Davey (Kingston and Surbiton) (LD): I agree with the Deputy Prime Minister that a yes vote in the referendum will give more power to the people to Teesside to hold unelected bodies to account, so local taxpayers' money can be better spent on training for jobs, investment in housing and action to cut crime. But does he not find it odd that some people can reject more democracy for the people of Teesside, having called for more political accountability at the Tory party conference just a month ago?

The Deputy Prime Minister: I agree. I find it difficult to understand how the Opposition always demand more accountability but are against any form of democratic accountability. However, I am reassured by the fact that they opposed Scottish devolution, then accepted it, they opposed the Welsh Assembly, then accepted it, and they even opposed the Greater London authority, so there is a chance for them to do yet another U-turn, as I believe they are now saying they have done on the RDAs.

Mr. Geoffrey Robinson (Coventry, North-West) (Lab): Is my right hon. Friend aware that there is widespread support for the assemblies in the north-east? I am sure he looks forward to an affirmative vote next month. Several times recently I have been in Yorkshire and Humberside, where people also want a referendum on the issue. They are reassured by my right hon. Friend's commitment to hold one in the near future, and will be much reassured by the definition of the powers of the assemblies that he has just outlined, which will give them a real chance to redress the anomalies and imbalances of the northern regions against the prosperous southern English regions.

The Deputy Prime Minister: Yes, I am convinced that across the northern region people like to make their own decision about matters that affect them—economic, social and environmental. Hopefully such opportunities will be provided for them. In the meantime there is a referendum in the north-east, which gives a clear choice between northern people making their own choice about economic development, or relying on central Government—like Lord Hailsham in the 1960s going up with his bell and ringing for the north to have more jobs, or Mrs. Thatcher arriving with her handbag and saying, "I'm going to convert this brownfield site into jobs." Nothing happened, but in seven years of a Labour Government there have been more jobs, more business and more prosperity, and we intend to do more.

Mr. Bernard Jenkin (North Essex) (Con): We all know the Deputy Prime Minister is beginning to feel a bit desperate about his plans for a regional assembly in the north-east, but why has he resorted to the most astonishing and intemperate attacks on the business community in the north-east in his interview in the *Financial Times* today? Why does he not listen to business in the north-east, like the Federation of Small Businesses, which said that it would rather the money that he would spend on a toothless talking shop assembly in the north-east were spent on projects such as upgrading the A1? Will he confirm that the North East assembly will not have the power or the money to dual the A1?

The Deputy Prime Minister: I note that the hon. Gentleman has not said that he would abolish the RDAs, but let me come to his question. My dispute with businesses, in response to the chamber of commerce letter sent to me, was to point out that they were the same people who were against regional development agencies. They have now changed their mind and want to keep the development agencies. That is why business is telling the Tories, "You'd better keep the regional development agencies." My dispute was about the fact that they are saying that RDAs would cost more. The administration that will be set up after the referendum will cost the people of the north-east £12 million less than at present, there will be 600 fewer councillors and there will be 10 fewer councils—more efficient, more effective and the people making their own decisions. That is why I am convinced they will vote yes.

Housing

5. **Ms Dari Taylor** (Stockton, South) (Lab): What steps his Department is taking to increase the supply of affordable housing in growth areas. [192480]

The Deputy Prime Minister (Mr. John Prescott): Since 1997, we have tripled capital investment in housing and doubled the funding for affordable housing. We have supported the creation of 230,000 new affordable homes and helped more than 9,000 key workers into home ownership in areas of high demand.

Ms Taylor: In my constituency, Stockton, South, housing demand is defined differently: high demand areas are green and leafy, such as Ingleby Barwick, or they have a low population, such as the area alongside the river Tees, or they are large Victorian settlements, such as Egglescliffe. However, houses in those areas have been demolished and replaced by blocks of flats, which has changed and worsened my constituency's character. What powers do local authorities have? PPG3 is a guide for local authorities; it is not an open invitation for house planning and building. I ask my right hon. Friend to acknowledge that good brownfield sites exist.

The Deputy Prime Minister: PPG3 concerns sequential testing. We require local authorities to examine brownfield sites, which are used in preference to greenfield sites, and that approach has been successful. In 1997, 56 per cent. of housing was built on brownfield sites; the figure is now 66 per cent., and it continues to increase. Large Victorian houses cover an awful lot of ground, and I appreciate that local planning decisions to increase housing density may have caused some changes in the make-up of the areas to which my hon. Friend referred.

I shall ask my Department to give me the exact details, because I am not sure of them, and I will write to my hon. Friend. However, our towns are growing in prosperity. When we stopped the growth in out-of-town shopping, the big retailers returned to building in cities. The same is true of housing, which is a considerable advantage to our cities' development.

Mrs. Caroline Spelman (Meriden) (Con): Will the Deputy Prime Minister explain—*[Interruption.]*

Mr. Speaker: Order. The noise level in the Chamber is far too high.

Mrs. Spelman: Thank you, Mr. Speaker. Will the Deputy Prime Minister explain why at last week's conference on the vision for eastern England, his own director of sustainable communities announced that he was unable to comment on the eastern corridor because it is too controversial? I suggest that it is too controversial because, as stated by the Government's consultants, Levitt-Therivel, the plan would have serious negative impacts on water resources—

Mr. Speaker: Order. Perhaps the Deputy Prime Minister will try to answer the question, which was far too long.

The Deputy Prime Minister: The question was obviously too sustainable. We need more houses in the east and the south-east. We have laid out our plans, the consultation has started and the consultants have given their report, but we are still in the early stages. Let the talks begin, and we will see the conclusions at the end of the process.

Mrs. Anne Campbell (Cambridge) (Lab): May I congratulate my right hon. Friend on his dedication to increasing the supply of affordable housing? However, will he examine the plans submitted by Cambridge city council and Cambridgeshire county council to relocate Marshall's airport? The relocation may not be feasible or possible, and it is certainly undesirable. Will he ask the councils to examine the alternative of providing housing on land near Cambridge?

The Deputy Prime Minister: My hon. Friend is aware that the matter involves a planning application and, like any other Minister at the Dispatch Box, I cannot comment on it at this stage.

Sustainable Communities Plan

6. **Andrew Selous** (South-West Bedfordshire) (Con): What infrastructure will be provided in the Milton Keynes and south midlands sub-region of the sustainable communities plan in the period to 2016. [192481]

The Minister for Housing and Planning (Keith Hill): Housing growth in Milton Keynes/south midlands and other growth areas must be accompanied by good quality supporting infrastructure. The Government have already allocated £95 million for projects in Milton Keynes/south midlands, which is in addition to other Departments' growth-related spending in the area—around £1.2 billion in the case of the Department for Transport—and the private investment that that will lever in.

Andrew Selous: If the Government double the number of houses in south Bedfordshire, as they plan to, will Leighton Buzzard receive a community hospital, as it is one of the largest towns in the country without one? Will the Dunstable and Houghton Regis northern bypass be built before the new houses come, as the level of congestion is already appalling?

Keith Hill: As the hon. Gentleman will know, the Department of Health is including growth area adjustments in its future primary care trust revenue allocations, with additional revenue funding of £20 million for next year and the year after. In addition, £20 million of capital funding is in the plan for 2006–07.

The Department for Transport has committed more than £800 million to fund transport infrastructure development. In the hon. Gentleman's area, a new Dunstable northern bypass worth £50 million is in the process of development. The key to sustainable development is delivering key public services and infrastructure in line with housing growth.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [192461] **Mr. Tom Harris** Glasgow, Cathcart) (Lab): If he will list his official engagements for Wednesday 20 October.

The Prime Minister (Mr. Tony Blair): Before listing my engagements, I know that the whole House will join me in sending our thoughts to Margaret Hassan, who has been taken hostage in Iraq. She has dual Iraqi citizenship and has lived in Iraq for 30 years. She is immensely respected, married to an Iraqi and has worked tirelessly to help the country. We are doing what we can to secure her release.

This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House I will have further such meetings later today.

Mr. Harris: Employment in my constituency and throughout the whole country is at record levels. Britain is working. However, is it not an unexpected consequence of the Government's economic success that we face unprecedented skills shortages?

Does the Prime Minister accept that if we are to encourage a new generation of young people to embark on apprenticeships, they must be guaranteed parity of esteem with those young people who choose instead to go to college or university?

The Prime Minister: I entirely agree with my hon. Friend on both points. As he rightly points out, there are now 2 million more people in work than in 1997. I am pleased to say that there are record levels of employment in this country today. However, I entirely accept that we need to do more on skills. That is why we have increased the number of apprenticeships from 75,000 in 1997 to 255,000 today. I can tell the House that that will increase further to 300,000 by the end of next year. What is more, we are ensuring that the vocational pathways for 14 to 19-year-olds are put on parity of esteem with the academic route. That is precisely what my hon. Friend wants, and it is right for the country.

Mr. Michael Howard (Folkestone and Hythe) (Con): May I begin by joining the Prime Minister in the remarks that he made about Margaret Hassan? Our thoughts, and indeed our prayers, are with her and her family.

I make it clear at the outset that I do not regard it as appropriate for deployments in wartime to be subject to a parliamentary vote. The official Opposition will not, therefore, be calling for a vote on the proposed redeployment of the Black Watch battle group.

However, Parliament does need to be given proper and accurate information. On Monday, the Defence Secretary said that no decision had been taken on the redeployment of the Black Watch. Yesterday morning, the Foreign Secretary said that a decision had been taken in principle. Later yesterday, the Prime Minister said that no decision had been made. Will the Prime Minister now be straight with Parliament and the country? Has a decision been taken and, if so, what is it?

The Prime Minister: No, a decision has not been taken, for the reasons that General McColl explained this morning; I hope that Members of the House heard what he said.

I think that the right hon. and learned Gentleman would understand, and I hope that the House understands, that there is a limit to what I should say, and can say, about where British troops might be deployed on operations in Iraq. We cannot fight terrorists and insurgents in Iraq by advertising our movements or disclosing the nature of operations.

I will, however, say this in answer to his question. We are about to enter a period of increased activity in Iraq. That is nothing to do with the American elections; it has everything, however, to do with the Iraqi elections in January. There has also, as General McColl pointed out this morning, been a spike in activity during Ramadan. We have to create the conditions in which fair elections under UN supervision can take place. To do this, there has been a request from the American military to the British military to fill in a gap as American troops are redeployed. That is being assessed now by our military. It will be assessed in the normal way and subject to a recommendation. As General McColl made clear, it is a military request for operational reasons that will be considered on an operational basis. If we do it, the Black Watch will still be back home by Christmas at the end of their six-month period.

Some 650 troops are involved. I cannot say exactly where in Iraq they are going but I can say that much of the speculation has been wholly ill informed and that, for example, they are not going to Falluja or Baghdad. They will remain under the operational command of UK forces.

I shall make one more thing clear. There has been speculation that the British military, especially the Chief of the Defence Staff, are unhappy that such a request has been made. That is completely untrue.

A request has been made. There is now a military assessment. The military will make a recommendation and a final decision will be made.

Mr. Howard: Of course we share the objectives that the Prime Minister set out and we support proper action taken in their pursuit. We all have the greatest admiration for the Black Watch, who will perform any duties that they are asked to undertake with the bravery and distinction that has been the regiment's hallmark over many centuries. I welcome—I am sure that they and their families welcome—the Prime Minister's comment that they will, after all, be home for Christmas.

However, the question that everyone in the country and all hon. Members are asking is: given that there are 130,000 American troops in Iraq, why is it necessary to take 650 men from the British forces in southern Iraq and redeploy them further north?

The Prime Minister: First, not all the 130,000 American troops are fit for that particular purpose. Secondly, the American military have made a request to our military, who are considering it on a purely operational basis. I do not believe that our commanders, as, indeed, General McColl made clear this morning, would want British troops to do that unless they thought it necessary for the achievement of our overall objectives. With the greatest respect to the right hon. and learned Gentleman, General McColl and those on the ground in Iraq are in a better position to make that judgment than me or him.

Mr. Marsha Singh (Bradford, West) (Lab): Does not the Prime Minister believe that the hole that he has dug in respect of Iraq is big enough? Is not it time to listen to the British people and to say no to the Americans, and high time that we stopped digging?

The Prime Minister: I am afraid that I cannot agree with my hon. Friend. I believe that we are right to be in Iraq and that we can be immensely proud of the contribution that our British troops have made there. I think that we should be thankful that they are engaged wholeheartedly in the operation, and I believe that the stabilisation of Iraq and bringing democracy to that country is in the national interest of this country, never mind the United States. We participated in the operation from the outset because we believed that it was the right thing to do. I believe now that it was the right thing to do. We have to stand firm and see it through, and we will.

Mr. Charles Kennedy (Ross, Skye and Inverness, West) (LD): I join the Prime Minister in extending all our thoughts and sympathies to the family and the professional colleagues of Margaret Hassan. We all hope for her safe return.

I am sure that the Prime Minister appreciates the great stress and anxiety that the families of Black Watch soldiers are experiencing. An indicative example is a mother who e-mailed Sky News on Monday to say that her son had been back on a training course here in Britain but

> "was told yesterday that he was returning today to go and help the Americans. This decision has been made obviously."

Does the Prime Minister recognise that he will have to go further to convince mothers and families in the face of their legitimate concern?

The Prime Minister: I do not know whether the right hon. Gentleman really thinks that what he has just said will help to relieve the anxiety of people in the Black Watch. The fact is, as I have said, that this has to be decided on an operational basis. The recommendation will come from our military and on the basis of that recommendation, a final decision will be made. I have to say that I think we should be glad that we have soldiers of the capability of those in the Black Watch, who are ready, willing and able to do this job. Irrespective of whether people were for the war, as I was, or against it, as the right hon. Gentleman was, it is surely right that we should now do everything to make sure that the Iraqi elections can take place, the country can progress towards democracy and the terrorists can be defeated.

Mr. Kennedy: The whole House has the greatest admiration for the armed services, not least the Black Watch. There is no question about that. However, to return to the exchanges about possible British deployments that the Prime Minister and I had here in May, I said at that time that further deployment should come

"only at the request of the British commanders on the ground",

and should take place

"only for the purposes of enabling them to fulfil more effectively the role that they are currently undertaking".—[*Official Report*, 12 May 2004; Vol. 421, c. 350.]

I have to say to the Prime Minister that we would oppose the proposed deployment, because it does not meet the requirements that we set out in May. If, in due course, the Prime Minister is confident of the case for acceding to the request that the Americans have made, will he come and test his argument by putting it to the House for a decision?

The Prime Minister: With the greatest respect, what the right hon. Gentleman just read out suggested that he would not support a further deployment—although this is not an additional increase in the number of troops—unless it were operationally necessary. That is what he has just read out. If, however, it is the advice of our commanders on the ground that it is operationally necessary, is he then going to say that the troops should be deployed or not? What he is actually saying to me—

Bob Russell (Colchester) (LD): You are supposed to be answering the question.

The Prime Minister: I am answering it. I am saying that what I am actually being asked to do by the Liberal Democrats, even if the recommendation comes from our commanders to engage in this operation, is to overrule it politically. *[Interruption.]* Well, that is what the right hon. Gentleman is saying. I only wish that he had more than two questions to ask me, so that we could carry on this exchange.

Colin Burgon (Elmet) (Lab): Is the Prime Minister aware that the Prison Officers Association membership has voted overwhelmingly to oppose market testing in prisons, in the face of strong rumours that certain civil servants are trying to entice American companies to take over young offenders institutions? Does he agree that this would cause disruption in the service, and would also be politically undesirable?

The Prime Minister: What we have to do is make sure that the primary consideration is not just cost and efficiency, but the right way for these establishments to be run. It says somewhat optimistically in my briefing that I hope the members of the Prison Officers Association will work with us to rise to these challenges, but I am not entirely sure that that is what will happen. Whatever happens, however, it is important that we ensure that the way in which our prisons are run is the most cost effective, and that we do our best for the juveniles in those establishments. The criteria that will be applied to any contracting process will be cost and the standard of the service.

Mr. Howard: Yesterday, the Government announced the return of matron to help to deal with methicillin-resistant Staphylococcus aureus—MRSA. They made the same announcement in 2000, 2001, 2003 and 2004. It is what they always say when they do not know what to do. Will the Prime Minister confirm that neither the new chief nursing officer nor any other nurse—nor, indeed, the local infection control teams—has the power to ensure that infected wards are closed?

The Prime Minister: The number of matrons we have introduced is about 3,000 since we made that announcement, so it is wholly untrue to say that we have not brought in new people. Furthermore, in respect of MRSA, of course the state of infection in a ward is a primary consideration in regard to whether the ward remains open, and they have full powers to make sure that they can do this.

Mr. Howard: But I am afraid that what the Prime Minister has just said is not the case. The National Audit Office has found cases of managers refusing to close infected wards, even when infection teams have recommended that they be closed, because that would result in their missing Government targets. The Prime Minister should know this, because I have made this point to him before. Does he now agree that that is completely unacceptable?

The Prime Minister: Of course the state of infection in wards must be taken into account by matrons and managers when they decide whether to keep a ward open. Nothing is more important than the good health of patients in those words. Let us be clear: the only reason that we know about MRSA and the infections in our hospitals is that we collected the data that the Conservatives refused to collect. As for the targets on waiting times, I do not resile in any way from the need to set strong targets for outputs on waiting times and waiting lists because of the extra investment. Let us remember that when the right hon. and learned Gentleman was in office, waiting lists went up by 400,000; they are now down by 300,000, as a result of the investment that he voted against.

Mr. Howard: The Prime Minister is wrong again. On the day that families of victims of MRSA are lobbying us in Parliament, are we not right to be sceptical of yet another Government initiative, when we have had 21 initiatives, endless re-announcements, and billions of pounds of taxpayers' money spent, yet the number of people dying from MRSA has doubled under this Government? When are the Government going to stop talking and allow doctors and nurses to deliver the cleaner hospitals for which everyone in the country is crying out?

The Prime Minister: First, let us remember who forced the contracting-out of cleaning services in the national health service—the Tories. Who refused to put better investment in the health service? The Tories. Who came to this House and voted against every single penny of extra investment? The Tories. We accept that MRSA is a problem; of course it is. There is also a problem with dentistry. There are always problems in the health care system. But let us make it clear what are no longer problems, which were problems in the Tory years: we have cut waiting lists, so that the maximum waiting time is now half what it was under the Tories; 97 per cent. of patients are able to see a GP within two days; more than 96 per cent. get decent cancer care within a two-week period; cardiac deaths have fallen by more than 20 per cent.; cancer deaths have fallen by 10 per cent.; and there are an extra 80,000 nurses. I do not doubt that MRSA is a problem. Of course it is. But the national health service today is a service on its way to renewal, whereas when we took over, it was a service in a state of collapse.

Mr. Howard: The answer that we have just had from the Prime Minister tells us volumes about his attitude to the truth. He suggested—the Health Secretary urged him on—that there was some link between infections in hospitals and contracting-out. [HON. MEMBERS: "Yes, there is."] His Back Benchers say, "Yes, there is." I am surprised that the Health Secretary has not told them about the Department of Health's study, referred to in the *Health Service Journal* on 7 October, which says in terms that there is no link between contracting-out and MRSA. When will the Prime Minister stop pulling the wool over people's eyes and start taking action to deal with the problems that the country faces?

The Prime Minister: I am sorry if—*[Interruption.]* I am sorry if the right hon. and learned Gentleman believes that the standard of cleaning in our hospitals has nothing to do with MRSA, but plainly it has—*[Interruption.]*

Mr. Speaker: Order. Let the Prime Minister speak.

The Prime Minister: That is why we are imposing greater controls on cleaning. I have accepted that MRSA is a problem, which is why the Health Secretary announced the programme yesterday to tackle it. As I pointed out a moment or two ago, only under this Government have we had the figures that tell us the true extent of the problem.

If we compare the national health service in 1997 with the national health service now in 2004, we see that it is unquestionably better—better in terms of buildings, better in terms of the numbers of doctors and nurses, better in terms of the quality of care, and better in terms of waiting lists and waiting times. Yes, it is true that there are still more challenges, which we must tackle. But we know the truth—we do not have to speculate—about when the right hon. and learned Gentleman was in office: waiting lists went up, investment was cut and the health service was in despair. That has changed as a result of this Government's measures.

Mr. Russell Brown (Dumfries) (Lab): The Prime Minister may well be aware of the suggestion by the Council of Scottish Colonels of a union between the Royal Scots and my local regiment, the King's Own Scottish Borderers. I am delighted that my right hon. Friend the Secretary of State for Defence is to meet me to discuss that, but we are talking about a merger with one of the strongest regiments in terms of recruitment and retention. Does the Prime Minister agree that the Council of Scottish Colonels has really done no more than fudge the issue, and come up with entirely the wrong recommendation?

The Prime Minister: The important thing is this. Obviously there must be a change in the way in which the armed forces work in today's world, because they perform a different set of tasks now. Today we often need a far more flexible and adaptable force than would have been needed 30 or 40 years ago.

On the other hand, we are currently considering—on the basis of recommendations from the Scottish colonels and others—the best configuration of those battalions. We said that the number would be reduced from 40 to 36, but the precise nature of the arrangement is still under discussion. It is being implemented by the armed forces themselves, and when we have an outcome we will announce it. I assure my hon. Friend, however, that as we have constantly increased spending on our armed forces, their ability to function effectively in the modern world will be the test of what happens.

Q2. [192462] **Andrew Selous** (South-West Bedfordshire) (Con): If the Government are serious about tackling antisocial behaviour, I am sure the Prime Minister will agree that the role of the youth service is vital. Will he agree to meet a group of members of the Youth Parliament and hear their concerns about the Government's agenda of forcing learning outcomes on the youth service? Young people work hard all week, and often at weekends too. What they want is somewhere to go and relax and have fun, rather than being forced to achieve a learning outcome on a Friday or Saturday night.

The Prime Minister: I am actually proud of what the Government have done on antisocial behaviour. We have introduced new legislation that is making a big difference in communities up and down the country, as I heard for myself in discussion with police officers yesterday. We are increasing investment in youth services, and it is important that we do so. I might add that the Conservative party voted against that investment.

If by "learning outcomes" the hon. Gentleman actually means results in our schools—*[Interruption.]* I happen to think that the best learning outcome is learning of the basics in schools. The fact is that the number of pupils passing exams and attaining the right results at 11, 14, 16 and 18 has gone up under this Government, and was down under that represented by the hon. Gentleman's party.

Q3. [192463] **Mr. Jim Cunningham** (Coventry, South) (Lab): May I take the opportunity to thank the Prime Minister and the Chancellor for their intervention in the proposed closure of Jaguar in Coventry? The labour force appreciates their efforts very much.

Having said that, may I ask the Prime Minister what progress has been made?

The Prime Minister: I have actually spoken to both the company and the unions. I have asked them both to ensure that the proposals they have made are subject to proper scrutiny by unions and company jointly, and I understand from the conversations I had the other day that that will shortly take place. I hope that they will be able to give commitments on the long-term future of Jaguar and, indeed, Ford in the country.

Q4. [192464] **Mr. Hugo Swire** (East Devon) (Con): The failure of the Government's pension policy is causing widespread alarm in east Devon. Why is the Prime Minister still so obsessed with means-testing pensioners?

The Prime Minister: We introduced pension credit in order to help the poorest pensioners, some of whom were on appallingly low incomes a few years ago. Two million pensioners have actually been lifted out of acute hardship as a result of our measures, and I suspect that many of them are in Devon. I think that if the hon. Gentleman goes and asks his constituents who receive pension credit whether they like the Tory proposal to take it off them, he will find that they do not.

Ms Debra Shipley (Stourbridge) (Lab): Will my right hon. Friend give his support to the measures in my Children's Food Bill? Does he realise that if he does so, he will be in the company of hundreds of MPs from all parts of this Chamber and some 120 organisations, including the Royal College of Physicians, the Royal College of Surgeons, the Royal College of General Practitioners, cancer charities and the Food Commission? Does he further realise that the only people who do not support my proposals are those who are making large sums of money by promoting food that is high in fat, sugar and salt to children?

The Prime Minister: I congratulate my hon. Friend on her work in this area. As she knows, a Government White Paper on public health will be published in a few weeks, and I think that she will have to await the proposals in it.

Q5. [192465] **Sir Robert Smith** (West Aberdeenshire and Kincardine) (LD): The Prime Minister rightly praised the capabilities, strengths and professionalism of the Black Watch, and said that they would be home in time for Christmas. Did he also tell them that they face amalgamation on their return, and does it really make sense, at a time when the British Army is being called on to step in and cover the US army's overstretch, that we should be looking to cut the size of our own?

The Prime Minister: It is a question not of cutting the size of our own Army, but of the right configuration of battalions and regiments. That is subject to review by the armed forces, and they will decide the function of the Black Watch in that regard. I again suggest, given that proposals have been made by the Scottish colonels on this issue, that we await the outcome of that review, because it may not be exactly as the hon. Gentleman thinks.

Dr. Desmond Turner (Brighton, Kemptown) (Lab): My right hon. Friend has presumably had an explanation from the Americans as to why, given their massive military commitment in Iraq, they need to call on our own overstretched forces. Can he share that explanation with the House?

The Prime Minister: I will share what I can properly share with the House. As I said a moment or two ago—it is important to understand this—although it is true that there are 130,000 American troops and 9,000 British troops in Iraq, not all are suitable for the particular tasks that they are being called upon to do. It is important that we recognise that there is also an immense amount of cover in Iraq that Americans provide us. We are doing this as a joint operation in Iraq. If a military recommendation is made to us to do this, it will be done for operational reasons—for reasons agreed by our commanders out there. Of course, we have immense pride in the troops and the work that they do, but I hope that my hon. Friend understands that only a certain number of them are capable of doing some of the operations that they will be called upon to do.

Totnes Natural Health Centre

Q6. [192466] **Mr. Anthony Steen** (Totnes) (Con): If he will make an official visit to Totnes natural health centre.

The Prime Minister: I have no current plans to do so.

Mr. Steen: Given the success of complementary medicine and the 24 practitioners in the Totnes natural health centre, and given that there are virtually no NHS dentists in the whole of south Devon, can the Prime Minister see a way of using some of the unspent funds committed to NHS dental practices in south Devon to purchase homopathic—*[Interruption.]*

Mr. Speaker: Order. I am sure that the word is homeopathic.

Mr. Steen: I just had a slight slip of the tongue there. Can some of the unspent funds be used to purchase homeopathic medicines that relieve toothache, instead of awaiting the promised arrival of busloads of Polish dentists in the south-west?

The Prime Minister: The more that the hon. Gentleman describes the full range of activities available in Totnes, the more that I think I will have to change my answer of having no current plans to visit there. I am sorry that he does not want the extra dentists that, as my right hon. Friend the Health Secretary announced, are coming to Devon. We have to recruit more dentists in the health service—that is part of trying to expand the service, as we know. There are some 2,500 more dentists than there were in 1997, but there are still not enough, so we have got to recruit more, and they will all be highly qualified people.

I should also tell the hon. Gentleman that the South Hams and West Devon primary care trust has received an increase in its funding, in cash terms, of 9 per cent. It is for PCTs to use this funding locally to commission services, and there is no reason why, if his PCT considered it the most appropriate use of the money, that could not include complementary medicine—although perhaps not exactly as he described. *[Laughter.]* Or perhaps it could. I hope that that helps him when he gets back to his PCT.

Point of Order

12.30 pm

Mr. Alex Salmond (Banff and Buchan) (SNP): On a point of order, Mr. Speaker. On Monday, the Secretary of State for Defence told us that any deployment of the Black Watch would be announced in the usual way, but there is no usual way to make such announcements and this is a very unusual deployment. It could be announced by written answer, orally or in a debate. There is a debate on defence tomorrow. Can you confirm that it would be in order for the Government to table a business motion to turn it into a substantive vote to test whether the Government's policy retains a majority? Is it not right, if we are to send 600 Scottish soldiers potentially into a valley of death, that we should find out whether the Government command a majority and that Members of Parliament should have the opportunity to stand up and be counted?

Mr. Speaker: The hon. Gentleman asks whether it is possible, but he will know that the Government are entitled to change the business up to the rise of the House today. Of course, that is not a matter for me.

Microtherm

12.32 pm

Stephen Hesford (Wirral, West) (Lab): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 24, to debate an important matter that requires specific and urgent consideration, namely, the closure of the Microtherm factory in Wirral, West.

My constituents in Upton want to express their thanks to you, Mr. Speaker, for allowing me this opportunity. The matter in question is the proposed closure of a factory in my constituency—Microtherm, one of three high-quality manufacturing factories based there. In the firm's own words, it is the world's leading high-temperature insulation material manufacturer. Insulation does not get any better. My constituents are shocked and horrified by the decision taken in Belgium to look into closing the factory with the loss of 96 full-time and well-paid, high-technology manufacturing jobs.

In trying to persuade the House to adjourn today's business to debate this urgent and specific matter, I want to establish a number of facts to help us to take a reasoned decision. The company has been manufacturing in my constituency for 30 years. It has established itself as a world leader in its niche market. The factory is, I am told, highly profitable, and it is against that background that my constituents are wondering why it has been named as a closure target.

The fact is that the company withstood the Tory years, the economic mismanagement of the early 80s—then, later, of the early 90s—going from strength to strength. It has a sister factory in Belgium where it is proposed to transfer these high-quality jobs. The work force are highly trained, highly skilled, highly thought of and highly productive. Many have been with the company since its opening in the early 1970s, when it was opened by the inventor of the process that provides the basis for Microtherm's thermal insulation.

I want to ask the House to consider why the company was being secretive about this matter, news of which it was going to explode before my constituents on 5 November.

Mr. Speaker: As the House knows, under Standing Order No. 24 I have to announce my decision without giving my reasons to the House. I listened carefully to what the hon. Gentleman said. As he knows, I must decide whether his application comes under Standing Order No. 24, and if so, whether a debate on this matter should be given priority over the business already arranged for this evening or tomorrow. In this case, the matter raised does not meet the requirements of the Standing Order. I therefore regret that I am not able to submit the hon. Gentleman's application to the House.

Historic Counties (Traffic Signs and Mapping)

12.35 pm

Mr. Adrian Flook (Taunton) (Con): I beg to move,

> That leave be given to bring in a Bill to amend the law so as to require traffic authorities to cause traffic signs to be placed near roads for the purpose of indicating the location of historic county boundaries; to require the Ordnance Survey of Great Britain and Northern Ireland to mark the boundaries of the historic counties on its maps; and for connected purposes.

I pay tribute to my hon. Friend the Member for Uxbridge (Mr. Randall) for his help following the presentation of a similar Bill last year that made a strong case for Middlesex to be recognised as an historic county. I also pay tribute to the Association of British Counties for trailblazing the campaign for our historic counties to be given, once again, the full recognition that they rightly deserve.

As an Englishman who is proud to have grown up in the county of Somerset, I strongly believe that recognising and celebrating our past is important. Too much of our past has been jettisoned by those seeking to ignore the lessons from history, but we do that at our peril. It is vital that we are able to look back and celebrate the past, so that we can fathom where we are and make better progress through the uncharted waters ahead of us.

The 39 historic counties of England are a vital part of our heritage and need to be nurtured rather than discouraged. Many people have a strong sense of identity with their own county. The 39 historic counties are older than our medieval churches and cathedrals and complement the beauty of our countryside. The counties form the bedrock of England's local history, with a wealth of historical documents based on the county system. Those documents include parish records and parish registers of baptisms, marriages and deaths, quarter sessions records, and manorial and taxation records.

The importance of the counties is much greater than just local government. Their names and areas are widely used in tourism, sport, business, record keeping, local and family history, and in literature and the arts. They are sources of identity and affection for many people. They are the basis for an unchanging, recognisable and stable geography. It is where many of us live, "come from" and "belong". We may no longer have a Somerset Light Infantry Regiment, as it was subsumed, many re-organisations ago, into the Light Infantry, but the association of former members continues to represent those who served their country by serving in their county regiment.

For us in Somerset, and no doubt for people elsewhere, especially in Middlesex, there is still a constant reminder of the historic county borders—the county cricket club. It has done a sterling job in helping to keep alive the memory of the real county boundary. Somerset may have been broken up when the county of Avon came into being in 1974, but changing the boundaries of the administrative organisation has not deterred the county cricket club. It has continued to play its festival week in June at the Rec in Bath, and until recent years still played at Weston-super-Mare—still in the historic county of Somerset.

When modern local government was created in 1888, the areas of its "administrative counties" were based closely on the historic counties. In that way, the traditional county-based geography of England was tied in with local government, and a sense of the continuity of areas and identities was maintained.

However, the story goes back much further than that. This very House came into being in 1265, when Sir Simon de Montfort called two knights "from each shire" to come to London to be part of the body to represent the interests of the commons. While each county may have originally been set up for some public purpose or other, long before the beginning of the 19th century it was their geographical identity that was paramount. No single administrative function actually defined them. Rather, the counties were territorial divisions of England with names and areas that had been fixed for many centuries. The counties were clearly recognised legal entities. Numerous Acts of Parliament used them as the framework for various administrative functions, such as lords lieutenant, high sheriffs and even parliamentary seats.

The cumulative effect of the local government reforms of 1965, 1974, 1986 and—as far as Somerset was concerned—the failed opportunity of the mid-1990s to right the wrong of Avon has meant that the local government system is now very much changed from what it began as in 1888. Unintentionally or otherwise, the traditional county-based geography of England is in the process of being destroyed. The Bill would protect the historic counties and maintain their identity.

A modern local government map bears little resemblance to the historic counties. Successive Governments have always maintained that local government changes do not affect the counties themselves. Many of us are not convinced by such reassurances: the tendency for the media and of course the map-makers to use local government areas as a basis for geography is obscuring the identities of the counties that so many of us cherish. The first aim of the Bill is to place a duty on the Ordnance Survey to mark the 39 historic counties on the larger scale OS maps.

The second aim of the Bill is to have signs celebrating the boundary of the counties wherever they are crossed by major roads. A set of such signs of a uniform type would help to make clear the distinction between the counties and local government areas. The Association of British Counties suggests that the white-on-brown tourist signs would be suitable. Each one would have the words "Historic County of" followed by the county name—say, Somerset—above the local government area. The use of tourist signs is especially appropriate, since many of the counties, especially Somerset, are major tourist destinations in themselves.

I shall give the House one example of where such a sign would be based. If you, Mr. Speaker, were to travel down the M5, past Bristol and over the Avonmouth bridge you would, according to the sign currently placed there, be in the area administered by the unitary authority of North Somerset. Some 10 miles down the motorway, there is a further sign, which welcomes you to the county of Somerset, but that is the part of Somerset looked after by the county council. In welcoming those who pass the sign the county is being very gracious, but hardly accurate. Somerset, as with every historic county, belongs to us all and not to the councillors and officers of the local authority.

The Bill would force local authorities to mark out the boundary of historic Somerset and other counties so that the millions of drivers who go past those signs every year would be aware of part of my country's history. At the very least, it would remind those drivers that they were in a part of England that is forever Somerset. I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Adrian Flook, Mr. John Randall, Sir Nicholas Winterton, Mr. Ian Liddell-Grainger, Mr. Nigel Evans, Mr. David Wilshire and Mr. David Amess.

HISTORIC COUNTIES (TRAFFIC SIGNS AND MAPPING)

Mr. Flook accordingly presented a Bill to amend the law so as to require traffic authorities to cause traffic signs to be placed on or near roads for the purpose of indicating the location of historic county boundaries; to require the Ordnance Survey of Great Britain and Northern Ireland to mark the boundaries of the historic counties on its maps; and for connected purpose: And the same was read the First time; and ordered to be read a Second time on Friday 5 November, and to be printed [Bill 165].

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation) and Order [12 October].

SECTION 5 OF THE EUROPEAN COMMUNITIES (AMENDMENT) ACT 1993

That this House takes note with approval of the Government's assessment as set out in Budget 2004 for the purposes of Section 5 of the European Communities (Amendment) Act 1993.—*[Paul Clark.]*

The House divided: Ayes 250, Noes 162.

Division No. 270] **[12:44 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Baird, Vera
Barron, rh Kevin
Beckett, rh Margaret
Begg, Miss Anne
Bell, Sir Stuart
Bennett, Andrew
Betts, Clive
Blackman, Liz
Blair, rh Tony
Blears, Ms Hazel
Boateng, rh Paul
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Russell *(Dumfries)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Cook, rh Robin *(Livingston)*
Corston, rh Jean
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Doran, Frank
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Follett, Barbara
Foster, Michael *(Worcester)*
Francis, Dr. Hywel
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Heyes, David
Hill, Keith *(Streatham)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Sir Gerald
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kilfoyle, Peter
King, Andy *(Rugby)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lammy, David
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Levitt, Tom *(High Peak)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marshall, David *(Glasgow Shettleston)*
Marlew, Eric
Michael, rh Alun
Milburn, rh Alan
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris

Russell, Ms Christine *(City of Chester)*
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Strang, rh Dr. Gavin
Straw, rh Jack
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dan *(Stockton S)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, Iain *(Hartlepool)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Gillian Merron and
Joan Ryan

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Arbuthnot, rh James
Baker, Norman
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burnside, David
Cable, Dr. Vincent
Cameron, David
Campbell, Gregory *(E Lond'y)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Davey, Edward *(Kingston)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Duncan Smith, rh Iain
Ewing, Annabelle
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flook, Adrian
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gill, Parmjit Singh
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Letwin, rh Oliver
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Maude, rh Francis
May, rh Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Paice, James
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Angus *(Moray)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve *(Northavon)*
Weir, Michael
Whittingdale, John
Wiggin, Bill
Willetts, David
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Peter Atkinson and
Gregory Barker

Question accordingly agreed to.

ARMED FORCES (PENSIONS AND COMPENSATION) BILL (PROGRAMME) (NO. 2)

Motion made, and Question put forthwith, pursuant to Orders [28 June 2001 and 6 November 2003],

That the following provisions shall apply to the Armed Forces (Pensions and Compensation) Bill for the purpose of supplementing the Order of 22nd January 2004.

Consideration of Lords Amendments

1. Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion three hours after their commencement at this day's sitting.

Subsequent stages

2. Any further Message from the Lords may be considered forthwith without any further Question being put.

3. The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—*[Paul Clark.]*

The House divided: Ayes 260, Noes 166.

Division No. 271] **[12.56 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Baird, Vera
Barron, rh Kevin
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bell, Sir Stuart
Bennett, Andrew
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Boateng, rh Paul
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Russell *(Dumfries)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Byrne, Liam *(B'ham Hodge H)*
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Cook, rh Robin *(Livingston)*
Corston, rh Jean
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Doran, Frank
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Francis, Dr. Hywel
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Sir Gerald
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lammy, David
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Levitt, Tom *(High Peak)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Michael, rh Alun
Milburn, rh Alan
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Russell, Ms Christine *(City of Chester)*
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Starkey, Dr. Phyllis
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Strang, rh Dr. Gavin
Straw, rh Jack
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, Iain *(Hartlepool)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Joan Ryan and
Gillian Merron

NOES

Ainsworth, Peter *(E Surrey)*
Ancram, rh Michael
Arbuthnot, rh James
Baker, Norman
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin

Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burnside, David
Burt, Alistair
Butterfill, Sir John
Cable, Dr Vincent
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, rh Sir Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Davey, Edward *(Kingston)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Doughty, Sue
Duncan Smith, rh Iain
Ewing, Annabelle
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flook, Adrian
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Gibb, Nick *(Bognor Regis)*
Gill, Parmjit Singh
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Letwin, rh Oliver
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Maude, rh Francis
May, rh Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Paice, James
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve *(Northavon)*
Weir, Michael
Wiggin, Bill
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Peter Atkinson and Gregory Barker

Question accordingly agreed to.

Orders of the Day

Armed Forces (Pensions and Compensation) Bill

[Relevant documents: First Report from the Defence Committee, Session 2003–04, Armed Forces Pensions and Compensation, HC 96, and the Government's response thereto, Cm 6109.]

Lords amendments considered.

Clause 1

PENSION AND COMPENSATION SCHEMES: ARMED AND RESERVE FORCES

Lords amendment: No. 1.

1.9 pm

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): I beg to move, That this House disagrees with the Lords in the said amendment.

It might benefit the House if I made it clear from the outset that the Government will not accept Lords amendments Nos. 1 and 2, although we will agree to Lords amendments Nos. 3 and 4.

Lords amendment No. 1 relates to the burden of proof in the new pension and compensation schemes. The new schemes for the armed forces will each be broadly cost-neutral. Both Lords amendments Nos. 1 and 2 would lead to major additional public expenditure at a time when the defence budget is hard pressed, so for that reason alone, I must ask the House to reject them. However, there are other compelling reasons to reject the amendments, especially Lords amendment No. 1.

There has also been a suggestion that savings have been taken out of the compensation scheme to finance improvements in the pension scheme. That is not the case. There has certainly been rebalancing within each scheme to improve benefits for some at the expense of others, but that is all.

Lords amendment No. 1 goes to the heart of the new compensation arrangements. There was a full debate on the burden and standard of proof at every stage of the Bill's passage through this House and the Lords. Unfortunately, the House of Lords passed an amendment to introduce provisions that are even more generous than those in the current war pension scheme. Both place the onus on the Secretary of State to show beyond reasonable doubt that service was not the cause of death or injury. The amendment would extend the generous burden and standard of proof requirement so that it covered not just the causation of death or injury, but also eligibility; in other words, was the claimant a member of the armed forces who qualified under the scheme and did the individual suffer from the disablement claimed?

Mr. Julian Brazier (Canterbury) (Con): I am listening carefully to the debate, which has a huge audience of service and ex-service personnel. If the amendment is unreasonable, will the Minister consider a compromise because it is certain that his plans will make it much harder for people to get compensation?

Mr. Caplin: I respect the hon. Gentleman's view, but I disagree, for reasons that I shall outline.

Even in the war pension scheme, those latter questions are decided on a balance of probabilities standard of proof. The effect would be to increase significantly the probability of acceptance of claims for compensation that had nothing to do with service in the armed forces and where it was even unlikely that there was a disablement or that the claimant had been a member of the armed forces.

The House is aware that the war pensions scheme burden and standard of proof are quite explicit in allowing claims to succeed even when it can be shown that the death or injury was unlikely to have been due to service. I do not consider it reasonable to allow such arrangements to persist; still less do I regard it as reasonable to extend their scope. Inserting into the new compensation scheme a burden and standard of proof more generous than we have announced would be expensive. Our latest assessment is that the total cost would run to more than £300 million after 10 years, with a continuing annual premium.

1.15 pm

There has been a mistaken suggestion that that sum was a saving and that the value of the scheme would be reduced as a result of the change to the burden and standard of proof. That is not the case. There has been no such saving; were we to accept the amendment, substantial additional money would be required over and above our broadly cost-neutral proposals. This is because we have taken the savings from the changed burden and standard of proof and used them to provide bigger payments where the need can be expected to be greatest. The most obvious example of that is the award for the first time of major cash lump sums to a maximum of £280,000 for pain and suffering caused to the more seriously injured. That key group is, frankly, poorly served by the current scheme.

In short, the current war pensions scheme arrangements allow a claim to succeed when there is no evidence that a condition is linked to service. That means that our funds are not focused properly on those whose disablements are greatest and whose conditions are likely to have been caused by service. In effect, by changing the design of our compensation arrangements as we have, we have taken away from a minority of cases for whom death or injury is unlikely to have been caused by service and given to those who are more seriously disabled. We cannot afford to do both, and I have no doubt that our decision is the right one.

Looking at the new compensation scheme as a whole, I am confident that it will deliver fair and reasonable outcomes. The new arrangements invite both claimant and the Ministry of Defence to provide evidence relating to a claim. Both sets of evidence would be subject to the same careful scrutiny and would be given equal weight in the process of evaluation. Only if the evidence were equally balanced or if there were an absence of clear evidence one way or the other would the burden of proof result in a rejection of the claim. The proposals are in line with those for civil courts and follow a pattern widely used in other schemes.

I hope that the House will recognise that the arrangements are, in fact, the same as those used to determine the outcome of claims for attributable

[Mr. Caplin]

benefits under the current armed forces pension scheme. It is worth knowing that it is generally the current armed forces pension, not the war pension, that provides the larger share of the benefits paid in a case of invaliding or death due to service.

However, the Government have not ignored the concerns expressed since the Bill moved to the Lords in July. We have looked carefully at the Royal British Legion's concerns that our proposals do not represent a fair balance of responsibilities between the claimant and the Department. Our approach does not place the whole of the evidential burden on the claimant. The scheme rules will provide that the Secretary of State or, at appeal, the pensions appeal tribunal will decide whether, on the basis of all the relevant evidence before them, it is more likely than not that the injury, illness or death is due to service. That evidence will include any supporting evidence provided by the claimant. It will also include the claimant's service and medical records and any additional evidence obtained by the Secretary of State.

We recognise that it would be unreasonable to ask the claimant to obtain evidence relating to his claim that is held in his official service records. The scheme rules will impose a duty on the Secretary of State to make available to the claimant such evidence on request. Any decision taken by the Secretary of State will be subject to appeal to the pensions appeal tribunal, which in turn will have regard to the entire body of evidence, whether provided by the claimant or the Secretary of State. That will place a responsibility on the Secretary of State to provide a credible response to any substantial evidence submitted by the claimant.

I regret that the Royal British Legion has not been reassured despite the many conversations with it, but I also accept that it has been flexible in recent months in offering alternative formulations of burden and standard of proof, the point made by the hon. Gentleman. However, flexibility has not been one-way. We have made a number of changes to our proposals already to address the concerns of the Royal British Legion, and I shall give just three examples. There will be an extended time limit for claims of five years instead of the three originally proposed; provision for exceptional review where deterioration of someone's condition is substantially greater than would normally be expected; and agreement to report to Parliament annually on the operation of the schemes. I shall take a close personal interest in the working of the schemes and I can assure the House that if the system is found not to be delivering fair results, the design of the arrangements will be reviewed.

I must, however, tell the House that there is no easy option here for Members who support the amendment. They cannot cherry-pick the parts of the current arrangements to which they remain deeply attached and, at the same time, embrace the improvements in the new compensation scheme. I will not allow the new schemes to proceed on that basis. If it comes to it, I would prefer to withdraw the Bill entirely, which would mean that that the benefits of the new pension and compensation schemes, which are keenly sought by many people in the Armed Forces and the ex-service community, will be lost. I hope that the Commons will tell the Lords that they have got it wrong, and reject Lords amendment No. 1.

Mr. Gerald Howarth (Aldershot) (Con): I am sorry that the Minister has come to the Dispatch Box in a rather pugilistic mood. As my hon. Friend the Member for Canterbury (Mr. Brazier) made clear, a great many ex-servicemen and women are concerned about this issue. It is not just people outside the House who are concerned—many Members on both sides of the House are as well. There cannot be anyone inside or outside the House who fails to understand the difficulties that this Government or, indeed, any Government face in meeting people's aspirations while keeping down the tax burden or, in the case of the Ministry of Defence, remaining within budget. The Opposition, however, and many other people believe that our armed forces are different, and should be treated differently.

The Bill provides us with a great opportunity to look at all pension and compensation arrangements. We should not treat the Bill, as the Minister wants us to do, as a take-it-or-leave-it package. He is in such a belligerent mood that, if we do not like it, he will take his bat away.

Mr. Caplin *rose—*

Mr. Howarth: Forgive me, that is what he just told the House, and it is also a fair reflection of what he told the Royal British Legion and the Forces Pension Society.

Mr. Caplin: I am grateful to the hon. Gentleman for allowing me to intervene at an early stage, but I have made it clear that we cannot cherry-pick the scheme and expect it to remain coherent. That was the point of the cost-neutrality that I first referred to in September last year and which we debated at length in Committee. The hon. Gentleman talked about the ex-service community and people outside the House, but perhaps he will reflect on the fact that the new compensation arrangements come into effect on 6 April 2005, and do not affect arrangements made prior to that date.

Mr. Howarth: Indeed not, but the hon. Gentleman knows that the ex-service community takes an abiding interest in today's armed forces, and has a close personal attachment to them. He and I have come to the House straight from a service at St. Paul's cathedral—it was extremely kind of him to give me a lift back—in which we celebrated the 60th anniversary of the heroic events on the beaches of Normandy. A large number of veterans, many from the Aldershot branch of the Normandy Veterans Association, attended the service not just to commemorate the heroic events of years gone by but to demonstrate their ongoing interest in the affairs of today's armed forces. The Minister, who has responsibility for veterans' affairs, will have learned of that interest from his discussions with veterans, as I have in my role both as shadow Minister and as the Member of Parliament for Aldershot.

The Opposition believe that the armed forces should be treated differently. I accept that the Bill is cost-neutral, as the Minister said, and that the new arrangements are driven by cost-neutrality. As the hon. Member for Dunfermline, West (Rachel Squire) will confirm, when the Defence Committee was first appraised of these matters by Ministers, the expression "cost-neutrality" was not used, and appeared only late in the day. We should not be driven by the Minister's self-imposed constraint, because that was not the MOD's original position. It was only because it lost out in the battle with the Treasury that it had to impose a cost-restraint straitjacket on the new measures.

Members on both sides of the House will recognise the tremendous work carried out by the Royal British Legion on behalf of the veterans' community in providing representation for people seeking compensation and in campaigning on veterans' welfare issues. I am sure that the Minister is at one with me on that. In constituencies up and down the country, hon. Members recognise the vital role played by the Royal British Legion. Equally, Members on both sides of the House will share my disappointment at the shabby way in which the Government have treated the Legion during the passage of the Bill. What can only be described as open warfare spilled out in exchanges in another place. Everyone in the House would concede that our debates can become frenetic and even rebellious, but the Lords tend to debate contentious issues in a more measured fashion. It is therefore all the more astonishing that Lord Bach, the Minister in the other place, was treated to a severe roasting from Labour peers, including a former Minister, who turned on the Government over their sniping at the Legion. Lord Morris of Manchester was well known in the Commons as a Minister with responsibility for disabled people, and has spent a lifetime, Members on both sides of the House will concede, seeking to look after the interests of the most vulnerable people in society. He is a doughty campaigner in the other place, where he said on 8 September at column 572:

> "The Legion's legal adviser has told my noble friend that there has been no meaningful discussion whatever."—[*Official Report, House of Lords*, 8 September 2004; Vol. 664, c. 572.]

The exchanges in another place on 15 September make interesting reading. Lord Corbett of Castle Vale, formerly the MP Robin Corbett, moved an amendment, and began his contribution by accusing Lord Bach of "misleading" the Lords about the position of the Royal British Legion—his word, not mine. Both here and in the other place, the Government have sought to give the impression that the Royal British Legion has been unwilling to compromise on the burden on proof, and that its stubbornness, along with the alleged stubbornness of the Opposition, have threatened the implementation of the new scheme.

There has been an attempt to blackmail the Royal British Legion and the Forces Pension Society, which the Minister continued today. He suggested that the Government were acting reasonably in making three changes, two of which were requested by the Defence Committee and the Opposition, so should not be regarded as extraordinarily generous dispensations to the Royal British Legion. It has been told that if it and the House do not accept the changes, and if the Lords do not accept the package on offer, that is the end of the deal. Of all the new benefits that will be available, the most significant is the increase in the death in service benefit from 1.5 times salary to 4 times salary. That is one of the biggest benefits that will be brought about by the changes, which are not so much on compensation as on the pensions side, but if the package is not accepted, the Government will withdraw the Bill and that will be the end of the story. That is not grown-up politics.

1.30 pm

Mr. Desmond Swayne (New Forest, West) (Con): On a point of order, Mr. Speaker. My hon. Friend has rightly drawn attention to the threat that the Minister made. He said that if we failed to disagree to the amendment, he would withdraw the Bill. For those of us who served on the Standing Committee and can think of any number of good reasons why it would be better to see the back of the Bill, does that bring those reasons into the scope of the amendments, so that we can achieve the very prospect that the Minister has held up in front of us?

Mr. Caplin *rose—*

Mr. Speaker: These are matters for debate. I call Mr. Howarth.

Mr. Howarth: I think the Minister wanted to intervene.

Mr. Caplin: I am grateful. On the three points, the extended time limit was discussed between the Royal British Legion and the Ministry of Defence in the run-up to the launch of the scheme in September last year. The agreement to report to Parliament annually was an initiative that I took as the Minister for veterans, along with my noble Friend Lord Bach. The second point, concerning exceptional review, was part of various discussions between ourselves and the British Legion. It is rather disingenuous of the hon. Gentleman to suggest that we have not been discussing these matters with the British Legion for some time. I have correspondence going back to 3 December 2003 about the compensation scheme. We are debating only the compensation scheme. I heard what the hon. Gentleman said, but he is confusing compensation and pensions. As I made clear in my opening remarks, we have not transferred money from one to another. Both schemes will be rebalanced within themselves to make good and effective schemes for the future.

Mr. Howarth: I accept what the Minister said about not transferring any savings to be made out of the compensation scheme to the pension scheme, so let us leave that on one side. But I do not want the Minister to get away with the idea that he has been extraordinarily generous to the Royal British Legion in accepting these changes to the compensation scheme. They were argued by hon. Members in all parts of the House and by the Defence Committee. The Minister is trying to say how carefully the Government have listened to the British Legion and responded. Yes, indeed, that was part of the Legion's pitch, but the point was made by many other people as well. The Minister should not claim that he has given the Royal British Legion a thoroughly decent hearing. On the big issue with which the Legion is concerned, the Government have made no shift at all.

I know that hon. Friends of mine and other hon. Members wish to participate, so I shall pursue my remarks. We and the Royal British Legion have attempted to achieve a more equitable balance in the

[Mr. Howarth]

burden of proof. We have been open throughout to the double standard compromise proposed by the Defence Committee, where both parties would have to make their case on the balance of probabilities test, with the onus resting on the Government. The Government would have to prove, on the balance of probabilities, that the claimant's injury or ailment was not attributable to service, and the claimant would have to prove on the same standard that it was. Only when both had gone against the claimant would the claim fail. That seems a reasonable compromise.

It is the Government who have proved so resistant to compromise. They dismissed out of hand the Defence Committee's proposal, and refused even to sit down with the Legion and representatives of the veterans community to work out some kind of compromise. The Minister says from a sedentary position—I will save him intervening—that that is not true. The fact is that he has been intransigent on the possibility of compromise. He has simply said that the scheme will cost £200 million—we are now told £300 million—and that's it. No deal. The Minister is about to tell me otherwise.

Mr. Caplin: I cannot accept the hon. Gentleman's assertion about truthfulness. That remark was inappropriate. I have a continuous and high-level series of discussion with members of the Royal British Legion executive. I meet the secretary-general regularly and we discuss many of these issues, which are rightly debated between the British Legion and the Government. That does not mean we agree. We accept in an adult relationship that there are times when we disagree. That does happen— I do not deny it.

The burden of proof that the House of Lords suggested should be adopted for the compensation scheme is costed at £300 million at least, over the next 10 years. I cannot find that in the present defence budget. The House would be interested to know how the hon. Gentleman proposes to find it, if he intends to support the House of Lords on the matter.

Mr. Howarth: I make it clear that we intend to support the House of Lords on the matter.

Of course we understand that the Government have a position and the British Legion has a position. We are trying to find a compromise. It is the Government's intransigence about sitting down with the Legion to find a compromise that exercises not just the Opposition, but Labour Members. Lord Corbett said in another place that

> "to imply that the Legion was being unco-operative, as my noble friend did on 8 September"—

that was the Lord Bach—

> "was grossly misleading. Neither did he acknowledge the Legion's responsibility for liaising with other ex-service organisations and its duty, as the guardian of the interests, welfare and memory of ex-service people and their dependants, to do all in its power to protect the safeguard currently vouchsafed by a burden of proof based on reasonable doubt. Nor again did my noble friend at any time acknowledge the Legion's offer to compromise on the basis suggested by the House of Commons Defence Select Committee and the MoD's rejection of that offer."—[*Official Report*, 15 September 2004; Vol. 664, c. 1183.]

There is a compromise on the table, but the Government have shown no willingness to consider it.

If the House rejects the Lords amendment in the name of the former Labour Minister Lord Morris, we will move from a system that protects the rights of those serving and those who have served who are injured or become ill as a result of their service. The current standard of proof gives the benefit of the doubt to the claimant, placing the onus on the MOD to prove beyond reasonable doubt that the injury was not attributable to the individual's military service. A change to the balance of probabilities would see the roles reversed, with a much harsher standard of proof. Those who have become ill or been injured would have to prove, on the balance of probabilities, that their illness or injury was attributable to their military service.

As Lord Bach said in his letter to Brigadier Townsend, the director general of the Royal British Legion, on 14 September,

> "It remains our view that the War Pension Scheme burden and standard of proof are no longer required in order to provide the high level of safeguard appropriate to service in the Armed Forces and that the resources freed up from a change in this area are more beneficially used elsewhere".

But the British Legion continues to dispute that position. After all, the Legion is in a position to know something about the matter. It has immense experience of representing hundreds of war pensions claims every year, and it has argued strongly that the safeguard continues to be necessary to protect the rights of our servicemen and women.

The Legion estimates that with the combination of the change in the test and the shift in the onus, which would rest on the claimant, 60 per cent. of the claims that are successful under the present arrangements would fail. Although the Government dispute that figure, they too must estimate a larger number of unsuccessful claims under the new scheme by the very fact that they predict £200 million savings. Where else can that money come from, except from that which would otherwise have gone to those injured in the line of duty? Or is the Minister saying that he thinks there will be so many more frivolous claims because of the compensation culture that the amount will be ratcheted up?

What does the proposal say about the Government's concept of the duty of care? Do they really want to send a message to our armed forces that if they are injured or become ill in the line of duty, the MOD will make them fight for that which should be theirs by right, and that after such a fight, 60 per cent. of claims will fail? Many hon. Members on both sides of the House will regard it as a sad day indeed when the Government treat our armed forces with such disdain and demonstrate such a flagrant disregard for their duty of care for those who serve—I am bound to say that at a time when Her Majesty's armed forces are undertaking such onerous and dangerous responsibilities in Iraq.

As the Minister said, some will win and some will lose as a result of what he describes as "rebalancing", but greater attention must be paid to the duty of care. A moment ago, he said that some of the funds saved would provide better benefits for those who currently fare—he used this word—"poorly". In other words, he acknowledges that some people are not well served by the present arrangements, and he wants to benefit them at the expense of others. Some who fare poorly at the moment would do better; some of those who do reasonably well under the present arrangements would be imperilled.

Mr. Caplin: The hon. Gentleman quoted me correctly. I make no apology because I want those who are most disabled to get the main benefit from the compensation scheme, which is right and proper. Frankly, I hope that all hon. Members share that view. However, events happening today are covered by the current laws, whereas we are discussing events occurring after April 2005.

Mr. Howarth: Hon. Members are obliged to look to the future, because the recent pattern of deployments and military conflicts is likely to form the template for the future. Indeed, the Government currently formulate their defence strategy on the basis that our troops will be deployed more frequently, further afield and in larger numbers than was even envisaged under the strategic defence review. After the cold war, when conflict was expected but none happened—thankfully—we have moved to a position in which there is every expectation that our troops will deploy into conflict zones several times a year, and the risk of injury or illness is therefore likely to increase. It is therefore incumbent on this House to make sure that tomorrow's soldiers get the best possible deal. I submit that a compromise, which would tighten up the existing procedures without increasing the possibility that genuine claims might fail, could be reached, and it seems to me that the Defence Committee's solution provides the answer.

The stick with which we were being beaten was £200 million—the noble Lords were told that the amendment would cost the taxpayer £200 million—but the Minister told us today that the figure has gone up to £300 million. In the other place, Lord Bach promised to provide a detailed breakdown of how the figure is calculated. That is the big stick with which we are being beaten, but no one has come forward from the Ministry of Defence to provide us with an analysis.

The Opposition do not have the resources to undertake such forensic and extensive examinations, but the Minister does—he has all the Ministry of Defence's resources—and he should tell us how the figure was reached. Will the savings be achieved as a one-off or over a period of time? If the Minister expects this House to make an informed decision, he should surely provide some clarification.

Mr. Caplin: I hoped that I had done that today. I said that our latest assessment—these are assessments—is that the total cost would run to more than £300 million after 10 years with a continuing annual premium. We have examined our assessments and the issues arising from the various debates in the House of Lords, and we have made a fresh assessment. I am happy to give the hon. Gentleman more detail if and when I can, but today I have brought the latest assessment of the amendment's cost to the House.

1.45 pm

Mr. Howarth: Instead of the Minister's coming to the House to conciliate me, why on earth was his Department not conciliatory with the Royal British Legion, which has asked for the figures for several months? It is not good enough for the Minister to tell us that a figure that was set in stone until half an hour ago has increased by 50 per cent. Realistically, the House cannot accept a 50 per cent. increase off the back of an envelope to the figure that Lord Bach gave down the other end of the Corridor for the scheme's cost if their lordships were to stick to their guns.

Mr. Brazier: Perhaps I can help my hon. Friend. I understand that it would cost £200 million to keep the arrangements as they were and £300 million to fund the amendment. The Minister still refuses to answer my hon. Friend's question on how much the compromise would cost. He keeps quoting the cost of the Lords amendment and criticises its drafting for extending the scope of the scheme. Instead, he should cost the compromise that the Royal British Legion proposed a long time ago.

Mr. Howarth: My hon. Friend's intervention is extremely helpful, because it demonstrates the bind that the Minister has got himself into. Instead of negotiating with the Royal British Legion by saying, "We will go away and cost what the all-party Defence Committee has come up with," the Government have tried to block the Royal British Legion's proposal, which is a great shame. Hon. Members cannot accept the £300 million figure, unless it is justified in a much more expansive way. I am not prepared to take the Minister's word for it—I mean no personal disrespect to him. Today, he said that figure is £300 million, but one week ago it was £200 million.

Mr. Caplin: Will the hon. Gentleman give way?

Mr. Howarth: No. I am sure that the Minister will have a chance to wind up the debate, if he can catch your eye, Mr. Deputy Speaker. Will he catch your eye or should I give way to him now?

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. It is entirely up to the hon. Gentleman whether he gives way to the Minister. Having attended to part of the debate, I merely observe that so many points have been dealt with in interventions that there may be very little scope for a winding-up speech.

Mr. Howarth: Thank you, Mr. Deputy Speaker.

The issue is important and the Ministry of Defence's resources should be made available to cost the double standard proposed by the Select Committee. The double standard offers the means of realising some savings while protecting those servicemen and women who are injured or who become ill as a result of their service.

We will vote for the amendment because the Government's blatant disregard for their duty of care should not go unchallenged, but their unwillingness to accept any form of compromise means that the amendment will be voted down. However, when the Bill returns to another place, we will encourage their lordships to pursue the compromise measure, and, even at this late stage, we urge the Government to do the same.

[Mr. Howarth]

As Lord Craig of Radley, a former Chief of the Defence Staff, said in the other place:

> "This is a rare opportunity to get the arrangements for Armed Forces pensions and compensation dealt with. They should be dealt with against the concept of best practice and not just cost neutrality."—[*Official Report, House of Lords*, 8 September 2004; Vol. 664, c. 575.]

The Army has the recruiting slogan, "Be the best"; the people of Britain know that it is the best; it deserves the best; let us give it the best.

Rachel Squire (Dunfermline, West) (Lab): I rise to speak on behalf of the Select Committee on Defence. The Chairman sends his apologies as the Committee had a prior commitment to take evidence on another issue this afternoon.

I should declare that I am the honorary vice-president of the Dunfermline branch of the Royal British Legion, Scotland. That means that I take considerable personal interest in pension and compensation arrangements for veterans and for certain members of our armed forces. Personally, I am very disappointed by the Minister's speech and by the Government's refusal to compromise and I find the constant description of the Royal British Legion's concerns about compensation as "cherry-picking" insulting.

Lords amendment No. 1 deals with one of the main changes to the proposed compensation scheme—the method for deciding whether an injury has been caused by service. The Government believe that it is right that service personnel should have to prove for themselves, on the balance of probabilities, that a condition from which they suffer was caused by service. The Lords amendment would maintain the status quo, whereby it is for the Ministry of Defence to prove beyond any reasonable doubt that an injury was not caused by service.

Under the Lords proposal, it is probably true that some people whose condition was not in fact caused by service would win the right to compensation. Under the Government's proposal, however, it is certainly true that some people whose condition was caused by service will not win the right to compensation. The question for the House is, which is the lesser of those two evils?

Sometimes it is not obvious why someone has become ill. As the Defence Committee noted in its report of December last year, armed forces personnel

> "are likely to be involved in situations of great uncertainty, with uncertain effects on their health".

That is particularly true at the moment and will apparently be so in the near future. The fact is that we simply do not know how or why servicemen and women become ill, but does that mean that they should not be entitled to compensation?

The Government recognise that they have responsibilities to service personnel who make compensation claims—in particular, that they must keep proper medical records and make them available. That is welcome. However, we on the Defence Committee remain concerned that service people will find it more difficult to claim compensation under the proposed scheme and that, in some cases, personnel will be unable to prove that their condition has been caused by service because of a lack of information, not because their condition was not caused by service.

The armed forces are a special case. The essential difference between them and almost all other employees is that they can be asked to put themselves in harm's way or, indeed, to die for their country. In our December 2003 report, the Defence Committee argued that

> "Because of the special risks that Armed Forces personnel are required to run, and because they are likely to be involved in situations of great uncertainty, with uncertain effects on their health, we continue to believe that the onus should remain on the Government to prove that service was not responsible for causing or worsening a condition for which a compensation claim is made."

The Government have explained that they oppose the Lords amendment for several reasons and those deserve proper examination by the House. The first reason is cost. The Government claim that it would be too expensive to maintain the status quo because of the cost of improvements that they have made elsewhere in the schemes. Lord Bach told the Lords:

> "Frankly, we cannot afford to improve benefits for the more severely disabled and maintain the current, generous burden of proof."

The Government have always insisted that the new schemes should cost the same overall as the existing schemes. In 2002, the Committee said that the pension review had been

> "hamstrung almost from the outset by the decision that the new proposals should be cost-neutral".

Mr. Brazier: The hon. Lady is making a powerful and convincing speech. In fact, the problem goes even further than that, because the Government's definition of cost-neutrality involves taking money out of the scheme to allow for the fact that people are likely to live longer, but adding nothing back in to allow for the fact that there will be fewer of them.

Rachel Squire: I thank the hon. Gentleman for that intervention. Indeed, we need further detailed consideration of where money is being taken from to benefit other developments.

In the Lords, it was suggested that to maintain the status quo would cost an additional £200 million. According to the Government, as we have just heard, it is more likely that it would cost £300 million over a 10-year period. All these figures can only be estimates based on a best guess of the number of claimants who would qualify for a war pension under the current criteria but who would not be entitled to compensation under a balance of probabilities test. Maintaining the current test would undoubtedly be expensive, although whether as expensive as the Government claim is open to conjecture. But this is a matter of principle—a question of ensuring that when service personnel put their lives on the line for their country, we look after them properly. We should do that even if it is unclear whether their injury was caused by service or not.

The Minister and the Government have claimed that the Lords amendment would upset a balanced package and that Parliament should not cherry-pick. Many of us would question whether that is a democratic approach. After all, what is Parliament here for if not to legislate? And legislation means looking at the detail, not just accepting or rejecting the Government's proposals as a package. In the Defence Committee, many hon. Members have expressed concern that several parts of the Bill remain very vague and general with insufficient detail.

The Defence Committee recommended that some of that detail—the basic principles of the schemes—should be set out in the Bill, including

> "the standard and burden of proof for claims under the compensation scheme".

We need to be aware of the effects of what we propose and to decide whether the extra expense of maintaining the current burden of proof would be justified, but that is a judgment that Parliament is fully entitled to make. If the Lords amendment remains in the Bill, the Government may need to break out of their cost-neutral straitjacket to pay for it. Many of us think that that would be the right thing to do.

Finally, the Government argue that the status quo is wrong in principle and encourages a compensation culture. Lord Bach told the Lords that

> "under the present arrangements it frankly is too easy for people to claim that they have received an injury or an illness during service, whereas everyone knows that they almost certainly did not. But, because of the burden, and particularly the standard of proof, that person succeeds in their claim. That is what we are trying to stop".—[*Official Report, House of Lords*, 8 September 2004; Vol. 664, c. 585, 587.]

That is the real debate that we should be having and the only one of the Government's arguments that is worth exploring in depth. If it is indeed true that, under the current scheme, many claims are unfounded yet claimants receive a war pension, a remedy should indeed be sought. However, the Government need to provide hard evidence, in the form of statistics or examples, that people are succeeding in spurious claims for war pensions. Even if they can make a convincing case that the net should be tightened, it is important that that should not penalise those whose claims may be just but who lack the information to prove it.

2 pm

The Government may also claim that the amendment is poorly drafted and would make claims for compensation even easier than under the current war pensions scheme. However, the amendment's aim is clearly to maintain the status quo and it could be redrafted to achieve some compromise. The Royal British Legion wrote to me on Monday. The letter stated:

> "The Legion has carried out research which indicates that, under the proposed scheme, using the amended burden and standard of proof, coupled with its new limitation of only 5 years during which a claim might be submitted, up to 60 per cent. of those claims currently succeeding, would fail. Although the MoD challenged our figures, they have carried out no research of their own and offered no credible alternative, whilst admitting successful claims would reduce. However, the MoD has recently conceded that their proposals, if accepted, would result in savings of £200 million"—

we now hear the figure of £300 million—

> "although they do not specify over what period of time. It has additionally confirmed that the burden of proof relating to the claim will transfer from the MoD to the individual claimant."

The Government have threatened to withdraw the Bill if the Lords amendments, especially Lords amendment No. 1, are accepted. The Minister has reiterated that this afternoon. There is particular concern about that, especially in the Forces Pensions Society. Both the Minister and Lord Bach said that, if the Lords insisted on their amendment, we would have no choice but to re-examine the overall package and that there was no guarantee that the schemes could be delivered in such circumstances.

None of us wants the Bill to fail but elements of it need improving. Some of those improvements may cost money. Rather than threatening to throw it all out, the Government would do better to consider calmly how best they could effect Parliament's decisions, seek some acceptable compromise and be seen at such a crucial and dangerous time, which is likely to continue for at least the next five years, to be prepared to reward those who serve and seek to maintain freedom in our country.

Mr. Colin Breed (South-East Cornwall) (LD): It is a privilege and a pleasure to follow the hon. Member for Dunfermline, West (Rachel Squire). May I, through her, thank the Select Committee on Defence for its extremely valuable work? It has benefited all hon. Members in their contributions to defence debates.

I wish to express again my admiration and gratitude for the service of the armed forces. That has been put on record many times and we need to continue to do that. Against that background, we want wholeheartedly to support any amendments that seek to provide the best compensation scheme that this country can realistically afford.

The Royal British Legion has worked tirelessly. I accept that the Minister has held many meetings and, I suspect, hard negotiations, with its representatives. They provide a valuable service in representing the best interests of our armed forces.

We support the Lords amendment, which returns the safeguard of reasonable doubt that the Government removed in clause 1. They propose to substitute a balance of probabilities test of entitlement for claims, thus shifting the burden away from the Ministry of Defence and on to the claimant. As everybody has recognised, it means that a significant number of deserving members of the armed forces will be deterred from even beginning an attempt to take on and challenge the Ministry of Defence.

Amendment No. 1 would result in a reversion to the status quo. I could not understand the Minister's assertion that the position would be better than it was. If the amendment were accepted, the burden would not be on the claimant to prove that injury, illness or death was due to service but on the Secretary of State to disprove the case.

We have all stressed in such debates that it is inappropriate to compare armed forces personnel with other parts of the civil service and other civil pension schemes. They are clearly different and they need to be addressed in a different way. Armed forces personnel run special risks, which often have uncertain effects on their health. That special status means that we should do the very best that we can.

I want to concentrate on three matters, which perhaps have not been explored in depth. First, let us consider the figure of £200 million or £300 million over a 10-year

[Mr. Colin Breed]

period. In my simple maths, that means approximately £30 million a year on average, although I accept that the figure could increase or decrease. I do not know how it is worked out. I want to contrast that with the announcement in the Ministry of Defence's annual review, which was made last week. It set out the abortive expenditure of £25 million on a project in the River Tamar, adjacent to my constituency.

The project is called RAFT, which stands for remote ammunitioning facility in the Tamar. It was hugely controversial and designed to enable submarines to be rearmed. It was approved against a background of great opposition. After digging hundreds of thousands of tonnes of rock and debris out of the river and dumping them in an adjacent bay, causing all sorts of environmental damage, the project was pulled. In the process, £25 million of public money was spent. I do not suggest that that is an everyday event, but £25 million would pay for at least one year of the additional expenditure. Saving abortive expenditure on one such example every year would render the Ministry's increase in spending almost cost neutral.

Secondly, the Minister said that the provisions start on 6 April next year and that current rules will apply until then. Last night, when I was considering today's debate, I heard that my daughter had given birth to our first granddaughter—a very happy event. That made me consider being a grandfather. Many children are being born to members of our armed forces while their fathers are away in Iraq. In future, the sons and daughters of those now serving in the middle east and, indeed, my granddaughter, might ask, "What did you do in the war, Daddy?" or "Granddad."

What might I reply? Perhaps I would say, "I participated in a Parliament that sent many of our armed forces to war." Perhaps we will have greater perspective when we consider the matter with hindsight in 10 or 12 years. I could say, "I also participated in a Parliament that ensured that the sort of compensation and pension schemes that those members of the armed forces may want to rely on was significantly weaker and much reduced from what they might have expected to get if they received injuries or illnesses through the conflict to which Parliament decided to send them." I would have to say that I sat on the green Benches while that happened.

Exactly what I might say, I have not the foggiest idea, but that is not important. What is important is that questions will be asked. Why did Parliament decide, within the same Parliament, not only to send people into situations of great potential harm but to introduce a compensation scheme which would not provide them with the very best support? The cost of that could well fall on those families rather than on the Government and the country. So, yes, this is about the future. We are looking towards the future and trying to provide the very best for it.

Thirdly, I want to turn to something that I shall call track record. Why is it that so many people in our armed forces, the Royal British Legion and elsewhere do not believe that the MOD is seeking the very best for them? Why do people think that the Ministry is not doing its level best to provide a scheme that will give them all that this country can properly afford and should rightly provide? Perhaps the answer can be found in an ongoing issue. I want to quote extensively from a letter from one of my constituents, Mr. John Connelly. I am sure that, as I read it, hon. Members will understand where he is coming from.

First, I shall provide a bit of context. Mr. Connelly used to work at Devonport. He was in the Royal Navy, and he worked alongside dockyard workers. He worked on ships, hauling out vast quantities of asbestos lagging and he now has an illness that is likely to cause his premature death. He says:

> "Asbestos-related illnesses have killed and injured many thousands of Royal Navy veterans over the decades, and still continue to do so. The problem for Royal Navy veterans will not pass until approximately 2025, when the MOD can safely say that due to safer use of insulating materials used on warships and submarines today, and the reduced number of Royal Navy personnel and the huge reduction in the size of the Royal Navy fleet, no more sailors should be killed or made sick by asbestos. This is all very nice for those who are serving today, but our plea is on behalf of those who served Queen and country when no precautions were offered to protect us from the harmful asbestos dust and fibres which were used in massive and unregulated amounts on warships and submarines."

Mr. Connelly writes

> "on behalf of the sailors and their families who have 'crossed the bar' or are still suffering today with this dreadful disease caused by the Royal Navy's use of asbestos."

Mr. Connelly continues by saying that the MOD's stance relates to

> "the 1947 Crown Proceedings Act, section 10, which the Government changed in May 1987 but did not make retrospective. This has seriously disadvantaged Royal Navy veterans with asbestos diseases because the bulk of us served and left the Royal Navy prior to 1987. This gives the MOD total legal immunity, which they are very happy to exert in any challenge to this Act. This unfair and unjust law puts the Royal Navy veterans with asbestos-related illnesses, and many of their families, below the law which allows dockyard workers, coal miners and civilian workers with asbestos illnesses to claim proper and just recognition and compensation for their illnesses through the courts. It is simply obscene to give compensation for a dockyard worker's life or a coal miner's life to their families, when 'Jolly Jack Tar' is treated less than these. It was good enough to change this law in 1987. Why is it not good enough to change the law and make it retrospective? This would allow a degree of fairness for sufferers and their families.
>
> The MOD will hide behind the war pension theory that, if ill, we can claim a war pension. The payments, if you are successful, from the Veterans Agency, are small in comparison to MOD payouts to dockyard workers and Government payouts to coal miners, etc. If large payments are good enough for these good men, then they are good enough for us. The playing field is not level, and the Royal Navy veterans with asbestos-related illnesses have an uphill struggle for recognition and fairness. It should be the other way round for those who have given their all and are now dying with asbestos diseases."

2.15 pm

I could go on, but I think that hon. Members will have got an idea of what I am trying to say. There are many who are extremely sceptical about the real motives for the MOD's changes to the pension and compensation schemes. I recognise that the Minister is going to say that we need to make a decision on this, but this decision will pass into legislation that will affect the lives of hundreds of thousands of people for many years to come.

There is no track record of any decisions to overturn arrangements that go against the MOD's long-term interests. There is huge scepticism among people who have heard what has been done about Gulf war syndrome, about asbestos and about the other illnesses that can be contracted while people are serving; they feel that those issues have not been properly dealt with. We must provide a real Rolls Royce of a compensation scheme. It is sometimes preferable for a few people to exploit a scheme in a minor way in order to ensure that the vast majority of those who are properly owed compensation receive it. If we err in the other direction, by excluding 100 per cent. of those who might be trying to exploit the system, we will undoubtedly significantly reduce the number who should rightly and properly be rewarded.

It seems unlikely that the Government will accept any compromise on this issue, in the light of their threat to pull the whole Bill. There are good things in the Bill, which the Liberal Democrats welcome. However, there are one or two issues on which we disagree. I am sure that figures can be provided in relation to cost neutrality, and that all sorts of good reasons can be given, but the Government now have the opportunity not only to provide a proper compensation scheme for those who are serving Queen and country, but to demonstrate once and for all that the issues that Mr. Connelly raised in his letter have been consigned to the past and are not part of the MOD's current plans, and that, although mistakes may have been made in the past, they will not be repeated in future. In that way, other hon. Members would not have to receive similar letters in 10 or 15 years' time, citing these pension and compensation schemes as the reason why people are not receiving what they should be.

Mr. Brazier: It is a privilege to take part in a debate that has had such high quality contributions. As 11 November approaches, our minds go back to the parades that we have seen over the years. This year, we have also witnessed the D-day commemorations, when we saw the many fine old men and women with their medals. Some of them paid a horrible price, and of course we remember those who paid the ultimate price.

I hope that it is in order, Mr. Deputy Speaker, for me to quote a little story that really put the whole business of war into perspective for me. A very good friend of mine was at the dinner that used to take place at the end of the rather gruelling selection procedure in my regiment. He was sitting next to an elderly, grizzled veteran. My friend, full of enthusiasm for the process that he had just been through, was telling the veteran how tough and demanding the selection had been. He went on at some length before realising that the other chap had hardly said a word. My friend turned to him and asked, "Was there a selection when you joined the regiment?" "Oh, no," said the old boy, "there was no selection. We just signed on." "I see," said my friend. "What is the most demanding thing that you can remember doing?" The old man paused for a moment, then said, "Well, Passchendaele was no picnic."

The truth is that we have a special duty of care to our armed forces. As the previous two speakers and my hon. Friend the Member for Aldershot (Mr. Howarth) have said, it is wrong to draw a parallel with normal civilian practice, as such people are not normal civilians, given the risks that they take and the things that we ask them to do. I know that the Minister cares about the armed forces—I have no doubt about that—but we have an honest difference of opinion about what is in their best interests. As we think of our troops today in Iraq—not just the Black Watch but all the other units there—and as we think of the troops in Afghanistan and other uncomfortable and dangerous places where they are risking their lives, we owe it to them to get this right.

This is a bad Bill and I would be delighted if it failed in its entirety. It comes on top of a number of other extremely unwelcome measures that the armed forces have had to bear—I will not test your patience, Mr. Deputy Speaker, other than to mention in passing the cuts in numbers and the unprecedented risks of legal proceedings against them if they make a mistake in action.

Can we lay to rest what the Minister said about cost neutrality, as we have been round this buoy so often it is becoming tedious? It has been clear from the beginning, from the MOD's evidence to the Defence Committee, that the proposals are cost neutral in a distorted sense of the word. The overall double package—as the Minister rightly says, it is pensions and compensation—is cost neutral if we include in the calculation the fact that people will live longer. Individuals will be penalised for their prospects of living longer, if at the same time we exclude the fact that there will be more of them. The Government will save money overall, because the package will take account of the fact that people are living longer; obviously, the status quo does not do so. For that reason, I think that the Minister is bluffing when he says that he will drop the Bill—but I, for one, would be delighted, as would most members of the armed forces, were it to disappear after another gallant stand by their lordships.

It is a shame that the Minister has not been willing to listen to his gallant, honourable and noble Friend Lord Morris, whose father gave his life for this country in action, and who himself served in Palestine where, coincidentally, my father also had his first military service, with problems that are not very different from the ones being faced by our servicemen in Iraq today.

It might be helpful were we to discuss how the proposals will impinge on individual cases. I will quote three, the first two of which are actual, concrete cases, and the third of which is hypothetical. I am grateful to the Royal British Legion for providing the cases. The House will recall that the standard of proof for the war pension and the attributable pension is currently different, so we can see how the current test and the proposed test would work, because the proposed test is the current test for the attributable side. In the first two cases, there was a victory on one and a defeat on the other, but under the new arrangements there would have been a defeat on both because of the burden of proof.

The first case is that of Mrs. Rita Norman of York, the widow of Flight Lieutenant Roy Norman, RAF, who died of heart disease, which the war pensions scheme, under the old standard of proof, accepted was attributable to service. She got the war pension award, but she did not get the attributable pension on the balance of probabilities. Anyone who has followed the campaign by the hon. Member for Vale of Glamorgan (Mr. Smith) on deep vein thrombosis, for example, will know that heart problems are commonly associated with civilian air travel, so it does not take rocket science to know that one is far more likely to have a heart attack

[Mr. Brazier]

if one is a pilot. I can see why, on the balance of probabilities, that case would be lost. Anyone who marries a pilot in any of the three services knows that the likelihood of dying in service in peacetime is far higher than in most other professions. But proving that a particular death, unless it was in a crash, was attributable to military service can be extremely difficult.

In some ways, the second case is even more worrying. It involved Mrs. Cheryl-Ann Hulme of Anglesey, widow of Sergeant Geoff Hulme, RAF, who died in a climbing accident in 1996. Let us be clear: adventure training has always played an important part in the armed forces. Are we going to have arguments about whether someone who carries out activities involved in adventure training is involved in attributable service? We can argue that someone is on holiday on a particular occasion. A climbing instructor who takes people adventure training may from time to time want to take holidays in the same way, or may want to try out a slope on which he is thinking of taking personnel later. If someone engaged in climbing while in uniform—a recognised form of adventure training—will not be eligible for a war pension, that fills me with doubt.

That brings me to the third—hypothetical—case, which I want to put to the Minister. Previously, I have made it clear that the Bill offers a rotten deal for the reserve forces by reintroducing the abatement system, which was rightly abolished by the previous Government. That is in another part of the Bill. While the Minister was speaking, I realised to my concern that there is potentially a bad deal for the reserve forces in the Lords amendment. It is common practice in the reserve forces—I imagine it is even more common now, with the cuts in man training days under this Government—for officers in particular, but to some extent for all ranks, to carry out military activities without being paid for them. Indeed, Territorial Army units could not go on if from time to time officers and senior non-commissioned officers were not willing to do recces and carry out other activities outside paid training time, because there are not enough man training days within the annual budget.

Can the Minister give the House an unequivocal assurance that under the arrangements that he proposes, no one will try to argue in an MOD court that a person carrying out activities on behalf of their unit but not being paid, perhaps because the budget has run out, was not "in uniform" at the time? My God, that would be another blow to the reserve forces, on whom an incredible stress is falling at the moment. They are suffering from the same sort of problems of overstretch as the regular forces, and their civilian employers and families are becoming concerned about it.

Those three cases illustrate, I hope, why the Government's proposals are unsatisfactory. Over the years, we have all seen Ministers—it is a characteristic of Ministers in all Governments—faced with an amendment that has been lost in the other place, or in a tight corner with their Back Benchers, using a classic ministerial tactic, which is perfectly legitimate, of hiding behind the wording of the amendment to show how defective it is. The Minister has argued that this amendment would be more expensive than keeping the status quo on the burden of proof, if I have understood him correctly—£300 million against £200 million. That is not what he should be addressing, and he knows it. What he needs to tell the House is what the Government's attitude will be if, as we know is likely to happen, their lordships introduce a compromise amendment. Better still, why does he not tell the House that the Government are willing to introduce their own compromise amendment, which deals with any concerns he may have about enlarging the scope, but which still leaves those people who deserve compensation able to get it?

We owe a special debt to those who risk their lives for us. We owe it not only to those in the discomfort and danger of Iraq and Afghanistan but to future generations, such as people in cadet units—one of which I had the privilege to visit yesterday—who are thinking of joining the armed forces. Those people have received a number of unhappy messages over the past few years. Let us send a message from Parliament that we still recognise that when things go wrong, and when they get injured in military service, the House, Parliament and the system of compensation will continue to give them the benefit of the doubt, as has been the case ever since the first world war.

2.30 pm

Mr. Swayne: The Minister, in his opening remarks, provided us with a powerful argument for voting against his motion. He said that if we did not disagree with the Lords, or if subsequently the Lords insisted on their amendments, he would withdraw the Bill. Although I agree with the hon. Member for Dunfermline, West (Rachel Squire) that there are many good things in the Bill, I feel that on balance it is a rip-off—a bad package—and I therefore would not mind if the Minister did withdraw it. The critical argument is that advanced by my hon. Friend the Member for Canterbury (Mr. Brazier): in financial terms, the Bill amounts to a diminution of the present package.

The Minister has said that as a consequence of the change in the balance of probabilities involved in decisions on claims, there will be a reduction in the number of people achieving a settlement. That is also the clear implication of what Lord Bach said in the other place. When I raised that point in Committee, the Minister said what he has said once this afternoon: "No—this will not take effect until April next year." The reality is, though, that we judge what will happen in the future on the basis of what has happened in the past, so Lord Bach is right. There are undoubtedly people who have secured pensions and settlements which, had they brought their cases after April next year, would not be secured. It is right for us to ask whether that is fair, given that the settlements sought were proper.

I know of people who have secured awards on the basis of Gulf war syndrome, which would not be secured according to the new test. A whole category of settlements would fall at the first fence—they would be ruled out for being out of time. As the Minister has already been told, unless he can tell us that all those people have been given awards unfairly and improperly in the past, we should not be prepared to countenance a change that I consider absolutely unacceptable.

Many of my constituents have benefited from the existing test. I have yet to learn of one who should not have received an award, and until such information is produced I cannot countenance any change. I believe that, on the merits of the amendment, we should not disagree with the Lords. As for the new test presented by the Minister today—that if we do not do his will, he will withdraw the Bill—that is itself a powerful reason for disagreeing with the Minister.

Mr. Caplin: I welcome this debate and will try to be brief in my summing up. First, let me congratulate the hon. Member for South-East Cornwall (Mr. Breed) on becoming a grandfather. [HON. MEMBERS: "Hear, hear."] That has prompted agreement throughout the House, of which we have seen little this afternoon.

Let me also pay tribute to all our forces, wherever they are serving today. Both regulars and reservists are doing a job whose difficulty we recognise. On that, too, there is agreement throughout the House. The hon. Member for Canterbury (Mr. Brazier) asked whether a reservist would be compensated for injury or illness. The test is whether the injury or illness is due to service; pay is not a determinant.

I hope that I can reassure my hon. Friend the Member for Dunfermline, West (Rachel Squire). We have calculated the compensation scheme carefully so that more people who are more seriously disabled will receive benefit. I consider that to be social justice, a value shared by members of my party—although I do not exclude other parties; the Liberal Democrats are welcome to share some of our values.

Securing more compensation for those who are more seriously disabled is essential. If we take money out just in connection with the burden of proof—I shall deal shortly with the point about the Select Committee—it is likely that other parts of the compensation package will suffer.

My hon. Friend also made a point about records. Let me repeat what I said at the outset, namely, that we recognise that it would be unreasonable to ask the claimant to obtain evidence relating to his claim held in his official service records—"his" also meaning "her". The scheme rules will therefore impose a duty on the Secretary of State to make available to the claimant such evidence on request. I hope that on the basis of that, along with my commitment to the Select Committee that we would take responsibility for lost or inadequate medical records, my hon. Friend will accept that we have made considerable progress.

Mr. Gerald Howarth: As the hon. Member for Dunfermline, West (Rachel Squire) pointed out, this is essentially an enabling Bill. Very little of its content enshrines provisions in law. I hope that, for the benefit of the courts, the Minister will make clear that this constitutes an obiter dicta, and that he may therefore be cited as having given an undertaking to the House today.

Mr. Caplin: This is not the first occasion on which the hon. Gentleman has heard me give such undertakings. I gave them in both the Standing Committee and the Select Committee. The good news for some Members is that we shall revisit many of the issues during the secondary legislation phase, which I hope will begin once the Bill has been given Royal Assent.

Let me reassure my hon. Friend and the House that we gave careful consideration to the alternative formula suggested by the Select Committee. It proposed a change to the standard of proof, but offered no compromise on the key cost driver of burden of proof. Although it appeared at first sight to be offering a compromise overall, on closer study that turned out not to be the case. The claimant would not be required to prove his or her case and the ultimate burden of proof would remain with the Secretary of State. We have no detailed costing, but we are satisfied that the Committee's proposal would not change the position sufficiently to make it affordable. I am not referring to the amendment proposed in the Lords with the support of the Royal British Legion; we have costed that and it, too, is not affordable.

Mr. Howarth: Given that a clear compromise was proposed by the Select Committee, why did the Minister's Department not undertake an examination of the costs? It costed everything except the one compromise that might have secured agreement on the Floor of the House.

Mr. Caplin: I think that the hon. Gentleman is becoming over-excited. I have made clear the difference between the Select Committee's proposal and what we actually looked at. We took it away and studied it, and had we been able to cost it we would have done so. The key point about Lords amendment No. 1 is that it is not the same as the Select Committee's suggestion.

The hon. Member for Aldershot (Mr. Howarth) asked me earlier why I did not share the new figure with the Royal British Legion. Call me old-fashioned, Mr. Deputy Speaker, but I thought that sharing it with the House first was an appropriate act for a parliamentarian. I am very happy to come here today and to share, first, with the House of Commons our calculation of £300 million, which is the right and proper thing to do. I will share the details relating to that figure with the RBL, and I also intend to write to the hon. Members for Aldershot and for South-East Cornwall and to the Select Committee about them.

I have explained why it remains the Government's strongly held view that the "beyond reasonable doubt" standard of proof supported by the Lords is not appropriate to a no fault compensation scheme and is out of line with current good practice, which shows that evidence-based decisions that are based on a "balance of probability" standard of proof are indeed the norm. The important fact is that the new scheme has been designed to admit all reasonable claims, including those that will, for good reasons, fall outside the time limit. The reassuring message that I can give to the House is that the Government are confident that no claim will fail where there is reasonable evidence that injury, ill health or death is due to service.

I want to touch briefly on the RBL's claim, which was widely quoted in the House of Lords in particular, that it expects some 60 per cent. of claims successfully made under current arrangements to fall under the new scheme's rules. Indeed, the hon. Member for Canterbury made a broadly similar point. After some initial doubts as to whether a review of this analysis would help us to resolve the disagreement, I wrote to the RBL about the analysis and asked my officials to follow up the letter. The RBL has now withdrawn its offer to allow the Ministry of Defence to look at how it arrived at this very high failure rate, having concluded, I think,

[Mr. Caplin]

that we are not genuinely open to change. I want to take this opportunity to reassure the RBL that that is not the case, and to reiterate my offer, which I made in my original letter, to consider further its analysis.

Mr. Brazier: Will the Minister give way?

Mr. Caplin: I will not give way because I want to conclude.

For the moment, however, as we have not been given sufficient sight of the RBL's work, we must retain our concern that the study did not provide a sound analysis of how past claims would fare under the new scheme.

Those who argue that it is appropriate to have the war pension scheme arrangements, or something even more generous, in the new compensation scheme, have a duty to explain to the taxpayer why they consider it reasonable to spend an additional £300 million over 10 years. Indeed, the hon. Member for Aldershot should explain that to the right hon. Member for West Dorset (Mr. Letwin), who doubtless does not know what he is up to today in budgetary terms.

Mr. Gerald Howarth: Will the Minister give way?

Mr. Caplin: No.

Mr. Howarth *rose—*

Mr. Caplin: Or would the Conservatives rather take money away from the more severely disabled in particular, to allow awards in cases where service is unlikely to be the cause of a condition?

The compensation scheme—

Mr. Howarth: On a point of order, Mr. Deputy Speaker. Is it acceptable for the Minister to make an assertion that is wholly without foundation about my right hon. Friend the Member for West Dorset (Mr. Letwin), who is fully aware of our position on this matter?

Mr. Deputy Speaker: That is not a matter for the Chair; it is a matter of debate.

Mr. Caplin: I am delighted to hear it, Mr. Deputy Speaker.

If one wants to spend that additional £300 million over 10 years, it has to come from somewhere, and I assume, as I said, that the Conservatives are suggesting taking it from the more severely disabled, to allow awards in cases where service was unlikely to be the cause of a condition. That is the Conservatives' position, but I am pleased to say that it is not the position of this Labour Government.

The compensation scheme has the full support of the Chiefs of Staff, the support of many in our armed forces and, indeed, those in the ex-service community. I hope that the Bill will have this House's support today and the Lords' support when it returns to it.

Question put, That this House disagrees with the Lords in the said amendment:—

The House divided: Ayes 269, Noes 181.

Division No. 272] **[2:44 pm**

AYES

Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Armstrong, rh Ms Hilary
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Bell, Sir Stuart
Bennett, Andrew
Benton, Joe *(Bootle)*
Betts, Clive
Blackman, Liz
Boateng, rh Paul
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Russell *(Dumfries)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Corston, rh Jean
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Doran, Frank
Drew, David *(Stroud)*
Drown, Ms Julia

Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Sir Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*

Kelly, Ruth *(Bolton W)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lammy, David
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Rosemary
Mackinlay, Andrew
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Diana
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Ryan, Joan *(Enfield N)*
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Sou[illegible] Helen
Spe[illegible]ohn
Star[illegible] Phyllis
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Wright, Anthony D. *(Gt Yarmouth)*
Wright, Iain *(Hartlepool)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Nick Ainger and Margaret Moran

NOES

Ainsworth, Peter *(E Surrey)*
Ancram, rh Michael
Arbuthnot, rh James
Baker, Norman
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burnside, David
Burt, Alistair
Butterfill, Sir John
Cable, Dr. Vincent
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, rh Sir Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Davey, Edward *(Kingston)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Ewing, Annabelle
Fallon, Michael
Flight, Howard
Flook, Adrian
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger *(N Thanet)*
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gill, Parmjit Singh
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
May, rh Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Page, Richard
Paice, James
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Randall, John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Dame Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*

Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Squire, Rachel
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve *(Northavon)*
Weir, Michael
Whittingdale, John
Wiggin, Bill
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Gregory Barker and
Mr. Peter Atkinson

Question accordingly agreed to.

Lords amendment disagreed to.

After Clause 6

Lords amendment: No. 2.

Mr. Gerald Howarth: I beg to move amendment (a) to the Lords amendment, in line 3, after 'widows' insert 'or'.

Mr. Deputy Speaker: With this, it will be convenient to discuss amendments (b) and (c).

Mr. Howarth: I am speaking to the amendments that stand in my name. There are several, but they add up to the same thing, which is to amend the amendment proposed by their lordships in the other place.

On retirement widows, as with the burden of proof, the Government have remained stubbornly resistant throughout, refusing to give an inch in response to calls from the Forces Pension Society, Members of this House and of the other place and the widows themselves.

Currently, those who retired before 6 April 1978 and married for the first or subsequent time after their retirement receive no widow's benefit. Those who retired after 6 April 1978 have a widow's benefit based only on that part of their service that took place after 1978. For example, a serviceman who served a full career with half his service before 1978 would leave his widow from a post-retirement marriage on a pension worth just over 12 per cent. of his final salary. That compares with a pension worth 24.25 per cent. of final salary that would be paid to a pre-retirement marriage widow; that is, a woman who had married her husband while he was serving in the armed forces.

The Government have set out the same arguments repeatedly, and I have no doubt that we will hear them again today. They say that the projected cost of £50 million is too expensive, that such a change would affect the longstanding policy that there should be no retrospection and that there would be a read-across to the rest of the public sector. As the Opposition have said on previous occasions, we remain unconvinced on the two latter points, and I shall turn to them now.

3 pm

First, I shall deal with the question of cost. Lords amendment No. 2 offers an affordable compromise, and is aimed at helping the oldest and most vulnerable widows. We accept that the one-off, up-front cost of £50 million could be difficult to justify, given the competing pressures on an already overstretched budget, so we are offering a compromise to address the needs of the most vulnerable members of this group. By making provision for those over 70, we would maintain the spirit of the amendment tabled by Lord Freyberg, and would do so at a relatively small cost, which we believe to be entirely justified.

I should like to take this opportunity to pay tribute to Lord Freyberg. From the Cross Benches, he made a very valuable contribution to the debates on these matters in the other place.

The Government Actuary's Department and the Ministry of Defence have refused to release the assumptions on which their costings are based, so it is difficult to make accurate financial projections. However, the Forces Pension Society has estimated that were the Government minded to make a small concession on payments to those who married a member of the armed forces pension scheme before his 60th birthday and who are now widows over the age of 70, the cost would be of the order of £10 million.

We believe that to be affordable and justified. If the Government refuse to relent on this issue, the next Conservative Government will make the provision for the oldest and most vulnerable of the people affected. We are willing to make that commitment. Are the Government willing to do the same?

Furthermore, the stipulation that the marriage should have taken place before the member's 60th birthday would bring the provision into line with the normal retirement age for the vast majority of workers in the public sector. The vast majority of service people leave the armed forces at or before their 40th birthday, so that stipulation would mean only that service personnel would be treated equitably with the rest of the public sector. It would confer on them no special privilege, but would merely bring them into line with the rest of the public sector. The amendment is designed to secure parity, and there would be no read-across to the rest of the public sector.

Since 1973, service personnel have had their pay abated; in other words, a deduction is made from their salary to assist in the provision of pensions for themselves and their dependants. Pension provision is therefore not without cost for members of our armed forces, as they make payments by way of a reduced salary. That principle was conceded in the new scheme, and changes were introduced in 1978, so there can be no justification for this small and disadvantaged group to continue to be penalised by outdated legislation.

The Minister has said that providing the proposed pension provision for widows and widowers of post-retirement marriages would go against the policy adopted by successive Governments that there should be no retrospection. Again, we remain unconvinced. The precedent has already been set for making provision for vulnerable groups adversely affected by changes in legislation. In 1989, for example the then Secretary of State for Defence. my noble Friend Lord King, responded to concerns that help should be given to a "uniquely deserving category" of individuals and stated that pre-1973 widows would, from April 1990, be given an additional, tax-free payment of £40 a week. That payment would come from the Department then known as the Department for Social Security.

In his statement to the House and in the ensuing debate, Lord King made it clear that the change was not retrospective, and that the new payment was designed to boost the income of a group of people who had not benefited from the later improvements made to the armed forces pension scheme because of the policy of non-retrospection. When any new scheme is introduced, there will always be some who are left behind, as happened in 1978. However, the precedent exists to make provision for what Lord King called a "uniquely deserving category" of people.

On the question of read-across to other public sector workers, we have maintained throughout the Bill's passage through Parliament that the armed forces are different from all other public services. As Opposition Members, Liberal Democrat Members and the hon. Member for Dunfermline, West (Rachel Squire) have all said, what we ask of our armed forces is unique. We ask them to place their lives on the line as a matter of routine, in the name of their country.

A former Pensions Minister said:

> "I should emphasise that the exemption of the armed forces will not be a precedent for the treatment of any other group. The armed forces are unique in the demands that are placed on them and the diversity of duties that their members may be required to undertake at any time and for any period." —[*Official Report, Standing Committee D*, 5 February 1998; c. 777.]

That was not said by my noble Friend Lord King, nor even by a member of the Conservative party, although it might have been. It was said by the right hon. Member for Makerfield (Mr. McCartney). We agree. The sacrifice made by the members of our armed forces should be recognised in the way in which we treat them and those whom they leave behind.

As the splendidly feisty organisation No Pension 4 U has observed, many of the spouses of the oldest widows covered by our amendments will have seen service during the second world war. Indeed, some of the very oldest widows may have contributed to that victory themselves, through the Women's Royal Army Corps, the Women's Royal Naval Service, the Auxiliary Territorial Service and the Women's Royal Air Force, or other associated occupations.

Some pretty touching cases have been drawn to my attention. A lady from Devon stated:

> "My husband was in Bomber Command during the second world war. He stayed on in the Royal Air Force and served until 1970. He lost his first wife in 1974 and he and I married in 1977. He is now nearly 88 and I am 82—however, not too old to feel very bitter that although now partners of the same sex are entitled to a pension I am not and would have a struggle to maintain standards if he dies first. One really does feel was his sacrifice of his youth worth it when the older service men seem to be forgotten?"

A lady from Essex wrote:

> "My husband joined the army in 1946 and left in 1975. His first wife sadly died in 1987. We married at Christmas 1989 and I am dismayed to find that I have less status regarding pensions than an unmarried or same sex relationship partner. My husband is now 75 and still works. Although he enjoys working I know that his main motivation for doing so is to help to provide for my future as he now knows that I shall not receive any part of his pension if he dies first."

Mr. John Gummer (Suffolk, Coastal) (Con): Does my hon. Friend remember an earlier debate in which the need to recognise the realities of life were mentioned? It was said then that people facing circumstances that were less favourable than expected should have a reasonable or fair deal. That is an attractive argument. Will my hon. Friend explain why people do not feel the same way about women who have lived as second wives for a long period of time and who then find themselves in reduced circumstances? That was wrong under the previous Conservative Government; surely it is time that the House recognised that it would be sensible to put the matter right?

Mr. Gerald Howarth: My right hon. Friend is entirely right. The Minister will say it anyway, so I shall say it first: the legacy issue was not dealt with by the previous Conservative Government, but the number of people involved is declining all the time. It is time to recognise those members of the armed forces pension scheme who served their country and got married later in life.

There is a well recognised precedent in this House that we try to put right unfairnesses and injustices for which the resources previously have remained unavailable. We believe that those resources should be made available, and we are prepared to commit them in this matter.

We see no reason why a gesture to the most vulnerable among the post-retirement widows need have any effect on the wider public services. The Government admit that the armed forces are unique; their members and their families should be treated as such. With so many of those covered by the amendment being widows of second world war veterans, it would be an entirely justified and magnanimous gesture to make in the 60th anniversary year of the end of the war, regaining the Government some of the trust they have lost among the ex-service community.

We accept that there is no particular reason why the post-retirement marriage amendment should appear in the Bill; little else does. We accept that it is essentially a legacy issue and falls outside the auspices of the new armed forces pension and compensation scheme. However, the plight of the most vulnerable post-retirement widows cannot be simply brushed to one side.

The Opposition have made a commitment to seek some kind of provision for those widows. We will, therefore, not seek to take this amendment further if the Minister is prepared to give a commitment now to make provision for the most vulnerable widows, along the lines of the amendment, outside the new scheme. The Minister has already given various commitments to the House today that while not in the form of legislation, are nevertheless binding commitments on the Government. If the Minister wishes to make that commitment now, I shall be happy to give way to him.

Answer came there none. I am sorry about that, because I am trying to find a compromise. If the Government refuse to be magnanimous and make a small cash commitment to some of the most vulnerable

[Mr. Gerald Howarth]

who have been overlooked for many years, we shall seek to press the amendment to a vote. The Minister can be assured that the issue will return when it has been considered in the other place. I am sorry that the Minister is unwilling to compromise. I have made what I consider to be an overwhelming case and it is time we took action and acted magnanimously. I hope that the House will support the amendment.

Rachel Squire: The Defence Committee sees the amendment as contentious, and I understand that it was passed in the other place by only one vote. The amendment would have a retrospective effect. Before 1978, service personnel were unable to accrue pension entitlements for widows or widowers except when marriage occurred before or during service. The amendment would extend the right to a widow's pension to wives, husbands and registered unmarried partners of service personnel, even if the marriage took place after the service person had left the armed forces, as long as it occurred before they reached the age of 60.

The amendment would also increase the rate of post-retirement widow's pension for those widows and widowers who currently receive a post-retirement pension based only on that part of their spouse's service after the changes were made. It would improve the benefits of unmarried partners who presently receive benefits only if the death of their partner is due to service.

I am aware that the Government opposed the amendment in the other place because of the cost of some £50 million and because it is wrong in principle for laws to have a retrospective effect. The Government are also concerned that a change for the armed forces might require similar, and much more expensive, change for the rest of the public sector. I have heard estimates of between £300 million and £500 million. We are all aware of successive Governments' opposition to making improvements to public service pension schemes retrospective, and I have been made aware of possible considerable ill-feeling if the widow of a serviceman received some retrospective benefit and was treated more favourably than the widow of a fireman or a policeman. However, the Defence Committee and many other hon. Members think that our armed forces deserve particular treatment because of the commitment they give, including possibly risking their lives in the service of our country.

3.15 pm

Like the hon. Member for Aldershot (Mr. Howarth), I have received strong representation on this issue from the Forces Pension Society. This year we have been remembering the 60th anniversary of the Normandy landings and next year we will remember the 60th anniversary of the end of the second world war, so I hope that the Government will consider a compromise on these issues, especially for the 75-plus age group and those linked to the veterans of that war.

Mr. Gummer: The subject of the amendment is easily made into an emotive issue and, in a sense, is none the worse for that. As the hon. Member for Dunfermline, West (Rachel Squire) said, we are talking about a group of the population whom we have asked to do something very special that is different from anything that we ask of anyone else. Given that we are—in my view, wrongly—at war, it is a good time for us to think about this issue.

Throughout my time in Parliament I have taken up several relevant cases, and I am sorry that previous Conservative Governments were not able to put the matter right. I have always found it unacceptable that widows of service people who marry another service person should lose entitlement to the pension of their first spouse without gaining entitlement to the pension of the second. That is not a generous approach. I commend the concept of generosity to the Minister. I have been frank in saying that it was a pity that previous Governments, of whom I was a member, were not generous enough. If I am willing to say that, perhaps the Minister will be willing to be more generous.

The amendment provides an opportunity to do something that is, frankly speaking, a matter of common decency for those who, in later life, have provided the companionship that has been denied to a serviceman through the death of his original wife. We do not say that those people should receive extra compensation or special treatment, but that they should receive what reasonable people might think was theirs by right.

There is no need for a read-across from this provision to other areas. It never has been true that we have allowed our treatment of the servicemen and women, to whom we owe so much, to be prayed in aid in other cases. The Government have a particular reason for accepting the amendment. At this very moment, they have decided or are about to decide—depending on which version one believes—to ask yet more of service personnel by extending their tour of duty and making them more vulnerable by putting them in the line of fire. It is not unreasonable, therefore, to see what we can do to recognise the special role that the armed forces play.

I understand that there is not much money around. I can think of many examples of the Government's policies and programmes from which they could find some money, but I would incur your wrath, Madam Deputy Speaker, were I to explore that issue. That is why we have not been ambitious in our request that the Government do the right thing.

Mr. Gerald Howarth: The official Opposition have done our sums and we calculate that we can provide a 10 per cent. uplift in defence expenditure—a £2.7 billion increase for our armed forces over two years. My right hon. Friend says that we should be able to afford the measure; we will be able to afford it.

Mr. Gummer: My hon. Friend makes an important point, which I put in this context. The Government make the amazing argument that all their expenditure is perfect, inviolable and properly directed and that no other expenditure can possibly be accepted due to the enormous responsibilities they have taken on. That is an incredible position for any Government, but especially for this Government because we can see just how much wastage there is throughout the system. However, we are not dealing with that but with a principle—whether the proposal is right.

I am worried about the amendment, as I think it would be right to go the whole hog. That is the moral demand placed on us by our forces. I have always made that argument, so I do not suggest for a moment that I have changed my mind simply because we are in opposition. I held that view as a Minister and I am only sorry that I was neither in a position, nor had the clout, to insist on it taking place. I am now trying again.

I suggest to those who have been especially dependent on our forces and have put them in a position in Iraq that is wholly unacceptable—I know that my hon. Friend the Member for Aldershot (Mr. Howarth) does not agree, but that is my view—that they really should do something. What could be better than to say to our troops currently fighting in the very questionable circumstances in which the Government have placed them that, in addition to the vast sum of money—unnecessary money in my view—that we are expending, we are spending that small sum on people who served our country in so signal a way? That is the least we can do.

If the Under-Secretary says that we cannot afford to do that, my reply will be that we are able to afford every pound that we spend in Iraq, even though we should not be there. We should not be spending that money and we were misled into that position, so the least he can do is to spend a bit on these proposals. That is where he should spend the money; on those who cannot speak for themselves and who deserve it. I hope that he will do it—*[Interruption.]* It is all right for the Minister of State to mumble under his breath; he has a very heavy price to pay. Most members of his party know that. Some of us knew at the time, and more and more of us—

Madam Deputy Speaker (Sylvia Heal): Order. I hope that the right hon. Gentleman will confine his remarks to the amendment.

Mr. Gummer: You are perfectly right, Madam Deputy Speaker. I am sure that Ministers will be pleased to get back to the amendment, which they find easier. It is easier not to help the poor than to take the measures that should be taken. Perhaps, however, they will allow me to suggest that this would be a good moment for them to show that they understand that the armed forces do something that no one else does. Accepting the amendment would be a way of recognising that.

Mr. Breed: There are only a few occasions when primary legislation deals with long-standing grievances that people have waited a long time for us to address. Many people will be watching closely the debates in this and the other place on this legacy matter.

As other speakers have noted, there seem to be three main reasons that the Government feel unable to support the amendment: expense, retrospectivity and read-across. All three have been adequately addressed and if the Government had the will, they could in fact undertake that relatively modest additional expenditure. It has nothing to do with the overall cost, the retrospective principle or the fact that the provision could be read across into other sectors. At the end of the day, the Government are the Government and they can will things to happen if they believe it right.

If the Government do not act, it is because they do not consider it right to do so. Such a rebuff will resound in many homes after this debate and others that succeed it during the passage of the Bill.

The Government are fond of targeting their resources and the amendment would give them a good opportunity to employ that principle by targeting those aged over 70, who may be the most needy in these circumstances. As has been said, many of those people would feel not that they were being given special treatment, but simply that they were being treated equally and with justice. That uniquely disadvantaged group will inevitably grow smaller each year. If the Government feel, at this late stage, unable to support a genuine attempt to reach a reasonable compromise, it is because they do not actually believe that it will affect real people—they are real people, as the examples we have heard demonstrate—and we can come to only one conclusion.

Mr. Caplin: I very much appreciate the debate that we have held on post-retirement marriage. People are affected by the issues, as the hon. Member for South-East Cornwall (Mr. Breed) said and I accept that, at present, the Government have not been able to agree to this particular measure. However, both the hon. Gentleman and the hon. Member for Aldershot (Mr. Howarth) might have reflected on the changes that we have made during the past few months, during our debates on these issues.

In particular, we agreed, in the Lords, to a measure to allow war widows whose husbands' service ended before 1973—when the improved occupational pension schemes were introduced—to retain their pension on remarriage. That was a valuable and important amendment and shows our commitment to an important group of pensioners. It does not breach the retrospective rule. It has a cost, however. The right hon. Member for Suffolk, Coastal (Mr. Gummer) was baiting me a little about cost, but that relatively small amendment will cost the Government £20 million. None the less, I think it is worth doing and my right hon. Friend the Secretary of State and other Ministers accept that. There is always a cost, however, and we cannot exclude such considerations. That provision was especially significant for the War Widows Association and it demonstrates the Government's desire to consider the issues when we can do so.

Mr. Gerald Howarth: Perhaps I can just put on the record that we do indeed welcome the change that the Government have made. It is a welcome sign of flexibility. If the Minister would just move a little further forward, we could all agree and go home.

Mr. Caplin: Let us not get too carried away. I want to place on record one or two comments about the Lords amendment No. 2 and the three amendments tabled by the hon. Member for Aldershot. He recognises that this matter does not require primary legislation and has nothing to do with the pension scheme. Hon. Members on both sides of the House accept that, and I accept that particularly the Forces Pension Society has used the Bill to promote the legacy issues. I do not deny that; nor do I disagree with it. It is a perfectly reasonable campaign approach.

If the House were to accept Lords amendment No. 2, pensions would be provided to widows and widowers who married their service spouse in retirement and who

[Mr. Caplin]

did not benefit from the introduction of pensions for post-retirement marriages in the 1970s. That would affect all widows whose husbands had service before 6 April 1978, and all widowers whose service wives had service before 1 October 1987.

In moving his amendment, Lord Freyberg limited his concession to marriages before the age of 60, arguing that members of other public service schemes who were similarly affected before 1978 could, unlike servicemen and women, have expected their careers to last until the age of 60 and so would not, up to that age, have been marrying post retirement. The Government do not accept the thrust of that argument. The basic rules apply equally to all public service schemes, and early retirement is not unique to the armed forces. Other public servants who have had to give up their careers before the age of 60 were equally unable to marry after leaving service and pass on their benefits to their widows for any service before April 1978.

3.30 pm

Mr. Gummer: Most people in the public service who give up work before the age of 60 would consider themselves unusual—that is not what happens normally—but the fact is that the nature of service life is such that people do so as a matter of normal activity. Therefore, such a read-across is not fair. Surely, it is possible to make a special arrangement for those in the armed forces because of the nature of their jobs and their prospects after the age of 40. Unless we are to have a large number of people in the infantry at the age of 59, that seems to be a likely continuum.

Mr. Caplin: Perhaps I can come to the point that the right hon. Gentleman makes, but we cannot avoid the read-across to wider Government issues. I certainly want to say a bit about that in a moment, although I do not think that my explanation will satisfy him.

We are also considering the amendments tabled by the hon. Member for Aldershot. I did not respond when he was trying to bait me to rise from my seat because, quite simply, those amendments came across my desk first thing this morning. As the hon. Gentleman knows, I had [illegible] engag[illegible] was very pleased to carry out, at St. Paul's cathedral. So I have not had time to study the proposals in detail. Last week, however, I had a constructive meeting with Lord Freyberg, and I indicated to him that we may be able to build on that meeting in future, once the Bill has received Royal Assent. I hope that, when that occurs, we can perhaps look at some of the other issues.

I need to deal with the read-across to public service generally, because it is important.

Mr. Gerald Howarth: I will not detain the House long. It is extremely encouraging that the Minister has had that meeting, but I suspect that the other place and, indeed, those hon. Members who feel strongly about the issue will need a little more than hearing that there is a willingness to discuss the proposals. Will the Minister give a firmer undertaking that either Lord Freyberg's proposals on post-retirement marriages or my more limited proposals would be acceptable?

Mr. Caplin: I have gone as far as I intend to go today in respect of my conversation with Lord Freyberg, and the hon. Gentleman will have to make his decisions accordingly.

I want to deal with the costs, which have obviously entered our debate—the hon. Member for South-East Cornwall referred to them. The total cost to the Government of retrospective action would be significant, which is why successive Governments have decided that whatever the merits of the case, change was simply unaffordable. As the hon. Member for Aldershot knows, it is estimated that the Ministry of Defence would have to pay a one-off lump sum of £50 million to cover past service costs. The Government Actuary estimates that the cost of the read-across to all public service schemes would be £500 million. The unmarried partner aspect of the Lords amendment would add substantially to that cost, but we have been unable to estimate how much because of the lack of data on unmarried partner numbers in the past.

I understand why Members of both Houses would want to support the Lords amendment, but I do not think that they have given proper regard to the cost implications that the changes would create. The question of affordability is important, and irrespective of the merits of the measure, it would not be viable to implement it without paying any regard to other parts of the public service. We have put together a good package of pension and compensation benefits for our armed forces, so I hope that the question of post-retirement marriages will not prevent the Bill from receiving Royal Assent during this Session so that we can begin the important transition process to the new scheme in time for April 2005.

It might be useful for me to deal with the question of retrospection because it often comes up during our debates on pensions. It is true that successive Governments have maintained the principle that there should be no retrospection in pension policy. I pray in aid the Defence Committee because its report recognised:

> "it would hardly be reasonable of the Government to avoid making better provisions for future pensioners so that previous pensioners do not feel aggrieved".

That is the overall point behind our debate on post-retirement marriages and I hope that the House accepts that I understand the nature of the situation. During my discussions with Lord Freyberg and the Forces Pension Society, I indicated that we are prepared to continue to consider the matter.

I hope that the hon. Member for Aldershot will resist the temptation to press his amendment to a Division because if he does so, my hon. Friends and I will vote against him. I hope that the House will join me in disagreeing with Lords amendment No. 2 because that provision on pension legacy is not needed, as we proved to some extent in the House of Lords when we made a slight change to the system, which will cost £20 million.

Question put, That the amendment to the Lords amendment be made:—

The House divided: Ayes 181, Noes 270.

Division No. 273] **[3:37 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Baker, Norman
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burnside, David
Butterfill, Sir John
Cable, Dr. Vincent
Campbell, Gregory *(E Lond'y)*
Campbell, rh Sir Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Cotter, Brian
Cran, James *(Beverley)*
Davey, Edward *(Kingston)*
Djánogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Ewing, Annabelle
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gill, Parmjit Singh
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Maples, John
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
May, rh Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Murrison, Dr. Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Pickles, Eric
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Randall, John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Dame Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve *(Northavon)*
Weir, Michael
Whittingdale, John
Wiggin, Bill
Willetts, David
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Gregory Barker and
Andrew Selous

NOES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Armstrong, rh Ms Hilary
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Bell, Sir Stuart
Bennett, Andrew
Benton, Joe *(Bootle)*
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Bryant, Chris
Buck, Ms Karen
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Corston, rh Jean
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Doran, Frank
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gerrard, Neil
Gibson, Dr. Ian

Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jamieson, David
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, rh Sir Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lammy, David
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
McDonnell, John
McFall, rh John
McIsaac, Shona
McKenna, Rosemary
Mackinlay, Andrew
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Morgan, Julie
Morley, Elliot
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Diana
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Wills, Michael
Winnick, David
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, Iain *(Hartlepool)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Nick Ainger and
Margaret Moran

Question accordingly negatived.

Lords amendment: No. 2.

Mr. Caplin: I beg to move, That this House disagrees with the Lords in the said amendment.

The House divided: Ayes 279, Noes 180.

Division No. 274] **[3:51 pm**

AYES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Bell, Sir Stuart
Bennett, Andrew
Benton, Joe *(Bootle)*
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Cook, rh Robin *(Livingston)*
Corston, rh Jean
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Doran, Frank
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw

Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jamieson, David
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, rh Sir Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lammy, David
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
McFall, rh John
McIsaac, Shona
McKenna, Rosemary
Mackinlay, Andrew
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marshall, Eric
Merron, Gillian
Michael, rh Alun
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Morgan, Julie
Morley, Elliot
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Ryan, Joan *(Enfield N)*
Salmond, Alex
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, Iain *(Hartlepool)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Nick Ainger and
Margaret Moran

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Baker, Norman
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burnside, David
Burt, Alistair
Butterfill, Sir John
Cable, Dr. Vincent
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, rh Sir Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Collins, Tim
Cotter, Brian
Cran, James *(Beverley)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gill, Parmjit Singh
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Harvey, Nick

Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
May, rh Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Portillo, rh Michael
Pugh, Dr. John
Randall, John
Reid, Alan *(Argyll & Bute)*
Rendel, David

Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Roe, Dame Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Weir, Michael
Whittingdale, John
Wiggin, Bill
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Gregory Barker and
Andrew Selous

Question accordingly agreed to.

Lords amendment No. 2 disagreed to.

Lords amendment: No. 3

Mr. Caplin: I beg to move, That this House agrees with the Lords in the said amendment.

Madam Deputy Speaker: With this it will be convenient to discuss Lords amendment No. 4.

Mr. Caplin: I am pleased to tell the House that the Government accept Lords amendments Nos. 3 and 4 from their lordships' House. They are uncontroversial Government amendments. Lords amendment No. 3 is beneficial to the ex-service community as it broadens the definition of "appeal" in the Late Appeals Regulations 2001 to include late interim assessment appeals.

Lords amendment No. 4 corrects a technical defect in the initial drafting of the Bill that was identified by the Delegated Powers and Regulatory Reform Committee when it considered the Bill. It provides that a commencement order under clause 8 is not subject to any parliamentary procedure.

Mr. Gerald Howarth: We have no problem in agreeing to the amendments and we are delighted that the Government have accepted at least some amendments from their lordships' House, even if they have been less than gracious in rejecting the other two.

I welcome the Government's move in the direction outlined in amendment No. 3. As the Minister said, we discussed the matter in Committee and it is right and proper to make provision for late appeals against final as well as interim assessments. We therefore welcome amendment No. 3.

I confess that I am not as technically familiar with the substance of Lords amendment No. 4 as perhaps I should be.

Mr. Crispin Blunt (Reigate) (Con): Shame.

Mr. Howarth: My hon. Friend says, "Shame." However, I understand that the amendment would inhibit to some extent some of the amazing powers that the Bill confers on the Government.

It has been an issue for all parties that the Bill is an enabling measure that confers enormous powers on the Secretary of State. I warmly welcome anything that limits the Secretary of State's powers and I therefore welcome amendment Lord No. 4.

Mr. Breed: We are happy to signal our support for both amendments.

Lords amendment agreed to.

Lords amendment No. 4 agreed to.

Committee appointed to draw up Reasons to be assigned to the Lords for disagreeing to their amendments Nos. 1 and 2 to the Bill: Liz Blackman, Mr. Colin Breed, Mr. Ivor Caplin, Mr. Gerald Howarth and Derek Twigg; Mr. Ivor Caplin to be Chairman of the Committee; Three to be the quorum of the Committee.—*[Derek Twigg.]*

To withdraw immediately.

Reasons for disagreeing to certain Lords amendments reported, and agreed to; to be communicated to the Lords.

National Service Framework for Children, Young People and Maternity

Motion made, and Question proposed, That this House do now adjourn.—*[Dr. Ladyman.]*

4.7 pm

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): Children are special and precious but, too often, we do not treat them like that and we have not designed health and social care services to treat them like that. That is why we need the national service framework for children, young people and families.

Even before the national service framework was published, there should have been no doubt about the Government's commitment to putting children and young people at the forefront of our policy agenda. We believe that every child should have the care and opportunities that they need to live healthy, safe and fulfilled lives. That is why the Government created the post of Minister for Children, Young People and Families and I am delighted that my right hon. Friend could join us for the debate.

That belief is also why we set out a comprehensive plan of action in the Green Paper, "Every Child Matters" and followed it with a series of initiatives, including the change for children programme, to begin the task of transforming services for children. It is why we have introduced the Children Bill, set ourselves the target of eliminating child poverty by 2020 and increased spending on our schools to a total of £40 billion by 2008.

That is also why we have set about producing the national service framework for children, which is a key part of our overarching agenda to generate a step change in the quality and consistency of children's services. It initiates an ambitious programme of change. It has, for the first time, set out standards for health and social care, and the interface with education for children, young people and pregnant women. This is the first time that any such thing has been attempted by any Government anywhere in the world. The attempt is so ambitious that its publication has been eagerly awaited around the world and experts have described it as the biggest step forward for children for 50 years.

This framework has not been plucked from the ether and, although politicians have guided its development, it is not exclusively the work of politicians. It is based on a huge body of evidence and best practice that has been collated for us by a dedicated team of experts and practitioners who worked on it for more than two years. It was pulled together by a superb team of officials led by Professor Al Aynsley-Green. I did my best to ensure that they were all acknowledged in the national service framework itself, but let me say again that the Government and all the children who will benefit from this work owe a great debt of thanks to all those people.

Healthy children become healthy adults. Improving the health of children is the right thing to do, but it is also the best insurance policy that we can have. Experience before birth and in early life has a huge impact on the life chances of each individual, not only in childhood but in adult life. And as healthy children start with healthy mothers, so this framework looks back to before birth to include maternity services, as well as looking forward across the transition into adult life.

Of course, there is already a lot of good to be found among the existing services. The majority of children and young people today enjoy better health than any previous generation. Pregnant women have greater choice in their health care than ever before. So before I go any further, let me pay tribute to the staff working across health, social care and education for their enthusiasm and commitment to those in their care. Every day—day in, day out—they help children, care for children, and keep tens of thousands of children out of harm's way.

But we all know that there have been problems. Sir Ian Kennedy's report into the deaths of children undergoing heart surgery at Bristol and Lord Laming's investigation into the death of Victoria Climbié both revealed key failings in the care that we provide to children. Equal care and equal protection are not available for all. Inequalities affect a significant minority of children and young people. Too many face a damaged childhood, disaffection, underachievement and social exclusion. Child poverty, though greatly reduced, still adversely affects the health and opportunities of those from disadvantaged backgrounds. The difference in outcomes between those children and the successful majority is too wide. So, at the heart of this national service framework is a fundamental change in thinking about health and social care services. Its aim is to bring about a cultural shift in services, so that high-quality services are planned and delivered around the needs of children and their families, not around organisational structures or within professional boundaries.

Dr. Jenny Tonge (Richmond Park) (LD): Of course, I welcome the national service framework for children, just as I welcomed "Every Child Matters", but will the Minister assure us that this is not just writing in a book or ideas from civil servants and that it really will be implemented? Will the framework be audited regularly? Will he address the problem that was so obvious in the Victoria Climbié case, namely that we do not have enough well-trained, well-paid social workers, teachers, paediatricians and nurses working in the field with children? What are we doing to address that deficit?

Dr. Ladyman: I can give the hon. Lady the assurances that she needs. The framework will be audited thoroughly by the Healthcare Commission, which will not only look to see which parts are being implemented but ensure that all parts of the service have plans in place to complete the implementation during the 10 years of the framework's life. Later in my speech, I shall detail exactly how that will work. She is entirely right about the work force issues. That is why we have a work force strategy being implemented. We have a whole range of initiatives to increase the recruitment of social workers, to improve their status through measures such as protection of title and to improve the training and practice learning opportunities that they receive. There is a huge agenda to deal with exactly the problems that she identified.

Mr. Andrew Lansley (South Cambridgeshire) (Con): Before we move on from the hon. Lady's point, we must recognise that Herbert Laming's report on the tragic death of Victoria Climbié also made it clear that the

[Mr. Andrew Lansley]

fundamental issues of poor practice in a range of services relating to the case were not primarily about resources. They were about the fragmentation of services, the failure of the services to deliver the standards of service that were expected and the fact that no one took responsibility for that. It must be part of the national service framework's remit to solve that problem of fragmentation and to require that responsibility as an integral part of the framework.

Dr. Ladyman: I entirely agree with the hon. Gentleman. That is why the national service framework is not just a recipe for change or a list of things that must be gone through with boxes to tick, but is about changing the culture of all the services that we provide for children, generating a step change in the quality of those services and, as he says, making sure that people are properly inspected and accountable for failures.

The services that we create will address the needs of the whole child, not just the specific problem or illness with which they present. That will allow services to pick up problems early. The national service framework covers the full range of issues across health and social services, as well as the links with education. Consequently, it is intended for everyone involved in delivering services to children, young people and pregnant women. It is made up of 11 standards. Each standard conveys the central aims of the NSF that all agencies should work actively together to promote high-quality services that are centred around the needs of children, young people and pregnant women; respond to children and young people according to their age, recognising that children are different from adults both physiologically and psychologically; involve children, young people and families in decisions about their care and how services are designed; and are easy for children and young people to access and use.

Mr. Hilton Dawson (Lancaster and Wyre) (Lab): The challenge that my hon. Friend sets to integrate the various professions working with children to achieve that transformation is one of the most difficult that any Minister could face. Has he given any thought to how the Government could celebrate the good work that takes place, and in particular, celebrate work across the boundaries by people working within integrated children's systems in the future? For instance, we publicly celebrate nurses. Why should we not celebrate integrated child care professionals?

Dr. Ladyman: My hon. Friend is right that we need to celebrate successes. Increasingly, we have opportunities to recognise very good people at award ceremonies. At one recent ceremony, which was intended for those who are innovating in training in social care, I reminded people about "The One-Minute Manager". When I was working in the private sector, my director insisted that all his managers read it. The key message in the "The One-Minute Manager" is to catch people doing something right, which will be fundamental to achieving this culture change. That is why the inspection mechanisms that we are putting in place will be largely about identifying best practice, celebrating it, then making sure that it is disseminated so that everybody can work together on the agenda that he has identified.

Mr. David Chaytor (Bury, North) (Lab): My hon. Friend has strongly emphasised the need for greater integration in planning and decision making, which is to be welcomed. Can he spell out exactly how the different agencies will be expected to integrate and who will have the key responsibility for planning services? What is the division of responsibility between the new children's trust, the primary care trust, the acute trust and the strategic health authority, for example?

Dr. Ladyman: If my hon. Friend will forgive me, I will deal with those matters in some detail later in my speech because they are fundamental.

The first five standards deal with key issues that relate to all children: preventing illness and promoting health; supporting parents and carers; creating children, young person and family-centred services; growing up into adulthood; and keeping children safe. The rest of the standards address more specific issues: children who are ill; children in hospital; disabled children and children with complex health needs; children with mental health problems; and medicines for children. The final standard sets out our commitment to a high-quality, woman-centred maternity service.

Jeff Ennis (Barnsley, East and Mexborough) (Lab): As I am sure the Minister knows, I have been concerned for some time about the low level of NHS funding for children's hospices. It is about 5 per cent., compared with between 30 and 35 per cent. for adults' hospices. What will the framework do to increase Government agency funding for children's hospices?

Dr. Ladyman: I hope that my hon. Friend will forgive me for saying that he is starting at the wrong end. We should be starting with outcomes rather than funding. The framework describes the range of services needed for children with long-term conditions. The palliative care that we should provide includes care at home and in hospices. It will be for each primary care trust to think strategically about how it can give the population that it serves a sufficiency of each of those options. If it needs to commission services case by case, it can; or, if it wishes, it can put significant extra funds into the development of a local children's hospice.

Charles Hendry (Wealden) (Con): That answer could be considered complacent by children's hospices that struggle daily to make ends meet and face a real struggle to survive at all. Does the Minister agree that there could be no more deserving cause in our society than dying children?

Dr. Ladyman: Of course the hon. Gentleman is right: there is nothing more serious to deal with than children with long-term conditions. Such conditions, however, tend to be different from long-term conditions affecting adults, especially when it comes to hospices and palliative care. Palliative care for children tends to involve helping them to cope with what are often life-limiting illnesses that can last for a long time, whereas palliative care for adults is often related to an end-of-life choice.

Most palliative care for children is delivered not in hospices but at home. What I want, and what the national service framework calls for, is a range of provision in every area that is suitable for all children with long-term conditions who are receiving care. Some, including the hon. Gentleman's party, have argued that a foundation level of NHS funding should go directly to children's hospices. In many areas, that funding would come from services needed to keep children at home. I think it more appropriate to allow each primary care trust responsibility for ensuring that there is a full range of provision. If that makes it necessary for a PCT to support a local hospice directly, it should do so, but it should be a local decision rather than one made by me in my office in Richmond house.

Mrs. Annette L. Brooke (Mid-Dorset and North Poole) (LD): Will the Minister give way?

Dr. Ladyman: I will gladly give way in a while, but I need to make progress because many hon. Members want to speak.

Today, I can do no more than scratch the surface of the content of the national service framework, as any Member who has read the document will appreciate. It weighs in at more than 2 kg and consists of several hundred pages—and that excludes the huge body of evidence on which it is based. It even comes with a DVD explaining how to spot a sick child. There is a family version, a version that is accessible to people with learning disabilities and a children's version. I can, however, highlight some of the key components.

The framework sets out a new child health promotion programme to replace the current system of developmental reviews. The programme is a comprehensive system of care including assessment, health promotion involving key public health issues such as obesity, childhood screening, and early intervention to deal with identified needs. It provides a structure to ensure the promotion of health and well-being for individual children and young people.

The framework describes how we should give support to the parents of pre-school children to help such children to develop their full potential. It places particular emphasis on the importance of identifying parents who need extra support, and on our need to ensure that they know how to gain access to the full range of services. It includes a common assessment framework for use throughout agencies to reduce the amount of time spent on repeated assessments of the same child by different practitioners. That will encourage agencies to work and plan together and to share appropriate information.

The framework refers to how we must educate and support young people to help them to make informed choices about their health and well-being. It focuses on five key health issues: nutrition, sexual and reproductive health, mental health, injury and substance misuse. All the standards on child protection issues that apply to the relevant agencies have been compiled into one document, which ensures that safeguarding children is recognised as being everybody's business. The document emphasises the recognition that a higher level of co-operation and information sharing among staff, both within and between agencies, is required for children in special circumstances.

The framework describes the provision of comprehensive and integrated local services through managed local children's networks. They will be responsible for making sure that children and young people who are ill can get the services that they need at the right time. The framework calls for discharge from hospital to be planned in good time and with other agencies. Stays in hospital are to be kept to a minimum through improved co-ordination of community-based care.

The framework requires the extension of the Government's early support programme to all local authorities, which means that families of young disabled children aged between birth and three will receive high-quality early intervention and family support. It highlights the need for full equitable access to child and adolescent mental health services for learning disabled children, young people and 16 and 17-year-olds, who are often excluded from these services.

The framework also explains how we should provide better support for children and young people who take medication at home, in care and in education settings, with health professionals providing information and training for staff working in schools and other institutions to help them manage the use of medicines. It further shows how we should be tackling inequalities in outcomes for mothers, fathers and babies through the flexible planning and delivery of maternity services, and that we should allow women a say in how those services are designed. That will mean that all women, including the vulnerable and the hard to reach, can feel confident about using services throughout their pregnancy and after.

If all that is not enough, we have also used exemplars to show the life journey of children with special needs and indicate where they can look in the national service framework for guidance on what they should be able to expect. The first two exemplars are for autism and asthma, and on a personal note, I am very proud of the fact that as a Back Bencher, I was involved in lobbying for the autism exemplar, and that as a Minister I have had the privilege of delivering it.

The national service framework is broad in scope and far-reaching. We know that some services across the country already meet aspects of the standards, but it will take time to bring about the required cultural change and embed new working practices across the board. That is why the NSF has been developed as a 10-year strategy. Of course, although local services will be required to meet the standards by 2014, implementation during this period will be left to their discretion. They will have the freedom to prioritise those parts of the standards that are most important to their local areas. But let no one be in any doubt: the NSF is mandatory for the national health service by the end of that 10-year period.

Mr. Chaytor: If a reconfiguration of services currently under way did not take full account of the new national service framework, would my hon. Friend be inclined to allow that to continue or would he use his Department's influence to encourage local service providers to take

[Mr. Chaytor]

account of the new framework? What leeway will local trusts and health authorities have in the period leading up to 2014?

Dr. Ladyman: Clearly, a configuration beginning now ought fully to take into account the national service framework. If my hon. Friend is asking whether Ministers will be able to intervene in that process, I should point out that, under the terms of "Shifting the Balance of Power", they have the power to intervene in local configuration issues only if local agreement cannot be reached. I would be very surprised if a reconfiguration that ignored the lessons of the NSF reached the general agreements that would be necessary. Under such circumstances, it is likely that my right hon. Friend the Secretary of State for Health would be asked to intervene in the process. Clearly, I would expect any reconfiguration starting now to take as much account as possible of the national service framework. There would have to be some pretty good local reasons why any part of it was ignored in any such reconfiguration.

Mr. Lansley: The national service framework for hospital services has been available since April last year. If we were conducting a reconfiguration of children's services, it should clearly take account of that framework. It should already have been applied to that extent. Will the Minister explain why Sir Ian Kennedy's report on the Bristol royal infirmary tragedies recommended that service models should be made part of the NSFs—at least, he recommended certain experiments in service models and the Government responded by acknowledging that they would be set out in the NSF—but they do not appear in it? For configuration purposes, there seem to be no alternative or optional service models for acute services in the framework.

Dr. Ladyman: The hon. Gentleman is right that we produced the hospital standard early in response to Professor Kennedy's initial concerns. The approach that we have adopted in the NSF is to set out as clearly as we can and in line with all the guidance of the experts—experts not limited to civil servants, but including people from the medical profession, nursing and maternity services, social care and the whole gamut of services—the targets that we believe people should follow in designing the services. If we were to move to the extent that the hon. Gentleman hints that he would like and set out specific models, I would put back to him the problem that it might prove too restrictive and centralist an approach.

Mr. Lansley: I shall return to the key point later. I asked the Minister that question simply because when the Government responded to the Kennedy report in January 2002, they said:

> "We will commission an evaluation of alternative models for the management of children's services and publish the findings as part of the NSF."

That relates specifically to the configuration of acute children's hospital services, but it has not happened.

Dr. Ladyman: All I can say to reassure the hon. Gentleman is that Professor Kennedy is now chairman of the Healthcare Commission and he has said that the information that we provided in the NSF is sufficient for him to be able to carry out his work and inspect against the framework. In other words, he is content with the approach taken in the NSF.

The approach of devolving responsibility to the NSFs at the front line is deliberately different from most previous NSFs—those for cancer and coronary heart disease, for example, which relied on detailed targets and milestones. As we have transformed, since 1997, the ethos of the NHS and begun to ensure that it has the capacity, skill and motivation to modernise, so it has become less necessary for us to set targets centrally. We know that people working at the front line best understand their local needs, so we are increasingly empowering them to take local decisions locally. That means that the NSF is fully consistent with the Government's wider public sector reform, devolving power and responsibility to local agencies. If any hon. Member feels that 10 years is too long to see the NSF fully implemented everywhere, I would say that the key to implementing the NSF is change in culture. For the implementation of the NSF to be a success, early and sustained action will be required and 10 years is not a long time to achieve what we have asked.

How are we going to pay for this transformation of children's services? The NHS has already received substantial year-on-year increases in general funding, and that is set to increase by an average of 7.2 per cent. in real terms each year until 2007–08. We have also provided £300 million for child and adolescent mental health services to 2006 to meet the CAMHS public service agreement target. That will also support the CAMHS standard in the NSF.

All that funding was provided to drive up the quality of the totality of health services, including children's services. There is no more money to give, and everything that we do has to be done within that spending envelope. However, let no one doubt for a second that it is more than enough to cover the progress that we must make up to 2008.

If any hon. Member says that we should ring-fence part of that money exclusively for children, I say that they have missed the whole point of the NSF. The NSF is about mainstreaming children's services so that PCTs develop those services, not as an afterthought or add-on, but as a key priority in the commissioning of services. PCTs will therefore need to allocate funding according to local priorities and to strike the right balance between children's services and general services, but must retain the development of children's services at the core of their thinking when they do so.

If we do not have traditional targets and old-fashioned ring fences, how will we guarantee delivery? The recently published health and social care standards and the planning and priorities framework both stress the importance of planning for children by health services, local authorities and the voluntary sector. Therefore, over the next three-year planning period, the different inspectorate bodies will start to inspect services against the NSF standards. They will require agencies to demonstrate progress towards the levels of service set out in the NSF. That is why we can be confident about delivery.

Given that integrated working across agencies is so important to successful implementation of the NSF, the key inspectorates must also work together to develop a method for joint inspections. That means that, from 2005, Ofsted, the Healthcare Commission and the Commission for Social Care Inspection will undertake joint area reviews. They will also contribute to thematic inspections of children's services.

With this emphasis on inter-agency working at the front line, it is incredibly important that we send the right messages from the centre, demonstrating joined-up government and integrated policies. That starts at the top, which is why, although the NSF began life in the Department of Health, it is now jointly sponsored by the Department of Health and the Department for Education and Skills. It is also why my right hon. Friend the Minister for Children, Young People and Families and I work so closely together to develop children's policy. The NSF was jointly published, but it is now jointly owned.

On the ground, the Children Bill will provide a spur to action for the joint delivery of the NSF. If the Bill is passed, key local service providers—including PCTs and strategic health authorities—will be placed under a duty to co-operate with local partners to drive up the standard of care for children in their areas.

Equally important will be the duty to safeguard and promote the welfare of children, and the new director of children's services—a post that we are proposing for each area—will be a key player in ensuring that the NSF is delivered locally.

Tim Loughton (East Worthing and Shoreham) (Con): On that point, will the Minister say why the NSF for children is not mentioned in the Children Bill?

Dr. Ladyman: It is not mentioned because it does not need to be. The Bill is based on the five outcomes that children told us were important. One of those outcomes was the requirement for health and well-being and the ability to thrive, to which the NSF speaks directly. Therefore, the NSF does not need to be mentioned in the Bill.

Mr. Chaytor: My hon. Friend mentioned the importance of consulting the local director of children's services in connection with a proposed reconfiguration. However, if no such director has been appointed, does he agree that that proposed reconfiguration should be suspended until the director has been appointed and can be consulted?

Dr. Ladyman: I detect an agenda between the lines of my hon. Friend's question. I do not want to suggest that he does not wholly approve of the reconfiguration going on in his constituency, so I shall not interfere in that. However, any reconfiguration needs to be agreed by all local partners if it is not to come to the Secretary of State. The NSF for children must play an important part in that decision-making process. If a director of children's services is in place in an area, I would expect that director to have a great deal to say about any reconfiguration of health services. I hope that my hon. Friend's local authority moves rapidly to appoint such a person, if that will help him in his campaigning.

Mr. Chaytor: I am enormously grateful to my hon. Friend for that clarification of those responsibilities.

Dr. Ladyman: Now I am enormously worried.

The work programme that the Government are taking forward on children's issues demonstrates our real commitment to improving the life chances and opportunities for children and young people. The NSF is a key delivery vehicle for the health and social care aspects of this agenda. It will raise standards in hospitals, in general practitioners' surgeries, in schools and nurseries, in maternity units and in Sure Start children's centres. It will focus the attention of service providers on the needs of all children and young people, including those who have traditionally been hard to reach, such as those who have been abused or live in poverty.

Mrs. Iris Robinson (Strangford) (DUP): In Northern Ireland, we have seen a significant rise in the number of suicides among young people. Has the Minister given any thought to how we can target young people, especially in areas of social deprivation, to show that we value them, to bolster their self-worth and to ensure future prospects for them?

Dr. Ladyman: The hon. Lady is right. I suggest that she look at the totality of the changes that we are trying to implement for children, including the work set out by my right hon. Friend the Minister for Children, Young People and Families in "Every Child Matters"; the change for children programme; the measures in the Children Bill to create co-operation; the White Paper on public health that will be published in a few weeks' time; and the range of changes in the NSF. She will see that we are working as hard and as fast as we can to put in place exactly the mechanisms that can provide the assurance that she seeks. If we make children understand that they are precious and important to us, and give every child the opportunity to fulfil their potential, we will drive down the rate of suicide, not only in Northern Ireland but across the whole country.

We all love our children. But all our nation's children are our children. If one child does not fulfil its potential, we are all diminished. If one child anywhere is in poverty, or is suffering, or is failing to thrive, that is not the fault of someone else, it is my fault and it is our fault, and each and everyone of us has failed in the duty we inherited when we came into adulthood.

No other Government have done more for children and we will not be surpassed in our commitment to making change happen. This NSF is a beacon of that commitment and is a testament to our determination to see change for children, to see every child thrive and to see those special and precious people—our children—grow and become the women and men they were meant to be. I commend it to the House and to everyone who works with or for children, and to everyone who has children, will have children or once was a child.

4.43 pm

Mr. Andrew Lansley (South Cambridgeshire) (Con): I am grateful to the Minister for bringing this important subject before the House and giving us the opportunity to debate the national service framework for children relatively soon after publication. I wish first to echo two of the comments that he made.

First, like the Minister, I wish to thank Professor Al Aynsley-Green and many other people—by no means all of them civil servants, as was suggested earlier—from children's services across the country who participated in the work leading to the NSF. I know of the volume of work and the thought that went into it, not least because I had occasion to discuss the issue with Professor Aynsley-Green just over two years ago.

Secondly, I echo the Minister's recognition of the enormous contribution that we are already receiving from the people who provide services, including doctors, nurses, other health professionals and social workers in children's services. They are often somewhat under-sung in the health service context, especially social workers. The hon. Member for Lancaster and Wyre (Mr. Dawson) has been a doughty fighter for their cause and I entirely share his view. Just as we celebrate people in the NHS who save lives and people who shape lives in, for example, teaching, so, too, we should celebrate people in the social services who both save and shape lives in their work with children who would otherwise be in despair. There is every reason for us to say, "Thank you very much" to all the services reflected in the national framework.

The Minister inevitably could not elaborate on most of the issues in the vast range on which he touched and I shall not be able to do so either. If I deal with only a few, I hope that the House will understand that that is because otherwise I should consume a high proportion of the available time and I want other Members to have an opportunity to speak about the national service framework.

The Minister made some points about the underlying principles of the framework and I, too, have something to say about them. First, the scope of the national service framework is unprecedented; it covers a wide range of services. It does not, however, extend to all the services that have an impact on children; for example, in many areas, road traffic accidents are a major cause of mortality and morbidity in young children, but that is not addressed in the national service framework. That example illustrates that, through the public functions of the NHS, we need a greater ability to influence the extent to which the private and public sectors address public health needs.

The second good thing about the document is that it understands that children are different. Of course, this is not the first time that children have been considered as more than small adults; people have helpfully illustrated that point in the past, but an underlying principle of the national service framework is that we should never think of children as small adults—they have their own particular needs.

The documents are interesting because they do not talk about children as an homogenous group, but show an understanding of the distinctions required; everything from child as foetus and neonate to the pre-school child, schoolchild, adolescent and the transition to adulthood. Childhood is a range of ages and we need to be able to deal with all of them. The hospital standard accurately understands that sometimes it would be highly inappropriate to admit 16 or 17-year-olds to a children's ward; it is not simply a case of admitting them to separate children's wards. Understanding the nature of adolescence is probably one of the most taxing things; it is certainly extremely difficult in the mental health sphere and in hospital admissions.

Charles Hendry: Does my hon. Friend agree with the representation from the Teenage Cancer Trust that it is wholly inappropriate to put teenagers in wards with older people? A ward with people who may be 30, 40 or even 50 years older does not provide the right surroundings for treating a child who is battling cancer.

Mr. Lansley: My hon. Friend is right. His point illustrates just how carefully hospital services for children must be planned. Last year, I visited cancer patients in the children's wards at Addenbrooke's hospital and saw the astute use of single rooms adjacent to the ward for adolescents; they could live there for the short period of their hospital admission and feel quite distinct from the very young children elsewhere in the ward, thus avoiding the distress they might experience, and which my hon. Friend described, if they were admitted to a ward where a substantial number of the patients were relatively elderly. We need to take on exactly that sort of thing, using the national service framework, to help in the configuration of hospital services.

As I mentioned previously, one of the things that the frameworks do well is to recognise the need to escape from fragmentation and the lack of responsibility for services that has been highlighted in the past. The Minister did not say explicitly that the framework is intended to build on Herbert Laming's report or Sir Ian Kennedy's report, but we know that it is. In particular, Herbert Laming's report certainly showed that fragmented services produce tragic results, as did the lack of responsibility and proper standards in respect of the Bristol royal infirmary. One of the things that I found very useful in reading the national service framework was the theme of treating not only children but their families as being integral to the development of a service that is centred on the needs of children and in which they must be listened to and respected. I welcome all that.

The Minister suggested in introducing the debate that things were going in the right direction and that we just had to push them further along, but it is not quite like that. Many indicators of children's health are not necessarily moving in the right direction. One of the child's journeys reflected in the framework relates to asthma. We now have very high and rising levels of childhood asthma. We have rising levels of childhood diabetes. Children with adult-onset diabetes are starting to present themselves for treatment in their teenage years. We have other public health problems associated particularly with teenagers, which reflect the use of alcohol and drugs and poor sexual health. The Minister referred to some of those issues, but they are serious and things are moving in the wrong direction.

Although the national service frameworks are very important, I want to make it clear that, within weeks, we will be engaged in another debate about how to achieve a stronger public health strategy. I will not begin that debate now, but it is our contention that the problems of fragmentation are at least as great in relation to public health performance and delivery in recent years. It is important to use the public health mechanisms, such as primary care trusts and others, far more effectively than we have until now, to have an impact on those serious children's health issues. The standards will not be enough in themselves; an interventionist approach to public health—including awareness strategies, national campaigns and local action—is needed to deliver them.

The Minister said that this is the first time that there have been such standards. Of course, strictly speaking, that is true only in the sense that these are a complete, co-ordinated set of standards that stretch over a wide canvas. However, one of the reasons why we must be extraordinarily careful about ensuring that the best aspects of the frameworks are delivered is that, frequently in the past, documents have been produced that have not necessarily delivered the intended standards.

In 1991, the Department of Health published "The Welfare of Children and Young People in Hospital", which included guidance on care standards and seven cardinal principles. I shall not go through them now, but they bear examination by comparison with some of the eleven standards to which the Minister referred. In 1993, the Audit Commission produced "Children First: A Study of Hospital Services", which also set out a number—six, from my recollection—of clear principles. In April 1996, the Department published "The Patients Charter: Services for Children and Young People", which was partly a reflection of the fact that, five years on, some of the previous cardinal principles set out in guidance were not necessarily being delivered. The Kennedy report referred to a much wider list of reports on children's services that contained standards that were intended to be met, but have not been met. When all is said and done, all 2-plus kg of the NSF is made up of guidance on good practice. The Minister tells us that it will be implemented in 2014, but that relatively few milestones will be encountered between now and then.

Dr. Ladyman *rose—*

Mr. Lansley: Let me develop my point for a moment. I am not saying that every national service framework should be set out as a series of milestones and targets because the Minister would say that that was inconsistent with the way in which we wish to reform the national health service. However, we must be clear about what constitutes evidence-based clinical standards that represent cost-effective interventions for the NHS that could be achieved quickly—not necessarily in 2014—because that would be in the interests of children, patients and the service. The problem with the NSF is that it does not differentiate between clinical standards for the NHS that must be achieved and developmental or aspirational objectives and service standards, which would properly be the preserve of performance management, and thus objectives to which individual institutions and health bodies would respond depending on the commissioning decisions that were taken.

Dr. Ladyman: I just wanted to correct the hon. Gentleman. He said that I said that the framework would be implemented in 2014, but I said that it would be implemented by 2014.

Mr. Lansley: I am sure that the record will show that the Minister indeed said "by 2014", but he did that in the context of saying that the framework did not contain milestones and targets. If the implementation has not occurred by 2014, that will happen in 2014—that is effectively the structure about which we are talking.

Dr. Ladyman: I was trying to make the point that we are not prescribing a specific pattern of implementation for the NSF because that will be decided locally. However, when the Healthcare Commission carries out inspections now, I would expect it to inspect service against the NSF standard. If it finds services that do not meet the standard, it should at least ensure that there is an understanding of when that will happen. Every area should have a plan in place that shows a clear progression from its current position to where it will need to be by 2014.

Mr. Lansley: I understand that because the Minister is reflecting accurately what is set out in the Government's health and social care standards and planning framework, which says that NSFs will be a basis on which the NHS and local authorities will need to demonstrate that they are making process. However, it does not specify the extent to which progress must be made on specific areas. There is an important difference between the elements of the NSF on services that should be subject to local discretion and developed in response to patient choice, general practitioners exercising their commissioning role, commissioning bodies or the commissioning functions of children's trusts as they become established, and those elements that should be part of a system of clinical standards. If an evidence base exists to support such clinical standards, they should be set out clearly in such a way that the NHS responds to them directly.

Let me give the Minister an example. The maternity services section of the NSF refers to caesarean sections requiring a consultant's clinical judgment. It says that they should be approved only if there would be clinical benefit for either the child or the mother. That recommendation resulted from a National Institute for Clinical Excellence investigation into when caesarean sections should occur that took account of an evidence base and cost-effectiveness. The fact that NICE undertook such an investigation means that there is a finding to which the NHS should respond now. There is not a sense that we should be doing that in 10 years' time. The distinction I am trying to make is that we should not disparage the job of NSFs, because they encompass the whole service, but identify within them clinical standards that should be the subject of action within the NHS to deliver better services now. There will be specific instances of improved quality, of understanding where the NHS's proper limits of service lie and of understanding where efficiencies can be gained and services can be reconfigured for the benefit of patients. I hope that the Minister accepts my case, at least in theory.

[Mr. Lansley]

Questions need to be asked about implementation. Hon. Members will know that it is not simply a matter of resources, although they are important. Resources often mean human resources, such as the number of consultant specialists. To illustrate the case, Professor Aynsley-Green has said more than once that there is only one consultant specialist in adolescent medicine. What does that tell us about the availability of service? I do not know how many consultant specialists there are in adolescent medicine now; perhaps the Minister can tell us. How many trainees are in paediatric orthopaedics? Someone told me the other day that there is only one, although I cannot say whether he was right. We need to deal with those human resource implications.

As for maternity services, it is entirely right to offer mothers a choice. That can be in the form of midwife-led units. I know, however, that Addenbrooke's cannot because it is unable to recruit enough midwives. There should also be a home-birth service. I met staff in Brecon who were offering one of the leading home-birth services in the country. Peterborough, however, did not have the midwives available to provide a home-birth service. The maternity service framework highlights the desirability—I think it is virtually a must do—of 100 per cent. midwife attention to a mother during the course of her labour. The shortage of midwives means that in some places they have to look after two mothers at the same time, so they are not getting 100 per cent. attention. The increase in the number of midwives over the past seven years in wholetime equivalent numbers is fractional and in three regions there has been a reduction.

It is right to want to know the standards for which we are aiming, and maternity services allow us to see what we want to achieve, and what quality we want to have, in a straightforward way. For years the focus of public and political debate has been on specific deficiencies—in particular the length of time that people are on waiting lists—in hospital services and the NHS in particular. By and large, that has not been the issue for children's services. Instead of remedying specific deficiencies of that kind, we need to raise the general quality of services for children. That is a more diffuse but arguably more logical way of approaching the development of NHS services.

The shape of services needs to be decided in a number of ways, but different bodies will take responsibility for that. The Minister did not touch on that, but I would be interested to hear his views, and those of other hon. Members, on it. We have managed local children's clinical networks, which are reflected in the framework, and I am attracted to a model in which those clinical frameworks emerge from combinations of clinicians and professionals, but how will that interconnect with children's trusts? They were at the core of the Government's response to Herbert Laming's report. However, they are still in the pilot stage, and most of those differ substantially from each other.

The process of trying to establish a model from the pilots is clearly not under way. It may be entirely proper to allow local authorities, health service bodies and others to work together to establish the responsibilities of a children's trust. However, the health service must ensure that clinical networks are not squeezed out by the statutory formation of children's trusts. How will trusts interact with the Government extension of Sure Start and Sure Start plus? Initially, there will be 800 children's centres, but how will they relate to children's trusts? Those organisational matters are not necessarily reconciled in the national service framework. Organisational change of this kind often has an adverse impact on efforts to establish a clear framework of standards, for which someone is directly responsible.

Dr. Tonge: Does the hon. Gentleman not agree that the success of networks and liaison between different groups and trusts comes down to resources? I have worked in this field, and unless there are enough people who can spare the time outside their normal duties to undertake liaison and other necessary tasks a proper service is never established. The hon. Gentleman said that it was not just about resources, but in the end it is about having enough well-trained and well-paid staff with the time to do all the things that we want them to do.

Mr. Lansley: I am not sure that I agree with the hon. Lady. Of course, it is difficult to construct clinical networks in services that are so hard-pressed that people have no spare time at all. One can hardly say that staff working in coronary disease and cancer services are free of pressure. None the less, in my experience, they think it worth while to get together and create clinical networks in their specialisms.

Dr. Tonge: They are the glamorous ones.

Mr. Lansley: I do not think that they got together to create clinical networks because they thought that it was a glamorous thing to do. They did so, because they thought that they would be able to influence a process for which, I accept, additional resources are available. They would be frustrated if they tried to develop services and assign bottom-up rather than top-down priorities in circumstances where there was no room for growth. We are committed to increase health service expenditure, as well as the number of people who work in the NHS and the resources that they deploy. Children's services should certainly receive their share of those increases, so people who work in them have an incentive to develop clinical networks, and we hope that they will do so.

Finally, as the Minister may have learned from my intervention following that of the hon. Member for Bury, North (Mr. Chaytor), I am concerned about the implementation of recommendations in Sir Ian Kennedy's report on Bristol royal infirmary. I have said in previous debates, including my Adjournment debate on children's health and social services in Westminster Hall on 10 June—the last time that we debated these matters—that I was concerned that various recommendations on the configuration of acute services have not been followed up. Sir Ian says in recommendation 178:

> "Children's acute hospital services should ideally be located in a children's hospitals, which should be physically as close as possible to an acute general hospital. This should be the preferred model for the future."

He went on to recommend piloting a system in which children's hospitals took over the running of children's acute and community services through a specific geographical area, which is effectively an outreach service based on the example of the Philadelphia children's hospital, and that specialist services should be organised so as to provide best available staff and facilities. That obviously has serious implications—with which some areas are wrestling—for the continuation of paediatric services in some hospitals.

From what the Minister said it seems, as I feared when we had a debate back in June, that the Government have abandoned the recommendations made by Sir Ian Kennedy in his report. They do not intend to address the issue of whether specialist services for children should be concentrated to ensure that there are all the necessary support facilities, and that the throughput of activity is sufficiently great to ensure that the specialisation is sound and continues to meet high standards.

The particular illustration of that was the subsequent review of paediatric congenital cardiac services, which reported to Ministers. The Minister suggested today that in these matters the Government are guided by external advice. The advice of that review was straightforward: that there should be a process whereby the number of hospitals providing paediatric congenital cardiac services should be reduced over time. Ministers said there was no evidence that current services were delivering poor clinical practice, so they did not propose to do anything about them.

That was an "It's all right at the moment" approach, as opposed to adopting an approach recommended after the Bristol royal infirmary tragedies, to try and ensure that in the future we concentrate services, if necessary, in a way that provides the maximum opportunity to raise or validate standards.

Dr. Ladyman: Had I recommended to the Secretary of State that we follow the advice of the working party to which the hon. Gentleman refers and close down all the paediatric cardiology units that performed less than a certain number of operations, we would, among other things, have closed down one of the only two facilities that can provide heart transplants for children, and we would probably have closed down half of the units that have the lowest mortality rate. There was no expert evidence to support that figure. It was an arbitrary figure produced by the working party on the basis of their judgment. Far from not looking to the future, we said that that advice should be set as a direction of travel for all future reconfigurations to take into account. So I would not be surprised if, over a period of time, all units were configured in accordance with the numbers mentioned. We are just not going to do it immediately and close down half of the best units in the country at a stroke.

Mr. Lansley: The Minister and I have had this exchange before, so I shall not detain the House by repeating it, although my recollection of the working party report was that it did not recommend that those steps should be taken now and that it contained a staged programme. One can argue about the design and the timetable for implementing the recommendations. If the Minister disagreed with the review, it would have been better for him to ask the working party to re-examine the process, rather than to put the review back on the shelf.

In the context of this part of Sir Ian Kennedy's report, one of the central issues was the lack of throughput of activity to justify the maintenance of specialist services on which there could be sufficient peer review and validation. The Government put those elements of his recommendations to one side and said they would be reconsidered in the context of the national service framework. There is nothing in the national service framework that says how those recommendations can be picked up for the future. To my surprise, the hon. Member for Bury, North raised the point that the NSF provides no guidance.

The configuration of children's services has caused serious concern in areas such as Manchester, an issue that the hon. Member for Manchester, Blackley (Mr. Stringer) has raised before, but it is better in other places. In areas such as Yorkshire and my area, East Anglia, a powerful case exists for the reconfiguration of children's services and for the establishment of a children's hospital. Such a children's hospital could become the base for expanded activity within the region promoted from within the acute sector, and it could reach out into community paediatrics, like the Queen's medical centre, Nottingham. The national service framework contains no guidance, not even in the form of alternative service models, on how one might go about that. Although it contains guidance on good practice, in that respect it does not follow up the reports from which it was derived.

I had a much better speech, but my daughter, who is only 18 months old, wrote all over it this morning. In years to come, she will appreciate that we have debated children's services, which is something that we should do regularly. I hope that we return to the matter in five years' time, halfway through the life of the national service framework, and on other occasions.

An incoming Conservative Government will point to the actions that flow from the NSF. I hope that it will be our responsibility and privilege to turn the NSF into standards that make it clear what the NHS should provide and when it should provide it. By 2014, I hope that not only will those standards have been met, but we will have gone beyond them to look to a new and constantly improving quality of service for children, who are indeed our future.

5.17 pm

Mr. Alan Hurst (Braintree) (Lab): I am pleased to have the opportunity to speak in this important debate. I fully endorse the standards that have been set out, but I want to detain the House for a few moments on maternity services, which the hon. Member for South Cambridgeshire (Mr. Lansley) mentioned earlier.

Standard 11 states:

> "Women have easy access to supportive, high quality maternity services designed around their individual needs and those of their babies",

and the accompanying narrative mentions:

> "Informed choices . . . Women able to choose the most appropriate place to give birth . . . range of local options including home birth and delivery in midwife led units".

I want to discuss choice. I have raised the matter before on the Floor of the House—I make no apology for that—in the context of maternity-led services in my parliamentary division, Braintree, at the William Julian Courtauld hospital.

[Mr. Alan Hurst]

The concept of choice in maternity services is not new and has been an issue for the past 15 years. A Select Committee report—the Committee is chaired by the hon. Member for Macclesfield (Sir Nicholas Winterton)—dwelled upon choice and not disadvantaging those who live in small towns or rural areas, and Baroness Cumberlege also chaired a report. The chain of events has led to a situation in which women should choose where their children are born and should not be disadvantaged in making that choice if they live in country areas. Politicians and members of all political parties have happily endorsed that concept for many years, but it does not always come to pass. The William Julian Courtauld hospital was founded by a member of the Courtauld family after the first world war and has continued to be held in great affection by the people of Braintree and the surrounding districts ever since. It was threatened with complete closure in 1997, but enormous public protests secured it a longer lifetime.

Then, as in the film "Jaws"—"Just when you thought it was safe to relax"—along came another threat to the hospital. Last autumn, the local health trust advised me that the maternity unit was closing—but only temporarily, because so many of the midwives were either unwell or giving birth themselves that there were not enough staff. I may have been a little naive, but I took that at face value. However, when the unit reopened—as it did; I was not completely misled—its opening hours were somewhat different. It now opens from 9 in the morning to 5 at night and not at weekends. However, as those who have had children will be aware, they do not always arrive between those prescribed hours.

The trust made arrangements to address that problem. A woman who thought she was going to give birth outside those hours could telephone the midwife, who would go and get the key to let her in and attend upon her. I have not made this up, although it sounds like it. As one might imagine, the system has not always worked successfully, with the result that at least one baby has been born in the car park of the William Julian Courtauld hospital because the key, the midwife and the mother did not come together at the same time.

If we are to make real the concept behind the standard on maternity—standard 11—people must have real choices, not the sort offered by Henry Ford. They must have a choice other than that of a large general maternity unit. I fully understand that if a mother has complications, as she may do for a range of reasons—it is much better that she goes to a fully equipped major maternity centre to give birth, but where it is presumed that the birth will be relatively straightforward—that may be the conceit of a man; I am sure that it is never straightforward, but in so far as it can be—she should have the choice of having her baby delivered locally.

I am fortunate that the Under-Secretary of State for Health, my hon. Friend the Member for South Thanet (Dr. Ladyman), is present to hear me, because previously I had to make do with an Adjournment debate. I am speaking on behalf of the mothers of Braintree, who are very worried about the situation. The trust is now saying that if the number of babies reaches a certain level it will think about opening the unit seven days a week, 24 hours a day.

Dr. John Pugh (Southport) (LD): Does the hon. Gentleman agree that the success of maternity-led units very much depends on GPs promoting them, believing in them and selling them to young mums in uncomplicated circumstances?

Mr. Hurst: The hon. Gentleman is absolutely right. The standards say that mothers must have information made available to them on an even-handed basis so that they can choose between home delivery, a maternity-led unit or a general maternity centre. In my experience, and perhaps that of the hon. Gentleman, GPs do not always promote the midwife-led maternity unit. Indeed, the unit that I mentioned was formerly GP-led, but became midwife-led—very successfully—because an increasing lack of enthusiasm among GPs meant that there were too few of them to staff it. GPs need some propaganda to encourage them to offer mothers a real choice. I am pleased that the standards promote that; we need to aim to achieve it.

I hope that my hon. Friend the Minister will take on board what I have said about my local hospital with a view to some advice being given to those who presently have power over it.

5.24 pm

Sandra Gidley (Romsey) (LD): The national service framework has been widely welcomed and it would be churlish of me not to welcome it too, especially given that most of those who welcomed it will have to implement it and were probably involved in shaping it. However, I would be remiss in my duty if I did not ask some questions.

I am especially delighted that maternity is included in the NSF and it is therefore perhaps appropriate to describe it as motherhood and apple pie. That is not to decry it; most of us believe that motherhood and apple pie are very good things. Who can argue with standards such as:

> "Women have easy access to supportive, high quality maternity services, designed around their individual needs and those of their babies"?

Clearly, everybody wants and aspires to that. I believe that there is no political difference between parties' perception of that. However, I shall comment on some of the specifics of the standard later. I want to begin with some points about national service frameworks generally.

Dr. Ladyman: For once, we are not considering a matter that politicians dispute. I believe that all politicians support the choice agenda. However, as my hon. Friend the Member for Braintree (Mr. Hurst) and the hon. Member for Southport (Dr. Pugh) pointed out, doctors, practitioners or those responsible for designing services often do not realise the need to provide choice. The national service framework states that choice is a right for people and that it needs to be implemented in the next 10 years.

Sandra Gidley: I am delighted to hear that statement from the Under-Secretary because before I came into politics, I was involved with maternity services and worked with the National Childbirth Trust. We did much to try to empower women to ask for choice. In some ways, maternity services are ahead of the game. In parts of the country they have some way to go, but they have come a long way in 20 years. However, their attitudes have not always been transferred to other parts of the health service.

The choice agenda is welcome and we are gradually seeing the back of the consultant-as-God, doctor-knows-best mentality. Doctors are more welcoming of patients having a say and accept that there are well-informed patients and parents who want a choice in their services. However, some parents are not so well informed and they should not simply be told what to do. They have the right to have choices discussed with them, whether in the community or with their health visitor. Sometimes, hard-pressed staff do not have the time for what they regard as the luxury of going through the options with people. If we can change hearts and minds, and staff realise that it is a necessity, not a luxury, that will be welcome.

I want to make some general points about the national service frameworks. The early NSFs, such as coronary heart disease, attracted match funding to help achieve the aims and objectives. The Under-Secretary mentioned that earlier and said that anyone who talked about it missed the point, which is to change attitudes. Although I accept that, he should accept that when I visit my primary care trust in Hampshire, I find that it struggles with the "must dos" and the waiting list targets and to make the books balance. The Under-Secretary will claim that the Government have put in more money than ever. However, it does not seem like that to some of the chairs of primary care trusts, who worry about the future of their jobs.

Genuine pressures exist and anybody who faces them might be tempted to concentrate on the "must dos" and view a national service framework that has standards but no targets as something that can wait because there are 10 years in which to effect it. I am therefore worried that there is no political imperative to achieve the standards.

I take on board the fact that the Minister says that it will be down to local primary care trusts to develop the services in the way in which they see fit. However, they will have quite a lot of leeway over a 10-year period. I would have liked to see the onus placed on the PCTs—it might be written somewhere in the framework document; I have not seen it yet—at least to have their own individual plan for implementation within a year or two as a set piece of work.

Monitoring is obviously important, but if the examples of other national service frameworks are anything to go by, the Government tend to take a step back and pass the buck to other bodies. They say, "It's nothing to do with us. The PCTs are monitoring this, and that is the strategic health authority's responsibility." This relates to NSFs in which targets have been set. I am concerned, therefore, that if there is yet another reorganisation of the statutory bodies within the national health service, the monitoring will fall through the gaps. It is clear in the case of the older people's NSF that the vast majority of targets have not been met. Perhaps I am being cynical, but have the Government given up setting targets simply because they know that they will come back to haunt them two or three years down the line? That is one interpretation; I know that the Minister has another. Time will tell on how this pans out.

I am not sure how certain other things will be achieved. For example, much is being made of having better speech and language therapy services, and I know that many interested parents will be saying, "Hurrah! This is welcome news." However, the stark reality is that even statemented children do not necessarily have access to a therapist for whom a need has already been clearly identified. I should declare an interest in this issue, because my son needed speech therapy. However, he was lucky enough to need it 15 years ago when the provision seemed to be greater, or perhaps the demand was not so great.

Tim Loughton: That was under a Conservative Government.

Sandra Gidley: I do not think that it was down to the Conservative Government.

I will develop my point, which is that this issue relates not only to young children. Other people needing speech therapy services include older people or people who have suffered a stroke. Could a conflict build up here, in which the NSF for children says that they need greater access to such services, but the NSF for older people is less clear on access to rehabilitation services? Will the resources be switched to young children, depriving older people? That is a tension to which the Minister, in his other role, should give some attention, to ensure that all people have access to these services, which are clearly deficient at the moment.

As I said earlier, the framework has gained wide acceptance, and that is a good thing. Dr. Simon Lenton, vice-president of the Royal College of Paediatrics and Child Health, was generally very welcoming, but he made a telling point when he said:

> "The real challenge will be engaging all the people who are involved in children's services".

I know that the children's trusts are being set up, but some local authorities are expressing concern that, amid all the focus on children, there seems to be a lack of focus on the fact that children have parents who have needs that are sometimes not so easily met. I am delighted that there seems to be more involvement with parents in this NSF, but a close eye needs to be kept on that matter.

Beverley Malone, general secretary of the Royal College of Nursing, said:

> "We do worry that, as implementation is left entirely to local discretion, some areas may have difficulty in making sure the standards become a reality".

I know that that will be monitored, but I should be interested to hear from the Minister what sanctions will be imposed if, four or five years down the line, the primary care trusts are not implementing the services fast enough.

Enthusiastic individuals will use the NSF as a tool to develop the services that they want locally, which will be good. However, some of my research into the older people's NSF has shown that, while it is great if there is a local enthusiast, if there is no local champion to drive

[Sandra Gidley]

the framework forward, implementation happens much more slowly. Professor Aynsley-Green has commented that children's leads in primary care trusts may be too junior or may have some other portfolio to deal with as well. Therefore, what impression will be made on the primary care trust that this is important, that it should not just be a junior lead, and that it should be higher up the political agenda? It is all very well having it written down, but further impetus is needed.

On an initial reading, the NSF seemed a little weak in a few areas, such as poverty, housing, bullying and community safety. As one reads on, one finds that those issues are not necessarily dealt with in the parts of the NSF where one might expect them to be, but it was pleasing that some of those issues were included.

My other concern, on which I have touched already, is that the NSF focuses on children exclusively, apart from in the maternity section. Children are usually part of the family network, so a little more attention needs to be given to improving services for those carers as a route to improving services for children.

Much of what is in the NSF seems very community based. We have focused quite a lot on hospitals today, and have not said much about district nurses, health visitors, school nurses and so on. Such people come into closer contact with children, perhaps in more informal settings, but their roles have been stretched recently and numbers have not increased as much as they might have liked. There is an opportunity in that area to address some problems as they emerge, rather than dealing with them when they hit primary care, in the doctor's surgery, or when they hit the hospital. In that respect, I would like a little more emphasis on the community.

Dr. Ladyman: The hon. Lady cannot get away with the suggestion that somehow parents and carers have been downplayed. Standard 2 supports parents or carers, and includes chapters on information and education for parenting, on supporting the parenting of pre-school children, on parents of school age children, on parents of teenage children, on helping parents to promote resilience, on supporting parents who have specific needs, on supporting adoptive parents, on supporting adults caring for looked-after children and on listening to parents. It goes on and on. She must have missed that bit of the document.

Sandra Gidley: I will not let the Minister go on and on. I take his point. I was making a point that has been made by others, and that I had picked up on. If he assures me that standard 2 will be as highly focused on as the other standards, I shall withdraw that comment.

I want to focus particularly on the standard for maternity, as there are some issues surrounding it. The support for normal childbirth is very welcome, and the National Institute for Clinical Excellence has done a lot of good work in debunking some of the myths that some of the interventions that happened years ago were negative rather than positive. The emphasis on women from disadvantaged communities is particularly welcome, as that was picked up on in the Health Committee report. I do not know whether that emphasis is a result of the report—if so, I would like to thank the Minister as I worked on that Committee—but it is good to see.

The mention of domestic violence, which often starts for the first time during pregnancy, was also useful. What I did not see—I only had the chance for a quick read, and I could get only half the document from the Department of Health, and could not print it off, so it may be there—was a mention of the fact that often children are aware of domestic violence and are a route to finding out when it may be a problem.

One thing that the NSF is less clear about is the problem of pregnant women with mental health problems, or pregnant women who develop mental health problems. We are told that

> "all NHS maternity care providers are expected to put in place policies and protocols for identifying and supporting women who are at risk of developing a serious post partum mental illness."

That is all very well, but in many parts of the country women develop mental illnesses so serious that they have to be hospitalised, and often there are not enough places for them to go to with their babies. As I am sure the Minister realises, if a woman is separated from her baby at that stage it may prove detrimental later. It is all very well to have policies and protocols, but what is being done to ensure that treatment is available in such cases?

Moreover, all the policies and protocols in the world cannot identify every woman. There is no way of predicting which women will experience, for the first time, an illness that may be prompted by a hormonal factor. Women get together after having babies, and the talk is all about how wonderful it is: "My baby is doing such and such." A woman who is, in fact, having a hell of a time is in no position to say that, for her, things are not so good. We women want to project a superwoman image, and we feel that we are failing if we do not love our babies. I have encountered many women who have struggled to admit that there is a problem.

The proposal for choice in regard to the place of birth is extremely welcome and I was pleased by the emphasis on midwife-led units and home births. However, as was pointed out by the hon. Member for South Cambridgeshire (Mr. Lansley), there is a shortage of midwives. Between 1997 and 2003—the latest period for which figures are available—the number of midwives increased, but the whole-time equivalent was up by only 391. A 50 per cent. increase in NHS spending has increased the whole-time midwifery work force by a mere 2 per cent., and despite the national increase midwife numbers have fallen in the north-east, the north-west and Yorkshire and Humberside. The most recent annual staffing survey by the Royal College of Midwives revealed that 83 per cent. of midwifery units had vacancies, 56 per cent. of which had been unfilled for more than three months.

I think it was in the national plan that the Government identified a need for 10,000 extra midwives, and there is clearly a great potential for them to be used. Given that only 391 have been provided in six years, however, I estimate that that target will not be met until 2150. If the Minister disagrees with my estimate, will he please tell us what he will do to ensure that the necessary number of midwives are provided?

As the hon. Member for Braintree (Mr. Hurst) demonstrated, choice of the place of birth will not be achieved unless that important issue is tackled. The shortage of midwives has led to closure of some midwifery-led units. In other cases, women have been told almost at the eleventh hour that they cannot have the home births that they were promised. Although much in the NSF is good, if the Government cannot crack the problem of midwife numbers an opportunity will have been missed.

I welcome the support for breastfeeding, but I do not think that the NSF goes far enough in that regard either. The benefits of breastfeeding are clear. Formula-fed babies are five times more likely to be hospitalised with stomach infections in the first year of their lives, twice as likely to develop eczema and ear infections, and five times more likely to develop urinary-tract infections. They have higher blood pressure and are at greater risk of obesity and childhood diabetes. The list goes on, and that is before we even consider the various benefits of breastfeeding to the mother. So there are some positive recommendations, but a comprehensive breastfeeding strategy is missing. Is the Minister content with the fact that the breastfeeding rate in England—28 per cent. of babies have some access to breast milk at the age of four months—is among the lowest in Europe?

Social inclusion is supposedly high on the Government's agenda, but breastfeeding is a perfect example of the stark way in which the statistics break down according to social class. At the age of four months, 56 per cent. of babies in social class I are breast fed, compared with just 13 per cent. in class V. If the Government are serious about tackling health inequalities, what better place to start than at the very beginning of life, and by making a particular effort to tackle women in disadvantaged groups? We often do what our peers do, and such women might not have had much social contact with women who breastfeed; as a result, they do not regard it as the norm. Much work could be done in that regard.

I cannot argue with most of the national service framework. It is very well meaning and if it works, it will dramatically influence the way that we deliver services to children, but there are various points that one can pick up on. Although no one would argue with the promotion of good oral health, is the Minister happy that in many parts of the country children have access to an NHS dentist only if their parents agree to sign up privately with that dentist? That is morally wrong, yet it seems to go unchallenged.

As a former pharmacist, I particularly welcome the introduction of standards on medicines. I have seen some of the problems that the use of unlicensed and off-label medicines can cause, and some influence needs to be brought to bear on the pharmaceutical industry to ensure that it develops formulations for children. Most of the accidents that occur result from doctors and other health professionals using diluted adult formulations for children. Occasionally, the calculations go wrong because the adult formulations are completely unsuitable. If the Minister has any power to persuade the pharmaceutical industry to develop more children's formulations—*[Interruption.]* He looks doubtful, but I wish him all power to his elbow.

The initiatives on mental health problems are also very welcome. On talking to teenagers, I was surprised to discover how high up their agenda such problems are, and they do often develop during teenage years. But there is another issue that needs to be picked up on, and I hope that the Minister can reassure me that it will be. A local teacher pointed out to me that teachers often have to deal with the problems associated with children whose parents have mental health problems. Such children often cope for some time, albeit with difficulty. They are probably more at risk of developing such problems themselves, and they encounter specific difficulties as a result of living in such an environment. This issue could in part be tackled through the greater use of school nurses and health visitors. Such visits often stop at the age of five, and there is very little formal contact after that age; one does not see a health visitor or a district nurse in the same way. I hope that the Minister can reassure me that the needs of children who fall into this category will be dealt with.

I am not sure whether specific money is available for children's mental health services. The Minister will be aware that, traditionally, such services are underfunded in many parts of the country and they struggle to meet the demands placed on them. If there is a way of redressing the balance somewhat, that would be welcome news.

There is much that is good in the framework, but it would help if we had a clearer timetable for implementation, even where such initiatives are implemented at local level. We cannot afford to put this issue on the back burner for a few years; we need primary care trusts and other authorities to get on with it now.

5.49 pm

Ms Julia Drown (South Swindon) (Lab): I am delighted to follow the hon. Member for Romsey (Sandra Gidley), with whom I have sat on many Committees discussing issues relating to maternity services. I welcome the children's national service framework. There certainly is a need for joined-up government when it comes to children's services. I know of cases in my own constituency—I am sure it is shared by Members across the House—of children with severe learning difficulties or challenging behavioural problems, and it is often with those groups that agencies find it hardest to come to some agreement about how services should be set up. That can sometimes lead to delays, resulting in lack of services for the children and parents who most need them. I greatly appreciate the work being done to solve that problem.

I also greatly welcome the emphasis on parenting. It is always a surprise to me that our society creates and provides antenatal classes for parents-to-be and that there is so much intensive work focused on the birth of the child, yet when the baby pops out—I hope with the minimum amount of pain and difficulty—suddenly we have apparently created two wonderful parents, even though they may have no knowledge or experience of looking after children. We need a whole new emphasis to focus on the fact that it is not the easiest thing in the world to become a natural parent. Parents need all the support that they can get to help them with all the difficulties that they face.

Sandra Gidley: The hon. Lady is making an important point. In my surgery, I often see families that are struggling, particularly with problems relating to controlling their children, and when I talk to them it is apparent that the problem has gone on from generation

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to generation. There is no good parenting model exhibited down the family tree, as it were. How does the hon. Lady envisage these services developing? Does she agree that schools should provide more and teach parenting skills rather than French, for example?

Ms Drown: I would not say "rather than French", but I certainly agree that schools should do more, acknowledge the problems and provide support. Let us face it: some schools have pupils who are parents themselves or who act as parents. I particularly commend the Government on the Sure Start schemes up and down the country. It is easy to see that they help to change generational patterns by providing intensive and very supportive help to parents. I would like to see them spread throughout all our communities.

I chair the all-party maternity group, which was set up about three years ago to campaign for a national service framework for maternity services. With that hat on, I particularly welcome the fact that the maternity module was incorporated into the children's NSF. I would like to thank colleagues in the House—the hon. Member for Romsey is one—and in the other place for helping me with that work. I would also like to thank the National Childbirth Trust, the Royal College of Midwives and the Royal College of Obstetricians and Gynaecologists, all of which helped us in many of our meetings along the way.

I also chair the Health Sub-Committee on Maternity Services, which has produced three reports over the last year or so, covering issues such as information on maternity services, staffing problems, choice for women and inequalities in services. We looked particularly at the differences in caesarean rates between units across the country. We tried to establish why those rates were so different when we have pretty similar women across the country and we found that it came down to the leadership within units. With leaders determined to reduce or maintain a low caesarean rate, it led to people challenging whether a caesarean was necessary in certain circumstances and minimising those major operations that would otherwise have happened.

Because of all that work, I particularly welcome aspects of the NSF that deal with maternity and I should like to make a few points about the subject. The maternity framework represents the biggest opportunity to secure a major step forward in maternity services since the publication of the Changing Childbirth report. A number of people told the Health Select Committee that they really appreciated that report, but they felt that not enough had happened. The problem centred on the difficulty of putting theories and Government policies into practice on the ground.

The NSF rightly promotes normal birth, and states that medical interventions should happen only when needed. I am pleased that it goes into detail on this matter, and that it talks about better birth environments and the need for birth pools. It was frustrating to hear midwives tell the Select Committee that there was a time when lack of training meant that no one was able to use the birth pools that they had. It is hard to imagine the frustration felt by parents who had decided to give birth in that way when they found that no one was trained to use the pools available in the hospitals. I am sure that the fact that the NSF even mentions birth pools will convince PCTs that they must ensure that the skills are present to support their existing facilities.

Mention has been made already of the need for choice when it comes to the place of birth. This issue continues to come up because of the real problems encountered around the country in implementing the policy but, where possible, parents should be able to choose between midwife-led units and home births. The NSF goes so far as to state that that capacity needs to be developed to meet the needs of parents, and I hope that my hon. Friend the Minister will take action on this matter now. My hon. Friend the Member for Braintree (Mr. Hurst) has told the House about instances in which that would make a real difference for women who are soon to give birth.

Some time ago, the Select Committee on Health, under the chairmanship of the hon. Member for Macclesfield (Sir Nicholas Winterton), compiled a report that stated that there should be a presumption against the closure of midwife-led units. We looked at the matter again, and endorsed that presumption absolutely. The midwife-led unit at Malmesbury, which is used by some of my constituents, has been proposed for closure, even though it is the only one available for use by women in Swindon. It is the jewel in the crown of my neighbouring PCT, and people visit it from across the nation and even from other countries.

I have seen no serious costings about the long-term benefits of midwife-led units, although, as the hon. Member for Romsey noted, their high breastfeeding rates mean that children born in them are less likely to be admitted to hospital. However, there have been no serious attempts to look at alternatives to closure. Although many women and parents use the midwife-led unit at Malmesbury in my patch, I know that many others do not even know that it is an option because it is not mentioned by the midwife or GP who is looking after them. Clearly, however, such units would become more viable economically, according to the crude measure of cost per birth, if more people used them.

The decision about closing midwife-led units is in the hands of my right hon. Friend the Secretary of State. I know that the wish in Government is always to resist interfering in local decisions, but I hope that the launch of the NSF will promote a shift in policy towards re-emphasising the need for midwife-led units, and that there will be a willingness to intervene to save those units.

I am pleased that, after discussions, my own PCT is considering establishing a midwife-led unit in Swindon. I very much support that, so that women throughout the area can have access to such a unit. Swindon is a big and growing place, and there is no doubt that we can support a unit there as well as one in Malmesbury.

In many parts of the country, people also face problems securing home births. As chair of the parliamentary maternity group, I have received some very distressing letters from women. They may be in their 36th week of pregnancy and they may have planned to have a home birth all along, but they discover suddenly that that option is not available—most often because of a shortage of midwives. I have to say that when we write to chief executives I am never quite convinced from their responses that they have done everything possible to try to give women the choice of a home birth. Midwifes would be asked whether they would be willing to do extra hours. Midwifery assistants or bank staff could be used. There are also independent midwives who could be used to give women a real choice.

The underlying worry appears to be that home births use up too much staff time. Everybody now seems to be committed to one-to-one support during labour, but does it make any difference whether that support is given at home or in hospital? After all, because women are more relaxed in their own environment—they are often so comfortable that they do not call on services until later in labour—home births tend to take much less time. Analysis shows that, on average, home births take up less midwife time than those in hospital.

It is important that we do more to support those women who want home births. I hope that Ministers take action when trusts think about suspending home birth services to ensure that every option is considered.

I share the view of the hon. Member for Romsey that the NSF is a missed opportunity to provide even more support for breastfeeding by creating a strategy for England. Wales and Northern Ireland have strategies, as do many health boards in Scotland. The hon. Lady pointed out the great benefits of breastfeeding for babies, and she also mentioned the benefits for mothers, who reduce their chances of breast cancer and some forms of ovarian cancer, and of developing osteoporosis. I acknowledge that the NSF contains some very good recommendations on breastfeeding, especially on the extra support that women need in the form of access to breastfeeding counsellors. That support does not have to be provided by midwives. For example, the National Childbirth Trust provides support for breastfeeding for many women.

I know from talking to many women in my constituency that they would have liked to breastfeed, but they did not always have the support to do so. Breastfeeding is not always easy to start with, and we must acknowledge that and provide the necessary support. Nine out of 10 women who stopped breastfeeding in the first six weeks would have liked to continue for longer but were not able to do so. That demonstrates a lack of skilled support, which we need to develop.

A breastfeeding strategy could cover such issues as providing proper content for training for midwives, nurses and other professionals. It could also provide for training to update such skills. A breastfeeding strategy could also cover the implementation of the international code of marketing on breastmilk substitutes, which might require some changes in the law. We should also promote legislation to protect breastfeeding mothers from discrimination and harassment, with some supportive employment and guidelines for employers on breastfeeding mothers. Some companies say that women can breastfeed or express milk at work, but the only place provided is the toilet. I do not like that and I am glad to say that I know of only one example of such provision in my constituency. More appropriate and comfortable rooms could be used, for the sake of both the women and the babies.

Of course, we could do more in the House to promote breastfeeding. We have made progress and we now have some breastfeeding rooms, but we still say to Members, staff and visitors that if they want to breastfeed they must go and hide somewhere.

Breastfeeding is not dirty or unpleasant; it is natural and if we could all be more relaxed about it we would help to promote its great benefits to both babies and mums. It seems strange that, for example, the public are not allowed to breastfeed up there, behind that glass barrier. Would it really be a problem? I hope that even in the House we can do more to support breastfeeding.

Mrs. Brooke: As we are talking about joined-up thinking, does the hon. Lady agree that more could be done in education through child care syllabuses? I was promised a change in a child care syllabus, but because of the recent 14-to-19 proposals, everything is on hold. In the interim, should not we encourage the Government to ensure that the real facts are put before young people?

Ms Drown: I should like more to be done in schools. Sometimes, it seems that schools feel that breastfeeding is embarrassing and do not talk about it, yet it is the most natural and wonderful thing and we should promote it. I should like to see more children's books promote breastfeeding. Often, we see pictures of a baby's bottle in children's books, but only rarely do we see a picture of a breastfeeding baby. I appeal to the publishers of children's books to do their bit to promote breastfeeding as the norm.

Breastfeeding rates in England are among the lowest in Europe; by the age of four months, only about 28 per cent. of babies are breastfed. We certainly need to do more and, through the strategy, I look forward to that.

I am pleased that the NSF focuses on a major issue that we considered in the Health Committee: women who are disadvantaged, whether because they are from ethnic minorities or because they have mental health problems or disabilities, or for other reasons. The Committee heard from a wheelchair-using mum, who had had to argue strongly simply to obtain a height-variable cot. That makes obvious sense, not only for wheelchair users but for everybody. Women are not all the same height.

Such cases often arise when we adapt for people with disabilities. Low-floor buses were introduced so that people in wheelchairs could get on to buses. Then we found that not only those people but everybody—people with buggies, people without buggies—could get on or off buses more quickly and easily, and the buses ran more efficiently. When we adapt services for people with disabilities, it is better not only for them but for everyone. Things such as height-variable cots are better for everyone.

The woman to whom I referred succeeded in her case with the health authority, but it was frustrating to realise that people in neighbouring health authorities would have to undertake similar campaigns and engage in the same debates to obtain height-variable cots because the service was not country-wide. Because the NSF emphasises the needs of disabled women, I hope that such arguments will no longer have to be made, that there will be no more going through the hoops and that change will be implemented quickly.

[Ms Drown]

The Health Committee considered issues relating to translators, who are key to meeting the needs of some people in maternity services. There is sometimes a tendency to rely on the partners of people for whom English is not their first language, which can be a bad idea, especially if domestic violence is involved. I hope that point will be highlighted under the framework. I am pleased that the NSF covered domestic violence, as it can start at pregnancy, so the more that we can address those needs, the better.

The hon. Member for Romsey referred to mental illness. We must ensure that we have enough mother and baby units as soon as possible. We should not separate mentally ill women from their babies; they should not have to choose between taking up mental health services and being separated from their babies and risking not having those services so that they can stay with their babies. That is not acceptable. We must provide those services for people throughout the country when they need them.

I want to emphasise my welcome for antenatal support, the importance of appropriate antenatal visits—the two visits that are required before the 12th week of pregnancy—and, in particular, the options for care. The hon. Member for Braintree drew attention to the fact that GPs were recognised as critical to decisions about where mothers give birth, but midwives are often involved in those decisions as well. I hope that we can ensure that all midwives have not just knowledge of all the different choices that women might have in giving birth locally, but experience of working, and continuing to work, in those different birth environments.

Sandra Gidley: Does the hon. Lady agree that, very often, doctors have not had a positive experience of childbirth? During their training, they are dragged into all the interesting births that are going slightly wrong. They rarely stay with a woman who is having a normal labour and delivery from beginning to end. They do not gain experience of that, whereas midwives are much more familiar with the concept of normal birth. Does she think that it would be a good idea to adapt medical training so that doctors have more idea about normality, rather than abnormality?

Ms Drown: Yes, I do. That is a key issue. There is an underlying feeling in the minds of many people who work in maternity services that a birth is best delivered in the most high-tech unit possible. The logic behind that is, if anything goes wrong, everything is available so that staff can dive in and help the woman and baby, yet the evidence does not support that view. Why? The reason is that, unlike almost all of what happens in the rest of the health service, giving birth is perfectly normal and healthy, so virtually no intervention is needed in most births. Psychology is important: if a woman is feeling more relaxed and in control, she is more likely to have a successful birth.

People talk about a cascade of interventions in maternity services. Women are in the main hospital and lots of things could happen, so an intervention is made because the means to do so are available. That intervention necessitates another intervention and so on, until someone ends up with a caesarean—a major operation. I am not suggesting that caesareans are not needed. They are absolutely necessary for many women and their babies, and they produce the best results for them. However, on average, too many caesareans take place in this country, so too many people are experiencing interventions. That is why I hope that the national service framework, which tries to emphasise normality and support women in their choices, will help lead to a reduction in such interventions. I would love all GPs to gain experience of home births, so that they can see how normal births work fine without interventions. As the hon. Lady suggests, if doctors gained such experience, it could help in developing maternity care.

I want to finish by referring to antenatal services. It is important that midwives give impartial advice and that they do not work for just one unit. Given that payment by results is being introduced, it could be very dangerous if the midwife who gives the advice works only for the unit that will receive a payment if the birth takes place there. Midwives should either work in all the units in an area or be separate from any unit that will receive money if women decide to give birth there.

I hope that midwives will be trained to give some legal advice, for example, about rights at work. The Union of Shop, Distributive and Allied Workers recently conducted a large survey of 1,200 pregnant women working in retail outlets, which found that 62 per cent. of mums-to-be reported experiencing a negative attitude towards them when they had reported that they were pregnant. I am delighted that 38 per cent. of women felt that their employers were helpful and supportive—well done those employers—but one in four women told USDAW that they felt marginalised and ignored and more than 22 per cent. did not receive paid time off to attend antenatal appointments. Clearly, that is a worry. One of USDAW's members said:

> "I was lifting boxes weighing 20kgs. Being at work nine hours without a break. Going home at 9pm and starting work at 7am the next day. I had no risk assessment"—

that should have been done—

> "My manager never asked how I was coping. I collapsed at work and was admitted to hospital twice."

Clearly, with things like that going on in this country, we need to give women the advice and support that they need when they are going through their pregnancies.

Dr. Pugh: The hon. Lady mentioned the legal profession. What is the extent to which many women's preference against natural birth is related to the medical establishment's fear of litigation? Has she discovered any evidence that people are more prone than before to avoid natural birth, or that doctors are less prone to offer it?

Ms Drown: When the Health Committee examined the matter, we found that there was a lot of anecdotal evidence—but no concrete evidence—to suggest that that might be the case. The more that we can counter the worry of litigation with evidence showing what is best for women, the better.

I welcome the national service framework and ask the Minister to intervene to ensure that the good aims of the policy are implemented on the ground. We need support through funds such as the modernisation fund so that units can change when possible. They should be released from their day-to-day activities so that they can find out how they can change for the benefit of women, babies and children throughout the country.

6.15 pm

Mr. Stephen Dorrell (Charnwood) (Con): I, too, welcome the publication of the national service framework. I do not claim to have read every word of it, but I have read a fair number. It reads well as a clear aspirational statement of a joined-up service—to use the modern idiom—that is built around the needs of individual patients. It gives patients and service users in the social care system a clear framework within which the service will be delivered. The NSF is an entirely welcome and overdue statement of our aspirations for the service that we all want delivering, and nothing that I go on to say should be interpreted as resiling from or qualifying that in any way. I genuinely buy into the description of the service set out in the framework.

Having read several documents produced by the Department of Health over the past few years, I wonder what linking or delivery mechanism will connect the clear and attractive description of the service that we want with the actual service on the ground. My hon. Friend the Member for South Cambridgeshire (Mr. Lansley) also made that point. I agree with the Minister that we do not want a snowstorm of micro-targets to define every single output. However, there is a difference between a snowstorm of targets and, to use the Minister's words, a statement of aspiration under which occasional audits will be conducted, but with the eventual target of delivering an up-and-running service in its entirety some 10 years from now.

The hon. Member for South Swindon (Ms Drown) described the kind of maternity service that she wanted, which is one of the subsets of the services defined in the framework. I agreed with virtually everything that she said, but I have heard similar views expressed in the House since the day on which I was first appointed as a Health Minister—I am sorry to admit that that was 14 years ago. It was not the case that our ambitions for the services lacked clarity, but something more urgent always tended to squeeze out important aspirations such as those about which she spoke.

If we really want to depress ourselves for a moment, I can remind the House of the history of mental health service delivery over the past 40 years. During that period, the vision of how our mental health services should develop has been debated, but if hon. Members read Enoch Powell's speeches as Health Minister in the early 1960s, they will find something that is recognisably the same definition of the mental health service that we want to see and which has been redefined and redefined over in official documents—I was responsible for some, as both a junior Health Minister and as Secretary of State—for 40 years. The difficulty is not defining the aspiration, which the national service framework does admirably, but getting the connection mechanism between the aspiration and the delivery.

My hon. Friend the Member for South Cambridgeshire was right to emphasise the danger of defining something that is important because it is in today's headlines or is a life-and-death matter in the short term. That always puts it ahead of the delivery of long-term objectives, whether it is maternity care, mental health services, which are part of the national service framework, or the other longer term aspects of health care delivery.

I say to the Minister in all seriousness that the document is good, but it is not good enough to say that we will look back in 10 years' time to see how we got on. I know that he is not saying that, but the danger of doing that is inherent in what he says. How many documents issued in 1994 has he checked to see whether their aspirations were delivered in the intervening 10 years? That is, perhaps, the test because many of the aspirations have not changed much over the years. It is, of course, an easy escape to say that a Tory Government were in office at the time, but if he reads the definitions of service ambition in terms of service delivery that were issued by the Department under Tory Ministers, and not even those issued by the professionals under Tory Ministers, he will find that they have not changed much, any more than the definition of maternity services has changed. The description of maternity services by the hon. Member for South Swindon was, I am sure she would agree, identical to the one that was issued in my time as a Health Minister when Julia Cumberlege was responsible for changing childbirth. That story repeats itself throughout health care.

The real challenge for Health Ministers is to find a connection mechanism. When my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke) was Health Secretary, he used to say that it was a wonderful job with a good office. The officials presented him with an enormous array of impressive levers and he had to decide their positions and which one he wanted to pull, but he always doubted whether the levers he was invited to pull were connected to anything. That test needs to be applied to the national service framework.

Against that background of a degree of scepticism born of disappointment—that is, I think, the best way to put it—I offer a couple of thoughts on how we might improve our chances of delivering this noble ambition, which I think is a shared objective. The first is to consider the concept set out in the NSF of children's trusts. I read the wording of that with interest and there is a kernel of a good idea, but the problem with children's trusts, as with so much else in the document, is that they rely on improving co-operation between agencies.

We can all agree that most of the difficult problems to do with children's services rely on social services, the NHS, the education service and often the probation service and the law-enforcement agencies all working together, which requires them to understand each other's agenda in the case of a particular child or group of children. Many of the reports to which I have referred have relied on the assertion that this Government, with this new set of Ministers and this new political will, will crack inter-agency co-operation. With respect to the Minister, the NSF relies on the same analysis. It does not propose that we change the institutions but aims to ensure that, at last, we achieve genuine co-operation between the agencies. Children's trusts, if they are to add value and not just be barnacles on existing institutions, must do more than send missives that say "Wouldn't it be good if such-and-such happened for this child?". They must be able to break down the statutory

[Mr. Stephen Dorrell]

distinctions between local authority social services and education departments, and they must have the capacity to tie in with the NHS.

Dr. Ladyman: The right hon. Gentleman has made some excellent points. For what it is worth, the Children Bill places a statutory duty on those organisations to co-operate, which is a new factor in the equation. There will be a director of children's services with a wide remit who will make sure that they honour their statutory obligation.

Mr. Dorrell: I welcome the statutory obligation to co-operate, but it is like saying, "This time, we are really going to make it happen." I do not remember a Minister coming to the Dispatch Box to say that they are in favour of agencies not co-operating. Ministers always say that they are in favour of co-operation and if they are to deliver it effectively, the agencies must respond.

I should like to offer the Minister some thoughts on the way in which children's trusts could develop. Local authority children's services and the department in the local education authority that deals with difficult children are, in effect, dealing with exactly the same group of individuals, and have far more in common than the LEA department has with other LEA employees who administer a normal school system for children who do not have special needs. I have always thought that there is a case for looking at the structure of local authorities. Instead of separating social services and education along functional lines, we should draw a line between the delivery of a normal education service to normal children—I use shorthand—and the more intensive specialist services required for individuals who rely both on children's social services and on the low achievers' services of the local education authority. If children's trusts developed in that way, instead of merely aspiring to better inter-agency co-operation, we would establish a machinery for delivering it, and children's trusts would be responsible for procuring services from the NHS, social services departments and LEAs to tackle the needs of particular children. I urge the Minister not to be seduced into believing that he has a wholly exceptional political will that can achieve the inter-agency co-operation that all his predecessors failed to deliver.

I should like to detain the House a little longer on a tiny matter arising from inter-agency co-operation. I declare a personal interest in the inspection regime for independent schools, as I am a trustee of Uppingham school, an independent school that serves the needs of people at the opposite end of the advantage scale. I am wholly in favour of inspection for such schools and I am not arguing that they should not have an inspection regime. However, as we are talking about the importance of joined-up government and inter-agency co-operation, I should point out that schools that parents pay in excess of £20,000 for their children to attend are inspected by the independent schools inspectorate as educational establishments. They are also subject to a wholly separate inspection regime run by the social services inspectorate, which has almost no track record in this field. It seems a rather obvious question to ask the Department of Health why it is not possible to have a joined-up inspection regime for independent schools. That is a very particular subject, but I ask the Minister to reflect on it. If he could write to me and let me know his views, I should be grateful.

Nothing that I have said will detract, I hope, from my initial enthusiasm for the service framework. It is a genuinely good document. It reads well, like a new beginning—a new opportunity to improve the services available. We must look beyond the aspiration to the delivery. That is the area where the real challenge, as always, lies for Ministers. They have done the easy bit. Now we must hold them to deliver it month by month, year by year, so that when the Minister is sitting on the Opposition Benches and I am sitting on the Government Benches in 10 years' time, he will remind the future Minister of the aspirations set out, and the mechanism that he put in place will have made delivery of the aspirations inescapable.

6.31 pm

Mr. Hilton Dawson (Lancaster and Wyre) (Lab): It is a pleasure to get in right at the end of an excellent debate about an outstanding document delivering a superb vision of what is, after all, the best work in the world. I have only a short time but it would be remiss of me not to commend Professor Al Aynsley-Green, who as well as doing all his work on the national service framework, came to my constituency and led us in a discussion of what life is like for children and young people in Lancaster. He exemplified the principles of work with children that he set out in the document.The NSF sets out a long-term programme of change. We must plan now to meet the standards of the next 10 years. What we have is a manual for the transformation of children's services and children's lives.

I do not usually regard myself as curmudgeonly or cantankerous—an honest sceptic at times, perhaps—but I sometimes wonder what my right hon. Friend the Minister for Children, Young People and Families and my hon. Friend the Minister know that I do not know. Sometimes they seem to approach the future with a blithe optimism that, from my experience in the work, is not justified.

I find myself in a strange position, because I agreed with almost everything that the right hon. Member for Charnwood (Mr. Dorrell) said. As someone who was working with and in some of the services for which he was trying to pull the levers about 14 years ago, I recognise the dilemmas and difficulties that he identified.

I think that we are missing something here. We have a vision for services. If, at the general election in 1997, I had been told to stand on a platform of supporting the services envisaged in the document, I would have had difficulty believing that we would have a Government who would fundamentally address inequalities and set out to attack and end child poverty. I would have found it difficult to believe the extent to which the Government would create high-quality public services centred on the needs of children and families, imbued with the participation of children and young people, integrated across professions, organisations and institutions, based on a new pedagogy—a common core of knowledge and development—and incorporating innovation and exciting new models.

What I believe is missing, and it is missing from the Children Bill, is a resounding statement of principles. We have had some good discussions on that Bill, but the Government must inspire people on the ground with principles and effectively disseminate this document and others across the country to children, parents and the professionals working in these services to make sure that the NSF is used.

The Government should not try to lever the NSF into certain situations: they are trying to challenge some of the most stuck services in the world; they are trying to change the way in which organisations and professions work; and they are trying to challenge specialised and self-interested institutions and professions. They need to engage the power of children, young people, parents and people who work in those services, and get them to demand that organisations stick to both the principles set out in the NSF and important documents such as the UN convention on the rights of the child and the letter of the Children Bill, when it is enacted. If we work together properly, we can transform the lives of children in this country.

6.36 pm

Tim Loughton (East Worthing and Shoreham) (Con): In the short time left, I shall try to make a coherent response to the debate—if my response is not coherent, I cannot blame my daughter for having scribbled on my speech, as my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) did earlier.

I start by reiterating our welcome for the NSF, which is beautifully presented—it is a collector's item, with different slots for the files—and promises great things. The Minister and his colleagues also promise great things. The Secretary of State for Health said:

> "These new national standards will ensure that children and young people are not just seen as mini-adults, but have access to services that are tailored to meet their individual needs."

The Secretary of State for Education and Skills said:

> "Children and their families will receive integrated health, social care and education services that are prompt, convenient, and responsive."

I gather that the Minister will reply to the debate—we seem to have a new trend in single-handed Ministers, whose colleagues spend time out of the Chamber rather than responding to important debates such as this—and earlier he made ambitious claims about how the NSF is a first. He said, "There is no doubt over the Government's commitment to children," but the trouble is that there was an awful lot of doubt—it has taken them seven and a half years to produce this NSF. That this is the first debate in Government time in this Parliament on children's health and protection issues is significant and speaks volumes, and we have been allocated less than three hours. I hope that the NSF is not, as the hon. Member for Lancaster and Wyre (Mr. Dawson), who is not curmudgeonly, said, blind optimism.

The debate has been good, and we have heard interesting contributions from both sides of the House. We all know that children's services have been treated as add-ons to adult services in the past. Children have been treated as mini-adults for too long, rather than having services based on children's specific needs. We all know that that is a false economy, because it builds up problems, such as obesity, for the future. The looming obesity epidemic will lead to much higher rates of diabetes among ever-younger children—some 15 per cent. of our children are obese. The Minister said that we have the healthiest children ever, but life expectancy rates are declining for the first time in a century, which is a trend that we must address.

One in 10 of our young people suffer from mental health problems, which is a matter that I shall return to in a moment, suicide rates among schoolchildren are three times what they were 20 years ago and alcohol and substance misuse are also causing problems. All those problems should have been addressed sooner. Given the appointment of a Minister for Children, Young People and Families, which we welcomed, we need more joined-up approaches, which is a point mentioned by many hon. Members. I hope that the NSF presents such approaches and that the documents' thickness is not quantity over quality.

The hospital standards section of the NSF, which we saw back in April 2004, dealt with the provision of separate facilities for young children and adolescents, dedicated children's units in accident and emergency departments, children's menus, and play specialists to help children cope with the stress of being in hospital. Will the Minister comment on what progress has been made? It remains the case, for example, that considerations that apply to adults in terms of mixed wards do not apply to adolescents, who are placed side by side with members of the opposite sex up to the age of 17 because they do not fall within the Government's requirements.

We still have the worst perinatal mortality rates in the whole of Europe apart from Greece, with just under eight deaths per 1,000 live births out of the 550,000 births in England every year.

Concerns have been expressed about the new-style NSF. My right hon. Friend the Member for Charnwood (Mr. Dorrell) made some telling comments. We do not want a snowstorm of targets, as he put it, but greater guarantees about the delivery and achievement of the aims of the NSF. We hope that the levers are connected and will drive the cogs that produce the results, which are what matter.

No targets are involved here. Although that is good in itself, the problem is that there are still far too many targets in other areas of the Government's health strategy, which means that areas without targets are de-prioritised. Moreover, as they have no specific funding they become less of a medical priority than those that are specifically funded and subject to targets. Barbara Peacock, the health spokeswoman of NCH, says:

> "The fact that there is no specific funding attached to the NSF is a real issue. We believe that there should be a pot of money, which is ring-fenced, to make plans set out in the framework a reality. Without this, the framework will have a limited impact."

The Minister claimed that that is because there has been mainstream funding, but how is that to be monitored? There is no guidance on the speed at which that should be achieved over the 10 years until 2014.

Many hon. Members expressed great concern about work force capacity, as has Al Aynsley-Green, who said:

> "We have very serious issues around workforce capacity. We don't have the numbers of nurses, doctors and therapists we would like".

[Tim Loughton]

We hear all the time about doctors and nurses in hospitals, but we hear very little about all the ancillary services, particularly those concerned with children. There is a great shortage of consultant paediatricians. Many women are training as consultant paediatricians. That is welcome, but because they are less likely to become full-time equivalents later on there will be further shortages.

According to the Royal College of Midwives, the situation is worse than the hon. Member for Romsey (Sandra Gidley) suggested. Between 2002 and 2003, the number of NHS-registered midwives fell by 6 per cent. and the number of whole-time equivalents between 1997 and 2002—the last year for which figures are available—fell, rather than rose.

Mr. Dawson: Will the hon. Gentleman give way?

Tim Loughton: I should like to make some progress, because we have very little time left. The hon. Gentleman and I will have plenty of opportunity to discuss other matters tomorrow in Committee on the Children Bill, as we have, with great enjoyment, for the past two weeks.

Earlier this year, the Royal College of Midwives estimated that there is a shortage of 10,000 midwives. I am afraid that the Government are trying to disguise the seriousness of that by grouping midwife vacancy rates with those for nurses and health visitors and using head counts instead of whole-time equivalents.

The problems in midwifery were mentioned by the hon. Member for Braintree (Mr. Hurst), who talked about the lack of choice for mothers in his constituency, and by the hon. Member for South Swindon (Ms Drown), whose great expertise in this area will be missed.

The 10-year plan may be comprehensive and thick, but we need urgent delivery—well before 2014, not merely by 2014.

I want to single out two specific areas of children's health, the first of which is mental health. My right hon. Friend the Member for Charnwood majored on that. It is fascinating that, given what happened 40 years ago, we are merely reinventing the wheel. We must redefine our aspirations and confront the difficulties involved in connecting them to delivery.

Some 24,000 teenagers a year seek professional help for self-harm, but that is the tip of the iceberg, as many more do not seek it. That is indicative of all the extra pressures on young people today. Suicide rates show that those pressures are not being addressed early enough. Mental health services still really work only when crisis point is reached. Last year, 50,000 antidepressant prescriptions were issued, some to children as young as six. Recently, there have been worries over suicidal tendencies linked to certain drugs. There is a lack of clinical data on the suitability of adult drugs for children, dosage rates and so on. There are 1.2 million children with mental health problems in this country. However, the scandal is the lack of in-patient beds nationally. There are only 628 in-patient beds nationally for children—that is six beds per 100,000 children. Only one third of trusts make special provision for mental illness in children with learning disabilities.

A report by the Royal College of Psychiatrists for the Department of Health stated that 60 per cent. of child and adolescent admissions to wards was deemed to be inappropriate. The Mental Health Act Commission pointed out that, between 1999 and 2001, 1,082 children were admitted to hospital under the Mental Health Act 1983, and that 62 per cent. of total admissions of children and young people were to adult wards. One of the Under-Secretary's predecessors admitted to me in a written answer that there were 64,920 occupied bed days for patients under the age of 18 on adult psychiatric wards in only one year.

The state of mental health facilities for children and young people is a national disgrace. The new draft Mental Health Bill makes no statutory requirement to improve the position, aside from the capacity problems. How quickly will the NSF deal with that?

Diabetes and the higher incidence of type 2, adult onset diabetes—now recorded in teenagers—is the second matter that I want to raise in the short time available. The great difficulty is that the Government are not aware of the extent of the problem. The Minister of State, Department of Health, the hon. Member for Doncaster, Central (Ms Winterton), who has responsibility for diabetes, told me in a written answer that the information is not collected centrally for the number of children who develop type 2 diabetes. Will the NSF quantify the extent of the problem before we can start to tackle it properly?

The Government have prevaricated on the obesity challenge for too long. Our obesity problem among young people is second only to that of the United States. One third of British children are overweight. One in 10 four-year-olds are classified as obese. Dietary problems continue to exist. For every 25g of green vegetables that children eat, they consume 100g of sweets and chocolates. After seven and a half years, we are still waiting for a public health strategy that starts to tackle the problem, which is getting chronically worse.

There are many other chronic conditions and I was pleased that asthma is one of the special exemplars. It is the most chronic disease in the United Kingdom. Thirty-five per cent. of childhood GP visits are for respiratory infection and 132 boys per 1,000 five to 15-year-olds are treated for asthma.

We need to tackle many other preventive priorities now. It should have happened earlier. The Under-Secretary said that healthy children become healthy adults. We should have done much more to tackle the explosion in sexually-transmitted diseases and the 23 per cent. of 15-year-olds who smoke.

Several hon. Members, especially the hon. Member for Barnsley, East and Mexborough (Jeff Ennis), mentioned hospices. There is no excuse for poorer funding of children's hospices when compared with adult hospices. The Under-Secretary is wrong when he claims that giving more money to children's hospices would mean taking money away from PCTs for palliative care. The problem is that the money that PCTs should use for palliative care is being spent elsewhere. They rely on the good will of voluntary contributions to charitable hospices, especially children's hospices, to provide that service. As a patron of one of my local hospices, I know that that happens.

The inclusion of a section on incontinence noted that at least 500,000 children suffer from nocturnal enuresis and a significant number from daytime wetting. I welcome the section's inclusion for which many of us lobbied. Some of us took part in one of the most humiliating photo opportunities last week in the launch of the Bog Standard campaign. The hon. Members for Richmond Park (Dr. Tonge) and for Kingswood (Mr. Berry) and I had to pose for photographs through a cardboard loo seat. The point was that we need to improve standards of school loos.

If the NSF is to work, it must be joined up. We need to have regard to the 750,000 children who live in poor housing and the 30 per cent. of looked-after children who are not immunised. We need to do much more with carers—I am glad that that has been acknowledged, but child carers, too, need to have far greater help. We must do far more for children's nurses who currently perform the role of glorified social workers and do not do nearly as much of the preventative stuff as they formerly did.

We welcome the NSF but it will be judged on outcomes and the urgency of the action, not the thickness of the documents and the number of tsars that are created. We need a greater sense of urgency than the Government have displayed to date.

6.49 pm

Dr. Ladyman: We have had a good debate which has hinged on a number of key themes. The hon. Member for East Worthing and Shoreham (Tim Loughton) and the previous two speakers, my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) and the right hon. Member for Charnwood (Mr. Dorrell), have focused on many of them and asked perfectly valid questions. No one has dissented from the fact that the national service framework document is an excellent statement of our aspirations for the national health service and for health and social services for our children. The question is: is it going to work? Can we make it happen?

My hon. Friend the Member for Lancaster and Wyre paints himself as a curmudgeon. I would not describe him as such, although he can sometimes be a bit of a miserable old beggar. Is he missing something that my right hon. Friend the Minister for Children, Young People and Families and I are seeing? We are not blindly optimistic about our ability to get people to co-operate and to work together on this, but we have to be optimistic. Leadership has to come from the top, and if our heads are down and we do not believe that this can happen, believe me, it will not happen. We therefore have to set about this task believing that we can bring it about.

We are not blindly optimistic, however. We know, because we talk to the people who are providing these services all the time, that we have to overcome barriers such as turf wars, self-interest and inertia. Such barriers are found not just in one of the organisations that we are talking about; they can be found in every single one. Perhaps the right hon. Member for Charnwood is right, however, to put this task into the category of "This time we're going to make it happen".

This time, there are differences. In the Children Bill, there is a statutory obligation on all these organisations to co-operate. The director of children's services will have a strategic role in producing a plan for the improvement in services. The mandatory commitment of the national service framework is in place. Several hon. Members, including the hon. Members for South Cambridgeshire (Mr. Lansley) and for Romsey (Sandra Gidley), talked about the inspection process. We have a clear strategy for ensuring that we inspect the national service framework on a regular basis and try to deliver it.

The fact that we have a Healthcare Commission that operates at arm's length from the Government gives us a new tool to work with that we previously did not have. The commission is now putting in place a strategy for inspecting the progress of the national service framework and for monitoring how the framework is further to be delivered, so that we shall end up with it being delivered everywhere within the 10-year period. The hon. Member for South Cambridgeshire asked for a time line to be applied everywhere, but instead we ought to have local time lines everywhere that we can follow and use to judge progress. That will be different in different places because there are different demands in different places. If I were the Member of Parliament for an inner-city constituency with a high ethnic minority population, I would want the initial thrust of the work to be done on inequalities, and on ensuring that we are reaching the minority ethnic communities. However, I have a different kind of constituency, so I would expect to see the priorities there reflecting my community. Each Member of Parliament will have the same opportunity.

Mr. Dawson: Does the Minister not accept my point that what is missing is the empowerment of the users—the children, the parents and the people who work at the coal face of the system?

Dr. Ladyman: I am absolutely in agreement with my hon. Friend that empowering those people is vital. If he has listened to me making speeches not only on this agenda but on the other part of my portfolio, which involves responsibility for older people, he will have heard me saying time and again that we shall achieve real progress on improving these issues only when they are made into matters for local discussion, when they become local priorities at local elections and when people ask their local MP, their local councillors and others in positions of responsibility locally, including the primary care trusts, "What are you doing in my area?", rather than always looking to central Government to provide some grand answer that simply will not solve the problem.

Dr. Pugh: The Minister said that these are matters for local discussion. He did not say that they were matters for local decision. Is there any reason why not?

Dr. Ladyman: It was a simple slip of the tongue. These are matters for local discussion and local decision.

The other suggestion made by the right hon. Member for Charnwood was that children's trusts should have commissioning responsibility. Indeed, they will have commissioning responsibility. Therefore, we are embarking on the direction of travel that he has identified as one way of delivery. In addition, we will have the joint area reviews, in which Ofsted, the Healthcare Commission and the Commission for Social

[Dr. Ladyman]

Care Inspection come together, to make sure that progress is being made. Public service agreements and the policy and planning framework will underpin all that.

Nothing is guaranteed in this life. Possibly, when I am sitting on this side of the Chamber in 2014, listening to one of my hon. Friends speaking from the Front Bench, we will not have seen the progress for which I hope. But I believe that with this national service framework, and the underpinning foundation of inspection processes and the measures put in place, we have a better opportunity to do that than we have ever had previously. Given the good will that came from all parts of the House today, perhaps this time we will get somewhere.

Another theme that ran through this debate was maternity services. My hon. Friend the Member for Braintree (Mr. Hurst) mentioned it, and my hon. Friend the Member for South Swindon (Ms Drown) spoke at great length on it. I agreed with much of what was said. I also agreed with the point made by the hon. Member for Romsey and others that the work force will be critical to delivering our agenda in respect of maternity services. We must start to examine why we are not making better progress on recruiting midwives. There is no question about that and we have put plans in place to try to address the problem.

The numbers are not as bleak as the hon. Lady suggested—we have recruited 1,500 midwives since 1997—but we need to put that in context, which is that we have managed to recruit 67,000 more nurses. Therefore, one of the questions that we must ask ourselves is: why is it proving far easier to recruit nurses than midwives? Why are many of those registered midwives to whom she referred choosing to come back as nurses rather than as midwives? Many issues are related to that: morale, leadership and flexibility of working practices. We must make sure that midwives have flexibility in their lives if they are to come back and work in maternity services. We must make sure that there is the leadership in the units in which they work to ensure that they have the morale that they seek.

Interestingly, when I ask midwives what is reducing their quality of life, I am told about half the time that it is having to work with doctors, and about half the time that it is having to work with other midwives. I am afraid that bullying and some slightly old-fashioned management practices within maternity services are among the reasons that many midwives find it difficult to continue to work in those services. We must address that. We have a range of strategies in place to make sure that we provide leadership training and try to adjust management practices.

There is not a simple solution, however, and I cannot wave a magic wand and suddenly produce another few thousand midwives. Until we have those midwives, we will not be able fully to deliver the range of choice that my hon. Friends the Members for Braintree and for South Swindon were advocating. That choice is important. We are committed to making sure that women have a real choice of birth environments. I want to see birth centres everywhere. Strangely enough, my hon. Friend the Member for Braintree mentioned Baroness Cumberlege, who was in my office today talking about this very issue. We are determined to see that range of choices everywhere.

This national service framework provides a real opportunity to put an end to what I have called, in many speeches, the bag ladies—the ladies who come into our constituency offices with packing cases full of letters that they have had to write to get the services that their children need. When services are properly joined up, when they are delivered to a high standard and quality and when we have implemented the step change in improvement of services that this national service framework demands, we will have put an end to the bag ladies, and we will have got real quality of care for all children in our society—

It being Seven o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Gaelic Broadcasting

Motion made, and Question proposed, That this House do now adjourn.—*[Gillian Merron.]*

7 pm

Mr. Calum MacDonald (Western Isles) (Lab): Broadcasting includes both television and radio, and I want to begin by paying tribute to all who work in Gaelic radio. The importance of radio is often overlooked: it is not as high-profile, and perhaps not as open to controversy, as television, but there is no doubt that radio has been the backbone of Gaelic broadcasting for many decades and that continues to this day. Radio goes into every home like no other medium, and all who work in Gaelic radio should be very proud of the role that they play in the life of the language.

Despite the importance of radio, however, I shall concentrate on Gaelic television. Television today is a window on the world and it is the mirror we hold up to ourselves in any and every language. That is why it is so critical for the Gaelic community—as with the other two indigenous language communities of Britain—to secure its own television service in the digital age.

The announcement three weeks ago by the Scottish Executive, made in Scotland, that the Gaelic Media Service would have yet another budget standstill next year and a mere £200,000 increase the following year—and, I think, something similar the year after that—falls far sort of the Gaelic community's aspiration; and, in the context of people's aspirations for an independent channel, it is seen and felt to be an insult to the language and, indeed, to the whole Gaelic community.

Announcing such a small and, for all practical purposes, useless increase was almost worse than announcing no increase at all. It is unbelievable that this is the end product of years of consultation, discussion and debate within Government, going all the way back to 1998 and the appointment of Alasdair Milne—the former director-general of the BBC—to chair the Gaelic broadcasting taskforce. I was involved in that appointment when I was responsible for Gaelic in the Scottish Office under the late Donald Dewar, when he was Secretary of State for Scotland. It is sad for me to have to admit that following the subsequent six years of consultation and deliberation, Gaelic television is not simply no nearer meeting that aspiration for a television service, but instead in the worst funding position it has known since the Gaelic television fund was created in 1990.

To understand how bad the position is we need to compare the current funding with where it ought to be in order to meet the community's aspirations, and also with where it has been in the past. Where Gaelic television ought to be, of course, is where Welsh television has been for many years now—providing a dedicated channel with a balanced mix of entertainment, documentary, news and children's programmes, transmitted at times when it is convenient for people to watch.

We now have an opportunity to deliver that dedicated channel at a reasonable cost, thanks to the advent of digital technology. The Milne report calculated that it would cost more than £40 million a year to deliver a Gaelic channel, but new work by the Gaelic Media Service—taking advantage of developments in technology—has shown that the channel could be delivered for much less: about £30 million. I pay tribute to the work of the service, which has demonstrated beyond doubt that a Gaelic channel is both affordable and deliverable.

There is now a unique opportunity, one that the Government have recognised and, I believe, signed up to in sections 208 and 210 of the Communications Act 2003. The Government have acknowledged that Gaelic needs to move on and that there is a need to create a new channel that is organised, shaped and broadcast by, and for, the Gaelic community. Unfortunately, having willed the end through the 2003 Act, the Government now appear incapable of willing the means. Substantial new funding is required if they are to breathe life into their own legislation. Despite the Gaelic community showing a great deal of patience, there is still no sign of the Government getting to grips with what they need to do. Hence there was the 1998 Fraser report, which was followed by the Milne taskforce in 1999. Our discussions in Committee on the Communications Bill in 2002 were likewise followed by 2003's joint working group, which involved the Scottish Executive, the Scotland Office and the Department for Culture, Media and Sport. So there were lots of warm words and reports full of good intentions, but still no cash on the table to make things happen.

Pete Wishart (North Tayside) (SNP): The hon. Gentleman is making a very impressive case for a Gaelic digital television channel. Having attended and chaired some of the events at this year's Perth mod, I feel that I have done my bit for the language in the past few weeks; indeed, I thoroughly enjoyed the experience. Does the hon. Gentleman agree that this is about more than just television programmes—it is also about the skills, expertise and experience that can be built up if we secure a digital channel? If we do not, if we have to rely instead on a terrestrial television channel, it will simply wither on a funding vine.

Mr. MacDonald: The hon. Gentleman has made an important and relevant point. I am afraid that I missed this year's mod, but we can jointly pay tribute to its organisers for what was a very successful event indeed.

As I said, the Government have produced lots of reports, but there is still no financial backing to underwrite the aspirations contained in them. To the Gaelic community, this is beginning to look like tokenism. What is the point in the new Scottish Parliament opening with a Gaelic psalm if there is no delivery for Gaelic in the decisions being made by that Parliament? What is the point of my constituency in this place being rebranded by the boundary commission with a new Gaelic name if there is no new funding for the Gaelic Media Service from this Government?

The contrast between the current funding position for Gaelic television and what is needed in order that its aspirations be met is bad enough, but the contrast with past funding is even more embarrassing. I admit this through gritted teeth, and it is a pity that the official Opposition's spokesperson is not present to hear me say this—perhaps that indicates a slackening of their commitment to, and support for, Gaelic under their new leadership—but the fact is that the previous Tory

[Mr. MacDonald]

Government spent more money on Gaelic television than either this Labour Government or the Scottish Executive are managing to do between them. When the Gaelic television fund was created, the then Conservative Government found £9.5 million of brand new money to back it. Adjusted for inflation, the equivalent sum today would be almost £13 million. Yet the actual allocation of funding for Gaelic broadcasting in this financial year is only £8.5 million. That is a funding shortfall of more than 30 per cent. compared with what the Tories were able to spend.

Funding for Gaelic broadcasting has not increased—not even in nominal terms—since 1997. Yet during that time, total Government expenditure has increased by 41 per cent., and the Scottish Executive's budget has increased by a similar amount. By way of contrast, funding for Welsh broadcasting has increased by £16 million in just the past three years. During the same period, there have been real-terms cuts for Gaelic. These are indefensible statistics, and the Scottish Executive, this Government and those of us who support them should feel deeply embarrassed about them.

It is no wonder that the Government were criticised by the Council of Europe's committee of experts when it reported in March of this year. It pointed out just how poorly the Government are doing in respect of their broadcasting obligations under the terms of the European charter for regional or minority languages. I was delighted when we signed up to that charter. It was something that I helped set in motion when I was in the Scottish Office, working with Donald Dewar. It saddens me that the progress that we made then has now ground to a halt.

Part of the problem, I acknowledge, is that the constitutional arrangements have obviously changed since I was in the Scottish Office. Responsibility for Gaelic broadcasting is now shared between Whitehall, through the Minister's Department, and the Scottish Executive, which is accountable to the Scottish Parliament. Co-ordination between the two tiers of government is consequently a bit more complicated, but that is no excuse for the failure of either tier to live up to its responsibilities to Gaelic broadcasting.

Gaelic television has become, I fear, a devolution orphan, kept on a starvation diet and forced in consequence to reduce its output each and every year. Not only is the Gaelic broadcasting fund too small to deliver the digital channel that was provided for in the Communications Act 2003; it cannot even deliver the basic 200 hours of annual programme output that was anticipated in the Broadcasting Act 1990. Those 200 hours, which we had in the early 1990s, have been cut down to just 137 hours today. Again, that reduction is indefensible and unacceptable.

Mr. Simon Thomas (Ceredigion) (PC): The hon. Gentleman has drawn, quite rightly, on experiences in Wales and he will also know about the experience of TG4 in Ireland, which runs an Irish language service with the sort of money that he suggested could run a Gaelic language service. It happens there in practice. As to declining hours, we have seen S4C in Wales become digital and greatly expand its hours. The hon. Gentleman might like to reflect on the fact that over the 20 years that Wales has had S4C, the number of Welsh speakers, once in decline, was first halted and then increased at the last census, whereas the number of Gaelic speakers has, unfortunately, been on an inexorable decline. Perhaps a Gaelic service would help to protect the language in its heartland in Scotland.

Mr. MacDonald: The success of S4C in stabilising the language is something that we should take careful note of, and draw some hope from. The parallel that the hon. Gentleman drew with the Irish position is also interesting because the new channel in Ireland runs on a similar budget to what is spoken about for the Gaelic service. There are actually more native Gaelic speakers in Scotland than there are native Irish speakers in Ireland. That is a fact that not many people are aware of. Irish is widely used in Ireland. It is learned at school, but when it comes to native speakers—where people learn the language in their own homes—there are more Gaelic speakers in Scotland, as I said.

The game of pass-the-parcel between the Government here and the Scottish Executive in Edinburgh has been going on since devolution. The result has been the deadlock that I described, which is failing the Gaelic community and, indeed, making a mockery of the spirit of devolution. Both Governments, in Westminster and Edinburgh, are to blame for the impasse, but it is the Government here who have reserved to themselves—quite rightly, I believe—the responsibility to legislate for broadcasting. This Government passed the Communications Act last year, so they have a special responsibility to deliver the promises implicit in that Act for the Gaelic Media Service to provide a Gaelic channel.

I note that the Minister for Sport and Tourism, who is replying to the debate, has proved himself a good friend of Scotland—and the highlands and islands in particular—in the past, when he authorised a large increase in the Scottish land fund, which I can tell him is doing good work in the highlands and islands. I look forward to hearing his response tonight.

Mr. Alan Reid (Argyll and Bute) (LD): I congratulate the hon. Gentleman on securing tonight's debate on this important subject and on the excellent way in which he has presented his case. Before he concludes, I want to let him know that I fully support what he said. Television is an integral part of the modern world and if we want the Gaelic language to flourish, we need a Gaelic television channel. I hope that the Minister will take heed of what the hon. Gentleman has said.

Mr. MacDonald: I am grateful to the hon. Gentleman and, indeed, to all hon. Members with Scottish constituencies who have spoken on behalf of their political parties tonight and offered me their support for a Gaelic television service.

I conclude by saying something that echoes what the hon. Member for Argyll and Bute (Mr. Reid) has just said. The Government and all of us must accept that a dedicated Gaelic television service is not a luxury in the context of today's expectations in the 21st century. Indeed, it is the minimum acceptable provision for an indigenous British language that has been spoken in these islands for at least one and a half millennia.

The British economy is the fourth biggest in the world. Let us have no more pretence that we cannot afford a television channel for our Gaelic speaking community. If the Government want to boast that modern Britain is a vibrant, multinational and multicultural society—indeed, a multilingual one—and that they cherish that diversity, they cannot afford not to deliver a Gaelic television service.

7.15 pm

The Minister for Sport and Tourism (Mr. Richard Caborn): I want to begin by congratulating my hon. Friend the Member for Western Isles (Mr. MacDonald) on securing this debate. The House will be well aware of his enthusiasm for and interest in the Gaelic language, and also of his background in the Scottish Office. I welcome this opportunity to say a few words in this debate. The rather specific nature of the debate and the informative interventions that we have just heard from hon. Members mean that I can be brief in my response, although I hope that it will be helpful.

Funding for Gaelic broadcasting came to prominence in September 2000, when the Milne committee—to which my hon. Friend the Member for Western Isles referred—produced its report recommending the establishment of a Gaelic Broadcasting Authority to run a dedicated Gaelic television channel, at a cost of £44 million. We reached the view that the Milne report's core recommendations could not be justified, but we accepted that there was a need for change better to meet the aspirations of Gaelic viewers. Building on the findings of the report, we introduced important legislative changes by means of the Communications Act 2003, and I shall say more about that later. However, Gaelic broadcasting has been high on the political agenda for a number of years.

The current funding for Gaelic broadcasting, the Gaelic broadcasting fund, is made to the Gaelic Media Service—the SMG, to use its Gaelic acronym—via Ofcom, the communications regulator, and amounts to £8.5 million. That is the amount included in the devolution settlement of 1999. The funding is set to rise to £8.7 million in the financial year 2005–06, and to £8.9 million in the financial year 2006–07. As my hon. Friend the Member for Western Isles said, this fund comes from the Scottish Executive's block vote allocation.

It is true that budgetary cuts in 1998 reduced the fund from its original level of £9.5 million to its current level of £8.5 million. My hon. Friend the Member for Western Isles said that Britain's economy was the fourth largest in the world, but he will know the reality of the budgetary pressures on public expenditure that we inherited in 1997. That sum formed part of the devolution settlement and responsibility for setting the level of grant is for the Scottish Executive to decide, in accordance with its own spending priorities for Scotland.

However, £8.5 million is still a considerable sum of money, and the Gaelic Media Service continues to use it to produce high-quality Gaelic programming. That programming makes an important cultural and economic contribution, especially to the highlands and islands of Scotland.

I agree that Gaelic broadcasting has been constrained, and I believe there are two key reasons for that. The first reason is the limited role that the Gaelic Television Committee and, later, the Gaelic Broadcasting Committee—the CCG—were given by the Broadcasting Acts of 1990 and 1996. The inability of those committees to take a more proactive role in commissioning programmes was an area of difficulty, as was their rather awkward arm's length relationship with the broadcasters that ultimately transmitted these programmes to the public. The CCG could fund programmes, but depended wholly on the BBC and the Gaelic Media Service to broadcast them.

Secondly, Gaelic broadcasting is under pressure because the Scottish Executive has seen education policy and funding as the most effective way of supporting and promoting the Gaelic language. Their ultimate goal—one that we shared when Westminster was responsible for those matters—is to ensure that the Gaelic language continues as a healthy, living indigenous language of the UK.

I am pleased that the first of those obstacles was removed, as my hon. Friend said, by the Communications Act 2003, which not only gave the Gaelic Media Service broader powers to ensure that a wide and diverse range of Gaelic programmes are broadcast and strengthened the committee with a broader representative base, but also allowed the GMS to hold a broadcasting licence, which it was not previously able to do.

However, Gaelic broadcasting remains disparate and its future uncertain. It was for that reason that in June this year the Secretary of State for Culture, Media and Sport reconfirmed her strong commitment to Gaelic and Gaelic broadcasting. She made a commitment to seek to break the current impasse and ensure a better deal for Gaelic broadcasting for the longer term. She did not hold out the prospect of Department or additional Exchequer funding for Gaelic broadcasting, and I wish to make that message quite clear, as it has been misinterpreted by some people involved in the issue. However, she is committed to looking at the future of Gaelic broadcasting within the context of the BBC charter review and the wider future of digital broadcasting.

To help to resolve some of the problems facing Gaelic broadcasting, Ofcom was asked to draft a policy options paper. Ofcom is currently finalising its "Looking to the Future of Gaelic Broadcasting" paper and we hope to use that document as a means of moving the issue forward.

Pete Wishart: Does the Minister think that it is helpful that the funding for Gaelic broadcasting has been devolved to the Scottish Parliament but that overall control of it lies here in Westminster?

Mr. Caborn: The House took the decision that control over broadcasting would remain with this Parliament, but the expenditure was devolved to the Scottish Executive—a decision that was supported fully at the time. The situation is the same for Welsh language broadcasting. That is not the issue. We are discussing how the budgets have been used, and those were decisions for the Scottish Executive.

An officials' meeting is being planned for next month with the goal of refining the options in the Ofcom paper. The Secretary of State has offered to chair a meeting of

[Mr. Caborn]

all stakeholders, if necessary. We hope that that meeting will identify a clear framework for action and give firm direction for the future of Gaelic broadcasting.

Mr. MacDonald: I take on board what my right hon. Friend has said about trying to use the BBC charter review to break the impasse. At present, the BBC produces some 25 to 30 hours of original programming in Gaelic. If the BBC were really to step up its output to deliver to the Gaelic Media Service, it would require a huge increase. That would be welcome, but will my right hon. Friend clarify whether it forms part of the Government's thinking?

Mr. Caborn: We want to have a debate with my hon. Friend and with the stakeholders with an interest in the issue. That is why my right hon. Friend the Secretary of State and the Department have made a commitment, and that is why my right hon. Friend made the statement about the BBC charter review and requested the report on the options. It is now for the officials to work through that report and, as I indicated to the House, the Secretary of State is ready to chair a meeting of all the stakeholders, if necessary, and such issues could be on the agenda. That will, we hope, determine the framework and the direction for the future of Gaelic broadcasting in the medium and long term.

The debate has been an interesting and welcome opportunity to discuss an important matter and I thank my hon. Friend the Member for Western Isles for initiating it. Although the steps we are taking are probably not wholly satisfactory to him in the financial sense, I hope that they will create a framework and give a clear direction for the future of Gaelic broadcasting. We are laying the foundations, so if and when the Secretary of State chairs the meeting, I hope that the stakeholders will respond.

Question put and agreed to.

Adjourned accordingly at twenty-five minutes past Seven o'clock.

House of Commons

Thursday 21 October 2004

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

ENVIRONMENT, FOOD AND RURAL AFFAIRS

The Secretary of State was asked—

Fly-tipping

1. **Dr. Julian Lewis** (New Forest, East) (Con): What assessment she has made of the impact of fly-tipping on *(a)* local authorities and *(b)* businesses. [192818]

The Minister for Rural Affairs and Local Environmental Quality (Alun Michael): The Environment Agency estimates that fly-tipping costs public authorities and landowners between £100 million and £150 million a year.

Dr. Lewis: The shadow Secretary of State said that a Conservative Government would make fly-tipping an arrestable offence. Will the Government do likewise, or are they once again all talk and no action?

Alun Michael: The hon. Gentleman should apply that description to his party, given the sound and fury that we hear from it, with little positive to note. The Government have acted to strengthen the powers available to local authorities, including, under the Anti-social Behaviour Act 2003, the ability to stop, search and seize vehicles suspected of fly-tipping. That enables action to be taken on the spot. We are also taking steps to increase the penalties. It is easy for Opposition Members to come up with absurd suggestions when they know that they will not be in power for many years to come.

Mr. David Drew (Stroud) (Lab/Co-op): As much as action depends on the ability of local authorities and business to respond, the key influence on them will be the consumer or, more specifically, people living in the local area, and I commend Mrs. Elizabeth Hall of Harescombe in my constituency, who has led a community action against fly-tippers. Can we be assured that when the community gets together and makes its points, all the agencies will respond to it, especially the Environment Agency, which has promised to deliver but has yet to do so?

Alun Michael: We have put in place the Flycatcher scheme, which provides information. In the coming months, we will provide for the first time a national picture of the extent of the problem.

My hon. Friend is right that information enabling the authorities to catch those who are guilty of fly-tipping, especially those who do it repeatedly and who make a profit out of it by not properly disposing of the by-product of their business, is one step that needs to be taken. The measures that we have put in place in antisocial behaviour legislation enable action to be taken. If individuals are caught fly-tipping, exchanging information and using our system to ensure that we catch those who are doing it persistently, while ensuring that fines are applied to them and that they are imprisoned if appropriate, is the way forward.

Mr. Peter Luff (Mid-Worcestershire) (Con): The Minister may know from letters that I have written to his Department that I have a particularly sharp fly-tipping problem in the Bredicot and Spetchley areas of my constituency on the edge of Worcester city. Will he use any opportunity he has to remind rural police forces of the need to give a priority to such a situation, and also, within the proper limits of his powers, to encourage magistrates and others to hand down draconian sentences as part of the considerable powers that they have available?

Alun Michael: The hon. Gentleman is right to point to the powers available to magistrates, and we encourage them to take environmental offences seriously. Much work is being done with the Magistrates Association to increase awareness of the impact of environmental offences on local communities.

As for police priorities, I suspect that the hon. Gentleman, like many others, has a number of things that he wants regarded as priorities. We are trying to improve the way in which the Environment Agency, local authorities and others work together to tackle such offences.

Ms Joan Walley (Stoke-on-Trent, North) (Lab): Will my right hon. Friend send out a strong message to North Staffordshire that we will not tolerate fly-tipping? Will he hold talks with the Environment Agency to see whether we could be a pilot area for a targeted carrot-and-stick approach that improves public awareness of whether we are dealing properly with waste while making it clear to those who do not do so that we will come down on them like a ton of bricks? *[Laughter.]*

Alun Michael: I am happy to give my hon. Friend that assurance. Unlike Opposition Members, who are all noise and sound and fury, we are tackling the problems, and we want them tackled in every area. If she has suggestions about extra activities that could be piloted, I would be interested to hear from her and her councillors about ideas that would help to enhance even further the steps that the Government are taking.

Waste Management

3. **Mr Andrew Mackay** (Bracknell) (Con): If she will make a statement on the Government's waste management policy. [192821]

The Minister for the Environment and Agri-environment (Mr. Elliot Morley): The Government's strategy on waste is set out in "Waste Strategy 2000", published in May 2000. The Government outlined further plans in May 2003 in response to the Prime Minister's strategy unit report, "Waste not, want not". The Government are committed to reviewing their strategy on waste in 2005.

Mr. Mackay: Is not the simple truth that the Government have signed up to a number of EU directives with great gusto, which means that there are 4 million tonnes of hazardous waste in the United Kingdom with nowhere to go? Is that not a disgrace?

Mr. Morley: If it were true, it would be, but of course it is not. The Government are committed to moving to a sustainable method of waste disposal and treatment. That entails minimising the amount of waste going into landfill, which is not sustainable in the long term. There is enough capacity to deal with hazardous waste in this country, and I am glad to say that the latest figures show that the amount going into landfill has declined appreciably.

Ms Julia Drown (South Swindon) (Lab): I and many on Swindon borough council are keen to help achieve the Government's recycling targets. In terms of pounds per tonne recycled, the council does very well, but a number of its bids to increase waste recycling still further have been refused by the Government. Will my hon. Friend have a word with his officials to see whether they could discuss with the council what more could be done to recycle more in Swindon, which might involve more Government support for projects?

Mr. Morley: The Government have made more than £100 million available to local councils in the past year to encourage the introduction of more recycling facilities. The Government are always willing to talk to local authorities that have not been successful in a particular bid. The amount of money made available through the environment and cultural services block for waste treatment and disposal has been increased for all local authorities, but we are willing to give individual feedback to assist local authorities with future bids.

Miss Anne McIntosh (Vale of York) (Con): I pay tribute to the Minister's knowledge and experience, but he has failed in his first duty, which is to be prepared. He has had years of warning that, under the new EU landfill directive, co-disposal of hazardous and non-hazardous waste is no longer possible. It is absolutely true that there are 4 million tonnes of hazardous waste this year with nowhere to go. What message does that give industry and the waste management industry, which have not been given sufficient time to prepare?

Mr. Morley: I am sorry that the Opposition seem to have convinced themselves that there is some kind of hazardous waste mountain. There is not. There are not 4 million tonnes of hazardous waste with nowhere to go. The great predicted crisis has not happened. The facilities are adequate. The bulk of hazardous waste—about 60 per cent.—is contaminated soil. There is much more treatment on site now, which is what we wanted to encourage. The hon. Lady should be congratulating the Government on reducing the amount of hazardous waste going into landfill and increasing the amount that is remediated, treated and reduced in a much more sustainable way.

Andrew Bennett (Denton and Reddish) (Lab): Can my hon. Friend explain the logic of the Government signing up to EU directives on the end use of motor cars and other electrical goods, yet not requiring drinks manufacturers to take back their cans and bottles?

Mr. Morley: There has been a big increase in the number of cans and bottles being recycled. The recycled material from cans, particularly aluminium cans, fetches extremely good prices at present. We want to see more of that. Producer obligations do apply to packaging, but the bulk of bottles and cans are bought by consumers through retail outlets, so we have to consider ways of encouraging recycling through domestic waste. I am glad to say that the recycling rate nationally has increased from 6 per cent. in 1997 to an estimated 18 per cent. currently.

Norman Baker (Lewes) (LD): Is it not a disgrace that, in round figures, we recycle 0 per cent. of household batteries, whereas the EU directive will require us to recycle 44 per cent., and the only site in the country for recycling such batteries, which is in Bristol, is being decommissioned? What is the Government's strategy for ensuring that we meet the EU target of 44 per cent., or will we have a battery mountain, along with the fridge mountain and the car mountain?

Mr. Morley: With respect, the Liberal Democrats are working hard on some kind of mountain. The battery mountain is a smallish one. In relation to the overall waste streams, it is a very small part. That is not to say that it is not important. We want to see more recycling of batteries. Car batteries have a high recycling rate in this country, but for domestic batteries—small batteries—it is true that the figures are low. Facilities are being established in the UK. The hon. Gentleman will have seen recent parliamentary answers from me on the subject. We want to encourage a greater rate of household battery recycling, and we will do that as part of the increase in recycling that is taking place all over the country.

Jonathan Shaw (Chatham and Aylesford) (Lab): My hon. Friend rightly said that he wants to encourage recycling. Does he agree with the paper industry that the quality of recycling is important, particularly when it involves doorstep collection? We have seen increases in weight, but we want to see increases in quality so that the paper industry can use the product to benefit itself and UK plc.

Mr. Morley: I know that my hon. Friend has close connections with the paper industry and is a strong advocate for it. I am glad to say that 100 per cent. of all newsprint in this country is now recycled, which is a significant achievement. Local authorities are aware that quality is important in collecting paper for recycling, which has not always been the case, because paper has in the past been inadvertently contaminated. We have drawn the issue to the attention of local authorities, which can maximise the sum that they get for paper by maintaining quality.

Fallen Stock

4. **Nick Harvey** (North Devon) (LD): What assessment she has made of the impact of the delay in the introduction of the national fallen stock collection scheme. [192822]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Ben Bradshaw): None. My officials and the board of the National Fallen Stock Company have concentrated their time and resources on getting the scheme right and getting it started. I am pleased to announce to the House today that the scheme will begin on 22 November.

Nick Harvey: I welcome that announcement and hope that the scheme will actually happen this time. The National Fallen Stock Company has given biosecurity advice to both collectors and farmers. What is the legal status of that advice to farmers, how will it be enforced and how will remote areas in which cover is inadequate be regulated?

Mr. Bradshaw: The hon. Gentleman must wait for the announcement of the details of the fallen stock scheme before he gets a full answer, and I shall write to him about it. The rules must be enforced, because biosecurity is important and is high on the list of farmers' concerns. The National Fallen Stock Company is confident that the national network of collectors will cover even remote parts of the country, which should not pose too much of a biosecurity problem.

David Taylor (North-West Leicestershire) (Lab/Co-op): I congratulate the Minister on the time, effort and ingenuity that he and his officials have put into the scheme. Rather than listening to the continual carping from Opposition parties who claim to speak for farmers, let us listen to the National Farmers Union. Does the Minister agree with NFU vice-president, Meurig Raymond, who said:

> "There is a real opportunity to make this scheme work for farmers . . . The scheme should provide farmers with a cost effective mechanism for complying with EU regulations, which will form part of the . . . rules for the new single farm payment scheme starting next year"?

Mr. Bradshaw: My hon. Friend is right. We sometimes lose sight of the fact that the Government are putting in £20 million of taxpayers' money to subsidise the scheme, which is supported by the NFU and run by the industry with an NFU representative as the chairman of the board.

Andrew George (St. Ives) (LD): Arrangements for fallen stock collection are, of course, part of the Government's efforts to deal with biosecurity. This morning, I saw a distressing video from Northumberland trading standards, filmed four days after the foot and mouth outbreak began in 2001, of Bobby Waugh's Burnside farm. Has the Minister seen that video—I know that his Department has it—and if so, does he agree that it provides ample justification for reopening Dr. Iain Anderson's inquiry into the causes and lessons of the foot and mouth outbreak?

Mr. Bradshaw: I have not seen the video and do not agree with the premise of the hon. Gentleman's question. I understand that the video contains nothing new and have been told that all the details in it were given to the Anderson inquiry. Dr. Anderson himself has said that his decisions and recommendations would have been exactly the same, and the video formed part of Bobby Waugh's trial.

Mr. James Gray (North Wiltshire) (Con): Does the Minister recall Environment, Food and Rural Affairs questions on 22 July, when he claimed that the NFU supported his view that hunt kennels play what he described as a "small role" in the collection of fallen stock? Has he seen this letter from the NFU, which states:

> "I was not entirely surprised to hear the minister's remarks yesterday as he has form on this! He misrepresented the views of Michael Seals, the chairman of the fallen stock collection scheme, on the same subject at Defra PQs on May 20.
>
> Let me assure you that at no point has the NFU said that the part played by the hunt kennels in stock disposal is 'small' or 'insignificant'. On the contrary . . . I suspect the politics of this is that as a fully paid-up hunt banner the minister does not want to be seen"—

Mr. Speaker: Order. Will the hon. Gentleman sit down? Front Benchers are privileged and are sometimes called before Back Benchers; do not abuse the privilege. If the Minister can answer, fine; if not, we will move on.

Mr. Bradshaw: I cannot comment on the letter, Mr. Speaker, because the hon. Gentleman did not have the courtesy to include it when he wrote to me about the issue.

Energy Crops

5. **Dr. Alan Whitehead** (Southampton, Test) (Lab): What plans she has to support the development of energy crops. [192824]

The Secretary of State for Environment, Food and Rural Affairs (Margaret Beckett): A new biomass study team will work with stakeholders to identify barriers to developing bioenergy and ways in which to overcome them. Other studies will consider economic issues and renewable heat. Aid is available to plant energy crops and to develop supply chains and end users for heat and power generation.

Dr. Whitehead: I am encouraged by the progress that has been made on research and the beginning of funding for increased production of such crops.

Does my right hon. Friend accept that there are multiple benefits to agriculture, industry and the environment in the effective deployment of energy crops in fuel and in biomass power generation? Does she recognise that there remains a considerable problem of "Who goes first?" between the development of biomass-based power stations and the obtaining of long-term secure energy crops to fuel them? Will her Department work closely with the Department of Trade and Industry to facilitate the resolution of that problem?

Margaret Beckett: I accept and understand what my hon. Friend says about the mixture of advantages and the concern that we are not yet getting the balance right.

That is why we set up the taskforce, which should be able to identify the remaining barriers and give sound advice on how to remove them.

Mr. Michael Jack (Fylde) (Con): The Secretary of State will be aware that sugar beet producers are worried about their future in the light of the proposed reforms to the EU sugar beet regime. One way of dealing with that would be to have a UK bioethanol industry. Will she therefore think about expanding the remit of the group that is considering biomass under the chairmanship of Sir Ben Gill to allow it to consider the barriers to a bioethanol and a biodiesel industry in this country? That is particularly relevant at a time when fuel security is uppermost in our minds.

Margaret Beckett: The right hon. Gentleman makes an interesting point, which I take entirely. There is widespread understanding of the potential benefits of bioethanol and biodiesel. His suggestion might overly widen the scope of the study headed by Sir Ben Gill; if so, I undertake to consider whether there are other ways in which we might pursue it.

Mr. David Kidney (Stafford) (Lab): My right hon. Friend's Department has generously grant-aided a consortium of farmers and other business people in Stafford to produce energy crops, such that by next year more than 1,000 hectares of land in Staffordshire will be planted with miscanthus. The technology to do the conversion is in place, as is the first end user, but the project is in doubt because of an inability to secure a contract for the supply of renewable energy for a length of time and at a price that will be guaranteed to make the contract viable. Does she agree that until this industry is well established there is a role for Government in helping to ensure a guaranteed minimum length of time and price for the renewable energy that is produced?

Margaret Beckett: I am grateful to my hon. Friend for his kind support for what the Government are already doing. I certainly accept that from time to time there are steps that we can take. We continually look at ways in which we can overcome some of these problems. He will know that a variety of grants and scheme proposals are available to deal with problems to do with the supply chain and so on. I cannot undertake that the Government will step in to deal with every one of these issues, because we are all trying to stimulate an effective market for such produce. However, I undertake to continue to consider the points that my hon. Friend raises and to consider further what we can do to assist and support.

Mr. Michael Weir (Angus) (SNP): As well as help with the production end of fuel, will the Secretary of State consider help at the other end? For example, wood could be an important biofuel, particularly in Scotland. Perth and Kinross council, which looked into including biofuel as an option in a new school project, found that the cost of such boilers is four times greater than that of other boilers. It would be a great help if grants were available to local authorities considering such projects to enable them to include biofuel as an option. Will she examine that with the devolved Administrations?

Margaret Beckett: Of course, we are always willing to consider ideas and proposals that emerge, particularly from hon. Members. Various grants and schemes are already available that may be able to assist the hon. Gentleman's local authority. Certainly, I undertake to consult the Scottish Executive about that in the way that he asks.

Mr. Bob Blizzard (Waveney) (Lab): On my right hon. Friend's visits to East Anglia, she will have noticed the vast fields of rapeseed there. Those fields could be the new environmentally friendly oilfields of the country if we could convert rapeseed oil into biodiesel. Despite the cut in duty by the Treasury, that is still not economically viable. Can she tell us where we need to go with this issue if we are not to waste this valuable sustainable resource, which has the potential to provide valuable income for farmers?

Margaret Beckett: I take my hon. Friend's point entirely, and I know, as he says, that the potential of UK-grown oilseed rape is being considered. He will know that the balance of duty is currently examined in terms of the environmental benefit that could be gained from such a duty cut. That relationship is established. I know that my Treasury colleagues are as ever willing to consider the issue, but they are anxious to ensure that we get the right outcome in terms of stimulating UK development rather than merely sucking in imports.

Mr. Tim Yeo (South Suffolk) (Con): On that last point, while recognising that the current biofuel duty reductions are helpful, does the Secretary of State accept that if biofuels are to make a real contribution to cutting carbon dioxide emissions and be a significant alternative crop for farmers, further duty cuts are needed? If she has difficulty in persuading the Treasury about that, she might like to point out that this is one area in which lower duty is likely to lead to higher revenue.

Margaret Beckett: I am always grateful for suggestions as to how to put a better case to the Treasury. I take on board the hon. Gentleman's point. We continue to keep under review what the level of duty currently is or should be. Of course, whether further duty cuts would assist is not the only issue—there are other options, such as capital grants, enhanced capital allowances and a biofuels obligation, and in the not-too-distant future, we will be required to set targets under the EU biofuels directive. However, I welcome the recognition on both sides of the House that this is an important area.

Waste Management

7. **Angela Watkinson** (Upminster) (Con): How many landfill sites are licensed to accept hazardous waste. [192826]

The Minister for the Environment and Agri-environment (Mr. Elliot Morley): Currently, 34 landfills in England and Wales are licensed to take hazardous waste. In addition, applications for 29 new facilities are under consideration.

Angela Watkinson: I thank the Minister for that response, but in his response to my right hon. Friend the Member for Bracknell (Mr. Mackay) he protested that there is no hazardous waste mountain. When he considers that in every shed in every garden in the country, and in every cupboard under the stairs in every home in the country, there will be several tins of half-used household paint, which is now categorised as hazardous, is he not being a tad complacent?

Mr. Morley: Only if there were 4 million tonnes under somebody's stairs—I would be a bit worried about that; it would be a cause for concern. The fact is that paint has been classed as hazardous for some time—that is not particularly new. On my frequent travels round the country to landfill sites and rubbish tips, in which I take a great interest, I am pleased to see that most local authorities have provided good facilities for the safe disposal of items such as household paint.

Mr. Colin Pickthall (West Lancashire) (Lab): My hon. Friend will be aware of the recent Environment Agency report showing from research that within a radius of 2 km from a hazardous waste site, recorded birth defects are 7 per cent. higher than in the rest of the population. I have some personal interest in that question, as I live within 1 km of such a site. What is the Department doing to research that and to find out what the direct link is, and what joint work is being done by his Department and the Department of Health to ensure that people are protected?

Mr. Morley: That is an interesting point. I declare an interest, in that I, too, live within 1 km of a landfill site.

The findings are well known. For the first time, the Government have pulled together all the known scientific studies of the health effects of all forms of waste disposal. As my hon. Friend says, one study reveals a higher incidence of birth defects around not just hazardous landfill sites but landfill sites in general. There is, however, no scientific evidence linking that directly with the sites; a number of other factors may be involved—socio-economic factors, for example.

The study found that the overall risks of waste disposal were small in comparison with the everyday risks of life. All forms of waste disposal involve risk, and landfill, which is sometimes seen as a fairly benign form of disposal, nevertheless has risks associated with it.

Sue Doughty (Guildford) (LD): I congratulate the Minister on the comfort zone that he has built around himself in stating that the arrangements are going well, but we hear from the waste industry that unusual things are happening. For instance, there seem to have been no changes in what happens to liquid hazardous waste. No one knows where it is going.

People in the village of Jacob's Well in my constituency would very much like arrangements to deal with asbestos, which is an absolute plague.

Mr. Morley: Liquid hazardous waste generally, although not exclusively, goes to in-house disposal sites, which are still available and cater for a great deal of specialist hazardous waste.

It is strange that, having been accused of responsibility for fridge mountains and the like in the past, the Government should now be accused because there is no hazardous waste mountain—as if I were hiding one in my garage at home. Although I would not dispute the fact that my garage contains all sorts of waste, I assure the House that it is not hazardous.

The issues are being taken seriously. The Environment Agency has upped its enforcement and checks. Yesterday I received a letter from the agency saying that there has been no recorded increase in the dumping of hazardous waste. It does happen, however, and any dumping of such waste—which tends to consist of building materials and asbestos—is unacceptable. As my right hon. Friend the Secretary of State has said, the Government have taken firm measures to deal with the problem.

Sugar Regime

8. **Paddy Tipping** (Sherwood) (Lab): When she last met European Union colleagues to discuss the sugar regime. [192827]

The Secretary of State for Environment, Food and Rural Affairs (Margaret Beckett): At the Agriculture Council meeting on 19 July, Commissioner Fischler presented his latest communication setting out his preferred approach to reform of the EU sugar regime. EU Ministers will be resuming discussions at the November Agriculture Council meeting.

Paddy Tipping: In those discussions, will the Secretary of State argue strongly against equal quota cuts in all member states and in favour of taking out inefficient producers such as those in Greece and Finland, so that countries such as the United Kingdom, factories such as British Sugar's factory in Newark, and Nottinghamshire farmers can continue to prosper?

Margaret Beckett: I take my hon. Friend's point, and assure him that in our discussions I will, as ever, endeavour to safeguard and protect the competitive position of British farmers. I know he will understand, though, when I say that using the arguments he suggests may not work entirely to our advantage, certainly during a transitional period. Although qualified majority voting will apply, any proposals must carry a majority in the Council. However, I accept his underlying point: the present sugar regime is enormously distorting, and cannot be sustained.

Alistair Burt (North-East Bedfordshire) (Con): One of the main users of the British sugar industry is of course our food industry. It has received a significant boost over the past three years from the success of the British food fortnight, which is estimated to have earned an extra £10 million for the regional food and drink sector. Is the Secretary of State disturbed by reports that next year's event is threatened by a lack of Government funding? Will she investigate? Does she agree with the organiser, Alexia Robinson—

Mr. Speaker: Order. This is far too wide of the question.

Lawrie Quinn (Scarborough and Whitby) (Lab): Given the importance of the production of sugar beet in North Yorkshire, which feeds the refinery in York, what hope can my right hon. Friend give to my constituents who are involved in sugar beet production in regard to their options for diversifying into other crops, particularly crops that might be utilised for energy production?

Margaret Beckett: My hon. Friend makes an interesting point and we are certainly encouraging that. There has been much discussion about the options open to those who presently grow sugar beet for the kind of factory that he describes. For some farmers, diversification into other crops will be the best answer; for others, it will be a question of exploring what use they can make of the kind of crops that they grow now. I welcome the constructive, sensible debate that is taking place on this issue. Most people recognise that change is bound to come and are considering how the change can be most beneficial. The report that the Environment, Food and Rural Affairs Select Committee recently produced made a very positive contribution to that debate, which will certainly continue for some months yet.

Mr. Henry Bellingham (North-West Norfolk) (Con): The Secretary of State will be aware that half the country's beet is grown in Norfolk. Contrary to popular myth, many of the growers are smallholders who depend on sugar beet and they have had a very difficult time following a wretched harvest. Will she bear in mind the interests of the small grower?

Margaret Beckett: Yes, I certainly will. It is not always recognised that there is a mixture of growers and that they do not always have identical interests. I am grateful to the hon. Gentleman for making that point.

Linda Gilroy (Plymouth, Sutton) (Lab/Co-op): In her discussions with other EU Ministers, has my right hon. Friend been able to discuss the compensation arrangements for the African, Caribbean and Pacific—ACP—countries that have traditionally benefited from guaranteed prices? When she does so, will she ensure that the cane sugar growers will benefit as well as the mill refiners? Does she also agree that, in this respect, an opportunity is emerging for fair trade sugar products?

Margaret Beckett: My hon. Friend makes an interesting point. There is general recognition and acceptance of the considerable problems that the much-needed reform in the sugar regime would bring to the ACP countries and some others, and there is a wish to address those issues. The UK attaches particular importance to the need for transitional measures. I take her point about the fair trade implications, but even at existing prices—which are now around three times world levels—the ACP producers and, indeed, some others are already in difficulty. So it is not simply a matter of there being difficulties if reforms took place; there are difficulties now. This is something that we have to take into account as we pursue reform, as I hope that we will.

Foot and Mouth

9. **Mr. Hugo Swire** (East Devon) (Con): What progress she is making in paying compensation following the foot and mouth disease outbreak. [192828]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Ben Bradshaw): All statutory compensation due to farmers for animals slaughtered during the 2001 foot and mouth outbreak has been paid. However, 20 outstanding claims for increased compensation are being considered. In addition, the Department has 26 other claims from farmers relating to the outbreak.

Mr. Swire: I am most grateful to the Minister for his reply, particularly given the fact that, back in November 2001, the then Financial Secretary to the Treasury, the hon. Member for Bolton, West (Ruth Kelly), in an answer to me said:

> "Agriculture has been given a high priority",

and that the Government were

> "committed to compensating farmers as far as possible for the effects of the disease."—[*Official Report*, 8 November 2001; Vol. 374, c. 361.]

Yet here we are, some years later, but not everybody has been compensated. Not all the agrimonetary compensation has been called down. Is it therefore perhaps worth understanding why farmers in the south-west simply do not understand why the Government will not hold a full inquiry into the ravages inflicted by foot and mouth, and why they are extremely nervous that, were such an occurrence to happen again, the Government would still be unprepared?

Mr. Bradshaw: I am not sure whether that question really hung together. As I said in my original answer, all the statutory compensation has been paid. Out of thousands of cases, a tiny handful have not been settled, some because the farmers have let them lie dormant for a while, some because they are being disputed. The hon. Gentleman needs to be reminded that, were it not for the hard work of my officials, we would have lost nearly £800 million to the taxpayer through overpayment in cases involving fraudulent or inflated claims.

Mr. James Paice (South-East Cambridgeshire) (Con): It is astonishing if no Minister has seen the video that shows the failings of the Ministry of Agriculture, Fisheries and Food in respect of the inspections at Burnside farm. Despite the fact that that video and Mr. Dring's report were not shown to the Anderson inquiry, the Anderson report made it clear that, to keep illegal meat imports out of the country, DEFRA should be given responsibility for co-ordinating all activities, including improving surveillance and adopting best practice from import regimes elsewhere. Does the Minister really believe that, in trying to deal with an outbreak that cost perhaps £3 billion last time and which could cost a lot more next time—indeed, if human disease is brought in through illegal meat imports, it could cost lives as well—four extra sniffer dogs and a refusal to use X-ray equipment for searching baggage is a satisfactory response to the Anderson recommendations?

Mr. Bradshaw: The Conservatives continue with their historic attempt to deflect blame for the foot and mouth outbreak away from where it belongs—with the farmer who was responsible for illegal and irresponsible practices, and who was prosecuted for them—and towards MAFF, as it was then called, and the people who check illegal imports. Professor Anderson has already said that, even if he had had all the information that has come to light in the past few months, his recommendations would have been exactly the same.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): I draw the House's attention to the fact that, as my entry in the Register of Members' Interests shows, I am a farmer. Compensation for foot and mouth is but one example of DEFRA's failure in its dealings with that outbreak. One of the first things that this Government did was to launch the Phillips inquiry into BSE, which cost the taxpayer millions of pounds. Why will they not now grant a similar inquiry with a full remit to examine every aspect of the way in which they badly handled the foot and mouth crisis?

Mr. Bradshaw: The hon. Gentleman's party refused to have any inquiry at all into BSE when in government, so it is rich for him, given that we have had several inquiries into foot and mouth, now to demand another. Has he spoken to the shadow Treasury spokesman about an extra spending commitment?

Raptors

11. **Mr. Roger Williams** (Brecon and Radnorshire) (LD): What discussions she has held with the Department of Trade and Industry on *(a)* possible changes in registration charges for captive raptors and *(b)* the impact of such changes on small businesses involved in raptor breeding. [192830]

The Minister for the Environment and Agri-environment (Mr. Elliot Morley): No discussions have yet been held. Charges for birds needing to be registered under section 7 of the Wildlife and Countryside Act 1981 will not be reviewed until officials have consulted stakeholders on new proposals concerning the species to be included on the schedule. Officials will consult fully with the Department of Trade and Industry's Small Business Service at all stages.

Mr. Williams: I thank the Minister for that reply, but, as I understand it, consultation is taking place with DEFRA, and suggested increases in registration charges and in the cost of licences relating to CITES—the convention on international trade in endangered species—could put real pressure on small businesses and impede the valuable conservation work being done in this country. Will he meet representatives from the Hawk Board and hon. Members from across the political spectrum to discuss the matter?

Mr. Morley: I am always willing to meet hon. Members who have a particular constituency or other interest that they wish to discuss with the Department. There are two issues here. Consultation recently took place on CITES charging, which applies only to raptors that fall within the terms of such regulations, and we are still considering our response. Consultation on registration charges, which is a separate issue, has not yet taken place, although there has been consultation with the Hawk Board, and a seminar on this issue is being organised. Such consultation is still going on and we would be interested to hear the board's views. If, having made its representations, it still wants to have a meeting, I will be happy to talk to the hon. Gentleman about that.

Huw Irranca-Davies (Ogmore) (Lab): I welcome the Minister's kind invitation. Will he put on the record his recognition of the valuable conservation work done by the raptor breeding programme in the UK, whose international reputation is well deserved?

Mr. Morley: Yes, I am happy to acknowledge the first-class work done by many organisations in conservation and captive breeding programmes. Indeed, we have recognised the importance of this issue in the consultation on CITES charges.

What I am concerned about in relation to charges for management and inspection for overall sectors is ensuring that there is an element of recovery. It should not fall entirely on the taxpayer, but I am willing to take all these issues into account.

Beef

12. **Sir Nicholas Winterton** (Macclesfield) (Con): If she will make a statement on beef exports from the United Kingdom. [192831]

The Secretary of State for Environment, Food and Rural Affairs (Margaret Beckett): UK beef prepared under the date-based export scheme is being exported to a number of EU countries. In the light of recent positive opinions from the European Food Safety Authority, we will continue to work with the European Commission to ensure that restrictions on UK beef exports are eased as quickly as possible.

Sir Nicholas Winterton: Unlike my hon. Friend the Member for Cotswold (Mr. Clifton-Brown), I am not a farmer, but I represent many farmers and beef production is very important in my constituency. Will the Secretary of State say in the House today that UK beef is the best in the world and that it is tender and tasty? Will she tell us what plans the Government have formulated to promote increased exports of British beef once the over-30-month scheme has been lifted?

Margaret Beckett: I wholeheartedly endorse the hon. Gentleman's words. Not only is British beef the best in the world, I strongly believe that it is probably the safest to consume in the world. We are continuing to work fully with the European Commission to ease any remaining restrictions. As to how we can further promote the export of British beef when those restrictions are lifted, he will be aware that some of the first beef exports since the foot and mouth epidemic went earlier this month to the SIAL—Salon International de l'Alimentation—food exhibition in Paris. It was, I fear, Southern Counties Fresh Foods beef, but I know that he will not mind that too much. That provides a good example of exactly the sort of promotion that I am confident that the beef industry, and the meat industry as a whole, is itching to undertake.

Rev. Martin Smyth (Belfast, South) (UUP): When did the Secretary of State last have discussions with the Secretary of State for Health on these issues? I understand that there is a health issue and that it might be impeding the export of beef. That should not be allowed to continue.

Margaret Beckett: We are, of course, in continual discussion with all Government colleagues who are affected by this matter. We are also in discussions with the Commission and the House may like to know that our chief vet met the Commission last week precisely to discuss how to take all these matters forward. I assure the hon. Gentleman that we keep in touch with all the relevant players. There are, as he will know, some remaining queries about inspection, enforcement and so forth, but we are endeavouring to address them as speedily as we can.

Mr. Tim Yeo (South Suffolk) (Con): The Secretary of State has just said that British beef is now the safest in the world. How much longer will it take Ministers to persuade the EU to make the necessary changes to the date-based export scheme so that the long overdue abolition of the over-30-month scheme, which is already justified in food safety terms, can happen and be followed by full exploitation of the large potential export market for British beef?

Margaret Beckett: Obviously, I cannot put a date on it, but I can tell the hon. Gentleman that, as I said a moment ago, we continue to discuss the issues with the Commission, as our chief vet did last week. We need to obtain a further satisfactory Food and Veterinary Office report and deal with related issues, but he may like to know that the forward plan presented by the Commission to the Agriculture Council last Monday envisaged lifting the UK embargo in 2005. We are working with as much urgency as we can to address these issues.

Recycling (Southampton)

13. **Sandra Gidley** (Romsey) (LD): If she will make a statement on the five-year recycling record of Southampton city council. [192832]

The Minister for the Environment and Agri-environment (Mr. Elliot Morley): Southampton city council has demonstrated steady improvement over the last five years from a household waste recycling and composting rate of 8 per cent. in 1998–99 to 12 per cent. in 2002–03, the most recent year for which audited data are available.

Sandra Gidley: The Minister will be aware that that rate is low, and that the Labour group devised a new refuse collection and recycling scheme to boost the figures. The Liberal Democrats supported that scheme and implemented it on taking control of Southampton city council, but Labour councillors have now scuppered it. Will the Minister speak to them and tell them that recycling and protecting the planet are far more important than petty political posturing?

Mr. Morley: I cannot get involved in local issues, apart from saying that the formerly Labour-controlled Southampton council advanced excellent proposals and received £1 million from the Government to implement them. I do not know all the details, but I understand that the incoming Liberal Democrats made a series of pledges about household collection that they have had some difficulty in carrying out.

Fisheries Council

16. **Mr. Alistair Carmichael** (Orkney and Shetland) (LD): What the Government's main objectives at the next Fisheries Council will be. [192835]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Ben Bradshaw): Our objective at November's Fisheries Council, as at every such meeting, will be to maximise opportunities for the UK fishing industry while protecting fish stocks and progressing the important reforms of the common fisheries policy.

Mr. Carmichael: The Minister is aware that the haddock permit management scheme has had very severe consequences for the Shetland white fish fleet in particular. Does he accept that, if that is rolled over for the beginning of 2005, there is a risk that that will lead to substantial dumping of haddock—surely something that no one wants? Will he make the removal of that scheme one of his main priorities at November's discussions?

Mr. Bradshaw: Yes, I am well aware of the problems that the hon. Gentleman outlined, especially since my visit to the Shetlands this summer. His fishing industry representatives there made me very well aware of the problems being caused. It is important that we maximise fishermen's opportunities to catch fish such as haddock, which are plentiful, while protecting cod. However, we will look closely at what we might be able to do in the run-up to this November's Council meeting to help address the problems that the hon. Gentleman described. If he or his industry have any practical suggestions about how that might be done that they have not submitted to my officials already, I should be very grateful to receive them.

Milk

17. **Annette Brooke** (Mid Dorset and North Poole) (LD): What assessment her Department has made of changes in the farm-gate price for liquid milk in the last 10 years. [192836]

The Minister for Rural Affairs and Local Environmental Quality (Alun Michael): The farm-gate price of milk has generally declined over the past 10 years. That is mainly due to exchange rates, but other factors affect the farm-gate price, including prices on world commodity markets, domestic supply and demand, the value of the product mix and the structure of the UK dairy industry.

Mrs. Brooke: What advice can the Minister give to organic farmers in my constituency, who find current farm-gate prices inadequate to sustain their activities, whereas supermarkets are thriving?

Alun Michael: It is fair to point out that farm-gate prices in August were at 18.43p per litre, which was 0.01p higher than in July. One has to look at these matters over a period of time, and the way in which a product is marketed is also an issue for many producers. I think that the hon. Lady wants me to give business advice to her producers, but I do not think that that is necessarily my role.

Mr. Patrick McLoughlin (West Derbyshire) (Con): At a time when the price of bottled water is higher than the price of milk, what future does the Minister see for the British dairy industry?

Alun Michael: The hon. Gentleman knows that the industry is bound to change as a result of reform of the common agricultural policy. It will have to meet the needs of the market rather than simply reach certain levels of production. The reports that we have seen—such as last year's KPMG study, and the Competition Commission's investigation of the role of the supermarkets in 1999–2000—show that there are complex reasons for different price levels. It is therefore wise not to set those findings, which demonstrate the complexity of the issue, on one side.

Mr. David Heath (Somerton and Frome) (LD): No one expects the Minister to give business advice to constituents, but we do expect him to take an interest in the future of the dairy industry. Given that the Milk Development Council has confirmed what we all knew—that dairy farmers are struggling while supermarkets are making record profits—surely it is time for him to have words with his colleagues in the Department of Trade and Industry and do something about it.

Alun Michael: A recent study by the university of Manchester found that, in 2002–03, 60 per cent. of the milk produced in the UK was produced at a profit. That was produced by something like 40 per cent. of our dairy farmers, so there is change going on in the market. The result of CAP reform will be that production must meet the needs of the market.

Hill Farmers

19. **Mr. Gordon Prentice** (Pendle) (Lab): If she will take steps to boost the income of hill farmers. [192839]

The Minister for Rural Affairs and Local Environmental Quality (Alun Michael): I am sorry, Mr. Speaker. Is it Question 19? [Hon. Members: "Yes."]

The new countryside code, which I launched on 12 July this year, is being promoted through cartoon films on television, and at selected cinemas and outdoor venues. The code is available free of charge. It is also being promoted through tourist information centres and through the Countryside Agency website. Educational materials specially developed for teachers and youth leaders will be available from January 2005.

Mr. Prentice: That is an answer to a question that I did not ask.

Mr. Speaker: Order. I am not responsible for the Minister's answer. The Minister may have made a mistake. Since he does not often do so, perhaps the House will allow him to give the right answer.

Alun Michael: That is why I asked which question was being asked, Mr. Speaker. It does appear that several hon. Members are not with us today, but I am glad that my hon. Friend the Member for Pendle (Mr. Prentice) is in his place.

My right hon. Friend the Secretary of State confirmed on 22 April 2004 that the hill farm allowance will continue to operate for the remainder of the current England rural development programme to 2006.

Mr. Speaker: Was that all right, Mr. Prentice?

Mr. Prentice: In so far as it goes, Mr. Speaker.

I am told that net farm income for hill farmers in the less favoured areas is some £12,000 a year, and one cannot easily keep body and soul together on such an income. What are the Government doing to boost the incomes of people on the hills who look after our famous landscapes in, for example, the Pennines? What steps are the Government taking to encourage young people into hill farming, given that the average age of hill farmers is close to 60?

Alun Michael: I share my hon. Friend's concern about the future for hill farmers, but it is fair to point out that provisional figures for net farm incomes in the English less favoured area suggests that they are some 20 per cent. above those of 2003. The hill farm allowance has provided dedicated support to upland farmers since 2001 and, in 2004, payments totalling £34.5 million were made to hill farmers in England.

Carbon Emissions

20. **David Taylor** (North-West Leicestershire) (Lab): What action is planned to reduce domestic carbon emissions by 2010 beyond the targets set out in the Kyoto protocol; and if she will make a statement. [192840]

The Minister for the Environment and Agri-environment (Mr. Elliot Morley): We announced the terms of reference for a review of the climate change programme on 15 September. That will assess progress made in reducing greenhouse gas emissions and whether we are still on track towards our 2010 domestic goal of reducing carbon dioxide emissions by 20 per cent. It is too early to say what new initiatives will be included in the new programme that we aim to publish in the first half of next year.

David Taylor: It is encouraging to hear that adequate progress is being made, but does my hon. Friend fear, as

I do, that because relatively little investment has been put into rail travel in non-main line areas, the major contributor to carbon emissions—the motor car—will continue to pose problems for this and future Governments?

Mr. Morley: It is certainly true that rail travel and other modes of public transport have an important contribution to make to reducing emissions and car usage. I am glad to say that the number of passengers using rail travel has increased. As my hon. Friend will be aware, huge investment has gone into track infrastructure, upgrading, new trains, better services and more comfort. I am sure that that will continue to attract more people. Encouraging rail travel and all forms of public transport is certainly an important part of combating climate change.

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): Does the Minister recognise that a good way to reduce carbon emissions would be to encourage more renewable sources of heat, as well as electricity? There is concern that, although there are incentives to use biofuels and biomass for electricity generation, there is no incentive if it is purely substitution for heat. It would thus be sensible to bring in a renewables obligation for heat as well as for electricity.

Mr. Morley: I understand the hon. Gentleman's point, although the issue is more difficult in relation to heat than in terms of power. Nevertheless, use of combined heat and power systems is expanding, whereby more heat is being utilised, especially in manufacturing. Such issues have been put to us, particularly in relation to the national allocation plan and the way in which we allocate carbon credits, and we are giving them careful consideration.

Business of the House

12.30 pm

Mr. Oliver Heald (North-East Hertfordshire) (Con): Will the Leader of the House give us the business for next week?

The Leader of the House of Commons (Mr. Peter Hain): The business for next week will be as follows:

MONDAY 25 OCTOBER—Opposition Day [20th Allotted Day]. There will be a debate entitled "Political Interference in University Admissions Policy", followed by a debate entitled "Government's Failure on the Siting of Wind Farms".

Both debates arise on an Opposition motion.

TUESDAY 26 OCTOBER—A debate on programming, deferred Divisions, carry-over, short speeches and the removal of references to strangers.

The necessary motions for the debate have been printed in this morning's Order Paper, with explanatory memorandums available in the Vote Office.

WEDNESDAY 27 OCTOBER—Remaining stages of the Domestic Violence, Crime and Victims Bill [*Lords*].

THURSDAY 28 OCTOBER—Second Reading of the School Transport Bill.

FRIDAY 29 OCTOBER—The House will not be sitting.

The provisional business for the following week will be:

MONDAY 1 NOVEMBER—Second Reading of the Gambling Bill.

TUESDAY 2 NOVEMBER—Remaining stages of the Children Bill [*Lords*].

WEDNESDAY 3 NOVEMBER—Motions relating to the Senior Salaries Review Body's triennial review of parliamentary pay and allowances, followed by a debate on the Procedure Committee's report on the Sessional Orders and resolutions.

THURSDAY 4 NOVEMBER—A debate on defence procurement on a motion for the Adjournment of the House.

FRIDAY 5 NOVEMBER—The House will not be sitting.

As I outlined to the House last week, the printed Commons calendar is now available from the Vote Office.

Mr. Heald: I welcomed the calendar last week; it is a useful document.

I thank the Leader of the House for at last finding time for debates on the Procedure Committee reports. Given that we have had to wait almost a year, does he understand the disappointment at this morning's negative Government response on programming? The Committee's proposals seem modest enough, so will he not think again? It is in the interests of the House to find an agreed, lasting solution to this thorny issue.

On Sessional Orders, given that, again, the Leader of the House has had a year to think about the matter, and that he has support from all parts of the House, including Mr. Speaker, will he confirm that he will table proposals to tackle the continuing problems in Parliament square?

Will the right hon. Gentleman consider adding two reforms to next Tuesday's business? Almost a year ago, the European Scrutiny Committee asked him to change Standing Orders to allow it to deliberate in public. That would provide the public and business with an early warning system for European proposals. The CBI has welcomed the idea, so why not do it next Tuesday?

Secondly, I have been pressing the Leader of the House for progress on the Osmotherly rules. Will he propose a forum, perhaps a Sub-Committee of the Liaison Committee, where disputes between Select Committees and the Government over witnesses and documents could be resolved by discussion?

Can the Leader of the House report any progress on my request last week for a debate on the middle east?

May we have an urgent statement on the report that the chief executive of Tees Valley Regeneration has been campaigning for a yes vote in the north-east regional assembly referendum? Does not that breach Government guidelines that impose a purdah period on any person whose expenses are defrayed from public funds or by a local authority, under section 125 of the Political Parties, Elections and Referendums Act 2000?

Finally, may we have a statement on the British grand prix? This country is the home of international motor racing. Mr. Ecclestone says that the grand prix has been cancelled. Media reports suggest that Ministers have been involved in discussions. May we be told about the present position and what can be done? It would be very sad indeed for the nation if the event were lost.

Mr. Hain: As an enthusiastic Formula 1 fan, I completely agree with the hon. Gentleman and the hon. Member for Banbury (Tony Baldry), in whose constituency Silverstone is sited, that it would be disastrous for British motor sport if the British grand prix were struck off the Formula 1 calendar. My right hon. Friend the Minister for Sport and Tourism has been working tirelessly with motor sport's authorities. However, I can say from personal knowledge that the politics of Formula 1 is even more difficult than the politics of the House. The internal difficulties in Formula 1 are legendary, but I hope that they will not stand in the way of the British grand prix at Silverstone being reinstated for next year. I thank the hon. Member for North-East Hertfordshire (Mr. Heald) for raising the matter.

We have listened to all representations made on programming, including that of the Procedure Committee, and have proposed a sensible approach. We have adopted several proposals that were suggested. Hon. Members will have the chance to debate the matter next week.

I understand and agree with the concern about Sessional Orders and the situation in Parliament square expressed by the hon. Gentleman, other hon. Members and, indeed, Mr. Speaker himself. We will signal our intentions during the debate. Primary legislation will be necessary, and we will make proposals at the appropriate time.

On the question of European regulations and legislation and an early warning system, I strongly support the principle of mainstreaming European matters rather than confining them only to the expert group of hon. Members who conduct such effective

[Mr. Hain]

scrutiny in the European Scrutiny Committee. The hon. Gentleman should support the new European constitutional treaty because, for the first time, it would allow Parliament to vet any new proposal from the European Commission, which would be a big advance for democracy. Given the cause that he argued from the Dispatch Box a moment or two ago, he should back the Government in giving Parliament much greater powers on new European proposals.

The hon. Gentleman asked about the Osmotherly rules. I addressed the Liaison Committee the other day, and we had a good sitting during which I was questioned rigorously and gave my views. I stated that the Government will now embrace the presumption that requests from a Select Committee for Ministers or civil servants, including special advisers, to appear before it will be agreed to, subject to Ministers having the final decision. I should have thought that the hon. Gentleman would welcome that. There is no need for a sub-committee. The House is paralysed by "committee-itis", and that it not a criticism of Select Committees—*[Laughter.]* There is a proliferation of sub-committees and one can never find out who is making decisions. I am a great fan of Select Committees—I made that clear the other day—but I am not a fan of setting up more sub-committees instead of resolving matters in the usual way.

I understand the hon. Gentleman's point about a debate on the middle east, about which we are all anxious. The Prime Minister has said that immediately after the American elections in early November—10 or so days away—he will try to get an urgent reactivation of the middle east peace negotiations.

There is a clear political disagreement about the north-east referendum, although not about its rules, which are absolutely clear and must be adhered to. The truth is that the Conservatives do not want the north-east of England to have a strong voice for its regional interests. They want to see it stuck in the past, while next-door Scotland has its own national voice, while Wales has its own national voice through its Assembly and while London has its own national voice. The Conservatives wish to deny the north-east the chance to get its own national voice. Anyone who campaigns in the referendum, including Ministers such as me, must abide by the rules.

Mr. Paul Tyler (North Cornwall) (LD): The Leader of the House just said that he is a great fan of Select Committees. May I remind him that the Procedure Committee is a Select Committee with all-party representation and that it has a Government majority? Its report on programming therefore has the support of all parties represented on the Committee. Will he assure us that, as this is a House matter, it will be subject to a free vote? There have been occasions when Government Whips have been seen to steer hon. Members into a particular Lobby. Can we be sure that there will be a free vote for Government Members?

Another Select Committee that I hope the Leader of the House takes even more seriously, as he chairs it, is the Modernisation Committee, which produced an excellent report earlier this year. I hope that he can now tell us that progress is being made. May I remind him that the report, "Connecting Parliament with the Public", contains an important section about the role of the media? Does he propose to timetable a debate on that report? What progress is being made? May we have a debate shortly?

Does the Leader of the House accept that the role of the media in interpreting what happens within this building is extremely important, because many of our constituents learn what happens and how we operate from the media? The problem with the media today is that many people do not seem to understand the role of a Member of Parliament. In his discussions on this section of the report, will he emphasise the need for transparency and freedom of information in respect of editors and their role in public life? For example, perhaps he should suggest that they publish their salaries and expenses, the full cost of their offices and staff and how they would run two offices and two homes that are 250 miles apart. A bit of comparison would be useful for our constituents and for readers and viewers. Is the Leader of the House prepared to have those discussions? Does he think that they would be helpful, enabling us to understand what editors do, just as our electors understand better what we do?

Mr. Hain: I am sympathetic to the hon. Gentleman's points, as he will understand. On the question of progress on the Modernisation Committee's report "Connecting Parliament with the Public", I receive monthly reports from the Clerk's Department on the progress that is being made in all these important areas. We want to make sure that Westminster and this House are user-friendly. I know that the hon. Gentleman is an enthusiastic supporter of that. We also have a progress meeting next week on the proposals for a visitors centre, which is different from the reception facility, to which the House has already agreed.

I am a fan of Select Committees. It is important that they hold Ministers to account. Ministers in this Government have appeared before Select Committees more than Ministers in any other Government since Select Committees were first established. That is part of the Government's greater accountability to the House of Commons. For example, my right hon. Friend the Prime Minister has made more statements to the House than Mr. Major or Mrs. Thatcher made in the equivalent periods. He also appears before the Liaison Committee, which never happened before.

Of course there will be a free vote on the Procedure Committee issues and the question of programming. We need to keep it in perspective. We have an honest difference of opinion, and we might as well just accept it. The hon. Gentleman, along with members of the official Opposition, seems to be saying that he wants to go back to the old days of all-night sittings and filibustering. We have introduced a sensible approach to programming, which was called for before we came to power and was broadly endorsed by Conservative Members under the previous Administration. When programming works well, it is in the interests of the House because both in Committee and on the Floor of the House it allows hon. Members to focus on the issues that they want to focus on rather than listening to filibusters. Where programming does not work well—there are instances of that—it is usually the responsibility of those involved in drawing up and agreeing the timetable through the usual channels. We must bear it in mind that, by and large, programming is in the interests of the House.

Mr. Andrew Miller (Ellesmere Port and Neston) (Lab): My right hon. Friend may have seen a photograph in *The Times* today of some of our colleagues promoting breast cancer awareness. That underlines the importance of the scientific research that goes unpromoted in this country and of the superb work in our hospitals. Will he find time for an early debate on such an important subject—not only breast cancer but the work that is going on in all cancer services—so that the people whom we represent have a truer picture of what is happening?

Mr. Hain: I did indeed see the photograph—it was an excellent way for women Members of Parliament to raise the profile of an important subject. In the past decade, British women have experienced the biggest decrease in the world of deaths from breast cancer, and that is welcome. Under the Government, 99.6 per cent. of women whom GPs refer urgently with suspected breast cancer to a consultant are seen within two weeks. We are making rapid progress but a serious problem remains and my hon. Friend is right to raise it.

Mr. Douglas Hogg (Sleaford and North Hykeham) (Con): May we have an early debate on the proposed security arrangements for this place? Many of us are worried that primary responsibility could be transferred from the existing authorities to the police, bearing it in mind that most of the most recent security upsets, for example, at Buckingham palace and Windsor castle, have been on premises for which the police were primarily responsible.

Mr. Hain: Mr. Speaker has ruled on whether security matters should be debated on the Floor of the House and we must bear that in mind. As a member of the House of Commons Commission, I can say that some of the press speculation and spin in the past week could not be further from the truth. The Government have no proposal to trample over the sovereign independence of the House of Commons or the House of Lords.

The Joint Committee on Security and the House of Commons Commission agree that they want to establish a proper security co-ordinator for the Palace, which is one building for the purposes of security. We need a proper, professional modern approach, with the police and the security service having constant operational lines to whoever fills the new position. However, ultimately the holder of the new post should be answerable and accountable to Mr. Speaker in the Commons and the Chairman of Committees in the Lords. That is the right way in which to proceed.

John McDonnell (Hayes and Harlington) (Lab): On 7 October, under the authority of the mutual legal assistance treaty and, we believe, at the instigation of the FBI, agents visited the offices of Indymedia and removed its computer servers. Indymedia is an international news agency that has extensively covered investigations into the war and the Bush and Berlusconi regimes. May we have a statement next week to explain on what authority the action was taken, what representations foreign Governments made and the justification for the action?

Mr. Hain: I am not aware of the details of the matter but the Home Secretary will have noted my hon. Friend's points.

Alistair Burt (North-East Bedfordshire) (Con): May I ask for an urgent debate in Government time about reports that the successful British food fortnight event is under threat because of lack of Government support? The event has boosted the regional food and drink industry by approximately £10 million in the past three years. It reinforces the connection between farmers, local sourcing and customers. Does the right hon. Gentleman agree with the organiser, Alexia Robinson, that we are running a nationwide enterprise like a cottage industry?

Mr. Hain: Food fortnight week is an important initiative—[*Interruption.*] I am glad that the hon. Gentleman has the opportunity to raise food fortnight; I understand that he could not do that in DEFRA questions. In giving more resources to the Food Standards Agency and focusing on improved standards throughout the country and on diet, the Government are with the hon. Gentleman. It is also important to get increased markets for British food closer to home and to try to persuade the supermarkets to co-operate with that objective.

Julie Morgan (Cardiff, North) (Lab): What plans has my right hon. Friend to give time for legislation to enable Wales to become smoke-free in public places? The Welsh Assembly has voted for that and requested legislation. New research has been published this week and Liverpool is moving forward on the issue. What about Wales? What can we do to ensure that Wales becomes smoke-free in public places?

Mr. Hain: I am very sympathetic to the cause, which my hon. Friend has always prosecuted vigorously, and I note her point about Liverpool. The Secretary of State for Health will publish a White Paper on public health within a matter of weeks, and this issue will be addressed. My hon. Friend will be encouraged by the fact that there is now a serious debate about how we strike a balance between individual rights and public health in respect of both smoking and passive smoking.

Mr. Andrew Mackay (Bracknell) (Con): Returning to the serious issue of the future of the British grand prix, may I emphasise to the Leader of the House how important it is that the Minister for Sport and Tourism comes sooner rather than later to make a statement on the Floor of the House? Will the Leader of the House assure us that the Government will be robust with Mr. Ecclestone, despite the fact that he is a very generous donor to the Labour party?

Mr. Hain: I think that he was an "un-donor" in the end—the party never got the money. This is very difficult and complicated, and we are all in the same position. I know that the right hon. Gentleman is keen from the point of view of not just motor racing sports

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fans such as us both, but Britain's pre-eminence in high-performance engineering. We are world leaders in that field, and we must ensure that we protect our position against severe competition, and it is absolutely crucial that we keep the British grand prix at Silverstone and on the Formula 1 calendar. The Minister for Sport and Tourism has been closely engaged in the negotiations; ultimately, however, Formula 1 and the FIA must agree which grand prix, from China to Britain, appear on the calendar. I hope that, even at this late stage, an agreement will be reached between the British Racing Drivers Club and Mr. Ecclestone, in the interests not just of Britain but of world sport because Silverstone is known throughout the world as the home of motor sport.

Geraint Davies (Croydon, Central) (Lab): I have previously raised the issue of the Forestdale Forum community centre in Croydon, whose trustees fear the forfeiture of their lease by Warborough Investments, which has not acted illegally but whose activities led local trustees to ask to be given legal support. Is my right hon. Friend aware that, following my campaign, Croydon council has now agreed to become a joint trustee to provide that support? Will he welcome that and find time to debate a review of land legislation to protect such community centres, which provide valuable family and social support, more comprehensively across London and Britain in future?

Mr. Hain: I congratulate my hon. Friend on his tireless campaigning and strong leadership on the issue. Although the issue is specific to Croydon, I am sure that it is of general interest throughout the country. I pay tribute to the good work of the forum, the trustees and similar people throughout Britain who work tirelessly without reward for the good of their local communities. If it is possible to find time for him to raise the issue in another place, I am sure that he will seek to do so.

Dr. Julian Lewis (New Forest, East) (Con): The Leader of the House will remember the point of order that I made last week about the troubles in Parliament square—not on the question of the permanent demonstration that has been alluded to today, which does indeed require primary legislation, but on the abusive, antisocial behaviour not only of the permanent demonstrator but of visiting demonstrators who fill the square with amplified noise, which can only serve to spoil the amenity for visitors and imperil the security of the House by distracting the police and security guards who are trying to protect us. I asked whether he would pick up the phone and ask the police why they are not taking action in respect of that noise, which they would take if it were occurring elsewhere. Has he made that call? If he has not, may I suggest that he ring 0207-321 7501 and ask to speak to Superintendent Peter Terry? If he does not do that, I will, and I hope that many colleagues will do so and that, in the unlikely event that the politically correct media report this, members of the public will do so as well.

Mr. Hain: I am glad that the hon. Gentleman is going to ring that number, and I wish him well. I have been involved in a lot of detailed discussions and consultations about this matter, which is difficult because of the state of the law, but it is irritating—hence the announcement that I made only moments ago.

Keith Vaz (Leicester, East) (Lab): May we have a debate on violent video games next week? My right hon. Friend will know that I have raised in the House the case of Stefan Pakeerah, the Leicester schoolboy who was murdered by a friend who was obsessed with the game Manhunt. Next Friday, the makers of that video will release a new version of Grand Theft Auto that is said to be even more violent than the previous game. May we have a statement or a debate, or some kind of ministerial action before that new game is released?

Mr. Hain: I share my hon. Friend's amazement about such videos, which are monitored by the authorities, both the police and the Government. No doubt his points will have been noted because they are very serious.

Dame Marion Roe (Broxbourne) (Con): Will the Leader of the House confirm that there have been ongoing discussions about a proposal to extend the remuneration of Chairmen of Select Committees to include members of the Chairmen's Panel and other officers? Can he give any further information on that subject?

Mr. Hain: I reassure the hon. Lady that we have, in fact, agreed to ask the Senior Salaries Review Body to consider the remuneration arrangements of members of the Chairmen's Panel. The Chairman of Ways and Means has made representations to me. Obviously, it is a matter for the SSRB—an independent body that sets all our pay and allowance conditions in the House. It is important that people remember that we do not set our own levels; they are recommended by an independent report. I hope that the SSRB will consider that request sympathetically. I am personally sympathetic to it because the hon. Members who serve on the Chairmen's Panel do a very good job, which is often not properly acknowledged, and the Chairman of Ways and Means has come up with a good proposal, which I personally support, although it is for the SSRB to make a recommendation.

Mr. Gordon Prentice (Pendle) (Lab): I appreciate that a defence debate will be held in a few moments, but is there not a case for a separate statement on the four Upholder class submarines, which the Royal Navy decommissioned a decade ago, that were sold to Canada? My right hon. Friend will know that one of those submarines, HMCS Chicoutimi, caught fire, with loss of life—sparks as big as golf balls ricocheted down the submarine—and that an inquiry has been set up by our sister House of Commons in Ottawa, where the incident is causing huge concern and tremendous controversy and press comment. It warrants a statement from the Secretary of State for Defence.

Mr. Hain: Like all hon. Members, I am aware of the concern about and problems with that matter, and my hon. Friend is right to raise it. The Secretary of State for Defence will follow me to make a statement on another matter, but my hon. Friend will have an opportunity to raise the issue in the defence debate later this afternoon if he chooses to do so.

Annabelle Ewing (Perth) (SNP): The fact that the Cabinet discussed this morning the redeployment of the Black Watch in Iraq clearly shows the importance of the issue and that, ultimately, a political decision is involved. If the Cabinet can have a political debate about the redeployment of the Black Watch in Iraq, why cannot the House of Commons?

Mr. Hain: The Secretary of State for Defence will come to the House in a matter of minutes to answer any question that the hon. Lady might want to put to him, if time allows. Those issues should be raised with the Secretary of State for Defence in the proper fashion. He is coming to the House to make a statement at the earliest opportunity following the Cabinet meeting today, and I should have thought that she welcomed that.

Dr. Alan Whitehead (Southampton, Test) (Lab): Last week, my right hon. Friend indicated that he would consider the suggestion that the House might debate the House of Commons Commission's annual report. Has he had an opportunity to consider that suggestion in the past week? If not, when will he be able to do so? Will he consider scheduling an annual debate on the publication of each annual report? Will he perhaps put that at the back of the estimable calendar that he has introduced today?

Mr. Hain: I am not sure that it would be sensible to put such a debate in the calendar because of the nature of arranging business. However, having consulted informally with Mr. Speaker, I will provide time for a debate on the annual report of the House of Commons Commission, as requested by the hon. Member for North Cornwall (Mr. Tyler). There is universal support for that, including from the shadow Leader of the House. The report is a fine one, which I would say as I am a member of the Commission. It shows the important work that the Commission undertakes and will provide us with an opportunity to debate all sorts of matters that come under its remit.

Richard Younger-Ross (Teignbridge) (LD): Will the Leader of the House find time for a statement on business rates to be made by a Minister from the Office of the Deputy Prime Minister? The Government have recognised the problem with small businesses and are considering a discount scheme. However, the businesses in my area are concerned that they have come up with the wrong solution. In particular, the National Farmers Union argues that its rates are increasing by £1,000 and it is struggling to employ another person. If it could be part of a discount scheme, it would employ someone else, as would other businesses.

Mr. Hain: The Minister for Local and Regional Government will make a statement on those matters in the usual way as part of the normal cycle, as he does every year. The hon. Gentleman will have an opportunity to scrutinise that.

David Taylor (North-West Leicestershire) (Lab/Co-op): The Leader of the House, in various parties over the decades, has campaigned effectively on libertarian issues, including in the '80s on the level of the UK prison population. Does he share my dismay that it is heading inexorably towards 80,000? Does he not believe that the time is right for a full debate on penal policy, not least because in the past few days Martin Narey, the new chief of the National Offender Management Service, has threatened the Prison Officers Association with prison privatisation? Does he have that power? Is my right hon. Friend as dismayed as I am at that negotiating tactic?

Mr. Hain: I am not sure that that description is accurate, but no doubt my hon. Friend will pursue it. I think he will welcome the fact that the publication of the latest quarterly report from the British crime survey shows that the risk of being a victim of crime is the lowest since the survey began under the Conservatives in 1981—in other words, for more than 20 years. Crime in England and Wales has fallen 7 per cent. Violent crime is down by 6 per cent. and violence involving any injuries has dropped by 12 per cent. There has been a 10 per cent. fall in the use of handguns, and firearm offences show a 15 per cent. drop in fatal injuries. There are still big problems, including gun crime, but we are making incredible progress compared with where we were years ago.

Sir Nicholas Winterton (Macclesfield) (Con): It would be ungracious of me not to thank the Leader of the House for providing time to debate two Procedure Committee reports, one on programming and the other on Sessional Orders and resolutions.

On next week's debate on programming, which will include the subject of short speeches, does the right hon. Gentleman accept that, following what the hon. Member for North Cornwall (Mr. Tyler) said, the Committee is dominated by Labour Members and we agreed a report that we thought produced a balance on programming which would make it more acceptable to the House as a whole and all the political parties within it? Even if he will not change his mind at this stage on his response to it and the motions that he has tabled, will he guarantee that the matter will be decided on a genuinely free vote? The Procedure Committee, which I chair with great honour, is deeply concerned about the way in which the House can do the job that people elect it to do.

Mr. Hain: The hon. Gentleman is one of the last people in the House whom I would ever accuse of being ungracious.

I understand the issues that the hon. Gentleman raises. We thought carefully about the Procedure Committee's recommendations and compared them with the Modernisation Committee's recommendations. Throughout this time, we have tried to build a consensus on programming. Some of the points that we have taken on board show that that is the case—*[Interruption.]* I understand that there is a Liberal-Conservative coalition on the subject, but it would be interesting to know whether the Conservatives or the Liberal Democrats would reverse programming if

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they ever got into government together. I think that it has worked well in the interests of all Members, not just the Government.

Tom Levitt (High Peak) (Lab): My right hon. Friend will recall that when the draft Disability Discrimination Bill was published it was welcomed with great acclaim by disabled people, their organisations and hon. Members on both sides of the House. He will also recall the fanfare of approval it received in the report of the Joint Committee that scrutinised it, on which I had the honour of serving. Indeed, the Government's response to that report was also favourably received. Will he assure the House that there is no reason why the Bill cannot make rapid and successful progress, with support from both sides of the House, from now on?

Mr. Hain: I agree that the Bill is vital to the interests of people with disabilities. That is why the Government were anxious to introduce it as soon as possible, which is why I announced last week that we would introduce it shortly. It is therefore with great disappointment that we discovered that the Opposition in the House of Lords are trying to block its early progress. It is not for me to go into the usual channels' negotiations, but we made a proposal that would have allowed early progress on the Bill, and that has not been supported. That is very disappointing. I hope that the Opposition in the House of Lords reconsider their decision.

Sir George Young (North-West Hampshire) (Con): I also welcome the debate on Sessional Orders and Parliament square, some 11 months after I first asked for it.

Will the Leader of the House now find time for a debate on police authority funding? Many hon. Members on both sides of the House spent yesterday talking to their police authorities. Hampshire constabulary and others are deeply concerned that the resources available to the Home Office will not even fund a standstill budget next year. The opportunity of getting the council tax payer to fund the difference is not available because of capping. Does he want to fight a possible general election against a background of reduced police authority funding? Can we help him avoid that by debating it soon?

Mr. Hain: I am grateful to the right hon. Gentleman for his first remark. Perhaps I did not make this clear to the hon. Member for Macclesfield (Sir Nicholas Winterton), but let me reassure the right hon. Gentleman that there will be a free vote on all House matters, as there always is.

On police authority funding, there is no question of cuts. The Government have put record investment into policing. Police numbers are now at an historic high. Some 12,500 extra police officers have been recruited since we came into power. Any blips or difficulties in the process of settling individual police authority budgets in the coming year should be seen against that background of continued substantial increase in police funding.

Jim Sheridan (West Renfrewshire) (Lab): My right hon. Friend will be aware of the abuse by some hon. Members and political parties of the parliamentary procedure for submitting written questions so that they can create a dishonest league table—

Mr. Speaker: Order. No hon. Member would act dishonestly.

Mr. Patrick McLoughlin (West Derbyshire) (Con): Has the Leader of the House had a chance to see the report issued this week by the Trading Standards Institute on premium rate fraud? Is he aware that the TSI calculated that phone-line fraudsters could be raking in as much as £1 billion a year? I have had complaints about that from people in my constituency. In Ashbourne there has been a bill for more than £500; in the Matlock area there has been a bill for more than £200; and in the Belper area there has been a bill for £200. This is a big fraud. Will he arrange for the Secretary of State for Trade and Industry to tell us what action she will take to stamp out this fraud?

Mr. Hain: The hon. Gentleman has raised an important issue. I am sure my right hon. Friend the Secretary of State for Trade and Industry will take close note of what he said and respond to it. If there is an opportunity to raise the matter on the Floor of the House in future, I am sure the hon. Gentleman will take it.

Huw Irranca-Davies (Ogmore) (Lab): May I suggest that my right hon. Friend's professed liking for Select Committees is in no small part due to the warm welcome he received earlier this year from the Procedure Committee and the hon. Member for Macclesfield (Sir Nicholas Winterton)? I regard with dismay my right hon. Friend's comments that the draft Disability Discrimination Bill, whose arrival in the House so many Labour Members have looked forward to, may be derailed because of actions in the other place by unelected others.

Mr. Hain: I share the dismay. It is astonishing that the Conservatives, in the main, in the House of Lords have been unable to agree to a sensible proposition to timetable debate, which would allow Second Reading to take place and therefore early progress to be made so that the Bill could be carried over into the next Session and would reach the statute book earlier than would otherwise be the case. I hope that they will reconsider their decision, because the Bill provides vital extra protection for people with disabilities and we as a Government are determined to deliver it.

Mr. Tim Boswell (Daventry) (Con): The Leader of the House has already acknowledged in earlier exchanges the difficulties for Silverstone from the grim news about the British grand prix. He sought to steer an elegant course between the parties involved and any decision that is taken, yet he claimed credit for the actions of the Minister for Sport and Tourism and other Government Departments with an interest in the matter. My concern is to support the outcome constructively. Will the right hon. Gentleman please arrange for an early debate in Government time so that the whole matter can be thoroughly discussed?

Mr. Hain: It may come to that, but let us see what happens in the meantime. The hon. Gentleman may have other opportunities to raise the matter. I know he has always been a big supporter of the British grand prix in every respect, not just because it is in his constituency. The Government have provided quite a lot of funding for Silverstone, both for the new road that has transformed the previously chaotic traffic arrangements around there, and to support the development of high performance engineering in the area around Silverstone. We are as committed as he is to the British grand prix. Unfortunately we do not control those who make the decision on it.

Mr. Wayne David (Caerphilly) (Lab): May I say how much I agree with the remarks of the Leader of the House about the need for the House to take European scrutiny and European issues far more seriously than it currently does? Will he indicate a timetable for the implementation of his suggestions for reform?

Mr. Hain: The Modernisation Committee is considering how we might improve the scrutiny and mainstreaming of European issues in the House. We are due to issue a report when that has been completed. At the risk of repetition, I come back to what I said earlier: the main opportunity that the House will now have, which we have never had before, is to vet any new proposal from the European Commission for legislation, because we will have that right under the new European constitutional treaty. That is why I hope that Conservative Members and others will support the Government in promoting the European constitutional treaty, which for the first time gives the House democratic rights over what the European Commission initiates.

Mr. David Heath (Somerton and Frome) (LD): Colleagues and I have repeatedly raised the issue of the proliferation of unauthorised Travellers' sites in our constituencies. Given the written answer of yesterday's date stating that there are 3,571 caravans on unauthorised encampments or unauthorised developments of land without planning permission, and the court case that occurred in recent weeks, is it not time that the Office of the Deputy Prime Minister produced proposals which, to be fair, it has promised, to increase the powers of local planning authorities? Many people worry about the integrity of the planning process and relationships between our communities and travellers.

Mr. Hain: I am sure that the Office of the Deputy Prime Minister will have noted the hon. Gentleman's question. I hope that he will support the Government in future on all these issues in the legislation that we introduce on antisocial behaviour and similar matters.

Mr. Graham Brady (Altrincham and Sale, West) (Con): May I urge the Leader of the House to reconsider the answer that he gave my right hon. Friend the Member for North-West Hampshire (Sir George Young) in relation to police authority funding? Given that the Government have loaded additional costs on to police forces around the country yet are speaking about a simple inflation-linked increase in the grant next year, there will be massive shortfalls. In the case of my own constabulary, Greater Manchester police, it would lead to a shortfall of some £40 million. That would mean massive front-line cuts in policing. It is essential that the Government reconsider. May we please have an urgent debate on the matter?

Mr. Hain: As the hon. Gentleman will understand, there has been a long-standing problem relating to the finances of the pension fund for the police. That has complicated the funding decisions that have to be made. He is right, as a Member of Parliament, to raise the matter in respect of his local area, and I understand that. But he ought to draw the attention of the House and his constituents to the fact that within two years of a Conservative Government taking power, a massive multi-billion pound cut is planned in Home Office budgets, including police funding. His voters ought to know that if the Conservatives won, the problems would be much worse and the council tax would go sky-high to cope with them.

UK Forces (Iraq)

1.16 pm

The Secretary of State for Defence (Mr. Geoffrey Hoon): With permission, Mr. Speaker, I would like to make a further statement about the deployment of UK forces in Iraq.

On Monday I explained to the House that the UK military had received, and was evaluating, a request from the US military command in Iraq for assistance that would involve UK land forces operating outside the Multi-National Division (South-East) area, in support of a combined Iraqi/US force.

A reconnaissance team from MND(SE) deployed to the area in question earlier this week and has now reported back to the chiefs of staff. The team provided information on a number of issues including logistics, the length of the potential operation, the likely tasks, activity levels in the area, the force levels required, and the command and control arrangements. After careful evaluation, the chiefs of staff have advised me that UK forces are able to undertake the proposed operation, that there is a compelling military operational justification for doing so and that it entails a militarily acceptable level of risk for UK forces. Based on this military advice, the Government have decided that we should accept the US request for assistance.

I emphasise again that this was a military request, and has been considered and accepted on operational grounds after a thorough military evaluation by the chiefs of staff. As I said on Monday, and as the Prime Minister said yesterday to the House, this deployment is a vital part of the process of creating the right conditions for the Iraqi elections to take place in January.

We share with the Iraqi Interim Government and with our coalition partners a common goal of creating a secure and stable Iraq, where men, women and children in towns such as Falluja can feel safe from foreign terrorists, from the kidnappers who murdered Ken Bigley and from other criminals. Crucially, Iraqi Prime Minister Allawi and the Interim Iraqi Government want to establish sufficient security for elections to be able to take place in January. Recent successful operations by Iraqi security forces and coalition forces in Tal Afar, Samarra and on the outskirts of Falluja have been undertaken to restore areas under the control of militants and terrorists to the authority of the Iraqi Interim Government. As a direct result, the political process there is now moving ahead.

We cannot consider the current UK area of responsibility in isolation. What goes on in the rest of Iraq affects southern Iraq and affects UK troops wherever they are based. We must therefore consider our contribution in the context of the overall security situation right across Iraq. This means that a UK armoured battle group consisting of the 1st Battalion the Black Watch and supporting units will deploy to an area within Multi-National Force (West) to relieve a US unit for other tasks. They will be deploying with the necessary combat support services such as signallers, engineers and medics, resulting in a total deployment of around 850 personnel. This deployment will be for a very limited and specified period of time, lasting weeks rather than months.

I cannot give the House further details about the location, duration or specifics of the mission. I know that hon. Members on all sides will understand that to do so would risk the operational security of the mission and potentially the safety of our forces. Speculation from many quarters so far has not been helpful. I emphasise that there are no plans to send a further 1,300 troops to Iraq, as suggested this morning.

Concerns have been expressed about UK forces coming under US command and about their rules of engagement. The arrangements for this deployment are that the force will remain under the operational command of General Rollo, the UK General Officer Commanding Multi-National Division (South-East).

On a day-to-day basis, the Black Watch will, of course, have to co-ordinate its activity with the US chain of command in the locality, but any changes in the mission or the tasking would have to be referred back to General Rollo. As with all UK operations, our forces will operate at all times under UK rules of engagement, which will provide proper protection for our forces, as they have done throughout our operations in MND(SE).

It is not unusual for UK and US forces to work alongside each other—they have successfully done so not only in Iraq, with US forces often providing logistical support for our own forces and therefore reducing the number of troops and assets that we need in theatre, but in operations all over the world. Indeed, in Bosnia, about 22,000 US troops operated under UK command. As I said in my statement on Monday, UK forces in Iraq work alongside forces from Italy, Denmark, Poland, the Netherlands, Japan and other countries on a daily basis. That is an effective and practical way to ensure coherence both in our own area and with those areas that surround it.

There has also been speculation as to why there is a need for this UK force to backfill for a US unit, when there are around 130,000 US troops in Iraq. The armoured battle group brings important qualities of extensive training, experience, and hard-edged combat capability. It is not the case, as is often implied, that there are 130,000 US troops that could take on that task. In fact, less than one third of US forces in Iraq have the requisite combat capability, and of those even fewer have the armoured capability that is needed.

Specialised armoured forces are already highly committed across Iraq, which is about four fifths the size of France. The chiefs of staff have further concluded therefore that the provision of a UK battle group to that new mission would be a significant contribution to and would materially increase the effect of the continuing operations to maintain pressure on the terrorists before the January elections.

On Monday, hon. Members raised the question of whether that deployment will leave sufficient forces to deal with contingencies in our own area of responsibility in the south. The roulement of British forces currently under way includes an armoured infantry battle group of the 1st Battalion Scots Guards with their own Warrior armoured vehicles, which will fulfil the divisional reserve role currently undertaken by the Black Watch. That will result in General Rollo temporarily having an extra armoured battle group under his command, which will provide a robust force capable of dealing with any contingencies. It is also worth remembering that the other UK forces in MND(SE) will continue to carry out their tasks in the professional and effective manner that has become so apparent to the people of Basra and the surrounding area—they restore power, water and basic facilities and support the Iraqi authorities in ensuring a robust level of security.

The deployment is limited in scope, time and space, and it does not represent a permanent significant additional commitment of forces. The overall trend in the numbers deployed in Iraq remains down, from the peak of 46,000 during the war-fighting phase to around 8,500 today. That overall downward trend is expected to continue as we continue to train Iraqi security forces to take over from UK forces, as has happened, for example, in Amarah in Maysan province.

The Government remain totally committed to the Iraqi Interim Government and the need to hold free elections in January. We also remain committed to protecting innocent Iraqis, dealing with terrorists, kidnappers and criminals, training and equipping Iraqi forces so that they can take our place providing security, and seeing a democratic Government in Iraq who will take their rightful place in the international community and who will deliver prosperity and a secure future for the Iraqi people. That should unite both sides of the House, and it is right that the United Kingdom should contribute to those objectives. The deployment of the Black Watch will emphasise to the Iraqi people that the UK will continue to contribute to the coalition and see the task through.

Mr. Nicholas Soames (Mid-Sussex) (Con): The House will be relieved that the Secretary of State has finally moved to end the unnecessary and unacceptable confusion of the past few days and announced the Government's decision on this important matter. As I made plain in my response to his statement on Monday, Conservative Members fully support the coalition as it seeks to bring democracy, stability and freedom to Iraq and preserve Iraq's territorial integrity. We agree that we should do what we can to contribute to that strategic objective.

In the light of what the Secretary of State has told the House today, and having heard that the deployment has the support of the chiefs of staff following reconnaissance reports that the proposed mission is both feasible and fully within the capabilities of the Black Watch battle group, Conservative Members support the deployment on the basis that it is a necessary operational military contribution to the coalition's efforts to bring peace and stability to Iraq ahead of the January elections.

I will, if I may Mr. Speaker, press the Secretary of State, in the light of this decision, on a number of the points that I made to him on Monday. First, will he clarify his rather complicated assurances on the rules of engagement? Will he again confirm that the rules of engagement are indeed robust enough to cope with the change of area, mission and task?

Secondly, will he assure the House that troops about to face the enemy will not have their essential confidence undermined by the possibility of a commanding officer's legal judgments being subsequently overruled, as has recently been the case?

Thirdly, bearing it in mind that, as the Prime Minister said yesterday, we are about to enter a period of increased activity in Iraq, will the Secretary of State confirm that there is likely to be a surge requirement for extra troops to Iraq ahead of the Iraqi elections in January? If so, where will those troops come from?

Fourthly, does the Secretary of State anticipate deploying the over-the-horizon assets that he holds in Cyprus? Is he satisfied as to the arrangements both for command and control and for air cover? Fifthly, will he say whether troops currently serving in Iraq will have their tour extended? Finally, are there any additional plans for further redeployment of British troops outside MND(SE)?

No doubt the Secretary of State will wish at his earliest convenience to apologise to the families of the Black Watch battle group for the exceptionally shabby way in which he has treated them.

The House and the nation can be supremely confident that the Black Watch, the Royal Highland Regiment, which bears the distinction of Baghdad 1917 as one of its battle honours, will carry out its task with all the fortitude, discipline and courage that we would expect from one of the finest regiments in the British Army. To them and to all the supporting arms who go with them in the battle group, we wish God speed.

Mr. Hoon: I am grateful to the hon. Gentleman, who has finally and rather belatedly made the Conservative party's position on the deployment clear. It was not obvious from his comments on Monday, and no one could have detected from the Conservative leader's observations yesterday whether the Conservative leader actually supports the deployment, so we have made some progress.

I suspect that the hon. Gentleman prepared his questions before he heard my statement. I have already repeated the point about rules of engagement, which he has come very close to suggesting should be published—he denied such requests when he was Minister for the Armed Forces—and I am delighted to repeat again that our armed forces will have robust rules of engagement. The rules of engagement have been sufficient to protect them in their operations in MND(SE), and that will continue to be the case as far as this deployment is concerned. Every hon. Member knows that British forces, wherever they serve in the world, are subject to the law of this country. That remains the case, it will always be the case and British forces want nothing else.

The hon. Gentleman's other questions largely concerned other matters not related to this particular deployment, and I shall certainly deal with them, perhaps in the debate that follows or on a future occasion. On apologies, he might like to reflect on the fact that his observations about the Black Watch were poorly received by the commanding officers of that distinguished regiment—very poorly received.

They have gone out of their way to keep their people and families thoroughly informed about this deployment. I give the hon. Gentleman the opportunity to make that

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apology instead of making cheap political points at the expense of hard-working serving soldiers and their families.

Mr. Paul Keetch (Hereford) (LD): I thank the Secretary of State for coming to the House to make this statement and for an advance sight of it. Of course, all of us in this House wish the Black Watch well.

Liberal Democrat Members did not support the war in Iraq, but we accept that we have a responsibility to the people of Iraq. However, we also have a responsibility to our troops serving there in terms of their protection, welfare and morale. For that reason, we believe that British troops should remain in the British sector under British command, so we do not support this redeployment. I hope that the Government have the confidence to put this issue before the House.

Of course, there will be times when our forces will temporarily serve outside MND(SE), including the Royal Air Force, liaison units and special forces, but the protection of the men and women in MND(SE) must be the highest possible priority.

Both the Secretary of State and the Prime Minister have said that the security situation in Iraq could get worse in the short term due to Ramadan, any US attack on Falluja, and the run-up to the January elections. So is now a good time to move 850 battle-trained members of the Black Watch, with its Warrior armoured vehicles, some 350 miles away from supporting the remaining British troops in the south?

Will the 1st Battalion the Scots Guards be in MND(SE) before the Black Watch moves? If the US attacks Falluja, will it be able to call on the Black Watch for support? What is the future of the Black Watch when it returns home? Will it be disbanded, as has been suggested and as has been campaigned against by my hon. Friends?

Finally, if the only elections that these troops are being sent to support are the Iraqi elections in January, which troops will replace the Black Watch when it goes home before Christmas, as the Prime Minister promised yesterday?

Mr. Hoon: The hon. Gentleman thanked me for making the statement available to him in advance. I am sorry that he did not study it a little more carefully, because several of the answers to his questions would have been apparent to him had he done so.

It is important that the Liberal Democrats participate in this debate so that the country can see precisely where they stand on a number of key issues—

Mr. Charles Kennedy (Ross, Skye and Inverness, West) (LD): Absolutely.

Mr. Hoon: Is the leader of the Liberal Democrats seriously suggesting, as he appears to be, that every time British forces in a theatre of operation are redeployed there needs to be a debate and a vote on it? Is he seriously suggesting that, across the wide range of deployments that British forces make, that kind of political opportunism would serve them well? We know full well from the Liberal Democrats that their policy would mean that Saddam Hussein was still in power in Baghdad today. Given the current situation in Iraq, are the Liberal Democrats seriously saying to the families of people like Ken Bigley that they would not take action against terrorists and take the necessary action to see democratic elections taking place in Iraq? Do they or do they not want free and democratic elections in Iraq? If not, they should say so, because their policies lead directly to that conclusion.

The most fundamental question that the Liberal Democrats have to face up to is whether they back our troops. The leader of the Liberal Democrats has failed to do that.

Mike Gapes (Ilford, South) (Lab/Co-op): Can the Secretary of State confirm that the deployment of British forces that he announced will be fully supported by the Iraqi Government, who wish to have robust action against the terrorists and those who murdered Ken Bigley and are currently taking other hostages in Iraq? Is it not about time that the Liberal Democrats ceased to be the Saddam Hussein preservation society?

Mr. Hoon: With the handover of sovereignty to the Iraqi Interim Government, all the operations that I have described to the House and, indeed, this deployment and this operation, will have to be with the consent of that sovereign Government of Iraq. It is the Iraqi Prime Minister and his Government who want to see the terrorists dealt with and an end to the attacks on innocent Iraqis.

Sir Patrick Cormack (South Staffordshire) (Con): As one who agrees with the decision that has been taken and has every confidence in the ability of the Black Watch, may I press the Secretary of State on one point? If, when it returns at Christmas, there is a need for other troops to take its place, have contingency plans been made for that?

Mr. Hoon: As I sought to explain to the House in the course of my statement, the fact that the Black Watch will be going north and will in turn be replaced in position by the Scots Guards means that once it has been able to return home before Christmas we will be back to the steady state of forces that we currently have in MND(SE), so there will not be a significant change in the total numbers operating in the south.

Geraint Davies (Croydon, Central) (Lab): Many colleagues would delay action for a couple of weeks beyond the US election. I do not want President Bush re-elected, but with every day that passes terrorists in Falluja are killing Iraqi people and taking UK hostages, and there will be more and more Bigleys. Does my right hon. Friend agree that if there is a military imperative to act we should do it now, not sacrifice UK and Iraqi lives just because we do not like George Bush?

Mr. Hoon: I agree with my hon. Friend to this extent, at any rate: it is important that we act on the request made to us not only by our US ally but, crucially, by the sovereign Government of Iraq, who want an end to the lawlessness, violence, terrorism, killing and kidnapping. This deployment will play a part in that process.

Mr. David Trimble (Upper Bann) (UUP): I understand the pressures that have been brought to bear on the Secretary of State with regard to making this statement, but I wonder whether it was the wise thing to do. He emphasised that the decision was taken purely on the basis of operational considerations. Such decisions and movements are bound to take place from time to time when we have allies working on a joint operation, as has happened elsewhere. Can the Secretary of State tell us what policy issues are relevant, because it is those, not operational matters, with which this House should be concerned?

Mr. Hoon: I am grateful to the right hon. Gentleman, who always approaches military questions in the light of very considerable personal knowledge and experience. As he knows, such deployments are made clearly to reflect a policy background, which I stated to the House—it is the importance of removing the terrorist threat to the people of Iraq and of allowing free democratic elections to take place on schedule in January, as has always been our policy.

Rachel Squire (Dunfermline, West) (Lab): As the Member for Dunfermline, which is the Black Watch's largest recruitment area, I had hoped, as had many of its families, that it would not be committed to an even more dangerous aspect of its current operations, especially as our US allies, despite having 121,000 more in their armed forces than we do, seem incapable or unwilling to deal with the situation. What commitment can the Secretary of State give to assure us that all the vital support and equipment will be provided and that those soldiers will return to their homes for Christmas?

Mr. Hoon: I have set out the reason for this deployment. I am absolutely confident that the Black Watch and all those, including our US allies, who will work so hard to ensure that the deployment is able to take place will do so successfully and satisfactorily.

I am sorry that my hon. Friend expresses those views about the United States, which will be engaged in the deployment. I have explained to the House in some detail why this particular capability is necessary in order to allow wider operations against terrorists and kidnappers to take place.

Sir John Stanley (Tonbridge and Malling) (Con): Is it not the case that the US forces place considerably greater reliance on the use of offensive air power against urban terrorist targets than we do, and that time and again, most regrettably, so-called precision US air strikes have resulted in significant Iraqi civilian casualties, including women and children? Assuming that that pattern continues, what assessment has the Secretary of State made of the risk that not only the Black Watch, but British forces generally, may, quite unjustifiably, be associated in the Iraqi public mind with having caused significant civilian casualties?

Mr. Hoon: I do not accept the logic of the right hon. Gentleman's argument, not least because the capability of modern precision-guided weapons is now such that they can be precisely targeted in a way that he does not give credit for. The question also concerns whether it is right to try to deal with terrorists. I assure him that Iraqi public opinion wants the threats to security in Iraq and to the Iraqi people dealt with just as badly as the United States or the United Kingdom does. If he reflects on what he said, I am sure that he will realise that the sorts of terrorists operating in places such as Falluja are killing far more Iraqis than they are killing coalition forces. That is why the Interim Government are so determined to see them dealt with.

Mr. Eric Joyce (Falkirk, West) (Lab): In view of the tawdry and rather irresponsible comments to the effect that Black Watch families have not been properly briefed up to now, will the Secretary of State confirm that they have been properly briefed and that that will continue?

Mr. Hoon: The commanding officers have been at great pains to provide information to the families of those men currently deployed in Iraq. That is why I took such exception to the ignorant comments of the hon. Member for Mid-Sussex (Mr. Soames).

Mr. George Osborne (Tatton) (Con): Of course we must see the job through in Iraq, but is it not unfair to ask regiments such as the Black Watch, or my local regiment, the Cheshires, to serve with such bravery and distinction in Iraq, and then face them with abolition on their return?

Mr. Hoon: It is not a question of abolition; the hon. Gentleman knows full well that it is a reorganisation. We will have the opportunity to debate that in a few minutes, but there has been a long process of reorganising infantry battalions throughout the history of the British Army. He knows that full well, so why does he come to the House making such foolish assertions?

Mr. Robin Cook (Livingston) (Lab): In the light of my right hon. Friend's remarkable statement that only a third of US troops are combat-capable, would he agree with the US chiefs of staff when they warned Donald Rumsfeld that he was not sending enough US troops to Iraq in the first place? What assurances has he received from the US in return for this redeployment that, this time, it will listen to us as good and reliable allies when we advise it to minimise civilian casualties in Falluja, especially since, as a result of today's decision, we are much more likely to be held responsible for those casualties?

Mr. Hoon: My right hon. Friend and I worked closely together on Iraq and have discussed on many occasions the organisation of our armed forces. He knows full well that in any force there are front-line combat forces and support forces. That was my point, which is self-evident, as I am sure he would accept. Inevitably, a certain proportion of the US forces deployed in Iraq will be front-line combat forces, and a smaller proportion still will be armoured capable. That is why this particular deployment is necessary.

Hugh Robertson (Faversham and Mid-Kent) (Con): May I take the Secretary of State back to the question asked by my hon. Friend the Member for Tatton (Mr. Osborne)? He will understand the importance of morale

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to soldiers about to deploy on active service. Given that the Black Watch has already served with distinction during the war, and is now on a second and dangerous tour of duty, can he give it any reassurance whatever that its reward for that distinguished service will not be amalgamation or reorganisation?

Mr. Hoon: The hon. Gentleman, who generally speaks knowledgeably on these matters from his personal experience, knows full well the history of the British Army and of the need to reorganise to deal with modern reality. We will debate that issue in the debate that follows. Consistent with the recommendation of the Scottish colonels, for example, what we are looking to preserve is the identity of single battalion regiments within a larger amalgamated structure. That is something that has happened in the past and can happen in the future.

Ms Karen Buck (Regent's Park and Kensington, North) (Lab): I apologise for returning to a theme on which we have already touched, but in the past 24 hours I have received a great many messages from right across my constituency expressing concern about the proposed deployment. Apart from a theme of cynicism about timing—which I do not share, but which I believe must be understood and responded to—which runs through virtually all those messages, the single major theme is a concern about the impact on civilian casualties of an assault on Falluja. I ask my right hon. Friend to acknowledge the profound concern of my constituents about the impact on civilian casualties and the enhanced risk, as it is perceived, to British troops as a result of association with any excessive casualties.

Mr. Hoon: I am grateful to my hon. Friend for making that point. I emphasise to the House, to her and to her constituents that considerable efforts are always made in any operation to minimise civilian casualties. At the same time, we must all face up to the fact that in Falluja, determined, ruthless, fanatical terrorists must be dealt with. They have to be dealt with in a way that is militarily effective and has regard to the safety and security of the forces carrying out those operations.

Pete Wishart (North Tayside) (SNP): There will be a distinct chill felt in the homes of forces families across Tayside, Fife and beyond as the significance of this statement is assessed. Yesterday, the Prime Minister said that the Black Watch would be home by Christmas, yet nowhere in the statement is that confirmed. Will it be home for Christmas, or does the Secretary of State envisage some situation or set of conditions in which that pledge will not be honoured?

Mr. Hoon: I made it clear that this was a limited, specific deployment. The request from the US military command was for a deployment limited precisely in time. That is why the Prime Minister was able to say what he did yesterday. If there is any doubt, I can repeat it.

Mr. Dai Havard (Merthyr Tydfil and Rhymney) (Lab): A number of questions have already been asked about the rationale behind this release of American forces. I am still not clear exactly what tasks the Americans will be able to carry out once we provide this alleviation. The Secretary of State must understand that part of the problem is the lack of confidence that what he says, in relation to what the Brits will do in minimising civilian and other casualties, will be true in American deployments. We need some explanation of what the Americans will do once we assist them in doing it.

Mr. Hoon: May I make two points clear to my hon. Friend? First, whatever operations follow will be combined operations, involving Iraqi forces, led by an Iraqi decision-making process, but with support from US forces. Those will be consistent with the sorts of operations that I have already described to the House—operations to deal with centres of terrorism and areas that are outside the control of the Interim Government and providing a base from which terrorists can attack innocent Iraqi civilians and other innocent civilians operating in Iraq. Secondly, if we do not deal with those secure bases, it is much more difficult to see a secure, stable future for Iraq, and very difficult to see how democratic elections can safely be held.

Mr. Crispin Blunt (Reigate) (Con): Will the Secretary of State confirm what his statement implies but does not quite say—that the 1st Battalion the Scots Guards will be fully deployed before the Black Watch deploy on this new operation?

Mr. Hoon: Obviously, there will be a period of overlap, as one force gets into place as another moves north. The hon. Gentleman will know from his experience that it is not sensible at this stage to give the precise dates and timings of those things.

Mr. Dennis Skinner (Bolsover) (Lab): Is the Secretary of State aware that someone does not have to be a lover of Saddam Hussein to be against this deployment and against the war? We are mirroring the views of millions of people in Britain, and of people in his constituency and mine. That is valid reason enough. Does he not think that it is slightly ionic that the American President and his Vice-President, who both refused to face the muck and bullets in Vietnam, are now calling on British forces to bail them out?

Mr. Hoon: My hon. Friend and I have regular discussions on all manner of issues. I say to him—and to the Liberal Democrats, although they may not like it—that the issue is that there is a difficult situation in Iraq. No one is in any doubt about that. There is significant terrorism in Iraq, and a sovereign Interim Government struggling to establish peace, freedom and democracy for their people. The issue that my hon. Friend and other Members must face is what they will do now. They can perfectly rightly say that they are opposed to the war, which I respect, but the issue is what action we take now to deal with terrorism and the people who would ruthlessly murder our citizens and the citizens of Iraq.

Dr. Julian Lewis (New Forest, East) (Con): I think the Secretary of State is beginning to understand the meaning of friendly fire.

We welcome the assurance given by the right hon. Gentleman earlier this week and again today that British troops deployed in this relatively more dangerous area would be under the control of British senior officers, and would be able to apply the advanced counter-insurgency techniques in which they are so proficient. If, as a result, their methods prove superior to those previously applied by American forces, what steps will he take to ensure feedback to our American allies, so that they can benefit from the experiences of our troops?

Mr. Hoon: I assure the hon. Gentleman that there is a close exchange of both information and technical operation between the United States and the United Kingdom. If the hon. Gentleman considers the way in which US forces, for example, are deployed and operate further north than the so-called Sunni triangle, he will note that they operate in a very similar way to British forces in the south.

Laura Moffatt (Crawley) (Lab): My right hon. Friend rightly said that this was a military decision, and the House must have confidence in it, but can he confirm for the sake of clarity in the House and outside that such decisions are made on military grounds? Can he also confirm that this is the first time our forces have operated outside MND(SE)?

Mr. Hoon: It is not the first time they have done so.

I accept that this is part of the role that coalition forces expect to play when they are part of a wider multinational operation. That is why it was important for us to look carefully at the military justification, and why we accepted advice given to us on that basis by the chiefs of staff.

Mr. Jeffrey M. Donaldson (Lagan Valley) (DUP): The Black Watch and the other UK regiments deployed in Iraq will have benefited significantly from their operational experience in Northern Ireland, which has contributed to the success of UK forces in the south-east zone. Will the Secretary of State assure us that that operational mode of deployment will not be set aside in the new deployment, although the Black Watch will remain under the command of the UK General Officer Commanding?

Mr. Hoon: The hon. Gentleman would not necessarily expect me simply to agree with his question. The decision will be a matter for the commanding officer on the ground, once he has assessed the nature of the threat, the terrain on which the troops operate, and so on. However, having visited Northern Ireland many times and observed the techniques that the British Army has used in the past—and having seen the same techniques operating in such places as Basra—I pay full tribute to the support that the Army has been given by the people of Northern Ireland.

Mr. Gordon Prentice (Pendle) (Lab): Many of us are concerned about mission creep. What if the Americans make a formal request for British troops to go into Falluja or, perhaps, Baghdad? Would a decision on that be a matter for the UK military command alone?

Mr. Hoon: I assured the House on Monday that the request was not for troops to operate in either Falluja or Baghdad. I have set out the precise operational command today. In the very unlikely event of such a situation arising, the matter would have to be referred to commanding officers, and ultimately referred back here to chiefs of staff and Ministers.

Richard Younger-Ross (Teignbridge) (LD): Can the Secretary of State tell us who will replace the Black Watch in the American sector when that regiment returns to Britain? Will it be replaced by British or American troops—especially if the Americans get bogged down in Falluja?

Mr. Hoon: I have made it absolutely clear that the request is for a deployment limited in time. At the end of that limited period, assuming that operations have been completed in Falluja, it will be a question of whether it is necessary to occupy that area or whether it is possible to take the area at risk. That is a matter for the Americans; it is not a matter for us.

Mr. David Watts (St. Helens, North) (Lab): I welcome the statement and the clarification of the reasons for redeployment of our troops. May I now invite my right hon. Friend to explain the importance of the redeployment to the ability to hold free elections in Iraq?

Mr. Hoon: As I made clear on Monday and again today, this is about ensuring that pockets of resistance in places such as Falluja are dealt with, in order to reduce the terrorist threat to the Iraqi people and to coalition forces—and, of course, to ensure that progress is made not just in rebuilding Iraq, but in giving the Iraqi people an opportunity to participate in democratic elections.

Mr. Hugo Swire (East Devon) (Con): Will the Secretary of State tell us which of the Government's overseas commitments, if any, will need to be reassessed in the light of the redeployment of the battle group?

Mr. Hoon: None.

Mr. John Denham (Southampton, Itchen) (Lab): I entirely accept that the decision was not made for political reasons, but does my right hon. Friend accept that it carries a political cost? That cost will be borne in part by our political party, but also—perhaps more important in the big scheme of things—by the standing of this country abroad if the civilians deaths that we fear turn out to be on the scale that people are worried about.

Does my right hon. Friend accept that the unease that is being expressed arises from a feeling that while our Government are willing to volunteer that political cost, when we look to our allies to make difficult political decisions—for example, on the Prime Minister's priority in regards to the middle east peace settlement—there is very little reciprocation?

Mr. Hoon: My right hon. Friend has always approached these issues in a careful, thoughtful and sophisticated way. It is important for us not only to continue our efforts in Iraq to promote the reconstruction of that country, but to use the influence that we gain as part of that process, and bring it to bear on all countries that are trying to obtain a secure and

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just settlement in the middle east. I agree with my right hon. Friend that it is necessary to continue the process, and I assure him that the Prime Minister and other members of the Government are continuing their determined efforts to that end.

Richard Ottaway (Croydon, South) (Con): If it is the case that only 40,000 American troops have the requisite combat capability, does the Secretary of State agree that the additional deployment only amounts to an extra 2 per cent.? Can he explain why he considers it to be a significant contribution?

Mr. Hoon: As I have tried to explain, this is an armoured capability. The request is for us to replace a relocating similarly armoured US capability so that it can be free—along with other forces, including significant contingents of Iraqi forces—to continue operations of the kind that are being conducted in places such as Samarra. The hon. Gentleman suggests that it is a modest contribution, and indeed it is; nevertheless, it is a vital contribution and one requested of us by an ally.

Glenda Jackson (Hampstead and Highgate) (Lab): Is it not the case that the present policy, which this deployment of British troops will reinforce, has been a total and unmitigated failure? Far from eradicating terrorist centres, it has encouraged actions by terrorists and insurgents. Is it not also the case that it is impossible to guarantee that the minimum number of civilians will be killed in the all-out attack on Falluja? Surely the best thing that a British Government could do to support and protect the Iraqi people is to argue strongly to the American Government that they must, sooner rather than later, change their policy—and change it dramatically.

Mr. Hoon: The difficulty I have with my hon. Friend's observations is that they take no account of the appalling terrorist attacks that are occurring throughout Iraq and affecting the Iraqi people more than anyone else. While I can subscribe to many of the principles that my hon. Friend has enunciated—we certainly do not want to target civilians, and in any event we are not allowed to do so legally—it is important for her to bring to the House not only the criticisms that she makes in such an articulate way, but some suggestions as to what we should do to deal with the terrorist threat that exists in Iraq today.

Mr. James Gray (North Wiltshire) (Con): Given the record-breaking speed with which the military and political decision-making machine operated this week—and, indeed, the incredibly short time that the recce group has had in which to reconnoitre the operation in Iraq—what guarantee can the Secretary of State give us that the same will not happen in future? There will be a request from the Americans for our troops to operate somewhere else, there will be a record-breaking decision to allow that, and we will end up with the severe mission creep mentioned by the hon. Member for Pendle (Mr. Prentice).

Mr. Hoon: I do not accept that that is a likely outcome of this decision, which is a specific decision, limited in time and space, to deal with a particular problem arising from potential operations in places such as Falluja. I assure the hon. Gentleman and the House that there are plenty of opportunities for Members to question Defence Ministers on deployments of this sort. There will be one later this afternoon, and another on Monday. I am sure that the hon. Gentleman will take every opportunity that is presented.

Huw Irranca-Davies (Ogmore) (Lab): Like my hon. Friend the Member for Bolsover (Mr. Skinner), I have received calls on this issue over the weekend from constituency party members and from members of the public. We went into something of a tailspin over the weekend, with all the furore in the press. Ultimately, however, if this action is necessary, it is necessary; and if it is right, it is right. If the Black Watch have a pivotal role to play in securing the future democracy of Iraq and the holding of elections in January, we should praise that role, let them go in there and get on with the task, and get them home to their families in time for Christmas.

Mr. Hoon: I entirely agree with my hon. Friend.

Bob Russell (Colchester) (LD): I assume that the Secretary of State has forward planning. On the assumption that the Black Watch come home for Christmas and that the Iraqi elections are in January, will there be any British troops in Iraq by Christmas 2005? Will any of them be from the Colchester garrison? Bearing it in mind that I represent the garrison town of Colchester and that I am proud of the troops I represent, will the Secretary of State reflect on whether his criticism that I did not back British troops was fair?

Mr. Hoon: I invite the hon. Gentleman to think through the policy of the party that I assume he continues to support. That policy is to say that the Liberal Democrats would not have deployed British troops to Iraq. I am not at all sure what the hon. Gentleman actually supports, although I am willing to give him the opportunity to explain that during the debate that will follow this statement. Does he support taking robust action to deal with terrorism? Does he support the deployment of British forces to achieve that? None of those questions has been properly answered by his leader or, if I may say so, by him.

Richard Burden (Birmingham, Northfield) (Lab): In his opening remarks, the Secretary of State said that it was important to see events in the British sector in the context of what is happening in Iraq as a whole. I put it to him that it is also important to see the impact on the broader region of events in Iraq as a whole. He will be aware that there is massive disquiet in the middle east not only about the events leading to the overthrow of Saddam but about America's approach to winning the peace. Is he also aware that concern about Britain's closeness to the United States has so far been tempered by an awareness that we understand things a bit better and have a rather more sensitive approach than that of the United States? Does he understand that this deployment will undermine that distinction in the middle east, and that that will undermine our ability to be a force for good and for sanity in that part of the world, particularly given that our priorities on issues such as the middle east peace process do not seem to be shared by our allies on the other side of the Atlantic?

Mr. Hoon: Since I first became a junior Minister under my right hon. Friend the Member for Livingston (Mr. Cook), with responsibility for affairs in the middle east, I have been a regular visitor to the region. During that time, I have not had a single conversation with any middle eastern leader or senior figure who has not either looked for or welcomed the overthrow of Saddam Hussein.

Gregory Barker (Bexhill and Battle) (Con): In the light of the recent wave of kidnappings, what assessment has the Secretary of State made of the impact of this controversial new deployment on the personal safety of the remaining British workers operating in Iraq? Does he have a strategy to deal with that impact, and will the Government be changing their advice to those workers?

Mr. Hoon: That is precisely why it is necessary to conduct this kind of operation. For the moment, the personal security of those people is threatened by terrorists operating from places such as Falluja. It is necessary to deal with Falluja, to help to secure the personal status of those people.

Mr. Andrew Miller (Ellesmere Port and Neston) (Lab): My right hon. Friend referred in his statement to the training of Iraqi security personnel. I have pressed his colleagues on this point before, because I am anxious to see Britain play a role in raising the standards of such personnel. That will help us to develop a systematic, organised exit strategy from this conflict. Will my right hon. Friend tell the House what progress has been made in this regard and give us an assurance that Britain will play a key role in that process?

Mr. Hoon: My hon. Friend is right to link the question of training, reconstruction and the prospect of democratic elections in Iraq to an exit strategy, because that is an exit strategy. The more training we can conduct of police, security forces and the new Iraqi army, the more opportunities there will be for those people to replace units of the British Army and, indeed, of other coalition forces. As I explained in my statement, that is precisely what has happened in al-Amarah, where British forces were constantly confronted by attacks throughout the summer. Now, they have been replaced by significant contingents of the new Iraqi army, and I am pleased to say that the situation there is much calmer.

Mr. Christopher Chope (Christchurch) (Con): The Prime Minister has said that our troops are still at war in Iraq, but the Secretary of State said in his statement that we were at the end of what he described as "the war-fighting phase". Can he tell us what phase we are in now?

Mr. Hoon: What we are dealing with is clearly a very determined terrorist operation, affecting the Iraqis and our forces right across the country. We need to concentrate our efforts to deal with areas such as Falluja and other cities that have been out of the control of the Iraqi Government. That is the phase that we are in. We have to deal with the threat to innocent civilians and coalition forces by taking robust action against the terrorists, otherwise we would be letting our people down.

Llew Smith (Blaenau Gwent) (Lab): Could the Minister explain to the House why we should believe the reasons that he gives for the deployment of our troops to other parts of Iraq, when he is the very same Minister in the very same Government who continually informed the House that we had to believe them when they told us that Iraq had weapons of mass destruction that it could use in 45 minutes, that it was a threat to the world, and that the war would be legal?

Mr. Hoon: I gave that information to the House in good faith, and the series of inquiries that has investigated those matters has confirmed that that was true.

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): In his answer to the right hon. Member for Tonbridge and Malling (Sir John Stanley), the Secretary of State placed great faith in the accuracy of modern air weapons. However, most of our constituents will still be concerned that, whatever the quality of the weaponry, innocent civilians are being killed in Iraq. There is particular concern when children are killed there. As he has said, what happens in the rest of Iraq affects the sector that British troops are in. He must therefore seriously address the point that the operations to control the insurgency have to be carried out in such a way that civilian casualties are kept to a minimum, even if that involves a greater risk to the American forces.

Mr. Hoon: That is precisely the legal rubric under which British forces operate.

Mr. Neil Gerrard (Walthamstow) (Lab): It is clear, is it not, that what this is about is the facilitating of a massive American assault on Falluja? Many of us are deeply sceptical about the assurances that civilian casualties will be minimised, because they simply do not fit with what we have seen over the past year from the US forces, or with the number of Iraqi civilian casualties that there have already been. It is impossible to go into a town such as Falluja with bombs and heavy armour without causing casualties among innocent civilians on a significant scale. We will be blamed for that, because of this deployment.

Mr. Hoon: May I adjust one aspect of what my hon. Friend has said? This will be a decision taken by a sovereign Iraqi Government in the interests of the Iraqi people. It is important that my hon. Friend should reflect that in the way in which he approaches these issues.

Dr. Vincent Cable (Twickenham) (LD): Very approximately, how many insurgents does the Minister believe the coalition is currently fighting? How does he reconcile the estimate, made in April, of about 5,000 with the more recent estimate that about 25,000 had already been captured or killed?

Mr. Hoon: One of the points that I made in response to a series of questions on Monday was that I accept that

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there is not a solely military solution to the problem of insurgency in Iraq. It is necessary to deal with foreign fighters and the likes of Zarqawi and his supporters in a vigorous way. There are increasing signs, even in places such as Falluja, that the local Sunni population in such cities are sick and tired of the suffering that they are experiencing at the hands of terrorists. I made the point the other day to the Iraqi Vice-President, who was visiting London, that alongside a determined military operation to deal with terrorists, there must also be a political operation to deal with those people who ultimately are citizens of Iraq and who need to participate in a political process and in the restoration of their country.

Andrew Mackinlay (Thurrock) (Lab): Since last Sunday, on what occasions has the Secretary of State spoken to Donald Rumsfeld or his deputy about the resources and assets available to the United States compared with those of the United Kingdom, where they are located and when they could be deployed in theatre? Can he also share with the House how a proper apportionment of responsibilities is made, commensurate with the scale of our country and our armed forces, compared with those of the United States?

Mr. Hoon: I have not spoken to Donald Rumsfeld this week, but I did spend two days with him last week at a NATO meeting in Romania. During those two days, the request from the United States was not mentioned once.

Defence

[Relevant documents: Fifth Report from the Defence Committee, Session 2003–04, HC 465-I, on the Defence White Paper 2003 and the Government's response thereto, HC 1048.

Minutes of Evidence on Future Capabilities taken before the Defence Committee on 15th September 2004, from Rt Hon Geoffrey Hoon MP, Secretary of State for Defence, Sir Kevin Tebbit KCB CMG, Permanent Under Secretary of State, and General Sir Michael Walker GCB CMB CBE ADC Gen, Chief of Defence Staff, Ministry of Defence, HC 1031-i; and uncorrected oral evidence taken before the Defence Committee on 20th October 2004, from Air Chief Marshal Sir Jock Stirrup KCB AFC ADC, Chief of the Air Staff, Ministry of Defence, HC 1031-ii on Future Capabilities.]

Motion made, and Question proposed, That this House do now adjourn.—*[Derek Twigg.]*

2.10 pm

The Secretary of State for Defence (Mr. Geoffrey Hoon): I am extremely grateful for the opportunity to open today's debate on defence in the world. The British armed forces, and the civil servants who support them, make a huge contribution to international efforts to improve security around the world. More than 9,000 servicemen and women are currently deployed in the Gulf region, and there are significant deployments in Bosnia, Kosovo, Afghanistan and Cyprus.

It is not just on major operations that our armed forces make a valuable contribution; we also have training teams and advisers providing support to partners and allies across the world. Let us not forget the important contribution that our armed forces make in the Falklands Islands, Gibraltar and Cyprus.

We owe our armed forces a debt of gratitude, and I know that the House will wish to join me in again paying tribute to the bravery and professionalism of our servicemen and women, and to their contribution to creating a better world. Nowhere is that more evident than in Iraq, where the armed forces are focused on training and supporting the Iraqi security forces. We must continue to help Iraq to develop the necessary capabilities and capacity to be able to protect its security and stability. This is of particular importance in the light of the forthcoming elections in January.

We know that the Iraqi security forces are enthusiastic, but they require command and leadership training, as well as basic weapons-handling skills. Prime Minister Allawi is aware of that, and he recognises the need to accelerate the process and to deliver results on security and crime. We are committed to supporting him and his Government, which is why the armed forces are providing essential training for the police and the coastal and border defence forces, as well as for the new Iraqi army and air force. Military advisers are also working with our Iraqi partners on a number of national security committees. Based on current planning, all major elements of the Iraqi security forces, particularly those designed for counter-insurgency, will be fully manned, trained and equipped by 1 July 2005. Three battalions of the regular army—about 2,250 personnel—are already operational, and we expect that all 18 battalions, involving about 27,000 personnel, will be in place by February 2005.

The Iraqi national guard is being trained and expanded to take over guard and patrol duties. Its 40 battalions—consisting of some 36,500 personnel—now have the capability to conduct significant operations. They are routinely undertaking a wide range of duties, such as fixed site security, route and convoy security, patrols, and cordons and checkpoints. In addition, some 89,000 Iraqi police are on duty in Iraq. Altogether, more than 200,000 Iraqis are now providing security in that country.

While it is clear that we are making good progress, we accept that there is still some way to go. As the Prime Minister stated, however, this is not the time to cut and run; we have made a commitment to the Iraqi people and we are determined to see it through. We will continue to work with the Iraqi Interim Government and with our coalition partners to achieve our common goal of a stable and secure Iraq. It is for that reason that I announced our agreement to the United States' request that United Kingdom land forces operate outside Multi-National Division (South-East) in support of a combined Iraqi-US force. Together, we will work to increase the pressure on, and deal with, those terrorists and insurgents who are trying to prevent the rebuilding of Iraq, and who threaten the holding of free elections in January.

Hugh Robertson (Faversham and Mid-Kent) (Con): The Secretary of State said in his earlier statement that the UK armoured battle group of the 1st Battalion Black Watch will deploy with supporting units such as medics, signallers and engineers. Will he confirm what armoured assets they will take with them, and whether they will have any air cover from the UK base?

Mr. Hoon: They will deploy with their Warrior equipment.

Hugh Robertson: I had hoped that the Secretary of State would say whether they will take any armoured squadrons and main battle tanks with them, and whether there will be helicopter support.

Mr. Hoon: In fact, I answered the hon. Gentleman's question precisely.

Hugh Robertson: Will it be Warriors?

Mr. Hoon: They will take their Warrior equipment with them.

There also remains much to do in Afghanistan. The very successful presidential elections show that the foundations are now in place for the country to be peaceful, stable, democratic and free from terrorism. Some 880 personnel from the Army and the Royal Air Force are deployed in Afghanistan. Most serve with the international security assistance force, helping to maintain stability in Kabul, or serving with provincial reconstruction teams in northern Afghanistan to help the Afghan Transitional Authority progressively extend its reach across the country.

The Afghan presidential elections on 9 October are proof of how much the Afghan people have achieved since the Taliban fell. Our armed forces played their full part in making that success possible. The British contingent in Kabul increased its patrolling over the election period, and it patrolled continuously for the two days immediately before the poll. Our provincial reconstruction teams provided liaison services to assist in preparation for the elections, while the very visible air patrols of our Harrier GR7s, the deployment of which I announced on 8 September, provided a valuable deterrent effect. Drug production and smuggling, however, remain a significant problem. They finance instability, distort the Afghan economy and are a direct cause of huge misery in Afghanistan and, of course, in this country. We will continue to play our full part in efforts to control the drugs trade. Similarly, the remnants of the Taliban still pose a threat, which is another reason for our deployment of Harrier GR7s in support of the coalition.

Mr. Dai Havard (Merthyr Tydfil and Rhymney) (Lab): As my right hon. Friend knows, I recently spent a week with the British troops in Afghanistan. I wrote to him about the significant contribution that they are making to training the Afghan national army and raised the question of the resources available for such training, which is valuable in helping Afghans to rebuild their country, and for policing. Has my right hon. Friend had a chance to reconsider this matter, and can he say what those resources, which will be needed for quite a long time, will be?

Mr. Hoon: I am grateful to my hon. Friend for his observations and assistance. This matter is being looked at carefully, and although I do not intend to make an announcement today about the results of such inquiries, I can certainly say that we are committed to ensuring that the necessary resources in Afghanistan are provided to deal with the drugs threat.

Looking ahead, we are committed to the deployment of the headquarters of the Allied Command Europe Rapid Reaction Corps, to lead the international security assistance force in 2006. That is a clear demonstration of our longer-term strategic commitment to the security of the region, and to the Afghan people.

Mr. John Greenway (Ryedale) (Con): The Green Howards have just returned from a long tour of duty in Afghanistan and they acquitted themselves in exemplary fashion, as the Secretary of State knows. Will he think again about the proposal to abolish one of the regiments in the King's Division, and will he put to an end speculation about the use of RAF Fylingdales, which is in my constituency?

Mr. Hoon: I will deal in due course with the reorganisation of our Army and why it is necessary. If the hon. Gentleman wishes to intervene at an appropriate stage, I shall give way to him and we can discuss the matter further. On Fylingdales, I have explained to the House precisely what has been agreed with the United States. The speculation that I have read in certain newspapers is entirely wrong and misplaced.

We must not overlook the Balkans, where the political and military landscape has changed dramatically over the past 10 years, not least thanks to the deployment of UK armed forces as part of international peace support efforts. The countries of the Balkans have made huge strides in their aspiration to

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join the Euro-Atlantic community. NATO has played a vital role in moving the region towards this more stable state, and the United Kingdom has played its part this process. Success can be seen from the fact that NATO force levels in Bosnia have reduced from the original level of 60,000 troops to some 7,000. In Kosovo, NATO troop levels have been reduced from the 1999 figure of 55,000 to 17,500. NATO has decided to terminate its stabilisation force mission in Bosnia. That is the right decision for Bosnia, which is ready to take its next steps toward self-sustaining peace and stability.

The EU will support Bosnia in taking those steps. The EU mission, which takes over in Bosnia on 2 December, will include a robust military element at initially similar figures to those currently in SFOR. The EU mission will take on the main peace stabilisation role in Bosnia, working in support of the mission implementation plan of the office of High Representative Lord Ashdown. The residual NATO headquarters will concentrate on defence reform and partnership for peace, and will also carry out, together with the EU, certain operational tasks such as support to the International Criminal Tribunal for Yugoslavia. The UK will lead the first military element of the EU mission and provide the force commander, Major-General David Leakey. The NATO-EU partnership will be good for Bosnia and will help it further along the road towards membership of the EU and NATO.

Mike Gapes (Ilford, South) (Lab/Co-op): The Secretary of State will be aware that the Defence Committee was in Bosnia and Kosovo earlier this year. I would be grateful for his reassurance on one issue that worried us at that time. With the transition in Bosnia from NATO to EU responsibility, can we be absolutely certain that there will be no national caveats that will impair the effectiveness of the force? If difficulties arise in the future, will we be able to deal with them adequately? Can my right hon. Friend also reassure me on the situation in Kosovo, which is still rather worrying? Do we have enough forces in theatre to be able to cope if it erupts again?

Mr. Hoon: I can reassure my hon. Friend that we will have sufficient forces, either in theatre or available at sufficiently short notice—as with recent disturbances in Kosovo—to be on the scene fast enough to make a difference. That has always been an aspect of our approach. I am grateful to my hon. Friend for his interest in the Balkans. There is a risk, as I specifically said in my speech, of overlooking the significant progress made in Bosnia. It is crucial for Bosnia to develop for itself the ability to organise its political and military structures in order to take advantage of membership of international organisations.

The EU mission in Bosnia will be by far the largest military mission under EU leadership. It will also be the most extensive test of the Berlin-plus arrangements agreed at the Nice summit, which provide for the EU to call in NATO assets to sustain its missions. The United Kingdom believes that that mission will be an important milestone in proving the capability of EU defence and security policy that complements rather than competes with NATO.

However, despite progress, the Balkans region remains volatile, as my hon. Friend the Member for Ilford, South (Mike Gapes) said. That was demonstrated by the violence in Kosovo during March this year. We cannot afford to be complacent. NATO and the UK remain determined to ensure peace and stability in that area.

Andrew Mackinlay (Thurrock) (Lab): Has my right hon. Friend had discussions with the Home Secretary about the intention to withdraw UK police from Kosovo? Many of us are disappointed that the highly valued and highly regarded British police are being withdrawn. It will surely have an impact on the capacity of our armed forces to deliver in that area. Will my right hon. Friend raise that problem as a matter of urgency with the Home Secretary to see whether the decision can be reviewed and reversed?

Mr. Hoon: I am grateful to my hon. Friend for his interest. Operations in the Balkans generally, and specifically in Kosovo, require a mixed force of highly trained military forces together with—as far as the policing aspect is concerned—rather more of the gendarmerie than is generally available in the UK. Some of our police officers are trained to use firearms, but that is not the tradition or the generality of our police forces. In the transition from circumstances where military forces are required to those where they are not, the role of the gendarmerie has been key. It may well be that the decision that I have to deal with is the result of other countries being prepared to provide a capability that we do not have in large numbers ourselves. Nevertheless, I will certainly take the matter up with my right hon. Friend the Home Secretary. If necessary, I shall write to my hon. Friend in due course.

The United Kingdom remains fully committed to the NATO over-the-horizon operational reserve force—vital in responding quickly and effectively to the security situation in both Bosnia and Kosovo. The necessity and value of that force and the key part that UK armed forces play was brought into sharp relief during the March violence, when this capability was central to helping to restore calm to Kosovo.

The range and number of operations on which our armed forces have been engaged in recent years show how much the strategic environment has evolved since the end of the cold war.

Bob Russell (Colchester) (LD): May I ask for the third time—twice on the Floor of the House and once in a written question—in how many countries Her Majesty's armed forces have served during the past year?

Mr. Hoon: A great number.

The threat from massed ranks behind the iron curtain has been curtailed. In its place are the more disparate but equally challenging threats posed by international terrorism, the proliferation of weapons of mass destruction, and weak and failing states. Those threats have required us to review the way we plan, prepare and conduct our operations with the focus on delivering flexible forces that are adaptable, rapidly deployable and able to deliver maximum effect, wherever and whenever they are needed.

Harry Cohen (Leyton and Wanstead) (Lab): The Secretary of State talked about weapons proliferation, so can I ask him about ballistic missile defence? Has the United States asked the Government any favours in that respect—doing something about that for them—and what has been the Government's response?

Mr. Hoon: My hon. Friend knows, as I said earlier, that we have kept the House regularly informed of our discussions with the US and, indeed, of the decisions that we have taken about the provision of radar facilities at Fylingdales. I can assure my hon. Friend—I have to repeat the point to the House—that recent press speculation is completely unfounded.

The strategic defence review provided a solid foundation and last year's defence White Paper called for even more flexible and rapidly deployable armed forces—armed forces that make the most of platforms and people across the full range of military effect from peacekeeping to war fighting, and armed forces that complement the skills of other Government Departments and agencies to tackle more effectively the causes of instability in the world.

Our experience of the types of operation in which we have been engaged since the end of the cold war, together with our assessment of the security environment, show that, on a routine basis, we should plan to support three concurrent operations of small and medium scale, at least one of which is an enduring peace support operation. At those levels, we will maintain a broad spectrum of capabilities to allow our armed forces to conduct limited national operations or, as is more likely to be the case, to enable us to be the lead or framework nation for coalition operations.

We recognise that our armed forces must, of course, retain the ability to reorganise themselves at longer notice for large-scale operations. At that level, however, we do not judge it sensible to replicate the same spectrum of capabilities, given that, in these most demanding of operations, it is inconceivable that the United States will not be involved, either leading a coalition or as part of NATO.

Mr. Crispin Blunt (Reigate) (Con): During the time that the right hon. Gentleman has been Secretary of State for Defence, for how long have UK armed forces sustained that scale of operations? Has it not been rather more than that for most of his time as Defence Secretary?

Mr. Hoon: We have certainly exceeded the anticipated levels of operation that were set out in the strategic defence review. That is why—I hope that the hon. Gentleman will agree—it is necessary to look into the structure of our armed forces, particularly into the way in which our Army is organised, in order more effectively to manage the responsibilities that UK armed forces have taken on. I hope that the hon. Gentleman will agree that changes are needed.

As far as NATO and the European spatial development perspective are concerned, we believe that where military action is used, it is most effective when brought to bear through multinational coalitions and alliances. A strong Euro-Atlantic relationship, founded on NATO, remains the basis of the United Kingdom's security policy. The continued strength of the Alliance depends on delivering when and where it matters. NATO must maintain its willingness to react flexibly beyond its borders and to deter and disrupt threats before they reach us. It must keep up the pace of its transformation to ensure that it can provide modern structures and forces that are ready to deliver the right military responses. That means capabilities that harness technology and exploit information to enable us to act quickly, accurately and decisively. It also means improved mechanisms for generating such forces with a strengthened commitment from our allies to providing them.

Against that background, we are working with our EU partners to improve European military capabilities. As the new constitutional treaty makes explicit for the first time, NATO remains "the foundation" of our collective defence. Our aim is to develop European military forces that enhance NATO as well as the EU. The EU battle groups initiative will establish coherent force packages of very rapidly deployable troops, trained and evaluated to agreed standards. Open and transparent liaison will ensure that those battle groups are fully compatible with the NATO response force and by driving the development of the right capabilities by our EU allies, the battle groups concept will be central to our efforts to manage overstretch. European defence will therefore complement NATO. The EU can bring together a range of crisis management responses—diplomatic, military, civilian, judicial and economic. Its new civilian-military cell is an example of that potential. Such capabilities will fill crucial gaps in the mechanisms now available for handling the current complex security environment.

Our approach with the UN is similarly multilateralist.

Mr. John Smith (Vale of Glamorgan) (Lab): On the relationship between NATO and the European rapid reaction force, does my right hon. Friend share my concern that it would be a mistake to duplicate the military headquarters of those forces?

Mr. Hoon: I agree. That is why, in negotiation with our partners and allies, we have sought to avoid any such duplication.

A principal goal for the EU battle groups concept is to provide European forces for a limited duration in support of the UN. We continue our many programmes to train international peacekeepers. We are loaning officers to assist with the current peacekeeping surge. Another, longer-term aim, is to see the African Union assume most of the burden for African peacekeeping.

Changes having been identified in the nature of the security environment in which we find ourselves, it is inevitable, and indeed necessary, that there will be a corresponding impact on the size, shape and capabilities that we require of our armed forces. We have a responsibility to our servicemen and women to ensure that they have the right equipment, organisation and supporting structures to enable them to continue to carry out the demanding tasks that we ask of them.

[Mr. Hoon]

To do otherwise—to leave our armed forces equipped and structured to counter threats that passed with the passing of the previous century—would mean that we were failing in our duty, and weakening our nation's defence at the very moment when we most need it to be strong and effective. That is why we are introducing the changes that we outlined in the "Future Capabilities" paper, published in July.

The armed forces themselves, under the direction of the service chiefs, have recognised the need for this change. Our thinking has moved away from assessing military capability only in terms of the numbers of platforms and people towards a new emphasis on the delivery of military effects and outcomes, and the exploitation of the opportunities presented by new technologies such as network-enabled capability. With modern communications and the fusion of intelligence, target acquisition, and precision weaponry, the capability of our armed forces is improving exponentially.

The 2003 defence White Paper made it clear that the shift in investment towards greater deployability, better targeted action and swifter outcomes would involve a reduction in the numbers of some of our older ships, tanks and aircraft. We have again drawn on our experience of operational commitments since the strategic defence review to identify those parts of the armed forces that are in the highest demand, and those that are less well utilised. As a result, we have developed new plans to ensure that our armed forces can continue to be effective.

Mrs. Alice Mahon (Halifax) (Lab): My right hon. Friend mentioned the defence White Paper, but certain old, tried and trusted regiments—such as the Duke of Wellington's Regiment, now serving in Iraq—are threatened with amalgamation. He will understand that I and my hon. Friend the Member for Calder Valley (Chris McCafferty) have been besieged with letters and petitions containing thousands of names on this matter. The Duke of Wellington's is a good regiment, so will he make sure that he does not mess it up by amalgamating it with something else?

Mr. Hoon: I shall deal specifically with those proposals in due course, but I assure my hon. Friend, and the House, that it is not our intention to mess up anything. *[Interruption.]*

We want to develop a highly versatile, expeditionary Royal Navy, with an increased emphasis on delivering military effect on to land at a time and place of our choosing. Our investment in the two new large aircraft carriers deploying the joint strike fighter, and in new amphibious shipping, will contribute to the transformation of our carrier strike capabilities, and provide a step change in our ability to launch and support forces ashore. Together with additional investment in new submarines and the type 45 destroyers, these developments will make the fleet a formidable fighting force for years to come.

A modernised Royal Air Force will have the capability to maintain air superiority and to deploy forces rapidly worldwide.

Mr. Paul Keetch (Hereford) (LD): The Secretary of State mentioned submarines. Will he take this opportunity to pay his condolences publicly to the sailor in the Royal Canadian Navy who was killed recently on a former Royal Navy warship? What investigations are under way with the Royal Canadian Navy to determine the state of those vessels before they left British control?

Mr. Hoon: I am grateful to the hon. Gentleman. I have already paid proper tribute to the serviceman who died. Coincidentally, I had the privilege of meeting my Canadian counterpart at around the time of the incident, and I paid tribute in public to the Canadian who died. I am aware that the Canadian board of inquiry into the events has opened formally, and the UK will co-operate to the full extent that is relevant to that inquiry.

The Royal Air Force will be equipped with modern, highly capable, multi-role fast jet aircraft that are able to deliver the offensive and defensive capabilities currently delivered by single-role aircraft. The RAF will increasingly be able to exploit network capabilities, and it will be equipped with a range of modern, stand-off weapons.

The rebalancing of the Army, however, has attracted the greatest interest. Let me repeat the rationale for making the changes that we propose.

Llew Smith (Blaenau Gwent) (Lab): Will my right hon. Friend give way?

Mr. Hoon: On this subject?

Llew Smith: On the Royal Air Force.

Mr. Hoon: I give way to my hon. Friend.

Llew Smith: My right hon. Friend referred to future weaponry, and how it will be used. Will he say a little more on the subject, with particular reference to the future role of Trident? In particular, under what circumstances would he agree to its use?

Mr. Hoon: My hon. Friend knows full well that no defence Minister ever answer questions such as that. One of the reasons for having Trident is its deterrent effect. To answer such questions would be to give away an important aspect of deterrence. We do not intend to do that.

Jeremy Corbyn (Islington, North) (Lab): Will the Secretary of State give way?

Mr. Kevan Jones (North Durham) (Lab): Will the Secretary of State give way?

Mr. Hoon: If my hon. Friends will forgive me, I was about to deal with a matter—the restructuring of the Army—that has been raised already by at least two hon. Members.

The restructuring will provide the Army with a better balanced mix of capabilities, from tanks and artillery at the heavy end through to enhanced medium- and light-weight capabilities, to increase the deployability of our land forces. These lighter forces are essential if we are to combine speed of deployment with protection and firepower.

The key element however is the restructuring of the infantry, made possible by progress towards a lasting peace in Northern Ireland. Here, we have been able to reduce by four the number of infantry battalions continuously available for the Province. In practice, the commitment is for 16 battalions, as a result of the requirement to rotate battalions through this task with 24-month tour intervals.

By reducing the number of infantry battalions by four, the manpower released will be redistributed across the Army, to develop more robust and resilient unit establishments within the infantry and to bolster the most heavily committed specialists, such as logisticians, engineers, signallers and intelligence staff. The phasing out of the historic practice of infantry arms plotting—under which whole units are required to move location and re-role every few years—will also further increase the efficiency and availability of Army resources.

However, that requires us to move individuals between battalions for career development, and to increase breadth of experience. In order to preserve the regimental system and the unquestioned value that it brings, that argues for a future infantry structure based on large regiments of two or more battalions. Those who support the end of arms plotting—and from time to time I hear from people who do—must explain how they would do it if they were not to adopt the approach that we have proposed. On that matter, I have heard nothing at all from Opposition Front-Bench Members.

Mr. Mark Francois (Rayleigh) (Con): Will the Secretary of State give way?

Mr. Iain Luke (Dundee, East) (Lab): Will my right hon. Friend give way?

Mr. Hoon: In a moment. Since the White Paper's publication last year, the phrase that I have heard most from civilians pontificating about it is the importance of having "boots on the ground". They are right, of course, but the changes that we are introducing will ensure that we have more forces available for operations, while at the same time reducing the burden of operational commitments for both our people and their families.

The changes will mean a new structure for the infantry. We will preserve the strengths of the regimental system, at the same time as providing a more modern structure. The service chiefs and I are determined that the Army should be a modern organisation, capable of adapting to the challenges of the future.

Mr. Francois: It is surely a mistake to reduce the Regular Army by four infantry battalions. When people ask for British troops to be deployed around the world, it is primarily an infantry battalion that they ask for. Is it not significant that the US—the most powerful military power on earth—asked for an infantry battalion when it needed reinforcements? The request was not for signallers or logisticians: it was for British infantry. If the US Army recognises the importance of British infantry battalions, why does not the MOD?

Mr. Hoon: Because, as I said in my earlier statement, we will also be deploying signallers and logisticians to support the infantry that we supply. The hon. Gentleman generally approaches these matters thoughtfully and with an open mind. I invite him to consider the issue that the Government have faced, which is no different from the issue that a previous, Conservative Government faced. In fact, we have reached the same conclusion: if we want to deploy in several operations around the world, the key enablers of those deployments are the people we have been discussing—signallers, logisticians, engineers and intelligence personnel. Those are the people who have been most stretched during recent operations.

One answer—I hear it sometimes from Opposition Front Benchers—is that we should not take on so many operations. When I ask which operations we should refuse to take on, I am usually met with silence. Assuming that we have to take on the operations, we have to provide the right support. The Army recognises that we need to augment the people who are most stretched, and we can do that only by using our existing resources more efficiently.

If an opportunity is created by a draw-down in Northern Ireland to improve the balance of our Army, it is sensible to take it, rather than to consider the issue in terms of boots on the ground or regimental history. We must ask what is best for the current structure of the Army, what is best for the future and how we achieve those requirements. We have reached the same answer as the Conservative Government did in "Options for Change"—a reduction in the number of infantry battalions, but an increase in the number of enablers. That is all that we are doing.

Mr. Francois: I thank the Secretary of State for allowing me a second bite at the cherry. The mistake that he makes is to assume that it is a zero-sum game and that the Army has to be a fixed size, and that therefore, he has to rebalance between infantry and supporting arms. In fact, the way to solve the problem—although it would not be easy—would be to retain those four battalions and address directly the retention issues that cause people to leave the regular Army. If fewer people left, we would have sufficient soldiers to retain the four regular battalions and provide the extra logistic units that we need. That is the way to solve the problem. The Secretary of State knows that I and many of my hon. Friends have been talking about the importance of retention for many years. His approach would be a mistake.

Mr. Hoon: We are directing our attention to the question of retention, which is an important issue. We have also been remarkably successful recently in recruitment, so that the Army has grown. However, we have to plan not only for this year and next, but for the strategic environment that we have to face for decades to come. That means having the right kinds of structures. For example, the armed forces are facing up to a significant demographic change. They have to recruit competitively among a reducing number of 16, 17 and 18-year-olds and that inevitably means that they have to consider the right mix. We also need to provide our forces with the right training and capabilities to equip them for the job that they do for us today and for opportunities in the future in the civilian job market. The kinds of skills and capabilities that I am describing,

[Mr. Hoon]

such as those associated with technology and modern forms of communication, mean that our people are highly prized when they leave the armed forces for civilian employment.

Mr. Luke: My right hon. Friend mentioned the issue of larger regiments. In Scotland, the changes would mean a super-large regiment, with five or six Scottish regiments—depending on the conclusions of the review of the colonels—joining into one organisation. What is the benefit of that compared with the traditional structure: a Scottish division with six regiments that could keep their local and national identities, which are so closely identified with the national spirit of Scotland?

Mr. Hoon: There is a simple, short and—I hope—compelling answer to my hon. Friend's question. We intend to end arms plotting, which is the traditional practice of moving regiments around the country, so that every two years entire regiments, together with their families, are required to move, sometimes from one end of the country to the other and sometimes to re-role—to train for many months—which means that they are no longer available. What we are proposing will provide much greater stability. My hon. Friend rightly values the local connection and our proposals will provide a much better local connection with the new, larger regiments. They will have to be larger, because a single battalion regiment would be fixed in a single place, without the opportunity for career development and change that a larger structure will provide.

I hope that my hon. Friend is persuaded by that argument, because it will be of huge benefit to the men and women who serve, as well as their families. If he is not, I should point out that the new structure is the existing structure of large parts of the present Army. We have already moved to a larger regiment structure. Indeed, that was proposed by the Conservative Government, who unfortunately did not see it through. I suspect that they were afraid of complaints from their older and bolder Members in the Tory shires. The Army strongly supports the new structure and the Army Board recommends it. It will be in the interests of those who serve, and we would fail in our duty if we did not take advantage of this opportunity.

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale) (LD): The Secretary of State has been generous in giving way and I am grateful to him. Will he accept that there is cross-party opposition to the disbandment of the King's Own Scottish Borderers, the Royal Scots and the other Scottish regiments? We now learn that the Scottish council of colonels has recommended not only that they should lose their regimental status, but that the KSOB and the Royal Scots should be further amalgamated into a single battalion. Will the Secretary of State accept the importance of tradition and identity and quash that ludicrous idea?

Mr. Hoon: I talked this issue through with the hon. Gentleman and he has always approached it in a considerate and thoughtful way. I assure him that what we seek to achieve through the changes will not have an impact on the identity of those single battalion regiments. We are looking to find ways to preserve the history and tradition within the context of a modernised Army structure. I am determined to see that happen as a result of that process.

Mr. Greenway: I am listening very carefully to the Secretary of State's remarks, and I have two comments to make. First, the historic link between some of the regiments and their local communities is hugely valuable to the British Army. I asked the Prime Minister a question a few weeks and I was able to point out that many people believe that those links are what make the British Army the envy of the world, especially in its peacekeeping role. Secondly, the Secretary of State's answers today seem to suggest that he has made up his mind. When will he make a formal announcement about what is to happen, to end the speculation? Can we be certain that we will retain the three Yorkshire cap badges that we now have?

Mr. Hoon: The hon. Gentleman makes his point well and rightly emphasises the historic connections between regiments and local communities. However, under arms plotting, regiments are not necessarily based in their historic localities. Part of the new structure will allow predictability for families. The hon. Member for Rayleigh (Mr. Francois) mentioned retention, but one of the most damaging influences on retention, especially for modern families, is the practice of moving every two years. These days, wives—it is mostly wives—have jobs and children go to local schools. Families have all sorts of connections with their communities. It is incredibly damaging to retention to require families to move every two years because of arms plotting. These proposals will overcome that, and the regional structure that might then develop will strengthen the local connection that the hon. Member for Ryedale (Mr. Greenway) praises. It will also provide a greater degree of predictability for the families who, instead of having to move every two years, will be able to establish roots in an area. I hope that that will provide enormous benefits and is a sufficient explanation.

Jeremy Corbyn *rose—*

Mr. Blunt *rose—*

Mr. Hoon: I really must make progress. I have given way a lot, including to the hon. Gentleman already.

Some of the changes have been made possible by the significant steps that we have made towards greater efficiency in the delivery of logistics support and the modernisation of infrastructure. We plan to accelerate the process in the years ahead. Efficiency savings of £2.8 billion are included in our plans. All that money will be recycled to support the delivery of frontline effects. The Government are investing more money in defence. The defence budget will increase by £3.7 billion over the next three years—an average annual growth of 1.4 per cent. in real terms. This represents the largest sustained growth in defence spending for more than 20 years.

It is that sustained investment that makes possible the modernisation of the armed forces to which we are committed.

Our servicemen and women rightly have a reputation that is second to none. They are a force for good in the world. They are currently supporting the Iraqi and Afghan peoples in building a new and democratic future, having helped them to throw off the shackles of brutal, tyrannical regimes. Our servicemen and women continue to safeguard peace in the Balkans, as they have for 10 years or more.

The security challenges that confront us in the 21st century are very different from those that moulded the size and shape of our armed forces in the past century. International terrorism, the proliferation of weapons of mass destruction and the consequences of weak and failing states will require that our armed forces deploy rapidly throughout the world on a wide range of operations. The key to that will be flexibility—of our people, our equipment and our structures.

The changes that the Government are introducing will ensure that our armed forces are best placed to rise to the challenges posed by this changing world.

2.50 pm

Mr. Nicholas Soames (Mid-Sussex) (Con): First, I thank the Secretary of State and sympathise with him, as he must have had a rough week. He has taken important decisions.

On the Secretary of State's points about the great single regiments—the infantry regiments—I hope that he truly understands the links between those regiments; indeed, he must, because the Worcestershire and Sherwood Foresters recruit in his area. It is interesting that the Black Watch, which is to take part in a major deployment outside its area, has 265 years of loyal service to the Crown, and the impact on the regiment of the changes that have been announced has been an unhappy one—deeply imbued as it is with a sense of its identity, traditions and ethos. That point cannot be overstated.

It is impossible to start any speech on defence without paying the warmest possible tribute to the armed forces. They will be receiving many such tributes today, from both sides of the House, made with equal, obvious and true sincerity. Our armed forces are deployed in Iraq, Afghanistan, the Balkans, the Falkland Islands, Cyprus, Northern Ireland and elsewhere, and we salute their professionalism, courage and fortitude. To their families, of whom so much is being asked these days, and who keep the home fires burning, thus doing an irreplaceable job, we send our warmest good wishes.

Britain has a unique place and role in the world. We are a permanent member of the United Nations Security Council, the leading European member of NATO, a leading member of the European Union and of the group of the eight most powerful economies in the world. We sit at the beating heart and centre of the Commonwealth. Ours is the fourth largest economy in the world.

As a great trading nation, we have global, commercial and strategic interests to protect. That clearly gives us important responsibilities, opportunities and, perhaps, a slightly different view of the world from some of our partners and allies. It is very much in our national interest to be prepared to play an important part in confronting threats to global peace and stability, whether they come from unstable regimes, rogue states, international terrorism or weapons of mass destruction.

Those threats should not be considered in isolation, as separate entities and unrelated challenges. A rogue state may support international terrorism. A terrorist could seek to obtain illegal weapons of mass destruction and would, given the opportunity, certainly use them. The role of our armed forces in projecting power and defending our values is beyond price and is perhaps the most golden and valuable asset that our country holds in trust. It is against that scenario that the armed forces have to plan and operate.

Indeed, the Government accept that, over the past seven years, the definition and range of Britain's interests has widened beyond even that foretold in the strategic defence review, as the Secretary of State regularly says, and as a result, the military tasks demanded of our armed forces have become more and more intensive. Thus, certain proposals in the future capabilities paper seem quite astonishing.

The recent defence White Paper represents a shift away from an emphasis on numbers of platforms, as the Secretary of State said, and of people to a new emphasis on effects and outcomes—nobody can say that is not important—and exploitation of the opportunities presented by new technologies and network-enabled capability. Its central theme is rebalancing and transformation. We recognise the importance of both. However, what is sometimes defined as America's new way of war, which includes such concepts as effects-based operations and network-centric warfare, should not be allowed to cloud the fact that although new technologies can certainly be crucial assets at a tactical level, they must not be confused with ensuring that our armed forces have sufficient manpower and equipment to carry out their tasks.

It is our judgment that the Government are moving away from the proper balance required between manpower and technology. The Secretary of State's theory, expounded in his statement in July, that measuring capability in our armed forces by the number of units or platforms in their possession will no longer be significant—a statement he has broadly repeated this afternoon—is plain wrong.

Jeremy Corbyn: The next Parliament will be faced with the question of the future of Trident nuclear missiles and their replacement. Next summer, the non-proliferation treaty review conference will take place in New York. What is the view of the Conservative party on the replacement of Trident or on making a statement about nuclear disarmament to the NPT conference as a way of bringing about global nuclear disarmament?

Mr. Soames: The hon. Gentleman can forget the latter proposition. Looking at the future, it is unlikely that Britain would not wish to retain some form of independent nuclear deterrent. That heavy decision will fall on the present Administration. Important decisions will have to be taken over the next year or two as to how they will handle that matter and we shall follow it with interest.

Llew Smith: Does the hon. Gentleman accept that, if nuclear weapons are a deterrent, they must by definition deter, and that they can do so only if the so-called enemy

[Llew Smith]

believes that we are actually going to use them? In what circumstances would he be willing to press the nuclear button?

Mr. Soames: The hon. Gentleman will have to acknowledge the fact—although he will not want to—that Britain's independent nuclear deterrent has served us, and the world, extremely well.

So, ladies and gentlemen—[HON. MEMBERS: "Hear, hear".] I cannot for the life of me remember which Conservative branch I am addressing, Mr. Deputy Speaker, but I can tell you one thing—they will be getting the same speech.

As I was saying, I find myself in profound but respectful disagreement with the Secretary of State on the question of numbers. Despite the Treasury's insistence, numbers remain, in my view, the crucial issue. Which plane, which ship or which brigade can be in two places at once?

Pete Wishart (North Tayside) (SNP): Can the hon. Gentleman clarify something for me? When the Leader of the Opposition said during the Conservative party conference that he would definitely reverse any decision to cut a Scottish regiment, was he correct? The very next day, the hon. Member for Mid-Sussex (Mr. Soames) said on BBC radio that such a reverse could not take place. Who was correct?

Mr. Soames: As is so often the case when something concerns the leader of one's party, we are both correct. What I said and what my right hon. and learned Friend clearly said, too, was that when we come to power next May we will undo the deplorable proposals to amalgamate the King's Own Scottish Borderers and the Royal Scots, and we will ensure that the four regiments of the line are not disbanded. That remains our position.

If, due to a disappointing judgment by the electorate, we were unfortunately not in a position to undo what had been done, we would not be able to carry that out, but if the amalgamations had not taken place, they would not take place under us. As a matter of recorded fact, it is impossible for a regiment to be un-amalgamated after it has been amalgamated.

Can the Black Watch really be in both Basra and Iskandariya? Does not the Secretary of State agree that given the astonishing demands that are being made on our armed forces at this time, any reorganisation must be balanced by the retention of a genuine capability to cope with the unexpected, which history teaches us always happens?

Dr. Julian Lewis (New Forest, East) (Con): Before my hon. Friend moves on from the question of platform numbers, does he agree that it is curious that a Government who are emphasising high technology and reducing the number of Type 45 destroyers that they propose to build are nevertheless refusing to put tactical Tomahawk missiles on those destroyers, despite the fact that all our Navy chiefs are unanimous that we need that for force projection purposes?

Mr. Soames: I am grateful to my hon. Friend. It is sad that he is not on the Front Bench with us for such debates, and we miss him a great deal. I cannot remember what he asked me, but if it was about Tactom, I agree with him entirely. It would be more than an aspiration for us to get Tomahawk on the new batch of Type 45s because that would create a formidable piece of kit.

Harry Cohen: Will the hon. Gentleman give way?

Mr. Soames: No—*[Interruption.]* Oh, Harry; of course!

Harry Cohen: I am grateful to the hon. Gentleman for giving way. Will he confirm that in the awful event of the Conservative party gaining power at the next election and him becoming Secretary of State for Defence, his Department would not contribute anything towards tax cuts?

Mr. Soames: I do not quite follow the hon. Gentleman, but he and I have been friends for many years, so in any event I am sure that what he says is nearly right.

What lessons has the Ministry of Defence learned from the operations in the Balkans, Afghanistan and especially Iraq? What lessons has it learned from the excellent work of the Select Committee on Defence? I pay tribute to the right hon. Member for Walsall, South (Mr. George), who has served on the Committee for a long time and knows the matter inside out. He summed up the feelings of many of us about cuts to the infantry regiment when he asked on the Floor of the House what idiot had dreamt up this plan.

The Secretary of State should have learned the lesson that numbers matter, especially numbers in the infantry. At a time when there is a considerable danger of terrorism at home and abroad and major military deployments overseas, there can be no military logic or sense in cutting infantry or manpower numbers. It makes no sense to Conservative Members to reduce the number of regular soldiers given that the Army has to be constantly reinforced on operations by an increasing number of our remarkable Territorial Army soldiers—they deserve huge credit, as do their employers. All three services are badly overstretched, and the Secretary of State's proposals can only make matters worse.

Mr. Hoon: I would not want the hon. Gentleman consciously or unconsciously to mislead the House. I made it clear that the manpower of the four infantry battalions will be redistributed in the parts of the Army that are most stretched. I am sure that he did not intend to say that there would be a reduction in numbers, but if he did, he should explain why.

Mr. Soames: There will be manpower reductions in the infantry under the Secretary of State's proposals. He does not understand—I do not know what it is about his make-up that makes him some sort of desert in this regard—that he might find it slightly tricky to persuade loyal people who have adored their lives as infantrymen to transfer to a different arm.

Mr. Hoon *indicated dissent.*

Mr. Soames: The right hon. Gentleman said that he would transfer people out of the infantry regiments that he will foolishly cut so that they become logisticians, sappers or intelligence people. He might well find that they will vote with their feet.

It makes no sense to any of us to reduce numbers at this time. As recently as 7 October, our hyper-interventionist Prime Minister again increased British military commitments by announcing that British troops will form part of a European rapid reaction force to intervene in conflicts in Africa. We look forward to seeing which troops will be sextuple-hatted by taking on that job.

We are in favour of scrapping the arms plot, and we certainly agree unequivocally that there is a need to rebalance so that we can meet the demands of likely operations. The armed forces need to be made more usable, but they must retain their traditional and irreplaceable skills that make them able to fight the high-intensity battle and revert almost immediately to a peacekeeping role. Reducing the size of the Army is deeply foolish and wholly unwarranted.

The cuts will undermine not only the Army. The Chief of the Naval Staff, Admiral Sir Alan West, recently outlined his concerns, and I am grateful to my hon. Friend the Member for New Forest, East (Dr. Lewis) for highlighting these matters to me when he was dealing with the Navy brief. Alan West said:

> "People should be under no illusion . . . with only 25 destroyers and frigates we will be close to the cusp . . . . The reduction in"

destroyer and frigate

> "numbers will demand a commensurate reduction in commitments to direct tasks."

The Royal Navy has been bullied into compliance for fear of losing the commitment to build two future aircraft carriers, the Queen Elizabeth and the Prince of Wales. The professional head of the Royal Navy says that

> "we are taking risk on risk"

by doing that. I have to tell the Secretary of State that the Government have engaged in a barefaced deception of the British people by falsely claiming that cutting the numbers of ships in the Royal Navy would present no risk.

The proposed cuts to the Royal Air Force will lead to a smaller RAF that is able to deploy ever fewer aircraft from fewer bases. Rather than making the RAF more expeditionary, which I agree is absolutely necessary, the changes, if implemented, will result in a Royal Air Force with a reduced reach arising from dangerous gaps in essential capabilities. How does that fit with the White Paper proposals to create modern expeditionary forces?

The Government are destroying our ability to act with any degree of autonomy in a future conflict. They are gambling on us always having allies to fill the gaps in our defences. They are refusing to recognise the unpredictability of future threats and failing to pay the premium on the most important insurance policy that our country can have: the policy that enables us to deter or defeat those dictators and fanatics who wish to do our country harm.

Given the increasing frequency with which British troops are called upon to engage in military operations, we owe it to them to ensure that they are properly funded, well trained and fully equipped. However, with all the operations that the armed forces are undertaking and with all the deployments required of them, they are today significantly undermanned, severely overstretched and underfunded.

I shall now turn to funding. I know that the Secretary of State finds the concept of expenditure difficult to understand and a good deal harder to explain. I know that he has had the most profound differences with those in the Treasury—he should not worry about that; they work for the Russians. It is right to put on record my party's spending plans on defence. Under my agreement with the shadow Chancellor and the leader of my party—I am grateful to both for their understanding and support—the next Conservative Government will spend £2.7 billion more on front-line defence than this Government.

The £2.7 billion is made up of £1.1 billion of the cash released by efficiency savings from other Government Departments and £1.6 billion of cash savings from outsourcing and procurement activities within the Ministry of Defence. Those plans will result in extra cash expenditure of £441 million in 2006–07, £631 million in 2007–08 and enough to allow the reversal of the most debilitating and foolish of this Government's cuts.

The number of operational tours that soldiers are now expected to carry out has had a serious impact on training. That, together with overstretch and undermanning could lead and will lead sooner or later to serious problems in all three services. I should be grateful if the Minister of State, who takes these matters seriously, would tell the House what plans he has to restore the training programme so that the tempo of training, which has enabled our servicemen to perform so well is not in any way diminished.

Both the Secretary of State and the Ministry of Defence have been severely criticised by the Defence Committee, the Public Accounts Committee and the National Audit Office for persistently ignoring the lessons learned in previous operations and for unforgivably failing to address serious shortcomings in equipment, procurement and logistics. In particular, the Secretary of State stands guilty of not ensuring that personnel received the equipment that they needed on operations, including in Iraq desert boots and combat gear, flak jackets and, most shamefully given the threat, adequate chemical and biological protection equipment and other critical items. When will the Secretary of State introduce an asset tracking system and what plans has he to improve the performance of the Defence Logistics Organisation and the Defence Procurement Agency? What plans does he further have to deal with the astonishing waste reported in his annual accounts?

Throughout 2002, the Secretary of State blocked all debate about the possible upgrading of the missile tracking station at Royal Air Force Fylingdales, claiming that no request for upgrading had been received from the US Defence Secretary. I am grateful to my hon. Friend the Member for Ryedale (Mr. Greenway) for his help and guidance on the matter. Only when the Secretary of State had received that request did he agree to discuss it, but as with this week's announcement in respect of the US request to provide a

[Mr. Soames]

battle group to reinforce US forces, the Government's response was of course a foregone conclusion. At the time, he said:

> "Mr. Rumsfeld's letter contains the undertaking that, if Fylingdales were to be upgraded, and should we desire it, then the US would be prepared to extend missile defence coverage and make missile defence capabilities available to the UK as the evolution of the US system permits, subject to agreement on appropriate political and financial arrangements."—[*Official Report*, 17 December 2002; Vol. 396, c. 46WS.]

My hon. Friend the Member for Aldershot (Mr. Howarth) in this very debate in January last year specifically raised the question of missile interceptors, seeking to establish whether the Government were prepared to agree to those being stationed on UK soil. The answer was no; that it was too early to discuss the issue. Well, if weekend press reports are correct, the issue is now being actively discussed between London and Washington. We ask the Secretary of State to come clean and tell us where the Government stand. Are they in favour of interceptors being stationed on UK soil or not? If not, why not? If so, what is the state of the negotiations?

It is perhaps a complete coincidence that on Tuesday this week the Secretary of State placed in the Library of the House an annexe on research, development, test and evaluation of ballistic missile defence capabilities and systems to a US-UK memorandum of understanding dated 12 June 2003 regarding ballistic missile defence. It is a cracking good document and I suggest that the hon. Member for Leyton and Wanstead (Harry Cohen) hurry along there and read it.

Mr. Greenway: My hon. Friend mentioned Tuesday. On Tuesday this week the North York Moors national park committee received a letter from an official at the Ministry of Defence saying that there were no plans whatever to use RAF Fylingdales for any purpose other than as an early warning radar station. I visited the station a few weeks ago and I can tell my hon. Friend that the work to upgrade the existing radar, which the Secretary of State knows that I support, is well under way. What was in the Sunday press will have come as a surprise to the committee.

Does my hon. Friend not think that, given the Government's record on Fylingdales, people are bound to be suspicious? We have heard what the Secretary of State has said today, but does my hon. Friend agree that the Government should go much further?

Mr. Soames: I most certainly do. My hon. Friend is right. It is an important test of trust and credibility. It is wrong on such an important issue for the Secretary of State not to make his view clear to the House. All of us can hope that the Minister of State will wish to do so in the wind-up.

In December 2002, the Secretary of State told the House:

> "I believe that this represents an important industrial and technological opportunity for the UK".—[*Official Report*, 17 December 2002; Vol. 396, c. 46–47WS.]

In that context, what is the significance of the memorandum of understanding that he has recently placed in the Library? Our view is clear. The British people remain unprotected from missile attack. There are rogue states developing such missiles. We therefore believe that the UK should work closely with the United States to enable us to share in that protection. What is the Secretary of State's view?

Mr. Keetch: The shadow Secretary of State is rightly asking the Government a number of important questions and I, too, hope that we will get some answers. Perhaps he could state the Conservative party's position. Would he accept the stationing of US interceptors on British soil in Mid-Sussex or anywhere else, assuming that those interceptors were designed to prevent an attack on the American homeland but would not cover the British homeland?

Mr. Soames: There would clearly be no question of their going to Mid-Sussex, not least because we have a major international airport just outside and it might not be a desperately good idea for time-keeping. This is a serious matter. Our view—my hon. Friend the Member for Ryedale (Mr. Greenway) has made it plain—is that we need to know what the options are. We are not party to these things any more than the hon. Gentleman is. These are important decisions. Quite apart from the knockaround of party politics, these are fundamental decisions, as are the onerous decisions that the Secretary of State will shortly have to take on Trident. We are entitled to know, and certainly the constituents of my hon. Friend are entitled to know, what is the Government's intention, what is involved in the MOU and how the Secretary of State intends to move it forward.

Mr. Greenway: My hon. Friend is right to say that it is an important matter. He refers to party-political knockaround. I can tell him that the Liberal Democrats on North Yorkshire county council have tabled a motion for their meeting next week, and doubtless the matter will be discussed. That is why we want to get as much information as we can ahead of that meeting. People are genuinely concerned across all parties.

Does my hon. Friend agree personally that it would be sheer lunacy to locate missiles and radar on the same base? Ought we not to consider, if we need antiballistic missiles, siting them at sea rather than on the mainland?

Mr. Soames: I have always subscribed to the saying that one should not put all one's baskets in one egg. It is unlikely that that would be a sensible view. My view of the Liberal Democrats is that they are always tabling motions. If I were my hon. Friend, I would not tangle with the people on the North York Moors national park committee. I think they know what they are talking about. The stand that my hon. Friend is taking is correct. People are entitled to know what is involved, what decisions need to be taken and what the implications are for them.

I shall turn to NATO and the European Union and then I will stop banging on; I apologise for taking so long. I have often expressed in the House my concerns about NATO and our anxieties for it. We attach huge importance to it, as does the Secretary of State. It is an alliance that needs revitalising in the face of threats to all the democracies, but for the life of me I cannot see how the political, material and intellectual effort being put into separate defence structures within the European Union and outside NATO contributes to that process. Furthermore, the EU is now preparing to take over the main military responsibilities in Bosnia and Herzegovina from NATO by the end of 2004. That will create no additional or different military capabilities.

Indeed, some forces in Bosnia will remain under NATO command. The overall commander of the EU mission is NATO's Supreme Allied Commander Europe; the over-the-horizon back-up forces will be NATO's. NATO retains the responsibility for Kosovo. What added value do complicated military arrangements, which are designed purely to involve the EU, bring to the situation? Do not they further deeply complicate an already difficult problem?

In Brussels, the EU has established its military staff with a developing operational planning capability. That has led to the creation of NATO liaison arrangements in the EU military staff and a complementary EU presence at Supreme Headquarters Allied Powers Europe. That is a circular and, in our view, inadvisable and unnecessary process. What is the justification for the institutional tangle? After all, all soldiers and anyone to do with military operations know that simplicity must be the key. NATO struggled to find extra troops to provide security in the recent elections in Afghanistan and eventually fell short of its target.

Six months ago, NATO seriously contemplated taking overall responsibility for military operations in Iraq but it has ended up sending a small number of soldiers on a training mission. Are not the Government truly concerned that, while the EU defence project gathers momentum, many European allies remain unwilling to enhance their defence capabilities? They show reluctance to engage in robust military operations and appear to have diminishing enthusiasm for the NATO alliance.

Mr. Hoon: I believe that the hon. Gentleman was a Minister when his Prime Minister, John Major, signed the Maastricht treaty, which contained a specific provision that called for the development of an EU defence policy. Did he support the policy at the time or did he have his fingers crossed?

Mr. Soames: I believe that we all signed up to the policy; the wiring diagram presents the problem. The Secretary of State knows that well because he is at the centre of the matter. He is a good European and he wants to do the right thing by NATO and the EU, as I do. We are not currently doing the right thing by either of them. We must put that right. The complications of confusing EU and NATO operations are serious. There are, of course, honourable exceptions, but are not the Government worried about the EU's diversion of attention from the genuine security problems that it faces?

There is so much to cover. The debate is about defence in the world and we have not covered the whole subject. However, all of us who have anything to do with the armed forces and the happy band who turn up for defence debates know that it is a huge privilege to participate. Hon. Members of all parties derive immense pride from that. I look forward to the day when we hold many more such debates.

As we said earlier, I hope that the deployments that are about to occur will be attended by success and safety. I am sure that hon. Members will again join me in wishing the Black Watch well.

Madam Deputy Speaker (Sylvia Heal): I remind hon. Members that Mr. Speaker has imposed a 10-minute limit on Back-Bench speeches.

3.23 pm

Mr. Bruce George (Walsall, South) (Lab): As a Welshman, I find 10 minutes rather restrictive, especially when I hear Opposition Members' comments. They make me more inclined to be aggressive, but I shall try hard to resist.

I am delighted that the Defence Committee report has been tagged on to the debate. We are discussing defence, which is the responsibility not only of the Ministry of Defence. Joined-up government is supposed to mean, and largely does mean, the involvement of a whole spectrum of Departments, and even policing and the private sector in considering acts of terrorism.

It is inevitable that the debate will be dominated by Iraq. The decision to deploy is clearly important and has excited a great deal of comment. The Defence Committee has invited the Secretary of State to give evidence. I hope that that will happen soon and that he will elucidate the Government's intentions even further. I say in advance that I am persuaded of the argument for deploying troops but I would have been nervous if our troops were to be deployed with the Americans in attacking Falluja.

Many people have argued over the years that the Americans are never prepared to take casualties, yet they have taken more than 1,000. We who say that Britain is prepared to take casualties and that our troops are superior now argue that we should not put our soldiers in harm's way. Perhaps we can try to accept that being in the Army is a dangerous occupation. We must not throw people needlessly into an environment that replicates the Somme; that has not happened. The position in Baghdad clearly will be more complicated and dangerous than Basra province, but the decision was made because it was necessary.

In deploying our forces, we should ensure that they have the proper training and proper support from the United States. I suspect that there is no "A to Z" of Basra, or, indeed, any city in Iraq. Since the soldiers do not know their way around and are in a new environment, they will need support. I want them to be well prepared and politics should not insist that they are projected north immediately. There must be proper preparation because they are not, as some might argue, undertaking the same operation in another area. The operation is different and we must do all that we can—I am sure that the Ministry of Defence and the military leadership will do that—to reduce the risk to our armed forces as far as is humanly, militarily and politically possible.

Like many hon. Members, I have attended the funerals of young men who have been killed and it is not a pleasant experience. The armed forces' support for families is extraordinary. We do not want such funerals but our armed forces have an objective to assist in the evolution of a new and democratic Iraq. Although people objected to the initial deployment—I supported

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the Government in that—there is now a new environment. We are now supporting the evolution of a different sort of society.

I do not like people who deprecate the Liberal Democrats because they did not support the war. They want our armed forces to be retained in Basra. I rejoice in the Liberal Democrats' support for British armed forces anywhere in the region. That is a step forward and I am happy with that limited support.

Those who are prepared for our armed forces to be deployed further north in an environment of greater risk will have a nervous few months. It is argued that the decision is a military matter. It is, but we fought hard in this country to secure civilian control over the military and we have done that. The idea that the military make decisions is fantasy. They can advise but, ultimately, a politician—the Secretary of State, the Prime Minister or a Cabinet Committee—rejects or accepts the recommendation. We should be honest and say that it is a political-military decision because the military cannot operate in a political vacuum. Their role is to deliver the military contribution to wider, cross-governmental strategy, to paraphrase the defence White Paper.

It is fair to say that the military advice was strong. We need to send a small force, and the troops chosen are well trained and highly motivated. Members of the Black Watch are among the best troops in the British Army and probably any army. Our best wishes must go to our armed forces, any of the alliance armed forces and the Iraqi people, who are facing appalling dangers in the present environment.

The defence White Paper does not seem lengthy, but it is a good document. The Defence Committee produced a report that has been tagged to the debate, and generally speaking, we agree with most of the White Paper. I like the threat assessment, which is realistic. Perhaps a few things were left out that should have been part of that assessment. The Government are absolutely right in saying how they need to develop our equipment programme. I have one or two comments on procurement to make, perhaps in the next debate on defence. However, the Government are right to try to plan to deal with what warfare will be like in the next decade, rather than thinking about the last war and viewing the next fight as merely an extrapolation of the experienced gained on an earlier occasion, as Governments and the military have tended to do in the past. I am afraid that history reveals that that is not a very sensible way for politicians or the military to proceed.

Mr. Blunt: I have served under the right hon. Gentleman's chairmanship of the Defence Committee, and the document to which I put my name does not quite bear out his suggestion that it is largely supportive of the White Paper, given that it states:

> "We are disappointed that a policy document that could have far reaching implications has been presented with little or no detail . . . We are not convinced that an essentially reactive approach to the defence of the UK homeland is satisfactory . . . We are left wondering whether the Defence White Paper is properly set in the strategic context of Britain's security circumstances".

Given that it contains those sentences, the right hon. Gentleman is a little over-kind to the Ministry of Defence. Our document merits a better and closer reading than the document that first generated it, the defence White Paper itself.

Mr. George: Yes, I thank the hon. Gentleman. May I say how distressed I am that he has now left the Defence Committee?

Mr. Blunt: On a point of order, Madam Deputy Speaker. I think that it would be reasonable to draw the House's attention to the fact that I have not left the Defence Committee. That is a matter for the resolution of the House. Such a motion may be tabled in the next few weeks because of the responsibilities that I have taken up as an Opposition Whip, but that is, of course, a matter for the House.

Madam Deputy Speaker: That is not a matter for the Chair or a point of order.

Mr. George: Which Chair are you referring to, Madam Deputy Speaker? All I can say is that I believe that it is incompatible to be a member of the Whips Office and a member of the Select Committee. I hope that the hon. Gentleman, having served on the Committee for some time, will look for pastures new and allow those who can devote all their energies to the Defence Committee to take his place.

Peter Bottomley (Worthing, West) (Con): Further to that point of order, Madam Deputy Speaker. There were two Parliamentary Private Secretaries—

Madam Deputy Speaker: Order. May I remind hon. Members that the debate is time-limited and that many hope to catch my eye?

Mr. George: Thank you, Madam Deputy Speaker.

The point that I would make to the hon. Member for Reigate (Mr. Blunt) is that I was four and a half minutes into my speech and I was about to unfold the other, more critical arguments, but his eagerness and hostility to the Government were so overwhelming that he was not prepared to wait. The idea that I have been nice to Defence Ministers is a matter of amusement to me and, I am sure, to the Minister of State.

In the Committee report, we considered two themes that run through the White Paper. I shall come later to how the armed forces contribute to the Government's broader political objectives and how the rest of the Government support the armed forces, but I want to consider first how we discharge our responsibilities to equip and resource our armed forces for the task that we expect them to do. I am conscious of the fact that we are debating defence in the world and not procurement, so more about that later.

We are concerned about the procurement process and the failures in procurement that the National Audit Office regularly details. Its report vindicated what we said a week ago, and I received the full venom of the counter-attack from the Ministry of Defence. We are right to invest in high-tech equipment for the future, but I am a civilian who believes that boots on the ground are absolutely necessary. The Committee truly believes that there is excessive devotion to equipment and the tail of the military. Yes, we need cooks and logisticians, but the idea that we can have an army with about 25,000 infantry given all the commitments that we are obliged to undertake is something that I find weird.

I will take no advice from the Conservatives on how to cut regiments, having gone through the process of "Options for Change" and written a book on how my regiment—the Staffords—survived the Conservative Government. The idea of merging battalions, whichever Government created the famous M4 regiment of amalgamations, disqualifies anyone who sits on the Conservative Front Bench from pontificating too strongly.

I can criticise the Government, and I will, but it is disingenuous of the Opposition to do so.

It is bonkers to eliminate regiments. It must not be done, and surely it is within the wit and the intelligence of the Ministry of Defence to say yes to our request. I sense that the Secretary of State is moving towards retaining a regimental tradition that goes beyond allowing regiments just to produce a magazine and have a cap badge to having something that is identifiably and seriously regimental, within the framework of a broader organisation. If that can be done, some of the criticism will be reduced.

Patrick Mercer (Newark) (Con): Does the right hon. Gentleman acknowledge the outstanding example of the five regiments of foot guards that have served the Crown loyally for 300 years, which will be allowed to retain their identity within the overall formation of the Brigade of Guards? Does he agree that regiments like his and mine, the Worcestershire and Sherwood Foresters Regiment, should be allowed to copy such an example?

Mr. George: I asked the Ministry of Defence to tell me the regiments and the units to which the Army's decision makers belong. I want to be sure that no special favour is given by the great and the good to their regiments. There is no reason why anyone should feel upset. Why bust two battalions in Scotland? They could be added to a Mercian regiment because far more Scots live in England than in Scotland. I do not want any regiment eliminated. It is possible to reach a compromise, and I hope that the Ministry will do that.

We have done much and there are many things that the Ministry is working towards, much of which I applaud, but people do not have to listen to me to find out what is happening. All they have to do is read the report. If the hon. Member for Reigate does that, he will see that we have been critical, and I remain critical. When I was a given a little—what is it called?—interview without coffee—

Mr. Keith Simpson (Mid-Norfolk) (Con): A bollocking.

Mr. George: Yes, a polite talking to. No names mentioned—

Madam Deputy Speaker: Order. The right hon. Gentleman's time is up.

3.37 pm

Mr. Paul Keetch (Hereford) (LD): It is a great honour to follow the right hon. Member for Walsall, South (Mr. George), the Chairman of the Select Committee. I am sure we will go to bed tonight wondering how his story ended.

Mr. Bruce George: I was about to say that it was not my job, or the Committee's job, to make life happy for Ministers. Our job is to call it as it is, not as they would like it or necessarily how we would like it.

Mr. Keetch: I am grateful to the Chairman for that.

I join other hon. Members in paying tribute to the members of our armed forces who serve us so well throughout the country and, of course, their families, both at home and abroad. We have heard much about the history of the various Army regiments, but I want to mention something about the Royal Navy.

Today is Trafalgar day. It is 199 years ago today that the British fleet saw off the French and Spanish fleets off Cape Trafalgar. Today I was privileged to spend time with members of the Trafalgar weekend celebration committee. I pay tribute to the hon. Member for South-West Bedfordshire (Andrew Selous) and Bruno Peek, who are planning next year's events to mark the 200th anniversary of that important date in our history.

I cannot go further without commenting on what the Secretary of State for Defence said in his statement concerning those of us who oppose the war. Although we accept that the Chamber is political, he appeared to be saying that the Liberal Democrats, his right hon. and hon. Friends, a number of Conservative Members and the millions upon millions of people in this country who did not support the war wanted Saddam Hussein to remain in power. That is outrageous.

I remind the House of what the Prime Minister said just a few weeks before the vote that took us into war when he said that Saddam Hussein could stay in power. He said:

> "I detest his regime—I hope most people do—but even now, he could save it by complying with the UN's demand. Even now, we are prepared to go the extra step".—[*Official Report*, 25 February 2003; Vol. 400, c. 124.]

In other words, the Prime Minister accepted just a few weeks before the campaign started that he was prepared for Saddam Hussein to stay in place as leader of that country. I hope that when the Secretary of State reads his remarks in *Hansard* tomorrow, he chooses to apologise to me, my leader and the millions of people whom he insulted.

Jeremy Corbyn: I am grateful to the hon. Gentleman for his remarks. Will he confirm that those million-plus people who marched on 15 February last year marched because they did not want to see death and carnage any more in Iraq? They were not in any way supporting the regime of Saddam Hussein. Indeed, many of them and many in the House had actively opposed arms sales to Iraq during the 1980s when the basis of Saddam Hussein's power was created.

Mr. Keetch: The hon. Gentleman is right, but that applies not just to the million people who took to the streets. There were hundreds of people in my

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constituency, Hereford, which is not known for its pacifist tendency, who also supported the view that war at that stage was not right. The comments of the Secretary of State were outrageous.

I shall be brief. Although I am not subject to time constraints, I want others to speak. It is clear that the level of insurgency in Iraq is increasing by the day. That underlines what we and others in the House said about the number of troops in Iraq immediately after the so-called victory last May and the number that continue to be there. As the Chairman of the Defence Committee said, we supported the presence of British troops in our sector and we will continue to do so. However, until there are more troops from other nations—not from Britain and America—and particularly from Muslim nations taking part in the policing and patrolling of that country, we will not be able to demonstrate adequately to the people of Iraq that it is not a force of occupation, but a force of liberation designed to help their country succeed.

That is why the Government and the United States Government have an awesome responsibility to do whatever they can to try and secure troops from other nations. They also have an awesome responsibility, as other hon. Members have said, to conduct operations in Iraq in a sensible way. I draw to the attention of the House a report on the BBC a few hours ago, according to which the symbolic head of the Association of Muslim Scholars said that if an attack on Falluja by the US or others were carried out as many in the House suspect it would be, he would boycott the elections to be held in January.

I hope that such a boycott will not happen. I hope that the elections will be successful because they are essential for building a prosperous and democratic Iraq, to which we all sign up. In the attack on Falluja it behoves US forces to act in such a way as to minimise civilian casualties as far as possible, as we would do with our forces. We must ensure that the Americans try to do that as well.

There has been huge cross-party support for the action in Afghanistan. Few in the House objected to it. The Taliban regime had to be removed and military action was necessary. One of my concerns about going into Iraq was that we had not sorted out Afghanistan before we did so. Now drug production levels in Afghanistan are higher than when the Taliban were in power. Of course, Britain is doing its bit and the deployment of more GR7 Harriers mentioned by the Secretary of State is to be welcomed, but we must ensure that that society is stable before we engage in other activities among other nations.

I find it astonishing that because of their domestic legislation, some NATO troops stationed in Afghanistan will not take part in activities to destroy drug fields in an attempt to stop the drug trade. Those NATO members—they know who they are—should look at the internal security of their own nations, which are scourged by drugs. If they are not prepared to do something about the problem in Afghanistan, they need to rethink their policy.

The Minister of State, Ministry of Defence (Mr. Adam Ingram): I would not usually intervene because I understand the time constraints. However, with reference to the hon. Gentleman's remarks about the views of the Liberals on the campaign in Afghanistan, may I remind him of the views expressed by his now hon. Friend the Member for Shrewsbury and Atcham (Mr. Marsden), who opposed what we were doing in Afghanistan? He left the Labour party and joined the Liberals.

Mr. Keetch: The Liberal Democrats are a broad church, but they are not as broad as the Minister's church. Although it is true that individual Liberal Democrat Back Benchers did not support that campaign, Liberal Democrat Front Benchers—me, my leader and my Foreign Affairs spokesman—supported it wholeheartedly. If the Minister wants to see Labour Members who take a different view on Iraq, nuclear weapons or Afghanistan—I could go on—he needs only to look at the Government Benches, where they sit for all to see.

Mr. Ingram: The hon. Gentleman made a point about the Liberal Democrat party's view. I accept that my party contains different views on different issues, but he was trying to suggest that the Liberal Democrat party takes a collective view. The hon. Member for Richmond Park (Dr. Tonge) indicated that she supports the hon. Member for Shrewsbury and Atcham (Mr. Marsden), and we should take a straw poll to see how many other Liberal Democrat Members support him.

Mr. Keetch: Of course, three or four Liberal Democrat Members did not support the Afghan campaign, but the majority of the parliamentary party, the majority at our conference and the leadership and spokesmen at that time supported that action. It ill behoves a Labour Minister to criticise members of his own party who do not support individual military actions. The vast majority of Labour party members in Hereford, such as there are, supported me, not him, in the case of Iraq at least.

Dr. Julian Lewis: The hon. Gentleman is making a good speech and holding the attention of the House. While we are on the subject of Liberal Democrat defence policy, what is official Liberal Democrat defence policy on the future of the nuclear deterrent? Is it not right that the Liberals would not replace the strategic nuclear deterrent when Trident becomes obsolete?

Mr. Keetch: It is funny that the hon. Gentleman asked me that question because I expected it to come from a Labour Member, but I am happy to deal with it. The Liberal Democrats support the retention of an independent British nuclear deterrent. That does not necessarily commit us to replacing Trident with a submarine-launched deterrent system, because there is an important discussion to be had about the kind of nuclear deterrent that is appropriate for Britain after Trident—personally, I do not think that it is a submarine-launched ballistic missile deterrent. Our policy document, "Defending Democracy", which was produced at the beginning of last year, stated that we retain the principle of an independent British nuclear deterrent.

Llew Smith: Given what the hon. Gentleman just said, can we assume that in certain circumstances he would be willing to press the nuclear button?

Mr. Keetch: I will shield myself behind the view taken by successive Ministers. When I sit on the Government Front Bench, the hon. Gentleman can ask me the question and I will tell him under which circumstances I would do so.

I shall move on to a number of other areas of NATO deployment. I certainly endorse the Secretary of State's remarks about the situation in the Balkans, and particularly in Kosovo. The situation in Kosovo is not secure. We went into Kosovo to stop one part of the population committing genocide against the other. Many of us now suspect that the other part of that population is now similarly committing genocide. NATO forces must be seen to be even-handed in Kosovo, and they must protect both sides of the community. For example, German forces were criticised on the ground that their response to rioting in Mitrovica and other places earlier this year was not even-handed.

Perhaps the Minister will pay attention to this question about NATO members because I would like him to address it in his winding-up speech. We have a commitment to emerging NATO states. In particular, I draw the Minister's attention to a commitment that the Government do not appear to have fulfilled, which concerns the Baltic states of Estonia, Latvia and Lithuania. NATO agreed to rotate a flight of three aircraft based at an air base in Lithuania, and the royal Belgian air force took up the commitment with three F-16s. The RAF was supposed to replace that flight, but it told the Lithuanian Government and the other Baltic state Governments that it was unable to do so for operational reasons, so the Danes had to go in. I hope that the Minister will clarify the position in his winding-up speech.

We have responsibilities throughout the world. Hon. Members have mentioned the Falkland Islands, on which I endorse what has been said, but I shall say a word about our dependent territories in the Caribbean. The Royal Navy's presence in the Caribbean used to be called WIGS—the West Indies guard ship—and some of us who have served on the armed forces parliamentary scheme were lucky enough to spend time there.

We saw the benefits of a West Indies guard ship only this summer when HMS Richmond, commanded by Mike McCartain, and Royal Fleet Auxiliary Wave Ruler were able to provide extremely important humanitarian help to the people of the Cayman Islands. We have a commitment to those places, and in that instance the Royal Navy was extremely useful.

The troops in our armed forces are the best kit and equipment that we possess. I entirely endorse what the Chairman of the Select Committee on Defence said about the proposed changes to the regimental structure, particularly in Scotland. Of course arms plotting should go, for the good welfare and family reasons for which we have argued for some time. However, that does not necessarily mean having to get rid of the regional identities of many of the regiments that are under threat.

There is something of an internal crisis among our armed forces personnel. A few months ago, the MOD issued its internal survey for 2004, which asks members of the armed forces what they think of the MOD and their own position. In response to the question, "Does the MOD look after its personnel?", of 1,634 members of the armed forces—a 42 per cent. response rate—only 3 per cent. strongly agreed that the MOD looks after its own personnel, while 32 per cent. somewhat agreed and 62 per cent. did not know, did not care or did not believe it. The MOD needs to resolve that crisis.

Does the Minister intend to reintroduce manning control? He knows what that is and exactly how it is being used to get rid of members of the armed forces from their positions.

On Gurkhas, although I welcome the recent announcement that they will have the right of citizenship in this country, why is that being limited to those who have left the service since 1997? They have served this nation very well. They took 23,000 casualties in two world wars. They have won 26 Victoria crosses. Indeed, of the 15 surviving VC holders, four are Gurkhas, yet under the Government's proposals none would qualify for British citizenship. That should be reconsidered.

The Secretary of State had some fun with Liberal Democrat policies on procurement in his Labour party conference speech, and claimed that the British armed forces should, at all costs and all times, buy British equipment. However, he is not supported by members of his armed forces, who were questioned about that for the MOD survey. When they were asked whether they were well equipped, 19 per cent. thought that they were and 41 per cent. thought that they were not. When they were asked, "Should we always buy British?"—the issue on which the Secretary of State criticised our policies—21 per cent. supported the view of the Secretary of State and 58 per cent. supported the view of the Liberal Democrats.

We wholeheartedly support the carriers, but they must be considered in terms of the MARS—military afloat reach and sustainability—programme for the replacement of the Royal Fleet Auxiliary ships. Our warship yards cannot cope with the eight to 10 ships in MARS at the same time as the aircraft carriers. Members of Parliament from the north-east—the right hon. Member for Newcastle upon Tyne, East and Wallsend (Mr. Brown) is nodding—know that that is the case.

I want to ask about ITAR—the international traffic in arms regulations. We hear a lot about the United States being our best friend and trading partner, yet the ITAR waiver that the Government have sought to allow us to export goods to America has not been fully given—

Madam Deputy Speaker: Order. I remind the hon. Gentleman that there is a debate on defence procurement in two weeks' time. This debate is on defence in the world.

Mr. Keetch: May I therefore refer to two other areas of defence in the world, Madam Deputy Speaker?

First, on the question of proliferation of weapons of mass destruction, it is clear that a number of states are going down the path of possibly procuring weapons of mass destruction. We need only consider Iran, for example, which has at least a dozen sites working in this field and 11,000 people working in that industry—the

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same as the Manhattan project, which first developed atomic weapons. There will be no full disclosure to the United Nations: Iran has great missile technology and it has already tested the Shahab 3 to a range of 1,300 km. Unfortunately, it is the view of many of us that the next intention of the United States Government is to move to deal with that problem by military means. I hope that the Minister will confirm in his wind-up that there are no plans for Britain to participate in any US-led strikes on Iran. Can he say whether there have been discussions about that?

Finally, the real threat to us is international terrorism. Our adventures in Iraq have taken valuable time and resources that could have been used to fight international terrorists. While it is easy to put up a screen as some sort of defence, rather like the Maginot line or the national missile defence programme proposed by the Americans, the reality is that the ongoing campaign against terrorism can only be won in the hearts and minds of the people of this world, and will not be fought primarily through the use of force.

Dr. Jenny Tonge (Richmond Park) (LD): Does my hon. Friend agree that one of the things that we can do to fight terrorism in the world is to make progress in the middle east peace process?

Mr. Keetch: Indeed; I was moving on to that in terms of my reference to the Maginot line.

One of the other great illusions of current policy is the building of the Israeli wall. I have seen the wall—as my hon. Friend the Member for Richmond Park (Dr. Tonge) knows, I visited Israel and Palestine recently—and while I understand that building a wall might somehow make people feel safer, history has proven that building walls gives a false sense of security, as was demonstrated by the Maginot line. Building a wall on other people's land is even more wrong.

In this nation, we are fortunate to have armed forces who have served us for many years. Those of us who were not privileged enough to serve in the armed forces have always regarded their distinction with pride. Those who have been privileged to serve, such as the shadow Defence Secretary, perhaps know better than some of us about some of their abilities. One thing that we all share, however, whether we have served or not, is a belief that we must do better by our armed forces, as they deserve more of our support.

3.57 pm

Iain Wright (Hartlepool) (Lab): As the newest Member of the House, it is a real privilege to make my maiden speech only a matter of days after being presented to the House. I promised my constituents that if elected, I would be their strong representative in Westminster. I cannot do that by sitting silent on these Benches. I am grateful for the warmth and friendliness that Members on both sides of the House have extended to me during these first few days. I feel particularly proud and privileged to represent the town where I was born, where I grew up, and where I am now raising my family.

Hartlepool has played a strong role in the defence of this country, so it is fitting that my maiden speech is during a debate on defence matters. The Headland, the oldest part of Hartlepool, suffered a bombardment by German warships in December 1914, during which more than 100 people lost their lives. The docks of West Hartlepool built many ships for the Royal Navy in the first world war. I, like other Members, want to pay tribute to our armed forces who are serving all over the world at present.

In my lifetime, there have been two great Labour Members of Parliament for Hartlepool. I have the honour of succeeding Peter Mandelson, who put Hartlepool on the political map and who played a major role in the revival of the town, both as a Member of the House and as a member of the Labour Government. To the town, he brought vision, determination and great ability. Working with a forward-looking and pragmatic Labour council, he played a major part in slowing and halting Hartlepool's decline and then establishing and promoting its renaissance.

There are many stories of my predecessor—too many to mention here. However, I will tell one: when asked what item he would rescue from his house in the event of a fire, he replied that he would rescue his Hartlepool United football scarf.

I share his devotion to my local football team, and wish the club every success. I also wish Peter Mandelson a long and successful career as a European Commissioner. I am confident that he will remember his former parliamentary constituency when drafting policies in his role as Trade Commissioner.

I was born during Ted Leadbitter's time as Member of Parliament for Hartlepool. Ted served the town for 28 years. In paying tribute to him, I can do no better than quote Walter Gill, who said in his "The Hartlepool Story"

> "above all he has been a good constituency MP, ever ready and efficient in dealing with the problems of individuals where he could, a quality highly valued in this borough and a prime reason for his parliamentary longevity".

My first priority is to be a conscientious and diligent constituency representative. I can only hope that I am as successful as Ted Leadbitter was in that regard.

While researching this speech, I read the maiden speeches of my two immediate predecessors. What is striking is how they both—30 years apart—concentrate on the problems of unemployment and the social problems caused by economic neglect. Peter Mandelson referred in his maiden speech to apprenticeships being axed, young school leavers failing to find training places and the local training and enterprise council having its training budget for 1992–93 cut by 20 per cent.

When I was growing up in Hartlepool in the late 1980s, unemployment was over 25 per cent., and considered a price worth paying by a Government who saw unemployment as a cure for the disease rather than the disease itself. Under this Labour Government, unemployment in Hartlepool has fallen dramatically to 5 per cent. There are more people in work in the town than ever before. Youth unemployment has been cut by three quarters, thanks to the new deal.

When I was canvassing in the recent by-election, no one said to me that they could not find a job or secure a training place. Had the by-election taken place 10 years ago, I do not think candidates would have been able to walk down any street in the town without people being angry about the lack of jobs. The skill of this

Government, and the Treasury team in particular, has allowed world-class firms to flourish in Hartlepool—firms like Corus, which exports high-quality steel pipes all over the world, and Huntsman Tioxide, which produces chemicals that we take for granted in products such as paint and other household goods.

A large number of Members travelled up to Hartlepool to campaign in the by-election. Labour Members, certainly, have commented to me that Hartlepool had a vibrancy, and said how great the people are. Members were sustained during the by-election by mince and dumplings in the Cozy Cafe and fish and chips in Seaton Carew at Don Bee's, had the best pint there is—Cameron's Strongarm—at the Causeway pub, and at night sampled excellent cuisine at the town's many restaurants, such as the Lotus Garden, Krimo's and Cafe India.

I hope that all Members came away with a sense of industry, pride and strength in the Hartlepool character—and, I might add, of how cheeky we are. The town did, after all, elect the local football mascot—H'angus the Monkey—as its first executive mayor, and some people in the town expressed disappointment that the mayor did not take office and attend meetings wearing the monkey suit. I also remember hearing about Tom Burlison, a strong union official who now sits in another place and who used to play for Hartlepool United. Tom was explaining a particularly tight wage settlement with the management to the union lads when a voice chirped up from the back: "Aye, and you weren't much good at football, either."

The Hartlepool people—with our indefinable mix of politeness and irreverence, nostalgia about our heritage and ambition for the future, and concern about family and society with unique individuality—are what I love most about the town, and it is Hartlepool people who provide me with the best memories of the by-election campaign and who will ensure the town moves from strength to strength.

There are people like Bob and Roni Farrow and Alex Sedgwick, who play an instrumental role in the Belle Vue community and sports centre, making sure that £54 million of new deal for communities' money is delivered to the people in the estates. I think that the centre—along with the Stranton centre, whose opening I attended on Friday and which is run by Sharon Pounder—gives real hope to deprived neighbourhoods that have been neglected for generations.

Then there are primary school teachers like Dave Dobson at Kingsley, Margaret Bousfield at Fens—my old school, and the school that my kids attend—and Andy Brown at West View, who have worked hard to ensure that Hartlepool's key stage 1 and 2 figures are the fastest-improving set of results in the entire country. There are people like Tony Sutcliffe at Hartlepool college of further education and Dorothy Lownds at Hartlepool sixth-form college, who have provided excellent post-16 education in the town and who have enabled more Hartlepool people than ever before to take vocational qualifications or to go to university.

There are also people such as PC Shelley Watson, who is helping to pull people from different organisations together to tackle antisocial and yobbish behaviour on the streets of Hartlepool, and putting in place the tough measures that the Labour Government are offering to communities.

Let us not forget that Hartlepool borough council, of which I was a member for two years, is an excellent authority. Council officers such as Dave Stubbs, Karen Oliver and Denise Ogden work tirelessly in the community. These officers are led by decent councillors of all political persuasions, but particularly by the hard-working Labour councillors. There are also people such as Tony Collins, who leads the largest charity in the town, Hartlepool hospice, and which demonstrates the care, dignity and strong volunteering ethic of Hartlepool and its people.

There has been so much progress in Hartlepool since 1997, but more still needs to be done. The town is concerned about antisocial behaviour and I want to ensure that tough measures are enforced to make people feel safe and secure. Health inequalities still persist in the town and I will make a strong case to ensure that more resources are pumped into our estates so that people can receive medical care and health advice on their doorstep.

The number of business start-ups in Hartlepool is among the lowest in the country. Given our unique character and the cheekiness that I mentioned earlier, I think that Hartlepool people would make exceptional entrepreneurs. There is good news in this regard, however. Only this week, the *Hartlepool Mail*—an excellent example of a local paper—reported a fourfold rise in the number of small business creations. The Victoria harbour initiative, a £500 million regeneration of the port area, will consolidate the progress made in the last decade by the marina and the historic quay and become a flagship for the region for jobs, businesses and homes.

We do not want handouts; we want the tools to enable hard-working families to have a good quality of life. Under the Labour Government, we are getting those tools, but I will fight to ensure that my town receives more. We want control of our own destiny.

I thank the House for the courtesy that it has shown in listening to me today. I promise that I will be a strong advocate for my home town. I will not let the people of Hartlepool down.

4.7 pm

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): It is a great pleasure to follow the maiden speech of the hon. Member for Hartlepool (Iain Wright). I remember as clearly as if it were yesterday making my maiden speech from almost the place where he is now sitting, some 12 and a half years ago. He made an excellent speech. I participated in the by-election campaign. It was an excellent, clean campaign, and I pay tribute to him for that. If anyone other than our candidate had to win, we would have wished it to be him, and I congratulate him. I also pay tribute to the warmness and openness of the people of Hartlepool. They are delightful, and he is privileged to represent them. I can also attest to the variety and excellence of the hostelries in his constituency.

I would like to correct just one thing that the hon. Gentleman said, however. He seemed to think that history began in Hartlepool in 1997. In fact, one of the biggest acts of regeneration there was carried out by the Conservatives in the 1980s, in the form of the Queen Victoria marina. No doubt the hon. Gentleman will oversee the continuing regeneration of the chemical

[Mr. Geoffrey Clifton-Brown]

industries that have been running down, and the development in his constituency of the new tourist revival that was very evident from what we saw. I congratulate him and hope that he will have a long, happy and successful career in this place.

Before I turn to the rest of my speech, I want to reiterate the concern of the House for the safety and well-being of Margaret Hassan. If anybody was trying to bring help and benefit to the people of Iraq, it was her, through her humanitarian work. We send her and her family every possible sympathy and wish them a successful outcome.

The need for us to consider defence matters has perhaps never been more pressing than it has been in the period since the collapse of the Soviet Union. We face a disparate and hugely varied array of threats that is almost unprecedented in post-war history. Yet the Secretary of State told me on 15 September 2004 that he could not understand anyone making the point about overstretch. If we add to that the Prime Minister's commitment to our African unity force, and the Government's proposals to reduce the number of armed troops through the amalgamation of regiments, we begin to see that our troops—who are among the most professional in the world, if not the most professional—are perhaps not being treated in the way they deserve.

We were informed by the press—not by the Secretary of State for Defence or the Prime Minister—that a decision had apparently already been taken last week to redeploy 650 Black Watch troops to the central region of Iraq. The Secretary of State has told us today that those troops will not be taking their heavy armour. We have not been given a specific answer as to who will provide air cover, logistics and communications support. If they are to take only their Warrior trucks, what sort of a force are they? Are they a heavy armour force, and who will supply the air cover, logistics and communications support? Given the possibility of a serious incident—these troops are going into a more dangerous area—we and the general public deserve to know the answers to those questions.

What will the Government do to the Black Watch, following their valiant service in Iraq? Not only the Black Watch but the Royal Highland Fusiliers, the Highlanders and the Argyll and Sutherland Highlanders, following their valiant service in Iraq and elsewhere, will return home and be amalgamated. That is a disgrace.

We should note the unsurprising risk of a yawning time gap between the mothballing of our aircraft carriers and the hoped-for introduction into service, by 2012 at the earliest, of their replacement. There is also the risk that the Government will fall into the traps created by their failed smart procurement programme. As we have heard today, both the Chief of the Defence Staff and the Chief of the Naval Staff are worried about our ability to carry out wholly autonomous operations in future. In stark contrast, we Conservatives have an effective and broadly welcomed policy. This country's armed forces are among the best trained in the world and we owe them a great deal. Because of this debt to those willing to serve our country, it is the duty of the Her Majesty's loyal Opposition to question the Government about the technical capabilities that we provide them with.

On Iraq, in September 2002—well before the war—I made a speech in this House in which I said that I doubted whether there was anything new in the dossier, or whether there were any weapons of mass destruction. In November 2002, I called for a comprehensive plan of reconstruction and renewal for Iraq. Indeed, it is this issue that demonstrates one of the Government's biggest culpabilities. Before they took this country to war in Iraq, they did not have a clue how to reconstruct the peace, and that reconstruction is still going on at a very slow pace. We need, for example, to ensure that the infrastructure—the sewerage, lights and power—is improved, so that everybody's daily life is improved. Only in that way will the Iraqi people feel more likely to support a democratic government.

Furthermore, if the people of Iraq are to be reassured that we are not occupiers but peacekeepers, we must build a more broadly based peacekeeping force. That will involve taking action through the United Nations to ensure that more Asian countries commit troops to that force. I believe that they would be willing so to commit. That would bring two benefits: it would provide greater reassurance to the people of Iraq, and release troops for deployment in other areas of the world.

We must build relationships with Muslim organisations in this country and abroad. If we can build a much broader consensus with the Arab world, we will face the threat of world terrorism with a much more positive view. In that connection, I support the Prime Minister's efforts to secure a Palestinian peace initiative. I hope that one of his first actions following the election of the next American President will be to telephone him not only to congratulate him, but to say that now we must seize the initiative in order to bring about a middle east peace settlement. The entire middle east is in a very fragile state. Not only is Iraq, whose oil reserves in the south we have done so much to guard, fragile; the situation in Saudi Arabia is very fragile, and there is a particularly difficult and emerging situation in Iran, Iraq's neighbour.

We know that Iran has been building up its armed forces and its nuclear capability, so it is vital in any peace reconstruction effort—particularly if we are eventually to withdraw our troops from Iraq—that we build better relations with Iran. We must find a way, working with our allies and through a broad-based coalition—including the French, Germans, Russians and Chinese—to exert diplomatic pressure on Iran to allow the International Atomic Energy Agency full and open access to Iran's nuclear programme.

Iran is currently the second biggest exporter of oil in the Organisation of Petroleum Exporting Countries cartel, and we must find a way of gaining an assurance that its desire for nuclear power is purely to supplement its locally abundant energy force. To date, Iran's somewhat dangerous behaviour and failure adequately to fill in the gaps in its report to the IAEA has been the result of a number of domestic factors. Most prominent among those has been the influence of Iran's religious and political supreme leader, Ayatollah Khamenei, who has consistently, if gradually, increased the power of the conservative factions within his country's governing elite. We must build better relations with Iran.

I hope that the deployment of an extra 650 troops into the central and more dangerous part of Iraq is not a prelude to deeper involvement in the general morass of Iraq. We must try to build a democratic Iraq, but it will be very difficult indeed to achieve that. Perhaps a federated structure granting some degree of autonomy to the different parts of Iraq may be the way forward. Our Government must work hard if we are to avoid being embroiled in another Vietnam situation. Above all, we must have some idea of an exit strategy, which relies on having strong Iraqi leadership—including strong police forces and armed forces—so that Iraq can be all the more stable in future.

4.17 pm

Llew Smith (Blaenau Gwent) (Lab): When I participated in last year's debate on defence, I mentioned that there seemed to be a reluctance to debate the whole issue of nuclear weapons. In retrospect, I suppose that I have been proven wrong, because for the past 12 months we have spent many hours in the Chamber debating nuclear weapons. Sadly, the nuclear weapons that we debated were the mythical Iraqi nuclear weapons of mass destruction.

It was obvious from the Secretary of State's opening speech that there is still a great reluctance to debate, or even mention, nuclear weapons. I do not think that he mentioned them on a single occasion in his speech. We should debate that subject. We should debate our own nuclear weapons. We should debate Trident, which has been dubbed the £15 billion mass killer. We should debate the tens of thousands of nuclear weapons deployed by the US and Russia.

We should also debate the 200 nuclear weapons deployed by Israel. We should never forget Mordecai Vanunu, who spent 16 years of his life telling and protesting the truth about Israel's nuclear weapons while all those around him were lying. Although he has been released from one form of imprisonment, he is now faced with another—being unable to leave Israel.

I make no apologies for returning to the question of nuclear weapons today. It was interesting to hear the Secretary of State's admission, on previous occasions in response to my questioning, that he was willing to press the nuclear button. He has said that he would be willing to be involved in what would be the greatest act of murder ever committed in the history of this beautiful planet of ours. However, he remains reluctant, and still refuses, to mention the sort of circumstances in which he would be prepared to use nuclear weapons. He still refuses to tell the House who the enemy is, against whom those nuclear weapons are directed, and against whom they would be used.

The Government's latest attempt to justify nuclear weapons and weapons of mass destruction appeared in their response to a question tabled by my right hon. Friend the Member for Llanelli (Denzil Davies). The Minister for Europe stated:

> "Under the Nuclear Non-Proliferation Treaty . . . five states—the United Kingdom, the United States, France, Russia and China—are legally entitled to possess nuclear weapons."—[*Official Report*, 1 September 2004; Vol. 424, c. 689W.]

The problem is that that statement is untrue. The Minister conflated the definition of a nuclear weapon state under the NPT with its legality. The NPT, however, is clear on this matter: article 9, paragraph 3, states:

> "For the purpose of this Treaty, a Nuclear Weapon State is one which has manufactured and exploded a nuclear weapon or other nuclear explosive devices prior to 1 January, 1967."

That defines what constitutes a nuclear weapon state, but it does not make legal our continued possession of nuclear WMD. In fact, as Ministers well know, the NPT explicitly requires our nuclear WMD to be negotiated away. Most independent observers will agree that we have failed to carry out that obligation.

Dr. Julian Lewis: That is a common myth put forward by unilateral nuclear disarmers. Article 6 does not require us to get rid of our nuclear weapons unless or until there is a global agreement by all countries to get rid of all nuclear weapons.

Llew Smith: By sheer coincidence, I happen to have the relevant passage from article 6 of the NPT. It states:

> "Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control."

Dr. Lewis: That means the whole world.

Llew Smith: I have set out what article 6 states, and I shall now elaborate on that. By refusing to negotiate away our nuclear weapons, this country remains in breach of UN resolutions dating back to 1968, yet Iraq was illegally invaded on the pretext that it was in breach of UN resolutions since 1991.

Next spring, the NPT comes up for review at the UN. It is certain that many nations will rightly press the nuclear weapon states to explain their inaction in respect of carrying out nuclear disarmament, given that two members of the UN Security Council—the UK and the US, which bristle with their own nuclear WMD—prosecuted an invasion of Iraq to disarm that country of nuclear weapons that it never possessed.

Not only does the UK not participate in nuclear disarmament, but Ministers plan to escalate the nuclear arms race. They intend to extend for another 10 years the bilateral agreement with the US that allowed the purchase of Trident and continued nuclear weapons co-operation with the Americans. I objected to that in early-day motion 1407, which I tabled on 24 June and which deals with the US-UK mutual defence agreement renewal and the NPT.

International lawyers at Matrix chambers in London have examined the text of the 1958 US-UK mutual defence agreement, in relation to the text of the NPT that was drawn up 10 years later. In a recent report, they concluded that the bilateral nuclear pact with the US was a breach of the NPT, and thus confirmed what many of us have argued for many a long year.

As I have pointed out before, the Trident nuclear weapons of mass destruction system was bought from the United States and its warheads were tested in the United States, which also provides targeting technology

[Llew Smith]

and command-and-control support. By any independent judgment, that constitutes an indirect support of nuclear weapons of mass destruction by one state for another, which is also not permitted under article 1 of the non-proliferation treaty.

Jeremy Corbyn: Does my hon. Friend agree that if the Government or any future Government were minded to develop a new generation of nuclear weapons in succession to Trident, they would be in direct breach of the NPT?

Llew Smith: I very much agree, and I would elaborate on that point if time allowed.

Having invaded Iraq, the US now threatens its neighbour, Iran, over its atomic aspirations. However, as a detailed article on nuclear proliferation in the *Financial Times* on 9 September pointed out, doubts persist over Iran's true intentions regarding its nuclear programme. Inspections have not brought proof that the Iranian regime has military intentions. John Bolton, who is President Bush's hawkish under-secretary of state for arms control and security, said:

> "The Bush administration is reinventing the non-proliferation regime it inherited, crafting policies to fill gaping holes, reinforcing earlier patchwork fixes, assembling allies, creating precedents and changing perceived realities and stilted legal thinking. The frontlines in our non-proliferation strategy must extend beyond the well-known rogue states to the trade routes and entities engaged in supplying proliferant countries."

He concluded:

> "We are just at the beginning, but it is an extraordinary beginning. Not only are we meeting this ultimate of threats on the field, we are advancing on it, battling not only aggressively, but successfully. And so we must, for the outcome of this battle may hold nothing less than the chance to survive."

It is clear that despite it being illegal under the UN charter, the US is prepared to implement regime change wherever and whenever it chooses. I am saddened that our Prime Minister was prepared to go along with regime change in Iraq. We have the right to know whether the Government believe that regime change is legal under UN provision.

I was told in a written reply earlier this month, again by my hon. Friend the Minister for Europe, that

> "Issues of compliance with the Nuclear Non-proliferation Treaty (NPT) form an integral part of our dialogue with a number of Governments and other bodies . . . the Foreign Secretary is confident that the United Kingdom continues to fulfil all of its obligations under Articles I and VI of the Treaty."—[*Official Report*, 4 October 2004; Vol. 424, c. 1839W.]

I doubt that many NPT members would agree. It is not diplomatically credible to say to other countries, "Do as we say, not as we do." That is what this Government have said for too many years.

Fingers will rightly be pointed at us at the NPT review in New York next spring. Luckily, a positive motion will be tabled by countries such as Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden, entitled "Towards a nuclear-weapon free world: Accelerating the implementation of nuclear disarmament commitments." My hon. Friend the Minister will be aware of the motion and he should tell the House whether the Government will put their name to it. If they do so, we can begin to recover some of our lost credibility—lost as a result of the war in Iraq, which we were told was about weapons of mass destruction. It is ironic to hear some of the people defending that war—

Madam Deputy Speaker: Order. The hon. Gentleman's time is up.

4.29 pm

Mr. Hugo Swire (East Devon) (Con): I pay tribute to the hon. Member for Hartlepool (Iain Wright), who made an excellent speech. I hope that he will not just regard this topic as the one on which he made his maiden speech but that he will continue to take an interest in defence matters. I wish him a long and successful career in this place.

> "A great country such as Germany and such lesser ones as Spain, Belgium, Holland have by their budgetary actions shown that they reject the principle accepted by every serious society for centuries, that it is impossible to have an effective foreign policy without a credible defence policy and plausible forces."

So said Sir Max Hastin[illegible] during an after-dinner speech recently. He went on to say that Britain was not yet at that stage. However, our armed forces, especially the infantry, are being asked to do more and more at a time when the Government are intent on reducing that highly overstretched arm by 10 per cent.

Our debate is entitled "Defence in the World". We have heard about Britain's unique position in its commitment to the UN Security Council, NATO, the EU, the Commonwealth and the G8, but we should take this opportunity to debate a more thorough review of where Britain should be in relation to defence in the world: whether we concentrate on being policemen and peacekeepers; whether we can be a reactive as well as proactive force; whether we should get involved in pre-emptive strikes and regime changes. Might our close ally, the United States, be growing too reliant on us and be asking us to do too much?

We have not intellectually and thoroughly thought through the world post the cold war era—the fact that armies are no longer conventional, the real and everyday concern about proliferation of weapons of mass destruction and, as the Secretary of State said earlier, the proliferation of weak and failing states, with all that results from that. We continue to spend vast amounts on equipment in our determination to keep up with our American allies, with an expensive air force and a costly carrier fleet. At the end of the exercise, unless we are careful, we shall have an enormous amount of expensive equipment but no one to operate it.

I am grateful to my constituent, General Sir John Waters, a former General Officer Commanding in Northern Ireland, for bringing to my attention the speech from which I quoted earlier. In the post-Falklands era, it was Sir John who came up with the maxim that defence policy has to deal with probabilities, not possibilities, adding, "You never can tell." That is fine, but what we know—what we can tell—is that we shall always need troops on the ground. What we know is that those troops must be highly trained and professional, and that our regimental system, developed over centuries, is the best proven system in the world to ensure that that happens. It is tried and tested, the envy of many. What we cannot afford to do is to threaten that system at a time when it is stretched to the limit.

Today, we heard from the Secretary of State about the surge requirement in the run-up to the elections in Iraq. There are Members on both sides of the House who regard the deployment of the Black Watch as mission creep, although I think that that is questionable. However, I question the Prime Minister's wisdom in promising at Question Time yesterday that the Black Watch would be home by Christmas. Home to what exactly?

My constituent, Major Duncan Bengough, late of the Black Watch, has raised with me time and time again the threat to his old regiment. Having read through the submissions that I have received I am in agreement with much that he says. I leave it to Scottish Members to argue the case more forcefully, as I am sure they will, but surely the key point is that the creation of a large regiment, such as the proposed Royal Regiment of Scotland, would inevitably mean the end of the existing small regiments. I am concerned that the Chief of the General Staff apparently has a relaxed view about the realignment of infantry battalions, not least as regards my old regiment, the Grenadier Guards.

I want to spend the remaining time allocated to me arguing the case for the Devonshire and Dorset Regiment. The regiment, and its predicament, has attracted much attention in my constituency and the west country in general, not least from the Conservative spokesman in Teignbridge, Stanley Johnson, who has mounted an excellent campaign and has proved to be an assiduous campaigner on the regiment's behalf. Neither Stanley Johnson nor I can understand the irony that a Government who are keen to push a regional agenda, with regional assemblies and regionalisation, simultaneously fail to appreciate the strong and logical regional aspects of county regiments in terms of both history and recruitment. The Devonshire and Dorset Regiment enjoys the freedom of 15 towns, cities and boroughs across the two counties and two more towns are queuing to grant it freedom.

I shall not get involved this afternoon in what I think would be the best option if a merger were to take place, but I know what is desirable and what is not. There might be an opportunity to bring the men of Devon and Dorset together with their fellow west country men of Somerset and Cornwall in the Light Infantry. That suggestion would have much merit and would create the opportunity to form a new and regionally distinct regiment from Wales, the midlands, the west and the south-west in an equitable and balanced way.

Our county regiment faces a critical time. If regiments such as the Devonshire and Dorset Regiment lose their long and deep associations with counties, and the associations that counties have with them, they risk being irreversibly damaged. Some 85 per cent. of the regiment's recruits come from, or live in, the two counties, or were educated there or have another close association with them. If the regimental identity were lost or submerged in a wider entity, the long-term viability of the unit would be put into question, irrespective of the cosmetic solutions proposed.

Following our recent conference in Bournemouth, the shadow Secretary of State articulated the fact that an incoming Conservative Government will increase defence spending on front-line services by £2.7 billion. Perhaps more importantly, however, I was heartened that he said:

"As a result of this settlement we will retain the infantry regiments that Labour propose to do away with".

When we discuss geopolitical matters, as we tend to in the House, and talk about the threat of international terrorism and the proliferation of nuclear, biological and chemical weapons, we do so in the knowledge that we will have to face up to and deal with that sooner rather than later. However, the bottom line is that unless we have faith in our existing infantry battalions and the regimental system, and unless we can show that we care about their past and future, we will place them in an invidious position. It is worth considering that as we send the Black Watch into a new sphere in Iraq, so that those who serve in it realise that we are thinking about them and those in other local regiments. They should know that their regiments will not necessarily be merged or disbanded on their return. We need to put our faith in them, and show good faith in them, when asking them to do jobs that many of us would be incapable of doing.

4.38 pm

Mr. Nicholas Brown (Newcastle upon Tyne, East and Wallsend) (Lab): It is a pleasure to follow the hon. Member for East Devon (Mr. Swire). He is quite right that there is a real debate about resources and their proper application, and he cited the carrier programme as an example of that. I hold a different view from his on the programme, because I think that the Government have essentially got things right, but that does not mean that we should not discuss such important matters on the Floor of the House.

I caution the hon. Gentleman not to put too much confidence in the extra money that the shadow Secretary of State is pledging for defence. If he was listening carefully—I am sure that he was—he would know that the extra money was predicated on savings.

I have to say that we used to say the same thing when we were in opposition. Although it is plausible and gets one out of the difficulties of having to make the hard decisions that confront Governments, the Conservative Front-Bench spokesman did not say whether the new money would be spent once the savings had been made or before. As he knows, if the money is spent before the savings are made, that will eventually be a burden on the taxpayer or come through in inflationary pressures within the UK economy.

Before I say anything more, I wish to congratulate my hon. Friend the Member for Hartlepool (Iain Wright) on an excellent maiden speech. I welcome him as a colleague to the northern group of Labour MPs. I was particularly taken by the tribute that he paid to his predecessor, somebody I liked and admired very much and went drinking with often—Mr. Ted Leadbitter.

I was taken by the fact, and it shows great promise in a new Member, that my hon. Friend was able to list a number of the excellent pubs in Hartlepool and seemed to know them well. There is one habit that I hope my hon. Friend will not take over from Ted. Ted was great company and a very engaging man, but when it came to getting his round in, he was—how does one put it kindly?—not to be found at the forefront. If there was a round of four people, he would be sixth or seventh to get the drinks.

[Mr. Nicholas Brown]

I welcome my hon. Friend here and I know that others will welcome him for who he is and will also welcome him for who he is not. The maiden speech was an excellent contribution, and he was particularly right to make reference to unemployment. Had that speech been made 10 years ago, or indeed when I at the same age made my maiden speech in 1983, he would have had to speak of the scourge of unemployment and the effect that it was having on our constituencies. The fact that he did not have to do so reflects great credit on the achievements of our Government since 1997.

I want to identify myself with the tributes that have been paid by the Secretary of State and the Opposition spokesmen for the Conservatives and the Liberal Democrats to our armed forces and their families. I say that on my behalf but also on behalf of the community that I represent. All Tyneside Members know of the close links between our constituencies and the infantry, artillery, marines and Royal Navy.

In the debate we are taking a strategic look at our armed services in the world. I accept that the Secretary of State concentrated his remarks on the Army and the situation in Iraq; it could not have been otherwise. However, he did not refer to our strategic nuclear deterrent, although others have referred to it. I remember arguing the case for and against the Trident programme with the hon. Member for Mid-Sussex (Mr. Soames) as it was being embarked on some 20 years ago. The hon. Gentleman thought that it was a good thing and would defend the country; I thought it was a waste of money then and I have to say that I still think it is a waste of money. Whatever the Trident programme has done to our country, it has most certainly consumed a large amount of money, duplicating a capacity that NATO already had. We should have spent the money on supplementing the conventional forces that are available to NATO. It is the case for conventional defence within that strategic framework that I really want to make. Before I do so, may I endorse something that another Opposition Member said about the middle east peace process?

I believe passionately that we must engage with that process and bring others to do that, too. I mean that generally, but also specifically with regard to the United States of America. If anyone can drive the process forward, the United States Government can. To those who complain about American engagement in the middle east, I gently say that American isolationism would be far worse and mean that we could not make progress.

I support the Government's approach and I especially welcome the renewed naval programme. Now that the costs of building Trident have been met, we can have a naval programme, which sits in the context of what we hope to achieve in the world. It has been well thought through. The carrier programme and the landing ship logistics are right. It is also essential to renew the fleet auxiliaries because some of the ships are 30 years old and older. Renewal was delayed because the money was spent on Trident and there were other, more pressing needs for it. However, it cannot be delayed for long. If we are to play an out-of-region role that relies on ships, the ships must be resupplied, refuelled and re-equipped.

The programme is so ambitious that it will require all the capacity that is currently available in the United Kingdom. In work load peaks next year and the following year, we will need something like twice our current engineering capacity. After that, as the carrier programme comes on stream, we will need approximately two and a half times our current productive capacity to provide the carriers for the Royal Navy. I believe that they should be provided, but serious issues must be considered.

Let me comment on a matter of detail that is of great interest to my constituents. The Secretary of State has given a welcome pledge that the work will be done in the United Kingdom. In his winding-up speech, will the Minister of State confirm that the assurance extends to fabricated components for the vessels, the military afloat reach and sustainability—MARS—programme and the fleet auxiliaries?

The programme that we have set ourselves poses great challenges to the Ministry of Defence, the departments that deal with procurement and the industry. The Government are feeling their way towards an approach that is called "alliancing" and trying to ensure that the best use is made of all the possible facilities—some are privately owned—in the procurement process.

Getting it wrong would lead to a National Audit Office report that would dwarf previous reports. I asked someone who knows about such matters whether there had ever been a favourable NAO report on a major item of defence procurement. Nobody could think of one but that does not mean that we should continue to repeat the process and have another damaging report.

I urge my Front-Bench colleagues to take a close interest in the public policy issues that surround the important matters that we are considering and ensure that we have an industrial strategy that does more than assume that individual bits of equipment can be bought as if they were regular items that are purchased off the shelf. The huge capital programme needs careful thought and management. I urge a co-operative rather than a confrontational or competitive approach to the industry.

4.48 pm

Pete Wishart (North Tayside) (SNP): This is the first time that I have taken part in a defence debate and I have thoroughly enjoyed it. I greatly enjoyed the excellent maiden speech of our new colleague, the hon. Member for Hartlepool (Iain Wright). I do not know if he is especially keen to emulate the colourful career of his immediate predecessor, but he strikes me as the sort of chap who knows the difference between his guacamole and his mushy peas.

I shall confine my remarks to my local regiment, the Black Watch. Our debate is about defence in the world and, after the Secretary of State's statement, it appears that the regiment will undertake much more of that particular task. The Black Watch was founded in my constituency in a little town called Aberfeldy on the banks of the Tay almost 300 years ago. My constituents therefore have a great association with the regiment.

My constituency is one of the major recruiting areas for the Black Watch. Of course, it goes without saying that there is a great admiration and respect for the most difficult task that they do on behalf of all of us throughout the United Kingdom. I need not tell the Minister that a great chill will go through forces' homes tonight across Tayside and Fife when the implications of what has been suggested in the statement are worked out later this evening.

There has been a lot of talk about the Black Watch this week. In fact, we cannot escape from it—every time that we turn on a television set or read a newspaper, there is analysis of what the role of the Black Watch will be, where the troops may or may not be deployed and what sort of task they may or may not be asked to perform. At last, thankfully, after a week of speculation; the Secretary of State has had the guts to come to the House and tell it to us straight. We should be grateful to him for that at least.

It has now been confirmed that the Black Watch will be deployed to the American sector. That significantly raises the stakes and our involvement in the Iraq conflict, and it raises questions about what sort of task the Black Watch will be asked to do. To take that decision without the full authority of the House on a substantive debate and vote is entirely wrong. The public expect us to take such a vote; it is what they think we do. When we significantly escalate our involvement in the Iraq war, I am sure that the public would like to think that the House would have a proper debate and vote at the end of the day.

My first and probably only concern is for the brave young men whom we are asking to perform that new and dangerous task. Those young men will now be put at greater risk, but for what? My heart also goes out to the families who have been waiting for news and confirmation of that redeployment for the past week. I want to echo some of the remarks made in the earlier statement. The way that the Government have dealt with the redeployment has been nothing short of scandalous. Forces' families have been waiting anxiously for news about the redeployment, but the Government have used spin and prevaricated on the issue. We all knew what would happen. I knew last Friday night, when I was contacted by the media on several occasions and asked for my response to the redeployment. If the media knew on Friday and Saturday night, someone must have told them—they do not get these things from fresh air—and what I heard on Friday night was almost entirely accurate given what we heard today.

We heard the Secretary of State's non-statement on Monday, which was significant for only one thing: he let the cat out the bag in response to the hon. Member for Richmond Park (Dr. Tonge). The alarm bells started to ring for me several weeks ago, when forces' families were phoning my office and talking about a further deployment and a further tour of duty for the Black Watch. There were all sorts of sinister rumours then about the Black Watch being deployed to Falluja or central Baghdad, but, thankfully, that has not happened. When I raised those issues, the Ministry of Defence reassured me that nothing was planned for the Black Watch and that its troops would be home in time. Such faith was put into those reassurances that we organised a homecoming parade for the Black Watch in Perth in the next few weeks. It now looks as though we will have to put away the bunting and flags for a few weeks.

When the Prime Minister rose to his feet yesterday and said that the Black Watch will be home for Christmas, that was a pledge, and we will hold him to that promise. I was disappointed that nothing was mentioned in the statement about when the Black Watch would return. I was also disappointed that no clarification was given: the Secretary of State did not say unequivocally that that would happen. *[Interruption.]* Does the Minister of State want to intervene?

Mr. Keetch: In fairness to the Secretary of State, he indicated that he agreed with the Prime Minister that the Black Watch would be home by Christmas.

Pete Wishart: We will see. The bunting and flags have been put away now, but we will wait with great interest to see the Black Watch come home. If one regiment deserves to come home for Christmas, it is most definitely the Black Watch. Regardless of what the Secretary of State says and his reassurances, morale is now an issue in the Black Watch. The Secretary of State may be reassured by speaking to self-selected officers in Iraq, but hon. Members deal with the families. We have to respond to the telephone calls to our offices from anxious parents who wonder what on earth is going on. We have to try to find the answers on their behalf.

I have detected a darkening of mood since the call was made placing the Black Watch on notice to move. The regiment has already done two tours of duty in Iraq and been away for four Christmases. It is now being deployed to the most dangerous of theatres, but those who serve in it will perform their task with their customary professionalism and high standards. Regardless of what some of them may feel about the politics of the job, they will get the job done, and they will do it well.

It is impossible to consider the redeployment without a cursory glance at the politics. For me, the decision has politics written all over it. I have great difficulty with the military case for redeploying the Black Watch to the American sector. It has been said many times that there is an overwhelming number of American forces in Iraq. America is the last world superpower. If it does not have enough forces, it should bring more across from the States. Why is it that 650 Scottish infantrymen have to go there to back up the Americans in the American sector? What on earth are they going into? A mess of the Americans making. It is a military quagmire because of the razed-earth policy—the shoot-on-sight policy. They will experience real difficulties and I feel sorry for those people who will be asked to perform this most dangerous of tasks.

The soldiers of the Black Watch will once again put their necks on the line for the Government. They will do that with their high standards and professionalism, but they will also do it with heavy hearts, not because of what they have been asked to do militarily—they will follow orders and ensure that the job is done—but because while they do the Government's bidding abroad, they have been stabbed in the back at home by a Government who are determined to amalgamate them out of existence.

I reaffirm my support for the campaign to save our regiments. I do not need to tell the Minister that there is overwhelming hostility to his plans to amalgamate them

[Pete Wishart]

out of existence. The campaign has spread all over Scotland, not just in recruiting areas like my own. In fact, it has galvanised communities. It has been fantastic. Usually when hon. Members get the petition board out and head down to town centres to get signatures, we are met with hostility and indifference, but not in this campaign. People are queuing up to sign. A little town called Alyth in my constituency has fewer than 3,000 people. I will present a petition next week from that town with 2,000 signatures in favour of saving our regiments.

The people of Scotland have run a vocal and affectionate campaign. What is it about the way in which we organise our regiments that has attracted such affection? It might have something to do with tradition. People might like the way that they do things and enjoy and appreciate the links with the community. I think it is more than that, however. People have the confidence and reassurance that our armed forces are the best in world. They are the best not because of accident but because of design—how they are structured into regiments. That is why they have such significant support from people all over Scotland. Our armed forces are the envy of the world and the way in which the regimental system works is the envy of many armed forces throughout the world. We tinker with that loyalty, determination and comradeship at our peril.

On Saturday afternoon we will all come together again to reaffirm our support for the regiments in the city of the hon. Member for Dundee, East (Mr. Luke). We will try once again to rally the troops to save our regiments. That will be cross-party and involve representatives from the Opposition parties and Labour, who will be there to put the case for saving the regiments. However, I am disappointed by the attitude of the Conservatives. I listened to them at their conference. On Monday, the Leader of the Opposition said that they would definitely reverse any decision to abolish any Scottish regiment. On Tuesday, the shadow Defence Secretary, the hon. Member for Mid-Sussex (Mr. Soames), said that any reversal of the decision would be impossible. On Wednesday, there was a clarifying statement saying that they may be inclined to save some of the regiments given the right timeline, situation and conditions. The public are looking for better and more wholehearted support from the Conservatives.

I do not support the war. I never have and never will. I want the Black Watch home. They have been away far too long. What we are asking them to do is a step too far. I want an exit strategy. I do not want any more of these brave young men placed in the dangers that they face today. We must have solutions. Our solution is simple: replace the coalition forces with coalition of forces from Muslim countries. It should seem not like a coalition of occupation, but like a real force for change and democracy in Iraq. The situation is getting worse. We are entering into a quagmire. Let us stop digging and start looking for solutions.

4.59 pm

Harry Cohen (Leyton and Wanstead) (Lab): I, too, pay tribute to my hon. Friend the Member for Hartlepool (Iain Wright) for an excellent maiden speech.

The war was wrong. It was undertaken under false pretences. There were no weapons of mass destruction. We were not greeted as liberators. Because of that false assumption, there was no proper plan to make the country safe post-war. It has not made the middle east safer or the Israel-Palestine conflict less virulent. No link has been proven between Saddam's Iraq and al-Qaeda—they detested each other. A police state was turned into a failed state, making it more amenable for terrorists to operate in. As regards the war on terror, it was the wrong target. President Mubarak of Eygpt warned:

> "Instead of having one bin Laden, we will have one hundred bin Ladens."

Up to 40,000 people, many of them civilians and innocents, have been killed in the war and its aftermath.

Apart from the continuation of an arms embargo, I did not support economic sanctions. Some have argued that they worked. Certainly there were no WMDs. But the sanctions targeted and impoverished the poor, in effect bringing early death to millions of Iraqis over the decade. Sanctions weakened the ability of the opposition in Iraq to bring about change. However, the point is well made by my right hon. Friend the Member for Livingston (Mr. Cook) that

> "had, Al Gore won the 2000 US election, the sanctions policy would have continued and the UK Government would have continued to support them claiming 'containment worked'".

The war was a Bush family project. Saddam referred to George W. Bush as "son of the viper" and George W. reminded journalists in 1993 that Saddam

> "tried to kill my dad".

Bush senior wrote in his book that in the Gulf war he did not push beyond Basra further into Iraq to Baghdad because there was no viable exit strategy and American troops would become occupiers in a bitterly hostile land. Bush junior saw that as not finishing the job. He and his neo-cons were determined to do so, whatever the relevance or the consequence.

The mass graves testify to the appalling nature of the Saddam regime, but they were a joint venture with the Reagan Administration. That Administration set out to weaken the Islamic revolution in Iran. It used Saddam as a client to initiate war. It supplied him with weapons, radar and targeting equipment and even facilitated the supply of chemical weapons from German sources. After the 1991 Gulf war, the Bush senior Administration, having exhorted Saddam's opponents to rise up, suddenly realised that many of them were Shi'as—likely allies of Iran—and refused them access to Saddam's weapons, but allowed his troops to come through their lines to perpetrate the slaughter of the Shi'as and thereby maintain him in power.

Many people believe the war on Iraq was driven by greed for oil, and I agree, but there are two commentaries that are worth putting on the record in Parliament. First, Elaine Storkey, writing in *The Independent* on 17 April, stated that the war was underpinned by religious rationalisation, a belief that the "civilised world" must move in to "set the barbarians right", and an unfaltering conviction that

> "we are civilised and we will therefore do good".

But, as she notes,

> "There is nothing Christian about seeing Iraq as a battleground for good and evil"

and

> "there are no civilised people in the Christian world, just people created by God with intrinsic dignity and significance."

She continues:

> "The danger of the mind-set based on our occupation of civilisation is evident. We do not face the questions straight."

Secondly, Ben White stated in *Middle East International* on 23 January that it is possible to detect a "superhero mentality" in the American Administration—a conception of America as

> "a superhero figure who, while essentially law-abiding, is permitted to break the normal community regulations in order to protect everybody from a greater evil".

In a flawed assessment of good and evil, the American Administration has afforded itself superiority above the law. These commentaries point to a false perception of superiority in the US and UK, justifying war even when it is contrary to international law and opinion.

The vast majority of UK troops in Iraq do a difficult and courageous job, but they have been misused in a bad cause. Their presence with the US troops is the very basis of insecurity. Deemed to be foreign troops occupying Iraq, they generate resistance in the form of a national war of liberation. The US does not plan to leave. It wants its hands on the oil reserves and leverage over neighbouring Arab states, so the insecurity and killing will not end.

There has been no serious effort at reconstruction or rebuilding Iraq for the people. Recently I pressed the case for a small amount of assistance to help the Karbala eye clinic get going in Basra, in the British sphere of influence. To my astonishment I was told that the UK cannot afford to provide second-hand furnishings and had only £200,000 a year for such purposes.

Cluster bomblets and other unexploded ordinance have not been cleared up.

Reparations continue to bleed Iraq of its much-needed resources well after the fall of Saddam. They go to Kuwait and the big corporations, which have far less right to the money than impoverished Iraqis. We now know, thanks to Naomi Klein in *The Guardian*, that President Bush's envoy, James Baker, was playing a double game, officially calling for debt relief, but privately, on behalf of the Carlisle Group, promising to maintain the flow of money to Kuwait in exchange for a big payout. That amounted to extortion on the part of the Kuwaitis and theft from the Iraqis.

The UN has been misused in this process. The Foreign Secretary claimed credit for the latest UN resolution, which allows the reparations to continue without being explicit. He cannot have been aware of the Baker role, so he must have been duped. Those reparations are unacceptable. As in the case of Germany after the first world war, they contribute to economic impoverishment and further conflict.

Using Iraqi business and workers rather than private contractors and corrupt US corporations should have been the priority in rebuilding the infrastructure. Why has the UK been voiceless about Halliburton getting huge contracts without competition?

The Abu Ghraib prison scandal continues to have implications, and not only for the United States. The Minister himself acknowledged that UK soldiers have been involved in the administration of Iraqi prisoners and has named two UK intelligence officers, Colonel Chris Terrington and Colonel Campbell James, who he says were "embedded within" the US unit responsible for the interrogations of Iraqi prisoners. It can be argued that, as with business, the legal principle of joint and several liability should apply. The Prime Minister, on behalf of the UK Government, claims credit for the removal of Saddam. In that case, we cannot properly disclaim responsibility for what the coalition forces do overall.

Many deaths in custody have occurred, a number of which have been at the hands of British forces, and numerous cases are under investigation. The right-wing press in this country is applying pressure to stop the justice process. It points out that the war was illegal in the first place, but the law against wrongdoers must apply. Human rights for Iraqis must apply too, and it is dismaying to see the Government contesting that in the British courts.

The proposed January elections in Iraq are a fig leaf for the Bush election campaign. Elections are, of course, desirable, but they are impractical in current circumstances—I think that that will be acknowledged as soon as the US election is over. The Interim Government are a puppet Government with little support. Shi'as form 60 per cent. of the population, and Ayotollah Sistani is the leader of the vast majority of them. Government should be handed over to him, without elections if necessary, with the agreement that he ensures that Kurds, Sunnis, and Moqtada al-Sadr are represented in his Administration and that proper elections will be held as soon as practical. For that to work, a commitment should be made for the troops to leave.

The Prime Minister chose power—the Bush regime in the US—rather than the 2 million-person march of Britons against the war, who represented majority opinion in this country. That was his interpretation of the national interest. Almost certainly the decision to stand with Bush was made well in advance of the war itself. The justifications have fallen apart and we are left with "we got rid of Saddam." Well, we got rid of 40,000 others too. The UN Secretary-General has indicated his opinion that the war was illegal. There are many other dictators like Saddam, some of whom are worse than him, but they have not been targeted in that way. The Prime Minister told the House that Saddam could stay if he complied with UN resolution 1441, so getting rid of him was not, as we are supposed to accept, a purpose in itself.

I am running short of time, but I want to make this point: our troops who have been killed are victims of messy, unreasonable politics of ingratiation with the inflexible dogmatist in the White House, whose war on terror is unfocused and costly. Even if he is re-elected, our troops need not continue to die for his mistakes, and I will continue to support the campaign to bring them home at an early opportunity. That is not cutting and running; that is facing up to our responsibility to bring about a solution. No solution is possible while foreign troops, UK and US, occupy Iraq—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order.

5.9 pm

Dr. Julian Lewis (New Forest, East) (Con): A large number of Members must be disappointed that they will be unable to participate in the debate, so I shall try to cut my remarks to the bone in the hope that at least one more will manage to do so.

I am happy to associate myself with the tributes paid to the hon. Member for Hartlepool (Iain Wright), who made a fine maiden speech. I should also like to say a word for the defeated Conservative candidate for Hartlepool, who put up a gallant fight in a difficult by-election. They both had a great deal of media pressure placed upon them and acquitted themselves very well.

My hon. Friend the shadow Secretary of State said some kinds words about my time as a member of his Front-Bench defence team. As I have always believed in multilateralism, I must reciprocate by saying that it was a privilege and a pleasure to work with him, to watch the way in which he drives the business of the team forward and to note the irrepressible good humour, some of which was on display this afternoon, with which he always conducts himself in handling quite serious matters. The fact that that has culminated in his winning a financial pledge from the shadow Chancellor to make a very substantial real increase in defence spending under the next Conservative Government speaks volumes for his ability in his role.

My hon. Friend focused on platforms and numbers. I should like to quote the Defence Committee's report on the defence White Paper, which states:

> "We believe that a policy of reducing the existing number of platforms in advance of acquiring the new capabilities (and of demonstrating their effectiveness) is potentially dangerous."

The Government's reply is frankly complacent. They say:

> "As highlighted in the Future Capabilities Paper, there are certain areas where we, judge our current capability is disproportionately high".

The Committee goes on to say:

> "We believe that if the number of platforms in certain key areas (such as large surface ships) was significantly reduced, the UK Armed Forces would be vulnerable to any significant combat attrition in future operations."

The Government respond that they are confident that lost assets could be replaced.

That is not what the First Sea Lord believes. He has said that we are piling risk on risk by taking these measures. One of those risks—it was once described to me by a senior naval officer as "a calculated risk"—is the decision to phase out Sea Harriers and thus have to rely on aircraft from other countries' aircraft carriers for the air defence of the fleet, at least until the joint strike fighter is introduced. Former Royal Navy Captain Ian Jenkins, the Conservative prospective parliamentary candidate for Yeovil, has expressed to me his concern that the future of the royal naval air service base at Yeovilton, and that of people from Yeovil who work there, may be at risk partly as a result of the calculated risk that the Government are taking. Having recently visited that outstanding establishment as part of the armed forces parliamentary scheme, I can testify at first hand to the excellent work that is done there.

Let me move on to the principal point that I hope to impress upon the Minister of State and the Under-Secretary. It is certainly the case that high technology can help to win fighting wars with fewer platforms and fewer people. The question is, what does one do when one has won the war and has to enforce the peace? In other words, what are the primary requirements for peacekeeping? I suggest that there are five. First, the establishment of civil institutions; secondly, the setting up of a force to protect them; thirdly, the maintenance of high military morale, which is not helped by corrosive criticism in the press and elsewhere; fourthly, the maintenance of strong political will; fifthly, and above all, victory in the battle of ideas.

Last night, there was an intriguing programme on the BBC. Its thesis, which I do not entirely accept, was that some of the conflict that went on in the cold war years, and is now going on in the post-cold war years, can be traced back to the ideas of extreme fundamentalism that had their generation in Egypt in the period under Sadat and the ideas of extreme neo-conservatism that, it was alleged, had their generation in America in the period under Ronald Reagan. The only ideas that were not really touched on were those of Soviet communism, which in my opinion also had rather a lot to do with the matter.

But the key point about which that programme was almost certainly correct was that the reason why people are able to get political results—whether they be terrorists mobilising people to join their cause, Soviet communists mobilising people to support their cause, or neo-conservatives mobilising people to back their cause—is that they have an idea. We must have victory in the battle of ideas.

I do not believe that the Government are doing enough to win the battle of ideas in representing to the country what is at stake in Iraq. Earlier this week, the Vice-President of Iraq was here, and I asked him whether the identity of most of the suicide bombers was known, and whether most of them were foreign insurgents. He answered yes to both those questions. Why is a better counter-propaganda information operation not under way to bring out such key facts so that people can see what is really at stake? If we do not win the battle of ideas, we do not win the hearts and minds, and if we do not win the hearts and minds, all the troops in the world will not be able to succeed.

5.16 pm

Mr. Clive Soley (Ealing, Acton and Shepherd's Bush) (Lab): I join others in congratulating my hon. Friend the Member for Hartlepool (Iain Wright) on a compelling and convincing speech. I want to comment on Iraq, particularly in the context of the remarkable achievements of our troops over the years in peacekeeping and war prevention. I mention that particularly because, in December, we will get Kofi Annan's high-level report on the problem of failing states and brutal dictatorships that destabilise their region. Unless we learn to have a sophisticated defence approach to this problem, we will find ourselves in the same situation again and again for much of the rest of this century. It is the key issue facing us and the rest of the world.

I do not believe for one moment—I almost could not believe my ears when people started arguing it—that the deployment of less than 1,000 British troops in Iraq would somehow or other affect the outcome of the

United States election. We might have affected the outcome of the United States election when we sacked Washington in 1812, or when we deployed the Royal Navy to end the slave trade, but this issue will not even be reported in the United States. The reason for that should trouble us; the United States is in an insular mood and is not paying that sort of attention to the world outside. That is one of our problems in engaging with and keeping the United States engaged on wider issues than just the military actions that are necessary from time to time.

There is an underlying fear about this deployment that we must address, and which I ask our Government to address; first, that we might be losing control of the situation in Iraq and secondly, that the United States troops are not as good at peacekeeping and war prevention as some of ours. The movement of the Black Watch is one of quality troops with quality training, who not only can fight effectively but have a track record in peacekeeping. There is a problem for the United States, not because it does not have any troops who are good at peacekeeping and war prevention—it does—but because it does not have sufficient of them, and above all, because it does not have them in sufficient numbers in Iraq.

The big problems that we are faced with now are down to a couple of basic mistakes. The first was the disbanding of the Iraqi police and army, which the British and Americans had never done before. The second is the lack of effective troop numbers, particularly peacekeeping troops, which is why we are losing the battle for hearts and minds, to which the hon. Member for New Forest, East (Dr. Lewis) has just referred, in a couple of key areas of Iraq but not all over Iraq.

In my area, I have not only a Territorial Army regiment but probably more Arabs in my constituency than almost any other Member; possibly more than any. The Arab Labour group is established in my constituency, and is not only fast growing in numbers but fast growing in influence, which I welcome. The Arab-Jewish forum, which I set up as a result of my discussions with Arabs in my area, is being successful.

Iraqis in particular will tell those who talk to them, very clearly, that although they were divided among themselves on the issue of the war—like those in the rest of our country—they all wanted rid of Saddam Hussein. *[Interruption.]* The Liberal Democrats should listen to this, because the Iraqis had a different approach from the one that they suggest. They asked, "Why can't you send the SAS in to kill Saddam?" That would of course have been illegal, but if it could have been done, it would have been morally preferable. It could not have been done, but I want the Liberal Democrats to understand that Arab opinion is much more divided than they give it credit for.

Why is it that so many British and American troops could be deployed in Arab countries without any major trouble? Why could I—with, if I remember rightly, a Liberal Democrat—fly over Syria a couple of months before the war in an RAF plane, with the full co-operation of the Syrians? The answer is very simple; they were scared witless by Saddam Hussein. That is why the Arab countries were prepared to go along with it and why there were no riots in the streets of many Arab countries.

One of my Iraqi constituents told me the other day that the advantage that the British have is that we have the brains to deal with this as a peacekeeping operation as well as a war-fighting operation. He said that the problem we had was that the Americans had the muscle. The United States must get better at war prevention.

I make no bones about the fact that we must deal with Falluja. If we want an open, free society in Iraq, as the vast majority of Iraqis and other Arabs do, Falluja cannot be allowed to continue as it is now. It has become a hotbed of support for Saddam Hussein and for the terrorists. That is why I have no problem saying that we must co-operate fully with the United States in deploying our forces to achieve the desired outcome.

Earlier I spoke of Kofi Annan and his all-important high-level panel that would report in December. As Arabs—at least in my constituency—understand, if we can secure a stable and open society in a place like Iraq, it will spread to other areas. More importantly, we shall have a chance of dealing with the poison at the heart of the middle east; the lack of an agreement on Palestine and Israel. Some Members on both sides of the House have said that we ought to deal with that, but we could not have dealt with it when Saddam Hussein was there. As my right hon. Friend the Member for Newcastle upon Tyne, East and Wallsend (Mr. Brown) pointed out, we cannot deal with it without the United States being fully engaged.

By deploying our troops as part of a coalition that has now been recognised by the United Nations in order to bring stability to Iraq, we create the chance of a stable middle east. It may not seem like that now, but the people who are fighting us in Falluja and a few other areas are not there to win a stable, open and modernised society for the Arab people; they are there to stop that happening. We need to be crystal clear about this. We need to see the process through. Whatever our thoughts about the war may have been originally—and I could argue about that—we must see it through, for the sake of the Palestinians, for the sake of the Israelis and for the sake of a more stable and prosperous middle east. That is perfectly possible, but it will not be possible if we walk away, and if we do not behave like a responsible member of a coalition delivering that outcome.

We can carry out our post-mortems over what went wrong at what time, who did what and who did not do what. However, our troops are doing a magnificent job, not just in war-fighting but in peacekeeping and war prevention. If we do not see this through, in a couple of months all the efforts of our opponents will succeed. They are also the opponents of a vast majority of the Arab people, as is recognised by my Arab constituents, and they want to defeat us.

So anything that says that we should stand in the way of the sensible deployment of our troops simply plays into their hands. This is not intentional; I know that the Liberals are not saying that they want Saddam Hussein back. Of course they are not. Unless we recognise, however, that this is an ongoing struggle and that it is going to become particularly intense in the next couple of months, we shall lose something that is far more important to the people of that whole region than it is to us in this House or in this country. We owe it to the people of the middle east to settle the problems of that region after so many years; the world needs that to

[Mr. Clive Soley]

happen. It cannot be done by walking away from the problem. It can be done by the sensible deployment of our troops, with their good peacekeeping skills.

5.25 pm

Bob Russell (Colchester) (LD): When our young men and women join our armed forces, they recognise that, at some point, they might have to put their lives on the line. That does not apply only to those on the front line, because modern warfare and weaponry mean that anyone wearing the uniform, as well as civilians, could get caught up in what is happening. We need to pay tribute to all the young men and women who sign up to serve in Her Majesty's—not the Labour Government's—armed forces.

The amount of correspondence, telephone calls and e-mails that I have received on this matter in the past 24 hours tells me that the perception out there is that the decision to deploy the Black Watch in Iraq has more to do with the presidential election in the United States than with the Iraqi elections or with peace. The Labour Government need to take that message very seriously; they ignore it at their peril.

I find it somewhat disturbing that, having asked the question three times, no Defence Minister can tell me in how many countries around the world Her Majesty's armed forces are serving, and have served in the past year. That illustrates just how widely spread the British armed forces are in their role as peacekeepers.

Mr. Ingram: The figure is 68, although that depends on how the hon. Gentleman defines his question. That figure includes all the defence attachés as well.

Bob Russell: I appreciate the Minister answering the question that the Secretary of State could not answer earlier today. I am grateful for this joined-up response.

May I suggest that when the British armed forces are doing so much around the world, as the Minister so eloquently acknowledges, this is not the time to be talking about reducing the size of the British Army? I have no remit to speak for those who are fighting to save their county regiments, but I am bound to observe that in 1958, all the regiments in the east of England—the combined population of whose counties is greater than that of Scotland—amalgamated to form the Royal Anglian Regiment. It is therefore possible to have regional regiments while retaining the community identity.

Mr. Luke: Will the hon. Gentleman give way?

Bob Russell: No, time is against me.

Does the Minister accept that just because some right hon. and hon. Members were against the war, that does not mean that they do not back their troops? I represent the garrison town in which I grew up, and I challenge the Minister to say whether I back the troops of the Colchester garrison and of the armed forces in general. Of course I do—to suggest otherwise demeans the office of the Secretary of State, who was not supporting the armed forces as a Minister when I was growing up in Colchester. Furthermore, he was certainly not defending the armed forces in his previous ministerial job; he was shutting down magistrates courts. I shall be supporting our armed forces long after he has finished being Secretary of State for Defence.

Will the Minister take this opportunity to withdraw the slur that Members, including me, do not back our armed forces, when it is clear that we do? Indeed, the Minister knows first hand that I certainly do.

5.29 pm

Mr. Keith Simpson (Mid-Norfolk) (Con): We have had a long and interesting afternoon, beginning with the Secretary of State's statement on the deployment of troops in Iraq. That has been followed by a good debate, in which colleagues from all parts of the House have spoken with passion and knowledge about defence matters. However, it is fair to say that Iraq has been with us like a giant elephant sitting in the room, and the problem, particularly for the Government, is that it is not going to go away.

There are honourable divisions not only between but within political parties. I want to make it clear from the beginning that I do not believe that just because somebody opposed the war, they are in no way capable of supporting our armed forces. It is obvious that that is not so, and we should make that clear. The divisions are real, and they will continue for as long as the difficult situation in Iraq continues.

I want to say a few brief words about this afternoon's contributions. I pay particular tribute to the maiden speech of the hon. Member for Hartlepool (Iain Wright). He spoke incredibly well, and it brought back for us all memories of our own maiden speeches. I hope that we can extend to him an invitation to attend another of these Thursday afternoon defence stocking-fillers. He will be most welcome.

The right hon. Member for Walsall, South (Mr. George), Chairman of the Defence Committee, made a number of points before he was eventually closed down, but we should all be grateful to him for the work that he and his colleagues do in the course of holding the Government to account. My hon. Friend the Member for Cotswold (Mr. Clifton-Brown) made some powerful points about commitments and capabilities. In particular, it emerged that the Black Watch battlegroup will be moving to the north without any heavy armour or UK air support. It would be interesting to know from the Minister what any support will consist of, and whether the American assets in the coalition will provide it.

The hon. Member for Blaenau Gwent (Llew Smith) repeated his well-known arguments against nuclear weapons and he had an interesting and frank exchange of law with my hon. Friend the Member for New Forest, East (Dr. Lewis). My hon. Friend the Member for East Devon (Mr. Swire) spoke with great passion about the regimental system, and as a keen defender of his own regiment, the Devonshire and Dorset Regiment. The right hon. Member for Newcastle upon Tyne, East and Wallsend (Mr. Brown), apart from complimenting the hon. Member for Hartlepool—and, it seemed to me, not complimenting the hon. Gentleman's predecessor—spoke up very strongly for the role played by the north-east, particularly in respect of the Navy, the maritime element in general and local industry.

The hon. Member for North Tayside (Pete Wishart) spoke with passion about the Black Watch being at risk. He did admit that he had never attended a defence debate before. That speaks volumes. It was a real pleasure to hear again the anti-war, anti-America speech of the hon. Member for Leyton and Wanstead (Harry Cohen), which I think I first heard 30 years ago.

My hon. Friend the Member for New Forest, East—we Front Benchers miss him as a result of his transfer to another shadow Department—made two powerful points, the first of which concerned platforms and numbers, to which I shall return. He also provided a very interesting checklist on the running requirements for peacekeeping and, above all, for victory in the battle of ideas. We should consider the difference between the divisions that exist in the House today, and which existed in respect of previous conflicts in which we have been involved. In terms of cross-party and public opinion, the armed forces know that they enjoy 80 to 90 per cent. support.

Someone sitting in a barracks somewhere in the UK or serving in Iraq who may be listening to our debates—we know that on Monday troops were watching the Secretary of State's statement in real time—may well be bewildered, to say the least, by the differences of opinion that we have expressed here. They reflect, of course, differences in our society, but it is up to the Government, more than anyone else, to express a clear, understandable strategy and to keep to it. I am afraid to say—I say it with regret—that they have been unable to do so. The muddle over the battlegroup was not just due to the fact that the media have been exploiting it or the Opposition commenting on it. It was a Government-made muddle. If we talk to people in the Black Watch and their families, it becomes easy to appreciate that.

The hon. Member for Ealing, Acton and Shepherd's Bush (Mr. Soley), who has long served the House, made two powerful points. First, he argued that the US is approaching the problem in a very insular way. Secondly, he pointed out that the public—meaning our own public—fear that the situation in Iraq will develop into a Vietnam-style quagmire. I hope that it will not, but it is a powerful point.

Finally, the hon. Member for Colchester (Bob Russell) spoke up once again for the Royal Anglian Regiment.

I would like to touch briefly on a few points. Ninety years ago today, the UK was involved in expeditionary warfare as part of another coalition. We sent a British expeditionary force as a junior partner to the French to participate in a short, sharp war in Europe. The then Prime Minister, Asquith, said that the conflict would be over by Christmas. It was assumed that it would be a war of manoeuvre rather than a war of attrition. History does not repeat itself; as Balfour said, "Historians repeat each other". However, although the circumstances and context have changed, the issues have not.

The first issue for us to resolve is the political-military interface. Whatever the arguments about the British Government's decision to send a battlegroup at the request of the American military, it is, of course, not purely a military decision. The ultimate decision has to be political. I would like to say, though, that the Government's real problem is that a large part of British public opinion—and a large number of their own Back Benchers—do not believe them. The reason that they do not believe them—this is a tragedy for the UK Government in general and it will apply to the next Government—is that trust has been undermined. That, in turn, has an impact on public opinion and on our troops.

Another 1914 reality is coalition politics and the fact that a junior member of a coalition frequently has to conform to the political direction and the military ethos of the major partner. As the Government spelled out very clearly in "Delivering Security in a Changing World", they were aware of the

> "assumption that the most complex large scale operations will only be conducted as part of a US-led coalition."

The Government continued:

> "Our primary goal is to maximise our ability to influence at all levels the planning, execution and management of the operation and its aftermath, in support of our wider security policy objectives."

I have to put it to the House that many people on both sides of the House, and also the general public, really wonder about what influence we actually have over the United States. I accept the fact that, given that we are a junior member of the coalition, many of the decisions will ultimately be made by the senior partner. However, there remains a real question in our minds about whether—even at the Prime Minister's level in his relations with the President—we have any influence at all on the overall strategy and whether Lieutenant-General John McColl, an able and experienced general, has much influence at the strategic operational level. That problem has been reflected in the sort of questions and worries that have been expressed by hon. Members in the debate, of which, I have to say, the Secretary of State has been rather too dismissive at times.

The next matter to be borne in mind when it comes to the relationship between 1914 and today is the question of attrition and whether we have left that whole world behind. Interestingly, last year's defence White Paper argued that we should

> "develop our military capabilities so that we can provide as wide as possible a range of options to fulfil operational objectives without necessarily resorting to traditional attritional warfare."

The word "manoeuvre" sounds wonderful—fast and loose, and as though the other side does not get time to fight and there are no casualties. However, the present conflict in Iraq is attritional at both the political and military levels. The result will be that we will have to put in more resources and that we may have to suffer more casualties. We may not be able to escape that. To Opposition Members, it seems that the rebalancing of our armed forces proposed by Ministers—and there is no doubt that that will mean cuts, regardless of whether the platforms involved are obsolete or not—will risk a reduction in short-term capabilities. In the longer term, many of the systems that Ministers wish to introduce will not be in place for five, six or seven years. That is a very serious risk.

Whatever the rights and wrongs of the Secretary of State's arguments about large regiments and about doing away with arms plotting, most people outside the House believe that it is totally crazy to think about sending the Black Watch into the firing line only to bring its members back in time for that regiment's disbandment parade.

[Mr. Keith Simpson]

The question of logistics represents another parallel between 1914 and today. The Secretary of State was right to emphasise the importance of logistics in modern warfare. However, as my hon. Friend the Member for Mid-Sussex (Mr. Soames) and others pointed out, it is somewhat incredible to claim that personnel from four disbanded infantry regiments will automatically move into posts as logisticians, military policemen and intelligence staff. I simply do not think that that is likely to happen, but the theme running through every House of Commons or Public Accounts Committee report for the past seven years under this Government has been that there has been a massive failure in logistics, whether that be in logistical organisation or the introduction of computers.

I do not underestimate the serious problems involved in moving from an expeditionary force that takes all its logistics with it to one that uses the sort of just-in-time logistics that are required today. However, it seems to me—and to many in today's British Army—that we still rely too much on an approach that inevitably will lead to logistics being just too late.

The Secretary of State must sort out that problem—and he must do so not in four or five years, but in six months to a year. Many military commanders have told many hon. Members that, at times, we will get very close to operational failure. If that happens, the Secretary of State may find that he has to defend it at the Dispatch Box.

This debate about defence in the world has been dominated by Iraq. The first message that we need to send out is that although there are divisions in this House and within political parties about the policies that should be adopted in respect of Iraq, we support our armed forces and their families, and what they are going to do for us in the next six months to a year. Secondly, as my hon. Friend the Member for New Forest, East said, we must make it clear that we expect a better articulation by the Government of their policy and vision for Iraq. Thirdly, the Secretary of State—who, with his usual courtesy, has been talking throughout most of my speech—must ensure that he does not become known as "complacent Hoon" in the history books.

5.45 pm

The Minister of State, Ministry of Defence (Mr. Adam Ingram): In opening this debate, my right hon. Friend the Secretary of State highlighted the invaluable contribution of our armed forces in helping to make this a better and more secure world. In recent times, they have served with distinction, often with civilian colleagues, in Iraq, Afghanistan, the Balkans, and west and central Africa. Despite the wide-ranging views that we have heard this afternoon, one thing is abundantly clear: the whole House is at one in admiring the skill, dedication and sheer professionalism of our servicemen and women. Everyone who has contributed has made that point, and rightly so. We owe all our servicemen and women a debt of gratitude, and our thoughts are with the families of those who have given their lives.

As my right hon. Friend said, the White Paper that we published in December last year set out our assessment of the security environment and identified the three key challenges that face us in the world. The first is international terrorism, which presents an immediate and very real threat. There may be a range of views as to how we should respond to that threat, but what is not for debate is the fact that the threat exists and the barbarism of the individuals and groups involved.

The second key challenge is the recognition that the proliferation of weapons of mass destruction and their means of delivery, as well as the illegal trade in their associated technology, cannot do other than pose a further threat to global security. It is naive in the extreme, and dangerous, to ignore that reality. The third is the challenge presented by failed and failing states. Those states, characterised by political mismanagement, endemic corruption, economic collapse, and ethnic and religious tensions, have the potential to create desperate humanitarian crises, as well as providing bases and recruiting grounds for terrorism. We should not forget that it was the failed state of Afghanistan that harboured those who carried out the evil attacks on Washington and New York on 11 September 2001.

In July this year, our White Paper set out the future capabilities and reformed force structure that we need to meet the changes in the security environment and threats that we now face. We are determined that we shall continue to have armed forces of the right size and shape, and with the right equipment, to meet the challenges of the future. That is a considerable challenge, but it is a challenge that this Government are determined to rise to. The defence budget is increasing by £3.7 billion over the next three years. That is the longest period of sustained growth in defence spending for more than 20 years. We are committed to investment that takes forward the much-needed modernisation of our armed forces. That is the context in which this debate is set. Let me now deal with some of the points raised today.

My hon. Friend the Member for Leyton and Wanstead (Harry Cohen) named two serving officers, Colonel Terrington and Colonel James, and said that they were embedded at the Abu Ghraib camp and were responsible for interrogation. I have made it consistently clear that no British personnel were involved in, or had knowledge of, the abuses at Abu Ghraib. I wish that my hon. Friend would take more care before peddling such allegations, which are not based on any fact. From my experience as a Northern Ireland Minister, I know that when names of serving officers, soldiers and other personnel are bandied around so carelessly—even when the allegations are refuted—their lives can be put at risk. Some care is necessary. The facts were reported in *Hansard* in a response to the hon. Member for East Carmarthen and Dinefwr (Adam Price) on 14 September. I ask my hon. Friend not to repeat his remarks.

Harry Cohen: Will my right hon. Friend give way?

Mr. Ingram: No, my hon. Friend has made his point. I hope that he heeds my message.

I pay tribute to my hon. Friend the new Member for Hartlepool (Iain Wright). I worked with his predecessor—

Bob Russell: Which one?

Mr. Ingram: The latter one. I worked with him before he entered the House and when he was Secretary of State for Northern Ireland. I had a very high regard for what he did to help my party to become electable again, and for the contribution that he made in Northern Ireland.

My former right hon. Friend's constituency is in very good hands. As the hon. Member for Mid-Norfolk (Mr. Simpson), who summed up for the Opposition, said, it will be good to see my hon. Friend the Member for Hartlepool at defence debates in the future. There is an old Scottish phrase, "Will ye no' come back again?". I really hope that we see more of him in such debates, as he will certainly add strength to them.

The hon. Member for Mid-Sussex (Mr. Soames) made an entertaining speech. I have never attended a Conservative constituency event before, but I ask him not to invite me back; it was not particularly riveting.

The hon. Gentleman made a number of points. He recognised the need for reorganisation and transformation of the armed forces. So he should. None of the armed forces of our NATO allies has not gone through such reorganisation and transformation. His record, when he served in the last Conservative Government was, of course, the contraction and amalgamation of regiments—*[Interruption.]* Regiments were amalgamated during his tenure. I shall not go into details—*[Interruption.]* Okay, the Highlanders Regiment was formed through amalgamation with the Queen's Own Highlanders. The Royal Gloucestershire, Berkshire and Wiltshire Regiment was formed from the amalgamation of the Gloucestershire Regiment and the Duke of Edinburgh's Royal Regiment. The fleet was reduced in size; the number of submarines fell from 18 to 10—45 per cent. The number of frigates fell from 22 to 19, and the number of naval personnel was cut by 10,000. During the 1992 to 1997 Tory Government, the number of RAF squadrons fell by 15 per cent.

The hon. Gentleman mentioned funding and gave us a great presentation to show that the Secretary of State did not understand budgets and could not explain them very well. However, I know how well my right hon. Friend understands all those things, so I did not recognise the description. I think it is more attributable to the hon. Gentleman. He glibly said that there would be a £1.1 billion cut from other Departments, but he did not tell us which ones. He just plucked the figure of £1.1 billion out of the air. He went on to say that £1.6 billion would come from defence efficiency, forgetting that we have already embarked on a £2.8 billion efficiency programme. He was thus telling us, in effect, that the amount would be £4.4 billion.

The hon. Gentleman must tell us what he intends to cut. I head several Ministry of Defence committees dealing with the major transformation of the Defence Logistics Organisation. That is a very big machine, formed under the strategic defence review; it has some way to go but it is beginning to deliver. At a later stage, it may be worthwhile to brief the hon. Gentleman about the transformation process, but I can tell him now how difficult it is. The minute we announce any change whatever, his hon. Friends oppose it—it does not matter what we seek to do or whether it is for greater efficiency—and I suspect that his £1.6 billion cuts would be treated in the same way. His speech did not add up to much of a commitment on defence spending.

Let me deal with the Liberals, whom I find it increasingly difficult to take seriously on defence matters. They are prepared to exploit the anti-war sentiment in the country for short-term political advantage. They are unclear about what they want our troops in Iraq to do—they never spell it out, as yesterday's exchanges at Prime Minister's questions proved. The hon. Member for Hereford (Mr. Keetch) exposed those attitudes again today.

The leader of the Liberal Democrats, the right hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy), says on the one hand that we should commit troops only on sound operational grounds; yet when that has to be done, he suggests that the Prime Minister and the Defence Secretary should override military operational advice and impose a political direction. That is just another example of "Charlie-facing-two-ways".

There is further evidence in Liberal Democrat contortions over the justification for deploying our troops against Saddam Hussein. Let us consider two statements about that. The right hon. and learned Member for North-East Fife (Sir Menzies Campbell), who is after all a Liberal Democrat Member of Parliament, said:

> "Does the Prime Minister understand that he enjoys Liberal Democrat support for the action that he has taken in deploying British forces against Saddam Hussein?"—*[Official Report, 17 December 1998; Vol. 322, c. 1104.]*

Mr. Keetch: What date was that?

Mr. Ingram: I shall come on to that.

On the same day, the Liberal Democrat defence spokesperson in the other place said:

> "I rise to support the Statement on behalf of the Liberal Democrat Benches. In the circumstances, it was unavoidable that Britain should take action with the United States. Clearly, Saddam Hussein has broken all the terms of the UN conditions attached to his regime. Under those circumstances, we had no choice but to intervene."—*[Official Report, House of Lords, 17 December 1998; Vol. 595, c. 1528.]*

Those significant comments were made on 17 December 1998.

Mr. Keetch: In 1998!

Mr. Ingram: The hon. Gentleman is correct about that. However, five years later, when the United Nations tried to deal with the matter again, the Liberals had gone in a different direction, despite the five years in which Saddam further ignored the existing resolutions and resolution 1441. The Liberals' flip-flop approach is not very helpful.

Mr. Keetch *rose*—

Mr. Ingram: I want to make one or two points about the hon. Gentleman's speech. He asked for clarification about the air policing of Baltic states—Estonia and

[Mr. Ingram]

Lithuania. We have jets there, but they will be withdrawn in January 2005. We will be replaced by the Norwegians.

The hon. Gentleman also mentioned the tour of duty of HMS Richmond in the West Indies. I served a night on the ship recently—[HON. MEMBERS: "Served?"] I was going to say that I served the drinks on the ship, but I decided not to do so in case that led to other comments. I spent a night with the ship's crew. I probably spoke to most of them and I was able to pay tribute to all that they did for hurricane relief.

Mr. Keetch: Does the Minister believe that every person in the House who opposed the war in Iraq and every person who marched on the streets in opposition to that war wanted Saddam Hussein to stay in power?

Mr. Ingram: Of course I do not think that at all. I respect those people's opinion, but I ask a party that purports to be a possible party of government—no matter how far it is from that eventuality—to think seriously about the way in which it has flip-flopped on the issue. It took a firm view on Operation Desert Fox because it had a specific purpose and was consistent with UN Security Council resolutions. However, we then had five more years of the problem during which Saddam Hussein continued to reject and ignore Security Council resolutions, but because the Liberal Democrats identified an anti-war sentiment, they started to exploit it for political purposes. That is why I disagree fundamentally with the hon. Gentleman and his party.

The hon. Member for North Tayside (Pete Wishart) talked about the future of the Black Watch. He would have benefited from being more involved in such debates in the past because he would then have been able to understand the wider and more complex issues that we are trying to address.

Mr. Luke: The hon. Member for North Tayside (Pete Wishart) drew the Minister's attention to the rally on Saturday in Dundee to save the regiment. A parade of the regimental associations of the Black Watch will also take place. Does he have a message to pass on to those people?

Mr. Ingram: I am more than willing to meet the associations, and I know that my ministerial colleagues are willing to do the same. I met representatives of the Highlanders' association on Monday. We have a strong message to give to those people, especially those who serve in the regiments. We value the regimental system. We are looking at a form of transforming the Army that is justified and sound.

At the end of the process, it will give us more deployable battalions—better equipped, better resourced and better respected by those who may have thought otherwise in the developing debate.

The hon. Member for North Tayside really should have a—

It being Six o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Child Trafficking

Motion made, and Question proposed, That this House do now adjourn.—*[Jim Fitzpatrick.]*

6 pm

Mr. John Bercow (Buckingham): I welcome the chance to raise the issue of child trafficking. In this Session of Parliament, there have been 10 parliamentary questions in the House of Commons on this subject and one truly excellent Adjournment debate initiated by the hon. Member for Northampton, North (Ms Keeble). Beyond that, the subject has been mentioned in a number of debates, but I suggest that parliamentary attention to it has been woefully inadequate to the scale of the challenge that we face.

The United Nations estimates that 1.2 million children are trafficked internally and externally a year. There were 250 known cases of children trafficked into the UK between 1995 and 2003. This number, however, should not be taken as an indication that this is not a significant problem. It is impossible to estimate the true extent of trafficking, owing to the lack of reliable data. The underground nature of the business and the lack of co-ordinated research have hindered progress in explaining its extent. The groundbreaking research paper by ECPAT UK—End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes—on trafficking in London discovered that social services departments in 32 of the 33 London boroughs were concerned that they had a problem with child trafficking.

No estimate of income from child trafficking alone has been made, but global profits from people trafficking as a whole are approximately £5 billion per year. This evil trade in human beings is big business. The profits are approximately six times those of our most successful food retailer in Britain—Tesco. The profitability of people trafficking is second only to the trafficking of drugs and arms. Indeed, there appears even to be a crossover with those other forms of international organised crime, with trafficked children being used as drug mules.

Large-scale trafficking takes place within countries or to neighbouring countries within the developing world. In west Africa, children are often sent to live with "relatives" in cities, in effect becoming domestic slaves. In eastern Europe, young women are trafficked from desperately poor areas to relatively wealthy neighbouring countries. European Union accession states are prime destination and transit countries for the conduct of this business. In Asia, women and children are trafficked from Burma to Thailand for work in the sex trade, begging or labouring in a number of different industries.

Children are trafficked to the United Kingdom to be exploited in a number of ways. Often Britain is targeted as a transit country on the way to other European destinations. The most high-profile cases are those of sexual exploitation through prostitution or the making of child porn. Children's lives are shattered by such experiences, but this is just one way in which children are abused. Domestic servitude is a significant problem, although one that is difficult to detect as children are kept away from the authorities. Child labour, organised begging, forced marriage, benefit fraud, adoption and the practice of black magic rituals are further purposes for which children are trafficked.

The high-profile cases of Victoria Climbié, who was trafficked to the UK by her aunt in order to commit benefit fraud; of "Adam", the Nigerian boy whose torso was discovered in the Thames; and of controversial alleged baby smuggler evangelist Gilbert Deya, are just the tip of the iceberg.

We must also not forget—indeed, the debate gives us an opportunity to remember—the cases that the media do not so readily pick up. For example, "Dayo", a 15-year-old Nigerian girl, was trafficked to the United Kingdom for work as a domestic slave. She worked long hours looking after three children, as well as cooking and cleaning. After a few months, friends of the family with which she lived left their children in her care. By the time she was 16, she was looking after no fewer than seven children. She received no payment, was regularly beaten savagely and was subjected to rape attempts by the father of the family.

There is the complex case of "Lydia", a 16-year-old Albanian girl who was trafficked to Italy by her boyfriend. He had prostituted her from the age of 14 in Albania but promised her a new life. She believed him and hoped to escape her abusive family. However, she was forced into prostitution. She came into contact with social services in London, claiming to have escaped her trafficker, but disappeared soon afterwards, probably falling back into his clutches. Social services in London also had to deal with the distressing case of a 13-year-old Vietnamese girl who was brought to the United Kingdom and kept in a house as a prostitute. She managed to escape after breaking a window.

Those are only some of the cases about which we know. How many more children, who are not fortunate enough to come into contact with a non-governmental organisation or social services department to help them to escape, are being exploited? We need to do far more to combat the evil trade in human lives and help its victims to recover their lives.

First, we need to work with source countries to help to mitigate the factors that facilitate trafficking. The Government are already working with agencies in Romania and the Czech Republic; and the Department for International Development, whose Under-Secretary I am delighted to see in the Chamber listening to the debate, funds NGOs that work on anti-trafficking projects. Despite those efforts, much more needs to be done. Raising awareness of the trafficking problem must be a top priority. Parents must be made aware that they are not sending their children to a better life when they put them in the hands of traffickers. New communities in Britain can help by sending the message to their contacts in the developing world about the grim prospect that awaits the victims of trafficking.

The myriad problems of underdevelopment, poverty, lack of education, conflict, weak institutions and poor governance work in the traffickers' favour. We can combat those by helping Governments to tackle corruption and fund the necessary social expenditure to protect vulnerable children. In Russia alone, 620,000 children are social orphans. Given the paucity of welfare spending there, every one of them is vulnerable to trafficking. The same applies to a vast number of developing countries, which, I am sorry to say, spend far more on propping up their military or police apparatus than on public services or help for their poorest citizens. In Africa, HIV/AIDS has ravaged whole communities and destroyed family structures. Traffickers are targeting the orphans and vulnerable children left behind.

In addition, we need to work to improve children's status. That is especially true of girls in the developing world who, all too often and deplorably, are treated not as human beings with human rights but as pieces of property and items for barter. Close and extended co-operation between the Home Office and the Department for International Development is vital.

We must expand our support for Governments and NGOs to provide shelter and care for victims of trafficking. In many cases, returned children are rejected by their families or are fearful of returning home in case the trafficker finds them. It is essential that proper provisions be made to prevent retrafficking and to allow children to recover.

We must not return children to an environment in which they are likely, once again, to be exploited.

There is much to be done within the United Kingdom. Recent legislation has criminalised trafficking, but to tackle the trade, we need to work in three broad areas: at ports of entry, in tracking children who depart and in bolstering services for those who are exploited and damaged.

First, we need to build up services at ports of entry. The findings of Operation Paladin showed that the most effective way to intercept the trade is to intercept children as they pass through immigration before they disappear into the world outside the airport and face likely exploitation. Officers—whether immigration staff, police or social workers—specially trained to read body language and identify children at risk should be stationed in substantial numbers at all major ports of entry. In addition, we need to work with airlines, as they may be able to identify children at risk on their flights.

Secondly, let us establish an effective mechanism to track children when they leave the airport. The National Society for the Prevention of Cruelty to Children has recommended the assignment of identity numbers to all risk-assessed children. It is also calling for the establishment of a register to monitor private fostering, as it is suspected that a substantial proportion of the 10,000 children privately fostered in the UK are, in fact, victims of trafficking. Communication between the various agencies involved must also be improved to track children and rescue victims—for example, to provide co-ordination between the police and social services, to target so-called hot addresses that frequently come to the attention of social workers.

Thirdly, in seeking to assist child victims, social workers need to be trained both to recognise cases of trafficking and to handle them effectively. There are no national guidelines to advise social services, and many workers have complained of feeling ill-equipped to deal with trafficking cases. In addition, we must ensure that the support services are in place to help children to overcome their ordeal. Safe, secure housing, education and counselling are all essential. There are currently no facilities to deal specifically with trafficked children. That is simply unacceptable.

[Mr. John Bercow]

As I hope I have demonstrated, the problem of child trafficking is acute, growing and under-recognised. Those who profit from it and drive its expansion remind us of the extent of human evil. They cannot be ignored; they must not be appeased; they have to be confronted and defeated. There is a big challenge to policy makers to act nationally, internationally and in concert with our European partners. I doubt whether there is any difference between the Minister and me about the importance of tackling the problem and protecting children. I have sought to make a constructive contribution this evening, and I look forward to the Minister's constructive reply.

6.13 pm

The Parliamentary Under-Secretary of State for the Home Department (Fiona Mactaggart): I thank the hon. Member for Buckingham (Mr. Bercow) for helping to achieve one of his own demands: placing this issue higher up the agenda of public debate. As he says, it has been discussed in Parliament in questions and the Adjournment debate initiated by my hon. Friend the Member for Northampton, North (Ms Keeble). Nevertheless, it is one of the subjects that is not sufficiently addressed in public discourse, and the hon. Gentleman has contributed to raising it further up the agenda by initiating this debate today.

The hon. Gentleman is right to suggest that we need to keep the bright light of public attention on the issue because the thing that feeds the shady and evil world of the child traffickers is that some people do not believe that things could be so; they do not believe the horrific accounts of individual children who, as he described, have been trafficked into prostitution and domestic servitude in this country. Child trafficking is probably the most grotesque violation of human rights that I can conceive of happening in this country, and it is a trade that transcends national borders and feeds other forms of crime. As he pointed out, there is evidence that child trafficking and drug trafficking work in a partnership that enhances both.

It is clear that we need to work together, across agencies and Departments, with citizens and voluntary organisations if we are to tackle child trafficking effectively.

We know that detailed statistics are hard to come by. One of the problems with illegal trades is that we cannot count how often they occur, but we get into trouble for saying that and are told that we do not know what is going on. One of the fundamental things about illegality is that because it is illegal it is hard to quantify. The hon. Gentleman set out the scale of the problem according to the UNICEF study. A study in 1995 by the International Organisation for Migration estimated that 500,000 women were trafficked to the EU. Let us be clear about this: if 500,000 women are being trafficked to the EU, I would be surprised if the scale of child trafficking was not higher than most estimates suggest, although we cannot get a precise figure on that.

There is a serious problem to address. The Government operate in four ways. The first and most important, as I think the hon. Gentleman acknowledged, is to prevent trafficking from happening in the first place. That involves working in source countries. I am glad that the Under-Secretary of State for International Development is in the Chamber. That reflects the seriousness with which the Government take the matter. Indeed, I spoke to the Secretary of State for International Development about it this morning. He was eager to know what happens tonight.

Secondly, we are putting in place an enforcement response to clamp down on the traffickers. Thirdly, we are trying to punish them when we catch them. We will not catch them all, but when we do we need to ensure that appropriate punishment and tough sentences are in place. Fourthly, we need to do all we can to support the victims of child trafficking to help them to overcome the trauma of trafficking and to restart their lives.

On the preventive work, I do not want to talk at length about the work that we need to do to tackle poverty, ignorance and the conditions that make a life of servitude in a rich country something to which someone might aspire. Those are part of the reason why some children's parents believe the tales. The hon. Gentleman referred to Dayo. Often enough families believe that their children might have a better life to consent to something that they also think might be other than that. It is important that we deal with abject poverty that enables parents to con themselves.

It is also important, however, that we ensure that education is in place. We must have the voice to ensure that people back home in source countries know about the consequences of trafficking. We must help to stop traditional practices mutating into exploitation. The example of west African children fostered over here and turned into domestic slaves, such as in the Dayo case, is not uncommon. We need to ensure that the traditional practice of sharing child care across families does not end up in another Victoria Climbié case. Children must not end up in servitude.

The first part of the Home Office's preventive approach is the Reflex work. Reflex Romania is one example of that. Romania is a source country for a range of trafficking. At the beginning of 2002, the UK and Romania agreed to establish a central intelligence unit based in Bucharest, focusing on the organised immigration crime that originates from and transits through Romania. The project started in April 2002 and in its first year of operational activity 105 criminal groups were identified, 48 were disrupted and 90 individuals were arrested.

We have launched a twinning project, which is EU-funded, with the Czech Republic, which the UK is leading and running in partnership with the Netherlands to develop law enforcement in the Czech Republic to deal with trafficking.

The hon. Gentleman asked about the voice of those already in this country. We have been investigating how we can use publicity to raise awareness of the consequences of falling victim to trafficking. Hon. Members will recall that when a large number of Roma were arriving in the UK and claiming asylum, there seems to have been video in Romania suggesting that everything was wonderful in Britain and that people who came here would have all their bills paid and have a happy life. It is clear that propaganda from the UK can act as a drag, so with non-governmental organisations—this does not necessarily work best when initiated by Governments—we are looking at how previous publicity activity worked and making plans for activity to reach those most at risk of being trafficked. We are working collaboratively with NGOs and the Government in Romania.

The Department for International Development has funded radio programmes, for example, in other areas. We must learn from each example and make sure that as part of our work overseas we fund the message that the hon. Gentleman rightly highlighted. We have committed almost £9 million to the International Labour Organisation's international programme for the elimination of child labour for work in the Greater Mekong region. The programme involves a number of interventions to raise awareness, prevent trafficking and reintegrate survivors of trafficking into society. That is particularly important for children. If we return them to the place where they were trafficked from, we need to ensure that there is a safe place for them to return to. That may be difficult to assess from the UK, but their future prospects may be better in their own environment with their own language and culture.

Mr. Bercow: The hon. Lady rightly referred to the International Labour Organisation. In the course of my remarks I referred to the traffic from Burma to Thailand. It is also relevant to recognise and highlight the fact that Burma is in serious violation of ILO conventions in relation to labour. Will the Minister reiterate the Government's strong discouragement of companies trading with a regime that breaks those conventions?

Fiona Mactaggart: One of the things that I do in my broader role as Minister with responsibility for charities is spend quite a lot of time talking to companies about their corporate social responsibility policies. I find it inconceivable that a company can be smug about its corporate social responsibility when it is responsible for investing in plant and managing production in places where employees are denied basic human rights. I am unashamed to say that to those with whom I debate issues of corporate social responsibility. I remind them that they damage their reputation. If part of their corporate social responsibility is to make people feel proud of the company that they work for or good about a particular product, people will not feel that if there is child labour or exploitation, if they do not meet basic human rights standards or if their policies abroad are inadequate.

What are we doing in the UK? I will not list the whole range of enforcement activities that we undertake, but it is important to mention the Reflex programme, which has managed to intervene in 38 organised crime groups. Thirty-eight convictions have been secured for related offences, most of them trafficking, including the conviction of a ruthless criminal who was trafficking young girls into prostitution in London.

I congratulate the Metropolitan police and Reflex on their work, which resulted in the principal defendant in that case being sentenced to 23 years' imprisonment. Appropriate punishments, as well as effective enforcement, are critical.

The hon. Gentleman mentioned Operation Paladin. If a trafficked child reaches the UK, we must, as he pointed out, make sure that the response at the ports is adequate. Operation Paladin was led by the Metropolitan police in conjunction with the immigration service, social services and the National Society for the Prevention of Cruelty to Children. It took place between August and November last year and was funded by Reflex. The operation has not found conclusive evidence on trafficking at Heathrow, but significant child protection issues undoubtedly exist. The report made a number of recommendations, which we are examining carefully. I assure the hon. Gentleman that we will take steps to respond to those recommendations, but I cannot pre-announce the final decisions.

In the meantime, a child protection officer is already based at Heathrow. The immigration service is developing a proposal to base social work teams at major ports of entry, exactly as the hon. Gentleman demanded. He is right that picking up vulnerable children at the moment of entry is the best way to protect them. We are also looking to roll out a training course to give immigration officers specialist skills for interviewing children, because some ports or flights will inevitably not be covered. We must try to ensure that immigration officers know how to interview children and the signs and symptoms to look for.

I have discussed the emphasis that we have placed on punishment. The Sexual Offences Act 2003, which came into force this year, introduces comprehensive offences, including trafficking offences, and we must ensure that they are enforced as quickly as possible.

On support for victims, the most important message is that the victims are children, not immigration cases. We must focus on the point that child trafficking is a child protection issue. It is the business of those who are responsible for child protection to protect trafficked children, whatever their immigration status. I know that my right hon. Friend the Minister for Children, Young People and Families is currently engaged in a robust debate on the Children Bill. I do not want to intervene in that debate, although I will make sure that she sees a copy of this debate, because I know that these issues are being discussed.

If we have effective and robust child protection structures, we will have effective structures to protect trafficked children. Sometimes social services query whether such children are their business because of those children's immigration status. They are our business because they are children. The leaders of bodies working in social services know that, but we must help everyone in social services departments to understand that they must, as in any other case, undertake a needs assessment and provide services in the light of its outcome. Services must be tailored to the individual needs of the child, just as they should be for any child in need. That is the Government's commitment, which must happen in practice.

The best way in which to provide support for victims is the same way in which we provide support for victims

[Fiona Mactaggart]

of other kinds of child abuse, because the trafficking of children is child abuse. Our newspapers and media are horrified by child abuse, and they are also horrified by the trafficking of children, but they do not know how serious the problem is and the scale of work that is required to prevent, deter and punish those involved and to protect the victims.

We are doing quite a bit, but we must do more, and the Government cannot address the situation on their own. We know that non-governmental organisations are important partners. I am certain that—

The motion having been made at Six o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at half-past Six o'clock.

House of Commons

Monday 25 October 2004

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

DEFENCE

The Secretary of State was asked—

Defence Capabilities

1. **Mr. Laurence Robertson** (Tewkesbury) (Con): If he will make a statement on the future of defence equipment orders from UK companies. [193204]

The Minister of State, Ministry of Defence (Mr. Adam Ingram): United Kingdom companies make a huge contribution to the nation's defence capabilities. As we made clear in our defence industrial policy, we consider it very important to sustain a successful defence industry, and we expect UK companies to continue to supply a very high proportion of our defence equipment needs.

Mr. Robertson: I thank the Minister. When does he expect the Government to make a decision on the second tranche of Eurofighter, which is important to companies such as Smiths Aerospace and Ultra Electronics in my constituency? If the order goes ahead, how will the Minister ensure that British companies receive timely payment for their work? They often have to wait an inordinate time to receive money for their work.

Mr. Ingram: I agree with the hon. Gentleman's assessment of the importance of the programme not only to British industry but to the RAF and the armed forces overall. On the tranche 2 contract, negotiations between the partner nations, in respect of national industries, are at an advanced stage. In parallel, the NATO Eurofighter and Tornado Management Agency, or NETMA, is negotiating, on behalf of the four nations, the contract terms and conditions with Eurofighter GmbH. We recognise that the continuity of manufacturing is important, and significant funding has already been committed to avoid a disruptive gap between tranche 1 and tranche 2. As I said, Typhoon is a hugely important investment, and it is important for all concerned to get the contract right before it is placed.

John Mann (Bassetlaw) (Lab): Why are we alone among European Union countries in the way in which we define military uniforms? That has resulted in British soldiers having to wear Chinese garments instead of British ones.

Mr. Ingram: My hon. Friend has got it wrong. The recent cut and sew contract was subject to competitive tender, and a UK company succeeded in winning the contract. All the contractors had a range of options in respect of where they could place certain parts of the contract relating to downstream supply; they all had options outside the UK. It was therefore wrong of my hon. Friend to pose his question as he did.

Mr. Michael Jack (Fylde) (Con): Further to the point made by my hon. Friend the Member for Tewkesbury (Mr. Robertson) and following the Secretary of State's successful conclusion of discussions with BAE Systems about the price of tranche 2 of Eurofighter, and indeed the financial implications for tranche 1, has the Minister seen press reports suggesting that an announcement could be made as early as 22 November? If that is not the case, will he say so in terms, or will he say when the matter will be resolved?

Mr. Ingram: I have seen the press reports, and although I could comment on them, I gave the hon. Member for Tewkesbury (Mr. Robertson) an extensive answer. The right hon. Member for Fylde (Mr. Jack) has been active in this field, and he will know that he must wait for the contracts to be fully completed. It is important to get those negotiations right, and there will be an announcement when they have been completed.

Mr. David Drew (Stroud) (Lab/Co-op): My right hon. Friend will be aware that defence procurement projects seem to involve bigger and bigger combinations of companies. Mawdsley's, in my constituency, a subcontractor that makes gen sets, is in real danger of going under because its parent company, which put together the bid, may fail to secure it. Will my right hon. Friend look at what is happening to British companies to ensure that each company is considered on its merits and that we keep as many in business as possible?

Mr. Ingram: The answer is yes. The whole purpose and underlying principle of defence industrial policy is to get that balance right, to ensure that there is proper encouragement for the UK industrial base and to ensure that companies are well placed to take the opportunities that arise in defence procurement. I am sure that my hon. Friend recognises, however, that we have to set against that quality and value for money, and competition certainly assists us in that; but the overall principle that he mentions is enshrined in our policy.

Aircraft Carriers

2. **Linda Gilroy** (Plymouth, Sutton) (Lab/Co-op): If he will make a statement on the progress of the CVF programme to design and build two new aircraft carriers for the Royal Navy. [193205]

The Minister of State, Ministry of Defence (Mr. Adam Ingram): The future aircraft carrier programme remains in the assessment phase and continues in line with the statement made to the House on 19 July. The programme is making good progress. The assessment phase is about de-risking the various issues involved. The design is well advanced and the partners are working closely together to deliver what undoubtedly will be a major uplift in capabilities. It remains our intention to take the main investment decision for the demonstration and manufacture phases in 2005.

Linda Gilroy: I thank my right hon. Friend for that reply. All the major dockyards will be aware of the important role that the future aircraft carrier will play in our capabilities. He will be aware of the important role played by Devonport in introducing competition to procurement and of the undertaking that the major warship refit programme will be subject to full competition from 2005. Will he assure the people of Devonport that that undertaking in respect of competition will not be affected by capacity issues at the sites where the future aircraft carrier is likely to be built or assembled?

Mr. Ingram: My hon. Friend asks a good and interesting question. In my initial response, I indicated that competition delivers well for us, sharpening both quality and value delivery, and I cannot envisage us departing from that underlying approach. At the same time, of course, we have to ensure that we retain capability both in ship repair and refit, and in build capacity.

Dr. Julian Lewis (New Forest, East) (Con): Who will defend the fleet from aerial attack during the very long gap between the withdrawal of the Sea Harrier and the advent of the new carriers and the joint strike fighter?

Mr. Ingram: I thought that the hon. Gentleman had moved on to new territory, but he is still talking about the Sea Harrier. We have explained repeatedly, but I shall try again to inform the hon. Gentleman. Subjecting the Sea Harrier to a significant upgrade would have come at a cost. I assume that the hon. Gentleman is making a new spending commitment on behalf of the Opposition Front Bench team, although I do not know what their view is: they have said that they will seek to retain the regiments, but I do not know whether they will reinstate the Sea Harrier. Another aspect of the problem was that there was no certainty that the technical upgrade was possible, or that it could be delivered within the time frame. We have explained that the protection of the fleet will be maintained by the weapons systems on board the new ships.

Rachel Squire (Dunfermline, West) (Lab): What commitment will my right hon. Friend give the work force at Rosyth that the dockyard will be awarded a major part of the construction and systems fitting on the future aircraft carrier, as a yard that stands out across the UK for delivering on cost, on time and to the highest standards?

Mr. Ingram: I would like to be able to announce today precisely what is to happen. I have described the process in which we are involved, which is now in the assessment phase; certain aspects still have to be worked through, although the design is now reaching maturity. Once all that has been finally assessed, apportionment of the various elements of the build will take place. My hon. Friend will therefore have to wait for an answer to her question.

Mr. Gerald Howarth (Aldershot) (Con): Surely the appointment of a physical integrator to manage not the project but the contract for the aircraft carrier project will only add a needless extra tier of bureaucracy, increase the cost and further delay that vital programme. Does the right hon. Gentleman still stand by the in-service date of 2012, or will the project go the same way as the Eurofighter Typhoon and the future rapid effects system battlefield vehicle: seven years of hard labour—escalating costs to the left of them, delays to the right of them?

Mr. Ingram: Had previous Administrations employed the concept of a physical integrator in some of those previous procurement streams, we might not have experienced the cost overruns and delays that we did. The physical integrator will work with all the potential shipyards, manufacturing facilities and allied participants to draw up a cost-effective strategy covering the manufacturing element of the programme. That part of the process will examine the core requirements: innovation, prioritisation of design activities, block integration and management of the shipbuild strategy. That seems to me to be a sensible approach to ensure that we stay on programme. Finally, yes, we are committed to reach the in-service date as previously announced.

Mr. Neil Turner (Wigan) (Lab): The carrier vessel future programme is vital to our defence and to our shipbuilding industry. Will my right hon. Friend ensure that as much of the design and shipbuilding as possible is given to yards in this country, especially Barrow in the north-west, to ensure that we retain skills within the UK?

Mr. Ingram: I have nothing further to add to what I said to my hon. Friend the Member for Dunfermline, West (Rachel Squire). All of this is being assessed. Those who offer the best solutions, the best innovative skills and are best placed to make a contribution and ensure that we keep on programme will, I am sure, be considered sympathetically in the placing and formulation of the final contract—there is everything to play for.

Iraq

3. **Bob Spink** (Castle Point) (Con): How many personnel are serving in Iraq. [193206]

The Secretary of State for Defence (Mr. Geoffrey Hoon): Currently, about 8,100 United Kingdom armed forces personnel are deployed in Iraq.

Bob Spink: The Prime Minister said last week that the Black Watch would be back by Christmas, but today we hear that it has no exit date. May we have clarification on that? Are there additional plans for the further redeployment of British troops outside the Multi-National Division (South-East) before the January elections in Iraq?

Mr. Hoon: My right hon. Friend the Prime Minister said that the Black Watch would be home by Christmas, and I repeated that in my statement last Thursday. He went on to say that, for operational reasons, it would not be sensible to discuss a precise date, and I am sure that the hon. Gentleman understands that. I repeat the point that I made last Thursday: there are no plans to increase the numbers of British forces deployed outside MND (S-E).

Mr. Stephen McCabe (Birmingham, Hall Green) (Lab): How many of our personnel in Iraq does my right hon. Friend estimate are buoyed up by the constant attacks on British policy? Can a modern army win a war, particularly a terrorist war, if its mission is constantly undermined by attacks from its own Parliament and in its own press? Is not that the real question that some people on the home front should be asking themselves?

Mr. Hoon: A balance must be struck between the needs of free speech in a democracy—we need to communicate information, particularly in the House—and the operational requirements to which I have just referred. It is a balance that is sometimes extremely difficult to strike. Understandably, right hon. and hon. Members want as much information as they can get, but it is my responsibility to ensure that I do not make information available that would in any way compromise the operational effectiveness of our armed forces.

Mr. Paul Keetch (Hereford) (LD): In his interview on the "Today" programme the Chief of the Defence Staff seemed to intimate that if operations in Falluja were not concluded by Christmas the Black Watch might be replaced by British troops in that area. If so, is that covered by the agreement approved by the Cabinet last week, or would that require a fresh request from the United States?

Mr. Hoon: I listened to that extremely good interview very carefully. I do not believe that the hon. Gentleman is right in suggesting that any such intimation was given. In response to a hypothetical question, the Chief of the Defence Staff understandably was not prepared absolutely to guarantee that those forces would not be replaced in position, but I thought that he came as near as anyone could in the circumstances to saying that that was not very likely.

Geraint Davies (Croydon, Central) (Lab): The cold-blooded murder of 49 Iraqi armed trainees yesterday by al-Qaeda underlines the fact that this is a fight between murderous terrorists and those Iraqis who want peace and democracy. Will my right hon. Friend ensure that sufficient forces are in place in the run-up to January for democracy to prevail, as he did in Afghanistan? Will he ask the media to reflect on the fact that their constant carping up to January will undermine investment and undermine democracy, and play into the hands of the terrorists?

Mr. Hoon: I condemn absolutely those appalling attacks. There is a struggle going on in Iraq between those who are trying to rebuild the country, such as the brave men who died in yesterday's appalling attack, and those who appear to have no ambition other than to reduce Iraq to a state of terrifying anarchy. It is important that we continue to support those who are trying to rebuild and reconstruct their country.

Derek Conway (Old Bexley and Sidcup): The Secretary of State will understand why many people believe that the Black Watch deployment is really for political rather than operational purposes. Will he tell those who gave him the benefit of the doubt whether the operational purposes result from the fact that he underestimated the effectiveness of the enemy or overestimated the effectiveness of the friendly forces?

Mr. Hoon: The operational reason is that both Iraqi forces and coalition forces are undertaking extra tasks, which have been designed to deal with the threat from the kind of terrorists who appear to have been behind the recent appalling attack. It is right that other members of the coalition should assist the Iraqis and the United States in carrying out those extra responsibilities, so the decision was taken for entirely operational reasons.

Mr. John Grogan (Selby) (Lab): Does my right hon. Friend agree with Senator John Kerry, who says that the way forward in Iraq is to convene a summit of the world's major powers, key nations in the regions and key Arab and Muslim nations?

Mr. Hoon: The allies engaged in Iraq have regular discussions. About a week ago, I addressed such a meeting, where representatives of coalition countries were brought together to discuss the latest developments, and I am sure that that process will continue.

Sir Peter Tapsell (Louth and Horncastle) (Con): In the memorial week of the charge of the Light Brigade, is it not clear that by invading Iraq the Secretary of State has shown himself to be as stupid as Lord Lucan?

Mr. Speaker: Order. The hon. Gentleman should know better, and he should know that temperate language is called for.

Sir Peter Tapsell: I withdraw "stupid" and insert—

Mr. Speaker: Order—just withdrawing the word is fine.

Mr. Hoon: I know that the Conservative party revels in glorious failure, and long may it continue.

Mr. Harry Barnes (North-East Derbyshire) (Lab): Would it not make more sense to have American troops in Iraq under British control rather than British troops under American control? Have we not made a better fist of things than the Americans, whose activities have been disastrous?

Mr. Hoon: From time to time in Iraq, British troops have been under American control and American troops have been under British control. That is in the nature of coalition operations.

Mr. Nicholas Soames (Mid-Sussex) (Con): May I press the Secretary of State? What are his plans if the task currently being undertaken by the Black Watch runs beyond Christmas? Would he deploy the ingoing divisional reserve to the north and, if so, what plans would he be likely to have to reinforce British troops in the south of Iraq?

Mr. Hoon: We have always made it clear—I have said this on a number of occasions in the House—that we keep the number of troops in Iraq under constant review. The number of troops depends entirely on the security situation on the ground and on the events that the troops must deal with. As I said on Thursday, and I repeat again today, we have no plans at the present time to increase the forces in Iraq beyond the increases that have been announced to the House previously.

Mr. Soames: At the very time when the exceptional qualities of British troops are needed as never before, the Government appear hellbent on reducing the numbers of fighting men in the British Army. Does that not reveal the utter folly of the Government's plans to disband four infantry battalions? Does it not further explain the profound anxiety expressed by Members on both sides of the House at such an untimely and foolish proposal?

Mr. Hoon: I understand why the hon. Gentleman keeps making that political point, but he knows full well that when he was Minister for the Armed Forces in the last Conservative Government the infantry were significantly readjusted in order to invest more in those who support the infantry. The reality is that unless logisticians, engineers and intelligence personnel are in position, it is not possible to use the infantry battalions to which he belatedly claims to be so attached. Our proposal will increase the number of deployable, usable infantry battalions over and above the present position, and he should welcome it, not criticise it.

Front-line Armed Forces

4. **Mr. David Kidney** (Stafford) (Lab): What work he is undertaking to strengthen the support services and logistics for front-line armed forces. [193207]

The Minister of State, Ministry of Defence (Mr. Adam Ingram): We have launched a comprehensive transformation programme for defence logistics that covers everything from supply chain effectiveness to a new relationship with industry on supporting military equipment. The programme is already bringing about improvements identified as necessary from operations in Iraq and elsewhere. It will also deliver substantial efficiency savings that can be reinvested in the front line.

Mr. Kidney: As my right hon. Friend makes ongoing changes, will he bear in mind the vital contribution to all successful campaigns that is made by logistics and timely distribution? May I thank him for his visit to RAF Stafford last month, where he saw the services that it offers? Does he recall that day and the offer made by the Defence Storage and Distribution Agency to take over the engineering wing from Strike Command? Is he yet in a position to respond to that request, because it would be a great boost to morale locally were he to agree to it?

Mr. Ingram: Yes, I well remember that visit. On all such visits, one learns a lot about what happens on the ground and encounters the quality of the people first hand. I was impressed by the work that is being done in all aspects of RAF Stafford's activities in supporting the front line. I have had a good, hard look at the Defence Storage and Distribution Agency's request to take over the engineering wing that is based at Stafford and is under Strike Command. Having done so, I am minded that the engineering wing should be transferred to DSDA as part of the Defence Logistics Organisation. However, that would not exempt the engineering wing from scrutiny under the DLO business process review and the future defence supply chain initiatives. Of course, we would consult on the proposal in the usual way. I am coming to the conclusion that my hon. Friend seeks and hope to be able to give him a thorough explanation very soon.

Mr. James Gray (North Wiltshire) (Con): I am sure that the Minister will join me in paying tribute to the magnificent contribution made in my constituency to operations in Iraq by 23rd Air Defence Regiment in Colerne, by 9th Regiment the Royal Logistics Corps in Hullavington, and by the Hercules aircraft at RAF Lyneham. However, would he care to comment on why he is now apparently considering the closure of Colerne and Hullavington, and why he recently announced the closure of RAF Lyneham, having apparently entered into discussions—as I hear from Mrs. Bucknell, a councillor in my constituency—with none other than Virgin Airways about refuelling in Lyneham after he sells it off?

Mr. Ingram: Of course I share the warm feelings towards all those who have provided support to our front line, whether in Iraq or anywhere else. They do a magnificent job. However, the underlying logic of the hon. Gentleman's comments is that nothing should change, but things do change in successive decades. Previous Conservative Administrations have taken through fundamental transformations of the armed forces. We are considering one specific area—the DLO, which plays a very big part in the overall delivery of what we do. It is right to do so. Out of that will come conclusions that may not suit the hon. Gentleman but will be for the overall benefit of the armed forces.

Mr. John Smith (Vale of Glamorgan) (Lab): Will my right hon. Friend look again at his preferred option, announced on 16 September, to renationalise the air depth support of almost the entire front line fleet of RAF fast jets, on the grounds that it runs counter to the recommendations of his own strategic defence review and makes no military or economic sense whatsoever?

Mr. Ingram: I have paid tribute to my hon. Friend before for his sterling hard work on behalf of the Defence Aviation Repair Agency at St. Athan, but he has got it wrong on this occasion. The situation is not as he describes it. The roll forward to Marham of the Tornado certainly has an adverse impact on DARA

St. Athan, but the roll back of the rotary wing to Fleetlands retains it within the DARA civilian structure, albeit with a significant component of military personnel working alongside it. I hope that my hon. Friend understands that even had there been a roll back of the work to DARA St. Athan many—indeed, probably as many—of the civilian posts would have gone because of the need to retain that engineering and technical capability within the RAF.

Mr. Keith Simpson (Mid-Norfolk) (Con): The whole House understands the importance of support services and logistics to our armed forces, particularly in Iraq. Last month, the Public Accounts Committee published its report on the Ministry of Defence and Operation Telic. Paragraph 10 of its conclusions and recommendations states:

> "The repeated identification of important logistics lessons such as the absence of an adequate consignment tracking system suggests fundamental shortcomings in the Department's ability to learn and act upon lessons from previous experiences."

Given that we are commemorating the 150th anniversary of the Crimean war, as the House already knows, what hope is there that the Ministry of Defence will learn any lessons about logistics?

Mr. Ingram: I really do not think that the hon. Gentleman fully understands the subject. If he were to examine the Defence Logistics Organisation transformation programme—I offer him the opportunity to come along to be briefed on all that we want to do—he would be aware that we have tried to put together a complex organisation, which perhaps should have happened before under the original DLO. There were stresses and strains surrounding aspects of equipment delivery, but many of the problems identified have been addressed. That applies wholly to the tracking system, which is absolutely crucial for the delivery of items to the front line. If the hon. Gentleman thinks that such hiccups did not occur in the past, he does not live in the real world.

Falklands War

5. **Mr. Lindsay Hoyle** (Chorley) (Lab): What steps his Department is taking to celebrate the 25th anniversary of the Falklands conflict; and if he will make a statement. [193208]

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): Preliminary discussions about commemorating the 25th anniversary of the Falklands conflict have taken place with the South Atlantic Medal Association, known as SAMA 82. When those ideas have been developed further and agreed with the veterans, I will make an appropriate announcement to the House.

Mr. Hoyle: I welcome my hon. Friend's answer. Will he ensure that there will be a tri-service approach to ensure that everyone will have the opportunity to go back to the Falklands? It will be the 25th anniversary of the conflict, so we must ensure that the families of those who died will be able to visit the Falklands. We must act sufficiently early because of the logistics of putting such a project together, and I look forward to my hon. Friend taking those people out there.

Mr. Caplin: I have written to the chairman of the South Atlantic Medal Association to ask about those issues. I hope that my hon. Friend and the House are aware of the significant amount of work that the Ministry of Defence is undertaking on events in 2005. We will stage commemorations for VE and VJ day, veterans' awareness week and a national day of celebration to commemorate the end of world war two on Sunday 10 July. Plans have recently been confirmed for the commemoration of the 200th anniversary of the battle of Trafalgar.

Mr. Douglas Hogg (Sleaford and North Hykeham) (Con): Will the hon. Gentleman contrast the support that was given for the deployment of British troops to recover the Falkland Islands with the lack of support felt in this country for the deployment in Iraq? Surely the difference is this—

Mr. Speaker: Order. We are talking about an anniversary. The right hon. and learned Gentleman's question is far too wide of that.

Mr. John Wilkinson (Ruislip-Northwood) (Con): Will the Government take the opportunity of the commemoration of the campaign to recapture the Falkland Islands from a brutal dictatorship to reflect on the crucial role played by the Fleet Air Arm in achieving that objective? Surely the best thing that we could do to honour those who laid down their lives would be to ensure that naval aviation does not become a second-class aspect of our future defence.

Mr. Caplin: The hon. Gentleman knows that there will be a joint strike force in the future. I certainly pay tribute to those who fought in 1982 to recover the Falkland Islands.

Mr. Nigel Evans (Ribble Valley) (Con): I know that we live in an era of barmy political correctness and that there might be a temptation to play down the significance of the 25th anniversary to avoid stepping on the toes, or offending the sensitivities, of another country, but will the Minister assure me that that will not happen and that we will assist veterans who wish to visit the islands during the celebrations? Will Ministers play an active role in the celebrations?

Mr. Caplin: My right hon. Friend the Secretary of State visited the Falkland Islands on the 20th anniversary. I assure the House that the 25th anniversary will be taken seriously—the Government will certainly uphold that commitment, which was made to the veterans of the South Atlantic Medal Association.

Army Establishment

6. **Patrick Mercer** (Newark) (Con): If he will make a statement on manning levels in the Army. [193209]

The Minister of State, Ministry of Defence (Mr. Adam Ingram): As at 1 September 2004, whole Army trained strength stood at 104,090, including 3,400 Gurkhas and 830 full-time reserve service personnel. As my right hon. Friend the Secretary of State for Defence made clear in July when he announced plans to modernise the force structure, organisation and capabilities of the armed forces to meet the challenges of the 21st century, we envisage a future Army of around 102,000. That is, however, dependent on achieving full normalisation in Northern Ireland. In the meantime, therefore, the strength of the Army will remain broadly as it is today.

Patrick Mercer: I am grateful to the Minister for that answer. Tomorrow, the 22nd Cheshire Regiment hands over in Basra after an outstanding, difficult and well-fought tour. I am sure that the Minister will be aware that it started that tour 90 men under strength. Is he aware of what sort of problem that gives the commanding officer and company commanders, and how frightening and dangerous that is for soldiers on the ground? Can he confirm absolutely that the recruiting strategy is right and, more to the point, that scrapping of infantry regiments is the correct step?

Mr. Ingram: The hon. Gentleman raises a number of points. We recognise the issues in relation to under-strength regiments, which is why the transformation and rebrigading of the Army is essential, to try to ensure that they have adequate strength as they move into a warfighting or peacekeeping mode, and that they have all the logisticians—engineers, signallers and all the key enablers—which they do not have at present, or for which they require augmentation from elsewhere. That is part of the underlying approach of this transformation, which is about making available more capable battalions for deployment. I ask the hon. Gentleman to recognise that. I pay tribute to the work done by the Cheshires and all the regiments that have been based in Iraq over the past year and some months. To their credit, they have carried on delivering the objectives of the coalition—to bring about stability in Iraq and to give Iraq back to the Iraqis.

Chris McCafferty (Calder Valley) (Lab): When will my right hon. Friend be in a position to answer my written question of last Wednesday on the comparative strengths of the Duke of Wellington's Regiment, 3 Para and the Prince of Wales's Royal Regiment? Is he aware that the Duke of Wellington's Regiment is eight over strength, comparing extremely favourably with the Royals, which is 122 under strength, and 3 Para, which is 58 under strength? Does he recognise the premier position—

Mr. Speaker: Order. Hon. Members have only one supplementary question. The hon. Lady can leave it at that, and the Minister can reply.

Mr. Ingram: I shall try to reply. I do not know when I will be able to answer the question that my hon. Friend asks. The information may be in the process of being delivered to me for answer now. I hope that her points will be dealt with in that answer, and that that will assist her in further argumentation on behalf of her local regiment.

Annabelle Ewing (Perth) (SNP): The Prime Minister said last week that the Black Watch and the redeployment to northern Iraq were crucial to the US army effort. My constituents in Perth, where the Black Watch has its regimental headquarters, want to know why the Black Watch is crucial to the US army but not as important to this Government, who are planning, when it returns home, to amalgamate it out of existence?

Mr. Ingram: The hon. Lady has it wholly wrong. If she had heard the earlier answer about why the transformation and rebrigading of resources is under way, she would know that I speak to many serving soldiers—young soldiers and young officers—who are looking very much to the future. I heard one of her colleagues saying on television yesterday that the role of the Scottish regiments under an independent Scotland would be to serve peacekeeping purposes. Whom does she think would create the peace? Someone must create that environment. That is what our troops do—they are trained to war-fight and to peace-keep. Under an independent Scotland, they would be in the second league.

Mr. Gordon Prentice (Pendle) (Lab): How many regiments would be seriously undermanned were it not for the contribution of the Fijians?

Mr. Ingram: A number. I pay tribute to the Commonwealth servicemen and women who serve alongside our personnel. They make a sizeable and valuable contribution, they are the equal of our citizens, and they are trained to the same high standards.

Bob Russell (Colchester) (LD): The Government are planning to restructure the Army into regional regiments—one assumes that that is also to help manning, and that there will be two or three battalions per regional regiment. When a regional regiment is already established, with a proven record of recruitment for two battalions, will the Government consider providing a third battalion?

Mr. Ingram: Half of the Army are already in the structure that has been considered and will soon be proposed to the Army Board and then to Ministers. All the lessons that have been learned about the larger regiments have, I think, been of great benefit. A range of factors accrue from that, some of which I touched on earlier, but I note the hon. Gentleman's interest. I suppose he is talking about a particular regiment, which he did not mention, so I do not think that I should either.

Royal Irish Regiment

7. **David Burnside** (South Antrim) (UUP): Whether, in the event of security normalisation in Northern Ireland, the three home battalions of the Royal Irish Regiment will be in addition to garrison strength in the Province. [193210]

The Minister of State, Ministry of Defence (Mr. Adam Ingram): The Government have not come to a final conclusion about the future of the three home service battalions of the Royal Irish Regiment, or about the composition, of the long-term garrison in Northern Ireland.

David Burnside: That is exactly the worrying answer that I expected from the Minister. He should be aware that since Her Majesty's Government assumed internal security powers from the Government and Parliament of Northern Ireland in March 1972, at no time has there not been a locally recruited, armed back-up to the civil power—first, it was the Ulster Defence Regiment, which was succeeded by the home battalions of the Royal Irish Regiment. His answer is very worrying. I wish that he would give the House the commitment that, in peace, to be prepared to stop a terrorist threat we must continue to have the three locally recruited home battalions of the Royal Irish Regiment.

Mr. Ingram: The hon. Gentleman's question includes the words

> "in the event of security normalisation in Northern Ireland".

I assume that he is in favour of normalisation. Normalisation means a completely different type of defence presence in Northern Ireland, but no decisions have been taken on what that will be, the process or the time scale. All that is subject to the intense discussions to which I assume he is party, but I had hoped that he wanted a normalised Northern Ireland, not the Northern Ireland that we have had for the past 30 years.

Andrew Mackinlay (Thurrock) (Lab): In the event of normalisation, will there be scope for the full-time home service battalion soldiers to serve overseas?

Mr. Ingram: The answer is yes. Those soldiers can join the Regular Army. I recently visited the Royal Irish, who are based at Fort George in Inverness. It was interesting that they were very keen to be posted either to Iraq or to Afghanistan. They are keen to deliver the capability that they have. I think that that works across the whole of the British Army. People want to serve where we have a mission that is delivering on all the aspects that the House wants to see, including a stable and peaceful Iraq. In terms of those who wish to serve in the Regular Army, if they have other commitments, they can of course transfer to the regulars.

Headquarters Land Command

8. **Mr. Robert Key** (Salisbury) (Con): What progress has been made on the study to relocate HQ Land Command from Wilton. [193211]

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): Work to examine the scope for rationalisation and co-location of Headquarters Land Command and the Headquarters Adjutant General is in its early stages. A number of potential co-location sites are being assessed and, until that work is complete, I cannot say what the preferred site option will be.

Mr. Key: The Army and the civilian work force who support them in my constituency are an integral part of our community; they are always welcome and we want them to stay. Therefore, will the Minister, when he considers the various options for relocation, bear it in mind that the most obvious location, which would be warmly welcomed by everyone to whom I have spoken in the area, is the new development at Solstice park, which would be tailor-made for the major garrison headquarters of the British Army? He should not be blown off course by anyone from the Treasury, or anyone else, but listen to what local people as well as what the military, I believe, want.

Mr. Caplin: The hon. Gentleman has made an impassioned plea for a conclusion, but it will be mid next year before we come to a short list of possible sites. However, I am conscious that that work is likely to cause some anxiety, particularly among civilian staff. For that reason, we will undertake to keep them informed at all stages.

Paul Flynn (Newport, West) (Lab): Is the Minister concerned by the threats made this weekend by farmers in the Salisbury plain and Wilton area to withdraw the use of their land from the military? Does he realise that the Ministry of Defence pays £2 million a year for the occasional use of farming land, and allows the rent of military land on very favourable terms to farmers in Salisbury? What can we do to protect our Army, and the continuation of its services, from the grasping demands of unpatriotic farmers?

Mr. Caplin: My hon. Friend will be aware that training on private land is, of course, a matter for private landowners, and we are grateful for the long-standing relationship that we have with farmers and landowners in the Salisbury area. I do not think that the situation is quite as one newspaper yesterday made it out to be.

Iraq

10. **David Taylor** (North-West Leicestershire) (Lab-Co-op): If he will make a statement on the security situation in Iraq. [193213]

The Secretary of State for Defence (Mr. Geoffrey Hoon): The security situation in certain parts of Iraq remains difficult. We continue to work with the Iraqi Interim Government to develop the capacity of the Iraqi security forces, and to ensure that the majority of the population is able to live in a comparatively secure environment.

David Taylor: Following the appalling murders of Ken Bigley and other kidnapped foreign hostages and the indiscriminate slaughter of thousands of ordinary Iraqis, such as the 50 national guardsmen found near Baquba at the weekend, can the Secretary of State say what assistance is being given to the Iraqi security services? What does he say to those who opposed allied military intervention in March of last year, not least because the honourable goal of getting rid of a savage tyrant far too often leads to continuing chaos, bloody terrorism and incipient civil war?

Mr. Hoon: I will make it clear to those who, from their own point of view, felt unable to support the military conflict that it is nevertheless important today that everyone, whatever their views at the time of the conflict, supports the efforts being made by the international community and multinational forces, and specifically those efforts to assist in the training of the Iraqi security forces.

There are today some 90,000 trained police officers in Iraq, 39,000 members of the national guard, a new Iraqi army of around 9,000—rising soon, we hope, to 27,000—and 16,000 border guards, as well as a number of other security organisations. I am often asked what the Government's exit strategy is; that is the Government's exit strategy, as I made clear last week. It is training Iraqi security forces to take on the responsibility, rightly, for the security of their own country.

Mr. Crispin Blunt (Reigate) (Con): The Secretary of State is talking about an exit strategy for the current situation, but he will be only too aware that coming down the road after the elections—if they are successfully concluded—is the issue of the resolution of the Kurdish question in Iraq. Can he reassure the House that the Ministry of Defence is engaging in contingency planning in the event that the Kurdish question results in civil war in Iraq?

Mr. Hoon: I simply do not accept that to be an issue. I have met, in very recent times, the Vice-President, who is Kurdish, and the deputy Defence Minister, who is also Kurdish. Both of them are absolutely committed to the idea of a united Iraq that is restored to the international community and where all its people can live in freedom and security.

David Winnick (Walsall, North) (Lab): Recognising that the terrorists certainly do not want free and democratic elections to take place in January—hence their activities and indiscriminate slaughter of Iraqi people—does my right hon. Friend agree that it is the responsibility of the House to monitor what is happening there and to review the situation at every opportunity? That is the job of Members of Parliament, and that is what the electorate expect from us.

Mr. Hoon: I entirely accept that. My hon. Friend has been forthright in his condemnation of the regime of Saddam Hussein over many years, as well as giving great support to British forces engaged in the overthrow of that tyrant. I certainly agree with him that it is important that we debate those issues.

Army Training

11. **Mr. Michael Jabez Foster** (Hastings and Rye) (Lab): If he will make a statement on procedures for training of Army recruits. [193214]

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): Training of recruits within the Army is conducted by the Army Training and Recruiting Agency, in conjunction with other service training agencies. ATRA is organised into 10 operating divisions. Most of those divisions comprise a number of specialist schools devoted to a specific area of training.

Phase 1 training lasts for 12 weeks and follows a syllabus called "Common Military Syllabus (Recruits)". The course prepares recruits for Army life and for their professional or trade training, known as phase 2 training.

Mr. Foster: I thank my hon. Friend for that detailed reply. However, in the light of the conviction of Leslie Skinner last week for offences carried out at Deepcut—a man who had already been the subject of a court martial in Northern Ireland—is it not time that the Army protected young soldiers from such people and, in particular, waived Crown immunity from the criminal records procedures?

Mr. Caplin: I cannot comment on my hon. Friend's final point, but I shall examine what he said. The decision to post Leslie Skinner to Deepcut was taken on 29 January 1997. It was a bad decision. I assure the House that such a decision would not be taken today by the Army or any other part of the armed forces.

Mr. Nicholas Soames (Mid-Sussex) (Con): How can the Minister explain a system to the House of Commons that allows Territorial Army soldiers to deploy to a theatre of war without adequate weapons training? Is it not wholly unacceptable and likely to be profoundly dangerous? What steps is he taking to ensure that that is urgently rectified and that such astonishing neglect of duty cannot happen again? Which high official or senior serviceman, regardless of rank, is to be held to account for such a deplorable and unforgivable failure?

Mr. Caplin: First, I pay tribute to all our reserve forces, wherever they are serving. They have done a fantastic job. We owe a debt of gratitude to their families and employers. The hon. Gentleman is well aware that all mobilised reserves undergo pre-deployment training. That training, which is constantly under review, is carried out in accordance with extant directives issued by the chain of command. We will maintain that situation and continue to look at those issues.

Mrs. Joan Humble (Blackpool, North and Fleetwood) (Lab): While recognising that there is much good training in the Army, will my hon. Friend look at what happens when, sadly, the training goes wrong—not just for new recruits, but for recruits such as my constituent Derek McGregor, who enjoyed three or four years in the Army before, sadly, dying in Army barracks? Will he consider the pleas of their parents and have a proper investigation into what happens when the training goes so badly wrong?

Mr. Caplin: My hon. Friend will be aware of the Government's position on inquiries, which was set out in the House by my right hon. Friend the Minister of State on 24 May. Since then, however, we have signed the memorandum of understanding with the adult learning inspectorate on 7 July. The regime is tough. It inspects our recruiting and training objectives, and all its reports will be published.

Royal Marines

12. **Mr. David Heath** (Somerton and Frome) (LD): What sporting and fitness facilities are available to 45 Commando Royal Marines at Arbroath. [193215]

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): Given 45 Commando's military need for high fitness and role-related skills, there are a number of facilities at RM Condor in Arbroath, including a gymnasium and fitness suite, a trim-track, a cross-country course, an artificial ski slope for training for cold weather operations, and a climbing wall and other sports facilities.

Mr. Heath: Over the past year, it has been my privilege, through the armed forces parliamentary scheme, to spend time with the Royal Marines, and it only confirmed my belief in the professionalism of their service. The bad news for the Government, however, is that people sitting in snow-holes often grumble. It was the unanimous view of the lads we met from 45 Commando that the fitness training facilities were not up to the standard that they needed to maintain the maximum level of fitness, which we expect of them in doing the difficult work that they do. I pass that on to the Minister and hope that he will look into it.

Mr. Caplin: I am grateful to the hon. Gentleman for his comments. My right hon. Friend the Minister of State has been to the base twice. He is particularly pleased that the hon. Gentleman managed to go into a snow hole, because I think he spent a night in one in Norway.

Service Deployments

13. **Simon Hughes** (Southwark, North and Bermondsey) (LD): How many *(a)* Army, *(b)* Royal Navy and *(c)* RAF personnel are stationed outside the UK; and what percentage this is of the total strength in each case. [193216]

The Secretary of State for Defence (Mr. Geoffrey Hoon): Some 26,000 Army personnel, 2,000 RAF personnel and 400 Royal Navy personnel are permanently stationed outside the United Kingdom. These figures equate to approximately 23 per cent., 3 per cent. and 1 per cent. of the total strength of the individual services respectively.

Simon Hughes: I am grateful to the Secretary of State for that answer. I understand that the official tri-service publication statistics—TSP 6—have not been collected and published for two years, because they were believed to be inaccurate and thus unreliable. Can the Secretary of State tell the House whether we shall have statistics soon on personnel deployment at home and abroad, so that the public can take part in the debate about how strong our armed services should be? Linked to the question about training two questions ago, can the right hon. Gentleman give an undertaking that the armed services will see the same duty of care to their employees wherever they are in service, whether they are stationed in this country or abroad?

Mr. Hoon: The hon. Gentleman is right. In terms of duty of care, the armed forces publish a wealth of statistics, but he is right—that particular statistical collection has not been made, simply due to concern that the previous basis for the collection of the figures was not sufficiently robust. I assure him that efforts are being made to ensure the accuracy of those statistics before they are published in future.

Mr. Mark Francois (Rayleigh) (Con): Among those Army personnel abroad are obviously members of the Black Watch. They are already in harm's way and are about to go further into it. I am sure that everyone in the House wishes them the best of luck with the mission that lies ahead of them, but would not it be appropriate for the Secretary of State to give them a signal today that when they come back from that mission they will not be, in effect, dismantled?

Mr. Hoon: The statistics actually referred to those permanently employed abroad. I emphasised that the Black Watch is there for a mission of limited duration and will be returning to the United Kingdom in time for Christmas. We are continuing to debate in the House the reorganisation of our infantry, and I assure the House—as I assure the hon. Gentleman, who takes a keen interest in these matters—that there will be every opportunity for members of the Black Watch, on their return to the UK, to maintain the traditions of that regiment and its fine history. There is no reason at all why, in the proposed reorganisation, all those historic regiments should not maintain such a connection with their distinguished past.

Iraq

14. **Mr. Frank Roy** (Motherwell and Wishaw) (Lab): If he will reintroduce a free parcel delivery service to the armed forces serving in Iraq in time for Christmas. [193217]

The Minister of State, Ministry of Defence (Mr. Adam Ingram): There are no plans to reintroduce a free postal packet service to the armed forces serving in Iraq for Christmas. However, a number of initiatives are in place to ensure that all service personnel deployed on operations are able to celebrate Christmas within the constraints imposed by active service.

Mr. Roy: Will the Minister keep an open mind on that subject? I am sure that he will recognise how vital it is for troops' morale to receive a free service for parcels from their loved ones at home.

Mr. Ingram: We understand all the issues relating to the welfare of our troops when they are away from home, whether they are in Iraq or anywhere else, but it is worth while putting the request in context. Parcels and post leaving these shores are delivered free to those areas; families have to pay a mainland first-class postage rate for packages of up to 2 kg, so there is a free element. There are of course many other aspects of the welfare package to allow service personnel and their families to communicate to the highest degree. Personnel are provided with 20 minutes of free phone calls each week, as well as access to electronic blueys, e-mail and the internet. Sometimes, I think that such direct forms of communication are of much more benefit to those who want to talk to their loved ones.

Mr. Henry Bellingham (North-West Norfolk) (Con): Does the Minister agree that members of the Territorial Army do not merely want free parcels, they want their jobs back when they have served in Iraq? Does he agree that it is most unfortunate that 25 members of the TA have had to go to industrial tribunals—

Mr. Speaker: Order. That is well beyond the scope of the question.

15. **Mr. Desmond Swayne** (New Forest, West) (Con): What NATO's role is in Iraq. [193218]

17. **Mr. John Bercow** (Buckingham) (Con): If he will make a statement on NATO's role in Iraq. [193220]

The Secretary of State for Defence (Mr. Geoffrey Hoon): NATO's role in Iraq is to provide assistance to the Iraqi Interim Government with the training of their security forces. The alliance aims to assist in strengthening the internal security of Iraq in order to create fully functioning and self-sustaining Iraqi security structures responsible to a democratically formed Iraqi Government.

Mr. Swayne: Given the enormous effort that has been put into recruiting members of the new Iraqi army in Multi-National Division (South-East), is the Secretary of State confident, after recent events, that those trainees are receiving an appropriate level of security?

Mr. Hoon: I have already condemned those appalling events. We take very seriously the matter of force protection. We are seeing increasing responsibility passing, rightly, to the Iraqi security forces. That process must go on as we continue to train Iraqi security forces, but that does not mean any lessening in our concern for their security.

Mr. Bercow: Given that NATO has acknowledged that until recently Afghanistan was its top priority and that considerable stabilisation has been achieved there, culminating in the successful conduct of elections, what particular lessons does the right hon. Gentleman think NATO could draw from that experience for helpful application in the run-up to the elections in Iraq?

Mr. Hoon: We had a recent informal meeting of NATO Defence Ministers in Romania where that precise comparison was drawn. The lesson that we have learned from Afghanistan is that not only is it necessary to train individual soldiers in the ability to carry and use weapons, but it is crucial that we should train their leaders. I believe that NATO has a particular role in ensuring that the leadership is properly trained, because without that leadership we cannot pass to the Iraqi security forces the responsibility for their own country.

Opposition Day

[20TH ALLOTTED DAY]

University Admissions Policy

Mr. Speaker: We now come to the main business. I inform the House that I have selected the amendment in the name of the Prime Minister.

3.31 pm

Mr. Tim Collins (Westmorland and Lonsdale): I beg to move,

That this House believes that universities should be solely and wholly in charge of their own admissions policies, without regard to any externally imposed quotas, targets or benchmarks; affirms that access to higher education should be determined on the basis of academic merit, not social, economic or geographical background; welcomes and supports the efforts of universities to seek out, find and encourage talent in all parts of society, endeavours which long pre-date Government intervention and which are threatened, not encouraged, by it; recognises that attempts to force universities to use politically-determined criteria threaten academic excellence and independence alike; notes that the Government's policies on these issues have sparked deep-seated anger and resentment among universities, whose leaders have in consequence warned Ministers not to interfere with university admissions policy and even openly contemplated self-privatisation as a means of escape; regrets the appointment of a University Access Regulator who has declared himself to be of the view that the principal issue facing higher education is class; and urges the immediate abolition of the Office for Fair Access and the removal of state interference from issues which lie at the heart of university independence, freedom and standards.

The debate is about excellence, independence and freedom. All are essential prerequisites for the standing of the UK's world-class universities, all are the fundamental bulwarks of achievement in both research and teaching, and all are profoundly under threat from the Government's misguided policies. As ever, the Government try to have it both ways. They try to send different messages to different audiences. The Minister is all reassurance, all charm, as he naturally would be inclined to be, when he is speaking to an audience of academics. When he is speaking to an audience of his Back Benchers, he is breathing fire, he is determined to change things, and he will not put up with what universities are doing.

A classic symbol of the confusion, whether deliberate or unintended, at the heart of the Government's policies appears on the Order Paper, in the amendment to which the Minister will speak. The Government accept the first few words of the Opposition motion. In particular they accept

"that universities should be solely and wholly in charge of their own admissions policies".

Excellent. Admirable. What could be better than that? But unfortunately they delete the next words, which read

"without regard to any externally imposed quotas, targets or benchmarks"

It is difficult to see how universities could be in charge of their admissions policies if they were to have regard to

"externally imposed quotas, targets or benchmarks".

Perhaps it is the words "quotas, targets or benchmarks" to which the Government object, but later in their amendment, referring to statistics that have recently been published, they say they abhor

"the recent misinterpretation of those indicators as targets or quotas"

So it is not the word "target" that they object to, or the word "quota". Perhaps it is the word "benchmark" that they object to, except that the Minister is on record as saying

"Universities will not be penalised for failing to meet their benchmarks",

so it is difficult to see why those words are deleted from the Opposition motion unless, as we all suspect, the Government want universities to be obliged to have regard to externally imposed targets, quotas and benchmarks.

That is at the heart of the debate today—whether our universities will improve their quality, their international reputation, their ability to research and their ability to attract the best minds not only nationally but internationally, if they are subject to external interference on a wholly unprecedented scale. Let us remember where all this began: in a very unfortunate speech made by the Chancellor of the Exchequer on the subject of a student named Laura Spence. The Chancellor chose to take the view that he, as someone who had no experience of Oxford's admissions policies, was in a better position than experienced Oxford admissions tutors to judge who should and should not be admitted to a course which was heavily oversubscribed. After announcing that he, as the person in charge of the nation's purse strings, concluded that Laura Spence should have been admitted, he failed to tell Oxford which of the exceptionally well qualified alternative candidates would have had to be ejected to make way for Miss Laura Spence.

Throughout the process, the Labour party in government has attempted to use university admissions policies as a party political football, a means of scoring with Back-Bench Members and reassuring core activists that it remains a socialist party at heart and retains the old class war instincts.

Michael Fabricant (Lichfield) (Con): For the avoidance of doubt, will my hon. Friend make it clear that he supports the principle of equal opportunities for all, and that, when people are qualified to go to university, from whatever school but especially from state schools, they should have the opportunity to do that?

Mr. Collins: I agree with my hon. Friend. The Conservative party has always believed in equality of opportunity, whereas the Labour party believes in equality of outcome, which is fundamentally different and bears no relationship to merit.

Mr. David Chaytor (Bury, North) (Lab): It is extremely generous of the Opposition to allow children from state schools to go to university. Does the hon. Gentleman admit that questions about admissions to our leading research universities need further examination to guarantee the equality of opportunity that he endorsed? Does he genuinely believe that there is there no problem in the admissions policies of our leading research universities?

Mr. Collins: The hon. Gentleman puts the case in a characteristically light, welcome and subtle way. Nevertheless, his comments go to the heart of the debate. I am sure that he knows that admission to our leading universities from state schools is lower now than 30 years ago. Academic selection in higher education is the unsurprising result of doing away with academic selection in secondary education.

To the charge that a problem exists, we contend that universities do their level best to get people of all social backgrounds through their doors. I have never met a university vice-chancellor, teacher or don who wants to teach those who are more stupid than they should be. They want to teach the most able and most academically talented. They are determined to do that. However, Conservative Members believe that the state has no role in telling universities whom they should admit and whom they should not. If we followed the route of the state's dictating admission, it would lead to a profoundly unequal position whereby the least articulate, the least able to lobby their Members of Parliament and the least able to get the state to intervene on their behalf lost out the most.

Dr. Evan Harris (Oxford, West and Abingdon) (LD): The hon. Gentleman is right about the Laura Spence case. He showed how foolish it was of the Chancellor to cite an individual case, especially that case, because it was unfair on the admissions staff at Oxford. I hope that he agrees that Oxford faces the problem of getting enough state students to apply in the first place. That problem is not solved by stereotypes and caricatures such as the one the Chancellor used. Does the hon. Gentleman accept that judging on A-levels alone may discriminate against students from less good educational backgrounds, and that that is why the interview process is so important at some universities?

Mr. Collins: I agree almost entirely with the hon. Gentleman. As he would expect, I naturally endorse his comments on Oxford and citing a specific case. I also agree that, if universities are allowed to proceed in some freedom, they will increasingly move towards the form of selection that he suggests. He knows from his constituency experience that Oxford has invested a huge amount of effort, time and commitment in outreach programmes. Indeed, a note from Oxford that was widely circulated before the debate states that, on almost every day of the working week, some outreach activity occurs.

The university is determined to expand bursaries, and to penetrate some of the most difficult and deprived local education authority areas to encourage students with aptitude and ability—they are certainly to be found in every part of our country, from every social and economic background—to apply. It goes out of its way to do that.

Oxford is equally adamant, however, that it is for it to determine who goes there; it is not for Government, or for any Government appointee, to do so. The phrase "Get your tanks off our lawn" is being used. This is the fundamental difference between the two sides of the House: we believe in academic freedom, and we take it seriously.

Jonathan Shaw (Chatham and Aylesford) (Lab): We welcome what the hon. Gentleman has said about Oxford university. What we are saying is that if universities are to impose higher fees on students, they are obliged to do exactly what he says Oxford will do. We want all universities to do it. If they do not reach out and encourage groups of people from working-class backgrounds to seek admission, they should not be allowed to charge higher fees. That is perfectly reasonable.

Mr. Collins: Let me ask the hon. Gentleman a simple question. Will he name a university that does not do that?

Jonathan Shaw: I am not going to name a university—*[Interruption.]* I am not going to name a university, but that is precisely the role of OFFA. That is why we are creating the post: so that we can draw comparisons between those that are engaged in good practice, working hard to reach out, and those that are not. If the hon. Gentleman does not understand that, he ought to read the briefs with which Labour Members have been provided.

Mr. Collins: I think the hon. Gentleman's problem is that he has been reading those briefs rather too assiduously. He has no answer to the question "Which universities do not already do that?", because they all do. His justification for OFFA's creation seems to be that it will force universities to do what they are already doing, universally and fully. That is not compatible with the assurance given by the Secretary of State to the House and the country that OFFA would be non-bureaucratic and powerful, that it would make a difference, and that it would empower those who have previously been unable to go to university.

The fact is that, when pressed, Labour Members cannot come up with any example of a university that is not already doing its level best. It is clear that the creation of this institution is at best bureaucratic nonsense and a waste of time, and at worst an act of political spite and vindictiveness.

Helen Jones (Warrington, North) (Lab): The hon. Gentleman accepted earlier that ability was distributed to all ranks of society. In his report, Professor Schwartz clearly states that

> "only 26 per cent. of young entrants to full-time degree courses came from skilled manual, partly skilled or unskilled family backgrounds."

Does it not follow that if universities are trying to reach out to people from such backgrounds they are not doing very well so far, and ought to attempt to do better? That is what we are trying to encourage them to do.

Mr. Collins: What the hon. Lady seems not to recognise is that most of the groups she has identified do not take five GCSEs, and do not take A-levels. They are let down by the school system. It is not for the universities to be punished and penalised for the product of decades—for this has not been happening only since 1997—of problems with the state secondary school system. No one can be expected to put everything right among 18-year-olds when it should have been sorted out when they were between 11 and 18, or indeed probably much younger—at the primary or pre-primary stage.

Mr. John McWilliam (Blaydon) (Lab) *rose*—

Mr. Collins: I want to make some progress, but I will give way to the hon. Gentleman later.

We have talked a little about what Oxford already does. It is a great pleasure to be able—as I have not been for quite some time—to cite with unqualified approbation and endorsement words uttered by my old friend and colleague, Mr. Chris Patten. He was a very distinguished chairman of the Conservative party some years ago. It must be said that since then he has not always been in line with every aspect of Conservative policy. I am delighted to note, however, that on this issue he and we are once again of one mind. In his capacity as chancellor of Oxford university—he is also chancellor of Newcastle university—he said:

> "What the government is trying to do is to press universities to make up for the inadequacies in parts of our secondary education system and what that means is they are pressing for a lowering of standards. It is as brutally simple as that."

He is absolutely right in that characterisation, and that view is widely shared by many people in the worlds of academe.

Alan Howarth (Newport, East) (Lab): The hon. Gentleman set up an Aunt Sally in what he had to say about academic freedom: we all believe in academic freedom. However, I wish to press him on what he means by academic merit. In the words of the motion, his party

> "affirms that access to higher education should be determined on the basis of academic merit, not social, economic or geographical background".

Does he mean by "academic merit" simply exams passed, or does he mean academic potential? If he accepts that admissions policies should take account of academic potential, how can they then not take some account of social, economic and geographical background?

Mr. Collins: I have much sympathy with the right hon. Gentleman on these issues, because he thinks creatively and independently. If that is the reason why he will not vote for our motion, he cannot therefore vote for the amendment, which says that the Government

> "agrees that admissions to higher education should always be based on merit".

We are all agreed that admissions should be based on merit: I hope that we could all agree that it is for universities to define what "merit" means, not for politicians or politically imposed regulators.

Kevin Brennan (Cardiff, West) (Lab): On that basis and to be clear about the hon. Gentleman's thinking, does he welcome the practice undertaken by some universities of admitting pupils with lower A-level standards than others, because of their academic potential?

Mr. Collins: I welcome universities doing whatever they believe to be appropriate in order to recruit the best possible students for their courses. The hon. Gentleman once again makes the case that we strongly adhere to: universities are experimenting, reaching out and doing their level best already to try to obtain as wide a spectrum of talent as they possibly can. They do not need a bureaucratic and party-politically imposed regulator to force them to do so.

The gentleman who has been appointed as the Government's director for fair access is Professor Sir Martin Harris. He is a man of enormous reputation and esteem, and greatly respected throughout the higher education sector. I entirely understand why the Government chose him to take up that remit. However, it was widely felt, not only on these Benches, but through the education world and among the wider public, that it was extremely unfortunate that he made it clear in an interview in *The Times* on his appointment that, first, he was happy to be described as

> "resolutely old Labour",

and secondly—and much more seriously—that the fundamental issue facing higher education was class. He said that

> "class underlies almost all the inequalities and unfairnesses in our system, and that to focus unduly on any other variable . . . is to lose sight of what actually makes a meritocracy difficult to attain in practice. Until we tackle this issue at its roots, everything else is a distraction."

I very much regret that he said that and so do many people in higher education. There is no systematic, conscious, deliberate class differentiation in universities and it is a throwback to a different decade to believe that there is. It is very worrying that a person who will wield considerable power over our universities—to put in terms what the Secretary of State believes—should think that this country needs an old-fashioned class war. That is the last thing this nation needs as it goes into the 21st century.

Mr. Nick Gibb (Bognor Regis and Littlehampton) (Con): My hon. Friend is right. It says in the Schwartz report in section B.5 that

> "DfES analysis shows that pupils from low-income households are over-represented in schools that add the least value to pupils' performance."

That shows that it is the schools that are letting down children from lower socioeconomic backgrounds, not the admissions process.

Mr. Collins: I entirely agree with my hon. Friend, and I pay tribute to him for putting his finger, in a very systematic way, on one of the most profound reasons why many of our young people are being let down at a very early age indeed, well before the age of 18: the absence of the proper introduction of synthetic phonics teaching, which has such a huge beneficial effect on literacy and numeracy, especially for those who come from backgrounds where they are not familiar with books and whose parents may not be likely to take a primary role in educating them in literacy and numeracy. My hon. Friend is right: that is where we need to tackle the problems, rather than penalising universities for not taking someone at the age of 18 and adjusting for what may well have been more than a decade of being let down by the school system.

Mr. John Bercow (Buckingham) (Con): I entirely endorse what my hon. Friend has just said in response to my hon. Friend the Member for Bognor Regis and Littlehampton (Mr. Gibb). Does he not think that a considerable part of the blame for the bad teaching of, for example, reading lies with people like Kimberley, Meek and Miller—self-professed experts in the teaching of reading and well-known Marxist academics—who are on the record as saying:

> "Within the psycho-semiotic framework, the shared reading lesson is viewed as an ideological construct where events are played out and children must learn to position themselves in three interlocking contexts."?

Does that sort of rubbish not account for the destruction of the life chances of a generation of children in our state schools?

Mr. Collins: I am always both amazed and impressed at the ability of my hon. Friend to memorise large sections of text. His ability to memorise that chunk of text is even more impressive than usual, and I am delighted to say that it leads me to a different point that I want to make that relates, funnily enough, to Marxist ideology. [HON. MEMBERS: "Ah."] Professor Crampton, who is the professor of east European history at St. Edmund Hall, Oxford university—a man who therefore knows quite a lot about east European politics in general and Marxist regimes in particular—wrote a letter to *The Times* a few days ago about the comments, to which have I referred, made by Professor Sir Martin Harris, the new university access regulator. He said:

> "Professor Sir Martin Harris is not alone in believing that class should play a significant role in determining university admissions policy; this was also very much the view of the communist-dominated regimes which came to power in Eastern Europe immediately after the Second World War."

He continued:

> "Universities were given strict quotas on how many from each class they could admit with the result that, regardless of aptitude, intelligence, interest or attainment, it became very difficult or even impossible for those stigmatised as 'bourgeois' to gain entrance into university."

My hon. Friend, in his characteristic way, has perhaps put his finger on the sinister thing that may be behind what the Government are about.

Mrs. Anne Campbell (Cambridge) (Lab): In the hon. Gentleman's little rant about reading standards, he ignores the fact that examination results at the ages of 14 and 16, and at A-level, are now better than they have ever been. We should be proud of that. It is useful that we are raising standards in the secondary sector, but I want to refer back to the class issue for a moment. Is it not true that students from non-traditional backgrounds, whom we discussed extensively during the debates in the Committee that considered the Higher Education Bill, have lower aspirations and very often, because they do not know anyone who has attended a top university, do not apply because they think that the university is expensive or not for them? We as politicians, as well as the universities, certainly have a great deal of work to do in persuading those youngsters that they can apply and that they can succeed.

Mr. Collins: The hon. Lady makes two interesting and important points. Her first point relates to exam standards, and I refer to the findings of the Government's own Tomlinson report, which indicates that there are accelerating and growing problems with basic functional literacy and numeracy among large numbers of young people who leave school with very good exam results. That is very much what employers are saying. If her view is that literacy and numeracy are getting better in this country, I wish she was right, but I am afraid Tomlinson concludes emphatically that that is not the case.

As for the point about some students from non-traditional backgrounds being put off because they think that university is expensive, what on earth does the hon. Lady think that the implications of introducing top-up fees will be in respect of their assessment of whether university is too expensive for them? I point out that the former Secretary of State for Education and Skills—now the Minister for the Arts, the right hon. Member for Birmingham, Yardley (Estelle Morris)—said:

> "for many lower income families the fear of debt is a real worry and could act as a bar to higher education".

Absolutely. Under the Government's proposals, students will have twice as much debt when they graduate as under Conservative proposals.

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Ivan Lewis): Going back to the point made by my hon. Friend the Member for Cambridge (Mrs. Campbell), does the hon. Gentleman accept that not one child who has benefited from this Government's literacy and numeracy strategy in primary schools has gone into further education, higher education or the labour market, and when people claim that there are no improvements in literacy and numeracy they miss that fundamental point?

Mr. Collins: The Minister appears to have misunderstood his own Government's figures. They indicate that the literacy and numeracy hour—an invention of the previous Conservative Government under the superb Secretary of State, my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard)—did produce some notable progress in literacy and numeracy attainment levels until 2000. In other words, that was in the pipeline—it was working through—but then, at the point when it might have been expected that a Government who had been in office for three years would begin to make a difference, it ground to a halt, and in each successive year since 2000 there has been no further upward movement in literacy and numeracy standards.

I am delighted that the Minister has, inadvertently, I suspect, paid tribute to the superb attainments of my right hon. Friend the Member for South-West Norfolk when she was the Secretary of State for Education, but I am afraid that that is not something from which he and his colleagues can take any comfort or credit.

Mr. Julian Brazier (Canterbury) (Con): I am grateful to my hon. Friend for giving way in his powerful speech, but as a further point on numeracy for the hon. Member for Cambridge, would he like to comment on the fact that Oxford university, which has figured rather heavily in the discussions so far, has so despaired of the school mathematics system in this country that it now has a four-year mathematics course instead of the three-year course of a few years ago?

Mr. Collins: My hon. Friend makes a very powerful point; there is an issue here that needs to be dealt with in the schools system, not in the university system.

I had intended to spend a moment talking about the absurdities of the 50 per cent. target, but I do not intend to do that, beyond recording that there are now more and more academics, including Professor Michael Sterling of the Russell group, and more and more employers, including the CBI and the British Chambers of Commerce, who utterly reject the contention that the 50 per cent. target is either necessary or desirable.

That is again a fundamental difference between the two parties: the Government are obsessed with the 50 per cent. target, but we will scrap it. It is sometimes said that there is little to tell between the parties these days, but there are some big differences here. We believe in equality of opportunity; they believe in equality of outcome. We believe that universities should select on academic merit; they believe that just about anyone should be admitted. We believe in fitting the student to the rigours of academe; they believe that if they do not fit together, it is the course that should be dumbed down, not the students who should be better chosen. We believe that we should reward parents who work hard to teach their children to read, to familiarise them with books, to stretch their minds—and who, perhaps, even scrimp and save to get them better teaching. They believe that anyone who dares to encourage their children to rise above mediocrity should be ostracised and punished. We think that becoming a graduate ought to make life better for those graduates' children; they think that being a graduate means that their children should have less chance than them to follow in their footsteps. We believe in more science and more technology—more physics, biology and engineering. They just believe in more social engineering. We believe that universities should be free to decide their own admissions, their own access policies, and to run themselves. They believe that universities should be governed by an old-fashioned class warrior guided by legislators whose shoulders are groaning under the weight of all the chips, and kicked to the ground so that the state can keep its jackboot firmly on their windpipe.

Labour's old tribal loyalties and class hatreds have not gone away—they have just been hidden for a while. The mask is slipping. With an election coming, and core Labour voters to reassure, a blood sacrifice has to be made to the old socialist gods—and butchering middle-class aspirations will fit the bill nicely.

The stakes are high. The reputation, integrity and independence of our universities are in danger. Conservatives will fight for merit, excellence and real fairness. It is essential for our country that we should prevail.

3.59 pm

The Minister for Lifelong Learning, Further and Higher Education (Dr. Kim Howells): I beg to move,

To leave out from 'policies,' to end and add 'a point which was repeatedly made clear during the passage of the Higher Education Act 2004 and is now enshrined in that legislation; notes that the Opposition opposed the passage of that Act; welcomes the annual publication of the higher education performance indicators which enable institutions to reflect on their own position; abhors the recent misinterpretation of those indicators as targets or quotas linked to funding; agrees that admissions to higher education should always be based on merit; further welcomes the recent report from Professor Schwartz on fair admissions to higher education; agrees that it is for institutions themselves to decide how to implement the Schwartz principles; supports the Government's policies to widen participation in higher education and open access for young people from disadvantaged backgrounds with the potential to benefit; congratulates the Government and the higher education sector on the steps they are taking to achieve this goal; notes that the most powerful driver of increased participation is to raise standards in schools; commends the new student support arrangements which will make higher education free at the point of use and fair at the point of repayment; further commends the establishment of the Office for Fair Access (OFFA) which will result in more financial support for students and more outreach work to boost applications from under-represented groups; and further notes that universities' admissions policies will be outside OFFA's remit.'.

I am delighted that we have the opportunity to debate this issue and that I am able to respond to the hon. Member for Westmorland and Lonsdale (Mr. Collins), who I thought made a good fist of his argument until his final rant, which was full of silliness and an avalanche of cliché. I welcome the opportunity because so much has been said about Government interference in university admissions, much of which has been entirely wrong. Considering that we have recently had a number of debates on higher education, I am concerned that the hon. Gentleman still labours under so many misconceptions. Like others whose job it is to feign outrage, fill newspaper columns and feed the open maws of radio and television, the hon. Gentleman should know that it is a little inconvenient to let facts get in the way of a good story, but I prefer facts to misconceptions. I am therefore pleased to have the chance to set things straight today, and I know that he will welcome that.

The first misconception is that the Government want to tell universities how to manage their admissions process. Nothing could be further from the truth. Admissions should—*[Interruption.]* Hon. Members should listen for a moment. Admissions should and will remain the sole responsibility of institutions. It is for universities and colleges to decide whom they admit and how they do it. We made that clear when we published our consultation document on widening participation in April 2003, and we have said the same thing ever since.

The second misconception is that the Government set targets and quotas to dictate how many students from low-income families, state schools and deprived areas each university must accept. It has even been said that universities are penalised if they do not meet those quotas. Nothing could be further from the truth. That myth has wafted around ill-informed circles in the aftermath of the publication of the Higher Education Statistics Agency, or HESA—

Mr. Ivan Lewis: Hezza?

Dr. Howells: Perhaps that is a better pronunciation. As I was saying, that myth arose in the aftermath of the publication of the HESA performance indicators, despite the fact that HESA and the Higher Education Funding Council for England have stated that the numbers do not represent quotas, or even targets. They

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are simply a barometer measuring where universities are in terms of access, and where they could be, all things being equal.

Mr. Robert Jackson (Wantage) (Con): I welcome the Minister's comments, but does he think it sensible of HEFCE and HESA to have changed from using A-levels as the comparator to using the Universities and Colleges and Admissions Service tariff points, which include GNVQs and AS-levels alongside A-levels, as a measure for university entrants? Does he not think that they should reconsider that decision?

Dr. Howells: I wish that those bodies had told me about those figures before publishing them. They came as a surprise to the hon. Gentleman and they certainly came as a surprise to me. Many universities have done a great deal of good work to meet the previous benchmarks and targets, and the change took everyone by surprise. I will be interested in seeing the reasons for it.

The performance indicator figures were developed six years ago by the universities and the funding council as a tool to inform institutions of their relative position compared with their peers. They are published once a year and it is up to universities to decide how to use them. The Government do not force any university to meet them, nor do the Government have any other form of access quota or target.

Far from seeking to impose admissions targets and quotas, we are in absolute agreement with the hon. Member for Westmorland and Lonsdale that students must be admitted to university solely on the basis of merit and potential. The challenge facing universities and colleges is how to measure that. That is why my right hon. Friend the Secretary of State for Education and Skills asked Professor Steven Schwartz, vice-chancellor of Brunel university, to lead an independent review of the options that English universities and colleges should consider when admitting students. Professor Schwartz's group included members from both higher education and schools. It consulted extensively and produced a set of principles and guidelines by the sector, for the sector. That is why its recommendations have been so widely welcomed and supported, including by Universities UK and the Standing Conference of Principals.

The Schwartz report is not a way for the Government or OFFA to interfere with university admissions by the back door. It is a set of guiding principles—developed by the sector itself—that will help institutions to admit students in a fair and transparent way.

Peter Bottomley (Worthing, West) (Con): I do not want to dispute what the Secretary of State is saying on that at the moment. Earlier, it was said that in effect there are no punishments. Why is it that Northbrook college in my constituency is being penalised financially for what is called under-performing because it would not admit people who it did not think could benefit from the courses on offer?

Dr. Howells: I am sure that the hon. Gentleman will give me some details on that. I do not know about that case but I will look at it for him.

The third misconception is that OFFA will have a remit over admissions or will somehow try to interfere with universities' admissions policies. I want to reassure the House that this is not true. I am delighted that Sir Martin Harris has accepted the role as the new director of OFFA. In Martin Harris, I am confident that the Secretary of State has appointed someone who respects institutional autonomy and understands very clearly the great importance of raising the educational aspirations of those young people from lower income families and of encouraging them, and those who teach them, to consider applying for entry to university. I was encouraged to hear the hon. Member for Westmorland and Lonsdale say just that, as I was pleased to hear it said by others who intervened on him. It is precisely what we have to do. We must raise the level of aspiration. I know that the poverty that we suffer from in my constituency is not economic poverty. There are poor families in the constituency, but there is a general poverty of aspirations, such as aiming for the best universities and the best education for those young people.

Mr. Patrick McLoughlin (West Derbyshire) (Con): Bearing in mind the Minister's clarifications, will he remind the House of OFFA's budget?

Dr. Howells: As I recall, the budget for OFFA will be about £500,000 a year. I will get some details on that for the end of the debate for the hon. Gentleman.

We have heard some quotes from Sir Martin Harris, and I will give the House two more. He said very clearly:

> "Access to university must be on merit (including aptitude) alone."

He also said:

> "Universities are autonomous. Parliament has frequently upheld this principle . . . and we surrender it at our peril."

I hope that the hon. Gentleman will take some strength from that.

Dr. Julian Lewis (New Forest, East) (Con): I listened carefully to what the Minister just said. He said that entry would be on merit including aptitude. That suggests that merit will have to be calculated by other factors as well as aptitude and that those other factors might overrule aptitude. What consideration have the Government given to the famous Bakke case in America? It was a defining case where somebody was refused admission to an institute of higher education and then discovered that he had scored higher marks than someone who had been given a place. The courts in America, in a keynote ruling, decided that that was an invasion of the individual's rights and instructed that that must never happen again.

Dr. Howells: I am sorry to have to disappoint the hon. Gentleman about that. I do not know about that case. I will try to read about it. The hon. Member for Westmorland and Lonsdale, who spoke from the Opposition Front Bench, and many others, through interventions, have pointed out that the best indicators are those A-levels that we have; no question about it. However, there are circumstances sometimes—it must be left to the universities in question to decide what those circumstances are—where other things should be tested as well as a straight A-level result. That is important.

Mr. John Maples (Stratford-on-Avon) (Con): Will the Minister give way?

Dr. Howells: I shall make a little progress and then I will certainly give way.

We are not simply relying on Sir Martin's respect for institutional autonomy and his willingness to work with the sector on that basis. All along, we have made it clear that OFFA will not have any remit over university admissions. That is enshrined on the face of the Higher Education Act 2004, and the access agreements, which OFFA will oversee, will focus on how best to generate and attract applications from under-represented groups. OFFA will not consider institutions' admissions policies; it will not impose any admissions targets or quotas; and institutions will propose their own milestones, or indicators of success. We expect that the vast majority of institutions will honour the requirements in their access agreements.

Mr. Collins: The Minister said that the Government would not impose targets or benchmarks, and now says that OFFA will not impose targets or benchmarks. Will he explain why he accepts the first nine or ten words of the Opposition motion, but rejects the reference to

> "externally imposed targets, quotas or benchmarks"?

Dr. Howells: The core of my argument is, with respect, that the hon. Gentleman misunderstands OFFA's job. The hon. Member for Epsom and Ewell (Chris Grayling), who is sitting next to him on the Front Bench, suffered with me as we read OFFA's regulations; it was my first job on my first day in post, and it was terrible. The hon. Gentleman should read OFFA's regulations and then he will see for himself. *[Interruption.]* He may well have read them, but he has not understood them.

Mr. Collins: The matter is important, and the Minister knows that academics and others will study his words carefully. Can I take it that he agrees that

> "universities should be solely and wholly in charge of their own admissions policies",

the part of the motion that the Government amendment does not delete, and that those admissions policies should proceed

> "without regard to any externally imposed quotas, targets or benchmarks"?

Does he agree with those words, and is his only objection that he thinks that we have misunderstood his policy? May I have a yes or no answer to that question?

Dr. Howells: Yes; I agree and am trying to make that point clear in my speech. It is not OFFA's job to try to impose conditions on universities. It is up to universities to decide whom they take, how they take them and how they judge them. I hope that together the hon. Gentleman and I have made that clear to the House.

Mr. Maples: I understand that OFFA's purpose is to improve and monitor universities' access plans and that if a university wants to raise tuition fees above £1,150 a year, its plan must be approved by the director of OFFA. If the director of OFFA does not approve such a plan, presumably the university cannot raise its fees, in which case he has direct power over universities' admission policies.

Dr. Howells: That point does not concern admissions within a university; it concerns raising the tuition fee. The tuition fee may only be raised to a maximum of £3,000 if Sir Martin Harris judges that the agreement between OFFA and the university stretches that university on reaching potential students who do not currently apply to university. That might involve a university doing what it does at the moment or doing more than it does at the moment. The hon. Member for Stratford-on-Avon (Mr. Maples) looks dubious.

Mr. Maples: I would like to believe the Minister, but if Sir Martin Harris does not approve a plan, presumably the university cannot raise its fees, in which case OFFA has enormous power over the financing of the universities if it does not approve of what they are doing. It is surely incorrect to say that OFFA has no say or influence over universities' admissions policies.

Dr. Howells: The hon. Gentleman is encapsulating what is wrong with the Opposition's argument. This is not about the way in which a university conducts its admissions procedure, but about how it tries to encourage applications from parts of society that do not provide students at the moment. I will give an example of what I mean. Oxford has been much maligned in the course of this debate; wrongly, because it is working very hard in some communities to raise the aspirations of young people who may not have the confidence to go to Oxford and will wish to apply to other universities that are nearer to home or are where they think they would be more comfortable. Oxford is not getting the accolade that it deserves for doing that work. As OFFA would recognise, it is not trying to take X number of students from this social class or from that postal code; on the contrary, it is trying to reach those parts of society that universities are not reaching at the moment. That is a wholly good thing.

Mrs. Anne Campbell: While we are on the subject of access plans, will my hon. Friend pay tribute to the excellent work that is done by students' unions in trying to encourage access? Every year, Cambridge university's students' union sends hundreds of students into the community and into schools to talk to students and to encourage them to apply to Cambridge. Such efforts should be rewarded and applauded.

Dr. Howells: I am very much aware of the efforts that are made by students' unions, especially in Cambridge. They do a terrific job. I am encouraged by the joint approaches that universities are now taking. They need to tap the potential of those parts of society that are not being tapped because they need high-quality students who will not drop out but stay throughout. OFFA's great role will be to encourage the debate that should be

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taking place between universities and everyone who is interested in trying to widen applications and increase the number of people who go to university.

Mr. Gibb: Do not the Minister's comments about poverty of aspiration imply that problems lie not with universities, but with schools, and that he and his Department should examine why our comprehensives are not raising people's aspirations in relation not only to Oxbridge and the top universities, but to life as a whole?

Dr. Howells: The hon. Gentleman is right; that is what we have to do. However, I would argue with Chris Patten—or is it Lord Patten?—[HON. MEMBERS: "Not yet."] It is only a matter of time. On the "Today" programme the other morning, Chris Patten gave an interview in which he said that the main thrust of the argument concerns raising aspirations. I do not disagree with that. However, he is wrong, and is being a bit lazy, in that he has not considered what OFFA is designed to do. There is no way of short-circuiting the problem of trying to raise standards in schools, which is the absolute priority of my right hon. Friend the Secretary of State and my hon. Friend the Minister for School Standards.

Mr. Robert Jackson: The Minister is being very patient and reassuring, but will he clarify one point? If a university decides that it wants to use interviews as part of its method of finding out about the quality of the candidates that are offered, would that be a perfectly proper and legitimate approach for it to adopt?

Dr. Howells: Most universities will use a mix of methods, and properly so. A-level results will certainly be the prime mover, but other factors may apply in certain circumstances. In today's edition of *The Guardian*—which I rarely read these days, as the hon. Gentleman probably knows—a woman writes about the difficulties that she had in getting into Oxford. She got one interview, which was pretty awful, went back to pick up her coat, and met an historian who persuaded the university to take her.

Although such chances are welcome, they should happen more rarely because they should be built into the system to ensure that opportunity and access are fairer.

Jonathan Shaw: Will my hon. Friend confirm that it would be appropriate for OFFA to intervene in a case in which it had approved a university's access plan that included the provision of a £300 bursary, but that sum was not provided? Surely everyone thinks that there should be a system of recourse in such circumstances. Although that situation is highly unlikely, provision to address it should exist in legislation.

Dr. Howells: I am grateful to my hon. Friend for reminding the House that that is precisely what would happen. If a student entered what could be an expensive contract, yet suddenly found that the rules had changed, OFFA would have a responsibility to intervene. He is right that I would expect OFFA to take such action.

Mr. Chaytor: May I pursue that point? Although I fully accept that hefty benchmarks are not targets to be imposed, is it not the case that there are enormous discrepancies between the benchmarks and real situation in several of our leading universities? Does my hon. Friend think that, if more of our leading universities accepted the best practice described by OFFA, the gap between performance and benchmarks would gradually close?

Dr. Howells: I would expect OFFA to fulfil a role that would do much to spread best practice, but different universities will do things in different ways. The university of Glamorgan, which is in my constituency, has a fine record of being what it calls a "community university". It has an excellent symbiotic relationship with local industry and communities, but it is a different creature in many ways from some of the Russell group universities, including Cardiff university, which is only 15 miles away from it. I do not think that universities will be drawn more closely together or that there should be a single model or paradigm to define what a university should be. Different universities will fulfil different functions, and universities themselves should decide which students to take and how to judge that.

Helen Jones: I am pleased that a few other universities have been mentioned, because I was starting to think that we were talking about only Oxford. Does the Minister agree that, although universities must determine their own admissions, they must also be more transparent by making what they are looking for and the way in which they will assess merit clear to applicants? Their admissions tutors need to be properly trained in, and rewarded for, carrying out that process, but sometimes they are not.

Dr. Howells: I agree with my hon. Friend that that sometimes does not happen, but the situation is getting better. Universities are taking admissions tutors and the process of admission far more seriously than before. I have been impressed by people whom I have met and I have witnessed terrific outreach and bursary award schemes. The distinguished Chairman of the Select Committee on Education and Skills, my hon. Friend the Member for Huddersfield (Mr. Sheerman), seemed to agree that it was about time that other universities were mentioned. His own university in Huddersfield—although I suppose that his own university is the London School of Economics—is doing terrific work and has an especially good relationship with further education colleges. It is exploring the interesting possibility of offering foundation degrees.

Alistair Burt (North-East Bedfordshire) (Con): We appreciate the generosity with which the Minister has given way. Is not the nub of the issue his ability to satisfy and reassure both Conservative Members and the hon. Member for Bury, North (Mr. Chaytor) on the point about the number of students from specific backgrounds who go to particular universities? He would not be satisfied unless something happens in relation to those statistics. How can he reassure the Opposition that universities will be free to carry on their admissions policies—bearing in mind what he said about attempts to bring everybody in—if those statistics do not change? If those statistics do not change, what is the point of OFFA in the minds of some of his hon. Friends?

Dr. Howells: That is a good question and a good point. OFFA must make a difference, or there is no point in its being there. I hope that the difference will be that Sir Martin Harris will be able to have such a discussion with universities, and with each individual university on a university-by-university basis—or a higher education institution-by-institution basis—to try to understand how they can further stretch themselves in reaching out to those communities. But I emphasise that that is not the same as saying that he will have any power whatever to force those universities to adopt new admissions policies, to impose quotas on them or to meet benchmarks. He does not have that power, and he will not have it.

Chris Grayling (Epsom and Ewell) (Con): Will the Minister then explain why, when the original draft letter to the director was presented to the Higher Education Bill Committee earlier this year, it specifically referred to the HEFCE benchmarks as something that should be taken into account?

Dr. Howells: As I said earlier, the benchmarks are numbers that, all things being equal, one would expect the figure to be at. I would expect Sir Martin Harris to want to take a range of variables into account in his discussions with universities, and that will be one of them, but it will not be binding on any university. I reassure the hon. Gentleman and the House on that.

Mr. Barry Sheerman (Huddersfield) (Lab/Co-op): Can I push my hon. Friend further on that? As he probably knows, having done his homework since taking his new job, the Select Committee did not want, or did not see the necessity for, OFFA. Everything that he has said in his speech seems to suggest that it does not really have a role. What would happen if a university, or a college in a university, were making decisions about admissions that were absolutely reprehensible, and everyone could see that it was swayed in a particular way? Is he saying that OFFA and the Government would do nothing, even in the case of a glaring injustice?

Dr. Howells: I can only repeat to my hon. Friend what I have already said: OFFA has no responsibility to intervene in the admissions policy of any university. However, I would expect OFFA to have an adult conversation with the vice-chancellor or the board of that higher education institution to try to persuade them that they should be considering things differently. By the way, I do not know of any higher education institution or university that is behaving in that way—looking for that kind of trouble would be perverse in the extreme and I do not expect them to do so. I was lucky to have dinner with the Russell group on Thursday evening, and I did not detect that any university was looking for that kind of confrontation, or that they saw any sense in it, as they would essentially be cutting themselves off from a huge potential reservoir of bright students.

Mr. Sheerman: To take the argument a step further, is OFFA therefore a substitute—rather an expensive one—for a good chat in the Athenaeum, or does it have a substantial role? My hon. Friend, who is an old friend of mine, has not convinced me and even other Labour Members that OFFA still has a role.

Dr. Howells: I have tried to describe the role. Perhaps my hon. Friend does not like it. I have not been in favour of storming the Athenaeum since about 1968, and I thought for a long time that only permanent secretaries went there to discuss how they appeared before the Public Accounts Committee. Clearly, however, vice-chancellors go there too.

Dr. Evan Harris: Will the Minister give way?

Dr. Howells: I must make progress, but I will give way to the hon. Gentleman.

Dr. Harris: The whole House recognises how generous the Minister has been with interventions. I think that he accepts that Oxford's problems in not having enough state school attendees are partly due to the shortfall in the number of applications that it receives from state school students. If he accepts that even more research evidence is showing that higher prospective debt will put off people from state school and poorer backgrounds, does he agree that it is wrong for Chris Patten to argue, as he was reported as doing in *The Times*, that increasing top-up fees and the level of debt is a solution to getting more state school applicants? How does the Minister solve the funding problem that Oxford faces: increasing top-up fees, increasing debt, fewer state school applicants?

Dr. Howells: I do not accept that apocalyptic vision of the future of Oxford. Oxford gets a good deal of money from the taxpayer—there is no question about it—and it will get more, but I think that the basic problem is not a financial one for most families. The deal that our young people will be offered after 2006-07 as a consequence of the Higher Education Act 2004 is probably one of the best deals that they will ever be offered. I do not get irritated very often these days, having survived the Utilities Bill, when the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) was pouring scorn on me hour after hour, day after day, week after week, but the fact that so many young people from poorer families do not go to university is not because they are scared of debt. That may be a factor in the case of some people but it is not the main factor. It is about aspirations and applications.

Several hon. Members *rose*—

Dr. Howells: I will not give way again—well, I may give way to my hon. Friend the Member for Aberavon (Dr. Francis), who used to be my boss.

We have a huge job to do in trying to raise those aspirations on the ground. It is my job to try to explain the benefits of that funding package to all sorts of students. I have no doubt that the hon. Member for Newbury (Mr. Rendel) will disagree with me about that, but we must take a far less condescending attitude towards so-called working-class families. They have

[Dr. Howells]

produced brilliant academics. The professor in charge of the CERN project went to Mountain Ash grammar school. His brother was the National Union of Mineworkers lodge secretary at Deep Duffryn colliery. There is nothing to stop these young people going forward. The difference is that he was a Mountain Ash grammar school kid, the same as I was, and we had our aspirations raised. What we have to do is try to raise aspirations throughout society.

Dr. Hywel Francis (Aberavon) (Lab): I was going to help the Minister with that irritation that he was talking about. Peter Evans was one of the students whom we taught 20 years ago. What I am hearing is both encouraging and a little worrying. The picture that is being presented on both sides of the House is specific to full-time and young students. What will OFFA do to assist adult and part-time students?

Dr. Howells: I can certainly tell my hon. Friend what the Government will do. We will make grants more available to part-time students and they will be important. We will talk to universities about part-time students, because it will be a problem for universities and there is no ducking that problem. They can get more money out of full-time students than they can get out of part-time students. My hon. Friend makes a valid point. If we are going to encourage universities to reach out to communities, to provide bursaries and to try to widen access, one of the areas that they will have to look at seriously is part-time students. I expect that to be part of the offer that they make. I would not talk about forcing that upon a university because that is not what we intend to do, but it is an important issue.

Mr. Gibb: Will the Minister give way?

Dr. Howells: If the hon. Gentleman will forgive me, let me make absolutely clear what our policy is and what it has always been. Our policy is that universities should be solely and wholly in charge of their own admissions. There should be no externally imposed quotas or targets to admit students from particular backgrounds. OFFA will not have any remit whatever over university admissions. I hope that that has laid the myths to rest.

I want to move on to what the real issues are and what the Government are doing about them. We face an historical and stubborn problem in our society: the underachievement of many young people who come from less advantaged backgrounds. That social class gap starts to appear very early on in the lives of young people, to the detriment of our society and economy. By the time that people enter higher education, the gap in participation between higher and lower social classes remains stubbornly and unacceptably wide. Young people from professional backgrounds are five times more likely to enter HE than those from unskilled backgrounds.

We are determined to continue to address the problem, and we make no apologies for doing so. To ignore it would be grossly irresponsible; we would be denying many with the potential to benefit from higher education the opportunity to do so and denying our industries and services the opportunity to benefit from the skills and knowledge that such people could bring.

Social engineering is not, and never will be, the way to widen participation. To widen participation in HE, three essential conditions need to be met. The first is attainment. The ultimate driver to widening participation is increasing attainment in schools. It is the Government's responsibility to ensure that, right from the early years, the education system enables every individual to realise their full potential, and we are doing that. As my hon. Friend the Member for Cambridge (Mrs Campbell) said, this year's exam results were the best ever for those aged 14 and 16, and at A-level.

The second condition is raising aspirations. We have talked a good deal about that. It grieves me that there are so many bright young people with very good A-levels who are not applying to the best universities, in terms of the money that those universities receive for research and so on. Schools, colleges and universities are already doing vital work to raise both attainment and aspirations by offering, for example, summer schools, master classes, mentoring, visits to universities and talks by undergraduates or university staff. We strongly support those efforts and the commitment that is being shown to widening participation across the HE sector. We also recognise that the Government have a role to play, which is why we are supporting universities' efforts through the "Aimhigher" programme and other initiatives.

The third condition that needs to be met is applications; applications, not admissions, are the real issue in access. As I have said, the evidence shows that many young people with top A-level results are not applying to the universities that may be the best match for their talents.

I am proud of what the Government are doing to broaden participation in HE through the new student support arrangements, which will make higher education free at the point of use and fair at the point of repayment. It is worth pointing out that all students will benefit from greater support while they are studying and all graduates will repay less per week than they do now. Those earning up to £15,000 will not have to make any repayments and those earning £18,000 a year will pay just over £5 a week, so no matter what their social or financial background, students will have nothing to fear when considering whether to enter higher education. I challenge anyone to find a better deal.

I hope that I have made our position clear, so that we can stop debating the myth of Government interference in university admissions and talk instead about the real issues. There is no Government interference and no admissions conspiracy. We are not in the business of social engineering; we are in the business of seeking to extend opportunity and finding ways to open access to HE for those from disadvantaged backgrounds with the potential to benefit. We are proud of the steps that we are taking to achieve that goal and of the efforts being made across the HE sector to develop and seek out talent in all parts of society.

4.38 pm

Mr. David Rendel (Newbury) (LD): The Minister has just challenged us to find a better deal; he may find that, at the next general election, when we offer the young people of our country the chance to get rid of top-up fees and current tuition fees, and offer to introduce grants for less well-off students, they think that that is a better deal.

The most prosperous countries are those that invest the most in higher education. Ensuring that our most capable citizens get a place at university is critical to the future of our economy, so there is no question but that university admissions policy is an important subject for us to debate. However, it is staggering that the official Opposition have chosen this subject as its top priority. Had this been the Liberal Democrats' Opposition day, there is no way that we would have let the occasion slip by without using it to allow the House to scrutinise last week's hugely significant change of policy on our troops in Iraq. Matters of life and death and war and peace are the most crucial that any Government have to decide, yet the official Opposition simply have nothing to say. So university admissions it is.

There are two important principles. The first is that access to higher education should be fair. It should not depend on people's ability to pay or on their background. It should depend only on their ability to make the most of that higher education. That is why we oppose any tax on learning. Labour taxes learning by imposing tuition fees and top-up fees. The Conservatives intend to tax learning by imposing commercial rates of interest on student loans. Under both parties, access is about a person's ability to earn, not to learn.

The second principle is academic freedom. The state has no business—I hope that we all agree on this—interfering in academic decision making. It is not competent to do so. The state has a legitimate and important role in ensuring a level playing field in university admissions, but it should not interfere in the management of admissions. That is the crucial distinction. Hon. Members will be aware that Conrad Russell's contribution to discussions on higher education will be sorely missed. As he so succinctly put it in another place:

"the market cannot select and the state cannot manage"—[*Official Report, House of Lords,* 14 June 2004; Vol. 662, c. 569.]

Starting from those two principles, Conservative policies fail on two counts. First, the motion speaks about "academic merit", but their policy would result in some top-class students from disadvantaged backgrounds being excluded from university by the fear of debt. Secondly, the Conservatives agree that the state is a bad manager of higher education, but they show no understanding that selection cannot be left to the market if we are to ensure fairness in admissions. The motion suggests that Government intervention is a threat full stop, but to allow universities complete freedom to use taxpayers' money without accountability is an abrogation of responsibility that is as short-sighted as it is unjust.

Recently published performance indicators from the Higher Education Statistics Agency reveal only a marginal increase in representation from traditionally under-represented groups. In particular, the top research institutions continue to lag behind. The Sutton Trust finds that pupils from independent schools are far more likely to attend a leading university than their counterparts in the state sector with the same grades. Its report states:

"While 45 per cent. of independent school students who obtain the equivalent of an A and two Bs go to a leading university, only 26 per cent. of state school students achieving the same grades do so."

That is not acceptable. It is the duty of public policy makers to do something about it. Taxpayers' money is involved and it is shocking to see the Conservatives so cavalier about its use.

Dr. Evan Harris: Is not the situation even worse than that? Increasing research shows that of those students who get the same grades on the Universities and Colleges Admissions Service tariff but who come from different academic backgrounds, such as a top independent school with a high teacher-student ratio compared with an inner-city comprehensive, those from the comprehensive do better. We need to move away from simple A-level predictions across the board as a way of judging who would best benefit from higher education.

Mr. Rendel: That is the last time that I take an intervention from my hon. Friend because he deals with what I was about to come on to. However, I am grateful to him for making that good point.

Mr. Robert Jackson: Since the hon. Gentleman will not answer the hon. Member for Oxford, West and Abingdon (Dr. Harris), perhaps he will answer me. What proportion of young people from independent schools, compared with state schools, get three As at A-level?

Mr. Rendel: If the question is what I think it is, I am afraid that I do not know the answer. Perhaps the hon. Gentleman would like to tell us.

Mr. Jackson: The figure is 46 per cent.

Mr. Rendel:. I am grateful for that piece of information, although I am not sure where it gets us.

Mr. Chaytor: Surely the real purpose of the question put by the hon. Member for Wantage (Mr. Jackson) is not the proportion of those from independent schools with three A-levels but the relationship of those with three A-levels from state and independent schools in terms of the proportion admitted to our leading research universities. That is the issue.

Mr. Jackson *indicated assent.*

Mr. Rendel: I hope that was the point I was making, which is why I was a little confused about the hon. Gentleman's question.

The Conservative motion is critical of a higher education admissions policy in which class is seen as the principal issue. Our criticism of their policy is that they seem intent on making sure that class is very much the issue. They are content with a situation in which fewer than 10 per cent. of pupils—those who attend private school—are privileged above the rest, because admission to university is almost wholly dependent at present on A-level grades.

How do we know that A-level grades are not an adequate measure of the potential of our best students? There are two pointers, one of which has just been raised by my hon. Friend the Member for Oxford, West and Abingdon (Dr. Harris). It has been shown that young

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people from state comprehensives, on average, achieve better results in their university finals than young people from independent schools who have the same A-level grades.

The second pointer, which my hon. Friend did not raise, is something I discussed with the chairman of the Headmasters Conference last year, live on the "Today" programme. I asked him whether he would expect two hypothetical young people of equal ability, one of whom went to an independent school while the other attended the local comprehensive, both to achieve the same A-level grades, or whether he would expect the one who had attended his independent school to achieve better grades. Of course, he dared not say that both would obtain the same grades, because independent schools sell themselves on the basis that young people, of whatever ability, will achieve better grades if they attend an independent school than if they attend a state comprehensive. If that were not the case, few, if any, parents would think it worth while paying the huge fees charged by independent schools. However, if pupils of equal ability achieved better grades at an independent school than at a comprehensive school, the principle that pupils with the greatest potential should be admitted to the best universities could be met only if attention were paid to factors other than A-level grades—in particular, the school they attended. Admitting pupils from comprehensive schools with lower A-level grades than those from independent schools is not only right but necessary if those with the best potential are to obtain the best places.

Mr. Sheerman: Does the hon. Gentleman agree with research by the Sutton Trust suggesting that we need a system of standard assessment tests and more variable ways of assessing students at 18, or any age, before they go into higher education? The A-level is not a good predictor.

Mr. Rendel: It is one predictor and should not be excluded from the means for choosing who has the greatest potential. A SAT system is one of the other ways in which we could make better choices. Interviews are another, and application forms offer another way for admissions tutors to seek out differences between applicants. There are many ways of making those choices and the Minister was right to suggest that a variety was best.

Even Keith Joseph, when he was Secretary of State for Education and Science, recognised that an unfair distribution of educational opportunity was the unacceptable face of the free market. That is why he rejected education vouchers. Today, the Conservatives propose a voucher-type system in higher education, which would inevitably curtail the expansion of the sector to embrace historically under-represented groups.

There is one point on which we agree with the Conservatives: OFFA should go. Our argument, however, is not that all intervention is wrong, rather that it would make much sense for the Higher Education Funding Council to do the job. We supported university access plans because we believe that universities need to be held to account for their use of taxpayers' money; the state should not manage admissions, but it should ensure a level playing field.

The Conservatives do not share our views. No surprise there. What is more disappointing is the performance of the Labour party—a party founded in the noble tradition of the struggle for social justice. The Liberal Democrats support widening participation. Ministers deserve congratulation for their commitment to that objective. Our concern is that their policies tend to have the opposite effect. The Minister said in his speech that there was no such research evidence, but the *Government's own research for the student income and expenditure survey* tells them that. Summarising her findings from the survey, Professor Claire Callender concludes:

"Top-up fees of £3,000 will put even more poor students off university."

There is no question but that fees, particularly top-up fees, are a deterrent and that is particularly true of those who come from poorer backgrounds. It may not be logical, but it is true.

Moreover, the proportion of English school leavers applying to university has fallen in each of the past two years, so there is evidence that people are being put off applying. The Minister said that applications were the important point. Young people are being put off applying to English universities. Six years of tuition fees and the expectation of top-up fees have done nothing for social inclusion.

We must judge the significance of OFFA in this context. The *Education* supplement of *The Guardian* reports that Labour MPs feel let down by the pussycat powers of OFFA. Given the late appointment of the director and the time scale involved, the same report points out that

"Offa will have less than a day to go through each institution's"

access plan. But Ministers told us in a document issued during debates on the Bill that OFFA would impose no

"extra monitoring requirements beyond what HEFCE already requires",

and that

"Normally . . . a simple assurance . . . once a year that"

universities

"have satisfied their access agreement obligations, would suffice."

OFFA was never going to have real teeth. It was always going to be a bureaucratic irrelevance. Apart from anything else, it does not have the resources to do the job. The only significance of OFFA lies in what it was designed to conceal. It was designed to pretend to Labour Back Benchers that top-up fees would have no impact on widening participation.

Given this background, there is no shortage of scope for a serious Opposition party to contribute to the debate. What is on offer from the Conservatives? My hon. Friend the Member for Harrogate and Knaresborough (Mr. Willis) did a wonderful demolition job on Conservative higher education policy in his speech in the House on 14 September. He referred, for example, to the omission of any mention of part-time students from their policy. During the Committee stage of the Higher Education Bill, the hon. Member for

Epsom and Ewell (Chris Grayling) said

> "Part-time studies do more to widen participation in higher education than anything done in any other part of our higher education system". [*Official Report, Standing Committee H*, 2 March 2004; c. 427.]

He was right. Why, then, not a single mention of part-time students in Conservative policy? That puts into perspective their efforts today to claim to defend the disadvantaged student.

The Conservatives' plans are highly regressive. That is the conclusion of, among others, the Institute for Fiscal Studies, the Higher Education Policy Institute, the National Union of Students, the National Association of Teachers in Further and Higher Education and the Association of University Teachers. Under Conservative policies the poorest 30 per cent. of students would face a 25 per cent. hike in loan repayments, according to the Institute for Fiscal Studies. If a newly qualified teacher or nurse were to try to repay their loan over five years, that would eat up 30 per cent. of their take-home salary, before rent, fuel and food. A graduate teacher who repaid their loan over 20 years would end up paying back the equivalent of almost two years of total salary.

Chris Grayling: I know the hon. Gentleman has taken a careful interest in the Conservative higher education policy. Will he confirm the inaccuracy of his most recent comments? He knows that our policy retains the income-contingent system of repayments that the Minister praised so lavishly and said would be no deterrent at all to anyone going into higher education.

Mr. Rendel: I can confirm that the level at which graduates start paying and the amount that they pay once their income rises above that level is the same as under the Government's policy. That is my understanding, and it does not negate either of the two comments that I have just made. It is irrelevant to both. If graduates choose to repay over five years to avoid having to pay massive interest, that would eat up 30 per cent. I did not say that they had to; I said if they choose to. The hon. Gentleman was not listening to my comments. The Conservatives want the poorest to pay extra so that the richest do not have to pay any fees—a sort of socialism for the rich. So much for removing class from their higher education policy.

There is a measure of agreement in the House that perhaps the most important consideration when discussing fair access to higher education is the system of qualifications at secondary school. It is noteworthy that a Conservative motion on university admissions contains nothing about the importance of secondary education. It is widely recognised that individuals who are disadvantaged lower down the educational ladder are much more likely to be disadvantaged in university admissions.

A fair system of student funding and support and an approach to admissions that takes account of potential as opposed to exam results alone are important parts of the equation, but so are rigorous efforts to ensure that no child is left behind in our schools. The key is to increase the numbers from lower socio-economic groups who stay on at school after 16. Tomlinson's model neatly fits the "climbing frame for learning" that the Liberal Democrats propose in our paper "Quality, Diversity and Choice", which recognises different routes into and paths through higher education, catering for part-time as well as full-time study and valuing vocational as well as academic learning. That amounts to a far more joined-up approach to education policy.

The widening participation agenda in higher education cannot be viewed in isolation from the further education sector, schools or early-years provision. In the past two years, a formidable lobby has been constructed in support of our universities. Liberal Democrats want a similar dedication of purpose to deal with the needs of our colleges.

Conservative understanding of educational progression is that of the royal route from school to school sixth form to full-time higher education. However, nearly as many young people take A-levels at sixth form colleges and general further education colleges as at state secondary schools. Young people at the former institutions tend to come from lower socio-economic groups. That is why further education colleges are so important in the widening participation agenda. The need to build strong progression routes from vocational level 3 to higher education is also important.

Conservatives have little to contribute to that wider agenda. The headline proposal in their exams policy was announced by the leader of the Conservative party on 18 October. He stated:

> "We will change the system to ensure that the highest grade of A-level should only be awarded to a fixed proportion of students sitting the subject that year."

The absurdity of such a position is clear. It means that the standard represented by the A grade will vary from year to year. Two students who receive the same mark a year apart could receive a different grade, depending on the overall performance of their year group. That has obvious implications for their chances of going to university and makes it impossible for employers to judge fairly between candidates of different ages on their academic qualifications.

The hon. Member for Westmorland and Lonsdale (Mr. Collins) has said that the fixed proportion will be the top 5 per cent. or 10 per cent. That means a reduction of between a half and three quarters in the numbers awarded the highest grade this year.

Mr. Collins: Does the hon. Gentleman reject the Tomlinson recommendation that a minority of those who currently get the A grade should get the top grade in future? Tomlinson proposes that the top grade should be A-plus and A-double-plus. If the hon. Gentleman criticises the idea of reducing the numbers who get the top grade at A-level, he explicitly rejects a Tomlinson finding.

Mr. Rendel: I was referring to norm referencing. The Tories have got it wrong, because norm referencing means that one cannot accurately compare years.

The Liberal Democrats would redirect funds towards early-years education. The importance of early-years education has already been mentioned and we want the Government to move further towards the goal of universal child care provision, building on the progress that has already been made. Those policies are important because they contribute to the wider distribution of educational opportunity, with long-term benefit in access to higher education.

[Mr Rendel]

The Conservatives are hunting a pussycat that they have chosen to believe is a tiger, while their credibility on the main issues diminishes by the day. It is sensible to say that the state should not try to make academic judgments, but it is not sensible to say that public policy has no role in ensuring fairness and a level playing field in university admissions.

Class should not be a factor in determining educational opportunities, but claiming that economic and social circumstance has no impact on the life chances of many in our society is an irresponsible denial of reality. Subsequently to pursue policies that will deepen rather than heal social divisions is unforgivable.

Several hon. Members *rose*—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. It may be appropriate for me to remind hon. Members at this point that Mr. Speaker has placed a 15-minute limit on Back-Bench speeches.

4.59 pm

Mr. Barry Sheerman (Huddersfield) (Lab/Co-op): It is always a pleasure to follow the hon. Member for Newbury (Mr. Rendel), and I listened carefully to what he had to say today.

So far this has been an interesting but slightly depressing debate. At one stage I thought that no university other than Oxford would be mentioned, although to an extent that was put to rights later. I certainly had great reservations about listening to a Front-Bench spokesman talk of jackboots and blood sacrifice. A degree of subtlety is required in debate, and I think that that went beyond the bounds of civilised political dialogue. Perhaps I am a little older than the hon. Member for Westmorland and Lonsdale (Mr. Collins). Let me tell him that using such terms is not appropriate in this democratic parliamentary Chamber.

I have a particular reason for being depressed about the level of today's debate. We are, I suppose, approaching the run-up to an election. People who are normally sensible, and pretty good at understanding the boundaries of debate, are affected by that. Most of them feel that all of us, whichever side we are on, want to improve the education system of our country and do not want to damage it, and we have an unspoken agreement in the Select Committee and in the Chamber; but, especially here today, I detect a pre-election tendency to say extreme things in order to make political points. If those involved only thought for a moment, they would realise that that does a great deal of damage to confidence in the education system out there in the country.

Only last week, I had the privilege of taking the Select Committee to Finland and Norway. One of the most important comments on the British education system that I have heard when abroad came from the permanent secretary of Norway's education department. He said, "You have come to ask us questions about our education system. Now that I have nine British Members of Parliament here, I would like to ask you some questions. We spend much more money per head of population on education in schools, but we do not do nearly as well as you in international tests such as PISA"—the programme for international student assessment—"and TIMMS"—the teacher's instruction management and mapping system. He demonstrated that by showing graphs on his computer. He then said "Something extraordinary has happened in the last four years. You have shifted your educational achievement in schools upwards to a significant extent. Whatever you are doing in the United Kingdom, we want to copy it." It is worth noting that someone outside the normal dialogue of party politics, and outside the country—and, as a civil servant, with no axe to grind—thought that standards in UK schools were being driven up and wanted to know how that was being done. It was clearly not just about money.

The hon. Member for Westmorland and Lonsdale suggested that secondary comprehensive schools were letting everyone down. Evidence to the Select Committee leaves me in no doubt that—regardless of whether we agree with all the Government's reforms—standards in British schools are being driven up. The Select Committee has quite a good memory. In one of our reports, we expressed the view strongly that the 50 per cent. target was nonsense. Indeed, under cross-examination the permanent under-secretary admitted that the target had not resulted from international studies, research or anything else of that kind; the Government wanted a big, round, sexy number. The hon. Member for Oxford, West and Abingdon (Dr. Harris) was there at the time.

All of us who know about British education know that standards are going up. That inevitably means a surge of both young and older people into higher education. We will surge past that 50 per cent. target, and I think it very damaging to impose any restriction. The 50 per cent. target will be achieved because more and more young and older people will be highly qualified. I celebrate that, and I will have cause to do so again and again.

The Committee also said, on many occasions and in at least two reports, that we believed that the only criterion for admission to university should be ability. Governments should not interfere: ability is what counts. However, we have also pointed out that some of the traditional methods of judging that ability are not as effective as we thought they were. Indeed, some of us have visited Stanford, Princeton and other Ivy league and leading universities in the US to see how they manage admissions. Interestingly, they base their judgments on more criteria. They did not base their judgments on one examination, but took into account SATS, school tests, school recommendations, and personal work that they set for the students. However, those universities did not hold interviews. They said that all their experience and the research suggested that interviews were not effective. I can remember asking Stanford staff why they did not conduct interviews. They said, "If we wanted more people like us, we would interview."

If interviews are not acceptable at 11, 16 and 18, I would point out to my hon. Friends on the Front Bench that we have some mission creep with regard to structured discussions, although my hon. Friend the Minister for School Standards assures me that they are different from interviews. All the research shows that interviews are an unreliable way to choose people.

Interviewers show a strong tendency to look for people with the same qualities as themselves, which means that students with middle class, professional backgrounds are more likely to succeed.

Mr. Robert Jackson: What the hon. Gentleman says about interviews may be right, but does he agree that just as it is a matter for Stanford whether it uses interviews, so should it be a matter for our universities to make a free decision on whether to use them?

Mr. Sheerman: It is to some extent a free decision, but good practice and research results should surely lead our leading research universities to evaluate the techniques that they use. If there is valid research that suggests that interviews are an unreliable way of choosing talent, our universities should be careful about using that means of selection.

Sometimes our debates in this Chamber are divorced from all personal experience, but I wish to give the House the benefit of some of mine. I have four children, all of whom have gone to university. My eldest two daughters went up to university in the same year, although there is 20 months difference in their ages, because one had a year off. When they made their applications 10 years ago, I was astonished by the intricacy of the application process and how knowledgeable parents needed to be. I am very interested in education, I have been a university teacher and I graduated from the London School of Economics. I thought that I had a high level of knowledge, but I was astonished at how complex and—in the case of Oxford and Cambridge—almost secretive the system was.

For a start, kids who went to comprehensive schools were worried because Oxford and Cambridge did not have the same exams at the same time as other universities. The Committee has consistently recommended that they should take place at the same time. Oxford and Cambridge also judged people on predictive grades, not those actually achieved. Long before the Government's conversion to post-qualification decisions, the Committee recommended them. Parents not only had to know a lot about Oxford and Cambridge universities, but—as we went into the detail of applications to individual colleges—we realised that we needed to know which colleges were over-subscribed that year and which were not. We needed to know which subjects were popular and which individual colleges would be likely to be a good bet or a bad bet. The sophistication of knowledge required was amazing. No wonder so many young people from less traditional backgrounds did not apply. Their parents did not have the knowledge to do so. That knowledge was granted only to a few people—usually those who had relatives who had studied at Oxford and Cambridge.

I want to strike a note of reality. My role as Chairman of the Select Committee on Education and Skills must be balanced by the real experience that I had and which my constituents have when they apply to the universities. There have been big changes in the past 10 years—I have seen considerable change at both Oxford and Cambridge—but it is still a pretty complex world for the average child whose relatives have never been university, let alone to Oxford and Cambridge. We should have some humility about that.

If a vast disproportion of people in the leading research university come from the private sector—public schools—that is a cause for concern. To consider that fact is not to fight a class war; it makes good common sense. We all know, however, what such a debate can deteriorate into. I was sad that Chris Patten—for whom I have a great deal of time in many other respects, such as his attitude to Europe—got into the debate about whether to go private and so on. He is not in the House of Lords—I did know that—but he has seven honorary degrees and is the chancellor of Newcastle and Oxford universities. He is quite knowledgeable, but his contribution added nothing to the debate because the two extremes do not help the discussion.

Dr. Evan Harris: On the issue of interviews, if I saw the research, I might agree that an untrained interviewer might not add much to the process, but does the hon. Gentleman accept that this is about far more than untrained interviewers at Oxford university? We require the opportunity to carry out the extended aptitude tests, which have been developed by the likes of John Stein and Jane Mellanby, to separate the top performing students, all of whom are predicted to get four A-levels, from those who are bright but have been very well coached. We need that differentiation, which is why the interview in our system is so important, given that we do not have the sophisticated techniques that the American universities have already developed.

Mr. Sheerman: As the hon. Gentleman knows, I should like more sophisticated techniques to be used. The research should be considered in different ways to find out what works elsewhere. For example, there is also a world of research into the interview techniques used in the private sector. I am not adverse to learning from the private sector and applying that information to university admissions, but the traditional way to interview is very dangerous if interviewers think that they know how to interview and to assess without training, a relevant background in the technique or real experience. Perhaps I could be persuaded to accept certain kinds of interviewing.

Chris Grayling: If the hon. Gentleman is so impressed by the admissions processes of the Ivy league, can he explain why those universities have a far lower participation rate from lower socio-economic groups than our leading universities?

Mr. Sheerman: I am sorry, but that depends on which bit of the Ivy league is considered—*[Interruption.]* I freely admit that there is a problem, which is faced by all developed countries. Good educational opportunity has been vastly extended to a much higher percentage of the population during the past 20 years—I make no party political point about that—but whether in France, Germany, United States or Norway, which last week admitted a 20 per cent. rate of functional illiteracy, the real difficulty is that none of our methods seems to be able to lift the educational attainment of the bottom 20 to 25 per cent. of the population. In every education sector, perhaps outside countries in the far east, no one seems to be able to penetrate that under-achievement. Across the political parties and the developed world, we do not seem to be able to reach those lower socio-economic groups. We all share that problem.

[Mr. Sheerman]

I have only a few minutes left, but I want to finish by saying that the Minister knows about my concerns and those of my Committee about the Office for Fair Access. I look back with some nostalgia to our recommendations on OFFA when we considered the higher education White Paper. We did not think that such an organisation was necessary. We thought that benchmarking needed to be refined because there were some problems with it. All parties agree that we need to know about who is entering university and the social backgrounds they come from, so that if there are challenges we can address them. We agree that we need that knowledge and data, but what we do with that might be contentious between the parties. The view of the Select Committee on Education and Skills was that we should get that data and information, and that what we had instituted in 1999, with HEFCE having benchmarks, was a system that could be improved but that it was a pretty good system.

As the Higher Education Bill passed through Parliament, we had quite a good parliamentary process because OFFA has, in some senses, been modified almost to what the Select Committee wanted; it is a very gentle mechanism. I might have parodied it by asking whether it substitutes for a meal in the Athenaeum discussing shortcomings with a vice-chancellor, but I think the message will get across that it is not quite what some Labour Members expected when it was first mooted and when their votes were needed in the top-up fees debate. That is to be brutally honest; it seemed to be part of the package, but we have moved away from that.

Finally, I return to the matter of where we want to be. Members of all parties want people of the best ability to get into higher education. Those abilities are very different. No one should pretend that our higher education institutions are the same; they are diverse. My hon. Friend the Minister of State mentioned Huddersfield. Huddersfield university is very different from Sheffield, York or Leeds; they are very different universities with different missions. They are different again from the London School of Economics and Cambridge university. Those two universities were not mentioned in the opening remarks, but they are moving up the international competitive league, unlike Oxford, which is languishing.

We have diverse institutions of very different quality, and they are always looking for the best students for the education they deliver. No Government, including this one, should try to get in the way of that process, and I celebrate that.

5.17 pm

Mr. Robert Jackson (Wantage) (Con): The public have a legitimate interest in university admissions policies, and it must be recognised that that interest is bound to be most acute at a time when the state is restoring the payment of private fees by students. There is a natural concern in the public mind that that should not result in social exclusion.

The universities will benefit in every way from the greater freedoms that will come with private fee paying, but they must respect these legitimate concerns, which I want to emphasise are, and always have been, shared by every academic I have ever known.

Having said that about the legitimacy of the public interest in university admissions policy, I agree with my Front-Bench colleagues and my good friend the hon. Member for Huddersfield (Mr. Sheerman), who chairs the Select Committee, that the procedure that the Government have adopted is highly dubious. They have decided that university admissions policies—not admissions themselves—will be supervised by an external regulator. I want to make four points about that.

First, the head of the Government's deregulation unit produced an interesting report last week in which he pointed out the danger of regulatory creep. That is a standing danger, and I hope that the Government will keep a close eye on it.

Secondly, it is always a mistake to have two different and distinct regulators operating in a single field. That is the situation that we have now with the Office for Fair Access operating alongside the higher education funding councils. A problem is built into the architecture there.

Thirdly, external regulation necessarily involves quantitative performance indicators. I agree that that is not a bad thing in itself, but we all need to be aware of the slipperiness of the concepts that this involves and how they can be widely misunderstood by everybody—not only by the people inside the education business, but more importantly, by those outside.

In spite of all the Minister's good words, it is the easiest thing in the world for "benchmarks" and "projections" to come to be understood, within universities and outside them, as "targets" and "quotas". The Government must ensure that the vital difference between a benchmark and a target on the one hand and a quota on the other is always respected; above all, they have a duty to ensure that potential students are not put off by the thought, which might be put into their mind by some sections of the press, that there is a quota operating against them.

Fourthly, and most fundamentally, the Government should reflect on the tension in this sphere as in many others between self-regulation and external regulation. At the Labour party conference last month, the Chancellor of the Exchequer made an eloquent speech—even containing poetry by an American academic—about the need to nourish and respect the ethos of public service and public responsibility in our public institutions. He needs to ask himself how that project fits with the culture of external regulation that the Treasury continues to propagate under his leadership, not least in the matter of university admissions.

There has been some little debate about the appropriate benchmarks for our top research universities. The Liberal Democrat spokesman, the hon. Member for Newbury (Mr. Rendel), talked about young people with one A and two Bs at A-level. He seemed to be unaware of the position of those with three or more As. To him I say that the standard of admission for our world-class universities is not one A and two Bs; it is three, four or even five As. Distinguishing among people of that standard is the problem.

The hon. Member for Bury, North (Mr. Chaytor) understands well the point I am about to make. Of the young people who come to our universities with three or more As at A-level, 46 per cent. come from independent schools. It follows that the universities that recruit students with three or more As at A-level are bound to select disproportionately from the independent schools. Oxford and Cambridge, recruiting 45 per cent. and 42 per cent. respectively from the independent schools, are in fact recruiting below the 46 per cent. benchmark.

Anticipating what the hon. Gentleman might say, let me point out that I agree that our great universities have a job of work to do to communicate what they have to offer and its relevance to people in state schools. It is a terrible fact that 40 per cent. of state sector pupils who get As at A-level do not apply to Oxford or Cambridge. Those universities have to make a real effort—but so also do the schools. I heard a head teacher of a comprehensive school in my constituency, which is not far from Oxford, say that he does not recommend that his young people apply to Oxford or Cambridge, neither of which he attended.

The only way to change the pattern will be to increase the proportion of students at state schools who achieve good academic results at A-level. The Minister expressed his surprise at the recent HEFCE benchmark revision; I ask him to see to it that HEFCE has as a relevant consideration the benchmark of three or more As at A-level.

My final point is about globalisation and its implications for our universities. Our debate so far has been rather parochial and introverted. Universities have always been ecumenical institutions, and never more so than today. The House should reflect on the real point of the Laura Spence story. When she was refused a place at Oxford, she did not take up the place that she had been offered at Edinburgh—the university attended by the Chancellor of the Exchequer. Instead, she went to Harvard.

In a significant development that has not yet been sufficiently noticed, the American Ivy League universities are opening their "means-blind" admission to students from the European Union. If we in Britain allow the impression to grow that well qualified students will be denied access to our own world-class universities because of the type of school that they attended, it will follow, as night follows day, that they will find their way to world-class universities in America, where they will be welcomed with no hang-ups and no prejudices. As most people will choose to stay in the country where they have done their university studies, most of that talent will be lost to us as a nation.

We need to understand why the Americans cherish their universities—they spend almost twice as much as a share of gross domestic product on them as we do on ours—and not least why Americans of all classes and backgrounds cherish their Ivy League universities. We need to understand also why American universities are ruthless—I use that word advisedly—in their pursuit of the best and the brightest students from throughout the world.

Some mistaken commentators think that the Americans back their universities because they are rich—a sort of indulgence that a rich society can afford. On the contrary, the United States is rich because the Americans have always backed their universities. They have recognised, as we in Britain and in Europe still have not properly recognised, that in today's global knowledge-based economy the best brains are a critical strategic resource. They are the prime source of intellectual innovation, and the worldwide recruitment of the best brains by American universities is at the root of that country's current technological supremacy and cultural and political dominance.

We need to rise above the parochialism of our traditional focus on class in this country, which is reflected in this debate. If Britain and Europe are to become the world-beating, knowledge-based societies that the Government have told us they want in the famous Lisbon agenda, a good beginning is to recognise how this will require a network of world-class universities, preferably more than two, recruiting world-class students, whatever their national origins, or their social origins within this country. We look to the Government to ensure that this new OffToff will never be allowed to forget this.

5.26 pm

Mr. David Chaytor (Bury, North) (Lab): I begin by picking up on the point that the hon. Member for Wantage (Mr. Jackson) made quite powerfully towards the end of his speech about the significance of the United Kingdom maintaining its ability to identify and to keep its very brightest and best young people. He is telling us that this is a deadly serious debate, in contrast to the comment of the Liberal Democrat spokesman, the hon. Member for Newbury (Mr. Rendel). There may be good reasons to use an Opposition day to debate the policy in Iraq and the redeployment of the Black Watch, but that should not undermine the importance of a debate about widening access to and increasing participation in universities.

Over the years I have made something of a special study by observing the ways in which the Conservative establishment in Britain—I use the word loosely and generously, I hope—has deployed an enormous range of devious practices and procedures to protect its own historic pleasures and privileges. Usually, when they get to the end of the line in deploying rational arguments to protect those pleasures and privileges, they decide that it is all a communist plot anyway. The House owes a debt of gratitude to the hon. Member for Westmorland and Lonsdale (Mr. Collins), who resorted to that sort of rhetoric at the end of his speech. He exposed the bankruptcy of the Conservative party's criticism of OFFA and everything it stands for.

I was surprised that in the great flurry of self-indulgent rhetoric with which he completed his speech he did not use the term "social engineering". In every previous debate that I have been involved in on this issue with Opposition Members, they have always resorted, if not to communist plots, then to social engineering. It was up to my hon. Friend the Minister, to his credit, to say that the debate is not about social engineering. The difficulty that I have with the concept is that it implies that the system that we now have, which has developed over many decades and longer, is a value-free, non-socially engineered system.

What we have now in our university admissions system is in fact social engineering of the highest order. It is social engineering that was originally built and designed to create an elite and to limit the privileges and pleasures of university entrance to that elite. That must

[Mr. David Chaytor]

change for precisely the reasons that the hon. Member for Wantage has spelled out. Intellectual capitalism is the essential commodity of every successful economy in the 21st century, and any nation that tries to limit the development of intellectual capital or stunt the opportunities for all our young people to extend their potential or to develop it as far as possible will lose out. Such nations may well lose out to the United States, which may happen at the moment, and in years to come they might lose out to India or China, which is the No. 1 reason why we must take access issues seriously.

Mr. Jackson: The hon. Gentleman is being unfair to the Conservative establishment. Under the last Conservative Government, the proportion of our young people going to universities rose substantially. When we entered government, 6 per cent. of our young people went to university, and when we left the figure was pushing beyond 20 per cent., which does not square with his picture of a designing establishment.

Mr. Chaytor: That is true, but the rise was entirely the consequence of the decision by the Labour Government of the 1960s and early 1970s to reduce selective admissions policies in secondary schools, thereby enabling far more young people to acquire the qualifications to give them admission to university. We should not forget that point.

When we make comparisons, we must remember that unemployment is one of the biggest triggers to increased participation in universities. When unemployment is high, more people—young people as well as mature students, but particularly mature students—apply to university. When unemployment is low, other options exist, which is why it is particularly encouraging to see numbers increase by 1 per cent. year on year, although we have had record employment levels for the past seven years.

Chris Grayling: Will the hon. Gentleman remind the House that the only time in living memory when participation by state school students at Oxford and Cambridge universities met the recent Higher Education Funding Council benchmarks was in the 1960s, before the abolition of grammar schools, which he just described?

Mr. Chaytor: No; that is not the case. The change was not the abolition of the grammar schools but the decision by some grammar schools to move into the independent sector. If one redefines what constitutes a state school, clearly the number of young people coming from state schools also changes. If we compare like with like—the number of young people coming from state schools now with the number who came from what were state schools in the 1960s and 70s—the year-on-year increases are significant, although they are not enough.

Dr. Evan Harris: I strongly support the hon. Gentleman's point and ask him to comment on whether it is appropriate to support grammar schools without also mentioning secondary moderns. Will he recognise that the assisted places scheme removed role models for state school students and put them in the private sector? Now, many such students are returning to the state sector and applying to university, and they will become role models for their peers.

Mr. Chaytor: I agree entirely. It is not appropriate to discuss one half of the system without reference to the other. I am tempted to do so, but if I did, I would get carried away and would use up all the time allotted for this discussion of access and participation.

We all agree that the issue concerns how merit is defined and assessed. Without wishing to revisit the Laura Spence affair, I find it interesting that in justifying the decision not to offer her a place at Oxbridge, many people at the Conservative end of the spectrum say, "Having five As at A-level is not the sole criterion of merit, and leading universities must take many other factors into account." However, those same people now challenge any move away from a rigid dependence on A grades at A-level. Frankly, they cannot have it both ways: either we accept that A-levels, or some other examination grades or marks, are the be-all and end-all of the definition of merit and potential or we accept that they are one part of a wider picture. The debate does not concern whether merit should be the main criterion but how we measure merit and the different factors that must be introduced into the equation.

Mr. Jackson: In relation to the Laura Spence story, the hon. Gentleman should remember that all the applicants had brilliant A-levels. It was an extraordinary farrago, given that of the six people admitted to study medicine at Magdalen in that intake, four came from state schools and only two from independent schools.

Mr. Chaytor: I do not want to revisit that saga, because we could spend a long time discussing it. My point is that we must be consistent in our assumptions about the best way of assessing potential, which, as is increasingly evident, is not to rely purely on A-level grades.

Dr. Harris: I hope that the hon. Gentleman recognises that some of those who thought that the Chancellor's Laura Spence allegations were unfair nonsense agree with him, for exactly the same reasons. He should understand that all applicants to study medicine at Oxford and Cambridge, even the two thirds who cannot get in, are predicted to get straight As at A-level; that is why we need to find ways of identifying, through interviews and further testing, those with the most potential.

Mr. Chaytor: I agree with the hon. Gentleman, although I am not quite as confident that the system of interviewing that he advocates is the best way of identifying the students with the highest potential. It is not simply a matter of further testing, but of different testing. A progressive consensus is emerging on the need for a broader base for assessment. Professor Schwartz makes that clear when he says in his report, which is the background to much of this debate, that the evidence, which he summarises, shows that

> "equal examination grades do not necessarily represent equal potential".

The challenge for university admissions tutors is to ensure that they have the tools to provide the finer degree of differentiation that is now needed.

When we consider the differences between students' backgrounds and schools—I would not expect any Minister to express this view, but I hope that they have some sympathy with it—it must be self-evident to any objective observer that a young person who has been to a school where about £20,000 a year per pupil has been invested in the educational process must have an easier task in obtaining three Cs, three Bs, three As, or whatever is required, than someone who has been to a school where £10,000 a year has been invested, and that that student must in turn have an easier task than someone who has been to a school where only £4,000 has been invested. Whether we are considering education from the ages of 11 to 18 or five to 18, we cannot discount the impact of small class sizes, well-motivated and well-paid teachers, and a high level of resources in terms of books, equipment, computers and playing fields. All those factors contribute to a student's A-level grades, in addition to their natural ability and potential. If we are serious about identifying those with the best potential, it is entirely logical, reasonable and fair that the student's background and the school that they attended must be factors in that consideration.

Much is made of the state's having no responsibility for intervening in the admissions process. That is true. No Government or state agency could intervene directly in the admission of about 250,000 students to British universities every year—that is a task beyond their capacities. We therefore need to draw the distinction between intervening in the process of admitting each individual student and intervening in universities' admissions policies in a benevolent way that ensures that their policies reflect best practice. The Schwartz report provides one or two models of good practice, although they are not necessarily the only ones. We must not see this debate as one about how we get more or fewer of our preferred kinds of students into leading research universities, because it affects every university in Britain, including the smallest modern university serving a largely local catchment area.

Campaigning for Mainstream Universities has done sterling work on admissions, although some of its members have a long way to go to improve their records. It has also produced models of good practice. Who could possibly be against OFFA making it a requirement that a British university that wishes to charge the higher fee should adopt an admissions policy that reflects best practice and on which there is broad consensus? It is beyond belief that anyone would challenge that concept.

Mr. Jackson: The hon. Gentleman assumes that best practice will always be uncontroversial and something on which everyone will agree. He must understand that universities may well disagree among themselves about what constitutes best practice for admissions. Does he agree that that must be respected?

Mr. Chaytor: I agree completely, which is why I said that there should not be a single model that constitutes best practice. However, universities must be obliged to defend their concepts of best practice.

There is a view that the strength of our universities lies in the purity of academic freedom. Professor Schwartz defines that as the freedom to choose

"what will be taught and to whom",

but I am not sure that that is the best definition of the concept. In other aspects of public life in which huge quantities of taxpayers' money are invested, people have an interest in ensuring that the money is well invested and that all taxpayers and their children have a reasonable chance—preferably a reasonably equal chance—of benefiting from that investment.

For some reason, UK universities have managed to create the myth that they should not be held accountable in the same way as primary and secondary schools and further education colleges and that they should not regulated in the same way as the nuclear, water or gas industries. However, it is a basic principle of any broad social democracy that it must be in the public interest to have regulation so that the use of taxpayers' money is accounted for.

Mr. Sheerman: Does my hon. Friend agree that if we were to pursue that direction carelessly, we would end up running UK universities as a form of nationalised industry? Surely we would not want that.

Mr. Chaytor: I do not think that that is the case. The water and gas companies are not forms of nationalised industries, and our primary and secondary schools are increasingly unlike nationalised industries. The key issues are the amount of public money that goes into the sector and the mechanisms for accountability.

To go back to a point that I made earlier, anyone who is under the illusion that there is not a problem should examine the figures published by the Higher Education Statistics Agency over the past few days. They show the enormous discrepancies between the benchmarks and the performance of some of our universities. I recall reading out a long list of such statistics in Committee on the Higher Education Bill because I believe in the principle of accountability and that such figures should be on the parliamentary record.

There is not only a question of elite universities versus the rest, because there are large differences between the performances of individual universities that are, to all intents and purposes, at the same position in the pecking order. There are large differences among members of the CMU and among Russell group universities. However, the average discrepancy of Russell group universities is 8 per cent., and that of CMU universities 1 per cent., so that situation must be addressed. We are having a serious debate about a matter that is integral to the success of both our universities and the British economy, because in this century each successful nation must recruit its best talent from whatever source it can.

5.44 pm

Mr. John Maples (Stratford-on-Avon) (Con): I would go along with some of what the hon. Member for Bury, North (Mr. Chaytor) said, but what he must face is that, while it may be legitimate for Parliament to take an interest in university admissions policies, if it tries to interfere in them, it is necessarily at the margin—saying to a university, "You should accept B rather than A, when you would have preferred A rather than B." That

[Mr. John Maples]

seems an inevitable consequence. If we start doing that in pursuit of a political objective, we will get less able people in our universities, and our universities, which are currently the best in Europe—although not in the world, because we are way behind the Americans—will be in danger of ceasing to be so.

We have a legitimate stake in this argument because a lot of public money is involved. I want to examine the purpose of university education. There are personal and public benefits to educating someone at university. The personal benefit to those of us who have been there is obvious—it broadens our minds, teaches us to think and opens areas of intellectual enjoyment that we would not otherwise have open to us. Undoubtedly, almost everybody who goes to university receives a personal benefit. There is also a public benefit in that, if I need an operation in the health service, I benefit from the consultant's education. It is in our interest as a society to ensure that able people become judges, permanent secretaries, professors of medicine, consultant surgeons, doctors, lawyers and even, dare I say it, politicians, and that there is a group that is really well educated.

From the public point of view, it is important that the people who get that education are those who are most likely to benefit from it and get the best degrees. The current system of A-levels is perhaps not the way to ensure that; perhaps rather than trying to adjust A-levels, we ought to try to improve them. However, the question is: how do we get those most able people into the system? I do not care whether they come from a Huddersfield comprehensive, Stratford girls grammar school or Winchester, as long as the country ultimately gets the best people that it can to do those jobs.

We must face the fact that there is a problem with the 50 per cent. target. I doubt whether 50 per cent. of 18-year-olds want or could benefit from sitting in lectures, writing essays, researching in libraries and doing experiments. Some people absolutely do want to do that, and are capable of taking advantage of it, and for them we should provide it. By definition, however, once we reach 50 per cent., we are reaching the halfway ability range—traditionally, it is thought that people who are at about 125 on that scale can benefit from universities, which may be wrong—and I suspect that that is territory in which vocational education is much more important. I do not know a lot about that, but I suspect that we are weak in vocational education. Were I advising an 18-year-old who was a marginal case as a university entrant, I think that I would say, "You'll have a much better life, and probably make more money, as a good electrician than as a bad lawyer."

Mr. Sheerman: I am enjoying the hon. Gentleman's speech, but it is a stereotype that most of our students are 18-year-olds. In fact, most of them are not. People come into higher education at all ages and 18-year-olds are the minority now. Mature students are a larger percentage of those coming into higher education than 18-year-olds. In addition, much of the higher education in our expanded system is vocational of a sort.

Mr. Maples: I take the hon. Gentleman's point, but I hope that he also takes mine: there is no point suggesting that 50 per cent. of the population should study academic subjects in the way that those at our leading universities do. That is absolutely right for some people, but I suspect that it is not right for as many as 50 per cent. The basis of those two educations is also different. Someone who will benefit from studying Latin and Greek, for example, at Oxford or the London School of Economics, may need a different kind of education between the ages of 14 and 18 from someone who will not do that.

I want to take that point a little further. I went to university in the 1960s, which dates me horribly. I went to a college at Cambridge where 75 per cent. of my year's intake came from state schools. I went to an independent school, and I and those others who went to independent schools were in a minority. No prizes for guessing where most of those 75 per cent. came from—state grammar schools. Many of them were working-class kids. Those state grammar schools gave a bright working-class kid a way into Cambridge or lots of other good universities, although there were not anything like as many then. We can argue about whether we should have abolished grammar schools, but we must provide a route so that the bright working-class kid finds it easier to get into Oxford or Cambridge than he finds it at the moment; apparently, it was a lot easier 43 years ago than it is now.

What did grammar schools do to give those children that opportunity? There are a few things that we need to try to replicate. Here are some concrete suggestions. Much of the problem is not about universities' admissions policies but about the quality of secondary education.

There was an academic ethos in those schools. That is difficult to create at inner-city comprehensive schools. It certainly can be created but it is difficult. I do not say that it is impossible; there are some schools that do it.

I have represented both kinds of constituencies. At the moment, I represent a prosperous middle-class constituency where comprehensive schools can do that. I represented an inner-city area for the first two Parliaments that I was here. At the main secondary school there, 10 per cent. of the kids got five A to Cs at GCSE. That was not only the level of attainment but the level of aspiration. To inculcate that academic ethos there would have been very difficult. Kids who did their homework and talked about going to university would have been considered freaks by many of the children. It is difficult to maintain that aspiration, that work ethic and that academic ethos in that environment.We must therefore find a way of reintroducing—the Government have tried to do it, and I noticed it in comprehensive schools during my own education—pretty rigorous academic streaming. It should be very flexible.

The problem with grammar schools was selection at 11. I have grammar schools in my constituency. At 16, there is another selection, when many kids go to the grammar school sixth form to do their A-levels. Actually, at sixth form, it is not a grammar school but more a comprehensive, so we need much more flexible transfers. We need to realise that, if we are to get that bright working-class kid into a good university, we must provide the academic foundation at an early age.

Two of the three grammar schools in my constituency are used effectively as sixth form colleges. They take the kids who want to do A-levels from the comprehensive schools, bringing them into a school with a strong academic ethos. They get very good results.

Dr. Evan Harris: I would be grateful if the hon. Gentleman responded to two brief points. First, what evidence does he have that the proportion of working-class students—not state school students—in the 1960s in Cambridge was higher than it is now? Secondly, does he have anything to say about secondary modern schools?

Mr. Maples: I understand the argument about grammar schools and why many people felt strongly about abolishing them, but the hon. Gentleman has to acknowledge, as other people do, that when we abolished grammar schools we abolished a route for the bright working-class kid to get to Cambridge. Seventy-five per cent. of my year in my college at Cambridge came from the state sector and many of them were working class. I do not know the exact proportion, but in abolishing those schools we abolished one of the ladders by which bright kids climbed. Our present system is failing those children. It is reflected in the figures that people are talking about. The challenge is not to manipulate university admissions but to raise the quality of state education for bright kids, particularly in inner-city areas.

I spent a couple of hours last night talking to the former senior tutor at my old college and the head of a college at Oxford about that issue. They both described the enormous trouble that they went to in their outreach programmes, with fellows going around schools that never traditionally sent pupils to Oxford or Cambridge. The head of the college at Oxford said, "We interview everyone who applies to our college. Our benchmark is three As at A-level but we do not say we will not interview you unless you get them. We are trying hard to encourage that but we meet resistance. We do not just meet inertia—we meet prejudice."

Some schools are saying, "Don't apply to Oxford and Cambridge. It's not the university for you," or something like that. They are prejudiced against them. That must be overcome, too. There is a push and a pull. Schools that do not send people to our top universities must think of encouraging those kids and raising their aspirations, at which point they might go. I do not mean to talk as though Oxford and Cambridge are the only good universities. There are 20 fantastic universities and it applies to them, too.

Mr. Sheerman: The hon. Gentleman and I were almost contemporaries: I was at the LSE and he was at Cambridge. The range of universities one could choose from was tiny compared with now. Students now regularly have the choice to go to Warwick, a fast-moving university, or Nottingham, for example. There is such a range of excellent universities, even for the most academic subjects. Oxford and Cambridge have far greater competition for the brightest students. Is not that the truth?

Mr. Maples: I agree. There is a range of universities. People would argue about where the line is, but the Russell group provides fantastic education. The hon. Gentleman is right. When he and I went to university, not only was the percentage smaller but there were hardly any women there. I suspect that it has got more difficult for a man to get in.

Much has been made of A-levels being a bad predictor of success at university. That is well enough established for us to take it on board. My two friends at the two universities to whom I spoke yesterday described how they try to make that up by various means. The interview is not just about whether they like the guy or not. It is much more sophisticated than that. Many universities are introducing a legal aptitude test that is designed to test people's aptitude and likely ability in studying law. It is difficult, if not impossible, to coach someone for it, which is one of the criticisms of A-levels; people can be coached for them.

There is also a lot of adjustment. All admissions tutors say, "We are desperate to get bright kids from comprehensive schools, if only to get the Minister off our back and we will make adjustments for it. If someone has two As and a B, we will think, 'Perhaps if they had gone to a grammar school or an independent school they would have got the three As. We will let them in.'" Often, adjustments are made. To encourage, cajole and pester universities about that is fine, but to try to interfere in the process is probably dangerous.

American universities use SATs. I do not know whether those could be applied here but the vice-chancellor of Warwick university, who used to run an American university, is something of a believer in those, and aptitude tests have a future, too.

One of the things that Tomlinson has come up with gives us an opportunity to improve the A-level as a predictor of whether people will do well at university. Many of us have a problem with the idea that there can be some arbitrary adjustment to one's A-level results, with people saying "This is what you must do to get to university and we are going arbitrarily to adjust it to the school you went to, your postcode or how rich or poor your parents are." We need a system that is transparent, understandable and objective, or as objective as possible, so that people will know that, if they got in, they did so on merit and there was not some arbitrary adjustment to their results.

What Tomlinson is proposing with the A-level could achieve that. As the senior tutor of the Cambridge college said to me, "Everyone who applies here has three As or is going to get them. This is no test for us of how able people are. We are getting three or four times as many applicants as we can take. Some of them have four or five As at A-level." We need a better predictor than that. The A-plus, the A-double-plus or whatever Tomlinson proposes may be a way of doing that. The extended essay may be another.

I suggest, too, that we drop the business of grades and publish the marks. Then we would see what marks the person got in the individual exams that were part of the A-level course. The Americans do that and we have something to learn from them on higher education.

Mr. Chaytor: Does the hon. Gentleman accept that what we do not need is a better predictor of A-level grades? We need to move to a post-qualification admission system where the student already has the A-level grades, whether they are published in the form of marks or not.

Mr. Maples: I think that, with the top universities, that will not make any difference, because all the people who apply either have or are going to get three As anyway. It may help with other universities. I was talking about amending the A-level so that it is a better predictor of what degree people are going to get. I thought that that was the criticism of the A-level: it is not a good predictor of how well one will do at university. I suggest that we need an exam that does that. Part of the problem is that we designed an A grade at A-level and more than 20 per cent. of people now get it. I do not think that that is an adequate differentiator of who should go to the top universities and who is meeting the standards.

One can study some subjects at university without having done the A-level. I studied law and there was no A-level in law. However, if someone wants to study chemistry or French, they will have to reach a basic standard before they get to university. Tripos courses at Cambridge in maths and natural sciences are being extended from three to four years because of people's relatively low ability in that subject when they arrive. I am told that, in classics, the first term is often spent in intensive language training to bring people up to the stage that they should have been at when they got there. We must be careful not to erode the entry level of knowledge, regardless of whether the A-level is a good predictor of how well one will do. It is also a benchmark of knowledge. I worry that, if we start to interfere in the admissions process, our world-class universities will not be very good.

I was not going to speak in this debate, because I said what I thought about OFFA in the debate on the Higher Education Bill, but the Minister for Lifelong Learning, Further and Higher Education—I am sorry that he is not here—succeeded in confusing me. I thought that OFFA was pernicious; he said that it was not pernicious, but irrelevant. It may be that he has performed a clever trick: he may have persuaded Labour Back Benchers to vote for tuition fees on the ground that he would interfere in the admissions process, and then produced this toothless tiger to reassure people such as me. Unfortunately, he then appointed a real old, hoary left-winger to run OFFA. That was presumably to reassure the people who had become unassured by the lack of teeth in the tiger.

I was provoked to get involved in the debate by the remark by Sir Martin Harris, who said:

"class underlies almost all the inequalities and unfairnesses in our system".

Do people like that still exist? The Government must have found that guy in some intellectual Jurassic park. Apart from anything else, I thought that new Labour had abolished people who thought like that; I thought that that was not allowed any more. I find it unbelievable that a serious academic, the vice-chancellor of one of our universities, appointed to this job by the Government, can actually think like that. However, four days earlier he said that some state schools, particularly in the inner cities, were

"not able or willing to stretch their ablest pupils so that they can begin to climb the meritocratic ladder".

The quotes were four days apart; one was in *The Times* and one in *The Daily Telegraph*. I do not know which of those things he believes, but I worry that that is the attitude of the person who will run OFFA. If we want to get the best kids and more mature students from whatever background into our universities, we need to do two things.

First, we need to change the nature of the A-level, so that it becomes a more objective test of whether someone is suitable or qualified, so that the best people can take advantage of university education, and so that it is not simply an exam that people can be coached for at an expensive independent school. Secondly, the Government would do much better to concentrate their effort—and even, dare I say, the £500,000 that OFFA will cost—on trying to raise the quality of academic education for bright kids in inner-city comprehensives.

6.1 pm

Dr. Hywel Francis (Aberavon) (Lab): I am encouraged by this debate. I have found it very hopeful, if only for one reason: the number of times that we have discussed part-time and adult students. However, we have not discussed them sufficiently, so I want to concentrate my remarks almost exclusively on them.

Just before I entered the Chamber, I chanced upon a book by one of the great academics and adult educators, an organic intellectual, Raymond Williams, who died in 1988. It was a collection of his essays, published posthumously and called "Resources of Hope". That is what we have been talking about today. A great deal has been said about poverty of aspiration, but not enough has been said about poverty of opportunity, and that is what the Prime Minister means by an opportunity society. There are echoes of the Prime Minister's recent speeches in the writings of Raymond Williams. We should be talking not so much about social inclusion and exclusion or about social engineering, but about social justice and an opportunity society—for all classes, both genders, the part-time and adult, and the local and not-so local. That is what I want to focus on.

My hon. Friend the Minister for Lifelong Learning, Further and Higher Education is not in his place, but I was greatly encouraged by his support for part-time and adult students, which I greatly welcome. I am sure that his words will encourage that great educational institution established by an earlier Labour Government, the Open university. It will also encourage the adult learners' body, the National Institute of Adult Continuing Education, and the Universities Association for Continuing Education, as well as all departments of continuing education throughout the country, which have done, and continue to do, excellent work in widening access. I was also encouraged by the support that the hon. Member for Newbury (Mr. Rendel) gave part-time students.

On a personal level, I am pleased that we are having this debate; I welcome it and congratulate the official Opposition on it. While we are giving bouquets to one another, I should say that one of the most encouraging periods in my academic life was the time of the

Educational Reform Act 1988 and onwards, when the then Conservative Government developed the third route to higher education and made official the strategy of widening access. In that period—the 1980s and 1990s—initiatives of the Labour Governments of the 1960s, including the Open university, were again taken forward by another party and Government.

It is good to focus on what has already been said. The majority of students in higher education are now part-time students or adults. It is insufficient to focus on Oxbridge, as we tend to do; the 18 to 21 club, as some call it; and full-time students. Also, when we are discussing universities' admissions policies, we should not focus only on the work of OFFA—although it is admittedly important—as if the encouraging of widening access could not be done by other bodies throughout the country.

Mr. Sheerman: My hon. Friend makes a telling point about the diversity of the population. It is good for students to be not just with 18 to 21-year-olds, in a club. It does them good to meet more mature students, part-time students and a diversity of students from different social and economic backgrounds. That is the beauty of true higher education, is it not? We should all encourage that.

Dr. Francis: I agree entirely with my hon. Friend.

My hon. Friend the Minister referred to the Government's welcome policy of higher education being free at the point of entry and fair at the point of repayment. Of course, until recent times, that was not at all the case for adult students, and certainly not for part-time students. In nearly three decades of teaching part-time students in higher education, my experience has been one of identifying and trying to eliminate piecemeal the barriers that have existed for the under-represented groups of students.

The first group that comes to mind are those students that my hon. Friend the Minister and I tried to teach back in the 1980s. In those days, he did not call me his former boss; we were comrades in the class struggle. I am sorry that he is not in his place to hear that.

Among the remarkable people who failed to get to grammar school—who failed the 11-plus, as I did—were rather remarkable steelworkers and miners. Three come to mind. One is Tyrone O'Sullivan, who is now the managing director of the most famous co-operative in the world, Tower colliery. The second is the late Charlie White, the most sensitive and eloquent writer and orator that I have met, an Afro-Caribbean photographer who worked in St. John's colliery and died in 1985; he was a most remarkable man. The third was the most difficult and awkward student I ever had, now newly appointed professor of continuing education at Swansea university, and a miner in the early 1980s, Professor Colin Trotman. All those escaped through the net, so to speak. For every one of those whom we taught, there were thousands of others who could and should have gone to university.

In the mid and late 1980s, our department of continuing education focused more on other under-represented groups, such as women returners—the women who came to the fore during the miners' strike. That was in partnership with bodies such as the Dove Workshop, which was founded by women who had their first political and learning experience on the picket lines in 1984 and on Greenham common. They created bodies such as the Dove Workshop and, eventually, the Community university of the valleys, which now exists in many communities across the valleys. Those bodies identified the critical barriers that prevented people from advancing to higher education. They identified ways in which new opportunities could be created by providing advice, guidance, transport support, fee remission, crèche support, flexible learning and part-time learning. Those now are—or should be—mainstream activities in the most advanced-thinking universities.

Next month I will visit four such universities with excellent track records in widening access to higher education: Staffordshire, Swansea—my old university—the Open university and London South Bank. I shall be going for two reasons. I visited them last year just before we debated the Higher Education Bill. I discussed with their vice-chancellors, students and staff their concerns, hopes and aspirations. I am revisiting them to discover how they feel about the progress, or the lack of it, that we have made.

There is another more personal reason why I intend to visit those universities. I declare an interest as vice-president of Carers UK and as promoter of the Carers (Equal Opportunities) Act 2004. I want to talk to them about that other under-represented group—perhaps the most under-represented group—in higher education: unpaid carers. There are 6 million unpaid carers, nearly 20,000 of whom are in my constituency. I probably have as many carers in my constituency as my hon. Friend the Member for Cardiff, Central (Mr. Jones) has full-time students in his constituency. That is an interesting contrast.

We are hoping to run local pilot schemes with three groups to encourage carers to take up learning opportunities. The first involves the 600 young carers—children under 16—in my constituency. We are interested in the extent to which their opportunity for higher education is limited as a consequence of their circumstances and will see how we can assist them. The second pilot scheme involves young parents who want to enter further and higher education and involves the special needs activity centre in Taibach. The final pilot scheme involves older adults who are caring for elderly parents.

We should be discussing such issues in debates on university admissions policy. I hope that the official Opposition and the Under-Secretary will have something to say about that. My hon. Friend spoke strongly and eloquently in my Adjournment debate last year on part-time students, and I thank him for that.

I warmly congratulate the hon. Member for Wantage (Mr. Jackson) on reminding us that we should not be parochial in our higher education debates. There is a wider world that needs to be recognised as part of the phenomenon of globalisation. I remind him, however, that we should not only think global, but act local. Almost all mature and part-time students access universities locally. We must not forget that.

I was struck by my hon. Friend the Minister's reference to dinner in the Athenaeum. The next time he reflects on developing university policy, perhaps he

[Dr. Francis]

would be assisted by coming with me to the Community university of the valleys and have lunch at midday, although people there would probably call it dinner, at the Sarn Helen cafe in Banwen. The celebrated comedian Colin Price, who was from that community, once jokingly referred to Banwen as the road to oblivion, but as Banwen has pioneered the Community university of the valleys, it will not be the road to oblivion that my hon. Friend witnesses, but the road to progress and higher education, and a land of opportunity in an opportunity society.

6.15 pm

Mr. Nick Gibb (Bognor Regis and Littlehampton) (Con): It is a pleasure to follow the hon. Member for Aberavon (Dr. Francis), with his years of experience. He is right to raise the issues relating to part-time students.

The Schwartz report is an important study that highlights major problems in our state education system. It is a concern that only 26 per cent. of entrants to a full-time degree course come from skilled manual or unskilled family backgrounds when that group represents 40 per cent. of the population. It is also odd that in a country in which 93 per cent. of children are educated in the state sector, only 57 per cent. of Cambridge university's intake is from that sector. At Oxford, it is just 55 per cent. and at Imperial college it is 63 per cent. At the London School of Economics, the university attended by the hon. Member for Huddersfield (Mr. Sheerman), it is 66 per cent. That pattern is repeated for all the top universities whereas for a large number of post-1992 universities the figures are 95 per cent. or higher. Indeed, at the university of Glamorgan, which the Minister cited, the figure is 97.9 per cent. whereas the benchmark figure for that university is 93.4 per cent. What is being done to encourage more students from the private sector to attend that university?

The reason for the disparity is not that the admissions tutors at Oxford or Cambridge are deliberately excluding state sector pupils out of a snobbish delight. As Steven Schwartz says at paragraph B1 of his report:

> "It is important to note that across all universities and colleges, and all subjects, admissions processes . . . appear to be fair."

So the reasons for the disparity are far more serious, as my hon. Friend the Member for Wantage (Mr. Jackson) said. At paragraph A18, the report says:

> "Its principal cause is the continuing pattern of lower prior attainment by young people from poorer backgrounds."

Why is that? Again, the report says:

> "DfES analysis shows that pupils from lower-income households are over-represented in schools that add the least value to pupils' performance."

In essence, what Schwartz is saying, what the whole row is saying and what the figures clearly demonstrate is that our state schools are not as good at preparing children—in educating children—as the private schools. If the admission tutors at Oxbridge and the top universities are not biased, which they are not, and if the proportion of entrants to those universities is hugely disproportionate to the balance of state/private education, it is clear that the problem is with the state schools delivering the grades and not with the admissions process.

I fully understand the temptation to tweak the admissions process to help a bright student from a poorly performing comprehensive. I went to a poorly performing comprehensive in my sixth form and understand the problem. I wish that that had happened in my case. However, if we are trying to create policy to address a problem, surely we should look at the cause of the problem, and not simply address the symptoms.

To counter that argument about state schools, people often cite evidence such as that given in paragraph B7, which says:

> "other things being equal, students from state schools and colleges tend to perform better at undergraduate level than students from independent schools and colleges."

Some people cite that as evidence that state schools prepare students for university better than the private sector even though they are not achieving the grades that the top universities require. However, that is not what the evidence demonstrates. The reason why, other things being equal, students from state schools tend to perform better is that they have to be brighter and more self-motivated to achieve a given grade in the state sector than to achieve that same grade if they were educated at an independent school. That is the reality behind the evidence. So the evidence again points to the fact that our state schools are not performing as well as the independent schools.

We then come to the left's argument that the reason the private sector does so well is that all its pupils come from middle-class, educated families who push their children. The left argues that anyone could perform well if that kind of atmosphere prevailed in all our schools. I do not accept that argument either. Of course, some children are more difficult to teach than others and of course a school's GSCE results will be driven, to an extent, by its intake; but the value-added results will not, because they take the intake into account. There is huge disparity in the value-added results of our schools.

The truth is that such things as school ethos, teaching methods, intellectual rigour and competition within the school make a difference. When I put the argument that we should apply practice in the best performing schools—whether state or independent—to all our state schools, it is greeted with horror by many on the left and by many teachers. They say, "Oh, those methods wouldn't be appropriate for children from this or that socio-economic group". I regard that view as utterly patronising nonsense.

I have read reports of the important speech made recently by the Chancellor about the public sector. Of course, there is a role for the state in the provision of public services. I am a passionate believer in state education and in a state-run national health service, but by the same token we have to ensure that the state provides high-quality services. It is wrong to think that the state sector carries some aura—some glow—and that in the name of equality it will persuade people to tolerate a second or third-class service. We live in a wealthy country where we all expect first-class service and quality products. I regret that too much state sector provision is second rate—producer focused rather than customer or user focused. Too often, it looks like something from a 1970s nationalised industry. It is up to politicians to ensure that our public services come up to scratch. Too often, we abandon their stewardship to the producer interest.

If we allow our public services to decline, people will turn against them and look elsewhere. Parents, whatever their background, want high-quality education for their children. It is up to all of us in this place to ensure that our education system provides that high quality. To do so, we need to look at more than funding—the £20,000 spent on private schools, to which the hon. Member for Bury, North (Mr. Chaytor) referred; we need to look at what is actually happening in our schools, to ensure that they use the methods that evidence shows produce the best results.

Is it really the best approach that 60 per cent. of lessons in our secondary schools take place in mixed-ability classes? One in five maths lessons is given in mixed-ability classes, as are half of all English lessons and three quarters of history and geography lessons. With the enormously wide range of abilities in our comprehensive schools, is that really the best way to deliver high levels of achievement? Is that what the best schools in Britain are doing? Is it supported by the evidence?

In fact, the evidence says the opposite. Academic evidence on the efficacy of mixed-ability teaching shows overwhelmingly that streaming or setting produces far better results. Two American academics, Kulik and Kulik, carried out a huge amount of research on the matter and found that setting by ability and then tailoring the curriculum to particular ability groups produced enormous improvements in attainment at a high level, good improvements at other levels and no fall in attainment at the bottom. At that lower level, one could target extra resources and adopt smaller class sizes to ensure that there were improvements there, too.

The Schwartz report states:

> "Prior attainment is the main known determinant of undergraduate performance."

If we want to create a fairer admission system, we must look closely not only at our state secondary education system, but also at our state primary school system. As my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) pointed out in his kind words earlier, phonics teaching produces far better reading standards. I could cite a large amount of academic evidence to show that it would ensure that 100 per cent. of primary school pupils could achieve level 4 by the age of 11, regardless of the degree of poverty in the school's area.

The Schwartz report is important, not because of what it tells us about the admissions process for university, which appears from the report to be fine, but because of what it tells us about our state schools. I hope that the Government will learn the correct lessons from the report and will deal with the problems that face our education system, not the symptoms.

6.24 pm

Alistair Burt (North-East Bedfordshire) (Con): The debate has been interesting, and I am pleased to back the motion proposed by my hon. Friends.

I was puzzled by the response from the Minister for Lifelong Learning, Further and Higher Education. I am still unsure whether he can ride the two horses that he tried to ride at the beginning of the debate. Can he reassure Opposition Members and those in university life that OFFA will do nothing more than put a benevolent arm around the shoulders of those who are already doing as much as they possibly can to ensure that everyone from the widest possible social background has the chance to go into higher education, and that it will do that without threat or influence and telling the universities what to do? Can he possibly reconcile that form of reassurance with some of the statistics cited by his colleagues, especially the hon. Member for Bury, North (Mr. Chaytor), who pointed to the discrepancies between what he described as the benchmarks and what was happening not only in some of the major research universities but also in some others?

I have a simple question for the Under-Secretary of State for Education and Skills, the hon. Member for Bury, South (Mr. Lewis)—God bless him—who will shortly respond to the debate.

Mr. Sheerman: It is the Bury mafia.

Alistair Burt: Indeed. The Bury mafia is at work.

My question to the Minister is: if, in five years, the proportions of those from independent schools going to Oxford, Cambridge, University college London, St. Andrews, Imperial and Bristol are about 44 per cent., 42 per cent., 38 per cent., 37 per cent. and 36 per cent. respectively, what will that say about the work of OFFA? If those figures remain the same, will the Minister intervene at that stage and say that there must be some change, or will he be content to leave universities be, because they will be seen to have been doing all they can? Much hangs on his answer to that question.

If there had been enough time in what has been an interesting debate, I would have developed this point: I am not convinced that Martin Harris's remark about class being the root of all the problems in our universities is correct. If we asked universities what is most on their mind at present, they would tell us that it was, first, competition. We sometimes forget that universities are in competition for students, as well as in competition with universities all over the world. They want the best students and are working actively to ensure that they get them. If they do not obtain the best students, they will suffer.

Universities also want the best teachers. I was intrigued to read that Martin Harris's former university, Manchester, in its strategic view foreword, states that by 2015 it must be attracting

> "at least five Nobel laureates . . . with three appointments secured by 2007"

and that it must treble

> "the number of staff who are fellows of the Royal Society".

I wonder whether the university will worry about their socio-economic backgrounds, or whether it will simply recruit the very best.

If universities cannot compete on a worldwide basis, they will suffer. The university of Shanghai now produces tables showing the world standing of universities. Universities will look increasingly to such tables; that is what will motivate them, rather than necessarily ensuring that their intake has a particular quota and follows a particular pattern.

[Alistair Burt]

At present, Britain's universities do well in international comparisons. Two are in the top 10 and four are in the top 25; only one other European university is in the top 25. Our universities know what they are doing. Are OFFA's aims truly compatible with universities maintaining their current competitive position?

Of course, universities are worried about China; they are worried about losing out to competition world wide, and increasingly worried about the baseline for their raw material. What has been said on that point is true. During the past couple of years, I have spent some time at four universities: Kingston, Royal Holloway, Bristol and Imperial. Without exception, they report, first, that they have to do remedial work in science when students enter university and, secondly, that they are working exceptionally hard to bring people in. They are building relationships with neighbouring schools and going out around the country. They are especially concerned that the science base is not strong enough and worried about the type of teaching that is taking place. They also all say, without exception, that they do not believe their students are any less bright than previously. They believe their students are as bright, but there is a problem in the teaching and in bringing them up to university level that used not to exist and exists now. That concerns them.

Class is not the major issue facing our universities. If one of the major issues is ensuring the widest possible participation, class is not the problem. As colleagues in the House have said, this is an old debate. Trying to reopen it will get us nowhere. It raises all the old suspicions in this place. We want to improve participation but we must ask the right questions, and asking about class is not one of them.

I was not the first person in my family to go to university. I was, however, the last generation to go to a direct grant grammar school and I regret that. Severe damage has been done to that ladder of opportunity for youngsters from a poorer background, the very people about whom we are concerned now. Whatever we do, we will not improve their position, we will not improve the raw material of university entrants, and we will not ensure that our universities are among the best unless we ask the right questions. I am not convinced that OFFA answers the right question or is in the right context for the question in the first place.

6.31 pm

Chris Grayling (Epsom and Ewell) (Con): We have had an interesting and important debate. We have discussed the matter extensively this year, so what is new? Why the debate today? Two things have happened very publicly in the past few weeks that have given us in the Opposition and many people in the higher education sector real cause for concern. The first was the appointment of the new director of OFFA, a man who describes himself as an unreconstructed old Labour class warrior. Is that the right approach for someone who holds such an important position? Secondly, there has been the publication of the HESA benchmarks, sending a ripple of concern throughout the higher education sector.

As the Minister knows, there are also details behind the scenes—the minutiae now coming out from the Government on the level of fines that can be levied on universities that do not do as they are told, on the detail of the guidance to OFFA and so on. We heard fine-sounding words from him today, as we have before. He may remember that mythical children's book creature, the pushmi-pullyu—the gazelle that has a head at either end of its body, pointing in different directions. As I heard him speak to the Opposition and to his own Back Benchers, he reminded me of someone trying to look in two directions at once. The problem is that one cannot do that.

The evidence makes clear what the Government are trying to do. The previous Secretary of State, now Minister for the Arts, admitted as much in 2001 when she said that widening access

"is not a sideshow that can be confined to the admissions or careers office".

Martin Harris said about class that

"everything else is a distraction."

What about the international competitive threat from US universities? What about the challenges to our science base in key subjects such as chemistry and physics? What about funding, which we have debated so much in recent months? It is an extraordinary statement from the outgoing vice-chancellor of one of Britain's leading universities, and it raises a key question. If it is the Government's intention not to interfere in university admissions, why would they appoint as access regulator someone who clearly has a mission to do just that?

In his opening remarks my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) set out concerns that are shared across the Opposition and the higher education sector—concerns that the Government, for all their fine-sounding words, are set on a course that will eventually damage our higher education system. Our position is straightforward: it will never be the job of politicians to tell our universities whom they can and cannot admit. For all the Minister's comments, it is clear that that is what the Government are trying to do.

Mr. James Clappison (Hertsmere) (Con): My hon. Friend made an important point about the detailed guidance from OFFA, from which the Minister demurred. The Minister tried to give reassurance about that. Is my hon. Friend aware of the milestones that are set for universities and vetted by OFFA, and on which the universities will be judged, to assess whether they are doing enough to meet OFFA's terms? Does he share my interest in knowing whether those milestones will include—*[Interruption.]* I am referring to the detailed guidance given by OFFA in paragraph 9.5. The Minister should read it. Is my hon. Friend interested in knowing whether those milestones will include details of school type, socio-economic background, parental background and so on?

Chris Grayling: My hon. Friend makes an important point. The Government have slightly changed their original guidance, rather conveniently. As I said to the Minister in an intervention, they have specifically linked the HESA benchmarks to the milestones that they expect universities to pursue. Although the Government have been careful to say that they will not penalise universities for not meeting those milestones, in the paragraph to which my hon. Friend refers, when it comes to renewing an agreement, which is a different issue entirely, the Government say, "You will want to take this into account when considering renewal, so if you don't do as you're told, you may not get your access agreement renewed."

That is what we are dealing with, and it is only part of the truth. Last month we debated the new regulations that will allow financial penalties to be levied on universities. As the Minister mentioned, it was his first debate in his current role. After some pushing, he was quite frank—more so than the Government have been up to now—about the implications of his plans. The new regulations go much further than we were told in Committee. Yes, universities will get fines of up to £500,000 if they do not do as they are told. There is more: they face a surcharge of 10 per cent. of their fee income if they fall out with the regulator.

Dr. Howells: The hon. Gentleman knows, because he served on the Committee with me, that that can happen only in specific circumstances. If universities put up tuition fees to a particular level and do not stick to the deal, there must be some way of protecting the students who have entered the university on that contract. Is he saying that if a university reneges on a deal with students, it should be allowed to get away with it?

Chris Grayling: What I am saying is that when the Government told us in Committee that the fine could be £500,000, they did not tell us that they would slip through provision to fine the universities millions of pounds more if they did not do as they were told.

Universities can be fined a further amount if they do not spend all their widening participation money. They can be forced to repay that money with a surcharge. In total, they can be fined millions of pounds if they do not do what the access regulator tells them. The access regulator, remember, is an unreconstructed old Labour class warrior. What conclusions should we and the university sector draw? Is it any wonder that last week I was told by a board member of one of Britain's leading universities that universities will have no choice but to discriminate against applicants from independent schools?

Then there are the benchmarks that HESA has just produced, criticising 17 universities for not admitting enough state school pupils. The figures show, for example, that Cambridge university should increase the number of state school pupils that it admits from 57 per cent. to 75 per cent. We do not believe we should have a national benchmark telling Cambridge university how many state school students it should admit. My hon. Friend the Member for Wantage (Mr. Jackson) and I have not always seen eye to eye in recent months, but his point about 46 per cent. being an appropriate benchmark was a telling one that the Government should listen to carefully.

I thought that even the Prime Minister agreed with our proposition. In response to a question from me last year, he said that

"people should go to university based on their merit, whatever their class or background. That is what should happen."—[*Official Report*, 26 February 2003; Vol. 400, c. 256.]

He is right, so why is he presiding over a Government who have the express goal of doing the opposite?

The publication of the benchmarks prompted widespread criticism. Senior figures at Oxford reopened the issue of that university becoming a wholly private institution. The warden of Trinity college told the Government to

"get its tanks off our lawns".

The Minister said today that benchmarks are of little importance. He played them down and did not explain why they were mentioned in the original official guidance to the access regulator. Let me press him: will he or the Under-Secretary who winds up the debate give a clear commitment to scrap the benchmarks? Why are they called benchmarks? Referring to statistics is fine, but benchmarks or performance indicators require a purpose.

No Conservative Member wants bright young students to be deprived of educational opportunities. We want universities to continue their good work to attract students from different backgrounds. However, all the evidence shows that the Government are missing the point with their ill-thought-out policy, which will do damage to the country.

The problem is not the university admissions system. The hon. Member for Bury, North (Mr. Chaytor) seemed unaware of that when he spoke of the actions of what he dubbed "the Conservative establishment." Almost all young people from lower socio-economic backgrounds who have good GCSEs go on to higher education. The problem is not post-GCSE attainment but that those young people do not get good exam results initially.

Paul Farrelly (Newcastle-under-Lyme) (Lab): The hon. Gentleman may recall that I was not in total agreement with the Government about variable tuition fees. However, in many communities such as my constituency, fear of debt is a genuine issue, whatever the attainment. How will the Conservative party's imposition of a commercial interest rate on student loans help to provide more fairness and equality of opportunity to get to university?

Chris Grayling: The hon. Gentleman knows that many of those entering university for the first time choose to do that in a local college or university. They suffer from the Government's ill-thought-out policy of imposing tuition fees. People who live at home and some mature students will be clobbered by the Government's fees. Under our scheme, that will not happen: they will leave university without debt. Under the Government's scheme, they will leave with heavy debt.

If the Government want more young people from lower socio-economic groups to go to university, they must tackle the poverty of aspiration that exists in too many parts of our society. That was well described by my hon. Friends the Members for Stratford-on-Avon (Mr. Maples) and for Bognor Regis and Littlehampton (Mr. Gibb). We need to ensure that fewer young people are trapped in what the Government described as "bog-standard comprehensives". We need to ensure that we have more discipline in schools, that we allow teachers to teach and not only work to maintain order in the classroom. We must look after our schools. That is the route to solving the problem.

[Chris Grayling]

The hon. Member for Huddersfield (Mr. Sheerman) mentioned rising school standards. He should ask himself why, if standards are rising so high, so many universities need to hold remedial classes for students when they arrive, to pick up the pieces in maths, English and foreign languages, in which our schools have failed to do their job.

A worrying aspect of the debate is the way in which the Government are so hung up on Oxford and Cambridge. They appear to believe that only Oxford and Cambridge matter. Many of our universities are deeply disappointed in the Government's approach. Every university has its strengths, as, to give him credit, the hon. Member for Aberavon (Dr. Francis) pointed out. Throughout the country, there are universities with departments that are at the forefront of their subject. To suggest that going to a modern university is bad for students is to do a disservice to all the hard-working teams in modern universities.

Students in Northumbria university's excellent law school do not view their counterparts up the road in Newcastle with awestruck envy. They believe that their course is better. Students at the sports science department at the university of Hertfordshire mingle with some of the greatest sportsmen and women of our nation. Modern universities are quick to challenge some of the broader assumptions. The third highest performing university in terms of graduate starting salaries is not Oxford or Cambridge but South Bank university. It was proud to point that out to me when I visited it last week. Our modern universities do a first-rate job and we should not talk them down, as the Government seem to do.

The Government's approach has nothing to do with the interests of this country, helping our universities to excel on the world stage or delivering higher-quality academic achievement. It has everything to do with perpetuating class envy, which, we believed, was part of the Labour party's history. Sadly, it still appears to be present in the Labour party today.

I spent yesterday afternoon at Old Trafford watching Arsenal's unbeaten run come to an end. Next May, we shall ensure that the Government's unbeaten run comes to an end. When that happens, we shall return some sense to higher education policy. Under the next Conservative Government, students will be judged on merit, ability and potential. We will abolish the access regulator. There will be no more access agreements or fines if universities do not do what the Government tell them.

Our alternative approach to student funding will scrap fees and cut debt for all students. It will strengthen our universities financially, with no strings attached. We will tackle the real cause of problems in our education system—the standard of education in our primary and secondary schools—by giving teachers more control and parents more choice.

6.45 pm

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Ivan Lewis): Like my hon. Friend the Minister, I welcome the debate because it shattered some myths that are often repeated and truly exposed the differences between us and the Conservative party on issues that are vital to the character and destiny of our nation.

The debate matters because it concerns the aspirations, ambitions and anxieties of many young people and their families as they chart their path to the future. As politicians, we should never underestimate how the apparent need for short-term point scoring deeply affects many teenagers who are working hard to gain a place in higher education.

Several important contributions were made and, in the short time available, I shall try to answer some of them. First, let me deal with the contribution of the hon. Member for Epsom and Ewell (Chris Grayling). Let us be clear about Conservative funding policy for higher education. As defined by the shadow Chancellor, it is to match the Government's spending on schools. The implication is that there will be cuts in early-years and higher education and in adult skills. Although Conservative Members claim that they would no longer cap the numbers who go into higher education, the funding available to universities would be cut and we would return to the days of the previous Conservative Government.

The hon. Gentleman spoke of determination to break our unbeaten record. The structural problems that we are discussing today were caused by the unbroken 18 years of Conservative Government, which created the low achievement and low aspirations that are endemic in so many parts of our community.

Now that Sir Martin Harris declares himself to be an old Labour class warrior, he is unacceptable to the hon. Gentleman, but when he was vice-chancellor of one of the best universities in the country, the hon. Gentleman would have given him autonomy in decision making.

Mr. Sheerman: There has been a character assassination of Martin Harris. He is a distinguished academic and a fine university administrator with a great record. Some of his remarks have been taken out of context today, and that has done him and the House a disservice.

Mr. Lewis: I agree entirely with my hon. Friend. The Conservative party did not make the point that it has made today when Martin Harris was an incredibly successful vice-chancellor at Manchester.

Mr. Rendel: Is it the Under-Secretary's understanding of Conservative policy that total academic freedom over admissions would mean that such a man, if he were an unreconstructed, left-wing Marxist, would be free to allow only those who came from the state sector to go to his university?

Mr. Lewis: That might be one consequence of the Conservative view.

I stress to the hon. Member for Epsom and Ewell that the debate has been bogus in that it presents a false choice between raising standards in early years, schools and colleges of further education—the Government are more committed to raising standards at every stage of a child's development than any previous Government, through financial investment and a clear reform programme—and tackling the problem of endemic, cultural low aspiration in some communities, whereby no one in a school or family has had the opportunity to go to university. That is a false choice. Any responsible Government should address standards and the quality of education in institutions and raise the aspirations of those whom we wish to make best use of the education system.

Mr. Collins: If the Under-Secretary accepts our analysis that the problem lies with the schools, why does his policy provide for financial penalties on universities but not schools?

Mr. Lewis: The hon. Gentleman is clearly not listening. I question the standard of education in the school that he attended. To claim that we have to tackle either standards in pre-university institutions or communities where there has been no experience and evidence of higher education is to present a false choice. Surely the responsible policy involves bringing together an undying determination to improve standards—as I have said, from the earliest years until the further-education stage—and an equal determination to tackle the low aspiration and low attainment that have held back too many of our communities for too long.

Chris Grayling: Will the Minister give way?

Mr. Lewis: I will not give way again.

The hon. Member for Epsom and Ewell talked of the virtues of the Conservatives' financial package for the future of higher education, and of a new-found friendship with the hon. Member for Wantage (Mr. Jackson). What he did not say was that the hon. Member for Wantage had described the Conservatives' proposed package as regressive—and, as a distinguished former higher education Minister, he should know.

My distinguished colleague, my hon. Friend the Member for Huddersfield (Mr. Sheerman), the Chairman of the Select Committee, told us about the questions that were asked of him when he went to Norway to talk about relative performance in education. The Norwegians, he said, respected our progress—and we are making progress. We have a long way to go before we achieve the educational performance that the country needs and that we desperately want, but it is in the Conservatives' interests to do nothing but talk down our achievements and the improvements of recent times.

As my hon. Friend said, the process of applying to university is very complex for many young people and their parents. It is difficult and challenging. Asking universities to engage with young people of 14 or 15 and talk them through that process is an important part of presenting university as a serious option. He also pointed out that universities are diverse institutions. They are indeed, which is why we are not proposing a one-size-fits-all agreement between OFFA and the university sector. We are talking about individual negotiated agreements that are fit for the purposes of individual institutions.

The hon. Member for Wantage said that admission policies were being supervised by the external regulator. That is simply not true. Access agreements will deal with outreach work, bursaries and the provision of accurate financial information to help students make the right choices. He said that there was a danger that benchmarks would become targets and quotas because of the way in which this is being reported in certain sections of the media. He could have added, "and because of the way in which certain members of my party are presenting this debate and these issues."

I am always interested in the contributions of my hon. Friend the Member for Bury, North (Mr. Chaytor). He spoke of establishment pleasures and privileges being sustained by the Conservatives. I might point out, in an historical context, that establishment pleasures and privileges have sometimes been combined with communist plots in at least one of our top universities—but we need go no further. My hon. Friend also said that pupil funding was almost the only determinant of relative performances of which we should take account. I do not agree. I would expect anyone who had ever represented Bury to accept that, although pupil funding has improved considerably more under this Government than under our predecessor, it is not the only determinant of higher-education achievement.

The hon. Member for Stratford-on-Avon (Mr. Maples) referred at one point to the danger of an intellectual Jurassic Park developing on the Labour Benches. His is the party that has just returned the right hon. Member for Wokingham (Mr. Redwood) to the shadow Cabinet. The Conservatives know all about intellectual Jurassic Parks.

We heard how much better the education system used to be when we had grammar schools and secondary moderns. Not only is that untrue; it is not as if the Government are seeking simply to perpetuate the status quo in the quality of education available to young people. The move towards foundation specialist schools, the creation of city academies, the emphasis on basics in primary schools, the key stage 3 strategy, our new approach to 14-to-19 policy, education maintenance allowances all constitute a recognition that the status quo is not acceptable. However, I accept his point about schools' responsibility to engage with higher education institutions, as well as vice versa.

My hon. Friend the Member for Aberavon (Dr. Francis) spoke passionately, as he always does, about part-time and adult students and about the importance of tackling poverty of opportunity and creating social justice for all. He was right to focus on the barriers that still face many carers, especially young carers, who want higher education.

I have considerable respect for the independent and thought-provoking contributions of the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) to political debates of all kinds, but especially to education debates. Let me say to him again that, while low prior attainment is the main issue, it is not the sole issue. The idea that state schools are not as good as private schools—and that aspirations and skills, and parents' support for their children, are nothing to do with that—is nonsense. It is equally unacceptable, however, to excuse poor state school performance on the basis of a difficult and challenging home background. That is why we are modernising public services in exactly the way described by the hon. Gentleman, personalising them and putting customers at the heart of what we offer.

[Mr. Lewis]

I have a great deal of respect for the hon. Member for North-East Bedfordshire (Alistair Burt), another Member from Bury. He asked whether we would intervene in decisions on admissions if the figures remained the same. We will not, but I can tell him this: I am extremely confident that the figures will not remain the same. The results of tests on seven, 11 and 14-year-olds are improving, and inner-city schools' performance is improving faster than the performance of schools elsewhere. We have introduced education maintenance allowances and relationships have been developed between higher education institutions and local communities in which going to university has not been the cultural norm.

The tactics deployed by the hon. Member for Newbury (Mr. Rendel) and his party—scaremongering about young people not being able to afford to go to university—will be what helps to deter young people, not the Government's financial package. Our package offers income-contingent payback and the reintroduction of maintenance loans. Whatever package of financial support has been available in the past—grants for all, among others—there has been no break at any stage in the link between social class and access to higher education. The answer to the question, "What will the new system mean in terms of that link?" remains to be seen, but I believe that our other reforms will make a significant difference.

The truth is that neither the Government nor the main Opposition parties favour state interference in determining admissions to higher education, which is properly the responsibility of universities and colleges themselves. That, however, is where the consensus begins and ends.

The Conservative party stands firmly and proudly in the finest traditions of its past. It believes that higher education should be confined to an unrepresentative socio-economic group, that low aspirations in disadvantaged communities are inevitable and that higher education is for the middle classes, while the working class should be sent on vaguely defined vocational courses.

When exam results improve and the current generation of teachers is described by Ofsted as the best ever, the Conservatives claim that standards are not what they used to be. Their leader proposes a system whereby a young person who works hard to achieve a high grade will be penalised simply because an arbitrary number—or perhaps even a quota—of students achieve that grade. That is the real quota issue that has developed recently in higher education policy.

The Conservatives' higher education funding package and their student support proposals are regressive for graduates, and will leave a gaping hole in universities' finances.

This Government will not interfere in universities' right to determine their own admissions, but we will not betray Britain's interests either. Any country achieving economic success in the 21st-century global economy will have to energise and use the talents of all its people. A civilised and fair society will be real only when individual destiny is no longer determined by postcode, family background or social class. That is the age-old difference that divides the political parties, and I strongly urge the House to reject the Opposition motion this evening because it is designed to promote myths and propagate division and is not an accurate reflection of the Government's policy to improve participation in higher education and ensure wider access.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 136, Noes 332.

Division No. 275] **[7:00 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brazier, Julian
Browning, Mrs Angela
Burns, Simon
Burnside, David
Burt, Alistair
Butterfill, Sir John
Cameron, David
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Curry, rh David
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Duncan, Alan *(Rutland)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hammond, Philip
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Howarth, Gerald *(Aldershot)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert *(Salisbury)*
Knight, rh Greg *(E Yorkshire)*
Lait, Mrs Jacqui
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, rh Francis
Mawhinney, rh Sir Brian
May, rh Mrs Theresa
Mercer, Patrick
Moss, Malcolm
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Portillo, rh Michael
Randall, John
Redwood, rh John
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Dame Marion
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*

Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Ayes:
Mr. David Ruffley and
Mr. Crispin Blunt

NOES

Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Austin, John
Baird, Vera
Baker, Norman
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Beith, rh A. J.
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Burstow, Paul
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cable, Dr. Vincent
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Sir Menzies *(NE Fife)*
Caplin, Ivor
Carmichael, Alistair
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Corston, rh Jean
Cotter, Brian
Cousins, Jim
Cox, Tom *(Tooting)*
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gibson, Dr. Ian
Gill, Parmjit Singh
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hancock, Mike
Hanson, David
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Heath, David
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Holmes, Paul
Hoon, rh Geoffrey
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Sir Gerald
Keen, Alan *(Feltham)*
Kemp, Fraser
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Sir Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, rh John
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, Tony
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moore, Michael
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
Oaten, Mark *(Winchester)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Joan *(Enfield N)*

Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, rh Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Squire, Rachel
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stuart, Ms Gisela
Stunell, Andrew
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Teather, Sarah
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Thurso, John
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N
Watson, Tom
Watts, David
Webb, Steve *(Northavon)*
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wills, Michael
Wilson, rh Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Nick Ainger and
Paul Clark

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Question on amendments), and agreed to.*

MADAM DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House believes that universities should be solely and wholly in charge of their own admissions policies, a point which was repeatedly made clear during the passage of the Higher Education Act 2004 and is now enshrined in that legislation; notes that the Opposition opposed the passage of that Act; welcomes the annual publication of the higher education performance indicators which enable institutions to reflect on their own position; abhors the recent misinterpretation of those indicators as targets or quotas linked to funding; agrees that admissions to higher education should always be based on merit; further welcomes the recent report from Professor Schwartz on fair admissions to higher education; agrees that it is for institutions themselves to decide how to implement the Schwartz principles; supports the Government's policies to widen participation in higher education and open access for young people from disadvantaged backgrounds with the potential to benefit; congratulates the Government and the higher education sector on the steps they are taking to achieve this goal; notes that the most powerful driver of increased participation is to raise standards in schools, commends the new student support arrangements which will make higher education free at the point of use and fair at the point of repayment; further commends the establishment of the Office for Fair Access (OFFA) which will result in more financial support for students and more outreach work to boost applications from under-represented groups; and further notes that universities' admissions policies will be outside OFFA's remit.

Wind Farms

Madam Deputy Speaker (Sylvia Heal): I inform hon. Members that Mr. Speaker has selected the amendment in the name of the Prime Minister and has imposed a 10-minute limit on Back-Bench speeches. Hon. Members who are not staying for this debate should leave the Chamber as quickly and quietly as possible.

7.16 pm

Mr. Tim Yeo (South Suffolk) (Con): I beg to move,

That this House recognises that climate change is a major challenge for the twenty-first century and that renewable energy can help to cut carbon dioxide emissions; regrets the fact that renewable energy supplies only 2.7 per cent. of Britain's energy needs; deplores the Government's policy of relying exclusively on onshore wind farms to meet its renewable energy targets; condemns changes to the planning system which may lead to the construction of wind farms in inappropriate places against the wishes of local communities; and urges the Government to develop a wider mix of renewable energy technologies including hydro, off-shore wind, wave, tidal, solar, and bio-fuels and bio mass, combined heat and power, microgeneration, and energy efficiency.

I am delighted that the Conservative party has been able to devote half its Opposition day today, at the start of energy efficiency week, to this vital subject. In the next few minutes, I intend to expose the serious flaws in the Government's policy on renewable energy and to set out the Conservative party's approach. The alluring task of analysing the inconsistencies in the Liberal Democrat position I will reluctantly leave to my hon. Friend the Member for North Wiltshire (Mr. Gray). I envy him that chance, and as a trailer for his excellent winding-up speech later this evening, let me simply say that the muddle that the Liberal Democrats are in on this issue is at least as hilarious as it is on many others—hilarious if it was not such a disgrace. I will examine the Government's approach to renewable energy and wind farms in particular in the context of the international debate on climate change and the Government's overall energy policy.

On climate change, I am very happy to confirm that the Conservative party accepts the scientific evidence both that the climate is changing and that it is highly probable that one of the causes of that change is human activity. Indeed, I am proud that a Conservative Prime Minister—Baroness Thatcher—was the first Head of Government of any major country in the world to take the threat of climate change seriously. My own close interest in the subject began when I was a Minister of State at the Department of the Environment in 1993, with responsibility for environmental issues. Since then, the scientific evidence has become more compelling. I commend the Government on their role in helping to secure the Kyoto agreement, but it is very worrying that, after seven years of Labour Government, carbon dioxide emissions in Britain are rising, not falling.

Mr. Robert Key (Salisbury) (Con): Does my hon. Friend welcome the fact that a large number of the environmental leaders who, when he was a Minister of State, condemned the then Conservative Government for their attitude have now recognised that the Kyoto targets are unattainable, particularly in this country, without the use of nuclear energy?

Mr. Yeo: My hon. Friend makes an important point about the fact that, on present Government policy, it is extremely unlikely that Britain will honour its commitments under the Kyoto treaty. The targets that the Government have set will not be achieved without a significant and urgent change in their policy—that, of course, includes energy policy.

Paddy Tipping (Sherwood) (Lab): Will the hon. Gentleman say precisely what the Conservative party's policy on nuclear generation is? Does he propose that new stations be built and, if so, over what time scale and by whom?

Mr. Yeo: I will set aside the hon. Gentleman's cheek in posing a question that his Prime Minister has refused to answer for the past seven and a half years; we are no nearer to having any clue as to what the Government's approach is to this vital issue, even though they have been in charge for all that time. They have access to all the information and, quite apart from our environmental commitments, the decision about how to achieve security of energy supply in Britain is urgent, as I shall set out.

However, the hon. Gentleman makes a fair request, and I am happy to accede to it. It is clear that nuclear power scores in terms of climate change because there are no carbon dioxide emissions. That is a huge plus point for nuclear power. I have listened with interest to the debates between the proponents and the opponents of nuclear power. It is up to its proponents, who are quite vociferous, to make the case, and in particular to address two legitimate concerns—first, the environmental concern about the waste issue, and, secondly, whether on strict financial criteria nuclear power is economically viable. If the proponents could address those two concerns to my satisfaction, I would have no other anxieties about nuclear power.

It seems likely that the Prime Minister will continue to duck this decision. If I were to have any role in taking the decision within the first year of a Conservative Government, I would make sure that we had a time-limited review so that people knew that that first year was the period during which they had to make the case for nuclear power.

Mrs. Gillian Shephard (South-West Norfolk) (Con): My hon. Friend has pointed out the Prime Minister's reluctance to put his cards on the table with regard to the Government's policy on nuclear energy. Does he agree that there is a similar reluctance on the part of the Chancellor to put his cards on the table with regard to encouraging biofuels, and does he think that that is regrettable?

Mr. Yeo: My right hon. Friend anticipates a point that I shall come on to shortly. She is right that biofuels could make an important contribution to tackling climate change, but they are currently handicapped in doing so by the timid approach that the Government have adopted. They have given a small duty cut, but that is not enough to kick-start the market for biofuels.

There is a problem of critical mass with all such alternatives. It is no good having an alternative that accounts for 0.1 per cent. of the market. To get a market going, there has to be a sufficient mass of activity, and in the case of biofuels that momentum will be created—with a lot of other advantages, which I shall mention shortly—only if the Government are a lot bolder in their approach to cutting duty rates.

John Robertson (Glasgow, Anniesland) (Lab): The hon. Gentleman has attacked the Prime Minister on where he stands—or, in this case, does not stand. Where does the hon. Gentleman stand on the figures and targets that the Government have set? Would he back them up, and if so, how would he do that?

Mr. Yeo: That is a helpful intervention; I was about to come on to that point. There are many other issues on which I would attack the Prime Minister but, unfortunately, you might consider them outside the remit of this debate, Madam Deputy Speaker.

The Conservative party endorses not only the Kyoto targets, but the more demanding ones that the Government have set for Britain. However, it would be helpful if we did not jump from a target that is 10 or 15 years hence to one for 2050; a series of intermediate steps would make the very long-term targets more credible, but that may be a point of detail.

What is clear is that none of these targets will be achieved unless policy is changed, and not just policy on renewable energy. Transport policy must be changed and energy efficiency must be given much greater priority, to mention just a couple of the important areas where far more urgency is needed. My right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) highlighted that last month in a powerful and wide-ranging speech on this subject.

Norman Baker (Lewes) (LD): On 5 October, addressing the Conservative party conference, the hon. Gentleman said:

> "To tackle congestion, I'll expand the road network."

Did he anticipate that that would lead to a reduction in carbon emissions?

Mr. Yeo: If the hon. Gentleman had taken the trouble to read the rest of my speech to the Conservative party conference, he would know that the answer to his question is yes. Technology opens the door for us to allow people to use their cars as they wish. The car has hugely enhanced people's lives in the last century, and we want people to be free to use their cars. We will not have a transport policy that is predicated on an attempt to get them out of the car, but we will encourage cleaner cars, such as more fuel-efficient and alternative-fuel cars. In that way, we can get the best of both worlds.

I hope that when the hon. Gentleman speaks in this debate he will clarify his position on the decision of Lewes district council to ban solar power in the town, despite the fact that it was particularly badly affected by flooding. It might be the case that in the minds of the hon. Gentleman and his Liberal Democrat colleagues there is no connection between violent floods and climate change, but it would enlighten the House, and possibly amuse it, if the hon. Gentleman were to clarify his position on that.

Norman Baker: Lewes district council did not ban solar power or any other renewable source. Indeed, evidence from planning applications demonstrates that the council has granted 13 out of 18 applications for solar panels in the last four years. Having heard the facts, I hope that the hon. Gentleman will withdraw his allegation, which he continues to make.

Mr. Yeo: I am happy to repeat the allegation: there is a conservation area in Lewes in which the council's policy is to ban solar power.

Let me move on to a wider scale. It is not only Britain that needs to change policy if we are to tackle successfully the challenge of climate change. The United States of America needs to change even more. One of the blackest marks on the Prime Minister's record is his complete failure to use his influence with President Bush to try to get the US to ratify the Kyoto treaty. Without United States involvement, the Kyoto process is seriously, and possibly fatally, weakened. Nobody will take the Prime Minister's claim to be concerned about climate change seriously until there is evidence that he personally has used his uniquely advantageous position to win a change in the United States' approach.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich) (Lab): Before the hon. Gentleman too rapidly escapes from transport, would he like to make clear the Conservative party's attitude towards aviation? Does it intend to apply extra taxes? It talks about renewable energy; is there an attitude towards the use of fuels in general?

Mr. Yeo: We have now developed a detailed policy on road transport, but I recognise that aviation is an even faster growing source of carbon dioxide emissions, and the absence of tax on aviation fuel creates an unlevel playing field in terms of transport choices. Therefore, between now and next spring, I intend to add more detail to our response on aviation.

I hope that the Government also accept that a failure to address the fast-growing source of emissions that aviation constitutes is yet another gaping hole in their strategy towards climate change.

Gregory Barker (Bexhill and Battle) (Con): As and when it comes, the policy that my hon. Friend announces will be greatly welcomed not only by Conservative Members but by many people in the environmental lobby, because the Government's record on aviation is disgraceful. We hear nothing from the Ministers with responsibility for it, and what we do hear is lamentably unambitious; they have no vision and no plan.

Mr. Yeo: I am grateful for my hon. Friend's encouragement, although I am unsure whether it is universally shared by Conservative Members. He is rightly known to be one of the most committed environmentalists in Parliament, and I am delighted that he is here to be supportive today.

Returning to Britain, energy policy is a key factor that will determine how successful we are at tackling climate change. The Government's White Paper on energy was a chance for them to set out a coherent approach to this problem; sadly, it signally failed to do so. Government energy policy should have two overriding aims. First, it must ensure security of supply. Secondly, it must enable Britain to honour its environmental commitments. The White Paper implied, wholly misleadingly, that both aims could be achieved without any effect on electricity prices. That was dishonest. The truth is that if we are to have secure energy supplies and meet our environment goals, prices will rise. That throws up the additional challenge of how to deal with the problem of fuel poverty; however, the way to tackle that is not through energy policy, but through greater investment in energy efficiency and through the benefits system.

Mr. Brian Wilson (Cunninghame, North) (Lab): I agree with quite a lot of what the hon. Gentleman has said. The point he is leading to now is extremely topical because of the sharp rise in gas prices. Does he agree with me that, to a large extent, the key is to have an energy policy that is based much more strongly on indigenous energy sources? We should not be talking about renewables versus nuclear versus clean coal; we should be talking about the role of all three, which will lead to a diminution in our future dependence on imported gas.

Mr. Yeo: I greatly regret the right hon. Gentleman's absence from the Treasury Bench. I recall his contribution to previous energy debates with much pleasure and a good deal of respect, and it is a shame that he is no longer a force for good sense in the Government, especially in their approach to energy policy. His point is well made, and I intend to address the subject he raises.

The White Paper seriously underestimated the probability of interruptions to supply, not just decades from now, but in the next few years. Given the damage that even brown-outs inflict on the economy and the hideous disruption to business and domestic life that any power cut causes, the White Paper's underestimate could have devastating consequences for Britain. Our infrastructure is already creaking, and our dependence on gas imports is increasing alarmingly, especially given the source of those imports and the limited number of entry points. I am indebted to the Parliamentary Office of Science and Technology, whose latest paper, No. 230, published this month, confirms the worrying position. It states:

> "By 2010, it is estimated that the UK will be 50 per cent. dependent on imported gas, rising to 80 per cent. by 2020".

It continues:

> "estimates suggest that the minimum share of gas in electricity generation will rise to 46 per cent by 2012 and some analysts suggest that this figure could be as high as over 60 per cent."

About a quarter of our electricity needs might soon be wholly dependent on imported gas. Remember that at present gas is imported into the United Kingdom through just two pipelines: the Bacton interconnector in Norfolk and the pipeline from Norway that enters through St. Fergus in Scotland. I do not need to spell out the vulnerability of that arrangement in today's world. It is not as though our gas storage capacity provides any protection—indeed, as POST notes,

> "many European countries . . . have large strategic storage capacities, of up to 80 days' on average compared to 13 days for the UK."

Never before have we relied on imports for more than a quarter of our natural gas needs. No wonder the POST note contains a concluding warning:

> "The shift from domestic gas surplus to import dependency may leave the UK more vulnerable to supply interruptions and gas price fluctuations".

Mr. David Chaytor (Bury, North) (Lab): The hon. Gentleman's comments about security and imports are pertinent, but does he not accept that they apply equally to nuclear power? To the best of my knowledge, there is no uranium mine in the UK.

Mr. Yeo: There are a great many more than two potential suppliers of uranium, which can be imported in a variety of ways and is not confined to two highly vulnerable pipelines. However, any form of energy is to some extent at risk from a variety of threats, of which terrorism is only one. That is why it is so crass of the present Government in terms of renewable energy to put all their eggs in one basket, and in terms of fossil fuels to become so vulnerable and wholly dependent on imported gas.

Mark Tami (Alyn and Deeside) (Lab): The hon. Gentleman talks about a lot of problems that we might face, but does he agree that many of them are a result of the way in which the industry was privatised by the Conservative Government?

Mr. Yeo: No, I do not accept that.

The truth is that Ministers are playing fast and loose with our future energy supply needs. They are banking on the chance that the damage that their reckless approach will cause will not occur until they have moved on to new pastures. Amazingly, their approach to renewables does nothing to deal with the problems of security that I have described.

The White Paper set extremely challenging targets for the proportion of Britain's energy that was to be derived from renewable sources, even though in their first three years in office the Labour Government failed to meet the renewable energy target for 2000 that was set by the previous Government. The Conservatives believe that it is crucial that Britain produce more energy from renewable sources. We believe that for environmental reasons, as well as for the reasons relating to security of supply that I have just outlined. Precisely because we believe that so strongly, we are horrified by Labour's approach to renewables, which can be summed up as onshore wind, and nothing else, and which involves forcing local communities throughout Britain to accept onshore wind farms, regardless of how damaging their environmental impact may be on the neighbourhood.

Mr. Edward Leigh (Gainsborough) (Con): My concern is the fly-by-night, paper nature of many of the companies, which simply spatter applications all over the countryside and sell on planning permissions, churning up a great deal of angst in local communities. Should we not take a more co-ordinated approach, perhaps via public inquiries? We have to accept that an honest debate is needed and that we can never meet all our needs from wind farms without ruining the environment. We have to accept the nuclear option.

Mr. Yeo: I am certainly in favour of an honest debate. I know that my hon. Friend will make a wise and positive contribution to such a debate, if we are allowed to have it.

Of all the available renewable energy technologies, onshore wind is the least reliable and therefore the least suitable for a country where security of supply is an urgent issue. The problem of intermittency is real: consumers who use electricity generated by onshore wind need an alternative and reliable source of power for those days when the wind does not blow—and, indeed, for those days when it blows too hard. Our second objection to the technology is that the siting of an onshore wind farm has a major, often negative, environmental impact on the area—visually and in terms of noise, and sometimes in terms of the consequences for wildlife. It is almost beyond belief that on an island, with all the potential that that offers for offshore wind, tidal and wave power, and in a country where, partly through the Government's own blunders, agriculture is struggling and farmers would benefit from new crops, almost all the Government's support for renewable energy is targeted at onshore wind. Sadly, however, that is the effect of the present operation of the renewables obligation.

If Britain exploited its natural advantages in offshore technologies, we might become a world leader, with all the commercial benefits that that could bring. If we offered users of biodiesel and bioethanol more favourable rates of duty, as advocated by my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard), demand would grow. As the market would be a new one, it is doubtful that even the Treasury would lose, because a cut in the rate of duty really could lead to an increase in the yield, so that revenue would grow, not fall. Microgeneration is another way in which we can increase the use of renewables, but if the potential contribution from that source is to be fully realised, changes are needed to the way in which the transmission and distribution networks are funded.

Another of our concerns centres on the way in which onshore wind farms are being imposed on local communities and in unsuitable places, despite strong local opposition, which is often based on sound environmental grounds. This might be the right moment to make it crystal clear that the Conservative party is neither opposed in principle to onshore wind farms, nor opposed in practice to every proposal for an onshore wind farm. We believe that onshore wind will have a role to play—but as part of a mix of renewable energy sources. Individually, wind farms must be situated in places where there is a reasonable degree of acceptance by the local community. At present, a worryingly large number of proposals fail that test. The result is that the case for renewable energy itself is starting to get a bad name in some places.

Mr. Bob Blizzard (Waveney) (Lab): Will the hon. Gentleman give way?

Mr. Yeo: No. I am sorry.

[Mr. Yeo]

Take the case of the Vale of White Horse in the constituency of my hon. Friend the Member for Wantage (Mr. Jackson). There is a proposal near Watchfield, where local people are opposed to the erection of five turbines almost 100 m high. They are lucky to have Ed Veizey to champion their cause locally. Planning policy statement 22 requests local authorities to set their own criteria for the minimum separation distances between different types of renewable energy projects and existing developments.

When the Minister responds, will he say in general terms what he believes is acceptable in terms of minimum distances? In the Vale of White Horse, there is a facility nearby for autistic children, who might be disturbed by the noise, the strobing and the low frequency sound produced by the turbines.

Moving further west, I am advised by Ashley Gray, an effective campaigner who is working to protect the landscape, and by Mrs. Caroline Jackson MEP, that planning applications threaten a number of landscapes in the west country. Going north, in Rossendale and Darwen, on Scout moor, an area of outstanding national beauty, there is another application for 26 turbines, 100 m high, with a footprint of more than 130,000 sq m. Eight miles of road will have to be built on the moor for this project, which will create a total of just four jobs. I am glad that Nigel Adams is fighting the cause.

Mr. Peter Ainsworth (East Surrey) (Con): If I may say so, my hon. Friend is making a compelling speech. I hesitate to draw him back to the choppy waters of nuclear energy. As he has not altogether ruled out nuclear energy as a possibility and he is talking about a mix, what sort of local resistance does he anticipate facing in the event of wanting to build new nuclear power stations all over the countryside? Is he concerned not only about costs and waste but with the issue of safety?

Mr. Yeo: My hon. Friend, who performs a distinguished role as Chairman of the Environmental Audit Committee and who has contributed to these debates on a number of occasions, raises an important point. As it happens, I think that the most recent nuclear power station to be built in this country was at Sizewell, in the constituency next door to mine. I am quite familiar with the current debate. I represented south Thurrock when that debate was taking place. I am aware of the concerns that my hon. Friend suggests may be raised. Indeed, they will be. I have no doubt that if a proposal for a new nuclear power station was to come forward in any constituency, there would be a considerable local debate and a lot of controversy.

In the case of Sizewell, my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer), I and others were able, I think, to allay the concerns that were expressed. The power station has operated perfectly satisfactorily with benefit to the local economy, and so on. It would take some time to meet concerns. Issues about the environment and the cost would have to be addressed, and I would need to be convinced. Rightly, my hon. Friend also raises the issue of safety. I recognise that that would be a bigger and perhaps more controversial issue than even a wind farm. Nevertheless, I hope that in the end local people would see the issue on its merits and that the outcome would be a rational one, but it is not for me to prejudge what may or may not happen.

Several hon. Members *rose—*

Mr. Yeo: No, I will not give way. I have already been speaking for nearly half an hour. I wish to mention some other urgent local issues.

In north Devon, Orlando Fraser has told me about the concerns of local people over the planning application for Fullebrook Down for 22 turbines each more than 360 ft tall. Later this week I shall be visiting Herefordshire, where my good friend Virginia Taylor will explain to me the work of the friends of the Golden Valley group, who are fighting—I am glad to say that they are doing so successfully, so far—against a huge and wholly inappropriate wind farm. There are many other applications that I could mention. For example, there are the proposals for Romney Marsh, which are being opposed by no less a person than my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), the Leader of the Opposition. There is a proposal for a wind farm near the A14 at Boxworth in South Cambridgeshire. It is opposed by my hon. Friends the Members for South-East Cambridgeshire (Mr. Paice) and for South Cambridgeshire (Mr. Lansley).

In each of these cases local opinion faces the prospect of being ignored by Ministers. The residents in each of the places that I have mentioned, and in other places similarly threatened, will be looking carefully at what the Minister says this evening. If, as I suspect, they will find little to comfort them, I am happy to take this chance to make it clear that the next Conservative Government will withdraw PPS 22 and will replace it with planning guidance that strengthens rather than weakens the role of local authorities in determining the siting of renewable energy projects.

Mr. Keith Simpson (Mid-Norfolk) (Con): Will my hon. Friend give way?

Mr. Yeo: No, I am sorry. I am reaching the end of my remarks.

I believe that most people recognise that we need more renewable energy in Britain. I believe also that there are some communities that will welcome wind farms in their area. However, I am convinced that the Government's present approach is the worst of all possible worlds. Unless there is an immediate change of policy, Britain's energy supplies will become less secure, not more secure, because of the Government's renewable energy strategy. Britain will throw away the chance to become a world leader in renewable energy technology other than onshore. Britain's farmers will be denied the chance to grow a valuable new crop. Our countryside will be littered with inappropriately sited wind farms. Instead of communities that are proud to play their part in the battle against climate change, we will have groups that resent the imposition by Ministers in Whitehall of damaging developments on their doorstep.

That prospect faces Britain under Labour, and because of it I commend the motion to the House.

7.46 pm

The Minister for Energy and E-Commerce (Mr. Mike O'Brien): I beg to move, To leave out from 'House' to the end of the Question, and to add instead thereof:

"recognises the passing of the Energy Act 2004 and the positive actions taken by the Government to increase the amount of energy supplied from renewable sources; welcomes the global leadership shown by the Government on climate change and commends actions taken to meet the UK's Kyoto targets; condemns the Official Opposition for opposing the development of renewables while claiming to support them in principle; notes the abject failure of the Official Opposition to provide coherent policy proposals to meet the climate change challenge and its continued opposition to the Climate Change Levy; praises the Government for providing significant resources and support to the development of wind energy, including £117 million for the development of offshore wind energy; further notes that a growing proportion of wind farm developments will occur offshore; supports steps taken by the Government to promote energy efficiency and notes with approval that the planning regime allows for wind farm proposals to be thoroughly considered in terms of their impacts on local communities and environments and their contributions to national energy needs and policies; commends the Government's commitment to diversifying the sources of the UK's energy supply and the related investment in a wide range of renewable technologies including energy crops, £60 million investment for biomass, £31 million towards photovoltaics and £50 million for wave and tidal; and further condemns the Official Opposition's energy policy that would drastically reduce the UK's investment in renewable technologies."

The Conservative attitude to the renewables debate is opportunist, incoherent and fundamentally dishonest. It is opportunist because it seeks to play on the fears of a small number of communities in marginal constituencies that have particular concerns about onshore wind farms. At one stage the hon. Member for South Suffolk (Mr. Yeo) listed threats to the country. It is incoherent because the Conservative attitude hints at support for emissions reductions and renewables and then refuses to support the difficult decisions that are required to achieve these things through onshore wind energy. The Conservative policy is dishonest because it claims to the public that investments in offshore wind farms and other renewables can deliver on renewables by 2010 when reputable scientists know that they will not.

Today, we witnessed the Conservative party in full pre-election mode, playing political games for votes and promising two mutually undeliverable things: the emissions and renewable targets will all be met and communities will have a complete veto over onshore wind farms. These energy issues, which are serious and relate to the future of our country and that of the wider world, should be treated with far more seriousness than the political knockabout that we saw from the Conservatives today. The politics of the short term, the cynical and the expedient that determines Conservative policy shows that the Conservatives are not a serious Opposition.

Gregory Barker: Does the Minister realise that it is he who is living in cloud-cuckoo land when he thinks that it is just local communities that are worried about the proliferation of large-scale wind farms? The proposal for Romney Marsh, for example, near my constituency, has upset local residents and anyone who is concerned with the preservation of wild birds, particularly those that have only a small amount of nesting ground. That is an issue that concerns far more people than just local residents. By ploughing ahead with the proposal, the Minister risks discrediting the whole renewable agenda.

Mr. O'Brien: On this business of Romney Marsh, it seems that national Conservative party policy has been decided by a local planning application in the Folkestone constituency of the Leader of the Opposition. Does that reflect concerns about the national interest? No. There are concerns about Romney Marsh, and I do not dispute that it is an important place, but the whole of Britain's energy policy should not be determined by one local area.

I shall now set out the seriousness of the problems facing us and the reasons why some difficult decisions need to be made and why this Government, unlike the Conservatives, are prepared to make them. The hon. Member for South Suffolk referred to specific projects, but the House will know that Ministers cannot comment on a specific project that may be in the planning process, and that Ministers may have to consider in the future.

Gregory Barker *rose*—

Mr. O'Brien: I have given way once to the hon. Gentleman, but I shall do so again because I have mentioned an area near his constituency.

Gregory Barker: It is extraordinary that the Minister has castigated an Opposition Front Bencher for mentioning planning cases. He has just spoken very clearly about the Romney Marsh project, which is three weeks into a five-week public inquiry. How does he square that? Is not what the Minister has just said about Romney Marsh blatant political interference in a public planning inquiry?

Mr. O'Brien: Absolutely not; I have in no way prejudged anything to do with Romney Marsh—my point concerned the attitude of the Leader of the Opposition. It is in no one's interest to put wind farms in the wrong locations. That is why the Government insist that all renewable energy projects must be considered as part of a formal planning process that gives people the right to express their views and have them taken into consideration.

Mrs. Dunwoody: Can I take it that that also applies to offshore wind farms and the interests of the fishing community, particularly in Morecambe bay, where the lines that inshore fishermen would have to follow present real problems?

Mr. O'Brien: I want to ensure that the fishermen can make their views felt when an offshore application occurs. We have not only listened to the views expressed by fishermen on the general issue of offshore wind farms—some fishing communities oppose them—but set up studies to examine the problems raised by those fishermen to ensure that we address the serious points.

Paddy Tipping: Will the Minister draw a clear distinction between the Government's policy of listening to people's views and the Opposition's policy,

[Paddy Tipping]

which is clear, of rejecting either wind power or nuclear power if the opposition is vociferous? That is a crazy way in which to run energy policy.

Mr. O'Brien: My point is that the Conservative Opposition have not got a serious energy policy.

On planning inquiries, we want the impact on the environment, the local community, the landscape and the country's energy needs to be weighed fairly and fully in the balance. We should balance local and national interests, because everyone has a vested interest in reducing emissions that damage our environment and possibly our health, in improving the security of energy supplies and in examining the impact that blocking onshore wind farms may have on our prospects of dealing with energy problems. That is why local planning authorities handle all proposed developments that would generate less than 50 MW. Under section 36 of the Electricity Act 1989, which the Conservative party introduced, proposed developments generating more than 50 MW or 1 MW offshore are dealt with by my right hon. Friend the Secretary of State for Trade and Industry.

Planning guidelines for local authorities are contained within PPS22, which was updated in August. It is wrong to say that PPS22 has made it harder for members of the public to have their say about new wind developments. Indeed, the objective of the exercise is to let local people have their say, while ensuring that decisions are made expeditiously and fairly bearing in mind the need to reduce energy emissions, which Conservative Members seem to recognise. PPS22 enables local people to have their rightful and democratic say within the checks and balances of the planning system. We also want to recognise the national element and ensure that the national planning inspectorate, which conducts inquiries, considers both local and national needs.

Mr. Leigh: The Minister's speech sounds reasonable, but he must understand that local authorities suspect that they are wasting their time by turning down such applications, because the inspector's final decision is based not on local planning conditions, but meeting our obligations under the Kyoto protocol. Will he make a firm commitment to my local authority and the others represented here that his inspectors will decide those issues on what is best for the local environment, which is what the planning process is all about?

Mr. O'Brien: The planning process is all about ensuring that the right balance is struck. The Conservative party wants to give a local veto to local people on any planning application for an onshore wind farm, but the national interest must also be weighed in the balance, and I assure the hon. Gentleman that we updated the planning guidance in August to achieve the correct balance. We gave full weight to local people's interests and gave local people the right to have their say in the planning process. We also weighed the need to examine local people's interests as well as the wider national interest in ensuring the development of renewables. Updating the planning system was all about getting the balance right.

Mr. David Heath (Somerton and Frome) (LD): The Minister has described a passive process, but some hon. Members feel that the need to develop some renewables is more urgent. Will he address smaller scale water turbine development, which is a runner in my constituency? It uses old mills, but the Government have provided very little encouragement.

Mr. O'Brien: We need to support small-scale hydro projects. I hope that some of the various grant schemes that we have introduced will enable such projects to find funding to provide the extra assistance that they need to develop. Some of those schemes—particularly micro-generation schemes—could well be the means by which many of us obtain our energy in 10 or 20 years' time. Local micro-generation will become much more important, and I want to see its development.

Mr. David Drew (Stroud) (Lab/Co-op): Does my hon. Friend agree that one of the problems of ruling out local initiatives or the nuclear option is that one must then examine other large renewable options? One such option, which is very close to my heart, is the Severn barrage, which I have always opposed because of the environmental damage that it would do to the Severn estuary. If we do not grasp that we need power from different sources, we will not argue about the Severn barrage, because it will be imposed on us. Will my hon. Friend say that we must examine local initiatives?

Mr. O'Brien: Yes; I am happy to say that we must examine a range of diverse energy sources. In the long term, I want to see the growth of local projects, micro-generation, solar schemes and windmill schemes. I recently examined a windmill project in which the windmills are no larger than satellite dishes and can be put on top of roofs, and we must be prepared to examine such schemes in order to deal with energy in the future.

Mr. Chris Mole (Ipswich) (Lab): Does my hon. Friend agree that businesses such as Your Energy, which is involved in 25 per cent. of applications for onshore wind farms, depend on certainty in the planning regime? Threats to withdraw PPS22 undermine the commercial decisions that such businesses must make to obtain the investment that will allow us to move forward as a leader in such technology.

Mr. O'Brien: My hon. Friend is right. What the Leader of the Opposition said the other day and what Conservative Members have said today has put doubt in the minds of many companies across this country on the question whether sufficient support for the development of alternatives and renewables will exist in the future. The Conservative party cannot be trusted on that issue, and its opportunistic policy will put doubts in the minds of many companies.

The Prime Minister made it clear that climate change is the world's greatest environmental challenge. Burning fossil fuels produces greenhouse gases and carbon emissions, which can raise the earth's temperature. That could lead to changes in temperature patterns, which could mean an increase in droughts, which affect crop yields, tornadoes, flooding and the extinction of some vulnerable species of wildlife.

Energy demand in the UK and across the world is rising, while the availability of fossil fuels is expected to decline in the long term. The issues are serious, and all Governments must respond to them with long-term solutions. We must develop sustainable, secure and diverse supplies of energy for the future. The UK has set a target to reduce carbon emissions by 60 per cent. by 2050.

There is no single means of delivering that target. Better energy efficiency is crucial but insufficient in itself. Green energy—renewable generation—has a key role to play. It can contribute towards secure energy supplies, create new investment and bring new jobs. The UK has set a demanding target for 10 per cent. of our electricity generation to be supplied from renewable energy by 2010. In 1997, renewables contributed 0.7 per cent. of our electricity. That has been tripled by Labour, but there is still a long way to go to hit our target of 10 per cent.

Richard Ottaway (Croydon, South) (Con): Will the Minister give way?

Mr. O'Brien: No; I have been generous, and I will not give way again.

To achieve that target, we need to make use of all renewable sources. We expect 7 or 8 per cent. of the 10 per cent. generation to come from wind energy. Other technologies will be hard pushed to produce the rest. The suggestion that other energy sources can hit the target by themselves is plain fantasy. Roughly half the 7 to 8 per cent. will come from onshore wind generation and half from offshore wind generation. Today, renewable electricity, mainly from wind farms, supplies enough electricity to light up Manchester. In theory, up to 2 million homes could be lit from wind power. But the plain fact is that without a substantial increase in onshore wind developments, the 10 per cent. target is unachievable. The Conservatives profess support for renewables but seek to introduce policies that would prevent their use. Their proposal to give a local veto on all wind farm developments is simply not credible to anyone who is serious about our renewables targets.

We are not focused on onshore wind farms to the exclusion of other energy sources—the UK has a vast potential renewable source, and we want to take forward a wide range of renewable technologies—but wind energy currently offers the best, the most cost-effective and the only truly serious potential for expansion in the short to medium term.

Mr. Key: Only this month, the Government chief scientist said that if we are to combat climate change and meet Kyoto, decisions on future nuclear build must be made within five years. The Secretary of State for Trade and Industry has said that those decisions do not need to be made for 20 or 30 years. What is the Minister's position?

Mr. O'Brien: That is a very good and carefully modulated question—I like it. As I have managed to discuss the issue with both people, I suspect that the hon. Gentleman may want to reconsider his remarks.

We have not ruled out the nuclear option. Nuclear energy is not commercially attractive at the moment, and no companies are coming forward with propositions for such developments. If they did so in future, we would consider them. However, before going ahead with any nuclear programme we would have to produce a White Paper on nuclear energy and to consider all the issues, including those related to nuclear waste. We would also want to ensure full and widespread public consultation.

Mr. Blizzard: If we want to make progress towards a 60 per cent. reduction in CO_2 emissions beyond what we will achieve through the 20 per cent. renewables target and energy saving policies, another alternative to the nuclear option is carbon sequestration. Will my hon. Friend assure the House that the Government are considering that as well as what the nuclear industry can offer?

Mr. O'Brien: Yes, I do want to consider carbon sequestration, which I have discussed with my hon. Friend before. I shall ask officials to provide me with full reports on that possibility, which we need to explore.

Our main mechanism to bring forward renewable generation is the renewables obligation. As a market-based measure, the obligation favours the more cost-effective forms of renewables, particularly wind. I am well aware that there are well-organised and vocal anti-wind farm campaigns. However, recent surveys have shown that 67 per cent. of people favour an expansion of renewables, including wind farms. What was particularly fascinating about those surveys was that people who lived near wind farms tended to be more supportive than those who did not. The figure for support went up to 80 per cent. for those who lived within 5 km of a wind farm. It remains to be seen whether those results are borne out by other surveys, but it does suggest that those who know the facts about living with wind farms do not accept the misconceptions. Those facing the prospect of wind farms in their area may well have concerns, and it is right to address them; it is not right, however, to stir them up for short-term political advantage.

Mr. James Gray (North Wiltshire) (Con): Does the Minister agree that if those polls are correct, and local people in areas where wind farms are proposed are as much in favour as he suggests, there will be no problem whatsoever in allowing them the final say on whether they have them?

Mr. O'Brien: The short-term political advantage that the hon. Gentleman is hoping to garner may turn out not to be as great as he thinks. As I said—obviously he was not listening—where applications are being made people may have concerns, which are sometimes no doubt stirred up by Conservative MPs for short-term political advantage. It is worth noting, however, that where wind farms are already in place, the figures that we have seen suggest that most people like them—80 per cent. do, and 20 per cent. do not.

We need to ensure that we develop other technologies. The Government are not only supporting onshore wind energy—we have also made funding available to bring forward emerging technologies with the potential to

[Mr. O'Brien]

make a contribution in the longer term. We have announced more than £0.5 billion pounds of support for emerging technologies since 2002. That includes £117 million for offshore wind energy. The potential exists for the UK to be a world leader in the field of offshore wind energy. Last year was a record year for onshore wind energy, with eight offshore consents being approved. We expect all the currently consented sites to be built by 2010. Proposals have been accepted for 15 sites, which, taken together, could supply up to 7 per cent. of our electricity. The second round of onshore programmes paves the way for the biggest expansion of renewable energy yet seen. Perhaps 3.5 per cent. of that will come on stream by 2010.

Richard Ottaway: Will the Minister give way?

Mr. O'Brien: I have been generous. If the hon. Gentleman will bear with me, I have a bit more to say and do not want to take as long as his Front-Bench spokesman.

The Government are also providing support of the order of £100 million for bioenergy. That support benefits facilities ranging from 40 MW power stations to household micro-generation schemes. Earlier this month, the Government announced a new biomass taskforce to stimulate biomass supply and demand. It is to be led by Sir Ben Gill, the former president of the National Farmers Union.

Wave energy and tidal stream technology have the potential to supply a significant proportion of our energy needs. Those technologies are still at the pre-commercial prototype phase, but the UK is currently a world leader in their development. In August, my right hon. Friend the Secretary of State for Trade and Industry announced the £50 million marine renewables deployment fund to help speed the commercialisation of wave and tidal power.

Last month, I announced that schools, houses and commercial buildings will benefit from £8.5 million of extra new funding to encourage more energy production from solar panels and small-scale renewables. That brings the Government's commitment to solar photovoltaic—PV—to £31 million since 2002. It also increases support for the use of small-scale renewables in households and communities through the £12.5 million clear skies programme and its Scottish equivalent.

We are also developing a broad-based strategy on micro-generation that goes out to consultation next year. There are many potential jobs here, with 8,000 jobs in renewables so far and 35,000 likely in future. For example, Romag, a company from Leadgate, provides the public screens here in the Chamber and PV solar tiles for people's homes.

I have gone through a list of the funding that we are providing, yet the last Conservative Government cut support to the renewables industry to the bone in order to fund their tax cuts. The Conservatives have made it clear that they want more tax cuts. Will they commit themselves to matching Labour's funding of renewables budgets? Will they forgo tax cuts to keep up the programme of investment if they ever come into office? I very much doubt it.

The Government have taken positive steps to expand renewables, but the Conservatives cut funding. The Government have provided national leadership on renewables, but the Conservatives have played nimby politics. The Government have put in place action to meet the Kyoto targets—and we will meet them—but although the Conservatives claim to support renewables in principle, they oppose key elements of the way in which we will meet the targets in practice. The climate change levy funds renewables research, but the Conservatives would take away such funding by removing the levy. The Government have put £117 million into offshore wind energy, but the Conservatives have given no commitment to new funding. The Government have put in place a planning process that gives local people the right to have their say and also allows the national interest on renewables to be heard, but the Conservatives ignore the national interest on energy. The Government have committed funding to renewables—£60 million for biomass, £31 million for photovoltaic and £50 million for wave and tidal power—but the Conservatives cut research funding in the past and would do so in the future to pay for tax cuts.

Onshore wind farms are an essential part of renewables and any party that fails to appreciate that cannot claim to be taken seriously as a party of national government. I say to the hon. Member for South Suffolk, in the immortal words of John McEnroe, "You cannot be serious".

8.11 pm

Norman Baker (Lewes) (LD): I was looking forward to participating in a debate on climate change during the Conservatives' Opposition day last Monday. Unfortunately, the debate was pulled, but I expected it to be reinstated this week. Instead of a debate about the serious issue of climate change, however, we are having a debate that represents an attack on wind farms, although they are one of the ways in which climate change may be tackled. In the period of eight days, the Conservatives have displayed inconsistency and opportunism.

Richard Ottaway: When last week's debate was announced, the hon. Gentleman issued a press release that accused the Conservatives of tarmacking over Britain. May I remind him that the Liberal Democrats supported the dualling of the A11 and the A120 and the widening of the A27? They also championed the construction of the Newbury and Batheaston bypasses. Does that not—

Madam Deputy Speaker: Order. I fail to see the relevance of that point to the present debate.

Norman Baker: Your view on that point is echoed throughout the Chamber, Madam Deputy Speaker.

To be fair, we are having a debate of sorts on the environment today, and at least the hon. Member for South Suffolk (Mr. Yeo) is in the Chamber, unlike his opposite number. The Secretary of State is scrupulously absent, as she always is when we have environment debates in the House. I am not sure which country she is in tonight, but I hope that she will do us the honour of turning up to the House of Commons occasionally.

We need a consensus on climate change, but I am afraid that both the Conservative motion and the Government amendment are motivated more by rubbishing the other side than by suggesting a sensible way forward. The motion seemed vaguely attractive, although it was inaccurate in one or two respects, but the way in which it was presented was as thin as gruel, and the combative approach adopted by the hon. Member for South Suffolk showed that he was more interested in scoring political points than in dealing with the serious problem of climate change.

It is strange and regrettable that although the Conservatives say that they are interested in climate change, they are apparently happy to endorse the views of Professor David Bellamy, who said on 9 July:

> "The link between the burning of fossil fuels and global warming is a myth. It is time the world's leaders, their scientific advisers, and many environmental pressure groups woke up to the fact."

That man shared a platform shortly afterwards with the leader of the Conservative party, which suggests that it was more important for the party opportunistically to find someone with vague environmental credentials who was opposed to wind farms than to deal with the important problem of climate change.

The hon. Member for Croydon, South (Richard Ottaway) mentioned roads and the "tarmac Tories" throughout the country. It is a fact that the hon. Member for South Suffolk said at the Tory party conference:

> "To tackle congestion, I'll expand the road network".

However, that would not help to solve the problem of carbon emission. An answer has come back about cleaner vehicles, which we all support, but that was not a response to the point that was made.

The Conservative party's approach is inconsistent. It says that it wants to tackle climate change and to address real issues, but its proposals and policies run counter to that objective. That is true of their policies on both roads and energy. The party says that it is in favour of wind farms, but opposes them in every location in which they are proposed.

Mark Tami: Although I agree with what the hon. Gentleman says about the Tories, does he agree that the Liberals have exactly the same record on that issue?

Norman Baker: No, and if the hon. Gentleman bears with me, I shall list the occasions on which the Liberal Democrats have supported proposals for wind farms throughout the country, because we do that regularly. We are doing what I assume the Conservatives want us to do, judging by the speech made by the hon. Member for South Suffolk. We judge each application on its merits, so we support many applications and oppose one or two that are inconsistent with local planning guidance. The Conservatives advocate such a policy, so it is a bit rich of them to knock other parties that adopt it.

The motion cites the Conservative party's well-founded and proper regret that only 2.7 per cent. of energy comes from renewable sources. It is a disgrace that the figure is so low. We are blessed with the potential for renewable energy, whether that is produced by wave, tidal or wind power, or from other sources such as biomass or perhaps even geothermal energy from underneath Cornwall, but we have not exploited that potential in any way. I must say that although the present Government have done little to increase the amount of renewable energy produced, that is because they inherited such a low base in 1997. Neither the Conservative nor the Labour party comes out of the situation with any credit.

Dr. Alan Whitehead (Southampton, Test) (Lab): Does the hon. Gentleman accept that the list of methods of producing renewable energy in the future that he provided would all fall under the 50kW measure, so they would all, in principle, be subject to local decision making prior to an inquiry? Does he agree that if the Conservatives had their way, it would be virtually impossible to introduce any form of renewable energy in a systematic and planned manner to meet renewables targets?

Norman Baker: I think that that would be the outcome. I am afraid that evidence from throughout the country shows that the Conservatives oppose any innovations on renewables, although they pretend to support renewable energy. The policy of absolute local determination might be appropriate if sensible local politicians were to approach the matter apolitically, but that is not the case at present, so we must consider the overall national interest as well as local interest.

Gregory Barker: Just to be clear, is the hon. Gentleman saying that he opposes local people having a say about installations in their communities?

Norman Baker: Certainly not. We favour a presumption from central Government in favour of wind farms, but that would not take away an appropriate level of local determination. A similar arrangement applies to mobile phone masts. There is a presumption in favour of development, but local people may have their say so that applications can be blocked as and when. The alternative systems would be either national diktat or local determination that could stop everything, which seems to be the Conservative party's policy, but neither would be in the national interest.

Mr. Robert Walter (North Dorset) (Con): The hon. Gentleman said earlier that the Liberal Democrats supported wind turbine applications where they considered them appropriate. Which applications have they supported in constituencies that are represented by Liberal Democrat Members?

Norman Baker: If the hon. Gentleman allows me to make some progress, which I shall now try to do after taking many interventions, I shall come on to that.

The motion refers to a worry that has its basis in fact: an over-reliance on onshore wind farms. I say to the Minister, in a friendly and genuine way, that the Department of Trade and Industry has identified wind, and especially onshore wind, as the aspect on which greatest progress may be made most quickly. That might be right, but the downside is that insufficient attention is being paid to other possible renewable energy sources. They might be getting £30 million here, or £50 million there, but they are being squeezed out,

[Norman Baker]

and insufficient attention is focused on them. The Government must widen their basket of renewable energy and give more help to alternative sources. They should do that now, rather than when wind power is well established, so that the schemes may progress in parallel. That would be my major criticism of the Government's renewable energy policy, to which I hope that the Minister will respond.

Mr. Mike O'Brien: I am listening to the hon. Gentleman's argument with care and agree with much of it. I agree that we need to resource the development of other renewables, but if we are to hit the target for 2010, wind will be the main way of doing that: about 3 per cent. could come from other sources, and about 7 to 8 per cent. from wind. Does he not accept that only half at most of that could be offshore wind, and that onshore wind must therefore be developed?

Norman Baker: Of course I accept that onshore wind must be developed—if that was not clear from my remarks, I am happy to put it on the record now—but what I also accept is that there is potential for wave power, tidal power and other sources of renewable energy, which are not being developed at the necessary speed because the Government are keeping their eye almost exclusively on wind power. I am seeking to correct that in Government policy.

I have a fear—I am not a conspiracy theorist by nature—that Government energy policy is not quite the same as the DTI's energy policy, and that Ministers' views are not always reflected in the legislation drawn up by officials. If the Minister had been present during consideration of the Energy Bill, he would have found it interesting to compare the statements honestly and forthrightly made by his predecessor, who is now the Financial Secretary, with the terms of the Bill, which do not deliver what he was saying he wanted. A large body of opinion in the DTI is wholly in favour of nuclear power, to a far greater degree than Ministers are. The Minister ought to watch that, as he may have been given information that will help the recreation of nuclear power in years to come rather than renewables. It would be convenient for some people—I am not thinking of DTI officials at this moment—for renewables to be strangled. If onshore wind, which is up there in lights, can be discredited totally, renewables can also be discredited as a consequence. That is a very dangerous outcome, which we must try to avoid. That is why politicking on this matter is reprehensible.

Gregory Barker: I find myself very much in agreement with the hon. Gentleman that if onshore wind is discredited the whole renewables agenda will suffer. Is not that the very reason that we must avoid forcing onshore wind into totally inappropriate sites, as the Government are trying to do, such as—to return to it again—Romney marsh?

Norman Baker: I do not wish to comment on Romney marsh, but there is a middle course between the exploitation of the issue for political purposes, in which I fear that some of the hon. Gentleman's colleagues are indulging, and railroading through, which some people wish to do. Neither of those helps wind power or renewable energy. The sensible course is to put in place a policy process to which people can sign up, in which they have confidence, and which will deliver a significant increase in renewable energy in this country from onshore wind and other sources.

David Hamilton (Midlothian) (Lab): I have been a lifelong opponent of nuclear power, but does not the hon. Gentleman agree that renewables, no matter how optimistic we are about them, will not fill the gap that we are approaching? Security of energy is becoming the biggest issue facing us all, irrespective of which party we represent. If I can change my position and begin to consider such an option, surely that is the way forward. Security of energy must be the criterion that we all work towards.

Norman Baker: I agree that security of energy is important, but I do not agree that nuclear energy is the answer. We have just passed an Energy Bill that commits £48 billion of public money to clear up the mess that we already have. Imagine what we could do with £48 billion to spend on renewable energy—we would have 100 per cent. renewable energy in this country with that money. We have an ever-increasing mountain of intermediate and high-level waste, and no one knows what to do with it. There is no answer to that, and it is irresponsible to build that up further for future generations. I suggest to the hon. Gentleman that a policy of energy efficiency—on which the Government need to do far more—and renewables development, plus, I suggest to the hon. Member for Sherwood (Paddy Tipping), some investment for the long term in clean coal technology, as we have hundreds of years of coal supplies under the ground, may be the way forward, rather than nuclear. Nuclear has too many uncertainties and question marks against it for us to proceed down that road.

Furthermore, variability of supply is an issue with regard to wind power. Obviously, wind stops and starts, so it is not like a coal-fired or oil-fired power station, and the grid capacity that wind can produce must be limited by that variability, but it is also the case, according to a report from Germany—the 2004 wind report by e.on—that the impact on the grid from wind power is detrimental and requires further investment above and beyond that which was expected. Germany has a heavier reliance on wind power than other countries. Has the Minister seen that report, and if so, will he comment on it?

The visual impact of wind turbines is a subjective issue—some people think that they look attractive, whereas others find them horrendous. I find it difficult to understand how people can object to wind turbines when they are quite happy with pylons all over the country. One of the problems with the current wind power proposals is that they concentrate on areas of population that are often a long way from the centres where the power is expected to be used. We must develop further a close relationship between the location of turbines and the populations where the wind power will be used. That is important not simply to minimise transmission losses and to avoid strings of pylons, but so that local communities have ownership of the turbines and feel that they belong to them, rather than that they have been imposed on them.

Mr. Adrian Flook (Taunton) (Con): I agree completely with the hon. Gentleman's last point, but one of the arguments for scarring the Somerset countryside that campaigners for wind farms advance is that turbines will stay up only for 25 years, which is exactly what my local Friends of the Earth members said when I met them on Friday. Does he agree that we must treat with a huge amount of scepticism the notion that any, or many, or those wind turbines will come down after 25 years?

Norman Baker: I have no idea. In a sense, once a wind turbine has been put in place and is delivering, it should carry on for the rest of its operational life. It seems stupid to remove something that is operating satisfactorily. I am not sure that I understand the basis of the question.

The results of a Greenpeace survey are interesting—hon. Members may say that it has a vested interest, but it commissioned an independent study, and I am not sure whether the Minister was referring to it or to a different study. National polling survey fieldwork carried out for Greenpeace on 25 and 26 August suggested that 79 per cent. of the population were in favour of the development of wind farms in the UK generally, and 69 per cent. were in favour of the development of a wind farm in their area. There is not the huge opposition to wind farms that has been reported. Interestingly, in the south-east, which is perhaps one of the most concentrated areas of population in the country, support for wind farms is strongest.

Mr. Roger Williams (Brecon and Radnorshire) (LD): On that point, will my hon. Friend join me in complimenting the Ford motor company on having recently erected two wind turbines on its Dagenham site, which are close to where the energy is needed and do not need huge pylons to take the energy into the grid? Does he agree that there may be other sites on industrial estates that could be equally attractive for this purpose?

Norman Baker: I absolutely agree. Indeed, Lewes district council, which the hon. Member for South Suffolk was keen to rubbish inaccurately earlier, is exploring the possibility of a wind turbine to power its own needs. We need to get more wind turbines locally, for the reasons I have given. If we do, we will have less environmental impact and more community support for such developments.

Richard Ottaway: One of the problems with wind farms is intermittency. Onshore, the electricity is not available 70 per cent. of the time; offshore, 50 per cent. of the time. What is the hon. Gentleman proposing to back up wind farms once they reach critical mass?

Norman Baker: I have already suggested that a wide range of renewable sources should be used and that energy needs should be cut through energy efficiency. No doubt we will use gas as a bridge. In the very long term, if we have not found some alternative solution, say from hydrogen, we will have to go back to coal, which I hope by that time will have been cleaned up. That would be my way forward, rather than nuclear power. Coal is not currently usable in big quantities because of the carbon problems, but who knows what scientists may do in terms of clean coal technology? If we are able to develop clean coal technology and export it to countries such as China, that will make more of a difference to climate change than almost anything else we could do, reducing emissions elsewhere in the world.

I need to refer to the Liberal Democrat record on the matter, because inaccurate statements are made regularly by the hon. Member for South Suffolk in particular, which I cannot let go by. He has put on the record his position. He told the Tory party conference:

> "Take a look at Lib Dem-controlled Lewes. There the council have banned solar power. I am not kidding."

I do not know whether he has a dictionary to examine the definition of the word "banned", but the official figures are that between 1999 and 2003—I referred to it earlier—the council approved 11 applications for solar panels and rejected four. That hardly seems to constitute a ban.

Mr. Gray: It was 13 out of 18 applications, was it not?

Norman Baker: Three applications were withdrawn, making 18 in all. I am happy to send Conservative Members a copy of the figures, so that they are better informed next time they speak on the issue.

The hon. Member for South Suffolk said on 16 September 2003:

> "It is almost impossible to find a specific proposal for an onshore wind farm that the Liberal Democrats locally are prepared to support."

I can give him lots of examples of areas where we have supported wind farms. My hon. Friend the Member for Argyll and Bute (Mr. Reid), for example, and the Liberal Democrat Member of the Scottish Parliament, George Lyon, have supported one at Gigha, Scotland's first community-owned wind farm. Aberdeenshire council, which is run by a Liberal Democrat and independent coalition, has supported the Clashindarroch Forest project and the Vale of White Horse project. The Lib Dems are in favour of wind farm developments at Norfolk, including the Cromer offshore scheme. The Lib Dem local council and the local Lib Dem Member there have supported that project.

I could go on. It is rubbish to say that we have opposed wind farms up and down the country. It is the Conservatives who do so. The hon. Member for South Suffolk neglected to mention that the Conservatives have a moratorium on wind farms in Scotland. That is their policy. It is not selective. It is not judging matters on their merits—it is that all wind farms must be stopped in Scotland. That is their position. George Lyon said:

> "Up to 1,200 jobs in Scotland rely on the development of the wind farm industry . . . yet this young industry would be threatened if this"

Tory

> "moratorium went ahead—it would be choked at birth".

[Norman Baker]

Therefore, in their effort to make political points, the Conservatives are strangling development, strangling the environment and taking away jobs as well.

Mr. Andrew Turner (Isle of Wight) (Con): Will the hon. Gentleman give way?

Norman Baker: No, I am going to conclude, because I have spoken for 20 minutes.

Clearly, the Conservatives are seeking to make political capital out of this. They are in favour of wind farms in principle and against them specifically, wherever they occur. They have ducked the opportunity to have a debate on climate change, which they should have had last Monday, and failing that, they should have had today. They have chosen instead to pick this topic to attack the environment by seeking to undermine renewable energy, which is one of the key ways to tackle climate change. The Conservatives have no credibility on the issue.

Several hon. Members *rose*—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The 10-minute time limit on Back-Bench speeches operates from now. Nine hon. Members are seeking to catch my eye, so there is a certain difficulty. Mutual self-restraint will, of course, be universally welcomed.

8.34 pm

Mr. Kevin Barron (Rother Valley) (Lab): If the hon. Member for Lewes (Norman Baker) wants people to take the Liberal Democrats seriously in these areas, he should not say things such as that £48 billion could supply Britain's electricity needs by alternative energy. It blows the mind. Can he tell us how he would get 10 per cent. of base load electricity from renewable energy? He should take stock of that. He should also read what the Opposition's motion says. He was saying that he sort of agreed with it in a sense. The Opposition motion mentions

> "the Government's policy of relying exclusively on onshore wind farms to meet its renewable targets".

That is what the hon. Gentleman believes. What about the £117 million that the Government are putting into offshore wind farm development? Should I go through the list of the tens of millions of other things into which the Government are also putting money?

I should particularly mention the £31 million towards photovoltaics. Back in the 1980s, when I was an Opposition energy spokesman and had an interest in such matters, the Conservative Government withdrew all research and development into photovoltaics. Anybody who read *The Observer* yesterday would know that at least this Government are giving grants to people who want to put photovoltaic tiles on their roofs, so that they can bring forward renewable energy in a sensible way. We ought to look at the history of renewable energy before we start talking and accusing the Government, because they have a good record on encouraging renewable energy.

Gregory Barker: Will the right hon. Gentleman give way?

Mr. Barron: No, I will not, because I have only 10 minutes. I might give way later, if I get the chance.

On onshore wind farms, as my hon. Friend the Minister said, it is not marginal seats in which there are such developments; potentially, seats that people do not think are marginal have them, too. On 30 January, my local newspaper in Rotherham, *The Star*, ran a story about wind farms. It stated:

> "The company which withdrew controversial plans to build huge turbines in the Peak District is now looking at a site near Rotherham.
>
> Warrington-based United Utilities has confirmed it is considering a one-and-a-half mile long wind farm in the local countryside.
>
> Up to 16 massive turbines could be built—each one between 60 and 80 metres high".

The article also referred to discussions between the company and Rotherham metropolitan borough council's planning authority about the building of only three turbines. I discovered later that that proposal was put forward by npower, which took over from Yorkshire Electricity as a distributor and energy provider.

In August, npower sent out letters to local residents and to me, outlining its proposal to site three turbines at Loscar common, near the village of Harthill in my constituency. In response, I wrote to npower, highlighting concerns that I wanted it to address. One was the potential problem of noise. Had there been noise factor tests on the turbines that it intended to use and, if so, what were the results? The other concern was the possible TV interference. At the Millhouse Green wind farm on Royd moor in the Barnsley area, I understand that a new relay station eventually had to be installed so that local people could get their television reception back.

The other issue that I raised with npower was the effect on property values. In January this year, a district judge was reported in *The Times* as stating that

> "the noise, visual intrusion and flickering of light through the blades of turbines reduced the value of a house by one fifth."

He went on to say that

> "the value of a remote house in Marton in the Lake District fell significantly because of the construction of a wind farm of seven 40 metre high turbines 500 metres away."

If that description is true, npower will have to deal with the issue when it is looking into building anything that is close not just to isolated farm houses, but to dozens—and in some instances hundreds—of properties in conservation areas.

I received a reply on 2 September saying that the person dealing with the matter in npower would be away until 13 September and that on his return I would be sent "a formal proper response"—npower's words, not mine.

Having not as of today received a response, I asked my office to make contact. It was told that the answers to my questions were specific to the site, or something to that effect, and a meeting to discuss my concerns was suggested. Having been promised a letter on the three issues that have been in the public domain for many months—the judgment was in January—the developer has still not written to me with answers to my fundamental questions.

I spoke to the planning department of my local council today to find out whether it has received a planning application for the npower site. It has, but it is invalid owing to the lack of detail. I am confused about who has made the application, because it could be the farmer rather than npower, but I fear that such planning applications will not diminish my constituents' worries, but make them grow. The developers need to be more professional.

Mr. Ian Liddell-Grainger (Bridgwater) (Con): Two or three times in Somerset, companies have looked for sites and done so very publicly so that people thought that they were putting in an application. They then got an idea of public opinion.

Mr. Barron: I suspect that that is true.

Five parish councils have joined together because they are worried about the applications. Companies are looking around and I think that a game of poker is being played, which is not good. Although I had no local authority experience before coming into the House, it is clear from my case load that plenty of games of poker have been played with planning applications for the past 21 years. It is a major issue that has not been handled professionally. However, I have given a date when I will meet npower. It has asked to meet some of the local authorities, but not the planning authority, and they are not too happy about it.

United Utilities has not publicly discussed its 16-turbine plan. That raises many questions about how the planning applications will make progress, if they are to make progress, and what the implications are for the Government's planning policy statement 22, published earlier this year. *The Guardian* reported in August that it was a way of getting wind farms built with no or little opposition from local communities.

I want to ask my hon. Friend the Minister about a number of things. One relates to the key principles. PPS22 states:

> "At the local level, planning authorities should set out the criteria that will be applied in assessing applications for planning permission".

It goes on to say:

> "The Government may intervene in the planning process where it considers that the constraints being proposed by local authorities are too great or have been poorly justified."

What does that mean in the context of local authorities presumably having the right to give their opinion?

The key principles also state:

> "Developers of renewable energy projects should engage in active consultation and discussion with local communities at an early stage".

One of the developers—npower—has attempted to do that, but no one else has. There is a plan for 16 turbines, stretching for one and a half miles, but no attempt has been made to engage in public consultation. Under those circumstances, we need to tell local authorities and communities exactly what we mean by the planning policy statement. I know that a booklet is to be issued on that, but how should we interpret it now?

The section on landscape and visual effects states:

> "Of all renewable technologies, wind turbines are likely to have the greatest visual and landscape effects. However, in assessing planning applications, local authorities should recognise that the impact of turbines on the landscape will vary according to the size and number of turbines and the type of landscape involved"

I accept that entirely, but what do we do when an application for three turbines is followed by an application for another 16? Should my local authority say that that is, in fact, a planning application for 19 wind turbines in urban Rotherham, because the companies have been chased out of rural areas and the Peak district?

Those big issues must be addressed. Interpretation of the Government's planning policy statement is crucial if we are to achieve steady growth in renewable energy.

8.45 pm

Mr. Peter Ainsworth (East Surrey) (Con): I applaud the way in which the motion sets the debate about wind farms in the context of the much wider debate about climate change. I am sorry that the spokesman for the Liberal Democrats did not appear to notice that.

I am an agnostic on wind farms. I like the look of them, especially when they are abroad, but I am not sure that I should like to see them on a planner's map that affected my constituency. Therein lies the problem. The issue is compounded by the fact that, to achieve 5 per cent. of our energy needs from wind power, we shall have to build 6,000 of the things. Where are they to go?

The Government know that they have a problem, which is precisely why they changed the planning guidance. In doing so, they have set themselves on a possible collision course with public opinion, and that concerns me. Measures designed to improve the quality of the environment must be aligned with public opinion, not opposed to it. I appreciate that the Government have a difficult job, but they must be careful not to go looking for a fight.

The motion castigates the Government's performance, as Opposition motions do, but I am sorry that so much of this debate has been characterised by cross-party political bickering. There is a real need for political consensus on these issues if we are to avoid the disaster that threatens. The Government have undertaken some positive measures and set some useful targets. The fact that they are missing their targets and are likely to carry on doing so illustrates that their efforts are not yet sufficiently joined up or consistent.

The Government need to be much more imaginative in their use of fiscal instruments. They must use carrots as well as sticks to alter behaviour. Many of the measures introduced so far are peripheral, small fry and very small scale; for example, the Budget measure this year to reduce VAT on ground source heat pumps resulted, if it resulted in anything, in a chorus of "What is a ground source heat pump?". Such measures are useful and worthy, but will not make the difference between success and failure.

There are glaring inconsistencies. If the aim of increasing wind farm capacity is to cut CO_2 emissions, why on earth are the Government simultaneously

[Mr. Peter Ainsworth]

proposing a trebling in aviation capacity, whose effect will be to negate any benefit from covering the entire country in controversial wind turbines? The Government need to be coherent if they are to be believed. They must send out clear, unequivocal messages if they expect people to go along with them.

We need an urgent step change in investment in renewable energy for three reasons. My hon. Friend the Member for South Suffolk (Mr. Yeo) has already touched on them. The first is that our increasing dependence on overseas oil and gas poses a long-term threat to security of supply. It makes good economic sense to become less dependent on others for our electricity needs.

Secondly, the declining role for nuclear power envisaged in current Government policy will leave a 25 per cent. gap in our energy supply in about 20 years' time. Some people say that we should start building new nuclear capacity. I am not convinced that that is politically or economically attractive, or even viable. The nuclear industry has betrayed too many promises in the past for us to be able to rely on it now. It is massively expensive and dependent on the taxpayer and, as my hon. Friend pointed out, the issues about waste are far from being resolved. The Minister may want to know that, in evidence to the Environmental Audit Committee, Professor Sir David King, the Government's chief scientist, said that his attitude to reinvesting in nuclear energy had been affected by the events of 9/11. There are genuine security concerns.

Mr. Chaytor: Is it not the case that the chief scientific adviser suggested some months ago that new nuclear build might be necessary, but only as an interim measure until the full range of renewable technologies had been properly developed, not as a permanent solution?

Mr. Ainsworth: The hon. Gentleman is exactly right and I am grateful to him for his intervention. However, I am concerned that, by keeping the nuclear option open, as it were in an antechamber to where the main debate is taking place, the Government are setting up a powerful disincentive for investment in other forms of renewable.

The third reason why we need to get to grips with the matter and bring about a step change in the level of investment and political commitment is the biggest reason of all: the threat posed by climate change. I know that some people say there is no problem. When more than 1,000 of the world's leading scientists say there is a problem, we had better believe them or be very lucky indeed. We know that global temperatures are rising fast and concentrations of CO_2 in the atmosphere are higher than they have been for over 400,000 years. We know that there are forecasts predicting that, on a business-as-usual case, by the end of the century we could see temperatures in the United Kingdom up by 10°C, which would lead to Sahara-like conditions in parts of the south of England. Do we really want to leave that to our children and future generations?

What is worse is that that is happening now. We do not need a crystal ball. We do not need to look into the future or make predictions. Sir David King made an extremely powerful speech in the Greenpeace busines lecture about a week ago, in which he set out some of the ways in which it is happening. I will not rehearse them all. The Greenland ice sheet is melting by about 10 m a year, that water heads into the sea and water levels go up. The Thames barrier, which was opened in 1982, was designed to be operated about once every five years. It is now being operated about six times a year on average. The World Health Organisation reports that 150,000 people die every year around the world directly as a result of the impacts of global warming. There were 30,000 excess deaths in Europe in 2003 during the heat wave.

Much of our infrastructure—pylons, roads, communications networks, rail lines—was built to withstand temperatures of up to 30° C. Kent recorded more than 38° C in August 2003. That is putting huge and potentially massively expensive pressure on all our infrastructure. I know that the Minister for the Environment, whom I am pleased to see in his place, knows this. The worst aspect is that, as Professor King says, even if we found a solution tomorrow, the problems would still be with us for another hundred years.

We may castigate the Government for being timid and inactive and not doing enough, but even if the UK solved all its problems, built wind farms everywhere and radically cut CO_2 from our energy supply, transport and housing, we would be dealing with only 2 per cent. of total global warming. We are responsible for only 2 per cent. of CO_2 emissions. The United States, responsible for 25 per cent., has not even bothered to recognise that climate change is happening and has not signed the Kyoto protocol. That is a disgrace, but I welcome the apparent change of heart on the part of the Russian Government recently.

In that context the debate about wind farms looks trifling. It is not surprising that some people argue that the UK's climate change programme is pointless. They say it would place us at a competitive disadvantage without achieving very much for mankind. But if we accept that we have a problem, we have a moral duty to do the right thing. If we go about it the right way, it may not involve too many hair shirts to do the right thing. I said that it would make good economic sense to become less dependent on others for sources of energy. It would be good environmental and economic sense to be at the forefront of cleaner, greener technologies. It would make good economic and environmental sense to ensure that, if we build millions of new houses, every one is built to the highest standards of energy efficiency. It would be good economic and environmental sense to support a far greater investment in offshore wind power, tidal power, wave power, solar power and biomass. It would make good economic and environmental sense to support households that wish to buy into the developing sector of micro-renewables, solar power, micro-wind and micro-combined heat and power.

More and more households need to be energy-efficient, eventually become energy producers in their own right and sell the energy that they do not need back to the grid. They could make money from that. We could do that for, for example, a fraction of the cost of the war in Iraq, an event that was not entirely unassociated with our addiction to fossil fuels. It would bequeath a much safer national and global security situation to our children.

Giant industrial and distant wind farms may be part of the answer, but I believe that they will be a small part. Offshore wind will play a much bigger part. The future may lie in small, local, affordable and surprisingly uncontentious micro-power.

8.56 pm

Mr. Bob Blizzard (Waveney) (Lab): The original title of the debate, "The Siting of Onshore Wind Farms", suggested a debate about planning policy. It was difficult to understand how there could be much of a debate on that because planning policy statement 22 on renewable energy is an entirely reasonable document. It gives only general guidance and is not a diktat, because it is for regional spatial strategies and local development plans to set out plan-led policies that are particular to an area.

The first key principle of PPS22 refers to appropriate environmental safeguards in planning for renewable energy developments. All the usual planning criteria are contained in PPS22, covering protection of internationally and nationally designated sites, green belts, landscapes and visual effects and noise. Given the challenge of global warming, PPS22 is a reasonable document unless one supports a blanket ban on wind farms.

The debate highlights the nature of the Conservative party's political strategy, or lack of it. Conservative Members look out for any apparent discontent and, in a desperate search for votes, try to jump on the bandwagon. They try to link up with any stop the wind farm campaign. They do not relate that to policy on dealing with global warming and rising sea levels, which are important to coastal communities such as my constituency. They behave similarly on housing and house building by opposing any plan that people do not like. Again, they do not relate that to homelessness or the high prices that keep young and first-time buyers off the property ladder.

Property is relevant to wind farms because I suspect that the real objection of most people who oppose wind farm applications will not be found in the planning criteria—for example, landscape, wildlife and noise—but relates to worries about the possible effect on the value of their property. That is not surprising given the amount of their wealth that most people in this country invest in their home. However, the flood risk from rising sea levels through global warming poses a much greater threat to the value of people's properties than the odd windmill down the road.

Mr. Andrew Turner: The hon. Gentleman can understand that I share his concern about rising sea levels, but does he not believe that it is better to devote some of the resources to insulation, which would save approximately 55 times the amount of energy that the Government's proposed wind farms would generate?

Mr. Blizzard: I do not believe that it is either/or. We must adopt a full-scale energy saving programme and do everything that we can to achieve the 20 per cent. target for renewable energy by 2020. The Government are determined to do that. There is a huge drag factor on onshore wind farm applications. That is why the Government have made a big push on developing offshore wind. We will achieve those targets only if we make progress now as a matter of urgency, but that seems to have escaped many Conservative Members.

I do not think we should infer, however, that because there are objections to wind farm applications, wind energy is unpopular. Over the past 10 years, more than 50 polls have shown a consistent 70 to 80 per cent. support for it—and, as was mentioned earlier, some of the strongest support comes from people living in areas containing wind farms.

Recent debates on what is now the Energy Act 2004 revealed the Conservative party as the source of a much wider attack on wind energy, not just onshore but offshore. I could spend the rest of my time this evening quoting what prominent Conservatives in both Houses have said about wind in general, but I will content myself with quoting the hon. Member for Eddisbury (Mr. O'Brien), who said that the Government were making the greatest mistake over windmills since Don Quixote.

What have the Conservatives got against wind power? They say that they support renewable energy and the targets, but they criticise the Government for majoring far too much on wind and other renewable sources. I ask them, what other source of renewable energy is more commercially applicable now, on a scale sufficient to achieve the 10 and 20 per cent. targets and to tackle climate change? No such source is available now, on that scale and at that cost. If we do not make an impact now, we shall have no chance of doing so in the future.

Wind energy is the most cost-effective renewable-energy technology available now to generate clean electricity and help combat climate change. People say it is costly, but other renewable-energy sources are even more costly. Labour Members want those other sources to take their place, but they are not commercially ready yet. I think the next will be tidal current, and I look forward to having lots of tidal current—

The Minister for the Environment and Agri-environment (Mr. Elliot Morley): My hon. Friend means water?

Mr. Blizzard: Tidal current, providing energy for our country. We will need all those sources to achieve our targets, and it would be madness to abandon wind at this stage.

I ask again: why are the Conservatives so opposed to wind energy? I think the answer lies in their real but unwritten energy policy. It is clear from what many of them said during the passage of the Energy Bill, and from what has been said this evening, that their real policy involves a new generation of nuclear power stations. Conservative Member after Conservative Member has advocated that. Their leader and Front Benchers will not formally announce it, because they do not want to tell villagers who oppose wind farms "Don't worry, we support you on that: we are going to build a nuclear power station instead."

Mr. Liddell-Grainger: My constituency contains four nuclear reactors. There has been an application for 12 turbines next to them. I have received more complaints about the turbines than about the nuclear reactors.

Mr. Blizzard: I shall not extrapolate, and apply information about one place to the whole country.

Nuclear energy is, of course, a zero carbon dioxide emission generator, but it is costly too—just as costly as wind energy. I think it pointless to argue about the respective merits of these energy sources, because ultimately we shall need them all if we want to maintain security of supply and meet the long-term target of a 60 per cent. reduction in carbon dioxide emissions by 2050. Neither wind nor renewables in general will be the sole answer to the problem, but surely we must get whatever we can from wind energy. Future generations would not forgive us if we did not make maximum use of the wind, but I am afraid that the Conservative policies that we have heard this evening would not achieve that.

We have been told that a nuclear review might be produced within a year of the arrival of a possible Conservative Government. That would be much too quick, and it would require Government finance, because nuclear energy does not take its place in a liberalised energy market on its own. Such a development would stifle and suffocate investment in renewables, and wind energy and other renewables would remain babes strangled at birth. The Government's policy in the White Paper is right—to keep the nuclear option open but to keep it at bay for some time to enable wind and other renewable energy sources, and other carbon dioxide reduction technologies, to get off the ground and play their full part.

Wind energy, especially from offshore wind farms, is key for my constituency. As I said, it is a coastal constituency. Global warming and climate change are real threats to people who live by the coast. I am not talking only about the impact that a rise in sea levels would have on places such as Lowestoft, Kessingland and Corton that are actually on the coast. One can also foresee the Waveney and the Hundred rivers becoming huge lakes, with massive flooding penetrating miles and miles inland and affecting other towns, such as Beccles and Bungay, and villages in my constituency. That is why I am concerned about climate change, and that is why I do not want to oppose wind energy but to promote it.

Wind energy also provides a huge economic opportunity. For many economic activities, Lowestoft, as Britain's most easterly point, is not exactly in the best geographical position, but for developing a wind energy industry, Lowestoft is in the ideal position. It is a port right in the middle of the best and most expansive area designated suitable for offshore wind development from the Wash to the Thames estuary. With many years of expertise in building, assembling and installing offshore structures with the oil and gas industry, Lowestoft is, as its brochure says, "Britain's leading edge" in wind energy.

The turbines for Britain's first truly offshore wind farm at Scroby sands were, I am proud to say, assembled in and shipped out from Lowestoft harbour. We have formed the Lowestoft wind energy steering group, which I chair, to maximise our opportunities and I am pleased that the East of England Development Agency is now giving us financial support to establish an offshore renewable energy centre to build on that geographic advantage. The presence of the Centre for Environment, Fisheries and Aquaculture Science also helps, because it does much of the environmental assessment work offshore. I am proud to say that we are also building a large wind turbine at Britain's most easterly point in Lowestoft and we hope to see that completed by the end of the year.

The Labour party will go into the next election supporting wind energy as a key part of achieving our policy of 20 per cent. renewable generation by 2020, as a milestone on the way to the 60 per cent. reduction in carbon dioxide emissions by 2050. We need to prevent constituencies such as mine being submerged by rising sea levels from global warming. The Conservatives, on the other hand, are trying to play opportunist politics, desperately grasping for votes, and have no sensible energy policy. They do not want to announce what they actually support and they will go into the election keeping the people in the dark. Their policy is so confused that if they did win the election, people would literally spend more time in the dark as, once again, under the Conservatives, the lights would go out in Britain.

9.8 pm

Richard Ottaway (Croydon, South) (Con): I welcome the fact that—contrary to what the Liberal Democrats say—the motion embraces the issues of climate change. We on this planet face two challenges. The first is that we are using up our resources faster than we can replace them. The Government have a duty to protect those resources, but that is not easy when facing relentless demands from a restless society. The second challenge is that our climate is warming. Nature is telling us something when daffodils flower a week earlier than they did four years ago, when sharks are found in unprecedented numbers around Scotland and sea levels are rising. Something is clearly going on, and the question posed by many people is whether man is causing it. In my judgment, the answer is yes.My hon. Friend the Member for East Surrey (Mr. Ainsworth) made an excellent speech and he referred to the Greenpeace lecture by Sir David King, the Government's chief scientific adviser, in which he said that man's activities clearly play a part.

Research shows that there have been seven or eight global warming cycles in the past 800,000 years and that atmospheric carbon peaked at 250 to 275 parts per million during each of those cycles. As the Minister will know, today the figure is 378 parts per million and rising fast at the rate of about two parts per million a year. As my hon. Friend said, Sir David King warns that the ice caps will melt when atmospheric carbon hits about 500 parts per million, and the reasons that he gives for that increase are deforestation and population growth.

Given the huge growth in the economies of China and India, neither of which is part of the Kyoto agreement and whose populations are growing at 70,000 people a day, we have to put international leadership on climate change at the heart of our foreign policy. That is why I am critical of the Government: they talk a good fight, but they do not do much about it. We have heard that

CO_2 emissions have risen since 1997. During Foreign Affairs questions the other day, the Foreign Secretary lectured the House about the robust line on the Kyoto agreement that he was taking with the American Administration, but he was unaware that CO_2 emissions were rising.

I agree with those who call for us to hit the targets. We must hit the 2050 target, but we need coherent policies and a road map in place so that we know how that will be achieved. Some measures could be taken immediately. We should phase out hydrofluorocarbons, as announced by the Leader of the Opposition, and carbon trading has a serious part to play, but we can address the issue most by making renewables a key component of our energy policy. My complaint is about the slow pace of change. In 2003, 69 per cent. of suppliers failed to meet their renewables targets.

The Government have put heavy emphasis on wind farms. I listened with interest to the last speech, but it was a misrepresentation: the Opposition are not against wind farms; what we question is the building of onshore wind farms, and there is huge potential in offshore wind farms. I recently had the opportunity to visit North Hoyle, where some 50 turbines have been put up already, with another 450 proposed. Wind will not be enough on its own. As the hon. Member for Sherwood (Paddy Tipping) often tells us—he did not do so today—it takes several thousand wind turbines to replace one power station.

Wind turbines must be built offshore, where large numbers of them would be acceptable. That is why the change in planning guidance is wrong. Five or 10 wind turbines on a hillside will not have that much impact on electricity supply, but they will have a big impact on the local environment. If a block of flats cannot be built on the top of a hillside that is of outstanding natural beauty, why can wind turbines be built there? I am delighted that the Conservative party will repeal the planning guidance when it takes office.

It is in energy policy that our attempts to meet the challenge must be driven forward. The failure to stimulate other renewables is a disaster. We will not hit the 2010 renewables target, which the Government admit, as is shown by their review of the renewables obligation. As my hon. Friend the Member for South Suffolk (Mr. Yeo) said in his opening speech, for the first time in history, we will be dependent in the long term on imported energy, but most dangerously of all, that coincides with the phasing out of coal, under the large combustion directive, and nuclear power.

Notwithstanding the fact that no new power station is under construction in this country, mainly as the result of the spot market operations of the new electricity trading arrangements, by 2030, we will have an energy mix of 20 per cent. renewables, 70 per cent. gas and 10 per cent. oil. That, in itself, poses three problems. First, as I said earlier, there would be no solution to the problem of intermittency. Secondly, we will not be on course for the 2050 target. Thirdly, we will be heavily dependent on imported energy, which will, in truth, emasculate foreign policy.

I agree with the Government that it is right to keep open the nuclear option, but I also agree with James Lovelock, the Right Reverend Hugh Montefiore, Sir Crispin Tickell and the Government chief scientists that we have to embrace that option and give it urgent consideration, as that will not only give us economic and political independence and a key tool in fighting climate change, but with the first hydrogen-fuelled production car coming on stream in 2010, provide the answer to mass hydrogen production, which will give us a triple whammy in one go. However, the Government have ducked the issue, and I seriously pose the question, can democracy combat climate change? The Government ducked nuclear power because it is unpopular. Kyoto has been an issue in the United States presidential election.

The Liberal Democrats posture on the environment. I drew attention to their inconsistencies last week over their support for a number of road transport projects. They have argued against air travel, yet at the same time they support airport expansion. I wonder whether that is because BAA plc is one of their largest donors. They argue against waste incineration in Guildford and Hull, but support it in Sheffield. It is no surprise that Stephen Tindale, the executive director of Greenpeace, said:

> "The Liberal Democrats don't seem to have any principles when it comes to waste management and will say anything that they think gains them electoral advantage."

They also campaign against 4x4s, but many of them drive around in them.

On wind farms, their hypocrisy knows no limit. The hon. Member for Lewes (Norman Baker) said that his party supports wind farms, but it has been stated in the press:

> "Liberal Democrat environment spokesman Norman Baker last night accused anti-wind farm campaigners in the West country of 'acting irresponsibly'"—

at least he is consistent—but the hon. Member for North Devon (Nick Harvey)

> "has backed the campaign against a development at Fullabrook Down in his constituency, which would see the erection of 20 turbines up to 360ft high.
>
> Responding to Mr. Baker's comments he said: 'Norman is not responsible for our planning policy.'"

That is what the Liberal Democrats think of their own spokesman.

Mr. Walter: I can probably add to my hon. Friend's list. The hon. Member for Somerton and Frome (Mr. Heath) and I successfully campaigned against a wind farm on our respective borders.

Richard Ottaway: My hon. Friend gives an answer to the question that I posed about whether democracy can respond to climate change. As he says, in order to achieve that, we need to build consensus. I say to the Liberal Democrats, "Stop playing games with the environment; it is a very serious subject indeed." They should work with people, instead of engaging in short-term posturing, which is what they do. If we look at the United States, Sheffield or Devon, we can see that the answer to the question is that democracy is struggling to combat climate change. A consensus is needed.

Ask the man in the street if he cares about the environment, and he will respond, "Yes, of course." It is one of those issues we are all signed up to, but it needs more than words; it needs action. My party would provide the lead that is necessary.

9.18 pm

Vera Baird (Redcar) (Lab): Rubbish. That has nothing to do with recycling, but is a comment on the asinine Opposition motion that states that the Government intend to meet their renewable obligations by relying exclusively on onshore wind power.

I admire and support the Government's commitment to renewables. They are spending £117 million on offshore wind power. That is good, in that the round 2 offshore wind farms are a minimum of 8 km offshore, and 13 km where nature interests require that. They are located way out in the sea, and subject to navigation and fishing rights; nobody goes there. They are ideal locations for wind farms, and they are, inevitably, the thrust of future wind farm policy.

I want to sound a quick caution that we should not override the concerns of people local to the last of the round 1 wind farms, which are to be built much closer to shore. There is concern that, as the Government amendment states and the Minister made clear, although the planning regime allows all-round consideration of onshore wind farms, the procedure for offshore wind farms is less clear; it is not so open, obvious or public, in the sense that there need not be a planning inquiry. That gives rise to real fears, which I hope my colleagues on the Treasury Bench understand, that no matter what or how rational the local objections, they can be killed in the understandable rush to renewables.

Teesside is faced with an application for the last of the round 1 offshore wind farms. The round 2 wind farms—admittedly bigger than those in round 1—are between 8 and 13 km offshore, whereas no round 1 wind power station is less than 5 km offshore except for Scroby sands, where the nearest turbine lies about 2.5 km offshore. The proposed Redcar wind farm would be half as far away as that: 1.4 km off the esplanade in Redcar to the nearest turbine. There would be 30 turbines, each 450 ft high and about 5 m in diameter—they are pretty big. They would run 200 yd apart, with 600 yd between the three rows, straddling the whole of the bay on which Redcar town lies. The easternmost would be 1.4 km off the tourist office in the middle of the town, and the next would be opposite the seafront cinema.

Redcar is an industrial constituency, but as one travels toward the sea to the town of Redcar, one leaves behind the chemicals and eventually the steel industry. There is a wonderful 5-mile long wide sandy beach where swingboats, bouncy castles and sports activities all occur in summer. It is the proximity to the industrial area that makes Redcar town such a special treat for the local people, who go there to breathe its free air, refresh their mind with the clean sea view, and lift their horizon from the humdrum. There are real concerns about the impact on the area of such an industrial installation.

Let me add that there is already a plan to have between 18 and 32 equally large turbines on land, onshore, adjacent to the steelworks in the industrial landscape—a plan to which nobody in Redcar has a real objection. Furthermore, Redcar already makes a big contribution to clean energy: our SembCorp power station has now been burning tallow—a renewable fuel—for a year and has ambitions to build a biomass generation facility; and we have well developed plans in the area for hydrogen fuel cell technology. We would be pleased to do more, as tidal and wave power develop.

Mr. Peter Pike (Burnley) (Lab): My hon. and learned Friend is making a valuable point. Wherever the wind farms are, is not the most important thing that they are sited as appropriately as possible? My constituency is in the hilly country near the Pennines. We have one wind farm, but if Burnley were to be surrounded by wind farms, the impact on the environment would be disastrous.

Vera Baird: My hon. Friend makes an apposite point, because the 18 to 35-turbine onshore station that, it is already accepted, is coming to Redcar will result in a huge estate being sandwiched between it and the shore. If an offshore station were erected, people would be living between two wind farms, which is probably not tolerable. The point is that in an industrial area such as mine, we should not extend industry into a seaside oasis.

The potential problems arising from such close proximity—1.4 km—are not known. They never will be known, because all the future developments will be between 8 and 13 km offshore and no other round 1 wind farm will be situated less far offshore than the Scroby sands station. The only people to learn what the impact is of a very close wind farm will be the residents of Redcar after the proposed wind farm is built. The environmental impact assessment conducted by the would-be developers contains nine chapters that identify potential additional hazards to Redcar, apart from visual intrusion and interference with tourism expansion and sea sports, which we want to encourage. They include the risk of large quantities of sand being stripped from Redcar beach by the impact of the tide breaking on turbine towers very close to shore, as well as potential threats to some sites of special scientific interest, the seal colony, a Ramsar site and the European nature reserve, some of which are within half a kilometre of some of the turbines.

I have a question. What is the process now? In the summer months alone, between 5,000 and 6,000 have signed a petition against the proposed wind farm. Everybody in the town opposes it, as does the council and all four local Members of Parliament. I have a plea. It is imperative that in the rush to wind power, despite its merits, everything else is not driven before it.

Round 2 wind farms involve 15 leases that can generate up to 7.2 GW of capacity, enough for one sixth of households in the UK. They will all be 60 to 90 turbine wind farms and well away offshore. These plans make the UK one of the most ambitious in terms of future wind power, probably putting us in the world lead in offshore turbine development.

Clearly the round 1 wind farms will be built very soon. The turbines will be bought from Denmark and Germany, where there is an established turbine manufacturing industry. The current manufacturing base in the UK consists of a small blade factory and a turbine factory, which I think are both owned by the Danish company, Vestas; a turbine production facility at Loughborough and a Nordic wind turbine manufacturing facility at Fife.

These future offshore zones—

Mr. Andrew Turner: Will the hon. and learned Lady give way?

Vera Baird: No; I am afraid that I do not have enough time.

The future offshore zones are in three strategic areas and two of them are on the east coast—the larger one is on the Wash and the second on the Thames estuary. Together they should create in the UK a home market for an offshore supply chain of about £7 billion. In addition, European wind farms are planned on the north-east coasts of Germany, Belgium and the Netherlands. Those coasts are readily accessible from the north-east of Britain.

The north-east has a long history of, and a well-established capacity in, manufacturing. It has world class capabilities in the marine, offshore oil, gas and power generation sectors. It is currently completing a new renewable energy centre at Blythe, benefiting from £10 million of investment and creating a nucleus of renewable industrial activity. This centre will have the biggest wind turbine blade test facility in Europe.

The industrial and research skills base in the north-east is considerable and it is augmented by a large number of technical graduates from universities in the region. There is already offshore wind capability provided by Marine Projects International, which is based in Middlesbrough, and AMEC, which is based in Hexham. In addition to these strengths, offshore wind jobs will make, or can make, a vital contribution to reducing the north-east's economic deprivation. The unemployment rate in the region, which has been caused by a steady decline in traditional manufacturing, is about 6.5 per cent. although it has been slashed over the past few years.

In 2002, 18,000 of the region's unemployed were science and engineering professionals, skilled workers in construction, engineering and other trades or plant and machine operators. That demonstrates that there is a high availability of potential skilled labour for a new north-east far offshore wind energy industry. Rates of pay are extremely competitive compared with those in Denmark and Germany, where turbines are currently manufactured.

There is no doubt that there are the seeds of a major new industry that is entirely apt, but not exclusively so, to the north-east. The Government are to be congratulated on the fact that their future far offshore wind policy will not only benefit climate change but will simultaneously offer regeneration opportunities.

I make a nod in the direction of Greenpeace, from which I have taken some of the statistics I have cited. It is fine to do so. I hope that the worries that I have set out about Redcar show how important it is, particularly if we are to carry people with us to a renewables future, that it be acknowledged that wind power stations can be extremely intrusive, and that sometimes these intrusions must be allowed to prevail.

I hope that I have also made it clear, however, that sensible people can rationally oppose an individual installation on sound grounds while supporting and, indeed, encouraging the drive for renewables as a whole. All of the people in Redcar to whom I have spoken have that state of mind about renewable energy.

9.28 pm

Mr. Robert Walter (North Dorset) (Con): It is unusual for a constituency Member to be able to participate in such a timely debate. It is both relevant and topical to my constituency because at 10 o'clock tomorrow morning I shall be appearing before the development control committee of the North Dorset district council, which will be considering an application to build nine wind turbines in the Winterborne valley in Dorset. Such is the opinion in my constituency against those developments that the local authority has had to house the meeting, which is considering one application only, in the largest hall in the area.

I declare a small but non-pecuniary interest: I shall appear at that meeting as the honorary chairman of the 1,000-member strong Dorset Against Rural Turbines. That organisation came into being because in the past 18 months no fewer than four schemes have been proposed in and around my constituency. In total, the schemes would have amounted to some 49 turbines in Blackmoor vale and the Winterborne valley—Hardy country.

Two of those applications were within feet of my constituency and were actually in the constituency of the hon. Member for Somerton and Frome (Mr. Heath). As I mentioned earlier, he and I combined to get his local authority, South Somerset district council, which still encourages applications for wind farms on its website, to reject one of those applications. That council is Liberal Democrat controlled, but I do not want to make a party political point. The hon. Member for Somerton and Frome saw that his own constituents were so opposed to that application that he joined me.

Another application, which is still current, is to build 12 turbines on the airfield at Henstridge. Although Henstridge is technically in the constituency of the hon. Member for Somerton and Frome, it is a finger that sticks out into my constituency, and most people assume that it is in my constituency.

Mr. John Hayes (South Holland and The Deepings) (Con): My hon. Friend has highlighted two points that I wonder whether he will amplify. First, applicants tend to make applications on the edge of constituencies or local authority boundaries, which makes things very difficult for all concerned. Secondly, the cumulative impact of applications is rarely measured, and the Government must take it seriously. I am fighting applications on the edge of my constituency affecting Gedney Hill, Throckenholt and Sutton St. Edmund in the same way as my hon. Friend.

Mr. Walter: I am glad that my hon. Friend has made that point, because the applications that I have described are not only on local authority and constituency boundaries, but a county boundary, so two county authorities' alternative policies also come into play.

The other two applications that are current in my constituency are in the Winterborne valley. At one stage, the applications were for a total of 35 turbines, which would have been sandwiched between two areas of outstanding natural beauty and among, but not on, National Trust land and some of the most beautiful towns and villages in Dorset. Under public pressure,

[Mr. Walter]

those 35 turbines were reduced to 32 and then, I am pleased to say, 23 of them dropped out of the equation because of the power of public opinion—the Drax estate saw that all its neighbours were up in arms about its having those turbines on its land. I congratulate Richard Drax and his family on that decision because, in the words of my hon. Friend the Member for South Suffolk (Mr. Yeo), those turbines might have been seen as a "valuable new crop" on the Drax estate.

That leaves tomorrow's application from Your Energy, which was mentioned earlier. It seems to be a company of little substance and one can find out very little about it. Its application is for nine turbines in the Winterborne valley, although I must say that the officers of my local authority have recommended refusal and no doubt we will hear the weight of local opinion tomorrow. The turbines are of an unprecedented size and number in a beautiful lowland landscape. Installing nine massive turbines, which would be 105 m high, in attractive, soft, rolling, rural down land would be industrialisation on a huge scale.

The Campaign to Protect Rural England has stated that the visual impact on the two adjacent areas of outstanding natural beauty—

David Taylor (North-West Leicestershire) (Lab/Co-op): Does the hon. Gentleman agree that one of the difficulties with wind turbine technology is that for six months of the year only 11 per cent. of the designed and built capacity is used because of a lack of wind? That means that for half the year the nine turbines that the hon. Gentleman is talking about would produce only the equivalent of the maximum output of one. That is an issue, is it not?

Mr. Walter: It certainly is, and I shall come to it in a moment in relation to the efficiency of these turbines.

The area where it is proposed to place the turbines would be adjacent to two conservation areas in the villages of Winterborne Zelston and Mapperton. Some much valued heritage sites are very close by—the Badbury and Spetisbury rings, and Hambledon and Hod hills, which will be remembered by those who know their civil war history—and many listed buildings in the vicinity would be ruined for ever. Winterborne Tomson church, which would be towered over by the wind farm, has been described thus in a book compiled by John Betjeman's daughter, Candida Lycett Green, entitled "Over the Hills and Far Away":

> "there were so many magical views and memorable jewels of houses but none could ever compare with that exquisite church at Winterborne Tomson. I shall always remember the cool, pristine 'prayerfulness' of the unearthly place . . . it was total perfection and worth driving hours just to be there".

Those words were written by another large local landowner, His Royal Highness the Prince of Wales. Approval for the proposal would destroy that location and set a precedent for expansion and duplication not only in Dorset but across southern England in similar lowland sites.

We have heard some of the compelling arguments on environmental issues. There is increasing evidence from Europe, as well as from this country, to prove the harmful effects of long-term exposure to audible and low-frequency noise from wind turbines. However, little or no research has been undertaken on turbines of this size; and the Government seem to have excluded wind turbines from the current research into low-frequency noise that is taking place at Salford university.

Then there is the loss of amenity—I have talked about our beautiful landscape—and the impact on tourism and the local economy. At the planning application meeting on the turbine proposed for Cucklington in south Somerset, on the boundary of my constituency, it was estimated that the negative effect on the local tourism industry would be more than £3 million a year.

As the hon. Member for North-West Leicestershire (David Taylor) pointed out, wind power is intermittent.

Mr. Chaytor: Will the hon. Gentleman give way?

Mr. Walter: No; I have done so a couple of times, and I have some important points to make.

Wind power is also inefficient. As we all know, the wind will not be blowing on the cold, frosty morning when everybody wants to put the cooker and the kettle on to make breakfast, turn the heating up as far as possible, and have hot water for a bath or shower. That makes wind power a very expensive alternative when it is located at such inefficient onshore locations. I congratulate the hon. and learned Member for Redcar (Vera Baird) on her successful exposition of the alternative—offshore wind energy. The indirect subsidy results in wind energy producers having to be paid about three times the commercial price of the energy that they are producing. Wind power is an unreliable and inefficient way in which to proceed.

In summary, wind turbines will not stop global warming. They are more expensive than all other mainstream sources of energy and do not produce a significant amount of power. They disturb nearby residents and cause both physical and psychological illness. They harm wildlife, destroy large tracts of much cherished landscape and require massive funding from the taxpayer. A balance must be achieved in contentious planning applications such as that in which I will be involved tomorrow. The case for wind power has not been proven. The potential gains from it are minimal, but the losses due to it, and the effect on our environment especially, are absolutely enormous.

9.40 pm

Mr. James Gray (North Wiltshire) (Con): We have had a fine, interesting and well-informed debate. Hon. Members on both sides of the House have made good speeches on what should be an academic discussion about two matters of huge importance to all of us: first, what we can do to preserve the global environment; and secondly, what we can do to preserve the local and rural environment, which is almost as important to many of us, especially Conservative Members. The significance of one argument should not be overwhelmingly greater than that of the other, and we should try to strike a balance between the two.

It is notable that today's debate has been called by Her Majesty's Opposition because the Conservative party has taken the lead for at least 30 years on environmental matters—Baroness Thatcher was the first person to raise global warming, in a memorable speech some 30 years ago. Let no one mistake the fact that Conservative Members are wholly committed to combating global warming using a basket of renewable energy sources as part of an armoury of weapons.

I pay tribute to the speech made by my hon. Friend the Member for Croydon, South (Richard Ottaway), who has made a huge contribution to our discussions on such matters over recent months. I have greatly enjoyed working with him and I know that he will continue to do that. My hon. Friend the Member for East Surrey (Mr. Ainsworth) plays a distinguished role as Chairman of the Environmental Audit Committee, and he spoke with great passion and knowledge.

Conservative Members accept the renewables obligation, and we are as keen as anyone to find a way of meeting it. However, that should not preclude a sensible and grown-up debate about how best to achieve that. Should the policy be largely dependent on onshore wind farms, which in essence seems to be the Government's current proposal? The Minister for Energy and E-Commerce made it clear that half of the balance required to increase the 2.7 per cent. of energy currently produced by renewables to the target of 10 per cent. would be achieved by using onshore farms, with the other half achieved using offshore ones. I suspect that onshore farms will produce more energy than offshore farms. As my hon. Friend the Member for East Surrey nicely put it, we need a step change in our approach to such matters, and we must use not simply one such source but a basket of several.

Mr. Blizzard: Will the hon. Gentleman give way?

Mr. Gray: I have only 10 minutes in which to speak, and the hon. Gentleman has had his say.

If we are to achieve anything approaching the 10 per cent. target by primarily using onshore wind farms, which is the most likely situation, we will need between 6,000 and 7,000 2-MW turbines. We currently have about 1,000 onshore turbines, so we would need about six times as many. That would mean that few parts of our green and pleasant land would be far from a wind farm, which is exactly what worries many of my hon. Friends, such as my hon. Friend the Member for North Dorset (Mr. Walter). It would be awful if large parts of Hardy country were covered by what most dispassionate observers would describe as pretty ugly installations. Almost no one likes wind farms, although their initial impact is such that some people like them to begin with. A passage from "The War of the Worlds" by H.G. Wells describes the Martian invaders as

> "Monstrous tripods . . . striding over the young pine trees, and smashing them aside in its career; a walking engine of glittering steel, striding now across the heather; articulate ropes of steel dangling from it, and the clattering tumult of its passage mingling with the riot of thunder".

Those words of 100 years ago describe the average wind farm today equally well.

I must admit that wind farms have a certain majesty. I spend my holidays at Delabole in north Cornwall, but while it is amusing for a week or two, I would not want to live there. Many of the people who have spoken, particularly Opposition Members but also the hon. and learned Member for Redcar (Vera Baird), who made a memorable contribution, have made precisely that point. Many people pay lip service to wind farms, but do we want them next door to us? Precious few people would say yes.

Wind farms may have consequences for human health—I admit that, as yet, those are ill-researched—with worrying reports of increased headaches in their vicinity, particularly in Cornwall. There are also clear risks for wildlife, especially migratory birds and bats. The Royal Society for the Protection of Birds, for example, has objected to a total of 52 wind farm applications, even though it is in favour of wind farms, including the ridiculous application to build 26 turbines on Romney marsh, to which various hon. Friends have referred.

No matter how enthusiastic one might be for renewable energy, no one can deny that there are significant environmental downsides to wind farms. No one who has spoken on either side of the debate today could deny that a large environmental price is attached to having wind farms anywhere near us. It would be an environmental catastrophe for our green and pleasant land were we to seek to achieve an unduly large amount of our renewables obligation from onshore wind.

There is not only a big downside but a relatively small upside. Sometimes, the enthusiasts in this debate make it sound as if wind power is a fantastic solution, and that it will be the answer to climate change. Of course, it is important that our motion mentions climate change, which was obviously not noticed by our friends the Liberal Democrats, who claimed that it did not. It is all about climate change, and sometimes people who are enthusiastic on the subject make it sound as if wind is the be-all and end-all of their energy and renewables policy, but the truth of the matter is that wind farms, whether onshore or offshore, simply do not add up. They are effective only 27 to 28 per cent. of the year, sometimes there is too little wind, and occasionally there is too much, and they must be switched off as a result. They require lines of pylons, often to remote and beautiful areas, to connect them to the grid. As the Government's record so far demonstrates, they go nowhere at all towards providing the renewables obligation.

By contrast, Her Majesty's Opposition strongly support the obligation but believe that it can be achieved only by a basket of renewable sources: solar, wave and tidal, hydro, offshore wind, as well as biofuels and biomass—very important but not even mentioned in the Minister's speech. The Labour party has put all its renewables in one basket—onshore wind farms—and will fail to achieve its targets and the hopeless aspiration in the White Paper of 20 per cent. as a result.

The Opposition of course are by no means opposed to onshore wind farms, and the hon. and learned Member for Redcar gave a good example of how they would fit in extremely well in her constituency. We are by no means opposed overall to onshore wind farms in their correct place. When I raised the matter with the Minister during his speech, he claimed that all the polls demonstrate that people are strongly in favour of onshore wind farms—

Sir Patrick Cormack (South Staffordshire) (Con): Will my hon. Friend give way?

Mr. Gray: If my hon. Friend will forgive me, I have only a minute to go.

[Mr. Gray]

If the Minister is correct in saying that 70 or 80 per cent. of people across England are in favour of wind farms, he need not fear local opinion, but the fact that he has had to reissue planning policy statement 22 shows plainly that he does. We believe that the new PPS22 slants the planning presumption against local people and in favour of national decision making, and in favour of the developer, to which we are wholly opposed. We would take an early opportunity to redraft PPS22 to give the local people the ability to decide on whether they want a local—

Sir Patrick Cormack: Will my hon. Friend give way?

Mr. Gray: I am afraid that I cannot.

That would give local people the ability to decide whether they want a wind farm. There should be no presumption that that decision will be overturned on appeal, and no presumption in favour of wind energy. There should be a presumption in favour of local decisions. Were that to mean an end to the massive expansion of what I believe to be absolutely hideous wind farms—*[Interruption.]* I am not ashamed to say that they are hideous. I challenge any hon. Member here to say he loves them. Of course they are hideous, but the question is whether we want them.

If that presumption means an end to the massive expansion of these hideous wind farms, to be replaced by other forms of renewable energy, so be it. If we seek to save the global environment by achieving our 10 per cent. renewables target through onshore wind farms alone, it is our belief that the damage to our rural environment will be greater than any advantage we gain from it. Most green initiatives involve some kind of balance. It is our view that the Government have allowed the renewables balance to tip too far in favour of onshore wind farms, and I commend the motion to the House.

9.50 pm

The Minister for the Environment and Agri-environment (Mr. Elliot Morley): I am not altogether clear where the Conservatives are coming from on this issue. The hon. Member for South Suffolk (Mr. Yeo) says that wind farms have their role in relation to renewable energy, and indeed they do, and then the hon. Member for North Wiltshire (Mr. Gray) talks basically about hideous killer alien wind farms from outer space, which does not strike me as a balanced view of the role of wind farms. The hon. Member for North Wiltshire quoted fiction. I always thought his speeches were complete fiction. I think that he proved it tonight. I will come back to some of those points in a moment, but I want to deal with some of the other points that were made. We heard a range of reasonable speeches. Hon. Members have made some fair points.

The hon. Member for Lewes (Norman Baker) pointed out that, sadly, opportunism underpins the motion. This was an opportunity for a sensible debate on some serious issues. My right hon. Friend the Member for Rother Valley (Mr. Barron), who is knowledgeable on energy from his time in opposition, talked about the range of issues in relation to wind farms. He talked about the impact on property prices, but according to work by bodies such as the Royal Institution of Chartered Surveyors, the impact is more perception than reality. RICS did not find any impact on property prices where wind farms have been erected.

The hon. Member for East Surrey (Mr. Ainsworth) made an extremely good speech, which was well balanced; he said that it was agnostic. He talked about the number of turbines that may be needed. The hon. Member for North Wiltshire mentioned the figure of 6,000. It depends on the balance between onshore and offshore. Wind turbines generally are getting larger and more efficient, particularly the offshore ones, so it is wrong to cite such figures.

The hon. Member for East Surrey talked about how to encourage renewables through the use of fiscal incentives. I agree that there is a range of fiscal incentives. I do not agree that they have been minor. The introduction of the renewables obligation certificates was a major change. The renewables obligation and the climate change levy have had a major impact in boosting renewables. Nevertheless, I do not dispute that more can be done. We should consider that as part of the debate about how to get the balance of energy right.

The hon. Gentleman also talked about the future of micro-power. Again, there is a considerable future for micro-power in this country. I believe that we will see more development of micro-power. We certainly want to encourage it as a Government.

My hon. Friend the Member for Waveney (Mr. Blizzard) put PPS22 in the proper context. It is about getting the right balance between a national strategy and taking into account people's legitimate concerns. That is important, but the most important point that he made is that, if we are serious about renewables, wind is the most established and is cheap compared with some of the other renewables that are still being developed and coming on stream. They will have their place, but if we are serious we need to make a start. He put the nuclear question in its proper context, too.

The hon. Member for Croydon, South (Richard Ottaway) clearly outlined the risks that we face in terms of climate change and made a good case on that. He said that he supported offshore wind. We need both: offshore and onshore wind. Again, there is a balance to be struck. He talked about repealing PPS22. That is linked to the promise that the Conservatives are apparently giving—that local people will have a veto on applications for wind turbines. If that were the case, it would kill investment in renewables dead, because companies would not put the investment in.

Mr. Roger Williams: The Minister will be aware of concerns in Wales that applications for more than 50 MW are still determined by the Secretary of State for Trade and Industry. When I last asked the former Minister for Industry and Energy about this, he said that he would welcome proposals for further devolution on this matter. Have Ministers had any further thoughts?

Mr. Morley: The Welsh Assembly has played quite a role in determining decisions on wind power, but I understand that the actions of the Conservative group in the Assembly have been very opportunistic, in that it has opposed wind farms that have been granted permission. We have seen something similar tonight.

Mr. Wilson: Will my hon. Friend give way?

Mr. Morley: Briefly, because I know that my right hon. Friend has long experience of this issue.

Mr. Wilson: I agree with my hon. Friend that nobody should have the right to veto projects, but will he include the regulator in that? The problem is that the regulator has effective power of veto over huge swathes of the country where renewable resources are greatest. Does he agree that the regulator cannot have such a primacy of role that could overrule and pre-empt anything that planning authorities might want to do?

Mr. Morley: Indeed: there is a balance to be struck, and the regulator has a proper role in that, but local people's concerns should not be ignored and should be taken into account. There are issues relating to siting, and it is right and proper to consider them. That point was touched upon by my hon. and learned Friend the Member for Redcar (Vera Baird) who made a strong argument in relation to the offshore development in round 1 and made it clear that she supported the round 2 development. She also gave strong support to the industry, job and regeneration potential of new technologies and energy. I fully support her in that. I am very pleased to hear about the development that is taking place in the north-east.

The speech of the hon. Member for North Dorset (Mr. Walter) was simply an anti-wind farm rant. There was no attempt at all to take into account the fact that there is an appropriate role in terms of siting. I met wind farm campaigners on the Isle of Axholme in the constituency of my hon. Friend the Member for Brigg and Goole (Mr. Cawsey). At that meeting, local people and the campaign group said that they were not against wind farms per se or against provision for a number of them, but they objected to any idea that, because they were willing to be reasonable and accept a percentage of wind farms, people in other areas would do nothing to consider cases on their merits. I fear that the hon. Member for North Dorset confirmed their concerns.

I know that there are issues relating to the impact on the landscape and the environment. I went to the constituency of my hon. Friend the Member for Workington (Tony Cunningham) and talked to campaigners and people who had perfectly reasonable concerns about the siting of wind farms. I believe that their fears can be allayed, and we have already heard examples in the debate of applications being opposed and then turned down. That demonstrates that the system works and that, when a good case is made, it is listened to and taken into account.

We heard from the hon. Member for North Wiltshire about the Conservative party's proud 30-year record on the environment. In those 30 years, it managed to generate 0.7 per cent. in renewable energy, and that does not strike me as a proud record. This Government are spending more than £500 million between 2002 and 2008 on areas other than onshore and offshore wind.

The very premise behind the motion, that the Government are relying exclusively on onshore wind power, is totally untrue. The Government support a range of renewables, and that includes £117 million for offshore wind, more than £60 million for energy crops and biomass, £31 million for photovoltaics, £12.5 million for community schemes, including micro-power, and the setting up of a £50 million marine renewables development fund—

Mr. Patrick McLoughlin (West Derbyshire) (Con) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 183, Noes 298.

Division No. 276] **[9:59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, Sir John
Cameron, David
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gill, Parmjit Singh
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Key, Robert *(Salisbury)*
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Leigh, Edward
Letwin, rh Oliver

Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, rh Francis
Mawhinney, rh Sir Brian
May, rh Mrs Theresa
Mercer, Patrick
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Opik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Randall, John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Dame Marion
Rosindell, Andrew
Russell, Bob *(Colchester)*
Sanders, Adrian
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Teather, Sarah
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. David Ruffley and
Mr. Crispin Blunt

NOES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Austin, John
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Cook, rh Robin *(Livingston)*
Corston, rh Jean
Cousins, Jim
Cox, Tom *(Tooting)*
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Davey, Valerie *(Bristol W)*
Davies, rh Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Sir Gerald
Keen, Alan *(Feltham)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, rh John
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, Tony
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura

Mole, Chris
Moonie, Dr. Lewis
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Quin, rh Joyce
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Woodward, Shaun
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Margaret Moran and
Mr. John Heppell

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments):—*

The House divided: Ayes 325, Noes 140.

Division No. 277] **[10:14 pm**

AYES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Austin, John
Baird, Vera
Baker, Norman
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Beith, rh A. J.
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Burstow, Paul
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Carmichael, Alistair
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Cook, rh Robin *(Livingston)*
Corston, rh Jean
Cousins, Jim
Cox, Tom *(Tooting)*
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Davey, Valerie *(Bristol W)*
Davies, rh Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, Andrew *(St. Ives)*
Gerrard, Neil
Gibson, Dr. Ian
Gidley, Sandra
Gill, Parmjit Singh
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Heath, David
Henderson, Ivan *(Harwich)*
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Holmes, Paul
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Sir Gerald
Keen, Alan *(Feltham)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter

King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Sir Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, rh John
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, Tony
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moore, Michael
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
Oaten, Mark *(Winchester)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Quin, rh Joyce
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, rh Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stuart, Ms Gisela
Stunell, Andrew
Tami, Mark *(Alyn)*
Taylor, Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Teather, Sarah
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom
Watts, David
Webb, Steve *(Northavon)*
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Roger *(Brecon)*
Wills, Michael
Wilson, rh Brian
Winnick, David
Woodward, Shaun
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek
Younger-Ross, Richard

Tellers for the Ayes:
Mr. John Heppell and
Margaret Moran

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brazier, Julian
Browning, Mrs Angela
Burns, Simon
Burt, Alistair
Butterfill, Sir John
Cameron, David
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hammond, Philip
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Key, Robert *(Salisbury)*
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, rh Francis
Mawhinney, rh Sir Brian
May, rh Mrs Theresa
Mercer, Patrick
Moss, Malcolm
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Randall, John
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Dame Marion
Rosindell, Andrew
Selous, Andrew
Shepherd, Richard
Simpson, Keith *(M-Norfolk)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony

Streeter, Gary
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Williams, Hywel *(Caernarfon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Mr. Crispin Blunt and
Mr. David Ruffley

Question accordingly agreed to.

Main Question, as amended, being put:

Resolved,

That this House recognises the passing of the Energy Act 2004 and the positive actions taken by the Government to increase the amount of energy supplied from renewable sources; welcomes the global leadership shown by the Government on climate change and commends actions taken to meet the UK's Kyoto targets; condemns the Official Opposition for opposing the development of renewables while claiming to support them in principle; notes the abject failure of the Official Opposition to provide coherent policy proposals to meet the climate change challenge and its continued opposition to the Climate Change Levy; praises the Government for providing significant resources and support to the development of wind energy, including £117 million for the development of offshore wind energy; further notes that a growing proportion of wind farm developments will occur offshore; supports steps taken by the Government to promote energy efficiency and notes with approval that the planning regime allows for wind farm proposals to be thoroughly considered in terms of their impacts on local communities and environments and their contributions to national energy needs and policies; commends the Government's commitment to diversifying the sources of the UK's energy supply and the related investment in a wide range of renewable technologies including energy crops, £60 million investment for biomass, £31 million towards photovoltaics and £50 million for wave and tidal; and further condemns the Official Opposition's energy policy that would drastically reduce the UK's investment in renewable technologies.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Sir Alan Haselhurst): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

LOCAL GOVERNMENT, ENGLAND AND WALES

That the draft Local Authorities (Indemnities for Members and Officers) Order 2004, which was laid before this House on 21st July, be approved.

VALUE ADDED TAX

That the Value Added Tax (Disclosure of Avoidance Schemes) (Designations) Order 2004 (S.I., 2004, No. 1933), dated 22nd July 2004, a copy of which was laid before this House on 22nd July, be approved.

That the Value Added Tax (Groups: eligibility) Order 2004 (S.I., 2004, No. 1931), dated 22nd July 2004, a copy of which was laid before this House on 22nd July, be approved.

NORTHERN IRELAND

That the draft Financial Assistance for Young Farmers (Northern Ireland) Order 2004, which was laid before this House on 15th September, be approved.

CONSTITUTIONAL LAW

That the draft Primary Medical Services (Northern Ireland) Order 2004 (Consequential Amendments) Order 2004, which was laid before this House on 14th September, be approved.

DAMAGES

That the draft Damages (Variation of Periodical Payments) Order 2004, which was laid before this House on 16th September, be approved.—*[Gillian Merron.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

INTEGRATION OF FINANCIAL MARKETS

That this House takes note of European Union Document No. 4156/04 and Addendum 1, Financial Services Committee Report on Financial Integration; and supports the United Kingdom's five priorities for the future approach to financial services in the European Union.—*[Gillian Merron.]*

Question agreed to.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Tuesday 26th October, the Speaker shall put the Questions necessary to dispose of proceedings on the Motions in the name of Mr Peter Hain relating to Programming of Bills, Procedures for Debates, etc., Carry-over of Bills, Deferred Divisions, Short Speeches and Removal of References to Strangers not later than Six o'clock; such Questions shall include the Questions on any Amendments selected by the Speaker which may then be moved; the Questions may be put after the moment of interruption and the Orders of the House of 28th June 2001 and 6th November 2003 relating to Deferred Divisions shall not apply.—*[Gillian Merron.]*

PETITION

Incinerators

10.26 pm

Mr. George Osborne (Tatton) (Con): I am very pleased to present this petition against the proposed incinerator near Lostock Gralam, organised by the excellent local councillor, Stuart Russell, and signed by many hundreds of people in Lostock Gralam, Wincham, Northwich and Knutsford.

The petition states:

The Petition of the residents of Wincham and Lostock Gralam, Cheshire, and the surrounding area,

Declares that they oppose the proposals for an incinerator to be built on Griffiths Road between Lostock Gralam and Rudheath, which would have a seriously detrimental impact on the local area and local residents,

The Petitioners therefore request that the House of Commons urge the government to support the campaign to oppose the proposals for an incinerator to be built by doing all in its power to persuade Cheshire County Council to reject these proposals.

And the Petitioners remain, etc.

To lie upon the Table.

Devon NHS Partnership Trust

Motion made, and Question proposed, That this House do now adjourn.—*[Gillian Merron.]*

10.27 pm

Mrs. Angela Browning (Tiverton and Honiton): I raise tonight the situation with the Devon partnership trust, a mental health trust that covers not only my constituency, but the greater part of Devon. I know that hon. Members from all parties are in their places for this debate because of our collective concern about what has happened in that trust. I do not exaggerate when I tell the Minister that the trust is in crisis, and I want particular action to help to sort the problem out. In particular, it is essential that outside expertise is brought in, even if for only a short period, to address the trust's specific problems.

We need to cover the management change caused by the sudden resignations of the chief executive and her deputy. As we know from recent reports, the whole trust has experienced a management style and capability that left a lot to be desired. Services need to be improved to bring the trust up to the standards of the national average. That is a matter of urgency. Staff morale is low. There is a culture of bullying of staff and inadequate procedures exist to deal with dispute resolution. Unless somebody is appointed with the expertise to change rapidly the feelings and morale of staff throughout the trust, any further development of delivery of services will be severely hindered. That is at the top of the list.

All levels of service in the trust are in crisis—acute, in-patient, primary care and community—and I shall give just a few examples of case studies that I have received in recent months that give me grave cause for concern. The trust has embarked on proposals to what it calls "modernise and reconfigure" its services, against the backdrop of a £3 million overspend to be repaid over two years. Changes will be implemented not necessarily because they are the right changes, but to deal with a budgetary problem. As I understand it, the trust was started up with a deficit, the backdrop for which must be obvious to everyone.

I am aware of the strategic health authority's role and its responsibilities for trusts, such as the Devon partnership trust. I received a letter only this morning from the SHA, which tells me:

> "The performance of the DPT has generally been good. The organisation managed to attain financial balance last year and also hit all of its key targets."

I have to tell the Minister that that statement is risible, in the light of my experience and that of other hon. Members in respect of the delivery of care to patients and support for the professionals who work in the service. The SHA goes on to say that it

> "has been working with the Trust on matters concerning the Trust's Service Improvement and Financial Recovery Plan"

and

> "finding possible avenues to deliver financial balance within the current year."

It is jolly good that the trust will meet all those financial targets. We understand that it has to work within a framework, but while it is receiving plaudits from the SHA for doing all that, GPs—I use the plural—are coming to my surgery to ask what I can do to help them to deliver a service to their patients that they feel is almost non-existent in many cases. That is unique in my 13 years as an MP. Although I have received letters from GPs and they have raised other issues with me, I have never known them come to my surgery in real despair because they feel that a prescription pad is all that they have left.

Richard Younger-Ross (Teignbridge) (LD): Does the hon. Lady agree that the trust, the SHA and the other partners must be investigated to ascertain what has gone wrong not only with the trust but with the overseeing of it?

Mrs. Browning: I do not disagree with that proposal at all, but I also emphasise to the Minister that I do not want delays while investigations take place. We want action. If a school failed, someone would send in a team to deal with the immediate problems. We are talking about people's lives, and those problems need to be sorted out.

The Royal College of Nursing locally has regularly written to Members of Parliament for some months. Not only has it expressed concerns about staff morale, but it has written:

> "The Trust management appears to believe that the financial overspend has been contributed to significantly by an inherited overspend . . . and underinvestment by the PCTs.
>
> In the Trust document—

the financial recovery plan—

> "the management is unequivocal: 'in the face of competing national and local priorities, many PCTs have not invested in the Trust to the level required to meet the full cost of inflation and cost pressures".

That is perhaps one of the things to which the hon. Gentleman was alluding.

The RCN continues:

> "One might ask why the Strategic Health Authority allowed this situation to develop. One might think that the body which is responsible for the strategic planning for the health services . . . would monitor the functioning of a newly created Trust".

I mentioned that GPs have been to my surgery. I have but a very small selection with me of the quotes that doctors throughout not only my constituency but other parts of Devon have sent to me in advance of the debate tonight. One says:

> "For nearly two years we have not been able to make a referral to the local community mental health team unless the patient is at serious risk of suicide. Although there is a psychological therapy service for primary care we have an allocation of 13 referrals a year for a population of 8250."

Another writes:

> "We feel that there is a serious gap in the provision of mental health services for patients with mild to moderate depression or anxiety."

I shall come in a moment to the way in which the trust has made allocations for what it calls core and non-core patients. Another doctor says:

> "GPs had been expressing doubts and worries about the management of the Trust for a considerable time before the managers were obliged to admit they couldn't do it".

A GP in my constituency says:

> "I am writing after much thought to express my concerns over the management of psychiatric services for the elderly in Tiverton."

There have been five different locum psychiatrists in two years, and as the doctor writes:

> "Clearly this has made continuity of care a joke".

Another says:

> "To reduce the bed capacity of a severely overstretched service seems crazy. I have lost confidence in the management of Devon Partnership Trust."

Another says:

> "I am a working GP in Mid-Devon served by this trust. The service provided is very poor, the worst I have come across in 30 years of NHS work."

Another says that she carried out a small audit of repetitive suicidal behaviour, and states:

> "The small study I conducted showed that 50 per cent. of patients were taking overdoses within three months of an initial self-harm attempt."

The reason for those doctors' concerns is that the trust has set up core and non-core services. A week ago, in answer to my written question the Minister said that those decisions were to be made locally, but I urge him to look at what is happening in this trust.

Mr. Hugo Swire (East Devon) (Con): On core and non-core issues, does my hon. Friend share my concern about the fact that beds put aside for those suffering from dementia or Alzheimer's, particularly those in our community or cottage hospitals, will not be staffed by specialist mental health nurses and may then be lost?

Mrs. Browning: My hon. Friend is right. That is one of the trust's proposals, and it is something that we are all concerned about. If people with Alzheimer's who are going into hospital for respite care are not treated by a qualified mental health nurse, the hospital will not be able to sustain its treatment of such patients, and the beds will revert to general ones.

The question of core and non-core services is a real problem because it means that there is virtually nothing for patients classified as non-core. When I say "virtually nothing", I am not exaggerating, and that is why GPs are coming to see me. They are not allowed to refer non-core cases to a consultant; they go to the community mental health team, who are there to assess patients and then decide on the level of care to be given and on whether further referrals are needed. At the moment, among the patients who have been to see me are people who have waited 12 weeks for a first appointment and some who are still waiting. We are talking about potential suicides here.

Only this weekend, I visited at home a young woman who has made no fewer than 10 suicide attempts since she was 15. I witnessed for myself the self-harm marks on her wrists. She has been turned down by the community mental health team as somebody for whom they are not prepared to provide support. [HON. MEMBERS: "Disgraceful."] Hon. Members are right; it is a disgrace. In fact, it is quite wicked.

I mentioned in-patient care. The Cedars, part of Wonford House hospital, is a unit that takes patients from my constituency. In June 2002, we saw the most tragic event in which three patients, not all of whom were voluntary patients considered to be a low risk, left the unit together and collectively committed suicide by jumping from a cliff. As a result, the trust was meant to put in place at The Cedars certain safeguards to ensure patient safety.

Since then, there have been further deaths among people who have left the unit. I mention in particular Daniel Heard, a constituent of mine who died last February. In July this year, after my many discussions with the then chief executive, she wrote, promising an external review of the circumstances surrounding Daniel's death. I spoke to his mother last week; neither she nor I has yet heard of any such review or inquiry being set up. That is symptomatic of the laissez-faire attitude towards situations in which people's lives have been at stake, yet the style and efficiency of the management throughout the trust, whether in dealing with an in-patient or with somebody who presents at a GP's surgery, show just how poor the services are.

I conclude by reading from the brochure of a GP practice in neighbouring Dorset that offers in-house counselling for adults, as well as a dedicated psychology service for children, families and teenagers. The brochure states:

> "If your mental health needs cannot be met by our in-house service, we have access to the community based mental health team, a specialist psychotherapist and services for alcohol and drug addiction problems."

GPs in my constituency cannot refer heroin addicts aged under 18 to anybody—I tabled a written question about that last week. Across the piece, the service has disintegrated. I ask the Minister—I beg the Minister—do not just tell me tonight that the strategic health authority and others are trying to put things right. A lot more than that is needed to deal with the immediate problem that we face in Devon.

10.40 pm

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): I congratulate the hon. Member for Tiverton and Honiton (Mrs. Browning) on obtaining this debate and on her interest in local health services, both generally and in this important respect. She knows the difficulties that Ministers have when responding to debates such as this one. We do not have complete access to every single fact and figure needed to give a thorough and comprehensive response from the Dispatch Box, and I am sure that she does not expect me to give one tonight. Therefore let me begin by saying that, whatever else I say tonight, I shall ensure that all her comments are properly studied; I shall reflect on them and, if necessary, write to her after the debate about any other types of action that I consider appropriate. That applies also to the comments made by the hon. Members for East Devon (Mr. Swire) and for Teignbridge (Richard Younger-Ross). My hon. Friend the Member for Exeter (Mr. Bradshaw) has been raising the same issues: he has already met ministerial colleagues and is to meet the Minister of State, Department of Health, my hon. Friend the Member for Doncaster, Central (Ms Winterton), in the very near future. Clearly, all local MPs are very concerned.

Mental health services in every area of England are going through a radical programme of modernisation. Local delivery plans for the modernisation programme have now been agreed, and I assure the hon. Lady that in every area of the country, including her own, there is a clear commitment to deliver all the mental health targets in the NHS plan. Progress towards those targets is already being made: for example, a range of specialised teams and services to support people with

[Dr. Stephen Ladyman]

mental illness are being established across the country and their impact is now starting to be felt by service users and carers: they are able to exercise more choice, to be treated at home instead of hospital when that is appropriate, and to access services more easily in an emergency. I am sorry that the hon. Lady feels that that sort of progress is not being made in her constituency. Clearly, we need to investigate that.

We are also making progress with strengthening the mental health work force. The number of consultants in the psychiatry group has increased by more than a third since 1997 and we have a comprehensive programme in place to ensure further development. In addition, we now have a quarter more psychiatric nurses working in the community and half as many more psychologists as there were in 1997. To support the focus on improving and modernising mental health services, significant extra national investment has been made—more than £300 million over the three years to the present. Between 2003–04 and 2005–06, Mid Devon primary care trust will receive an increase in its revenue allocation of £22.2 million, which represents a cash increase of just under 30 per cent.

I am pleased to say that—at least on the face of it, although she may not agree—progress has extended to the hon. Lady's constituency. The north and mid Devon assertive outreach team has been developed, as have crisis resolution teams in north and mid Devon that are open seven days a week, and an early intervention team, which was informed by a successful pilot project set up in north Devon. In addition, I understand that the trust wishes to develop a new mental health facility in her constituency in Tiverton, so that people who suffer a mental health problem in that area do not have to travel to Exeter for the care and help they need.

Notwithstanding the challenges faced by the local trust, which the hon. Lady outlined in her speech, I hope that she agrees that there have been a number of positive developments at both national and local level. I hope that she also agrees that the local trust has achieved well in the past. It has achieved two stars in the performance ratings for the past two years and it has returned a balanced financial position since its formation in 2001. That is a significant achievement, particularly given that four separate organisations were merged to create the trust. I think that we should pay tribute to all the staff who have contributed to those achievements.

Mrs. Browning: I am sorry about this—the Minister will not be surprised to hear this—but the experience of Devon Members is not what the hon. Gentleman is reading out from his brief. If the hon. Member for Exeter (Mr. Bradshaw) is seeing a senior Minister on this issue, I think I can speak for all Devon Members when I say that we would like to be at that meeting.

Dr. Ladyman: That is a matter for my hon. Friend the Member for Exeter and the Minister of State. Certainly my office door is always open to Members who want to discuss constituency issues of this seriousness.

I agree with the hon. Lady that the trust is facing a challenging agenda. She has asked the Department to step in and manage the problems that the trust is currently facing.

As the local headquarters of the NHS, strategic health authorities are responsible for performance managing local NHS organisations and for ensuring that local organisations are of a high quality and performing well. Strategic health authorities are the link between the Department of Health and the NHS, with the Department's role being to provide strategic leadership and direction. It would be inappropriate, therefore, for the Department to become directly involved in specific local issues or manage local problems. That is what we set up SHAs to do on our behalf, and I am assured that the SHA is working with the trust to ensure that it has the support that it needs.

For example, the South West Peninsula SHA is working to strengthen the strategic direction of its mental health services. It is also supporting the trust in developing services, in line with the requirements of the national service framework, within a strong strategic framework. The SHA will also be providing close monitoring and advice on the trust's financial position, an issue to which I will return.

In addition—perhaps this will give the hon. Lady a bit more of the reassurance that she seeks—I can say tonight that mental health policy officials and officials from the Department's recovery and support unit will also be meeting the SHA on 25 November to discuss the future direction and performance of local mental health services throughout its area. Therefore, I hope that the hon. Lady will accept that we are providing from the centre the support and direction that the SHA needs so that it in turn can support the trust in these difficult times.

The recent departure of both the chief executive and the finance director have, of course, added to the challenges faced by the trust, and I am pleased that the South West Peninsula SHA has acted swiftly to put in place an acting chief executive. The acting chief executive of the trust has recruited an experienced NHS finance director to act as interim finance director until a permanent appointment can be made. He will take up his post at the beginning of November.

The hon. Lady should be reassured that both the chair and chief executive of the SHA have also liaised closely with the chair of the Devon Partnership trust on the appointment of a high calibre replacement for the chief executive. I understand that an interim chief executive has already been identified and subject to due process will be appointed shortly.

I am also aware of the real financial challenges ahead for the trust, but I am assured that it is putting in place a robust plan of action to address the problems that it is facing, and that the South West Peninsula SHA is providing the trust with the support to take this forward.

Mr. Adrian Sanders (Torbay) (LD): I warn the Minister that cuts are being proposed at the Riverside unit in Torbay. The hon. Member for Tiverton and Honiton (Mrs. Browning) mentioned the problems at the Cedars unit. Pre-dating that, there was a problem with the Edith Morgan unit in Torbay. The recommendations were essentially what was created, the Riverside unit, and it is that which is now to close. Organising and sorting matters out is a process that is being paid for by the most vulnerable in the community, and staff are extremely worried about the protections that they received as a result of some tragic cases that are now to be removed.

Dr. Ladyman: The hon. Gentleman is slightly misrepresenting the position in respect of the particular unit to which he is referring. The possibility of closing that unit is due not to financial pressures but the difficulty of recruiting staff, particularly agency staff, who are needed to maintain standards of clinical governance. I have been assured that if it is necessary to close the unit, it will be a temporary measure and the service would be reprovisioned in the local area. I will ensure that the hon. Gentleman's comments are looked into to see whether I have been misinformed in any way.

Richard Younger-Ross: If the Minister wants to examine the crisis in morale, he has only to look at the 100 staff whose salaries are being cut by the trust from £7 an hour to £5 an hour.

Dr. Ladyman: I cannot comment on that matter without exploring it, but I shall certainly look into it.

The trust has acted responsibly and is putting in place actions now to ensure that it reaches a year-end balance, which is a point to which the hon. Lady referred. It has developed a service improvement and financial recovery plan to identify how it can address the current financial problems and is engaged in ongoing discussions about the plan with its commissioning primary care trusts and other stakeholders. The strategic health authority is working with both the trust and the primary care trusts to ensure the successful resolution of those discussions.

I appreciate that the plan's contents have caused some concern among local people, but its aim is to examine how the trust can make best use of its available resources and modernise services in order to deliver the national service framework for mental health. The Department has made it clear that where financial recovery plans are developed, they should not be at the expense of proper service provision. I am assured that the trust is making every effort to ensure that the impact on patient care is kept to a minimum, but we must examine that point in the light of hon. Members' comments.

The hon. Lady also highlighted concerns about bullying in the workplace. The Government have made it clear that no form of bullying or harassment will be tolerated in the NHS. Staff should be fairly treated, properly rewarded and able to use their skills to the full. In the course of its recent clinical governance review, the Healthcare Commission received reports of harassment and bullying from members of staff. The final report, published in September, recommended that an independent review be carried out into these allegations.

The Devon partnership trust has fully accepted the Commission's recommendation and a review is being established. The SHA is currently working in collaboration with the Healthcare Commission and the trust on the terms of reference for the review and on the appointment of personnel to undertake it. The review is expected to commence in January 2005, and I am assured that it will be robust, thorough and transparent.

I also appreciate the serious concerns about the numbers of suicides at the Cedars unit and agree that there are important lessons to be learned. I want to reassure the House that I have looked carefully at the steps taken by the trust and the SHA to investigate the events that took place at the Cedars unit. I understand that a full internal review, an external review and an inquest into the triple suicide in 2002 have taken place, and the trust has fully taken on board the recommendations from those inquiries.

The trust has acted on the findings of the reviews and has introduced changes to its key policies as well as improvements to the day-to-day running of the unit. For example, environmental changes have been made such as placing observation windows in all bedrooms, relocating the nursing station and replacing CCTV cameras. Policy changes have also been made, and 63 new policies have been put in place. Those policies include a revised engagement and supportive observation policy, a clinical risk policy, an incident reporting policy, a policy on alcohol and substance misuse and an absent without leave policy.

Improvements have been made to staffing levels. Minimum staffing levels have been implemented, and those are increased to meet the clinical needs of patients. The trust has been working with Mid Devon primary care trust to increase the medical establishment by two additional consultant posts over the next two years. Improvements have been made to clinical record keeping. For example, detailed care plans that include leave arrangements are now used as a basis of communications at handover and with families and carers. New management and leadership arrangements are in place, and a senior H-grade nurse was appointed in September 2003 and leads the unit. The team is managed through the north and mid locality team and the senior nurse acts as a co-ordinator for the team, attending ward rounds and handovers.

Before I conclude, I shall deal briefly with waiting and referral times. I understand that the Devon partnership trust operates a single point of entry system to mental health services. Under that system, GPs can still refer patients directly to a consultant, but the referral is handled in conjunction within the multi-disciplinary team, which means that all cases are handled in the same way. Urgent referrals are always looked at the same day, and less urgent cases are discussed and reviewed at weekly referral meetings.

The community mental health teams in the hon. Lady's constituency have been working over the past 12 months to reduce waiting times by offering service users the opportunity to arrange first and follow-up appointments at times to suit them, which has had a significant impact on waiting times. If the hon. Lady and the GPs whom she mentioned believe that that is not an accurate representation of the situation, I would very much appreciate it if she wrote to me with their views, and if she made the Healthcare Commission, which has a role in inspecting these services, similarly aware.

I am sure that I will not have reassured the hon. Lady completely, but I hope that she is at least partly reassured by the fact that there are to be further meetings with the strategic health authority and that we are going to give it support.

[Dr. Ladyman]

Through "Shifting the Balance of Power" and devolving funding to the front line, we gave health services in every local area the freedom and resources to develop a strategy for the future that will deliver financial balance and sustainable services. However, when things go wrong there is always a call for us to step in from the centre and take over. That is not the way in which it should work if we are to give people the freedom they need. Mechanisms are in place for us to provide support to the strategic health authority and, through that, to trusts themselves. Other mechanisms enable us, with the help of the Healthcare Commission, to inspect services and ensure that we are picking up on these issues.

I encourage the hon. Lady and other hon. Members in the Chamber to ensure that they are feeding all this information into the SHA and the Healthcare Commission. I will refer the impressions that I have gained from the debate to the SHA and engage with it to see whether we can come together to find a way of supporting the very important mental health services that Members highlighted. We can make progress on this—

Mr. Swire: Will the Minister give way?

Dr. Ladyman: Very briefly, as we have only a couple of seconds.

Mr. Swire: It is all very well devolving these matters to local authorities and health services, but there is a crisis in Devon, as is shown by the cross-party representation in this debate. We want intervention and action, not more delegation and discussion.

Dr. Ladyman: I am sure that the hon. Gentleman does want intervention, but—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at three minutes to Eleven o'clock.

House of Commons

Tuesday 26 October 2004

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

SCOTLAND

The Secretary of State was asked—

Energy Policy

1. **Mr. Bill Tynan** (Hamilton, South) (Lab): What discussions he has had with colleagues in the Department of Trade and Industry on ensuring that there is an integrated energy policy in Scotland. [192843]

The Secretary of State for Scotland (Mr. Alistair Darling): Ministers and officials from the Scotland Office and from the Scottish Executive are in regular contact with the DTI in relation to a range of energy-related matters.

Mr. Tynan: I thank my right hon. Friend for his response and congratulate the Government on their commitment to renewable energy and to the Kyoto protocol. However, renewable energy alone will not solve the problem of security of supply or reduce carbon dioxide emissions. The next time that my right hon. Friend has discussions with the DTI will he consider our dependence on imported gas, and will he pursue an integrated energy policy that includes nuclear power and clean coal technology to safeguard Scotland's future needs?

Mr. Darling: My hon. Friend is quite right. It is important that we have a wide range of electricity supplies. The Government and the Scottish Executive have very demanding targets for increasing the amount of electricity generated from renewable sources, and it is a pity that the Conservatives in Scotland have set their face against renewable energy. It is important to keep our options open on nuclear energy. Both major nuclear power stations in Scotland still have some life left in them—Torness will, I think, be operational until the early 2020s—and that is something that we need to look at. It is important that we have security of supply, not just in Scotland but throughout the United Kingdom. My hon. Friend is right that we need to press ahead with technologies such as cleaner coal and so on so that we can improve the environment as well as making sure that we have a good electricity supply.

Mr. Alex Salmond (Banff and Buchan) (SNP): The hon. Member for Hamilton, South (Mr. Tynan) is well informed on many issues, but not necessarily this one, and most of us would not wish to follow him and the Secretary of State down the nuclear route. We would like to develop the vast array of energy resources in Scotland, but how on earth can we do so when there are proposals to charge £20 per kilowatt to connect to the grid in the north of Scotland and £14 per kilowatt in central Scotland, but for a subsidy of £10 per kilowatt in London? I know that the Secretary of State is concerned about the issue, but what is he doing about that discrimination against Scotland?

Mr. Darling: As I have said before, it is important that generators in Scotland can sell electricity, not just in Scotland but throughout the United Kingdom. Typically, the hon. Gentleman conveniently overlooks the fact that the proposals will remove interconnector charges for exporting electricity to England, and the charges suggested by the national grid are substantially less than they are at present. I have told the hon. Gentleman before that it is important that we encourage electricity generation in Scotland. The offshore regime that he complained about last time has not been settled at all, and it is entirely characteristic that he should make overblown and unfounded claims about offshore electricity, instead of concentrating on what is in fact the case and what is good for Scottish generators.

Anne Picking (East Lothian) (Lab): Does my right hon. Friend agree that although security of supply is paramount so is security of jobs? In my constituency, British Energy in Torness and Scottish Power in Cockenzie are good employers that have introduced apprentice schemes, and those jobs should be safe.

Mr. Darling: My hon. Friend is right. Scottish Power is a good employer and has a good reputation, not just in Scotland but throughout the United Kingdom and many other parts of the world to which it supplies electricity. She is rightly concerned about jobs but, as I said a few moments ago, Torness power station has a considerable time to run and a decision has not been made about its future. It is important, however, that we look at the question of energy in a rational and measured way and make sure that we have security of supply. It is essential that we increase the amount of electricity generated from renewable sources and that we guarantee continuity of supply. It is therefore Government policy to approach nuclear policy with an open mind and in a rational way.

Mr. Peter Duncan (Galloway and Upper Nithsdale) (Con): Given the importance of continuity of supply, does the Secretary of State endorse the rush by the Scottish Executive towards wind energy at the expense of other options, specifically new nuclear build? Does he not think it rather inappropriate that the Scottish Executive have the first and last say on the largest wind farm developments? The larger the development, the more severe the impact on the local area and the further removed local people are from the decision. Should rural Scotland not have more of a say in whether tens of dozens of enormous wind turbines are erected on the landscape?

Mr. Darling: The Scottish Executive are the planning authority, so it is not surprising that they have some sort of say. I know that the hon. Gentleman is not terribly keen on devolution, but that is a consequence of it. With regard to renewables, wanting to increase the amount of electricity generated from renewables over a 20-year period is hardly a rush. Most people are understandably concerned about the environmental impact of carbon emissions and want to do something about them. It is a great pity that the Conservatives have shown themselves yet again to have no idea how to deal with the problem in the future. They are against renewable energy and against the siting of renewable energy generation—in other words, they are turning their heads against solutions for improving the environment in Scotland, and it is not surprising that they have nothing to say about what is good for Scotland in the future.

Jobcentre Plus (Lanarkshire)

2. **Mr. Tom Clarke** (Coatbridge and Chryston) (Lab): What discussions he has had with the Department of Work and Pensions about plans for the future of Jobcentre Plus in Lanarkshire. [192844]

4. **Mr. Frank Roy** (Motherwell and Wishaw) (Lab): What plans he has to visit Jobcentres in Lanarkshire in the near future. [192846]

The Secretary of State for Scotland (Mr. Alistair Darling): I talk to my right hon. Friend the Secretary of State for Work and Pensions about a range of issues, including jobcentre provision. I have no immediate plans to visit the jobcentres in Lanarkshire, though.

Mr. Clarke: May I thank my right hon. Friend for his interest and encourage him to ensure that the consultations that are taking place include not just Lanarkshire Members of Parliament, but people genuinely seeking employment and people on low incomes, whose travel costs will increase considerably if the current proposals are unchanged?

Mr. Darling: As my right hon. Friend will know for understandable reasons, I take a close interest in what is happening in the Department for Work and Pensions and in relation to the jobcentres. It is important for people to understand that what we are trying to do is completely change the way in which people are dealt with in jobcentres. There is more money going into the estate, there are better offices, much more pleasant surroundings and far better advice, and it is bringing together the benefit system and the employment system. None the less, my right hon. Friend is right to make the point that we must make sure that the offices are in the right places and that they are convenient for people. I know that he and our hon. Friend the Member for Motherwell and Wishaw (Mr. Roy) have a meeting with our right hon. Friend the Minister for Work at the Department for Work and Pensions on 10 November. She has made it clear to me that she will listen with an open mind to what my right hon. and hon. Friends have to say about the matter, to make sure that we get the service to which people are entitled.

Mr. Roy: May I tell my right hon. Friend that the jobcentre roll-out programme in Lanarkshire has been renamed the jobcentre wipeout plan? Does he agree that in an area such as Motherwell and Wishaw, with nearly double the average rate of unemployment in the rest of the United Kingdom, it is absurd to close both the social security office and the jobcentre in Wishaw, and even more absurd to think that the work currently undertaken by five offices can be done by a single office in Motherwell?

Mr. Darling: That is a point that my hon. Friend will no doubt put to our right hon. Friend the Minister for Work. In my experience at the Department of Social Security, there were many things that it had done for many, many years that were not being done particularly efficiently and not in the best way to suit members of the public, who after all are the most important people in this context. Of course my hon. Friend is right to raise specific concerns about the siting of offices, but the general changes that we are making are creating a far better service for the public than we have had in the past. However, he is right to say that we must ensure that the offices are in the right place and that people are not left without services where that is appropriate.

John Thurso (Caithness, Sutherland and Easter Ross) (LD): Is it not the case that the concerns expressed by hon. Members regarding Jobcentre Plus offices in Lanarkshire also apply to many other areas of Scotland? Will the Secretary of State join me in recognising the excellent quality of work and service given by the office in Wick? Will he also explain to those employed there why their jobs are under threat, in an area that is already economically depressed and where, because of the distances involved, that threat will make it more difficult to deliver a good service to their clients?

Mr. Darling: As I have said over the past few minutes, it is important that the offices are located in the right places so that the public can get the service to which they are entitled. However, we should not lose sight of the general point that I was making that we are trying to provide much better conditions for the staff and for the public, and provide a far better service than we have been able to do in the past. As I said, seven or eight years ago the way in which the DSS was run, because of the lack of computerisation and the lack of investment, meant that it was not offering the sort of service that it should. All hon. Members who have seen the Jobcentre Plus offices that have opened will know that they are qualitatively better than anything that existed in the past. That is not to say that the Department for Work and Pensions will not look carefully at where the offices are. If the hon. Gentleman has a specific concern about his constituency, he should speak to my right hon. Friend the Minister for Work, who I am sure will be delighted to hear from him.

Rosemary McKenna (Cumbernauld and Kilsyth) (Lab): Is it not true that most people would prefer to have the decent buildings that I am fortunate enough to have in Cumbernauld, which makes the jobcentre a pleasant place for people to go, with good services? The real concern is the people who are unable to access such a facility. Does my right hon. Friend accept that when

I go with my other Lanarkshire colleagues to meet the Minister, we will put the case that jobcentres should provide good, accessible services for people who cannot travel miles to other areas?

Mr. Darling: My hon. Friend makes a good point and is right to say that the Jobcentre Plus offices are much better than anything that came before them. Anyone who has been into a traditional DSS Benefits Agency office will realise that we should not ask people to go to such places in this day and age. She is also right to say that many people want to get in touch with the DWP on the phone or electronically, which was not possible in the past.

Some people need to go to offices, however, and sometimes it is not possible for them to travel long distances. That is why it is right for my right hon. and hon. Friends to speak to the Minister for Work. I am sure that she will be delighted to discuss those matters, because it is important that we get the provision of those offices right.

Knowledge-based Economy

3. **Jim Sheridan** (West Renfrewshire) (Lab): What assessment he has made of the future of the knowledge-based economy of Scotland. [192845]

The Parliamentary Under-Secretary of State for Scotland (Mrs. Anne McGuire): Prospects for the Scottish economy are bright, including for those businesses and sectors that are particularly reliant on intellectual assets.

Jim Sheridan: Does my hon. Friend agree that it is wrong to view the knowledge-based economy as being synonymous only with information and communications technology companies? The brand new Rolls-Royce factory, which opens today in my constituency, is a perfect example of a traditional company investing in technology and its employees' knowledge. Will she assure me that every assistance will be given to our indigenous industries as well as to our new industries such as electronics?

Mrs. McGuire: My hon. Friend is right. I am pleased to join him in welcoming the new plant at Inchinnan, where the relocation of the compression systems manufacturing facility will secure 900 jobs. He is also right to point out that we should not always think that the knowledge-based economy concerns ICT. I had the pleasure of meeting some young Scots whose small group, Lightweight Medical, is at the forefront of science and innovation, and they recently won the entrepreneur of the year award in Scotland. Their critically needed neonatal care product is based around a university project, and it is going into production. It came out of Scotland, where young people were willing to use their brain power and manufacturing capability to move into the medical industry. The knowledge-based economy covers a great part of the Scottish economy, and I hope that we will continue to be optimistic about our young entrepreneurs and investment in Scotland.

Mr. Michael Connarty (Falkirk, East) (Lab): The Minister mentioned the medical field, and she knows that biotechnology is well represented in Grangemouth. I had the pleasure of opening the laboratory in which Avecia is developing 20-layer DNA drugs. The Health and Safety Executive is taking a strange and strict view in interpreting its role. It has thrown a 2.7 km consultation distance around that plant, which, if we consider Seveso 2 and societal risk, may force that company to go elsewhere because it cannot develop new products in that location unless the HSE sees sense and shows moderation. Can she intervene to discuss with the Minister responsible and me how the HSE can be persuaded that its job is not to destroy jobs in the Scottish economy, but to look after the safety of people seriously and sensibly around that plant?

Mrs. McGuire: I know that my hon. Friend is usually a great supporter of the HSE in relation to the petrochemicals industry in Grangemouth in his constituency, as well as being a great supporter of the industry itself. I am not apprised of the exact details of that particular issue, but I hope that he agrees that it is important that the HSE puts in place proper standards and procedures. I undertake to investigate exactly what is happening at that plant, and perhaps we can discuss the matter at a later date.

Defence

5. **Mr. Peter Atkinson** (Hexham) (Con): When he last met the Secretary of State for Defence to discuss defence matters that relate to Scotland. [192847]

The Secretary of State for Scotland (Mr. Alistair Darling): I have of course discussed defence matters with my right hon. Friend on a number of occasions.

Mr. Atkinson: I hope that the Secretary of State has passed on to his Cabinet colleague, the Secretary of State for Defence, the outrage that has been caused in Scotland by the treatment of the Black Watch and the other Scottish regiments. Is he aware that several soldiers serving in the Black Watch who were fined for disciplinary offences are having their pay stopped while on active service in Iraq, which is causing problems back home? Surely he must understand that it is outrageous to put that kind of pressure on soldiers on active service in relation to such a small issue.

Mr. Darling: Of course I am concerned about people's understandable worries about the reorganisation of the Scottish regiments. I am equally aware that many people attach great importance to maintaining the historic traditions and identities of the Scottish regiments. I hope that that will be taken into account by the Army Board, which has to make these decisions, and ultimately by the Secretary of State.

It is worth bearing in mind, though, that these difficult decisions are being taken because although we are increasing the amount of money that is being spent on defence—I think that this is the longest sustained period of increased defence spending in the past 20 years—the changed commitment in Northern Ireland means that the Army Board has to reconsider Army formations. We are all aware of people's understandable attachment to identities and traditions, and I hope that that will be taken into account.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley) (Lab/Co-op): Is the Secretary of State aware that my discussions with Ministers in the Ministry of Defence and with people involved with the regiments in Scotland lead me to believe that a solution that is acceptable to all sides can be found in relation to the proposal—it is only a proposal—made by the Council of Scottish Colonels? May I tell my right hon. Friend that the only thing that is seriously undermining the morale of our troops in Baghdad is the ill-informed campaign mounted by *The Scotsman* and the *Daily Mail* to boost their flagging circulations and the campaign run by the Opposition parties for party political advantage?

Mr. Darling: I very much hope that a sensible solution that is satisfactory to most people will be found. Although people are understandably concerned about any such reorganisation or change, they should realise that it is taking place because although we are spending more on defence, the changed commitment in Northern Ireland makes it necessary to reinforce logistics, engineering and communications, all of which are absolutely necessary to support infantry battalions.

People who are against this—particularly the Conservatives, whose principal Defence spokesman said that they could not do anything about it, completely undermining the promise made by the Leader of the Opposition only 24 hours beforehand—must face up to the fact that these difficult decisions need to be considered. Notwithstanding that, I hope that we can find a solution that is not only accepted in military terms but respects the traditions and identities that are of understandable concern to people in Scotland.

Sir Archy Kirkwood (Roxburgh and Berwickshire) (LD): Will the Secretary of State acknowledge the widespread concern in south-east Scotland about the proposals that are being considered for the King's Own Scottish Borderers? Will he use his good offices to encourage the Secretary of State for Defence to come to south-east Scotland before final decisions are made so that he can explain for himself what he is trying to do and give people a chance to cross-examine his motives?

Mr. Darling: The recommendation was made by the Council of Scottish Colonels, whose advice then goes to the full Army Board, and my right hon. Friend the Secretary of State will ultimately make a decision. I assure the hon. Gentleman that all of us in Government are well aware of people's concerns. I hope that we will be able to reach a solution that is acceptable to most people.

Mr. Eric Joyce (Falkirk, West) (Lab): Will my right hon. Friend confirm that he has no plans to lobby the Secretary of State for Defence to rip apart the British Army by forcing all Scottish soldiers to leave, as would the Scottish National party?

Mr. Darling: People would do well to remember that if the Scottish National party had its way there would be no British Army, no Royal Navy and no Royal Air Force.

Mr. Peter Duncan (Galloway and Upper Nithsdale) (Con): The Secretary of State will have heard the Prime Minister state yesterday that no final decisions had been taken on the future of the Scottish regiments. He will also be aware that the Defence Secretary stated last month in a parliamentary debate that the only option was to abolish the six Scottish regiments and merge the battalions into one or two Scottish super-regiments. Can the Secretary of State tell us which statement was correct?

Mr. Darling: The Prime Minister said exactly what I have been saying in the past few minutes: the Secretary of State has not yet reached a decision. The hon. Gentleman was in a position to know what the Secretary of State said because he attended the Westminster Hall debate on the future of the regiments. It was interesting that he was unable to mount a coherent argument on behalf of the Conservative party to explain what it would do. All we know from the shadow Defence Secretary is that it appears that the Conservative party cannot do very much. The Conservative Government cut defence spending whereas we have increased it.

Mr. Duncan: Infantry regiments have been cut under the Labour Government. If no final decision has been taken, is it not time that the Secretary of State for Transport took more seriously his role as Secretary of State for Scotland and stood up for Scotland on the issue? One Scottish manager may have had his decision deferred for another day, but the verdict on this Scottish manager will be cruel if he does not stand up for the Scottish regiments. When will he stand up to his Cabinet colleagues and tell them that Scottish regiments must stay?

Mr. Darling: The hon. Gentleman does not get any better. It is worth bearing in mind that if we consider defence overall, we have had the longest period of sustained increase in defence spending for more than 20 years. For most of the time that the Conservatives were in power, they cut defence. We are facing up to the fact that changed commitments in Northern Ireland, which we all welcome, mean that it is necessary to ask what the best military formations are. The hon. Gentleman would do better to concentrate on that instead of all the bluster, which simply obscures the fact that he has no coherent defence policy.

ADVOCATE-GENERAL FOR SCOTLAND

The Advocate-General was asked—

Devolution

15. **Miss Anne McIntosh** (Vale of York) (Con): What devolution issues she has considered since 7 September. [192858]

16. **Mr. Alistair Carmichael** (Orkney and Shetland) (LD): What human rights issues she has considered since 7 September. [192859]

18. **Mr. Alan Reid** (Argyll and Bute) (LD): What devolution issues she has considered since 7 September. [192861]

The Advocate-General for Scotland (Dr. Lynda Clark): Since 7 September, 58 devolution issues have been intimated to me, all of which raised human rights issues. Twenty-nine devolution issues related to criminal matters, including pre-trial delay, self-incrimination, the use of temporary judges and sentencing by a temporary sheriff in 1999. In the civil sphere, 29 issues were intimated to me, almost all of which concerned personal injury actions in respect of prison conditions.

Miss McIntosh: Will the hon. and learned Lady give some advice to the planning authority of the Scottish Executive to ensure that the local decisions about wind farms by those who have to live near them in rural parts of Scotland are respected?

The Advocate-General for Scotland: I know of the hon. Lady's interest in wind farms, but the planning authority would be surprised if I gave it legal advice. Such advice will come from its own local lawyers. The Scottish Executive have Law Officers, who advise them.

Mr. Carmichael: What is the Advocate-General doing in government to promote freedom of information?

The Advocate-General for Scotland: One of my lawyers is actively involved in giving advice about that. I believe that that constitutes a promotion.

Mr. Reid: At the previous Question Time, the Advocate-General told hon. Members that responsibility for defending any action that is brought in the European Court to allege that the Government were in breach of their treaty obligations to provide a Gaelic television channel would lie with the Government, not the Scottish Executive. What chance does the Advocate-General believe the Government would have of succeeding in defending such an action?

The Advocate-General for Scotland: An excellent chance. I am glad that the hon. Gentleman has raised the matter again because it is complex and my answer was short because of time limits. I am happy to speak or write to him about the matter.

The hon. Gentleman raised the issue in the context of devolution. As he probably understands, if a litigant alleges, for example, that Government action was in breach of European law, and that the charter was part of the corpus of European law, there would technically be a procedural route through the courts. However, as I understand it, the charter is part of international, not European, law and the defence would therefore be good. The issue is complex and I am more than happy to discuss it further.

Mr. Brian Wilson (Cunninghame, North) (Lab): What is the legal position if the decision of a United Kingdom regulatory body, for example, Ofgem, makes it impossible for the devolved Executive to deliver a policy such as the targets on renewable energy?

The Advocate-General for Scotland: It all depends on the circumstances. As my right hon. Friend realises, I am not here just to give ad hoc advice about hypothetical issues.

Prisons

19. **Bob Spink** (Castle Point) (Con): How many representations she has received regarding prison conditions in Scotland. [192862]

The Advocate-General for Scotland: I refer the hon. Gentleman to my response in relation to previous questions on devolution issues, when I advised that 29 devolution issues were intimated in respect of prison conditions. No representations as such have been made regarding prison conditions, but generally prison conditions are a matter for the Scottish Executive.

Bob Spink: Her Majesty's Opposition Front-Bench team are prepared to press for more prison building in Scotland if that is necessary. Will the Advocate-General for Scotland do the same?

The Advocate-General for Scotland: I am pleased to say that I am not responsible for Her Majesty's Opposition.

DEPARTMENT FOR CONSTITUTIONAL AFFAIRS

The Parliamentary Under-Secretary of State was asked—

Judicial Decisions

20. **Mr. Eric Illsley** (Barnsley, Central) (Lab): If the Secretary of State will bring forward proposals for a review commission to undertake scrutiny of judicial decisions. [193527]

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): If a party in a court case believes that a judge's decision is wrong, they can seek recourse through the judicial process by appealing to a higher court. Because the

Government believe in upholding that system, we have no plans to establish any additional review commission for judicial decisions.

Mr. Illsley: I am grateful to my hon. Friend for that response. As he may be aware, however, I have a constituent who has been involved in protracted litigation for some 12 years now, which has been brought against him and allowed to go forward by judges, despite a judge in the Court of Appeal on one occasion criticising the judge in the lower court for allowing the litigation to go ahead. Yet my constituent's only redress is to take the matter to a higher court, which involves the expense of lawyers. Indeed, he now has difficulty in obtaining legal representation and is almost at the point of bankruptcy. Surely there should be some mechanism whereby such decisions of the judiciary can be investigated.

Mr. Leslie: I understand my hon. Friend's point. If there are administrative issues involved in the case, I would be happy to consider those separately, but I hope that he understands the fundamental principle involved in ensuring that there is not political interference in specific judicial decisions. That is a fundamental cornerstone of our constitution. That being said, the judiciary has its own processes—not least the appeal system—for being held accountable for the decisions that it makes in public. Mistakes and so forth are visible in that. Only 1.3 per cent. of Crown court disposals in 2002 ended up being overturned on appeal, however, so by and large we have a good system in this country.

Mr. Douglas Hogg (Sleaford and North Hykeham) (Con): Although I support the Under-Secretary on this point, this proposal needs to be considered with great caution. It is one thing to review judicial decisions to examine whether law may be going wrong, but another to review judicial decisions to put pressure on judges. The plain fact is that this House is an inadequate defender of human, civil and political rights, and we must look to the judiciary to perform that role for us.

Mr. Leslie: Before too much harmony breaks out on both sides of the Chamber, I should say that I agree with the right hon. and learned Gentleman. Of course, we have tried hard to enshrine in statute law, among other things, the importance of human rights and the rights of individuals in this country, which are then justiciable and can be supported through the courts. We have that process for a very good reason.

Mr. Jonathan Djanogly (Huntingdon) (Con): The Criminal Justice Act 2003 established a new Sentencing Guidelines Council to take over the Court of Appeal's responsibility for issuing sentencing guidelines for judges. In the light of public interest and concern over sentencing policy, not least over the 2,000 early-release prisoners who have committed crimes while being electronically tagged, can the Minister please advise the House as to why the council has to date issued only two draft sentencing guidelines? Can he also advise us of the proposed process of parliamentary scrutiny to be adopted in reviewing those and future draft guidelines?

Mr. Leslie: In many ways, the hon. Gentleman's question was answered by that of the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg). Of course, we in Parliament support and write the laws of the land, which have within them the potential penalties for criminal offences and illegality.

The Sentencing Guidelines Council is a new body, which has not been sitting for long. The Lord Chief Justice has already issued the guidelines to which the hon. Gentleman referred. A dialogue is taking place between Ministers and the judiciary, and the concordat supports that. We can of course be held to account for our part in the dialogue.

Parliament Act

21. **David Taylor** (North-West Leicestershire) (Lab): What recent assessment has been made of the constitutional implications of the use of the Parliament Act 1911. [193529]

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Le[illegible] The Parliament Act 1911, amended by the Parliament Act 1949, was enacted to ensure that the House of Lords could not ultimately overrule the wishes of the elected House of Commons in cases in which agreement on a Bill could not be reached. The Government continue to believe that the Acts remain a fundamental safeguard of our democratic legislature.

David Taylor: The Hunting Bill debacle resembles a table-tennis match crossed with a Ben Travers farce. There are constitutional issues that urgently require legislative attention. Does the Minister agree that we now need a new Parliament Act that would, inter alia, codify the Salisbury doctrine on the powers of delay of a reformed House of Lords, setting reasonable time limits for the passage of Bills through the other place and allowing it to focus on its role of scrutiny and revision of legislation, rather than endlessly frustrating the will of the Commons as expressed through, and endorsed by, the general election process?

Mr. Leslie: We will all have to wait and see what the other place does with the Hunting Bill. As for my hon. Friend's more general point, the Parliament Act supports the supremacy of the House of Commons. As we have said before, we shall return to the wider issues of House of Lords reform in our party manifesto. We cannot focus only on composition; we must also consider how we could retain Commons supremacy if the composition of the other place were altered.

Mr. Nick Hawkins (Surrey Heath) (Con): Does the Minister recognise that if the Parliament Act were misused by the Government to push through a Bill—the Hunting Bill—which was not in their manifesto, millions of people in the British countryside would regard that as an appalling misuse of the Government's power?

Mr. Leslie: I disagree. I believe that the use of the Parliament Act is ultimately a matter for this House and for Parliament. We hope that it can be avoided, because we hope that consensus can be achieved if possible; but ultimately, if there is no agreement between the two Houses, the will of this House must prevail. That is the nature of democracy in this country.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich) (Lab): Does the Minister seriously think that the destruction of vermin in the countryside, however it is achieved, is a matter of such constitutional importance that the House of Commons should use its muscle in a way that can only lead to the interpretation that there are times when might is right and sense is entirely abandoned?

Mr. Leslie: The Parliament Act has been used for a number of different reasons historically. Examples are the Sexual Offences Act 2003, the War Crimes Act 1991, which involved a free vote on a matter of conscience, and the European Parliamentary Elections Acts—*[Interruption.]*

Mr. Speaker: Order. The Minister is trying to answer the hon. Lady's question. There is no point in her shouting across the Chamber.

Mrs. Dunwoody: But, Mr. Speaker—

Mr. Speaker: Order. I am instructing the hon. Lady.

Mr. Leslie: As I was saying, there are a number of different ways in which the Parliament Act has been used, in the context of both matters of conscience and matters of Government policy. Ultimately, it is a matter for the House of Commons: we are all elected Members and accountable to our constituents.

Mr. David Heath (Somerton and Frome) (LD): Of course the elected House must have primacy—and far be it from me to criticise legislation enacted by a Liberal Government—but it is clear from the preamble to the 1911 Act that it was intended as an expedient until democratic reform of the second Chamber, for which we are still waiting.

In the meantime, does the Minister really think that the Act should be used to deal with matters that are not fundamental issues? More important, does he not believe that there is a rigidity in the process that restricts the opportunity for sensible amendment and poses the risk that bad law, whether well-intentioned or not, will pass through the House?

Mr. Leslie: There is certainly no rush in the case of the Hunting Bill; plenty of consideration is taking place on all sides. What may not be a fundamental issue for the hon. Gentleman may well be a fundamental issue for others. That, obviously, is a matter for the 659 Members of Parliament who come together to vote in the House of Commons.

David Winnick (Walsall, North) (Lab): Does my hon. Friend agree that the Parliament Act as it exists should be used where appropriate? If on two occasions the House of Commons, by overwhelming majorities, has decided that hunting with dogs should finally come to an end, it is not up to the House of Lords to continue to veto our decision. If the Lords decide, as clearly they are going to do, to oppose what the House of Commons has decided, the Parliament Act should be used. I hope that the Government will have sufficient courage to ensure that the Parliament Act is used in this Session and that, finally, hunting with dogs is ended permanently, which is what the majority of people in this country want.

Mr. Leslie: We have a second Chamber for a purpose. It is there to advise and to revise legislation but, ultimately, it is for this House to come to final decisions, for which we are accountable. That is why we have the Parliament Act. My hon. Friend feels strongly about the issue. He feels that it is a fundamental issue, even if the hon. Member for Somerton and Frome (Mr. Heath), the Liberal Democrat spokesman, does not.

Mr. Oliver Heald (North-East Hertfordshire) (Con): Does the Minister agree that to invoke the Parliament Act is a massive exercise of Government Executive power because it is a Government motion that is used to invoke the Act? It is the parliamentary nuclear option and should be used only sparingly. How does he justify its use on a Bill that his own Ministers admit is "unworkable" and "unenforceable"— their words? How can it be used in those circumstances? Does it not show the untrustworthy nature of this Government?

Mr. Leslie: I say "Steady on" to the hon. Gentleman in his new role on constitutional affairs, to which I welcome him—he is accumulating an expanding empire.

The Deputy Leader of the House of Commons (Mr. Phil Woolas): The hon. Gentleman is not in the shadow Cabinet, though.

Mr. Leslie: I am interested to hear that.

I do not believe that it is ultimately necessary to use the Parliament Act, perhaps even on the Hunting Bill. We still hope that the other place may reach agreement with this House. We will see what happens, but we know that the Parliament Acts have been passed for a particular purpose. They are used sparingly but, from time to time, their use proves necessary.

Mr. Dennis Skinner (Bolsover) (Lab): Is the Minister aware that there is no better example for using the Parliament Act than fox hunting? The massive majority in this House has been repeated over and again, on a free vote. Then when the Bill goes to the House of Lords, where the Tories are in abundance, joined by other fox hunters—*[Interruption.]* There are more Tories than Labour peers in the House of Lords. They cannot deny it. They have decided that they do not agree with the House of Commons. This is a perfect example of where we should use the Parliament Act. We all—or most of us on the Labour Benches—look forward to it. Will the Minister tell every member of the Government that we look forward to using it on 17 November?

Mr. Leslie: I shall pass on my hon. Friend's views to my colleagues. It is an important point. When the public see how decisions are made and see elected representatives, time after time, discussing and coming to a conclusion, they find it hard to understand why a final decision cannot be made. In those circumstances—occasionally, as I say—the Parliament Act can be necessary.

Freedom of Information Act

22. **Norman Baker** (Lewes) (LD): What steps the Department are taking to ensure that the maximum amount of information held by the Government consistent with national security is available under the Freedom of Information Act 2000. [193530]

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): The Freedom of Information Act brought in by the Government will make access to information a matter of right from 1 January next year. Before then, the Government are taking a proactive approach and releasing material through the publication schemes, many of which are available on departmental websites.

Norman Baker: The Minister may be aware that freedom of information campaigners have sought access, under the open government code, to each Department's disposal logs. Sadly, they have not had an answer from four Departments, including the Department for Constitutional Affairs. Is that because his civil servants, in the proactive way to which he referred, are busy shredding as much material as possible before 1 January?

Mr. Leslie: No. The Freedom of Information Act comes into force on 1 January, at which point applications can be made, as can adjudications by the Information Commissioner. We shall see how it works in practice that from point, although I am glad that we have been able proactively to put a significant volume of material in the public domain, well ahead of the requirements under that Act.

Tony Wright (Cannock Chase) (Lab): My hon. Friend will recall that the Government took a power under the Freedom of Information Act 2000 to give certain public bodies the power to serve a veto, in order to override the Information Commissioner's decisions. Do I understand from his recent written answer to me that the Government might not in fact give that power to a range of public bodies?

Mr. Leslie: Certain exemptions that are specified—for instance, to protect national security or to fight crime—and they prevent the release of particular information that it would not be in the public interest to have in the wider domain. In those few circumstances, it will always be necessary to be able to issue certificates to prevent a disclosure. My hon. Friend will probably find it more illuminating if I correspond with him on the details of the policy.

Mr. Patrick McLoughlin (West Derbyshire) (Con): Will the Minister arrange that when documents are released relating to the actions of the previous Government, and which could mention individuals and the decisions that they took, prior warning be given to those people so that if and when press inquiries are made of those possible Members of the House, they, too, have time to research the papers and the information that is to be put into the public domain?

Mr. Leslie: That is a very intriguing question from the hon. Gentleman, whom I hope is speaking not on behalf of the Whips Office in a wider context, but on behalf of himself. There are, of course, exemptions in respect of some personal information, if its disclosure would be wrong in those circumstances, but I shall certainly consider his request and see what can be done if information is requested that could have a bearing on decisions taken by particular named individuals.

Office for the Supervision of Solicitors

23. **Dr. Alan Whitehead** (Southampton, Test) (Lab): What recent discussions he has held with the Law Society about the office for the supervision of solicitors. [193532]

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. David Lammy): The office for the supervision of solicitors has been replaced by the consumer complaints service, which was launched by the Law Society on 19 April 2004. I am, of course, in frequent communication with the Law Society concerning its progress on improving complaints handling for consumers.

Dr. Whitehead: I thank my hon. Friend for that answer. Does he consider that the Law Society is still drinking in the last chance saloon so far as supervision of complaints regarding solicitors is concerned, and has he reviewed his potential powers under the Access to Justice Act 1999 on the regulation of such complaints?

Mr. Lammy: We set up the legal services complaints commissioner because we were very concerned about the way in which the Law Society was dealing with complaints. We made it clear at the time that things had to improve by April 2006 and that process continues. However, as my hon. Friend knows, at the same time the Clementi review is looking at the entirety of regulation of our legal services. That review is timely and I look forward to hearing what Sir David Clementi has to say.

Mr. David Kidney (Stafford) (Lab): Is it at all possible that the current system of self-regulation can survive the Clementi report, and what contingency planning is my hon. Friend's Department undertaking to separate regulation of solicitors in the consumer's interest from professional representation and professional disciplinary matters, which the Law Society is capable of dealing with in the longer term?

Mr. Lammy: My hon. Friend's question cuts to the heart of what Sir David Clementi is looking at, and it would be quite wrong of me to pre-empt the outcome of that review; however, it is right that the review examines these issues, and for two reasons. First, we have 22 regulators in this field, and in the 21st century that must by any calculation be too many. Secondly, it is a privilege for our legal profession to be both the representative body—the trade union, as it were—and in charge of regulation. We know that there have been problems with complaints handling, particularly in respect of the Law Society, which is why it is right that we look at these issues afresh and examine whether the current situation is appropriate in the early 21st century.

Magistracy

24. **Richard Ottaway** (Croydon, South) (Con): If he will make a statement on the Secretary of State's plans for the magistracy. [193533]

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): There are 28,500 magistrates in England and Wales, representing one of the most significant commitments to volunteering in this country and ensuring that we have one of the finest local justice systems in the world. The Government remain firmly committed to the lay magistracy and we will continue to reinforce and enhance their position.

Richard Ottaway: I thank the Minister for that answer. This may not be the best week to bring up pay and allowances, but has he considered the remuneration of magistrates? He has just said that they make a tremendous contribution to the local community. If remuneration is given to councillors in local government, why not to magistrates who, after all, make a substantial and significant contribution entirely on a voluntary basis and in their own time?

Mr. Leslie: I understand the hon. Gentleman's point, but there is, of course, no magic tree with pound notes and other money growing off it, so we would obviously have to find resources for spending on remunerating magistrates. However, I believe that it is important to do more to recruit and retain existing magistrates and the Secretary of State and I are discussing that matter with the Magistrates Association, among others.

LEADER OF THE HOUSE

The Leader of the House was asked—

House Committees (Laptops)

33. **Mr. Michael Jack** (Fylde) (Con): What progress has been made in removing the barriers to the use of laptop computers in Standing and other Committees in the House. [193519]

The Deputy Leader of the House of Commons (Mr. Phil Woolas): The Liaison Committee has agreed that laptops, palmtops and similar devices may be used by Select Committee members in public session, as well as in private deliberations as before, as long as the individual Select Committee so wishes. I also understand that the Chairmen's Panel continues to have concerns about allowing the use of laptops in Standing Committees.

Mr. Jack: I thank the Minister for his answer, which confirms the existing anomaly between Standing and Select Committees in respect of the use of the electronic devices that he mentions. Could not the Modernisation Committee further look into the conundrum whereby the House allows pocket or hand-held computers of similar computing power and programme capability to be used in Standing Committees, without allowing the use of laptops of equivalent power and the same programmes? Is it not time that the anomaly was ended and that Members of Parliament were able to use that equipment in pursuit of their duties, irrespective of the type of equipment that they use and where they choose to use it?

Mr. Woolas: I should acknowledge the modernising tendencies of the right hon. Gentleman, who is an avid user of a powerful tablet PC. I have to choose my words carefully when referring to laptops and other forms of computer. The right hon. Gentleman, who chairs the Information Committee, is knowledgeable about these matters and knows that there are anomalies. There is also the point that Standing Committees are the prerogative of the Chairmen's Panel, so we must seek to influence that body. However, my right hon. Friend the Secretary of State is an avid supporter of modernising procedures in the House, and the Modernisation Committee will look further into the matter in the future.

Chris Bryant (Rhondda) (Lab): May I press my hon. Friend a little further on the issue? Many hon. Members now have Blackberries, as do members of Congress in the USA, which make it possible to send and receive e-mails, for example. Would it not be more sensible if the House did not to have to print so many copies of every piece of legislation coming before us? Allowing us to have full access to legislation and to send and receive e-mails in Standing Committee would help us to transact our business far more effectively.

Mr. Woolas: I have the advantage of having an 11-year-old son to help me in answering these questions. I recognise the value of the technology, as hon. Members have described it, and there is an inevitability about technology influencing our procedures. However, as I said in answering the right hon. Member for Fylde (Mr. Jack), at the end of the day these are matters for the relevant Committees, although the Government are sympathetic to the points that have been made.

Sitting Hours

34. **Mr Andrew Mackay** (Bracknell) (Con): When he intends to review the sitting hours of the House. [193520]

The Leader of the House of Commons (Mr. Peter Hain): The Modernisation Committee, which I chair, is conducting an inquiry into the sitting hours of the House. I hope that it will report its findings by the end of the year so that we can debate and vote on it early in the new year.

Mr. Mackay: The Leader of the House is aware that broadly I support the new sitting hours, which I believe have worked pretty well. However, there may be a case for extending Tuesdays until 10 pm in order to allow private Members' Bills and other non-controversial business, which is usually dealt with on Fridays, to be dealt with after 7 pm on Tuesdays. I hope that the Leader of the House will consider that proposal favourably when he reports back to the House.

Mr. Hain: I am grateful to the right hon. Gentleman for raising that point. It was expressed very strongly by members of the Modernisation Committee and in the evidence that we received from a variety of sources, some of whom were extremely eminent. The contention is that it would be advantageous to the House if we were to eliminate the remaining 13 Fridays and take private Members' Bills on a Tuesday evening. There are many pros and cons in this matter, but I shall certainly bear in mind the right hon. Gentleman's advocacy of the case.

Mrs. Anne Campbell (Cambridge) (Lab): My right hon. Friend will know that many Labour Members find the current hours extremely convenient and that they do not want any substantial change to them. Will he consider a proposal in January to extend the current pilot scheme into the new Parliament, so that the newly elected MPs who come in after the election can make their own decisions about the House's sitting hours?

Mr. Hain: I note my hon. Friend's strong advocacy of the—as it were—more modern sitting hours. There are a number of anomalies that we need to address, and the Modernisation Committee is considering them. We are looking at the whole week, and it might be advantageous to the House if I were to describe briefly some of the problems that we are encountering. For example, it is now very difficult to take full parliamentary business on Thursdays, as hon. Members find it very convenient to leave at 6 pm. I do not want to put back that time, so we are looking at whether we can adjust the business of the week to make it more possible for us to take Opposition day debates and legislative measures more regularly on a Thursday. There are various problems, but the points that my hon. Friend raises will be taken into account.

We also have the benefit of the very thorough review conducted by the Procedure Committee. The questionnaire that it sent out received a very big response. We will get back to my hon. Friend and the rest of the House as soon as we can.

Mr. Paul Tyler (North Cornwall) (LD): Does the Leader of the House recall that a principal purpose of the present arrangements and sitting hours was to try and make our business more voter and media friendly, rather than just MP friendly? After all, the people who send us here need to know what we are doing. Has the current review undertaken any systematic analysis of the extent to which the quality of media coverage may have changed? Does the right hon. Gentleman recognise that one advantage of our current hours is that Ministers have less time to brief and spin before they make a statement in the House?

Mr. Hain: As a member of the Cabinet, I have not noticed any improvement in the quality of media coverage since we changed the hours of the House. However, the current hours are more sensible and mean that deadlines can be met more easily. After all, all Members have an interest in ensuring that this Chamber is at the centre of political debate, rather than the "Today" or "Newsnight" studios, important though they both are. The present hours are an advantage from that point of view, but I am looking at a balanced package of changes that will meet the concerns of most hon. Members.

Mr. Peter Pike (Burnley) (Lab): Does my right hon. Friend recognise that many Members of this House, especially those who live away from the London area, believe that we should no longer sit on a Friday? That is the day on which, unless an issue of national importance arises, we should be able to commit ourselves to our constituency with absolute certainty. However, hon. Members who represent constituencies in the north and elsewhere in the country do not want to be deprived of the opportunity to take part in the debates on private Members' Bills that take place on a Friday. I therefore suggest that those debates should be held on a Tuesday evening, to fill the gap that exists after 7 o'clock.

Mr. Hain: Again, my hon. Friend makes his case very powerfully, and the Modernisation Committee, of which he is a member, will consider it very seriously. Many other members of that Committee share his view on these matters, but the ultimate decision rests with the whole House. I know that many Ministers, as well as Back-Bench Members, take the same view as my hon. Friend. Often, Ministers will clear a constituency Friday so that they can remain in London to answer a debate, only to find that that debate is not reached. Some Back-Bench Members encounter that problem as well, so there is a case for changing certain things. After all, we sit on only 13 Fridays in the year anyway, so any change would not be revolutionary.

Mr. Oliver Heald (North-East Hertfordshire) (Con): It is clear from the Procedure Committee's report analysing the results of the questionnaire that there are complex issues to do with Thursdays, Fridays and so on, some of which the Leader of the House has described. However, a strong majority in the Committee was clearly in favour of sitting until 10 o'clock on Tuesdays. Is not it the right hon. Gentleman's duty to find time for an early vote on that proposal, given the support expressed for it in all parts of the House?

Mr. Hain: Undoubtedly, the Procedure Committee questionnaire showed that 52 per cent. favoured going back to the old hours on a Tuesday. That is not a large majority and I am not sure what would happen if the issue were put to a vote. I do not want prematurely to hold a vote in isolation on Tuesday nights: I want to look at the whole week so that we can formulate a coherent proposition. Of course, Members will ultimately take the decision.

My hon. Friend the Member for Cambridge (Mrs. Campbell) made a point earlier to which I failed to respond, on whether we should allow the next Parliament to make the decision. The present hours lapse at the end of this Parliament and we therefore need to make a decision. That is why we will provide an opportunity for the House to vote on the issue at some time in January or February.

Mr. George Howarth (Knowsley, North and Sefton, East) (Lab): Is it not clear that most hon. Members now know where they stand on most of the key issues that need to be determined? Is not there a case for making the decision much sooner than my right hon. Friend suggests?

Mr. Hain: I am grateful for the contribution that my hon. Friend has made to trying to achieve a consensus on this issue. He has worked hard and I acknowledge that. However, it will not be long before we are able to take a decision on the matter and I would like to take that decision in the round about the whole week, rather than taking the Tuesday nights issue in isolation. After all, it may have an impact on other decisions we take for the rest of the week.

EU Immigration and Asylum Policy

12.31 pm

David Davis (Haltemprice and Howden) (Con) (Urgent Question): To ask the Home Secretary if he will make a statement on European Union immigration and asylum policy.

The Secretary of State for the Home Department (Mr. David Blunkett): In 1997, the Amsterdam European Council agreed that immigration and asylum would be dealt with under European Community treaty. Under that agreement, Britain obtained what is called the Title IV protocol, which established that the UK could opt into those immigration and asylum measures that we believed were right for Britain and right for Europe. That clearly means that we can remain opted out of those propositions that we do not believe are beneficial to the UK. It also clearly means that we can retain sovereignty over the control of our borders and, of course, the necessary security and immigration screening, which will now be enhanced by electronic border controls and surveillance, and the introduction of ID cards. That complements the new controls established in northern France and Belgium.

At the Justice and Home Affairs Council yesterday—the final text will be agreed and issued today—I was able, on behalf of the UK, to influence the decisions on issues ranging from European external borders to the future research on and review of any processing arrangements that might be made across the EU. On the first of those issues, we were able to establish that we would support collaboration but not control organised from Brussels. On the second, we were able to ensure that individual nations would retain control over decisions on who would be permitted to enter the country and, of course, the terms on which they would be allowed to remain.

All of that was achieved in the context that Britain is not part of the Schengen travel area and retains the ability to opt into or stay out of agreements reached by other European nations, and our balanced and sensible policy on asylum and immigration. That policy has reduced unfounded asylum claims by 70 per cent. over the past two years, reduced processing times on asylum claims from 20 months to eight weeks, and established a registration scheme for EU citizens from accession states, which has proved that legal economic migration can go hand in hand with tough controls on clandestine entry.

Finally, I wish to make it clear that as we are at the end of the line, in terms of smuggling of both people and drugs, the EU is crucial to us in ensuring that our interests are put at the forefront of European debate in a positive way, instead of allowing the failings of other countries in their border controls or preventing organised criminality to pass through their states to detrimentally affect the British isles. That is why I was pleased to contribute to the Justice and Home Affairs Council debate yesterday and to move towards a sensible agreement.

David Davis: I am sure that the Home Secretary will understand if we treat everything the Government say on this subject with a great deal of scepticism. We remember Labour's promises on the charter of fundamental rights. If the constitution and charter to which the Government have so meekly signed up ever come into force, they will have no small impact on our asylum and immigration laws.

We remember the Prime Minister telling us that the charter would "not be legally binding". A former Minister for Europe told us that it would be as much use in court as the *Beano*, yet now we know that, under the constitution, it will be absolutely legally binding and, if the president of the European Court of Justice is to be believed, would have sweeping effects. So what price the Government's policies on Europe?

This time, we are losing our power of veto on asylum and immigration—a matter of constitutional importance. The Government do not even have the courage to admit it. Yesterday, the Home Secretary attacked me for using the phrase "opt in"; he said it was an opt-out, but then the Prime Minister said it was an opt-in. Does the Home Secretary know which it is? The treaty articles are clear. We can opt in at two points: at the beginning of the majority voting process, in which case we have a vote; or within three months of the end, in which case we do not have a vote.

The Government have said that they want to be at the forefront of influencing policy on the issue. If they want to be at the forefront, an opt-in is essential, but they do not control the policy outcome to which they have committed themselves. Let us make it clear: once we have opted in, we cannot opt out, even if the European Court of Justice reinterprets the policy against our interest, as it has done before.

The Government are employing the politics of confusion—I think, deliberately. By confusing the country, they hope that no one will notice the disappearance of the asylum and immigration veto. The Home Secretary will remember that before coming to office his party promised to keep asylum and immigration a matter for Governments—Governments—in the EU. It is not a matter for the Commission or the European Court of Justice. His Government have systematically broken that promise. They have allowed the Commission the power to propose laws in that area, they have allowed the Court to adjudicate over that area and now they are scrapping the British veto.

Does the Home Secretary recognise that if the Government are successful and implement the European constitution, complete with the charter of fundamental rights, it will give the European Court greater powers, as stated by the president of the Court? He said that the constitution

> "will bring new areas and new subjects under the court's jurisdiction. There will be one EU with a single legal personality, and there will be one common EU jurisdiction' . . . the inclusion of the charter of fundamental rights in the constitution will help our work . . . because it will give us a complete catalogue of protected fundamental rights."

Does the Home Secretary recognise that the charter, our opt-ins and the body of European immigration and asylum law will give the Court powers to adjudicate and reinterpret British law? Given the Court's history of major reinterpretation, is that not a matter of concern to him?

The Government's view on this matter has undergone a remarkable transformation. First, we had a former

Minister for Europe saying:

> "We have made it quite clear that on tax"—

obviously, we know what is coming next—

> "border controls and immigration, we will not consider qualified majority voting or the removal of the veto."

Then, during the process of creating the European constitution, the Government's representative who is with us today, the Leader of the House, tried to amend article III-168 to remove clauses imposing qualified majority voting. He said that those changes were "fundamentally important", but he failed and the Government rolled over. Now, we have the Home Secretary saying that he actually wants qualified majority voting because, as he said today, we are at the end of the line.

The only reason that we are at the end of the line, as the Home Secretary describes it, is that we have a helpless and pathetic Government who are failing to control our borders and to send back failed asylum seekers. Asylum seekers are supposed to stop in the first safe country, not the last; they are not supposed to keep going until they reach the country that is the softest touch.

The Home Secretary says that he wants majority voting because we are the fastest moving country in Europe on asylum. By some definitions, I suppose that is true. The Government's record on asylum and immigration shows that four in five asylum seekers never leave the country, more than 250,000 failed asylum seekers still live in the UK and immigration is up from an average of 50,000 a year under the last Conservative Government to 140,000 a year under the Labour Government. Our own National Audit Office tells us that our immigration and asylum measures are not as good as those of the Dutch and the Germans. Is that what the Home Secretary calls being in control?

This is the last question: why are the Government agreeing to this now? These measures are a part of the European constitution, on which the Prime Minister has promised the British people a veto and a referendum, so why are the Government conceding the case now? Is it because they want to present the constitution to the British people as a fait accompli? Is that the only way that the Government believe they can win such a referendum? Is the whole approach not an underhand way to undermine that referendum? As usual, the Government have returned claiming a victory. In truth, they are trying to cover up a surrender with serious consequences for Britain's future ability to control its own borders.

Mr. Blunkett: I regret that the right hon. Gentleman is on the wrong bandwagon. Yesterday and this morning, the Justice and Home Affairs Council was not dealing with the charter of fundamental rights, nor with an abandonment of our border controls; it was working out a five-year programme for justice and home affairs across Europe. *[Interruption.]* Well, let me answer some of the inane questions that were asked.

Why are we at the end of the road? We are at the end of the road because we cannot move our nation next to Estonia or just off the Italian coast and because people travel through Europe. If they travel through Europe, they enter Europe's land and sea borders. It is inevitable that we will have to work with, should work with and would want to work with other European Union countries to protect the external land and sea borders, including helping, as we have already, in the Mediterranean to stop people reaching our shores.

This is really very entertaining because the Opposition seem to think that, if we just wished people away and did not co-operate with other European countries, somehow people would not travel through the Balkans into central and eastern Europe and, somehow, they would not cross the Mediterranean to Italy, Greece or Spain. *[Interruption.]* Opposition Members are heckling, but when people get into the EU, they become an EU issue, and when they travel through the EU, they reach our shores.

Mr. Eric Forth (Bromley and Chislehurst) (Con): We are an island.

Mr. Blunkett: I have just been heckled on the point that we are an island. What a brilliant observation. We seem to remember that a previous Conservative Prime Minister opened, jointly with President Mitterrand, the channel tunnel. We seem to remember that a previous Prime Minister said that we were a global nation—and we are, with 90 million people a year travelling through our airports. Even Margaret Thatcher did not believe in fantasy island—somewhere off somewhere else.

The proposition that the right hon. Member for Haltemprice and Howden (David Davis) makes—that, somehow, the European Court of Justice will be able to rule on such issues in future—is no more true today than it was yesterday or the day before because, of course, that Court predates the EU, the treaty of Amsterdam and the constitutional discussions. Even a child learning in school would know that. A child learning in school would not necessarily know the Conservative party's policy on these issues, but I would expect the shadow Home Secretary to know his own party's proposition. *[Interruption.]* Well, let us take the words of a member of the Conservative party, talking about the protocol, which was agreed not as part of the convention, but in terms of the Amsterdam treaty, which we were debating yesterday. Qualified majority voting was an outcome of the Amsterdam Council in 1997, on which the previous Conservative Government had been working very hard before we were elected.

Mr. Jonathan Djanogly (Huntingdon) (Con): You signed it.

Mr. Blunkett: We signed it, but we did so with the protocol that I described earlier. *[Interruption.]* Well, who got what wrong? Let us listen to the words of someone who might understand Tory party policy. Referring to the protocol, that individual called it "enhanced co-operation". He went on to say:

> "It means that, instead of individual member states having fraught negotiations to opt-out of a new initiative, those that support it can simply decide to opt-in."

He continued to say:

> "This would allow those countries who want to integrate further to do so. But others would not be compelled to join them. It suits the integrationists. It suits the non-integrationists. Let's use it."

That was exactly what I agreed yesterday. Who said that he was in favour of enhanced co-operation, the ability to opt in or out and the use of the protocol from 1998 to

[Mr. Blunkett]

which he referred? Who advocated what I agreed yesterday? It was the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), the Leader of the Opposition, on 12 February 2004 in a speech in Berlin.

Once again, the right hon. Member for Haltemprice and Howden is showing the House that he does not understand what his leader says or Tory party policy. He has no recourse to wriggle room because he does not do his homework. If he did, he would know that the Conservative leader is committed precisely and in terms to the agreement reached at Amsterdam, the protocol to which he referred and the agreement that I reached yesterday. If we do not like what other European Union countries do regarding immigration and nationality, we have the right to opt in or out to suit the British people. That is what I agreed yesterday, and I am proud of that.

Mr. Mark Oaten (Winchester) (LD): May I say to the Home Secretary that on this issue we believe that he has done the right thing in Europe? Liberal Democrats have long argued that Britain should be a safe haven for asylum seekers, but it is right that we should not do that in isolation because other European countries should play a role. Surely yesterday's discussions in Luxembourg were a positive step in that direction. Is it not surprising that the Conservatives are opposed to the measures because they have argued that Britain is overburdened and that other countries should do more, yet yesterday's agreement was about achieving that over the next five years?

There was a discussion about passports at yesterday's meeting. Will the Home Secretary confirm that Ministers have gone way beyond the International Civil Aviation Organisation recommendations on passports and have agreed a system that will require both a facial biometric and a fingerprint? If that is the case, will he confirm that every UK citizen will be required to attend a special centre so that both a photograph and a fingerprint may be taken? In the light of last week's reports that the technology has a 10 per cent. error rate, will Parliament have the chance to debate such a major change to our passports? Will he tell the House the likely costs and time scale of the change?

Mr. Blunkett: For once in my life, I am happy to welcome the hon. Gentleman's opening words about yesterday's agreement.

Although it has not yet been confirmed, we are moving towards having at least two biometric identifiers on both passports and visas. That will be required for international travel anyway in the years to come and will be crucial so that travellers to the United States may avoid major problems—that was relevant yesterday. The change will take time and the European Union has not yet confirmed the precise nature of either the timetable or the regulations.

We do not accept the BBC reports on the failure rate of facial recognition. As the hon. Gentleman knows, we have been experimenting with a third biometric identifier, the iris of the eye, although there are challenges and difficulties that will have to be ironed out. We have several pilots in train to ensure that we get the system right, as we must. The BBC's take on the matter was that facial recognition was difficult, but if we did not have fingerprints or iris technology, the face would be the only identifier on passports and visas because that is the form of identification that has been universally agreed. Of course we must get the technology right, but we need a bit of common sense on the matter because we cannot have secure passports, visas or identity cards without a specific identifier to make them secure. We must move forward quickly and we will learn from international experience. We can get the system right. It is sensible for us to do that, and it is vital for secure travel arrangements that we get the European Union on board.

Mr. Neil Gerrard (Walthamstow) (Lab): Most of us accept that it makes sense for the European Union as a whole to consider asylum and immigration policy and that we cannot act in isolation. The Amsterdam agreement provided for that and gave us a choice on specific issues. However, does my right hon. Friend accept that decisions of that nature have had to be made a number of times since Amsterdam, sometimes on important issues? Will he consider how we scrutinise those decisions, because sometimes all that happens is that they go to one of the European Standing Committees and there is not an opportunity for many MPs to be involved in the scrutiny of important decisions that affect asylum and immigration policy?

Mr. Blunkett: There has been concern over a number of years that we get what goes to Standing Committee and what is debated in the House right. In fact, the House had a full-day's debate on the five-year justice and home affairs programme just a few days ago. I recall that the shadow Home Secretary was late, having had an extensive lunch break.

David Davis: You were not here at all.

Mr. Blunkett: No, I was not. I was about my business on behalf of the United Kingdom and the people I represent.

David Davis: As was I.

Mr. Blunkett: The right hon. Gentleman says he was doing the same at lunch time, and good luck to him.

My hon. Friend the Member for Walthamstow (Mr. Gerrard) is right: we need to ensure that there is proper debate. He touches on another issue, however. Without the opt-in, which allows us to be out of those things on which we do not agree, we have to make a judgment—this is true of every Government—on whether we scupper the whole package and withdraw from the programme on the basis of one item on which we have doubts. Most Governments have had to choose, as did Margaret Thatcher on the Single European Act, to opt in rather than to opt out completely. With the arrangements in the protocol, we do not face that dilemma. If we do not like a particular element of the programme, we do not have to opt into it.

Sir Teddy Taylor (Rochford and Southend, East) (Con): Does the Home Secretary accept that the people of Britain are getting sick of constantly being told over many years by Governments of both parties that major concessions to Europe will have no impact and not undermine their freedoms? Does he at least accept that if the EU passes something on immigration by majority vote, which the Government accept, there is nothing under these proposals that this elected Parliament can do to overturn it? In this case, as in so many others, the powers of this democratic Assembly are simply being thrown away and undermined. That happens again and again.

Mr. Blunkett: I accept that I cannot stop the other 24 EU countries going ahead if they want to, but I ask that hon. Members understand what we are talking about and listen rather than simply presuming that they know what we mean, or reading a few headlines or even leaders in this morning's papers and misunderstanding us. I have spelt out again and again that if we do not like what is agreed, we will not opt in. It is as simple as that.

Sir Teddy Taylor: What if we opt in and we do not like it?

Mr. Blunkett: Well, we would opt into those things that we agreed with and opt out of those things that we did not agree with. So we would opt into the things that are in the interests of the British nation, which is collaboration and co-operation on asylum and immigration issues, on border controls and on sensible identification, and we would opt out of those things that damage our border controls or the decisions that we take on who is allowed into the country, on what terms and on what basis they can stay. I have made that clear to the House and that will remain our policy.

Mr. Ivan Henderson (Harwich) (Lab): Will my right hon. Friend make it clear that the Government are retaining the right to control their borders for immigration purposes before the Conservatives start one of their nasty anti-asylum campaigns against the EU? The Conservative candidate for my constituency is saying that he wants a total withdrawal from Europe so that we have no influence over such issues.

Mr. Blunkett: I can confirm that not only do we have control over our borders, but we have moved the essential security and immigration border controls to northern France and Belgium. So we have immediate bilateral co-operation with France, and now with Belgium. As a result of our participation as of yesterday in these issues, we have influence over the borders of other European countries that are essential for our well-being and integrity. We can now support, help and work with those on the central and eastern European borders and on the sea borders of countries such as Italy, Greece and Spain. In other words, we have the best of both worlds: we can secure our borders and enhance and support the border controls and security of other EU nations.

Sir Nicholas Winterton (Macclesfield) (Con): Will the Home Secretary be less dismissive of those who differ with him and understand that all hon. Members try to represent the interests of the people of the United Kingdom? Will he confirm that whether we opt in or opt out, we have to admit people from outside the EU who legitimately and legally come into the EU, as we have found in the past? What assurances is he giving to the people of this country that the level of immigration and asylum in this country will drop dramatically, because we are the most overcrowded country in the EU?

Mr. Blunkett: There is nothing new under the sun about people who arrive in the EU with legitimate and legal travel documents being able to travel to other EU countries. The question of the terms under which they are there is another matter. If they have EU citizenship, they travel as EU citizens. There is no difference now with 25 member states than there was with 15. The question that we have been addressing, as we did with accession countries, is whether people are here legally, whether they registgred and whether they paid taxes and national insurance, which they have done in large numbers. They have not been entitled to benefits other than when they are receiving long-term settlement, because we ruled that out. That is true of the habitual residence tests for those who travel from outside the EU into the Union itself and then into Britain.

People are welcome to come here as visitors, holidaymakers and business people. They are welcome to contribute to our economy. They are not welcome if they exploit our welfare state and our services, which is why I am in favour of identity cards, because we would then know who was entitled to what and whether people are receiving the service to which they are entitled.

Chris Bryant (Rhondda) (Lab): In an era of political and economic instability in many parts of the world—not least the Balkans, parts of Africa and Latin America—is it not all the more important that Britain, while trying to create its own robust asylum and immigration policy, should not seek to go it alone, but should try to ensure that all members of the EU, whether through bilateral agreements or the EU acting in concert, manages to achieve a robust policy? That is important not least because countries like Spain have problems from Morocco, north Africa and Latin America, and countries to the east face problems from the Balkans. Is it not in our interests to co-operate and not follow the Conservatives' advice, which is especially ironic given that it was 33 years ago on Thursday that their party took us into the Community?

Mr. Blunkett: It is true that we can do a much better job for Britain and for Europe as a whole if we collaborate on essential issues of clandestine entry. That is why we have joint agreements with countries like Germany on work in the Balkans. Project Reflex has been organised under the National Crime Squad, and partner agencies—the immigration service and others—use intelligence-based work to stop people getting through borders. If we can get the EU to feel that it owns that activity and is participating in it, we have 25 countries, rather than two, three or four countries, collaborating together. That has to be the right way forward.

Pete Wishart (North Tayside) (SNP): Does the Secretary of State accept that Scotland, with the fastest falling population in Europe, has different immigration requirements from the rest of the UK? How will the

[Pete Wishart]

proposals address the crippling situation in Scotland? Is it not time for Scotland's immigration issues to be settled in Scotland?

Mr. Blunkett: I do not wish to introduce a visa regime between England, Wales and Scotland, or to have to refurbish at great expense Hadrian's wall. We would rather collaborate with the Scottish Executive, as we are doing, on their imaginative and progressive policy to attract people to Scotland, to encourage them to settle and to be positive economic migrants. We will work with the Executive over the months ahead to do precisely that so that what is right for a particular region of the UK can be encouraged and supported, even if it is not the right solution for another region or part of the UK.

Mr. Peter Lilley (Hitchin and Harpenden) (Con): Does the Home Secretary accept that while it is difficult for any modern country to control the flow of immigration and asylum seekers across its borders, it is considerably less difficult for an island such as Great Britain to control entry at a limited number of points of entry than it is for our continental neighbours to control a porous, continuous land border? Is it not therefore always in our interests to retain 100 per cent. entry control at our points of entry instead of trading that in for a one-in-25 say in a futile attempt to make non-porous borders with Ukraine, Turkey and other parts of the continent?

Mr. Blunkett: But we are doing both. There is nothing at all in what has been agreed that stops us operating our border controls. The difficulty that we faced in the past—as a former Cabinet member the right hon. Gentleman will be aware of this—is that it was not until people reached our soil that our border controls came into effect so, by the time that they did so, they were entitled to claim asylum. By moving our border controls to France, operating pre-embarkation controls, photographing documentation and having liaison officers at airports across the world, we are beginning to be able to screen people before they reach British soil. Of course, it is beneficial to be an island when we can move our security and immigration controls to France and Belgium. Such controls are more essential for us than they are for continental nations that can turn people back at their borders so that they do not set foot on their soil. However, if people arrive here first we have responsibility for removing them, which is the root of the dilemma on asylum that we faced in the past, when being an island was not an advantage and became a disadvantage. No one has yet invented a free zone in Folkestone that does not count as part of the British nation, although I imagine that some electors there wish that they could.

Rev. Martin Smyth (Belfast, South) (UUP): The Home Secretary said that we were at the end of the road, but in fact Northern Ireland is. We have a long frontier as well as other problems. How far do the arrangements in northern France protect us from people who travel to that country from places as far away as Greenland and Iceland, then on to the Republic and into Northern Ireland, where they claim asylum status? We welcome visitors and eastern European immigrants who have a commercial involvement in the country's industry, but can the right hon. Gentleman reassure us that he will tighten up the clandestine routes that bring asylum seekers to our shores?

Mr. Blunkett: The hon. Gentleman makes an important point. Whatever we do at the major ports of entry there will always be opportunities at minor ports and on alternative routes. We must expand and extend our agreements with other countries so that we can deal with such forms of clandestine entry. I am grateful to the hon. Gentleman for drawing my attention to the problem that Ireland as a whole is experiencing with Greenland, as the immigration and nationality directorate has not yet put it on my radar screen.

Mr. Desmond Swayne (New Forest, West) (Con): If, having opted in, as the Home Secretary described it, we discover that the arrangements are not quite as agreeable as we imagined, is there a way back, or is it just a one-way street?

Mr. Blunkett: To make the position clear, opting in is not a matter of all or nothing—we opt in to the parts of policy and the protocol that we like. The gist of the hon. Gentleman's question, however, was whether once we are in, we can get out. No, we cannot, without renegotiating that part of the work programme of the European Union. If, however, it were perceived to be bad for Britain in the first place we would not opt in. If that were the case, I imagine that other countries would be experiencing difficulties as well, and we would negotiate our way out of it. [HON. MEMBERS: "Ah!"] But that is true of every other agreement that we have reached since Britain joined the European Union, whether there was qualified majority voting or unanimity. Once people join something through a unanimous vote, they have great difficulty renegotiating their way out of it. There is nothing new about the arrangement, and nothing in our discussions that need concern people.

Mr. Henry Bellingham (North-West Norfolk) (Con): How many holders of holiday and student visas switched to long-stay visas over the past year?

Mr. Blunkett: This is not immigration and nationality question time but, even so, I cannot answer the hon. Gentleman's question. However, as we spelled out at the beginning of April, we have tightened visa regimes dramatically, including those for students, and there has been a dramatic closure of bogus colleges, which were a cause for concern. That opportunity for clandestine entry and fraudulent residence has now been substantially diminished.

Prepared Foods (Provision of Information)

1.5 pm

Helen Southworth (Warrington, South): I beg to move,

That leave be given to bring in a Bill to require manufacturers and retailers of prepared foods to provide information about the content and nutritional quality of the foods

When deciding to take the legislative route it is important to be clear who would benefit and how, and what burden would be imposed by the requirement. These things have to be balanced to ensure that the benefits are significant and the requirements reasonable. We also need to consider whether a voluntary code would serve the objective better. Like many hon. Members and people in our constituencies, I am convinced that we must now take legislative action to make sure that clear information is available to consumers on the content and nutritional value of prepared foods.

What we eat has a huge effect on our health and well-being, and there is a clear connection between high consumption of some food items and a negative or positive health impact. In considering the need for my Bill, I have given particular consideration to the serious negative effect of high consumption of certain ingredients, particularly sugar, salt and fat. Diabetes is a serious, progressive long-term condition. About 1.8 million people are diagnosed with diabetes in the UK, and a further 1 million people remain undiagnosed. There are 250,000 people with type 1 diabetes, which is not linked to being overweight and requires insulin and tight control of blood sugar levels if sufferers are to maintain their health. Just over 1.5 million individuals have type 2 diabetes, which is three times more common in people who have gained about 10 kg in weight during adulthood than in people who have maintained the same weight. It is essential that those 1.8 million people—about three per cent. of the UK population—control the amount of sugar and carbohydrate that they eat. Good sugar control reduces complications, which are estimated to cost the NHS as much as 9 per cent. of its entire budget, or approximately £5.2 billion a year.

The cost to the individuals concerned and their families, however, is devastatingly high. Heart disease, stroke, kidney disease, blindness and amputation are caused by persistently raised levels of blood glucose, which damages nerves as well as large and small blood vessels. It does not have to be like that, as people with diabetes can manage their diet, control blood sugar and stay healthy. It is therefore not surprising that Diabetes UK wants mandatory nutritional labelling on all processed foods, including at the point of sale in fast-food restaurants and take-away outlets.

Diseases of the heart and circulatory system are the main cause of death in the UK, accounting for just under 238,000 deaths in 2002. The British Heart Foundation estimates that every year about 66,000 men under 75 and 26,000 women have a heart attack, and a total of 2,670,000 people in the UK have been directly affected. For coronary heart disease alone, it estimated that up to a third of all deaths are attributable to dietary factors. The cost to the UK economy has been put at £10 billion annually, but once again that sum pales into insignificance when compared with the cost to sufferers and their families of disability and premature death. So it is not surprising that the National Heart Forum, an alliance of more than 45 organisations working to reduce the risk of coronary heart disease in the UK, says that nutritional labelling should be made mandatory on all processed foods.

Currently, 23 per cent. of men and over 25 per cent. of women are obese, and in addition 44 per cent. of men and 34 per cent. of women are overweight. The National Audit Office estimates that more than 30,000 deaths were attributable to obesity in 1998. That is equivalent to nine years of life lost for each person. The NAO calculates the cost of obesity to the NHS in 1998 to be at least £500 million and the costs to the wider economy to be more than £2 billion a year. But how can we price the value of those lost nine years of life to 30,000 people each year and their families?

It is no surprise that the Consumers Association's *Which?* says that nutrition labelling should be mandatory on all pre-packaged foods that have been processed in any way, or that an increasing number of consumer organisations are calling for nutritional information to be made available at point of sale in fast food restaurant, take-aways and other catering outlets. Sixty-four per cent. of people questioned for the Food Standards Agency 2003 consumer attitudes survey wanted nutritional information and details of ingredients to be available for the food they bought.

A huge number of people are affected by diabetes, coronary heart disease, stroke, cancer and obesity. They want to be able to manage and survive their condition and lead normal lives. That matters a very great deal to the people we represent. We can make it possible for them to make the choices about their lives that they wish to make. Large numbers of people will gain considerable benefit from the ability to manage their diet, but there is currently only a voluntary arrangement for the food industry to provide nutritional information. Although the industry has had adequate time to organise provision of information, and the very creation of prepared food products requires detailed and standardised recipes and portion control, the information provided is highly variable, and in many cases no nutritional information is available at all.

Some retailers have demonstrated the willingness and ability to produce clear and easily accessible information. The Co-op group adopted the policy of labelling all Co-op brand foods with nutritional information in 1985. That includes energy, protein, carbohydrates, sugars, fat, saturates, fibre and sodium, and uses the coronary prevention group traffic light scheme to identify high, medium and low quantities for daily guidelines. Burger King also has clear and legible information for its product range printed on every tray liner, and Pret a Manger has full product nutritional information on its website, but far too many labels are at best inadequate and at worst misleading. Food labelled as 80 per cent. fat free may sound healthy, but in fact it contains 20 per cent. fat. A breakfast cereal marketed for healthy bones contains 40 per cent. sugar and must be eaten with milk for the claim to work.

For nutritional information to be useable it must be clear, easy to read, and compare like with like. As a minimum it should detail amounts of energy, protein, carbohydrates, sugar, fat, saturates, dietary fibre and sodium—the big eight of healthy eating. A full

[Helen Southworth]

ingredients list should be given for allergen identification and for people who have religious and ethical concerns. The lettering must be distinct from the background and be of a minimum size, and the terminology should be both easy for people to understand and standardised.

We must have simple, easy-to-read, comprehensive information for people who need it to manage their diet, because without it they are depending on guesswork and good luck. In May this year *Which?* released its "Recipe for Disaster" report, which exposes the wide variations in the amount of salt and fat among five of the most popular ready-made foods from different manufacturers. The findings show that consumers will eat three times as much fat, and nine times as much salt for the same sized portion, depending on which product they choose. One lasagne even contained 3 g of sodium per portion—more than the total daily guideline amount for men or women.

We are eating more prepared foods. Every high street has restaurants, fast food and catering outlets. Supermarkets are selling huge quantities of prepared meals and every local community has its own take-away. Children have prepared meals at school, workers eat in the works canteen and patients eat prepared food in hospitals. We are dependent on the content of all these meals for our health and well-being. To create prepared foods, the food industry uses standard recipes and standard portion sizes as an essential part of the manufacturing process. The information on content and portion size, and therefore on nutritional value, of every product is in the hands of the producer. It would be very easy to make it available to the consumer. The best producers and retailers are already providing quality information as a matter of routine. That raises the question of why other producers are not doing so, when consumer surveys consistently show that the vast majority of people want to know what they are eating.

My Bill is a simple measure with far-reaching benefits. It can be easily implemented. Most people want it and many people's health depends on it. There is no good reason not to do it, so we must make it happen. I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Helen Southworth, Mr. David Stewart, Rosemary McKenna, Ms Dari Taylor, Liz Blackman, Mr. Colin Pickthall, Ms Christine Russell, Linda Perham, Mr. Khalid Mahmood, Dr. Phyllis Starkey, Mr. James Plaskitt and Mr. George Howarth.

PREPARED FOODS (PROVISION OF INFORMATION)

Helen Southworth accordingly presented a Bill to require manufacturers and retailers of prepared foods to provide information about the content and nutritional quality of the foods: And the same was read the First time; and ordered to be read a Second time on Friday 5 November, and to be printed. [Bill 167].

Programming of Bills

Mr. Speaker: We now come to the main business. As Members will be aware, the House yesterday ordered that at 6 pm the Chair should put the Questions on all six motions relating to procedure to be moved by the Leader of the House, so clearly we must have a joint debate on motions 2 to 7 on the Order Paper. The House will also see that I have selected all four amendments to motion 2 tabled by the hon. Member for Macclesfield (Sir Nicholas Winterton) and his colleagues on the Procedure Committee. At the conclusion of the debate, I will therefore invite the hon. Member for Macclesfield to move formally any of those amendments that he wishes to press to a vote. Motions 2 to 7 will then be put to the vote, one after the other.

The Leader of the House of Commons (Mr. Peter Hain): I beg to move,

That the House takes note of the Fourth Report of the Procedure Committee, on Programming of Legislation, HC 325, and the Government's Response thereto (published as the Committee's Fifth Special Report of the current Session, HC 1169); and makes the following provision:

That, with effect from the beginning of the next Session of Parliament, the Orders of the House of 28th June 2001 relating to Programming of Bills be Standing Orders of the House, with the following Amendments:

(1) In Order A (Programme Motions), in paragraph (6), leave out 'or where paragraph (8) of Sessional Order B (Programming Committees) applies,'.

(2) In Order A, in paragraph (10), leave out 'In an excepted case' and insert 'If any of the exceptions applies'.

(3) In Order B (Programming Committees), leave out paragraphs (8) to (10).

(4) In Order C (Programming Sub-Committees), in paragraph (1), after 'and', insert 'subject to paragraph (9A) of this order'.

(5) In Order C, after paragraph (9), insert—

'(9A) A Minister of the Crown may make any motion in a standing committee which could have been the subject of a resolution of the Programming Sub-Committee, and for the purposes of this order the motion shall be treated as if it were in the terms of a resolution of the Programming Sub-Committee: provided that proceedings on such a motion shall lapse if any member of the committee signifies objection to it.'

(6) In Order D (Programme orders: conclusion of proceedings in Standing Committee or in Committee of the whole House), in paragraph (2), after 'others)' insert 'in the same order as they would fall to be put if this order did not apply'; and in sub-paragraph (c), leave out 'division' and insert 'decision'.

(7) In Order D, in paragraph (5), at end insert ', except that the question shall be put separately on any clause of or schedule to the bill which a Minister of the Crown has signified an intention to leave out'.

(8) In Order E (Programme orders: conclusion of proceedings on consideration or third reading), in paragraph (2), after 'others)' insert 'in the same order as they would fall to be put if this order did not apply'; and in sub-paragraph (c), leave out 'division' and insert 'decision'.

We have six motions before us this afternoon. The first is a motion to take note of the report of the Procedure Committee on programming of legislation, and to make permanent the Sessional Orders on programming of Bills, with certain amendments. The second is a motion to take note of the report of the Procedure Committee on procedures for debates, private Members' Bills and the powers of the Speaker, and to implement the Committee's recommendation of an experiment with shorter Back-Bench speeches. The third is a motion to make permanent the Sessional Order on deferred Divisions. The fourth is a motion to make permanent the temporary Standing Order on carry-over of Bills, with certain amendments to clarify its application. The fifth is a motion to increase the Speaker's discretion over the application of the short speeches rule, following representations from the Liaison Committee, and the sixth is a motion to implement the recommendation of the Modernisation Committee that the term "strangers" be no longer used in referring to visitors to the House.

In respect of four of the motions—those that contain textual amendments—explanatory memorandums have been made available in the Vote Office. These may assist Members by showing how the Standing Orders would be amended by the motions.

First, I am grateful to the Procedure Committee for its timely consideration of programming. This builds on the work that was done last year by the Modernisation Committee. Proper timetabling of Bills has been a central recommendation of parliamentary and independent reports for 20 years or more. It is not a whim of the current Government. In 1985, the Procedure Committee recommended that Bills should be timetabled. The proposal was reiterated by the Jopling Committee in 1992. The independent Hansard Society Commission on the Legislative Process, also in 1992, regarded it as a central feature of any reforms to improve scrutiny. In 1997, the Modernisation Committee's first report highlighted the importance of programming legislation, stating that other proposals for improving the legislative process—scrutiny of draft Bills, for example—could not be seen in isolation from the legislative timetable.

Mr. Oliver Heald (North-East Hertfordshire) (Con): Does the Leader of the House recognise that the earlier attempts concerned agreed programming, not the imposition of the guillotine, which the Government have employed since 2000? Does he agree that the Procedure Committee was trying to find ways to return to a more consensual approach that would better meet the needs of the House than the current oppressive regime?

Mr. Hain: First, we have taken some of the Procedure Committee's amendments on board. Secondly, it is a myth that programming is at variance with the principle of consensus. Let me provide the hon. Gentleman with the figures: in the past Session, 70 per cent. of programme orders were achieved consensually, and of the 24 Bills committed to Standing Committee, 23 had programme orders and five also had supplemental programme orders, which allow business and timing to be changed by consensus. Of the 28 programme orders, 20 were agreed formally and only eight resulted in a Division—in other words, nearly three quarters of programme orders were achieved consensually.

I can provide the hon. Gentleman with many more statistics: the vast majority of Programming Sub-Committees achieved consensus, and Divisions have occurred in only two of the 33 Programming Sub-Committees so far this Session—in other words, 94 per cent. of those Programming Sub-Committees reached agreement without a Division.

Sir Patrick Cormack (South Staffordshire) (Con): In spite of what the right hon. Gentleman has said, has not the Procedure Committee clearly demonstrated that significant portions of many Bills that leave this House are unexamined and not discussed, which means that the Government have not been held to account? Has not the Procedure Committee provided the formula for redressing that particular problem?

Mr. Hain: The hon. Gentleman is far more distinguished and experienced than me. *[Interruption.]* I am glad that I have achieved unanimity on that point. He knows that some clauses and schedules of previous Bills were not discussed, often by consensus, because the Opposition wished to focus on the areas that concerned them most and about which there was most argument. In addition, guillotines were used in previous eras—every Government used them and they were a regular feature of the parliamentary process. We have achieved a programming structure that allows the maximum consensus to be built, as I have just described.

Mr. Eric Forth (Bromley and Chislehurst) (Con): For the sake of clarity, will the Leader of the House make it clear that in the good old days back in the 1980s, Committees were allowed to determine their own timetables and run their own course until the Government eventually and reluctantly may have had to guillotine a Bill, but only after the Opposition had determined the pace of the Committee? To put the matter in context, how many clauses now leave guillotined Standing Committees unconsidered?

Mr. Hain: My hon. Friend the Deputy Leader of the House tells me that that figure has decreased. On Committees, only four out of the 23 Programming Sub-Committee resolutions put to the full Standing Committees on the Bills concerned were divided on—in other words, three quarters of Standing Committees were content with the resolution agreed by the Programming Sub-Committee. I submit that that shows that the programming procedure, which we have modified in response to points made by hon. Members and, with the will of House, intend to modify further this afternoon in response to representations from the Procedure Committee, has been improved to the extent that it now operates across the board with a massive degree of consensus.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich) (Lab): In which case, I am sure that my right hon. Friend can say how much of his legislation during the past Session has not included 600 or 700 amendments on Third Reading and in the House of Lords. If that efficient manner of examining legislation is so highly commended, he can surely demonstrate that the Government are not amending their own legislation in increasing numbers of instances on Third Reading?

Mr. Hain: My hon. Friend makes a good point. We are seeing a lot of Government amendments, which I do not encourage as Leader of the House because they do

[Mr. Hain]

not make for smooth business. However, we have seen increasing consensus on the management of business, and some of the sticky points that were apparent in the early days of programming have now been removed, and we can move forward together on that basis.

Mr. Mark Francois (Rayleigh) (Con): The right hon. Gentleman obviously has many statistics at his disposal this afternoon. Regardless of the resolutions made in Programming Sub-Committees when Bills went Upstairs, how many of those programme motions were voted against on the Floor of the House when they were brought down to the main Chamber and appeared on the Order Paper?

Mr. Hain: My hon. Friend the Deputy Leader of the House will reply to that point, if he can obtain the information. If the hon. Member for Rayleigh (Mr. Francois) examines the progress of Bills in Committee, which is the key area, and in the House, he will find consensus.

Ms Ann Coffey (Stockport) (Lab): Does my right hon. Friend agree that the scrutiny of legislation in this House is to a large extent dependent on how well informed hon. Members are? No structure can ensure that well informed hon. Members scrutinise Bills. Does he remember how much time was wasted in this House in 1992–97 by filibustering, which was done in the name of scrutinising legislation? It was not scrutiny; it was wasting hon. Members' time.

Mr. Hain: John Golding provides a classic example of successful Labour filibustering in opposition—he once spoke expertly for some 17 hours to the great advantage of the Labour party—but whether that can be defended as a sensible use of parliamentary time is an altogether different question. In my initial period in the House between 1991 and 1997, I recall constant filibustering by Labour Opposition Members—it was part of the game. Now we can focus on the clauses that really concern Opposition Members and provide enough time for them to be scrutinised and debated properly.

That point is demonstrated by the consistent consensus in Committees, where the Government have even structured sitting schedules around the Opposition's requests. On the Civil Contingencies Bill, for example, no Thursday morning sittings were scheduled to allow the Opposition spokesman, the hon. Member for North-East Hertfordshire (Mr. Heald), to prepare for business questions, where—this shows how generous we were—he gave me a tough time. On Tuesday 10 February, the Committee that considered the Traffic Management Act 2004 did not have a morning sitting to allow one Conservative Member to attend divorce proceedings. [*Laughter.*] The consensus is considerable.

Mr. Heald: On the Civil Contingencies Bill, despite the courtesy of the excellent Government Whip, we voted against the programme motion.

Mr. Hain: There you go.

As the Modernisation Committee's 2003 report pointed out, there was never a golden age of full scrutiny of all clauses of all Bills. Before the introduction of programming, the haphazard nature of scrutiny caused deep and widespread dissatisfaction. Programming was a response to considerable pressure from hon. Members on both sides of the House and others over a number of years for the sensible timetabling of Government Bills. Properly applied, programming is a positive development, allowing more effective scrutiny of legislation.

Neither the Modernisation Committee nor the Procedure Committee opposes the principle of programming. That is important. They both made sensible suggestions, some of which we have already taken on board—and in the case of the Modernisation Committee, some of which we will take on board this afternoon, with the will of the House. For all their protestations, I do not believe that the Opposition would abandon programming were they in government.

We propose that the programming Sessional Orders be made permanent. There is little to be gained from continued annual debates on the matter. Programming is now an established part of our procedures and that should be reflected in our Standing Orders.

Mr. Forth: Before the Leader of the House continues to pray in aid the Modernisation Committee and even, if I may say so, the Procedure Committee chaired by my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton), can he confirm for the record that the Modernisation Committee was set up by the Labour Government in 1997; that it is, uniquely, chaired by a Cabinet Minister, namely himself and, formerly, his predecessors; and that it has a large Government majority? We should be in no doubt that these Committees represent the will not of the House but of the Government.

Mr. Hain: The right hon. Gentleman has had a severe bee in his bonnet about the Modernisation Committee all along. It so happens that his successor as shadow Leader of the House has taken his seat on the Committee, and a very good thing too. The idea that it is some kind of Government fix is nonsense. I can say from personal experience that the fact that it is an independent Committee gives rise to a lot of discussion, as well as some concern, within Government about the likely directions and recommendations of its inquiries. All its Back-Bench members are very independent-minded, including the shadow Leader of the House.

We acknowledge, however, that certain improvements to programming could be made. Perhaps most significantly, we propose to implement the Procedure Committee's recommendation that where everyone is content the Standing Committee should be able to make decisions to vary the programme without need for the Programming Sub-Committee to meet. I understand that there is some disappointment that the Government did not go further in agreeing to the Procedure Committee's other recommendations, but I can assure the House that they were given very careful consideration.

I shall take each of the amendments in turn. First, the hon. Member for Macclesfield (Sir Nicholas Winterton) and others suggest that the Committee's recommendation in paragraph 52—that a factual statement of clauses and schedules not considered in Committee should be produced—should be implemented. We gave careful consideration to this recommendation but in the end were not persuaded that it would be useful to produce such a statement. The information would be misleading. Clauses and schedules may not be debated for a variety of reasons, not least because they are uncontroversial and the Opposition do not want to. Moreover, although a clause itself may not be debated, amendments on that clause may have been well debated with groups of amendments on earlier clauses. If Members wish to know whether debate in Standing Committee was curtailed by the operation of the programme motion, that information is readily available through reading the relevant Standing Committee *Hansard*. All the information is already in the public domain.

Sir Nicholas Winterton (Macclesfield) (Con): Why could not the Leader of the House meet that point by producing an annotated list pointing out [illegible] clauses were uncontroversial?

Mr. Hain: As I said, the information is readily available. If the hon. Gentleman or any other right hon. or hon. Member is worried that a Bill has come back to the House without being sufficiently scrutinised in Committee, they can check that for themselves. If, as he wants, we put this into Standing Orders, that would give the Opposition a ready-made opportunity to create, for partisan reasons, circumstances whereby certain clauses are not debated, and then say that the Bill has not been properly scrutinised.

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): Will the Leader of the House give way?

Mr. Hain: No, I want to make more progress.

Let me put this in perspective. The average duration of a Programming Sub-Committee meeting has been two minutes, while the longest was 30 minutes. If this was a case of the Government railroading legislation through Committees, with a big civil war going on between Opposition and Government, the whole process would be logjammed. The truth is that Government and Opposition Whips and other Committee members, including the Chairman, have the opportunity to achieve consensus and regularly do precisely that.

Secondly, members of the Procedure Committee tabled an amendment to implement their recommendation that programme motions be decided without debate only with cross-party support; on other occasions, they would be subject to a one-hour debate. Again, we considered that recommendation very carefully, but felt that it was unrealistic—perhaps even naive. In our response to the Procedure Committee, we said:

> "The Government is very willing to engage with the Opposition to try and establish a cross-party approach to the programming of future bills. But it should be recognised that there are strong political pressures on the Opposition, be it of whatever party, to oppose the Government's proposals for timetabling of all but the least controversial of bills. While the Opposition may be willing to adopt a pragmatic approach in informal negotiations through the usual channels, it would be very difficult for it to sign up publicly to a programme for scrutiny of a Bill to which it is opposed in principle. The experiment with 'agreed programming' in 1998–2000 demonstrated this very clearly. The effect of the Committee's recommendation would therefore be that programme motions would be routinely debated, detaining the House for an additional hour after the vote on second reading."

The Government do not believe that that would be in the interests of the House.

The amendment would also implement the Committee's recommendation that programme motions should not be put to the House until 48 hours or more after Second Reading. The Government are not persuaded that it is desirable or necessary so to delay consideration of the initial programme motion. We believe that it is more convenient for Ministers, Opposition spokesmen and women, and the House as a whole, to continue to take the initial programme motion immediately after Second Reading. If points arise on Second Reading that suggest that the out date should be revised, the Programming Sub-Committee can take those into account and recommend change if it thinks fit. Indeed, that has occurred on several occasions during the past Session.

Thirdly, members of the Committee tabled an amendment to give Chairmen of Standing Committees discretion to delay a knife to allow injury time for Divisions in the House, or for a quarter of an hour if he considers it to be

> "for the general convenience of the Committee".

We gave open-minded consideration to those recommendations, but on reflection felt that they were unnecessary and undesirable.

I understand the argument behind the amendments. Equally, I hope that hon. Members will appreciate why the Government continue to oppose such changes. The essence of the success of programming lies in the spirit of co-operation between those acting for Government and Opposition on a particular Bill. The Government believe that where the main parties engage positively in discussions on the programme, programming can and does work well—for the Government, for the Opposition and for members of the public, including interested parties who wish to know when a particular clause or part of a Bill is to be debated in Committee and can now timetable their attendance in advance, make their travel arrangements and come to watch the debate.

Sir Nicholas Winterton: I am listening to the Leader of the House extremely carefully. Is he not aware that the unanimous report of the Procedure Committee had the sole objective of making programming more acceptable in all parts of the House? The decisions were taken on a cross-party basis because we believed that we were building into the way in which this House operates safeguards for the whole House, not just the Government.

Mr. Hain: I understand and respect the hon. Gentleman's motivation. He made it clear that he was not opposed to the principle of programming but was trying to make it better. I accepted several of the recommendations from the Procedure Committee that he chairs; others I did not accept, for the reasons that I described.

[Mr. Hain]

It is important to put it on the record that of the 23 Bills that have been committed to Standing Committee this Session, 12—more than half—had no knives incorporated into their programme apart from the out date. Of the 11 Bills where the Programming Sub-Committee agreed to the incorporation of knives, four had two knives, three had three knives, two had five knives and one had seven knives. There is understandable concern, which I share, that programming should be in the interests of the whole House. The hon. Member for Macclesfield has made some practical suggestions for improving matters. We have accepted some and rejected others, for the reasons that I have given. We are not therefore considering a big Opposition-Government confrontation; we are simply assessing how best we can move forward and improve programming.

Sir Robert Smith: I want to reinforce the fact that the amendments represent an attempt to balance the programming system slightly more in favour of the whole House. The Leader of the House should reconsider his response. Earlier, he said that programme motions help outsiders to plan their travel arrangements, but he went on to say that approximately 12 Bills had no knives in them. How did people plan their travel arrangements for those Bills?

Mr. Hain: The point is that when there are knives, and the out date is determined by the programme motion, people know roughly when things will occur.

Mr. David Kidney (Stafford) (Lab): Given the adversarial nature of this place, it is understandable that the focus is on Government and Opposition parties. However, does my right hon. Friend agree that programming benefits at least Back-Bench Members of the governing party, who used to be under pressure to say nothing in Committee but are now set free to participate in debates? I believe that scrutiny is consequently of better quality.

Mr. Hain: I agree. I remember serving on Committees when I was in opposition and being told to keep quiet or to speak for a long time. Under the previous Government, Conservative Back Benchers said nothing in Committee. They simply stared in a concentrated fashion at their constituency correspondence.

Mrs. Dunwoody: I have the greatest respect for my right hon. Friend, but if he believes that Back Benchers sitting supine, having been told by Whips to keep their mouths shut, is a demonstration of democracy, I hope that he will soon disabuse himself.

Mr. Hain: I am happy to agree with my hon. Friend. I was saying exactly the opposite of what she suggests. I agreed with my hon. Friend the Member for Stafford (Mr. Kidney) that programming had encouraged Back Benchers of all parties, including the Government party, to make constructive contributions.

The second motion before us takes note of the Procedure Committee's fourth report of the previous Session on procedures for debates, private Members' Bills, the powers of the Speaker and the Government's reply. The report is wide ranging and I shall leave it to the Chairman of the Committee to describe it in detail.

The motion implements the recommendation in paragraph 13 of the report for an experiment with shorter Back-Bench speeches. It is proposed that, between certain hours—the Committee suggests an hour before the winding-up speeches, or half an hour in a half-day debate—the Speaker might call on Back Benchers to make shorter speeches, down to a minimum of three minutes depending on the number of Members who want to take part. The precise arrangements would be for the Speaker to determine. The experiment would run for the next two Sessions, and we could then consider whether it should continue.

The third motion seeks to make permanent the Sessional Order on deferred Divisions. I believe that most hon. Members find the provision for Divisions to be deferred in specific, well-defined circumstances of great convenience, and I see little point in the House revisiting what is now established practice, Session by Session.

The fourth motion would make permanent the temporary Standing Order on carry-over of Bills, which was agreed by the House for this Parliament only in October 2002. As the Procedure Committee found in its report on programming,

> "carry-over increases flexibility and has the potential to lessen bottlenecks in the legislative process".

The Committee commended the gradual way in which the Government have introduced carry-over. Two Bills were carried over from the previous Session to the current Session, and three from this House and another in the House of Lords are to be carried over from the current Session to the next.

Those who believed that carry-over was an underhand method of undermining the Sessional cut-off have been proved wrong.

Sir Nicholas Winterton *rose—*

Sir George Young (North-West Hampshire) (Con) *rose—*

Mr. Hain: I shall give way shortly.

Carry-over has been a helpful but modest measure to increase flexibility in legislative planning, facilitating pre-legislative scrutiny. That is important: it is not a coincidence that all three Bills to be carried over in this House this Session have been published in draft for pre-legislative scrutiny.

Sir Nicholas Winterton: I am grateful to the Leader of the House for his courtesy, but he missed out a rather important sentence in our recommendation on carry-over. Although the report states that it

> "increases flexibility and has the potential to lessen bottlenecks in the legislative process",

paragraph 62 states that

> "however, we also believe that this should proceed with cross-party agreement."

That slightly changes the emphasis of the Leader of the House.

Mr. Forth: Shocking!

Mr. Hain: The right hon. Gentleman's contrived anger is genuinely synthetic. Carry-over normally happens by consensus. The hon. Member for Macclesfield makes a fair point.

Sir George Young: Let me press the Leader of the House a little further: will he give an assurance that, in future, the Government will carry over only with cross-party agreement?

Mr. Hain: The right hon. Gentleman knows that we must get agreement in both Houses to move forward. I want to act by consensus, but I do not want to place a block on carry-over in the Standing Orders if consensus cannot be gained. It is in the Government's interests to get consensus, which a constructive Opposition provide most of the time.

We believe that it would be timely to make the Standing Order on carry-over permanent. A few amendments are proposed to make it clear that the Order would not apply to private Members' Bills or Lords Bills, and that any programming order agreed in the first Session would continue to apply in the second.

The fifth motion amends Standing Order No. 47 on short speeches. That follows representations that I have received from the Liaison Committee, the Foreign Affairs Committee and the Procedure Committee. The Committees were concerned that if the short speeches rule were applied to a debate on a Committee report on the Floor of the House, the Chairman's ability to explain the Committee's position would be restricted. That is why it is proposed to enable the Speaker to exercise discretion over the times during a debate when the short speech limit is to apply. If he thinks fit, the Speaker will be able to exempt particular Members, such as Committee Chairmen, from the limit, or modify it in appropriate circumstances.

The sixth and final motion seeks to implement the recommendation made by the Modernisation Committee in its report on connecting Parliament with the public that the term "strangers" be no longer used in referring to visitors to the House. It amends each of the Standing Orders that refer to "strangers" or "stranger", replacing that with "the public" or "member of the public" as appropriate.

Mr. Forth: Pathetic!

Mr. Hain: The right hon. Gentleman describes that as pathetic, but the "Oxford English Dictionary" defines a stranger as

> "one who is not a member or an official of the House and is present at its debates only on sufferance".

I believe that our visitors, voters and citizens are entitled to view our debates, and that they should not be shunted into a pigeonhole labelled "Strangers". As the Modernisation Committee said,

> "this is the last impression we should be wanting to give to people who exercise their democratic right to visit us."

The earliest reference to a "stranger" in the Commons Journal appears to be on 13 February 1575. Let us make 26 October 2004 the last. The history of strangers is interesting. An order passed on 8 December 1711 states,

> "that no member of this House do presume to bring any stranger or strangers into this House or gallery thereof, while the House is sitting."

For a long time, members of the public were barred from scrutinising what happens in the House. Redlich's 1908 "Procedure of the House of Commons" records that during the 16th and 17th centuries, calls were repeatedly taken to ascertain whether strangers were present, primarily because of the threat of Catholic spies. Surely we can move on from those days.

Lady strangers have been subjected to particular restrictions in the past. Redlich's book states:

> "Between 1778 and 1834, ladies were expressly excluded. They might, it is true, come if they be content with a view from the roof chamber over the ceiling inserted in the old St. Stephen's chapel through the ventilator, around which seats were placed."

We are considering an ancient, mediaeval—if not earlier—practice. We should get rid of it.

Ms Coffey: Does that mean that the Strangers Gallery will now be renamed the Public Gallery?

Mr. Hain: I was going on to say that the motion does not address how we refer to parts of this House: the Strangers Gallery, the Strangers Dining Room or the Strangers Bar. Of course, those are matters for Mr. Speaker, as advised by the relevant domestic Committees, which, I understand, are aware of the recommendation by the Modernisation Committee.

These motions represent a sensible package of reforms: a consolidation of experimental reforms, which have now stood the test of time and proved their worth, and some modest innovations. I hope that the House will agree to their implementation. I commend the motions to the House.

1.50 pm

Mr. Oliver Heald (North-East Hertfordshire) (Con): Some people will dismiss today's debate as marginal and insignificant and concerned only with procedural matters. They could not be more wrong. Today's debate is about accountability and about Parliament having the tools it needs to hold the Prime Minister and his Government to account. It is important that we take parliamentary procedure seriously. It is by cutting the pennies that make up the pounds that this Government have devalued the currency of Parliament.

I want to congratulate the Chairman of the Procedure Committee, my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton), under whose guidance the Committee has a produced a fine report—its fourth report of the Session—on programming. I welcome the report's recommendations, which contain much sense and good material. I am pleased that members of the Committee took notice of some points made not just by Ministers but by others, including me and my right hon. and hon. Friends, during the evidence sessions.

Programming affects the scrutiny that this House and its Committees can exert over Government proposals.

[Mr. Oliver Heald]

As the Committee noted in its introduction, programming has been

> "the most significant change made for some years in the way in which the House considers Bills".

Over recent years, there has been a lot of controversy over the extent to which Bills should be debated within a rigid timetable. Throughout the 1990s, we were prepared to try to reach agreement on such matters. From 1997 onwards, we agreed programme motions on an all-party basis, including 11 in the 1997–98 Session and four in each of the following Sessions. Some difficult Bills such as the Scotland and Government of Wales Bills were timetabled by agreement, even though that involved great technical difficulties, given that the Committee stages were on the Floor of the House, with many Members wishing to speak from different perspectives.

The failure of the consensual approach developed in that period resulted from the Government trying to pack Sessions with extra legislation, relying on our good will and allowing insufficient time for proper consideration. We lost patience with the system, agreed programming died and we ended up with routine guillotining. The Leader of the House says that programmes have been agreed in Committee and, on odd occasions, on the Floor of the House, but the fact is that on the overwhelming number of occasions when programme motions have been considered on the Floor of the House we have opposed them, not only because we do not think it right that the views of the Opposition should be completely disregarded and programmes imposed, but because the Government have routinely not allowed enough time for business.

I agree that a Government are entitled to get their legislation through without inordinate delay, but—

Mr. Richard Shepherd (Aldridge-Brownhills) (Con): There is no sanction.

Mr. Heald: As my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) says from a sedentary position, there is no sanction on the Government, and it is not right for a Bill to reach the end of its progress through the House without all its significant aspects and issues having been examined and debated.

The Modernisation Committee, which my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) criticised, admits in its first report of the 2002–03 Session that

> "concern about the volume of legislation which passes undebated is entirely legitimate".

At that time, of course, the Committee was chaired not by the Leader of the House but by his predecessor, but I am sure that if the current Leader of the House examined the issue he would agree that large amounts of legislation should not be passed undebated. Indeed, hon. Members on both sides of the House should agree on that point, yet that is precisely what happens persistently under the current system. We only have to look at the evidence that the Clerk to the House gave to the Procedure Committee, which appears in table A on page 5, to see the sad state into which the House has fallen. With one Bill, 36 groups of amendments were not considered in Committee, and with another 105 clauses were not debated in any way. It is just not good enough for the Leader of the House to say that those provisions would not have been considered anyway.

Ms Coffey: Does the hon. Gentleman think that it would be a good idea to make comparisons with what happened to Bills before we had programming? During the 1992–97 Parliament I sat on several Standing Committees and recall that, for several reasons, a great number of clauses were not debated. It is not correct, therefore, to say that Bills have not been debated only since programming was introduced. It would be fairer if the hon. Gentleman were to make a wider comparison.

Mr. Heald: I do not accept that the Labour Opposition were as idle or useless as has been suggested. The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) will remember the Criminal Justice Bill Committee, on which we sat for 240 hours. It is true that some Labour members of the Committee—not the Prime Minister, who, although he was on the Committee, never attended anywhere other than the Corridor—made some good points, and we agreed amendments as a result.

Mr. Desmond Swayne (New Forest, West) (Con): Does my hon. Friend agree that many clauses are now thoroughly less well debated as a consequence of the liberation of Government Back Benchers, who take up time, thereby denying it to the Opposition who would effectively make points? Opposition Members are constrained from doing so as a consequence of the operation of the timetable.

Mr. Heald: Of course, were the Government to make a pincer movement, not only by proposing a tight programme but by encouraging their Back Benchers to speak at great length, they could oppress the Opposition even more than they do at present. My hon. Friend the Member for Banbury (Tony Baldry) made that point in a recent Westminster Hall debate, to which I believe the Deputy Leader of the House responded.

Mr. Hain: If the structure is so tyrannical from the Opposition's point of view, why did eight of the 22 Bills that have completed their Committee stage so far this Session report early? If the Opposition were being denied the chance to scrutinise all those Bills, why did they report early? Why will the hon. Gentleman not acknowledge that the Government are well able to—and do—reconsider the out date when the need arises? We extended the out date for the Pensions Bill, for the Higher Education Bill and, more recently, for the Mental Capacity and Civil Partnership Bills, in that spirit.

Mr. Heald: If the Government want to be as constructive as the Leader of the House suggests, they could simply agree the modest amendments that my hon. Friend the Member for Macclesfield has tabled, which move the balance slightly in favour of the proper scrutiny of legislation. It is sad that a Government with such a large majority should have got into the way of thinking, "We are in power, so we will do things our way." I am absolutely certain that were the Leader of the House standing on this side, as he may well be in six nonths' time, he would be saying what I am saying. No Opposition could tolerate the way in which this Government want to operate.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): Is not one of the worst abuses of the timetabling system the Government's habit of tabling a huge number of amendments very late in the day, both in Committee and on Report? A notable example of such abuse occurred in the case of the Bill that became the Planning and Compulsory Purchase Act 2004. Although there were two Standing Committees, not just one, the Government still managed to table a huge chunk of amendments on Report. Moreover, there is still no timetable motion for the Report stage of the Domestic Violence, Crime and Victims Bill, which will take place tomorrow, because the Government have withdrawn some of the amendments that they tabled last week.

Mr. Heald: I was intending to make the same points. Indeed, we have made them week after week during business questions, as the Leader of the House must acknowledge. I have raised the question of the Domestic Violence, Crime and Victims Bill twice, each time asking whether we have yet received all the Government amendments. Each time the Leader of the House has said that he is anxious for there not to be too many late amendments—and then another raft of them arrives a few days before the next stage. That is no way in which to conduct the business of the House. Now we hear that even the latest batch of amendments is flawed, and the Government have had to withdraw them. No doubt we shall get another lot, and there will be another recommital. It is a shambolic way of doing business.

Mr. Greg Knight (East Yorkshire) (Con): May I raise the wider issue of changing Standing Orders? Is my hon. Friend aware that the last Conservative Government did not change any of them without the consent of the official Opposition? The last changes were, I think, the Jopling reforms. The then Prime Minister, John Major, instructed the person in charge of the negotiations—me—that no changes should be implemented unless the then official Opposition approved each and every one. Has my hon. Friend been similarly asked by the Leader of the House whether he consents to these changes?

Mr. Heald: The process has not been similar in any way.

It is a sad thing for the House that it is not possible to stand by conventions that are seen to work over time. It is a good thing if we can find ways of moving forward on matters of procedure without the ruthless arrogance that we see nowadays. The Clerk of the House has been impartial, as ever, in his evidence, and table A is an indictment of the Government, showing that thousands of issues have been ignored and have not been debated. Interest groups come to us, as the Opposition, and say "We would like this point to be aired in Committee, because we do not think the Bill will work properly unless it is considered." How must they feel when for want of time, with the fall of the knife, a matter of real concern to them falls as well?

It is worth noting that the Finance Bill, which involves large amounts of money, is not dealt with in that way. It is the one exception. The Government do not guillotine it because they know that those in the City of London, the real power brokers, would not accept that for a minute.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley) (Lab/Co-op): The hon. Gentleman is falling into a familiar Conservative trap. Basically, he is saying that doing nothing is not political. Doing nothing is just as political as changing. Doing nothing is what the Conservatives are excellent at. That is why they are Conservatives; that is why they love the status quo—

Mr. Kidney: And that is why they are in opposition.

Mr. Foulkes: Absolutely. But things have to change, things have to modernise, and the Conservative party will have to accept that. We are presenting our proposals in a reasonable, sensible way, and it is about time the Opposition looked at them in a reasonable, sensible way.

Mr. Heald: The right hon. Gentleman may have arrived too late to hear the considered remarks made earlier.

The Opposition are not standing in the way of progress. We are saying that an all-party Committee, one of the most senior in the House, dominated—like all Committees—by Labour Members, has examined the issues and taken evidence from all parts of the House and from the Clerk. A memorandum of yours, Mr. Deputy Speaker, is being considered. After all that consideration, the Committee came up with a number of modest proposals to improve programming, make it more consensual, and ensure that these matters are dealt with more sensibly. What is the Government's answer? It is no—unless it just happens to suit the Minister. Those are the only amendments that have been accepted.

Mr. Forth: Does my hon. Friend see any significance in the fact that the Procedure Committee is chaired by a very senior, very experienced Member who is dedicated to the welfare of the House, whereas the so-called Modernisation Committee is chaired by a Cabinet Minister?

Mr. Heald: There may well be an imbalance between those two individuals when it comes to experience, knowledge and understanding of this place, but I do not want to discuss personalities—at least, not for a moment.

The idea that we should programme Bills 48 hours after Second Reading has one benefit. By that time, the parameters and ambit of debate are known, which is why the Committee suggested that modest change. We support it; the Government do not.

Sir Nicholas Winterton: It is important for the House to realise that we are not suggesting that there should be a debate on this. We are saying that the programme motion should be put to the House without debate 48 hours after Second Reading. Genuine discussion

[Sir Nicholas Winterton]

could take place between the Whips of all the major parties, and the House and Government would be aware of the principal concerns about a Bill.

Mr. Heald: Experience shows that that would be useful. In one of the worst examples of programming, which resulted in the sit-in involving my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe), things went wrong because the Government did not programme after Second Reading. It became obvious during Second Reading that extra amendments were needed to deal with the Huntingdon Life Sciences issue. Rather than sticking to the number of sittings that they agreed on Second Reading, the Government cut the number. It was a case of more amendments, less time.

Mr. Hain: The hon. Gentleman presents the motion as a gigantic attempt by the Government to smash all dissent from the Opposition. In fact, programme motions are tabled after discussion with the usual channels. As the statistics I have given demonstrate, the Programming Sub-Committee can modify the subsequent changes that are often made, sometimes at the suggestion—made informally—of the Chairman of the relevant Standing Committee. It has consistently done so, and as a result some out dates have been lengthened and some Bills have completed their progress early.

I understand and respect differences of opinion, but the idea that this is an oppressive Government ramming through their views is simply not correct.

Mr. Heald: What the Leader of the House forgets is that under the old arrangements, genuine discussion and negotiation took place on the amount of time that was available and necessary. Under the current arrangements, it is a case of "Take what we are offering, or we will impose it on you". The Opposition should not have to be a supplicant, begging the Government for time to do the job that our electors sent us here to do.

Mr. Swayne: I have been on Standing Committees that, although their sittings finished early, ran out of time. That is entirely possible as a consequence of the way in which knives fall. When highly contentious clauses are involved the Committee runs out of time, and then ends up with hours and hours, if not sittings and sittings, in which to discuss wholly uncontentious material.

Mr. Heald: That is an excellent point. The problem does arise.

Sir Patrick Cormack: That was a constructive observation, and my hon. Friend is making an excellent speech. Will he give us an undertaking that whatever happens today, if there were a change of Government at the next election—as we are all confident there will be—a Conservative Administration would implement the Procedure Committee's report without any amendment?

Mr. Heald: I certainly hope that it will be possible for the Opposition to include proposals in their manifesto that meet the spirit of what my hon. Friend wants.

Chris Bryant (Rhondda) (Lab): I apologise for not having heard all the Leader of the House's speech. May I return the hon. Gentleman to his scurrilous attack on Government Back Benchers in Standing Committees? Does he not accept that even the most loyal Back Benchers can take their role in a Standing Committee extremely seriously, and may wish to improve legislation? Indeed, some of the most effective probing of Government comes from Government Back Benchers rather than the Opposition, who are generally more interested in filibustering than in improving legislation.

Mr. Heald: That can happen.

Mr. George Mudie (Leeds, East) (Lab): I have much sympathy with the shadow Leader's argument, particularly about the programming of Bills. However, when specifically asked whether the Opposition would, if elected, accept the amendments, he said something about the spirit of the amendments, rather than about the amendments. Is that not the problem? In opposition, hon. Members say one thing, but when they get on the Government Benches they do something different.

Sir Nicholas Winterton: I will make sure they do.

Mr. Heald: I am being urged on by the Chairman of the Procedure Committee. It is possible that one might want to go even further than the Procedure Committee.

We welcome the proposal that programme motions should be decided without debate only where there is cross-party support. We believe that the Government should have to justify their programmes. I also welcome the idea to give Standing Committee Chairmen discretion to allow 15 minutes overtime for completion of debate, or to make up for time lost in a Division.

The Select Committee tried to build consensus to allow programming to continue from Parliament to Parliament. The Government should be ashamed that they turned down those modest but worthwhile ideas. They accept proposals that help them, but turn down those that help scrutiny. That is cherry-picking of the worst sort—another slap in the face for the Select Committee. Even at this late stage, will the Leader of the House not think of the interests of the House and accept the amendments?

Right hon. and hon. Members will be familiar with the experiment that has been conducted with deferred Divisions. As the House will be aware, the great objection to deferred Divisions is the dislocation that they create between the debate and the decision. They have removed the connection between decision and debate, unpicking one of the key links in parliamentary scrutiny. It makes life easier for the Government, their business managers and Back Benchers—

Mr. Forth: And the Prime Minister.

Mr. Heald: It makes life easier for the Prime Minister because he needs to come here only on Wednesdays, but overall it is not in the interests of the House to have fractured debate, with the decision being made much later. One of the arguments that was always advanced for deferred Divisions was the sitting hours. People said, "It is often difficult late at night for everyone to stay and perhaps we should have the Divisions when they can be present." As we have changed the sitting hours, that argument falls by the wayside. Therefore, I ask the Leader of the House to withdraw motion 4 and to think again.

I have mixed feelings about carrying legislation over from one parliamentary Session to the next if it runs out of legislative time. It seems sensible to have the definite benefits of increased flexibility that that facility can offer to the legislative process. It can be a waste of time if Bills fall at the end of a Session and have to be reintroduced in the same form in the next. I think that there is agreement on both sides of the House that such a situation can be undesirable. However, I have reservations about a mechanism being built into the procedure whereby the discipline of an annual cut-off point is removed from Government business managers. There is a great danger that the lack of pressure could encourage even more sloppiness in the drafting, programming and timetabling of legislation. That is clearly not desirable. On balance, the House should give the benefit of the doubt to carry-over, but it should be done only with the consent of the Opposition, not imposed by the Government. That is why I will oppose motion 5 tonight.

Mr. Greg Knight: On that point, if my understanding and memory are correct, the original Standing Order provides for carry-over with the Opposition's consent. Is that not the case? Therefore, there is no need to make a change, if one accepts my hon. Friend's argument. Is he aware that in the 1997–2001 Parliament, the Opposition Chief Whip was never asked for his consent to a carry-over? Therefore, there can be no accusation that the Opposition blocked the use of the original Standing Order.

Mr. Heald: My right hon. Friend is correct to say that the understanding is that it would be possible to carry-over Bills only with the consent of the Opposition but, from my understanding and reading of the Standing Order, it does not say so. I oppose the order becoming a Standing Order under motion 5, with all the force that that implies. We may ossify the wording or entrench it, but without the commitment, which underpins it, being on the record. If the Leader of the House or deputy Leader of the House can give me assurances about that, or if I am wrong, I will be happy to think again.

Mr. Peter Pike (Burnley) (Lab): Should not the hon. Gentleman be saying that, while the motion may go through today, the Modernisation Committee should look further at it? I have always argued that we elect a five-year Parliament. I accept that there should be some restriction on the period that Bills are before us, but they should not fall at the end of a Session. We should have a logical programme of Bills being introduced steadily over the five years and going into Committee at different times, instead of having silly logjams in this House and then in the other House. We should have a more sensible phased Parliament. Surely in 2004 that is the way to be moving.

Mr. Heald: I support more flexibility but I do not agree that we should move to a five-year plan. The problem with the five-year plan is that it would encourage a sloppy approach. As the hon. Gentleman should know, we have enough trouble getting a list of the Bills and draft Bills for the Session at the time of the Queen's Speech. The Leader of the House, to give him full credit, has now agreed that we will have that this year, but it will be the first time that we have a full list of the Bills. Therefore, the difficulties of moving to a five-year plan would be severe.

Mr. John Redwood (Wokingham) (Con): Will my hon. Friend give the House an assurance that, if the Government accept his proposition on carry-over, which I think has a lot of sense, if legislation were proposed for carry-over that Conservatives could live with, that some Government Front Benchers liked and were proposing but that did not the meet the wishes of many Labour Back Benchers, he would speak for those Labour Back Benchers and ensure that debate was not curtailed?

Mr. Heald: I do not believe in curtailing debate. I am not sure that I entirely got the full force of my right hon. Friend's remarks but I do not believe in guillotining. I do not want anything that unreasonably curtails debate.

Mr. Clifton-Brown: Is my hon. Friend aware of the difference between the procedure in carry-over and the procedure in dissolution? The procedure in dissolution is that the Opposition are consulted as to which Bills are to be allowed to go through and which are not, whereas on carry-over that discipline is lost. Therefore, the Government should reconsider the matter. There is no discipline throughout the parliamentary year to ensure that Bills are put through both Houses on time, in time for the Queen's Speech, as they used to be in the old days.

Mr. Heald: I agree with my hon. Friend. The other point is that the Leader of the House is a great one for saying that we should have at least as good procedures and rights as the other place. The other place is consulted and consent is required for carry-over. At this end, I believe that that is not the case. The Leader of the House can intervene on me if he wishes. The elected representatives in the House of Commons should have at least as good a system for scrutiny as the Lords.

Mr. Foulkes: Will the hon. Gentleman give way?

Mr. Heald: I will not as I want to move on to speeches; I have been reasonably generous in giving way.

Mr. Foulkes *rose*—

Mr. Heald: It is appropriate that I have just one short point to make on the subject of short time limits on speeches. This experiment, which is to be welcomed, should allow for more Members to get into a debate.

[Mr. Heald]

Moreover, Select Committee Chairmen should not be subjected to strict time limits if the debate in question concerns a Committee report. Chairmen such as my hon. Friend the Member for Macclesfield make extremely valuable contributions to the House's examination of such reports, and they should be allowed to express their views as they see fit and with a reasonable amount of time being allowed. This sensible, light-touch approach would raise the quality of debate.

Mr. Foulkes: Will the hon. Gentleman give way on the subject of short speeches?

Mr. Heald: All right.

Mr. Foulkes: I am most grateful. I could tell that the hon. Gentleman was on dodgy ground when discussing the previous subject, given that a fellow member of the shadow Cabinet interrupted him; there's a novelty for you, Mr. Deputy Speaker. Does the hon. Gentleman think that those of us who regularly make short speeches should be given credit for doing so, and that if the speech in question is very short, it should not be counted against us by Mr. Speaker in deciding whether to call us again?

Mr. Heald: I would not dream of telling Mr. Speaker how to work out such matters, but I am sure that it is true that a short contribution does not debar one to quite the same extent as a very long one.

I turn finally to strangers. The question of whether to delete references to "strangers" from Standing Orders is not the most significant one, but for my part I think it a pity to lose the ceremonial aspect of this ancient tradition. This proposal is one of many in the Modernisation Committee's report on connecting Parliament with the public, and it is strange that it should be one of the first to receive the House's full attention. The suggestion that not calling members of the public strangers will improve Parliament's accessibility is surely misguided. I agree that we must not be seen to be letting the public view us at work on sufferance only, but stripping away the charm and magic of this place is entirely the wrong way to approach the problem. The last thing that we want is for Parliament's historical legacy to be gradually eroded, until it becomes just another nasty new Labour-style institution.

Although I agree with motions 3 and 6 and support the Select Committee's excellent work, I think it wrong that the Leader of the House cannot go further.

2.22 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich) (Lab): In democratic societies, Parliaments exist in order that differing views can be taken into an arena in which they can be debated and considered properly. How those arenas—be they Parliaments or local councils—arrange their affairs is much more important than simply producing a book of rules; it is a question of fairness, of order and of making it possible for everybody to take part in a proper debate. Such arrangements affect the conscious and deliberate end of particular debates.

This Parliament has, over many hundreds of years, evolved its rules because it has found that if it is manifestly unfair to any of its Members—who are then unable to express the views that they want to represent—the whole principle of government can be undermined. It is a question not just of the maintenance of order in a Parliament, but of something much more dangerous and fundamental. Elected Members who feel unable seriously to explore the real political problems of the day are not only damaged in themselves; the constituencies that they represent here are also damaged.

When we talk about the rules of order, it should not be—nor is it—a simple case of one party saying, "It is to our advantage to take these decisions", and of another party opposing for the sake of opposing, knowing full well that should the position be reversed, it would behave in the same way. I hope that today, there will be Labour Members—perhaps those who heard the Leader of the House's introductory speech—who will seriously examine the content that we are debating.

When a very large majority controls a Parliament, it is particularly important that the interests of minorities—whoever they are, and however irritating and ill informed—are not overridden, either genuinely or apparently. During 18 years of Conservative Government, we witnessed how a Government who ignore the interests of some parts of the United Kingdom—I am thinking of the specific political differences between England and Scotland—can produce such revulsion that there is an immediate need, upon a change of government, to bring in totally different laws and, indeed, a degree of devolution. Such a need was dictated largely by the political pressures that were allowed to build up because debates in the House of Commons did not reflect constituents' views sufficiently widely.

Mr. Foulkes: Will my hon. Friend give way?

Mrs. Dunwoody: I am delighted to see that my right hon. Friend has at last joined us, and he is very welcome.

Mr. Foulkes: I have listened to every word that my hon. Friend has said and I have great respect for her experience. Does she agree that it would also be wrong if the irritating and ill-informed minority to whom she refers frustrated the will of the majority?

Mrs. Dunwoody: I doubt whether there is any danger of that under a system of government that relies on the current first-past-the-post principle, of which I thoroughly approve. If my right hon. Friend—who was not here at the beginning of the debate—will forgive me for saying so, that argument is total nonsense.

In talking about these matters, it is important first to look carefully at what went before and then to examine what it is we are debating today. One suggestion is that this is simply a matter of tidying up the rules, and that there is no real political effect; that we need simply to agree to certain small changes that are in the interests of all Members, and all will be well in future. That is total, dangerous nonsense. These rules will affect the role of every Back Bencher. It is also true that a Cabinet Minister chaired the Modernisation Committee that initiated and took these decisions.

I have been here long enough to know that it does not really matter what the colour of the Government is; there may not be an automatic connection between the rights of Back Benchers and the Government. Indeed, it has been known for Governments of all colours to get together with Opposition Front Benchers and to agree to measures that actually remove Back Benchers' rights because they are quite happy to have order of a kind that reflects their particular narrow interests. That is the effect of programming.

Of course, we are told that we need not worry, and that we should not look back to a golden era in which everything worked perfectly. Of course there was never a golden era. No Parliament consisting of human beings will ever be perfect; if it were, something would have gone disastrously wrong. But certain methods were open to Back Benchers to delay legislation, to inspect its true content or to negotiate with the Government of the day to secure changes that were tremendously important. Whichever way one looks at it, programming does away with that.

That in itself would not be reason enough to oppose programming if it led to close examination of every part of legislation. It would be all right if one could say that every part of every Bill that has been programmed since 1997 has been considered word by word and line by line, and in such a way that our constituents had the chance to comment on it. It would not be so bad if every piece of legislation had emerged far better at the end of the process, or if the Government were so pleased that they did not need to amend their Bills. If so, I would be here today saying that programming had something to offer and that we should support it.

The reality is that it does not work like that; automatic programming has produced a lot of legislation that has not been considered in any detail and has consistently required amendment by the Government on Third Reading or in the House of Lords. When I say that Bills have been amended, I do not mean only once or twice. In some instances, Government Bills have required 400 new amendments, showing the extent of the problem that we have to deal with.

Mr. Foulkes *rose*—

Mrs. Dunwoody: No. I do not want to take too long and I want to make some serious points.

We should make it absolutely clear that if we allow these measures to go permanently into our Standing Orders, we will be giving away the right not only to debate legislation properly, but to alter the way in which the House of Commons organises its business in future.

The Leader of the House told us that we did not need to worry too much about the breakdown of consensus because the Programming Committees seldom debate or argue. It does not surprise me if Whips Office managers come to an agreement. In many instances, Whips on both sides of the House will have much more common cause with each other than with Back Benchers and Front Benchers. That has not changed in all my time in Parliament. It is also important to understand that if we are to have this sort of arrangement, the Government must be far more flexible and far more serious about the way in which they debate these matters with Back Benchers.

The Leader of the House mentioned the Traffic Management Bill, which was a classic. We were told that, under the new arrangements, everyone would have time to get here and "programme their travel". Well, I do not know how anyone who wanted to talk about the Traffic Management Bill could have programmed their travel. It was printed on 11 December and had its Second Reading on the first day we got back, so there was absolutely no opportunity for anyone to debate it either with Back Benchers or others. That was truly extraordinary; clearly, the Government's real attitude is that much legislation should go through at a certain pace, irrespective of its faults or difficulties.

We should also understand that deferred divisions, for example, enshrine a principle that says, "You may be a debating Chamber, but we do not want you debate things that you will have to vote on at the end of the day. That might be embarrassing because you might listen to the arguments or even change the way you decided to vote!" The Government want to divide people from the proper ordering of how they cast their votes in the hope that no one will notice what is going on.

Mr. Shepherd: On deferred Divisions, the hon. Lady makes an excellent point. The worst possible feature is the fact that those who did not participate in the debate can vote on the Wednesday while those who did participate may be unavoidably unable to vote on Wednesday. It is a ridiculous system.

Mrs. Dunwoody: The trouble is that that shows that some Members of Parliament—I am not making allegations about one party or the other; it is the view of many who have recently entered the House—believe that being the Government is simply a matter of announcing what they want, pushing it through Committee and moving it on to the House of Lords, where any debate is seen as inconvenient and unhelpful. The idea is that the Government should get what they want through at a particular time. It is not a new attitude. It has been the attitude of Governments ever since I became a Member. Sadly, we seem prepared to enshrine it in the Standing Orders in a way that will prove very difficult to amend.

That goes for many of the other points about the carry-over of Bills. I sat and listened to the debates and explanations. Apparently, there will be no carry-over of legislation unless it is a very important Bill or specifically needed. The Government will not routinely carry over Bills, we are told, but will do so only where special circumstances apply. The reality is that what the Government are seeking to enshrine in the Standing Orders will make that an almost routine procedure.

If the Minister believes that not operating with a cut-off point is a good idea, I recommend that he spend some time in the European Parliament. He should examine what happens when the procedures to bring unsatisfactory legislation to an end at a reasonable time do not exist. If we ever reach the state of the European Parliament in my day there, we will have legislation that

[Mrs. Dunwoody]

has hung around for 16 years because nobody wants it and nobody can think of a way of getting rid of it, and there is no procedural method of making it clear that such legislation will go no further. If we ever get to that position, the Minister will rue the day that he seriously made his suggestions about the carry-over of Bills.

Mr. Francois: I do not want to miss the hon. Lady's point about the European Parliament, which affects the proposals on short speeches. I accept that there may be some merit in trying to squeeze in a few extra speakers at the end of a debate if they have sat through the whole procedure and are bursting to make a point. However, does she agree that we should put down a marker, but that we should not allow it to become a slippery slope? If the proposals are extended as she suggested earlier and the Government tried to make short speeches the norm, Back Benchers could end up with only three minutes, or even two, to speak, as is the farcical situation in the European Parliament?

Mrs. Dunwoody: Other organisations have an even better idea. I was once offered one minute and 30 seconds for my contribution to a debate. Luckily, the Conservative sitting beside me—this was in an international Parliament—was offered the same, so we decided that we would get up, announce our names and our country and sit down. I am sure that that would never happen in the House of Commons—*[Interruption]*—but it is something that we should be aware of.

If these matters had been considered properly, I would have expected the Leader of the House to demonstrate clearly to us today which of the particular measures has worked and improved the way in which we do our business. For example, I would have expected to be told how many Bills had been amended massively on Third Reading or how many clauses of Bills had been affected.

I sought to acquire that sort of information and found that, in 1996–97, there were 896 clauses and schedules on the introduction of legislation. There were 1,044 pages, which had become 1,143 on Royal Assent. In 1999–2000, there were 2,637 clauses and schedules; 2,796 pages, which had become 3,600 on Royal Assent. There may be a dozen [redacted] suggesting that it was the result only of programming, but it would have been helpful had we heard a reasoned argument this afternoon. It is not good enough to hear, "We tried this and it is very good, so we must keep it and make it permanent". I want a proper debate of the House's privileges, interests and commitments before I agree to permanent changes to our Standing Orders.

Finally, some of us are regarded as beyond the pale because we dare to think that some things that happened in the House before 1997 were not wholly reprehensible. Some of us value some of the changes that took place. The Leader of the House mentioned my friend, John Golding. He is an interesting example because of the length of time he once spoke to a Bill. He had been a telecoms engineer, understood the Bill perfectly—it changed that industry for ever—and spoke for about 14 hours without repeating himself. I can assure the House that, had he done so, the Chairman of the Committee would have had him thrown out. In other words, he did not break the rules of order; nor did he seek to distort the debate. He used genuine and acceptable methods to ensure that the legislation did not pass in a wholly unamended form. MPs should strongly defend that right.

I do not necessarily want to go back to filibustering or to abandon programming, but I want something much more important. I want the Government to understand that we are not elected to the House simply to agree every bit of legislation that is put forward. Proposals are often unfinished, inadequate and insufficiently debated. I want the Government to agree that I came here to help produce good laws, not bad ones. The Procedure Committee has made some very mild suggestions; if the Government persist in not accepting them, I shall begin to have very grave doubts.

2.40 pm

Mr. Paul Tyler (North Cornwall) (LD): I am delighted to follow the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), who speaks with great commitment, conviction and experience. I want to pick up on her final point. She will have noticed that, in business questions last week, the Leader of the House answered my question by making it absolutely clear that this is a free vote. I hope that all Labour Members recall that. These are not Government recommendations, and there will be no interference or influence from the Whips. I shall be interested to see whether the hon. Lady and other colleagues are able to take advantage of this unusual opportunity.

The whole House owes a debt of gratitude to the hon. Member for Macclesfield (Sir Nicholas Winterton), and to all his colleagues on the Procedure Committee. The Committee reached a unanimous decision and it would be invidious to pick out too many names, but the hon. Member for Cumbernauld and Kilsyth (Rosemary McKenna) is worthy of particular note. She is no patsy, but she was persuaded by the evidence that these proposals are the right way to go.

I also endorse what the hon. Member for Crewe and Nantwich said about this set of proposals being carefully constructed, and based on evidence. The recommendations have not been grabbed out of the air, but have been considered very thoughtfully. It is worth noting, too, that the Leader of the House and others gave evidence to the Committee.

When the Deputy Leader of the House responds to the debate, I hope that he will be able to address the Committee's recommendations. We are talking about a Select Committee of this House giving advice about House matters, and the evidence that it has taken is very comprehensive.

I do not want to make you blush, Mr. Deputy Speaker, but I want to draw particular attention to the excellent memorandum that you put to the Committee. I think that it shows the base of experience shared by all those who chair our Committees—and you, sir, also have that responsibility—and the memorandum contains a number of very practical suggestions that the Committee clearly took very seriously.

I hope that all hon. Members taking part in this debate have read pages 19, 20 and 21 in the evidence section of the report, which are of critical importance because that evidence is based on real experience. The Leader of the House has come to these matters comparatively recently, but experienced people from all parts of the House have decided that something must be done along the lines recommended by the Procedure Committee.

I have the advantage—I suppose that it is an advantage—of having been in on the act when we were first considering how to improve procedures. Unlike the Leader of the House and the Conservative spokesman, the hon. Member for North-East Hertfordshire (Mr. Heald), I was involved in the discussions from 1997 onwards in the Modernisation Committee and through the usual channels. There was general recognition that the blunt instrument of the guillotine—I suppose that, in this context one can call a guillotine a blunt instrument—was no longer appropriate for our business. All too often, it was being misused by hon. Members on both sides of the House to prevent good discussion and examination. As a result, we were not doing our duty in terms of effective scrutiny.

The amendments tabled by the Procedure Committee take account of the experience since 1997. As has been recognised already, they also make it clear that no golden age preceded that date. Successive Governments used the guillotine procedure in a way that did not help good scrutiny, and which certainly did not give opportunities to the Opposition parties to do their job.

Mr. Forth: The hon. Gentleman will concede that, back in the 1980s and early 1990s, each Standing Committee began its consideration of legislation without a timetable. Essentially, Opposition Members were in charge of timing and could dictate the pace of proceedings. The crucial difference now is that the Government dictate and control the shape, size, timing and end date of Committees. In parliamentary terms, the balance has been altered. Formerly, the Government had the majority and the Opposition controlled the time. That has changed radically. Now, the Government have the majority and also control the time. Surely the hon. Gentleman can see the dangers in that.

Mr. Tyler: I hope that the right hon. Gentleman will allow me to develop my theme, but I accept that there is validity in what he has said. However, I was a Member of this House for a very brief time in the 1970s, and I recall that I had the crucial, swing vote in the Committees on which I served because the Government of the day had no overall majority. The situation was very curious: I could determine the timetable for consideration of certain Bills in certain Committees. I do not think that that is a very clever idea either—although I was, of course, a very wise young man.

I am in favour, Mr. Deputy Speaker, of precisely what you identify in your memorandum. Good will is needed on both sides to make these proposals work, so that we can fulfil a tripartite purpose. The report states the original purpose, says what members of the Modernisation Committee looked at, and makes some recommendations. I think that it responds to the point just made by the right hon. Member for Bromley and Chislehurst (Mr. Forth).

First, there is no doubt that a Government should have reasonable opportunity and power to secure their business within a reasonable period. Effectively, it is not unreasonable for a Government to determine when legislative proposals leave Standing Committee, and to try and get through the House the business that they promised to the electorate in their election manifesto.

However, my point is that that depends on the Government taking a reasonable attitude to timing. When a Government introduce strings of amendments, new clauses and new schedules, as the hon. Member for Crewe and Nantwich described, they cannot expect that those debates can be compressed into the time scale originally set out.

Mr. Foulkes: Will the hon. Gentleman give way?

Mr. Tyler: I want to develop three points, and then there may be a chance for the right hon. Gentleman to contribute.

Secondly, Opposition Members and Government Back Benchers have a responsibility to prioritise the parts of particular legislation that they consider most need scrutiny. On this point, I am very much in tune with what the hon. Member for Crewe and Nantwich said. It is important that that prioritisation should be a matter of discussion and that members of the Opposition parties and Government Back Benchers should have a role in that decision. In a moment, I shall describe how I think that that should be done.

Thirdly, the goal must be that we end up with a better product. That is surely what we should all be trying to obtain.

Mr. Foulkes: On that specific point, ending up with a better product involves proper scrutiny. I accept that, but none of the critics—not my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody), nor the hon. Member for North-East Hertfordshire (Mr. Heald), who spoke for the Opposition—has mentioned a major change that has taken place. I am talking about pre-legislative scrutiny. I have just taken part in a Joint Committee—comprised of Members of the Houses of Lords and of Commons—on the draft Charities Bill. We went through it paragraph by paragraph, and we have made recommendations to the Government before publication of the final Bill. Why does the hon. Gentleman not take account of that major change?

Mr. Tyler: Observers might think that that was a planted question. I am very grateful to the right hon. Gentleman for raising a point that I was about to come to. We in this House are developing methods that allow Bills to be scrutinised carefully before they reach the Floor of the House. That is very valuable, but it should inform the discussion about prioritisation. It should not simply offer a carte blanche—a blank cheque—to the Government to decide how everything should be handled.

Mr. Swayne: Will the hon. Gentleman give way?

Mr. Tyler: No, as I want to develop my argument.

It is critical that the House consider very carefully the amendments tabled by the Procedure Committee. It is an all-party Committee with a Government majority, and its recommendations would fulfil all our objectives.

[Mr. Tyler]

I shall illustrate how the proposals can be developed. It is critical that those who are going to do the hard work of scrutiny in Standing Committee or on Report on the Floor of the House should have the opportunity to make decisions about priority. That should involve more than just a general discussion behind the Speaker's Chair between Whips. The people who are going to do the work of scrutiny should have the responsibility—not just the opportunity—to make that decision.

I shall give an example of that. Amendment (a) is very interesting and deals with what happens when a Bill comes back to the House on Report. This is a classic case, as no report is produced for Report stage. That is another of the misnomers that we encounter in this place. No report is produced for the House about how a Bill has been debated, handled and considered, or about what has been left out and what late amendments submitted.

I recall the Report stage of the Bill that became the Transport Act 2000, and I am sure that the hon. Member for Crewe and Nantwich will recall it too, as she was a key participant in the discussions at that time. I do not want to reveal any terrible secrets, but I remember that a number of Government Back-Bench Members wanted to ensure that issues of concern to them were subject to proper discussion on Report on the Floor of the House. I, as my party's Chief Whip, went to the then Chief Whip for the Government, the right hon. Member for Dewsbury (Ann Taylor), who sensibly thought that it was important to timetable the discussion on the Floor of the House to enable Members on both sides, including Labour Back Benchers, to debate issues that were divisive and controversial and to have a Division on them. That is a classic, sensible way to use programming. We agreed a programme across all the parties—I do not recall whether the right hon. Member for North-West Hampshire (Sir George Young) or a colleague was involved—so that the issues that hon. Members wanted to debate could be prioritised. That is the sort of programming that I favour, because it does credit to the House and, most importantly, it produces better legislation.

On amendment (b), the Procedure Committee has produced a sensible suggestion that incorporates what we discussed all those years ago. It makes a clear distinction between those who discuss these matters in Committee and the general run of Members, because the delay is not just for fun. It is to ensure that the members of the Committee know that they are indeed to serve on it. The programme motion would incorporate the views of those Members who would do the job, and not just those of the Whips. The delay has a specific function and I congratulate the Committee on introducing that suggestion.

Amendment (c) is also very sensible, but amendment (d) is critical. It is self-determination within the Committee that is critical to effective decision making. The Programming Sub-Committee should not just take the form of a quiet discussion between the Whips. It should offer an opportunity for anyone on the Standing Committee involved to put their view about the way in which the Bill is being handled, its sticking points and controversial issues. I know from experience and from talking to several Chairs—

Sir Patrick Cormack: How can the hon. Gentleman talk to a chair?

Mr. Tyler: I have talked to several Chairs, in the sense of those persons of both genders who chair Committees.

Sir Patrick Cormack: Chairmen.

Mr. Tyler: I cannot take this old-fashioned nonsense. Everybody else refers to Chairs in a non-gender specific way.

Mr. Forth: No, they do not.

Mr. Tyler: Well, I have talked to the Chairwomen and Chairmen of the Committees on this issue. The role of those people could be very important, because they could facilitate an effective discussion outwith the formality of the Committee sitting to ensure that proper priority is given to the decisions.

I have outlined the core principles. The Programming Sub-Committee should take full responsibility for the way in which Bills are considered in Committee. When Committee stage takes place on the Floor of the House, a fuller discussion is required. Back Benchers should have access to those discussions and they should not be a matter only for the three major parties. On Report, that is even more the case, because that is the moment at which the House is entitled to a report on the Bill by the independent Chair of the Committee. In that way, the whole House could be advised by the Standing Committee, which had full knowledge of the issues involved.

I am strongly in favour of the recommendations of the Procedure Committee—and the way in which it has incorporated them into practical amendments to the motions. Although it will be a free vote, I hope that my colleagues will support me.

Motion No. 3 contains some sensible suggestions. We have now had time to recognise that sometimes there is great pressure from Members wishing to speak in a debate. I wish occasionally that we were allowed two days for a Second Reading, but the sheer weight of legislation makes that more difficult. However, the quid pro quo for agreeing to give the Chair more discretion on the timing of speeches should be the Government agreeing to be more flexible when allocating time for Second Readings. The Government should also take more note of what a Committee Chair, and his or her Committee, has to say about the extent to which a Bill has been considered. However, I accept that in all circumstances there will be occasions when the number of Members wishing to speak should mean that the Speaker, or his representatives in the Chair, has the option to limit speeches.

The argument about deferred Divisions is curious. In a sense, we will have a deferred Division at 6 pm. I have not counted how many hon. Members are in their places, but it is nonsense to suggest—as the hon. Member for Aldridge-Brownhills (Mr. Shepherd) said a few moments ago—that we all arrive to vote having fully discussed and listened to all the arguments. On occasion, most of us—although I hope not all of us all the time—come to a Division without having heard all the arguments or speeches. It is now 3 pm and there are three hours to go before we have a Division, but that does not mean that it will be disconnected from the debate. Precedents exist: on occasion we had deferred votes on matters that came before the House when it sat in Committee or on Report, even before deferred Divisions were introduced. Indeed, we have had remarkably few deferred Divisions recently, which shows that it has been a useful discipline on the Government. I hope that that will continue. Deferred Divisions should be the exception, rather than the rule, as seems to be the pattern at the moment.

On motion No. 5, the hon. Member for Macclesfield places great emphasis on the issue of cross-party agreement. Not only is that obligatory in the other place, but there it is—to some extent—linked to the issue of pre-legislative scrutiny. That is a valid argument and an effective way to ensure that the end product is not damaged by the guillotine at the end of the Session—which has always seemed a curious way to do business. We all know—it is a fact of life—that as the end of a Session approaches, interesting discussions take place through the usual channels at both ends of the building. If the Government are not required to secure cross-party agreement, it reduces the Opposition's ability to do their job.

In your memorandum, Mr. Deputy Speaker, you placed great emphasis on the need for some mechanism to discuss such issues. At the moment, all such discussions are very informal. I would like the Deputy Leader of the House to look again at the recommendations from the Modernisation Committee, and accepted by the House, that immediately after the Queen's Speech we should have cross-party discussions on the format of the legislative programme. The Opposition parties would have the opportunity to say which Bills might be candidates for carry-over, which required pre-legislative scrutiny, and so on. That would avoid the current ridiculous situation in December and January—the London bus syndrome—when five Bills tear through the House at top speed and then none follow for months. The same thing happens in the other place. We need to pace the legislative programme better. Carry-over of Bills should be allowed, but it should be a matter for discussion between the parties.

In your very interesting memorandum, Mr. Deputy Speaker, you suggested that we might look again at the proposal for some form of business Committee, however informal, as the Scottish Parliament has. I hope that the Government will consider that issue again. It is true that after that recommendation was accepted by the House, we had such a discussion. The right hon. Member for Bromley and Chislehurst and I met the Leader of the House and we had a desultory conversation—because the outcome looked like a fait accompli—and we asked that the debate should continue. It never did. Indeed, the Leader of the House resigned before we had an opportunity to make such a Committee a permanent feature of our parliamentary year. I suspect the sticky fingers of the Whips Office, because it saw the whole idea of any public—or, at least, more formal—discussion with Opposition parties about the format of the legislative programme as reducing its nefarious powers. It is no wonder that some Labour Members talk about the Whips Office as the dark forces of retrograde action.

Finally, it is time that we did something about the mishomer "strangers"—at least formally in our Standing Orders. I do not care who says what in Central Lobby when the Speaker's procession goes through—whether they say "Hats off, strangers" or "Hats off, visitors". Incidentally, as only strangers are required to remove their hats it implies that all Members are still wearing theirs. That is a bit anachronistic, too. I have a drawing by the great Phil May of a Member, complete with his top hat, sitting in the place currently occupied by the hon. Member for Leeds, East (Mr. Mudie). We no longer wear them, although the right hon. Member for Bromley and Chislehurst may wish that we did. We move on, and the time has come for us to say more honestly and openly that those who send us here have the right to be treated as part of the body politic rather than as strangers to it.

Mr. Forth: Will the hon. Gentleman give way?

Mr. Tyler: No, I am about to finish.

The report is extremely important. It is evidence-based and the Committee has taken infinite trouble. It is supported by all the parties represented on the Committee and there is to be a free vote. I hope that the Deputy Leader of the House will be able to give an assurance, perhaps endorsed by one of his Front-Bench Treasury colleagues, that no guidance—I use the word advisedly—will be given to Labour Members when the Divisions take place today, and that all Members on both sides of the House will vote as their consciences, rather than the Whips, dictate.

3.1 pm

Sir Nicholas Winterton (Macclesfield) (Con): I am grateful to be called, Mr. Deputy Speaker. I am also extremely grateful to you and to the Speaker for selecting the amendments tabled by the Procedure Committee. I emphasise that they were tabled by all parties represented on the Committee.

I shall refer briefly to the speech made by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). We may be political opponents, but I respect her as an outstanding parliamentarian who has made a huge contribution during the many years she has served in this place. She is a true democrat who, in debates such as this, represents the best interests of the House as a whole, not of her party or of the Opposition, and that is of paramount importance.

I thank the hon. Member for North Cornwall (Mr. Tyler) for his support for the Procedure Committee's recommendations. That shows that the Committee can obtain support across the House for its reasonable proposals, for the benefit of the House and its job of scrutinising legislation and holding to account the Government of the day.

I shall speak to the amendments. Is it your wish that I move them formally later on, Mr. Deputy Speaker?

Mr. Deputy Speaker (Sir Alan Haselhurst): I find it difficult to give advice to the hon. Gentleman, who is

[Mr. Deputy Speaker]

Chairman of the Procedure Committee, but it would be appropriate to move the amendments at the end, before the votes are taken.

Sir Nicholas Winterton: That is what I thought, Mr Deputy Speaker, but even after the years I have served in this place, I look to the Chair for reassurance and I am grateful for that reassurance.

I shall concentrate on the amendments and on the two Procedure Committee reports that are the subject of the first two motions. I advise the House that we published our report on the programming of legislation in July. I remind the House that programming was introduced on a consensual—I emphasise that word—basis in 1997, but it is with great sadness that I must note that over the next two years that consensus broke down.

In 2000, the Modernisation Committee recommended a more detailed set of provisions but it implied that programming would still be used—I say this especially to the Deputy Leader of the House—only when there was cross-party agreement. The previous allocation of time orders would be available when necessary where there was no such agreement. To an extent, the Government motions go against the first two recommendations of the Modernisation Committee, by denying that programme motions should be by consensus and that where there was no consensus the previous allocation of time orders would be available.

In fact, the orders introduced by the Government in 2000 include no requirement for cross-party agreement, and most of the time, sadly, it has not been forthcoming, for reasons that my hon. Friend the Member for North-East Hertfordshire (Mr. Heald) spelled out in his opening speech. Although there are plenty of examples of day-to-day co-operation, it remains the case that most programme orders are divided on.

The Modernisation Committee reported on programming a year ago. The Leader of the House referred to that report. The aim of the Procedure Committee was to build on the report, take some evidence from Members, and consider whether we could make programming more generally acceptable across the House, either by changing the programming orders or by encouraging a change in the way those orders are used.

There is no inconsistency in opposing the principle of a Government Bill while seeking to agree on the length of time for which it needs to be debated. In our report, which as usual was unanimous, we proposed a number of changes to the Sessional Orders to try to make programming work better for all concerned while providing safeguards—I direct these remarks particularly to the Deputy Leader of the House. The Government's motion does not implement all of them, so we have tabled some amendments—again, with cross-party support—to implement those that they did not accept.

I shall go through the main recommendations in the order in which they are set out in our report.

Mr. Redwood: I am grateful to my hon. Friend and his Committee, who have done marvellous work, and I heartily recommend their conclusions to the House.

When I was a Minister, I was keen that there was enough time in Committee for all Back-Bench Members on both sides of the House to make all their points. There is one thing worse for a Minister than having too lively a Committee stage and that is to let a defective piece of legislation go through, thus making the whole Government look silly because it was not properly scrutinised and amended. Does my hon. Friend agree that Ministers, in their own interest, should want more serious debate in Committee to spare them the embarrassment of bad legislation?

Sir Nicholas Winterton: I agree wholeheartedly with my right hon. Friend, but I emphasise my concern that, historically, there have been occasions when filibustering, whether by the Government or the Opposition, was the order of the day. That is something that I deeply regret. However, if the House is to do its job, it is essential that adequate time be allocated for proper and full detailed scrutiny of legislation.

Mr. Swayne *rose*—

Sir Nicholas Winterton: I give way to my hon. Friend, who is a member of my Committee.

Mr. Swayne: My hon. Friend will be aware of the intervention made by the right hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes), based on his experience on a recent Joint Committee on pre-legislative scrutiny. Does my hon. Friend agree that that suggests that more time is needed for Standing Committees? I am sure that my hon. Friend will agree that were the recommendations of the right hon. Gentleman's Committee not to be taken, he would have rather more to say if he were subsequently to find himself on the Standing Committee for that Bill. I have been in that position as a member of a Standing Committee; because the Government had not taken account of the arguments made during the pre-legislative scrutiny, we had more to say and thus needed greater time in which to say it.

Sir Nicholas Winterton: My hon. Friend raises an interesting issue. My only comment in response is that I fully and warmly support pre-legislative scrutiny. I hope that there will be more of it and that the Government will be more forthcoming in the new Session of Parliament about those measures that will be subject to pre-legislative scrutiny. However, following my hon. Friend's intervention in relation to the right hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes)—a past Minister in a Labour Government—I will say that Standing Committees are likely to be better informed; thus while the debates may be as long as in the past, they will be better focused and the quality and relevance of debate will be improved.

Mr. Heald: I wonder whether my hon. Friend is aware that the Civil Contingencies Bill underwent pre-legislative scrutiny? At the end of the Standing Committee, the Minister, the Liberal spokesman and I agreed that, in fact, the Standing Committee had been much better as a result of the pre-legislative scrutiny.

Sir Nicholas Winterton: My hon. Friend, who speaks from the Opposition Front Bench, merely confirms what I have already said in response to the question from my hon. Friend the Member for New Forest, West (Mr. Swayne). I have spoken at great length to my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), whose views on that Bill are very strong, and I suspect that, if he catches your eye, Mr. Deputy Speaker, he may even mention that Bill in this debate.

Our first recommendation is the subject of amendments (b) and (c). The Procedure Committee believes that there should be some incentive for the parties in the House to agree—yes, to agree—on a programme order. We propose that a programme motion should pass without debate only if it is tabled with the support of three parties, including the Government and the largest Opposition party; otherwise, there should be a one-hour debate. We also suggest that, whether or not there is a debate, there should be an opportunity to take decisions on amendments to programme motions.

The Government's reply suggests that the Opposition parties would continue to oppose programme motions and force an hour's debate on each occasion. I sincerely believe that that would not be the case. By contrast with the Government's view, I would expect the Procedure Committee's proposals to result in a better atmosphere in which both those on the Opposition Front Bench and the Government would negotiate more fully and constructively, so that a debate would seldom, if ever, be necessary. The principle of encouraging agreement by dispensing with a debate when agreement is achieved is recognised elsewhere in the programming orders and in the Standing Orders on regulatory reform orders.

The Procedure Committee thought that programming is introduced to our current procedures too soon. Currently, the Government have to table a programme motion before the debate on Second Reading, thereby fixing an out date for the Standing Committee before even hearing the arguments and assessing the opposition to a Bill. That point was made by my hon. Friend the Member for North-East Hertfordshire. The Procedure Committee recommends that the initial programme motion should not be voted on until 48 hours after the debate on Second Reading. That is also dealt with in amendment (b). I repeat that the programme motion, which we believe should be considered 48 hours after the debate on Second Reading, would be decided by vote, if a vote were necessary, without debate. I see no good reason why the Government could not accept that proposal.

When a Bill is being considered in Standing Committee, there is often a need to make changes to the programme motion, either because the Government have agreed to change the out date or because one of the internal knives needs moving. Currently, such a change necessitates a meeting of the Programming Sub-Committee, sometimes in the middle of a Standing Committee sitting. Often, however, the change proposed has already been negotiated between the parties. We have therefore recommended that the necessary motion should be moved in the Standing Committee itself, unless any Member objects. We are glad that the Government have accepted that recommendation, which appears in paragraph (5) of the motion. That should save time, and it is also for the convenience not only of the House but of the Standing Committee particularly.

Sometimes, however, there may be no time to change the timetable as I suggest. I have in mind occasions when there is a series of Divisions in the House, and when the Committee returns, the time allowed has expired and the Chairman has to put the question straight away. I hope that the Leader of the House will listen to this. We therefore recommend injury time for Divisions in the House. It seems only fair that, if we are given an allocation of time under a programme motion, we should be allowed that full allocation and the Divisions in the House should not be included in that time. We also recommend a general power for the Chairman to delay the falling of a knife by up to 15 minutes for the general convenience of the Committee. Both those recommendations are dealt with in our amendment (d).

One further recommendation that we made—this appears in our amendment (a)—is for a list to be drawn up of the clauses and schedules that have not been discussed in Committee because of the operation of the programme motion. That is intended to inform the debate on Report on the Floor of the House. The Government reply points out that hon. Members could extract that information from the Standing Committee *Hansard* and in part they are right, but we believe that it would be much more convenient to print it at the back of the amendment paper used on Report.

In particular, I remind the Leader of the House—he did not refer to this in his opening speech—that clause numbers often change after consideration in Committee and that our statement on the rear of the amendment paper could contain the revised numbers. So I hope that the Leader of the House might review his decision on that.

John Robertson (Glasgow, Anniesland) (Lab): Would the clauses that a Committee has not discussed be given preference on Report, or would that statement just be for information?

Sir Nicholas Winterton: It is both, but the statement would be primarily for information.

As I am also a member of the Chairmen's Panel, I have chaired a number of Committees in which there has been no delay, no filibustering at all, but time has run out without important clauses and schedules to the Bill being debated. It would help the whole House to have that information and perhaps know the accurate numbers of the clauses and schedules when the Bill is debated on the Floor of the House. I do not propose that in any way to try to delay or protract the debate on Report, but it is important.

As the Leader of the House rightly said, there are occasions when a clause is not fully debated but is voted on there and then because it is not particularly controversial. Often, clauses are passed by agreement, without full debate. I have experienced that many times, but it is wrong when a Standing Committee has not, for lack of time, debated important clauses and schedules or provided any time for new clauses.

The remaining paragraphs of the Government motion implement minor improvements suggested by the Clerks—I am grateful to them—that the Procedure Committee has endorsed.

[Sir Nicholas Winterton]

I should also mention some other recommendations that the Government have accepted, but that do not need any change to the programming orders, including the suggestions that there should usually be as few internal knives as possible, that Standing Committee sittings could, or perhaps should, occasionally be longer if necessary and that Members should keep their speeches reasonably short. The latter suggestion also refers to Ministers who occasional seem to drag out their speeches unnecessarily. We also recommended that Government amendments for debate on the Floor on Report should be tabled in good time, because that is important if the House is to do its job properly at that stage.

The next motion takes note of our report of last November on procedures for debates, private Members' Bills and the powers of the Speaker. It will provide for a two-Session experiment on our proposal to allow an hour of short speeches before the wind-ups. I pay tribute to my hon. Friend the Member for South Staffordshire (Sir Patrick Cormack) for suggesting the proposal when he gave evidence to our Committee. The motion contains the words "three minutes", but I must emphasise to hon. Members, and especially my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), that that would be a minimum time limit.

We recommended that on suitable occasions, the last hour before the wind-ups should be divided equally among Members who had attended most of the debate and were still waiting to speak. The limit would be as short as three minutes only if there were 20 or more such Members. The experiment would build on informal attempts that are often made at present by the Whips and others to fit everyone in before the wind-ups start. Of course, Members would prefer an eight-minute speech to a three-minute speech, but I must suggest rationally that for most hon. Members, a three-minute speech would be better than no speech at all. We also recommended that the same procedure could be applied to the half hour before the wind-ups in a half-day debate.

The Committee's report made several other recommendations that are not the subject of today's motions, but I shall be interested to find out which receive support in the House. We made a proposal about lists of speakers, although I know that the idea is controversial and that you, Mr. Deputy Speaker, and Mr. Speaker have strong views about it. We suggested the possibility of linking Westminster Hall debates to relevant early-day motions. I should tell the Leader of the House that I fully support the use of Westminster Hall. As a complementary Chamber, it has provided a useful and valuable outlet in which hon. Members may raise issues of importance to them and their constituents and Select Committee reports may be debated. We also recommended that it was time to increase the £200 drafting allowance for the top 10 Members in the ballot on private Members' Bills. I hope that those suggestions will receive the House's attention in due course. The Committee also made recommendations on the Speaker's role in emergency recalls of the House. It is the view of many hon. Members that the recall of the House in an emergency should be in the hands of Mr. Speaker rather than the Government.

The other motions that we are considering do not arise from Procedure Committee reports, so I do not need to cover them—I shall allow other hon. Members who wish to speak to do that. I should, however, talk about the motion on short speeches to which the Leader of the House and my hon. Friend the Member for North-East Hertfordshire referred. The proposal would give the Chair greater latitude on who should be exempted from a time limit on speeches. A debate on a Select Committee report will often be initiated by the Government, as is the case today, but the Chairman might be expected to make his report on behalf of the Committee at length. The motion would allow that to happen whenever the Chair thought it appropriate, so I commend it to the House.

I commend both Procedure Committee reports to the House and urge hon. Members to support amendments (a) to (d), and I do so with these final words. I am committed to this House of Commons. I believe that it must be able to do the job that the people who send us here expect it to. That means that the Government of the day must allow the Opposition adequate time to do their job. The Leader of the House was not in the Chamber when I said that the hon. Member for Crewe and Nantwich is an outstanding parliamentarian. She is respected throughout the country for the work that she does not only in the Chamber, but as the Chairman of a Select Committee. Given that she takes her view seriously, as do the hon. Member for North Cornwall (Mr. Tyler) and many other hon. Members, I hope that the votes will be genuinely free and that there will be no pressure on Government Members to support the motions tabled by the Leader of the House. There should be total freedom for Members to exercise their right to ensure that this place remains a democratic assembly and a Parliament in which proper work can be done.

3.25 pm

Mr. George Foulkes (Carrick, Cumnock and Doon Valley) (Lab/Co-op): It is a great privilege to follow the hon. Member for Macclesfield (Sir Nicholas Winterton), for whom I have a great deal of respect. When, as a Minister, I replied to Westminster Hall debates that he chaired, he always treated me with the greatest courtesy and respect, which I greatly appreciated. I also appreciated his remarks today and thought that his arguments on amendment (d) were convincing. I assure him that a gun is not being held to my head on which way to vote, although I will listen to any arguments that the Deputy Leader of the House might make against the amendment.

On the question of the guillotine and filibustering, may I start by saying that some of my colleagues realise that I am not by nature a moderniser?

Mrs. Dunwoody: Ha!

Mr. Foulkes: I am grateful to my hon. Friend for that.

I opposed the changes to the House's hours, and I still think that they were a mistake, because tremendous problems have been created with double booking and clashes, as I have found today. I want to talk about guillotines and filibustering, because I have a confession to make. When I was an Opposition Back Bencher, I indulged in a great deal of filibustering. That was legitimate, in order within the procedures of the House, and accepted. However, even as I did that for hour after hour, I realised the futility of it all. We did not achieve anything most of the time, except keeping most of us out of bed until the early hours of the morning.

The futility of that process explains why programming is vital. Some Conservative Members are yet to get out of the filibustering mentality. I have served on Committees as both a Minister and a Government Back Bencher in which a great deal of time was allowed to discuss clauses, but Opposition Members inexplicably seemed unable to stop themselves from needlessly going on and on, not asking genuine questions or challenging the Government, but just filling up time. They are unable to get out of that filibustering mentality. We still face that problem. The right hon. Member for Bromley and Chislehurst (Mr. Forth), who used to be shadow Leader of the House, is probably one of the most proficient and continual habitués of that style of debating.

My first and main point relates to pre-legislative scrutiny. Although I do not always agree with my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody), as she knows, I do respect her experience here, to which the hon. Member for Macclesfield referred. The House showed that it can exercise independent spirit when it re-elected her as Chairman of the Transport Committee, irrespective of what the Government said. However, she and the hon. Members for North Cornwall (Mr. Tyler) and for North-East Hertfordshire (Mr. Heald) have not fully taken account of the important change that has come about with pre-legislative scrutiny, which I hope will be used more often.

I served on the Joint Committee on the draft Charities Bill, which revealed the practical effects of pre-legislative scrutiny. When we went through the Bill, we took evidence from people who understood the issues—private schools, private hospitals, Oxfam, Age Concern and other bodies and small charities in towns and villages throughout the country—and we made a number of recommendations. The hon. Member for New Forest, West (Mr. Swayne) said that such scrutiny will extend the debate in Standing Committee. I do not think that that is the case. As the hon. Member for North-East Hertfordshire said, we will be better informed and understand the issues better. We will not ask questions for the sake of it on something to which we already know the answer. Pre-legislative scrutiny will narrow down the things on which there is division, so that there is time to debate those matters on which there is a real difference of opinion and real concern.

Mr. Swayne: May I give the right hon. Gentleman the benefit of my experience on the Regional Assemblies (Preparations) Bill, on which we had the benefit of the report and the recommendations of the pre-legislative scrutiny phase? It was precisely because the Government had not implemented the recommendations that we were able, armed with the report and the evidence of which he has spoken, to put our arguments more effectively, but that takes time. It is a better-quality debate, but it is not shorter as a consequence of pre-legislative scrutiny.

Mr. Foulkes: It may not be shorter on individual issues, but it will narrow down the range of issues on which debate is necessary, although we have yet to see how the Government respond to our report on the draft Charities Bill. I chaired the last sitting of the Joint Committee because my right hon. Friend the Member for Darlington (Mr. Milburn) was moved into the Government. We managed to get all-party consensus on a number of divisive issues. I think that many of our recommendations will be accepted by the Government and we will have narrowed down the things that need to be considered in detail in Standing Committee.

Mr. Forth: It may well be that pre-legislative scrutiny has a value, but surely it can never replace the legislative role of a Standing Committee, of which the members are likely to be completely or substantially different from those who carried out the pre-legislative scrutiny. For the right hon. Gentleman to suggest that because one group has done excellent work beforehand, a completely different group, with a different role, can do less work cannot be right. They are complementary and do not replace one another.

Mr. Foulkes: I agree that pre-legislative scrutiny does not replace the proper legislative scrutiny on which we, as elected Members of Parliament, have ultimately to take the decision. What I am saying is that it will narrow down the opportunities for division. I also hope that members of a Standing Committee will not be completely different from those who served on the Joint Committee. We are talking about procedure, and the whole issue is open for discussion. It would be sensible for someone from the Joint Committee to serve on the Standing Committee. We can learn a number of things from the Scottish Parliament, including its experience of pre-legislative scrutiny, which helps to shorten the time that is needed for proper scrutiny.

I freely confess that I was as guilty as anyone of filibustering when the time was available, but I realised the futility of it.

Mr. Redwood: It was not as futile as the right hon. Gentleman thinks. I was a member of that Government, with a large majority. We left the Opposition the weapon of time, which meant that the Government had to think carefully about which contentious issues it wished to bring to the House and it limited the number of contentious issues that we could put through. This Government have removed that important check and balance.

Mr. Foulkes: I wish we had limited the number of contentious issues the Thatcher Government put through, but I am afraid that we did not. It was one after another after another. They were bashed through with the guillotine. I think that the right hon. Gentleman was a member of the Government who imposed a guillotine on Maastricht and the Single European Act. I remember that well because Lord Robertson and I dealt with it on the Front Bench, and we actually sat on a Friday because the Government were so intent on pushing it through. Secondly, on the carry-over of Bills, I take the same kind of radical view as my hon. Friend the Member for Burnley (Mr. Pike). I do not understand

[Mr. Foulkes]

why a Government elected for the duration of a Parliament cannot carry-over their legislative programme during that period.

Mrs. Dunwoody: My right hon. Friend has been a member of the Government, so he knows that if inadequate legislation is introduced and the Government, for one reason or another, do not want to stick with it, one of the easiest and most comfortable ways of getting themselves out of a difficult corner is simply to let it lapse on the pretext that there is not enough time, and introduce better legislation at the beginning of the next Session. Not only have our Government done so consistently, but as far as I can remember, Conservative and other Governments have done so in the past 30 years.

Mr. Foulkes: We have got into that mindset. I have served on legislative programming committees in which the previous Lord Chancellor—I had better be careful what I say—submitted Ministers to something similar to the Star Chamber, to make sure that the legislation that we were introducing was as good as possible. There will always be problems with legislation, but other Parliaments manage to introduce carry-over Bills. There is an argument that in Britain the Commons and the Lords have always introduced fresh legislation in each Session, but I have not heard a logical argument why we should not carry over legislation and why Governments should not be able to introduce Bills throughout a Parliament. We have antiquated arrangements, and the House, for example, sits at times of the year when it is illogical to do so. Instead of having several Queen's Speeches during a Parliament it would be sensible to have one at the beginning to outline the legislative programme, and in the process save an awful lot of time, money and inconvenience. There is no logical argument against my proposal, which is more radical than a simple carry-over of Bills.

Thirdly, on the 10-minute limit, I try to make short speeches, as you know, Madam Deputy Speaker, although I must watch myself today. It is possible to make as effective a speech in eight or nine minutes as it is in 15 or 20.

Mr. Forth: The right hon. Gentleman has not done so this afternoon.

Mr. Foulkes: I have taken interventions, so I accept the right hon. Gentleman's criticism. Usually, however, when tackling a single subject, Members can make an effective speech within 10 minutes.

Finally, I am happy to remove references to strangers. There is a wonderful establishment in Dalrymple in my constituency called the Kirkton Inn. On the menu, the door, the doormat is the message, "Strangers are only friends you have not yet met." That is a nice sentiment, even though it is has nothing to do with our debate. Perhaps I can send a copy of *Hansard* to the Kirkton Inn. I have never understood why we use the term "strangers"—let us call such people visitors or the public. For goodness' sake, however, let us not call them the general public. As I said at the beginning of my speech, I am not known as a great moderniser, but I agree with the Government's proposals, apart from their recommendations on Order D, against which the hon. Member for Macclesfield argued convincingly. Without any pressure from the Government, I can say that their proposals are very sensible indeed.

3.39 pm

Sir Patrick Cormack (South Staffordshire) (Con): There is one thing at least on which the right hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) and I agree: the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) made an excellent speech. I will not follow the right hon. Gentleman in all that he said, although I shall probably pick up some of his points later.

People in this country labour under a great misconception, which is shared by a good number of hon. Members—that is, that Parliament governs the country. How often do people say to us at surgeries, "Well, you govern the country"? Parliament, as we know, does not. Parliament exists to hold the Government to account and to try to supervise those who have been charged with the government of the country. What we are debating today—it is the most important part of our debate—is how we hold the Government effectively to account and maintain an orderly discipline of our business.

My hon. Friend the Member for Macclesfield (Sir Nicholas Winterton) and his Committee have performed a signal service in the report that they produced. The House would be well advised, in a free vote, to accept the recommendations and to reject firmly the changes that the Leader of the House and his colleague wish to insert in the report. In effect, the Leader of the House is emasculating many of the recommendations suggested in a unanimous report by my hon. Friend and his colleagues on an all-party Committee. They have tried to reconcile the understandable desire and need of any Government to get their business through with the absolute necessity for Parliament thoroughly to examine and properly to scrutinise the legislation put before it.

The Deputy Leader of the House is nodding vigorously. I have great regard for him and for his colleague, the Leader of the House. Whether inadvertently or not, what the Government have recommended to the House today is inimical to what my hon. Friend and his colleagues propose. The Government should think again. If they are not prepared to do so, I hope that when he winds up the Deputy Leader of the House will give us a reassurance that there is to be a truly free vote and that every Labour Member, including every member of the Government, is free to vote in whichever Lobby he or she pleases. We are considering a House of Commons matter and it is important for it to be resolved by the House of Commons.

I was half-grateful to my hon. Friend the Member for North-East Hertfordshire (Mr. Heald), the shadow Leader of the House, for his response to my pointed intervention. He did not come the whole way, but I hope he will when, with your leave, Madam Deputy Speaker, he winds up the debate. *[Interruption.]* My hon. Friend says he did not think he was going to do that. I hope he will, so that he can say what I am about to suggest. It is important that the Opposition make it plain that if we are returned to government next year, which I hope and believe we will be, the recommendations of the Procedure Committee will be resurrected and placed before the House with the full support of the Government of the day.

I am one of the few Members present in the Chamber who has been here a very long time but has never served in government. I have briefly served on the Opposition Front Bench, but never in government. I have been critical of my own party in government when it imposed guillotines. I have spoken and voted against them because it is crucial that every Government recognise their accountability to Parliament and do not seek to undermine that accountability.

Mr. Heald: I had not thought that I would necessarily wind up the debate, but I can assure my hon. Friend that we ought to be able to do at least as well as the proposals of the Procedure Committee to meet the needs of the House in order for it to scrutinise legislation properly. I hope he will find the manifesto proposals satisfactory when they are produced.

Sir Patrick Cormack: I trust that my hon. Friend the Member for Macclesfield and I will be consulted when that portion of the manifesto is drafted, just to be sure that my hon. Friend the Member for North-East Hertfordshire has got it right.

This debate is important, and it is sad that more hon. Members are not present to discuss how best to hold the Government to account. Having made my points about the Procedure Committee's major report, and having fully endorsed its recommendations, let me pass briefly on to some of the other subjects that we are discussing this afternoon—I seek not only to emulate but perhaps even to better the right hon. Member for Carrick, Cumnock and Doon Valley in making a brief speech.

I am most grateful to my hon. Friend the Member for Macclesfield and his Committee for accepting my proposal, which I put to them in written and oral evidence, for a brief period during debates to provide an opportunity for spontaneous utterance. The increasing tendency for hon. Members to read their speeches is one of the things that has saddened me during my membership of this House. That tendency destroys proper debate, just as the rigorous imposition of time limits may destroy it.

I have often felt a sense of frustration—I am sure that you felt it too before you reached your elevated position, Madam Deputy Speaker—when I have sat through a debate but have not been called. Worst of all, if one sits in a debate and suddenly feels moved to make a contribution, the dice are loaded against those who have not written to the Speaker to ask to take part.

In that spirit of sympathetic and empathetic frustration, and I think particularly of newer hon. Members, I recommended to the Procedure Committee that a portion of each debate—an hour or half an hour depending on the length of the debate—should be used to allow hon. Members who have been assiduous in their attendance, but who have not necessarily written to the Speaker, to catch the Speaker's eye and make a brief contribution.

I am glad that my hon. Friend the Member for Macclesfield emphasised that the three minutes is the minimum time limit—on some occasions, it could be five, six, seven, eight or perhaps even 10 minutes. For one hour, hon. Members who have a contribution to make can make it. I am delighted that that recommendation features in the report and I am grateful to my hon. Friend the Member for Macclesfield and his colleagues. I hope that the experiment is successful—it is rightly an experiment—and that it will pass into the practice of this House.

I do not like deferred Divisions—I have voted against them in the past and will vote against them again tonight. In a spirit of honesty, however, I must say that we are having deferred Divisions today and that many hon. Members will troop through the Lobbies tonight not having heard a word of the debate, which undermines the argument.

Returning to my point about short and spontaneous speeches, the opportunity to make a short, spontaneous speech should provide a greater incentive to attend the Chamber. The most unfortunate thing about this Chamber is its progressive depopulation over the years. When I was first elected in 1970, the House was nearly always full for the winding-up speeches and the opening speeches, whatever the subject of the debate, which is not the case now.

It was always the courteous custom that hon. Members who spoke stayed for the following two speeches and came in for both winding-up speeches, unless they had another parliamentary commitment. That custom has gone away from us—courtesy has departed from the House and fewer hon. Members attend the Chamber. I hope that my proposal, which my hon. Friend the Member for Macclesfield endorses, will have some effect. I shall vote against deferred Divisions, because anything that encourages absence is not to be commended.

I share the view that Bills should be carried over, but only with the Opposition's consent, which is important. Some Bills are terribly important and very complex, but not necessarily contentious in a party political sense. They deserve the closest and most lengthy scrutiny, and nothing should prevent their being carried over. However, that must not become a Government's excuse for rushing through bodged legislation and then pushing it into the next Session because they have not had quite enough time to get it through in the current one.

I very much disagree with the right hon. Member for Carrick, Cumnock and Doon Valley, who wants only one State Opening in a Parliament. No Government are so prescient that they know what is going to happen in the next four or five years, so there is a need for an annual review and introduction of legislation for the following year.

I will say very little about short speeches. Chairmen of Select Committees should not be given an inordinate amount of time, but they need enough to explain the reports and recommendations of their Committees, and that cannot be done in eight or ten minutes.

I want to conclude by saying a few words about the final motion. One of the curses of the age is political correctness. Any institution, be it a school, a club or a university has, to some degree, its own vocabulary; and part of our vocabulary is the word "strangers". Having entertained friends and visitors in this House for almost 35 years, I have never—I say this emphatically—heard

[Sir Patrick Cormack]

anyone complain about their reception. No one has felt ostracised or unwelcome; many, however, have commented to the contrary or said that they rather like the slightly quaint vocabulary that we sometimes use. They do not mind being called strangers—they do not see that as a mark of opprobrium but take it in the same spirit as those who patronise the hostelry in Carrick, Cumnock or Doon Valley that we heard about.

Mr. Tyler *rose*—

Sir Patrick Cormack: Of course I give way to the hon. Gentleman, because I shall have something to say about him in a minute.

Mr. Tyler: I am grateful to the hon. Gentleman; I hope that he will allow me to intervene again afterwards.

I bow to the hon. Gentleman's superior quaintness, and I understand the point that he is making, but he should recognise that the proposal did not come out of thin air: it came from the Modernisation Committee, which took very careful evidence, particularly from young people, who feel that certain words are now anomalous and anachronistic. Calling those who send us here strangers is certainly an example of that.

Sir Patrick Cormack: That is part of the patronising condescension that makes people want to put Shakespeare into modern English and to abandon the Book of Common Prayer. It was all right for George III to go around talking to trees, but the hon. Gentleman goes around talking to chairs, such is his succumbing to the mood of political correctness.

All this nonsense reminds me of one of Churchill's famous quips. At the end of the war he was told that one should not call the homes that were being built in this country homes, because some of them were quite small—they should be called accommodation units. Churchill leaned back in his chair and said, "Accommodation unit, sweet accommodation unit. What rubbish." How right he was. This is an example of that rubbish. Those who come here, our constituents and others, are very welcome. This is the Parliament of those who live in this country, and it always will be. They send us here and we are answerable to them, just as the Government are answerable to us in this Chamber.

If we think that by tinkering with the word "strangers" we are helping to give the people the Parliament they deserve, we are deluding ourselves and, indeed, guilty of a massive confidence trick. Our duty in this Chamber is to have an effective Parliament that represents the people's interests and holds the Government to account. We shall serve those interests by voting freely, firmly and decisively for the Procedure Committee's recommendations and by eschewing the syntactic nonsense in motion 7.

3.54 pm

Sir George Young (North-West Hampshire) (Con): It is a pleasure to follow my hon. Friend the Member for South Staffordshire (Sir Patrick Cormack), who spoke briefly and without notes—a model to us all. I propose to make the briefest speech in the debate.

The right hon. Member for the triple-barrelled constituency of Carrick, Cumnock and Doon Valley (Mr. Foulkes) said that he hoped that pre-legislative scrutiny might reduce the amount of time spent in Committee. If he examines the record, he will realise that the Financial Services and Markets Act 2000 was subjected to a joint Committee of both Houses but subsequently spent an inordinate time in Committee. I wonder whether the fact that the Gambling Bill has been to a joint Committee will reduce the time that it needs in Standing Committee. The jury is out on whether pre-legislative scrutiny reduces the time that is needed for the Standing Committee stage.

David Taylor (North-West Leicestershire) (Lab/Co-op): I am a member of Select Committee on Environment, Food and Rural Affairs, which examined the draft Animal Welfare Bill. There have been an enormous number of sittings on the draft Bill and I firmly believe that the quality of the measure that reaches the statute book will be significantly improved by the prodigious efforts of those involved.

Sir George Young: I do not doubt that, but it was not my point. Will that scrutiny reduce the amount of time that the Standing Committee spends on the draft Bill?

David Taylor: It may not.

Sir George Young: Indeed, but that was the argument that the Leader of the House adduced and that I question.

I commend my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton) for producing a readable report that those of us who are not experts on procedure found easy to follow. As my hon. Friend the Member for South Staffordshire said, the Procedure Committee and its report set the framework in which we conduct our debates and hold the Government to account. My hon. Friend the Member for Macclesfield has assisted us in that task by shining a procedural torch in some dark constitutional corners.

I preface my remarks by pointing out that two Select Committees produce reports on procedure—the Modernisation Committee and the Procedure Committee. Is it the best use of scarce resources for two Select Committees to produce reports on procedure?

Mrs. Dunwoody: Will the right hon. Gentleman give way?

Sir George Young: At the risk of contradicting my commitment to make the shortest speech, I shall give way.

Mrs. Dunwoody: Has not the right hon. Gentleman missed the point? A Cabinet Minister chairs one of the Committees.

Sir George Young: That is exactly the point that I was about to make. I make no apologies for repeating a view that I have expressed previously. The Leader of the House should not chair the Modernisation Committee because there is a clear conflict of interest. The Leader of the House is in the Cabinet, with the mandate of getting the Government's legislative programme through the House of Commons. The Modernisation Committee has produced recommendations that are different from those of the Procedure Committee. That underlines the fact that they come from different viewpoints.

The role of the House is different from that of the Leader of the House. Our job is to scrutinise the Government's legislative programme and hold the Government to account. Our system is short-circuited if the Leader of the House is also Chairman of the Select Committee that makes recommendations about the rules for processing that programme. It is the only Select Committee that is chaired by a Minister. Without being personal about the current Leader of the House, he should stop leading that Committee. We should have one Select Committee instead of two, it should be called the "Strengthening of Parliament Committee" and someone who is not a member of the Government should chair it.

Let me consider the reports. The mood today is different from the mood in the previous Parliament. With respect to my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), the mood is perhaps different from that of a year ago. It makes sense to adopt a less confrontational approach to programming Bills. From the Government's point of view, it makes sense to keep in their locker ammunition that they may need to secure the passage of their programme. However, they do not have to deploy it the whole time. We should experiment with a less restrictive regime in the interests of better scrutiny.

For example, the Companies (Audit, Investigations and Community Enterprise) Bill went through the House without a procedural shot being fired. In the next Session, we should experiment with having more Bills without programming, thus going back to the pre-1997 regime, which worked perfectly well for many of us. If it is abused, the Government have the resources that they need to get their Bills through. En passant, I point out that we can examine Bills properly if the Government produce a digestible legislative programme. This is the right point at which to ask the Leader of the House, as he draws up the Loyal Address, not to overburden the House. That lies behind some of the problems that we have seen in recent years. I know that when my hon. Friend the Member for North-East Hertfordshire (Mr. Heald) draws up the Loyal Address in six months' time, he will ensure that a Conservative Administration have a digestible programme to be delivered without the programme motions of which we have seen too much in recent years.

On length of speeches, many speeches are far too long, particularly Front-Bench speeches. The longer Front-Bench speeches go on, the more Back Benchers realise that they will not be called, so the more interventions they make to get their views on the record, thereby aggravating the original problem. For written material for the Minister, 20 minutes is too long; 15 minutes is perfectly adequate, with five minutes for interventions. Yesterday, we had a fairly typical series of half-day debates. We had an hour and a half for the three Front-Bench speeches on university admissions, which is disproportionate.

There is a proposal that the Speaker should exempt additional Members from any time limit on speeches. I view that with a little suspicion—the size of the cake will remain the same for everyone else, and the slices will get a little smaller. I understand the point made by my hon. Friend the Member for North-East Hertfordshire that the Chairmen of Select Committees need time and space to speak to their report, but in one sense the House already knows their views as they are capsulated in the report: it is everyone else who has not had the opportunity to say anything about the subject. The debate on the Floor of the House is the first chance that the rest of us have to contribute.

Sir Nicholas Winterton: I feel challenged by my right hon. Friend. Would he speculate on how many hon. Members read every Select Committee report? I would have said that the number was very small.

Sir George Young: I would hope that Members who sought to catch Mr. Speaker's eye in a debate on a Select Committee report would have done the House the courtesy of reading it. I am prepared to support my hon. Friend's recommendation on approval, as it were, not for the reason that he gave but because, over the past few years, the House has tried to develop an alternative structure so that the Government do not hoover up all the talent, and we have started to pay some Select Committee Chairmen. That proposal is part of rebalancing the power in the House by enhancing the role of Select Committee Chairmen. On that basis, I am prepared to support it, but I hope that it will not be abused.

A recommendation in one of the reports, which has not been mentioned, is that attention should be paid to the number of signatures on early-day motions in deciding what subjects should be selected for debate in Westminster Hall. I confess that I am not a fan of early-day motions; they have become a greatly devalued currency, and I do not sign them. If my constituents want me to make my views known to the Government, I prefer to write a letter to the Minister. If the recommendation were adopted, it would add to the pressure on all of us to add our names to early-day motions. I question whether that is a sensible way forward.

I have nothing against carry-over. I regard the legislative programme as being like a motorway—what we want to avoid is rush hours, and at the moment we have a rush hour at the beginning of the Session with all the Second Readings. We would make better use of the legislative process if we more evenly distributed Bills throughout the year.

The Deputy Leader of the House of Commons (Mr. Phil Woolas): Will the right hon. Gentleman give way?

Sir George Young: Yes, actually I was supporting the Deputy Leader of the House.

Mr. Woolas: My reason for requesting an intervention was to emphasise that support, for which I am grateful. May I ask the right hon. Gentleman whether he agrees that the London bus syndrome, as it has been described, does not just affect us in Parliament

[Mr. Woolas]

but parliamentary counsel? One of the advantages of carry-over is that parliamentary counsel's resources are, in effect, increased. In my limited experience, that means that better legislation is enacted.

Sir George Young: Yes. I would be tempted to go down the route of saying that we should privatise parliamentary counsel, and not be restricted to the use of the ones that we have at the moment.

The Committee makes it absolutely clear that carry-over should only be done with cross-party consent—I intervened on the Leader of the House, as did my hon. Friend the Member for North-East Hertfordshire, to seek an assurance that the Government would not use carry-over without cross-party consent. The Standing Order changes allow them to do that. The assurance that I received was not 100 per cent. If the Deputy Leader of the House can assure me further on that in his reply, I would be grateful. I also think that the Government should identify carry-over Bills at their inception rather than deciding halfway through a Session, when they get into trouble, that a Bill needs to be carried over.

I was against deferred Divisions when they were introduced, and, like my hon. Friend the Member for South Staffordshire, I am against them now. I consider them to be one of the factors that help to bring this institution into disrepute. I do not think that there should be too big a gap between a debate and a Division, and I shall vote against deferred Divisions.

We have not spent too much time arguing about the term "strangers" as applied to visitors, which I think is a good thing. The more time we spend arguing about what we should call people, the more detached from the real world our constituents will believe us to be. I cannot get frightfully excited about it—it hits me right on my indifference curve—but it is worth noting that the only mention of today's debate in the press has related to it.

My final exhortation is this: let us make up our minds quickly and move on, because there are more important matters for the House to discuss.

5.6 pm

Mr. John Redwood (Wokingham) (Con): The only protection that the public have from an over-mighty Government legislating too much and legislating badly is provided by Members of Parliament in both Chambers, but particularly Members of the House of Commons.

As a Minister in a Government who had a big majority when I joined them, I was very conscious of the fact that leaving the weapon of time in the hands of the Opposition imposed an important constraint on that Government's ability to over-legislate, to legislate in haste or to legislate badly. Ministers had to agonise over the scarce resource of parliamentary time to pass legislation, and rightly so. Now the weapon of time has largely been taken away from the Opposition parties and from Back Benchers from the governing party. The Government no longer need take account of the scarceness of legislative time. They need not work so hard to decide what they really want to do, and to ensure that their legislation is well drafted and well thought through. I think that that is a bad development.

There are two main ways in which legislation can be tested, honed and perfected. The first rests particularly heavily on the shoulders of Ministers. I am glad to say that when I was a Minister I did not have to legislate very often. I was always quite reluctant to legislate, feeling that we had quite enough laws already. When I was required to do so, however, I felt that I had a strong duty to go through any draft proposals likely to come to the House in great detail with those who had drafted them and those who advised on them, in order to test them. I did not want to bring to the House of Commons badly drafted legislation that would be exposed and made to look foolish by other Members, and would then need lengthy and elaborate amendment.

Even a Minister who tried to do the job seriously was sometimes forced into amendment by events, by good points made in Committee or by pressures within collective government; but I think that the first line of defence against bad legislation must be the Minister. In recent years Ministers have found it quite easy to get legislation through the House of Commons. They have realised that large amounts of a Bill will not be debated at all, and have become very sloppy. I do not feel that all Ministers—there are some notable exceptions—have the same earnest intent as those who tackled the issue behind closed doors with their officials and draftsmen, so that legislation would be in a reasonable state when it reached the House.

That is demonstrated by the large number of new clauses and pages that are regularly proposed at a very late stage in a Bill's progress, when it is realised—usually by Government officials rather than a Minister—that the Bill has been badly drafted. Pressure groups outside have finally got to grips with it, and have advised the officials; they in turn make Ministers revise, but they have to revise in a big way.

The second big line of defence for the public who will be affected by legislation is the Standing Committee, along with the wider meetings of the House on Second and Third Readings and, particularly, on Report. The Committee stage is, I think, the most important. Any sensible Minister would not wish to truncate good debate on difficult issues in a Bill. Of course the Committee stage should not be dominated by political disagreements and long speeches that verge on filibuster. The Chair deals with true filibuster, but we all know when Members are being clever enough to stay just within the limits while not using all the time as well as they might. Any Government with a majority have an easy way of dealing with that. Of course, any Government have the ultimate right to curtail debate and to introduce a timetable motion, but it should be the exception rather than the rule, and the Government should have to fight for it and to prove beyond peradventure to reasonable people that it is necessary to take that action because of the conduct of the Committee.

In Committee, a guillotine and individual knives often limit debate on individual clauses and other provisions. Debate could genuinely go on, to the benefit of the Minister as well the Committee, on particular parts of a Bill but it is simply not allowed because the guillotine is too prescriptive and is not thought through well—often, it is impossible in advance to think through how much debate is needed on clause 1, clause 2 clause 3 and the relevant amendments pertaining to those clauses.

Therefore, I urge the Minister even at this late stage to understand the mood of the House of Commons today. It is not one of party political antagonism to the Minister and the Government. It was beautifully expressed by my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton), by his Committee and by hon. Members on both sides of the House who have spoken. The mood is that the Government have simply got the balance wrong, in respect not just of the Opposition and Back Benchers from the governing party but of the people who will be affected by the legislation and Ministers themselves.

There is no mileage for a Minister in being able to prove that he or she has rammed a Bill through in record time, if a year later he or she or a successor has to come back to the House and "I am very sorry"—well, they often do not say sorry—"but we got it all wrong and we need to change the legislation. It was done in haste. We now need to legislate again." It is far better from the Government's point of view if the House of Commons is allowed to do its job properly. That means not guillotining all these proposals. That means allowing sensible debate by hon. Members on both sides of the House, particularly in Committee, so that the double filters work. The Minister will then scrutinise the legislation more carefully before introducing it and the Committee will do the job properly. I urge the Committee to understand the mood of the House and Government to understand the mood of the House and to realise that, in all our interests, to have a great Parliament we need time to do the job properly.

4.12 pm

Mr. Richard Shepherd (Aldridge-Brownhills) (Con): I should like to make one or two observations without reprising many years of debate on the subject. The shadow Leader of the House said that the Government had a right to get their business. No constitutional principle has ever accepted that in the past. It cannot be so. The very purpose of Parliament is to examine the propositions that the Executive put before it. What does that mean for Labour MPs who oppose top-up fees, for example? Why do they oppose it if the Government have that right?

That understanding of the rights of Government by this House, as expressed by the shadow Leader of the House, is a profound misunderstanding of the purpose of the House. It plays into the hands of a Government who say, "We must get this business." The whole point of the House is to examine business, which is what has lain behind these debates for many years.

When we were in government, I used to analyse and to speak against the very few guillotines—I now look back on those days with regret—that were imposed in Mrs. Thatcher's heyday. They are nothing to the number of guillotines now. In their first year, the new Labour Government imposed more guillotines than were imposed in the 11 years of Mrs. Thatcher's premiership. It has now become a matter of routine. The House acquiesces in the business being programmed, as it is euphemistically called. In his second fine memorandum, which is included in the report of the Procedure Committee, the Deputy Speaker identifies those arguments, which go back four or five years. We are not much further forward. It has been the Government's shameless intention throughout that all the business in this House be determined by them: not just general debates and specific Bills, but even matters such as the time allocated for their consideration.

It was fascinating to discover in the Leader of the House's very shallow presentation that no reference was made to the facts. Under his leadership, the Modernisation Committee presented a report in 2002 that set out the details of the operation of programme orders in previous Sessions. I am grateful to my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton) for updating that information. What do we discover about Parliament's ability to discuss legislation? Table A on page 5, on the operation of programme orders for the Communications Bill during the 2002–03 Session, shows the number of clauses or schedules stand part that were not reached because of the knife, a concept that we did not have some years ago. Only 105 were not reached, after all, so what does it matter?

What happened to the Communications Bill on Report? Consideration on Report used to be the vital point at which every Member of this House could contribute to the debate on an issue affecting their constituents. Three knives came into play and, as is shown under the heading

> "Groups/Third reading not reached because of knife"

seven such groups were not reached.

We should also consider the very important Criminal Justice Bill, which was introduced the following day. Such legislation is central, in that it consists of measures that could send our constituents to prison and make criminal offences of certain acts; indeed, it guides this country's social, economic and political context in terms of criminal law. The Government provided 32 sittings for that Bill; how very generous! Seventy-one groups were not reached because of the knife, and 106 clauses and schedules stand part were not reached for that reason. Bravo! On Report, 11 knives came into play, and 13 such groups were not reached.

I could go on; the situation is indeed absurd. My hon. Friends have served on such Bills, as have new Labour Members. On the Planning and Compulsory Purchase Bill, 58 groups were not reached because of the knife and 73 clauses and schedules stand part were not reached. Such information underlines the effectiveness or otherwise of this approach, and undermines the proud claims of those who believe in what are politely called programme motions, but which, in truth, are indistinguishable from guillotines, as is acknowledged in Mr. Deputy Speaker's memorandum.

Mr. Swayne: The position is worse than my hon. Friend suggests. For every one of those examples, other clauses and groups of amendments were rushed through and given insufficient attention because Members were racing to reach a particular stage, or to make a point that they wished to make, before the knife fell.

Mr. Shepherd: I am truly grateful to my hon. Friend, who is a member of the Procedure Committee. That Committee used to be considered the most senior of all Committees, in the sense that it dealt with a matter of great importance to us all as ordinary Back Benchers and Members of this House; there is no disputing that fact. My hon. Friend's understanding of such matters

[Mr. Shepherd]

has given greater flesh to the bones of an argument that I am making, have made and will continue to make during my parliamentary career. I agree absolutely with what he is saying, and we know the practice to which he refers.

We in this House often speak as if we have created some paradise, yet it is now insignificant in people's minds but for an occasional outburst on issues such as war. This will be the Parliament of war; that is what this issue is really about. Our deliberations on matters such as communications, criminal justice, planning and compulsory purchase and local government are not considered properly in Committee; they are truncated and half-done. They are the background to what is now the majesty and presumption of Executive Government.

The House has a personality. I have tried to make the point that we are all only temporary Members here. Others will succeed us, as others have preceded us. The present Government are just part of the passage of the long life of a nation. The central function of the rules—the rules, like court rules, that govern the way in which we contest the propositions of Executive Government—is to be more permanent.

When the electorate vote, they are effectively settling the question of who should be the Executive, but that is all. They are not settling the detail of page 83 of a manifesto. The electorate cannot possibly know the precise intentions of the Government's Criminal Justice Bill or be aware of the 106 clauses and schedules, stand parts and so on that were not reached. They do not know, so our job is to tickle out and challenge. That is the job of every Member of this House of Commons who is not a member of the Executive: to satisfy themselves, on behalf of their constituents, whether something is appropriate or right. That is our purpose and function.

I seek no office, but I want to know that I am a free man in a free country, in which I can say to the leader of the Government, "You are wrong, and here are the reasons why". However, these scheduling arrangements, timetables and guillotines deny the representative of Aldridge-Brownhills, the triple-barrelled constituency in Ayrshire or wherever the opportunity to examine the details.

I was not intending to make a long speech, because the House has been wearied by my views on this matter for a long period.

Mr. Heald: No, no.

Mr. Shepherd: I am glad to hear the shadow Leader of the House say, "No, no, no, no". He is right to say that, but he is wrong to accept the principle that the Government have a right to get their business through. If so, why do we bother to examine it? That is the heart of the argument: we examine it, because it is important. If it is wrong, it is important to demonstrate to the satisfaction of the House and the country that it is wrong. It is the country that we are talking to in the Chamber, but no one listens because there is no point. We are not actually doing our job because we are voting for a structure of rules, which Mr. Speaker is obliged by the Orders of the House to enforce, that denies us that right.

It is truly curious when the Leader of the House does not argue that there are merits in his proposition. What is happening? Cicero said a long time ago that those who knew nothing of the time before they were born would for ever remain a child. The Leader of the House demonstrated that in spades. He came in only 10 years ago, yet feels fully competent to talk about how the House was managed 20 years ago. I defer to the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) because her experience of the movement of the House over the years is deeper and longer than mine.

Mr. Heald: I fully accept my hon. Friend's rebuke, but surely he would agree that the Government were entitled to get their business through if, after properly debating the matters before the House, they could command a majority.

Mr. Shepherd: Indeed. Governments have that expectation; after all, it is only the Government who represent the majority in the House. However, there was no caveat whatever in what my hon. Friend said. What of the condition that the Government have to meet the test? After all, the Government do not always command all their own supporters; Government Members can, by working with us, with the Liberal Democrats and the nationalists, defeat a Government. I have seen it happen.

I wish to make two further points. One Bill greatly exercised me and my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg): the Civil Contingencies Bill. There was no dispute about clause 1, but clause 2 proposed giving to a Government powers that had never been known outside wartime.

For whatever reason, members of the Opposition Front Bench were so terrified of being accused by the Government that they were not solid in the fight against terrorism that they did not vote against clause 2. That disappointed me, but what happened under the present arrangements? On Report, my right hon. and learned Friend the Member for Sleaford and North Hykeham and I were denied the opportunity of pointing out that the Bill's definition of an emergency was inadequate, that property could be confiscated with or without compensation and that a junior Minister could suspend primary legislation.

Mr. Redwood: A Whip could do it.

Mr. Shepherd: As my right hon. Friend says, the Bill meant that a Whip could do it.

The proposals amounted to a profound assault on the central civil liberties of our people, but my right hon. and learned Friend the Member for Sleaford and North Hykeham and I were not reached in the debate. Our amendments were not selected for discussion. We were therefore left with 10 minutes on Third Reading, after the Front Bench Members of all parties had put their oar in, in which we could stand up and say, "This ain't right." We divided the House, and the tragedy of that Division is that it was the two of us against 659 other hon. Members.

I feel strongly about our civil liberties. We are nothing if we have no regard for our freedoms and where they come from. Those freedoms were originated by others, not by us, and yet we give them away so casually. Members of my own Front Bench would not even walk into a Lobby to deny the principle demanded by the Government that items could be confiscated with or without compensation.

Sir Nicholas Winterton: My hon. Friend holds views that I greatly respect, and is making a speech that I hope will be widely read. However, is he not making the case that there should be no programme motion affecting the Report stage of a Bill? As Chairman of the Procedure Committee, I am very interested in this matter, as other members of that Committee will be. Is not the Report stage the only opportunity available to all Members of the House to contribute to the debate on a measure? After all, hon. Members may not have been called to speak on Second Reading, or selected to sit on the Standing Committee considering the Bill. Is not the Report stage the only truly Parliament-wide opportunity for hon. Members to contribute to the debate on a Bill? That is especially important when a Bill is as important as the Civil Contingencies Bill, to which my hon. Friend referred.

Mr. Shepherd: Of course I am making that case. I am also making, in part, the case put forward by my right hon. Friend the Member for Wokingham (Mr. Redwood). There is no need for guillotines. It should not be the Government's first presumption that they must guillotine every piece of legislation that comes before the House. Our procedures work without guillotines. I remember, as I said, that there were some 43 guillotines under Mrs. Thatcher and that subordinate guillotines took the figure to about 60.

Mr. Douglas Hogg (Sleaford and North Hykeham) (Con): May I reinforce the point made by my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton)? Nomination to Standing Committees is controlled to a large extent by the Whips, who are generally unwilling to nominate hon. Members from their own party unless they are considered reliable. Those of us who are somewhat idiosyncratic in our approach to party discipline do not always find ourselves nominated. As a result, the Report stage is the only real opportunity for hon. Members like us to address the detail of a Bill.

Mr. Shepherd: Indeed. A Standing Committee is merely a subordinate instrument of this House, which enables the House to discharge more business than would otherwise be possible.

Mr. Woolas: I am listening to the hon. Gentleman very carefully, but I remind the House that an hon. Member can attend and speak in a sitting of a Standing Committee even though he is not a member of that Committee.

Mr. Heald: On a point of order, Madam Deputy Speaker. Can you confirm that that is the case? My understanding is that the Deputy Leader of the House is not correct. An hon. Member cannot attend a Standing Committee considering a Bill unless he is a member of that Committee. Indeed, that was the substance of the row involving my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) in respect of the Bill that became the Criminal Justice and Police Act 200[illegible] She was ejected from the Committee.

Madam Deputy Speaker (Sylvia Heal): That is my understanding of the matter, but I think that we should now proceed with the debate.

Mr. Shepherd: I was grateful for that intervention by the Deputy Leader of the House, because he betrayed all the characteristics of new Labour. As Cicero said,

> "Those who know nothing of the time before they were born will remain forever a child"

We actually had the Deputy Leader of the House of Commons stand before us and assert something that is not correct. I regret that. He is the Deputy Leader of the House, but he does not understand the business of the House. Nevertheless, he will advise us to vote for something that I am arguing against. I hope that my party will vote against it convincingly, and I hope that the Liberal Democrats, on the basis of such an inadequate intervention from the Deputy Leader of the House, will also vote against the proposals.

I do not underestimate the importance of university fees and other such matters to the social framework of our country, but perhaps the most profound issue of this Parliament is war. I wish to point out what we will do by limiting freedom of speech through such motions. We were allowed only one day to debate whether we should go to war; the first time that Parliament had been given the authority to make the decision. We all know that representations were made to have more than one day of debate, but many hon. Members were unable to express their feelings about the defining issue of this Parliament. I commend my hon. Friends to vote against the motions.

4.32 pm

Mr. Eric Forth (Bromley and Chislehurst) (Con): I shall follow in the spirit of my hon. Friends the Members for Aldridge-Brownhills (Mr. Shepherd) and for South Staffordshire (Sir Patrick Cormack), because underpinning this debate—which may seem limited in its scope—is one of the paradoxes that has struck me more and more about the House of Commons. It is that the way in which our parliamentary system works means that the House of Commons is expected and asked both to provide and sustain the Government of the day and, at the same time, to hold it to account. That worked reasonably satisfactorily for a long time; indeed, until very recently, when this Government came to power with no respect for the parliamentary process. The present Prime Minister, throughout his career, has shown very little interest in the parliamentary process and the Government have been ruthlessly determined to use their majority to get their way without let or hindrance.

Mr. Greg Knight: What does my right hon. Friend think of the fact that as we debate two Select Committee reports, there is not a single Labour member of either of those Committees in the Chamber?

Mr. Forth: My right hon. Friend reflects the point that I am trying to make; interest among Labour Members in Parliament and the parliamentary process has

[Mr. Forth]

diminished almost to zero. Of course, I exempt the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), who, as ever, has bravely tried to represent her entire party today, with her usual style and commitment.

As my hon. Friend the Member for Aldridge-Brownhills pointed out, a system that worked historically, informally and by tradition—all the things that are resented by the Government—has now almost completely broken down. What we have seen today is the culmination—although it may be only part of the way in a long process—of the diminution of the House of Commons and the rampancy and supremacy of the Executive. The apparently esoteric matters before us today form part of that process. The programming of Bills, deferred Divisions and the many other changes that have been made in the past seven years have reduced the opportunities for hon. Members to hold the Government to account through debate, delay, irritation, questioning and all the other means that have been used in the past. They have now almost all disappeared. Delay is now regarded as unacceptable. Debate is regarded as irrelevant and, as was reflected in one or two of the interventions today, the Government expect to legislate in uninterrupted fashion for four or five years.

That is not what I have always understood the parliamentary process to be. Although a Government, by definition, have a majority in the House and will almost invariably be able to legislate and have their way, I believe it is proper that the Government be delayed, held up and irritated and that Ministers be required to answer questions. That was part of the parliamentary process, but time and time again, in these procedural changes that are brought before us, we see that the Government regard debate as an irrelevance and votes as a formality—nothing should stand in the way of the Government and their Members.

Indeed, it is even worse than that: Members should not be inconvenienced in any way. That is what lay behind the change in hours and it is what lies behind the nonsense of the deferred Division. Time and time again, the word "convenience" has started to appear in the parliamentary lexicon. Members must be able to predict what will happen and when, so that nothing should inconvenience them and nothing should come in the way of their activities outside Parliament or outside the Chamber.

In my naivety, I cling to the view that the prime duty of a Member of Parliament is to be at Westminster in the House of Commons—in the Chamber and in Committees. Apparently, however, the new Labour view is that that is now a marginal activity, one that should be fitted, in a predictable way, into the many other activities that Members of Parliament apparently have, of which I have little understanding and for which I have very little sympathy. That is part of the rapid changes that have taken many of us by surprise over the past few years and are reflected in the motions to which we are asked to agree today.

Mr. Tom Harris (Glasgow, Cathcart) (Lab): The right hon. Gentleman will know that I am one of those Members who voted for the new hours and immediately regretted it when they actually came into force.

I suspect that if we were to examine closely the Register of Members' Interests, there would be far more Conservative Members with outside interests than Labour Members. Does the right hon. Gentleman accept that support for the new hours had nothing to do with outside interests, but more to do with an intention to bring the House, and the Chamber, into the 21st century—flawed though those moves may have turned out to be?

Mr. Forth: I am interested in what the hon. Gentleman says, because he uses the phrase "into the 21st century", as if it explained everything and was in itself sufficient reason for making the changes that are proposed. I do not see what is significant about the 21st century. I am not sure what can have suddenly happened when we passed from 2000 to 2001 to give rise to such changes. This is the obsession with modernisation—a word that I have come to detest and which, as far as I am concerned, means nothing, certainly nothing positive, and has given rise to all the adverse changes to which we have been subject.

I resent and oppose the whole concept of programming. As my hon. Friend the Member for Aldridge-Brownhills pointed out, in his typical way, programming, which is a benign enough sounding concept, has been the mechanism whereby the Government have taken the tightest possible grip on parliamentary process and procedure, and diminished the role of Standing Committees to such an extent that they are now merely a cipher. That is symbolic of the relationship that now exists between the Government—the Executive—and Parliament, the House of Commons.

Sir Nicholas Winterton: I am following my right hon. Friend's argument with great care, so I think that he will accept what I am about to say. When a Procedure Committee issues a report on House of Commons matters, it should be dealt with by a decision of the House; it should not be for the Government of the day to produce a response on a matter that is entirely the responsibility of the House and nothing to do with the Government.

Mr. Forth: I am grateful to my hon. Friend for that intervention, which goes to the very heart of the relationship that exists between the Government and the House of Commons and returns us to my introductory remarks and the paradox that we have to deal with: at one and the same time, the House of Commons provides and sustains the Government while trying to hold it to account. He is absolutely right. In an ideal world the Government should have no role in determining the procedures of the House of Commons. That is the ideal. Even I, extremist that I am in these matters, would have to concede that we have to find some sort of accommodation and understand the fact that the Government, with their elected majority, should probably have the major influence—I put it no more strongly than that—in the way in which the House works. However, that balance has now become so grotesquely out of kilter that we are put in the current position.

Mr. William Cash (Stone) (Con): Would my right hon. Friend care to reflect, although he wants to stay in the 20th and 21st centuries, on the fact that the pass was sold in the 19th century, when during the difficulties that arose in relation to Home Rule, Lord Randolph Churchill and others fought against the changes that transferred the Speaker's rules effectively to the Executive. As a former Clerk of the House said in writing about that, that was when the House of Commons lost its control over business, and from that moment onwards, things have gone downhill.

Mr. Forth: I am grateful to my hon. Friend for taking us back to the 19th century. He would not have to tempt me too much to go further back than that—the further back perhaps the better—but the point is that debates on such issues occasionally give us the opportunity to try to put a stop to that process and perhaps even to reverse it.

Mr. Hogg: I share an awful lot of the views that are being expressed, but is not the basic truth that Members of Parliament have surrendered to the Executive powers that they ought to exercise and that, until we recover our self-respect, the Executive will dominate the House? Should my right hon. Friend not continue to make the point, when people talk about free votes, that all votes are free? It is because we have surrendered our liberty to the Whips that we need to talk about free votes. I believe that Members of Parliament should vote in accordance with their views, and I do not give two hoots about what the Whips say.

Mr. Forth: My right hon. and learned Friend displays the independence of mind of someone who is at a mature stage in his career, with perhaps not very much expectation of future advance.

Mr. Patrick McLoughlin (West Derbyshire) (Con) *rose*—

Mr. Forth: I shall give way to the man who could decide that one way or the other.

Mr. McLoughlin: Will my right hon. Friend think back to the time when my right hon. and learned Friend was in the Whips Office?

Mr. Forth: I am a glad that I was not the one who had to remind my right hon. and learned Friend of that matter.

Sir Patrick Cormack: Both my right hon. and learned Friend and my right hon. Friend, who is making an excellent speech, reflect most magnificently the zeal of the convert.

Mr. Forth: Yes, indeed. I accept what my hon. Friend says. I have found myself having to say this more than once during my period in opposition.

Mr. Hogg: Will my right hon. Friend give way?

Mr. Forth: Not while I am making my confession.

Of course, one's view varies from time to time, depending on how safe one's seat is, the stage of one's career and whether one is in government or opposition. That is self-evident, but it does not diminish the fact that those of us who have had the privilege of being elected for some little time now and have seen the House from the point of view of a Minister, a Government Back Bencher or an Opposition Back Bencher and so on can still hold views about the role of the House of Commons and of Members of Parliament that are perhaps better informed by that experience.

Mr. Hogg: Does my right hon. Friend accept the basic proposition that, whereas it is true that people like me bullied our Back-Bench colleagues when we were Whips, we would also make the confession that we did not think any more highly of them for allowing us to bully them?

Mr. Forth: I think that those are sufficient confessions for one day.

Mr. Cash: My right hon. Friend is making important points, as did my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), although he and I have not experienced the need for confession and contrition—or coercion for that matter. Does my right hon. Friend agree that Churchill got it right when, in acknowledging the necessity of political parties and a degree of discipline, he unequivocally said none the less that a Member's first duty was to his country, his second duty was to his constituents and only in the third instance was his duty to his party's policies and programme? If we stuck to that and undermined the overweening power of the Whips, would we not also increase the interest of the people of this country in what goes on here?

Mr. Forth *rose*—

Madam Deputy Speaker: Order. Before the right hon. Gentleman replies, may I remind hon. Members that we are discussing the motion on programming?

Mr. Forth: I think that we are discussing all the motions before us. In agreeing with my hon. Friend, I was about to mention deferred Divisions, which is the subject of one of the motions—I hope that we will all vote against it.

Deferred Divisions are symbolic of Labour Members' desire to make life as easy as possible. As I recall, the rationale behind deferred Divisions was that it was rather inconvenient for Members of Parliament to have to be in the House at the end of a debate—be that 7 o'clock or 10 o'clock—and vote at that hour. We have moved causally and glibly from that simple proposition to a situation in which absurd ballot papers are made available on Wednesdays for use by hon. Members, not least the Prime Minister so that his abysmal voting record can be improved easily. We now have the phenomenon whereby a motion and the Division on it are neatly detached, often by several days.

One could argue that that situation is not necessarily significant in itself, and I would be the first to concede that on a day such as this, given the number of hon. Members in the Chamber, there may well be some detachment between the debate and the Division on the

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matter, even if it occurs at the end of the day. However, the symbolism of the deferred Division procedure remains important. It says yet again that we do such things for the convenience of the Government and Members with no regard for the parliamentary process or the relationship that is developing between the Executive and Parliament.

Mr. McLoughlin: Is my right hon. Friend aware of the growing demand from Labour Members—the Leader of the House confirmed this today—to deal with private Members' Bills on Tuesdays or Wednesdays after 7 o'clock? If that proposal is acceded to, does he agree that the explanations given for the deferred Division procedure show that the Government were concerned about only their convenience rather than that of the House?

Mr. Forth: The proposal raises interesting points—I shall not discuss them at length, Madam Deputy Speaker, but I shall touch on them if I may. If the proposal were followed through, we would go back to sitting late to deal with private Members' Bills, but we were told that such hours were unacceptable to hon. Members. I am happy to deal with private Members' Bills whenever they come before the House, but I would prefer to consider them on a Friday because we are able to see off most of them because fewer than 40 Members bother to attend on that day to support them. It remains to be seen whether sufficient Members would bother to attend later on a Tuesday or Wednesday, but the proposal gives the lie to the validity of the argument that was originally put before us.

May I say a brief word about the carry-over of Bills? The right hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes)—I can actually say the name of his constituency properly—challenged us when he said that he had never heard a rationale set out for why carry-over was not self-evidently a good idea. Let me attempt to do that in the hope that he will read *Hansard* in the future. One of the main disciplines on a Government is Sessional discipline, which is the tradition that at the end of a Session, a Government have either legislated on a matter or they have not. That was a key discipline on my Government and it used to be one on this Government. The Government want to escape from that discipline so that they can legislate in any year without limit, but that is a bad thing. We have far too much legislation. The few controls that exist on the Government are diminishing, and Sessional discipline was one of the last remaining ones. For the Government to say, "Oh, by the way, if we run out of time at the end of a Session, let's just go on into the next one so that we can do what we want", without any restriction or discipline strikes me as extremely bad. That is the main reason why the carry-over of Bills is wrong.

Sir Nicholas Winterton: My right hon. Friend has missed an important aspect of carry-over. Carry-over is not out of the question because some complicated non-controversial Bills require a great deal of consideration, but surely it becomes unacceptable when it does not have cross-party support.

Mr. Forth: I might reluctantly have to accept that in exceptional cases, when there is cross-party support, carry-over might be acceptable. I simply say, however, that any Government who are in proper control of their legislative programme should be able to introduce difficult and complex Bills early enough in the Session to deal with them properly during that Session. There may be exceptional circumstances in which an urgent matter might arise towards the end of a Session that requires legislation, but I expect that to be the exception.

Mr. Tom Harris: I am following the right hon. Gentleman's argument, but surely he accepts that without carry-over and programme motions, which he also opposes, it would be fairly easy for a minority of hon. Members to undermine the will of the House by preventing that will from being carried out. Surely if he believes that the House is a sovereign body, we cannot allow a small minority to talk out Bills that have the support of the House.

Mr. Forth: The hon. Gentleman illustrates yet again the wisdom of my hon. Friend the Member for Aldridge-Brownhills in that he has a limited sense of parliamentary history. I do not blame him for that. He arrived recently in the House, and nothing wrong with that. However, in the good old days of the 1980s, a Bill went into Committee with no time restriction or timetable. Opposition Members often delayed, irritated and caused nuisance. Government Back Benchers, such as myself, often sat until 1 and 2 am, which we regarded as part of our job. It was up to the Opposition at that stage, for many hours, many days and sometimes many months, to decide the pace and shape of the Committee. That was right.

At some stage, the Government would say, "Enough already!", and introduce a guillotine motion to allow only a certain amount of further debate. That was how we lived. To my mind, that was a proper balance between the power of the Government—we had a majority of 140 in 1983—and the right of Opposition Members to use the time as they saw fit. That is what has been destroyed.

Mr. John Taylor (Solihull) (Con): Towards the end of the 1980s, when Baroness Thatcher was Prime Minister, I was in the Government's Whips Office. The convention on progress in Committee was that we would take it as prima facie evidence that we were being obstructed if we had not got past clause 3 after 100 hours.

Mr. Forth: I share my hon. Friend's memory of that. Colleagues who were here in the 1980s will recall many big Bill Committees running for 150 and 200 hours before they were guillotined.

Mr. Hogg: My right hon. Friend describes the late-night sittings and he is entirely right. Does he agree that the fact that Governments were subjected to late nights constrained their readiness to introduce long and difficult Bills? They were more constrained and the volume of legislation was less partly as a result of the late nights.

Mr. Forth: I am sure that my right hon. and learned Friend is right. All those things contribute to restraining and limiting what the Government do. Nearly all of them have gone, which explains the prolix nature of this Government's legislative approach.

Mr. Shepherd: When a Government wanted to truncate debate in Committee or on the Floor of the House they had to move a guillotine motion, which could be debated for three hours. So they had to justify the reasoning behind the action because, as our Library notes used to note, the guillotine is the most draconian measure in parliamentary debate.

Mr. Forth: We do not do debates any more in the House of Commons. The debates that we routinely held on the Floor of the House on statutory instruments, guillotines and so on have all disappeared, some of them completely. Time and time again, motions on the Order Paper are followed by the words "without debate", which symbolises the Government's belief that debate, discourse and exchange of views are an irrelevance. The Government believe that there is no need to hold debates, because they have a large majority and their Members have better things to do. They do not want to be distracted by such things.

Finally, on the issue of strangers, I agree with what has been said about political correctness. No one has told me that they found the use of the term "strangers" offensive, nor that they were deterred from coming to the Palace of Westminster because they are referred to in that way. This is another piece of nonsense. Earlier the hon. Member for North Cornwall (Mr. Tyler) spoke about Chairs, and the proposal to remove references to strangers distracts us from the real business before us. As my right hon. Friend the Member for North-West Hampshire (Sir George Young) said, only the press are interested in whether or not members of the public should be called strangers. Why do we not call them guests or stakeholders? Surely, we could find a more welcoming term than "the public". If we are going to go down that route, we should be a lot more cuddly and welcoming. Let us hold back, and keep "strangers" until we find something really fuzzy to which people can relate and which, if they were deterred before, will bring them rushing to the Chamber.

4.56 pm

Mr. Douglas Hogg (Sleaford and North Hykeham) (Con): I shall be brief, as I am conscious that I have not heard the full debate, for which I apologise to you, Madam Deputy Speaker, and other contributors.

I shall address the points about Report stage made by my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), which were strongly reinforced by my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton), who explicitly suggested that that stage should be exempt from programming. I entirely agree with my hon. Friends, and shall reinforce their argument. In truth, if Members are not selected to serve on Committee they do not have an opportunity fully to address the detail of a Bill unless they participate on Report. Before the Whips remind me, I acknowledge that I have not been forward in volunteering to serve on Committee, but when I have done so I have articulated the Hogg rules—I vote in accordance with my opinion; I move amendments as I think fit; and I conduct myself as a free Member.

Sir Patrick Cormack: That is why my right hon. and learned Friend is never chosen to serve on Committee.

Mr. Hogg: That is true, but it does not disqualify me as a matter of definition from having views on a Bill. I have views on almost every Bill that affects the constitution, the law, foreign affairs and many other things, but they are not always the same as my party's views. I am clearly entitled to express those views, and it is wrong to deny me that opportunity. The Report stage is the one opportunity—

Sir Nicholas Winterton: It is the only one.

Mr. Hogg: It is the only opportunity, my hon. Friend rightly reminds me, for right hon. and hon. Members who did not serve on Committee to address the detail of the Bill.

Kevin Brennan (Cardiff, West) (Lab): At what point in the right hon. and learned Gentleman's parliamentary career did the Hogg rules come into force?

Mr. Hogg: I shall be candid. When I first came to the House, I wanted to be a Minister and, I am glad to say, I held ministerial office for 13 years, which I enjoyed hugely. Naturally, in pursuit of that ambition I occasionally swallowed my opinions and bullied people. No doubt, I did things that I later regretted, but in favour of myself I would say that when I did so I knew that I was wrong. Now, I am suitably contrite and I can bring to the House the experience of someone who has bullied right hon. and hon. Members in my capacity as a Whip. If I am asked whether I think that is an honourable activity, the answer is no. But if I am asked whether I think it is honourable to allow oneself to be bullied, the answer is even less so. Right hon. and hon. Members must recover their self-respect. We are in this place to assert the rights of Parliament, to hold the Executive to account and to face down our own party. Until we do that, this place will be held in contempt, and rightly so.

The Report stage is a small part of that process. Bills such as the Civil Contingencies Bill, which my hon. Friend the Member for Aldridge-Brownhills and I were the only Opposition Members to oppose—

Mr. Cash: No, I did too.

Mr. Hogg: I apologise. My hon. Friend the Member for Stone (Mr. Cash) also opposed the Bill. We three should have ample opportunity to point out the evils associated with that legislation and many other pieces of legislation. My colleague has been through the evidence and pointed out the effect of the knives, both in Committee and much more seriously on Report. Very important clauses and schedules were allowed to pass through the House without discussion.

That is offensive for a number of reasons. First, it puts too great a burden on the other place. Secondly, it enables Government to be slipshod about the drafting

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of legislation. It enables them to present legislation late because they know it will not be discussed. Much worse, it undermines the bargain that underpins a democratic society, because the electorate gives away its freedoms and gives us the right to impose penalties and rules on the premise that we will give them serious consideration and debate them properly. If we deny ourselves the ability to do that, we are cutting away the basis on which the public surrenders its own rights. I therefore hope that we will accede to the suggestion made by my hon. Friend the Member for Macclesfield and accepted by my hon. Friend the Member for Aldridge-Brownhills on the question of the Report stage and exempt the Report stage from the programming procedures currently under discussion.

5.2 pm

Mr. William Cash (Stone) (Con): It is a privilege to take part in the debate. I have heard some exceptional speeches, not least from my hon. Friend—it should be my right hon. Friend—the Member for Aldridge-Brownhills (Mr. Shepherd), my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) and my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth).

We are discussing fundamental issues. As my right hon. and learned Friend the Member for Sleaford and North Hykeham said, we are acting on trust from the electorate and that trust is cut away from under our feet by the machinations of those who run Government business and our own party's business. I would go further and say, as I have said on other occasions, that in the context of the programming arrangements, the Whip system makes the Whips appear as though they had exclusive knowledge and competence to decide what is in the national interest, whereas we know that neither the Whips nor political parties or their leaders have that right or that prerogative—far from it.

I could give several examples, including the corn laws, home rule, tariff reform, appeasement, the Thatcher trade union reforms and, as we heard, Maastricht, as well as Amsterdam and Nice. It is obvious that the minority view prevailed, despite the fact that there were those who took a strong line against the Government of the day or their own party. The Report stage is fundamental to the process: it allows Back Benchers a unique opportunity and should clearly be excluded from programming.

I differ slightly from my hon. Friends on one point, which my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) raised. Getting to clause 3 in a Bill is as much the Opposition's fault as the Government's. Sometimes an unnecessary number of amendments are tabled—a gross self-indulgence that has been pursued on a number of occasions—in the belief that infinite time is available in which to consider the Bill. However, something happens sooner or later. Rather than adhering exclusively to the principle that time is the Opposition's best weapon, I have always believed that argument would be better employed if the use of amendments were more temperate.

On occasions, I have spent four out of six months in Committee on clause 1, which is ludicrous. In those cases, the argument went on and on about a particular clause because it encapsulated much of what followed, but later matters were addressed with a certain laziness and incompetence. A more moderate, measured and selective approach to amendments would perhaps lead to a situation in which Governments would not get so frustrated and impose the guillotine over and over again. The current position is, to say the least, an abuse of this House and of procedure.

Mr. John Taylor: I am following my hon. Friend's excellent arguments closely. Does he agree that the situation has turned—it is still totally unsatisfactory—and that the Government are by far and away the most prolix author of amendments?

Mr. Cash: That point is valid, and I say that having tabled many amendments to some Bills, such as those that introduced the Maastricht, Nice and Amsterdam treaties. I fear that my hon. Friend is right.

I warn the Government that after Friday, when the Prime Minister will sign up to the European constitution, we will move on to the next stage of that question. When I was shadow Attorney-General and during the following year, I spent many hours dealing with the question of primacy in direct argument with the Foreign Secretary and, indeed, the Prime Minister. The issue of primacy has now been conceded, in that it is now accepted that this Parliament is sovereign and can legislate accordingly, irrespective of the European Communities Act 1972, if it so wishes.

If it were decided that the Bill introducing the European constitutional treaty could be programmed, the very existence of this House as a proper deliberative assembly on the legislation that would subsequently pour out of Europe, including laws, future treaties and the European Court of Justice's rulings, would effectively be frustrated. The Leader of the House and I have discussed those matters, and he knows that to programme a Bill introducing the European constitutional treaty would be the gravest constitutional outrage. God help this country and God help this House if such a Bill is programmed. I look to the Deputy Leader of the House to assure the House that such a Bill will not be subject to a programme motion under any circumstances.

5.9 pm

The Deputy Leader of the House of Commons (Mr. Phil Woolas): This has been an extremely good debate. I say at the outset that my right hon. Friend the Leader of the House and I are very conscious of the strongly held views of right hon. and hon. Members and of the huge experience displayed in the debate by Members on both sides of the House. If one tots up the number of years of service of those who spoke, it amounts to some 306 years of parliamentary experience. Having been a Member of this House for seven years, I naturally respect and defer to that experience.

I apologise to the hon. Member for Aldridge-Brownhills (Mr. Shepherd) for misunderstanding his remarks when I intervened on him. I thought that he was talking about Standing Committees on Delegated Legislation. I regret that mistake and assure him that I will try to concentrate more keenly in future.

I sincerely thank the Chairmen and members of the Procedure Committee and the Modernisation Committee for their work. Their reports are excellent.

I assure the House that a great amount of attention, detail and concentrated effort has been put into our response.

I give the further reassurance that we are served by among the best, if not the best, team of civil servants who serve this House, and their point of view is taken very much into consideration. I hope that no right hon. or hon. Member on either side of the House feels that we have not given this matter the consideration that it deserves.

Sir Patrick Cormack: That points to the Government's misunderstanding of Parliament. The Clerks of this House are not civil servants.

Mr. Woolas: I hope that the hon. Gentleman is not trying to point-score. I was referring to the civil servants in the Cabinet Office who advise us; of course the Clerks are not civil servants in the sense of working for the Government.

My right hon. Friend the Leader of the House and I take the independence of this House extremely seriously. It is in the nature of our parliamentary system that the legislature and the Executive intersect through the Front Benches of the House. My right hon. Friend has not only duties to the Government but duties to the House. Unless we were to make a radical change to the way in which our Parliament and Government interrelate—which I am sure that the traditionalists who have spoken would not support—there will always be a tension between the Government, of whatever party, and the rights of the House.

There will inevitably be disagreements in seeking to get that balance right. However, one of the great strengths of these Houses of Parliament and this House of Commons is that disagreements over procedure are very small compared with the huge areas where there is agreement. That is reflected in the Government's response to the Committees' reports. Nevertheless, debates in the Chamber and such reporting as there is in the press always concentrate on the disagreements.

Many hon. Members expressed their opposition to programming, and I suspect that motion 2 will generate the most disagreement. I say from the outset that our attempts to introduce programming and the way in which it operates do not reflect, and should not be portrayed as, a heavy-handed Executive trying to force their will on to a reluctant House of Commons. I could refer to the statistics, but I fear that when they are quoted hon. Members' minds are often closed. It is not the case that the number of scrutinised clauses in Bills has decreased since the introduction of programming. The opposite is true. Filibustering prevented debate on many clauses because it meant that we did not necessarily focus on controversial clauses but on earlier provisions, often to delay if not to stop debate on the controversial issues that the majority of hon. Members wanted to reach. Programming has not therefore resulted in fewer clauses being scrutinised.

Mr. Cash: I have a certain sympathy for the view that the Deputy Leader of the House has expressed. There is a world of difference between reasonable amendments, which are presented in a measured and temperate fashion and cover a whole Bill—what appears at the end of a Bill can be as important as what appears at the beginning—and others. However, does he accept that what constitutes a filibuster is a matter for the Chair, whether in Standing Committee or on the Floor of the House? With great respect to the Chair, perhaps a little more stringency could be applied to those who are clearly engaged in a filibuster, which the Chair would understand from reading "Erskine May". There is a solution to the problem and the suggestion of the Deputy Leader of the House is somewhat disingenuous—

Madam Deputy Speaker: Order. That is a lengthy intervention. I call Mr. Woolas.

Mr. Woolas: Let me make a general and a specific response. At the core of the debate lies a disagreement about the nature of scrutiny and of opposition. Many hon. Members—I imagine the majority, but we shall find out later—contend that strength of argument and evidence that can be brought before Parliament should form the basis of opposition. Others argue that time and its use are a weapon of opposition and that any attempt by the Executive to control that means a diminution of the Opposition's power. The Government firmly support the first argument.

However, it is not true that we have restricted time for debate on major and even minor legislation to a greater extent than happened before 1997. There has been selective citation of the use of guillotines when many more were used before 1997 for reasons that have been given. If we compare the number of guillotines on Bills, many more were used before the Labour Government came to power. Confusion of internal knives with guillotines clouds the debate.

Mr. Shepherd: If the Deputy Leader of the House reads the Deputy Speaker's submission, he will realise that the definitions of "programme motion" and "guillotine" are almost indistinguishable—earlier, I mentioned the Standing Order point about guillotines—but he elides the two. Almost every Bill under this Government is guillotined.

Mr. Woolas: I understand the hon. Gentleman's point, which he made in his speech. Of course, I read the memorandum from the Chairman of Ways and Means and we debated the point in the previous debate on the subject. The point that I am striving to make is the same as the hon. Gentleman's in his minority report to the Procedure Committee. According to his evidence, in the period from 1946 to February 1997, 67 Bills were guillotined, and from 3 June 1997 to 21 October 2003, 94 Bills were guillotined. However, in the previous debate on the subject, the comparison of internal knives in a programme motion with a guillotine that cut off the end date of a Standing Committee showed that the figures are comparing apples with pears.

My second point—

Mr. Shepherd: Will the Deputy Leader of the House give way?

Mr. Woolas: If the hon. Gentleman could hear me out—he may not respect my experience in the House, but I hope that he respects my right to put the argument to him.

If we examine the evidence in the fourth report from the Procedure Committee, and the evidence given by the right hon. Member for Bromley and Chislehurst (Mr. Forth), we find that the cat is out of the bag. On page 44, he was asked about filibustering, and said:

> "I concede that in the old days a lot of time was wasted by filibustering—and, frankly, low-grade filibustering".

In his evidence on internal knives—or guillotines, if we want to use the phraseology that he used before—he said:

> "The end date is crucial. If I can give away another trade secret, I actually think that knives are helpful to the filibusterers, if there ever were any such people and if they managed to escape the eagle eye of the Chair of the Committee."

In other words, for every knife that the usual channels put in place, there is an opportunity for filibustering. How can programming, which is simply sensible timetabling—which every other institution in this country has, including the courts of law, which have their own procedures on timetabling business—

Mr. Forth *rose*—

Mr. Woolas: The right hon. Gentleman rises in indignation that I, a Member with only seven years' experience, should have a view on whether I should be able to go home before midnight or stay here until 4 am. I am quite prepared to stay here until 4 am. I did so on the National Minimum Wage Bill Committee, and it was the best thing I have ever done in Parliament.

Mrs. Dunwoody: Will the Deputy Leader of the House give way?

Mr. Woolas: If I may, I will just finish my point.

What I see as the sensible timetabling of programming, some right hon. and hon. Members see as a curtailment of their rights. The evidence of that, however, does not stand up to scrutiny. The best bit of evidence is this: the Front Benches on both sides of the House are committed to making programming work better for all concerned, whether Back or Front Benchers. The strong, principled opposition to programming, which some right hon. and hon. Members on both sides of the House hold dear, is understandable, but making programming work is what my right hon. Friend the Leader of the House is doing. That is for the benefit of the House. *[Interruption.]* I should give way to the right hon. Member for Bromley and Chislehurst, as I quoted him at some length.

Mr. Forth: I am grateful to the Deputy Leader of the House for quoting me, but I think that he is deliberately missing the point, which is perhaps obscured by the quotation. In previous times, the Opposition were largely in control of events until the Government decided that enough was enough. Whether the Opposition used that control wisely was up to them. Now the Government are in control of events and of the timetable from the start. That is the crucial change that has taken place, which he and his colleagues seem to think is perfectly natural, and which I find obnoxious.

Mr. Woolas: What is amazing about the arguments of the conservatives with a small "c" is that they hark back to a golden age when Parliament really was the power in the land—but it was not. In the second Churchill premiership, the then Prime Minister was also the Leader of the House. As Prime Minister and Leader of the House, he would come to the Chamber and tell both Front Benches exactly what they were going to do and when they were going to do it; indeed, he used to hold the Adjournment debate, too. Did they have Programming Sub-Committees in those days? To coin a phrase, did they heck—they used to sort it out in smoke-filled rooms. If that is the golden age to which right hon. and hon. Members refer, we can go back to that—

Mr. Cash: Will the Deputy Leader of the House give way?

Mr. Woolas: I must move on.

This Government have given more transparency to how we timetable business in the House than any previous Government, to such an extent that my right hon. Friend the Leader of the House more commonly has arguments with his own Whips Office than with the traditionalists among the Opposition. If only right hon. and hon. Gentlemen would accept that point, we would be able to move forward.

Sir Robert Smith: I wonder whether, having listened to the debate, the Deputy Leader of the House is any more disposed to accept amendments from the Procedure Committee. Does he recognise that in rejecting them he is likely to reduce support for the final motion?

Mr. Woolas: The answer to that question is obvious. The reasons for our choosing to accept many of the Committee's recommendations, but to object to a small number of them, have been set out by my right hon. Friend the Leader of the House. There is honest disagreement on them.

Sir Nicholas Winterton: Will the hon. Gentleman give way?

Mr. Woolas: I will give way to the hon. Gentleman because he chairs the Procedure Committee, but I must then respond to what has been said.

Sir Nicholas Winterton: I am listening to the hon. Gentleman's speech with some concern. We are debating the Government's motions and the Procedure Committee's amendments to them. While the Leader of the House spent some time in seeking to respond to the amendments, the Deputy Leader of the House is not dealing with them at all. May I remind him that the Procedure Committee has not objected to the Government's deciding on an out date from Standing Committee for a Bill? What we are saying is that the total handling of programming should be genuinely more democratic, and result from in-depth consultation and a knowledge of what the House as a whole thinks of a Bill on Second Reading. If he would attend to that, he would probably be more sympathetic to amendments that I think make programming much more acceptable.

Mr. Woolas: I was coming to those points. I want to respond to the contributions that have been made, but when I reach that stage, the hon. Gentleman may wish to intervene again.

The hon. Member for Stone (Mr. Cash) asked for a commitment that programming would not be used on the Constitution for Europe (Referendum) Bill. I cannot give him that commitment. The arguments for sensible programming and sensible timetabling will apply equally to that Bill when we reach it, but that has not been decided yet.

We heard some fascinating confessions from the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg). He confessed that he had swallowed his opinion on many occasions, and that he had been a bully; but I think his main point was that he had lost respect for those whom he was bullying. I felt that he went rather over the top when he said that the arguments before the House this afternoon were undermining democratic society.

I want to say a little in support of the Whips Office. It is, I think, the experience of Members on both sides of the House that without the Whips Office—without the usual channels, and the ability to have a private conversation about the business of the House—we would never get anything done. Of course the rights of minorities and minority points of view must be protected in all parts of the House, but whatever system of programming—or absence of programming—we had, we would have to reach a decision eventually. As everyone knows, without the Whips Offices nothing would get done and nothing would be decided.

I can provide the reassurance for which many hon. Members have asked that this is genuinely a free vote. *Hansard* will record tomorrow that not all members of the Government Whips Office will support all the Government's recommendations. I assure the House that there are debates even there. Members of the Whips Offices will of course take part in the telling, and will advise Members on the procedures; but there is no pressure from Government on Labour Back Benchers to vote in one way or the other. The strength of our arguments is our weapon, as always. I reject the description of the Whips Offices as the "dark forces".

The right hon. Member for Bromley and Chislehurst talked of the relationship between the House and the Executive. He said that he had experience of it from different perspectives—as a Front Bencher, a Minister and a Back Bencher. I respect that experience, but he must surely agree that—as I said earlier, and as my right hon. Friend said—there are tensions in the intersection between the Executive and the legislature. There are bound to be disagreements. Is that not the nature of our Parliament? In other countries, the Executive and the legislature are separate. If that were the position here, elected Members of Parliament would have less ability to scrutinise legislation. If that is the road that the right hon. Gentleman wants to go down, he should be honest about that.

Hon. Members asked about early-day motions. The idea of tagging early-day motions merits further consideration. The difficulty we have with automatic entitlement to Westminster Hall debates is that it would diminish the rights of individual Members and minorities. At present, we all have an equal chance of securing a Westminster Hall debate, but if the number of supporters was the criterion for allocation, I suspect that early-day motions would quickly become a tool of the Whips Office—the very dark forces that the hon. Members advancing the idea are keen to avoid.

My hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) made a powerful speech in which she stood up for the rights of Back Benchers. I hope that she will give credence to this argument. The statistics and evidence that we have presented not just in the debate but to the Procedure Committee show categorically that more time for scrutiny of clauses has been achieved with sensible timetabling. I, my right hon. Friend the Leader of the House and the Government agree that, in the early stages especially—and still today in some cases—programming did not work. It was detrimental in certain instances. Standing Committees that I was involved in had programming that did not work, but month after month, year after year, programming has bedded in. It has become broadly accepted across the House—of course, there are exceptions to this view—that it is sensible, particularly for outside bodies that wish to come to scrutinise what is going on here.

The hon. Member for North Cornwall (Mr. Tyler) pointed out that the Procedure Committee's report was unanimous. We accept that, of course. The Committee has a majority of Labour Members. He is right about that—that is one reason why we have listened and accepted many of the recommendations—but it still comes back to an honest disagreement between MPs and the business managers, who have a responsibility to get legislation through, properly scrutinised, as the shadow Leader of the House said. That is why we accepted many of the recommendations—there is all-party agreement.

The hon. Member for North Cornwall specifically asked whether Back Benchers should be able to influence programme motions. That goes to the heart of the matter. This answers some of the points that the distinguished Chairman of the Committee has raised. There is an assumption behind his arguments and behind the amendments that, if the role of the Whips and the usual channels were taken away, we could free Back Benchers from the responsibilities and duties of timetabling legislation. Frankly, that view is naive. If some of these changes were implemented, they would quickly be replaced by new usual channels functions, which would compromise Back Benchers' independence. We cannot get away from the fact that the House is elected on party lines, with an official Opposition and the Government in the majority.

We talked about deferred Divisions. Those who support deferred Divisions would point out that they at least give Members who could not attend the debate the opportunity to read the proceedings in *Hansard*. It is preferable for a Member to attend the debate in the Chamber, but at least a deferred Division gives that opportunity—it is for the convenience of Members. That is right: it would surely be wrong to make our procedures deliberately for the inconvenience of

[Mr. Woolas]

Members. That is why deferred Divisions—an experiment that many Members opposed very strongly when it was first suggested—have become our customary practice. I bet that in 25 years' time, when a young Deputy Leader of the House tries to change that practice, traditionalists will argue that it should be kept because it is a custom of this House. I hope that I am here to listen to that debate.

Carry-over has proved a success, as has pre-legislative scrutiny, which has been accepted in all parts of the House as a better way to scrutinise Bills. We intend to continue with both. The question has been asked—

Mr. Tyler *rose*—

Mr. Woolas: I think that I can predict what the hon. Gentleman is going to say. He is seeking an assurance that carry-over will take place only where there is unanimity among the parties. In practice, that is the case in any event—particularly when one bears in mind the other place—but I suspect that the implementation of the guarantee that he seeks would disappoint him. Of course, the assumption is that consideration would be given only to the Bill proposed for carry-over; but in reality, it would be horse-traded with other Bills. In that regard, we should compare disabilities and hunting legislation. In reality, the two would not be separated, as those in the Whips Office know.

Mr. Tyler: In fact, I was going to ask for a rather more narrow assurance. The hon. Gentleman will recall that the House decided on 29 October 2002 on a package of reforms that included carry-over, and that it decided then, on the basis of the Select Committee's recommendation, that after the Queen's Speech there should be a mechanism by which such discussions should take place. Is he giving an explicit assurance that there will be such a discussion on the legislative programme—on carry-over—after the Queen's Speech in a few weeks' time?

Mr. Woolas; I cannot give the hon. Gentleman the assurance that he seeks, but I should point out that the Chairmen of the Select Committees are of course involved in discussions on the legislative programme, and in particular on pre-legislative scrutiny. The usual channels are also involved in such discussions, as he knows. Again, if the assurance that he seeks were given, in practice the process would not work, because not all circumstances can be foreseen. The Queen's Speech represents the legislative programme, and the question of its timetabling throughout the year, and of which Bills should be subject to carry-over, has to be decided in the light of real-world events. I hope that he accepts that there is a difference of opinion in that regard.

Sir Nicholas Winterton: Will the hon. Gentleman give way?

Mr. Woolas: Yes, but I must soon draw my remarks to a close, as I sense that the House is impatient. .

Sir Nicholas Winterton: This issue is critical constitutionally. The Deputy Leader of the House is asking for permission and sanction to change Standing Orders, and he wants to include in them automatic carry-over. The Opposition believe that there should be carry-over, but only with cross-party support. Will he not give that one undertaking, which is constitutionally critical? He said that this issue is not important, and that such support would probably be sought. I am not a lawyer, but I believe that what is in black and white is important, so I want the phrase "with cross-party support in respect of carry-over" included in the Standing Orders.

Mr. Woolas: I am grateful to the hon. Gentleman and I respect his opinion greatly, as I hope he knows. The point that I am seeking to make is that in practice, the Government do seek, and get, all-party agreement on which Bills will be carried over, and in practice we do so in both Houses. If, however, that were enshrined in Standing Orders, the difficulty is not that the Opposition and minority parties would be given a veto over the Bill proposed for carry-over—normally, it is non-controversial, and I imagine that that will always be so—but that that Bill would form part of the horse-trading with other Bills before the House, in which case the objective of consensus would, in my view, break down. I do not say that in the light of any particular Bill currently before the House and I say it irrespective of the colour of the Government in power. I simply believe that it would be a fact of political life.

I should like to draw my remarks to a close—[HON. MEMBERS: "Hear, hear."]—having sensed the impatience of the House on this matter. The key question is whether we want sensible timetabling of Bills. Do we want to be able to conduct our business in a way that allows scrutiny and also allows the outside world to be aware of the timetabling of our business? Opposition Front Benchers have not given a commitment fully to implement the Procedure Committee reports, as they said that they would do so only in spirit, and neither have they given a commitment to withdraw programming in the unlikely event that they form the next Government. On that basis, I ask the House to support the Government recommendations made in response to the Procedure Committee and to reject the amendments.

Amendment proposed: (a) in line 4, after '1169)', insert 'approves the recommendation in paragraph 52 of the Report relating to a statement of clauses and schedules not debated in standing committee'.—*[Sir Nicholas Winterton.]*

Question put, That the amendment be made:—

The House divided: Ayes 191, Noes 265.

Division No. 278] **[5:41 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Bacon, Richard
Barker, Gregory
Beith, rh A. J.
Bellingham, Henry
Bennett, Andrew
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm
Burnside, David
Burstow, Paul
Burt, Alistair
Butterfill, Sir John
Cable, Dr. Vincent
Cameron, David

- Campbell, Gregory *(E Lond'y)*
- Campbell, rh Sir Menzies *(NE Fife)*
- Carmichael, Alistair
- Cash, William
- Chapman, Sir Sydney *(Chipping Barnet)*
- Chidgey, David
- Chope, Christopher
- Clappison, James
- Clarke, rh Kenneth *(Rushcliffe)*
- Clifton-Brown, Geoffrey
- Collins, Tim
- Conway, Derek
- Cormack, Sir Patrick
- Cotter, Brian
- Cran, James *(Beverley)*
- Davey, Edward *(Kingston)*
- Davis, rh David *(Haltemprice & Howden)*
- Djanogly, Jonathan
- Dodds, Nigel
- Donaldson, Jeffrey M.
- Dorrell, rh Stephen
- Doughty, Sue
- Duncan, Alan *(Rutland)*
- Dunwoody, Mrs Gwyneth
- Evans, Nigel
- Ewing, Annabelle
- Fallon, Michael
- Field, Mark *(Cities of London & Westminster)*
- Flight, Howard
- Flook, Adrian
- Forth, rh Eric
- Foster, Don *(Bath)*
- Fox, Dr. Liam
- Francois, Mark
- Garnier, Edward
- George, Andrew *(St. Ives)*
- Gerrard, Neil
- Gibb, Nick *(Bognor Regis)*
- Gidley, Sandra
- Gillan, Mrs Cheryl
- Goodman, Paul
- Gray, James *(N Wilts)*
- Grayling, Chris
- Green, Damian *(Ashford)*
- Greenway, John
- Grieve, Dominic
- Hague, rh William
- Harvey, Nick
- Heald, Oliver
- Heath, David
- Heathcoat-Amory, rh David
- Hendry, Charles
- Hermon, Lady
- Hoban, Mark *(Fareham)*
- Hoey, Kate *(Vauxhall)*
- Hogg, rh Douglas
- Holmes, Paul
- Horam, John *(Orpington)*
- Howard, rh Michael
- Howarth, Gerald *(Aldershot)*
- Hughes, Simon *(Southwark N)*
- Jack, rh Michael
- Jenkin, Bernard
- Jones, Lynne *(Selly Oak)*
- Keetch, Paul
- Kirkbride, Miss Julie
- Kirkwood, Sir Archy
- Knight, rh Greg *(E Yorkshire)*
- Laing, Mrs Eleanor
- Lait, Mrs Jacqui
- Lamb, Norman
- Lansley, Andrew
- Laws, David *(Yeovil)*
- Leigh, Edward
- Letwin, rh Oliver
- Lewis, Dr. Julian *(New Forest E)*
- Liddell-Grainger, Ian
- Lidington, David
- Lilley, rh Peter
- Llwyd, Elfyn
- Loughton, Tim
- Luff, Peter *(M-Worcs)*
- McIntosh, Miss Anne
- Mackay, rh Andrew
- Maclean, rh David
- McLoughlin, Patrick
- Mahon, Mrs Alice
- Maples, John
- Mates, Michael
- Maude, rh Francis
- Mawhinney, rh Sir Brian
- May, rh Mrs Theresa
- Mercer, Patrick
- Moore, Michael
- Murrison, Dr. Andrew
- O'Brien, Stephen *(Eddisbury)*
- Öpik, Lembit
- Osborne, George *(Tatton)*
- Ottaway, Richard
- Page, Richard
- Paisley, Rev. Ian
- Paterson, Owen
- Pickles, Eric
- Portillo, rh Michael
- Price, Adam *(E Carmarthen & Dinefwr)*
- Pugh, Dr. John
- Randall, John
- Redwood, rh John
- Reid, Alan *(Argyll & Bute)*
- Rendel, David
- Robertson, Hugh *(Faversham & M-Kent)*
- Robertson, John *(Glasgow Anniesland)*
- Robertson, Laurence *(Tewk'b'ry)*
- Robinson, Mrs Iris *(Strangford)*
- Robinson, Peter *(Belfast E)*
- Rosindell, Andrew
- Ruffley, David
- Russell, Bob *(Colchester)*
- Salmond, Alex
- Sanders, Adrian
- Sayeed, Jonathan
- Selous, Andrew
- Sheerman, Barry
- Shephard, rh Mrs Gillian
- Shepherd, Richard
- Simmonds, Mark
- Smyth, Rev. Martin *(Belfast S)*
- Soames, Nicholas
- Spelman, Mrs Caroline
- Spink, Bob *(Castle Point)*
- Spring, Richard
- Steen, Anthony
- Streeter, Gary
- Stunell, Andrew
- Swayne, Desmond
- Swire, Hugo *(E Devon)*
- Syms, Robert
- Tapsell, Sir Peter
- Taylor, John *(Solihull)*
- Taylor, Matthew *(Truro)*
- Taylor, Dr. Richard *(Wyre F)*
- Taylor, Sir Teddy
- Teather, Sarah
- Thurso, John
- Trimble, rh David
- Turner, Andrew *(Isle of Wight)*
- Tyler, Paul *(N Cornwall)*
- Tynan, Bill *(Hamilton S)*
- Tyrie, Andrew
- Viggers, Peter
- Watkinson, Angela
- Webb, Steve *(Northavon)*
- Weir, Michael
- Whittingdale, John
- Widdecombe, rh Miss Ann
- Wiggin, Bill
- Wilkinson, John
- Willetts, David
- Williams, rh Alan *(Swansea W)*
- Williams, Hywel *(Caernarfon)*
- Williams, Roger *(Brecon)*
- Wilshire, David
- Winterton, Ann *(Congleton)*
- Wishart, Pete
- Yeo, Tim *(S Suffolk)*
- Young, rh Sir George
- Younger-Ross, Richard

Tellers for the Ayes:
Sir Nicholas Winterton and
Sir Robert Smith

NOES

- Adams, Irene *(Paisley N)*
- Ainger, Nick
- Ainsworth, Bob *(Cov'try NE)*
- Allen, Graham
- Anderson, rh Donald *(Swansea E)*
- Anderson, Janet *(Rossendale & Darwen)*
- Armstrong, rh Ms Hilary
- Atherton, Ms Candy
- Atkins, Charlotte
- Austin, John
- Bailey, Adrian
- Baird, Vera
- Banks, Tony
- Barnes, Harry
- Barron, rh Kevin
- Beard, Nigel
- Beckett, rh Margaret
- Begg, Miss Anne
- Benton, Joe *(Bootle)*
- Berry, Roger
- Blackman, Liz
- Blears, Ms Hazel
- Blizzard, Bob
- Borrow, David
- Bradley, rh Keith *(Withington)*
- Bradley, Peter *(The Wrekin)*
- Bradshaw, Ben
- Brennan, Kevin
- Bryant, Chris
- Burden, Richard
- Burnham, Andy
- Byers, rh Stephen
- Byrne, Liam *(B'ham Hodge H)*
- Cairns, David
- Campbell, Alan *(Tynemouth)*
- Casale, Roger
- Caton, Martin
- Challen, Colin
- Chapman, Ben *(Wirral S)*
- Chaytor, David
- Clapham, Michael
- Clark, Dr. Lynda *(Edinburgh Pentlands)*
- Clark, Paul *(Gillingham)*
- Clarke, rh Tom *(Coatbridge & Chryston)*
- Clwyd, Ann *(Cynon V)*
- Coffey, Ms Ann
- Cohen, Harry
- Connarty, Michael
- Corston, rh Jean
- Cousins, Jim
- Crausby, David
- Cruddas, Jon
- Cryer, John *(Hornchurch)*
- Cunningham, Jim *(Coventry S)*
- Cunningham, Tony *(Workington)*
- Curtis-Thomas, Mrs Claire
- Darling, rh Alistair
- Davey, Valerie *(Bristol W)*
- Davidson, Ian
- Davies, rh Denzil *(Llanelli)*
- Davies, Geraint *(Croydon C)*
- Dean, Mrs Janet
- Denham, rh John
- Dismore, Andrew
- Dobbin, Jim *(Heywood)*
- Dobson, rh Frank
- Donohoe, Brian H.
- Doran, Frank
- Dowd, Jim *(Lewisham W)*
- Drew, David *(Stroud)*
- Eagle, Angela *(Wallasey)*
- Eagle, Maria *(L'pool Garston)*
- Edwards, Huw
- Ellman, Mrs Louise
- Ennis, Jeff *(Barnsley E)*
- Etherington, Bill
- Farrelly, Paul
- Fisher, Mark
- Fitzpatrick, Jim
- Fitzsimons, Mrs Lorna
- Flynn, Paul *(Newport W)*
- Follett, Barbara
- Foster, rh Derek
- Foster, Michael *(Worcester)*
- Foster, Michael Jabez *(Hastings & Rye)*
- Foulkes, rh George
- Francis, Dr. Hywel
- Gapes, Mike *(Ilford S)*
- Gibson, Dr. Ian
- Gilroy, Linda
- Goggins, Paul
- Griffiths, Jane *(Reading E)*
- Griffiths, Nigel *(Edinburgh S)*
- Griffiths, Win *(Bridgend)*
- Hain, rh Peter
- Hall, Mike *(Weaver Vale)*
- Hall, Patrick *(Bedford)*
- Hamilton, David *(Midlothian)*
- Hanson, David
- Harman, rh Ms Harriet
- Harris, Tom *(Glasgow Cathcart)*
- Healey, John
- Henderson, Ivan *(Harwich)*
- Hendrick, Mark
- Heppell, John
- Hewitt, rh Ms Patricia
- Heyes, David
- Hill, Keith *(Streatham)*
- Hinchliffe, David
- Hodge, Margaret
- Hoon, rh Geoffrey
- Hope, Phil *(Corby)*
- Hopkins, Kelvin
- Howarth, George *(Knowsley N & Sefton E)*
- Howells, Dr. Kim
- Hoyle, Lindsay

Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hume, John *(Foyle)*
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDougall, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meale, Alan *(Mansfield)*
Michael, rh Alun
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Morley, Elliot
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Ryan, Joan *(Enfield N)*
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheridan, Jim
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Southworth, Helen
Spellar, rh John
Squire, Rachel
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Watson, Tom
Watts, David
White, Brian
Williams, Betty *(Conwy)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Gillian Merron and
Vernon Coaker

Question accordingly negatived.

Amendment proposed: (b), in line 7, at end insert—

"( ) In Order A (Programme Motions), leave out paragraph (1) and insert—

'(1) A motion, of which notice has been given, providing for any proceedings on a bill to be programmed may be made at or after the second sitting of the House after the bill has been read a second time and the question shall be put—

(a) forthwith, if the motion stands in the name of members of three or more parties including a Minister of the Crown and a member of the party to which the Leader of the Opposition belongs; or

(b) not later than one hour after the commencement of proceedings on the motion, in any other case.

(1A) Before putting the question under sub-paragraphs (a) or (b) above, the Speaker shall put the question on any amendment to the motion which has been selected by him which may then be moved.

(1B) Such a motion may also provide for committal of the bill (including the discharge of any order previously made in respect of the committal of the bill).'."—*[Sir Nicholas Winterton.]*

Question put, That the amendment be made:—

The House divided: Ayes 174, Noes 271.

Division No. 279] **[5:55 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Bacon, Richard
Barker, Gregory
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm
Burnside, David
Burstow, Paul
Burt, Alistair
Butterfill, Sir John
Cable, Dr. Vincent
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, rh Sir Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Davey, Edward *(Kingston)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Dunwoody, Mrs Gwyneth
Evans, Nigel
Ewing, Annabelle
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Garnier, Edward
George, Andrew *(St. Ives)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hamilton, David *(Midlothian)*
Harvey, Nick
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*

Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jenkin, Bernard
Keetch, Paul
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Mates, Michael
Mawhinney, rh Sir Brian
May, rh Mrs Theresa
Mercer, Patrick
Moore, Michael
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Page, Richard
Paisley, Rev. Ian
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rosindell, Andrew
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spink, Bob *(Castle Point)*
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, David *(NW Leics)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Thurso, John
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Watkinson, Angela
Webb, Steve *(Northavon)*
Weir, Michael
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Sir Nicholas Winterton and
Sir Robert Smith

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Bryant, Chris
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cairns, David
Campbell, Alan *(Tynemouth)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Corston, rh Jean
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hume, John *(Foyle)*
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDougall, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meale, Alan *(Mansfield)*
Michael, rh Alun
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Morley, Elliot
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin

Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Ryan, Joan *(Enfield N)*
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Southworth, Helen
Spellar, rh John
Squire, Rachel
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Watson, Tom
Watts, David
White, Brian
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek

Tellers for the Noes:
Gillian Merron and
Vernon Coaker

Question accordingly negatived.

It being after Six o'clock, MR DEPUTY SPEAKER *proceeded to put the remaining Questions to be decided at that hour.*

Mr. Deputy Speaker (Sir Michael Lord): As amendment (b) has been lost, amendment (c) automatically falls.

Amendment proposed: (d), in line 21, at end insert—

'(5A) In Order D (Programme orders: conclusion of proceedings in standing committee or in committee of the whole House), after paragraph (1), insert—

"(1A) The chairman of a standing committee shall defer the putting of any question in accordance with a programme order by a period equal to that for which that sitting of the committee has been suspended owing to divisions in the House or in a committee of the whole House, and the chairman may also defer the putting of any such question by a period not exceeding a quarter of an hour if he considers it to be for the general convenience of the committee.

Provided that if the time at which a question falls to be put is thereby deferred beyond the hour specified in the proviso to paragraph (1) of Standing Order No. 88 (Meetings of standing committees), the question shall be put instead at the corresponding time after the commencement of the next sitting of the committee.".'.—*[Sir Nicholas Winterton.]*

Question put, That the amendment be made:—

The House divided: Ayes 182, Noes 257.

Division No. 280] **[6:08 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Bacon, Richard
Barker, Gregory
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brake, Tom *(Carshalton)*
Brazier, Julian
Browning, Mrs Angela
Bruce, Malcolm
Burstow, Paul
Burt, Alistair
Butterfill, Sir John
Cable, Dr. Vincent
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, rh Sir Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Davey, Edward *(Kingston)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Dunwoody, Mrs Gwyneth
Evans, Nigel
Ewing, Annabelle
Fallon, Michael
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Fisher, Mark
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Garnier, Edward
George, Andrew *(St. Ives)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hamilton, David *(Midlothian)*
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Holmes, Paul
Hopkins, Kelvin
Horam, John *(Orpington)*
Howard, rh Michael
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jenkin, Bernard
Keetch, Paul
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Mackinlay, Andrew
Maclean, rh David
McLoughlin, Patrick
Maples, John
Marlow, Eric
Mawhinney, rh Sir Brian
May, rh Mrs Theresa
Mercer, Patrick
Miller, Andrew
Moore, Michael
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Paisley, Rev. Ian
Paterson, Owen
Pickles, Eric
Prentice, Gordon *(Pendle)*
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*

Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, John *(Glasgow Anniesland)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Sheerman, Barry
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spink, Bob *(Castle Point)*
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, David *(NW Leics)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah
Thurso, John
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Tyrie, Andrew
Viggers, Peter
Watkinson, Angela
Webb, Steve *(Northavon)*
Weir, Michael
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Sir Nicholas Winterton and
Sir Robert Smith

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Blackman, Liz
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Bryant, Chris
Burden, Richard
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cairns, David
Campbell, Alan *(Tynemouth)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Corston, rh Jean
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Harman, rh Ms Harriet
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hume, John *(Foyle)*
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDougall, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow – Shettleston)*
Meale, Alan *(Mansfield)*
Michael, rh Alun
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Morley, Elliot
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Primarolo, rh Dawn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Ryan, Joan *(Enfield N)*
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheridan, Jim
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Southworth, Helen
Speller, rh John
Squire, Rachel
Steinberg, Gerry

Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr. Rudi
Walley, Ms Joan
Watson, Tom
Watts, David
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wilson, Brian
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek

Tellers for the Noes:
Gillian Merron and
Vernon Coaker

Question accordingly negatived.

Main Question put:—

The House divided: Ayes 261, Noes 173.

Division No. 281] **[6:19 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Benton, Joe *(Bootle)*
Berry, Roger
Blackman, Liz
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Bryant, Chris
Burden, Richard
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cairns, David
Campbell, Alan *(Tynemouth)*
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Corston, rh Jean
Cousins, Jim
Crausby, David
Cruddas, Jon
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hume, John *(Foyle)*
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDougall, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Morgan, Julie
Morley, Elliot
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Ryan, Joan *(Enfield N)*
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Southworth, Helen
Spellar, rh John
Squire, Rachel
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard

Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr. Alan
Williams, Betty *(Conwy)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek

Tellers for the Ayes:
Margaret Moran and
Derek Twigg

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Bacon, Richard
Barker, Gregory
Bellingham, Henry
Bennett, Andrew
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brake, Tom *(Carshalton)*
Brazier, Julian
Browning, Mrs Angela
Bruce, Malcolm
Burstow, Paul
Burt, Alistair
Butterfill, Sir John
Cable, Dr. Vincent
Campbell, Gregory *(E Lond'y)*
Campbell, rh Sir Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Cryer, John *(Hornchurch)*
Davey, Edward *(Kingston)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Dunwoody, Mrs Gwyneth
Evans, Nigel
Ewing, Annabelle
Fallon, Michael
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Garnier, Edward
George, Andrew *(St. Ives)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hamilton, David *(Midlothian)*
Harvey, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Holmes, Paul
Hopkins, Kelvin
Horam, John *(Orpington)*
Howard, rh Michael
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jenkin, Bernard
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Mackinlay, Andrew
Maclean, rh David
McLoughlin, Patrick
Maples, John
Mawhinney, rh Sir Brian
May, rh Mrs Theresa
Mercer, Patrick
Moore, Michael
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Paisley, Rev. Ian
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rosindell, Andrew
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spink, Bob *(Castle Point)*
Spring, Richard
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Webb, Steve *(Northavon)*
Weir, Michael
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Angela Watkinson and
Sir Robert Smith

Question accordingly agreed to.

Resolved,

That the House takes note of the Fourth Report of the Procedure Committee, on Programming of Legislation, HC 325, and the Government's Response thereto (published as the Committee's Fifth Special Report of the current Session, HC 1169); and makes the following provision:

Ordered,

That, with effect from the beginning of the next Session of Parliament, the Orders of the House of 28th June 2001 relating to Programming of Bills be Standing Orders of the House, with the following Amendments:

(1) In Order A (Programme Motions), in paragraph (6), leave out 'or where paragraph (8) of Sessional Order B (Programming Committees) applies,'.

(2) In Order A, in paragraph (10), leave out 'In an excepted case' and insert 'If any of the exceptions applies'.

(3) In Order B (Programming Committees), leave out paragraphs (8) to (10).

(4) In Order C (Programming Sub-Committees), in paragraph (1), after 'and', insert 'subject to paragraph (9A) of this order'.

(5) In Order C, after paragraph (9), insert—

'(9A) A Minister of the Crown may make any motion in a standing committee which could have been the subject of a resolution of the Programming Sub-Committee; and for the purposes of this order the motion shall be treated as if it were in the terms of a resolution of the Programming Sub-Committee: provided that proceedings on such a motion shall lapse if any member of the committee signifies objection to it.'

(6) In Order D (Programme orders: conclusion of proceedings in Standing Committee or in Committee of the whole House), in paragraph (2), after 'others)' insert 'in the same order as they would fall to be put if this order did not apply'; and in sub-paragraph (c), leave out 'division' and insert 'decision'.

(7) In Order D, in paragraph (5), at end insert ', except that the question shall be put separately on any clause of or schedule to the bill which a Minister of the Crown has signified an intention to leave out'.

(8) In Order E (Programme orders: conclusion of proceedings on consideration or third reading), in paragraph (2), after 'others)' insert 'in the same order as they would fall to be put if this order did not apply'; and in sub-paragraph (c), leave out 'division' and insert 'decision'.

PROCEDURE FOR DEBATES ETC.

Resolved,

That this House takes note of the Fourth Report of the Procedure Committee, Session 2002-03, on Procedures for Debates, Private Members' Bills and the Powers of the Speaker, HC 333, and the Government's Response thereto (published as the Committee's Second Special Report of the current Session, HC 610); and endorses the proposals for an experiment with shorter back-bench speeches set out in paragraphs 13 to 15 of the Committee's Report; and

That, with effect from the beginning of the next Session of Parliament until the end of the next but one Session of Parliament, the following Order be a Standing Order of the House:

The Speaker may call Members between certain hours to speak for a specified maximum time (not being less than three minutes) and during this time the reference to eight minutes in paragraph (1) of Standing Order No. 47 (Short speeches) and the provisions of paragraph (2) of that order shall not apply.—[*Mr. Woolas.*]

DEFERRED DIVISIONS

Motion made, and Question put,

That, with effect from the beginning of the next Session of Parliament, the Order of the House of 28th June 2001 relating to Deferred Divisions be a Standing Order of the House.—[*Mr. Woolas.*]

The House divided: Ayes 300, Noes 130.

Division No. 282] **[6:31 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Benton, Joe *(Bootle)*
Berry, Roger
Blackman, Liz
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Bruce, Malcolm
Bryant, Chris
Burden, Richard
Burstow, Paul
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cable, Dr. Vincent
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, rh Sir Menzies *(NE Fife)*
Carmichael, Alistair
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Corston, rh Jean
Cotter, Brian
Cousins, Jim
Crausby, David
Cruddas, Jon
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, Andrew *(St. Ives)*
Gerrard, Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Healey, John
Heath, David
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Holmes, Paul
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hume, John *(Foyle)*
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keen, Alan *(Feltham)*
Kemp, Fraser
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Sir Archy
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDougall, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moore, Michael
Morgan, Julie
Morley, Elliot
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*

O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, Alan *(Argyll & Bute)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Joan *(Enfield N)*
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Southworth, Helen
Spellar, rh John
Squire, Rachel
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Tyrie, Andrew
Vis, Dr. Rudi
Walley, Ms Joan
Watson, Tom
Watts, David
Webb, Steve *(Northavon)*
White, Brian
Whitehead, Dr. Alan
Williams, Betty *(Conwy)*
Williams, Roger *(Brecon)*
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek
Younger-Ross, Richard

Tellers for the Ayes:
Margaret Moran and
Derek Twigg

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, rh James
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brazier, Julian
Browning, Mrs Angela
Burnside, David
Burt, Alistair
Butterfill, Sir John
Campbell, Gregory *(E Lond'y)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cran, James *(Beverley)*
Cryer, John *(Hornchurch)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Duncan, Alan *(Rutland)*
Dunwoody, Mrs Gwyneth
Evans, Nigel
Ewing, Annabelle
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Garnier, Edward
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Grieve, Dominic
Hague, rh William
Hayes, John *(S Holland)*
Heald, Oliver
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Hopkins, Kelvin
Horam, John *(Orpington)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jenkin, Bernard
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Mackinlay, Andrew
McLoughlin, Patrick
Maples, John
Mawhinney, rh Sir Brian
May, rh Mrs Theresa
Mercer, Patrick
Mitchell, Austin *(Gt Grimsby)*
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Paisley, Rev. Ian
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Randall, John
Redwood, rh John
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rosindell, Andrew
Salmond, Alex
Sayeed, Jonathan
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spink, Bob *(Castle Point)*
Spring, Richard
Steen, Anthony
Streeter, Gary
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Viggers, Peter
Weir, Michael
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Wilshire, David
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete

Tellers for the Noes:
Angela Watkinson and
Sir George Young

Question accordingly agreed to.

CARRY-OVER OF BILLS

Motion made, and Question put,

That, with effect from the beginning of the next Session of Parliament, the Order of the House of 29th October 2002 relating to Carry-over of Bills be a Standing Order of the House, with the following amendments:

(1) After paragraph (4), insert—

'(4A) A carry-over motion may be made only in respect of a bill presented by a Minister of the Crown.

(4B) The provisions of this order shall not apply to a carry-over motion made in respect of a bill brought from the Lords.'

(2) In paragraph (8)(a), after 'committed', insert 'to a standing committee', and leave out from first 'Session' to end of the sub-paragraph.

(3) After paragraph (9) insert—

'(9A) A programme order relating to a bill which is carried over to the next session of Parliament shall continue to apply in the next session.'.—*[Mr. Woolas.]*

The House divided: Ayes 296, Noes 137.

Division No. 283] **[6:44 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Benton, Joe *(Bootle)*
Berry, Roger
Blackman, Liz
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Bruce, Malcolm
Bryant, Chris
Burden, Richard
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cable, Dr. Vincent
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, rh Sir Menzies *(NE Fife)*
Carmichael, Alistair
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Corston, rh Jean
Cotter, Brian
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Donohoe, Brian H
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, Andrew *(St. Ives)*
Gerrard, Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Holmes, Paul
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hume, John *(Foyle)*
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keen, Alan *(Feltham)*
Kemp, Fraser
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Sir Archy
Knight, Jim *(S Dorset)*
Lamb, Norman
Lammy, David
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDougall, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moore, Michael
Morgan, Julie
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, Alan *(Argyll & Bute)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Joan *(Enfield N)*
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Southworth, Helen
Spellar, rh John
Squire, Rachel
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*

Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Watson, Tom
Watts, David
Webb, Steve *(Northavon)*
White, Brian
Whitehead, Dr. Alan
Williams, Betty *(Conwy)*
Williams, Roger *(Brecon)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek
Younger-Ross, Richard

Tellers for the Ayes:
Margaret Moran and
Derek Twigg

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, rh James
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brazier, Julian
Browning, Mrs Angela
Burnside, David
Burt, Alistair
Butterfill, Sir John
Cameron, David
Campbell, Gregory *(E Lond'y)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Duncan, Alan *(Rutland)*
Dunwoody, Mrs Gwyneth
Evans, Nigel
Ewing, Annabelle
Fallon, Michael
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Garnier, Edward
Gillan, Mrs Cheryl
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Grieve, Dominic
Hague, rh William
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Hopkins, Kelvin
Horam, John *(Orpington)*
Howard, rh Michael
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jenkin, Bernard
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Maples, John
Mawhinney, rh Sir Brian
May, rh Mrs Theresa
Mercer, Patrick
Mitchell, Austin *(Gt Grimsby)*
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Paisley, Rev. Ian
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Randall, John
Redwood, rh John
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rosindell, Andrew
Salmond, Alex
Sayeed, Jonathan
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spink, Bob *(Castle Point)*
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Weir, Michael
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Wilshire, David
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Angela Watkinson and
Mr. Paul Goodman

Question accordingly agreed to.

SHORT SPEECHES

Ordered,

That, with effect from the beginning of the next Session of Parliament, Standing Order No. 47 (Short speeches) be amended by leaving out 'between certain hours' in line 4 of paragraph (1), and inserting 'at certain times'.—*[Mr. Woolas.]*

REMOVAL OF REFERENCES TO STRANGERS

Motion made, and Question put,

That, with effect from the beginning of the next Session of Parliament, the following amendments be made to the Standing Orders of the House:

No. 89 (Procedure in standing committees): in paragraph (2), leave out 'Strangers' and insert 'The public';

No. 125 (Strangers (select committees)): leave out the title and insert 'Select committees (admission of the public)'; and in paragraph (1), leave out 'strangers' and insert 'the public';

No. 149 (Committee on Standards and Privileges): in paragraph (8), leave out 'strangers' and insert 'the public';

No. 161 (Duties of Serjeant at Arms with respect to strangers): in the title, leave out 'strangers' and insert 'the public'; in paragraph (1), leave out 'stranger' in the two places where it appears and insert 'member of the public' in each place, and leave out 'strangers' and insert 'the public'; and in paragraph (2), leave out 'strangers' and insert 'members of the public'.

No. 162 (Places to which strangers are not admitted): in the title, leave out 'strangers' and insert 'the public'; and, in the Standing Order, leave out 'stranger' and insert 'member of the public'.—*[Mr. Woolas.]*

The House divided: Ayes 242, Noes 167.

Division No. 284] **[6:55 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Begg, Miss Anne
Benton, Joe *(Bootle)*
Bercow, John
Berry, Roger
Blackman, Liz
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Bruce, Malcolm
Bryant, Chris
Burden, Richard
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cable, Dr. Vincent

Cairns, David
Carmichael, Alistair
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Cotter, Brian
Cousins, Jim
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
Davies, rh Denzil *(Llanelli)*
Dean, Mrs Janet
Denham, rh John
Doran, Frank
Dorrell, rh Stephen
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Ewing, Annabelle
Farrelly, Paul
Fitzsimons, Mrs Lorna
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Gapes, Mike *(Ilford S)*
George, Andrew *(St. Ives)*
Gerrard, Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Goggins, Paul
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, rh Ms Harriet
Harvey, Nick
Healey, John
Heath, David
Heppell, John
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David

Holmes, Paul
Hope, Phil *(Corby)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(Selly Oak)*
Joyce, Eric *(Falkirk W)*
Kemp, Fraser
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Sir Archy
Knight, Jim *(S Dorset)*
Lamb, Norman
Lammy, David
Laws, David *(Yeovil)*
Lazarowicz, Mark
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lucas, Ian *(Wrexham)*
McCafferty, Chris
McDonagh, Siobhain
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McLoughlin, Patrick
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Merron, Gillian
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moore, Michael
Moran, Margaret
Morgan, Julie
Munn, Ms Meg
Murrison, Dr. Andrew
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Prentice, Gordon *(Pendle)*
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Quin, rh Joyce
Rapson, Syd *(Portsmouth N)*

Raynsford, rh Nick
Reid, Alan *(Argyll & Bute)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robinson, Geoffrey *(Coventry NW)*
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Joan *(Enfield N)*
Salmond, Alex
Savidge, Malcolm
Sawford, Phil
Sheridan, Jim
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Spellar, rh John
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Straw, rh Jack
Stunell, Andrew
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*

Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Trickett, Jon
Turner, Dr. Desmond *(Brighton Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom
Watts, David
Webb, Steve *(Northavon)*
Weir, Michael
White, Brian
Whitehead, Dr. Alan
Willetts, David
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wishart, Pete
Wood, Mike *(Batley)*
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wyatt, Derek
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Paul Clark and
Mr. Jim Murphy

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, rh James
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Beard, Nigel
Bellingham, Henry
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, rh Virginia *(SW Surrey)*
Brazier, Julian
Browning, Mrs Angela
Burnside, David
Burt, Alistair
Butterfill, Sir John
Campbell, Gregory *(E Lond'y)*
Campbell, rh Sir Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clapham, Michael
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Coaker, Vernon
Conway, Derek
Cormack, Sir Patrick
Crausby, David
Davey, Edward *(Kingston)*
Davidson, Ian

Davis, rh David *(Haltemprice & Howden)*
Dismore, Andrew
Djanogly, Jonathan
Dobbin, Jim *(Heywood)*
Dodds, Nigel
Donaldson, Jeffrey M.
Donohoe, Brian H.
Dunwoody, Mrs Gwyneth
Evans, Nigel
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Fitzpatrick, Jim
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francis, Dr. Hywel
Francois, Mark
Garnier, Edward
Gillan, Mrs Cheryl
Gray, James *(N Wilts)*
Grayling, Chris
Grieve, Dominic
Harris, Tom *(Glasgow Cathcart)*
Hayes, John *(S Holland)*
Heald, Oliver
Heathcoat-Amory, rh David
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hermon, Lady
Hoban, Mark *(Fareham)*
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Hopkins, Kelvin

Horam, John *(Orpington)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hurst, Alan *(Braintree)*
Jack, rh Michael
Jenkin, Bernard
Jenkins, Brian
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Ladyman, Dr. Stephen
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Ivan *(Bury S)*
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Love, Andrew
Luff, Peter *(M-Worcs)*
McAvoy, Thomas
MacDougall, John
McIntosh, Miss Anne
Mackay, rh Andrew
McKenna, Rosemary
Maclean, rh David
McNulty, Tony
Mahmood, Khalid
Maples, John
Martlew, Eric
Maude, rh Francis
Mawhinney, rh Sir Brian
May, rh Mrs Theresa
Meale, Alan *(Mansfield)*
Michael, rh Alun
Moonie, Dr. Lewis
O'Hara, Edward
Olner, Bill
Öpik, Lembit
Organ, Diana
Osborne, George *(Tatton)*
Paisley, Rev. Ian
Paterson, Owen
Pearson, Ian
Pickles, Eric
Pickthall, Colin
Prentice, Ms Bridget *(Lewisham E)*
Randall, John
Redwood, rh John
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, John *(Glasgow Anniesland)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rosindell, Andrew
Ruffley, David
Sanders, Adrian
Sarwar, Mohammad
Sayeed, Jonathan
Shaw, Jonathan
Sheerman, Barry
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Angela *(Basildon)*
Smyth, Rev. Martin *(Belfast S)*
Southworth, Helen
Spink, Bob *(Castle Point)*
Squire, Rachel
Steen, Anthony
Steinberg, Gerry
Strang, rh Dr. Gavin
Streeter, Gary
Stringer, Graham
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, rh Ann *(Dewsbury)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Touhig, Don *(Islwyn)*
Turner, Andrew *(Isle of Wight)*
Turner, Dennis *(Wolverh'ton SE)*
Tyrie, Andrew
Viggers, Peter
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Wilshire, David
Winterton, Sir Nicholas *(Macclesfield)*
Winterton, Ms Rosie *(Doncaster C)*
Wright, David *(Telford)*
Yeo, Tim *(S Suffolk)*

Tellers for the Noes:
Angela Watkinson and
Mr. Paul Goodman

Question accordingly agreed to.

7.11 pm

Mr. Oliver Heald (North-East Hertfordshire) (Con): On a point of order, Mr. Deputy Speaker. In the light of the result of the final Division, what steps will be taken to change the names in some of our ancient customs? For example, will instructions be issued tomorrow for police officers to shout, "Hats off, Stakeholders!"? Will the Public Gallery be renamed the Stakeholders or Friends Gallery tomorrow? Can you give us any guidance on when those important changes will come into effect?

Sir Patrick Cormack (South Staffordshire) (Con): Further to that point of order, Mr. Deputy Speaker. Is it not true that we do not have to change any of those things?

Mr. Deputy Speaker (Sir Michael Lord): I understand that those matters will be looked at very carefully by Mr. Speaker, in consultation with the other authorities of the House.

Sir Nicholas Winterton (Macclesfield) (Con): Further to that point of order, Mr. Deputy Speaker. Given your ruling, may I ask whether the House of Commons Commission has a budget to allow for the changes that will take place to the notice boards and other structures of this House to meet the unfortunate decision taken tonight?

Mr. Deputy Speaker: I am always worried when people say that I have given a ruling. I did not think that I had given a ruling. I thought that I had just explained the situation to the House. As for the budget for such matters, I am sure that that issue may also be left safely in the hands of Mr. Speaker and his advisers.

Jaguar

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Heppell.]*

7.12 pm

Mr. Jim Cunningham (Coventry, South): I am grateful to have the opportunity to discuss the issue of Jaguar. Looking around me, I have to say that I did not realise that I was so popular. There are often only two or three people present for Adjournment debates. My colleagues from the west midlands—in particular, the other two Members from Coventry—and I appreciate the fact that our right hon. Friends the Prime Minister, the Chancellor of the Exchequer and the Secretary of State for Trade and Industry took the time to meet representatives of Jaguar workers. That was a big thing, and it reflected the degree of concern on the Government's part to try to sort out the problem that we have with Jaguar.

I also appreciate the fact that colleagues from the west midlands are in their places tonight. They have been staunch in their support for what the three Coventry Members have tried to do throughout and they have been ready to do anything that we have asked them to do. Some of my colleagues will be interested to learn that the Trade and Industry Committee has agreed to take evidence, on 2 and 17 November provisionally, from both sides. The shop stewards and the work force at Jaguar have wanted that for a long time, certainly since this problem arose. That announcement is a positive step.

I have some questions for my right hon. Friend the Minister, which I shall ask now, in case I lose track of what I have said later in the debate. What contacts have been made between the trade unions and Jaguar by her Department to start discussions or negotiations? If that has happened, what will the terms of reference be and at what level will the negotiations take place? We have the convenor from Peugeot at Ryton in the Public Gallery this evening. Workers at Ryton are concerned that the company has not yet confirmed whether it will take up the European grant. If it does so, it will give us a good indication that it is committed to staying in Coventry; if it delays, there is a question over that, but if it says no, it may be moving out. I hope that the Minister will be able to respond to those serious questions.

Mr. Bill Olner (Nuneaton) (Lab): I congratulate my hon. Friend on obtaining this debate, which is extremely important not only for Coventry but for the surrounding west midlands area. Employment prospects in my constituency are heavily dependent on Jaguar. I remind my hon. Friend, however, that we have been here before: we can remember when the engine plant went to Bridgend, when the paint plant and the body plant went to Castle Bromwich and when one platform was sent to Speke. But at least all those places were in the United Kingdom. If Jaguar moves its production and its platforms out of the UK, there will no longer be a Jaguar car.

Mr. Cunningham: That is why the debate is about Jaguar and west midlands manufacturing. I know that many of my west midlands colleagues are concerned about Ford's future intentions. I do not want to start any hares running, but it is right to be concerned about the future, and I am positive that the trade union side will raise such issues with Jaguar if, as we hope, a meeting takes place.

I pay special tribute to my two colleagues from Coventry, who have been putting in a tremendous effort, although I was fortunate enough to secure the debate. The House will understand that one of them, the hon. Member for Coventry, North-East (Mr. Ainsworth), as the Deputy Chief Whip cannot speak in the debate—he is often on the receiving end from people outside who do not understand the procedures of the House.

Over the last 20 years, in Coventry, we have seen the closure of some famous plants. I am sure that my west midlands colleagues will remember the Standard Motor Company. They will also remember that Rolls-Royce closed the Parkside plant where a considerable number of people were employed. Within the last two years, we have seen the closure of Massey Ferguson in Coventry. As I said, there is now concern about the intentions of Peugeot.

The situation is serious, and we must be concerned about these big issues. Recently, Ford announced the closure of the Browns Lane production plant in Coventry, giving us the sop, which we do not believe, that its headquarters and its wood veneering section would remain on the site. However, if the company is prepared to tear up a signed agreement, how can we believe what it says about the future of that site and of Whitley? When Ford moves from the Browns Lane site, we shall lose 1,300 jobs, no matter how the company dresses it up. To put it another way, there could be 1,300 new jobs that will not be created.

In 1998, a written agreement was made between the trade unions and the company, which stated that for increases in productivity, efficiency and quality the company would guarantee future products and investments—note those words. Only last February, in a letter signed by senior executives at Coventry, the company congratulated the work force on delivering their part of the agreement and their promises. There were vast improvements in productivity and quality; indeed, the work force were held up to the rest of Ford, especially Land Rover at Solihull, as an example of what could be achieved. I am sure that example was used throughout the Ford combine, yet by September, although the workers had clearly delivered their part of the bargain, the company's response was to close the plant. After congratulating the labour force and telling the Secretary of State for Trade and Industry that things were okay in February, the management were prepared to tear up an agreement by September. They blatantly told my colleagues and I that, yes, the agreement had come to an end and they were tearing it up because they wanted to close that plant.

I have been in the trade union movement a long time and I know one thing: with relationships between the labour force and the company, the most important thing is that people keep the word that they have given across the table. If people break their word, it is one of the biggest crimes that can be committed in industrial relations because no one will ever trust their word again. Yet Ford wonders why my colleagues, who are sitting beside me, and I have grave doubts about any guarantees that it has given for the future of the Whitley site.

This is the thin edge of the wedge in relation to the future of Ford. That is why we need to consider something like the legislation in Europe so that nothing can happen until the workers are fully informed and agreement is reached. It is about time that we looked at that. Only two or three years ago, the same thing happened when BMW told its labour force in Germany that it would close Rover in the west midlands, yet the labour force in the west midlands were told nothing about it. We can remember the demonstrations that were held throughout the west midlands and the Select Committee on Trade and Industry taking evidence. An asset stripper was lined up to take over the company, but that was stopped by the sheer pressure of public opinion and Members, with the support of the Select Committee. The then Secretary of State for Trade and Industry—my right hon. Friend the Member for Tyneside, North (Mr. Byers)—did a magnificent job. No one who knows anything about it would quarrel with the way in which he handled that situation.

Ford has broken an agreement—that cannot be said too often—and it is important that it comes clean, puts its proposals on the table and offers them up to scrutiny, while being prepared to talk to the trade unions about alternative proposals. If the company thinks that its proposals are right, it should be prepared to have them tested and to say why it cannot accept the proposals that the trade union makes on behalf of the work force. Unless the company is prepared to do that, no one will take anything that it says very seriously. That must be said.

My time is up now because I promised my hon. Friend the Member for Coventry, North-West (Mr. Robinson) that he could have 10 minutes, but I hope that the Minister will respond to the questions that I asked initially. They are serious questions, and we need some serious answers.

7.22 pm

Mr. Geoffrey Robinson (Coventry, North-West) (Lab): I join my hon. Friend the Member for Coventry, South (Mr. Cunningham) in thanking Mr. Speaker for granting the debate, and I congratulate my hon. Friend on securing it. It is a pleasure to have such a good turnout on the Labour Benches and, to some extent, even on the Conservative Benches. [HON. MEMBERS: "What about the Liberals?"] We do not expect anything from that lot. When there is a serious matter, they are usually not to be found. From our point of view, this is a serious matter and it shows that, in proposing the closure, Ford has touched a raw nerve in the House and throughout the country. Browns Lane is the historic, original centre for Jaguar. Moreover, since Ford took over, it is a highly productive, highly efficient, high-quality assembly plant.

David Winnick (Walsall, North) (Lab): Does my hon. Friend accept that the closure will have an effect on many factories in the wider area, certainly in my constituency and throughout the black country, which undertake contracting and subcontracting work? We view what has been happening in Coventry with grave concern.

Mr. Robinson: I am grateful to my hon. Friend for making that point. It is usually calculated that, for every job in manufacturing lost directly, another two can be counted in the supply chain and more widely in the surrounding industries. The concerns go even wider than jobs lost, and I shall come to that in a moment.

As my hon. Friend the Member for Coventry, South said, this comes down to the credibility of a major global company that operates in this country and throughout the world. But, to be fair to Ford, I want to pay two personal tributes. In the 15 years in which Ford has owned Jaguar, it has done many good things. We should put on record that when Bill Hayden moved to Jaguar, he made an inestimable contribution towards putting right what had been wrong with it for many years. He got the quality right and broke the back of the problem. Nick Scheele took over from him and was a fine chief executive. In those 15 years, Ford invested heavily in, and did a lot of good for, Jaguar. However, the results thus far have not lived up to its expectations, which is why we believe that the erroneous, sudden and inexplicable decision to go back on its previous policy has been taken.

The opening of Jaguar at Castle Bromwich happened under Ford and led to hundreds of millions of pounds of investment, and the huge investment in Halewood was due to Ford. However, it was clearly understood when those decisions were made that neither would occur at the cost of not investing in Browns Lane. Such investment could easily have been made at Browns Lane.

The situation led to the signing of a comprehensive agreement in 1998 between the trade unions—Keith White, who signed the agreement, is still the convenor at Browns Lane for the unions—and representatives of the Ford Motor Company at the highest level. Jacques Nasser, the then chief executive officer, and Nick Scheele, the chairman and chief executive of Jaguar, signed the agreement. The agreement was not circumscribed, or made conditional on circumstances or time. It was a commitment made by Ford that if the unions did what was expected of them and met targets for high productivity and quality standards, there would be no question but that the Jaguar large saloon and replacement models would go to Browns Lane, as would the sports car. The present management subsequently confirmed that clear-cut written agreement.

I know that the Minister for Energy and E-Commerce is a lawyer, as is the hon. Member for Solihull (Mr. Taylor)—they are both in the Chamber. Such people might have better knowledge of the matter than me. However, it seems to me that although the written agreement was not legally binding—we all know that the unions have never wanted to enter into such agreements for other reasons—a question of estoppel could arise due to the fact that on the basis of the representations made by the company, the unions undertook to accept onerous conditions in their working practices. I do not know whether estoppel could apply in that situation, but given the serious nature of the matter, that could and should be

[Mr. Robinson]

considered because it might mean that the company would take the agreement more seriously than it seems to want to at present.

My hon. Friend the Member for Coventry, South was right to say that the debate is about not only Jaguar, but manufacturing, although Jaguar and Browns Lane are the main focus of my remarks. There are other large concerns in the west midlands, especially regarding Peugeot. I do not expect a response to this point today, but it is extraordinarily unclear why the application for regional selective assistance has not been agreed at the European level. We are beginning to doubt whether Peugeot is serious about pursuing that.

Brian White (Milton Keynes, North-East) (Lab): Does my hon. Friend agree that decisions made regarding Jaguar Racing in my constituency and Cosworth have a knock-on effect on the general motor industry? Innovations that come from motor sport are critical.

Mr. Robinson: I take my hon. Friend's point. The situation at Cosworth should be highlighted, so I hope that he will try to secure a similar debate to raise the matter. We would wish him well and support him in that.

I said that the 1998 agreement had been subsequently confirmed. On Tuesday 3 February, the present chairman and chief executive of Jaguar, Joe Greenwell—he is a fine and long-standing Jaguar employee—had lunch with my hon. Friend the Member for Coventry, North-East (Mr. Ainsworth). He told my hon. Friend that it had been agreed at the head office in Detroit that Browns Lane was safe. He told him that the 1998 agreement had been confirmed and that the successor model to the large saloon and the sports car would continue to be produced at Browns Lane. Joe Greenwell took my hon. Friend out to lunch here in the Commons—

Mr. Bob Ainsworth (Coventry, North-East) (Lab): I paid for it.

Mr. Robinson: So my hon. Friend made his own modest contribution, which no doubt found its way into his modest declaration of expenses in the year that recently featured in the *Coventry Evening Telegraph*.

We did not seek the meeting. Mr. Joe Greenwell volunteered the information and came down here to tell us about it. Having seen my hon. Friend he went off to see the Secretary of State, where he said something interesting. He said, "Look. We're not doing this because we are sentimentally attached to Browns Lane. We're not doing this because we care deeply about Coventry, the employees or even the 1998 agreement. We're doing this because we showed Ford Motor Company that it is more expensive to close Browns Lane than to keep it going."

In addition to responding to the points raised by my hon. Friend the Member for Coventry, South, I should like the Minister to address the following, either now or later because this will not go away and must be answered by the Secretary of State's Department. Was a minute taken of Jaguar's view, as proven to the head board of Ford Motor Company in Detroit, that it would cost more to close Browns Lane than to keep it open? If that is the case, what has changed? We know that sales are down and that the exchange rate is adverse, but those factors were known at the time, so they cannot explain the difference between a situation in which it costs more to close Browns Lane and the situation now in which, allegedly, out of the blue, a saving of £80 million a year has materialised. I do not think that Joe Greenwell could explain that. I know that the unions have written to the Secretary of State and we need clarification.

If it is the case that there is no strong economic reason—no cash reason—for closing Browns Lane, why is Ford Motor Company taking that action now, with all the difficulties that that involves, because it is doing that with no regard for the serious solemn undertakings it entered into with the unions? I honestly cannot believe that the Ford Motor Company will reject the concept of good faith and resile from commitments by rejecting its undertakings. I do not believe that the Ford Motor Company that I know, which has always gone out of its way to honour its word and ensure that its credibility remains intact, has said its last word on the matter.

7.32 pm

The Minister for Industry and the Regions (Jacqui Smith): I congratulate my hon. Friend the Member for Coventry, South (Mr. Cunningham) on gaining the debate. The attendance, as noted by other hon. Members, shows the significance of Jaguar for Coventry and the motor industry for the west midlands more generally.

The Government have great sympathy with the people of Coventry in the wake of Jaguar's announcement. The decision to halt trim and assembly operations at Browns Lane has been a heavy blow to the work force and their families. I acknowledge too, as my hon. Friends pointed out, that it was particularly hard to bear in view of the great efforts that the work force of Browns Lane put in over the years to improve quality and productivity at the plant.

On behalf of the Government, I reiterate our disappointment, especially in relation to the points made by my hon. Friend the Member for Coventry, North-West (Mr. Robinson), that the company has not delivered on assurances that it gave to the trade unions on Browns Lane and the three-plant strategy. I share the concern that the trade unions and local MPs have yet to be given a detailed explanation of the reasons for that decision. However, I am pleased to report that the company and trade unions have agreed to meet shortly to discuss the way ahead. I cannot supply details of the specific terms of reference and the level at which the meeting should happen, but it is an important step. As for more general points about legislation, such an initiative would be in the spirit of the new information and consultation arrangements that the Government will introduce next spring.

As my hon. Friends pointed out, my right hon. Friends the Prime Minister, the Chancellor and the Secretary of State have taken part in meetings, and I can assure them that the Prime Minister and the Chancellor have spoken forcefully and directly about the closure to Ford's senior management in the United States. My right hon. Friend the Secretary of State has repeated those arguments to Jaguar's management in the UK as part of her ongoing dialogue with Joe Greenwell, Jaguar's chairman and chief executive, on the issue. I hope that my hon. Friends are reassured that concern and disappointment have been expressed at the highest levels of Government to Ford's senior management. My hon. Friends in the region have conducted important lobbying and made significant contributions, including in today's debate, as many of them, as we heard, have constituents who are directly affected by the news.

Action clearly had to be taken for Jaguar to address its financial difficulties and remain a sustainable part of the automotive industry in the UK. Ford's Premier Automotive Group, of which Jaguar is a part, has lost more than $521 million in the past six months alone. Many of the global auto-industry markets, *including Jaguar's* key markets in the USA and Europe, have experienced savage price cuts as manufacturers strive to maintain market share, and that has hit Jaguar hard. If Ford had not taken steps to improve competitiveness, the long-term viability of the Jaguar business could have been at risk by those pressures. I share my hon. Friends' concerns, however, that the actions the company will now take in consultation with its union representatives must ultimately generate the ability to make profits, without which there can be no reinvestment for the future. While I welcome the fact that Jaguar has come up with a plan that requires no compulsory job losses, and that it has not decided to close Browns Lane entirely, none the less I accept my hon. Friends' concerns. Many functions will continue at the site. Jaguar's headquarters and administrative centre will remain in Coventry, as will the company's wood veneer manufacturing operation and the Jaguar heritage centre.

Mr. Geoffrey Robinson: Not only will Ford's credibility be shot if it goes ahead with the removal of assembly operations, but no one will pay the slightest attention to undertakings on headquarters or the wood veneer operation remaining at Browns Lane. Once the assembly goes it is inconceivable that anything will remain there.

Jacqui Smith: My hon. Friend is right. Ford must consider that argument extremely carefully, which is why I began by reiterating our disappointment at its decisions, given the assurances that it made to the work force.

It is important that Jaguar retains its world-leading research and development centre at nearby Whitley. R and D is recognised by the Government in our manufacturing strategy as one of the key enablers for manufacturing success, so it is crucial that those efforts continue. Many people affected by Jaguar's restructuring may well find new employment opportunities at Gaydon, where 300 new jobs will be created directly as a result of the growth and success of Aston Martin, Jaguar's sister company within Ford's Premier Automotive Group. But I share the concern of my hon. Friends that what needs to emerge is a viable future and a more robust business footing that will ultimately benefit not only the workers remaining at Browns Lane, but those at Castle Bromwich and at Halewood. That is the result that must ensue from the painful decision being taken. We must ensure that we secure a sustainable long-term future for the company, its products and its work force here in the UK.

Let me address some of the wider comments that have been made in the debate and more broadly about the erosion of the west midlands industrial base. My hon. Friend the Member for Nuneaton (Mr. Olner) made an important point about the removal of Jaguar production abroad. I suppose we can be reassured that that is not what we are discussing. Final assembly of the XJ and XK models is not being removed from the UK to some foreign country, but it is crucial that we find a way to maintain that facility and that production in the west midlands.

On Peugeot, I am delighted to confirm that the European Commission has approved our application to give regional selective assistance to the company for further investment in its plant at Ryton. We fully recognise the significance of the plant to the economy of the west midlands and to the automotive sector in the UK more generally. It employs about 3,000 people directly and many more in the supply chain. By offering a grant to support further investment at the plant, the Government are doing everything in our power to secure its future. It is now for the company to decide how to proceed.

Mr. Cunningham: That is what is causing concern. The company seems reluctant to confirm whether it will accept that grant. That is why those in the Gallery will beat us up tonight. It is important that the Government try to get the company to make up its mind.

Jacqui Smith: I hope the company responds positively to the considerable efforts that the Government have made to assist it in gaining the grant and to ensure that the European Commission approved the application.

Question put and agreed to.

Adjourned accordingly at eighteen minutes to Eight o'clock.

House of Commons

Wednesday 27 October 2004

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

UNIVERSITY OF WALES, CARDIFF BILL *[Lords]*

Queen's Consent, on behalf of the Crown, signified.

Read the Third time, and passed, without amendment.

Oral Answers to Questions

NORTHERN IRELAND

The Secretary of State was asked—

Decommissioning

1. **John Robertson** (Glasgow, Anniesland) (Lab): If he will make a statement on progress towards decommissioning. [193187]

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Ian Pearson): There have been four acts of decommissioning to date. The latest act occurred on 21 October 2003, when the Independent International Commission on Decommissioning reported that it had witnessed a third event in which IRA weapons were put beyond use. As the Prime Minister made clear at Leeds castle, the Government regard the completion of decommissioning by paramilitary groups as essential to progress in Northern Ireland.

John Robertson: The chairman of Sinn Fein is on record as describing any visible act of decommissioning as counterproductive. Does my hon. Friend agree that, for the decommissioning process to gain the confidence of the people of Northern Ireland, we cannot rely solely on the word of the paramilitaries or their political representatives? What steps does he envisage being able to take to convince the people of Northern Ireland that there is no prospect of the IRA retaining its arms while Sinn Fein exercises its authority in a future Executive?

Mr. Pearson: It is clear that, if there is to be public confidence in the decommissioning process, greater transparency is required in relation to the arms that are to be decommissioned and how long it will take to complete the process. We as a Government are clear that all paramilitaries must give up violence completely in a way that satisfies everyone and enables the people of Northern Ireland to move the process forward. Every party that wants to be in government must abide by the same democratic rules.

Rev. Ian Paisley (North Antrim) (DUP): Will the Minister confirm that Government policy is unchanged in the matter of decommissioning with regard to the IRA? I refer him to what the Prime Minister said in the House of Commons. He said:

> "It means giving up violence completely in a way that satisfies everyone and gives them confidence that the IRA has ceased its campaign, and enables us to move the democratic process forward, with every party that wants to be in government abiding by the same democratic rules."—[*Official Report*, 27 November 2002; Vol. 395, c. 309.]

Will the Minister confirm that that is still the policy of the Government and that they will carry it out?

Mr. Pearson: I am happy to confirm that. The Prime Minister put it far more eloquently than I could. The hon. Gentleman is right. We are adamant that all paramilitaries must give up violence completely, in a way that satisfies everyone in Northern Ireland. That remains our position.

Mr. Eddie McGrady (South Down) (SDLP): Following the Minister's answer to that question, will he refer to the fact that in March this year the Government declared at Hillsborough that there must be

> "a complete, total and definite end to all paramilitary activity across the board"?

Do the Government intend to apply that requirement to the current process of decommissioning and/or peace, in view of the fact that paramilitaries associated with political parties with which the Minister is in dialogue are increasingly involved in drugs, extortion and protection rackets, or have the Government simply changed their mind?

Mr. Pearson: As Security Minister, I am well aware of the links between paramilitaries and organised crime. They are graphically demonstrated in the Independent Monitoring Commission report that was published earlier this year. The Government are clear that we want an end to all paramilitary activity. We want to take the gun out of politics for ever. That is what the people of Northern Ireland want and that is what, in the continuing dialogue that is going on at present, we are all aiming to achieve.

Lady Hermon (North Down) (UUP): Will the Minister explain to the House how the Government intend to address the serious problem arising from the deficit of confidence in the Unionist community that General de Chastelain is the person best placed to verify further acts of decommissioning?

Mr. Pearson: As a Government we have total confidence in the integrity and abilities of General John de Chastelain. We accept, however, that there is an issue of public confidence in decommissioning and that greater transparency is required in the process. That is currently under discussion and it would not be appropriate for me to comment further at this stage.

Mr. David Lidington (Aylesbury) (Con): Will the Minister confirm, to put the matter beyond any doubt on the record, that the Government still believe that, to secure the enduring peace that we all want, decommissioning must be visible and conducted according to a clear and finite timetable?

Mr. Pearson: I am happy to make it clear that decommissioning is a vital component of the Good Friday agreement, which the Government want to see implemented. It is important that there is greater transparency. We have trust and confidence in General John de Chastelain, but as I said earlier, we need to ensure that paramilitaries give up violence and their weapons in a way that satisfies everyone. Greater transparency is required as part of that process, and we also want a definite time scale; the hon. Gentleman is absolutely right on that point.

General Practitioners

2. **Mrs. Iris Robinson** (Strangford) (DUP): If he will make a statement on changes to the provision of general practitioner out-of-hours services in Northern Ireland. [193190]

The Parliamentary Under-Secretary of State for Northern Ireland (Angela Smith): From 1 January 2005, where GPs have chosen to opt out of providing out-of-hours services to their patients, statutory responsibility will pass to the health and social services boards. The boards are well advanced in detailed planning for out-of-hours services to ensure a smooth transition from the current to the new arrangements and to continue to provide a safe, effective service.

Mrs. Robinson: I thank the Minister for her response, but does she agree that, until now, the true costs of the out-of-hours work of GPs have been disguised? The funding required to establish and sustain new out-of-hours arrangements from 1 January will be a new cost. Has she made an assessment of the expected resultant costs over the first 12 months, and can she reassure me that other current services will not suffer as a result?

Angela Smith: I know that the hon. Lady has been concerned about the service provision, and I am pleased to be able to reassure her. She will no doubt be aware of the recent article in *Doctor* magazine that stated:

> "NI goodwill speeds opt-out",

which shows how well the service is making that change. The cost of providing the service will be about £21 million in a full year and a good service will be provided. I assure her that the funds will be available to ensure that we have effective, safe and efficient out-of-hours services for all patients in Northern Ireland.

Rev. Martin Smyth (Belfast, South) (UUP): Will the Minister confirm that there are doctors who do not want to work out of hours and that there are areas in Northern Ireland where there is great concern that people may not be getting the services that they require, particularly in rural areas?

Angela Smith: There may be some confusion about what is happening. The days when the doctor put on his overcoat over his pyjamas and rushed out in the middle of the night were a long time ago. What we are saying is that, where doctors wish to opt out of providing out-of-hours services, responsibility for them passes to the boards. I am well aware of the concerns about rural areas. That is why the boards have been carrying out detailed planning to ensure that we have a safe, efficient and effective service for patients throughout Northern Ireland.

Peace Process

3. **Ann Winterton** (Congleton) (Con): If he will make a statement on the peace process. [193192]

5. **Mr. Bill Tynan** (Hamilton, South) (Lab): What further discussion is taking place in Northern Ireland with a view to re-establishing the Northern Ireland Assembly. [193194]

The Secretary of State for Northern Ireland (Mr. Paul Murphy): We made good progress on the key points at the intensive negotiations at Leeds castle, and talks with the Northern Ireland parties and the Irish Government continue. As the Prime Minister and the Taoiseach have made clear, it is now very important that they reach a conclusion.

Ann Winterton: Surely the peace process cannot progress unless there is full and verifiable handing over of weapons by Sinn Fein-IRA, sooner rather than later. The token surrender of weapons to date is simply not good enough.

Mr. Murphy: The Under-Secretary of State for Northern Ireland, my hon. Friend the Member for Dudley, South (Mr. Pearson), made it clear that decommissioning is an essential part of any deal that has to be made to restore the institutions. Decommissioning is also an essential part of the Good Friday agreement in itself. The exchanges over the Floor of the House a few moments ago made it clear where the Government stand.

Mr. Tynan: May I encourage my right hon. Friend to continue the peace process, because as far as finding a solution to the problems that exist in Northern Ireland is concerned, re-establishing the Assembly is vital to the people of the Province? What recent discussion has he had with the new Irish Foreign Minister? If we are to continue co-operation and maintain momentum for the peace process, we must ensure that the relationship that existed previously with Brian Cowen continues with Dermot Ahern.

Mr. Murphy: I agree with my hon. Friend that success is important in the Northern Ireland peace process. We need good relations with the Irish Government, and I believe that they have never been better. I pay tribute to the work of Brian Cowen, who was Irish Minister for Foreign Affairs and is now Finance Minister. He played a significant role in the process and we wish him well in his new job. We also welcome Dermot Ahern, who will prove an able successor. My hon. Friend is right to bring the vital significance of the British and Irish Governments' working together to the attention of the House.

Mr. Michael Mates (East Hampshire) (Con): While everyone agrees on the necessity of full decommissioning, the argument continues about how it can be brought about in a way that will satisfy the public, and in particular the citizens of Northern Ireland. In view of the fact that the Sinn Fein leader has accused the Government of trying to play politics with that important issue, for the avoidance of doubt, will the Secretary of State tell us the Government's minimum requirements for visibility in decommissioning?

Mr. Murphy: I agree with the right hon. Gentleman that the issue is important—it cannot be avoided and it is a vital part of the Good Friday agreement. Discussions are taking place between the parties and the Government, and I cannot go into the detail of how we will deal with the issue, because that would affect the talks. Unless there is sufficient transparency to induce confidence among people in Northern Ireland, whether they are Unionist or whether they are nationalist, we will not make progress. That lack of confidence was one reason why we did not make progress back in November 2003. He may rest assured that his general points about transparency and confidence are at the heart of the discussions.

Mr. John Hume (Foyle) (SDLP): Does the Secretary of State agree that, for the first time in history, the people of Ireland as a whole—north and south—voted on how they want to live together by overwhelmingly endorsing the Good Friday agreement? It is therefore every true democrat's duty to implement the will of the people, which means implementing all aspects of the agreement. Does he agree that any renegotiation of any aspect of that agreement would be undemocratic?

Mr. Murphy: My hon. Friend is right to emphasise the importance of the agreement to Northern Ireland's future. He knows full well that the principles that underlie the agreement cannot be altered in any accommodation that we may arrive at. The details on power sharing, the north-south arrangements and the principle of consent are all vital to any future accommodation.

My hon. Friend knows that the operation of the agreement's institutions has been reviewed and we have an opportunity to reflect on how we can change it for the better. Even when we examine the operation of the agreement, any changes must be made by agreement. However, he is right to point out that the fundamental principles of the Good Friday agreement must lie at the heart of any future accommodation.

Mr. Gregory Campbell (East Londonderry) (DUP): Does the Secretary of State agree on the need to ensure greater confidence in both communities in Northern Ireland, and particularly the Unionist community, before the discussions reach fulfilment and the Assembly returns?

Mr. Murphy: The hon. Gentleman is right—at the end of the day, proper trust and confidence must be developed. He knows as well as me the reason why the Assembly has been suspended for more than two years, and it is nearly one year since there were elections in Northern Ireland for that Assembly. A lack of trust and confidence lies behind that situation. Any discussions must deal with the need to increase confidence, which is his point.

Mr. Seamus Mallon (Newry and Armagh) (SDLP): The Secretary of State knows that policing is central to creating peace in Northern Ireland. I am sure that he has noted some ill-judged statements about policing that have been made recently. Will he ensure that the opinion of the oversight commissioner—an independent, impartial oversight commissioner—that Patten is being fully implemented with competence is not overlooked? Will he consider extending the oversight commissioner's tenure of office so that the public in Northern Ireland can base their opinion on his professional judgment and not on the party political propaganda or self-serving interests of others?

Mr. Murphy: My hon. Friend is right to remind the House about the work of the oversight commissioner. It is a vital part of our progress on policing in Northern Ireland. I greatly support what he has done to date and I shall reflect seriously on my hon. Friend's point about his term of office.

Lembit Öpik (Montgomeryshire) (LD): Do not demands for a statement that the war is over fundamentally miss the point? Although it sounds less dramatic, should not our goal be to ensure that all groups abide by paragraph 13 of the joint declaration, which means full and permanent cessation of all military activities? Does the Secretary of State therefore agree that it would be better for politicians from all parties to focus on implementing a measurable outcome in an existing declaration rather than fixating on a politically charged but practically undefined demand?

Mr. Murphy: As I have said several times this morning, the issue is confidence. The only way in which we can restore the institutions and fulfil what we have to fulfil in the Good Friday agreement is by ensuring sufficient confidence in all parts of the community, Unionist and nationalist, in Northern Ireland so that politicians can work together in an Executive and an Assembly and the important matters of paramilitary activity and decommissioning can be addressed. How we do that is the key. Unless people are confident that such progress is to be made, we cannot achieve our goals. However, I am reasonably optimistic that there is a will among parties in Northern Ireland to do a deal and restore those institutions.

Mr. Nigel Dodds (Belfast, North) (DUP): On Monday, the vice-chairman of the Northern Ireland Policing Board, Denis Bradley, made grossly irresponsible comments about attacks on police and district policing partnership members. He also made offensive political remarks that went way beyond his role and remit. Should not he now resign? If he does not, should not the Secretary of State remove him from an office for which he is clearly unfit?

Mr. Murphy: Obviously, Mr. Bradley expressed personal opinions, to which he is entitled. However, it is important to point out that he has been the subject of much intimidation in past months and that he is sincere in wanting progress on policing. I am sure that the hon. Gentleman agrees with that. I know that he can address the comments about the political situation more than adequately through debate. I understand what he says but I believe that everyone would agree with Mr. Bradley's emphasis on the fact that progress in the peace process was important for progress in policing.

Mr. David Lidington (Aylesbury) (Con): Will the Secretary of State confirm that steps towards so-called normalisation, for example the withdrawal of troops from Northern Ireland and dealing with terrorists on the run—*[Interruption.]*

Mr. Speaker: Order. We must be fair to the hon. Gentleman. I ask hon. Members not to hold conversations in the Chamber. Perhaps they could do that outside.

Mr. Lidington: Does the Secretary of State agree that issues such as the withdrawal of troops and dealing with terrorists on the run depend not only on decommissioning but on the clear cessation of all paramilitary activity and the effective end of the IRA as an active military organisation? Will he make it clear that the Government will not move on those normalisation issues without that clear end of paramilitary organisation and activity?

Mr. Murphy: That lies at the heart of the joint declaration, in paragraph 13. The Prime Minister has said that the acts of completion, as we have termed them, to which the hon. Gentleman referred will not happen unless there is an end to paramilitary activity and to the other issues that the hon. Gentleman mentioned. I hope that those issues will be addressed in the current negotiations, so that we can move into the other areas that the hon. Gentleman described. We cannot do so, however, unless there are acts of completion on those points.

Mr. Lidington: I am grateful to the Secretary of State for that reply. I welcome today's news that he is soon to meet representatives of the Ulster Political Research Group. Does he agree that it would build community confidence hugely if the loyalist paramilitaries decommissioned their arms, ended their paramilitary activity and renounced the vicious criminality which terrorises too many people in the loyalist communities? Would that not also open the way for the jobs and investment that the people desperately want to come into those communities?

Mr. Murphy: I could not agree more with the hon. Gentleman. It is vital that, as well as tackling republican paramilitary activity, we tackle such activity among the loyalists. As he rightly says, I hope to meet the UPRG, which represents loyalism of a certain type, next week. I shall also meet David Ervine of the Progressive Unionist party. The message is that we welcome political loyalism as a political force in Northern Ireland, but anything that involves criminality or paramilitary activity must be condemned very robustly, as the hon. Gentleman rightly said.

Paramilitary Activity

4. **Mr. Laurence Robertson** (Tewkesbury) (Con): If he will make a statement on the current level of paramilitary activity in Northern Ireland. [193193]

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Ian Pearson): The Government remain concerned at the level of paramilitary activity and control exercised by both republican and loyalist paramilitary organisations within their communities. Internal tensions within loyalist paramilitary groups remain high, with continuing incidents. Dissident republicans continue to carry out attacks, although many of their activities have been thwarted, intercepted or nullified by the security forces. The Independent Monitoring Commission is due to report again on this issue shortly.

Mr. Robertson: A few moments ago, the Secretary of State told my hon. Friend the Member for Congleton (Ann Winterton) that relations with the Irish Republic were very good. Can the Minister therefore explain why the Irish Republic refuses to hand over Paddy Dixon, who was wanted for questioning in connection with the Omagh bombing? Can he also tell me whether Paddy Dixon has been relocated to the United Kingdom? He was recently stopped by the authorities in Cardiff and found to have a great deal of cash on him. Why was the Police Service of Northern Ireland not alerted to the fact that he was in Great Britain?

Mr. Pearson: What I can say to the hon. Gentleman is that there is a good, strong level of co-operation between the Police Service of Northern Ireland and the Garda Siochana on a wide range of issues, which certainly include dealing with paramilitaries and with the issue of organised criminal activity. So far as the individual whom he mentioned is concerned, I will look into that issue and get back to him.

Mr. Tony Clarke (Northampton, South) (Lab): Does my hon. Friend share my concern at the continued involvement of paramilitaries in the rise in hate crime in Northern Ireland? Will he ask the PSNI to look at two issues? One is the continuing protection and extortion rackets run by loyalist paramilitaries and aimed against ethnic communities that have small businesses in Northern Ireland. The second is the involvement of the British National party and the White Nationalist party on those estates, almost at the request—and certainly with the co-operation—of some of the paramilitaries there—*[Interruption.]*

Mr. Speaker: Order. Hon. Members are being far too noisy.

Mr. Pearson: My hon. Friend is right to point out the continuing level of paramilitary activity in Northern

Ireland. In the first nine months of this year, there were 184 paramilitary attacks, and three times more loyalist attacks than republican attacks. Extortion and organised crime are particular issues. The police made an arrest only last week, which shows that they are very much on the case so far as dealing with extortion is concerned. My hon. Friend is also right to point out the issue of racism and the involvement of the BNP. This is something that the Government are extremely aware of, and we are committed, through the Northern Ireland Office and the Northern Ireland Departments, to combat racism wherever it occurs.

Mr. Roy Beggs (East Antrim) (UUP): It is believed that between £250 million and £500 million is being taken up by criminals in Northern Ireland. Paramilitary activity is funded by illegal activity. Apparently the Assets Recovery Agency has successfully picked up about £3 million to date, but does the Minister accept that much more must be done to disrupt paramilitary activity and that that means cutting those people away from their financing? Can he assure us that, if it is needed, the ARA will be granted more funding to cut out the sale of counterfeit goods, the smuggling of tobacco and cigarettes and, of course, the importation of illegal fireworks from China?

Mr. Pearson: I agree with the hon. Gentleman that more needs to be done, and it is being done at the moment. The PSNI has a range of activities under way to tackle organised crime. The Assets Recovery Agency has had some major successes in recent weeks and, as he will be aware, went to court only last week with another major seizure. We need to hit criminals where it hurts them, in the pocket, as well as bringing them to justice. The Assets Recovery Agency has an adequate budget, which increased by 20 per cent. this year. We shall continue to keep that under review.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [193851] **Mr. Andrew Miller** (Ellesmere Port and Neston) (Lab): If he will list his official engagements for Wednesday 27 October.

The Prime Minister (Mr. Tony Blair): This morning I have had meetings with ministerial colleagues and others. In addition to my duties in the House, I will have further such meetings later today.

Mr. Miller: My right hon. Friend will know that as health indicators have continued to improve, one set of statistics nevertheless continues to give public concern—that of cancer. That is partly because diagnostic techniques have improved and partly because things that used to kill people before cancer have been wiped out through good medication and so on. What will my right hon. Friend do to help improve public understanding of that disease, particularly in terms of improving issues around lifestyle, and what will he do to improve screening within the NHS for the disease?

The Prime Minister: The public health White Paper will be published shortly. It is worth pointing out to the House that there is a huge extra investment that is going into cancer services at the moment, with more than 1,000 extra cancer consultants and more than 1,000 items of modern equipment to diagnose and treat cancer. I should also say to the House that over the past seven years, the number of premature deaths through cancer is down by over 12 per cent.; that is 33,000 lives saved.

However, we recognise that we have to do more, and today my right hon. Friend the Secretary of State for Health is announcing that we are investing almost £40 million over the next two years to fund a national bowel cancer screening programme. That will begin in April 2006 and this is all part of the investment and reform programme being rolled out across the whole of the health service.

Mr. Michael Howard (Folkestone and Hythe) (Con): Last week the Prime Minister said there was no question of cutting the size of the Army. That answer, as he must know, was quite wrong. Will he now correct it?

The Prime Minister: We have increased the amount of investment in defence considerably over the past few years. It is correct, as we have said, that we are going to reduce the number of battalions, I think from 40 to 36—we will announce the results of the review shortly—but actually, overall the number of people in our armed forces will not be reduced.

Mr. Howard: Well, I have here a statement from the Chief of the General Staff in which he says that Army numbers are falling from more than 108,000 to 102,000. Is the Prime Minister saying that the Chief of the General Staff does not know what he is talking about?

The Prime Minister: I am certainly not saying that. What I am saying, however, is that the number of people employed in the armed forces overall is not going to fall. We retain the commitment to invest in our armed forces; we will carry on doing so. But the right hon. and learned Gentleman will know that, as a result of the strategic defence review, we decided that we needed to reconfigure the money that we spend on defence capability, and we will be spending that money on, for example, things like strategic lift capability, where we need new equipment. Also, other people will be employed in our armed forces to provide better logistic services. It is therefore true that fewer will be employed in one area and more will be employed in other areas. Overall, however, the number of people supporting our armed forces is not falling.

Mr. Howard: I think that we actually got an admission from the Prime Minister that the answer that he gave this House last week was wrong. Does not it say everything about the Government's priorities that, when there are already more civil servants in the Department for Work and Pensions than there are soldiers in the British Army, the Government are cutting the Army by more than 6,000 men and women? In a dangerous world, we need stronger forces and a Prime Minister who gives straight answers. Is it not clear that under this Government we have neither?

The Prime Minister: First, I find it extraordinary that the right hon. and learned Gentleman accuses us of cutting defence forces in circumstances in which he and his party are pledged to freeze defence spending. The shadow Chancellor has said that every budget, apart from schools and hospitals, will be frozen in cash terms. It is true that his defence spokesman has said something different. Perhaps he will now tell us whether the shadow Chancellor is right to say that all budgets other than schools and hospitals will be frozen in cash terms.

Mr. Hilton Dawson (Lancaster and Wyre) (Lab): Now that the Association of Chief Police Officers is saying that a complete ban on the physical punishment of children would be more workable than the partial ban proposed in the Children Bill, would my right hon. Friend be prepared to meet a small group of Members this week to discuss whether we can have a free vote on what is a fundamental issue of conscience?

The Prime Minister: I am very happy to meet my hon. Friend and any other Members on this issue. My view is that there is a common-sense way through this issue. It is important that we recognise that most parents can tell the difference between disciplining their child and abuse of their child. I know that there are strong arguments on all sides in relation to this matter, and I shall listen carefully to any argument that he puts to me. Sometimes in these circumstances, however, it is best to feel one's way instinctively as a parent, rather than as a politician.

Mr. Charles Kennedy (Ross, Skye and Inverness, West) (LD): Last week, the Prime Minister assured us that the Black Watch would return home by Christmas. The clear impression conveyed was that that would mark the end of the requirement for British forces to carry out this additional responsibility. Can I clarify whether that is the case?

The Prime Minister: Yes, we have said that the Black Watch will come back by Christmas. As to what then happens, we cannot be sure at the moment. We do not believe that there will be a further requirement for other troops, but I cannot guarantee that, because, obviously, I do not know the situation that may arise. What I do know is that if there is any contingency—I think that this is what the Chief of the Defence Staff was saying—we are able to meet it. I said, with the authority of the Chief of the Defence Staff, that the Black Watch will be back by Christmas, and that holds.

Mr. Kennedy: I thank the Prime Minister for that reply. May I press him further on one aspect? Has he sought, or been given, any assurances by the United States Government that if the Black Watch is withdrawn in due course, its position will be filled in by American rather than British troops?

The Prime Minister: I have not been given such an assurance, and I have not sought such an assurance. First, we can be immensely proud of the work that our troops are doing in Iraq. We can be proud of the Black Watch and the work that it is doing. But we are engaged in a joint operation in Iraq with this purpose in mind: to make sure that elections in Iraq can take place in January. If they can, it will be the biggest blow for freedom, stability and prosperity in that country that we can imagine. We should not go into this with an attitude of mind that tries continually to pick holes in the strategy. That does not help the overall joint effort in Iraq, which I believe passionately is in the interests of the security of this country.

Mr. Chris Mole (Ipswich) (Lab): Will my right hon. Friend tell us what steps his Government are taking to encourage agencies such as the Independent Committee for the Supervision of Telephone Information Services, Ofcom and the telecoms network operators to protect our constituents from organisations, both at home and abroad, that are dispersing automatic network diallers over the internet? The practice has caused many of our constituents to incur enormous telephone bills through no action and no fault of their own.

The Prime Minister: I think I had better consult my right hon. Friend the Secretary of State for Trade and Industry and get back to my hon. Friend to tell him what we are doing; but I can tell from the calls coming from behind me that this is an issue of deep concern.

Q2. [193852] **Norman Lamb** (North Norfolk) (LD): The Prime Minister will know that Norfolk police authority, along with many others, faces a serious funding shortfall next year. At the same time, the Home Office is imposing yet more bureaucratic burdens. Will the Prime Minister give a guarantee that front-line policing will not suffer as a result?

The Prime Minister: I understand that there are record police numbers in Norfolk. That, of course, is a result of the Government's extra investment in policing. Of course we want that to be maintained. As well as providing record numbers of police not just in Norfolk but throughout the country, we are increasing the number of community support officers and support staff. This is all part of bringing back community policing for today's world, and I assure the hon. Gentleman that I want to see it extended, not curtailed.

Q3. [193853] **Laura Moffatt** (Crawley) (Lab): Modernisation of the accident and emergency services is bringing real improvements to patient experience and safety. Sir George Alberti's report, published yesterday, made that clear. How can we ensure that if there are local difficulties—as there are in the Surrey and Sussex trust, where most services have been transferred to another hospital and ambulances are waiting for up to two hours—they do not undermine the fantastic work that is going on?

The Prime Minister: I entirely understand my hon. Friend's concern. It is important for the strategic health authority to decide how local needs can best be met, but my hon. Friend is right to point out that, as yesterday's report said, accident and emergency care has undergone something of a transformation over the past few years. It is good to note that people coming from abroad—from America and Australia, for instance—having observed our accident and emergency services, describe them as an example that should be followed elsewhere. Nevertheless, that does not take away the difficulties that can arise locally. My hon. Friend can make representations about them to the strategic health authority, but I think that in the end such decisions are best made locally.

Mr. Michael Howard (Folkestone and Hythe) (Con): The answer to the completely bogus point made by the Prime Minister a few moments ago is that both the shadow Chancellor and the shadow Defence Secretary are pledged to increase spending on Britain's front-line forces by £2.7 billion. Why, on Friday this week, is the Prime Minister going to sign a constitution that will entrench Europe's economic failings, and drag Britain down as well?

The Prime Minister: Just before I get on to that point, I should like to continue the discussion on defence spending a little longer, if I may. It simply is not right. How can the right hon. and learned Gentleman have the shadow Chancellor saying that he is going to impose that—*[Interruption.]* Oh, yes. *[Interruption.]*

Mr. Speaker: Order. Perhaps the Prime Minister will leave the subject of defence now, and answer the question.

The Prime Minister: We shall continue that discussion over the coming months. As for Europe, we want to sign the treaty because we think that it modernises European institutions. When Europe is operating as a Europe of 25, or perhaps 27 and later 30 countries, it is important to have sensible rules in Europe; but that protects absolutely the right of this country to set its tax rates and its foreign and defence policy, and it preserves our opt-in on asylum and immigration. It is therefore a sensible deal for this country. We know where the right hon. and learned Gentleman and his friends want to go: they want to go out of Europe, and that is not sensible.

Mr. Howard: The description that I gave and which I shall repeat—that the constitution will

> "entrench Europe's economic failings and drag Britain down too"—

comes from a man who was the Prime Minister's chief economic adviser for six and a half years. Should we not take his advice seriously?

The Prime Minister: I am sure that I always took his advice seriously, but it is important to recognise that a Europe of 25 is a Europe that Britain should be part of. Why? Because 60 per cent. of our trade is with Europe, millions of British jobs depend on our being in the European Union—*[Interruption.]* The Tory party actually wants to use the refusal of this treaty as a means of renegotiating existing membership of the European Union. [HON. MEMBERS: "Hear, hear."] So let us be quite clear: the right hon. and learned Gentleman's opposition to this new treaty is not about the treaty itself; it is about using the treaty as an excuse to renegotiate existing terms of European membership, which means getting out of Europe. Perhaps he will at least confirm this: that it is his policy to renegotiate our existing terms of membership.

Mr. Howard: Well, let me tell the Prime Minister a few more things that his adviser said. He said this morning that

> "those in favour of the constitution would like to box people in to suggesting the only alternative . . . is leaving the European Union . . . that is not the case at all."

He continued:

> "The British government never really thought through its own position. First, it opposed a written constitution and then it put forward its own draft, which was treated with contempt. Then there was all that nonsense about tidying up . . . There was no strategic thinking."

So why is the Prime Minister going to Rome on Friday to sign up to a constitution that he himself said was never necessary, which his advisers say is damaging for Britain, and which the British people overwhelmingly do not want? He promised that he would

> "stand up for Britain's interests in Europe",

but his own adviser says that he was "gutless". Is it not now clear that this Prime Minister is all talk?

The Prime Minister: I shall tell the right hon. and learned Gentleman what is gutless. It is gutless to run from the UK Independence party into a position—*[Interruption.]* Oh yes, that is what is gutless. He has ended up in a situation whereby his policy now is to renegotiate Britain's existing terms of membership, which would mean that Britain would face either humiliation in that negotiation, or withdrawal from Europe. I agree that it is difficult sometimes in this country to make the case for Europe, but I will carry on making that case because it is right and in Britain's interest. A true leader would stand up to UKIP, not run from it. *[Interruption.]*

Mr. Speaker: Order.

Q4. [193854] **David Winnick** (Walsall, North) (Lab): Is my right hon. Friend aware that there is genuine concern in the country about various aspects of the Gambling Bill, which is due to be debated shortly, and in particular about the establishment of very large casinos? Instead of trying to encourage further gambling and debt, would it not be far more sensible to reduce these problems? The last thing that we want is a casino-type society. Ministers should reconsider the whole matter.

The Prime Minister: I entirely understand the concerns that my hon. Friend and others have expressed, but it is important to realise that 90 per cent. of that Bill is actually about regulating gambling better and more strictly. For example, it will have restrictions on access to gambling, particularly in respect of children, that are being introduced literally for the first time. It is also important to emphasise that where one of these casino leisure complexes is sought, any local authority has the right to declare that it will have no such complexes in its area at all.

The issue that we must really decide on is this. We are modernising in a sensible way the overall gambling laws. Let us be clear: this process has been going on for four years and, until very recently, with a large measure of cross-party support. The fact is that as well as better regulating gambling, the Bill will allow some of these large casino leisure complexes—probably 20 to 40—in areas that will be regenerated with hundreds of millions of pounds of investment and thousands of jobs. As the debate proceeds through the House of Commons, those arguments will become a little clearer.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy) (PC): Further to that answer, can the Prime Minister elaborate on which British interests will be served by the Gambling Bill? Does it not, in fact, provide further evidence of the fast-evolving and special, if not unique, relationship between this Prime Minister and the United States?

The Prime Minister: Many British companies also want to be involved in casino and leisure complexes, as they are involved in gambling across the country. It is also worth reminding the House—and perhaps, through it, the country—that this process began with an independent report by Sir Alan Budd in 2001 and we then had two lots of Scrutiny Committee deliberations on a draft Bill, so it is not true that we have ignored it. About 130 of the 160 recommendations were accepted. As to the others, there will be ample opportunity to debate them during the course of the Bill. I would point out to the hon. Gentleman that 90 per cent. of the Bill is actually about establishing better regulation. People on both sides of the House have been saying for years that we should modernise our gaming laws, and that is what we are trying to do.

Q5. [193855] **David Hamilton** (Midlothian) (Lab): Iraq has divided this House as it has divided this nation. However, there is a position on which we should all agree: that the innocents in Iraq are the children. Within my Midlothian constituency is a young woman, Katrina Turner, who was watching television 19 months ago and saw a young girl, Hannan, get burned beyond recognition. Over those 19 months she has waged a personal campaign, as a result of which Hannan is now in Scotland with my constituent. Tomorrow the girl is going to a special burns unit at St. John's hospital to receive treatment—painful treatment—that will take up to six months or longer to complete. Can I ask the Prime Minister to use his good offices to talk to world leaders, to recognise the fact that there are no burns units in Iraq and to make a plea for people in Iraq—and, indeed, throughout the world—to be able to get that sort of treatment?

The Prime Minister: The point that my hon. Friend makes is right. Of course, specialist health services suffered enormously under the previous regime and it will take a long time for Iraq to catch up to UK and international standards. I can tell my hon. Friend that there is a multi-donor trust fund, managed by the World Bank and the United Nations, which provides funds precisely for those types of specialist services. The UK is contributing about £70 million to those funds this year, and we are also working with the Iraqi ministry of health to try to make sure that we develop those specialist services. At the present time, I have to say, most of the emphasis in Iraq is on primary and emergency care, which is being introduced across the country for the first time in a proper and measured way. The Iraqis want to move on to specialist medical services and I can assure my hon. Friend that we will help them to do so.

Q6. [193856] **Chris Grayling** (Epsom and Ewell) (Con): A group of former inhabitants of the island of Diego Garcia, who were dispossessed under a previous Labour Government, have started arriving in the UK and are currently being housed at the expense of the residents of Reigate and Banstead in Surrey, and thousands more could be on the way. Will the Prime Minister explain why my constituents in a small Surrey borough should pay substantial housing and legal costs as a result? Can he also explain why appeals to the Office of the Deputy Prime Minister and to the Deputy Prime Minister himself for help have so far gone unanswered?

The Prime Minister: I think it is because of the concern that if we start providing finance for this particular case, we would have to provide it for a whole series of others. The hon. Gentleman refers to thousands of people coming in, but that is an exaggeration. I shall have to look into the precise numbers that we anticipate, but I am told at the moment that it is far fewer—perhaps 40 so far. I will look into it very carefully and get back to the hon. Gentleman about it. As I said, the concern has been that if we start providing funding in these circumstances, there is no reason why we should not provide it across the board.

Q7. [193857] **Mr. Gordon Prentice** (Pendle) (Lab): A decade ago, my friend won the Labour leadership on a manifesto promising change and renewal. Now, after seven years in government, can he think of a single dramatic act of renewal that would make the British public sit up and take notice? *[Interruption.]*

The Prime Minister: Actually, I can think of several—*[Interruption.]*—apart from the fact that we have had two successive Labour Governments. That is one renewal. What is more, we have had economic stability in place of boom and bust; we have had 2 million more jobs in place of 3 million unemployed; we have had a national minimum wage in place instead of no minimum wage; we have had record investment in health and education in place of cuts; and we have had half a million children lifted out of poverty. That is some renewal. Maybe my hon. Friend should go back and tell his constituents about it.

Mr. Stephen Dorrell (Charnwood) (Con): Has the Prime Minister seen the paper published by the Department for Health advocating the reintroduction into the NHS of practice-based commissioning—what we used to call GP fundholding? Will he confirm that it is the policy of this Government, as it was of their predecessor, to extend the opportunity of practice-based commissioning to any GP who wants to take advantage of it? Will he also confirm that the excellent policy set out in the paper by the Secretary of State for Health has the unqualified support of the Chancellor of the Exchequer?

The Prime Minister: First, the policy is most certainly not a return to GP fundholding. We have no intention of reintroducing that two-tier system. However, it is true that we are devolving money down to the front line of the health service, as well as putting record investment into the NHS. If the right hon. Gentleman is saying that, having read that document, he supports it, I am delighted.

Q8. [193858] **Mr. Mike Hall** (Weaver Vale) (Lab): This week saw the sixth anniversary of the establishment of the new deal for lone parents. So far, 270,000 lone parents have found their way into work. That is why unemployment in my constituency has fallen by 53 per cent. since May 1997 and why, directly as a result of the new deal, 420 lone parents in Weaver Vale are now in work. However, 1,188 people in my constituency remain unemployed. What does my right hon. Friend propose to do to ensure that everyone in my constituency who wants a job gets the opportunity to work?

The Prime Minister: I am glad that the new deal has had such a positive impact in my hon. Friend's constituency. It has helped hundreds of thousands of people—lone parents and young people—to get off benefit and into work. It is a tragedy that the Opposition are committed to abolishing it. That would be a very regressive step. We intend to extend it and, through tax credits and the other help that we give people, to make work pay. In addition, the new training and skills measures and the extension of child care will give many people the chance to acquire new skills and get help with looking after children. That is all part of creating a society in which everyone who wants to work is able to do so.

Q9. [193859] **Sue Doughty** (Guildford) (LD): Last month's report from the organisation Safer World identified that at least £450 million is spent subsidising UK arms exports. Would not taxpayers' money be better spent on local health services, such as those offered by Cranleigh Village hospital and Milford hospital in my constituency, which are so much valued by my constituents?

The Prime Minister: I shall have to check into the figure of £450 million but, if that covers defence sales as a whole and not just arms sales, it would be extraordinary if the Liberal Democrats were to say that we should not provide any support for our defence industry, which involves many thousands of jobs in this country. I do not think that it is wrong for this country, under the proper guidelines, to sell defence equipment. That is an important part of our manufacturing base.

Q10. [193860] **Ms Meg Munn** (Sheffield, Heeley) (Lab/Co-op): Last year, I received many letters from constituents complaining about the abuse of fireworks. Last week, Mrs. Catherine Foster wrote to me to say how different things are this year and how much quieter it is as a result of Government legislation. Will my right hon. Friend assure me that the efforts that have been made to tackle the problem will continue so that all our constituents can enjoy this time of year without worrying about the distress caused to their pets?

The Prime Minister: I am delighted that the legislation has had that impact on my hon. Friend's constituency. The introduction of fixed-penalty notices for firework offences has given the police a power that they can use easily and prevents the need for a long drawn-out court hearing. The police are able to take swift action, and that is all part of our measures on antisocial behaviour. We have closed down crack houses, shut down pubs and clubs where violence happens and under-age drinking goes on, and introduced antisocial behaviour orders. It is a question of ensuring that we give the power to local communities—police, local authorities and the local residents—to take action against that menace. In general, the powers have been widely welcomed.

Mr. Michael Mates (East Hampshire) (Con): Is it not a serious setback to the tremendous efforts being made to prevent weapons proliferation to rogue states that some highly sensitive nuclear equipment and a very large quantity of high-quality explosives have gone missing in Iraq? Do the Government have any say in the protection and security of those very sensitive sites, either through our diplomatic services or our forces on the ground? If not, why not?

The Prime Minister: We do, of course. I think that I am right in saying that that was a result of the immediate aftermath of the conflict in Iraq and that nothing has gone missing in recent times, but we are awaiting a report from the International Atomic Energy Agency. We will obviously act on that report, but until we have the report, we do not know what the precise facts of the situation are, and they may be somewhat different from how they appear.

Q11. [193861] **Mr. Mark Todd** (South Derbyshire) (Lab): Derbyshire constabulary and the crime and disorder reduction partnership in South Derbyshire have made tremendous progress in pressing down on crime in my area. I met representatives of the police authority last week to discuss their analysis of funding needs in the coming year and their bid for community support officers. Will my right hon. Friend commend to the Home Secretary their proposals for CSOs? Can he give me some assurance on their future funding?

The Prime Minister: Community support officers are having a big impact, along with neighbourhood wardens, in support of local police, particularly in dealing with antisocial behaviour. I can assure my hon. Friend that, as I said a moment or two ago, we want to see that encouraged and extended, not curtailed. The important thing is not just to have extra numbers of uniformed people on the ground, but to ensure that they have the powers to act where necessary. The combination of the additional police and community support officers and the powers is making a real difference, and as the report on antisocial behaviour that will be published tomorrow indicates, that is now beginning to have a real impact for the better on people's lives in this country.

Points of Order

12.31 pm

Mr. Crispin Blunt (Reigate) (Con): On a point of order, Mr. Speaker. In reply to my hon. Friend the Member for Epsom and Ewell (Chris Grayling), the Prime Minister said that only a few dozen Ilois islanders would apparently come to the United Kingdom. He should have been aware that there are about 4,300—

Mr. Speaker: Order. That is not a point of order; it relates to the Prime Minister's reply. Take it up with the Prime Minister.

Bob Russell (Colchester) (LD): On a point of order, Mr. Speaker. A few minutes ago, the Prime Minister stated that there would be no reduction in the size of Her Majesty's armed forces. You will recall—

Mr. Speaker: Order. This is not a continuation of Prime Minister's Question Time.

Norman Baker (Lewes) (LD) *rose*—

Mr. Speaker: Order. I am trying to answer a point of order. The hon. Gentleman is a bit quick.

If there is any concern about the Prime Minister's reply, drop him a note, and I am sure that he will answer.

Mr. Peter Ainsworth (East Surrey) (Con): On a point of order, Mr. Speaker. On 19 October, I wrote to the Minister for Local and Regional Government about the people from Diego Garcia, who were referred to in Prime Minister's questions, asking him urgently to contact Reigate and Banstead council to provide advice and assistance. It is simply unfair that my constituents and those of my other hon. Friends whose constituencies are in Surrey should be faced with footing the bill for an event that is entirely of the Government's making—

Mr. Speaker: Order. I am going to stop the hon. Gentleman. If he and other hon. Members who represent the area have a difficulty and a concern about these matters, I am very generous in offering Adjournment debates, particularly when a group of MPs is interested. The hon. Gentleman should raise the issue in an Adjournment debate.

Norman Baker: On a point of order, Mr. Speaker. I ask for your protection for the proper role of the House of Commons. At 9 o'clock this morning, the Secretary of State for the Environment, Food and Rural Affairs announced a major change in environment policy and did so to a collection of journalists and pressure-group people. That change is an application for an increase in carbon emissions—

Mr. Speaker: Order. I am going to interrupt the hon. Gentleman. He applied to me for an urgent question. When I refuse an urgent question, I do not give any reason why, and I do not expect hon. Members to try to raise the issue on a point of order. The Minister to whom the hon. Gentleman refers has made a written statement to the House, and he is perfectly entitled to pursue that matter through oral or written questions.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): On a point of order, Mr. Speaker. You will recall that last week I raised the issue with you of Ministers talking to the press and issuing press releases on changes in Government policy without coming to the House first. Today, lots of newspapers report a change in Government policy on forced marriages for Asians—a very important issue—and again, the Home Secretary has not sought to come to the House to make a statement but has talked to the press first. I suggested to you in my point of order last week that, if that continued to happen and your ruling on this matter was continually flouted, you should bring certain Ministers to the House and ask for an explanation. I ask for your further ruling on this matter.

Mr. Speaker: I understand from the Clerk that there is a written statement about that matter, so the Minister has acted properly, but I undertake to look at the material that the hon. Gentleman has if he sends it to Speaker's House.

St. George's Day (Public Holiday)

12.35 pm

Mr. Andrew Rosindell (Romford) (Con): I beg to move,

That leave be given to bring in a Bill to make St. George's Day a public holiday in England in place of the May Day public holiday.

My Bill would designate St. George's day, 23 April, as an annual national public holiday in England. If that date were to fall during a weekend, the following Monday would be a public holiday.

I thank you, Mr. Speaker, for the opportunity to introduce a Bill on an issue that I sincerely believe to be dear to the hearts of many. The date of 23 April, as the day of the patron saint of England, means a great deal to people throughout our green and pleasant land, but sadly it has become undervalued in recent times. Before I ask the House to vote in favour of giving the people of England a new public holiday to recognise St. George, I should perhaps say a little about the great man himself.

George lived during the 3rd and 4th centuries and spent much of his time as a warrior in the area that we now know as the middle east. He became widely known for his chivalrous behaviour, protecting women and fighting evil. He was noted for his dependence of faith, might of arms and largess to the poor. Devotion to George became commonplace during the 10th century—some 500 years after his martyr's death. The stories of George slaying the dragon emerged later as his legend grew. It is believed that his adoption as a patron saint of England first occurred in 1061 when a church in Doncaster was dedicated to him. As crusaders returned from the middle east, they brought with them stories of the great George and his bravery on the battlefield. Indeed, the red cross on the flag of England might have come into being at the same time.

If the Bill were to reach the statute book, it would not be the first time that St. George's day was a public holiday in England. In 1222, at the Council of Oxford, 23 April was declared a public holiday. The popularity of the day quickly grew in England and it was soon celebrated every year with feasting in towns and cities throughout the land. In 1348, King Edward III introduced the battle cry, "St. George for England", and after the battle of Agincourt in 1415, St. George's day became one of the main features of the year. St. George became the patron saint of England around that time, but it is not clear exactly when. Sadly, the traditions have slowly died away over the centuries, but I am glad to stand before the House today as part of their resurgence.

I believe that all constituents of English Members would be delighted if St. George's day were reintroduced as a national holiday. However, I make it clear that I am also in favour of extending the same rights for St. Andrew's day in Scotland and St. David's day in Wales, but as you will appreciate, Mr. Speaker, I shall leave that to other hon. Members, although I am sure that some of my reasoning would be valid in all parts of the United Kingdom.

The history of the day rightly has religious significance, but I am certain that the legend of St. George and 23 April could be celebrated in such a way as to ensure that everyone felt included. If the day were again to become a public holiday, it could be one of the most inclusive days in our calendar because many existing public holidays are significant to only the Christian faith. As a national holiday for England, St. George's day could become a wonderful springtime celebration, in which everyone takes part in being proud of our history, culture and English heritage.

However, it is not just me who wishes formally to recognise the day. Many people and organisations are clamouring for St. George's day to be given adequate recognition. Only this week, a third of members of the Trades Union Congress voted in favour of reclaiming the day for public enjoyment and celebration. The Royal Society of St. George is also doing an enormous amount to promote St. George's day. Indeed, it is fast becoming a national event. In my constituency and home town of Romford, Havering council ensured that the flag of St. George was displayed throughout the marketplace on 23 April as traders proudly displayed the flag from every stall, as schools held competitions and as children around the borough dressed in red and white specially for the occasion, while red roses were handed out at railway stations by my local St. George's committee.

Many people already choose to celebrate St. George's day because they know that it represents the true spirit of England. To make it a public holiday would be a wonderful opportunity for all the people of England to participate in events and parties celebrating our nation. A fine example of that in practice is Ireland and Northern Ireland, where St. Patrick's day—17 March—is famously celebrated. The people of both sides of the border have a day off, enjoying time with their families and taking part in parades and other celebrations.

In Switzerland on 1 August this year I was pleased to attend its celebrations of Swiss national day. Flags were displayed from every balcony and there were open air concerts, firework displays, alpine bands parading through the streets and the sound of cow bells echoing from every mountain. Gibraltar's national day on 10 September is a magnificent celebration of the Gibraltarian people, showing not only their pride in being British, but also their love of their homeland—the rock itself. Australia, New Zealand, Canada, the United States and scores of other countries also celebrate their national days in style. It is no coincidence that all those nations have a strong sense of national identity and pride, something that can only be a source of strength and unity in any country. I hope that England will follow their example and give this country an annual day to remember and cherish.

However, some of those things have been associated with less desirable elements. A tiny minority have used the symbols of our patriotism to promote causes of fear and intolerance. It is high time that we reclaim the flag of St. George and his truly English values for all the people of England. It is time that we promoted pride in our nation; pride in our flag; pride in our English way of life. I would even argue that our country is crying out for an opportunity to celebrate all those things.

As such, recent performances in the Olympics, success in the rugby World cup and the resurgence of England's football team in recent years have all led to the St. George cross becoming a near permanent feature in many high streets, pubs and clubs all over England. It seems that the people of England crave an occasion on

[Mr. Andrew Rosindell]

which they can show their pride in St. George, their flag and, most importantly, their country. I suggest that 23 April would be the ideal day to allow our nation to come together and celebrate the country of which we are all proud. I ask hon. Members to join me in crying for God, Harry, England and St. George and vote in favour of the Bill. I commend the Bill to the House.

12.44 pm

John Cryer (Hornchurch) (Lab): To return from planet Zarg where we have spent the past 10 minutes, the hon. Member for Romford (Mr. Rosindell) failed to mention one aspect of his Bill. The motion states:

> "That leave be given to bring in a Bill to make St. George's Day a public holiday in England in place of the May Day public holiday."

[HON. MEMBERS: "Ah!"] Judging from their reaction, I suspect that that bothers my hon. Friends and, I believe, other hon. Members. It will be interesting to see whether, in the Division that will follow, Tory Front Benchers will go into the Aye Lobby to attack the labour movement and working people, or whether they will join us in the No Lobby. May day is part of the history of the labour movement, the Labour party and trade unions. The public holiday was introduced by the 1974–79 Labour Government, but it was always an aspiration of the labour and trade union movement to have a May day holiday in the years when miners were being slaughtered by the hundreds in work, and when there was a battle for improved working terms and conditions. Although it was not fundamental to people's lives, it was always a dream to have such a holiday.

May day also has religious connotations, and is a celebration of the Virgin Mary and St. Joseph the worker—*[Interruption.]* I can see that that reference has gone down well among the Tories, as it always does. The Bill is an attack on working people, and the dreams and aspirations of the labour movement, which has been in existence for more than 100 years. In fact, the ambition to make May day a bank holiday predates the foundation of the labour and trade union movement, and is something that many Labour Members would defend as long as we have breath in our bodies. Finally, I was born into the labour movement and I intend to die in it, although not just yet. This is an over-my-dead-body issue, and I will defend May day as long as I live and breathe.

Question put, pursuant to Standing Order No. 23 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business):—

The House divided: Ayes 83, Noes 112.

Division No. 285] [12.47 pm

AYES

Atkinson, Peter *(Hexham)*
Barker, Gregory
Beggs, Roy *(E Antrim)*
Blunt, Crispin
Bottomley, Peter *(Worthing W)*
Brazier, Julian
Butterfill, Sir John
Campbell, Gregory *(E Lond'y)*
Cash, William
Chapman, Sir Sydney [illegible]pping Barnet)*
Chope, Christopher
Clifton-Brown, Geoffrey
Conway, Derek
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Evans, Nigel
Fabricant, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Francois, Mark
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hawkins, Nick
Hayes, John *(S Holland)*
Heathcoat-Amory, rh David
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jenkin, Bernard
Knight, rh Greg *(E Yorkshire)*
Leigh, Edward
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Luff, Peter *(M-Worcs)*
Mackay, rh Andrew
McLoughlin, Patrick
Malins, Humfrey
Mates, Michael
Mawhinney, rh Sir Brian
Mercer, Patrick
Moss, Malcolm
Murrison, Dr. Andrew
Ottaway, Richard
Paisley, Rev. Ian
Paterson, Owen
Pickles, Eric
Randall, John
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shepherd, Richard
Simpson, Keith *(M-Norfolk)*
Smyth, Rev. Martin *(Belfast S)*
Stinchcombe, Paul
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Tyrie, Andrew
Viggers, Peter
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Wilshire, David
Winterton, Sir Nicholas *(Macclesfield)*

Tellers for the Ayes:
Bob Spink and
Mrs. Angela Browning

NOES

Allen, Graham
Atherton, Ms Candy
Baker, Norman
Barron, rh Kevin
Bennett, Andrew
Berry, Roger
Best, Harold
Brake, Tom *(Carshalton)*
Brennan, Kevin
Bruce, Malcolm
Burden, Richard
Byrne, Liam *(B'ham Hodge H)*
Carmichael, Alistair
Casale, Roger
Caton, Martin
Chaytor, David
Clapham, Michael
Clarke, rh Tom *(Coatbridge & Chryston)*
Cook, rh Robin *(Livingston)*
Cranston, Ross
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
Davidson, Ian
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Donohoe, Brian H.
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Gapes, Mike *(Ilford S)*
George, Andrew *(St. Ives)*
Gerrard, Neil
Gilroy, Linda
Griffiths, Jane *(Reading E)*
Hamilton, David *(Midlothian)*
Hancock, Mike
Harman, rh Ms Harriet
Harris, Dr. Evan *(Oxford W & Abingdon)*
Hermon, Lady
Hinchliffe, David
Holmes, Paul
Howarth, George *(Knowsley N & Sefton E)*
Humble, Mrs Joan
Iddon, Dr. Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Jones, Kevan *(N Durham)*
King, Andy *(Rugby)*
Lazarowicz, Mark
Levitt, Tom *(High Peak)*
Liddell, rh Mrs Helen
Luke, Iain *(Dundee E)*
McFall, rh John
McKechin, Ann
Mackinlay, Andrew
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marshall, David *(Glasgow Shettleston)*
Mole, Chris
Morgan, Julie
Mudie, George
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
O'Neill, Martin
Organ, Diana

ham, Linda
king, Anne
kthall, Colin
e, Peter *(Burnley)*
skitt, James
llard, Kerry
pe, Greg *(Hyndburn)*
und, Stephen
ce, Adam *(E Carmarthen & Dinefwr)*
rchase, Ken
id, Alan *(Argyll & Bute)*
bertson, John *(Glasgow Anniesland)*
che, Mrs Barbara
y, Frank *(Motherwell)*
lter, Martin
vidge, Malcolm
dgemore, Brian
eridan, Jim
mon, Siôn *(B'ham Erdington)*
mpson, Alan *(Nottingham S)*
inner, Dennis
nith, Sir Robert *(W Ab'd'ns & Kincardine)*
Starkey, Dr. Phyllis
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stunell, Andrew
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Tipping, Paddy
Trickett, Jon
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Wareing, Robert N
Weir, Michael
Whitehead, Dr. Alan
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Winnick, David
Woodward, Shaun
Wright, Anthony D. *(Gt Yarmouth)*
Younger-Ross, Richard

Tellers for the Noes:
Chris Bryant and
John Cryer

Question accordingly negatived.

Domestic Violence, Crime and Victims Bill [*Lords*] (Programme) (No.2)

1 pm

The Parliamentary Under-Secretary of State for the Home Department (Paul Goggins): I beg to move,

That the programme order of 14th June 2004 in relation to the Domestic Violence, Crime and Victims Bill [*Lords*] be varied as follows—

Consideration and Third Reading

1. Paragraphs 4 and 5 of the Order shall be omitted.
2. Proceedings on consideration shall be taken in the order shown in the first column of the following Table.
3. The proceedings shown in the first column of the Table shall (so far as not previously concluded) be brought to a conclusion at the time specified in the second column of the Table.

TABLE

Proceedings	*Time for conclusion of proceedings*
New Clauses, New Schedules and amendments to Clauses 1 to 15.	Two and a half hours after the commencement of proceedings on the motion for this Order.
Amendments to Clauses 16 to 21 and Schedule 1.	Four and a half hours after the commencement of proceedings on the motion for this Order.
Amendments to Clauses 22 to 24, Schedule 2, Clauses 25 and 26, Schedule 3, Clause 27, Schedule 4, Clauses 28 and 29, Schedule 5, Clauses 30 and 31, Schedule 6, Clauses 32 to 41, Schedule 7, Clause 42, Schedule 8, Clauses 43 to 47, Schedule 9, Clauses 48 to 52, Schedules 10 and 11, Clause 53, Schedule 12, Clauses 54 to 57 and remaining proceedings on the Bill.	Five and a half hours after the commencement of proceedings on the motion for this Order.

4. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the day on which proceedings on consideration are commenced.

Throughout the deliberations on the Bill, we have always tried to achieve consensus, and I think that for the most part we have managed to do so. There has been good communication and consultation throughout. I know that the Opposition have views about programme motions. I hope that they will not divide the House, but if they do so, we will continue to have constructive discussions later.

1.1 pm

Mrs. Cheryl Gillan (Chesham and Amersham) (Con): I am grateful to the Minister, who is right that we have had a great deal of consensus during the passage of the Bill. That is quite right, because of the sensitive subject matter and the fact that the Government have tried to do something in this area. However, this Bill started its passage back in December last year in another place. It has taken a long time to get here and it has been changed many times on its way. As late as this morning, we are seeing fresh announcements from the Home Office that concern the subject matter of the Bill. The motion is most inappropriate in this case because it will not give us an opportunity for proper discussion. I have no choice but to divide the House as a matter of principle.

1.2 pm

Ms Julia Drown (South Swindon) (Lab): I think that it is important for us to programme the proceedings, but I would be grateful to know whether my hon. Friend the Minister can assure the House that we will have enough time to discuss the need for mandatory risk assessments in family court proceedings, because there are concerns about children who have been killed when courts have ordered residence or contact orders that have been unsupervised.

1.3 pm

Mr. David Heath (Somerton and Frome) (LD): The hon. Member for South Swindon (Ms Drown) has raised an important issue—one of many substantial issues that will not, sadly, be adequately debated in one day of Report and Third Reading. That is the real problem: we simply do not enough time to do justice to what is a very important and complicated Bill on which many people will wish to put to the Government serious arguments about its application in due course. That is why the Liberal Democrats also oppose the motion.

1.4 pm

Paul Goggins: I anticipate that we will get to the issues raised by my hon. Friend the Member for South Swindon (Ms Drown). I certainly hope that we will do so, and that we will get to a great many others as well. The sooner we can proceed to those discussions, the better.

Question put:—

The House divided: Ayes 280, Noes 144.

Division No. 286] **[1:04 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Barnes, Harry
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bell, Sir Stuart
Berry, Roger
Best, Harold
Blair, rh Tony
Blears, Ms Hazel
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Bryant, Chris
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cairns, David
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Corston, rh Jean
Cranston, Ross
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Foster, rh Derek
Foster, Michael *(Worcester)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hinchliffe, David
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hume, John *(Foyle)*
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Sir Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCafferty, Chris
McDonagh, Siobhain
McDonnell, John
MacDougall, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Morgan, Julie
Morley, Elliot
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry

Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Winnick, David
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek

Tellers for the Ayes:
Joan Ryan and
Margaret Moran

NOES

Ainsworth, Peter *(E Surrey)*
Bacon, Richard
Baker, Norman
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, rh Virginia *(SW Surrey)*
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, Sir John
Cable, Dr. Vincent
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, rh Sir Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Doughty, Sue
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flook, Adrian
Forth, rh Eric
Francois, Mark
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hancock, Mike
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jenkin, Bernard
Knight, rh Greg *(E Yorkshire)*
Lamb, Norman
Laws, David *(Yeovil)*
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mawhinney, rh Sir Brian
Mercer, Patrick
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Paisley, Rev. Ian
Paterson, Owen
Pickles, Eric
Pugh, Dr. John
Randall, John
Reid, Alan *(Argyll & Bute)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Thurso, John
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Watkinson, Angela
Webb, Steve *(Northavon)*
Weir, Michael
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Younger-Ross, Richard

Tellers for the Noes:
Mr. Peter Atkinson and
Gregory Barker

Question accordingly agreed to.

Orders of the Day

Domestic Violence, Crime and Victims Bill [*Lords*]

As amended in the Standing Committee, considered.

New Clause 10

VICTIMS OF PERSONS SUBJECT TO HOSPITAL ORDER WITH RESTRICTION ORDER: REPRESENTATIONS

'(1) This section applies if section 36 applies.

(2) If—

(a) a person makes representations about a matter specified in section 36(5) to the local probation board mentioned in section 36(4) or the relevant local probation board, and

(b) it appears to the relevant local probation board that the person is the victim of the offence or acts for the victim of the offence,

the relevant local probation board must forward the representations to the persons responsible for determining the matter.

(3) The duty in subsection (2) applies only while the restriction order made in respect of the patient is in force.

(4) The Secretary of State must inform the relevant local probation board if he is considering—

(a) whether to give a direction in respect of the patient under section 42(1) of the Mental Health Act 1983 (c.20) (directions lifting restrictions),

(b) whether to discharge the patient under section 42(2) of that Act, either absolutely or subject to conditions, or

(c) if the patient has been discharged subject to conditions, whether to vary the conditions.

(5) A Mental Health Review Tribunal must inform the relevant local probation board if—

(a) an application is made to the tribunal by the patient under section 69, 70 or 75 of the Mental Health Act 1983 (c.20) (applications concerning restricted patients), or

(b) the Secretary of State refers the patient's case to the tribunal under section 71 of that Act (references concerning restricted patients).

(6) Subsection (7) applies if—

(a) the relevant local probation board receives information under subsection (4) or (5), and

(b) a person who appears to the relevant local probation board to be the victim of the offence or to act for the victim of the offence—

(i)when his wishes were ascertained under section 36(4), expressed a wish to make representations about a matter specified in section 36(5), or

(ii) has made representations about such a matter to the relevant local probation board or the local probation board mentioned in section 36(4).

(7) The relevant local probation board must provide the information to the person.

(8) The relevant local probation board is—

(a) if the patient is to be discharged subject to a condition that he reside in a particular area, the local probation board for the area;

(b) in any other case, the local probation board for the area in which the hospital in which the patient is detained is situated.'.—*[Paul Goggins.]*

Brought up, and read the First time.

1.15 pm

The Parliamentary Under-Secretary of State for the Home Department (Paul Goggins): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to discuss the following: Government new clause 11—*Victims of persons subject to hospital order with restriction order: information.*

Government new clause 12—*Victims of persons subject to hospital direction and limitation direction: representations.*

Government new clause 13—*Victims of persons subject to hospital direction and limitation direction: information.*

Government new clause 14—*Victims of persons subject to transfer direction and restriction direction: representations.*

Government new clause 15—*Victims of persons subject to transfer direction and restriction direction: information.*

Government amendments Nos. 34 to 39.

Paul Goggins: The first group consists exclusively of Government amendments and new clauses. The amendments may appear detailed and complicated, but they seek to achieve a simple aim and, I believe, a shared aim, namely, that victims of serious sexual or violent offending should have the right to information about the release of the offender, whether the offender has received a prison sentence or has been dealt with under mental health legislation.

The amendments combined effect is that when the court sentences for a serious sexual or violent offence, the local probation board acquires a duty to identify the victim of the offence. If the victim wishes, they can be kept informed about decisions in relation to the offender's release. They have the right to make representations about measures to be taken for their protection and to be informed about those measures. That duty already exists under section 69 of the Criminal Justice and Court Services Act 2000 in cases in which the offender receives a prison sentence. These provisions extend it to cases in which the offender is dealt with under mental health legislation, whether or not the offender is under a prison sentence.

The amendments consolidate section 69 of the 2000 Act with new provisions covering the three powers in the Mental Health Act 1983, under which such offenders may be detained. Those powers are first, a restricted hospital order; secondly, a transfer direction with restrictions, which is made by the Home Secretary to transfer a mentally disordered prisoner to hospital for treatment; and thirdly, a hospital direction, which is made by the court to direct admission of a prisoner to hospital at the time of sentencing. Those provisions are necessarily lengthy, because they cover each detention authority separately. However, their combined effect is that whichever the detention authority—even if it changes during sentence—the victim retains the right to be informed that a decision on release is being made and to make representations about conditions for their protection and that of their family.

The Home Secretary, the mental health review tribunal or the parole board may take decisions on the discharge of mentally disordered offenders and the provisions place a duty on each decision-making body to advise the relevant local probation board. The probation board can then pass the information on to the victim to enable the victim to make representations or simply be advised of the discharge and conditions, if they so wish.

For each of the three powers in the 1983 Act, there are two sets of provisions. The first enables the identified victim to make representations about the conditions of the offender's discharge through the local probation board and requires the local probation board to inform the victim whether any conditions will apply in the event of the offender's discharge. The local probation board must also advise about the end of restrictions on the offender and give any other appropriate information. In turn, both the Home Secretary and the mental health review tribunal are required to give the local probation board the information on discharges to enable the victim to be kept informed.

Mr. Dominic Grieve (Beaconsfield) (Con): The Minister will recollect that one of the problems when we discussed the matter in Committee was the extent to which information can properly be provided to victims about the mental health condition of somebody who might be released. An improvement in a person's mental condition often leads to release to taking place, and it is not clear from what the Minister has said how information will be provided in practice. Is it not the case that a person's medical condition is confidential between that person and those who treat them? How will the Government reconcile providing information with respecting patient confidentiality?

Paul Goggins: Patient confidentiality clearly raises some issues, but conditions can be laid down in relation to a particular offender when they are released from prison or hospital. A line must be drawn, but the provisions that we are introducing today make it clear that victims can be kept informed, where that is their wish, about whether the offender is released from hospital or prison. Although the provisions are complex and lengthy, I am convinced that they give us the cover that we need.

The second set of provisions requires the local probation board to keep the victim informed of decisions on discharge, and the Home Secretary and the mental health review tribunal to provide the board with the information that it needs to meet that requirement.

The remainder of the amendments are technical changes to clauses 36 to 40, to effect the structure.

Mr. Grieve: I do not want to take up the House's time. I am grateful to the Under-Secretary for taking on board the point that emerged in Committee that victims need to be kept informed about the release of patients who may be subject to restrictions under the Mental Health Act 1983. I hope that he will forgive me if I emphasise that the rules are complicated; I trust that they will achieve the desired effect. I have no reason from reading them to believe that they will not.

At the risk of repeating of myself, there is an issue about the amount of information that can be provided. I want to highlight the point so that it is placed on the record. It is clear that, in many cases, the release of someone who may have committed a violent offence may be intimately linked to the extent of the improvement of their mental condition while under treatment in hospital. Yet difficult ethical issues surround the amount of information and reassurance that can be provided to a victim about the offender's mental condition. I do not know how that will be resolved in practice. I do not know whether guidelines will be issued about the amount of information that can be supplied.

I can envisage a position whereby those who treat a patient, who is subject to restriction, in a mental hospital or psychiatric unit will feel constrained about what they can properly say without breaching patient confidentiality. That is not to diminish what the Government are trying to do, but I wonder whether it will prove problematic in practice. I assume that a victim can be given only the barest information that someone is due to be released and that the authorities are satisfied that that person does not currently pose a risk. The victim will inevitably ask, "Why do you believe that?" With the release of an ordinary prisoner, it might be possible to provide more information, but in the case that we are considering, there may be some problems with giving the information that people want. That is a problem for the Under-Secretary and it will be interesting to observe how the provisions work in practice. Subject to those comments, I welcome the amendments.

Mr. David Heath (Somerton and Frome) (LD): I also welcome the proposals' intent. I share with the hon. Member for Beaconsfield (Mr. Grieve) the view that there may be difficulties in implementation. Obviously, when conditions attach to an individual's release, specific information can be given to the victim. Indeed, new clause 13 lists such information. There is an ancillary matter, which is associated with the point that the hon. Member for Beaconsfield made, about medical assessments of the perpetrator's current mental condition. That is more difficult to define.

Are there any restrictions on the victim's use of information? In some circumstances, victims may wish to go to the local press and media and broadcast the fact that the person who caused them or their family a great deal of grief and anguish is to be released and is in the vicinity. It is an understandable reaction and, whatever conditions apply, they may believe that they have a story to tell. It may be published and that could pose difficulties for the offender's rehabilitation. One can foresee great difficulties only too easily.

However, if the information is given on restricted terms—I am not clear from the amendments that that is the case—further questions arise about the extent to which the information can be shared with, for example, Victim Support, which might be a helpful organisation in the circumstances; a local general practitioner; anyone who might want to provide counselling to the victim; or the local police, who were not directly involved in the case but have a *locus standi*.

We have important concerns about the operation of the proposals but we do not oppose the intent, which is clearly right.

Paul Goggins: The provisions do not allow for the disclosure of personal medical information or specific information about an individual's mental health. They ensure that the victim has the right to make representations about the conditions that will apply when the offender is released. They can be given simple factual information, namely, that the individual has been released from hospital or prison and the details of any prohibitions on contact.

The hon. Member for Somerton and Frome (Mr. Heath) asked about restrictions on the use of the information. I need to check that and I shall contact him later. I understand that there are no strict legal limits, although it is good sense that people do not share the information. The point of providing it is to reduce rather than accelerate anxiety. If the information is passed to the media, it can serve only to heighten anxiety. That is not in the victim's interest. Of course, it would be useful if a victim could disclose the information to Victim Support and get some additional support. I shall examine the hon. Gentleman's point. As far as I can tell at this stage, there are no strictly enforced legal limitations, but common sense dictates that the closer the information is kept, the better.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 11

VICTIMS OF PERSONS SUBJECT TO HOSPITAL ORDER WITH RESTRICTION ORDER: INFORMATION

'(1) This section applies if section 36 applies.

(2) Subsection (3) applies if a person who appears to the relevant local probation board to be the victim of the offence or to act for the victim of the offence—

(a) when his wishes were ascertained under section 36(4), expressed a wish to receive the information specified in section 36(6), or

(b) has subsequently informed the relevant local probation board that he wishes to receive that information.

(3) The relevant local probation board must take all reasonable steps—

(a) to inform that person whether or not the patient is to be subject to any conditions in the event of his discharge;

(b) if he is, to provide that person with details of any conditions which relate to contact with the victim or his family;

(c) if the restriction order in respect of the patient is to cease to have effect, to notify that person of the date on which it is to cease to have effect;

(d) to provide that person with such other information as the board considers appropriate in all the circumstances of the case.

(4) The Secretary of State must inform the relevant local probation board—

(a) whether the patient is to be discharged;

(b) if he is, whether he is to be discharged absolutely or subject to conditions;

(c) if he is to be discharged subject to conditions, what the conditions are to be;

(d) if he has been discharged subject to conditions—

   (i) of any variation of the conditions by the Secretary of State;

   (ii) of any recall to hospital under section 42(3) of the Mental Health Act 1983 (c.20);

(e) if the restriction order is to cease to have effect by virtue of action to be taken by the Secretary of State, of the date on which the restriction order is to cease to have effect.

(5) Subsections (6) and (7) apply (instead of subsection (4)) if—

(a) an application is made to a Mental Health Review Tribunal by the patient under section 69, 70 or 75 of the Mental Health Act 1983 (c.20) (applications concerning restricted patients), or

(b) the Secretary of State refers the patient's case to a Mental Health Review Tribunal under section 71 of that Act (references concerning restricted patients).

(6) The tribunal must inform the relevant local probation board—

(a) of the matters specified in subsection (4)(a) to (c);

(b) if the patient has been discharged subject to conditions, of any variation of the conditions by the tribunal;

(c) if the restriction order is to cease to have effect by virtue of action to be taken by the tribunal, of the date on which the restriction order is to cease to have effect.

(7) The Secretary of State must inform the relevant local probation board of the matters specified in subsection (4)(d) and (e).

(8) The duties in subsections (3) to (7) apply only while the restriction order is in force.

(9) The relevant local probation board has the meaning given in section [Victims of persons subject to hospital order with restriction order: representations](8).'.—*[Mr. Heppell.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 12

VICTIMS OF PERSONS SUBJECT TO HOSPITAL DIRECTION AND LIMITATION DIRECTION: REPRESENTATIONS

'(1) This section applies if section 37 applies.

(2) If—

(a) a person makes representations about a matter specified in section 37(3) to the local probation board mentioned in section 37(2) or the relevant local probation board, and

(b) it appears to the relevant local probation board that the person is the victim of the offence or acts for the victim of the offence,

the relevant local probation board must forward the representations to the persons responsible for determining the matter.

(3) If the representations are about a matter specified in section 37(3)(a), the duty in subsection (2) applies only while the limitation direction given in relation to the offender is in force.

(4) The Secretary of State must inform the relevant local probation board if he is considering—

(a) whether to give a direction in respect of the offender under section 42(1) of the Mental Health Act 1983 (c.20) (directions lifting restrictions),

(b) whether to discharge the offender under section 42(2) of that Act, either absolutely or subject to conditions, or

(c) if the offender has been discharged subject to conditions, whether to vary the conditions.

(5) A Mental Health Review Tribunal must inform the relevant local probation board if—

(a) an application is made to the tribunal by the offender under section 69, 70 or 75 of the Mental Health Act 1983 (c.20) (applications concerning restricted patients), or

(b) the Secretary of State refers the offender's case to the tribunal under section 71 of that Act (references concerning restricted patients).

(6) Subsection (7) applies if—

(a) the relevant local probation board receives information under subsection (4) or (5), and

(b) a person who appears to the relevant local probation board to be the victim of the offence or to act for the victim of the offence—

(i) when his wishes were ascertained under section 37(2), expressed a wish to make representations about a matter specified in section 37(3)(a), or

(ii) has made representations about such a matter to the relevant local probation board or the local probation board mentioned in section 37(2).

(7) The relevant local probation board must provide the information to the person.

(8) The relevant local probation board is—

(a) if the offender is to be discharged from hospital subject to a condition that he reside in a particular area, the local probation board for the area;

(b) if the offender is to be supervised on release by an officer of a local probation board, that local probation board;

(c) in any other case, the local probation board for the area in which the hospital, prison or other place in which the offender is detained is situated.'.—*[Mr. Heppell.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 13

VICTIMS OF PERSONS SUBJECT TO HOSPITAL DIRECTION AND LIMITATION DIRECTION: INFORMATION

'(1) This section applies if section 37 applies.

(2) Subsection (3) applies if a person who appears to the relevant local probation board to be the victim of the offence or to act for the victim of the offence—

(a) when his wishes were ascertained under section 37(2), expressed a wish to receive the information specified in section 37(4), or

(b) has subsequently informed the relevant local probation board that he wishes to receive that information.

(3) The relevant local probation board must take all reasonable steps—

(a) to inform that person whether or not the offender is to be subject to any conditions in the event of his discharge;

(b) if he is, to provide that person with details of any conditions which relate to contact with the victim or his family;

(c) if the limitation direction in respect of the offender is to cease to have effect, to notify that person of the date on which it is to cease to have effect;

(d) to inform that person whether or not the offender is to be subject to any licence conditions or supervision requirements in the event of his release;

(e) if he is, to provide that person with details of any licence conditions or supervision requirements which relate to contact with the victim or his family;

(f) to provide that person with such other information as the board considers appropriate in all the circumstances of the case.

(4) The Secretary of State must inform the relevant local probation board—

(a) whether the offender is to be discharged;

(b) if he is, whether he is to be discharged absolutely or subject to conditions;

(c) if he is to be discharged subject to conditions, what the conditions are to be;

(d) if he has been discharged subject to conditions—

(i) of any variation of the conditions by the Secretary of State;

(ii) of any recall to hospital under section 42(3) of the Mental Health Act 1983 (c.20);

(e) if the limitation direction is to cease to have effect by virtue of action to be taken by the Secretary of State, of the date on which the limitation direction is to cease to have effect.

(5) Subsections (6) and (7) apply (instead of subsection (4)) if—

(a) an application is made to a Mental Health Review Tribunal by the offender under section 69, 70 or 75 of the Mental Health Act 1983 (c.20) (applications concerning restricted patients), or

(b) the Secretary of State refers the offender's case to a Mental Health Review Tribunal under section 71 of that Act (references concerning restricted patients).

(6) The tribunal must inform the relevant local probation board—

(a) of the matters specified in subsection (4)(a) to (c);

(b) if the offender has been discharged subject to conditions, of any variation of the conditions by the tribunal;

(c) if the limitation direction is to cease to have effect by virtue of action to be taken by the tribunal, of the date on which the limitation direction is to cease to have effect.

(7) The Secretary of State must inform the relevant local probation board of the matters specified in subsection (4)(d) and (e).

(8) The duties in subsections (3)(a) to (c) and (4) to (7) apply only while the limitation direction is in force.

(9) The relevant local probation board has the meaning given in section [Victims of persons subject to hospital direction and limitation direction: representations](8).'.—*[Mr. Heppell.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 14

VICTIMS OF PERSONS SUBJECT TO TRANSFER DIRECTION AND RESTRICTION DIRECTION: REPRESENTATIONS

'(1) This section applies if section 38 applies.

(2) If—

(a) a person makes representations about a matter specified in section 38(3) to the local probation board mentioned in section 38(2) or the relevant local probation board, and

(b) it appears to the relevant local probation board that the person is the victim of the offence or acts for the victim of the offence,

the relevant local probation board must forward the representations to the persons responsible for determining the matter.

(3) The duty in subsection (2) applies only while the restriction direction given in respect of the offender is in force.

(4) The Secretary of State must inform the relevant local probation board if he is considering—

[Paul Goggins]

(a) whether to give a direction in respect of the offender under section 42(1) of the Mental Health Act 1983 (c.20) (directions lifting restrictions),

(b) whether to discharge the offender under section 42(2) of that Act, either absolutely or subject to conditions, or

(c) if the offender has been discharged subject to conditions, whether to vary the conditions.

(5) A Mental Health Review Tribunal must inform the relevant local probation board if—

(a) an application is made to the tribunal by the offender under section 69, 70 or 75 of the Mental Health Act 1983 (c.20) (applications concerning restricted patients), or

(b) the Secretary of State refers the offender's case to the tribunal under section 71 of that Act (references concerning restricted patients).

(6) Subsection (7) applies if—

(a) the relevant local probation board receives information under subsection (4) or (5), and

(b) a person who appears to the relevant local probation board to be the victim of the offence or to act for the victim of the offence—

(i) when his wishes were ascertained under section 38(2), expressed a wish to make representations about a matter specified in section 38(3), or

(ii) has made representations about such a matter to the relevant local probation board or the local probation board mentioned in section 38(2).

(7) The relevant local probation board must provide the information to the person.

(8) The relevant local probation board is—

(a) if the offender is to be discharged subject to a condition that he reside in a particular area, the local probation board for the area;

(b) in any other case, the local probation board for the area in which the hospital in which the offender is detained is situated.'—*[Mr. Heppell.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 15

VICTIMS OF PERSONS SUBJECT TO TRANSFER DIRECTION AND RESTRICTION DIRECTION: INFORMATION

'(1) This section applies if section 38 applies.

(2) Subsection (3) applies if a person who appears to the relevant local probation board to be the victim of the offence or to act for the victim of the offence—

(a) when his wishes were ascertained under section 38(2), expressed a wish to receive the information specified in section 38(4), or

(b) has subsequently informed the relevant local probation board that he wishes to receive that information.

(3) The relevant local probation board must take all reasonable steps—

(a) to inform that person whether or not the offender is to be subject to any conditions in the event of his discharge;

(b) if he is, to provide that person with details of any conditions which relate to contact with the victim or his family;

(c) if the restriction direction in respect of the offender is to cease to have effect, to notify that person of the date on which it is to cease to have effect;

(d) to provide that person with such other information as the board considers appropriate in all the circumstances of the case.

(4) The Secretary of State must inform the relevant local probation board—

(a) whether the offender is to be discharged;

(b) if he is, whether he is to be discharged absolutely or subject to conditions;

(c) if he is to be discharged subject to conditions, what the conditions are to be;

(d) if he has been discharged subject to conditions—

(i) of any variation of the conditions by the Secretary of State;

(ii) of any recall to hospital under section 42(3) of the Mental Health Act 1983 (c.20);

(e) if the restriction direction is to cease to have effect by virtue of action to be taken by the Secretary of State, of the date on which the restriction direction is to cease to have effect.

(5) Subsections (6) and (7) apply (instead of subsection (4)) if—

(a) an application is made to a Mental Health Review Tribunal by the offender under section 69, 70 or 75 of the Mental Health Act 1983 (c.20) (applications concerning restricted patients), or

(b) the Secretary of State refers the offender's case to a Mental Health Review Tribunal under section 71 of that Act (references concerning restricted patients).

(6) The tribunal must inform the relevant local probation board—

(a) of the matters specified in subsection (4)(a) to (c);

(b) if the offender has been discharged subject to conditions, of any variation of the conditions by the tribunal;

(c) if the restriction direction is to cease to have effect by virtue of action to be taken by the tribunal, of the date on which the restriction direction is to cease to have effect.

(7) The Secretary of State must inform the relevant local probation board of the matters specified in subsection (4)(d) and (e).

(8) The duties in subsections (3) to (7) apply only while the restriction direction is in force.

(9) The relevant local probation board has the meaning given in section [Victims of persons subject to transfer direction and restriction direction: representations](8).'—*[Mr. Heppell.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 1

PARENTAL CONTACT WITH CHILDREN AFTER SEPARATION IN CASES INVOLVING ILL-TREATMENT OF THE CHILD OR ANOTHER PERSON (NO.1).

'After section 8 in Part II of the Children Act 1989 insert—

"(8A) Allegations of ill-treatment made in section 8 proceedings

(1) Where it is alleged that a party to the proceedings has inflicted ill-treatment on the child or on another person, the Court shall, as soon as practicable, determine on the basis of the evidence presented to it by or on behalf of the parties to the proceedings, whether the allegation of ill-treatment is proved.

(2) Where the Court is satisfied that a party to the proceedings (in this section referred to as the abusive party) has inflicted ill-treatment on the child or on another person, the Court shall not—

(a) make any order granting the abusive party residence of the child; or

(b) make any order granting the abusive party contact (other than supervised contact) with that child, unless the child wants to see the abusive party and the Court is satisfied that the child will be safe while the abusive party has residence of or contact with the child.

(3) Notwithstanding subsection 8A(1), where in any section 8 proceedings,

(a) the court is unable to determine on the basis of the evidence presented to it by or on behalf of the parties to the proceedings whether or not an allegation of ill-treatment is proved; but

(b) the Court is satisfied that there is a risk of harm to the child,

the Court may make any order under this Act that it considers necessary to protect the child.".'—*[Mr. Dawson.]*

Brought up, and read the First time.

Mr. Hilton Dawson (Lancaster and Wyre) (Lab): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to discuss the following: New clause 2—*Parental contact with children after separation in cases involving ill-treatment of the child or another person (No.2)*—

'After section 8 in Part II of the Children Act 1989 insert—

"When determining whether the child will be safe if contact or residence is granted to the abusive party, the Court shall, so far as is practicable, have regard to the following matters:

(a) the nature and severity of the ill-treatment;

(b) how recently the ill-treatment occurred;

(c) the frequency of the ill-treatment;

(d) the risk of further ill-treatment occurring;

(e) the physical, sexual or emotional harm inflicted on the child or harm suffered by the child as a result of seeing or hearing ill-treatment of another person;

(f) whether the other party to the proceedings—
  (i) considers that the child will be safe while the abusive party has residence of, or contact with, the child; and
  (ii) consents to the abusive party having residence of, or contact with, the child;

(g) the wishes of the child, if the child is able to express them, and having regard to the age and maturity of the child;

(h) any steps taken by the abusive party to prevent further ill-treatment from occurring;

(i) any matters as the court considers relevant.".'

New clause 5—*Use of recovery orders*—

'In Part I of the Family Law Act 1986 (c.55) (child custody), after section 34 insert—

"34A Use of recovery orders in cases involving either allegations of domestic violence or a potential risk to the child

(1) If an applicant claims that their partner has abducted a child of the family, the court may grant a recovery order if the applicant already has a residence order in their name.

(2) If there is no residence order in favour of either parent, the court may grant a recovery order.

(3) The recovery order will require both parties to attend court within 24 hours of the discovery of the child, or the first working day thereafter.

(4) Before returning the child to the applicant or giving the applicant any information as to the whereabouts of the child, the police must—

(a) check their records to see whether either party has committed acts of violence;

(b) check to see whether either party is included on the register of domestic violence perpetrators;

(c) having located the child without notifying the applicant of the child's whereabouts, make enquiries with regard to the child's welfare.

(5) If records show that the applicant has a history of violence or the police have concerns about the welfare of the child if the child is returned to the applicant, the police will—

(a) not remove the child from the respondent;

(b) advise the respondent to seek legal representation;

(c) notify the court of their action immediately.

(6) If there is no record of violence and no reason to believe that the defendant or the child is at risk, the police will return the child to the applicant.

(7) *Ex parte* residence or contact orders should only be made if there is evidence that a party is wilfully refusing to attend court.'

New clause 18—*Use of recovery orders in cases involving either allegations of domestic violence or a potential risk to the child*—

'In Part I of the Family Law Act 1986 (c.55) (child custody), after section 34 insert—

"34A Use of recovery orders in cases involving either allegations of domestic violence or a potential risk to the child

(1) If an applicant claims that their partner has abducted a child of the family, the court may grant a recovery order if the applicant already has a residence order in their name.

(2) If there is no residence order in favour of either parent, the court may grant a recovery order.

(3) The recovery order will require both parties to attend court within 24 hours of the discovery of the child, or the first working day thereafter.

(4) Before returning the child to the applicant or giving the applicant any information as to the whereabouts of the child, the police must—

(a) check their records to see whether either party has committed acts of violence;

(b) check to see whether either party is included on the register of domestic violence perpetrators;

(c) having located the child without notifying the applicant of the child's whereabouts, make enquiries with regard to the child's welfare.

(5) If records show that the applicant has a history of violence or the police have concerns about the welfare of the child if the child is returned to the applicant, the police will—

(a) not remove the child from the respondent;

(b) advise the respondent to seek legal representation;

(c) notify the court of their action immediately.

(6) If records show that the respondent has a history of violence and the applicant has no history of violence, the police will return the child to the applicant and notify the court.

(7) If there is no record of violence and no reason to believe that the respondent or the child is at risk, the police will return the child to the applicant.

(8) If records show that both the applicant and the respondent have a history of violence, the police will immediately seek further instructions from the court and, if necessary, take appropriate steps to protect the child.

(9) The court shall not grant interim residence or contact orders unless there is evidence that a party is wilfully refusing to attend court.

(10) The court shall not disclose the address of a women's refuge publicly or give this information to any applicant or respondent or to their legal representatives.".'

New clause 19—*Parental contact with children after separation in cases involving ill-treatment of the child or another person (No.2)*—

[Mr. Speaker]

'After section 8 in Part II of the Children Act 1989 insert—

"Section 8A Allegations of ill-treatment made in section 8 proceedings

(1) Where it is alleged that a party to the proceedings has inflicted ill-treatment on the child or on another person, the Court shall, as soon as practicable, determine on the basis of the evidence presented to it by or on behalf of the parties to the proceedings, whether the allegation of ill-treatment is proved.

(2) Where the Court is satisfied that a party to the proceedings (in this section referred to as the abusive party) has inflicted ill-treatment on the child or on another person, the Court shall not—

(a) make any order granting the abusive party residence of the child; or

(b) make any order granting the abusive party contact (other than supervised contact) with that child,

unless the Court is satisfied that the child will be safe while the abusive party has residence of or contact with the child.

(3) Notwithstanding subsection 8A(1), where in any section 8 proceedings—

(a) the court is unable to determine on the basis of the evidence presented to it by or on behalf of the parties to the proceedings whether or not an allegation of ill-treatment is proved; but

(b) the Court is satisfied that there is a risk of harm to the child,

the Court may make any order under this Act that it considers necessary to protect the child." '.

New clause 20—*Mandatory risk assessment checklist*—

'After section 8 in Part II of the Children Act 1989 and following the proposed section 8A outlined above insert—

"Section 8B (Mandatory risk assessment checklist)

8B(1) When determining whether the child will be safe if contact or residence is granted to the abusive party, the Court shall, so far as is practicable, have regard to the following matters—

(a) the nature and severity of the ill-treatment;

(b) how recently the ill-treatment occurred;

(c) the frequency of the ill-treatment;

(d) the risk of further ill-treatment occurring;

(e) the physical, sexual or emotional harm inflicted on the child or harm suffered by the child as a result of seeing or hearing ill-treatment of another person;

(f) whether the other party to the proceedings—
   (i) considers that the child will be safe while the abusive party has residence of, or contact with, the child; and
   (ii) consents to the abusive party having residence of, or contact with, the child;

(g) the wishes of the child, if the child is able to express them, and having regard to the age and maturity of the child;

(h) any steps taken by the abusive party to prevent further ill-treatment from occurring;

(i) any other matters as the court considers relevant.".'

Amendment No. 59, in page 2, line 24, clause 1, at end insert—

'(7) If an offence has been committed under this section, a court before which a person has applied for an order under section 34 Family Law Act 1986 (on applications in private law for the disclosure of information as to the whereabouts of a child and orders authorising the taking charge of and delivery of a child) should have regard to this offence before granting the order.'.

Amendment No. 12, in page 3, line 4, clause 5, after 'dies', insert 'or is seriously harmed'.

Amendment No. 13, in page 3, line 11, after 'death', insert 'or serious harm'.

Amendment No. 10, in page 3, line 17, at end insert—

'( ) For the purposes of subsection (1)(d)(ii), in determining the reasonableness of the steps which D could have been expected to take, the court shall have particular regard to the extent to which D has been subjected to domestic violence or is in fear of being subjected to domestic violence.'.

Amendment No. 14, in page 3, line 22, at end insert 'or serious harm'.

Amendment No. 15, in page 3, line 32, at end insert 'or serious harm'.

Amendment No. 61, in page 4, line 5, at end insert—

'(8) For the purposes of this section, a person (D) who is a victim of domestic violence should not be regarded as having caused or allowed a child or vulnerable adult (V) to be injured or killed unless there is clear evidence that this person (D) actively contributed to the injury or killing of a child or a vulnerable adult (V).'.

Amendment No. 62, in page 5, line 36, clause 9, after 'death', insert 'or suicide'.

Amendment No. 72, in page 5, line 36, after 'death', insert '(including suicide)'.

Amendment No. 63, in page 5, line 36, leave out

'a person aged 16 or over'

and insert 'an adult or child'.

Amendment No. 1, in page 5, line 36, leave out 'aged 16 or over' and insert—

'(other than a person aged 16 or under in respect of whom a Serious Case Review has been undertaken)'.

Amendment No. 64, in page 33, line 15, clause 50, at end insert—

'(3) The Secretary of State may make grants to voluntary organisations under this section for the purpose of providing appropriate protection and support services for children who have suffered impairment due to seeing or hearing ill-treatment of another person. Any payments will be subject to such conditions as he considers appropriate.'.

Mr. Dawson: First, I should like to acknowledge the work of Women's Aid Federation of England, which campaigned assiduously on contact in relation to domestic violence. I want to acknowledge its work in helping to develop the worthy amendments and new clauses.

I make no apology for returning to this issue, which I raised on Second Reading and in Committee. Everyone should acknowledge that, in recent years, at least 28 children have been murdered by their fathers during the course of contact visits, and we really should not leave the Domestic Violence, Crime and Victims Bill without fundamentally addressing that issue by changing its provisions.

1.30 pm

I am surprised that I have to move an amendment such as this again. The Government have expressed their determination to make contact safer, and I do not think that anyone would doubt their determination for an instant. The Opposition—who I understand are now set on a policy of equal parenting, although I am not quite sure what that means—have also assured us, during the passage of the Children Bill, that they do not intend to put children at risk in any way. One would hope that there would be complete agreement among the 659 Members of Parliament on this issue. At least the Government acknowledge that there is a problem in this regard, but I am worried that some of the key issues have not been addressed, especially in Committee, and that the significance and seriousness of the problem seemed to be skirted over.

Since Committee, we have seen the publication of the Green Paper, "Parental Separation: Children's Needs and Parents' Responsibilities". Paragraph 47 of the Green Paper rightly acknowledges that the Court of Appeal has generally approved guidelines developed by the Children Act sub-committee to ensure that,

> "where domestic violence is alleged, the courts must make a finding of fact as to whether or not the alleged violence has occurred and, if it has, what impact it has had on the child."

It goes on to say:

> "Any harm to the child as a result of the violence must be taken into account in the decision on contact and what kind of arrangements should be put in place to ensure that it is safe."

That is all well and good, and it relates to the discussions that we have had throughout the passage of the Bill, but unfortunately, paragraph 48 of the Green Paper goes on to report that

> "the implementation of these guidelines has been patchy."

I am sorry to say that that statement contradicts the assurances that we were given by the Under-Secretary of State for Constitutional Affairs, my hon. Friend the Member for Shipley (Mr. Leslie), that the principle was robust and would provide the assurance that hon. Members required. I was not reassured in Committee, and no one who reads the Green Paper will be reassured. The Government do not believe that we have a proper system in place at the moment.

That word "patchy" is one of the most grotesque understatements ever to be put before the House. It refers not to the failure of certain judges to observe some arcane guideline or dusty element or principle in the further reaches of the law, but to the colossal failure of some judges in our family justice system to protect children. We all know what happens to the most junior social workers who make colossal errors of judgment and fail to prevent children from being murdered. We know what happened to the social worker in the Victoria Climbié case, for example. She was sacked, vilified and pilloried, and her life—or certainly, her career—has been ruined.

But what of the judge who ignores guidelines and orders unsupervised contact with schedule 1 offenders? That was recently reported by the National Society for the Prevention of Cruelty to Children to be happening on a large scale. What of the judge who puts a belief in the virtues of contact ahead of the paramountcy principle embodied in the Children Act 1989? What of the judge who considers that there should be a higher standard of proof where there are allegations of the sexual abuse of children? What exactly should we do when children are murdered during the unsupervised contact ordered by a judge? Are those distinguished gentlemen—they are almost invariably gentlemen—even asked to contribute to the part 8 review? Who questions their judgment when they get it wrong?

The Government have responded to what they regard as an inadequate situation by, finally, proposing to bring into law by January 2005 section 120 of the Adoption and Children Act 2002, which amends the definition of significant "harm" to include the witnessing of domestic violence. That is important; it constitutes a vital protective step. The only other thing that we have been promised, however, are robust monitoring arrangements. As I have said in regard to the Children Act sub-committee guidelines, what we have had so far has not been good enough, and has been acknowledged by the Government to be inadequate. We need to make significant changes to the Bill before Parliament can be satisfied that we really are starting to protect children in these most difficult and, in some cases, dangerous circumstances.

Mr. Grieve: The hon. Gentleman will recollect that he raised this matter in Committee. At that time, it was my impression that he might have had the support of a majority in Committee for his point of view. However, he did not put the matter to the vote. I wonder whether that was because he had received an assurance from the Government, which has not yet been honoured. Is that why he has had to bring the matter back on Report? What is his reason for returning to it now, given that he did not take the opportunity to press it to a vote in Committee?

Mr. Dawson: I regret to inform the hon. Gentleman that I did not have the majority of the Committee on my side. That was made very plain to me during that memorable afternoon. Would that I had.

Mrs. Cheryl Gillan (Chesham and Amersham) (Con): I am quite surprised to hear the hon. Gentleman say that. I was flabbergasted that he did not take the opportunity to press the matter to a vote in Committee because, between those Members on our side and those on his side who had spoken to the amendment, we had a majority. I was therefore very surprised to see him duck the opportunity.

Mr. Dawson: I think that the hon. Lady is talking about a different amendment. The one about which she was most critical of me related to part 8 reviews and domestic homicide reviews. I can assure her that I am telling her the truth on this matter. My hon. Friends in the Whips Office know that I have voted against the Government on occasion.

Lords Commissioner of Her Majesty's Treasury (Mr. John Heppell): If my hon. Friend could have won the vote, he would have voted.

Mr. Dawson: I think we must respect the sedentary intervention of my hon. Friend.

I hope that we can move forward on these amendments today. The Government tell us that the paramountcy principle outweighs current case law, to which I have referred and which, frankly, does not protect children. I do not trust that case law, which seems to operate against the best interests of children. I honestly do not trust judges to listen properly to children who have experienced abuse. That is hardly a criticism that can be made solely of the judicial profession, but it is very clearly the case.

[Mr. Dawson]

Women's Aid has been assiduous in bringing forward young people and putting them into contact with parliamentarians, who are outraged that those young people's voices have not been listened to, and that they or their younger brothers and sisters have been placed in considerable danger and acute risk by the decisions of adults who have not listened to their very real concerns. We shall not get any further forward in this regard without the implementation of section 122 of the Adoption and Children Act 2002, which would ensure the separate representation of children in private law. This would ensure that the interests of children would be properly promoted in the family courts.

Of course these decisions are some of the most difficult that anyone in public life could ever be called upon to make, and of course honest mistakes will be made, but surely we should work on the principle that it is a child's right to have contact with both parents as long as it is in the child's best interests. I am quite sure, however, that the only way for Parliament to insist that the right of children to be safeguarded is upheld is to pass new clause 1, which promotes the safety of children in contact hearings where domestic violence has been alleged and to support new clause 2, which sets out a helpful checklist to assist courts in that task.

Those amendments support the paramount principle of the Children Act 1989, that decisions should be made in the best interests of the child, and if the Opposition are serious about equal parenting, the amendments are a vital safeguard that they should incorporate in any such approach. Every single Member of the House will be concerned about this issue; every single member of the House should support the amendments.

Mr. Grieve: As I think the hon. Gentleman is aware, I have considerable sympathy for the intention behind his amendments, which we also had a chance to look at in Committee. We fully accept that the need to protect children from violence, including violence from one or other parent, is a very important matter. We are also aware of the risk—we know of such incidents—of children being exposed to possible violence during contact with a non-resident parent. I know that that is a matter of particular concern to the hon. Gentleman. I believe that he may be involved with the passage of the Children Bill, and I should like to offer him some reassurance. The hon. Gentleman is correct that we advocate equal parenting and are in favour of the principle that the normal place of residence of a child is with its parents when living together—a principle to which I think he would not take exception. We also believe that in the event of parental separation, every opportunity should be given to competent and caring parents who are non-resident to provide an input into their child's upbringing. However, we are not seeking to undermine in any way the anxieties that he has expressed in the particular context of the amendments.

The question does arise—I suppose it will arise also on equal parenting but I think it arises more in this context—about whether the framework of proposals that the hon. Gentleman has put forward are necessary to ensure that the court has proper regard to possible abusive relationships within the family unit of the person seeking contact. My own experience of doing family legal work, admittedly mostly before the enactment of the Children Act 1989, is that such considerations were very much at the forefront of any decisions that were taken about whether contact should be allowed or residence altered. The checklist that the hon. Gentleman has provided in new clause 2 is the sort of checklist that I would expect the court to go through anyway.

Mr. Dawson *indicated assent.*

Mr. Grieve: I am glad to see that hon. Gentleman agrees. Although I do have sympathy with the thrust of his amendments, I shall wait with interest to hear from the Minister whether he thinks that their incorporation is a necessity, because, as I think I made clear to him earlier, in my opinion the Children Act as currently drafted does already provide that those issues should be addressed. We also have to bear in mind—I am sure that the hon. Member for Lancaster and Wyre (Mr. Dawson) will agree about this as well—that it is an unfortunate feature of many a marriage or relationship break-up that false accusations of abusive behaviour are used by one party or another as a form of leverage in order to try to deny the other party contact or residence with the child. Of course, I accept that the terms of the amendments tabled by the hon. Gentleman would not prevent the court from considering that possibility.

1.45 pm

I wonder whether I might now discuss new clause 10, which stands in the names of my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) and myself and of the Liberal Democrats? It seeks to address the specific issue of causing or allowing the death of a child or vulnerable adult.

Mr. Deputy Speaker (Sir Michael Lord): Order. I think that the hon. Gentleman is referring to amendment No. 10. We have already debated new clause 10.

Mr. Grieve: I do apologise. I was indeed referring to amendment No. 10. For a moment, I thought I was completely out of order and was seeking to refer to something to which I could not make reference. That has been known to happen. I am grateful for the correction, Mr. Deputy Speaker.

Amendment No. 10 relates to a person causing or allowing the death of a child or a vulnerable adult. The Minister will recollect that there was considerable debate on this matter in Committee. The Government have set on a perfectly good course of seeking to deal with the problem that arises where two people are charged with murder and it is clear that one or other of them must have done it but completely unclear as to which one. In those circumstances we have had instances where the two carers or parents involved have been acquitted because it has been impossible to tell who was responsible. Clause 5 attempts to deal with that by creating a new offence where a child or vulnerable adult dies as a result of the unlawful act of a person who was a member of the same household and had frequent contact with him.

We are not opposed to that clause. We do, however, have concerns, as the Minister knows, about how it will operate, because one of the effective consequences of the clause is a degree of reversal of the burden of evidential proof, because it effectively compels people to give evidence against each other or to face the consequences of their silence.

The amendment that we have tabled on Report deals specifically with the issue of those who may have been subject to domestic violence, because it is quite clear from recorded cases that there may well be instances where a person has acquiesced in violence being perpetrated against a child in the household because they themselves are in fear of violence, and we do not feel that clause 5 as currently drafted has sufficient regard to that contingency.

We are seeking to insert after clause 5(1)(d)(ii) a requirement that, where a person has frequent contact with the child, in determining the reasonableness of the steps which the defendant could have been expected to take, the court should

"have particular regard to the extent to which"

the defendant

"has been subjected to domestic violence or is in fear of being subjected to domestic violence",

because it must be the case that where someone has been in fear of violence or subjected to violence, they will be in a much less favourable position to take effective steps to protect the child from the risk. It is that point which we think the court should have very much in mind when the time comes to direct a jury, at the end of a jury trial, in respect of such matters.

I concede that it is already possible that that could happen because a judge may do it of his own motion. But although a judge may do it of his own motion, if Parliament thinks that it is a matter of sufficient importance that we should highlight it, I do think that there is a very good argument for including it in the Bill.

Ms Meg Munn (Sheffield, Heeley) (Lab/Co-op): Is the hon. Gentleman not concerned that if we include this caveat, defendants might seek to claim domestic violence to escape from the seriousness of what has happened, when, in effect, the introduction of this offence is intended to make people face up to the responsibility of having been involved in or having caused the death of a child?

Mr. Grieve: I understand the hon. Lady's point, but I do not think that that is a particular risk. It is the sort of assertion that may be made in any event and it will not contribute to people deciding to assert it more frequently. The question that we must ask is: in cases of serious domestic violence that may be perpetrated against one person by their partner, are they in as good a position as others to fulfil the legal obligations that we place on them in relation to the offence that we create in clause 5? I would have thought that the hon. Lady would have no difficulty in agreeing that such a person, because of their vulnerability, would be poorly placed to provide protection to a child who was also suffering abusive behaviour and domestic violence from their partner. That may be a matter for mitigation of sentence at the end of the court case. But the question arises: should it also provide a possible defence?

We are creating a very unusual offence—an offence of negligence that places specific burdens on an individual. If that individual does not discharge those obligations, and even if they are not the person who was responsible for the injuries, they are still guilty of an extremely serious offence for which they can go to prison for a very long time. I look to the Minister to give the House his views on the matter.

Mr. Dawson: Does hon. Gentleman feel that the Bill as it stands reflects the seriousness with which people should rightly regard child abuse, and does he believe that it is important that people should not be given any opportunity to excuse their complicity in child abuse? Surely, there should be a spur to a woman to help herself out of a violent situation if she felt that a child was being hurt as well.

Mr. Grieve: The hon. Gentleman makes a good point, but it is worth bearing in mind the nature of this offence, which is punishable by a period of imprisonment of up to 14 years—it is not a slight matter, it is extremely serious—and which can be committed by an individual without their having done any positive act of violence whatever against the child in the family. That is a fairly unusual state of affairs and it is a very unusual offence under our laws.

I understand why the Government have introduced the offence, but it is worth bearing in mind whether it will act fairly, as it has the potential to be used to send people to prison for an extremely long time, when there may be doubt—or it may ultimately become clear—that they were not responsible for the injuries sustained by the child, which may or may not have caused death. In those circumstances, is it right that we should convict a person if it becomes clear that that person was the subject of serious domestic violence during the period when their alleged negligence—that is what it amounts to—took place, which was possibly meted out from exactly the same source as the violence being perpetrated on the child and that led to its death? That is the issue.

I would feel more comfortable were amendment No. 10 accepted because I do not think that it undermines the intention behind the offence in clause 5. It provides a proper safeguard, however, against what are often tragic situations.

Vera Baird (Redcar) (Lab): I want to return to the new clause tabled by my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson). I have tabled terribly similar clauses, which are as close to his as makes no difference, although I am grateful to the Table Office for noticing the difference.

I, too, want to pay tribute to Women's Aid. I cannot imagine that anyone in the Chamber who considered the Bill in Committee and who has an interest in the hugely important question of domestic violence does not appreciate the number of years and the amount of effort that Women's Aid has contributed to ensure that we, for example, are concentrating on this issue today. Without its determination and campaigning record, we would not have focused on the issue as strongly. It has done an extremely good job and I owe much of what I will say on various amendments this afternoon to its work.

The difficulty with contact and domestic violence can best be summed up simply in some figures. In 2002, there were 61,356 contact orders, and contact was refused in

[Vera Baird]

only 518 cases; in only 0.8 per cent. of all cases. Notwithstanding that, the family court welfare service says that it is dealing with about 16,000 disputed contact cases a year in which domestic violence is an issue. In some recent research, the Department for Constitutional Affairs has found that allegations of domestic violence feature in 23 per cent. of contact and residence cases.

I appreciate and respect the welfare principle, but those on the ground are satisfied that society at large is still at the slightly curious stage—curious to those who are very acquainted with the issue of domestic violence—at which truly domestic violence is not given the priority that it ought to have, because, to some extent, it is still an emerging issue. Although it is now known that it exists, and the figures are bruited around, its impact on individuals, particularly on children, is not yet appreciated to the fullest extent. That must be right; given the figures that I have just mentioned, it sounds as if a disproportionate amount of contact is being granted in cases in which there is undoubtedly at least an allegation of domestic violence. In 16,000 cases, however, the family court welfare service says that domestic violence is involved, which seems to go beyond allegations. One is therefore very concerned that the welfare principle is not safeguarding children when domestic violence is on the scene. Once I have set that out, it is clear that these new clauses and amendments are important, at least in testing how the Minister's thinking has moved on since Committee.

The welfare principle, of course, is open to a multitude of interpretations. If one has a strong, old-fashioned view—such views take a long time to die—that what is absolutely paramount for the welfare of a child is that it should be kept in touch with both its parents, almost come what may, that is one's interpretation of the welfare principle; one will give too much precedence and too much priority, in the light of what we know about domestic violence, to ensuring that that occurs. One will devalue contraindications of that.

That is a huge worry, and I have strong concerns, based on a certain amount of experience, that the judiciary—not all of its members, by any means, but some, particularly older members—has a fixed view as to the importance of fathers in families. Nobody gainsays that, but it is allowed to take precedence over examining more closely and thoroughly the impact on children of what domestic violence has taken place; they must find out that it has taken place to act on it. The same clauses and check lists have therefore been tabled again to say to the Minister that, on the figures that I have put forward, the welfare principle does not seem to be enough, and to ask what more we should be doing.

It is a good thing that section 120 of the Adoption and Children Act 2002 requires the courts to take into account the fact that children have witnessed abuse. That is important and puts the issue of domestic violence well up the agenda. Another fact that cannot be overlooked is the impact of the new court application forms that the Government introduced after the Act came into force. The form contains specific and fairly detailed questions about allegations of domestic violence so that the allegations are drawn out and the issue identified at the outset and dealt with.

2 pm

I do not see any real difficulty with that, but I should be grateful for the Minister's comments. The court is happy to introduce a new series of application form questions that intend to draw out information on domestic violence, and that is a good thing. That requires the court to be aware of domestic violence and to think through its extent, depth and gravity. It also requires the court to focus some thought on how to deal with the existence of domestic violence. Given that such requirements are already on the application form, I do not see any difficulty with including the mandatory risk assessment checklist in, at the very least, guidance to judges. It is slightly rum—if I may put it that way—to have a form on which specific questions about domestic violence are set out and then not to give judges any guidance at all about how they are supposed to weigh in the balance, evaluate and put strength on the allegations that emerge.

Guidelines, such as those in new clause 2, would be very helpful. The definition of the welfare principle is wide. However, there are other aspects of the law in which judges would say that wide definitions that give them open discretion have been closed down to them only in the sense that they have been required to take a fixed set of steps in coming to their conclusion. In effect, their discretion has been guided, and I suggest that that should be the position here. Empirical evidence in many cases in which issues of domestic violence have been raised but have resulted in contact shows that the welfare principle on its own will not do. We have to set out the steps that the judiciary needs to take to satisfy ourselves that the issue of domestic violence is being given the importance that it should have.

Research that I recently read from Professor Sylvia Walby concluded that previous domestic assault is now identified

> "as the simplest, most robust risk marker of subsequent domestic assault."

Let us get well away from the idea that domestic violence stops when the parties separate; it does not. If it has been present before, it is, on that analysis, likely to be present again and therefore is a factor to which the judge should give lively consideration when deciding when to allow contact.

My name is attached to a number of the amendments in the group, but I shall not spend a huge amount of time on amendment No. 64, because we discussed it in Committee. The amendment requires the Secretary of State to give himself the ability to give grants to voluntary organisations for the purposes of providing protection and support services for children who suffered from seeing the ill treatment of a parent. Despite the fact that two thirds of the children resident in refuges have either seen or been the victims of domestic violence, no funding at all is provided for paid staff to work specifically with those children.

My hon. Friend the Member for Lancaster and Wyre quoted Children's Voices in Committee, and I quoted Women's Aid. The children said how sad they had been because they had no one to talk to about the issues and, I am afraid, the position remains the same. I therefore invite my hon. Friend the Minister again to respond to the question of what we do about children who have undoubtedly suffered and for whom no resources of conversation, counselling and support are available.

Another amendments deal with the new offence relating to killing a child, mentioned by the hon. Member for Beaconsfield (Mr. Grieve). I support the new offence completely. Indeed, I have done my best to drive it forward having, with others, tabled a new clause to the Criminal Justice Act 2003 to try to deal with the terrible situation in which three children under the age of 10 are killed each week by carers. In some cases, it is perfectly plain that one or other of the two carers on trial is responsible but it impossible under the current rules of jurisprudence to ascertain which. I am strongly in favour of creating the new offence, but I want to prompt my hon. Friend the Minister to comment on the dire situation of women who suffer from domestic violence. What can he do to help with such problems?

On the death of a child, it is likely that a woman who experienced domestic violence will be charged along with its perpetrator. That will probably take place on the basis that the woman failed to protect the child, but it is well known that it is difficult for women to talk readily about domestic violence. It is also well known that when there is domestic violence, there is almost always sexual violence. It is even harder for people to talk about that. It is extraordinary difficult to expect women to talk readily about sexual violence when they are interviewed by police officers in the immediate aftermath of the death of one of their children. Such women are bound to be traumatised again, well beyond anything that the domestic violence has inflicted on them.

As my hon. Friend the Minister knows, I have dealt with many cases in which women have killed their violent partner. In early interviews to the police, those women did not disclose the extent of the domestic violence, let alone the sexual abuse, to which they were subject. However, over time and after talking to a sympathetic psychologist, psychiatrist or even solicitor, they have started to be able to talk about it. Once somebody is charged and interviewed, or interviewed and charged—whichever way round it comes—the process to court follows reasonably quickly. I do not think it right to put in place a defence for people who have suffered domestic violence, because there is probably already a defence in jurisprudence for people who have been unable to stop themselves from committing a crime because they were under duress.

Domestic violence would constitute duress in many cases, so I do not see the need for such an offence. However, within the sculpture of what has rightly been referred to as a very unusual offence in which the burden of proof is rightly reversed, there must be critical thinking as to what we will do to get women to talk about domestic violence and sexual abuse and accept that they were unable to resist what their partner had done to them and their children. The experience of lawyers like me shows that such proceedings can involve a slow process, but we must consider what special resources can be provided to ensure that, in every case in which domestic violence could be a factor, information on it is drawn out from the person involved. With the reversal of the burden of proof pretty well in place, the real danger is that, unless proper resources are provided to draw the information out, people might be wrongly convicted.

Following a conviction when the burden of proof is, as it were, the usual way round, a body such as Women's Aid or Justice for Women will get a pretty salty reaction from the Court of Appeal if they say, "But over the period since this woman was convicted—in fact this began to emerge during the trial, but not very fully—she has been able to tell us exactly how bad the domestic violence was, and exactly how incapacitated by it she was." The Court of Appeal tends to think that the woman was telling the truth in the original interviews, and has lied since.

Mr. Grieve: I agree with the hon. and learned Lady. In such circumstances, is it not all the more desirable for us to make plain in the Bill that the issue needs attention? If we do not, there is precisely the risk that the truth will only emerge subsequently, and will not be dealt with properly at trial.

Vera Baird: I do not deny that the hon. Gentleman has a point. My amendment is intended to add weight to it. The hon. Gentleman knows, however, that judges tend to see what is in statute as being more important that any other possible factor. That is what makes me shrink from naming domestic violence specifically; other factors may have equal potency for one or other of the parties. Nevertheless, it scares me stiff—I put it as bluntly as that—that if special resources are not put into cases of this kind, women who have done nothing other than suffer from domestic violence will be convicted. I invite my hon. Friend the Minister to tell us what he thinks he can do.

Mr. David Heath (Somerton and Frome) (LD): I listened carefully to the hon. Member for Lancaster and Wyre (Mr. Dawson) and the hon. and learned Member for Redcar (Vera Baird). My party and I agree with many things that they said. I only wish that Ministers listened more attentively to the views of people with real experience, who have a cogent story to tell.

I tabled a number of the new clauses and amendments in this group. New clause 5 deals with the important issue of recovery orders. My hon. Friend the Member for St. Ives (Andrew George) has been required for parliamentary duties elsewhere, but I know he would have been delighted to speak about a matter that he has pursued personally for some time, a matter that is of great importance to many of those who have informed our debate from outside. Women's Aid in particular is very concerned about the way in which the recovery order provisions currently work.

I think I should put on record the circumstances of what is probably the most tragic case of its kind, the case that occasioned my hon. Friend's interest. In 1997 Georgina McCarthy and her son, then aged one, fled to the Penzance branch of Women's Aid following domestic violence at her home. Her husband, Paul Russell, then used section 33 of the Family Law Act 1986 to apply for information on the child's whereabouts. In that instance Georgina McCarthy's solicitor managed to prevent the address of the refuge from being revealed, but later Georgina was warned that her husband was coming to Penzance to find her. She knew that if she moved elsewhere, section 33 would again be used by her husband to enable her whereabouts

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to be disclosed; so she decided that moving was pointless. At least in Penzance she had contact with the police, Women's Aid, her solicitor and her barrister. Tragically, it was the wrong decision. On 9 May 1988, her husband found her and killed her in front of the child.

2.15 pm

That is an extreme case, but it is not unique. There is evidence of abuse of the recovery order process by those wishing to discover the whereabouts of mothers who have fled abuse, and who are then wrongly accused of child abduction by their abusing partners. I do not accept the Government's response in the other place and in Committee that arrangements in the courts were sufficient to meet the need as it stands, and that no further amendment was required. Evidence suggests that, although they may be rare, there are instances of courts being prepared to entertain applications of that kind, and indeed to allow the disclosure of addresses.

That puts at risk the whole principle of women's refuges, which is a serious matter and one that the Government should address more seriously than they have so far. I hope that, even at this late stage, they will review the use of recovery orders and establish whether an accommodation can be reached, allowing them to make plain what they seem to assume is implicitly the case; that when abuse is involved, the whereabouts of a mother and child will not be given by means of that process.

My amendments Nos. 12, 13, 14 and 15 deal with the circumstances of the new offence. As the Minister knows, I welcome the creation of the offence. I was one of the Members who urged the implementation of the Law Commission's proposals at the outset, because I felt that joint enterprise in familial homicide involved serious issues. My amendments would reinstate the Law Commission's recommendation that the law should cover not just death, but serious harm. I have not yet heard a strong enough argument—other than the argument that the offence is new and we must see how it works before extending it—for differentiating between serious harm caused to a child by two perpetrators, neither of whom can be identified clearly for the purpose of prosecution, and the death of a child.

I seem to remember the hon. Member for Beaconsfield (Mr. Grieve) making a cogent point in Committee. I believe he said that grievous bodily harm was murder without a body. Are we really to countenance circumstances in which a child is seriously injured—perhaps put into a coma, or suffering major loss of a faculty—by abusive parents, and there is no prosecution? I find it difficult to differentiate between the circumstances of familial homicide and those of that sort of abuse.

The Law Commission recommended the insertion of these words, and they were in the draft Bill. The Government have now left them out, but I still see a strong argument for their inclusion. I understand, of course, that if the Bill were enacted the operation of the offence would need to be carefully reviewed, but it can be reviewed as carefully in the context of its value or otherwise in cases of serious harm as it can in cases of culpable homicide.

My amendment No. 1 deals with a potential lacuna; the failure to include those under 16 in respect of whom a serious case review has not been undertaken, and who will not qualify for a domestic homicide review specified to be for those aged 16 or over. We discussed that in Committee, so I do not propose to spend any longer on it now.

I shall finish by considering amendment No. 10, to which the hon. Member for Beaconsfield and his colleagues have added their names, and which started off in the House of Lords as a joint enterprise between our two parties. The Government removed the amendment in Committee, which was a huge mistake. The comments of the hon. and learned Member for Redcar underline the difficulties involved in dealing with such cases. I do not accept the argument that the amendment is an invitation to a defence that is also in fact an invitation to commit the crime. Rather, it is an invitation to consider mitigation, and there is a clear differentiation to be made in that regard. There is abundant evidence that a court will not necessarily take such factors into consideration because of the circumstances, and because of the difficulties that the hon. and learned Member for Redcar described.

Those in another place who passed this amendment and have seen it removed in this House will return to this issue, and they will be right to do so. We in this House should indicate that we are not prepared to see someone who is a victim made doubly a victim by being prosecuted inappropriately for an action that they were unable to resist because of the abuse that they were suffering in the home. However, that is what will happen if we do not pass amendment No. 10 today, so I want to make it plain that it is my wish, if at all possible, to press it to a Division; unless, of course, the Minister is happy to accept it. We in this House need to send a signal to those who will consider the Bill after us that they were right and the Government are wrong.

Paul Goggins: I begin my response to what has been a wide-ranging discussion over a fairly short time by acknowledging the deep commitment and experience of many Members in respect of these issues, which is reflected in the amendments that they tabled.

I pay tribute to Women's Aid and to the other organisations that have helped to inform our discussions today and in Committee. I should gently say to the hon. Member for Somerton and Frome (Mr. Heath) that of course Front Benchers have listened to such organisations; it would be a foolish Government who did not listen to organisations that are in daily contact with those who are at the sharp end of such matters.

The Government are committed to facilitating contact between the child and the non-resident parent where that is in the best interests of the child, and where doing so is safe for the child and for all family members. I know from today's discussion and earlier ones that my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) and my hon. and learned Friend the Member for Redcar (Vera Baird) in particular hold very strong views on this issue, as well as considerable experience. I hope that they will forgive me if I tell them that the Government's position remains the same as during our earlier discussions.

The Government are not trying to be deliberately awkward or difficult. Section 1 of the Children Act 1989, which requires courts to treat the welfare of the child as the paramount consideration in making any decision about their upbringing, is central to our policy. We consider that to be the right principle, and we do not want it to be diluted in any way. Of course, we want that principle to work in practice, and we must continue to monitor what happens and to make the necessary improvements. I am grateful for the comments that my hon. Friend the Member for Lancaster and Wyre and my hon. and learned Friend the Member for Redcar made about the improvements that we are achieving.

The new forms, which will be in use from January 2005, will ensure that courts are aware of any allegations of domestic violence from the start of a case's consideration. The commencement at the same time of section 120 of the Adoption and Children Act 2002 will strengthen the definition of harm, so that harm caused to a child by their seeing or hearing violence towards another will also be considered. In other words, not only direct violence to the child but violence witnessed by the child will be taken into account. Crucially, the courts will decide whether domestic violence has occurred before making orders on contact and residence.

My hon. and learned Friend the Member for Redcar asked what more we can do, and it is clear that we need to do whatever is required. She is right: we need to train the judiciary and to continue to ensure that attitudes change. We will continue to monitor the situation and we will, of course, consider further evidence from Members of Parliament and voluntary organisations, but the core of our policy is the belief that it is not the Government's job, in enacting legislation, to choose between parents: rather, our job is to place the best interests of the child at the heart of our policies.

Mr. Dawson: I am mystified by the constant recourse to the paramountcy principle. I firmly believe that everything that I have advocated this afternoon is entirely in line with, and supports, the paramountcy principle, and that it gives good guidance to the courts in order to ensure that they consider the best interests of the child.

Paul Goggins: What we need in legislation is absolute clarity about our starting point in policy, which has to be the best interests of the child. We believe that if we start from there, and if we adopt from next January the rigorously enforced and improving system that I outlined, in conjunction with the new procedures that we are putting in place, the protection of children will be enhanced and increased, but I repeat that we need to make it clear in legislation that our starting point is the welfare and best interests of the child.

The hon. Member for Somerton and Frome mentioned recovery orders. Before a recovery order can be made, there must be a part 1 order. If either party is worried that the provisions of the part 1 order are no longer relevant—there might be new evidence or new concerns—they can return to the court and seek a variation of the contact or residence order if, for example, they have concerns about domestic violence, or if evidence of an offence has emerged. That would have to be done through a variation of the part 1 order. I should impress on the hon. Gentleman, who brought to our attention a deeply tragic case, that parties are not required to disclose their addresses to the court. That is an important protection, particularly for those who feel vulnerable.

I turn to familial homicide, about which a number of Members spoke, and to amendments Nos. 12, 13, 14 and 15. They reflect the real determination, which is shared throughout the House, to do everything we can to solve the so-called "Which of you did it?" cases without unduly penalising those who have themselves suffered domestic violence. The issue is: how do we get the balance right? The question of whether the offence should be extended to cover not only death but serious harm—

Mr. Mike Hancock (Portsmouth, South) (LD): Will the Minister clarify his point about people not being expected, or legally required, to give their address in court? In some instances, judges have forced people to give names and addresses in open court, so I am slightly bewildered by his comment.

Paul Goggins: I am happy to say again that parties are not required to disclose their addresses to the court, and I am perfectly happy to put that in writing to the hon. Gentleman if it will help to clarify matters.

Vera Baird: The courts must surely have such people's names and addresses; the issue is whether they are given to other parties.

Paul Goggins: I apologise if there has been some slight confusion. The judge will of course have such information; the question is how that information is then handled, and it certainly should not be made public. I hope that explanation helps the hon. Member for Portsmouth, South (Mr. Hancock).

The hon. Member for Somerton and Frome argued consistently in Committee and today for the offence of familial homicide to be extended to cover not only death but serious harm. The borderline between death and serious injury can of course sometimes be a narrow one.

I hope that the hon. Gentleman does not feel that I am trying to string him along when I say that I would not want completely to rule out extending the offence at a later stage. At this stage, however, as we begin to put the new offence in place, there are major arguments in favour of restricting the offence to death.

2.30 pm

First, defining the term "serious harm" is not without potential difficulties, whereas death provides a clear and fairly unarguable parameter for the offence. Death is rightly dealt with more seriously than other injuries under our law, and the Law Commission's proposals acknowledge that. In cases involving children, it is possible to bring charges of child cruelty or neglect under section 1 of the Children and Young Persons Act 1933. I point out to the hon. Member for Beaconsfield (Mr. Grieve) that the offence includes neglect as well as positive action to bring about cruelty or harm. The more serious cases where death has occurred require a different charge and a stronger penalty.

Mr. Grieve: I appreciate the Minister's point. He refers to old and established law, but the fact is that the maximum penalty for that offence is entirely different from what we are imposing in respect of the new offence under the clause.

Paul Goggins: Indeed, and that reflects our concern about death and the fact that someone has taken an action that has resulted in someone's death. That requires the most severe penalties from the courts, which is why I argue that we need to have the more serious offence in place, without ruling out the possibility that we may eventually extend it, but not now. We need to get the new offence working in our legislative system.

The problem of working out who committed the offence is less likely to be a problem where the victim has been injured but survived. The victim might be in a position to give evidence about who caused the injury. Other witnesses within the household might come forward to protect the victim from future harm. Both those arguments make for a different situation: the victim is still about, requiring and receiving the protection of others within the household.

Mr. Heath: I hear what the Minister says about the review being ongoing and I note his willingness to return to the matter at a later stage. I gave the examples of a child who is rendered comatose or incapable of communication by an act of violence inflicted by one or two partners and of a baby who cannot give evidence in court. Would those partners be prosecutable under the offence as it stands? I have already argued that I believe that they should be.

Paul Goggins: I simply say to the hon. Gentleman that his examples are compelling, which is why I do not rule out extending the offence at some time in the future. It is important, first, to put in place the new offence. Let us get that right first and see how the provision operates. If appropriate, we may return to the problem at a later date.

We agree about the need to protect the victims of domestic violence and we are sympathetic to the concerns that lie behind amendments Nos. 10 and 61, but it is important to be clear, as I tried to explain in Committee, that however dreadful the experience of being a victim of domestic violence, people are not absolved from the responsibility to do what they can to protect a child or vulnerable person who is depending on them for help.

Mr. Grieve: The Minister touches on an important issue. Under clause 5(1)(d)(ii), the accusation relates to the failure

"to take such steps as he reasonably could have been expected to take to protect"

the victim from "risk". What is regarded as being "reasonable" in that context, and to what extent is reasonableness affected by the circumstances in which individuals find themselves? Surely the whole point of the amendment is to highlight that what is reasonable for a person who is suffering from domestic violence is likely to be different than for someone who is not.

Paul Goggins: I am glad that the hon. Gentleman highlights clause 5(1)(d)(ii), as I was just about to go on to precisely that provision. A person will not be guilty of an offence unless they have failed to take such steps as they could, in their circumstances, reasonably be expected to take to protect the victim from risk. It is for the court to determine what that means; it is not a matter for Parliament to rule out. That is the key point. Including the provision in the Bill means that the courts will be able to take serious domestic violence into account. In many cases, I am sure that the court will take those circumstances into account, but in the end it is for the court rather than the House to decide.

The practical effect of the amendment would be seriously to undermine the reasonable steps test. It would make the offence less clear. Amendment No. 10, in particular, refers to someone who is

"in fear of being subjected to domestic violence",

but that could apply to a very large number of defendants. Furthermore, there are other vulnerable groups: there may be children or vulnerable elderly relatives in the household, so why should they not also be excluded? The reasonable steps provision is the best way to deal with the problem, rather than excluding one particular group, however sympathetic we are to them.

My hon. and learned Friend the Member for Redcar spoke about the links between domestic violence and sexual violence. She is right to draw our attention to that, and I hope that she is reassured that the Government understand the connection. We are trying, off the back of the sexual offences legislation that we passed last year, to drive through a series of policies and initiatives. My hon. and learned Friend will know that we are developing a network of sexual assault referral centres, far more than were in existence when we debated the Sexual Offences Act 2003. The first £4 million from the victims fund will go to organisations that work on behalf of the victims of sexual offences. I hope that she appreciates—I know she does, as I often speak to her about these matters—how much is being done to deal with the connections that she spoke about.

The hon. Member for Somerton and Frome touched briefly on domestic homicide reviews and the particular case of children. He mentioned it briefly, so I shall respond briefly. Concern was expressed at some length in Committee and it is only right to put matters straight. The concern was that the deaths of children might not always be reviewed, especially when a child or family had not come into contact with social services before the injury or death.

I wrote to members of the Committee on 13 July and I say again today that amendment No. 1 is unnecessary because any death of someone aged under 16 that met the criteria for a domestic homicide review would already have to be the subject of a serious case review. Indeed, Government guidance published in 1999, entitled "Working Together to Safeguard Children", sets out the criteria for serious case reviews and makes it clear that agencies should always conduct a review where abuse and neglect are known or suspected to have been a factor in the death. That includes all cases where a family member has killed a child, even if there was no history of abuse and no contact with statutory agencies.

Mr. Heath: I mentioned the issue briefly because I hoped that the Minister would be able to satisfy me entirely on it, and he now has. However, he has not entirely satisfied me about amendment No. 10 and I still intend to press it to a Division, if possible.

Paul Goggins: Whether a glass is half full or half empty is a judgment that I suppose we all need to make. My final point to the hon. Gentleman on this matter is that under the new arrangements envisaged under the Children Bill, all unexpected child deaths will be investigated by local screening teams and wherever it appears that abuse or neglect may have played a part in the death the case will be referred to the local safeguarding children board for a serious case review. The Government are therefore confident that all unexpected deaths will be checked and, if necessary, reviewed so that no cases can fall through the net.

Finally, in connection with her amendment No. 64, my hon. and learned Friend the Member for Redcar spoke about the payment of grants to voluntary organisations supporting children who have suffered after witnessing the treatment of others. However, the purpose of clause 50, to which the amendment refers, is to provide statutory authority for regular Government grants to voluntary sector bodies, and that is consistent with Treasury best practice. The clause already provides that the Secretary of State may pay grants to any organisation that appears to him to assist victims, witnesses or other persons affected by offences. Children who have been affected by offences as set out in the amendment are definitely included in that definition, so it is unnecessary to mention them specifically on the face of the Bill. Of course, we will need to watch carefully and make sure that the right amount of money goes to the organisations involved.

Vera Baird: I am sorry to be slightly out of step, but my hon. Friend said that this was his final point and I want to take him back to the question of familial homicide. I am attracted to the idea of putting domestic violence on the face of the Bill because that would make all the parties in any case that might involve domestic violence aware that it is highly relevant. As a result, they will look for it. I appreciate that judges and juries will take domestic violence into account if its occurrence has been brought out into the open, as my hon. Friend said. However, as I noted earlier, women cannot talk about domestic violence or domestic sexual violence, except in very sympathetic circumstances. That is especially true in the aftermath of a trauma such as the death of a child, and such matters often do not come out in time for a trial.

I do not expect my hon. Friend the Minister to have a solution to that problem now, but I want him to think about it, as I do, because it is a real concern.

Paul Goggins: I do indeed think about these matters, as they are very important. My point is simply that it may be very relevant that domestic violence has occurred, in which case the court will take that into account. In resisting these amendments, we are saying that such violence cannot be used as an excuse always and in every case. My hon. and learned Friend is referring to those vulnerable individuals who will need support whether they are victims or witnesses, and that opens up a broader discussion about the criminal justice system as a whole. We are getting better at supporting people but we need to improve that, so that people in court are able to deal with, and speak about, these matters.

I just want to repeat my final point on the previous matter, which is that we will need to ensure that an appropriate amount of money goes to those organisations working with children.

In summary, I hope that it has been evident from what I have said that I sympathise completely with the motives behind some of the amendments under discussion. However, much of what they seek to achieve will be achieved by the Bill, although some of the amendments go further than what we feel can be justified as necessary. Therefore, I ask that the amendments be withdrawn.

2.45 pm

Mr. Dawson: This has been a good debate, and I am grateful for the support extended by my hon. and learned Friend the Member for Redcar (Vera Baird) and by the hon. Member for Somerton and Frome (Mr. Heath).

I am not sure whether the hon. Member for Beaconsfield (Mr. Grieve) supported new clauses 1 and 2. I know that he is an experienced and extremely learned practitioner in the courts, but I sometimes think that he is a little too sanguine about how well they operate. In response to his concerns about whether these amendments are necessary, I simply refer him to some of the statistics quoted by my hon. and learned Friend the Member for Redcar, and to the abuse experienced by women and children on contact visits. I also point to the number of contact orders made on schedule 1 offenders, and to the horrendous fact that there have been 28 child deaths in recent years.

Reference was made to the question of false allegations. Public inquiries into child deaths over the years have made it clear that an undue emphasis on not being misled by false allegations can lead professionals and practitioners to ignore the very real facts about serious abuses.

I am very sorry that my hon. Friend the Minister cannot accept new clauses 1 and 2. They are entirely in line with the Government's thinking and would only strengthen section 1 of the Children Act 1989. The paramount interest of children should always be served when courts make decisions about their future. The amendments would clarify those best interests and focus the efforts and attention of judges on them. They would make sure that judges were not swayed by the real pressures exerted by the well articulated and strongly expressed views of warring parents.

My hon. Friend the Minister feels that the Government have enough in the way of powers to deal with the very serious problems that arise, but the evidence that I quoted comes direct from the Government and is more recent than the Committee stage of this Bill. The Government have acknowledged that guidelines have not worked completely effectively so far in ensuring that children are safeguarded in contact and domestic violence cases.

Section 120 of the Adoption and Children Act 2002 is a great improvement, but there is also a heavy reliance on guidelines. Given the serious facts of abuse, and the

[Mr. Dawson]

fact that children's experiences and voices are not heard properly and fully by the courts, I am not certain that my hon. Friend the Minister can be fully satisfied that the Government do not need the measures envisaged in new clauses 1 and 2. Those measures are not being urged on the Government only by hon. Members here today; the need for them has been made clear by organisations outside the House that have daily contact with people going through some of the most horrendous experiences that can be imagined.

I will withdraw new clauses 1 and 2. There has been some discussion about my mathematical judgment in previous stages of the Bill's progress through the House, but I am well aware that I need to take into account forces outside the Chamber.

Mr. Grieve: I am the first to acknowledge that, in the context of the debate, the mathematical calculations are rather stacked against the hon. Gentleman unless he has Front-Bench support.

Mr. Dawson: I am grateful to the hon. Gentleman, and I appreciate what my hon. Friend the Minister said about serious case reviews, of which Opposition Members were so critical in Standing Committee. I am pleased that that has been resolved and that we have made some significant progress on the matter.

The Select Committee on Constitutional Affairs is about to embark on an inquiry into the work of the family courts. I have no doubt that the question of children and vulnerable adults will come up again and that the Committee will have an opportunity to talk to ministerial colleagues and to the president of the family division of the High Court and her colleagues.

In the hope that we are making some progress, and in the knowledge that progress will be very carefully scrutinised both in this House and outside it, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 3

AMENDMENTS TO THE YOUTH JUSTICE AND CRIMINAL EVIDENCE ACT 1999 TO EXTEND THE CATEGORY OF WITNESSES ELIGIBLE FOR ASSISTANCE ON GROUNDS OF FEAR OR DISTRESS ABOUT TESTIFYING

'(1) Section 17 of the Youth Justice and Criminal Evidence Act 1999 (c.23) (witnesses eligible for assistance on grounds of fear or distress about testifying) is amended as follows.

(2) After subsection (4) insert—

"(4A) Where the complainant in respect of proceedings relating to any form of molestation, including violence, involving a complainant, a cohabitant, a relevant child or associated persons, is a witness in such proceedings, the witness is eligible for assistance in relation to those proceedings by virtue of this subsection unless the witness has informed the court of the witness' wish not to be so eligible by virtue of this subsection.

(4B) For the purposes of this subsection, 'cohabitant', 'relevant child' and 'associated persons' mean a person as defined by section 62 of the Family Law Act 1996 (c.27) (meaning of 'cohabitants', 'relevant child' and 'associated person') as amended by sections 2 and 3 of this Act.".'—*[Mr. Heath.]*

Brought up, and read the First time.

Mr. Heath: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: New clause 8—*Photography of witnesses, etc, in court*—

'(1) No person shall—

(a) take, or attempt to take, a photograph in a specified court of any person being a juror, witness in or party to any proceedings before the court, or

(b) photograph, or attempt to photograph, any person in any court if the presiding judge has determined that it would not be in the interests of justice for any photograph to be taken; or

(c) publish, transmit or broadcast any photograph taken in contravention of the foregoing provisions of this section.

(2) Any person acting in contravention of this section shall, on summary conviction, be liable in respect of each offence to a fine not exceeding level 3 on the standard scale.

(3) For the purposes of this section—

(a) "specified court" means any magistrates' court, any other court in which criminal proceedings take place, or any other court which the Lord Chancellor may by order prescribe;

(b) "judge" includes a lay judge, district judge, recorder, judge, registrar or coroner;

(c) "photograph" includes any image whether still or moving made by any means whether photographic, electronic or otherwise;

(d) a photograph shall be deemed to be a photograph taken in court if the subject of the photograph is in the courtroom or in the building or in the precincts of the building in which the court is held at the time that the photograph is taken.'.

New clause 9—*Amendment to the Youth Justice and Criminal Evidence Act 1999 to extend the category of witnesses eligible for assistance on grounds of fear or distress about testifying*—

'(1) Section 17 of the Youth Justice and Criminal Evidence Act 1999 is amended as follows.

(2) After subsection (1) insert—

"(1B) For the purpose of this chapter an applicant in civil proceedings relating to domestic violence is eligible for assistance by virtue of this subsection if the Court is satisfied that the quality of evidence given by the applicant is likely to be diminished by reason of fear or distress on the part of the applicant in connection with testifying in the proceedings.".'.

Amendment No. 20, in schedule 11, page 86, line 7, at end insert—

'Criminal Justice Act 1925 (c.86) Section 41'.

Mr. Heath: New clause 3 returns us to a matter that we discussed briefly in Committee, but I fear that the Government did not entirely satisfy me that the present arrangements are satisfactory. The new clause deals with the special arrangements that can be made for witnesses who are considered vulnerable or intimidated, such as giving evidence from behind screens or by TV links, which give those people some sense of security in giving their evidence before the courts and have often proved critical elements in determining whether they give evidence at all.

The difficulty is that there is no automaticity in the arrangements, although they are becoming increasingly available. I give credit for that fact. Nevertheless, instead of those who make the original complaint being told, "Don't worry. You will not have to face your abuser in court because we will ensure that special arrangement are made", the best that they can be told is that an application will be made for such arrangements. That will depend on the Crown Prosecution Service making the application, but the CPS does not necessarily act in the interests of the complainant or witness; it is acts in the state's interests in bringing a prosecution. There is a subtle difference between the two. The proposal in new clause 3 is simply that such automaticity should be put in place. Of course, if those arrangements are unnecessary, they will not be provided, but there should be certainty that the witness will receive that protection if it is necessary and on the request of the witness in those circumstances.

At first sight, new clause 9 is similar, but it deals with complainants in domestic violence cases who make application through civil proceedings. Of course, under the Bill, we are widening the scope for civil proceedings, but it is curious that section 17 of the Youth Justice and Criminal Evidence Act 1999 deals with a complainant in criminal proceedings but not with a complainant in civil proceedings. The person will come face to face with the same abusive partner or relative and have the same sense of distress, disquiet or intimidation. The measures under consideration in a civil court will be no less serious than those in the criminal court. It does not seem entirely logical that, in one case, special measures provisions are in place but not in the other. I ask the Minister seriously to consider whether new clause 9 would be a sensible extension of the present arrangements.

New clause 8 and amendment No. 20 deal with a quite different matter. Some would argue that it is tangential to the purpose of the Bill—I freely accept that it is—but this is an opportunity for the House to consider for the first time a issue that was raised, to many people's astonishment, during the summer when the House was not sitting: filming or photography in court.

Without any great prior notice to anyone, the Lord Chancellor announced that he was running an experiment for the filming of proceedings in the Court of Appeal and that he would make further proposals at a later stage. Many hon. Members were alarmed that that was done without a proper announcement in the House. Many of us were alarmed at the possible implications, and many of us felt that benefit would be derived from at least a debate on the circumstances. None of that happened, and it is not unreasonable to say that that is not uncommon in the case of either this Lord Chancellor or his predecessor, sadly.

I have corresponded since then with the Under-Secretary of State for Constitutional Affairs, the hon. Member for Shipley (Mr. Leslie), who is in his place, and his letter to me was extremely helpful in allaying some of my concerns. He said that it was not the intention under any circumstances to allow the broadcast of the filming that was to take place in the Court of Appeal and that the filming would only ever take place there. He said that he shared some of my concerns, which I shall explore in a little more depth in a moment, about the wider implications of filming in court. He also said that the Lord Chancellor intended to publish an exploratory paper, which would not include specific proposals but invite comment on the issue, and that they would carefully consider the arguments before taking any precipitate action. All that I applaud. I shall deal with my views on the subject in a moment.

I was worried by one thing in the letter that I received from the Under-Secretary. During parliamentary questions on Tuesday 7 September, I questioned him specifically about the legal advice that underpinned the decision to allow filming in the Court of Appeal at all. I referred to section 41 of the Criminal Justice Act 1925, which, as hon. Members will recall, expressly prohibits the taking of any photograph or film not only in the court, but in its precincts. The part of the letter that gave me some cause for concern said:

> "We have been advised that section 41 of the Criminal Justice Act 1925, to which you referred, does not bind the Crown."

What on earth are we doing making statutes about the arrangements for courts if they do not bind the courts in any way, even in the simplest terms, about that which is an expressed prohibition. That seems to be nonsense. I question that interpretation, although I accept that almost certainly someone will show that Crown immunity takes precedence over anything that the House chooses to do, but I regret that; it is extraordinary in the circumstances.

Let us be clear about what the 1925 Act does. It expressly prohibits the taking of any photograph or the making of any image of people who are in the court or its precincts. However, we are told that, if one happens to be the Lord Chancellor, one can give permission for that to take place. That is wrong, and it invites all sorts of questions. Why do I think that it is specifically wrong in the case of photography in court? First, there is a very real risk that potential witnesses, victims or jurors will not come forward to appear in court if they believe that they will be photographed or filmed doing so. Secondly, court proceedings are not an entertainment. I have seen in other jurisdictions that allow filming in court a trivialisation of court proceedings, which is wholly detrimental to the process of justice.

I understand the arguments made on the other side of the coin that, somehow, filming in court will increase the understanding of court procedures, but I do not think that it would. What appears on the television screen in those jurisdictions that allow the filming of criminal proceedings is not the laborious work of cross-examination and finding facts, but the point at which the victim breaks down or the defendant says, "Gaw, luvvie, I did it." That is the entertainment value of court television; that is what appears on the news broadcasts, but that does not nothing to increase the awareness of how the judicial process works—rather it does the reverse: it suggests that such things are the matters of a moment and that they are dramatic in content, which, I am afraid to say, careful court work is not.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy) (PC): Some months ago, we discussed what the Government perceived as a rash of cases of jury nobbling. Does the hon. Gentleman agree that bringing television into the arena would make that problem 10 times worse?

3 pm

Mr. Heath: I am convinced that that would happen. I understand the argument that it might be appropriate to film judges delivering their judgments, if they agreed

[Mr. Heath]

to that, because that could be educational or of interest to people. However, it would not be in the interest of justice for witnesses, jurors or defendants to be filmed. It would not be in the interest of justice to film a criminal trial, a hearing in a coroner's court or proceedings in family or youth courts. Filming civil proceedings would rarely be in the interest of justice.

My proposal is an imperfect redrawing of the provisions of the 1925 Act. I do not intend to press my formulation to a Division, so I hope that the Minister will not spend time raising objections to the specific wording—I simply wanted to encourage debate. It is time for us to consider the matter again, although I am convinced that, by and large, the circumstances that presently apply are in the interest of justice in this country.

It is interesting that the provisions of the 1925 Act have already started to erode. It is not uncommon for people going in and coming out of courts to be filmed. Indeed, a television crew is almost always positioned on the steps of the royal courts of justice. Such crews are in clear breach of section 41 of the 1925 Act because that specifies that people shall not be filmed going in or out of court. I invite the Minister to give his opinion on whether such actions might be a blatant breach of the law as it stands. More importantly, however, I urge him to assure the House that if he proceeds with the experiment any further, he will bring his proposal before the House so that it can be subjected to proper examination and we can decide whether we want extant statute law overturned for the purposes of a prurient and over-demanding television industry.

Vera Baird: I confess that I would be horrified by the prospect of cameras no longer being able to set up outside the royal courts of justice. A major part of most senior QCs' public relations strategies is to cut an appropriate dash while walking along, with hair and bands flowing in the wind, so as to look like no one in the world would dare defy them. What is the world coming to if that is to be stopped?

On a more serious note, may I address the proposal in new clause 3 to extend the automatic application of special measures to victims of domestic violence because there is a lot in that argument? As the hon. Member for Somerton and Frome (Mr. Heath) knows, section 17 of the Youth Justice and Criminal Evidence Act 1999 contains two categories of vulnerable and intimidated victims for whom special measures are available: first, those who get special measures automatically, which includes victims of sexual assault and rape; and, secondly, those who get them only at a judge's discretion. Although I use the word "only", the measures for such people are valuable. Domestic violence victims currently fall into the second category.

As the hon. Gentleman said, the current arrangements allow evidence to be given through a television link or from behind a screen. Arrangements can be made whereby barristers remove their wigs and gowns so that they look less intimidating, although I am sure that curbs must be applied on that. The serious measures that have been made available are valuable and proven as being able to improve the quality of evidence put before the courts.

The reason behind the measures is the sensitive nature of the evidence that is likely to be given, especially in sexual assault cases. As I have said—I think that this is pretty widely accepted—domestic violence is almost always accompanied by sexual abuse or sexual violence of one sort or another. Evidence in such cases is sensitive and difficult to obtain, so complainants probably always need the protection of such measures. The situation is even more sensitive in a domestic violence case because a complainant will inevitably be giving evidence against a person with whom she has had a personal and intimate relationship, which makes the process more difficult for her.

The Home Office review on sexual offences called "Speaking up for Justice" was a successful pre-legislative consideration of policies that was much praised. It expected that domestic violence complainants would be placed in the category of people who automatically received the measures. "Safety and Justice", the consultative document underpinning the Bill, raised the question of whether section 17 of the 1999 Act provided the right level of support for all vulnerable victims. A fairly powerful answer to that was received from Home Office research done through the Women's National Commission. The research said that section 17 did not give the right level of support, especially to domestic violence victims. It said that they should go into the automatic category. Two bodies of work that the Government undertook to examine the matter concluded that automatic protection should be available for domestic violence victims.

If a domestic violence victim who does not receive the measures automatically is to receive the protection that she needs, she depends on the alertness of a police officer to the availability of the measures and her need for them. She also requires a representative of the Crown Prosecution Service who is properly trained in the availability of the measures and ready to understand when they are needed. Of course, the discretion of a judge is required in the end. The most significant problem that exists if automatic protection is not available is that a person cannot be given a guarantee in advance of going to court that she will be protected by special measures. Everyone knows how difficult it can be to get complainants in domestic violence cases to come to court at all. Conviction rates are extremely low, and most of the drop-out occurs between the time at which the domestic violence occurs and the time at which the case reaches the door of the court. It could only be helpful if a woman who was unsure about her courage and confidence to go through with the process could be guaranteed by a police officer at the outset that she would not have to give evidence in the presence of the perpetrator if she did not want to do so. She would thus know that she would not have to look him full in the face and face the prospect of him doing everything possible to intimidate her.

New clause 3 would protect domestic violence complainants in not only criminal cases, but civil cases. Civil cases are usually conducted in private. They are usually held in smaller courts than those used for criminal cases and fewer people tend to be present. The relative intimacy of the environment is likely to make the experience more intimidating for a woman who has suffered domestic violence or sexual abuse because the person against whom there is a complaint would be sitting within a few yards of her. Anything that could be done to help such a woman would be every bit as valuable as a measure in the criminal context. I urge the Minister to think carefully about whether it is time to reconsider the provision and extend its ambit. Its purpose is to protect vulnerable and intimidated witnesses, which it has been proven to do. This category of people needs to be within its protection.

A case was drawn to my attention by my local domestic violence advocacy set-up. There were serious allegations of domestic violence between a husband and wife. The husband came to court without representatives and sought the judge's leave, which was granted, to cross-examine her on the claims of domestic violence and sexual abuse. We turned our backs on that practice in the criminal courts in 1999 by stopping defendants in rape cases from cross-examining their victims.

This situation is another manifestation of the same problem. It is probably the case that it should not be allowed either. Now that the penny has dropped with the authorities far and wide that domestic violence and sexual abuse are part and parcel of the same syndrome in 99 per cent. of cases, we have to consider whether we should prevent someone in a case in which domestic violence is a hot issue in the family context from cross-examining. What happens is that the individual is taken through the incidents in detail and is made to relive them face to face with the perpetrator in a public forum. The court simply goes along with it, and in the context of the civil case it has no choice but to do so. That problem needs specific consideration and is another reason why at least special measures should be available to protect someone in that situation. I commend the new clauses to the Minister.

Mr. Llwyd: I agree entirely with the hon. and learned Member for Redcar (Vera Baird) and the purport of the new clauses. Like her, I have had many experiences of domestic violence in the criminal and civil courts. Her point about civil proceedings being just as bad if not worse than the criminal forum is right. They may well be held in private, but they are usually held in more confined courts with a judge considering a non-molestation order or an ouster order. The issues are the same, involving violence and a vulnerable witness who has to retell a horrible incident in her life. It is important that we do everything we can to make it possible for that person to give her evidence as comfortably as possible. After all is said and done, we fail her and the process, and undermine the idea of justice, if we do not do that.

The new clauses on the criminal courts and the civil courts are right. I hope that the Minister will carefully consider our points. The original special provisions of the Youth Justice and Criminal Evidence Act 1999 were introduced because youths are often vulnerable. By definition, a person who is subjected to domestic violence is in the most vulnerable category of all.

On automaticity, I take it that that would apply unless the complainant said otherwise. That is the right way to proceed. The automatic rule should not always be applied. Indeed, applying it would, perhaps, undermine the importance of the measure in a circuitous way. Judges will be able to weigh up whether that is right or wrong in due course.

The debate is useful. From my personal experience, I can say that the new clauses have much to commend them. From a practitioner's point of view, people are often afraid to come forward and when they do, on the morning of the court, they decline to give evidence. That is fully understandable because of the nature of the proceedings. I am not criticising complainants, but it is a huge waste of everyone's time, including the courts and lawyers, and it is a build up of pressure for that poor complainant who, at the last minute, falls back and says that she cannot go through with it. If it is known from the beginning that the provision can be obtained and that the complainant will not face, in a small enclosed room, the person who has abused her, that will go a considerable way towards enabling people with complaints to come forward and to give the evidence as it should be heard by the judge and as the court should decide on it.

3.15 pm

The hon. Member for Somerton and Frome (Mr. Heath) mentioned cameras in the courts, which he described as a tangential point. They are not a good idea for numerous reasons, including jury nobbling, as I said in my intervention on the hon. and learned Member for Redcar. In all honesty, however, and with regard to the Home Secretary, I do not think that there is anything wrong with the Court of Appeal. There is no question of nobbling the Court of Appeal. It has a high standard of judiciary on every bench—I must be careful of what I say—but we are dealing with people who routinely make the law in the changes that they make. From the point of view of a practitioner, a student and public access, I do not envisage a great objection to a pilot in the Court of Appeal, but to extend it beyond that forum would be a grave mistake for many reasons, many of which are not pertinent to today's debate.

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): There are two parts to the group of amendments. The first concerns protecting complainants in domestic violence cases. The second involves photography or television in court proceedings. New clause 3 is about automaticity of special measures in all domestic violence cases and new clause 9 deals specifically with civil proceedings and the use of special measures.

It is worth noting that special measures to protect vulnerable or intimidated witnesses were introduced by the Government in the 1999 Act. We made the improvements to encourage witnesses to come forward and overcome some of the barriers to giving evidence. Those special measures include screens to ensure that witnesses do not see the defendant and vice versa and the use of a live television link to the court room, as the hon. Member for Somerton and Frome (Mr. Heath) said. In some circumstances, they involve clearing the court so that evidence can be given in private, allowing the removal of wigs and gowns—which some people find intimidating—and the use of intermediaries to help the witness to communicate with her legal team and the court, especially if there are language difficulties. The measures often include the recording of video evidence—the evidence-in-chief—of a witness. In fact, the main bulk can be pre-recorded and presented to the

[Mr. Christopher Leslie]

court. That range of aids, known collectively as special measures, are relatively new. They are beginning to work well and are proving popular in some courts.

It is true that there are different categories of offences for the application of special measures. Unless the complainant opts out, there is automatic access to them in cases of alleged sexual offences, but given the special and sensitive nature of sexual offence allegations, which merit automatic availability of special measures, the law has been framed to make the distinction between automaticity for those cases and the ability to apply, and often be granted, special measures in other cases. Although we can all understand why that automatic arrangement exists in sexual offences cases, it may well not suit a variety of other cases to have an automatic arrangement, not least if a witness wants to face up to their perpetrator. I accept that that is not common in domestic violence cases, but it can be in other cases.

I am cautious about the new clauses because we are still in the early days of rolling out the special measures. Good work is under way, but some courts are still feeling their way forward. We should not underestimate, as my hon. and learned Friend the Member for Redcar (Vera Baird) will appreciate, the significant change in culture that is taking place in many courts, but it is right that that should proceed. More work is under way on the "no witness, no justice" initiative, to ensure that there is a comprehensive approach to meeting witness needs.

Vera Baird: My hon. Friend spoke about a situation in which a victim might want to confront the perpetrator. Under the 1999 Act, as the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) said, that option is automatically available, but if he or she does not want it they can choose to opt out. The point is that it should be guaranteed to people who do want it.

Mr. Leslie: I accept that there are good arguments for the extension of special measures and the streamlining of the process that triggers them. My right hon. and noble Friend the Secretary of State for Constitutional Affairs suggested, for example, that there are good grounds for extending to civil courts, particularly in antisocial behaviour cases, the availability of special measures. There is a discussion in the legal community and in government about how we can extend certain provisions and make them easier to access. However, we must strike the right balance and recognise that, traditionally, many cases are heard in public. The first priority, of course, is that justice should be done, but the second is that it should be seen to be done. However, we should not throw away lightly the principle of allowing justice to be done, at least partly, in the public arena. It is important to evaluate properly the roll-out of special measures.

Mr. Llwyd: I do not follow the Minister's argument. Special measures for witnesses would not result in the hearing being held in camera. It would be held in public, but the witness, typically a woman, would be protected from the perpetrator of violence. Nobody is arguing that proceedings should be in camera—they should be held in public—but there should be protection for witnesses.

Mr. Leslie: That is certainly true of many special measures but, as I said, clearing the court and public gallery to hold a hearing in private is one option in the special measures arsenal available to the judge and the court. We should be careful not to adopt a blanket approach to special measures, and must make sure that we have the right combination available for every case. As I said, we should evaluate carefully, but fairly quickly, what works best in which situations. Members on both sides of the House probably agree that we need to find ways of making victims and witnesses come forward and give evidence. Providing assurances at the outset is one method of doing so, but I beg hon. Members' indulgence as we need to look at an array of issues, including the use of video evidence versus recorded evidence. We must shift the balance in favour of victims and witnesses, but we must make sure that we get that right in relation to the legislation.

New clause 9 deals with civil proceedings, especially family cases. In those circumstances, I accept that victims of domestic violence can be fearful and feel intimidated in court. Most cases heard in the civil courts do not involve allegations of domestic violence. Alleged perpetrators are generally not on trial, and a finding against them does not usually lead to punishments such as a fine or imprisonment. The main witness, usually the victim, is already known to them.

Mr. Heath: To clarify an arcane point, under the Bill a criminal court will act as a civil court in making a restraining order following acquittal or conviction. However, will special measures available to witnesses in criminal court proceedings still be available in civil court proceedings?

Mr. Leslie: My understanding of the differences between the civil and criminal court is uneducated, but my answer is yes. The criminal court does not stop being a criminal court when it hears those cases. It will simply hear evidence admissible under civil proceedings.

The proposals in clause 1 to criminalise the breach of non-molestation orders mean that one of the most contentious and confrontational hearings in family courts can now be dealt with in the criminal court, where special measures will be available. Judges in the family court already have wide powers in cases in which they decide a victim is vulnerable or intimidated, for instance children or victims of domestic violence, and can take action to assist them in giving evidence. Such cases are usually heard in private, and wigs and gowns are not worn. Where civil and criminal courts share premises it is much easier for the technology needed for special measures, such as a video link arrangement, to be shared. A small number of courts, however, do not yet have that technology, and we are trying our best, not least through Her Majesty's Court Service, to extend those facilities as best we can. Generally, we are making progress and there are provisions in the civil and family courts to enable supported evidence to be given.

Amendment No. 20 and new clause 8 deal with other matters. New clause 8 would replace the blanket prohibition on photography in court with a prohibition on the photographing of jurors, witnesses and parties to the case, but there would be discretion to photograph judges and lawyers. That provokes an interesting debate, so I welcome the tabling of the provision. On 29 August, the Secretary of State announced that the Government would shortly publish a consultation document on broadcasting court proceedings. There are no proposals to change existing legislation, but there will be a thorough examination, not least in the light of relatively recent developments such as the televising of Parliament, of the pros and cons of relaxing the blanket restrictions on broadcasting in the courts.

Since 1990, the House of Lords Appellate Committee judgments have been televised because they have taken place in the Chamber of the other place. If, however, through the constitutional reform programme we create a new separate supreme court, we need to think about how its judgments would be broadcast. We know that public confidence is aided when the justice system operates in the public arena and there are arguments in favour of a substantial degree of public access, but as I said, justice must be done and be seen to be done. That is not a sequential process; there is a priority order. Justice being done comes first, and we would not support anything that could deter witnesses or victims from coming forward and giving evidence. As hon. Members suggested, if it was thought that a television camera might be filming sensitive moments, I can easily imagine that might be the case.

That is why the Secretary of State said that he did not consider that appropriate. However, there may be other forums, as has been said—the Appeal Court, for instance—which do not usually have evidence in chief and where it might be appropriate to experiment. We are piloting in private, not to be broadcast, a scheme with the royal courts of justice, which will be strictly limited and controlled, in the circumstances that I set out to the hon. Member for Somerton and Frome.

I hope that I have covered the full breadth of the amendments and new clauses and that the hon. Gentleman will seek leave to withdraw them.

Mr. Heath: I am grateful for the Minister's comments. He has not entirely satisfied me, but I do not intend to press the new clause. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 6

DURATION OF OCCUPATION ORDERS

'(1) In Part 4 of the Family Law Act 1996 (c.27) (family homes and domestic violence), for section 35(10) (one former spouse with no existing right to occupy) substitute—

"(10) An order under this section shall be limited so as to have effect for a specified period of six months, but may be extended on two occasions for a further period of six months unless an application is made to discharge the order."

(2) For section 36(10) (one cohabitant or former cohabitant with no existing right to occupy) substitute—

"(10) An order under this section shall be limited so as to have effect for a specified period of six months, but may be extended on two occasions for a further period of six months unless an application is made to discharge the order."

(3) For section 37(5) (neither spouse entitled to occupy) substitute—

"(5) An order under this section shall be limited so as to have effect for a specified period of six months, but may be extended on two occasions for a further period of six months unless an application is made to discharge the order."

(4) For section 38(6) (neither cohabitant or former cohabitant entitled to occupy) substitute—

"(6) An order under this section shall be limited so as to have effect for a specified period of six months, but may be extended on two occasions for a further period of six months unless an application is made to discharge the order.".'.—*[Mr. Heath.]*

Brought up, and read the First time.

Mr. Heath: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: New clause 17—*Domestic Violence Advocacy Service (No.1)*—

'(1) In this section, "Voluntary organisation" means a charity or an organisation operating on a not-for-profit basis.

(2) The Secretary of State shall establish, maintain and develop a national service known as the Domestic Violence Advocacy Service for the purpose of promoting the availability to victims of services of the descriptions specified in subsection (3) and, in particular, for securing (within the resources made available, and priorities set, in accordance with subsection (6)) that victims have access to services that effectively meet their needs.

(3) The descriptions of services referred to in subsection (1) are—

(a) the provision of help in developing and implementing a plan for ensuring the safety of the victim and the safety of the children of the victim as a priority,

(b) the provision of general information, relevant to the victim, about the law and legal system and the availability of legal services,

(c) the provision of help by the giving of advice as to how the law applies in the particular circumstances of the victim,

(d) the provision of advice as to the availability to the victim of relevant support services offered by other agencies,

(e) the provision of assistance in accessing services relevant to the victim that are offered by other agencies,

(f) the provision of help in relation to legal proceedings, whether in the family, criminal or civil courts.

(4) The services of the descriptions specified in subsection (3) shall be accessible to victims at any hour and on any day and shall be provided by persons of the same sex as the victim where requested by the victim.

(5) The Secretary of State shall establish and maintain a fund known as the Domestic Violence Advocacy Service Fund from which services of the descriptions specified in subsection (3) shall be funded as part of the Domestic Violence Advocacy Service.

(6) The Secretary of State shall prepare a code setting out the criteria according to which he will decide how to fund services as part of the Domestic Violence Advocacy Service.

(7) When preparing the code referred to in subsection (6) the Secretary of State shall consult all relevant bodies (and, in particular, voluntary organisations) who are able to communicate the views of victims of domestic violence.

(8) The Secretary of State may accredit, or authorise others to accredit, voluntary organisations providing services of the descriptions specified in subsection (3); and any system of accreditation shall include provision for the monitoring of the services provided by accredited organisations and for the withdrawal of accreditation from any providing services of unsatisfactory quality.

[Mr. Deputy Speaker]

(9) The Secretary of State may fund services as part of the Domestic Violence Advocacy Service by—

(a) entering into contracts with voluntary organisations for the provision of services by them,

(b) making payments to voluntary organisations in respect of the provision of services by them,

(c) making grants or loans to voluntary organisations to enable them to provide, or facilitate the provision of, services,

(d) establishing and maintaining voluntary organisations to provide, or facilitate the provision of, services,

(e) making grants or loans to individuals to enable them to obtain services,

(f) doing anything else which he considers appropriate for funding services.

(10) The Secretary of State may by order require accredited bodies providing services of the descriptions specified in subsection (3) to discharge those services in accordance with the order.'.

New clause 23—*Domestic Violence Advocacy Service (No.2)*—

'(1) The Secretary of State shall establish, maintain and develop a national service to be known as the Domestic Violence Advocacy Service to promote the availability of the services specified in subsection (2) to victims of domestic violence.

(2) The services referred to in subsection (1) are—

(a) the provision of help in developing and implementing a plan for ensuring the safety of the victim and the safety of the children of the victim as a priority;

(b) the provision of general information, relevant to the victim, about the law and legal system and the availability of legal services;

(c) the provision of help by the giving of advice as to how the law applies in the particular circumstances of the victim;

(d) the provision of information as to the availability to the victim of relevant support services offered by other agencies;

(e) the provision of assistance in accessing services relevant to the victim that are offered by other agencies;

(f) the provision of help in relation to legal proceedings, whether in the family, criminal or civil courts;

(g) the provision of assistance and training to support the early identification of domestic violence in high risk groups.

(3) The Secretary of State may fund services as part of the Domestic Violence Advocacy Service by—

(a) entering into contracts with voluntary organisations for the provision of services by them,

(b) making payments to voluntary organisations in respect of the provision of services by them,

(c) making grants or loans to voluntary organisations to enable them to provide, or facilitate the provision of, services,

(d) establishing and maintaining voluntary organisations to provide, or facilitate the provision of, services,

(e) making grants or loans to individuals to enable them to obtain services,

(f) doing anything else which he considers appropriate for funding services.

(4) The Secretary of State may by order amend subsections (2) and (3).

(5) In this section—

"voluntary organisation" means a charity or an organisation operating on a not-for-profit basis;

"domestic violence" means, violence against a person committed by a cohabitant, relative or member of the same household.

(6) For the purposes of subsection (7)—

(a) "violence" means—

(i) physical abuse;

(ii) sexual abuse,

(iii) psychological or emotional abuse, including, but not limited to—

(a) intimidation;

(b) harassment;

(c) damage to property;

(d) threats of physical abuse, sexual abuse or psychological abuse; or

(e) threats of physical abuse, sexual abuse or psychological abuse against a dependant;

(b) "cohabitant" and "relative" have the same meaning as in section 62 of the Family Law Act 1996;

(c) "member" of a particular household has the same meaning as in section 5 of this Act.'.

Amendment No. 17, in—

It being two and a half hours after the commencement of proceedings, MR. DEPUTY SPEAKER *put the remaining Questions required to be put at that hour, pursuant to Order [this day].*

Amendment proposed: No. 10, in page 3, line 17 [Clause 5], at end insert

'( ) For the purposes of subsection (1)(d)(ii), in determining the reasonableness of the steps which D could have been expected to take, the court shall have particular regard to the extent to which D has been subjected to domestic violence or is in fear of being subjected to domestic violence.'.—*[Mr. Heath.]*

Question put, That the amendment be made:—

The House divided: Ayes 176, Noes 297.

Division No. 287] **[3:30 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, Sir John
Cable, Dr. Vincent
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, rh Sir Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Cotter, Brian

Cran, James *(Beverley)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Laing, Mrs Eleanor
Lamb, Norman
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
May, rh Mrs Theresa
Mercer, Patrick
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paisley, Rev. Ian
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thurso, John
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Ayes:
Mr. Peter Atkinson and
Richard Younger-Ross

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Bennett, Andrew
Berry, Roger
Best, Harold
Blackman, Liz
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Bryant, Chris
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cairns, David
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Corston, rh Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Tony *(Workington)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Sir Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*

King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCafferty, Chris
McDonagh, Siobhain
McDonnell, John
MacDougall, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr. Alan
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek

Tellers for the Noes:
Paul Clark and
Derek Twigg

Question accordingly negatived.

Clause 12

RESTRAINING ORDERS: ENGLAND AND WALES

Amendments made: No. 26, in page 7, line 18, at end insert—

'( ) After subsection (3) of that section insert—

"(3A) In proceedings under this section both the prosecution and the defence may lead, as further evidence, any evidence that would be admissible in proceedings for an injunction under section 3."'.

No. 27, in page 7, leave out lines 31 to 33.—*[Mr. Heppell.]*

Clause 13

RESTRAINING ORDERS: NORTHERN IRELAND

Amendments made: No. 28, in page 8, line 12, at end insert—

'( ) After subsection (3) of that section insert—

"(3A) In proceedings under this Article both the prosecution and the defence may lead, as further evidence, any evidence that would be admissible in proceedings for an injunction under Article 5."'.

No. 29, in page 8, leave out lines 25 to 27.—*[Mr. Heppell.]*

Clause 16

HIGHER FIXED PENALTY FOR REPEATED ROAD TRAFFIC OFFENCES

Mrs. Gillan: I beg to move amendment No. 65, in page 10, line 22, leave out clause 16.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss amendment No. 11, in page 10, line 29, leave out from 'driving' to end of line 31.

3.45 pm

Mrs. Gillan: On 14 June, the House gave the Bill a Second Reading. All hon. Members who were present witnessed an amazing act of magic performed by Home Secretary. He had come under much fire for his proposals to surcharge speeding motorists and was under some pressure when he rose in the Chamber. He sought to deflect anger by making specific statements in his opening speech on Second Reading, when he said:

> "we accept that it would be wrong for low-level first-time offences to be subject to a surcharge. Helpfully, the Department for Transport will shortly consult on changes in the points system for fixed penalty notices. The new system will be introduced in 2006, which is when we will consider introducing a levy of £10 on fixed

penalty notices for serious repeat offenders, as opposed to general fixed penalty notices."—[*Official Report*, 14 June 2004; Vol. 422, c. 540.]

That allayed the many fears of those inside and outside Parliament.

Indeed, so well did the Home Secretary camouflage his intentions and succeed in creating a smoke screen, that the trick that he performed on us led even the hon. Member for Somerton and Frome (Mr. Heath) to praise him for ensuring that "muggers, not motorists" would pay for the support of victims.

Mr. Heath: I wish to confess that I made a grave error of judgment. I took the Home Secretary at his word and believed him when he said that he would deal with serious, persistent offenders, not people who go through two speed cameras at 33 mph.

Mrs. Gillan: I am afraid that we all fell for the trick. Even outside organisations genuinely believed that the Home Secretary had almost dropped his proposals to prey on the motorist.

When the measure reached Committee, however, we discovered the Government's genuine proposals and their definition of a serious and persistent offender. The hon. Member for Somerton and Frome is right: a serious and persistent offender turned out to be someone who was caught by a speed camera not once, but twice; not three or four times, but twice. Such a person constitutes a persistent and serious offender. It became obvious, despite the Under-Secretary's charm, that the attempt to impose yet another stealth tax on the motorist was alive, well and progressing. That is because the Government intend that every motorist who gets caught speeding more than once—that is, twice or more—

Chris Bryant (Rhondda) (Lab): Duh!

Mrs. Gillan: Well, I need to spell this out. Twice constitutes persistence. Every such motorist will have to pay a surcharge of £5. So a persistent and serious offender is someone who is snapped by a speed camera doing a couple of miles per hour over the speed limit twice. Well, in my book, twice does not mean persistence. We need to be very careful before we label this type of offender "serious", when the issue is put into a wider context. Driving at 100 mph in a 40 mph zone is serious, but the word should not be used to describe the driver who slips over the limit unintentionally.

Indeed, one of the problems that this issue raises was thrown up in the Home Office's own consultation, from which I would like to quote, as it is a matter of public record.

Chris Bryant: I think that the hon. Lady has just said that she wants to introduce a new test of intentionality into this issue—in other words, that she wants to test whether someone has unintentionally gone over the speed limit. How would she adjudicate such matters?

Mrs. Gillan: That is absolutely not what I said. I have no intention of introducing a test. I am asking the Minister to wipe this proposal out of the Bill and to stop preying on the motorist. The hon. Gentleman is completely wrong in his assumption.

Let me turn to Mr. Holdsworth, who wrote to the Minister:

> "My 80-year-old mother who had an excellent driving record with no convictions in over 50 years of motoring now has three points on her licence for going over the limit on a main road at 11 o'clock at night nowhere near a school by 5 mph. Does that make her a criminal who should contribute to criminal convictions? After the stress on her of dealing with this fine (for example, having her in tears for several hours) I think that it is the Government that should be paying into a victims fund to contribute to the criminal extraction of money from her."

He happens to add:

> "After voting Labour all my life . . . I'm finally going to vote Conservative next time."

Hypothetically, if that lady did that again, she would be branded a persistent and serious offender by the Government.

Mr. Douglas Hogg (Sleaford and North Hykeham) (Con): I concede at once that I do not have the hinterland in this matter that my hon. Friend has. Would she be good enough to say where in the Bill we can find any statement on the level of the charge? She will also be aware that it will be raised by the negative procedure, which means that the House will never actually vote on the impost to be levied.

Mrs. Gillan: My right hon. and learned Friend is absolutely right. There is some doubt as to whether the charge will be £10, as referred to by the Home Secretary on Second Reading, or £5, as referred to by the Minister in Committee. I hope that the Minister will be able to clarify this, otherwise the House will have no knowledge of this matter and no say on it at this stage, which would be very serious.

The Home Secretary has referred to a consultation being carried out by the Department for Transport later in the year. We have had to wait a long time for that consultation to emerge. In fact, it emerged on 1 September this year, when the Transport Secretary announced that he was going to consult on a fairer system of penalties for motorists caught speeding. The implication of that is that the existing system is unfair and needs to be put right.

In that consultation, there is reference to a lower penalty of two points and a £40 fine. That is not applicable if someone exceeds the 20 mph speed limit but drives at under 31 mph, but it is applicable in relation to other speed limits. For example, someone who is caught driving at 39 mph in a 30 mph zone will attract a penalty of two points and a £40 fine. Someone travelling at between 40 and 44 mph in such a zone would get three points and a £60 fine, and if they were doing 45 mph, they would get six points and £100 fine. Ironically, they would get only two points if they were travelling at 72 mph in a 60 mph zone. That has to be looked at very carefully. It is obvious from the consultation that someone who had had four points put on their licence twice, at the lower end of the limit, could attract the surcharge—the stealth tax—that the Government are intent on putting on motorists. So I hope that the Minister will tell us that he was consulted before the matter was put out for consultation, that there has been joined-up thinking between the Home Office and the Department for Transport, and that there is no intention to lower the fines on speeding offenders to hide the surcharge, in order to pretend that the Government are not being so hard on the motorist.

[Mrs. Gillan]

In Committee, we tried hard to dissuade the Minister from pursuing this measure, but absolutely to no avail. My hon. Friends and other members of the Committee deployed some very good arguments, but at the time we did not have the advantage of seeing the papers that were sent in to the Department during the consultation. I did challenge the Minister in Committee to produce the results of the consultation, and he did so. They have been extremely enlightening and I thank him for them. If he will not listen to Members of the House on this proposal, will he first listen to the AA Motoring Trust?

Mr. Hogg: Will my hon. Friend also make the point that the Minister should only listen to relevant Members of the House? She will observe that this clause applies to England and Wales only. Would it not be inappropriate to listen to Members who represent Scottish constituencies?

Mrs. Gillan: My right hon. and learned Friend is tempting me down the road, and I will follow him down it.

Mr. Stephen Pound (Ealing, North) (Lab): Not at speed, I hope.

Mrs. Gillan: I will take it at my own steady pace, thank you very much, and I will not take it at speed, but I agree entirely with my right hon. and learned Friend. The Minister should only be consulting England and Wales Members, as they represent the people to whom the legislation will apply.

I return to the AA Motoring Trust. It wrote to the consultation co-ordinator of the performance and delivery unit at the Home Office—if that is not a contradiction in terms—to say:

> "However, there is one area which we would strongly oppose—the proposal to impose a £5 surcharge on the fixed penalty system for motoring offences. The AA Trust considers the proposal to impose this surcharge to be ill conceived and bordering on the inept."

I am not sure which part of

> "ill conceived and bordering on the inept"

the Minister would not understand. I think that the AA Motoring Trust, although I admit that it may be seen to have a vested interest, has made a very strong point.

Let us consider other consultees who do not necessarily have a vested interest. The Association of British Insurers wrote:

> "ABI does not support the use of a surcharge.
>
> Funding for improved support for victims of crime should be provided by the perpetrators of those crimes. More stringent and efficient collection of fines already imposed by the criminal justice system, along with the money collected from orders under the Proceeds of Crime Act 2002, could raise significant funding for improved victim support and compensation, without the need to impose a surcharge.
>
> Motorists already contribute to victims of crime by way of the Motor Insurers' Bureau (MIB). The MIB was set up by insurers in 1946 to compensate the victims of uninsured and 'hit and run' motorists. The increased policy costs to cover the provision of compensation to victims of uninsured drivers is estimated to be up to an additional £30 on each policy. Adding a surcharge to fines for offences such as speeding would be a further burden on those motorists who meet their statutory insurance obligations, representing a double charge".

Perhaps the Minister will say to me that the Association of British Insurers has a vested interest, but let us look at what the Devon and Cornwall police said to the Minister.

> "A surcharge on FPNs—

fixed penalty notices—

> "for excess speed offences will only serve to cause even greater alienation of the motoring public from the police. The present system under netting off has created unexpected levels of media interest and huge volumes of correspondence from the public."

So the Devon and Cornwall police are not exactly keen on the proposal of the Minister and the Home Secretary.

Another police force, the Greater Manchester police, also came up with some valid points. It said to the Minister:

> "The idea of using fixed penalty tickets to raise funds is severely flawed, especially where the use of the Road Traffic Act, GATSO and other camera detection methods are used".

4 pm

It continued:

> "At the moment only 60 per cent. of the tickets issued by these means are paid. The 40 per cent. of the tickets that are not paid, and the moneys that are not recovered from those tickets, are from vehicles that are not registered to anyone, stolen cars, cars on false number plates, cars that are used by the criminal element in society.
>
> The 60 per cent. that are paid are therefore paid by the more responsible and 'law-abiding' persons in society. This means therefore that the offenders in society will not be contributing to the fund, but it is another form of taxation on the motorist".

I remind you, Mr. Deputy Speaker, that those are the comments of the Greater Manchester police. It continued:

> "The popularity of these 'Speed Cameras and GATSO cameras' is low, and they are already seen as a money spinner for central government. To impose an extra £5 penalty to fund victims would not be a popular move. What happens to the funds that are raised from these cameras at present, and why cannot a proportion of the existing fine be diverted to the Victim Fund? This would provide funds without further alienating the motorist".

I could not have put it better myself. I hope that the Minister will answer Greater Manchester police and explain why a proportion of the existing fine cannot be diverted, if that is the way that he wants to go. As the Greater Manchester police says, it is mostly the law-abiding public and responsible members of society who will face that charge.

Mr. Llwyd: I agree with what the hon. Lady says. There is a strange kind of logic about penalising a repeat offender the second time for the same offence, and in this instance, an unthinking logic, if I may put it that way. The person who is convicted twice has six points, three times, nine points, and so on. Therefore, such a person will be under pressure, and should realise that they are getting nearer disqualification each time. I speak as one who has a point-laden licence, I confess, so I speak from some experience. Therefore, the extra £5 is not needed—it is, as Arthur Daley would say, a nice little earner and nothing else.

Mrs. Gillan: I thank the hon. Gentleman for his intervention. I agree entirely that there is a strange kind of logic to the proposal, and I commiserate with him.

There are two other responses to the consultation that the House should hear about and that the Minister should address. The first of those is from the Police Federation, which started off quite generously, as I think that the Minister will agree:

> "We wholeheartedly endorse the proposals to add a surcharge on those who have been convicted of criminal offences or those who receive a penalty notice, fine or imprisonment for disorder".

So far so good. It then said:

> "We cannot however support in any way surcharges on fixed penalty notices for Road Traffic Offences. We are aware of the research into other similar schemes in other countries across the world, and the apparent success of those schemes in raising revenue for victim assistance. However, we are firmly of the opinion that surcharges on fixed penalties for traffic offences would cause an unwelcome backlash from the general public that would considerably damage the relationship between the police service and the communities they serve".

There we have it. That is the Police Federation speaking on behalf of all the police throughout this country. It thinks that the Government's proposals to surcharge the motorist will damage the relationship between the police and the public. The Minister ought to take that seriously.

The last response to the consultation that I want to read out is from the Magistrates Association, which represents the people who sit on the bench, who are at the sharp end and who must deal with these offenders. It said:

> "A surcharge on fixed penalty notices for motoring offences would be seen by many motorists as a further hidden tax on motorists and added to the argument on the use of more speed cameras as tax collection. This would draw the courts into the argument with the real potential of a loss of credibility and liable to the charge of courts being used as tax collectors. This should be avoided".

Any reasonable person can see from all those submissions to the consultation that we should drop this part of the Bill. Therefore, I hope to be allowed to press amendment No. 11 to the vote at the appropriate time.

I turn to another aspect of the proposal, because I did not receive a satisfactory answer in Committee. I may be doing the Minister a disservice, but I have not come across the letter that fully explains to me how he will deal with the issue. I refer to the possibility that people being surcharged can exchange their fine and surcharge for work. I will not delay the House by hunting for the appropriate passage in the Committee proceedings, but he said that he was not sure how the proposals would work but that it would be possible to exchange the fine and the surcharge for work. It will be interesting to find out exactly what he has done in the meantime to clarify those proposals.

I also hope that the Minister will clarify the financial side to the operation. The figures that we were working on at Second Reading and in Committee were those for 2002, which seemed to be the latest date for which he had the information. He told us that 1.7 million fixed penalty notices were issued, but then said that the estimated administrative cost of collecting this stealth tax would be approximately £1.6 million. For every £5 that is surcharged, approximately £1 will go in administration costs. Only £4 will ever go into a victims fund.

We are seeing £1 disappear in bureaucracy but that is coupled with the fact that the collection of fines is now running at anything between 50 and 75 per cent. I acknowledge that there has been an improvement recently, but let us not get carried away. It could be a temporary blip; one swallow does not make a summer. As the figure was running at 50 per cent. before the drive to improve the collection rate of fines, we could, on the figure of 1.7 million, expect to obtain £8.5 million. If a quarter of those fines and surcharges are lost in non-payment and if we add in the administrative costs, £3.8 million will disappear straight away. That is not very good value for money, is it? I do not think it is good value for money, because if the Minister was expecting £8.5 million for the victims fund, he will find that he gets nowhere there that. However, he will create and build up an enormous bureaucracy and the enormous resentment and problems that were evidenced in those very honest submissions to the consultation.

The bottom line is that the criminals will be laughing all the way to the bank. Once again, they will get away without paying for their crimes but the inadvertent, middle-class motorist whom the hon. and learned Member for Redcar (Vera Baird) mentioned in Committee and who is a responsible member of society will end up bearing the cost. For all those reasons, I seriously ask the Minister to think again and remove this unpopular, unnecessary and costly attack on the motorist from the Bill.

Mr. Heath: This Government have a peculiar and almost unique genius for taking a good idea and making a complete pig's ear of it, and this is another instance of exactly that. When the proposal for a victims support fund was announced, the general view in the House and among the public was that it was a sensible idea to make the criminal pay something back to the victim of crime. I certainly welcomed it, as did members of other parties.

Most of us saw the measure as—I think I used this term in Committee—a crude form of restorative justice. It provided a degree of proper recompense. A person who had been properly convicted would pay the surcharge, and life would be made a little more bearable for victims of crime. So far so good; then the Home Secretary took it into his head to include in the category of criminals those convicted of motoring offences.

Some who are convicted of motoring offences are indeed criminals; they have committed a serious crime through the reckless or heedless operation of a motor vehicle. They are a menace to society and should be dealt with accordingly. But we all know, because we live in the real world, that many people do not fall into that category but find themselves in receipt of fixed-penalty tickets.

I confess, as I confessed earlier in an intervention on the hon. Member for Chesham and Amersham (Mrs. Gillan), that I was enormously relieved when I heard the Home Secretary say in terms on Second Reading that he had listened to representations by my party and others, and that a victims fund, properly constituted, would be paid for by the mugger and not the motorist. I believed him when he told us that he had taken the message on board, and would amend his proposals accordingly.

I was frankly astonished when, at a late stage in Committee, we were faced with a huge panoply of amendments, including the Government's proposal to define a serious and persistent offender as someone who at some stage has been caught twice by a speed camera.

[Mr. Heath]

If we continue to see such inflation of terms, we shall have to rewrite the entire language of jurisprudence. It is a nonsense, and the Minister knows it.

I am not one who takes lightly the problem of dangerous or speeding motorists. I always try hard to obey speed controls, and—unlike the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd), it appears—I have a clean licence at the moment, touch wood; I am very happy about that. I entirely understand the position of the hon. Members for Chesham and Amersham and for Beaconsfield (Mr. Grieve), but whatever their own views, I do not side with some of their colleagues who appear to think that every speed camera represents an imposition on civil liberties and an affront to the freedoms of the motorist. That is simply not the case.

Mrs. Gillan: I would never want to give the impression that there is not a perfectly proper role for speed cameras. Indeed, I have requested them on certain roads in my constituency. I abhor people who break the speed limit, and would not want to diminish the offence.

Mr. Heath: We are at one on that. I am merely saying that some members of the hon. Lady's party have given the impression that they are leading some sort of crusade against speed cameras. That is unfortunate and regrettable, and against the interests of road safety.

There is, however, a big difference between recognising the requirements of road safety and believing that it is fair to impose this measure on top of what is already a stringent penalty; it has still to be reviewed, we understand from the Department for Transport. At present the motorist incurs both a fine and an endorsement, which is often the greatest deterrent in terms of future misdemeanours because of the totting-up process that leads to the loss of a licence. However, if we want a way to define a serious and persistent offender in motoring terms, we have one: the points process and disqualification. I would have no difficulty with those who were disqualified or convicted of a serious driving offence—using the term "serious" in its proper sense—being brought into that definition. If they have committed the same offence several times, clearly they are persistent offenders.

4.15 pm

Chris Bryant: The hon. Gentleman seems to be allowing himself a little wriggle room. What counts as "persistent"? Two, three or several offences? At what point does he set the limit?

Mr. Heath: There is no wriggle room at all. I have made it perfectly clear that disqualification is the definition.

Chris Bryant: So three counts as persistent?

Mr. Heath: Well, there is a different points tariff, as the hon. Gentleman may understand, for certain motoring offences, so three would not necessarily be the figure. Disqualification suggests that the person in question is a serious or persistent offender in road traffic law terms, so we have a definition. So where is the problem? Why does the definition have to be set at the level of the second offence? The answer, the Minister hopes, is that enormous revenue will result. The hon. Member for Chesham and Amersham has already pointed out some of the difficulties attached even to that proposition, but that is undoubtedly the motivating force.

The Minister wants a victims support fund sufficient to make a real difference, and the best way to do that is to tax the motorist to provide it. He told us in Committee that, in 2002, 1,505,504 endorsable speeding offences were committed, so we are dealing with a significant part of the population. They are being treated as though they were criminals who should contribute to a fund for the victims of crime. That is wrong in principle, and I am particularly aggrieved by what I think was a blatant deceit—if that is a parliamentary term—on the Home Secretary's part.

Chris Bryant: It does not sound very parliamentary.

Mr. Heath: If it is not parliamentary, I of course withdraw—

Mr. Deputy Speaker: Order. The hon. Gentleman should withdraw the rather direct accusation that he made. If he wishes to suggest that there was a discrepancy, it should be done in another way.

Mr. Heath: Absolutely, Mr. Deputy Speaker; immediately before you stood up, I did indicate that I should be very happy to withdraw that remark. But I must say that the Home Secretary is clearly not a man from whom I should like to buy a used car. I am very concerned; on comparing carefully the impression that he gave to the House and the reality of what is proposed in the Bill, I find very little correlation between the two.

I hope that the House will look very carefully at my amendment No. 11, and I am grateful to the hon. Member for Chesham and Amersham and her colleagues for putting their names to it. They have said that they would prefer to divide on it and so would I; not because it is my amendment, but simply because it deals with the specific issue of the second offence, rather than the generality of traffic offences. If we do not take a stand on this, the result will be not only an injustice to very many motorists, but—more importantly, from my point of view—the undoing of all the good work that the Government have done in recent months in arguing for the useful function performed by speed cameras, traffic restrictions and traffic-calming measures. Their provision will cement in the public mind the view that all that is simply a front for what is a revenue-raising measure.

The point that the hon. Member for Chesham and Amersham made in quoting Devon and Cornwall police will be echoed by police forces throughout the country. They have a difficult enough job as it is enforcing traffic law without it being made more difficult by the Minister's applying an arbitrary surcharge on their endeavours. That is wrong, and I hope that this House will reject it. If not, I hope that the other House will.

Mr. Hogg: I want to support the arguments that were advanced very clearly by my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) and, indeed, by the hon. Member for Somerton and Frome (Mr. Heath). In doing so, I want to make three points. First, as regards the principle, I find it difficult to justify the proposition that a victims fund should be funded in part by people whose criminal culpability is at the very low end of the spectrum. It seems to me that if we were to fund a victims fund by raising money from criminals, there should be some relationship between the quality of the criminal act relied upon and the nature of the injury suffered by the victim. With speeding offences that do not result in personal injury, there is no such relationship of any kind. Drivers who are disqualified under the totting-up procedure may not themselves be guilty of criminal offences of any high degree of gravity. I find it very difficult to justify in principle why individuals whose criminal culpability is, or may be, at a very low level should be required to contribute to the victims fund in the way that we are debating now. It is an objection on principle.

My hon. Friend the Member for Chesham and Amersham made some points about repeated offences and other matters with which I entirely agree. I associate myself with what she said, but my fundamental objection is on principle: there is no relationship between the quality of the offence and the injury in respect of which the fund is intended to address.

Chris Bryant: I think the point that the right hon. and learned Gentleman is making—he will correct me if I have misunderstood him—is that if someone is speeding and hits someone else, thereby causing personal injury, it is a grave crime; whereas if someone is speeding and does not hit anyone else, it is nowhere near as grave.

Mr. Heath: That is what the law says.

Chris Bryant: Indeed, but the point is that we have to reduce everyone's speeding. Otherwise, when people are hit, it will cause further damage to individuals.

Mr. Hogg: I think that one has to go back to first principles and ask oneself in respect of people who have committed a criminal offence, what is the nature and level of culpability? That, of course, clearly goes to the nature of the penalty. If we are in the process of doing something different, such as requiring a person judged to be a criminal to compensate someone who has suffered an injury as a result of an alleged crime, there has to be some relationship—not a direct one, but some relationship—between the quality of the act adjudged to be criminal and the quality of the injury in respect of which compensation is to be paid.

We all know that those who drive too fast may do so to only a small extent. The idea that they are somehow obliged to make a contribution to a fund to compensate someone who has been the victim of a serious mugging is, I find, impossible to justify. There is no sort of relationship that applies in those circumstances. It will be perceived to be inequitable and wrong. The hon. Member for Rhondda (Chris Bryant) may not agree with me, but at least he knows where I am coming from.

I have a range of other objections, which I shall make fairly briefly; partly because I have been heard on these particular hobby-horses before. Nevertheless, I will get on a number of those hobby-horses again. The first pertains to the negative procedure. My hon. Friend the Member for Chesham and Amersham has characterised the surcharge as a tax. She makes rather a good point, as it is close to a tax: if it is to be levied at all, it will be levied under the negative procedure.

Let us be plain about what the negative procedure means. It means that a tax will be levied, if it is levied, without the House voting on it. This House will not be called on to vote for it. The House will remember the old dictum of no taxation without representation; lo and behold, that is precisely what the clause proposes. If we go down the road of imposing a tax, surely it should be by way of the affirmative procedure. I very much dislike the affirmative procedure because, as the House knows, affirmative orders cannot be amended, but at least they require the consent of both Houses. Here we are talking about an order that will impose a tax but will never be voted on.

We are entitled to ask what tax will be levied. I can find nothing in the Bill that makes it plain what sum will be the subject of the surcharge. The Bill gives the Secretary of State powers, which are not properly constrained, to impose a tax without representation.

A further defect is that the Bill does not oblige the Secretary of State to impose a surcharge, but merely empowers him to do so if he chooses. If the House thinks that a surcharge should be imposed, we should make the duty mandatory and not merely permissive. I see no merit in creating a permissive power in circumstances of this kind.

Mrs. Gillan: Does my right hon. and learned Friend agree that there is no incentive for the Government to improve their success in collecting fines or fixed penalty notices? If the form of taxation that is the proposed surcharge does not yield the amount of money expected for the victims fund, the Bill contains no brake on the Secretary of State increasing it proportionately. There is no safeguard to ensure that motorists will not find that they have to pay £50 on top of the fine in, say, two years' time.

Mr. Hogg: That may well be right. What is more, as I said earlier, the amount will be raised without parliamentary authority, as there will be no vote on the matter.

The last of my specific points is another of my hobby-horses; I hope, Mr. Deputy Speaker, that you will forgive me when I note that the clause applies only to England and Wales and not to Northern Ireland or Scotland. I hasten to say that I do not object to that, but I do object to the fact that the clause could be voted on tonight—as could the negative orders, if they were brought before the House—by hon. Members who do not represent constituencies in England and Wales. A very bizarre proposition follows from that. It is that imposts that, in essence, are taxation will be voted on by Members of Parliament who do not represent the areas subject to that taxation. That strikes me as very offensive, as it amounts to taxation without accountability.

I know, Mr. Deputy Speaker, that you want me to be brief and that you have heard me speak about these matters many times. I am against the proposals in the

[Mr. Hogg]

Bill, for the reasons that I have advanced. I think that the proposal is wrong in principle, and I do not like the use of the negative procedure. I am very much against imposing taxes without representation, and I think that it is quite wrong for hon. Members who do not represent constituencies in England and Wales to have any part in this business.

Mr. Christopher Chope (Christchurch) (Con): I congratulate my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) on introducing this amendment, and on highlighting the duplicitous and underhand way in which the Government introduced this measure. It is another stealth tax on motorists, and the timing of its introduction is extraordinary. Last week, a Minister said that a Bill on road safety would appear in the Queen's Speech. That would be the appropriate vehicle for legislation on this matter, if indeed legislation were needed.

As my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) said, the proposal purports to raise money for a victims fund, but most speeding offences are, fortunately, victimless. We penalise speeding because of the potential danger that it poses to others, so penalties are imposed for reasons of deterrence. However, fixed penalty notices are imposed only when the excess speeds involved are modest rather than severe. If a motorist is detected driving at very great speeds, he does not have the option of going for the fixed penalty notice, as the prosecuting authorities will require the matter to be referred to the magistrates court. As a result, the Bill surcharges fixed penalty notices even though, by definition, they apply to the lesser offences in any particular category.

Speed cameras are also used to raise revenue, and that is one reason why they have fallen into disrepute. The best way to help victims of speeding drivers is through education. That is why Conservative Members argue that the so-called camera safety partnership funds into which the fixed penalties for speeding offences are paid should be available for use in road safety education, generally, and driver improvement programmes in particular. Surely if the Government are serious about helping the victims of speeding motorists, the first thing that they could do, without having to amend the Bill or introduce such a proposal, is allow the funds to which I refer to be allocated for road safety education and driver improvement programmes.

4.30 pm

Sadly, the more the Government impose stealth taxes on motorists and penalise them to a greater extent than is reasonable for minor infringements, the more the burden of fatalities on the roads increases. In the past five years, the number of fatalities on our roads has increased under the Government. A Government who were more contrite would wonder why and say, "Perhaps we got the psychology of penalising motorists with fixed penalty notices wrong, and this is just compounding the felony."

Paul Goggins: I shall remind hon. Members what my right hon. Friend the Home Secretary said on Second Reading. I reminded hon. Members of this in Committee, and I do so again today in view of the comments that have been made. He said:

> "Following the consultation, we accept that it would be wrong for low-level first-time offences to be subject to a surcharge."—[*Official Report*, 14 June 2004; Vol. 422, c. 540.]

He listened to the consultation and was quite clear about that. Under the Bill, therefore, any offender who commits a road traffic offence for the first time and receives penalty points on their licence will not have to pay the surcharge.

Mrs. Gillan: The Minister is quite right—I quoted the record in exactly the same way—but that is where the Home Secretary sought to pull the wool over our eyes. In no response to the consultation was it assumed that first-time offenders would be involved. It was always assumed that more than one offence would be needed; it was never assumed that the number would be as few as two. That was how the Home Secretary managed to pull the wool over all our eyes.

Paul Goggins: The hon. Lady talks about assumptions, and she previously gave us a number of quotes, which I shall come to shortly, in relation to the consultation.

Only when someone commits a second endorsable road traffic offence within three years will they become liable to pay the surcharge, and the regulations will make it clear that the further road traffic offence must be endorsable. Let us be clear what we mean when we talk about endorsable motoring offences. We are not talking about people who have a brake light out, people who park on the hard shoulder or those who do not have a working car horn. Those offences are not endorsable.

We are talking about people who, for example, travel at 50 mph in a 30 mph zone; people who go through red traffic lights, endangering people's lives; and people who overtake on pedestrian crossings. Those are endorsable offences, and they are very serious matters indeed. That is why introducing the surcharge after the second endorsable offence is a fair method. Drivers will receive a warning. If they offend again, they will be required to pay the surcharge. Whatever the outcome of the Department for Transport's review of penalty points, it will be clear that the second endorsable offence, not the value of the penalty points, will attract the surcharge. The number of occasions on which an offence is committed will be considered.

Amendment No. 65 would completely remove those who commit serious and persistent road traffic offences from liability for the surcharge. Under amendment No. 11, the surcharge could be applied only to someone who had been disqualified from driving. Both those amendments would smash into the provisions as currently drafted.

Sometimes in debates in the House and in conversations outside it is suggested that, somehow, people who commit an endorsable motoring offence are not really offenders. They are offenders, and many people commit such serious offences. The hon. Member for Chesham and Amersham (Mrs. Gillan) cited several responses to the consultation and I read a comment in this morning's newspapers by a spokesman for the motoring lobby describing speeding as a "victimless crime". In some senses, the hon. Member for Christchurch (Mr. Chope) echoed that sentiment. How can it be argued that a speeding motorist commits a victimless crime? Speeding contributes to 36,000 serious injuries a year, and people who speed cause 3,400 fatalities on our roads every year. Some 85 per cent. of people who are hit by motor vehicles travelling at 40 mph are killed. The impact on a pedestrian is a third greater if the speed of a vehicle increases from 30 to 35 mph. These are serious matters.

Mr. Llwyd: Will the Minister explain what the Home Secretary meant when he said on Second Reading that he would consider introducing

"a levy of £10 on fixed penalty notices for serious repeat offenders, as opposed to general fixed penalty notices"?

That does not seem to be what the Minister is saying. The Home Secretary went on to say:

"We will link the levy to the higher number of points added to people's licences, so the system will be fair to everybody."—[*Official Report*, 14 June 2004; Vol. 422, c. 540.]

The Minister will correct me if I am wrong, but I did not think that higher points were applied to fixed penalty notices by definition—that is complete nonsense.

Paul Goggins: The important part of my right hon. Friend's comments is the word "repeat". He was rightly making the point that the scheme would apply if a person committed an endorsable offence a further time. The provision sends the important message that we want to reduce the incidence of speeding and road traffic offences, and the impact that such offences have on victims.

Mrs. Gillan: I am beginning to get really worried. I understood that the surcharge would go into a victims fund to be spent on victims generally. The Minister now says that the surcharge is supposed to hit motorists hard to stop them speeding. He cannot have it both ways. Is the surcharge a revenue-raising measure for the victims fund, or another attack on motorists using a heavy-handed tool to try to bring them in line?

Paul Goggins: It is possible to achieve both things. The surcharge will help victims, and if motorists pay attention to the message that goes out and fewer of them are caught speeding, there will be fewer victims of speeding. The hon. Lady suggests that there is a contradiction, but both benefits are possible, so that is not the case. If the accusation is that we are surcharging offenders to provide additional support to victims, I am happy to plead guilty. It is important for people who commit such serious offences to support victims in the way we suggest.

We are responding to organisations such as Greater Manchester police, who do a good job policing my constituency and many others. I do not think that the scheme will be a nice little earner, as it has been described today. The money raised will go to the victims fund. That will be welcomed by the victims of not only motoring offences but sexual offences and domestic violence, about whom we talked earlier.

The Bill allows us to convert fines and surcharges into work; the enabling powers are included in the Courts Act 2003, although they are still being piloting. We intend to convert fines to work only if there is absolutely no other way of extracting the money from an offender.

The hon. Member for Chesham and Amersham was right to cite £1.6 million as the cost of administering the fund, but that will be the cost of administering the whole fund, not just the bit relating to motoring offences, so the money will pay for a larger administrative task than she might have thought. Of course we will bear down on the cost of administration when we can, but we think that the administrative costs are worth bearing in pursuit of our objective.

I do not think that I will persuade the right hon. and learned Member for Sleaford and North Hykeham to change his mind. Some parts of the Bill apply to England and Wales and others apply to Northern Ireland. There are varying powers in various parts of the Bill. On the negative procedure, the powers in section 53 of the Road Traffic Offenders Act 1988 are not used in secret, even if they are employed by negative resolution. There is a responsibility under section 88 of the 1988 Act to consult representative organisations when secondary legislation is made. That consultation will take place.

There has been considerable debate about how we define the word "persistent" and what we mean by the word "repeat". Frankly, twice is once too many. The issue is deeply serious. If someone who travels at 50 mph in a 30 mph zone twice in three years or who goes through a red light and then overtakes on a pedestrian crossing twice in three years merely faces a modest surcharge on their fixed penalty notice, and not the consequences that could have arisen had they knocked down a child or severely injured someone, that is a price worth paying.

Mr. Grieve: The Minister knows that if the police consider that the facts surrounding a speeding offence are such that the person should be brought before the court rather than receive a fixed penalty notice, they have the power to do that. By the very action of issuing and agreeing to a fixed penalty notice, the police signify that they consider the offence to be at the bottom end of seriousness; otherwise, the fixed penalty notice would not operate.

Paul Goggins: The hon. Gentleman knows the arguments on fixed penalty notices. Part of the reason for them is to deliver fast and efficient justice, but of course people can be prosecuted and taken to court if the circumstances demand it.

Mr. Tim Boswell (Daventry) (Con): Will the Minister consider the situation, which is not untypical, although I cannot claim to have been involved in it myself, of someone who commits two offences or is given two tickets on the same day and on the same stretch of road because he has triggered a camera twice, as opposed to the scenario that he describes? How can that be called a persistent offence?

Paul Goggins: Because he has done it twice. We have discussed whether persistent means twice or more often, but twice is once too often, whether it is on the same day or over a period of three years. If all someone has at the end of committing those serious offences is a small

[Paul Goggins]

surcharge, and not the consequence of knocking down and killing a child, he has got off lightly. Having said that, I ask for the amendment to be withdrawn.

Mrs. Gillan: I feel a bit sorry for the Minister because he put up a bit of a fight, but his position is indefensible, and he knows it. The hon. Member for Somerton and Frome (Mr. Heath) was right in what he said in support of the amendments and I invite him to join us in the Lobby—or perhaps he will invite us to join him in the Lobby if I withdraw amendment No. 65 and allow amendment No. 11 to stand as our test.

My right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) made his usual valuable contribution to the passage of legislation. Frankly, the Minister is trying to get at the lower end of the scale because that is where the volume and numbers are and where the money can be raked in. The points about no relationship between the quality of the offence and the fund were valid.

The Minister ignored our concerns about the negative resolution. The proposal imposes taxation without limit and representation.

There is no safeguard on the level at which the Government could set the fine. The Minister failed to address my point that the Home Secretary said that the surcharge would be £10, whereas he himself said that it would be £5. There is already confusion about the proposal before we have even reached square one.

4.45 pm

A Government who ignore the views of the Police Federation, the Magistrates Association, various police forces and motorists' organisations should think twice. Speeding fines are widely viewed as stealth taxes and are not always a means of improving road safety. Indeed, the revenue generated from motorists is not put towards road safety. Very little of the income generated by fines for motoring offences or duties on vehicle excise, fuel and insurance is spent on road safety or even on the general upkeep of roads. The motorist is therefore already getting poor value for money from the Government, even before this new stealth tax is introduced. The majority of people who will pay into the victims fund are otherwise law-abiding individuals. With the possible exception of the driver who went down the road and triggered a camera twice, they are tax and insurance-paying motorists. They have been caught in the headlights of the Minister and the Home Secretary, who think that they have a captive audience. Ministers are leading the fatted lamb to the slaughter, and once again they believe that the motorist can pay for other people's crimes. The criminals are laughing, but the motorists have been caught, so I urge my hon. Friends and other Members to join us in the Lobby and vote against this preposterous measure.

Mr. Deputy Speaker: Order. I think that the hon. Lady intends to withdraw amendment No. 65.

Mrs. Gillan: Thank you, Mr. Deputy Speaker. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment proposed: No. 11, in page 10, line 29, leave out from 'driving' to end of line 31.—*[Mr. Heath.]*

Question put, That the amendment be made:—

The House divided: Ayes 175, Noes 290.

Division No. 288] **[4:47 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baron, John *(Billericay)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, Sir John
Cable, Dr. Vincent
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, rh Sir Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lamb, Norman
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Mates, Michael
May, rh Mrs Theresa
Mercer, Patrick
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Page, Richard
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*

Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Hugo Swire and
Sir Robert Smith

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Bennett, Andrew
Berry, Roger
Best, Harold
Blackman, Liz
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Bryant, Chris
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cairns, David
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Connarty, Michael
Corston, rh Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul *(Newport W)*
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hinchliffe, David
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Sir Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCafferty, Chris
McDonagh, Siobhain
McDonnell, John
MacDougall, John
McFall, rh John
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil

Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr. Alan
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek

Tellers for the Noes:
Derek Twigg and
Paul Clark

Question accordingly negatived.

Clause 17

APPLICATION BY PROSECUTION FOR CERTAIN COUNTS TO BE TRIED WITHOUT A JURY

Mr. Heath: I beg to move amendment No. 8, in page 11, line 32 leave out subsection (9).

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Government amendment No. 33.

Amendment No. 9, in page 11, line 34 leave out 'and' and insert—

> '(b) evidence in respect of each count is admissible at the trial of the sample count, and'.

Mr. Heath: We now move on to trial by jury of sample counts. The debate in Committee was slightly confused—I rarely accuse the Solicitor-General of being confused, but some of her responses to my points were confused—and the confusion lay in the difference between the conditions in clause 17. A court would apply those conditions to determine whether it is appropriate to deal with sample counts, and some of us feel that the definition in subsection (9) is incomplete.

In Committee, the Solicitor-General was at pains to tell me that it is important that all the conditions are fulfilled, and I agree with that point. Subsection (2) identifies that the conditions must be fulfilled. Subsection (3) states:

> "The first condition is that the number of counts included in the indictment is likely to mean that a trial by jury involving all of those counts would be impracticable."

Subsection (4) states:

> "The second condition is that, if an order under subsection (2) were made, each count or group of counts which would accordingly be tried with a jury can be regarded as a sample of counts which could accordingly be tried without a jury."

Subsection (5) states:

> "The third condition is that it is in the interests of justice for an order under subsection (2) to be made."

Those conditions are perfectly proper.

Subsection (9) contains an almost redundant definition of what might be a sample count under clause 17. If we treat it as a definition, the missing ingredient is a provision on cross-admissibility. Such a provision was inserted in another place and removed by the Government in Committee, and I seek to reinsert it through amendment No. 9, which I intend to press to a Division at this debate's conclusion if the Government do not accept it.

Amendment No. 8 would delete subsection (9). To some extent, it is a facetious amendment because I do not necessarily want to do without definition. However, it is better to have no definition than incomplete definition. If we are interested in making proper law, the definition should be complete. In Committee, the Solicitor-General said that a judge would understand what it meant. Perhaps that is the case, but why do not we write it in bold in the Bill so that everybody understands it and there is no room for misunderstanding? If we are to have a definition, let it be complete; if it is not complete, let us do without it.

A more satisfactory answer was provided in another place through an amendment supported by Liberal Democrat and Conservative peers. I note that the hon. Member for Beaconsfield (Mr. Grieve) and his colleagues have been happy to add their names to amendment No. 9. It simply states what we expect of cross-admissibility. It would insert a new paragraph (b), which states that

> "evidence in respect of each count is admissible at the trial of the sample count".

The point is important and cannot simply be ignored. It would be helpful if the Solicitor-General accepted that even at this late stage. If she does not, I suspect that we will debate the matter again in the future. I do not especially want to press for the removal of subsection (9), although I shall consider that option in the light of the Government's response. It would be far better to have a complete definition.

Mr. Grieve: The hon. Member for Somerton and Frome (Mr. Heath) knows from our debates in Committee that the official Opposition's view was that, although the Government had the justification for introducing clause 17 of trying to simplify the trial process in cases of a multitude of identical counts by enabling some to be tried as sample counts and the others either to be taken into consideration, or, if the defendant refused, to be tried without a jury, we were worried when we read how far the definition of "sample" could be extended. The Government's introduction of subsection (9) highlights the fact that, although in my experience as a practitioner, the use of the term "sample count" is common at the Bar, it has not been subject to legal definition. Subsection (9) tries to provide that definition.

The definition begins with the bizarre statement that

"the defendant in respect of each count is the same person".

I should hope so, otherwise we would be in a strange world. It continues by saying that a count is to be regarded as a sample if

"the judge considers that the sample count is a sample of the other counts."

I have great faith in our judiciary but not to the extent that Parliament should avoid providing it with guidance if we have a clear view of what constitutes a sample count.

Let me give an example of a sample count. A defendant steals a credit card and uses it 50 times. Each time, he obtains property by deception. Instead of charging him with 50 offences—that would lead to a long, complicated and rather ponderous trial—he would be charged with one count for the first time he used the card to obtain property, another count for the last time and perhaps two or three other counts to cover the period when the offences were taking place. I am content with the notion that, if, at the end of the trial on those counts, the defendant did not accept having the others taken into consideration, it would be proper to say that there had been a trial of the sample and the judge could deal with the others. I fear, however, that under subsection (9) as it is currently drafted, it would be possible for the scope of a sample count to be considerably widened.

This matter was considered in great detail in the other place, and an amendment to the Bill was passed—I think that it was a very good one—to ensure that in any case involving sample counts, the defining element linking them all together would be that

"evidence in respect of each count is admissible at the trial of the sample count".

That principle is well known in our legal system, and it seems completely to address the vagueness that might otherwise result from subsection (9).

I join the hon. Member for Somerton and Frome in saying—and I am sorry to have to say it—that no adequate explanation was provided in Committee as to why amendment No. 9, on which I hope that we shall be able to vote, would somehow wreck this part of the Bill. I was mystified by the fact that the only argument being put forward was that we did not need proposed new paragraph (b), as shown in amendment No. 9, because a judge would be able to deal with the matter quite satisfactorily.However, the Solicitor-General cannot have it both ways.

Mr. Hogg: Might I suggest a reason why this proposal might create a difficulty? If the evidence is mutually admissible, the fact of a conviction in the trial before a jury would be admissible in evidence in the trial without a jury. As we all know, once someone has a previous conviction, their chances of getting an acquittal are greatly diminished.

Mr. Grieve: My right hon. and learned Friend makes a good point, although it is also right to point out that from December, the operation of the new rules under the Criminal Justice Act 2003 will completely change the position in respect of the admissibility of previous convictions. It is certainly envisaged that, in this scheme of things, the same judge who tried the previous matter with a jury would subsequently try the other counts—if they were not accepted—without a jury.

At this stage of the Bill's passage, we can only do our best to rectify its worst mischiefs. In amendment No. 9, we are seeking to ensure that a sample count involves what the majority of legal practitioners would understand a sample count to be. For that reason, we support the intention to put the amendment to the vote. In the meantime, I shall be interested to hear from the Minister an explanation as to why it would do so much damage to the main thrust of clause 17.

Mr. Hogg: Before we hear the answers from the Minister or the Solicitor-General, might I rise briefly to make my points? Personally, I would prefer the removal of the definition for the perverse reason that it would make it less likely that a judge would exercise the powers provided by clause 17, because I am deeply disturbed by those powers. I do not see the justification for them. I am keeping firmly to order in this matter, Mr. Deputy Speaker. To start off with, if a judge had this power—even if it were modified by subsection (9) as amended—there would be a tendency for them to overload the indictment. If lots of counts can be put into the indictment, they will be, and that is bad news.

Secondly, and quite differently, the courts already have the power to deal with the matter on the sentence. The prosecution will simply say to the trial judge, "My Lord, you know that this is a sample count in respect of which a conviction has taken place." In all probability, the trial judge will have the power to impose an appropriate sentence. I therefore find it difficult to see why we should have the powers set out in clause 17 at all. If we removed the definition in subsection (9), as proposed in the amendment, the trial judge would be less likely to invoke the clause 17 powers.My first argument, therefore, is to ask whether the clause 17 powers are desirable. If the answer to that is no, I shall be in favour of removing the definition, because that would be one way of making it less likely that a judge would use those powers.

5.15 pm

The Solicitor-General (Ms Harriet Harman): I will be asking the House to support Government amendment No. 33 and to resist amendments Nos. 8 and 9. Perhaps it will assist the House if I briefly explain what these clauses are designed to do. Their purpose is to establish a two-stage procedure to provide in statute for the replacement of the sample count procedure that was formerly used in cases where an alleged offence has been repeated many times against a series of victims. Because there is a limit to the number of counts that can be reasonably included in a single indictment, the practice used to be for a defendant to be indicted for a number of sample counts, and then, if he was convicted on the sample count, to be sentenced on the basis of all the offences. However, this practice was disapproved by the Court of Appeal in a case called Kidd in 1998, on the grounds that it involved sentencing an offender for offences to which he had not pleaded guilty, of which he

[Ms Harriet Harman]

had not been convicted, and which he had not agreed to be taken into consideration. So we had a long-standing sample count procedure, with which everyone will be familiar, and that was disallowed in 1998 in the Kidd case.

The court's decision in Kidd was no doubt correct, but the result is that in cases of multiple offences, it is no longer possible for the court to take account of more than a fraction of the defendant's offending when sentencing him, even if he is convicted of all the counts on the indictment. For example, where the offending consists of a scam in which hundreds of victims are cheated of small sums of money, the proceeds of the offences represented by the counts on the indictment could only amount to a tiny fraction of the total sum that was defrauded.

The result is a threefold problem. First, the sentence will not necessarily be able to reflect the totality of the offending. Secondly—this is important as well—most victims will be denied the satisfaction of knowing that the defendant has been dealt with for the offence committed against them. Thirdly, where there has been no conviction, the court has no power to award compensation, so that victims may miss out on compensation where their case was one of the offences that could not be accommodated on the indictment. So yes, there is the sentencing point, but there are two further points as well.

Even where the individual offences are more serious, such as indecent assaults, and the court is able to impose an adequate sentence simply on the basis of the limited counts on the indictment, it will still appear to the victim that the accused has been dealt with for only part of his offending. So convicting multiple offenders of all their offences is important. The objective of the present clauses is to provide the courts with a replacement for the sample count arrangements that would have been used before Kidd ruled them out.

Mr. Hogg: Will the Solicitor-General address in due course—not necessarily immediately—the point raised by my hon. Friend the Member for Beaconsfield (Mr. Grieve) about the mode of trial? Is he right to say that it is intended that the trial judge in the first trial, who has heard all the evidence and knows the facts of the conviction, should then be the presiding judge in the second trial, held without a jury, because in that case you will have a single judge, without a jury, who already knows of all the facts of the previous convictions?

The Solicitor-General: Well, if that is the case—and it is most likely to be the case—that makes it more like the procedure that used to obtain before Kidd, with which the hon. Member for Beaconsfield (Mr. Grieve) is no doubt wholly familiar and to which he no doubt had no objections. The House needs to understand and accept that this is a tightening of safeguards compared with the pre-Kidd situation, not a loosening of them. The objective of the current clauses is to provide the courts with a replacement for the sample count arrangements that they would have used before Kidd ruled them out. We do not wish to go further than that, nor do we believe that we have done so.

These clauses introduce a new procedure and provide safeguards. I want to take the House through those 10 safeguards.

First, when the new procedure is used, only when the defendant has been convicted by the jury of the sample counts can the judge proceed to consider whether the defendant is guilty of offences not before the jury. Therefore, if the defendant is acquitted: end of story. There is no opportunity in the procedure for the jury to acquit and for the judge then to come along and convict on the sample counts. That is an important first safeguard and the effect of clause 19(1).

Secondly, the judge must be satisfied that the counts that the jury would try can be regarded as a sample of the counts that would be tried by him in the second stage, which is the effect of clause 17(4). I guess that that is the nearest that we come to a definition, which is that the judge must be satisfied that those are indeed sample counts.

Mr. Grieve: Government amendment No. 33 appears to remove the requirement in subsection (9) that the judge should consider that the sample count is a sample of the other counts. Therefore, I hope that when the Solicitor-General comes to deal with that, she will explain where the requirement lies that the judge should consider it as a sample.

The Solicitor-General: The requirement lies in clause 17(4), which I have just dealt with.

The third safeguard is that the judge must be satisfied that it would be impractical for a jury to try all the counts. That is in clause 17(3). The first impulse must therefore be jury trial. But that is still not enough—there is a further safeguard, which is the fourth one.

Mr. Heath: I appreciate that there are six more safeguards to go, but I am going to take the Solicitor-General back one. I want to be absolutely clear on the point raised by the hon. Member for Beaconsfield (Mr. Grieve) about Government amendment No. 33 removing the condition in clause 17(9)(b) that the judge considers that the sample count is a sample of the other counts. What is the subtle distinction that I have missed between the judge considering that each count or group of counts

"can be regarded as a sample of counts",

under clause 17(4), and

"is a sample of the other counts",

under clause 17(9)(b), which is now to be removed?

The Solicitor-General: The point is that clause 17(9)(b) was simply repetitive and added nothing to clause 17(4), which is the second condition, as described in the Bill, which says that it must be regarded as a sample of counts.

The fourth safeguard is that the judge, having decided that the first impulse—jury trial of all the issues—would be impractical for some issues, would have to be satisfied that there are not other steps that could be taken to facilitate a trial by jury. That is the effect of clause 17(6).

The fifth safeguard is that the judge must be satisfied that it is in the interests of justice for the two-stage procedure to be used. That is under clause 17(5).

The sixth safeguard is that the defendant tried by the judge on the sample and remaining counts must be the same person. That is the effect both of clause 17(9) and of our proposed amendment to it. We ask the House to reject amendment No. 8 and to support Government amendment No. 33.

Mr. Jonathan Sayeed (Mid-Bedfordshire) (Con): If, in the view of the defence, the judge has misdirected himself, what steps can the defence take to suggest that it should be a jury rather than a non-jury trial?

The Solicitor-General: That relates to the seventh and eighth safeguards if I remember the correct order. I shall come to them and the process by which challenges can be made.

I was dealing with the sixth safeguard, which is that it must be the same defendant on the sample of the remaining counts to be tried by the judge. That is the effect of clause 17(9) and our proposed amendment to it. Our amendment removes the circular definition that was criticised in Committee and simply provides that a sample count is not to be regarded as a sample of other counts unless the defendant in respect of each count is the same person.

Seventhly, there is also the safeguard laid out in rule 9 of the indictment rules, which will apply. All the offences must be founded on the same facts or form part of a series of offences of the same or similar character.

The next safeguard addresses the point raised by the hon. Member for Mid-Bedfordshire (Mr. Sayeed). The defence will have the opportunity to make representations against the use of the procedure if they want to challenge it. That is provided for in clause 18(4).

Mr. Grieve: I do not draw reassurance from the suggestion that rule 9 of the indictment rules is sufficient in such a case. Is it not a fact that if that were the only safeguard, it would be possible to have one of a series of counts of completely separate incidents of burglary that took place within a short time going to jury trial with the others determined afterwards? That is not what I originally understood the Home Secretary to say when he put forward the proposal for introducing the mechanism of clause 17 when he made his announcement at the end of proceedings on the Criminal Justice Act 2003.

The Solicitor-General: I agree with the hon. Gentleman. It would not be satisfactory if the only protection were rule 9 of the indictment rules. It is not the only protection; it is an additional protection. There are nine others. I ask him and the House to consider them altogether.

Mr. Grieve: I am sorry to intervene again, but I come back to the definition of "a sample count". I would be interested to hear whether the Solicitor-General can give the House the definition as she understands it. Obviously it may just have its ordinary dictionary definition but if that is the only definition that we have, insufficient safeguards are available to ensure that it is not simply used to avoid jury trial on quite separate offences.

The Solicitor-General: I think that there are sufficient safeguards and the Law Commission is satisfied that, with these 10 conditions and safeguards, the situation will be fair. The hon. Gentleman keeps rising to his feet and saying, "But this is not fair", but I have not even got to the end of my list. We are using both belt and braces, with many safeguards in place. I imagine that most members of the judiciary think that they are entirely unnecessary on account of the fact that the judiciary would probably argue that it knows what is and is not a sample. The defence can challenge the decision and appeal if necessary. However, we are not leaving it at that. We are putting in place all the safeguards.

As I say, the defence will have the opportunity to make representations and if it does not accept the judge's ruling, it will be able to appeal against his decision to use the procedure. That is the effect of clause 18(5). Not only will the defence have the opportunity to make representations, but it will be able to appeal and article 6 of the European convention, which is the tenth safeguard, will apply to guarantee a fair trial.

On the basis of the safeguards, the Law Commission is happy. I ask the House to reject the amendments Nos. 8 and 9, but to support Government amendment No. 33.

5.30 pm

Mr. Heath: The Solicitor-General's remarks have underlined the tortuousness of the process. She has made it more difficult, not easier, to understand what is intended. The precautions that she has outlined—the 10 steps—do not make sense. We feel that we must press the amendment to a vote.

Question put, That the amendment be made:—

The House divided: Ayes 180, Noes 296.

Division No. 289] **[5:30 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baron, John *(Billericay)*
Beith, rh A. J.
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, Sir John
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, rh Sir Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Garnier, Edward

George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lamb, Norman
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, rh Sir Brian
May, rh Mrs Theresa
Mercer, Patrick
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rosindell, Andrew
Ruffley, David
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Hugo Swire and
Bob Russell

NOES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Bell, Sir Stuart
Bennett, Andrew
Berry, Roger
Best, Harold
Blackman, Liz
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cairns, David
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Connarty, Michael
Corston, rh Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul *(Newport W)*
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Sir Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Lammy, David
Lawrence, Mrs Jackie
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas

McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
McDonnell, John
MacDougall, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr. Alan
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek

Tellers for the Noes:
Mr. Jim Murphy and
Ms Bridget Prentice

Question accordingly negatived.

Amendment made: No. 33, in page 11, line 32 , leave out from 'count' to end of line 36 and insert

'may not be regarded as a sample of other counts unless the defendant in respect of each count is the same person'.—*[Mr. Heppell.]*

Clause 22

PROCEDURE FOR DETERMINING FITNESS TO PLEAD: ENGLAND AND WALES

Mr. Grieve: I beg to move amendment No. 67, in page 13, line 24, leave out Clause 22.

Madam Deputy Speaker (Sylvia Heal): With this it will be convenient to discuss amendment No. 68, in page 37, line 8, at end insert—

'This subsection does not apply to the amendment in paragraph 60 of Schedule 10 (which accordingly extends to England and Wales only)'.'.

Mr. Grieve: We now come to a part of the Bill that has caused me considerable concern. The Government propose to reform the rules under which unfitness to plead and insanity are determined. At present, the determination of whether a person is fit to plead is made by a jury. If there is a question about fitness to plead, a jury is empanelled for the specific purpose of deciding the matter. In my professional experience as a barrister, I can remember no occasion on which that procedure took a long time, or on which the jury encountered difficulty in reaching a correct decision. However, the Government propose to remove that power from a judge and jury, and to leave the decision to a judge alone.

Mr. Hogg: Does my hon. Friend agree that that is so only in part? Clause 22(5) preserves the jury's right to determine the matter when it arises post-arraignment. In other words, the Government accept that the jury is competent to perform the task.

Mr. Grieve: My right hon. and learned Friend makes a very good point.

Mr. Boswell: Does my hon. Friend agree, therefore, that it is incumbent on the Government to present evidence on the general point, and to apply the method of difference to explain why different regimes should apply pre and post- arraignment?

Mr. Grieve: My hon. Friend is right. If no one has questioned the fact that the jury should continue to play such an important role post-arraignment, why should that role be removed from the jury pre-arraignment?

I am afraid that the Government have a long history of disliking jury trials. The Government showed their hand very clearly in previous statutory attempts to curb jury trial. They believe that jury trial is an inconvenience that must be tolerated at best because of some unfortunate public adherence to its principles. There really is nothing more to this. If the Home Secretary had had his way in the Criminal Justice Act 2003, he would

[Mr. Grieve]

have removed jury trial for a raft of substantive offences, and the Government have made earlier attempts to do the same thing.

Mr. Greg Knight (East Yorkshire) (Con): In what percentage of cases is fitness to plead an issue?

Mr. Grieve: My right hon. Friend asks an interesting question to which, I am afraid, I do not have the precise answer—the Minister may well be able to provide one—but I can say that fitness to plead is an issue in a tiny percentage of the total number of cases tried.

Mr. Hogg: I imagine that my hon. Friend would also want to say that the same kind of issue arises in quite a lot of cases—for example, with regard to diminished responsibility, to the defence of insanity and to the question of special reasons when a defendant chooses not to give evidence.

Mr. Grieve: My right hon. and learned Friend is correct, so we are dealing with what appears to be a discrete issue in relation to unfitness to plead and insanity.

Mr. Humfrey Malins (Woking) (Con): I wonder whether my hon. Friend thinks that possibly money might be behind this plan? If the Government put the measure in place pre-arraignment, they would save the cost of empanelling the jury. I wonder whether that could be a factor.

Mr. Grieve: My hon. Friend may be right, but we have not heard sufficient explanation from the Government about their rationale. Indeed, I hope that we will have the opportunity this evening—admittedly, at a late stage in the passage of a Bill—to hear a full explanation of why the Government think that this is the correct action to take.

Vera Baird: This issue arises in only a small percentage of cases, but in about 90 per cent. of the ones in which it does there is no dispute—both sides experts agree that the person is unfit to plead—yet the current law still requires a jury to be sworn in, which is an utter waste of money.

Mr. Grieve: The hon. and learned Lady, as she often does, makes an important point. I can only speak to the amendment, but I am aware that she has an alternative way to meet the problem: where agreement is reached on unfitness to plead, there is no need to empanel a jury, but where a dispute arises, which happens in very few cases, a jury should be empanelled. That goes a very long way to meeting my anxieties.

My basic anxiety is that this is not an issue of administrative convenience. Clause 22 can cut two ways. First, some people may seek to masquerade behind unfitness to plead to avoid the consequences of a conviction against them because they think that that might be to their advantage. Secondly—I do not think that this is too far fetched, but I hope that it never happens—there may be instances where getting someone declared to be effectively insane and unable to stand trial is convenient to an authoritarian state. That has certainly happened in other countries. That is another reason why it is important that the issue should be determined by a jury if it is in dispute.

Mr. Hogg: Is there not is another important reason? If a person is found unfit to plead, section 5 powers under the Criminal Procedure (Insanity) Act 1964 come into effect and orders that are analogous to hospital orders may be made. In other words, serious sanctions can be placed on a person who is found unfit to plead, which is surely a matter to be left to a jury.

Mr. Grieve: My right hon. and learned Friend is quite right, and that was precisely the reason why I said that authoritarian states have found it convenient to lock people up on the basis that they are insane without trial or due process. We might be a million miles from that happening in this country, but it is wise for Parliament to guard against anything that could tend to take us down that road.

I do not wish to take up too much of the House's time, so I simply say to the Minister that I cannot understand why we are doing this. As a conservative with a small c as well as a large C, my attitude is that if something does not require reform, there is no earthly reason why we should tinker with it. The likely amounts of time and cost that will be incurred by preserving the existing system would be negligible. Inasmuch as there is a feeling that change should take place, the view taken by the hon. and learned Member for Redcar (Vera Baird) that the right of determination by a jury should be preserved when there is a dispute would be a better approach than that adopted by the Government.

Mr. Greg Knight: I am afraid to tell my hon. Friend that the more I listen to his argument, the more I conclude that the Redcar solution, if I may call it that, appears to be better than his. Why did he not table an amendment in those terms?

Mr. Grieve: I had not fully appreciated the solution proposed by the hon. and learned Member for Redcar at the time at which amendment No. 67 was tabled. My right hon. Friend will notice that the amendment would simply delete clause 22 entirely. Our approach says that we do not need to tinker with this aspect of the law. I shall invite the House to divide on the amendment unless the Minister can exercise colossal persuasion on me to take a contrary view because I do not think that it is an inappropriate way of dealing with the matter. However, the Bill still has to go back to the other place, which is where its passage started. The Government may well defeat us this evening, but if they consider that the hon. and learned Lady's suggestion has merit, they will have the opportunity to accept the proposal—the Minister could do so this evening, I suppose—and the extent of the disagreement between us would be greatly reduced.

Mr. Boswell: On a somewhat different yet related point, I note that my hon. Friend's amendment applies to clause 22. However, clause 23 provides for what I construe to be a parallel procedure for Northern Ireland, although that clause will amend an order. Will he clarify his thinking about that? Does he think that it would be appropriate to have a common arrangement throughout the various parts of the United Kingdom?

Mr. Grieve: If my hon. Friend reads amendment No. 68, which is linked to amendment No. 67, he will note that it says:

> "This subsection does not apply to the amendment in paragraph 60 of Schedule 10 (which accordingly extends to England and Wales only)".

I hope that that answers his question.

We want the Government to give us a proper explanation of why the procedure should be changed. I am wholly unconvinced and do not think that we are discussing an exercise in semantics. Important decisions, such as a person's fitness to plead, should be determined in our legal system by a jury, especially if that is a matter of dispute. Unless the Minister can persuade me to the contrary, I shall press the amendment to a Division.

Mr. Hogg: I support the observations made by my hon. Friend the Member for Beaconsfield (Mr. Grieve). It is important to bear it in mind that a disability applicable to clause 22 has a fairly wide meaning. Insanity is covered, of course, but so are deafness and the fact that someone is dumb. The provision extends to circumstances in which it is thought that a defendant is incapable of giving instructions to his or her legal team. One also needs to keep it in mind that juries have to address similar issues in many circumstances that are not unlike what we are contemplating. For example, if the question of diminished responsibility is raised in cases of alleged murder, juries have to address technical questions not unlike those that arise in cases of an unfitness plea. That is also true when the defence of insanity is raised because that, too, has to be addressed by a jury.

6 pm

I refer my hon. Friend to a further range of cases in which a defendant refuses or declines to give evidence. It can then be asserted that there are good reasons for that, and that person's failure to give evidence should not be held against him by reason of those good reasons. In that class of case, the jury often has to determine whether the reasons were good, which often relates to the mental state of the defendant. So the jury already has to consider technical questions in many cases.

Indeed, the Government cannot say that a jury is incapable of addressing those questions because subsection (5) of clause 22 preserves the role of the jury in those cases when the question of fitness to plead arises after arraignment. In those cases, the Government have said in terms that the question is to be determined by the trial jury. So just pause for a moment: it cannot be asserted that a jury is incapable of dealing with the question because the Government say that it is to be dealt with by the jury in post-arraignment cases, and in the other cases those questions have to be determined by a jury, so why the change, given that it cannot be the incompetence of a jury to determine the issue?

The hon. and learned Member for Redcar (Vera Baird) may have identified both the cause and the solution. I am prepared to accept that there is agreement in the great majority of cases between the Crown and the defence teams on unfitness to plead. Incidentally, that does not conclude the issue because a judge, for example, might decide that the Crown and the defence teams are wrong. I have encountered—although I do not think that I ever personally appeared in—circumstances in which that has arisen.

The hon. and learned Lady's solution is attractive, but there probably should be a discretion for the judge to order a jury trial if he thinks that the consensus between the Crown and defence is unsound or needs to be tested. Although the Redcar solution has huge attractions, it should be underpinned by a discretion on the part of the judge to order a jury trial on that issue of fitness to plead if for other reasons he thinks that that is appropriate.

My hon. Friend the Member for Beaconsfield asked why we are going down this road. In part, it may be because it will save money. That is not an unworthy motive and is addressed by the hon. and learned Member for Redcar, but I am concerned that we should not diminish jury trials arbitrarily. My hon. Friend the Member for Beaconsfield said that the jury trial is under attack by the Government. Indeed, it is even under attack within the Bill, at clause 17, which we debated. I do not want to attack it.

It is also important to keep in mind the point that I made to my hon. Friend. Under clause 24, if a person is found to be under a disability—according to the Government's position that will be decided by the trial judge—it falls to the court in appropriate circumstances to impose various orders in respect of the defendant, including hospital orders, supervision orders and treatment orders. If the Government's position remains unchanged, the question of fitness to plead will be determined by the judge alone. That may lead to the introduction of a number of orders, which can be used to deprive a defendant of his or her liberty, and I simply do not like that.

Mr. Llwyd: To reinforce the powerful and valuable point that the right hon. and learned Gentleman is making, some of those orders can be made for an indeterminate period.

Mr. Hogg: Indeed. If you will forgive me, Madam Deputy Speaker, I shall pursue that. I was Under-Secretary at the Home Office very many years ago, and was involved in decisions about when individuals detained in special hospitals should be released. I therefore know that it is extremely difficult to determine whether someone held in a special hospital is sufficiently safe to be allowed back into the community. I therefore echo the point made by the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd)—the power of a judge sitting alone to impose a sentence or order following his adjudication about fitness to stand trial could result in a patient being held for a long time in a special hospital, because people are sensitive about the risk of discharging them.

Vera Baird: I am flattered that the right hon. and learned Gentleman finds the Redcar solution attractive, but he is going slightly over the top. Two psychiatrists on opposite sides in a case may agree that someone is not fit to plead. Indeed, in cases that I have handled, four or

[Vera Baird]

even more psychiatrists have reached such an agreement. In those circumstances, why would we need a jury? I urge the right hon. and learned Gentleman to consider that somebody in the community can be sectioned by two doctors—we do not have a jury to rubber-stamp that decision.

Mr. Hogg: That is a perfectly fair point, but may I mention the name "Saunders" to the hon. and learned Lady? She will remember that there was extensive agreement that Mr. Saunders was suffering from advancing dementia. As I recall, the Court of Appeal decided that his illness was so advanced that he should not be held in custody. I believe that that gentleman has now made a remarkable recovery. Sometimes, the experts can get it wrong, and in cases where the trial judge smells a rat he may think that the issue should be determined by a jury.

Mr. Boswell: My right hon. and learned Friend will know that I am a lay person, so I defer to his legal expertise in this matter. I do not wish make any claims of my own, but the issue of detention and process is important. He will have studied the recent law report on the Bournewood judgment in the European Court of Human Rights. The court, in its wisdom, found both the Government and British legal procedures defective, as people were held without their consent, which they were not capable of giving, and were effectively detained without due process. Is it not incumbent on us, therefore, to get the process absolutely right?

Mr. Hogg: I am sure that we need to do so but, to address the point made by the hon. and learned Member for Redcar, in many cases, perhaps even the great majority, there is not any dispute about the extent of the disability. In such cases, I accept that a jury should not be empanelled. I do not, however, accept that that conclusion is appropriate when there is a serious dispute. In any event, there should be discretion, even when the experts on both sides are in agreement, to hold a jury trial and have a proper adjudication if the judge thinks fit. If I continue speaking, Madam Deputy Speaker, I shall repeat my argument, so I shall conclude.

Mr. Greg Knight: On a point of order, Madam Deputy Speaker. The House faces a dilemma. The more we listen to the debate, the clearer it becomes that the mood of the House is in sympathy with the amendment suggested by the hon. and learned Member for Redcar (Vera Baird), which is not before us. Would you be prepared to accept a manuscript amendment on the basis of the amendment suggested by the hon. and learned Lady?

Madam Deputy Speaker: I note what the right hon. Gentleman says. However, the debate is timed and there are just 20 minutes to go before the debate reaches its conclusion.

Mr. Heath: What a shame it is that we have such a restrictive timetable that we are not able properly to debate matters before us in this important Bill. It illustrates the difficulties that we face. When the point of order was raised, I had high hopes that there might be a way of considering the sensible suggestion from the hon. and learned Member for Redcar (Vera Baird). I noted carefully the Minister's response to it, which seemed positive, judging from his body language. He was writing away. It is not unknown for Ministers to make important announcements very late in the proceedings on a Bill. Some of us might have considered this a perfect opportunity for him to announce that he was proposing to make an amendment to the Bill—one which, for once, many of us would find entirely suitable and proper.

Vera Baird: May I make it clear, first, that I have not proposed an amendment either now or in Committee and, secondly, that I made the suggestion in July or thereabouts, so there has been ample time for anyone else to table an amendment along those lines if they wanted to do so? It is hardly fair to blame the Minister for the fact that the Opposition did not table an amendment.

Mr. Heath: We are always careful not to tread on each other's toes by taking amendments that other hon. Members suggested. It is not at all good parliamentary procedure. Let us return to the case in point. We are seeking to address the issue that the Government have put before us, which is—

Mr. Grieve: I am grateful to the hon. Gentleman. I feel obliged to point out, in respect of comments about pinching other people's amendments, that it was well established in Committee that the hon. and learned Member for Redcar (Vera Baird) was extremely sensitive on that topic, when there was any suggestion that anybody might be running with an amendment that she was interested in.

Mr. Heath: It is simply parliamentary good manners to recognise the provenance of amendments when they are discussed.

Vera Baird: I have never proposed an amendment on this issue. Can we be clear about that?

Mr. Heath: I am grateful for the clarification from the hon. and learned Lady. There is a difference between an amendment and a suggestion. I accept her point.

Mrs. Gillan *rose—*

Mr. Heath: I have made very little progress in what I intended to say, but I will give way, for the last time.

Mrs. Gillan: I am grateful to the hon. Gentleman for giving way. I wanted to intervene on his opening remarks, but events overtook me. I bemoan the fact that we do not have time to debate the Bill. As this may be my only opportunity, may I say how disappointed I am that we could not debate the two groups of amendments on domestic violence and restraining orders, especially those on domestic violence, which contain the precious provisions on the domestic violence advocacy service? I have therefore been even more alarmed at the sparsity—

Madam Deputy Speaker: Order. I understand the hon. Lady's disappointment, but we must return to the amendment under discussion.

Mr. Heath: Absolutely, Madam Deputy Speaker. We have not had the opportunity to discuss the points that the Government conceded in a couple of later amendments, which I would have welcomed.

There is a serious concern about what is to some extent an anodyne suggestion about fitness to plead. Somewhere deep within the recesses of the Home Office, there is a Department whose sole interest and mission is to find ways to reduce access to jury trial. Every single Home Office Bill that comes before us nibbles away a little bit more at the concept of recourse to jury trial in this country. Some hon. Members in all parts of the House, but particularly on the Opposition Benches, believe that jury trial has stood us well over the centuries and we wish to protect it. We have had to fight off such depredations time and again.

6.15 pm

It may be that economic issues are involved and that it will be cheaper to proceed as the Government propose. It may be that the measure will make little difference in most cases, but there will be instances in which it does make a difference. Where there is dispute, as the hon. and learned Member for Redcar said in her suggestion that fell short of an amendment, it is appropriate that the case should be referred to a jury for the protection of the defendant and in the interests of justice.

As the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) said in what I thought was a very apposite contribution, the point is that we are not talking simply about the initial decision on fitness to plead in terms of the conduct of the criminal trial; we are talking about everything that flows from that in the future determination of what will happen to the individual concerned. That could, in effect, involve incarceration, albeit in the context of mental health treatment, and that could mean sine die if it happens. That is an important issue, and I believe that it is appropriate for a jury to be involved, which is the situation at the moment.

If we are to make this change, the Government must produce a very cogent reason as to why it is essential for us to do so. We have not heard that argument in Committee, on Second Reading or in the debates in another place. Indeed, those who were exercised about the issue in another place felt that the points that they were raising were simply not addressed by the Minister who responded to the debate.

The only assumption that we can make is that the provisions are part of the war of attrition against the process of jury trial that this Government have for some reason chosen to wage. That is not good enough reason. On the contrary, it is good enough reason in itself for us in this House to say no. Until and unless the Government produce arguments that what is proposed will not only be cheaper, but will improve the quality of justice in our courts, I think that we are entitled to take not just a sceptical attitude, but a hostile one, to something that is not of proven value.

When the Minister responds, I hope that he will do one of two things. He should either provide a definitive argument as to why the Government must have the measure at this time and what the benefits are—we have yet to hear such an argument—or say "No, we were clearly mistaken; there are better ways of doing this. The debate that we have heard has perhaps provided some signposts as to where that eventual resolution may come, and although we do not like making announcements at the end of proceedings in the later stages of a Bill's passage in the House of Commons, we will nevertheless give the matter careful consideration and table an appropriate amendment in another place, even at this late stage in the proceedings, and before the Bill comes back." That seems to me to be the right way of proceeding, and I hope that it is an avenue that he will consider.

Mrs. Gillan: It would be most appropriate if the Government were to agree to our requests and make the amendments in another place, where the noble Baroness Scotland of Asthal deployed the argument that to convene juries in such instances would be a waste of time and resources, which is not an adequate basis from which to advance the proposals.

Mr. Heath: The worst possible argument against having a jury in a trial is that it is a waste of time and resources. Those of us who are interested in the quality of justice and the process of our courts say that juries are not a waste of time and resources, but the bedrock on which the British system of justice is based, and we should not resile from that position.

Mr. Malins: As always, I declare an interest: I sit as a recorder of the Crown court and as a part-time district judge in the magistrates courts. My hon. Friends on the Front Bench have done the House a service by tabling the amendment, which addresses the important issue of fitness to plead. I am bound to say that the issue has not arisen very often—if at all—in my experience of magistrates courts. Of course, certain cases may only be tried summarily, so one can envisage a situation in which it might arise, but I have not come across it in some 10 years of part-time judicial sitting. That is not to say that mental health issues do not arise in those courts—they do—but I have not come across the issue of fitness to plead. I imagine that it occurs fairly infrequently in the Crown court and, as was said earlier, I imagine that in many such instances the Crown and the defence agree on the proper way forward.

When one deals with fitness to plead, one inevitably deals with a defendant who is, for one reason or another, vulnerable and who may need more protection than a less vulnerable defendant. So far as such a vulnerable defendant is concerned, the consequences of a finding and a disposal may be severe, which is a point that was made earlier in the debate. Such individuals may be detained for almost indefinite periods in very difficult situations, which is the point that the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) made very well in his intervention a moment ago.

Vera Baird: I have not actively practised for some little time, but is it right that if a judge decides that someone is unfit to plead, they can automatically send them away? I think not. In that case, a second process is undergone to establish whether that person has committed the alleged acts that would form the crime, if they were not unfit to plead. A jury must hear the second stage, which it is not proposed to change.

Mr. Malins: Those who practise at the Crown court more than me will correct me. Disposals are available in such situations, and they involve the detention of the person concerned.

Mr. Llwyd: A jury is not required for the second stage referred to by the hon. and learned Member for Redcar (Vera Baird). If evidence is given to the judge, it is sufficient for a hospital order to kick in, in which case a second jury is not required.

Mr. Malins: I am grateful to the hon. Gentleman.

Let me move on. My right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) made the important point that clause 22 recognises and establishes the value of the jury. The Government propose that, pre-arraignment, the matter will be for the judge alone, but post-arraignment it will be a matter for the judge and jury. That recognises the value of the jury in certain circumstances, so the Government are not saying that the jury is not properly qualified. They are saying that, pre-arraignment, it will be a matter for the judge alone.

I am interested in the Government's reasons for their actions. So far, there has been no suggestion of the reasoning behind the proposal. It cannot be that the jury is not competent to determine the issue. It must therefore be to do with money. Earlier, the hon. Member for Somerton and Frome (Mr. Heath) referred to a statement in the other place about the reason having to do with time and resources. As I understand it, that means time and money. The Under-Secretary should tell us how many examples a year he envisages in the Crown court. How often will the provision be applied? He must have figures, otherwise he would not have made the proposal.

What is the cost of empanelling a jury? I do not believe that it is necessarily terribly expensive. Even if it were, surely the principle of what is just, right and in the interests of the person in the dock comes way ahead of financial considerations.

Mr. Llwyd: The Auld report referred to that. Its subtext was to smash away as many jury trials as possible.

Mr. Malins: The hon. Gentleman makes a very good point. As well as the financial point, the provision may be a further attempt by the Government to reduce juries' influence in our legal system. I, for one, deplore it.

Mr. Greg Knight: I refer hon. Members to my entry in the Register of Members' Interests.

In most debates on new provisions, the proposer makes a case for change. Our problem, which the hon. Member for Somerton and Frome mentioned, is that we are operating in a vacuum to some extent because we have not yet heard what the Under-Secretary has to say. He has not sought to catch your eye, Madam Deputy Speaker, early in the debate to explain why he believes that the clause is necessary. The Government seek to remove a provision that has existed in our law for 40 years and the Under-Secretary therefore has to make a case for the change.

Subsection (5) reveals the reason for including the clause. It gives the game away, and it would appear that the reason centres on cost. As I listened to my hon. Friend the Member for Beaconsfield (Mr. Grieve) and the hon. and learned Member for Redcar (Vera Baird), I was increasingly attracted, if not to the "Redcar amendment"—the hon. and learned Lady claims that that does not exist—then to the "Redcar suggestion." I am reminded of the words of the late Lord Hailsham, who said:

> "Two heads are better than one even if they are sheep's heads."

I believe that 12 heads are better than one. As we do not have the option of voting for the Redcar amendment, I am happy to support amendment No. 67.

Paul Goggins: I have little time and I therefore want to make two or three simple and clear points. Clause 22 does not mean the erosion of trial by jury. In answer to several points, I emphasise that we propose that a judge makes the fitness to plead decision but that finding facts and ascertaining whether the defendant has committed the offence with which he has been charged is a matter for the jury, not the judge alone. We must be clear about that. The hon. Member for Beaconsfield (Mr. Grieve) read far more into clause 22 than is the case. The judge will determine fitness to plead and the jury will subsequently hear the case. It is important that that message is understood.

There is an issue about the effective use of court resources and we need to ensure that every jury is valued for the time that it can give. The provision is also in the interests of vulnerable defendants who currently undergo two lengthy processes whereby they have to listen to evidence from medical practitioners in the first hearing. And of course, if the defendant subsequently wishes to challenge the judge's finding, the judge must state his reasons to the court. The jury would not have to give their reasons, but the judge would. That would give grounds on which someone who was found unfit to plead could challenge the decision of the court.

The provision is a recommendation of Lord Justice Auld, and the recommendations are now four years old. We believe that the proposal is too important to the courts—and, indeed, to vulnerable defendants—to be delayed any further. It is time that we made progress—

Madam Deputy Speaker: Order. The hon. Gentleman's time is up.

It being five and a half hours after the commencement of proceedings, MADAM DEPUTY SPEAKER *put forthwith the Question already proposed from the Chair, pursuant to Order [this day].*

Question put, That the amendment be made:—

The House divided: Ayes 172, Noes 294.

Division No. 290] **[6:30 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, rh James
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Beith, rh A. J.
Bellingham, Henry
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Cameron, David
Campbell, rh Sir Menzies *(NE Fife)*
Carmichael, Alistair
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jenkin, Bernard
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lamb, Norman
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, rh Sir Brian
May, rh Mrs Theresa
Mercer, Patrick
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Winterton, Ann *(Congleton)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. David Wilshire and
Mr. Peter Atkinson

NOES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Bennett, Andrew
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cairns, David
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Connarty, Michael
Cook, rh Robin *(Livingston)*
Corston, rh Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul *(Newport W)*
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul

Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnston, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Sir Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Speller, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek

Tellers for the Noes:
Mr. Jim Murphy and
Ms Bridget Prentice

Question accordingly negatived.

MADAM DEPUTY SPEAKER *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Question put, That the remaining Government amendments be made:—

The House divided: Ayes 282, Noes 175.

Division No. 291] **[6.46 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Bennett, Andrew
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cairns, David
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Connarty, Michael
Cook, rh Robin *(Livingston)*
Corston, rh Jean
Cousins, Jim
Cranston, Ross
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Tony *(Workington)*

Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Sir Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McWalter, Tony
McWilliam, John
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Morgan, Julie
Mullin, Chris
Munn, Ms Meg
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Southworth, Helen
Spellar, rh John
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Jim Murphy and
Ms Bridget Prentice

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, rh James
Bacon, Richard
Baker, Norman
Baron, John *(Billericay)*
Beith, rh A. J.
Bellingham, Henry
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brazier, Julian
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Cameron, David
Campbell, Gregory *(E Lond'y)*
Campbell, rh Sir Menzies *(NE Fife)*
Carmichael, Alistair
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Evans, Nigel
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*

Fox, Dr. Liam
Francois, Mark
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jenkin, Bernard
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lamb, Norman
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, rh Sir Brian
May, rh Mrs Theresa
Mercer, Patrick
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paisley, Rev. Ian
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Peter Atkinson and
Gregory Barker

Question accordingly agreed to.

It being after Seven o'clock, MADAM DEPUTY SPEAKER *put forthwith the Question, That the Bill be now read the Third time, pursuant to Order [this day].*

Bill reported, with amendments; read the Third time, and passed, with amendments.

7.1 pm

Mr. Dominic Grieve (Beaconsfield) (Con): On a point of order, Madam Deputy Speaker. I seek your guidance in view of Mr. Speaker's ruling that important announcements on policy should first be made to this House. At 10.11 this morning, the Home Office put out a news bulletin entitled "Putting Victims First: the Domestic Violence, Crime and Victims Bill". It says:

> "The Home Secretary also announced today that the Government is setting up a review into the law on murder."

On the second page in notes to editors, it states:

> "The murder review was announced by the Home Secretary during the debate on the Domestic Violence, Crime and Victims Bill in the House of Commons today."

[Interruption.]

Madam Deputy Speaker (Sylvia Heal): Order.

Mr. Grieve: Madam Deputy Speaker, is it in order for the Home Secretary to make an announcement to the press that has not been preceded by an announcement to this House on a matter of such importance? Secondly, is it not misleading of the Home Secretary to suggest to any hon. Member—or, indeed, the press—who might read the statement that, notwithstanding his discourtesy in this matter, we were nevertheless going to hear from him during the course of our six-hour debate this afternoon? I seek your guidance, Madam Deputy Speaker, on what can be done to ensure that announcements are made properly to this House and not through the device of being announced in the course of a debate to which they are not germane. What can Members of this House do to ensure that they are not misled by Government press notices suggesting that something is going to happen during the day when it either will not or cannot?

The Secretary of State for the Home Department (Mr. David Blunkett): Further to that point of order, Madam Deputy Speaker—*[Interruption.]*

Madam Deputy Speaker: Order. The Home Secretary wishes to speak.

Mr. Blunkett: I may be able to help with the original point of order. It would have been perfectly feasible and possible for me to have made the announcement to the House had the Opposition not filibustered—*[Interruption.]*

Madam Deputy Speaker: Order.

Mr. Christopher Chope (Christchurch) (Con): Outrageous!

Madam Deputy Speaker: Order. The House must come to order. A point of order has been made, and the Home Secretary is speaking to it.

Mr. Blunkett: Had the Opposition not filibustered deliberately to wipe out the Third Reading—*[Interruption.]*

Madam Deputy Speaker: Order.

Mr. Blunkett: That was a calculated way of avoiding a Third Reading debate. I do not understand why

Opposition Members felt it necessary to do so and why they could not face me at the Dispatch Box—*[Interruption.]*

Madam Deputy Speaker: Order. Mr. Secretary Blunkett is responding to a point of order, and he is entitled to be heard.

Mr. Blunkett: Notwithstanding that, I apologise to the House for not having had the opportunity to address it on the issues that have been raised tonight. Had I had the opportunity to speak on Third Reading, and therefore to be challenged on this matter, I would have done so.

Several hon. Members *rose—*

Madam Deputy Speaker: Order. We must now proceed with the remaining business of the day.

David Maclean (Penrith and The Border) (Con): On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Is this relevant to the matter at hand?

David Maclean: It is, Madam Deputy Speaker. We have all heard the Home Secretary accuse Opposition Members of the parliamentary abuse that is filibustering. That is an absolutely outrageous suggestion. *[Interruption.]* I understood that decisions on whether or not there has been filibustering are for the Chair alone to make. Have you, Madam Deputy Speaker, or any of your predecessors in the Chair today, heard anything at all that was out of order and which could be remotely connected with the abusive term "filibustering"?

Several hon. Members *rose—*

Mr. David Heath (Somerton and Frome) (LD): Further to that point of order, Madam Deputy Speaker.

Madam Deputy Speaker: No, I am not taking any more points of order. If Mr. Speaker is not aware already of the disquiet in the House, I shall make sure that he is made aware of it, and of the comments that have been made.

Mr. Douglas Hogg (Sleaford and North Hykeham) (Con): On a new point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Is this a new point of order?

Mr. Hogg: It is, Madam Deputy Speaker. *[Interruption.]* The Home Secretary has made it plain, very courteously, that he was going to tell us about the statement that he wanted to make in the Third Reading debate. Would it be possible to arrange that he make an early statement tomorrow so that he can be questioned about what he wants to tell us?

Madam Deputy Speaker: I remind the right hon. and learned Gentleman that it is up to the Government to decide whether they wish to make a statement.

Several hon. Members *rose—*

Mr. Eric Forth (Bromley and Chislehurst) (Con): Further to that point of order, Madam Deputy Speaker.

Madam Deputy Speaker: No, we are now proceeding to the Adjournment debate.

Mr. Forth: Further to that point of order, Madam Deputy Speaker.

Madam Deputy Speaker: I have indicated already that I will take no further points of order on this matter.

Mr. Patrick McLoughlin (West Derbyshire) (Con): I beg to move, That the House sit in private.

Question put forthwith, pursuant to Standing Order No. 163 (Motion to sit in private):—

The House divided: Ayes 24, Noes 316.

Division No. 292] **[7:10 pm**

AYES

Carmichael, Alistair
Davey, Edward *(Kingston)*
Forth, rh Eric
George, Andrew *(St. Ives)*
Gidley, Sandra
Gillan, Mrs Cheryl
Kirkwood, Sir Archy
Llwyd, Elfyn
Luff, Peter *(M-Worcs)*
McLoughlin, Patrick
May, rh Mrs Theresa
Murrison, Dr. Andrew
Randall, John
Reid, Alan *(Argyll & Bute)*
Russell, Bob *(Colchester)*
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Stunell, Andrew
Teather, Sarah
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Widdecombe, rh Miss Ann
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*

Tellers for the Ayes:
Mr. Hugo Swire and
Mr. Geoffrey Clifton-Brown

NOES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Ainsworth, Peter *(E Surrey)*
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Arbuthnot, rh James
Armstrong, rh Ms Hilary
Atkinson, Peter *(Hexham)*
Austin, John
Bacon, Richard
Bailey, Adrian
Baker, Norman
Barker, Gregory
Barnes, Harry
Baron, John *(Billericay)*
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Beith, rh A. J.
Berry, Roger
Blunkett, rh David
Blunt, Crispin
Borrow, David
Boswell, Tim
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Burden, Richard
Burnham, Andy
Burstow, Paul
Butterfill, Sir John
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cairns, David
Campbell, Gregory *(E Lond'y)*
Campbell, rh Sir Menzies *(NE Fife)*
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Sir Sydney *(Chipping Barnet)*

Chope, Christopher
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Conway, Derek
Corston, rh Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Tony *(Workington)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dodds, Nigel
Donaldson, Jeffrey M.
Donohoe, Brian H.
Dorrell, rh Stephen
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Etherington, Bill
Evans, Nigel
Ewing, Annabelle
Fallon, Michael
Farrelly, Paul
Field, Mark *(Cities of London & Westminster)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flook, Adrian
Flynn, Paul *(Newport W)*
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Francois, Mark
George, rh Bruce *(Walsall S)*
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Goggins, Paul
Goodman, Paul
Gray, James *(N Wilts)*
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Grieve, Dominic
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, rh Ms Harriet
Hayes, John *(S Holland)*
Healey, John
Heath, David
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoban, Mark *(Fareham)*
Hodge, Margaret
Hogg, rh Douglas
Holmes, Paul
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howarth, Gerald *(Aldershot)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Simon *(Southwark N)*
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkin, Bernard
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Sir Gerald
Keen, Ann *(Brentford)*
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green & Bow)*
Knight, rh Greg *(E Yorkshire)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lamb, Norman
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lepper, David
Leslie, Christopher
Lewis, Dr. Julian *(New Forest E)*
Liddell, rh Mrs Helen
Lidington, David
Lilley, rh Peter
Linton, Martin
Lloyd, Tony *(Manchester C)*
Loughton, Tim
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
Maclean, rh David
Mahon, Mrs Alice
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Miliband, David
Moffatt, Laura
Mole, Chris
Moore, Michael
Moran, Margaret
Morgan, Julie
Morris, rh Estelle
Mullin, Chris
Munn, Ms Meg
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Stephen *(Eddisbury)*
O'Hara, Edward
Öpik, Lembit
Organ, Diana
Osborne, George *(Tatton)*
Ottaway, Richard
Owen, Albert
Page, Richard
Paisley, Rev. Ian
Palmer, Dr. Nick
Pearson, Ian
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Redwood, rh John
Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, John *(Glasgow Anniesland)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruffley, David
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Sheridan, Jim
Simmonds, Mark
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(M-Norfolk)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Southworth, Helen
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Stunell, Andrew
Sutcliffe, Gerry
Swayne, Desmond
Tapsell, Sir Peter
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Todd, Mark *(S Derbyshire)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Tyrie, Andrew
Viggers, Peter
Vis, Dr. Rudi
Walter, Robert
Wareing, Robert N.
Waterson, Nigel
Watts, David
Weir, Michael
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Wiggin, Bill
Willetts, David
Williams, Betty *(Conwy)*
Wilshire, David
Winnick, David
Winterton, Sir Nicholas *(Macclesfield)*
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Jim Murphy and
Ms Bridget Prentice

Question accordingly negatived.

David Davis (Haltemprice and Howden) (Con): On a point of order, Madam Deputy Speaker. In view of the fact that the Home Secretary advertised to the press today that he was to make a statement on Third Reading, and in view of the fact that he could have made a statement at 7 o'clock, which is the point of interruption, have you had any notification that he intends to make a statement tomorrow about the very serious issues on the review of the sentencing for murder?

Madam Deputy Speaker: I have not been advised that the Home Secretary wishes to make a statement, but no doubt he will have heard the right hon. Gentleman.

Mr. Forth: Further to that point of order, Madam Deputy Speaker. Can you help the House and even the Government by ruling that on a future similar unfortunate occasion, should it ever occur, and I hope that the Chair will do everything to ensure that it does not, it will be in order for the Home Secretary to request to make a statement at the conclusion of business at 7 o'clock? His synthetic anger simply belies the fact that he either does not understand how the House works or he did not want to make the statement in first place.

Madam Deputy Speaker: I have ruled on that by saying that I have had no request from the Home Secretary to make a statement, but I repeat that he will have heard what the right hon. Gentleman said.

Mr. David Wilshire (Spelthorne) (Con): On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Is it a different point of order?

Mr. Wilshire: It is a separate point of order about the business of the House.

Can you confirm, Madam Deputy Speaker, that notwithstanding all the changes to truncate debate, it is still possible, if the Government wish, for business to run beyond 7 o'clock, so it was possible for the debate to continue longer if the Home Secretary was determined to say something?

Madam Deputy Speaker: The debate's timing was decided by the House.

Dementia Services (Norfolk)

Motion made, and Question proposed, That this House do now adjourn.—*[Gillian Merron.]*

7.24 pm

Norman Lamb (North Norfolk):—*rose*

Mr. Chope: On a point of order, Madam Deputy Speaker. This raises an issue of command and sanction. Mr. Speaker has repeatedly commanded that the Government should comply with his rulings. He now has the opportunity of exercising a sanction by requiring that the Home Secretary comes to the Dispatch Box tomorrow.

Madam Deputy Speaker: I remind the hon. Gentleman of what I said earlier. Both the Home Secretary and the Speaker will have heard what has been said. The hon. Gentleman is now taking time out of the debate for a Back Bencher.

Norman Lamb (North Norfolk): I am grateful for the opportunity provided by this debate to raise the concerns of friends and relatives of patients at Rebecca house, a specialist unit for people with dementia that was built just 10 years ago in North Walsham in my constituency. The unit faces closure as part of a review of older people's mental health services by Norfolk Mental Health Care NHS trust. The introduction of a report prepared by the trust stated:

> "Older People's mental health services will change. Services, resources and staff will join existing localities to provide an age-integrated service within Primary Care Trust boundaries."

It also said:

> "Supported by national policies, the local Social Services strategy and carers and users workshops, mental health services for Older People will be updated to provide more community focused person centred care."

If hon. Members can interpret the jargon, that might sound like a good thing, but there is a casualty, as we will lose specialist residential units, including Rebecca house and a unit in the constituency of the hon. Member for South Norfolk (Mr. Bacon).

Dr. Ian Gibson (Norwich, North) (Lab): Have the economics been satisfactorily analysed; and, if so, do they point to closure? It would help to know, because many other services in Norfolk and other parts of the country are in the same situation.

Norman Lamb: This is all about finding the resources to improve care for people with dementia in the community, but we must consider what is lost in the process.

Rebecca house was built just 10 years ago as a specialist unit for people with dementia, but now it may be closed. It is highly regarded, and the common consensus is that it would be tragic if it were lost. The backdrop to the review is the Government's direction to strategic health authorities on the criteria for free NHS continuing care. At present, 101 beds for the elderly mentally ill are provided by the mental health trust, which has concluded that only a minority of the patients in Rebecca house and similar units qualify for continuing NHS care. Its assessment is that the whole

[Norman Lamb]

county needs only 28 beds for acute cases meeting the eligibility criteria. The plan is to build a new specialist intensive care unit for those patients in Norwich.

The Minister will be well aware of the report by the health service ombudsman last February about cases in which the NHS had been too restrictive in the eligibility criteria that it applied to the receipt of continuing care. As a result, strategic health authorities were asked to review their criteria, but since then there has been a great deal of criticism about their lack of progress. I should be grateful if the Minister could provide an update and explain how long it will take to complete those reviews.

Wherever the line is drawn between individuals who qualify and those who do not—many people believe that the criteria are too restrictive, and exclude too many patients from free personal care—it is inevitably arbitrary. Many people find it hard to understand why someone who needs intensive 24-hour care but does not meet the extremely restrictive criteria for NHS continuing care should be subject to means-testing, which, the Minister will know, sometimes leads to people having to sell their home to pay for personal care. People who have budgeted carefully throughout their working life are penalised for behaving responsibly.

As the Minister knows, Liberal Democrats on the Scottish Executive insisted on the introduction of free personal and nursing care as a condition of their continuing support. Does the hon. Gentleman plan to review the unfair penalty that applies in England and Wales, which is imposed on families already under enormous pressure as a result of the tragic illness affecting a loved one? What is his reaction to the fact that because of the way in which the criteria are being interpreted, patients who have qualified for NHS continuing care might subsequently be disqualified because they have become frailer and more sedate? There has been no improvement in their health, their condition has continued to decline, yet they are excluded from free personal care. Surely that must be wrong. I know that the Alzheimer's Society shares that view.

I return to the situation that we face in Norfolk. As I said, in presenting proposals the trust is essentially following Government policy. It was clear from a meeting that I attended at Rebecca house that staff have to care for a wide range of patients with very different needs, some of whom, because of their dementia, display fairly challenging behaviour, whereas others are more frail and sedate. That clearly presents difficulties, so I can see the case for a specialist intensive care unit. However, that raises the question of what happens to those who do not qualify for that unit, but whose care needs are such that they cannot easily be looked after at home. In all this we must remember the interests of those who are frequently required to care for a loved one at home. Often those people themselves are elderly and frail and find it difficult to cope on their own.

Of most immediate concern are all the existing patients of Rebecca house and the other units who do not qualify for continuing NHS care. Where will they go? If Rebecca house closes, they face the prospect of a move to a residential care home or nursing home in the private sector. Given the quality of care that they have received at Rebecca house, we can assume that there is a considerable risk that they will end up in less appropriate surroundings, and in addition it must be borne in mind that the Alzheimer's Society says that it is best to avoid moving people with dementia. In the society's words, that should be "avoided at all cost". A move can disorient the patient and accelerate the decline in their condition.

The trust has made it clear that those who were admitted to the service before 31 March last year will continue to have their care funded by the NHS, irrespective of whether they meet the criteria for NHS continuing care, but it is also the quality of the care that concerns loved ones, not just the cost. For those admitted after 31 March last year there is no commitment to continue to cover the cost. There is also concern about the capacity of the private sector to provide the extra specialist beds that would be needed. There is already a national shortage, according to the Alzheimer's Society. At a meeting for carers held at Rebecca house, one lady described how each week it was necessary to search a local website availability list to find the odd bed that might become available that week.

It also remains unclear what will happen to those who have used Rebecca house for respite care. Four beds are set aside for that purpose. Will the respite care of those people be paid for the rest of their lives? That is incredibly important to those affected. Privately funded respite care is very expensive. When I raised the point with trust representatives, they said that no decision had been reached.

Everyone recognises how important respite care is. If more people are to be cared for at home, resources must be committed to provide an effective support infrastructure. In a rural area such as North Norfolk, people can be isolated in small village communities without public transport. If the carer has inadequate support, they can rapidly sink. The nature of dementia is such that the demands on the carer are intense and constant. Carers need a break. My fear is that the closure of the units will result in less respite care, not more. Does the Minister share my view about the importance of improving access to respite care for those cared for at home?

Rebecca house provides what is described by the trust as informal day care. The loss of that facility will hit many more people. Again, the facility is part of the infrastructure of support for people caring for loved ones at home. We have a situation in which there is a strong case for not moving existing patients, based on their needs; a lack of capacity in the private residential nursing care sector; the imperative of increasing the availability of respite care and not reducing it; and existing day care facilities that are under threat.

For me, that all points to a very strong case for trying to keep Rebecca house open. How that can be achieved given the rather unfortunate and clumsy demarcation between the mental health trust, the primary care trust and the county council social services department, I am not sure, but every effort needs to be made collectively to secure the future of this much-loved and much-valued unit.

I have an open mind about who could run Rebecca house in future, but in an area that has an ageing population and already has one of the highest age profiles in the country, it is foolhardy and reckless to contemplate the closure of Rebecca house. The same goes for other units around the county. I note the commitment of the trust to use the resources freed up by the closure of these units—I understand that the amount will be about £1.5 million—for the improvement of mental health services in central Norfolk, but at the moment there are genuine and continuing concerns about the overall package of proposals.

My plea to the Minister is to ask him to do whatever he can, working with the local trusts, to help Rebecca house and those other units, to help ensure not only that today's patients who are in the home and need it for the rest of their lives are protected, but that there are high-quality facilities for the future.

7.37 pm

Mr. Richard Bacon (South Norfolk) (Con): I congratulate the hon. Member for North Norfolk (Norman Lamb) on securing this debate, and I pass on to him the thanks of Mr. Iain Dale for having done so; I know that Mr. Dale secured a meeting at Rebecca house on a cross-party basis to express the widespread concerns of residents and relatives about the position being taken by the trust.

I want to highlight for the Minister a fact to which the hon. Gentleman alluded—this is not an isolated case, and the same situation is widespread across Norfolk. Indeed, there are five such units, including Cygnet house in Long Stratton in my constituency, which I understand the Minister visited today. I also understand that some friendly local fox hunters were present to greet him, although I had nothing to do with that. I hope that he found the visit congenial, notwithstanding some of the people by whom he was greeted.

Cygnet house is one of the five units for the elderly across Norfolk. It has units catering for long-term residential care for the elderly mentally ill, and it also offers respite care. The number of units can vary from day to day. On 25 October, it had 11 residents, compared with 14 in Rebecca house. Adding Ellacombe, Yew Tree and Laburnam, which are located in Norwich, produces a total of 49 places on that date—a number that will fall to some 28, as the hon. Gentleman said, under the proposals.

That raises a number of concerns. First, some facilities, especially at Cygnet house, are very local to people in South Norfolk, for whom it is not always easy to get into Norwich, especially when they are elderly people. The Minister will have seen today how large my constituency is; it covers some 350 sq miles. At the moment, Cygnet house provides easy access for relatives, and there is no doubt that Norwich is more difficult to visit.

In addition to the question of access, there is the quality of care that is provided. The father of a councillor in my constituency, Councillor Martin Wilby, has been at Cygnet house for two and a half years, and has received excellent care, both physically and mentally. Mr. Wilby senior has been in homes of various kinds for some 10 years, but his time at Cygnet house has been the best, according to Councillor Wilby. Mr. Wilby senior spent some time at Hellesdon hospital in Norwich, but there was a high staff turnover and the care could be patchy. Cygnet house, which has a low staff turnover and a higher and more consistent quality of care, is in my view and that of many local people better for residents.

The hon. Member for North Norfolk also alluded to cost, which is the other issue that I want to raise. I have a copy of the report to the board of the Norfolk and Waveney Mental Health Partnership NHS trust, which refers to potential options for Cygnet house, including the refurbishment of the facility and its use as a care unit for the whole of central Norfolk. However, the report states that if that option were pursued, clinical and out-of-hours cover, as well as the high revenue costs, would raise concerns. On the face of it, it seems that the change is a cost-cutting exercise, with not enough thought being given to the needs of elderly people with mental health problems who need specialist care, and it does not seem right to make relatives pick up the tab, again.

I strongly endorse the point made by the hon. Member for North Norfolk that Norfolk's demographic profile is old and that in many cases it is getting older—people move to many parts of my constituency in order to retire—so dementia services will grow, not decline, in importance. There are serious concerns about whether the trust's proposal is the right way forward. I have asked Pat Holman, the chief executive of the partnership, to reconsider the closure of Cygnet house, and I look forward to the Minister's reply.

7.41 pm

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): I appreciate the interest that the hon. Member for North Norfolk (Norman Lamb) takes in his local health service and congratulate him on securing the debate. I thank my hon. Friend the Member for Norwich, North (Dr. Gibson) and the hon. Member for South Norfolk (Mr. Bacon) for their interest.

I also thank the hon. Member for South Norfolk for his concern for my welfare. The fox hunters in his constituency were friendly and took their democratic opportunity to express their views in a reasonable manner.

Dr. Gibson: They are wrong.

Dr. Ladyman: As my hon. Friend says, they are simply wrong, but we will leave that matter to another day.

I would also like to take this opportunity to pay tribute to all the staff in the local health economy, who are committed to the improvement of local services and who are doing a fine job. I agree that older people with dementia deserve better services, which is why the Government have set in place a number of initiatives to try to ensure that that happens. More money than ever before is being invested in older people's services, and if I have one message for hon. Members on both sides of the House tonight it is that if we want better services for older people, and especially older people with dementia, we must modernise those services and be prepared to engage constructively and with open minds.

As part of the ongoing process of "Shifting the Balance of Power" to a local level, it is for local NHS organisations to assess the needs of the local population and meet them from general allocation funds. They are in the best position to do that because of their specialist knowledge of their local communities. By devolving

[Dr. Ladyman]

funding to the front line, we have given the NHS in every local area the freedom and the resources to develop a strategy for the future that will deliver financial balance and sustainable services.

The latest round of allocations has been made for three years. That certainty of funding will enable health communities to plan their finances and will provide a surer foundation for PCTs to commission services in a way that will deliver improvements in performance. Older people will benefit from those record allocations to primary care trusts, as a considerable portion of those allocations will go to services for older people, including the care and treatment of those with dementia.

That brings me to a point raised by the hon. Member for North Norfolk and challenged by the hon. Member for South Norfolk: if the reconfiguration frees up any resources, the intention is to reinvest those resources in further and better support for older people—the reconfiguration is in no way a cost-cutting exercise. The hon. Member for South Norfolk may be interested to learn that North Norfolk PCT has been allocated £97.6 million for 2004–05, which is an increase in cash terms of about 9.5 per cent.

Just because we have given power and resources to the front line, it does not mean that the front line can duck difficult decisions. All hon. Members have a duty to help their local NHS face those challenges, which is what I ask the hon. Members for North Norfolk and for South Norfolk to be prepared to do.

Before I deal with local issues, the hon. Member for North Norfolk raised some national issues about progress with continuing care. I have made two written statements that detail progress on that. The last one reported on progress up to the end of July. I have no plans to make a further statement on that, but when I have sufficient data I shall do so.

The hon. Gentleman referred to criteria. The legal judgment to which he referred did not suggest that the criteria were too strict. It stated that there is an upper limit beyond which it is ultra vires for councils to provide support. It did not distinguish between social care and health care. The ombudsman, when investigating cases, subsequently said that errors were being made and that there was too much variation in the criteria. Consequently, we asked all strategic health authorities to produce new criteria based on central guidance and to ensure that they were legally compliant. They have all done that. The review is retrospective and covers people who may have been unfairly treated in the past. In addition, we are introducing new procedures to ensure that people are properly assessed in future. I believe that the new procedures are working well.

Reassessment is necessary because people's conditions change from time to time. When their condition changes, the care package that they need changes. We must reassess to ensure that people are getting the care that they need.

Norman Lamb: I fully appreciate that care package needs will change, but does the Under-Secretary concede that that results in a change in the financial package? It means that people move from free NHS care to means-tested care.

Dr. Ladyman: That is possible. National health service continuing care applies not only to people with dementia, but to people with all conditions. Some conditions are curable and it is therefore necessary to remove the continuing care package when someone is cured. That is not the case for people with dementia. However, their care package will need to be changed and, in the very unlikely event that they are cured, it is theoretically possible that they would revert to means-tested support. That would happen only if their predominant needs were no longer health needs and they no longer fulfilled the eligibility criteria. The primary reason for reassessment is to ensure that the care package always matches people's needs.

The hon. Gentleman mentioned personal care and the fact that it is not free in England. I do not know who controls the social services of his local council, but it is entirely in their power to make home care free if they wish to do that because the matter is devolved to local councils. Not one Liberal Democrat council in the country has chosen to do that and I doubt whether any councils will do it because it is not financially viable. It would cost £1.5 billion a year, not the £1 billion that Liberal Democrat Front-Bench Members claim. The Rowntree Foundation has suggested that the cost will increase to approximately £10 billion by 2050. That would be entirely unaffordable.

I have listened to the hon. Gentleman's comments. The changes that he discussed locally in Norfolk, and especially in Rebecca house, are part of a set of proposals that Norfolk and Waveney mental health partnership trust developed in partnership with the PCT, social services and other stakeholders in a wider programme of service improvement and modernisation. There has been a robust and inclusive local process to develop the proposals, including a full needs assessment and options appraisal.

Those proposals are a work in progress and it is for all hon. Members to engage in it and try to influence it. I can assure hon. Members that no final decisions have been made by the local NHS and its partners pending a formal public consultation process, which will commence later this year.

The hon. Gentleman is a member of a party that says that it believes in power to the people, local decision making and devolution. Yet one could interpret his comments this evening as following none of those principles. He seems to have made up his mind before he has listened to the consultation and the views of his constituents—*[Interruption.]* Well, the formal consultation has not yet begun, and he did not sound to me as though he was keeping an open mind. He sounded as though he had made up his mind. If the services in his constituency are not properly modernised, he will be doing his constituents no favours because they will not be getting the level of service that they deserve.

The hon. Gentleman has talked about local services. There are several thousand older people with dementia in central Norfolk at any one time. Thankfully, only a few require specialist mental health in-patient treatment, yet there are five separate units providing elderly mentally illness—EMI—in-patient continuing care services in central Norfolk. These are Laburnum, Yew Tree, Ellacombe, Rebecca house and Cygnet house. They provide a total of 101 beds. However, only 65 of the 101 beds are occupied, and only 22 of those 65 patients meet the criteria for NHS-funded and provided continuing care and, more importantly, require a specialist mental health in-patient service. The total cost of the services that I have just described is £3.8 million per year. That is an awful lot of money to be spending on empty beds and services that do not best suit some of the people in those places.

Clearly, the demand for these services has changed since they were established. New therapies are now available, and there is a greater recognition that it is important to identify and intervene in the onset of dementia early. That is why the proposal to reshape the services currently provided from these units is being put forward. It will ensure that the resources available to mental health services meet the needs of more people with dementia and their carers, and better fit the needs of the hon. Gentleman's constituents. If we close our eyes to the need to reshape these services, we are ducking our responsibilities. If the hon. Gentleman's first instinct is to say that there should be no change, or even—heaven forefend—to climb on the bandwagon of sentiment that is often associated with establishments, rather than with the people in them, he will not be doing his constituents any favours.

Norman Lamb: I am certainly not suggesting that there should be no change. Indeed, I acknowledged in my speech that there is clearly a case for the proposed specialist intensive care unit. I took on board the views of staff who said that it was very difficult to care for people with all these different types of needs in the same unit. I accept that, but this debate is about engaging in the process that the Minister wants us to engage in.

Dr. Ladyman: I am glad to hear that, but I would be even more glad to hear the hon. Gentleman say that he still had an open mind about the outcome and that he was prepared to accept that it might be in the best interests of his constituents if Rebecca house did not continue to offer the services that it offers at the moment. He will also have to consider the idea that, if there are to be fewer of these units, the 28-bed unit to which he referred will almost certainly have to be very close to acute services, because of the intense health care that many of the people in these facilities require. The primary consideration in determining the location of that unit will have to be the safety and the health care of those patients, and it might not be appropriate for that type of unit to be in his constituency. It might be much better for his constituents—although it would no doubt be more inconvenient for carers—for it to be in Norwich. That is one of the issues that the local population will have to grapple with and talk about in the consultation. The hon. Gentleman will clearly have views about whether the right decision has been made, but we all need to keep an open mind about this.

The national guidance to improve services to which the hon. Gentleman referred includes the national service framework for older people and the national service framework for mental health services. That is the national guidance that his local primary care trust is trying to deliver—

The motion having been made after Seven o'clock, and the debate having continued for half an hour, MADAM DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at six minutes to Eight o'clock.

House of Commons

Thursday 28 October 2004

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

ROYAL ASSENT

Mr. Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that Her Majesty has signified her Royal Assent to the following Acts:

Horserace Betting and Olympic Lottery Act 2004

Christmas Day (Trading) Act 2004

Companies (Audit, Investigations and Community Enterprise) Act 2004

Medway Council Act 2004

University of Wales, Cardiff Act 2004

Oral Answers to Questions

DEPARTMENT FOR EDUCATION AND SKILLS

The Secretary of State was asked—

Educational Standards

1. **Mr. Colin Challen** (Morley and Rothwell) (Lab): What progress has been made in raising educational standards at each key stage; and if he will make a statement. [194091]

The Secretary of State for Education and Skills (Mr. Charles Clarke): Since 1997, we have seen significant improvements at each key stage. Over this period, the percentage of pupils reaching the expected level for their age in mathematics, for example, has increased by 6 percentage points at key stage 1, 12 percentage points at key stage 2 and 13 percentage points at key stage 3. The percentage of 15-year-olds getting five or more GCSEs or equivalent at grades A* to C has increased by 8.3 percentage points, with some of the biggest improvements in the most deprived areas.

Mr. Challen: I am grateful to my right hon. Friend for his answer. In anticipation of that answer, I did a little homework on cause and effect. I discovered that, in the Leeds education authority area, funding per pupil has increased by 37 per cent. since 1997 and that there are 913 more teaching assistants and 1,356 more support staff than there were seven years ago. It does not take a great—

Mr. Speaker: Order. Will the hon. Gentleman send these discoveries in writing to the Minister?

Mr. Clarke: I congratulate my hon. Friend on the outstandingly high quality of his homework, which sums up why there has been such great improvement and investment, and such substantial reform, which mean better education for the people of this country.

Mr. David Rendel (Newbury) (LD): A vital stage in raising standards at key stage 4 will be the recommendations of the Tomlinson report. In a letter to the *Financial Times* on 20 October, the Secretary of State said:

> "The status quo is not an option ... we should have a constructive debate about the way forward, not dismiss a substantive set of reforms out of hand."

Yet on 19 October, the Prime Minister seems to have done just that in a speech to the CBI, when he insisted that

> "GCSEs and A-levels will stay".

Which position are the Government now taking on the Tomlinson report—that of the Secretary of State or that of the Prime Minister?

Mr. Clarke: With respect, the hon. Gentleman simply has not been up with the debate. My remarks about the status quo not being an option were made in this House in a statement, to which his hon. Friend the Member for Harrogate and Knaresborough (Mr. Willis) responded. Both what we say—that Tomlinson is the right way forward—and the fact that any diploma structure would include proper recognition for A-levels and GCSEs are right. That is the core issue that we debated at length when I made the statement. Where the hon. Gentleman is right is that Tomlinson will enable standards to be driven up and take the situation forward in a very positive way. I am delighted that we will publish a White Paper early in the new year to set out exactly how we intend to implement it.

Mr. Nick Gibb (Bognor Regis and Littlehampton) (Con): Does the Secretary of State agree with Professor Adrian Smith that multiplication tables should be taught in our primary schools? If he does, what is his estimate of the proportion of primary schools that teach multiplication tables in a way that ensures that our children learn them by heart?

Mr. Clarke: First, as the hon. Gentleman knows, I have accepted the reports and proposals of Professor Adrian Smith. Indeed, I appointed him to his role precisely because of the quality of his advice. Secondly, I believe that multiplication tables are very widely taught in primary schools. I do not have a figure to hand, but I can say that in the primary school that I most recently visited, in Yorkshire, multiplication tables for children were on a whiteboard that morning—and that was a random case. I simply do not accept the hypothesis behind the question that there is some lack of attention given to basic arithmetical methods in schools. In fact, I think that the very reverse is the case.

Mr. Barry Sheerman (Huddersfield) (Lab/Co-op): Does my right hon. Friend agree that it is most important to reassure parents, teachers and students that standards are rising? Will he flag up the information that the Education and Skills Committee received from the permanent secretary of Norway's education department when it visited Norway 10 days ago? The permanent secretary said, "We would like to learn how the UK is succeeding in raising standards so dramatically. We spend much more per head on our children without such good results."

Mr. Clarke: My hon. Friend is correct, and I am glad to say that such examples are not confined to Scandinavia. Last week, a delegation from the Education Minister to the German Länder asked the same question; Germany had a great national debate, almost a crisis, after its relatively poor performance in PISA—the programme for international student assessment—a couple of years ago. Yesterday, I received an invitation from the new Spanish Education Minister for my Department and me to attend a seminar in Madrid to discuss raising education standards in Spain. We are doing well by any international comparison.

Schools (Colchester)

2. **Bob Russell** (Colchester) (LD): If he will visit Colchester to meet the heads of schools with a high proportion of children from military families. [194093]

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Ivan Lewis): My right hon. Friend the Secretary of State listened carefully to the views expressed by schools when he visited Colchester last year. The Department will work closely with the National Association of State Schools for Service Children, and we are currently looking at ways in which we can help to encourage the sharing of experience and good practice to support schools with service children.

Bob Russell: That answer will not do, because 16 months ago the Secretary of State, in a high-profile visit to Colchester, met head teachers and governors of the six schools that attract a large proportion of children from military families and led them to believe, in the words of the headline in the *Colchester Evening Gazette*, "You will get more money". The Secretary of State should make a return visit to explain what has happened over the past 16 months and why the promises that he gave on what was a Labour party stump visit have not been delivered.

Mr. Lewis: May I first say to the hon. Gentleman that every visit that my right hon. Friend makes is high profile? The issue is important and it should not be used for petty political point scoring. We should be concerned about three elements: first, that children of service families have access to high-quality education; secondly, that their parents can be guaranteed that that will be the case; and thirdly, that schools that deal with a disproportionately high number of children from service families should receive the support that they need to cope with the inevitable turbulence. Consequently, we will work with the newly reformed National Association of State Schools for Service Children and examine tangible and practical measures to support schools and families in those circumstances. I hope that the hon. Gentleman will make a constructive contribution to that process.

Healthy Eating

4. **Mr. David Amess** (Southend, West) (Con): What plans his Department has to promote healthy eating in schools; and if he will make a statement. [194095]

5. **Tom Brake** (Carshalton and Wallington) (LD): What progress has been made on improving healthy eating in schools. [194096]

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Stephen Twigg): In September this year, we published the "Healthy Living Blueprint", which includes important measures to promote healthy eating in schools.

Mr. Amess: Although I am delighted that the Health Committee report on obesity has triggered a national and international debate on the subject, action is now needed. Does the Minister agree that the amount of fat and sugar in what we eat and drink is a critical factor in obesity? If so, will he take action on the important issue of vending machines in our schools and address what is sold from those machines and when such snacks are available to our children?

Mr. Twigg: I agree that we must reduce fat, sugar and salt consumption. We are re-examining the standards for secondary schools and primary schools with respect to both vending machines, which is the point that he has raised, and school meals served at lunchtime.

Tom Brake: On vending machines, the Minister will be aware that Mars and Coca-Cola cannot be advertised in vending machines in Scotland. Does the Minister plan to introduce a similar ban here?

Mr. Twigg: I understand that those companies volunteered to make that arrangement, and that they will do the same here. We want to ensure that healthy options are available through vending machines. Excellent examples exist of schools providing fruit juices, cereal bars and other such options in their vending machines, and some evidence suggests that children prefer to take those options, where they are affordable.

Linda Perham (Ilford, North) (Lab): I know that my hon. Friend is aware of the campaign by Ilford Jewish primary school to extend the free fruit initiative to key stage 2—a petition has been sent to Downing street and the school has started its own orchard. Is he considering extending the scheme to key stage 2, which is the object of the campaign run by children and staff?

Mr. Twigg: I am aware of that campaign by Ilford Jewish primary school and of my hon. Friend's strong and consistent support for it. The Department of Health has been promoting the fresh fruit scheme, which has made a real difference at key stage 1. We would encourage schools to consider using their resources further to extend the fresh fruit scheme as part of their own healthy eating schemes. We do not have any national plans to fund the fresh fruit scheme beyond key stage 1.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): I invite my hon. Friend to visit Four Dwellings school to watch primary school children eating carrots and tomatoes at break and thus see genuine progress. As he makes further progress, will he please not ignore the relationship between healthy eating and physical exercise? Not only calorific intake but how children use up the calories is important. We therefore need a combination of healthy eating and exercise.

Mr. Twigg: Nothing would give me more pleasure than joining my hon. Friend in her constituency to watch children eating their carrots. Indeed, we have redefined carrot as a fruit under the fresh fruit scheme. She is right that healthy eating is only one component of healthy schools. Clearly, the massive investment in improvements to physical education and sport is vital, too.

Adam Price (East Carmarthen and Dinefwr) (PC): Government procurement rules mean that schools often have to award food contracts that are based on price. What steps could be introduced to make it easier for schools and local authorities to source more food from local and organic producers? [*Interruption.*]

Mr. Twigg: My hon. Friends are making puns on the hon. Gentleman's surname. I do not take part in that. We are considering procurement through the healthy living blueprint. It is striking that some schools are managing even with limited budgets to source organic produce locally. We want to ensure that that best practice is shared as widely as possible.

Lynne Jones (Birmingham, Selly Oak) (Lab): Will my hon. Friend explain why the Government are not considering extending the successful free fruit scheme? Will he also consider the possibility of free milk in schools for younger children?

Mr. Twigg: I agree that the scheme is successful. Of course, it has only just gone nationwide and we want to monitor its impact. To be frank, the scheme carries a cost. The Department of Health has come up with the money and we are grateful for that, but we must consider our spending priorities for schools. The focus is on ensuring that as much money as possible goes into school budgets so that it can be spent effectively. The same thinking applies to school milk. Many schools provide it, and although we welcome that we do not want to impose it as a requirement on every school when there are other pressures on school budgets.

Charles Hendry (Wealden) (Con): Has the Minister read the evidence that when healthy, good-quality food is provided in school, more students opt for school meals? Has he seen the evidence of the link between good healthy food and good behaviour? Does he understand why secondary school students feel that they are being treated as second-class citizens when twice as much money is spent on food for prisoners as on food for students? Does he understand the Soil Association's criticism of the Department yesterday that rightly highlighted the shocking loss of mineral content in school meals? Students get only 80 per cent. of their iron intake and 68 per cent. of their zinc intake from them. That could lead to long-term problems. The Department talks of an evaluation exercise, setting up an expert steering group and more monitoring. Does the Minister understand that less talk and more action is needed?

Mr. Twigg: Action is precisely what we are taking. We introduced basic nutritional standards, which did not exist before 1997. Some of the examples that the Soil Association gave yesterday do not fulfil our current standards, which we are now revising. We have got the experts in to examine the matter and we shall have new standards for secondary schools from next year. We accept that standards are not as high as they should be in many secondary schools. We will work with the Soil Association and others to ensure that we have the best standards in every school.

Helen Jones (Warrington, North) (Lab): Although there are many excellent school catering staff, does my hon. Friend agree that many staff were deskilled when nutritional standards for school meals were abolished? What are his plans for improving the training of school meals staff? Evidence in my constituency shows that having good, well-trained cooks who are prepared to cook from scratch radically improves the quality of school meals.

Mr. Twigg: My hon. Friend is right. I pay tribute to her for her excellent work in raising the matter in the House and beyond. One of our commitments in the blueprint is to improve the training for catering staff in schools so that we can attain the enhanced quality for which she rightly asks.

Grammar Schools

6. **Sir Teddy Taylor** (Rochford and Southend, East) (Con): How many pupils were being educated in grammar schools in England (a) on the latest date for which figures are available and (b) five years ago. [194097]

The Secretary of State for Education and Skills (Mr. Charles Clarke): In January 2004, there were 152,610 pupils in grammar schools in England—4.6 per cent. of all secondary pupils. In 1999, the figure was 140,880—4.5 per cent. of secondary pupils then.

Sir Teddy Taylor: Is the Secretary of State aware that one of the few pleasant surprises provided by the Government is the positive attitude that they have taken to the survival and development of grammar schools? Can he give us an assurance that that policy will continue?

Mr. Clarke: The hon. Gentleman's surprise is inaccurate, in that that is not exactly the course of action that we have been following; I am sorry to disappoint him. The Select Committee on Education and Skills produced a carefully considered report on this matter, which was published a couple of months ago, and we will provide a detailed response to its proposals in the next week or so. The hon. Gentleman will have to wait until then to see precisely how we deal with those proposals.

David Taylor (North-West Leicestershire) (Lab/Co-op): Does the Secretary of State agree with the 1997 quote from a Labour colleague of ours? He said that the grammar school system

> "was a response to the needs of a vanished society which required a small educated class and a large number of manual workers. It is no longer the appropriate model for a world where most jobs require educated men and women."

Given that the Member in question was my right hon. Friend the Member for Sedgefield (Mr. Blair), when is the Secretary of State going to do something about this dodo in the educational aviary?

Mr. Clarke: My hon. Friend will be shocked to hear that I agreed then with every word of that speech by my right hon. Friend the Member for Sedgefield and I agree with it now, which is why our recent policy proposals—the five-year plan—focused directly on the needs of every child, using the slogan "every child matters". Society has changed in precisely the way set out by my right hon. Friend, and our education system has to meet the needs of every single person. That is now the test for every school, institution and the Government in this process.

Mr. Damian Green (Ashford) (Con): The Secretary of State will doubtless be aware that the grammar schools in my constituency do an excellent job not just for their own pupils and the wider community, but in working very well with all other schools in the area. Will he confirm that the Government have no intention of lowering the percentage needed in a parental ballot to abolish grammar schools, so that I, in turn, can assure all those members of the Labour party in Kent who are trying to destroy Kent's grammar schools that they are wasting their time?

Mr. Clarke: I must refer the hon. Gentleman to the response that we will give to the Select Committee in couple of weeks' time, which will address precisely that point. However, it is worth examining in some detail, and in precisely the way that I have identified, Ofsted's report on education in Kent and the selective system's impact on every child in that county. I know that he will want to be sure that every child in his constituency is getting the support that they need to achieve in every respect, and I commend the Ofsted inspector's report on that matter to him.

Children's Centres

7. **Mrs. Joan Humble** (Blackpool, North and Fleetwood) (Lab): If he will make a statement on the provision of children's centres. [194098]

The Minister for Children, Young People and Families (Margaret Hodge): We have already announced 71 children's centres and we will shortly be announcing more. We are committed to providing 2,500 such centres by March 2008, which will include one for each of the 20 per cent. most disadvantaged areas. We are working up plans to provide a children's centre in every community.

Mrs. Humble: I thank my right hon. Friend for that reply. Is she aware of the great benefit that children's centres have already brought to Blackpool, of the enthusiasm with which parents and professionals have greeted them, and of the welcome for the £1.6 million for the second phase of such centres? However, is she also aware that in order to continue delivering the quality service of the first phase, she might need to consider yet further additional resources?

Margaret Hodge: I am pleased that my hon. Friend is getting such a positive response to children's centres in her community. We are certainly gathering huge amounts of evidence about the impact of Sure Start children's centres on outcomes for children—from the relationship with the mother in the early days, to a child's readiness for school as they move through those early stages. We intend to pursue this programme, and by 2008 we will be spending some £4.4 billion—just from the Department for Education and Skills budget—on early years and Sure Start. I do wonder what would happen to that extremely successful programme, were the Conservative party ever to get back into government.

Mr. Paul Goodman (Wycombe) (Con): Children's centres are a good idea; perhaps in her next answer the Minister might refer to fathers, which she did not do a moment ago. She will also want to ensure that state-provided children's centres do not crowd out private and voluntary sector providers. For example, providers currently have to face some 28 separate funding streams and application processes. Is it not time to amalgamate some of these funding streams and tear down the artificial barriers to child care supply?

Margaret Hodge: I am delighted that the hon. Gentleman thinks that children's centres are a good idea, and I look forward to his party committing itself to continuing the expansion of children's centres in the way that we have. I agree that the role of fathers in children's centres is important, and some of our best Sure Start programmes are working hard to engage fathers as well as mothers in their child's early development. I also agree that we have too many funding streams, both for the private and voluntary sector and the statutory sector, to enable local communities to develop children's centres that make sense. That is being examined as we speak, and I hope to have some good news for him on that in the not-too-distant future.

Valerie Davey (Bristol, West) (Lab): An application for a children's centre is being made from a vibrant, multicultural, multilingual area of my community. Does the Minister have any advice for those making the application in terms of refinement of the criteria?

Margaret Hodge: It sounds as though there may be some problem in relation to the application to which my hon. Friend refers. I am happy to talk to her if she wants to write to me about it. In terms of criteria, we are looking for children's centres to provide services around the needs of the child and their family, bringing together early years education and child care, community health services, from health visitors and midwives through to speech and language therapy, and support for families, whether parenting support for mothers and fathers or support to enable parents to move from education and training into work. We are looking for that coherent set of services, around the needs of the child, in children's centre plans.

Angela Watkinson (Upminster) (Con): By the time that children enter formal education they need to be self-confident, well-adjusted and ready to learn. Does the Minister agree that child care settings should be used to ensure that children gain the personal and social skills that they need to succeed at school, and that high-quality early years provision could in due course help to reduce antisocial behaviour in teenagers? Does the Minister agree that the quality of child care is even more important than supply, eligibility and cost, on which the debate usually focuses?

Margaret Hodge: There is huge consensus across the Chamber today, but I am waiting for the Opposition to tell us whether they would match their intent with resources. Of course I agree with the hon. Lady that readiness for school is not just about the cognitive skills that we want children to develop but their social skills, emotional well-being and physical well-being. The joy of this Labour Government initiative to provide those services around the needs of the child is that we are beginning to see evidence from all those indicators that children are better prepared for school. I concur completely with her that if we develop all those facilities, children are far less likely to display antisocial behaviour later in life.

The hon. Lady talks about the quality of child care, which is very important, but we must bear in mind quality, supply and affordability. There is huge demand out there from many parents for high-quality, affordable child care and we must build that infrastructure as quickly as we can. High-quality child care is what makes all the difference to the child, and that is foremost in our minds.

Lawrie Quinn (Scarborough and Whitby) (Lab): Regrettably, in Scarborough and Whitby, the consensus that we have heard in the Chamber is not mirrored in the behaviour of the Conservative borough council—not a local education authority—which is in the process of withdrawing the current children's centre provision. Can the Minister give some priority to examining the problems that will face my constituents in the deprived areas in which she and the Government want to invest, so that we can make good the massive mistake that the Conservative council in Scarborough is about to make?

Margaret Hodge: I am sorry to hear what my hon. Friend says about his local authority.

If we are to deliver a really effective early years and child care infrastructure, we must deliver it through local authorities. Our whole agenda represents a huge vote of confidence in local government, but we depend on our local authority partners to deliver. We can provide the resources and support, but they must deliver.

This is a popular policy, as is clear from what has been said here today. I think my hon. Friend's district council would be extremely unpopular if it did not provide these services: it would be letting children down, and not giving them a good enough future. We will highlight the authorities that do good work, as well as those that fail to deliver for children and families in their communities.

School Admissions

8. **Andrew Selous** (South-West Bedfordshire) (Con): How many parents did not secure their first choice of school in the last year for which figures are available. [194099]

The Minister for School Standards (Mr. David Miliband): The House will be pleased to know that research into secondary school admissions by Sheffield Hallam university and the Office for National Statistics shows that 96 per cent. of parents were offered places at schools for which they had expressed a preference, and 92 per cent. were offered places at schools that the admissions authority thought was their first preference.

Andrew Selous: As the Minister will know, the number of appeals by parents who have not been given places at the school of their choice has increased by 50 per cent. under this Labour Government, and a recent survey showed that some 70,000 parents moved house between April and September last year in an attempt to get their children into their chosen school. Why will the Minister not abolish the surplus places rule, and also ensure that schools have more freedom to take more children if they choose?

Mr. Miliband: It is a fine day when the Opposition's central policy is to abolish a rule that does not exist. There is no surplus places rule. Opposition Front Benchers' idea that they will make their way into government by abolishing something that was actually abolished by this Government's predecessor really does beggar belief.

Mr. Tim Collins (Westmorland and Lonsdale) (Con): Does the Minister agree with the Select Committee on Education and Skills that the Government's rhetoric on school choice is entirely incompatible with the withdrawal of free school transport proposed in the School Transport Bill, which will be debated later today? Does he accept that, in response to a parliamentary question about what the Government had done for school choice, a Minister revealed that they had funded the expansion of only four popular schools? Would it not be better for the Government to adopt the Conservative policy, scrap the School Transport Bill and introduce a right to choose, so that 100,000 extra parents could be given places at their first choice of school?

Mr. Miliband: We will be discussing the Bill later, but I can tell the hon. Gentleman what does not increase choice. It does not increase choice to take £1 billion and put it in the private sector for an assisted places scheme. It does not increase choice to allow primary as well as secondary schools to choose their pupils. And it certainly does not increase choice to stop schools using distance as a criterion for entry. What sort of madness is that?

Dr. Vincent Cable (Twickenham) (LD): Does the Minister not recognise the considerable sense of injustice felt by parents whose children are denied admission to local community schools as their first choice because of outer-borough pupils coming in under the Greenwich judgment? Following the failure of the Camden compromise proposals in the High Court, will his Department take responsibility for coming up with alternative proposals?

Mr. Miliband: Of course I sympathise with any parent whose child is not given a place at the school of his or her choice, but I am sure the hon. Gentleman will appreciate that—especially in London, which has 32 boroughs—there will be a series of cross-borough movements by pupils whose nearest schools are across a boundary. I am not sure that his simplistic solution would work.

School Closures

9. **Bob Spink** (Castle Point) (Con): How many secondary school closures there have been in Essex in the last five years. [194100]

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Stephen Twigg): I understand that in the last five years Essex county council has closed one secondary school, but that it was immediately replaced by a new voluntary-aided Church of England school on the same site.

Bob Spink: Does the Minister accept that Canvey Island children—excellent children, generally—need more facilities, and a greater focus on education? Does he agree with me, and with the excellent county councillor, Ray Howard, that there should be no proposal from Essex county council that would threaten one of our three excellent secondary schools on Canvey Island—not least because of the increased pupil numbers that would result from the 4,000 extra houses that the Government are forcing on it? *[Interruption.]*

Mr. Twigg: I am being heckled by my hon. Friends behind me and by the Liberal Democrats to remind the House that the council in question is a Conservative council, but I was not going to make a party political point in response to the hon. Gentleman's perfectly legitimate constituency matter. I am aware that the authority is in the middle of consultation, and we have received his representations, and representations from at least one parent in his constituency, on this matter. He will understand that I cannot comment beyond that, because this matter has to be decided at local level.

A-levels

10. **Mr. John McWilliam** (Blaydon) (Lab): If he will make a statement on grading of advanced level examinations. [194101]

The Minister for Lifelong Learning, Further and Higher Education (Dr. Kim Howells): The Government play no role in the grading of external examinations. That is the responsibility of the regulatory authorities and the awarding bodies. The final report of the working group on 14-to-19 reform makes a number of recommendations regarding the future grading and reporting of achievement at advanced level. We will address these proposals in detail in the form of a White Paper early in the new year.

Mr. McWilliam: Will my hon. Friend assure me and the House that he will in no circumstances reintroduce the unfair and disgraceful quota pass system?

Dr. Howells: I can give my hon. Friend that assurance. I find it hard to believe that anyone would want to go back to a system of setting quotas for those who can gain A-levels. We are interested in quality, not quotas. Surely, in a modern democracy, the basis for any public examination is that if someone meets the agreed standard, they pass. That is why the quota system was abolished by one of the intellectual architects of what used to pass for modern conservatism, the then Secretary of State for Education, Sir Keith Joseph.

Jon Trickett (Hemsworth) (Lab): I know that my hon. Friend has a constituency similar to mine, in which levels of educational attainment at A-level and other levels are very low. In South Kirby, on my patch, 49 per cent. of the people have no qualifications at all, either at A-level or any other. In Featherstone, the figure is 47 per cent. These figures are obviously very poor. Does the Minister agree that we should be enhancing education provision in such constituencies? In that context, will he look carefully at the actions of the university of Leeds, which is now actively withdrawing facilities in the city of Wakefield, thereby depriving my constituents and others of educational opportunities?

Dr. Howells: I will certainly look into the activities of Leeds university on the Wakefield campus, and I hope that my hon. Friend will allow me to come back to him on that matter.

School Admissions

11. **Mr. Mark Francois** (Rayleigh) (Con): What assessment he has made of the likely impact of changes to the school admissions system made by local education authorities. [194102]

The Minister for School Standards (Mr. David Miliband): The introduction of co-ordinated admission arrangements will make the admissions process smoother and easier for parents, who will be able to express all their school preferences on a single application form. It will put a stop to the current situation, in which some parents hold offers from two or more schools while others have none. It will instead ensure that all parents receive a single offer of a school place on the same date.

Mr. Francois: I thank the Minister for that reply. Given his earlier reply to my hon. Friend the Member for South-West Bedfordshire (Andrew Selous), I know that he will be well aware that the surplus places rule still operates in practice, not least in the form of the guidance that the Government issue to local education authorities. As all four of the secondary schools in my constituency are now effectively full, will the Government rescind the surplus places rule to allow good schools to expand? That is exactly what parents want.

Mr. Miliband: As the Under-Secretary of State, my hon. Friend the Member for Enfield, Southgate (Mr. Twigg), said earlier, five of the first 11 questions today have been from hon. Members representing Essex. The Essex men have been busy, and I congratulate them. There are 600,000 spare places in the education system around the country, and it is precisely to take account of the situation in places such as Essex that we have made it much easier for successful and popular schools to expand, supported by a dedicated pot of capital expenditure. As the applications come in, they will be treated very sympathetically, precisely to allow that to happen. I must point out to the hon. Gentleman, however, that some schools do not want to expand, because they think they are the right size already.

Mr. Nigel Evans (Ribble Valley) (Con): The Minister says that the new arrangements will make the process smoother and easier for parents, but does he know how stressful it is for parents and children? In the Ribble valley, parents have to put down all four of their choices, including the grammar school, as No. 1. If their youngsters fail to get through the examination process, not only do they not get their second, third or fourth choice but they are offered a place in a school many miles away in another borough. That is completely wrong. Would it not be far better to allow the youngsters to try the exams first and, if they failed, to offer them a place at another excellent local comprehensive school, rather than carting them off to a school many miles outside the area?

Mr. Miliband: What the hon. Gentleman is proposing is that some children from some families should have two choices, or two bites of the cherry, while other children should only get one. The new system, which has been carefully tested in a range of authorities, has led to less stress, not more. There is a single form on which applications are made and a single date on which all parents get the results. The hon. Gentleman shakes his head, but if he writes to me with any details, we will look into them carefully. This is the first year of the new system rolling out nation wide. We are happy to assess how the system works in practice, but I can tell the hon. Gentleman that the reports that we are receiving suggest that the system is now much smoother, not more difficult.

Mr. Mark Hoban (Fareham) (Con): Has the Minister followed the coverage of the case of a single mother in Labour-controlled Reading who feels that her son's chance of a good education has been compromised by the introduction of a ranked preference scheme? Why did the Secretary of State allow that option to be made available to local education authorities, when his own code says that that variant

> "may therefore lead to less parental satisfaction overall, where there is significant variability in schools' popularity and/or quality"?

Does it not demonstrate yet again that, when it comes to school choice, the Government are all talk and no action?

Mr. Miliband: The Government's record suggests the opposite. We have moved from a position in which 450 schools were getting fewer than 25 per cent. of young people up to five A to C grades at GCSE to one in which about 60 per cent. are gaining those grades. Any talk from the Conservatives about how choice has been reduced is a load of nonsense. I have not seen the "Reading Advertiser" from which the hon. Gentleman got this particular story, but I am happy to talk to my good and hon. Friend the Member for Reading, East (Jane Griffiths), to find out more about the details.

Spending (Secondary Pupils)

12. **Matthew Taylor** (Truro and St. Austell) (LD): What the average standard spending assessment per secondary pupil is for (a) England and (b) Cornwall; and what the equivalent figures were in 1996–97. [194103]

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Stephen Twigg): In 2004–05 the average formula spending share for secondary pupils in England is £3,106 per pupil. In Cornwall, it is £2,935 per pupil. Because of changes to the funding system, I cannot provide the equivalent figures for 1996–97, but the total recurrent funding for pupils aged 3 to 19 has increased in Cornwall in real terms by £830 per pupil since 1997–98, compared with £940 per pupil nationally.

Matthew Taylor: The Minister will be aware that part of the reason why the spend per pupil is so much lower in Cornwall than the national average is the area cost adjustment, which gives more money to what are regarded as higher income areas in London and the surrounding area. Would he rule out taking that even further and basing the system on a direct relationship to local wages, which would leave Cornwall, which has the lowest wages in the country, with the lowest funding in the country? That is precisely the system that his colleagues in the Department of Health are bringing in for hospital funding.

Mr. Twigg: I am not aware of any suggestion to move to such a system for the funding of local education authorities. The hon. Gentleman is absolutely right about the ACA. He will be aware that the existence of a threshold is a provision that actually benefits Cornwall. Without that threshold, the position would be worse than the one that he described. The ACA is updated each year to reflect some of the changes that are taking place in local labour market patterns and we have undertaken, as part of our five-year strategy, to look again at the funding formula, and consultation on it will begin early next year.

Mr. Eric Illsley (Barnsley, Central) (Lab): Any analysis of standard spending assessments on secondary school pupils would show that my area of Barnsley is consistently below the national average. That discrepancy is hampering the efforts that we making in Barnsley to improve standards and results. I ask the

Minister to look yet again into spending on Barnsley to establish whether we could be brought up at least to somewhere around the national average.

Mr. Twigg: I am grateful to my hon. Friend. What we are seeking to do through the national formula is to have a system under which a pupil receives the identical level of funding wherever he or she goes to school. That has brought about significant improvement in the system, but clearly there is always room for discussion about whether we are getting it quite right. That is why, as I said in my previous answer, consultation will start in early spring 2005 on how the formula should work in the medium and longer term.

Student Grants

14. **Dr. John Pugh** (Southport) (LD): What problems have been reported to his Department concerning the new software available to local education authorities for the administration of student grants. [194105]

The Minister for Lifelong Learning, Further and Higher Education (Dr. Kim Howells): I am informed that, following early teething problems, the new Protocol system for administering student support has now stabilised and is doing the job as intended, processing and paying out funds to higher education students from England and Wales. Most LEAs are now processing applications within the standard six weeks. We have also invoked contingency action to release interim payments to existing students who applied by the deadline but whose assessment could not be completed by the start of term.

Dr. Pugh: I appreciate that acknowledgement of relative failure, but does the Minister agree with officers in my authority who say that the main problem relates to the need to interact with a centralised system by telephone lines across the country more or less simultaneously everywhere, causing the system to be slow, to go offline and to leave valuable staff twiddling their thumbs? Does he recognise the problem, and has he consulted my authority on how to rectify it?

Dr. Howells: There were problems, but they have now been largely ironed out. The root of the trouble has often been LEA systems not being correctly configured to accommodate Protocol. Having spent many happy hours back in the early 1990s on the Public Accounts Committee, looking at how lots of agencies and Government bodies did not quite get their computer systems right, I am very much aware that they are very delicate beings and we are often over-ambitious in the way in which we use them. I have been assured, however, that this is up and running and working relatively well.

Adult Residential Colleges

15. **Mr. David Kidney** (Stafford) (Lab): What assessment he has made of the contribution made by adult residential colleges to lifelong learning. [194106]

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Ivan Lewis): These colleges provide valuable opportunities for those who get pleasure and personal fulfilment from learning, particularly older people. The publicly funded provision of individual Adult Residential Colleges Association colleges has to be planned and agreed between the college and the local learning and skills councils. At a national level, discussions are taking place between ARCA and the Learning and Skills Council on the future position of the colleges.

Mr. Kidney: I share my hon. Friend's high regard for the colleges. Members of the Adult Residential Colleges Association tell me that they are very keen to contribute to the Government's agenda on lifelong learning. Commendably, they are concerned about their fees structure excluding some people who would wish to take part. Is he willing to meet members of ARCA to discuss a national strategic approach to creating social inclusion in the work that they do?

Mr. Lewis: I pay tribute to my hon. Friend's effective advocacy on behalf of the colleges. I agree absolutely that there is a case for looking at them in a national context to recognise the contribution that they make to the lifelong learning agenda. I will be absolutely delighted to meet him and members of the association in the very near future.

Student Loans

17. **Norman Lamb** (North Norfolk) (LD): How many higher education students are waiting to receive their student loans for the current academic year. [194108]

The Minister for Lifelong Learning, Further and Higher Education (Dr. Kim Howells): Of the 807,000 applications received so far, only 73,000 are still being processed, all of which were received after the published deadlines. Local authorities and the Student Loans Company have never been able to guarantee payment at the start of term to late applicants. Where necessary, we have invoked contingency action to release interim payments to existing students who applied by the deadline but whose assessment could not be completed by the start of term. As in previous years, the Department has written to higher education institutions asking them to be supportive of students who do not have loans in place at the start of term.

Norman Lamb: The Minister says that students who applied on time will have got their money, and indeed the latest news on the Department's website, dated 8 September, still says that those who applied on time should get their money by the start of term; yet my constituent, Jackie Benny, has written to me to say that her daughter is still waiting—although she has at last received the interim payment of £1,000 this week—does not know how much she will get overall, and is being pressured by the college to make the payments. Will he increase pressure on colleges to ensure that they treat students sympathetically, and will he also do more work with the LEAs that are having problems—there are lots in Norfolk—in getting the applications processed on time?

Dr. Howells: As I understand it, Norfolk county council is one of the LEAs that has been experiencing particular difficulties with processing. Interim payments have been made—I am glad that the hon. Gentleman's constituent's daughter has received hers—but I undertake to find out precisely where the difficulty has arisen.

Small Schools

18. **Mr. David Heath** (Somerton and Frome) (LD): What his policy is on the funding of small schools on more than one site. [194109]

The Minister for School Standards (Mr. David Miliband): The funding of split-site schools is a matter for the local education authority to determine. Authorities have considerable freedom to decide on the detail of their school funding formulae and they are able to include factors that provide additional funding for small schools, including those that operate on split sites.

Mr. Heath: There are undoubtedly difficulties with federated small schools with single management but two completely separate sites, although that is often the right answer for very small village schools. One of the problems is the funds that are now supplied directly from Whitehall to schools, because they do not take into account the higher running costs and higher capital costs for schools that operate on two separate sites. Will the Minister look at the situation again? I accept the fact that some responsibility lies with the LEA: I can take that up with Somerset LEA, but I ask him to take the issue up with his officials.

Mr. Miliband: Our responsibility is to ensure that the funding system provides sufficient flexibility and funding to all local authorities to take account of the particular needs in their area. Our intelligence was that the hon. Gentleman intended to raise a particular issue in his question. I thought that he was going to congratulate the Government on the help that they have given to Somerset county council in respect of St. Mary and St. Peter's first school. Since he has not, I am very happy to do so. I am sure that the House will be pleased to hear about the split-site allowance of £11,180, and the curriculum protection for a school with sites in two villages of £44,081 that have been allocated to the school. Those figures suggest to me that the system is working, at least in some respect.

SOLICITOR-GENERAL

The Solicitor-General was asked—

Witness Intimidation

20. **Chris Bryant** (Rhondda) (Lab): What plans the Crown Prosecution Service has to assist in tackling the intimidation and harassment of witnesses. [194083]

The Solicitor-General (Ms Harriet Harman): The "no witness, no justice" programme will enable the Crown Prosecution Service to give greater support to victims and witnesses who are at risk of intimidation or harassment. In order to protect witnesses, those responsible for intimidation or harassment can be prosecuted. Prosecutors can apply for defendants to be remanded in custody or be subject to bail conditions, and the courts can order that they sit in private if that is necessary to enable witnesses to give their best evidence.

Chris Bryant: My right hon. and learned Friend will be aware that in many close-knit communities, such as former mining communities like the Rhondda, issues of harassment and intimidation of witnesses can come very high on the list of miseries created in the criminal justice system for many ordinary, decent families. Can the CPS get involved with the police—and the local authority, in the case of antisocial behaviour orders—from the beginning of the process to ensure that witnesses and victims stand a real chance of seeing it reach a just conclusion?

The Solicitor-General: In respect of antisocial behaviour action, the prosecutors form part of the team and will work with the police and the local authority, and with Victim Support. We also have to be sure that as well as providing the right level of support for victims and witnesses, we allow defendants the opportunity to put their case and defend themselves.

Mr. John Burnett (Torridge and West Devon) (LD): The principle that justice should be done in public and fully reported occasionally has to be tempered by the need to protect victims and witnesses. That is so not only in criminal cases, but in family law proceedings, especially those involving children. What guidelines have been given to the CPS in relation to victim or witness anonymity and curtailing of reporting rights, and are any further guidelines proposed?

The Solicitor-General: In relation to the criminal courts, the principle is that the courts should be as open as possible. Justice should not only be done, but be seen to be done. Issues should be tried in public. If it is necessary to place restrictions on that general principle to enable witnesses to give their best evidence, prosecutors can apply for several special measures. The hon. Gentleman mentioned other jurisdictions, and indeed I recently issued a written statement about an amendment to the Children Bill. In the family courts, the general rule is that they sit in private—the opposite of the criminal courts—unless it is ordered that a hearing should be open. We needed to amend that to bring increased openness and accountability so as to build public confidence in family proceedings.

Mrs. Louise Ellman (Liverpool, Riverside) (Lab/Co-op): Does my right hon. and learned Friend agree that dealing with witness intimidation will be essential to the success of the new north Liverpool community justice centre? What plans does she have to deal with that important issue?

The Solicitor-General: We all think that the Liverpool community justice centre is a really important step forward, and I take this opportunity to congratulate my hon. Friend, her parliamentary colleagues and all those who have worked to get the centre up and running. We hope it will be very successful. The key is to ensure that problems are identified early on, the concerns of victims and witnesses are understood and appropriate action is taken.

Mr. Dominic Grieve (Beaconsfield) (Con): In the context of encouraging witnesses to come forward and participate in the court process, I am sure that the Solicitor-General will agree that one of the key elements is reassurance that the Crown Prosecution Service will take them and their cases seriously, and that much good can be done if the CPS is seen as a fearless champion of the public interest in prosecuting offenders. In that context, what sort of message is sent out when a 63-year-old farmer in Norfolk, Mr. David Key, arrests two individuals in his farmyard in the act of siphoning off petrol, one of them allegedly admits his participation in the offence, yet a CPS spokesman says that it will not proceed on the basis that

> "The property involved was not of great value. A decision has to be made if it was worth while to bring a prosecution bearing in mind the chances of getting a conviction"?

Will the Solicitor-General see that the matter is looked into urgently? What sort of message does it send out to witnesses and those who fear intimidation—

Mr. Speaker: Order. That supplementary is far too wide of the original question.

Government Legal Panels

21. **Mr. David Kidney** (Stafford) (Lab): How many names of counsel are on the panels maintained for Government legal work; and how other counsel may have their name added to those panels. [194084]

The Solicitor-General: The Attorney-General maintains panels of counsel to undertake civil and criminal work for all Departments. There are 307 counsel on the civil panels and 578 on the criminal panels.

Mr. Kidney: I thank my right hon. and learned Friend for that answer. I do not suggest that the Government are unduly litigious, but they spend substantial amounts of public, taxpayers' money on legal services, so does she accept that there is an obligation to ensure that there is fair access for those who have the talents and qualities to undertake such work, including newly qualified barristers and—dare I say it—solicitor advocates?

The Solicitor-General: My hon. Friend is right. We need to get two things right: to ensure that the Government have the best legal advice and advocacy when they are involved in legal proceedings; and that access to the interesting and important work of representing the Government in court and giving them legal advice is fair and open. As he says, that work is well paid. It also provides opportunities for those doing it to go into the judiciary. Perhaps I can take this opportunity to pay tribute to my predecessor, Lord Falconer, who took the process from being a bit of an old boys' network and made sure that it was fair and open.

Antisocial Behaviour Orders

22. **Mr. Ben Chapman** (Wirral, South) (Lab): Whether the Crown Prosecution Service has a role in the antisocial behaviour order procedure. [194085]

23. **Bob Spink** (Castle Point) (Con): What advice she has given to the Crown Prosecution Service about the prosecution of people who breach antisocial behaviour orders. [194086]

The Solicitor-General: The Crown Prosecution Service considers whether an antisocial behaviour order application is appropriate following a relevant conviction and, if so, makes a request to the court. The CPS is also responsible for prosecuting breaches of antisocial behaviour orders. Full guidance on the law and practice regarding those orders, including the prosecution of breaches, was issued by the Director of Public Prosecutions to all Crown prosecutors and caseworkers in April 2004.

Mr. Chapman: I very much welcome the role of the CPS in that regard, and the appointment of a dedicated prosecutor for Merseyside. I invite my right hon. and learned Friend to welcome both the recently announced witness protection measures for those reporting incidents of antisocial behaviour and the announcement today that Wirral is to have more power given to its elbow to tackle that scourge of my constituents by being appointed as an ASB action area.

The Solicitor-General: I thank my hon. Friend for those points. As he said, a specialist prosecutor is covering his area—Iain Criddle, who has been described in local newspapers as the antisocial behaviour tsar. I am not sure that I would go as far as that, but he is working for the CPS with a team of people to deal with the problems that my hon. Friend raised.

Bob Spink: To some extent, ASBOs, curfews and dispersal orders work very well, and Essex police used them to great effect on Canvey Island this year. However, does the right hon. and learned Lady accept that the CPS and the courts should use the toughest possible action to deal with breaches of ASBOs, and that generally they should send offenders to prison? In that way, they would send out the right message and make sure that ASBOs' effectiveness continues to improve.

The Solicitor-General: The hon. Gentleman makes a fair point when he says that it is important that breaches of orders on antisocial behaviour made by the court should be dealt with effectively, so that confidence that the orders mean what they say can be sustained. Sentencing is a matter for the courts.

Mr. Lindsay Hoyle (Chorley) (Lab): My right hon. and learned Friend will agree that ASBOs have played an important part in curtailing trouble in areas, but does she not agree that the press has a right to print the names of people for whom application for such an order has been successful? Does not the press also have the right to ensure that people are aware when an ASBO has been breached?

The Solicitor-General: The press has a right to report anything that the law does not expressly prohibit.

Service Personnel

24. **Mr. Gordon Prentice** (Pendle) (Lab): What supervisory responsibilities the Attorney-General has for the law as it relates to service personnel. [194087]

The Solicitor-General: The service prosecuting authorities are subject to the general superintendence of the Attorney-General. Regular meetings are held with the service prosecuting authorities, especially the Army prosecuting authority. I refer the House to the statement that I made on 15 June, in which I set out the Law Officers' responsibilities for prosecutions of people subject to military law.

Mr. Prentice: What is the mechanism for calling in a case for trial in the civilian courts? Is the commanding officer obliged to follow the advice of the Army prosecuting authority? If he does not follow that advice, is the case automatically referred to the Attorney-General?

The Solicitor-General: The vast majority of offences committed by Army personnel are dealt with by courts martial, following investigation by the military police. In some cases, notably serious ones, there is concurrent jurisdiction. That means that a matter could be tried either in a court martial or in a Crown court. Normally, the most appropriate jurisdiction is agreed between the CPS and the Army prosecution authority. If there is no such agreement, it is for the Attorney-General to decide in which jurisdiction the matter should be tried.

Reform of Laws on Murder

12.32 pm

Mr. Douglas Hogg (Sleaford and North Hykeham) (Con)*(Urgent Question)*: May I ask the Home Secretary to make a statement on his proposals for the review of the law of murder?

The Secretary of State for the Home Department (Mr. David Blunkett): With permission, Mr. Speaker, I should like to reiterate to you and to the House the apology that I issued last night for the way in which this matter has been handled. It had been my intention to address the issue of the review on homicide during Third Reading of the Domestic Violence, Crime and Victims Bill—a debate that did not take place. The press release issued by my Department was premature, and steps have been taken to prevent anything similar from happening in the future.

There has been a long-standing debate over many years about the need to review the laws on homicide. The Law Commission has produced a report on partial defences to murder. In the Standing Committee considering the Domestic Violence, Crime and Victims Bill, amendments were tabled and there was substantial debate. An amendment was tabled yesterday for the Bill's Report stage, but it was not selected for debate.

Many people, including a wide range of those in the judiciary, have called for clarification of the issues involved, which include provocation, partial defences and the interface between murder and manslaughter. I therefore propose to establish a review, the terms of reference for which I shall lay before the House shortly.

I want to make it clear that the starting points for murder, agreed by Parliament and set out in the Criminal Justice Act 2003, will remain. It is our intention that the review should take no more than 18 months and I will, of course, lay its findings before the House when it is complete.

Mr. Hogg: It would be ungracious of me not to welcome the Home Secretary's apology, but does he accept that what he did was an abuse of the House? First, Third Reading debates are limited to the Bill's content. Surely he knows that. Secondly, important statements on policy should be made in circumstances when he can be questioned, not in a tightly timetabled speech when he can refuse interventions. In any event, to release a press statement before making a statement to the House was contrary to Mr. Speaker's repeated instructions to Ministers.

Turning to the review, does the Home Secretary accept that it is to be welcomed? Will he accept that there is a considerable case for a single offence of homicide? Will he accept that the offence of murder comprises within it offences of varying degrees of gravity, at the lower end of which they merge on manslaughter? Given that a mandatory sentence of life is inappropriate and that a trial judge should have the right to impose sentences varying from whole life through determinant sentences to non-custodial sentences in certain circumstances, a discount should be available for a timely plea of guilty and, at the expiration of the determinant sentence, there should be a judicially driven process for either restricting a person from release if that person is a threat or even recalling them in such circumstances.

Mr. Blunkett: On procedure and the House, provocation and partial defence, which are central to the review, were part of the debate on the Bill and were raised on the back of the Law Commission report. In fact, amendments sought to draw down on that report. Therefore it was apposite for the Third Reading debate to reflect the debate in Standing Committee. [HON. MEMBERS: "No."] Opposition Members shout "No", but there has been a tradition in the House for Third Reading debates to reflect on the debates in Committee and on Report, pulling together the various aspects of the Bill. In the 17 years that I have been in the House that has been a pattern for both the Opposition and ourselves. Secretaries of State have responded to the amendments that were moved, the debate that took place and the concerns that were raised, especially if it was not possible to respond to the concerns raised in Committee.

If a member of the Standing Committee thinks that that is inappropriate, I would be happy to take an intervention, but those who were not on the Standing Committee and who did not participate in the debate should reflect on the fact that if the issues of provocation and partial defence have been raised, and the Law Commission review has been drawn on for debate, it would be totally wrong for the Home Secretary not to reflect on that, had the Home Secretary had the opportunity to do so had there been a Third Reading debate.

On the substantive issues raised by the right hon. and learned Gentleman, it is precisely in order to address those complex issues, including those that relate to diminished responsibility, to some of the issues raised by the Law Commission about the fear of violence, to the interface between manslaughter and murder—to which he rightly referred, as I did in my response to the urgent question—and to the long-standing wish of the judiciary to have total freedom, that we established the review. I take this opportunity to ask right hon. and hon. Members to submit their comments on that and tell us what they would like included in the review. It was because we wanted to allow people to contribute to the terms of reference that we put the statement out yesterday.

Mr. Malcolm Savidge (Aberdeen, North) (Lab): On behalf of a constituent whose twin sister, Madeleine Humes, was brutally stabbed to death by her husband, may I ask my right hon. Friend to try to ensure that as a result of the review killers will no longer use provocation or other technical defences to get away with grossly inadequate prison sentences, and that in future anger and jealousy at the breakdown of a relationship will never be accepted as an excuse for killing one's partner?

Mr. Blunkett: I accept the latter point unequivocally. It is because of the complications in trying to do the right thing, and finding that other aspects of the behaviour and the relationship with the law would be detrimentally affected, that we want a review rather than simply a response to what was described as the patch on the system that the Law Commission recommended. We have decided that a review is necessary so as to avoid a partial solution, which might lead to other complications.

Mr. David Heath (Somerton and Frome) (LD): I agree with the Home Secretary: this matter was raised in Committee, not least by me. I am grateful for his statement today. My only comment on yesterday's events is that his press release should have said, "Check against delivery," in case the delivery never happened.

Murder is a uniquely abhorrent crime and must be treated with the utmost seriousness. The Law Commission review of partial defence suggested further work in four different areas: the definition of the offence; whether it should be categorised on grounds of aggravation and/or mitigation; in light of the above, consideration of the application of a mandatory life sentence; and cases in which the offender is a child. Is the Home Secretary ruling out the work that the Law Commission wants to do on the third category, the mandatory life sentence, taking into account the fact that it may preclude proper prosecution or conviction in the case of some murders involving a high level of mitigation?

On provocation, does the Home Secretary agree that the present law is deeply unsatisfactory in two ways? As the Law Commission says:

> "It is morally offensive to regard as 'provocation' conduct by a victim which in truth calls for society's protection".

On the other hand, again quoting the Law Commission:

> "It affords . . . no defence to a person in an abusive relationship who acts in genuine fear of serious violence".

Will the review consider self-defence? It is clear from recent cases that there is a lack of clarity as to what is an appropriate level of self-defence.

Finally, press reports suggest that there are concerns in other Departments about the application of the review of murder to matters with which they are concerned. Will the Home Secretary assure the House that there will be no restraint on the review's terms of reference that will prevent it from looking at deaths in, for example, military service or railway accidents?

Mr. Blunkett: I can give an absolute assurance on the latter point about other legislation that may be introduced in the House. The Crown Prosecution Service is looking at self-defence, which is, from time to time, a burning topic in the British media. It is right for the review to address signal issues of that sort.

On mandatory sentences, I am attempting to protect the will of the House as expressed in the Criminal Justice Act 2003, not least when we legislated that life should mean life in the most horrendous and heinous cases. People may have differences on the flexibility of the judiciary as regards the interface between manslaughter and murder, where there are issues of partial defence, but I do not think that there would be major disagreement in the House on the idea that, having established the principle that life means life in horrendous cases, we should hold to it.

I agree entirely with the hon. Gentleman that press releases should have the careful wording that he mentioned inscribed on the bottom. None of us knows what is going to happen to us during the course of any 24 hours.

Mr. David Marshall (Glasgow, Shettleston) (Lab): Further to the point made by my hon. Friend the Member for Aberdeen, North (Mr. Savidge), I say to my right hon. Friend the Home Secretary that this matter will be of great interest to people in Scotland. Has he had any discussions with the Scottish Executive about his review, and if not, does he intend to?

Mr. Blunkett: My right hon. and learned Friend the Solicitor-General has had discussions with her opposite number in Scotland, and of course the Justice Minister and I keep closely in touch—we had discussions just three weeks ago. The Scottish legal system being different, Scotland is of course in a different position. It has moved ahead of us or, depending on one's point of view, alongside or behind us on a number of issues relating to murder.

David Davis (Haltemprice and Howden) (Con): I cannot remember a time when a Minister, let alone a Home Secretary, has been dragged to the House twice in one week to explain himself: first to explain why he surrendered the British veto on asylum and immigration, and now to explain why he tried to slip an announcement of the first review of murder law for 50 years into a brief debate on domestic violence. On both occasions the right hon. Gentleman should have volunteered a formal statement to the House. However, in view of his gracious apology, I will leave all of that to one side.

The importance of the review is not to be underestimated, so perhaps the Home Secretary could answer the following questions about the proposed review. When the Law Commission reported, I think that the right hon. Gentleman himself said that there was no intention of abolishing the mandatory life sentence. That seemed to be repeated yesterday. The Home Office also said that the review would consider all alternatives. Those are mutually exclusive, so which is true? Or is it the case that the review will consider partial defences in a way that may reduce the number of people facing a mandatory life sentence?

On the point of self-defence raised by the Liberal Democrat spokesman, the hon. Member for Somerton and Frome (Mr. Heath), the Law Commission specifically excluded a partial defence to murder based on the excessive use of force in self-defence. As the Home Secretary said, this has direct relevance to the concerns over legal interpretation of reasonable force when, for example, householders are faced with burglars who threaten them in their own home. It was not clear to me from what the Home Secretary said whether the review of this would be by the Crown Prosecution Service or within the formal review. As the right hon. Gentleman said earlier this week that he was open to suggestions about changes in the law, will he ensure that the formal review includes self-defence in the matters that it covers?

Does the Home Secretary agree with the Solicitor-General, who is sitting next to him, that the partial defence of provocation should be abolished, or does he

[David Davis]

agree with the Law Commission that it should be retained? Has the review been announced late because of internal Cabinet rows? In particular, is it true that the Deputy Prime Minister instructed the right hon. Gentleman to clear the precise terms of reference with his Cabinet colleagues? Is it true also that those Cabinet colleagues sought to exclude euthanasia, military killings, railway crashes or corporate manslaughter from the review?

There were more than 850 murders last year. Knife killings alone climbed by 35 per cent. to 270. There is serious public disquiet about the leniency of guidelines for murder that are proposed by the Sentencing Guidelines Council.

The review is to be welcomed. I only wish that it had been presented in a more intelligent manner.

Mr. Blunkett: I do not recall a Home Secretary not being able to make a speech on Third Reading of a major Bill, including—*[Interruption.]*

Mr. Speaker: Order. Let the Home Secretary speak.

Mr. Blunkett: I am doing my best, Mr. Speaker, to act intelligently so that the right hon. Member for Haltemprice and Howden (David Davis) does not get too aerated.

I do not remember, even on very controversial Bills—I have been no stranger to controversial Bills over the past seven and a half years—not being able to make a speech as a Secretary of State on Third Reading—*[Interruption.]*

Mr. Speaker: Order. I have granted this urgent question, and I can stop it at will. If hon. Members shout, that is what I will do, so they have a choice.

Mr. Blunkett: I merely seek to make the point that I was in no way intending to hide the review. In fact, having announced it too early and given it too much time for publicity, the very opposite is true. Therefore, I repeat to the right hon. Member for Haltemprice and Howden my offer that the terms of reference can be influenced by Members of all parties. I would be happy if he were to take me up on it.

We are not ruling out the issues around self-defence, which are very important. We legislated on amendments to the Criminal Justice Act 2003 to be able to strengthen the rights of householders in terms of not being sued, and to be able to take action in reasonable circumstances. There is controversy still about how far someone could go in terms of partial defence. Therefore, it is on those issues—this refers, as does provocation, to the issues that the right hon. Gentleman has raised—that consideration should be given to just what the impact would be.

The Crown Prosecution Service is reviewing all homicides over the past three years. We need to take account of the actions that the CPS will want to take, and to feed the evidence into the review. The right hon. Gentleman asked me about the Law Commission and the contradictions. It is precisely because there are contradictions on the issue of provocation and partial defence that we were not prepared to amend the Domestic Violence, Crime and Victims Bill. We felt that a patch or temporary solution would not be satisfactory, which is why the review has been brought forward. Above all, we have an intelligent view of the issue, so no decisions have been taken and no avenues have been closed off other than to protect the interests of the House and the decisions that were made on murder last year. Everyone is welcome to help us get this right. If it were not a complex and difficult issue we would have been able to deal with it effectively over the past 50 years, and victims of all sorts are angered that we have not done so.

On the question of whether the review will mean that provocation may result in a lower sentence, it may mean that some people are found guilty of murder who are not at present. Provocation has been abused by perpetrators of crimes who have used it to show partial defence. Because of those complications, an intelligent, thoughtful and slightly calmer approach is necessary, as I would genuinely like the results of the review to last another 50 years. If Opposition parties are prepared to join us in getting it right, everyone in the country will be very grateful.

Julie Morgan (Cardiff, North) (Lab): I thank my right hon. Friend for his statement, and I welcome the review. I am reassured by what he said about provocation, but does he not agree that the courts are only too ready to accept the defence of provocation and that many men are getting away with murder? Can he assure me that that will be looked at very seriously in the review?

Mr. Blunkett: I can assure my hon. Friend that it will be, and I thank her for her contribution to the debate. I think that we are all horrified when people claim that provocation means the wife or partner deciding to leave the household, or requesting that their partner or husband leave. Provocation cannot be used to justify domestic violence, never mind murder. Too many people are in denial and believe that it was somehow their fault that someone committed violence against them, which is why we have spent months legislating on the Domestic Violence, Crime and Victims Bill. I repeat something that I have said on a number of occasions in the House and which I would have said last night—we are grateful to everyone who has contributed to the Bill's passage and to making it work more effectively.

Sir Nicholas Winterton (Macclesfield) (Con): While I fully agree with the Home Secretary that a life sentence for murder should mean going to prison for life, and while I welcome the review, does he not accept that what occurred yesterday was a result of the unreasonable nature of the programme motion imposed on the House? Can he not persuade the Leader of the House, who has joined him on the Treasury Bench, to look again at the Procedure Committee's reasonable proposals, which the Government did not accept? Limitation of debate on Report and on Third

Reading—the only truly democratic stages in a Bill's passage, when everyone can participate—should be ended.

Mr. Blunkett: No, I do not accept that proposition and, of course, it will not be part of the review.

Mr. Edward Garnier (Harborough) (Con): I think that we all agree that it is perfectly possible to have a sensible and rational debate about reform of the law on murder. However, who will chair the review and who will serve on the review committee?

Mr. Blunkett: I have said that I will lay before the House the terms of reference, the procedure and the way in which evidence will be drawn from the Home Office. I promise the hon. and learned Gentleman that I will send him a copy personally.

Several hon. Members *rose*—

Mr. Speaker: Order. The hon. Member for Southwark, North and Bermondsey (Simon Hughes) is usually a good timekeeper, but he arrived four minutes after the statement started, so I cannot call him. I call the right hon. Member for Upper Bann (Mr. Trimble).

Mr. David Trimble (Upper Bann) (UUP): Thank you, Mr. Speaker. May I refer the Home Secretary to the answer that he gave his hon. Friend the Member for Glasgow, Shettleston (Mr. Marshall), and remind him that the law in Northern Ireland is close in its fundamentals to that of England and Wales on this matter? What contact has he had with the Northern Ireland Office, and what steps will he take to ensure that, while the House is responsible for enacting criminal law with regard to Northern Ireland, major changes will be replicated there as they are made here? How will he tackle the difficulty, which he knows full well, of getting the Northern Ireland Office to keep the criminal law of Northern Ireland in step with the law here?

Mr. Blunkett: I am familiar with the point made by the right hon. Gentleman, which his hon. Friends have made on a number of occasions. I am in very close touch with the Secretary of State for Northern Ireland, as he would expect, and I would be happy to write to him about the way in which we intend to proceed to ensure that we get this right with regard to the particular position of Northern Ireland.

Mr. Crispin Blunt (Reigate) (Con): Does the Home Secretary accept that by imposing the mandatory sentence of programming on all legislation he is party to the murder of proper parliamentary scrutiny, which is one of our primary responsibilities in the House? In the light of his experience, particularly in the past 24 hours, is there any chance that he will back the case for the defence of Parliament?

Mr. Blunkett: I think that the shadow Home Secretary called for an intelligent debate, and I hope that we will have one.

Mr. Nick Hawkins (Surrey Heath) (Con): There are two issues here—first, the serious need for an intelligent review, as the Home Secretary rightly said, of the question of partial defences for murder, and, secondly, the great concern shared by parliamentarians from all parties about the Government's disgraceful attempt at news management. His admittedly gracious apology would be more convincing if he and Ministers throughout Government were not serial offenders. Parliamentarians from all parties would understand why they repeatedly act in that way if they read the biography of the former MP for Hartlepool, Mr. Mandelson. I bought a remaindered copy for £2.99, and it shows that ever since Labour were in opposition their spokesmen have attempted that kind of news management. If the tactic succeeds they have won, but if it fails, they make hollow apologies.

Mr. Blunkett: I have always believed that Peter Mandelson was good value for money, and the hon. Gentleman has just affirmed that that is the case. If my Department had been intent on news management it would not have issued the press release until the Third Reading debate had begun. Having issued it early, we can hardly be accused of hiding it.

Mr. Jonathan Djanogly (Huntingdon) (Con): The Home Secretary avoided answering one important question asked by my right hon. Friend the Member for Haltemprice and Howden (David Davis). Is it not true that he is in serious dispute with the Solicitor-General about whether provocation should constitute a partial defence for murder and that that dispute has now reached such a stage that the Government are seen as indecisive? The review is all about trying to settle the dispute and get the Government out of this mess?

Mr. Blunkett: I am afraid that the hon. Gentleman has repeated the mistake made by the shadow Home Secretary, and has confused a sensible discussion about whether we should have a patch or a long-term solution to provocation with the issues surrounding corporate manslaughter. The two are related, but will result in entirely different solutions in the legislation that we will publish shortly.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): The Home Secretary would have found it difficult to make today's statement on Third Reading, because he would only have been able to talk about what is in the Domestic Violence, Crime and Victims Bill at the moment. We had a long discussion in Committee about the use of provocation as a partial defence, which the Government refused to accept, although it was highly pertinent to the Bill. Could he tell us in clear terms what is his view of provocation as a partial defence? If he cannot do so today, can he tell us when the review will be completed and he will therefore be able to do so?

Mr. Blunkett: If we had wanted to accept the amendment, we would have done so. I dealt with the matter on Second Reading, and I am sure that the hon. Gentleman was in the Chamber to hear me do so. It is precisely because there are differing views and because we need to get this right in the long term that we established the review. I am just sorry that the hon. Gentleman is too churlish to say, "What a good idea. Let's try and get this right over the next 18 months and find a lasting solution."

Mr. Mark Francois (Rayleigh) (Con): I do not think that the Home Secretary was here on Tuesday, when the House debated programming. On that day, the Leader of the House attempted to kid us all that there was great consensus about how programming operates in practice. I think that the events of last night show that that whole argument has now gone for a ball of chalk.

I wish to reinforce the point made by my right hon. Friend the Member for Haltemprice and Howden (David Davis) from the Front Bench. Can the Home Secretary give us an assurance that the review will include in its conclusion a clear definition of what constitutes reasonable force in a defence of family and property? This is clearly a vital area of the law that remains confused, not least as a Home Office spokesman said on being challenged last week that the Home Office does not have a definition of reasonable force. If the Home Secretary's own Department cannot define it, how can he expect anybody out there in the real world to know what it is either? Will he give us a guarantee that the review—

Mr. Speaker: Order. I call the Home Secretary.

Mr. Blunkett: The judiciary has been defining reasonable force over a long period. In dealing with the use and the fear of violence and the defence of property, it would be sensible to consider the issues where they apply to murder and manslaughter. However, the review is not about a campaign by *The Sunday Telegraph*; it is about a serious issue of trying to square circles that have remained un-squared for the past 50 years. I sincerely hope that we will be able to get it right and that, when the review is over, we will be able to bring it back to the House of Commons and have exactly the kind of debate that hon. Members have been seeking this afternoon.

Business of the House

1.1 pm

Mr. Oliver Heald (North-East Hertfordshire) (Con): Will the Leader of the House please give us the business for next week?

The Leader of the House of Commons (Mr. Peter Hain): The business for next week will be as follows:

MONDAY 1 NOVEMBER—Second Reading of the Gambling Bill.

TUESDAY 2 NOVEMBER—Remaining stages of the Children Bill [*Lords*].

WEDNESDAY 3 NOVEMBER—Motions relating to the Senior Salaries Review Body's triennial review of parliamentary pay and allowances, followed by a debate on the Procedure Committee's report on the Sessional Orders and Resolutions.

The relevant motions and explanatory memorandums for the debate will be tabled today and made available on my office website: www.commonsleader.gov.uk.

THURSDAY 4 NOVEMBER—A debate on defence procurement on a motion for the Adjournment of the House.

FRIDAY 5 NOVEMBER—The House will not be sitting.

The provisional business for the following week will be:

MONDAY 8 NOVEMBER—Consideration of Lords amendments to the Housing Bill, followed by consideration of Lords amendments.

TUESDAY 9 NOVEMBER—Remaining stages of the Civil Partnership Bill [*Lords*], followed by consideration of Lords amendments.

WEDNESDAY 10 NOVEMBER—Consideration of Lords amendments to the Human Tissue Bill, followed by consideration of Lords amendments.

THURSDAY 11 NOVEMBER—Opposition half-day, un-allotted. There will be a half-day debate on an Opposition motion, subject to be announced, followed by consideration of Lords amendments.

FRIDAY 12 NOVEMBER—The House will not be sitting.

Mr. Heald: I thank the Leader of the House for the business.

At the beginning of this year, while blocking my Bill designed to protect civil servants from political interference, the Government promised to publish their own civil service Bill during this Session. Here we are eight months later; when will it be published? If there is to be pre-legislative scrutiny, can it be done by a Joint Committee?

May we have a debate about parental contact and the family justice system? That would enable us to ensure that the system was fair to fathers and to look at how expert evidence should be dealt with to avoid the tragedy of children being taken from their families unnecessarily.

We have normally had an annual debate about the United Nations in the main Chamber, although I realise that there is a debate today in Westminster Hall. Bearing in mind the reports of widespread corruption in the oil-for-food programme in Iraq, which is said to have netted Saddam Hussein and his friends $10 billion, and the concern that the Secretary of State for Defence expressed in the House that such money was funding the current insurgency, surely we should have the annual debate here in the main Chamber.

May we also hear from the Deputy Prime Minister as to how he is responding to the north-east referendum? With only a week to go, the ballot returns are tiny, and there are reports that 17-year-olds have received ballot packs in Northumberland and that voters in Darlington have reported that their packs contained a charity envelope rather than a voting paper. I know that Ministers are begging people to vote, but is that not a step too far, and may we have an early statement?

Earlier, the House heard the Home Secretary apologising for putting out a press release that said that he had announced the murder review during the debate on the Domestic Violence, Crime and Victims Bill when that did not prove possible. Unfortunately, the Leader of the House had allowed so little time for the debate that the Home Secretary was unable to speak. Was that not an example of Ministers shooting themselves in the foot by trying to be too clever, the Home Secretary jumping the gun and the Leader of the House curtailing debate so that hon. Members could go home? The day before, he was extolling the virtue of systematic guillotining of Bills, and he forced through his motions in the teeth of opposition from the official Opposition, the Liberal Democrats and all other parties in the House except the Labour party. What does he say today? Will he put an end to this sort of nonsense?

Finally, a fox managed to walk into Portcullis House yesterday—*[Interruption.]* Or possibly ran. In any event, does the Leader of the House have any plans for the systematic hunting of foxes in Portcullis House?

Mr. Hain: I am completely foxed by that question. I hope that there will be no hunting in the Palace of Westminster and that Opposition Members who are great huntsmen will not encourage that practice.

I am surprised that the hon. Gentleman did not have the grace to thank the Government for our great generosity in providing an extra half-day of Opposition time on Thursday 11 November in return for a statement having invaded an Opposition day.

On the draft civil service Bill, a document will be published shortly. There is no intention to put it to a Joint Committee. On parental contact, the Government are just as concerned as the hon. Gentleman to address the issue, although we do not accept the Fathers 4 Justice manifesto in its entirety, as he has perhaps suggested. We are concerned about parental contact and will address the issue in the near future.

On the hon. Gentleman's request for an annual United Nations debate, I shall certainly look into the matter. I note his point about corruption and Saddam Hussein's siphoning off of billions of pounds of United Nations money under the oil-for-food programme. That is one of the many reasons why the situation prior to the invasion was unsustainable. We were seeing widespread corruption and Saddam enriching himself and his elite, while Iraqis continued to be impoverished.

On the Deputy Prime Minister and the north-east referendum, the hon. Gentleman said that there might be tiny returns. I think that he might be surprised. I understand that the returns are now accelerating, and I hope that the people of north-east England will vote yes. They are entitled to their voice for their region, just as Wales is entitled to its voice, and has it, and just as Scotland and Northern Ireland have their own national voices as well. As for the reports of charity notices in ballot packs, I am tempted to say that that is a very charitable gesture by the Government, but I am afraid that I do not know anything about that detail.

It is not acceptable for the hon. Gentleman to use the difficulty yesterday, on which the Home Secretary has reported to the House and apologised, to try to undermine the whole principle of programming. It has nothing to do with that. Indeed, on the contrary, timetabling yesterday and for all Bills has enabled the Opposition to put their case vigorously, and that will continue to be the case.

Mr. Paul Tyler (North Cornwall) (LD): Among the business just announced is the consideration of Lords amendments. Very extensive Lords amendments seem to be on their way to us, including on the Hunting Bill. Perhaps I can take this opportunity to express sympathy to the Leader of the House for the incident that he faced last night. Frankly, the rational discussion about this issue that I saw reported from the other place is in stark contrast to the irrational thuggery to which he was subjected in Oxford last night. I happen to think that the Bill is misguided, but I hope that hon. Members in all parts of the House will deprecate what happened to him last night.

May I ask the Leader of the House to make a statement about the appropriate way for Ministers to make statements? I wholeheartedly accept the apology that the Home Secretary has made, but surely the business managers should have apologised to him, as they could have protected last night's Third Reading on the Order Paper if they had wished to do so. In any case, the Home Secretary's statement this afternoon in answer to an urgent question demonstrates that we needed a proper statement. The fact that Mr. Speaker enabled such a statement to be made demonstrates that a brief statement on Third Reading would not have been sufficient, because it would not have provided an opportunity for hon. Members on both sides of the House to question the Home Secretary.

The case is not isolated. May I draw the Leader of the House's attention to the written statement made last night by the Secretary of State for Environment, Food and Rural Affairs about UK emissions, which is an extremely important issue? It contains the second retreat on that matter this year and should surely have been made in the House to enable all hon. Members to question the Secretary of State. Indeed, I understand that the Secretary of State wanted to make such a statement, but other Ministers—the Secretary of State for Trade and Industry—opposed her and the Prime Minister overruled her. Surely that undermines the UK Government's position in relation to both the presidency of the Union and the chairmanship of G8.

[Mr. Paul Tyler]

Emissions are a global threat, which some think more important than terrorism. May I draw the Leader of the House's attention to early-day motion 1839 and ask for a proper statement from the Secretary of State in the House?

[That this House condemns the decision of the Government, announced first to journalists and pressure groups and only subsequently to the House, and then in a written rather than oral statement to apply to the European Union to increase by almost three per cent., the UK's permitted carbon emissions under the EU Emissions Trading Scheme; sympathises with the Environment Secretary whose wishes to hold the line were overruled by the Prime Minister; notes that the only interventions by the Prime Minister on environmental matters, notwithstanding the promise held out by his speeches, are when he seeks to weaken environmental protection; and suggests that he will find it difficult to achieve his stated aim of persuading other countries in the EU and G8 to take the fight against climate change seriously if he fails to do so himself.]

Mr. Hain: On that last point, we are strongly committed—indeed, we are one of the leading Governments in the world on these matters—to the Kyoto treaty, solving the problems of climate change and reducing emissions, which is why the Secretary of State made her written statement. However, our approach must be balanced between the competitive needs of our businesses and the need to reduce emissions to meet our obligations and reduce the threat of climate change. I agree that climate change is a menace that faces the planet, and the hon. Gentleman is right to make that point.

I understand that this Government have made as many statements as any previous Government, and the Prime Minister has made more statements over equivalent periods in the House of Commons than either of his two Conservative predecessors. It is simply not the case that we are churlish about making statements. We come to the House whenever we can to make statements, but we must maintain a sense of proportion or we will interrupt the other business of the House.

It is also important for the hon. Gentleman to recognise that we can only protect Third Reading debates if we have programming. We do not want to return to the old days in which proceedings ran on into the night, causing chaos and inconvenience not only to hon. Members, but members of staff in the House. He should keep his comments in proper proportion.

I am grateful for the hon. Gentleman's remarks about the attack on me at Balliol college, Oxford, last night. We must distinguish between the legitimate case that the huntsmen must make, which I respect, and their right to protest against Ministers and Cabinet Ministers, like me, and what he described as "irrational thuggery". Hon. Members and Ministers are vulnerable to violent attack. Had it not been for the presence and diligent intervention of an armed police officer in the room in which I was speaking at Balliol college, I would have been assaulted, so I am grateful to the police for their co-operation.

Mr. Tony McWalter (Hemel Hempstead) (Lab/Co-op): Is my right hon. Friend aware that today is the tercentenary of the death of England's greatest ever philosopher, John Locke, who was the author, among other things, of a devastating attack on the idea that the divine should form the foundation of governmental authority? He was the originator of the idea of the separation of powers and his ideas were hugely important to both the French revolution and the American revolution. Will my right hon. Friend arrange a debate on why almost nobody in this country understands their debt to that great thinker and on how our culture is so ignorant of its roots?

Mr. Hain: I understand my hon. Friend's point. The other day, *The Guardian* carried an article by its leading journalist and assistant editor, Martin Kettle, who made a similar point. John Locke's contribution as one of the founders of our parliamentary democracy should be better recognised by everybody.

Sir George Young (North-West Hampshire) (Con): May I ask the Leader of the House a less philosophical question? He announced a debate on Wednesday on the Sessional Orders; that is nearly a year after the Procedure Committee produced its report. He may have seen reports that the Home Secretary is already minded to introduce primary legislation to deal with long-term demonstrations in Parliament square. Will he confirm that that is indeed the case?

Mr. Hain: I will give the right hon. Gentleman and the House a fuller explanation next Wednesday—I know that you, too, are concerned about the matter, Mr. Speaker—but the Home Secretary is actively considering legislation. To that extent, I can answer yes to the right hon. Gentleman's question.

Mr. Win Griffiths (Bridgend) (Lab): My right hon. Friend knows that I am deeply opposed to the continuing Government policy of allowing parents and other adults to beat children. I am deeply disappointed that the Government are allowing a free vote on Tuesday on the determination of reasonable chastisement, but are insisting that Government policy prevents us from allowing children equal protection to adults when it comes to being beaten. The Government say that the police fear that our courts will be inundated with cases, but I understand that the police are finding it more difficult to implement reasonable chastisement than equal protection. Will my right hon. Friend announce that we will have a free vote on Tuesday on equal protection?

Mr. Hain: My hon. Friend has long taken a close interest in such matters, and we all share his horror at the beating or abuse of children. Indeed, children's legislation is designed to give children extra protection, which I know that he welcomes. We will not offer a free vote on any amendment that aims to ban smacking outright, because that is against Government policy, but, as he says, a free vote will take place on the so-called Lester amendment, if it becomes an option.

Sir Nicholas Winterton (Macclesfield) (Con): The Leader of the House knows that I am grateful that the debate on the Procedure Committee's report on Sessional Orders and resolutions will happen next week. May I press him on the matter raised by my right hon. Friend the Member for North-West Hampshire (Sir George Young), because it is time further to regulate what happens in Parliament square? The noise nuisance, which would not be permitted anywhere else in the country, has been allowed to continue to the disadvantage not only of members of staff, but of other people who work in close proximity to Parliament square. Will the Leader of the House direct his attention to that issue in his speech next week?

I thank the Leader of the House for indicating that the motions relating to the Senior Salaries Review Body will be tabled today. Are the motions already available, because some of us want to table amendments to them in the interests of work carried out by hon. Members?

Mr. Hain: On the latter point, I understand the hon. Gentleman's concern; indeed, hon. Members on both sides of the House are concerned by a number of the SSRB's recommendations. He has made representations to me on at least one of those recommendations and I have engaged in cross-party discussions to try to find a way forward. The motions will enable hon. Members to table amendments, which I will consider carefully.

On the Sessional Orders debates, the hon. Gentleman will be encouraged by what we have to say next Wednesday; along with the right hon. Member for North-West Hampshire (Sir George Young), he has pressed me energetically on that matter. We have not been able to address the issue of Parliament square before; it is a complex matter, given the history, but I agree with him about the noise and general nuisance.

Anne Picking (East Lothian) (Lab): May I ask my right hon. Friend when a Bill making corporate manslaughter an offence is likely to be introduced in this House?

Mr. Hain: My hon. Friend will understand that it is not possible for me to anticipate the Queen's Speech. However, I emphasise that the Government are committed to introducing legislation on corporate manslaughter. Despite newspaper reports in the past week or so, the Government's commitment to that principle remains firm and I believe that my hon. Friend will be encouraged about the direction that we intend to take.

Rev. Martin Smyth (Belfast, South) (UUP): The Leader of the House may have had his attention drawn to NIPSA's call for the resignation of the Minister with responsibility for education in Northern Ireland. May we have a statement about what is happening with the education boards' finances? It is alleged that the Belfast education board has overspent by between £4 million and £20 million and that there is therefore no money. May we have a statement on the matter next week?

Mr. Hain: The Minister responsible for education in Northern Ireland will note the hon. Gentleman's point but I want to place on record the fact that the Minister has a good reputation for taking forward education policy in Northern Ireland.

Huw Irranca-Davies (Ogmore) (Lab): The Leader of the House and other hon. Members will be pleased to hear that the campaign for the long-awaited opening of the rail station in Llanharan in my constituency is about to succeed as the station nears completion, thanks to a Labour Administration. However, as we approach the Queen's Speech, I urge my right hon. Friend to consider the measures that may be necessary to ensure that our devolved Administration in Wales has a greater say in local rail and other transport issues, so that my campaign to bring a station to Llangynwyd in the Llynfi valley will be equally successful.

Mr. Hain: I once spent a happy evening at a bed-and-breakfast in Llangynwyd. There is a nice pub in the village at which I ate and I am therefore sure that Llangynwyd deserves my hon. Friend's attention. He will be encouraged by the introduction of the draft Transport (Wales) Bill, to which the Welsh Affairs Committee has given pre-legislative scrutiny. The Committee's members made many constructive points. I am sure that he will be encouraged by the direction that we intend to follow. We intend to give more powers to the National Assembly for Wales to take forward a properly integrated transport policy—for rail and bus—for the whole of Wales.

Mr. Jonathan Sayeed (Mid-Bedfordshire) (Con): Bedfordshire police authority is one of the most efficient authorities in the country. More than 83 per cent. of its spending goes on pay and it has made greater efficiency savings than any other force. Yet next year, its funding shortfall is likely to mean the loss of 75 front-line officers. That is not unique to Bedfordshire; it applies to police authorities throughout the country. May I draw the right hon. Gentleman's attention to early-day motion 1830?

[That this House notes the funding shortfall projected for police authority budgets next year; further notes that Bedfordshire Police Authority will need a funding increase of £2.2 million just to maintain existing services whilst implementing the Government's police reform agenda and meeting the rising costs of police pensions; recognises that Bedfordshire faces particular difficulties as its budget is over 83 per cent, pay related and the authority has achieved the highest level of cashable efficiency savings of any police authority in England and Wales over the last five years with the highest proportion of officers undertaking front line policing duties; calls on the Government to recognise the scale of the potential cuts, which in Bedfordshire alone would remove the equivalent of 75 police officers from front line policing; and urges the Government to make sure that the funding settlement is adequate in 2005–06 and beyond.]

Will the Government provide time for a proper and thoughtful debate on funding police authorities?

Mr. Hain: I know that that is an important issue locally; the hon. Gentleman has made it clear that it is important in his area. However, I am sure that he will

[Mr. Hain]

not dispute the fact that there has been record investment in and funding for our police throughout the country. There are now 12,500 more police officers since the Labour Government came to power compared with 1,000 fewer police officers under the previous Administration's Home Secretary, the current Leader of the Opposition. The Government cannot be criticised for want of support and funding but we must deal with specific anomalies.

David Winnick (Walsall, North) (Lab): Although I have sympathy with my right hon. Friend for what happened to him, would not it be useful if Ministers made it clear that no amount of intimidation, hooliganism and thuggery will stop the Government upholding the House's decision to bring hunting with dogs to an end? Since time is getting short, when will the Parliament Act be used? When will we demonstrate that we will not allow a veto by the House of Lords, as happened on a previous occasion?

Mr. Hain: I know of my hon. Friend's passionate feelings, which he has regularly raised, about the matter. The Government's position is clear; we await the return of the Bill from the House of Lords so that we can ascertain the form that it takes.

I am grateful for my hon. Friend's sympathy but there is an issue about the security of Members of Parliament in conducting their parliamentary business in their constituencies or through public engagements. It is one thing to put a forceful argument or stage a protest to make one's point—I have done that in the past on apartheid and other issues, and I defend the right of the supporters of hunting to demonstrate—but it is another to engage in violence, thuggery and personal attacks on Members of Parliament, Ministers or otherwise, as happened to me last night. It would be in the interests of the pro-hunt position to stick to the argument, make the case and refrain from violence and thuggery.

Mr. Edward Garnier (Harborough) (Con): May we have a debate soon on the adequacy of ministerial written answers? On 13 October, I asked the Chancellor of the Duchy of Lancaster, who carries out a Labour party function at public expense, to list his official engagements since his appointment to his current Cabinet post. He answered in what Lloyd George described as "the perfect way"; he told the truth without giving any information, replying:

> "I have had a range of official meetings".—[*Official Report*, 20 October 2004; Vol. 425, c. 720W.]

That is all very well, but in 2004, the Government should be a little more candid about what their Cabinet Ministers get up to. The next time the Leader of the House is a beneficiary of one of the "range of meetings" with the Chancellor of the Duchy of Lancaster, will he encourage him to answer questions candidly and openly?

Mr. Hain: My right hon. Friend the Chancellor of the Duchy is always candid and open when answering parliamentary questions verbally or in writing. The allegation that he is conducting work on behalf of the Labour party at public expense is nonsense. His appointment is in accordance with the normal rules of appointment for the Chancellor of the Duchy of Lancaster and he is co-ordinating Government policy.

Mr. Dennis Skinner (Bolsover) (Lab): The previous question comes a bit rich from the Tory party, which is picking up £4 million of taxpayers' money in Short money and finished fourth in the Hartlepool by-election. It is not money well spent.

May we have a statement about council housing? At the Labour party conference, the idea of the fourth option—namely allowing local authorities to continue to have local council housing—was carried by a massive majority. Will there be a statement on that? I know that the Deputy Prime Minister is busy in the north-east, but when he comes back, there is a big meeting at Congress house tomorrow to follow up the successful resolution. The campaign will carry on and we should have a statement to ensure that the conference decision is inviolable.

Mr. Hain: I understand the force of my hon. Friend's point. The Deputy Prime Minister attended a Cabinet meeting this morning, fresh from the campaign trail. I believe that the campaign will be victorious for my right hon. Friend. He deserves that for all the effort that he has put in. I am sure that he will want to take careful note of my hon. Friend's point.

Pete Wishart (North Tayside) (SNP): There is all sorts of speculation this morning, seemingly to distract attention from the unpopular decision to have the Black Watch in the American sector, that an early decision will be made about the future and fate of the Scottish regiments. Will the Leader of the House assure me that no decision about the regiments' future will taken without fully consulting the House and without a properly debated motion? Does he agree that rushing through the amalgamation as the Black Watch are being deployed would amount to the worst sort of betrayal?

Mr. Hain: I understand the hon. Gentleman's viewpoint on the Iraq war. It is different from that of the Government and it is perfectly honourable to hold it. However, to argue that the Black Watch does not play a vital role, even in its redeployment, in protecting other British soldiers, Scots included, in the south and elsewhere in Iraq, is nonsense. The redeployment will ensure that all our forces can be better protected from the terrorist enclaves around Falluja and elsewhere, and that the Iraqi people have the right to vote freely in the elections that are planned for early next year. The Secretary of State for Defence has answered all the points about the future of Scottish regiments consistently.

Geraldine Smith (Morecambe and Lunesdale) (Lab): Last week, I met management, trade union representatives and workers at Heysham nuclear power station who were concerned about the future of the nuclear industry and their jobs. May we have a debate about our future energy needs and the role that nuclear energy will play in that?

Mr. Hain: My hon. Friend will have a chance to raise this matter at Department of Trade and Industry questions next week if she catches Mr. Speaker's eye. I understand the importance of those jobs to her constituents, on whose behalf she is rightly very active. As for future energy policy, I am strongly committed to renewable energy. I think that a green future is the future for this country, although nuclear power will obviously continue to play a part in delivering our energy needs for the foreseeable future.

Mr. David Trimble (Upper Bann) (UUP): Yesterday, the Secretary of State for Northern Ireland reminded the House that it was two years since the Northern Ireland Assembly was suspended and one year since the elections to the Assembly, which has not met. He could have added that it was six weeks since the Leeds castle talks, at which the Government announced that there had been a breakthrough, although nobody has seen any sign of it since then. Might it be appropriate to have a debate on the Floor of the House in Government time to give the Government and the House the chance to explore the serious issues that are arising from the continuing suspension? I was surprised to discover that the last Government debate on the Floor of the House on the general political situation in Northern Ireland took place 10 years ago today. Although this Government are responsible for only seven of those years, is it not time that we had a debate here on the very important issues that are arising because of the collapse of the political system in Northern Ireland?

Mr. Hain: I understand the right hon. Gentleman's point. We all acknowledge that he has been a vigorous activist in regard to getting the political process in Northern Ireland back on the road again. As he knows, the Secretary of State and the Prime Minister have been engaged for a number of months in detailed discussions about relaunching the whole process. As to whether there is an opportunity for a debate, we shall have to see. Let us make sure that the process is successful; that is the priority.

John Cryer (Hornchurch) (Lab): Does my right hon. Friend share my concern about this morning's newspaper reports that, only six months ago, an individual used taxpayers' money to stand successfully for election but has now decided to have a little tantrum and resign his United Kingdom Independence party Whip? Would it be appropriate for us to have a debate about the perils of those individuals who decide to stand for office effectively under false pretences? Should we consider demanding that he pay that taxpayers' money back? If he failed or refused to do so, we should seize his villa in Spain, as it must be surplus to requirements.

Mr. Hain: I must say that I am very attracted by that proposition about Robert Kilroy-Silk. He is obviously too big for UKIP. Perhaps his possible exit from that party will be a source of encouragement to the Conservative party, which is worried stiff about the threat that UKIP poses to Conservative constituencies. As we know, the reason that the Tories have shifted to such an extreme position on the right on Europe is that they are trying to get the UKIP votes back.

Sir Sydney Chapman (Chipping Barnet) (Con): In reply to my hon. Friend the shadow Leader of the House, who raised the issue of the Government's promise to introduce a draft civil service Bill during this Session of Parliament, I thought I heard the Leader of the House say that a document would be published shortly. Given that the Public Administration Committee published its own draft civil service Bill some months ago, will the right hon. Gentleman give the House an assurance that the published document will at least include a draft civil service Bill, and that when he says "shortly", he means within the remaining three weeks of this Session of Parliament?

Mr. Hain: On the question of the draft Bill, the answer is yes. On the question of timing, the hon. Gentleman will have to wait just a little longer.

Mr. Harry Barnes (North-East Derbyshire) (Lab): The public service trade union, the Public and Commercial Services Union, is calling a day's strike and a day of action by its members on 5 November in protest against the massive job cuts proposed in the civil service. May we have a debate on this matter, especially as the PCS is supported by claimants' bodies such as the unemployed workers centres, and by a number of Members of the House? Representatives of those bodies have met at least 100 Members of the House this week in order to put their view forward.

Mr. Hain: I have a great deal of respect for the PCS. Indeed, a number of my own officials are members of it—quite rightly so; I am a strong trade unionist myself—and it has a point of view to put forward. In the end, however, we are trying to devolve Government resources and taxpayers' money to front-line services. There will be more jobs involved in that, and more opportunities on top of the 500,000 jobs that have been created in the public sector under this Government. So we are not in the position of previous Governments, both Labour and Conservative, of cutting public sector jobs. We have actually increased them by 500,000, including jobs in the civil service, to tackle such key problems as getting people off benefit and into work, and the problem of illegal asylum seeking.

Mr. Peter Luff (Mid-Worcestershire) (Con): May I ask the Leader of the House a question about one of the unfortunate consequences of today's business? One of the most unreasonable criticisms—although it is a perfectly fair one—that we face is that we are often not in the Chamber. You will understand, Madam Deputy Speaker, that we often have to be in other places carrying out other aspects of parliamentary business. It is particularly regrettable that today, while there is an important cross-cutting question session in Westminster Hall—in which I have been fortunate enough to draw a question—in which Department for Education and Skills Ministers will participate, there will be an important Department for Education and Skills Bill debate, in which I should also have liked to participate, in the main Chamber at the same time. Can we review the practice of having cross-cutting questions at the same time as the main Chamber is sitting?

Mr. Hain: The Modernisation Committee is looking at how the sitting arrangements work, not just in regard to the hours, about which there are strong feelings on both sides, but in regard to how the business of the House interacts with Westminster Hall and with Committee sittings. It is a complicated matter. In a sense, the Government are between a rock and a hard place. We have provided more opportunities for individual Members to raise important issues, through the debates in Westminster Hall, than have ever existed before. I shall certainly look into the hon. Gentleman's point about cross-cutting questions, which provide a special form of opportunity in Westminster Hall, but it is terribly difficult to organise the timetable so that there are no clashes anywhere, given the pressure for more opportunity for debate. However, this Government have provided more such opportunities to Members of the House of Commons than any previous Government.

Julie Morgan (Cardiff, North) (Lab): May I support the call by my hon. Friend the Member for Bridgend (Mr. Griffiths) for a free vote next Tuesday during the debate on new clause 12 of the Children Bill, which has been tabled by my hon. Friend the Member for Wakefield (Mr. Hinchliffe) and which would outlaw the physical punishment of children and give equal protection to children and adults? Is my right hon. Friend aware of the view of the Association of Chief Police Officers, which is that equal protection for children would be the best way forward, and that it would be entirely workable? The association believes that clause 56 of the Bill, which the Government support, is unsafe and unworkable. That is also the view of the Association of Directors of Social Services, the National Society for the Prevention of Cruelty to Children, the Royal College of Paediatrics and Child Health, and the Health Visitors Association. Does my right hon. Friend acknowledge that an enormous amount of evidence is building up to show that clause 56 is not the way forward? Will he, even at this late stage, consider allowing a free vote on the new clause tabled by my hon. Friend the Member for Wakefield?

Mr. Hain: I am not in a position to add to what I have said to my hon. Friend the Member for Bridgend (Mr. Griffiths) on this matter, save to acknowledge the championing by my hon. Friend the Member for Cardiff, North (Julie Morgan) of children's rights over many years. She will have an opportunity to make her point if she catches the Chair's eye in next week's debate. That would provide a good opportunity for her to put her views on record with greater strength, as she will have more time to do so, and to persuade others of her point of view.

Mr. Adrian Flook (Taunton) (Con): Over 48 hours last weekend, a rural five-acre field in North Curry, near Taunton, was turned into an illegal Gypsy camp, complete with roads, fences and septic tanks. The right hon. Gentleman will know that returning such sites to their natural state often involves too long a legal process. When will legislation be introduced to speed up the planning enforcement process?

Mr. Hain: The Deputy Prime Minister will obviously pay close attention to the point that the hon. Gentleman has raised. I know that these problems bedevil constituencies right across the country, and he has made his point very effectively.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): The Leader of the House will recall that it is a convention, as I understand it, that changes to Standing Orders of the House, or on constitutional matters, should whenever possible be introduced by the Government on the basis of broad consensus with all Opposition parties. It seems that those conventions have been widely flouted in recent years. Can we therefore assume that they do not now apply? If so, surely that is of great detriment to the House.

Mr. Hain: I understand the hon. Gentleman's point of view, but if he was referring to programming—I am not sure whether he was doing so specifically—the Modernisation Committee took a slightly different position from the Procedure Committee. The Procedure Committee had a powerful case to make, which was argued out vigorously on the Floor of the House, there was a free vote on the matter, and the outcome is there to see.

Mr. Clive Betts (Sheffield, Attercliffe) (Lab): May I draw the attention of the Leader of the House to a request already made for the early introduction of a Bill to deal with corporate manslaughter? That is a very long-standing commitment from the Government. There has been a long-term campaign by organisations such as the Transport and General Workers Union, of which I am a member, to make sure that corporate organisations and their leading members are properly held to account when disasters occur. Even more importantly, because of such legislation they would take more seriously their responsibility to both the public and employees to stop such disasters happening in the first place.

Mr. Hain: I agree fully with my hon. Friend, and the Government support the position that he has advocated. As a GMB member, not a T and G member, I know the powerful arguments that have been put forward on behalf of that union, the TUC and other unions, for the Government to redress that important injustice and to make progress as we intend to do.

Dr. Julian Lewis (New Forest, East) (Con): May we have a statement or debate on the funding of secondary education? Such a statement or debate would give me the opportunity to bring before the House the views of a highly respected head teacher, Mr. Robert Underwood, of Hardley school and sixth form college in my constituency, who said in a recent newsletter:

> "A few years ago, under Grant Maintained Status, our school was financially secure . . . In recent years, we have seen those advantages evaporate . . . The extra money which the Government is giving to schools is only given to specialist schools, city schools, failing schools, mismanaged schools or reorganising schools, so we don't get any."

What have the Government to say to those people who carry on doing a good job in mainstream comprehensive schools and find their financial resources squeezed more and more tightly?

Mr. Hain: The answer to the hon. Gentleman's question is not to vote Conservative. Under this Government, comprehensive schools have had more investment and provision of equipment, such as computer equipment, as any of us who visits their local schools knows. We have seen 28,600 more teachers, more than 105,000 additional school support staff, and average spending per pupil increase by £800 in real terms since Labour came to power, compared with the miserable record of the Conservatives. What are they planning to do when they get back? Their policy is to cut back on public provision and comprehensive school funding, and passport the money out to private education.

Jim Sheridan (West Renfrewshire) (Lab): Can I bring to the attention of my right hon. Friend early-day motion 1806, which stands in my name, and which has cross-party support, with the exception of the Scottish National party, whose Members, unfortunately, are again not in the Chamber?

[That this House condemns the offensive language of the Scottish Nationalist Party (SNP) in its reference to the Union Flag as the Butcher's Apron, and believes that these irresponsible comments reflect badly on our armed forces past and present; and therefore calls on the SNP leadership at Westminster to distance itself from these extremist comments.]

The Scottish national party has described the British union flag as the butcher's apron. Given that our armed forces are currently serving under that flag, will my right hon. Friend reassure this House and the armed forces and their families that they are not regarded as butchers? An apology should be forthcoming from the leadership of the Scottish National party for those outrageous statements.

Mr. Hain: I agree with my hon. Friend. An apology should immediately be made by the Scottish National party and its leader, who sits in this House, for that disgraceful attack on not just our armed forces but the spirit in Scotland, as in Wales, that Scots are proud to be Scots but also proud to be British. The Scottish National party has lost the argument in relation to independence and sawing off Scotland from the rest of the United Kingdom, which is why it is indulging in such petty initiatives.

Kevin Brennan (Cardiff, West) (Lab): I note from a letter from my right hon. Friend that the "Together" campaign on antisocial behaviour is being extended today to include the city of Cardiff. May we have a debate so that we can discuss how to make the campaign work in areas such as Cardiff, where the local authority is dominated by a political party that opposed all those measures in principle?

Mr. Hain: It will be interesting to see whether the Liberal Democrat-controlled Cardiff city council takes seriously its responsibilities to stamp out antisocial behaviour. Liberal Democrats have consistently opposed some of the tough measures that this Government have introduced to stop local communities being subject to the scourge of antisocial behaviour. I hope that the programme being rolled out today in Cardiff, Newport and Swansea will spread right across Wales, because I want more antisocial behaviour orders applied in my constituency of Neath and elsewhere. The law is there—the Government have provided the powers to the police and local authorities, and those powers should be exercised.

Mr. Lindsay Hoyle (Chorley) (Lab): Will my right hon. Friend allow time for a debate on the cut-and-sew contract awarded by the Ministry of Defence, which it has transferred to China, which will mean job losses in Lancashire? Under the new Warwick agreement between the Government and trade unions, I thought that that would not happen. Will he allow time to ensure that those jobs are not lost in Lancashire and that China does not produce Army uniforms, especially camouflage?

Mr. Hain: I know that the Secretary of State for Defence is aware of the deep concerns that have been expressed by my hon. Friend previously, as he does properly today, and in north-west England, and he is examining these matters. We have seen record, unparalleled investment in defence under this Government, without comparison under previous Labour or Conservative Governments, and he will know that we have a strong and committed policy in support of manufacturing industry, which will continue.

Jim Knight (South Dorset) (Lab): Can the House have a debate on the music industry? That would give us an opportunity both to pay tribute to the extraordinary work of John Peel, who sadly died this week, and to discuss how we can use the appropriate implementation of the Licensing Act 2003 to encourage live music in our pubs and clubs.

Mr. Hain: I, like my hon. Friend, am a big supporter of live music in pubs and clubs and of musicians right across the country. Indeed, John Peel was a champion of such musicians, gave many of them the opportunity for a career that they would not otherwise have had, and brought to the forefront of pop interest much previously obscure music, which then became mainstream. We pay tribute to his work and his contribution to all that.

David Taylor (North-West Leicestershire) (Lab/Co-op): May I echo the sentiments of my hon. Friends the Members for Bridgend (Mr. Griffiths) and for Cardiff, North (Julie Morgan) in expressing my belief that if we had a free vote, as we did, on the protection of animals, a fortiori, we ought to have a free vote on the protection of children? The Leader of the House gave the provisional business for the week commencing Monday 8 November. Does he anticipate that the public health White Paper will be published during that period? If that happens then or at a later date, what plans does he have to incorporate in the parliamentary timetable a full debate on public health issues, not just the hour that will follow the statement in the House?

Mr. Hain: Certainly, I will pay careful attention to my hon. Friend's point about public health, but he will be encouraged by the public health White Paper that the Secretary of State intends to publish. It will be path-breaking in terms of taking forward the whole public health agenda. In respect of his concerns, echoing

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those of other Members, about the Children Bill, smacking and beating and so on, it is important that the argument is put in the context of a Bill that will bring unprecedented new protection rights for children right across the country. It is important that in the specific argument about how that is implemented, we do not lose sight of the fact that it is a fantastic Bill, providing extra new rights, which ought to be acknowledged.

Points of Order

1.49 pm

Mr. Oliver Heald (North-East Hertfordshire) (Con): On a point of order, Madam Deputy Speaker. On behalf of my party, may I put on record the fact that we also share the concerns that demonstrations should not be violent, and that I was sorry to hear of the incident involving the Leader of the House?

Dr. Julian Lewis (New Forest, East) (Con): On a point of order, Madam Deputy Speaker. I have given notice of it both to Mr. Speaker and to the Chancellor of the Duchy of Lancaster.

Last week I tabled a question for named-day answer:

> "To ask the Chancellor of the Duchy of Lancaster if he will list his public engagements carried out in the week from 18 October."

Although I did not receive the customary personal reply in the post, I see from *Hansard* that it was answered on Monday as follows:

> "I refer the hon. Member to the answer I provided to the hon. and learned Member for Harborough (Mr. Garnier) on 20 October 2004."—[*Official Report*, 26 October 2004; Vol. 425, c. 1053W.]

That answer was raised by my hon. and learned Friend in business questions. He had tabled this question:

> "To ask the Chancellor of the Duchy of Lancaster if he will list his official engagements since his appointment to his present Cabinet post."

The reply was:

> "Since my appointment as Chancellor of the Duchy of Lancaster , I have had a range of official meetings including meetings with Cabinet colleagues relating to my cross-Government role in the co-ordination of Government policy, my responsibilities for the work of the Strategy Unit and the Policy Directorate; my Duchy of Lancaster role; and my membership of the Cabinet."—[*Official Report*, 20 October 2004; Vol. 425, c. 720W.]

I know that the Chair does not have responsibility for the inadequacy of the content of answers, but I had asked for an account of public engagements for the week beginning 18 October, and was referred to an answer about official engagements given only two days into that week, on 20 October. Given the view that the Chancellor of the Duchy of Lancaster—who has so far spent a grand total of four minutes at the Dispatch Box since his appointment—is doing a job which is itself cover for a job running strategy for Labour to win the election, what protection can the Opposition have to hold to account a Minister who does not even give an answer relating to the same period as that specified in the question? We know that this is the sort of treatment that we get from the Prime Minister, but the Chancellor does not have his job yet.

Madam Deputy Speaker (Sylvia Heal): The hon. Gentleman is right to say that the Chair does not have responsibility for the answers that Ministers give. I suggest that he consult the staff in the Table Office, who may well be able to assist him.

Orders of the Day

School Transport Bill

[Relevant documents: The Third Report from the Education and Skills Committee, Session 2003-04, HC 509-I, the Draft School Transport Bill, and the Government's response thereto, Cm. 6331. The Eighth Report from the Transport Committee, Session 2003–04, School Transport, HC 318, and the Government's response thereto, Cm 6254.]

Order for Second Reading read.

Madam Deputy Speaker (Sylvia Heal): I inform the House that Mr. Speaker has not selected the reasoned amendment on the Order Paper.

1.52 pm

The Secretary of State for Education and Skills (Mr. Charles Clarke): I beg to move, That the Bill be now read a Second time.

I have the honour to present an important and interesting Bill. It is important because it attacks a very significant social and economic problem that needs to be challenged: the school run, with all its negative effects on environment and health, such as congestion in many of our towns and cities. It is important because it gives local authorities freedom to do what they do best—to innovate, and to address and solve problems in their local communities. It is important because it finds ways in which to loosen the legislative straitjacket that has prevented any reforms in this area for many decades. It is interesting because it has the strong support of local government represented by all political parties, who know that the problems in their areas, for which they are responsible, must be solved.

We know that it is for that reason that many local authorities are ready to submit bids to "pilot" their areas, including authorities led by Conservatives and Liberal Democrats. It is interesting, too, because we have the understanding of the churches, for which this has been a difficult question. They have made representations to me since I became Secretary of State, saying that these issues need to be dealt with so that their interests can be protected. We have talked to them at length, and we believe that our proposals do just that.

It is also interesting simply to observe the sheer naked opportunism of Conservative and Liberal Democrat Front Benchers, whose intention is to reap political benefits by sowing misleading and even untrue ideas about the consequences of the Bill.

Let me set out the history. Over a year ago the Government published "Travelling to School: an action plan" setting out a series of measures to encourage more walking, cycling and bus use. At around the same time the Local Government Association published "Children on the Move", which called for greater flexibility and the piloting of new approaches to home-to-school transport. As I said earlier, I am very grateful for the cross-party support from local government.

Since the publication of that document, we have engaged in extensive discussion and consultation on the proposals. They have been the subject of two substantive hearings by Select Committees, the Transport Committee and—with pre-legislative scrutiny—the Education and Skills Committee. Let me express my appreciation to both Committees for the careful attention and consideration that they gave our proposals. They both said that they saw an urgent need for the issues to be addressed, and indeed urged us to take some of our proposals further. I think I can claim that we listened carefully to the Committees, and we have made changes—especially to the prospectus accompanying the Bill—to reflect the different views and concerns expressed by members of the Committees and in the hearings.

Mr. Barry Sheerman (Huddersfield) (Lab/Co-op): We did urge my right hon. Friend to go further, but we also urged him to go faster. If there is a problem and it will take 10 or 11 years for him to tackle it, that is too slow in our opinion. The environment, global warming and children's health are not things that can be put aside for 10 years.

Mr. Clarke: My hon. Friend is quite right, and—if I do not misrepresent them—that was also the view of members of the Transport Committee. That is why, although the arrangements will be entirely voluntary—there will be no statutory requirement on a local authority—it will be possible, if authorities present proposals faster than is allowed for by the Bill, to use secondary legislation to enable us to move more quickly. I can assure my hon. Friend that that deals with his Committee's fear that we may be "frozen" at 20 pilot schemes. What we will not do is establish a statutory scheme that would compel an authority to institute a scheme of this kind. It must be for individual authorities to present their own proposals.

Mr. Sheerman: Is it possible for every authority in England and Wales to produce a proposal so that we can get things moving now?

Mr. Clarke: The suggested 20 pilot schemes are dealt with in secondary legislation. If more than 20 were proposed, it would be open to the Government to provide for us to move faster by means of secondary legislation. What there would not be is a primary legislation gap that would stop things going further. The primary legislation jump that we have not been prepared to make would be the establishment of a statutory scheme requiring my hon. Friend's local education authority, for example, to behave in a certain way. The arrangements are based on voluntarism rather than compulsion.

Mr. A. J. Beith (Berwick-upon-Tweed) (LD): Can the Secretary of State give any guarantee that rural local authorities in particular will not be put under financial pressure to go ahead following the pilot schemes, particularly if the schemes indicate genuine difficulties for people in rural areas?

Mr. Clarke: I can give that assurance. I shall deal with the money aspect in a moment. The sums spent on school transport by local authorities such as the right hon. Gentleman's are immense. A large part of our plan is to give his local education authority, and other rural authorities such as mine in Norfolk, more flexibility to deal with school transport in a more effective way.

Mr. Michael Fallon (Sevenoaks) (Con): Is the Secretary of State not being rather disingenuous when he says that he will not force local authorities? In fact the Treasury will withdraw the necessary funds, and either parents will have to pay charges amounting to several hundred pounds a year or everyone else will have to pay more council tax.

Mr. Clarke: The hon. Gentleman is completely mistaken. I can assure him that that pressure will not be imposed. That is the sort of scaremongering that I mentioned earlier. There is no possibility of such action. What is a possibility is the provision of better local schemes to provide better services for communities more effectively.

Let me say something about the principles behind the Bill. Increased car use on the school run contributes to congestion and pollution. Encouraging more walking, cycling and use of public transport will bring both environmental benefits and health benefits to pupils, but the key point is that the issues faced vary from area to area: the solutions are different in rural, semi-urban and urban areas, for obvious reasons. So we argue that local education authorities need the flexibility to respond to local need, rather than being tied into a straitjacket that prevents the possibility of their addressing such questions effectively.

We do believe—this view is widely shared—that the current system is inadequate. It serves an average of only 10 per cent. of pupils across the country, but it is also inequitable. As research undertaken by my Department shows, families from lower income groups are more likely to have to pay than those from higher income groups. Again, we argue that LEAs need flexibility in this regard.

So the purpose of the Bill and its content is to enable LEAs to pilot school travel schemes. In the light of some of the remarks made, I emphasise that the Bill will force no local authority to take any action that it does not wish to take. It will be for LEAs to produce their own proposals—they will have to meet certain tests for approval, which I shall set out shortly—to enable them to deal with their own particular circumstances. Initially—this relates to the point touched on by my hon. Friend—the Bill allows a limited number of LEAs in England and Wales to run pilot school travel schemes. The details will be set out in draft regulations, which are available to the House.

Mr. David Heath (Somerton and Frome) (LD): The right hon. Gentleman mentioned earlier the position of rural authorities such as his and mine, which spend a very large part of their budgets on school transport. As a result of the Bill, will there be any additional money to provide school transport in our authorities, other than that coming from charges applied to parents and families who currently have free transport?

Mr. Clarke: We have said that we will provide a small amount of pump-priming money to get these schemes off the ground, but I do not pretend that it is an additional significant subsidy for school transport, because it is not.

The figures are immense and it is worth setting them out, so that Members understand the situation. In 2002–03, Somerset—the hon. Gentleman's local education authority—spent just over £7 million a year on school transport. My own authority, Norfolk, spent nearly £17 million, and Cumbria spent nearly £10 million. We believe that there is a real question to be asked as to whether such money is being best spent, and on what is needed, in a given area. We argue that it is reasonable for us to give LEAs such as Somerset—I use that as an example simply because it was the hon. Gentleman who raised this question—the flexibility to argue that they could spend such money in a better way to serve the needs of their community, rather than every penny being spent in the straitjacketed way that I indicated.

I should give some idea of the scale of spending, because many Members will not appreciate it. Let us consider total spending on public transport in 2001–02 for the country as a whole. LEA support for dedicated school bus services totalled some £630 million. Support for socially necessary local bus services, including the various support schemes, totalled £260 million, which is significantly less. Support for the London bus network totalled some £180 million, and spending on concessionary fares came to nearly £500 million. The bus service operators' grant came to £300 million, social services transport totalled just over £210 million, and non-emergency health transport came to some £160 million. Total public transport spending for 2001–02 came, therefore, to about £2.2 billion, of which nearly a third went on LEA support for dedicated school bus transport. This is an enormous amount of money, and it is right, in the light of wider consultation, for the Government to say, "Could we spend this money better? Could we enable LEAs to attack these problems more creatively, in order to deal with the real issues in every particular?"

Mr. David Kidney (Stafford) (Lab): I want to follow up the point about the cost to local authorities. Staffordshire's figure for this year is more than £13.5 million. In the context of a total education budget of £450 million, that might not seem a huge proportion—until one realises that £400 million of that budget goes directly to schools. The amount that the local authority holds centrally is therefore a huge proportion: much more than a quarter of its entire budget for the whole education service.

Mr. Clarke: My hon. Friend makes the point extremely coherently, as I would expect a former Treasury Select Committee colleague to do. His command of the detail is clear and he makes the case very powerfully. Should we just take the view, as many local authorities have had to do, that here is a wad of spending, and one cannot do much to move matters forward? Or we should we say instead that we are going to try to use that money for socially beneficial purposes, in the way that my hon. Friend implies, by attacking environmental and health issues?

Mr. Tim Collins (Westmorland and Lonsdale) (Con): I want to press the Secretary of State on a matter on which, I suspect, all Members will agree: the need to protect children with special educational needs. He has gone through the figures and created the impression that a lot of money is being spent, and he has implied that in his view it could be spent better. He will know that the

House of Commons Library has reported that 65 per cent. of all money currently spent on subsidising free school transport is used to support children with special educational needs. Is he prepared to guarantee, by amendment to the Bill, that no parent of such a child who currently has access to free school transport will lose that access? Is he further prepared to guarantee that in future, as now, two thirds of all spending on free school transport will benefit such children?

Mr. Clarke: I think that I can help with the first guarantee but not the second. I can assure the hon. Gentleman that where such transport is required because of a statement concerning a child with special educational needs, it will be protected. If a clarifying amendment in Committee would help in that regard, I am happy to look at this issue in some detail. He correctly quotes a figure of some 65 per cent. for the country as a whole in respect of children with special educational needs, although it does vary from authority to authority. I cannot give a commitment that a certain fixed percentage will always be spent on transporting such children. In this as in other areas, it is necessary to look at what is the best way to use this resource, and my Department recently published further proposals for local authorities on the best way of doing that. However, the hon. Gentleman is right to point out that this is indeed an issue. It is a question of whether the best way to spend this money is on minicabs whizzing around the country, as currently happens, or whether more coherent use could be made of that resource.

On the hon. Gentleman's argument concerning fundamental rights—the rights of the parent who has a child with a statement—I can give him the assurance that he seeks. If we can provide greater clarity on that issue in Committee, I am perfectly happy to go down that route.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich) (Lab): My right hon. Friend will know that my Committee is delighted that this Bill has been introduced. Does he accept that his point about special educational needs is particularly important because many counties are unable to provide the level of care, in transport terms, that they would like, and they do not have sufficient flexibility to introduce improvements?

Mr. Clarke: My hon. Friend is entirely correct. We explored that issue during the evidence session with the Transport Committee, and it is exactly why we need to establish the flexibility that will enable the particular and real needs of such children to be properly addressed. I appreciated the support of her Committee; she is not renowned for always supporting the Government, and securing her support on this occasion I regard as a tremendous achievement.

Helen Jones (Warrington, North) (Lab): I listened very carefully to what my right hon. Friend said about children with special educational needs. Will he ensure that when this issue is dealt with in Committee, the debate, while dealing with the needs of such children, does not focus simply on children with statements? Otherwise, parents might be encouraged to seek statements purely to access transport. In fact, we are trying to move away from such a situation.

Mr. Clarke: My hon. Friend is entirely correct. I chose to use such language in answer to the hon. Member for Westmorland and Lonsdale (Mr. Collins) precisely because it is the statement that gives the legal right to which he referred. But in considering a proposal from any pilot authority, it would be right to look at provision for all children with special educational needs, whether statemented or not. Her general point is entirely in line with the direction of Government policy on special education across the piece.

I am sorry to return to this point and I may be overstating the case, but I do feel that the way in which this resource is currently being spent constitutes a real issue. We need to generate more flexibility for local education authorities to see what can be done generally—including, more particularly, for children with special educational needs, whether statemented or not.

Mr. David Drew (Stroud) (Lab/Co-op): We are talking about special educational needs, but does my right hon. Friend also understand that there is a real problem with school transport in respect of what happens post-16? I realise that we are dealing with an LEA presumption here, but regarding wider social needs post-16 and special needs, where there is still a bit of a black hole that we are unable to clarify, will my right hon. Friend ensure that the learning and skills councils engage with the LEAs that are undertaking this particular set of projects?

Mr. Clarke: I can give my hon. Friend that assurance. Indeed, I shall refer in a few moments to 16-to-19 provision. We come back to the central point once again. Do we want the straitjacket of the way things are, according to which decisions have to be taken, or do we want to say that if Gloucestershire, for example, were to produce a particular proposition for dealing with Stroud, we could look at the circumstances more flexibly and see what could be done?

Hywel Williams (Caernarfon) (PC): Will the Secretary of State tell the House how he envisages protecting Welsh-medium education, where provision is very patchy and children often travel 20 or 30 miles to access secondary schools?

Mr. Clarke: The requirement on Welsh-speaking education is the same as the requirement for those going to their first desired school in relation to a particular church. That will continue under the current proposals.

Private car use on the school run has doubled—I emphasise, doubled—in the past 20 years. We want schemes to change that and to encourage more cycling, more walking, more car sharing and greater bus use. Through that, we will achieve a range of benefits—environmental, health benefits for pupils, educational benefits stemming from pupils arriving fit to learn and better access to opportunities presented by the 14-to-19 curriculum. There are also social benefits such as improved social skills developed through travelling in groups and carrying forward those issues. That is why

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my right hon. Friend the Secretary of State for Transport and other colleagues in the Department for Transport are working so closely with us on these questions. That is why we want schemes to support greener, safer and healthier journeys to school. That is why we want a Bill to enable LEAs to run travel schemes tailored to the needs of their particular areas.

To return to the point mentioned by my hon. Friend the Member for Stroud (Mr. Drew), although the schemes will apply to children not above the compulsory school age, the prospectus will make it clear that we want local authorities to link their schemes to post-16 arrangements. We want the schemes to address issues surrounding the extended school day and after-school activities. By the way, that is a very important aspect of the development of the curriculum, because the fact that transport does not exist for some people seriously inhibits many schools from developing the extended day and out-of-school activities. We will address the 14-to-19 agenda.

The schemes will be required to address transport to denominational schools and, as I said a few moments ago, in respect of Wales, to English and Welsh-medium schools. We want LEAs to be innovative. We do not want to prescribe what LEAs should include, but we are aware of a number of important, positive emerging themes as a result of the overall discussion and debate. We are aware of the development of area-wide concessionary fare schemes, enabling weekend and evening use, as well as school use, of buses. We also know how inadequate public service provision has been tackled through dedicated bus services. There are also allowances for cycling and cycle loan schemes and we have also seen the use of some of the revenue generated to increase the number of school crossing patrols, escorts for walking buses and cycle training. There are a range of benefits, which we believe are important.

Dr. John Pugh (Southport) (LD): The Secretary of State mentions denominational education and he said earlier that he had the understanding of the churches. Would it be fair to say that he has their wholehearted endorsement for this legislation?

Mr. Clarke: No, that would not be right. We talked a lot to the Church of England and it would be fair to say that it is supportive of what we are doing. The Catholic Church had some concerns, which have been widely discussed, about particular parts of the country where there have been particular problems. I chose my words carefully when I said that we had the understanding of the churches, but if the hon. Gentleman is inviting me to say that we have their wholehearted endorsement, I cannot say that because it is not the case in respect of every part of the country in every circumstance. It is the case that the churches came to us at the outset to say that the current arrangements were not working as they should, so they invited a discussion about how best to proceed and what we should do. That is precisely the discussion that we have had. The solution that we have advanced—of allowing flexibility, particularly local government flexibility, which at least some Liberal Democrats favour—is, I believe, a good solution to the problems. Part of the local flexibility in particular local areas will result from LEAs talking to the churches about particular problems.

Scheme arrangements replace the existing legislation contained in section 509 of the Education Act 1996, which requires LEAs to provide free transport for school pupils where it is considered necessary to facilitate attendance. LEAs that volunteer, by applying to become scheme authorities, will make travel arrangements that they consider appropriate, for which they may charge affordable fares.

I want to make it clear, particularly in view of several remarks by Conservative Members, that this is not a cost-cutting device. The revenue from fares will be re-invested in the sort of improvements that I have just described. The expectation is that fares will remain heavily subsidised, but that removing the sharp divide—the almost arbitrary divide that currently exists—between free and full-cost transport will enable more equitable and wider distribution of subsidy and will allow scheme LEAs to target resources according to local priorities. The rhetoric of the Opposition parties suggests that they support that, but when it comes to the reality, they are not prepared to do so.

The Bill defines protected children—children from lower income families who will receive free transport when they attend the nearest school. We have defined a national minimum level of protection, but want local authorities to put forward definitions suitable for their localities, which is important. Similarly, we have maintained the definition of walking distance as the minimum guarantee. The purpose of school transport remains to ensure attendance, but the prospectus makes it clear that we expect local authorities to address the needs of all pupils—those living within and outside the walking distance. The Bill shows that that can be done in a variety of ways—through safer walking and cycling routes as well as by better bus provision.

To summarise this aspect of the Bill, where transport currently exists, LEAs will still be obliged to provide transport beyond the walking distance for children who are going to the school that they need to attend. For children from lower income families, LEAs will still be required to provide such transport free. Those will be requirements that will have to be addressed in any scheme that is proposed. Outside that, we argue that we need more flexibility and greater possibilities.

Mr. Hilton Dawson (Lancaster and Wyre) (Lab): My right hon. Friend will be aware that the utmost priority of the UK Youth Parliament over several years of debates has been transport. Can he confirm that he will encourage local authorities to engage in full consultation with their local MYPs and members of youth forums about these issues so that imaginative schemes can be developed?

Mr. Clarke: I can give my hon. Friend that precise assurance. Indeed, I have been lobbied to that effect by MYPs from Norwich and they raised the precise point that my hon. Friend mentioned. He is absolutely right that transport has been a matter of consistent concern over a long period. That is why I say we should use the substantial money that we now have to secure better results, better quality and better opportunities for young people.

Mr. Collins: The Secretary of State referred to the fact that the Bill provides for a continuation of free school transport entitlement for families on low income. Will he confirm that the definition remains that of families whose children are entitled to free school meals—namely, families whose income is below about £13,000 a year, which is well below the national average—and excludes the large number of families who receive the working tax credit?

Mr. Clarke: I can assure the hon. Gentleman that we intend to keep with the free school meals definition. It is set out in the Bill and it is our intention, but I should say that there has been much discussion, as implied in the hon. Gentleman's question, about whether entitlement to free school meals provides the best definition of poverty. There are other approaches, as the hon. Gentleman said. We are prepared to consider alternative ways of defining it, but I can give the absolute assurance that the Bill works on the free school meals definition, which is the conventional one.

David Taylor (North-West Leicestershire) (Lab/Co-op): The Secretary of State will be aware that Barnardo's, the National Children's Bureau, the National Children's Home and others have warmly welcomed the Bill. One of their reservations was mentioned by the hon. Member for Westmorland and Lonsdale (Mr. Collins) a few moments ago. A further reservation is that LEAs must do more, as far as free school meals are concerned, to deal with the issues of stigma and awareness of entitlement. If we are going to use that definition, we need to overcome some of those difficulties.

Mr. Clarke: I entirely agree, and I am very grateful for the general support that the children's charities have given this Bill. My hon. Friend is right to say that stigma is a major concern in relation both to free school meals and to transport. I assure him that we will try to ensure that schemes operate in a way that does not stigmatise.

As a further safeguard, all schemes approved by the Secretary of State or the National Assembly for Wales will have to consider the needs of all pupils. I give an assurance, in terms, that schemes that are purely cost-cutting will not be approved—that is unequivocally the case. We want to be as flexible as possible, to test the range of options and to keep the situation under review. For the optimists among us—I am certainly one of them—I am encouraged by the fact that the local authorities that have expressed an interest, whether formally or informally, are seeking not to cut costs but to improve the quality of their services. They know that they can innovate and do better, and that is what they want to do—even Conservatives, although I hesitate to say it to Opposition spokesmen.

The Bill includes a power to repeal if the pilots are not deemed a success, but it can be used only after we have had time to evaluate the schemes and have reported to Parliament, and it lapses after the evaluation period. If, as I consider far more likely, the pilots show the approach to be a success, the scheme approach will be open to all authorities that want to adopt it. It will remain voluntary, and if authorities want to continue under the current arrangements, they can. I emphasise yet again that it is a matter for local authorities to decide. Moreover, the Bill includes the power to relax the requirement in the Transport Act 1985 for local authorities to register closed services where a fare is charged. This will reduce the bureaucratic burden on local authorities.

This is a short Bill. It will introduce flexibility for the scheme authorities to address urgent cross-cutting issues of health, environment and safety. It is voluntary in nature, both during the pilot phase and in the longer term. It will enable local government to innovate and make arrangements that meet local needs in the 21st century. I repeat that it cannot be made statutory, the voluntarism cannot be removed, without primary legislation.

I believe that local government is at its best when it is at its most innovative, identifying local needs and taking on and responding to new responsibilities. With the Bill, the Government are saying to local authorities that they can design a system that is right for the schools, pupils and communities that they serve. Even at this late stage, I urge Opposition parties to abandon their dishonest opportunism and support their own colleagues in local government who want to build constructive policies for the future health and welfare of their communities. I commend the Bill to the House.

2.23 pm

Mr. Tim Collins (Westmorland and Lonsdale) (Con): Let me begin with one of the few areas on which we may be in agreement: I agree with the Secretary of State that this is an important Bill with wide implications and join him in expressing thanks, on behalf of my party, for the work done by the Select Committees on Transport and on Education and Skills. I am sure that we will all draw on that work during this debate and, should the Bill get its Second Reading, in Committee. Unfortunately, that is probably as far as I will be able to go in cross-party agreement today.

Whenever the Government talk about modernising something, they end up wrecking it altogether, and, sadly, that is what is due to happen to the entitlement to free school transport under this Bill. For 60 years, children living long distances from their nearest school have had the right to use a school bus. For 60 years, it has not mattered how much their parents earn, how many siblings they have or whether they get a free school meal. The right has been simple: if the journey is too long, the bus will come along. Now, Ministers say that the right is a "legal straitjacket"—a phrase that the Secretary of State used repeatedly—and they plan to strip it away.

What will be the result? Yet more means-testing, yet more cost—hundreds of pounds a year—for families struggling to make ends meet, yet more problems for parents of disabled children, many of whom may lose out badly and yet more redirection of resources out of rural areas and into Labour's big-city heartlands.

Let me deal with one argument that the Secretary of State advanced in favour of the Bill. It is, he says, merely deregulatory. He asserts that it simply enables local

[Mr. Tim Collins]

authorities to volunteer. He also argues that, since some Conservative and Labour local authorities favour some or all of the provisions, our party should support it here too. It is strange for him to argue that no party can take a stance on an education issue unless every member of that party is wholly united behind it. He is, after all, the Secretary of State who pushed through top-up fees against the bitter opposition of rather a large number of his Back Benchers and party members. So let us dismiss that argument.

As for deregulation and setting local authorities free, it is an odd enabling of local government that gives councils no new powers or resources bar the power to levy charges for a service that has been provided free for six decades; but it has been a feature of the past seven and a half years that a declaration of a new freedom usually turns out to be a new tax, or what the Prime Minister prefers to call a "user fee".

We have five major areas of concern about the Bill. First, there will be many vulnerable people who will lose out, and lose out badly. More children will be forced to walk long distances in darkness and cold. Walking a mile or so along well-lit urban roads is one thing—perhaps it is the only world that Labour Ministers understand—but walking several miles up and down narrow, twisting, hilly and unlit rural roads in Cumbria or elsewhere is something entirely different. Do not the Government understand that in the Lake district, for example, the nearest school for many pupils may be a very long way indeed from where they live?

Mr. Charles Clarke: Does the hon. Gentleman believe that it is okay in those circumstances to walk 2.7 miles? Transport is now provided by law for those who live 3.2 miles away. What does he propose to do for those who live 2.7 miles away?

Mr. Collins: I favour providing a guarantee, as now, and as for the past six decades, that those facing long distances will, willy-nilly and irrespective of means-testing, have access to free school transport. Of course, I agree that providing better school transport for those who do not live quite such a distance away is desirable, but not at the expense of charging people for something that they have had for nothing for a very long time.

The Secretary of State has confirmed that parents on earnings well below the national average would, under the Government's proposals, if they want to spare their children such a long walk, be required to pay perhaps £400 or £500 extra for each child every year.

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): Scaremongering.

Mr. Collins: It is not scaremongering. The Secretary of State has confirmed that, under the Bill, anybody earning more than about £13,000 a year could be charged for a service that is now provided free. That is well below national average earnings and the threshold for the working families tax credit. Many people receiving the WFTC, whom the Chancellor deems to be on low incomes, would lose entitlement to free school transport.

As many voluntary groups concerned with children with special educational needs have said, the Bill provides no specific protection for children with disabilities. I welcome what the Secretary of State said on this point when I challenged him. He went some way towards reassuring some of the groups, but I am sure that they would want me to press him further. He said that he would guarantee that children with a statement of special educational needs would not lose any of the entitlements that they receive under that statement and that he anticipated that those children would therefore continue to be eligible for free school transport, but he will know—indeed, some Government Members pointed it out—that many children with special educational needs do not have a statement. Perhaps he can clarify the point now, or perhaps we can tease it out in Committee, but the implication of what he said was that the rather larger group of children with special educational needs would not be provided with free transport under the Bill, even if they live beyond the statutory distance. Furthermore, he specifically said that he could not guarantee that two thirds of spending on school transport would continue to be for the benefit of children with special educational needs. It is important to stress that point, because the thrust of his argument in the early part of his speech was that large amounts of public money were being spent and he believed that that money could be spent better. If two thirds of the money that is spent now is for the benefit of children with special educational needs, it is proof that that money is largely well spent, not that it is being badly spent.

Jim Knight (South Dorset) (Lab): If a more efficient form of transport were devised as part of an imaginative pilot scheme, which benefited the many and not just the few who benefit at the moment, it might be possible to deliver a successful scheme for children with special educational needs who are not on a statement and those on a statement at a reduced proportional cost in respect of the whole budget.

Mr. Collins: The hon. Gentleman invites us to believe that spending a smaller proportion of a relatively fixed budget on children with special educational needs would serve their interests better than they are served now. I am sceptical about whether that is what would happen.

The second major concern about the Bill is that it is based on a false analysis. The Government have given a seriously inaccurate account of how children get to school. The Secretary of State talked about the growth in the numbers of children who are driven to school. What he did not point out is that journeys to school by car remain a small minority of overall journeys. The Department for Transport's national travel survey shows that only 30 per cent. of children are driven to school and that proportion is falling, according to the most recent data. By contrast, nearly half—46 per cent.—of children walk to school and that proportion is both rising and officially thought to be under-recorded. A further 22 per cent. go to school by bus, train or bicycle and that proportion has barely shifted at all over the last decade. We must get the figures in perspective.

Valerie Davey (Bristol, West) (Lab): Proportions always obscure detail. It is important to look at individual LEAs, as my right hon. Friend the Secretary of State suggested. For example, buses into Bristol this week had a clear road because the lack of cars going to school—because of half term—meant a 15 per cent. drop in congestion. Nationwide, the hon. Gentleman's figures may be right, but in specific areas use of the car is higher and a new and imaginative scheme could therefore lead to much greater falls in numbers on the road.

Mr. Collins: I shall come in a moment to congestion, what really causes it and what needs to be done to deal with it. The hon. Lady put her finger on what is behind much of the thinking behind the Bill. Much of what the Secretary of State said concerned national figures, but she is right to say that there are differences between different areas. That is the whole point. Because the present system is pegged to assistance for long journeys, the bulk of the money spent benefits children who live in rural areas, not urban areas such as those that the hon. Lady and other Labour Members represent. I suspect that that is what the Government do not like about the present scheme. We fear that the Bill is about a redirection of resources from the countryside to other areas.

While there is of course a case for further encouraging alternatives to the car for school journeys, it is worth noting that many more than two in three parents already use them. The practical steps needed to encourage further expansion of alternatives to car usage, such as better bike facilities in schools or greater co-ordination of bus and school timetables, do not require this legislation. The fear of "stranger danger", which leads some parents to resist any option involving their children travelling on their own, relates to worries about the state of our society and of our criminal justice system that will not be addressed in any way by this Bill. The Bill can be seen as both an over-reaction and a distraction.

We therefore question the real motivations behind this Bill. The suspicion is that it is in part an attempt by Ministers to appear to be doing something about congestion, which has indeed got much worse in urban areas in recent years. However, the figures show that that has little to do with school trips. Indeed, as the Labour-dominated National Assembly for Wales has said:

> "if charges were levied for transport that was previously free, then more parents might decide to transport their children by car."

Worsening congestion has far more to do with the fact that this Government have by far the worst record of investing in roads of any Administration in the last 200 years.

Mrs. Dunwoody: I am listening to this nonsense with great attention. Has the hon. Gentleman talked to Conservative-controlled Cheshire county council? That council could explain to him, as he obviously finds it a difficult concept, that it is not the children of rural households who block roads, but people who live within a short distance of the schools, who for various reasons—some legitimate, some not—use cars when there are a hundred better ways to get their children to school.

Mr. Collins: The hon. Lady makes my point, not hers. The problems that she sees in her urban areas—and those that the hon. Member for Bristol, West (Valerie Davey) sees in hers—have nothing to do with the provision of free school transport which, principally but not solely, benefits rural areas. In other words, if she believes that the Bill provides a solution to that problem, she reinforces our suspicion—articulated by my hon. Friend the Member for Sevenoaks (Mr. Fallon)—that the Treasury will redirect resources from local authorities on the basis that they can now charge for school transport and from rural areas to urban areas. She said that there is a problem in urban areas and what happens in rural areas does not help. Something needs to be done, and she wants to redirect resources to do it.

Mr. Charles Clarke: If that is the case, can the hon. Gentleman explain why Conservative and Liberal Democrat leaders of county councils in rural areas support the legislation? I can give him names if he wants them. Why do those leaders support the Bill if what he fears could possibly come to pass? It could not: it is nonsense and a fantasy.

Mr. Collins: The Secretary of State says that, but he knows that many Conservatives in local government strongly oppose the Bill. He is right to say that some Conservatives in local government are quite interested in some of his proposals, although some of the people whom he believes to be in favour of the Bill have begun to revise their views. He might have meant Essex county council, which has expressed an interest in the Bill. It pointed out:

> "We would rather not make a charge, but that would mean the Government giving us considerable grant aid".

The Government have created a system that has so boxed in many local authorities that, no matter who is in control, they will look at any and every method of giving themselves a little more flexibility. It does not follow that Conservatives in the House have to take the same line, any more than the Secretary of State could possibly say that his party was unanimously in favour of top-up fees. If he contends that political parties should be unanimous on the issues, he hardly managed to deliver that on his flagship legislation earlier this year.

Our third concern about the Bill echoes the logic, although not the conclusion, of the Education and Skills Committee.

When it considered the draft Bill, it concluded:

> "The Government seems confused as to the objectives of its draft Bill. The Secretary of State has said that it will encourage more children to walk or cycle to their local school, yet this does not sit easily with Government policies to increase diversity in schools and to allow for the expression of parental preference: an approach that encourages greater mobility."

The Committee concluded, in effect, that the Government should keep the Bill and scrap choice. We urge them to do the opposite: make choice a reality and scrap the Bill.

The Committee is right to say, however, that Ministers cannot stick by both the Bill and their words on choice. For thousands of parents, perhaps ultimately hundreds of thousands, the Bill will make choice entirely unaffordable. They will have to send their child to the nearest school, whether or not that is their real preference, simply because it is the cheapest option for them.

[Mr. Collins]

Worse still, the Government explicitly acknowledge that those who choose to send their children to a faith school may lose out. The explanatory notes refer to article 2 of the European convention on human rights, which provides that

> "the State shall respect the right of parents to ensure . . . education and teaching in accordance with their own religious and philosophical convictions";

yet the Government state in the notes:

> "However, in the Government's view this does not mean that there is any positive obligation to subsidise a particular form of education in order to respect a parent's religious or philosophical convictions. Consequently this Article does not of itself create any obligation to make arrangements for school transport or for free school transport to assist or enable parents to send their children to schools of their choice."

That means that, although at present about 80 per cent. of local authorities have provision for free school transport to denominational schools, under the Government's arrangements, such provision would be much less prevalent. Conceivably, it might disappear completely in some areas.

Mr. David Rendel (Newbury) (LD): The hon. Gentleman is right to say that the cost of getting to and from school is a critical factor in deciding which school one's children should attend and how they should get there. Is not it rather odd, therefore, given that the marginal cost of using a car—if one happens to be lucky enough to have a car—is often less than the cost of sending the child by bus, that the Government think the measure a good way to get more people on to buses?

Mr. Collins: I entirely agree with the hon. Gentleman. He is also right to remind the House that many parents, both in rural and urban areas, cannot run a car, or, because both parents work, cannot provide school transport for their children. For them the calculation would be straightforward: do they feel comfortable sending their children to walk what might be a considerable distance or are they prepared to pay several hundred pounds a year of their post-tax income on transport? The Government have not properly thought through the incentives and we could see many perverse consequences.

Mr. Fallon: Is not it equally possible that there will be a further perverse incentive? Parents who decide that they cannot afford to pay £400 or £500 a year may decide to change their work pattern and take their children to school by car, thereby negating the entire object of the exercise.

Mr. Collins: My hon. Friend makes the point that I quoted earlier from the National Assembly for Wales, a Labour-dominated authority, which said that that could indeed be the case. In relation to the effects from carbon and our Kyoto obligations on greenhouse emissions, the increased usage of the car in rural areas, which is likely at least to counterbalance any reduced car usage in urban areas, means that the net effect on global warming will be negative or unmeasurable. The Bill will not achieve the Government's objectives and, as my hon. Friend says, it could result in many more cars on the road in some areas.

Our fourth concern is that the Bill is, once again, a redirection of resources from rural to urban areas. Because the present system of funding school transport is based on distance criteria, it inevitably means that a large proportion of resources is directed to areas where significant numbers of children live several miles from their nearest school. We believe that that system actually reflects differences in need. A long journey is clearly more difficult and expensive to undertake than a short one. The Government are already providing far less funding per pupil for rural than for urban areas. That is at the heart of the cross-party campaign mounted by the F40 group of local education authorities, which seeks a fairer basis for distributing resources.

My hon. Friend the Member for Sevenoaks has already pointed out the probable implications for the Treasury. The Secretary of State said something extremely interesting, which may result in a good debate in Committee. He said that there was no possibility at all—I think that that was his phrase—that the Treasury would use the introduction of charging in some areas as a means of redirecting resources.

The Opposition remember similar assurances from the right hon. Gentleman and from previous Secretaries of State for Education on whether the Treasury would take into account extra income raised from charging tuition and top-up fees. None of those assurances turned out to be worth the paper they were printed on. If the Bill receives a Second Reading, we shall attempt to do in Committee what we tried to do with the Higher Education Act 2004, and include a requirement for the Treasury not to redirect resources as a result of the introduction of charging. I suspect that Ministers will say, as they did then, "We can't accept that amendment, but don't worry, just trust us." Then, a few months or years down the line, it will turn out that they are doing exactly what we expected.

Our final major concern is that, although the Bill is often described by Ministers as merely an enabling mechanism for a few pilot areas, it actually includes a provision to make its changes permanent and, in all probability, universal. The Secretary of State referred to clause 3, which covers the power to repeal new provisions and accurately described what could be done if the Government concluded that pilots had not succeeded. What he did not point out, but which is clear in the explanatory notes, is that, as they state, if a repeal order

> "is not made the new provisions will continue after the pilot is competed and there will then be no limit on the number of participating LEAs."

The system could thus become permanent and there would be an expectation that LEAs would volunteer for it, and we anticipate that there would be Treasury pressure for them to do so.

Although the Secretary of State mentioned a number of organisations that he believed were supportive of the measure, a large number have expressed concerns about some or all parts of it. The National Governors Council said:

> "Affordable fares are a must and free school meals are not necessarily a good indicator".

The Secretary of State indicated that the Government might think again about making free school meals the determinant and I very much hope that they will.

David Hart, the general secretary of the National Association of Head Teachers, said:

> "This will cause uproar amongst parents. They will ask whether this is the beginning of an attack on free education. It will be deeply unpopular and could be extremely expensive for those with several children."

John Dunsford, general secretary of the Secondary Heads Association, said:

> "This moves away from the principle of free education for all."

I shall quote from only one of a string of head teachers of individual schools. Ann Rogan, head teacher of St. Andrew's primary school, Fontmell Magna, said on the "Westminster Hour" last weekend:

> "I think probably what brought it home to me was . . . talking to a set of parents who had moved and were actually going to need to buy a second car in order to bring their child to school if the free bus places were taken away."

That is the point. We are talking about something that will have a massive impact on the quality of life and living standards of large numbers of people, many of whom are not even remotely wealthy.

I have one final quote. Margaret Morrison of the National Convention of Parent Teacher Associations said:

> "It's definitely going to be the rural families who don't have a choice . . . it's quite an anomaly isn't it, government are telling us to remove cars from the roads and yet they allow councils to make a provision that is no doubt going to increase the number of cars on the school run."

As recently as July, the Secretary of State indicated that he was undecided on whether to proceed with the Bill, telling the Select Committee that he was concerned that there was no cross-party consensus to proceed with it. He is right about that: there is no cross-party consensus to proceed with it. Let me make it emphatically clear to him today that Conservatives will oppose the measure vigorously.

The Bill will hit some of the weakest, poorest and most vulnerable in our communities; it will impoverish tens of thousands of parents and, yet again, disadvantage rural areas. It fatally undermines the principle of free education for all. The Bill should not have been introduced in the first place. We urge Ministers to think again and we shall fight the Bill tooth and nail until they do.

2.49 pm

Roger Casale (Wimbledon) (Lab): I welcome this Bill. It is modest, sensible, practical and long overdue, and it will allow local authorities such as mine in Merton to experiment further with reducing traffic on the school run through the introduction of safe cycle routes, walking bus schemes and so on. That should be encouraged.

I am at a loss to understand why the hon. Member for Westmorland and Lonsdale (Mr. Collins), the Opposition spokesman, and his party should have chosen to oppose this sensible measure so rigorously. For three reasons, their opposition will ring rather hollow. First, the Conservative party had plenty of opportunity when in office to deal with this matter, yet did nothing. The hon. Gentleman seemed to suggest that it was a virtue that there had been no change, modernisation or reform in more than 60 years.

Secondly, a Conservative Government would not be able to afford even the modest £50 million that is expected to be needed for this measure's introduction. The Opposition's current education budget proposals mean that the money would not be there. Thirdly, as my right hon. Friend the Secretary of State said, many Conservative local authorities around the country are looking forward to this Bill. It is a great shame that we are not able to achieve a measure of cross-party support even for a measure as sensible as this.

Mr. Collins: The hon. Gentleman said something extraordinary—that a Conservative Government could not afford even £50 million from their schools budget. Is he not aware that my right hon. Friend the shadow Chancellor has committed the Conservative party to increasing school spending, not just by £50 million, but by £15 billion a year by the end of the next Parliament?

Roger Casale: This is not a debate about the Opposition's education budget. All sorts of incredible and incompatible claims have been made, and we shall see what their actual proposals turn out to be.

The Opposition's claims about this Bill ring hollow. It is a pity that we cannot achieve a measure of cross-party support for a measure as sensible and practical as this.

Although I would not say that the Bill has a deficiency, we should take this opportunity to address a number of issues that I believe merit cross-party support. In particular, there is a need to do much more for the parents of children with special educational needs, and for the children themselves. Safe transport between home and school must be secured for those children.

This debate provides an opportunity to consider the difficulties that still exist, in Merton and many other local authority areas, with the safe transportation of children with special educational needs. The Bill might offer a suitable vehicle to reform the regulations governing this area, and I look forward to exploring that possibility further in Standing Committee.

I should like to share with the House some of our experiences in Merton, and the difficulties that we have encountered. The problems are a source of wide concern and have been raised by various organisations. In preparation for this debate, Mencap wrote to me and many other hon. Members to make the point that many families with children with a learning disability experience difficulty in accessing appropriate transport to school. Along with the National Autistic Society, Mencap is concerned that the Bill makes no mention of the special transport needs of disabled pupils. That is why I felt it very important to add my voice to the debate on these matters, and to examine whether this Bill is the right vehicle for reform.

At the end of 2001, I was approached by Mary Powell. She is the mother of an autistic daughter who attends Merton's very good St. Ann's special school. Her daughter is transported between home and school by minicab. All sorts of problems have arisen in connection with that transport, which involves a minicab, a driver and an escort to ensure that the child is not left alone in the car. We should remember that children such as Mary Powell's daughter have great difficulty in expressing themselves, which makes it very difficult to know what happens during the journey between home and school.

[Roger Casale]

On one occasion there was a 25-minute delay, and longer delays have been reported. Naturally, that caused concern among parents, and Mary Powell contacted me to say that she had raised those concerns with Merton council. However, the council had not been able to say where her child had been for those 25 minutes, even though the problem had recurred over a period of weeks. During that time, Mrs. Powell noticed that her daughter had become distressed, but she still had no clear explanation of what had happened. In her letter to me, Mrs. Powell said that her daughter was autistic and had learning disabilities and that she was unable to tell anyone about what happened on the school journey. In fact, there are many more examples of what Mrs. Powell called "dangerous practice".

Mrs. Powell did the right thing and got together with parents of children with similar difficulties who shared her anxieties. The parents formed an SEN network and raised their concerns with Merton council in an appropriate way, but found it very difficult to get the council to take action. Indeed, they found it very difficult even to secure a meeting with the officers concerned. It was not clear where the responsibility lay and, although I do not question their good faith or want to suggest that they were not trying to do their best, there was a tendency on the part of those officers to put their heads in the sand. It is possible that they were not sure how to address this difficult issue, or perhaps they did not have the resources to resolve it.

In addition, the parents found it difficult to arrange a meeting with the directors of social services and education. It was difficult to get anyone to acknowledge that there was a problem, but once it was acknowledged that a problem existed it was difficult to get anyone to take responsibility or to act. Over a long period of time, the parents saw no improvement in the situation.

One of the biggest difficulties—and one of the parents' greatest concerns—was that many of the minicab drivers and escorts involved in the transportation of their children between home and school were not being properly vetted by the police. In fact, Mary Powell and her colleagues in the SEN network conducted a little experiment: they telephoned the minicab company contracted by Merton council to provide the service in an attempt to get a job as a driver. They recorded the conversation, and when they asked about police checks, the minicab firm told them not to worry about it. That increased the parents' concern.

I think that the House will agree that that is bad practice and that it needs to be stamped out. The difficulty experienced by Mary Powell—ultimately, it is the reason that she came to me with this matter—was that there is no way of knowing where responsibility in this problem lies, nor how the problem can be solved.

Whose responsibility is it to make sure that police checks are conducted and followed through? Would not it be better for the local authority to provide the service, even though there may be substantial cost implications? In that way, the authority could assure itself that minicab drivers and escorts were properly vetted and that they provided an appropriate level of service.

In the end, I had to get involved. I had meetings with council officers, but it took a long time to arrive at a plan of action. Progress was made only when I was able to bring the matter to the attention of Ministers. Those Ministers included Baroness Ashton and my right hon. Friend the Secretary of State. Frequent meetings were held involving the Department for Education and Skills and Merton LEA, and they led to a review being conducted.

The difficulty, however, is that the law talks not about regulations but about guidelines. If a local authority is having difficulty or failing to meet the guidelines, it is difficult to see where we can go for redress. Ultimately, by working together, engaging in the review and committing ourselves to introduce improvements, changes have been made. Drivers and escorts are now required to have badges. The local authority has redrafted the policy document on SEN transport. Reviews and surveys are being undertaken, and it is examining the feasibility of becoming a minicab operator itself.

Three years on, it is still a problem; all of us, including the local authority, have acknowledged it. Janet Yerbury, who works for the local education authority, said at a recent meeting with parents of children with special educational needs:

> "It is an issue that can keep you awake in the middle of the night. Where we are completely stuck is that we cannot carry out checks on other mini cab employees . . . It is something we are still trying to improve upon."

There is a tendency to think that all the good work that is going on in improving social services and education always takes proper account of the needs of special educational needs children. Unfortunately, my experience is that we have failed to do so effectively. We must examine whether we need to tighten the law, introduce stronger regulations, especially on the safety aspects of transport for children with special educational needs, and provide the appropriate resources so that councils cannot hide behind the claim that they are unable to act properly because they do not have the money. The most vulnerable children are those whose rights we must do most to protect. There is a tendency to think that because of their vulnerability they will be properly looked after. Sadly, in many cases they are exactly the people who are left out.

I support the Bill. I understand that it is not aimed directly at the transportation of children with special educational needs, but rather at how we get people out of cars and find alternatives for them to get to school. I also understand that it is a modest measure that is aimed at certain pilot areas. However, we should examine—perhaps we can come back to this in Committee—whether the Bill provides a vehicle to address the serious deficiency in the law that led to the situation that I described. That problem exists in many other authorities and has proved difficult to do anything about.

At the same time as introducing the measure, can we also make the necessary changes to the law so that there is no question of anyone failing in providing the right level of transport and safety for disabled children? My constituent Mary Powell and other parents of children with special educational needs would like that to happen. I think that my local authority would now like that to happen, and we are working together to improve the situation, but it is difficult. Mencap and other such organisations also want the law changed. I hope that the

Government will listen to our representations and see how we can address the issues during the passage of this sensible Bill.

3.3 pm

Dr. John Pugh (Southport) (LD): On the surface, the Bill is modest, consisting of seven clauses and five pages. It creates an illusion at first sight of not doing much, but it is potentially dangerous—just how dangerous it is depends on the shape of future regulations, which are something of a moveable feast.

The problem, with which we all identify, is the increased volume of school-to-home transport. Hon. Members are acutely aware of the school run in both urban and rural constituencies. There is the additional problem, which the Government must confront, of the increased cost of public transport, both regular scheduled services and contract services that are provided directly to schools. As has been said, many large families find it easier to bundle the children into a car, which is certainly more financially worth while, than to put them on the bus. The increased cost to LEAs of providing transport drives some of them to curtail discretionary support for things such as denominational school transport, and there have been many celebrated cases in connection with that.

Following the Government's agenda, there is the increased probability of challenge to LEAs and increased demands on them for transport. Surely the specialist school programme creates the opportunity for parents with a child of special ability to argue plausibly that the nearest school is not the appropriate school—a point that the Select Committee made. Of course, there is the increased problem, which we have all identified and discussed, of childhood obesity and the fact that children are not as active on their way to school as they once were.

Those are the problems. We all share them, know what they are and seek to address them. The Government's solution is to authorise school travel schemes and to permit pilots. Doing both together is a neat move because if the pilots fail on a score of criteria there is nothing to stop the Government encouraging roll out across the country, although I stand to be corrected on that. There are only two essential features that any scheme must have. It must not charge protected pupils and it must have Ministry approval. The scheme does not have to be a good scheme. It does not have to meet quantifiable targets or measurable environmental successes, to increase public transport use or to reduce congestion; it merely requires ministerial approval.

Bizarrely, almost all of what the Government envisage and hope for in the Bill is already well within the capacity of most local authorities. Most of what has been talked about and what the Minister vaunted is being done in different places by active local authorities, save the capacity to opt out of existing arrangements that followed earlier legislation and to charge for what once was free. That is what the Government call flexibility.

With that new flexibility for local authorities comes—this is perhaps just as bad—indirect encouragement of local authorities to roll back from discretionary commitments to faith schools and disabled pupils just as we are becoming a more multi-faith society and more disability conscious. What will the new charging regime guarantee? There is no guarantee that it will increase travel by public transport, reduce car use or increase the capacity of parents to exercise choice, but there is a guarantee that some local authorities will have more money. They will have a monetary advantage compared with other LEAs. I think that that will be followed up by a move towards the child pays system, which will disadvantage a range of individuals, such as children who reside far from their school, children from large families and children in rural England.

The reality—I think we all suspect this and feel it in our bones—is that charging will eventuality become the norm. The Bill is simply the thin end of the wedge.

Mr. Beith: Does my hon. Friend accept that to encourage people not to use their cars in urban areas, any charge for new school transport for people close to a school would have to be very low? The only resources that the local authority could plunder to keep that charge low, apart from the charge itself, would be higher charges or much lower costs for getting rural children to school. The Minister gave no indication of how local authorities such as Northumberland and Cumbria, with large geographical areas, could achieve that objective at substantially lower costs. The only answer must be that children will be charged a lot more.

Dr. Pugh: There is no evidence that charges will be low or, for that matter, will stay low. There are administrative costs associated with implementation of the charges.

Fundamentally, the Bill removes entitlement. The Minister has a nice word for that. He calls it a legislative straitjacket. It removes an entitlement and introduces the possibility of a charge. It means asking families to resolve the problem that they do not directly create.

Like most problematic measures that the Government think of—the congestion charge is another example—they by and large sell it to local authorities as local autonomy. I have to say that it is not real autonomy when the Government have tinkered so much with other aspects of education that directly impinge on transport, such as the structure of schools, admission and curricula arrangements and attendance times. We can argue anyway whether there should be autonomy and diversity among LEAs in delivering basic entitlements. After all, health trusts are not allowed to vary prescription charges, and nobody would argue for that.

That, in a nutshell, is my analysis of the Bill. It would be bad enough if it were just my analysis, but it is not. The Secondary Heads Association says that it is very concerned about any charging in rural areas, and states that the measure will do nothing to improve attendance. The National Association of Head Teachers says that it "potentially undermines parental choice", and it

> "will not be surprised if parents vote with their feet and transfer to cars."

On a pedantic note, I am not sure how one votes with one's feet and transfers to a car. The NAHT says that the Bill totally undermines other Government strategies. In a damning verdict, the general secretary of the Secondary Heads Association says:

> "It knocks one prop from under free state education."

[Dr. Pugh]

Those comments are hardly surprising when there are about 150,000 primary school children who live more than 3 miles from school, and 83 per cent. of them will be debarred from free transport if charging is universally employed by local authorities. More than 500,000 secondary school children live more than 3 miles from school, and 85 per cent. of them will be excluded from free transport if all local authorities charge. I accept that that is a worst-case scenario, but as I pointed out, we may well get to that.

What would that do? If one assumes an average of 1.7 children per family, the switch to car use could result in 337 children going by car who might previously have gone on a free bus. Putting it another way, that is 75.5 million extra trips on the road. If one has a definite environmental tinge to one's thinking, one could think of it as 7,550 extra tonnes of CO_2 emissions. Those are the possible effects of the Bill, so it is no wonder that the Transport Committee claimed that the Government

"fails to consider school transport as part of a wider transport system".

I have given the views of head teachers. There are also the views of the voluntary bodies: Barnardo's and the National Children's Bureau are concerned about the effects on disabled and SEN pupils. They are also concerned—we all share this one—about how the pilots will be monitored and evaluated. We see the presumption in what the Secretary of State said earlier that almost any pilot will be agreeable as long as it is within the basic parameters. Voluntary bodies express the worry, which we have heard before, about larger families. They welcome wholeheartedly the commitment of the Greater London authority and Transport for London to free travel for all children.

The National Autistic Society is worried about autistic children being

"increasingly vulnerable to less favourable treatment".

The only solution to its predicament would be a guarantee that transport needs will be written into SEN statements. However, that would run counter to the Government's strategy to move away from reliance on statements as a way of dealing with special needs and to concentrate instead on amicable negotiations between parent and school. The NAS demands that the basic entitlement on grounds of disability be written into the Bill.

I could go on; the Bill's opponents are many. Despite the understanding that apparently exists between the churches and the Government, the Catholic Church is concerned that the social mix of its schools will be adversely affected, laying them open to the accusation that they are not choosing from the full range of pupils. The Catholic Church worries, as I suppose it might, about the effect on, and the choices that will be made by, larger families, suggesting that most tend to use a car for school travel.

The Bill simply does not have enough friends; it has few takers. Why? The explanation is relatively simple: it provides no certainty about environmental gain; it provides no certainty about congestion reduction; it provides massive uncertainty about people's future entitlements; and it provides absolute certainty that there will be charges. The tragedy is that free school transport has the best take-up of any benefit, even better than free school meals. It is almost invariably taken advantage of when it is offered, and it automatically ensures less congestion, less pollution and a safe journey to school. Nothing in this Bill does that.

3.14 pm

Mr. David Drew (Stroud) (Lab/Co-op): I welcome the Bill. The Government are being incredibly brave—some would say foolhardy—but somebody, somewhere, some time has to do something about the problem of school transport. The collective view of Opposition Front-Bench spokesmen is, "Sorry, we haven't a clue." In neither submission did I hear a suggestion.

One can oppose and criticise, and one can say that the Government are being opportunistic, but in this case I have to say that they are being anything but opportunistic. This is not an easy subject; it is a minefield. We all know that we are going to get letters because there will be some losers. Sadly, however, there are already many losers under the existing system, as I shall explain. The Government are right to look at this matter.

We want constraints on the pilot schemes. I can say from the outset that my local authority in Gloucestershire is not looking to be a pilot. I know because I have asked it, although it may change its mind. I can speak freely because I cannot in any way fetter its views. The authority has done a great deal of research on this matter. As the Opposition Front-Bench spokesmen managed to prove between them, it is easy to find the problems but much more difficult to look for solutions.

I genuinely think that this is an enabling Bill; it is about pilot schemes. The Government have tried pilots in the past, and where those have worked they have gone headlong into extending them, rather than trying more pilots. I hope that they will learn a lesson from that, and that they will try to learn from the experiences of the different schemes.

Inevitably, we have talked almost exclusively about the bus versus the car, but one of the good things about the Bill is that it allows other things to be considered. The view is that school transport is principally about motorised forms of transport, but many children walk to school. I am not sure where Opposition Front-Bench spokesmen got their figures from, but the figures that I have seen show a gradual decline in the number of children walking to school. Interestingly, the number who cycle bobs up and down between 2 and 4 per cent. The latest figure for those who walk is 44 per cent., but that has fallen from over 50 per cent. seven or eight years ago. That is not down to the election of the Labour Government; it is the result of a change in culture that means that people see themselves as more dependent on the car. We all know the impact that that has on people's health, let alone on congestion.

My first accusation about those who do not want to see any attempt at change is that they view the past as a different country. I cannot believe that what is happening in my local schools today is radically different from events in the local schools of Opposition Front-Bench spokesman.

Dr. Pugh: The hon. Gentleman is endeavouring to speak to those who do not want to see any change, but there are no such people in the Chamber. Most of us want some change, but we do not necessarily want the charging that the Government envisage.

Mr. Drew: I want to see exactly how the measure will work out and, if chosen to sit on the Standing Committee, I shall try to be my usual, helpful self and to scrutinise the Government's proposals carefully. However, it is a mistake to view the Bill as saying that charging is a wonderful way to sort out school transport. There are many other aspects to the matter, not least the fact that we have a pot of money that is reasonably limited, unless we are going to spend even more of our education funding on moving children around, which most of us would agree is not a good way to get the best out of the funding. We shall have to suck it and see.

It seems that there is an historic view. Now, however, many of the primary schools in my constituency are beginning to run after-school clubs. There are also breakfast clubs. They would like to get back into providing sporting activities. As I said in my intervention on my right hon. Friend the Secretary of State, we are doing our level best across the political spectrum to get more children to stay on at school post-16, or into college post-16. One of the great unfairnesses is that a pupil of lower means can go from having free school transport up to 16, only to find that because he or she wants to go to college, transport is no longer free.

Stroud college is not in my constituency—it is in the area represented by the hon. Member for Cotswold (Mr. Clifton-Brown)—and the student may live in Wooten-under-Edge. They then have to pay exorbitant charges, if they can get to the college at all, to travel by bus on a circuitous route. We must have regard to the 14–19 curriculum, and even more so to the post-16 curriculum. As I have said, there are great unfairnesses.

I welcome flexibility but I shall set out where I do not see room for change. I am a Christian and I support denominational schools. I welcome people who choose to send their children to a school of their faith, and they should not be discriminated against for doing so. I look to the Government to provide clarity and to tell us how they will ensure that pupils at denominational schools are not adversely affected.

In a sense, there has always been a problem with the idea of choice. More often than not, people of lower means have had to go to the local school. That is because they have not been able to pay for transport. If the local primary school is 2 miles away or if the secondary school is slightly less than 3 miles away, there will be charges. That has always seemed to me to be very unfair.

There are even more bizarre situations. For example, two families may live on the same street. The children of one family get free school transport and the children of the other family, because they happen to be slightly closer to the school—we measure distances as the crow flies—are subjected to charges. It is difficult to provide an explanation. We use a blunt instrument to measure who is entitled to free transport and who is not. The Government are right to examine the issue. We know that there are increased costs.

We must be careful about special needs, and I want some assurances. I have seen the benefits of inclusion. We saw the closure of a moderate learning disability school in my constituency. The closure was generally well received because the heads of all the other schools worked together to ensure that there was general inclusion. It was not popular in all sectors of the community but, largely, the programme has worked. I do not want to see the proposals before us tied in with inclusion policies. That should be a separate argument, to ensure that there is appropriate choice. If children are entitled to receive special needs education at an appropriate special needs school, transport should not become discriminatory. I hope that assurances will be provided. I hope also that the detail will be provided in Committee, and that we shall see strengthened the provisions set out in the Bill.

Other matters are worthy of debate and, as I have said, I hope that there will be clarification when we consider them in Committee. In a sense, this is a local-versus-central debate. The parties are somewhat split, not necessarily in this place but outside it. Some local authorities will be looking for more discretion in the way in which they operate. There are great unfairnesses in the way in which the system works. I have referred to the measurement of how far a child is from a particular school. There is also the issue of entitlement to free school meals.

There are examples of how things have gone ludicrously wrong. Although it is easy for me to make a cheap party political point, I will do so. I dread Septembers. They have become better in the past couple of years, but it is September when the children go back to school. In the Strouds of this world, bus companies can often hold education authorities to ransom. As a result of deregulation, there is a state of anarchy. There have been children in my constituency at bus stops, in the morning and at night—this has been during the first few days of September—who were completely unclear about whether a bus would pick them up. That is because of the last-minute haggling that takes place, with the bus company saying that the subsidy is not enough. I know that this issue is outwith the Bill per se, but I am asking for greater flexibility.

There is the issue of children travelling longer distances by bus to their schools, but we must ensure that children who travel shorter distances are able to use effective transport. We know that they are the ones who will get into their parents' cars to be dropped off at school. We must make the bus system work better. It does not work at the moment because of the mass of bus companies and the lack of co-ordination. There must be co-ordination in the wider arena so that the general public, who also will be using some of the buses, are made to feel welcome on them. The behaviour of children must be appropriate and good enough. We must try to get the best of all worlds.

If we are to deal with global warming, the greatest challenge is transport. Unless we get more people to walk, to ride or to use public transport, we are, to use that immortal word, doomed. We must do what we can. That is why I welcome the Bill. It has been easy for the Opposition to score points. It has been easy for them to pick out parts of letters. I have read letters where scepticism has been expressed by churches, charities and teacher unions. However, the totality of their contributions is that there are many worries and we do not want to see the proposal as a precursor to charging. At least the Government are brave enough to be

[Mr. Drew]

considering that option and they are right to consider a series of pilots. It is to be hoped that a sufficient number of authorities will examine what they are willing to do.

I am prepared to extend the benefit of the doubt. I want assurances in the areas that I have outlined. Even more so, I want additional resources so that the system can work. If we find that the system is working because of those resources, we would be sensible to make a wider move. We should take a hold of the underlying social policies of school transport. There are genuine economic issues and we should see these proposals as a way of introducing a more rational use of public transport, including voluntary transport.

When children in my constituency do not go to the nearest school—I am sure this is true in other constituencies as well—their parents may club together and hire minibuses, taxis and so on. Such arrangements should be properly scrutinised and evaluated to see whether we can introduce alternatives to something which, I am sure all hon. Members agree, is not working terribly well. I hope that the Bill receives its Second Reading and that we look at its details carefully. We should add red lines so that denominational schools and special needs education do not suffer, but the Government are right to introduce the measure.

3.29 pm

Sir George Young (North-West Hampshire) (Con): It is a pleasure to follow the hon. Member for Stroud (Mr. Drew), who always makes constructive and thoughtful speeches, and has brought a rural and an urban perspective to bear on the matter.

I welcome the opportunity to clamber aboard our Second Reading debate and make a fairly short journey. Having served as Secretary of State for Transport, I am sympathetic to some of the strategic objectives mentioned by the present Secretary of State in his introduction to the Bill. A far-sighted transport strategy aims to iron out peaks and troughs to achieve better use of our road network. The school run has a dramatic impact on transport and is a conspicuous peak—particularly in the morning, although less so in the afternoon—so it makes sense to iron it out. There are good transport reasons as well as good educational reasons for looking at the problem.

The Secretary of State seemed to imply that nothing at all had been done in this field before 1997, but I recall working closely with my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard) on an initiative called "Safer routes to school". We worked with local educational authorities, transport companies and Sustrans to achieve some of the objectives behind the present Bill. We tried to work with the grain and understand why parents were cautious about allowing their children to walk, cycle or, in some cases, go to school by bus. We tried to persuade people to change, rather than hector them, and we used grants to underpin parts of the initiative. I remember visiting a school in Birmingham where bicycle sheds had been funded by a grant from central Government to promote cycling to school.

I also looked at the planning system. A popular school in Hampshire wanted to expand because parents wanted to send their children there, but the planning authorities were concerned about the traffic implications. Before consent was granted, there was a dialogue with the school, parents and teachers to see whether a transport plan would reduce the percentage of journeys made by car and thus prevent expansion from aggravating congestion in the neighbourhood. Lateral thinking is useful in minimising the problems caused by journeys to school.

Mr. Kidney: I can assure the right hon. Gentleman that the good thinking that took place before 1997 has continued. Locally, for example, Weston road high school partnership for safe routes to school regularly sends me minutes of its meetings and achievements, and residents are very enthusiastic about that initiative. Nationally, the Government last week announced £10 million for safe routes for schools and the joining up of cycleways. All that good work still continues.

Sir George Young: I am delighted by the hon. Gentleman's consensual approach, and I am glad that some of the pioneering initiatives introduced by the Conservative Government have been built on. One's memory is never perfect, but I do not recall anyone in my Department saying, "Minister, you can't do this, because the law does not allow you to do so". That, however, is the implication behind the Bill.

I am very much in favour of the flexible and voluntary approach that underpins the Bill. I only wish that the same approach would infect other Government Departments in their relationships with local government. Local authorities, for example, have been told that they must have Cabinet government, and the planning system has been told how many houses it must provide. That dirigiste approach by some Departments sits uneasily with the more consensual and voluntary approach adopted by the team who have introduced the Bill. I am in favour of the pump-priming underpinning the Bill, which provides an incentive for people to participate in the pilots.

I am a keen cyclist and, indeed, I bicycled to the House this morning. I hope that the pilot authorities that promote cycling will make sure that cycle training is undertaken at schools and that children who bicycle to school are encouraged to wear a helmet.

There is one particular aspect that I thought the Secretary of State glossed over in his speech; the tension between parental choice of school and the transport imperative to make better use of the bus. The Select Committee on Education and Skills highlighted the evidence that he gave to the Select Committee on Transport, which was that the main aim of the Bill was to encourage people to attend their local neighbourhood school. The Committee felt that that interpretation sat somewhat uneasily with the Government's other policies on diversity of schools and parental preference, which would lengthen journeys. I am not quite sure how the Bill takes the trick of getting more people to take the school bus while promoting a much more complex network of journeys from home to school if parental choice is achieved. Perhaps the Minister can address that point.

Much of the debate has been about the principle of charging. If I were asked to die in the last ditch to defend the principle that children of all families, however well-off, should continue to go to school free, I am not sure that I would voluntarily so expire. None the less, a number of points have been raised in the debate that the Government need to answer. There are inevitably some bureaucratic problems associated with charging that simply do not exist if journeys are free. My hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) raised a legitimate concern about the not-so-well-off who might get caught. There is also the perverse incentive mentioned from the Liberal Democrat Benches, whereby introducing charging for a journey that is currently free might get somebody off the bus and into the car. Other points were made about how the introduction of charging may penalise those who live in rural areas.

There is another potential tension that I am not sure has been addressed. During the Labour party conference, a new vision was launched for our schools whereby they would operate not just from 9 o'clock to 3 o'clock, but from 8 o'clock to 6 o'clock, in order to accommodate those whose parents both work. I am not quite sure how that vision of the school sits with the imperative to get more children to go to school by bus. If school starts at 8 o'clock rather than 9 o'clock, will two buses make two journeys, or will the bus assist only the child who starts at 9 o'clock, rather than the one who starts at 8 o'clock? There are some tensions to which the Government have not responded about how the objectives of the Bill can be reconciled with some of their other objectives.

I should like to make a final point about road safety and seat belts in particular. The Government's view is that it is ultimately for schools and local education authorities to ensure that vehicles are appropriate for the type of journey planned, including seeing whether they are fitted with seat belts. Some of my constituents in Shipton Bellinger are deeply concerned that the bus that takes their children to school has no seat belts. If those parents drive their children to school, they can ensure that they wear seat belts. If they send them on the bus, they cannot do so, because the bus has none.

I wonder whether the Government will have a dialogue with the authorities that take part in the pilots, and whether they will be encouraged to use newer and safer buses. I note that the Under-Secretary of State for Education and Skills, the hon. Member for Enfield, Southgate (Mr. Twigg), is nodding vigorously. Some of the buses are straight from Cliff Richard's "Summer Holiday" in the 1960s, and I hope that the pilot schemes will promote new buses that pollute less and are safer.

I understand the objectives behind the Bill and I hope that they will be achieved. I think that there are some unanswered questions. I am not volunteering to serve on the Standing Committee, but I hope that the questions that I have posed will be raised by colleagues when that Committee sits.

3.39 pm

Mr. David Kidney (Stafford) (Lab): I was just thinking about the reference to Cliff Richard, and I thought that the right hon. Member for North-West Hampshire (Sir George Young) has, like Cliff Richard, been around for a long time, still looks very young and is still listened to with great seriousness by lots of people. This is consensual politics.

The difference between the volume of weekday traffic in Stafford when the schools are in session and the volume when the schools are on holiday is noticeable. Huge congestion occurs on school days, especially in the mornings, yet hardly any occurs in the school holidays. The difference during school holidays is so noticeable that it has become a common topic of conversation among my constituents, who comment on the benefits such as shorter journey times to work and more punctual buses. People are also more relaxed at those times because the traffic is less difficult. Although some hon. Members have not mentioned it, I guess that that is the typical experience all around the country.

Last year's Department for Transport national travel survey said that at 8.50 am on school days, about one in five vehicles on the road is taking children to school, which shows the school run's huge contribution to congestion. Constituents often say that the answer is to reduce the reliance on the school run. Anybody can see the benefits to the country of reducing the reliance on the school run: journeys would finish on time more frequently; congestion and standing traffic would decrease, which would also reduce emissions of greenhouse gases; and children would be safer when travelling by road. If some children were to change from the school run to walking or cycling, it would also benefit children's health. There should be a consensus on helping 100 per cent. of youngsters to get to school safely and affordably—Opposition Members have concentrated on the one tenth of pupils who currently benefit from free school buses.

I shall describe the change over six decades since the Education Act 1944 and explain why the law is out of date. I shall rely on my several years' experience as a Member of Parliament working with the community in a part of Stafford called Doxey, which happens to be 2.9 miles away from the nearest school—I found that out from many years of correspondence with Staffordshire LEA. That distance means that youngsters are denied access to a school bus to take them to school for free, although youngsters who live in the villages just down the road, which are 3.1 miles away from the nearest school, are delivered to school by a free bus.

It would be inappropriate to discuss the difficulties that those youngsters face in getting to school, which include the routes that they take when they walk, the dangers that they face when they cycle and the irregular and not necessarily straightforward public buses. I have corresponded with the LEA for several years about those difficulties, and it is a matter of justice and equity that such people should have access to a scheme for transport to school.

I have a happy story to tell: a long time ago, an enterprising LEA—Staffordshire LEA—decided to take a stake in the school bus market. In 1998, it bought its first seven US-style yellow buses and started to run them for itself. Incidentally, it was mightily annoyed when, several years later in 2001, a Government news release boasted that the first yellow bus scheme in the country had been set up in Calderdale. By 2001, the buses had been running, apparently unnoticed, for three years in Staffordshire. I do not know whether

[Mr. David Kidney]

Staffordshire LEA set up the first scheme in the country, but it is proud of its enterprising decision.

Another eight buses were added in 2000, and a further 15 were added in January this year. Because Staffordshire LEA has a stake in the market, it has a certain control over the delivery of the service for its pupils, whereas in the past it would have been at the mercy of the private sector on prices and conditions. In an emergency or when problems arise, the ability of the local authority's directly controlled buses to step in provides more flexibility.

The modern buses—the last 15—have not only the highest safety standards but are increasingly friendly for disabled pupils. The modern buses have wheelchair lifts and dedicated places for wheelchairs with proper attachments so that pupils can travel safely in their wheelchairs. We should boast about those good safety features on yellow buses.

When I read the Library research paper—which, again, is of a high standard—for the Bill, I was reminded of a point that the local authority made. There is a specific law in the United States, where the buses are widely used and more than 50 per cent. of pupils go to school by yellow bus. It provides that, when the school buses are stopped for pupils to alight, all the traffic must stop. The Bill affords a good opportunity to introduce a similar law in this country, ready for the yellow buses that will perhaps be more prevalent if the measure becomes law, and local authorities take up pilots and buy them.

I shall briefly explain the benefit to local authorities of yellow buses. I have mentioned the stake in the market in the context of competition and security of supply. That is helpful in benchmarking not only prices but quality. There are benefits to students and parents in the form of safety and security. The buses have a modern safety specification and dedicated and trained bus drivers, whom the pupils get to know. The good relationship between them means that bad behaviour on buses is much reduced.

All the pupils have their own seats in which they are safe. They and the driver have a sense of ownership of the vehicle that solves some of the conflict and antisocial behaviour problems about which we hear from time to time. Yellow buses provide the reassurance of fewer casualties than on journeys by car. Why not extend those benefits to more of the nine tenths of the school population who do not benefit from the current Act, which was passed in 1944?

Local education authorities have considered acting under their discretionary powers. I have a cautionary tale from Staffordshire, which explains why, although Opposition parties carp, no one can do anything about it unless the Bill is passed. In 2002, the local authority decided to extend the benefits of free school transport to more pupils. It wanted to undertake pilots in one rural and one urban area of the county, notionally reducing travel distances for walking to 1 mile for primary schools and 2 miles for secondary schools. It asked the Government for some cash to help run the two pilots. The Government refused on the ground that it was too costly; the local education authority said that it would not proceed without Government money and nothing happened. For all the Opposition's fine words about the schemes, no one will devise a different scheme that will benefit pupils such as those at Doxey.

There will be no change to the 1944 settlement, even though most people criticise it, unless we allow the Bill to proceed; unless, when the Bill is law, local authorities devise a variety of new ways of providing safe and healthy transport instead of the car, which takes so many pupils to school; and unless we learn from the pilot schemes which one works best.

It is important to stress that no local education authority will be made to take part. In the prospectus, if not the Bill—perhaps we need to examine that in Committee—residents must be consulted before a scheme can go ahead. The key result of the scheme must be a modal shift from car use. That might involve a shift to bus use, but it could also involve walking, cycling or even, in some cases, the use of fewer cars as a result of a car-sharing scheme.

I would love to be able to go back to the community in Doxey next year and say that there is now a prospect of extending a school bus service to the schoolchildren who live there, but first I need to vote for the Bill. Then, if it becomes law, I shall need to persuade the local education authority in my area to consider bidding to take part in one of the pilots. I shall enthusiastically support the Bill. It is a permissive Bill that will provide evidence over the next few years on whether there is a better settlement for the 21st century than the one provided for by an Act passed in 1944.

3.50 pm

Hywel Williams (Caernarfon) (PC): My party welcomes the aim of reducing car use and promoting walking and cycling, for obvious environmental and health reasons. We want to see a better organised and integrated system of school transport, and we welcome the role that the National Assembly for Wales will play in implementing the Bill, if it passes. We hope that the Assembly will take full advantage of any opportunities that might be presented to it in that regard. The Conservative Front-Bench spokesman noted earlier that the Assembly has already remarked on the peculiarity of the Government's position, in that they appear to want to promote the use of public transport by charging for it. In the Assembly's view, and in mine, that is a strange contention.

Despite my first words of welcome, we are worried about the Bill on several counts. First, we are worried about the impact that charging will have on low-income families, of which there are many in my constituency and the rest of Wales. I find it strange that the Government are introducing a system of charging that will inevitably impact on some low-income families because, to be positive, the Government have taken some welcome steps to help such families over the past seven years. For example, they have introduced the minimum wage, working families tax credit and a number of other measures that have had a useful effect, especially in rural Wales. Now, however, they are taking a step in the other direction. I am worried about the difficulties that low-income families will face in scraping together a lump sum, if that is what is required when the charging is implemented, especially when their weekly income is very low.

A lot has been said about bus transport today, but I do not think that anyone has mentioned the use of rail by school students. I want to make a special plea for the Cambrian coast line, which terminates in my constituency. It is a wonderful line, with wonderful views and friendly staff. It carries about 700 school students a day, and the continuation of the line depends on its continued use by such students. Any disincentive to use the line for school transport would have an effect on the community in general.

I am also concerned about a measure that could be seen as an extension of means-testing, whichever way it is implemented. It has already been noted that school meals entitlement is hardly the sharpest of instruments to use in deciding who should be exempt from any charges. I hope that the National Assembly for Wales will have the opportunity to use other, more effective, criteria, and I look forward to that happening.

The potential effects of the Bill on families with children who are disabled have already been mentioned. In Wales, many disabled children use mainstream educational provision. They do not travel long distances to special schools but go instead to mainstream schools. In rural areas, however, that mainstream provision can still involve journeys of much more than 4 or 5 miles. I worry about possible disincentive effects of the Bill in that regard.

Mr. Roger Williams (Brecon and Radnorshire) (LD): Like the hon. Gentleman, I represent a rural area in Wales, as well as some urban areas. My local authority spends more per head on school transport than any other in Wales and perhaps even in England and Wales. Surely, with the financial pressure on education authorities, they are being tempted to charge more and more for school transport so that they can provide the level of education that people living in those areas require.

Hywel Williams: I thank the hon. Gentleman for that point. I am not sure whether there will be a direct relationship between charging and the provision of education; we shall see. However, it is significant that the lowest incomes in Wales are to be found in Powys, where his constituency is, which is also where there is the highest car use and a high level of bus transport for schools.

I intervened earlier on the Secretary of State in respect of the Welsh language, and I want to make a couple of points about Welsh language education in Wales. There is a certain provision of Welsh language education, much of which is in urban areas in Wales, in the south-east valleys and the north-east. Many school students travel long distances to access Welsh-medium schools, typically by bus rather than by car. Those who access Welsh-medium secondary education have been shown to be working-class children from valley communities who aspire to being bi-lingual in a way that their parents are not.

I understand that the National Assembly might be able to protect that transport provision, and I asked the Secretary of State about that. He referred me to the provision for denominational schools. I had a quick look at the explanatory notes, paragraph 27 of which states that

> "this does not mean that there is any positive obligation to subsidise a particular form of education in order to respect a parent's religious or philosophical convictions. Consequently, this Article does not of itself create any obligation to make arrangements for school transport or for free school transport to assist or enable parents to send their children to schools of their choice."

Perhaps the Minister will address that point in his wind-up, and reassure parents in Wales that they will be able to access Welsh-medium secondary education as they choose.

My last point is in respect of the urban issue, which a number of hon. Members have addressed. As I said, the National Assembly has said that it is peculiar to charge in order to promote the use of public transport. The Secretary of State gave the game away in his opening remarks, as I think the record will show, when he said that the Government's aim was to reduce congestion in our towns and cities—full stop. There was not a word about rural areas. However laudable the intention to reduce congestion in towns and cities, that should not be at the cost of provision in rural areas. Perhaps you will forgive me, Mr. Deputy Speaker, for misusing a quip made by Senator Kerry during the current election campaign: it is a little as though, after the attack on Pearl Harbour, the USA had invaded Mexico. I can see the impulse of that joke—why should rural transport suffer because of urban congestion?

As I said, there are rural areas in Wales where poverty is clearly implicated in low standards of living for children. On its establishment, the National Assembly for Wales devised an index of multiple deprivation, which is one of the best things that it has ever done. Because that index has a measure for rurality embedded in it, rural communities, for the first time, start appearing high on the list of deprived communities. For example, in terms of housing, the community of Aberdaron in my constituency, which previously did not appear in measurements of housing poverty, suddenly came first out of 750 wards in Wales because the measuring system is much more sensitive. As I said earlier, Powys is high on the list of deprived areas. Wages are lower, services are further away and, unsurprisingly, the level of car ownership is the highest in Wales. The most cars are owned where incomes are lowest. The earlier index took car ownership as a measure of prosperity, but in this context it could almost be described as a tax. That is the nature of rural poverty in Powys, Gwynedd and various other parts of Wales.

My constituency contains six secondary schools, in Bryn Refail, Caernarfon, Penygroes, Pwllheli, Porthmadog and Botwnnog. All those schools require students to travel not just 3 miles, 2 miles or 2.85 miles, but up to 15 miles. I worry about children whose families are not above the threshold for the purposes of school meals, but are not well off by any means, although they may be running two cars.

I look to the Government to reassure us that they will take account of such issues, and I look to our colleagues in the Welsh Assembly to do the same.

4.1 pm

Jim Knight (South Dorset) (Lab): It is a pleasure to follow the hon. Member for Caernarfon (Hywel Williams), who made some interesting and thoughtful

[Jim Knight]

points about what I consider to be a straightforward and admirable Bill. It is also admirably short, which would please me were I to end up on the Standing Committee. I am glad to note that it aims to improve health, the environment and safety, and that—as has been pointed out—it is in an enabling Bill: it devolves decision-making powers to local authorities, rather than our imposing a one-size-fits-all solution from Westminster. It also builds on action that the Government have already taken. In April they committed £7 million to local education authorities to pay for school travel advisers, and, as we heard from my hon. Friend the Member for Stafford (Mr. Kidney), only this week they provided £10 million for the extension of the national cycle network to schools.

At the heart of the Bill is a problem that all Members should acknowledge, and to which we should all offer constructive solutions. I am sad that the two main Opposition parties have failed to offer any such solutions. At present, free school transport is for the few—10 per cent.—and not for the many. Considerable expense is involved: in Dorset the cost of providing school transport is £8.3 million, from a total LEA budget of £24 million. That is not just poor value for money; it does nothing to address the problem of school run congestion.

An excellent research paper supplied by the Library states:

> "Over the past 20 years the number of children being driven to school has almost doubled. Now almost 40 per cent. of primary school children and more than 20 per cent. of secondary school children are being driven to school each day, and most of the journeys are less than 2 miles. At 8.50 in the morning during term time, about one in five cars on urban roads is taking children to school."

We must do something about that.

Many speakers have referred to an urban solution creating a rural problem. Let me tell them about a constituent of mine who lives in Worth Matravers, in circumstances similar to those described by my hon. Friend the Member for Stafford. It is a beautiful rural village, which I recommend to all Members. There is a marvellous pub called the Square and Compass. The village is about 2.9 miles from Swanage. The constituent who came to see me was on the minimum wage, working in Swanage and receiving work-related benefit, but did not qualify for free school meals. His two children had to face a walk, with him or his partner, down a very narrow unlit country road in order to get to school. As any Member naturally would, I pursued his case with the local education authority to see whether flexibility could be shown, and whether the criteria might be extended to allow his children to get free school transport. However, it simply was not possible. I certainly welcome the possibility of helping the many people who live within the 3-mile limit but at such a distance from school that it is not possible safely to walk there. We should all support the extension of affordable, decent school transport to such individuals. We certainly need a solution to the problem, and this Bill offers LEAs the flexibility to devise their own.

I want to refer mainly to the Purbeck area of my constituency, of which Worth Matravers is a part. It is largely rural and currently has a three-tier schooling system, consisting of a first school, a middle school and the main Purbeck school, at Wareham, for post-14 education, although there are some who choose to use the grammar schools in Poole. As a result, a mix of children end up being bussed hither and yonder, especially from Swanage, which is larger than Wareham. All children over the age of 13 or 14 spend about an hour a day on buses to and from Wareham.

Unfortunately, both Dorset and Purbeck are run by Conservative administrations, whose attitude towards buses and public transport in general is such that they cut services after 6.30 pm, creating many problems for those who want to get home after taking part in after-school activities in Wareham. The new X53 service, which serves the world heritage site coastline that we are all so proud of, does not go to Old Harry Rocks, at the start of that site, or to Swanage. The only imaginative scheme to have emerged is a community transport scheme in Swanage. I instigated it, and a Labour councillor—a fairly rare commodity in Swanage—called Cherry Bartlett developed it. I hope that the imagination that Cherry and those working with her have shown will spread to the Tories in county hall, and that they will want to take up one of these pilots.

The lack of transport is a profound problem for the whole population in that area, but for schoolchildren in particular, and the falling rolls that our schools have to deal with will only exacerbate it. I have discussed before in this Chamber the problems associated with the provision of affordable housing, and with second home ownership in particular. Many families can no longer afford to live in the Purbeck area; as a result, school rolls are falling. The LEA is therefore consulting on moving from a three-tier to a two-tier system. Whatever happens as a result of that consultation, we will have fewer schools in the Purbeck area. If the LEA goes to a two-tier system, more of the smaller rural schools will probably close. There is a desperate need for an imaginative solution to the school transport problem in my area—a problem that underscores my enthusiasm for Dorset using its corporate imagination in applying for a pilot.

Mr. Rendel: I am confused by the hon. Gentleman's comments. He says that his is a rural area and that the distances between schools are likely to increase in future as some are closed. How, therefore, will charging people for the first time for bus services covering greater areas decrease the number using cars and increase the number using buses? It is surely clear that the opposite will happen.

Jim Knight: What I am saying is that the LEA will have to find some imaginative solutions. Currently, there is no real choice for those living in rural areas. They have to use the school for which they can get free school transport, pay a lot of money for an alternative, or take their children by car. I am interested in finding imaginative solutions that take into account a range of possibilities, including an affordable flat rate that enables people to exercise choice and access the school that they want for their children. For example, I am interested in the use of staggered start times for schools in that cluster, so that we can integrate transport more carefully. I am also interested in the use of walking buses in Swanage. Such a development has begun at the middle school and I was pleased when the Prime Minister's wife paid a visit to help us launch it last year. I would like to see more cycling in the area and greater use of safe routes to school, particularly in Swanage.

It was interesting to hear the comments of my hon. Friend the Member for Stafford about his constituents' experience of yellow buses. As he described it, it sounded like a dedicated fleet that offers all sorts of solutions for a local authority to think creatively about, such as integrating transport across schools and improving supervision. When I talked to some of the operators of yellow buses, they mentioned their ability to alter the routes in order to pick everyone up along the way and to find out what might have happened if someone does not turn up at the bus stop. That offers potentially good advances in respect of supervision of children and child safety.

The dedicated fleet could, perhaps, also be used in turn during the summer holiday when there are many visitors to the Purbeck area, a popular tourist destination. It could be used for park-and-ride schemes to take people to the beach or even to deal with antisocial behaviour. There are already interesting examples of some of our more difficult youngsters being taken by the police on outward bound-type courses to burn off some of their excess energy in a more constructive way. Dedicated fleets of vehicles used for school transport could be used imaginatively in the public interest to help with some of those problems.

Obviously, there are concerns about charging, but it is up to the LEA to make the calculation. The Conservatives recently consulted on the bizarre idea of imposing a congestion charge on tourists wanting to visit Purbeck as a means of tackling the summer congestion. I thought that that was a potty idea by the Conservatives at the local county hall and I made some representations accordingly. I am not saying that I support every form of congestion charge or road pricing, but it is interesting that one Opposition party supports the London congestion charge but opposes the charges in the Bill and the other supports road pricing but opposes the Bill. I see no consistency beyond a bit of political opportunism.

Mr. Christopher Chope (Christchurch) (Con): Can the hon. Gentleman tell us what level of charging for school transport he would support?

Jim Knight: I would be interested in seeing an appropriate improvement in the service, which people would value enough to want to pay a little extra for. The yellow bus service, for example, might be so valued by some parents that they would gladly pay more for it. I have spoken so far mainly about the Purbeck area, but in Weymouth, where I live, a probable solution for a more urban area would be a concessionary bus fare scheme that would be available to everyone in particular groups. Currently, there is a concessionary bus fare scheme for pensioners—the Government have ensured that all pensioners have half-price bus travel—and for disabled people, so it would be interesting to explore the idea of having a concessionary bus fare scheme in semi-urban areas perhaps for young people across the board to enable them to access clubs, sporting activities and so forth.

I have sought to illustrate the merits of the flexible approach that the Bill offers. As I said, I would love to see more imaginative ideas coming from Opposition Front Benchers, who have offered only criticism and nothing constructive about how to deal with the real problems of congestion and school transport in this country. I support the Bill vigorously and I hope that Dorset will, in turn, manage to find imaginative solutions to clear up the school transport problems in my constituency.

4.14 pm

Mr. Peter Atkinson (Hexham) (Con): I follow the hon. Member for South Dorset (Jim Knight), but he leaves me somewhat confused. He spoke about the Conservatives failing to produce any solutions; for his part, he talked about other people finding imaginative solutions, but I did not hear any such solutions from him that would solve the problems. The only imaginative idea that I heard was the excellent one proposed by Dorset's Conservative county councillors to charge visitors for going into a special part of his constituency in order to contribute to subsidising the bus service used by local people. I would have thought that that was an excellent idea.

Mr. Eric Martlew (Carlisle) (Lab): The hon. Gentleman represents a very beautiful part of the country that attracts a lot of tourists. Would he favour a congestion charge for people visiting Hadrian's wall, for example?

Mr. Atkinson: I would certainly see some value, if it was practical, in asking visitors to make a contribution, when that is for the benefit of the local community. I do not see anything wrong with that. It is an imaginative idea, and I would be happy to discuss it. No doubt, the hon. Gentleman could find a way of charging visitors to enter the city of Carlisle. Ken Livingstone does it in London, after all.

I shall certainly vote against the Bill because, as one sees Labour Ministers introducing legislation over the years, one begins to identify the ways in which they present Bills. This is a classic new Labour Bill, presented by the Secretary of State as surrounded by worthy ideas: it is to reduce congestion in cities, make the atmosphere cleaner by keeping us off the roads, make us healthy by encouraging us and our children to walk to school, even tackle obesity, someone said. In fact, however, the Transport Committee had it spot on when it identified it as a method of charging people for something that they currently get for nothing. Paragraph 45 of the Committee's report clearly states:

> "The Bill will allow LEAs to charge parents for school transport for children".

I shall vote against the Bill because it singles out people who live in rural areas such as my constituency and who depend much more on school transport than people in urban areas. I think that my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) said that about 22 per cent. of school journeys are by car, but my guesstimate would be that in Northumberland the figure is much lower. Because journeys to and from school are much longer than in urban areas, buses are far more important, especially for couples who both work and cannot take the time to run their children to school.

[Mr. Atkinson]

In my constituency, the journey to school can be more than 30 miles. Some of my constituents' children board weekly at the high school because the distances are so great. If they are charged for the journey, it is sure to amount to a substantial sum. The average cost of transport per ordinary, not special needs, pupil in Northumberland is between £400 and £500 a year, so logically that must be somewhere near the sum that they will be asked to pay, which will be a very heavy burden indeed.

As a lot of us in the House are old and grey, we bang on about pensions but sometimes forget the time when we were starting out in life and having children. At this point, I should apologise to the Under-Secretary of State for Education and Skills, the hon. Member for Enfield, Southgate (Mr. Twigg), who is neither old nor grey—yet. Children are an expensive accessory to life these days, and getting more expensive all the time. In Northumberland and other rural areas, average incomes are much lower than in cities. Of course, there are people who commute from their lovely country homes, but for many people in the country life is a bit of a struggle.

For the first time, young people from families with lowish incomes are staying on in the sixth form and then going on to further education, putting yet more expense on those families. Any further burdens on them, such as the Bill imposes, will be very damaging.

Mr. Beith: In the hon. Gentleman's constituency, as in mine, there must be families of shepherds and agricultural workers who have to ferry children a mile or two along a farm track in the Land Rover before they are met by a taxi, paid for by the county, which takes them another 5 miles to a bus, which takes them the next 10 or 15 miles to school. The thought that those parents should have to pay a charge, when they are already making a significant contribution in time and effort to that school transport, seems totally unreasonable.

Mr. Atkinson: I agree with the right hon. Gentleman. Our constituencies are in the same county and we encounter the same problems. Members with rural Welsh constituencies also encounter those problems. The Bill will mean a hugely expensive burden for people on very low incomes.

The hon. Member for South Dorset talked about imaginative solutions. I have racked my brains to think what Northumberland county council could do differently. It is Labour-controlled, so I hold no particular brief for it. It also proposes to move from a three-tier education system to a two-tier one. Northumberland is a large rural area and the same sort of buses will have to transport the same children down the same roads. If the council charges for school transport, it will encourage more people to drive their children to school rather than put them on the bus. One of the features of rural life is that car ownership is high. Low-income families who would not in other circumstances have a car, or would have only one car, need one or two cars—the second is often old and expensive to run and maintain—because it is the only way that they can get about. If a charge is applied, the number of children on the buses will fall and costs will go up. The Transport Committee worked out that a charge of more than £1 a day would cause school bus use to fall. That would be a problem for Northumberland county council, which would face increased costs and the law of diminishing returns.

My hon. Friend the Member for Sevenoaks (Mr. Fallon) suggested that the Treasury would seize on the Bill as a way to reduce the money spent on education. The Secretary of State pooh-poohed that suggestion, but we know that that is what the Treasury will do. If LEAs have the ability to impose a charge, the Treasury will expect them to do so. If they do not impose a charge, that will ultimately be reflected in the grant they receive. That is as certain as day following night.

Northumberland was a pilot area for the introduction of the education maintenance allowance of some £30 a week. That was very successful to start with, except that the county council then said to anybody over 16 that they now had to pay for their school transport. Another feature of charging that affects lower income families is the discounts for the length of ticket purchased. An annual ticket is cheaper than a monthly, weekly or daily ticket. Therefore, the families with the least money, who cannot afford an annual ticket, have to pay more than those with the most.

As my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) pointed out, the bulk of school transport cost benefits those with special educational needs. As the hon. Member for Carlisle (Mr. Martlew) will know, counties such as Cumbria spend, on average, £6,000 per pupil with SEN a year. Northumberland spends just over £5,000. That is a huge amount but the Bill will do nothing to change that. The Bill will place a heavy charge on rural families who can least afford it. It will ultimately reduce such choice as rural families have in education terms. It is ill thought out and offers none of the imaginative solutions that the hon. Member for South Dorset kept mentioning. Therefore, we are right to oppose it.

4.23 pm

Mr. Alan Hurst (Braintree) (Lab): It is always a pleasure to speak on Bills of this kind. I listened with some trepidation as my right hon. Friend the Secretary of State used the word "deregulation". If there is one word that I do not like to hear in connection with buses of any kind, it is deregulation. To those of us who purport to represent rural areas—my rural areas, although they include some 42 villages, are nothing compared with some of those we have heard about today—the deregulation of buses was not the greatest thing to happen. In north and central Essex, it meant, first, that the supply of bus services diminished and, secondly, the cost to the taxpayer increased immeasurably. The word "deregulation" is not greatly encouraging and if I may offer my right hon. Friend the Secretary of State some humble advice, perhaps a better word might be used in future.

The Bill is certainly not the nightmare that has been depicted by the Conservatives and the Liberal Democrats. Any scheme that is proposed will have to be approved by the Secretary of State and if it were as black and scary as those portrayed by some Opposition Members, I am certain that my right hon. Friend, or any successor, would not approve it.

The Education Act 1944 was a great opportunity for working people, especially those living in rural areas. I am not of such an age that I know what happened before 1944 and how children of secondary age actually got to school. There must have been some transport provision, and I would guess that it was made at the discretion of county councils operating in the best interests of those who lived in their area.

Although 1944 was only a year before I was born, it seems a different age. At that time it was much easier to walk along a country lane. I say nothing of rapscallions or ruffians; I am talking about the flow of vehicles on the roads.

Mr. Beith: There were two other important differences before 1944. The first is that, certainly in my constituency, there was a school in every hamlet and every small village, in walking distance for most people. Secondly, most children left school at the age of 13 or 14.

Mr. Hurst: Indeed. Towards the end of the period, the school leaving age had reached 14 and secondary schools had been established.

If our forebears thought it sufficiently important to provide free school transport in 1944, how much more so now, when the dangers on the roads are so much greater and many roads and lanes are so inaccessible? I am sure that my right hon. Friend introduced the Bill because there has been a chipping away at the spirit of the 1944 Act over the past 10 to 20 years. Essex county council, which was referred to earlier—unfairly favourably, I think—has been chipping away at the Act's provisions in implementation.

In practice, not many years ago, even children in the county aged over 16 who met the distance qualification would have received assistance for transport to school. It was not until last year, when I was fortunate enough to secure an Adjournment debate on the subject, that those who attended denominational schools in the county received free school transport, yet the present administration has chipped away at that and begun a charging regime. It was not long ago that children up to the age of 11 gained the same advantages under the legislation as those aged eight. Over time, that provision has been chipped away.

It is said that the provision of transport is expensive. The figure for the whole country is about £600 million a year, but, as has rightly been pointed out, two thirds of that is spent on transport for children who attend special schools and for those who have special educational needs. Members on both sides of the House have said that there will be no interference with that provision and that it will remain sacrosanct, so the amount of the budget spent on those who do not attend special schools or who do not have a statement is about £200 million a year. When I read that last year, or the year before, the Government spent £13 billion on computers, £200 million seems a small amount for something as important as home-to-school transport.

Another problem is that county council officers, some of whom in an earlier age would have been explorers in darkest Africa, love studying maps to show how children in village A no longer qualify as there is a shorter route, or because it had been wrongly measured on an earlier occasion. In my area, there was a campaign, led partly by me and partly by the late and much-missed Liberal councillor for the village of Rayne, Tony Meadows. In 1971, a new high school was built and to persuade the villagers of Rayne to send their children to it, the council said it would provide transport. School transport was provided between 1971 and the mid-1990s, then someone in the county council measured the route and found that it came to 2.8 miles. As a result the transport was withdrawn. However many times Tony Meadows and I walked those lanes, we were not able to make the distance greater than 2.8 miles: indeed, a new piece of road reduced the distance to 2.7 miles, which made our case even weaker. However, the route was not safe to walk. No sensible person would walk along it on a darkening December evening. The county council said that it was all right as long as children were accompanied, but drivers of oncoming vehicles would not see pedestrians in the road if they were dazzled by the headlights of traffic coming the other way in the gathering gloom. The lanes are becoming more dangerous every year.

The great people at county hall have a wonderful enthusiasm for geography, and the same must be true in other county councils. Sometimes they discover that it is possible to find routes that are shorter than those used hitherto. The most astounding example that I came across when I served on the county council concerned the route between the village of Silver End and the town of Witham. Generations of children had enjoyed free school transport along those roads, but someone at county hall discovered from a map that some old tracks and lanes led across fields. Measurement showed that those tracks' total distance was less than the road route—

Mr. Kidney: As the crow flies.

Mr. Hurst: My hon. Friend says as the crow flies, but it is more like as the weasel runs. The road route was clearly more than 3 miles, so the field route became the designated route.

People have to have a clear track to follow, so those of us who thought that the route was not suitable for children, whether or not they were accompanied, decided to walk along it.The route began in a dark and overgrown avenue of trees that gave out on to open land. Heavy ploughing meant that inches of mud accumulated on children's boots by the time they reached school, and the route also crossed various ditches and a stream.

On that walk, we had the great advantage of being accompanied by a lady who is now a leading spokesperson on education in the county of Essex. I know that at least one other hon. Member in the Chamber today knows the lady to whom I am referring, and we were able to show her how unsatisfactory the route was. Until then, she and her colleagues had maintained that it was perfectly suitable. However, we came to a great gaping ditch about halfway along, and that caused this lady county councillor to say that she had made up her mind and that the route was not suitable.

County hall officers are always looking for ways to exclude routes that hitherto had been considered suitable for free school transport. That is the problem,

[Mr. Hurst]

and I think that county councillors need to be more astute when it comes to using their judgment about what is suitable for this purpose.

In some ways, this Bill is a lost opportunity. It is not terrible, and it does open up other options, but local authorities that do not wish to take advantage of what it offers can stay with the present statutory scheme. While that scheme persists, free school transport will still be available, although authorities that wish to explore other possibilities can make application to that end to the Secretary of State.

What we need to do is clear enough. We should retain the present statutory scheme and the option of providing free school transport over the sort of distances that have become hallowed by time should remain enshrined in law. Given the great big budgets required to run western Governments these days, it does not seem unreasonable to devote as much as an extra £100 million to this purpose. That would mean that the amount of money spent on non-special schools and non-special needs children would be increased by 50 per cent. That would make a colossal difference to the numbers of children who can use free school transport. It would help the problem of road congestion enormously and greatly reduce air pollution—and all for £100 million. I know that it is not my money, although I am a taxpayer so part of it is mine. What is a relatively small sum in the overall scheme of things would make an enormous difference to the transport and education structure of our country.

4.34 pm

Mr. A. J. Beith (Berwick-upon-Tweed) (LD): I feel that I should contribute to the debate because the Secretary of State did not understand the problem as it confronts people in rural areas such as Northumberland. He regarded those who were anxious about it as "dishonest", a word that is scarcely in order. He does not grasp the problem.

The Secretary of State and Ministers will explain that the Bill introduces pilot schemes, but lying behind it is the worry, rightly expressed by the hon. Member for Hexham (Mr. Atkinson), that before long it becomes an assumption that local authorities should be carrying out a pilot scheme and, if they are not, their funding in the local government grant system should be affected accordingly. That decision will not in practice be taken by the Ministers on the Front Bench, but by Ministers in the Treasury or Ministers who succeed them. At some point, the pressure is likely to mount.

For the Bill to be acceptable to people living in areas such as Northumberland, there has to be a powerful statutory guarantee that under no circumstances can the statutory right to free school transport for children living a long way from school be removed. We do not have that guarantee. Instead, the Secretary of State believes that he is offering people in Northumberland something wonderfully new—flexibility—that will enable school transport in Northumberland to be organised differently.

I understand the motive behind that. In some urban areas, it may be possible to balance the interests of those who live a mile and a half from school with those who live 3 miles from school, and to get a system of local school transport that, at a relatively small charge, might be attractive enough to get some people who use cars to take their children to school to use the school bus instead. But that is a world away from the situation in somewhere such as Northumberland, where a large proportion of children are entitled to free school transport. That is very expensive for the county council because the distances involved are long and in some cases the journeys are complex. I explained in an intervention that it sometimes involves a combination of buses and taxis in addition to the help given by the parents to get the child to the public road, which may be 2 or 3 miles away from where they live. The school transport process is expensive.

It is impossible to imagine how the supposed flexibility could enable Northumberland to do something that it has not been able to do so far, which is to find a way of transporting children to school from remote locations at minimal cost. Frankly, there is no way of doing that. The numbers involved in each journey tend to be relatively small and the cost of providing for them is large. Nothing that the Bill enables the county council to do will remove the difficulty of that task or make it cheaper to carry out.

The only thing that the Bill could do is encourage Northumberland to set up a scheme in which this expensive process also has to have added to it the provision of free school transport for children in urban areas who live close to school. The total cost would be met out of a combination of a charge and the existing expenditure. If that is attempted, there is no way in which it could be done over a county such as Northumberland at a charge that would encourage anyone to take their children to school by public transport if they had any choice in the matter. The costs simply do not add up. They are too large in a rural area.

It has been pointed out that the local authority in Northumberland is planning changes that will increase the number of journeys that are eligible for free school transport because it will increase the number of children between nine and 11 who, instead of walking to the middle school, will have to be transported to a high school 10 or 15 miles away. There are arguments on both sides, which the Under-Secretary of State for Education and Skills, the hon. Member for Enfield, Southgate (Mr. Twigg) knows about because I have exchanged many letters with him on the subject, but one of the disadvantages of the change is that it increases the school transport bill by more than any gain made at the first school. So another group of parents and another two years of the age range become the subject of free school transport and, under the proposed system, they become the subject of charging if Northumberland introduces such a scheme.

People in Northumberland view the scheme not in the abstract, but on the basis of experience because over the past few years charges have been introduced for the education of young people between 16 and 19. We are seeing some pernicious consequences, including some young people who are reluctant to continue with courses because they are imposing on their parents the burden of the transport costs of getting to school or further education college, both of which are often a long way from home. Many of those families have not only 16 to

19-year-olds but younger children, and when one of these schemes comes into force, they will face a transport charge for each child.

People are not impressed to be told, as Ministers have said in letters to me, "Oh, it's all right because someone in the 16 to 19 age group can meet the cost from the education maintenance allowance." Of course, they are not all entitled to that, and those who are say, "How is that fair? The allowance is supposed to enable young people to go on courses, to buy books and to meet ancillary costs. All the others can use it for that, but I have to use it to get to school." There is a sense of injustice and unfairness surrounding the allowance because it is now a school transport allowance for some, but for others it is money available for other, helpful educational purposes. It is no answer to the problem.

People in Northumberland see the danger that the county may be under increasing pressure to take part in a scheme, and if it does children who now get free transport for the long distances to school will not get it in future, so the same people who suffer all the other disadvantages of life in rural areas, such as the difficulty of taking part in after-school activities, will face extra costs. The supposed flexibility to which the Secretary of State refers offers no means whatever of reducing the cost of transporting children in rural areas the long distances to school. At no point in his speech or in any other that I have heard has an answer been produced that would enable Northumberland to provide the school transport that people need at less cost than at present.

Every September, I find myself involved in many correspondences and disputes between parents and the local education authority about the proposed school transport arrangements for their children. Usually, the dispute takes the form that what the LEA is suggesting involves an hour and a quarter journey to school and an hour and a quarter back, because of several changes of taxi and bus. I approach the county council, which says that it has to try to restrict the cost of the scheme, and if the child shares a taxi or spends part of the journey on a bus, that reduces the cost. The result is an unacceptably long journey, beyond the statutory times.

Year after year, the county tries to restrain the cost of school transport, but in practice there is no cheap way of providing it. Schemes of the kind envisaged in the Bill cannot work in a rural county such as Northumberland, and if there is increasing pressure to introduce such schemes, rural families will suffer greatly instead of receiving their current entitlement to have their children transported to school without charge.

4.43 pm

Angela Watkinson (Upminster) (Con): I oppose the Bill. It is presented as being optional, but in reality local education authorities will be forced by budgetary pressures to implement it.

Choosing the right school for their children is a major decision for parents: I remember it and the anxiety that accompanied it very well. One of my daughters has just completed the application form for one of her sons to transfer to secondary school, so I am experiencing for the second time round the anxiety of waiting to see whether the school that has been allocated is the one of choice.

All parents want their children to have the best possible start in life, and their choice of school is made with that in mind. All sorts of reasons contribute to their choice. Some parents choose the school nearest to their home because that is the most important factor to them, whereas others reject the closest school because they think that its academic reputation is poor or they get a bad impression from the students as they move about in public. They might prefer a different specialism from the one offered by their local school, or they may want a denominational school of the faith to which they adhere. Their children might want to go to the school that their friends will attend, or they might want a school near their after-school child minder. There are countless reasons for parents' choice of school. The important thing is that it should be their choice and not one determined by the affordability of travel. The Bill will force many parents to send their children to their nearest school, whether they choose it or not.

The Education and Skills Committee's report on the draft School Transport Bill states:

> "The Secretary of State for Education and Skills has said that the main aim of the draft School Transport Bill 'is the encouragement of people to go to their local neighbourhood school . . .' The Secretary of State's interpretation of the Bill's objectives seems directly to conflict with Government policies on diversity of schools and parental preference, which increase mobility . . . The draft Bill makes no legal requirement for children from low-income families to receive free transport to any school which is not their nearest school. It is therefore hard to see how the Bill will extend parental choice to low-income families."

The Bill retains the statutory walking distances of 2 miles for primary school children and 3 miles for secondary pupils. Those distances date back to the 19th century and are no longer applicable to 2004 living. The Library explains the term "statutory walking distance" as

> "the shortest route along which a child, accompanied as necessary, may walk with reasonable safety."

That is a familiar term to me because in a previous incarnation I was the chairman of the infamous committee to which the hon. Member for Braintree (Mr. Hurst), who is no longer in his place, referred. The names and places that he mentioned were familiar to me.

The committee used to get into a minibus, go round the county and walk the routes from school to home where parents had appealed against refusal of discretionary transport. There were many reasons why on paper it looked as though the child was not entitled to free transport. However, having walked the routes, as the hon. Member for Braintree recounted, we crossed ditches and railway lines. I even recall walking through the yard of a pig farm. There are many reasons for appeals. Having travelled the routes and seen the practical problems in getting children to school, even where the statutory home-to-school distance is not breached, it is clear that there has to be a huge amount of discretion in granting free transport.

I am rather concerned about using free school meals as a measure. I shall refer to the Select Committee report again. It says that it had

> "serious reservations about the adequacy of 'free school meals' as a definition for the category of protected children. Many families eligible for free school meals do not claim their entitlement. In these cases, local authorities may have difficulty in ascertaining who is eligible for free transport. Free school meal entitlement is available to those whose family income is below £13,200 per year.

[Angela Watkinson]

Families whose income is just above this level, particularly large families, may be significantly disadvantaged by the new regime and the 'cut-off' income level may cause just as much inequity as the arbitrary limits of walking distances."

I believe that the arrangements for school transport in London authorities are slightly different from those elsewhere in that they have to provide local implementation plans that comply with the transport strategy of the Mayor of London. Do the Government intend to abandon those plans and establish an entirely new regime, or are the Bill's provisions compatible with Transport for London's arrangements?

I spoke to Havering education authority this morning, which I imagine is like many London education authorities in that there is not a great deal of discretionary transport, because there are many schools close to one another and, in general, the distance from home to school is quite short. The only exception might arise where a family with school-age children move into the borough and find that the schools within walking distance of their home have no spare capacity, requiring them to send their children to the next town, although it must be said that that is unusual. In the main, London education authorities provide free school transport for children with special educational needs, and their budget includes only a small discretionary component. They are unlikely to be significantly affected by the Bill, and will certainly be affected far less than rural and semi-rural areas.

Hon. Members will have received lobbying material from the National Autistic Society, the Royal National Institute of the Blind and Mencap, which are concerned about the provision of transport for children with special needs. The Secretary of State assured the House that statemented children and special educational needs children who have not been statemented will still receive free transport, but he did not specify what sort. The Bill, partly by encouraging people to send their children to the nearest school, implies that children should use mainstream public transport. However, such transport is unsuitable for certain categories of special needs children, even if they are not statemented. The organisations that I mentioned would therefore like the Bill to enshrine a promise that transport will be suitable for the individual child's needs. Some children, for example, cannot travel without an escort and cannot cope with large numbers of children on mainstream transport.

In conclusion, the Government's plan to charge children for school transport is another third-term tax rise. Parents who send their children to rural, semi-rural or denominational schools will be particularly disadvantaged by charging schemes, as those journeys are likely to be the longest. All parents, however, especially those with several children of school age, will be concerned about the proposals. The discretionary element of many LEA school transport budgets was squeezed last year following the funding crisis, and it is likely to disappear altogether when the new charging arrangements are introduced. The choice of school will be dominated by the cost of the journey from home to school and, in practice, will mean no choice at all for many parents, who will be forced to send their child to the school for which they can afford the travel, even if they would not otherwise have chosen it. Charging for school transport deprives parents of choice, and the Government should think again.

4.52 pm

Mr. Roger Williams (Brecon and Radnorshire) (LD): I apologise for not being present at the beginning of the debate, Mr. Deputy Speaker, as I had an unavoidable engagement. I wish to participate, however, as the Bill is of particular importance to my constituency, which is the largest in England and Wales. Indeed, the population in Powys is three times as sparse as it is in Cumbria, which many people believe to be one of the most sparsely populated counties.

Members who represent rural areas are obviously the most concerned about the Bill, even though it allows authorities to set up pilots. Many education authorities do not wish to engage in the programme, but the financial pressures on them will be such that they will be strongly encouraged to do so. My own county of Powys, which spends more per head on school transport than any other county in Wales and, I suspect, England, believes that the money that it receives from the Assembly through the standard spending assessment and the calculation of local government grant is not enough to support the school transport system, and it has to use money that it would otherwise spend directly on education.

The Bill is urbancentric, and does not address rural reality, as a number of hon. Members have argued. The hon. Member for Stafford (Mr. Kidney) spoke about a village just inside the 3-mile limit. I can speak from my experience as a county councillor before I became a Member of Parliament. In Talgarth, the line went straight through the town, so half the families had to pay for their school transport while the other half got it free. Strangely, as happens in these things, those in the less well-off part of town had to pay, while the better-off got it free.

Mr. Jamieson: It happens now.

Mr. Williams: Yes, but I do not understand how allowing Powys county council to enter into some innovative arrangement will improve the situation. The hon. Member for South Dorset (Jim Knight), with whom I have lately had some communication, spoke about innovation, but my authority would like to look for resources rather than innovation. Very often, it is the quality and safety of school transport that is the concern of parents, and the fact that everything goes out for tender. Although certain basic safety standards must be met, many parents are concerned about the way in which children are looked after on the buses and some of the environments in which they travel.

The problem is not decreasing, but increasing. Just last week in my constituency, Trecastle school received final notice of closure. It has about 25 pupils who will have to make a bus journey from Trecastle to Sennybridge, which has the nearest school. As the almost inexorable closure of small rural schools goes ahead, the need for school transport will increase rather than decrease.

I do not think that the subject of further education has been addressed; if it has, it was only in passing. When further education was taken out of local authority control, authorities were left with the most difficult part to organise—transport. In my area, Coleg Powys has four bases in Ystradgynlais, Brecon, Llandrindod and Newtown. Those different parts of the college specialise in different things. Students based in Brecon who want to study engineering, for example, sometimes have to travel to Newtown 50 miles away. Yes, they sometimes get boarding in Brecon, but the 50-mile journey is made there and back every week. What will be the cost to those students? Yes, they get an allowance, and we are very pleased about that, because it encourages pupils to stay on in further education. If the money must all be spent on transport, however, it will not be a huge incentive.

One of the most encouraging aspects of the Bill is that it gives local authorities power to set up their own scheme, but that must be agreed by the Secretary of State in England or the Assembly in Wales. That provision gives power to local authorities on one hand, but takes it back on another. I know that the Minister will say that it is a safeguard.

Jim Knight: Surely it is right to have the safeguard to ensure that what happens is in the public interest and is not a cost-cutting measure. There may be some areas in which such an arrangement is inappropriate, because they are so rural and sparsely populated that it will create an unfair burden on those who live outside the 3-mile area, and that burden will not be countered by the huge benefit for people who live between 2 and 3 miles away from the school, who will get a much better and more safe and satisfactory scheme as a result of the pilots.

Mr. Williams: I agree that the measure will help, and I am sure that people will be able to put in place schemes in urban areas that are better than the current arrangements. It seems, however, that the Government cannot trust local authorities and want to take power to themselves. While the provision may be a safeguard, it certainly does not do much for devolution.

4.59 pm

Mr. Christopher Chope (Christchurch) (Con): We have had a good-humoured debate on an important subject, which is of significance for millions of hard-working families. Loyal, if somewhat gullible, Labour Back Benchers support the Bill, which is opposed by everyone else—all Opposition Members and millions of people outside this House are now wised up to the siren voices of new Labour.

The biggest problem with the school run is the large number of pupils who live between 1 and 3 miles from the school gate and who travel to school by car, which is a point that the Secretary of State conceded in his press release on 14 October:

> "Twice as many children are driven to school now in comparison with 20 years ago—around 40 per cent. of primary pupils and 20 per cent. of secondary pupils. Most of these journeys are less than 2 miles, meaning decreasing numbers of children walking or cycling with serious health implications in terms of lack of daily exercise and the growing proportion of children who are overweight."

The Secretary of State did not tell us whether he used to cycle to school and what impact, if any, it had on his longer-term health. I used to cycle to school along Bath road. That journey was regarded as safe, but it is now totally unsafe and few people would cycle it today. We must address that problem, which has encouraged so many hon. Members to participate in this debate.

The issue of affordability is to the fore. The Government want families who live more than 3 miles from the school gate to cross-subsidise those who live closer. In an earlier exchange, the Minister said sotto voce that the problem is: who will pay for all the worthy things that could be done to improve the school run for those who live closer to schools? The Government's answer is that people who happen to live more than 3 miles away from a school must pay, because that is the only way in which to get extra resources into the system. A host of speakers have referred to affordability, which was also raised during the consultation process. The summary of consultation responses states:

> "A majority of respondents accepted the principle that affordable fares could be charged, if this secured more comprehensive and higher quality school transport, though there was some debate as to what might be considered affordable".

What is the average cost likely to be? The only information that I can bring to the House is that for pupils in Dorset whose transport is currently provided by the county council, and it excludes those who get special school transport. The average cost to the county council is £570 per pupil per annum. If a family had to pay that cost out of its taxed income for perhaps two or three pupils, it would be unaffordable and unreasonable, yet that idea lies behind the Bill.

The Government will put pressure on those local authorities that opt in to the scheme to force people who live further than 3 miles from the school gate to pay substantial sums towards the cost of school transport, which is neither affordable nor fair. It is interesting that the Minister and the Secretary of State have not denied that £570 per pupil per year is the likely outcome if the Bill gets on to the statute book.

My right hon. Friend the Member for North-West Hampshire (Sir George Young) made an excellent speech in which he raised a number of unanswered questions and anomalies, and drew attention to the initiatives that he introduced when he was Secretary of State. Those initiatives did not need to be pushed through the legislative process. The then Department of Transport undertook them, using common sense and discretion.

My right hon. Friend is a great enthusiast, if not a fanatic, about cycling. I share his enthusiasm for encouraging cycle training and wearing cycle helmets. However, under the Government, the amount of money that is spent on road safety training in schools has been cut. That also applies to the amount of cycle training, yet the Government have given themselves a fund that could be used to finance more cycle training and more ordinary road safety training for pupils in our schools. The so-called safety camera partnerships now hold the fund and the Government refuse to allow it to be reinvested in road safety education. That money can be used only for propaganda or putting up more speed cameras. What folly!

My right hon. Friend also identified the conflict between choice and being forced to attend the nearest school. The Government have not tackled that issue properly.

[Mr. Christopher Chope]

This morning, I attended an important conference about sustainable transport. The chief executive of Sustrans drew our attention to events at Kesgrave school in Ipswich, where 70 per cent. of the children cycle to school. He said that there are only 11 schools in England where more than 20 per cent. of pupils cycle to school and only 19 where more than 10 per cent. cycle to school. It does not need the Bill, with the extra burden and stealth tax that it imposes on people in rural areas, to encourage more cycling to school. If the Government are genuinely interested in sustainable transport and encouraging more cycling, they should get on with it in any event.

My hon. Friend the Member for Hexham (Mr. Atkinson) made an excellent speech, which demonstrated the enormous chasm of understanding between Labour Members, who do not understand rural areas, and those on this side of the House, who know what it is like for people who live in large and disparate communities. He made it clear that a system of charging for services that are currently free would have an enormous impact on the people of Northumberland. It would affect the bus services and result in reduced educational choice.

My hon. Friend the Member for Upminster (Angela Watkinson) made an important contribution in which she emphasised her concerns about affordability and highlighted some of the key worries of the Select Committee on Education and Skills. They included the Bill's impact on parental choice.

The hon. Member for South Dorset (Jim Knight) reminded me of an incident that happened in the summer. I went to Swanage to participate in a television programme about transport. Ironically, a Labour Member of Parliament who was due to appear on the half-hour programme was unfortunately unable to get there before it concluded because he was held up in a traffic jam. There is a congestion problem on the roads in Dorset and it was interesting that a Government spokesman was unable to reach the destination because of it.

My figures for the total cost of transport for Dorset are higher than those of the hon. Member for South Dorset. He claims that the cost was £8.3 million, but the county council told me that it spent no less than £9.5 million on school transport. That is a significant part of the local education authority budget. However, the hon. Gentleman implied that it would be reasonable to charge people in Dorset who live further than 3 miles from the school gate for the cost of school transport. That is unacceptable to people in Dorset generally and, I am sure, to his constituents.

The solutions that the hon. Gentleman was putting forward, including walking, buses and cycling, could be arrived at without the need for this legislation. Staggered school times could be achieved, as I understand it, through the use of statutory instruments in certain circumstances to change the times of the school day, but the Government could deal with that by giving extra discretion to all local education authorities without the need for the Bill. The hon. Gentleman inevitably had a go at his Conservative county council, but it was a pity that he did not mention that Dorset county council is the worst-funded county council in the country and is therefore not in a position to be able to afford all the fancy expenditure that he was talking about.

The right hon. Member for Berwick-upon-Tweed (Mr. Beith) mentioned Northumberland and thought, as I do, that we must embed a statutory right to free school transport in our legislation. He reminded us of the impact on educational choice of charging those between 16 and 19 the cost of getting to school or college when the distances involved are quite large.

The hon. Member for Caernarfon (Hywel Williams) was worried about affordability, the impact of the provisions on rural railways and the stigma of means-testing. He thought, as we do, that the Bill was highly discriminatory against those who live in rural areas.

The hon. Member for Stafford (Mr. Kidney) referred, in his thoughtful contribution, to the success of yellow buses in his constituency. He was enthusiastic about the innovation, but I challenge him to tell me why the scope for innovation should be limited to 20 pilot authorities doing the Government's bidding. Why not allow a certain amount of deregulation, where that would be sensible, and why not encourage more local authorities to be more innovative within the existing framework?

Mr. Kidney: Does the hon. Gentleman take my point that my local authority wanted to be innovative and to offer the yellow bus service to pupils whose journey to school was less than 2 or 3 miles, but it simply could not afford to do so?

Mr. Chope: This is an issue that the Government could address nationally, without any of the measures in the Bill. The hon. Gentleman wants his local authority to provide that service, but why does he think that it should also have all these other constraints imposed on it, such as applying to take part in a pilot scheme with no certain knowledge that its application would be successful? It would also have various other constraints imposed on it.

The Government's explanation for the Bill is that the 3-mile limit for walking to school should be maintained. I think that they state in the explanatory notes, or perhaps in their response to the Transport Committee, that they are sticking to their guns and doing nothing to discourage people from walking or cycling to school when the distance involved is less than 3 miles. The hon. Gentleman thinks that adopting this Bill will help his local authority but, in the light of the Government's avowed policy on transport to school for those living within 3 miles of the school gates, I doubt that that particular scheme would find favour with the Government.

The Government have been forced to defend themselves against all those who oppose the Bill by using hysterical charges of dishonest opportunism. That is why I was particularly interested in the contribution of the hon. Member for Braintree (Mr. Hurst), who said that it was an overstatement to say that this system would be a nightmare, because it would be tightly controlled by the Government. He also said, however, that the Bill was a missed opportunity. He put the whole issue into context by saying that the £200 million that was being spent on home-to-school transport was at stake. The Government seem to think that that money should be taken away from rural authorities and reinvested elsewhere. The hon. Gentleman said that that amount paled into insignificance when compared with the £13 billion that the Government were spending on computers, a large amount of which is perhaps being wasted. To make another comparison, taxpayers in this country are already subsidising to the amount of £88 million tobacco growing in the rest of Europe. The Government have their priorities absolutely wrong.

We are against the Bill because it removes the right to use free school buses if the journey is too long, which has been enjoyed by English and Welsh people for more than 60 years. It means more means-testing, higher costs for hard-pressed parents and, worst of all, it is a new stealth tax on families living in rural areas.

5.15 pm

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): This has been a wide-ranging and interesting debate. We will reflect on the intimation of the hon. Member for Christchurch (Mr. Chope) in his latter comments that schools were wasting money on computers. I am sure that many in the educational world will have taken that to heart and noted it down.

I am delighted to have this opportunity to wind up the debate for the Government, and in doing so demonstrate the joint commitment of the Departments for Transport and for Education and Skills to this important Bill. I also welcome the opportunity to respond to many of the good comments made on both sides of the House about the Bill. I want to put the Bill firmly in the context of our wider work on the safety and sustainability of school transport.

Just over a year ago, the travelling to school project was launched by my right hon. Friends the Secretaries of State for Education and Skills and for Transport. It reflected a wide consensus that school transport is a problem in need of urgent solution. As we have heard in the debate, twice as many children are now driven to school compared with 20 years ago. Most of those journeys are less than 2 miles, meaning a falling number of children walking and cycling. As many Members will know, some children, particularly in some urban areas, travel just a few hundred yards to school by car, which has unacceptable effects.

The decline in walking and cycling to school contributes to an overall lack of physical activity by our young people. The health consequences of physical inactivity are well known: moderate activity is known to reduce the risks of heart disease, stroke, obesity, type-2 diabetes, osteoporosis, some cancers and hypertension. While in itself, especially for younger children, the school run may be a small part of their daily activities, it contributes to the culture of car dependency and inactivity, which can be difficult to tackle later in life.

The school run can also be unpopular with local residents, particularly those who live near schools. In some places, it causes localised air quality problems and traffic congestion, and compromises road safety around the school gate. We also know that many parents and pupils would prefer to walk or cycle if they felt that they could do so in safety, and wanted to make sure that it is a realistic option for as many of them as possible. I note that my hon. Friends the Members for Bristol, West (Valerie Davey) and for Stafford (Mr. Kidney) also made the good point that at this time of year—the school half-term—far fewer cars are on the road and there is much less congestion.

In our action plan, which we published last September, we set out a comprehensive programme of action to tackle car dependency in relation to the school run, by improving the opportunities for pupils to travel to school on foot, by bike or by bus. Across the board, the action plan recognised that to make progress, we would need to meet three key tests. First, we would need to deliver a more effective partnership between national and local government in the provision of school transport services. Secondly, we would need to increase the scope for innovation in planning and service delivery. And thirdly, we would need to ensure that we can learn from the experience and share it with others.

The Bill that we are discussing today is an important element of our school travel initiative, and is intended to meet each of those three tests. First, the Bill will support much closer joint working between central and local government in the development of approval of pilot school travel schemes. Secondly, the Bill will encourage innovation by removing the Education Act 1996 constraints on local flexibility that have been in place for 60 years. Thirdly, the use of pilots will mean that new ideas can be thoroughly tested and evaluated before they are rolled out more widely.

Mr. John Smith (Vale of Glamorgan) (Lab): Does my hon. Friend agree that school transport safety is an important issue when it comes to encouraging people to use school transport? He is aware, I know, of the Stewart campaign. Is he satisfied that the Bill deals with parents' concern about their children's safety on school buses? Will there be an opportunity to review the three-for-two rule, under which three children under 14 can occupy a seat designed for two?

Mr. Jamieson: The Bill does not specifically address school safety issues, as my hon. Friend will have observed. I know that he has strong views on the three-for-two rule. We have no firm evidence that it creates a danger for children, but because more modern buses are coming into operation it is gradually being phased out. Local education authorities must ensure that seatbelts are fitted for children going on school trips, and their contracts with the transport providers allow them to insist that belts are provided for all children.

I was going to make a third point about the Bill. The use of pilot schemes will enable new ideas to be thoroughly tested and evaluated, as I think my right hon. Friend mentioned in his speech.

The Bill will make the first changes to school transport legislation for over 60 years, enabling a limited number of local education authorities initially to develop innovative solutions to school transport problems. I would expect the hon. Member for Christchurch (Mr. Chope) to welcome a Bill that is all about deregulation: I thought he liked deregulation, but he clearly does not like it today. The Bill also removes some of the current arbitrary and outdated constraints on local authority freedom and flexibility, and increases the scope for innovation and improved service provision.

[Mr. Jamieson]

In his peroration, the hon. Member for Westmorland and Lonsdale (Mr. Collins) said that the Conservatives were going off to fight the Bill tooth and nail. I noticed that at that point only one Conservative Back Bencher was present; clearly all the others had left the Chamber to join the fight against the Bill. I should add that only one Liberal Democrat Back Bencher was present at the time. After the right hon. Member for North-West Hampshire (Sir George Young) had spoken, the Opposition Whips had to fight tooth and nail themselves to find a Back Bencher who would actually oppose the Bill. They managed it in the end—and I commend the Whip, the hon. Member for Hexham (Mr. Atkinson), for persuading himself to do it.

The hon. Member for Westmorland and Lonsdale said that vulnerable children might lose out. My right hon. Friend challenged him on the important issue of children who are just below the mileage limits—2 miles for children aged eight and under, and 3 miles for all other children of compulsory school age. Did he intend to do anything to help those children? The issue is important in some urban areas, and very important in many rural areas. At present, children who are just under the limit are given no help, whether they are from well-off or—in some cases—very poor families.

It has been suggested that our proposals constitute a threat to free education, but children who are under those limits—it is impractical for them to walk, and on some dangerous roads it is impractical for them even to cycle—currently do not receive free education, because their parents must pay the cost of transporting them to school, whether by public transport or by car.

The hon. Gentleman asked about protection for children with special educational needs. My right hon. Friend the Secretary of State said that children with statements would have that protection. There is currently no protection in law for SEN children who do not have statements, but the Bill allows the 20 per cent. of authorities who do not help such children to give them extra assistance.

The hon. Gentleman says that the number of children walking to school is increasing, and, yes, there was a small increase last year. Our policies are working, I am glad to say, but not as many are walking as used to do so, say, 20 years ago. Such changes are taking place, but we are having an impact. The Bill is just a further way of helping more children to get out of the car and on to the bus, or to walk or cycle.

The hon. Gentleman also went on about LEAs being compelled to participate. There will be no compulsion—they will be free to decide whether they want to be involved.

Mr. Collins: Will the Minister therefore address himself to the issue originally raised by my hon. Friend the Member for Sevenoaks (Mr. Fallon) and subsequently by me? Will he accept an amendment in Committee requiring the Treasury not to take into account charging in any allocation of grant to local authorities?

Mr. Jamieson: I thought that that matter was covered admirably by my right hon. Friend the Secretary of State, who gave a categorical assurance. But if the hon. Gentleman wants to table an amendment and test the Bill in Committee, he can do so. The scheme is voluntary for LEAs, and there will be no cuts to their budgets on the basis of their participating in it.

Mr. Collins: Will the Minister give way?

Mr. Jamieson: Not at the moment as I want to complete my remarks on the hon. Gentleman's contribution. He said that there is no cross-party agreement in the House on this Bill. That may be right, but I have to tell him that there is considerable cross-party agreement outside it. He will doubtless have read with great care, as I have, the proceedings of the Select Committees that examined this issue, both of which I appeared before. When Councillor Raymond Wilkinson, from Cambridgeshire—as I understand it, he is a member of the hon. Gentleman's own party—was asked on 12 May whether he would participate in the scheme, he said:

> "Cambridgeshire went through their cabinet system two weeks ago and they said that we would be bidding for one of the pilots."

So although there might be no cross-party consensus in this House, there certainly is in local government. We expect the Liberal Democrats to say one thing here and another on the doorstep, but now the Tories are doing precisely the same.

My hon. Friend the Member for Wimbledon (Roger Casale) made a considered speech that dealt in particular with children with special educational needs, the safety of their transport and concerns about checks made on drivers. According to the current instructions given out by the Department for Education and Skills, all drivers of such vehicles should be properly checked. If his authority is not doing so, he should raise the matter with that Department, and perhaps with mine as well. Ofsted will inspect education authorities fairly regularly in this regard, as it is an issue that it takes into account in such inspections. Indeed, my hon. Friend might want to look at the last inspection to see whether his authority is complying with the regulations.

There is also a problem with taxis, particularly in London. The right hon. Member for North-West Hampshire introduced a very good Bill on this issue, but a loophole has been found in respect of certain taxi providers. Those providing limited services for education or social services needs, for example, are slipping through the net. The road safety Bill that we hope to introduce in the next Session will, I trust, address some of these issues.

The hon. Member for Southport (Dr. Pugh) began by saying that this is a dangerous Bill, but his own councillors out in the country do not agree with him. He ought to tell them that in his opinion we are doing something very dangerous, because they certainly do not seem to agree. Of course, the important point that he did not address is that children who live just under the 2-mile or 3-mile limit currently get no help whatever. The Bill offers the opportunity for such assistance to be provided. Local authorities could also help children to whom there is no statutory obligation to provide assistance. I am thinking of children from faith schools for whom there is a nearer, suitable school. What the hon. Gentleman proposed today provides no particular flexibility whatever. The other group, of course, is children who have special educational needs, but do not have a statement. There is currently no statutory obligation to assist those children, but the Bill provides an opportunity for that to happen.

Dr. Pugh: The Bill provides an opportunity, as the Minister says, but does it provide a statutory obligation?

Mr. Jamieson: It is better than what obtains now, because a local authority will be able to take action to deal with that problem. Currently, some 20 per cent. of authorities do not deal with it.

My hon. Friend the Member for Stroud (Mr. Drew) made a good speech, calling on us to be bolder. He spoke with very good sense, as he always does, and he pointed out to the House what was confirmed by the subsequent contributions of Opposition Members—that there were no ideas emerging from the Opposition Benches. My hon. Friend and others made the point that the Bill will provide opportunities for children to do more out-of-school activities and for schools to have a longer school day. Particularly in rural areas where children have to travel longer distances, it provides extra opportunities to assist those beneficial activities.

The right hon. Member for North-West Hampshire, described as the Cliff Richard of the Opposition Benches, made a consensual speech that had much good sense in it. He talked about the flexibility of the voluntary approach in the Bill. We welcome his comments. After he spoke, we noticed a dash round to find one or two Conservative Back Benchers who would speak against the Bill. They succeeded in the end.

Mr. Nigel Evans (Ribble Valley) (Con): We have already had that bit.

Mr. Jamieson: Well, we are having it again for the benefit of the several hon. Members who have joined us.

We have taken a number of steps to encourage walking and cycling. In June, my Department published a walking-cycling action plan, which set out 42 practical actions that can be taken to increase levels of cycling and walking, and I am sure that the right hon. Gentleman will note that that should help to improve the position. He spoke about seat-belts, but I am glad to say that there have been very few crashes involving school buses. When LEAs frame their contracts, they have the ability to build that particular safeguard into them.

My hon. Friend the Member for Stafford also made a considered contribution to the debate. He highlighted issues such as pollution in schools, road safety and congestion, and the Bill provides an opportunity for us to deal with them. He also made the very important point that, under current legislation, 90 per cent. of children get no help whatever with their journey to school. The Bill will also address that problem and it should particularly help children on shorter journeys in rural areas.

The hon. Member for Caernarfon (Hywel Williams) made a good contribution to the debate, raising important issues connected with Wales. The Bill will help with problems surrounding Welsh language schools. Currently, there is no obligation with respect to Welsh language purposes if a suitable and nearer school is available.

We have had a good debate. The hon. Member for Christchurch talked about the loyal and gullible Government Back Benchers who spoke in favour of the Bill. Well, I can tell him that there are many loyal and gullible councillors in his party out in the country who support the Bill. It is a good Bill. It will help to get children out of the car and get them walking, cycling or using the bus. I commend this good Bill to the House.

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 248, Noes 130.

Division No. 293] **[5:34 pm**

AYES

Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Bell, Sir Stuart
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Boateng, rh Paul
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Buck, Ms Karen
Burnham, Andy
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cairns, David
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Connarty, Michael
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobson, rh Frank
Donohoe, Brian H.
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Gapes, Mike *(Ilford S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Hesford, Stephen
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan

Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jamieson, David
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keen, Alan *(Feltham)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Morgan, Julie
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Robertson, John *(Glasgow Anniesland)*
Rooney, Terry
Roy, Frank *(Motherwell)*
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheridan, Jim
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Speller, rh John
Starkey, Dr. Phyllis
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Sutcliffe, Gerry
Taylor, rh Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Ward, Claire
Wareing, Robert N.
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*

Tellers for the Ayes:
Mr. Nick Ainger and
Mr. John Heppell

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Beith, rh A. J.
Bellingham, Henry
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brake, Tom *(Carshalton)*
Brazier, Julian
Browning, Mrs Angela
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, Sir John
Cameron, David
Campbell, rh Sir Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Ch[illegible]g Barnet)*
Chidgey, David
Chope, Christopher
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cran, James *(Beverley)*
Curry, rh David
Davies, Quentin *(Grantham & Stamford)*
Djanogly, Jonathan
Duncan, Alan *(Rutland)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Forth, rh Eric
Foster, Don *(Bath)*
Francois, Mark
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Leigh, Edward
Letwin, rh Oliver
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, rh Francis
Mercer, Patrick
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Öpik, Lembit
Ottaway, Richard
Paice, James
Pickles, Eric
Portillo, rh Michael
Pugh, Dr. John
Redwood, rh John
Rendel, David
Robertson, Laurence *(Tewk'b'ry)*
Roe, Dame Marion
Rosindell, Andrew
Russell, Bob *(Colchester)*
Sayeed, Jonathan
Selous, Andrew
Shepherd, Richard
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thurso, John
Tyler, Paul *(N Cornwall)*
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Wiggin, Bill
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Young, rh Sir George

Tellers for the Noes:
Mr. John Randall and
Mr. Hugo Swire

Question accordingly agreed to.

SCHOOL TRANSPORT BILL (PROGRAMME)

Motion made, and Question put forthwith, pursuant to Orders [28 June 2001 and 6 November 2003],

That the following provisions shall apply to the School Transport Bill:

Committal

1. The Bill shall be committed to a Standing Committee.

Proceedings in Standing Committee

2. Proceedings in the Standing Committee shall (so far as not previously concluded) be brought to a conclusion on 11th November 2004.

3. The Standing Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.

5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

Programming Committee

6. Sessional Order B (programming committees) made on 28th June 2001 shall not apply to proceedings on consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.—*[Vernon Coaker.]*

The House divided: Ayes 270, Noes 110.

Division No. 294] **[5:48 pm**

AYES

Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Beith, rh A. J.
Bell, Sir Stuart
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Buck, Ms Karen
Burnham, Andy
Burstow, Paul
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cairns, David
Campbell, rh Sir Menzies *(NE Fife)*
Carmichael, Alistair
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Connarty, Michael
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobson, rh Frank
Donohoe, Brian H.
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Gapes, Mike *(Ilford S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Heath, David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Hesford, Stephen
Hill, Keith *(Streatham)*
Hoey, Kate *(Vauxhall)*
Holmes, Paul
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, M[illegible] Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jamieson, David
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keen, Alan *(Feltham)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moore, Michael
Morgan, Julie
Morley, Elliot
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Pugh, Dr. John
Purchase, Ken
Purnell, James

Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Rooney, Terry
Roy, Frank *(Motherwell)*
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheridan, Jim
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Speller, rh John
Starkey, Dr. Phyllis
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stunell, Andrew
Sutcliffe, Gerry
Taylor, rh Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Harrow W)*
Thurso, John
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Ward, Claire
Wareing, Robert N.
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Roger *(Brecon)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*

Tellers for the Ayes:
Mr. Nick Ainger and
Mr. John Heppell

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Bellingham, Henry
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brazier, Julian
Browning, Mrs Angela
Burns, Simon
Burt, Alistair
Butterfill, Sir John
Cameron, David
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cran, James *(Beverley)*
Curry, rh David
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Duncan, Alan *(Rutland)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hawkins, Nick
Heald, Oliver
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, rh Oliver
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, rh Francis
Mercer, Patrick
Moss, Malcolm
Murrison, Dr. Andrew
Ottaway, Richard
Paice, James
Pickles, Eric
Portillo, rh Michael
Redwood, rh John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Dame Marion
Rosindell, Andrew
Sayeed, Jonathan
Selous, Andrew
Shepherd, Richard
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Wiggin, Bill
Williams, Hywel *(Caernarfon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Young, rh Sir George

Tellers for the Noes:
Mr. John Randall and
Mr. Hugo Swire

Question agreed to.

SCHOOL TRANSPORT BILL *[MONEY]*

Motion made, and Question put forthwith, pursuant to Standing Order No. 52 (Money resolutions and ways and means resolutions in connection with Bills).

That, for the purposes of any Act resulting from the School Transport Bill, it is expedient to autherise the payment out of money provided by Parliament of any increase attributable to the Act in the sums payable out of money so provided under any other enactment.—[Vernon Coaker.]

Question agreed to.

SCHOOL TRANSPORT BILL *(CARRY-OVER)*

Motion made, and Question put forthwith, pursuant to Order [20 October 2002 (Carry-over of Bills)].

That, if at the conclusion of this Session of Parliament proceedings on the School Transport Bill have not been completed, they shall be resumed in the next Session.—*[Vernon Coaker.]*

The House divided: Ayes 245, Noes 130.

Division No. 295] **[6:03 pm**

AYES

Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Begg, Miss Anne
Benn, rh Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Buck, Ms Karen
Burnham, Andy
Byers, rh Stephen
Byrne, Liam *(B'ham Hodge H)*
Cairns, David
Casale, Roger

Caton, Martin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Connarty, Michael
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobson, rh Frank
Donohoe, Brian H.
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Gapes, Mike *(Ilford S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Hesford, Stephen
Hill, Keith *(Streatham)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jamieson, David
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keen, Alan *(Feltham)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Linton, Martin
Love, Andrew
McAvoy, Thomas
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McFall, rh John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Morgan, Julie
Morley, Elliot
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Robertson, John *(Glasgow Anniesland)*
Rooney, Terry
Roy, Frank *(Motherwell)*
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheridan, Jim
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Helen
Spellar, rh John
Starkey, Dr. Phyllis
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Sutcliffe, Gerry
Taylor, rh Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Ward, Claire
Wareing, Robert N.
Watson, Tom
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*

Tellers for the Ayes:
Mr. Nick Ainger and
Mr. John Heppell

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Beith, rh A. J.
Bellingham, Henry
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brazier, Julian
Browning, Mrs Angela
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, Sir John
Cameron, David
Campbell, rh Sir Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Curry, rh David
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Duncan, Alan *(Rutland)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Garnier, Edward
Gibb, Nick *(Bognor Regis)*

Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Leigh, Edward
Letwin, rh Oliver
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, rh Francis
Mercer, Patrick
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Öpik, Lembit
Ottaway, Richard
Paice, James
Pickles, Eric
Portillo, rh Michael
Pugh, Dr. John
Redwood, rh John
Rendel, David
Robertson, Laurence *(Tewk'b'ry)*
Roe, Dame Marion
Rosindell, Andrew
Russell, Bob *(Colchester)*
Sayeed, Jonathan
Selous, Andrew
Shepherd, Richard
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thurso, John
Tyler, Paul *(N Cornwall)*
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Wiggin, Bill
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Young, rh Sir George

Tellers for the Noes:
Mr. John Randall and
Mr. Hugo Swire

Question accordingly agreed to.

STANDARDS AND PRIVILEGES

Ordered,

That Mr Ross Cranston be discharged from the Select Committee on Standards and Privileges and Mr Wayne David be added.—*[Vernon Coaker.]*

PETITIONS

Tetra Masts (Llanidloes)

6.14 pm

Lembit Öpik (Montgomeryshire) (LD): My petition comes from the people of Llanidloes in my constituency and relates to their considerable concerns regarding the development of Tetra masts, which are a form of communication system. It has been signed by approximately 800 people.

The petition states:

The Petition of the citizens of the Town and district of Llanidloes

Declares that we are deeply concerned and strongly opposed to the proposal to erect and operate a Tetra Mast on the Maes y Llan Industrial Estate at Llanidloes, Powys because it is our belief that the technology is known to be risky and that proper studies on its safety have not been undertaken.

The Petitioners therefore request that the House of Commons urge the Government to halt the roll-out of TETRA.

And the Petitioners remain, etc.

To lie upon the table.

Post Offices (Leigh)

6.16 pm

Andy Burnham (Leigh) (Lab): This petition of 1,600 people in the Leigh constituency represents the hard work of many people in my constituency who are deeply concerned about the Post Office's plans to close seven post offices in the Leigh area—a former mining area with poor public transport and a legacy of ill health and disability, and people who have trouble accessing a post office.

The petition

Declares that the loss of seven well used local Post Offices is too severe, leaves thousands of people more than a mile from the nearest Post Office and would give elderly and disabled people great difficulty in accessing a service.

The Petitioners therefore request that the House of Commons urge the Government to support the campaign to keep open Leigh constituency's post offices by doing all in its power to bring about a review of the Post Office Ltd.'s proposals.

And the Petitioners remain, etc.

To lie upon the Table.

Post Office Closures (Burton)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Heppell.]*

6.17 pm

Mrs. Janet Dean (Burton): I am grateful for the opportunity to raise my concerns about the extent of proposed post office closures in Burton-upon-Trent. First, I must make it clear that I understand the need for the review of the urban network of post offices. It is important that we ensure that the network's remaining post offices have improved facilities for their customers and are economically viable.

There has been a gradual change in the use of local post offices. Long before the Government decided to move away from pension and benefit order books, many people were choosing to have their payments made directly into their bank accounts. I remember being asked about 20 years ago whether I would like my child benefit to be paid into my bank account. Like many people at that time, I chose to retain my weekly payments through the post office in order to support my local branch. I believe that new parents did not have that option. Many people who have become pensioners in recent years have been used to having their wages paid into the bank, and it has therefore been natural for them to receive their pensions in the same way.

The role of the local post office has changed, and even with the development of new services such as those stemming from agreements with some of the high street banks, many branches are not viable. I have therefore reluctantly accepted that some of the post offices in the urban area of my constituency will have to close, even though I recognise that the closure of any individual branch will adversely affect those who currently use it.

The network reinvention programme is important to ensure that post offices do not just wither on the vine. I welcome the fact that more than £81,000 will be invested where necessary in the remaining branches in my constituency. I am glad that those who own sub-post offices that close under the scheme will be able to claim compensation, which in many cases will help to offset the loss of their initial investment in the branch. However, I believe that in the case of the post office area plan for Burton, Post Office Ltd has gone too far. I believe that the plan proposes the closure of too many branches and has failed to take into account the community role of post offices.

The initial consultation document, dated 18 August this year, announced the proposal to close 11 branches in Burton-upon-Trent. One of those branches had been closed for more than a year. The plan includes the opening of one new branch, which means a net loss of nine branches of those currently open. Incidentally, having studied the consultation document again in preparation for tonight's debate, Post Office Ltd has made an error in calculating the number of branches that would remain under the current proposals. It appears to have lost an urban branch—I calculate that nine, rather than eight, urban post offices would remain under its proposals.

On Tuesday this week, I received a letter from Post Office Ltd advising me that a final decision had been taken to close all but three of the 11 branches. Although I am pleased that Post Office Ltd has listened to the views of local councillors, Postwatch and me regarding the difficulties that local people will face if the three post offices at Anglesey road, Calais road and Melbourne avenue close, I regret that the decision on the other eight should have been made so swiftly and before the stage 1 escalation meeting, which will take place on Friday 5 November. I understand that some sub-post office owners are keen to know whether they can close under the programme, but it may have been wise to delay decisions on post offices that are geographically close to those at which Postwatch opposes closure.

It would have been better to examine the black holes that would remain if all the proposed closures went ahead. That particularly applies in the cases of the Calais road and Anglesey road branches—Melbourne avenue stands on its own. In my submission, I grouped the Calais road, Horninglow road north and Tutbury road branches together, saying that the proposed main receiving branch for those branches' customers at a new post office in the Dean and Smedley pharmacy is too far away. That is particularly true for those who currently use the Calais road branch.

My letter continued:

> "Several of the letters enclosed are from users of the Calais Road branch expressing their concern at the distance that they would have to travel to the receiving branch. I share those concerns. There is also one letter from a customer of the current Horninglow branch setting out the problem that those like herself, with visual impairment, would have in walking to the proposed alternative branch. She mentions the difficulty in crossing roads such as Victoria Crescent. You will note that one of the enclosed letters contains a petition from residents of Curtis Court sheltered accommodation who would be seriously affected by the proposal. I believe that further consideration should be given to retaining or opening a branch to serve the Horninglow area, as well as the proposed new office at the pharmacy, which I understand would be a large branch with the need for five serving positions. It would seem sensible to split this capacity between two post offices."

I am glad that Post Office Ltd will re-examine its proposal to close Calais road sub-post office, but it would have been better to reconsider the needs of the customers of all three branches together. Although the new post office branch in the Dean and Smedley pharmacy is too far away from those branches that I have just mentioned, it offers a central location in place of the sub-post offices currently situated at Derby Turn, Sydney street and Victoria crescent. I know that such a move would inconvenience some of my constituents, but it would offer improved facilities and would undoubtedly help to support and complement another valuable local facility, the local neighbourhood chemist.

The notice of closure letter that I received this week contains several references to the

> "new Horninglow in the Dean branch".

First, the correct wording is the new Horninglow branch in the Dean and Smedley pharmacy; secondly, the "Dean" in question is no relation to me.

Turning to the Anglesey road branch and the neighbouring Walker street post office, where closure has now been confirmed, the concern that I expressed in my response to the consultation was that the proposal would close both branches in that area, and I ask for consideration to be given to maintaining one post office in the area served by the Walker street and Anglesey road post offices, even if it is in an alternative retail

[Mrs. Janet Dean]

outlet. The proposal is for the main receiving post office for customers of those branches to be the town's main post office, which replaced the Crown post office some years ago.

The town's main post office is situated in a Safeway store, which I understand is being converted into an Asda store. I have great concerns about the capacity of that post office to cope with additional customers. There always seem to be queues, and I was therefore relieved when Post Office Ltd's head of area told me that the intention was to increase the number of counter positions from five to eight. However, I have been now told that that is not the case and that the intention is for only five to remain. I am greatly disturbed by that, not only because of the additional customers who would be directed there by any closure but because many people who are affected by branch closures throughout the town are more likely to visit a town centre post office while shopping than to make a bus journey to an alternative local branch. It is naïve to assume that people will always go to their main or even secondary receiving branch because it is designated as such.

The final branch that gives me grave concern is the one in Melbourne avenue at Winshill. That sub-post office is situated in an estate of mainly former local authority housing. It is on the fringe of Burton-upon-Trent, and the only receiving branch given is three quarters of a mile away. The area is hilly, with little access to other retail outlets and no access to other financial services. I am pleased that in Stapenhill, which is a similar area, there is no proposal to close either of the two post offices, which are perhaps closer together than those at Winshill. However, that poses the question of why the Melbourne avenue branch should be proposed for closure. Although I understand and sympathise with those who wish to take advantage of the closure programme, the willingness of branch owners to close their post offices cannot take precedence over the need to serve the public.

I want the Minister to consider deprivation in the three areas of Burton-upon-Trent where branch closures are still being examined. The consultation letter states:

> "Calais Road, Derby Turn and Victoria Crescent are located in areas that were previously defined as being in deprived locations, however, under the revised indices based on super-output areas these branches are no longer designated as in deprived locations."

I made the point in my response that the Post Office report on Calais road stated:

> "Calais Road is located in a deprived area of Burton-on-Trent."

The latter statement had not been updated, but it demonstrates that it is unwise to presume that revised ways of measuring deprivation mean that an area can suddenly become less in need of support.

The closure consultation does not recognise that the area that the Melbourne avenue branch serves is classed as being in the top 10 per cent. most deprived under the new super-outlet areas. It is also important to note that the population of Winshill is more than 8,000. Similarly, the Anglesey road sub-post office serves one area, which is classed as being in the top 20 per cent. most deprived, according to the new criteria.

I understand that money has been made available through the Office of the Deputy Prime Minister to improve post offices in deprived urban areas of England. I hope that some of that funding can be used to provide services in the areas where Postwatch and I have objected to closure.

We rightly try to protect our rural post offices and I am glad that the Secretary of State for Trade and Industry recently announced that up to £300 million will be made available from 2006–08 to extend the financial support package for rural post offices. I have 14 rural post offices and know about the efforts that Post Office Ltd and Postwatch make to maintain the network. Rocester's post office is currently closed, and I know that everything is being done to restore the service to the village as soon as possible. In Uttoxeter, alternative premises were recently found when another rural branch closed because of the change in ownership of the shop.

Just as I believe that we should maintain post offices in rural areas, I believe that we should ensure that urban communities such as those on the Manners estate at Winshill and around the Calais road/Horninglow part of Burton do not suffer through the closure of their local post office.

We should examine the innovative ideas that have been developed in rural areas and use them to tackle the needs of urban dwellers. Why cannot we have part-time post offices in urban areas? Will my hon. Friend the Minister consider developing mobile post offices, which could reach the parts of our inner cities and towns that ordinary post offices cannot reach?

I started my speech by referring to the changes that have taken place in the use of post offices over many years. Despite those changes, many senior citizens want to continue to use their local post office. They have chosen to have a Post Office card account or they draw cash from their bank account at their local branch, and they enjoy meeting their friends on pension day. While that continues, mobile and part-time post offices could provide the service that they need and deserve.

I pay tribute to Postwatch for its efforts on behalf of my constituents, especially Irene Shiels, who has paced the streets of Burton and elsewhere to examine the proposals in detail. I am glad that Postwatch has referred the Melbourne avenue, Anglesey road and Calais road branches to stage 1 escalation, and I hope that Post Office Ltd will listen to the just arguments that have been put forward for the retention of post offices in those areas. I look forward to receiving any help that the Minister can offer.

6.30 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Gerry Sutcliffe): I congratulate my hon. Friend the Member for Burton (Mrs. Dean) on securing this debate. As she demonstrated in her speech, she has been assiduous in voicing local concerns on behalf of her constituents about Post Office Ltd's urban reinvention proposals. She spelled out very clearly her views on the impact of the proposed post office closures in her constituency, to which I shall return shortly.

The future of the post office network is relevant to every Member of the House. We all share concerns for the future provision of post office services in our constituencies, and I want to assure my hon. Friend and other hon. Members that the Government are fully committed to maintaining a viable nationwide network of post offices. The starting point for Government policy for the post office network is the performance and innovation unit's report, produced in 2000, on modernising the post office network. The report was widely welcomed for squaring up honestly to the challenges that the network faces, and it made 24 recommendations for the future, all of which the Government accepted.

The PIU report showed quite starkly that our network of post offices had not kept pace with the changing needs of its customers. Too often, post offices had become dingy and shabby through a lack of investment, and were losing business. The Post Office faces an enormous challenge. In recent years, Post Office Ltd has incurred very substantial losses: £163 million before exceptional items in 2001–02; £194 million in 2002–03; and £97 million in 2003–04.

Ninety-seven per cent. of the nation's post offices are run by sub-postmasters—private business people who have invested in their businesses not only their own money but a great amount of care and effort to help the post office network to achieve its highly regarded status. However, with declining profitability in the network as a whole and, in many cases, at individual office level, the ability of sub-postmasters to sell on their businesses—the way in which they have moved on in the past—has taken a severe knock.

Decisive action had to be taken to ensure that we maintain a sustainable countrywide network for the future, and that is the action that the Government are taking. The post office network has been contracting since the 1960s. The previous Conservative Government presided over 3,500 closures between 1979 and 1997, but in all that time they produced no policy on how to structure the network and ensure that it could continue to remain relevant into the 21st century.

There have been reductions in post office usage for all sorts of reasons, and the absence of investment by the previous Conservative Government was an important one, but major advances in technology, greater mobility and changes in shopping and financial habits all mean that a large proportion of our constituents are simply not using the post office as they used to, and custom has reduced sharply. This is not a matter of the Government or some unseen market force acting against the interests of the Post Office and its customers. It is about ordinary people—our constituents—making choices. The decline in transaction volumes is not just about the changes in benefit payment arrangements that started to come into effect last April. The decline started well before then, and applies not just to benefit payments but to a much wider range of services, including Girobank and National Savings transactions, telephone bill payments and postal orders.

This change is not a uniquely British phenomenon. Research commissioned by Postcomm—the regulator for postal services—found that in other countries people are increasingly accessing services electronically, over the telephone and through the internet. In response, most countries have been remodelling their networks, usually by closing the smallest or least profitable offices and converting directly run offices into agency offices. In Germany, for instance, the number of post office branches has been reduced drastically from 30,000 to 13,000. In Britain, other networks, such as those of the retail banks, have been scaled back, too. Like them, the post office network needs to adapt to changes in people's preferences and to new ways of doing business. These external changes pose big challenges to the network of post offices, and they have to be addressed, not ducked.

In my hon. Friend's constituency, I understand that at the start of the urban reinvention programme there were 32 post offices, 18 of which the Post Office classified as urban and 14 as rural. Since September 2003, Post Office Ltd has prepared closure proposals on an area plan basis, using parliamentary constituencies, grouped together where appropriate, to give a clearer "once over the ground" view of future service provision. On 26 August, the area plan for Burton-on-Trent and the neighbouring constituencies of Derby, North, Derby, South and South Derbyshire went out to public consultation. In Burton-on-Trent, 11 closures and one new branch opening were proposed. As my hon. Friend said, particular concern was expressed in relation to the proposals for three sub-post offices. I have noted her views and disappointment that Post Office Ltd's final decision has been to proceed with seven closures and to confirm as permanent the closure of Shobnall road, which has been closed on a temporary basis for more than a year.

I also understand that, in the light of concerns and comments raised by my hon. Friend, her constituents and Postwatch, three proposed closures—Anglesey road, Calais road and Melbourne avenue—have been referred for further consideration under the escalation and review process. I am sure that she will welcome this evidence that the particular concerns raised about the proposed closure of those three offices are to be considered in further depth before final decisions are made. In the remaining cases, Postwatch has accepted that there is not enough business for them to remain viable. I understand that, with one exception, all the offices confirmed for closure have an alternative office within 1 mile and that as a result of the planned new Horninglow office, four will have an alternative within half a mile or less. In addition, significant investment in improvements to the facilities and service of the remaining offices will take place.

As regards disabled access to, and facilities in, post offices, Post Office Ltd is taking action to meet the requirements of the Disability Discrimination Act 1995. That includes self-assessment packs for all sub-postmasters to help them understand any specific issues at their branch. Disability awareness training is being provided to all staff and support packs including a signature template, magnifier, fat grip pens and clipboards distributed. In some branches, level access, drop-down counters, automatic doors and mobile hearing induction loops are being installed. Several such measures are to be taken at offices in my hon. Friend's constituency.

It has been suggested, although not by my hon. Friend, that the programme is wholly driven by sub-postmasters' wishes. Two years ago, Post Office Ltd surveyed urban sub-postmasters for non-binding indications of interest in leaving the network. Around 3,500 expressed an interest in leaving and those

[Mr. Gerry Sutcliffe]

responses helped the Post Office prioritise its proposals in the early stages of the programme. I wholly agree that sub-postmasters' preferences should not be the sole determinant of Post Office Ltd's closure proposals. Indeed, it would lead to many of the problems that we associate with unplanned closures, such as gaps in the network. Post Office Ltd has given assurances that sub-postmaster preference is not the key driver of change when preparing an area plan. Post Office Ltd seeks to achieve a balance between sub-postmasters volunteering to leave the network, those offices that are not viable, and the need for relocations and new openings. Post Office Ltd maintains that reasonable customer access to alternative offices is always the prime consideration in developing its proposals. As a result, some 1,000 of the 3,500 sub-postmasters who expressed interest in leaving the network under the programme will not have their offices entered into the consultation process and will not be allowed to go. More than 500 have already been informed of that as their areas have come up for consideration.

Therefore, it is important to clarify that, from the start of the programme, Postwatch has recognised that action was necessary to ensure the future survival of the network. It accepted that with too many post offices competing for the same customers in many urban areas, it would not be sensible to oppose every office closure where it was clear that customers would have reasonable access to alternative offices.

My hon. Friend has raised concerns about the distance to alternative offices. In common with the rest of the population, many elderly people and those with young families regularly travel a mile or more to access a wide range of services, including post office services. For example, people will travel to the high street or an out-of- town shopping centre to shop. I believe that people do that largely out of choice, and that is part of the challenge faced by the Post Office, which the restructuring of the urban network must address. Changes in post office provision at local level need not therefore increase car usage overall. For some of our most disadvantaged people, the distance to a post office will be academic, for they may be housebound or able to walk only a few yards. Those people's specific needs should be targeted. They should benefit from home helps and community transport initiatives. My hon. Friend asked about mobile post offices and the possibility of flexible arrangements; I am very interested in the points that she raised, and intend to talk to Post Office Ltd about the future for a viable network.

My hon. Friend said a great deal about the need for the post office network to accommodate the needs of our constituents. Among the performance and innovation unit's recommendations was the recommendation that if the Post Office decided that fewer offices were needed in some urban areas, the Government should consider providing funding to compensate sub-postmasters adequately for the loss of their business. Those men and women have worked hard and it is right that they should be treated fairly now, when the current level of business in the post office network can no longer support such a dense urban network.

In November 2002, following parliamentary approval of the funding, Post Office Ltd began its urban network reinvention programme. The network consists of around 16,000 post office branches, split almost evenly between urban and rural communities. That is more than all the banks and building societies in the country put together. Before the programme started, more than 1,000 urban sub-post offices had at least 10 other post offices within a mile. There is no longer enough business to sustain such a dense network in urban areas.

Over-provision has damaged the individual businesses of sub-postmasters. They have been finding it increasingly difficult to earn a reasonable income, and have been simply shutting up shop and leaving of their own accord. Such unmanaged closures are undoubtedly inconvenient to customers. They are also damaging to the company, and perpetuate the perception that the network is in decline.

We need the rationalisation that is under way because without it there will be unmanaged closures, either as a result of individual sub-postmasters deciding to shut or because Post Office Ltd is unable to attract a suitable replacement where an office has closed because the sub-postmaster has left. Without any action, big gaps would begin to open up in the network, and that is precisely what the current programme will be able to avoid.

My hon. Friend talked about the money that the Government have provided for the modernisation and adaptation of post offices that remain, and we shall continue to provide that money. She was very clear about the situation in her constituency, as have many Members in the numerous debates to which I have responded since taking responsibility for Royal Mail and the Post Office. The work of Postwatch, which my hon. Friend commended, is vital. It would be wrong for Government to intervene in every case. The House voted for commercial freedoms for Royal Mail and the Post Office, for the reasons I gave relating to the amount of money that they were losing. It would be wrong for us to interfere in that commercial aspect. Postwatch is there to protect the consumer's interests, supported by the work of Members of Parliament.

Mrs. Dean: Does my hon. Friend accept that innovative measures such as mobile post offices might need Government intervention, or at least a Government approach to and discussion with the Post Office? I thank him for what he said about the possibility of taking that up with the Post Office, but a bit more Government support might be needed. I feel, and I know Postwatch feels, that if mobile post offices are possible in rural areas they should be possible in urban areas.

Mr. Sutcliffe: Clearly, some of what has been done for the rural network may be applicable to the urban network, and we should examine that possibility. But, for the reasons we have given relating to the financial and commercial situation, it would be wrong to impose our will on a commercial interest. We must work with Postwatch and Postcomm to deal with the position in which Royal Mail and the Post Office find themselves, and find solutions that meet the requirements of the marketplace and consumers. The Government will be doing that very soon. I hope to be able to take a view on the many issues that Royal Mail faces, and I shall certainly discuss with it the question of a viable future network that is sufficiently flexible to meet consumers' and constituents' demands. I am sure that the Post Office, because of the support that it receives from the Government, will want to consider our suggestions.

I will look at the issues that my hon. Friend has raised, and I know that she has done as much as she can in raising them in the House. I know, too, that she supports the Government's position in trying to ensure that we have a viable post office network.

Question put and agreed to.

Adjourned accordingly at fifteen minutes to Seven o'clock.

Westminster Hall

Tuesday 12 October 2004

[MR. ROGER GALE *in the Chair*]

Public Telephones

Motion made, and Question proposed, That the sitting be now adjourned.—[*Gillian Merron.*]

9.30 am

Mr. Roger Williams (Brecon and Radnorshire) (LD): I am very pleased to have the opportunity to bring the matter of public telephones to the Minister's attention and to give him the chance to reply to a number of points. It is also a pleasure to see so many hon. Members here today; they obviously have the interests of their constituents at heart.

At the end of August, a constituent telephoned me—whether from a phone box I know not—to draw to my attention to the notice in a phone box in Ponfaen, a small village at the top of Honddu valley in the community of Merthyr Cynog in my constituency, indicating that British Telecom wished to close that facility unless objections were made. At the time, I thought it was an ad hoc proposal, but after further investigation it turns out that BT wishes substantially to restructure its payphones business. Indeed, BT proposes the closure of 33,000 of the 77,000 phone boxes throughout the country. By no means would it have been it a one-off closure.

As a result of that telephone call, I wrote to all the community councils in my constituency, telling them that BT might propose closing the public telephones in their areas and that they should participate in the consultation. I indicated that if they wanted to keep their payphones, it was essential that they make representations.

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): It is important to make clear that community councils, parish councils and planning authorities have an absolute veto over such closures. The message has to be got across that it is not one of those consultations that just goes into the ether. If the councils have objections and make them, those objections stand.

Mr. Williams: My hon. Friend makes a good point; I conveyed that to the community and town councils in my area. However, BT did not make it clear during the consultation.

Michael Fabricant (Lichfield) (Con): The hon. Gentleman may be aware that Ofcom is considering whether to remove that veto. Does he agree that if the veto were removed, it would be to the detriment of all our communities?

Mr. Williams: Yes; I thank the hon. Gentleman for making that point. Ofcom is going to look once more at the universal service obligation. This question comes round once every three or four years. Previously, Oftel was responsible, but the report that resulted from that consultation showed that only 17 people replied to it. I urge Ofcom, as Oftel has become, to ensure that consultation on alterations to the universal service obligation is much wider and more proactive. It would be a sad state of affairs if town and community councils, and parish councils in England, lost the ability to object, even if there were substance to their objections.

Mr. Paul Tyler (North Cornwall) (LD): I congratulate my hon. Friend on securing this important debate. As he rightly says, the review of the universal service obligation is critical. Does he not think it extraordinary that BT is pre-empting the review and pushing ahead with the decimation of the payphone network just as the review is taking place?

Mr. Williams: I thank my hon. Friend for that. It seems untimely that a major restructuring of the payphone business is being suggested at the same time as Ofcom is consulting on the future of the universal service obligation. If it is BT's intention to more than decimate its service, it might have been wise to wait until after the review. Some believe that people's ability to object may be limited.

The Minister for Energy and E-Commerce (Mr. Mike O'Brien): I am grateful to the hon. Gentleman for giving way. I think that Ofcom would find some of the things that have been said surprising. Although it is reviewing the public service obligation, it is not, as I understand it, considering removing the veto by local authorities.

Mr. Williams: I am very pleased to be reassured by the Minister on that point. However, I presume that the fact that the universal service obligation is to be reviewed means that everything is open. Certainly, we will be making representations on the basis that our power of veto will not be removed. In my constituency, some 114 for the 272 payphones are proposed for closure. I am concerned about BT's decision to remove such a substantial number of payphones not only from my constituency in Wales but throughout the country. Those phones can be essential, even life-saving.

Let me give an example; the economy of the Llanwrtyd Wells area in my constituency—which has no mobile phone coverage at all—is dependent on forestry. When a life-threatening accident took place there, it was only because the local people knew the location of a payphone box and were able to get to it quickly that they were able to summon an air ambulance to take the victim to hospital. That saved his life.

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale) (LD): I thank my hon. Friend for giving way, and congratulate him on securing this important debate. It seems that BT has failed to make a specific economic case against any individual kiosk, but it has blamed mobile phones for cutting the business from under its feet. Does my hon. Friend agree that one of the key issues is that mobile phone coverage in rural areas is extremely patchy and that emergency, life-saving phone calls must be allowed to continue? For that reason, the kiosks need to remain.

Mr. Williams: I thank my hon. Friend for making that point. I am sure that all of us who represent rural areas

[Mr. Williams]

will vouch for that experience. I do not consider that payphone boxes are the only solution to the problem; I am taking part in a campaign in my constituency to improve the coverage of mobile phones. However, that does not do away with the need for payphone boxes. One could argue that we do not need payphone boxes in town where mobile phone coverage is perfect, but we certainly do. Getting a good communication system depends on bringing together all the available technology.

Matthew Green (Ludlow) (LD): I thank my hon. Friend for giving way. Is not the economic argument that is used against many of our rural phone boxes the same as that used for the lack of improvement to mobile phone coverage? Providers are saying that they cannot be bothered to go into rural areas because it does not make them enough money. They must accept that rural areas need to have a service delivered one way or another.

Mr. Williams: My hon. Friend shares a constituency boundary with me in the Teme valley, a very remote area. Sometimes, in winter, it is entirely cut off from vehicular traffic. A sound communication system, using all the technologies that are available, is essential for people living in such areas; that is one of the issues that I shall come on to. Everybody expects a good communication system, and without one we will not be able to encourage young people to make their homes in such areas and to work there.

Andrew George (St. Ives) (LD): Will my hon. Friend give way?

Mr. Williams: I will, although I hope to return to the first page of my remarks soon.

Andrew George: I am grateful to my hon. Friend, and I am sure that we will allow him to make progress. It is not simply a question of offering a choice of a variety of services. In Cornwall, we are about to lose up to 200 of 1,000 payphone boxes. That will have a significant impact. In the remote rural areas in my constituency, including the Isles of Scilly, a lot of those boxes are used by people who have no choice. They do not have mobile phones and they do not have phones at home. Social policy should be the justification for keeping them.

Mr. Williams: My hon. Friend is right. He brings his great experience of island dwellers—something that I do not have—to the debate. As he says, public telephone boxes were put under a universal service obligation at the time of privatisation because it was anticipated that not everybody would have a land-line, but thought that everybody should have access to communications. A number of people either do not have land-lines or have land-lines on systems that are not sound, which often break down. Our experience is that it now takes longer than ever to get BT to undertake those repairs.

I want to bring to the Minister's attention the fact that payboxes are used by up to 8,000 children a year to call abuse lines. Those children do not want to use the telephones in their homes because they are concerned that they will be overheard or that their parents, or whoever may be abusing them, could trace those calls. That is another reason why there should be access to public call boxes.

People who live in rural areas believe that they are losing services. It is an incremental process, but the quality of their lives is getting lower. There is no incentive to encourage people to stay in rural areas and find work or create jobs and employment if they do not have a good communications system. Often, people who have made money in other areas come to rural areas and, with the wealth that they have generated elsewhere, access services that are outside the means of local people. To take away payphone boxes would be another example of that problem. As a responsible company that is bound by the universal service imperative, BT has every obligation to ensure that that does not happen when it considers removing its payphones.

I have met and talked extensively with BT and have brought representatives of community councils from my constituency to talk to BT, and representatives of other local authorities. So far, I have no reason to doubt BT's intention to make the consultation exercise a genuine one. BT has made it clear to me that if objections are received through the local planning authority, it will have no alternative but to keep the relevant payphones open. That point has been raised by other Members, but has not been made clear.

I know that there has been a problem in national parks, although I have yet to check with my national park whether—

Mr. Adrian Flook (Taunton) (Con): I am grateful to the hon. Gentleman for giving way.

I was fortunate enough to be able to advise local parishes and planning authorities in my part of Somerset of their right of veto, which we heard about earlier, and thereby save 21 boxes. Is the hon. Gentleman aware that the Exmoor national park authority was not notified of that process by British Telecom because BT did not recognise it as a local planning authority? That is quite amazing. Does the hon. Gentleman agree that it would have been better if BT had been aware of how its own consultation process works?

Mr. Williams: I thank the hon. Gentleman for raising that point, which he raised with me before the debate. I did not check the situation with my national park authority, although I understand that all objections should go through the planning department of Powys county council. I am pleased that the hon. Gentleman has secured the retention of 21 payphones in his constituency.

I have information that although Members of Parliament were all consulted on this matter, Assembly Members were not individually consulted. Perhaps BT does not recognise the existence of national parks or the Welsh Assembly. I have raised this matter with BT and it has now had meetings with representatives of the National Assembly for Wales; it has rectified the problem, albeit at a late stage in the consultation.

The universal service obligation was imposed on BT in 1984 as a means of ensuring that the monopoly that the company enjoyed at the time of privatisation and the imminent commercial benefits of privatisation were balanced with a number of the responsibilities that BT had held as a state-owned company. One of those responsibilities was to provide a certain amount of payphone coverage throughout the country as an alternative to land-lines.

BT is still by far the largest provider of land-lines in the UK, and it is only right that that monopoly should be accompanied by a certain degree of corporate responsibility. However, the changing nature of the telecoms industry since privatisation and the huge surge in mobile phone usage over the past five years have affected the profitability of payphones and rendered certain aspects of BT's obligation unsustainable.

BT Payphones is a wholly independent subsidiary of the BT group, responsible for its own budgets and revenue flows and, we are told, unable to seek subsidies from other more successful subsidiaries of the business. I am not sure whether that is the case; perhaps the Minister can help us by explaining that in relation to competition policy. BT Payphones are already cross-subsiding some of the loss-making payphones with the more profitable ones. However, the losses are such that BT predicts that if nothing is done to restructure the business, the whole BT payphone network could be at risk. BT has made that claim, and I take it in good faith, but perhaps the Minister could address the issue. Such a situation would not be in anyone's interests, and it is imperative that something be done to redress the balance of responsibilities, should BT's dire warnings prove substantial.

The universal service obligation is reviewed every three to five years, to take account of the changing nature of the market. Within the next month or so, Ofcom will launch its first review. The last was carried out by Oftel, and few people responded to the consultation. Ofcom is likely to take into consideration the distortion to the payphone market created by mobile phone technology. Although it is impossible to pre-empt the outcome of the consultation, it is not unreasonable to expect the rules and regulations to be somewhat relaxed to save the company and its finances.

As the regulations now stand, BT is entitled to remove any payphone where there is another within 100 m. If, as is often the case in rural communities, there is no other payphone within 10 miles, let alone 100 m, BT has to alert the local authorities and consult the public by placing a notice in the payphone. As we know, people have a period of time in which to object, and any objections that go through the local planning authority are a veto on the closure.

In our case, consultation was taken through August. I made representations to BT and the period was extended into September, because even the most active local authorities are sometimes not in a position to carry out the consultation and make representations. The veto achieved by residents and local authorities may be good news in the short term, but it is not a sustainable result in the long term. The local communities in most need of the services, such as those in the very rural areas, stand at the most risk of losing their public call box in the long run.

Objections lodged to local authorities because the payphone provides good shelter during a thunderstorm or lights up the centre of the village are not reasonable grounds for keeping payphones open. They do nothing to substantiate the sound objections of those communities that depend on the facilities.

I am concerned that the massive closures are being considered just before the Ofcom consultation has been covered. If, as a result of this or future consultations, rules and regulations surrounding the universal service obligations are relaxed—that is likely to be the case—local communities could stand to lose the payphones that they so badly need.

BT can do more to have dialogues with local authorities, not only at the time of proposed closures, but in the interregnum periods, to find out ways in which such services can be maintained. Local authorities are already looking for ways in which they can keep post offices open, but payphone facilities should also be included. Many local residents groups and community councils in Wales already take it upon themselves to clean and maintain local payphones and it is likely that many local authorities would welcome the opportunity of added responsibilities if they valued the presence of payphones themselves. That would obviously be something that local authorities would have to take into consideration and they would also have to understand the costs involved. It is not for us to indicate what responsibilities local authorities might wish to take on, but this is an opportunity for us to ensure that local authorities have the necessary powers.

Andrew George: What my hon. Friend has not explained so far is that local authorities cannot, at this stage, argue with BT with regard to its policy and the reason why that policy undermines the viability of the boxes themselves. The minimum charge is 30p and often people without any change have a lot of coinage swallowed up. It is an expensive option and a lot of people lose a lot of money trying to use phone boxes, as I discovered recently on St. Agnes on the Isles of Scilly. Local authorities cannot properly engage with BT's policy and the expensive nature of the service.

Mr. Williams: I thank my hon. Friend for raising that point. It reinforces the point that I am making to the Minister, which is that BT should be in consultation with local authorities and the Local Government Association on these matters. My information is that BT has not consulted as fully as it could with local authorities or local authority associations. The process would be of benefit to BT and would indicate how local authorities see the opportunities for making the service more substantial and more sustainable.

As I understand it, the working partnerships or subsidies by local authorities are currently illegal under privatisation legislation. It is essential that the Government look again at legislation surrounding competition law to allow those sustainable partnerships to take place. A partnership could take many forms and it is not up to me today to indicate what form it would take. That is best determined at local level. For instance, local authorities could explore the option of paying BT a fixed rental to cover the cost of the network. BT could enter into any number of arrangements with local authorities.

[Mr. Williams]

My reservation, as far as BT Payphones is concerned, is not that BT is being unreasonable in wanting to restructure its business, run a successful company and be responsible to its shareholders in a loss-making market. My grievances are that, as a business that prides itself on innovation, BT has been particularly lacking in innovation when it comes to finding solutions to this problem. It embarked on a programme of draconian action, decreeing that it was going to cut the payphone network by almost half in terms of the existing coverage, without exploring any options on a more local level to show its willingness to sustain this vital service and honour its duty under the universal service obligation.

BT has made little or no attempt to contact local government associations, which are ideally placed to identify which options would be most keenly supported by certain authorities. Nor did it make any effort, for the purpose of finding a workable solution, to contact district and borough councils, which dispose of the kind of funding that would realistically be needed to undertake such partnerships. Such a partnership would tie in particularly well with the functions of local authorities in promoting tourism in their area. In future, BT should therefore be urged to explore such options with local authorities and appropriate bodies before it makes planned closures.

My purpose today is to ensure that rural areas have viable communication systems. As in towns, some of that system will be provided by public call boxes, some by mobile phones and some by land-lines. The elimination of public call boxes will lead to social exclusion, danger to residents and visitors alike, and to large swathes of the countryside becoming less attractive places for young people to work and set up home. Certainty about the continuation of land-line provision would be beneficial, because if payphones are being undermined by changes in the universal service obligation, a number of us are concerned about the long-term effect of that on the provision of land-lines to very remote rural areas. Being certain about land-line provision, and an improvement in mobile phone coverage, would contribute to the provision of a satisfactory communication system.

I hope that the Government will use their influence to encourage mobile phone operators to extend their coverage and work with local authorities—especially in national parks—to identify safe and satisfactory sites for relay masts. Even with all the profitable avenues explored, the market will eventually fail to maintain phone boxes that are vital to vulnerable communities.

The universal service obligation is currently being carried by BT Payphones cross-subsidising their socially important boxes from those situated in more densely populated areas. At the moment it is illegal for local authorities to support that infrastructure because at the time of privatisation it was seen as unfair to any competition. That point no longer stands; no new public call boxes are springing up in rural areas.

The problem is to maintain the really important phone boxes as part of an overall system that includes land-lines and mobiles. The way forward is to encourage private and public partnerships, in which the private sector provides technology and the public sector integrates services such as cash collection by means of existing employees. In order to allow this vital public service to continue to serve the community, I call on the Government to use their powers to allow such partnerships to flourish.

Mr. Roger Gale (in the Chair): Order. I intend, as is customary, to call for the winding-up speeches at 10.30. Six hon. Members have indicated that they wish to speak, and hon. Members can do their own sums. If each Member speaks for roughly five minutes, everyone who wishes to speak will be called.

9.56 am

Sir John Stanley (Tonbridge and Malling) (Con): I thank the hon. Member for Brecon and Radnorshire (Mr. Williams) for initiating this important debate. I was first alerted to the fact that BT was engaged in a major national cull of public payphone boxes by the good people of Edenbridge in my constituency, where the town positively erupted on BT's disclosure that it was going to try to remove approximately one third—four out of 13—of the payphones from that town. I took up the issue with the chief executive of BT and he gave me an extremely interesting—and what I found to be an extraordinary—reply:

> "If the local community and council still feel that the retention of the payphones is an issue, we could offer to keep them where they are, however we would need some contribution from a third party."

Mr. Ben Verwaayan, in this letter to me of 12 July, made no reference whatever to the supposed veto in the consultation. He was advancing a policy on behalf of BT that amounted to "Pay up or lose it".

Mr. Verwaayan went on to quote BT's prices, call box by call box, for allowing us to keep our payphones in Edenbridge. The cheapest was £311 a year and the most expensive was £1,284 a year. Quite how Mr. Verwaayan made his calculations was never revealed, but I have to say that I found that an extraordinary policy from a company that is supposedly under a public service obligation.

The pay-up-or-lose-it policy did not appear to endure long within BT because a matter of hours before I was due to appear on national television to discuss the issue, the director of BT Payphones, Mr. Paul Hendron, came pounding round to see me in the House of Commons and offered me a completely different proposition. As the two local authorities concerned—Sevenoaks district council and Edenbridge town council—had objected, he proposed that he would not override their objections and said that the payphones could remain. I asked him to repeat that assurance. He did. I asked him to repeat it again. He did, and I hold BT to the triple assurance that I have been given.

It may interest hon. Members to learn that Mr. Hendron proved to be very informative about the situation in my constituency. I did not know how many payphones BT had. He told me that there were 120 in my constituency. I certainly did not know how many, in BT's view, were making losses. He told me that 44 payphones—about one third—were. He then gave me an interesting computer-printed, payphone-by-payphone schedule of those 44, which BT had divided into two categories. One category was headed "Social" and included 29 payphones, all of which were making losses. BT said that it would keep them for the time being. The other category was headed "Removals" and listed the other 15 of the 44 loss-making payphones, all of which BT was trying to remove. It was illuminating information, and I have sent it to all the local authorities.

The problem that I, the hon. Member for Brecon and Radnorshire and other hon. Members face in our constituencies reflects the national policy issue, which is whether there should continue to be a national system of public payphones. Ultimately, it is a matter not for Ofcom but for the Secretary of State for Trade and Industry. I put this central issue to the Secretary of State on 12 August, when I asked:

> "please could you tell me whether or not it is the Government's policy that there should continue to be a comprehensive network of public payphones available in Britain. If so, please tell me what action the Government will take to ensure this."

The response I received from the Secretary of State was totally inadequate. On 27 August, she replied that she was sorry to hear of my concerns and that the matters raised were the responsibility of the Office of Communications, Ofcom, as the independent regulator acting under the terms of the Office of Communications Act 2002 and the Communications Act 2003. That was a total abdication of responsibility. It is time that the Government came clean about whether their policy is that there should continue to be a national system of public payphones. I expect the Minister in response to this debate to come clean on that fundamental point of Government policy.

10.2 am

Mr. Alan Reid (Argyll and Bute) (LD): I congratulate my hon. Friend the Member for Brecon and Radnorshire (Mr. Williams) on securing this important debate.

Despite the fall in usage, largely due to mobile phones, payphones are still widely used. In many rural areas such as my constituency, mobile phone reception is patchy and access to a payphone in an emergency is still important. I emphasise the point made by my hon. Friend that children who need to make a call without their parents knowing often use a payphone. ChildLine notes that many of the calls that it receives from the victims of child abuse are made from payphones. Payphones are still important, and as with many emergency services, we appreciate payphones only when we need them.

BT wants to remove 52 payphones from my constituency, and the Kintyre peninsula seems to have been singled out for particular attention. If BT gets its way, there will be no payphone on the A83 down the west side of the peninsula between the village of Muasdale and the town of Campbeltown, a distance of 15 miles. Glenbarr, Bellochantuy, Tangy and Kilkenzie will all be left without a payphone. On the east side of the peninsula, if BT gets its way, there will be no payphone on the 11-mile stretch of road between Peninver and Carradale. The villages of Saddell and Torrisdale are to lose their payphones, and that will leave drivers who break down with a long walk, as mobile phone reception in that area is poor.

BT makes the points that payphone usage has declined and that the payphones on its hitlist are making losses. It is important to note, however, that BT has a universal service obligation and that its shareholders knew this when they bought shares in the company. They went into it with their eyes open.

The veto held by local planning authorities and community and parish councils is important. I was pleased to hear the Minister's intervention, and I hope that in his winding-up speech he will provide an absolute assurance that the veto will remain when Ofcom reviews the communications industry later this year.

I note from BT's correspondence that it claims that the Competition Act 1998 means that its payphone business as a whole must break even so that users of busy payphones subsidise users of little-used ones. However, Ofcom's direction designates BT as the universal service provider, not BT Payphones, which makes BT's insistence that BT Payphones cannot be subsidised from the rest of the BT business a little dubious. Ofcom should investigate BT's claim during the review, and I hope that the outcome will be that BT can subsidise its payphone business from the rest of its business.

It is vital that a council's right of veto remains. By the process that Ofcom has put in place for objections to the removal of payphones, notices are posted on payphones giving a 42-day notice period for users to send an objection to the local council. However, the same 42-day notice period also applies for the council to submit an objection to BT. That clearly gives the council no time to consider objections that the public make. We need two notice periods; the first in which users can object to the council, followed by a further period in which the council can consider those objections and put in a submission to BT.

In my area, BT seems to have found difficulties identifying which community councils have been affected. Ofcom's order allows BT to ask the local planning authority to forward the notice to the community council, but there is an important question; when does the 42-day period start? In my area, BT voluntarily extended the consultation period, but it should be made clear in the rules that the period should start when the community council actually receives the notice from BT.

The right of community and parish councils to veto the removal of the last payphone is a vital safeguard, otherwise large swathes of rural Britain will be left without a payphone, with dire consequences in an emergency.

10.7 am

Mr. Robert Key (Salisbury) (Con): I congratulate the hon. Member for Brecon and Radnorshire (Mr. Williams) on his good fortune in the ballot, which secured this debate. In my constituency, there are more than 100 villages outside Salisbury, and 181 payphones. I was notified by British Telecom on 21 June that it planned to remove 23 telephones, that it would maintain 124 profitable ones and that it was prepared to keep 34 loss-making ones.

So far, the debate has been rather unfair to BT, and I shall say why I think that that is the case before suggesting what the challenge really is. The consultation undertaken by BT as a universal service provider was

[Mr. Robert Key]

exemplary, and there is no question but that it fulfilled its obligation to ensure that all the local planning authorities and parish councils were aware of what was proposed. However, the statistics are revealing, and when I went through the figures with which BT provided me, I realised that there was a problem. Among the telephones that BT proposed to remove, several were in areas where one could not get the alternative mobile service. That is the real problem. I wrote to the head of public and parliamentary affairs on 1 July, but when I received a response 11 weeks later my question on that particular conundrum was not answered.

It is fair enough to point out that the public service obligation should be met more widely than by BT alone. Of course it is true that when it took up the challenge and was privatised, BT was all that there was. Now there is a complete change in communications, and the mobile industry is coming forward. For obvious commercial reasons, the mobile industry does not want to have a public service obligation, and who can blame it? But that means that someone must decide whether we really want to have available a universal service of some sort. That all comes down to who will pay the subsidy; that is the bottom line. It is not entirely fair to blame BT for that.

Malcolm Bruce (Gordon) (LD): The hon. Gentleman is making an important point, but does there have to be a subsidy? Someone travelling outside the UK can access any service provider on their roaming service, but in the UK we have the frustration of being told that there is a signal but we are not allowed to access it because of an exclusive contract. Should not Ofcom review that?

Mr. Key: Of course it should. It is important that it does. That is an option, but who should actually pay? It is all very well saying, as BT does, that there are all sorts of other things, such as advertising. Frankly, that is not a realistic proposition. On any day, only three people and 65 cows will walk past an advertisement on a phone box in Alvediston.

Local people might subsidise the service through the council tax, but the maintenance costs are substantial. BT gave me the service costs of the boxes, and I was surprised at the expense involved. The average cost of maintaining a payphone is £1,650 a year. That is a substantial sum if one has only a few pence a day. I am sure that the situation is not quite as bad as in the old days of pressing buttons A and B and a large copper penny going in—clunk—but it is an expensive proposition.

Perhaps the Government should subsidise payphones as a public service. They will ask why they should. Perhaps there should be premium rates, but why should people in rural areas have to pay two or three times as much per call, particularly at a time when BT has been reducing the actual call cost, extending the time available—its preferred policy—or advertising? This is a real problem, and the Government have an opportunity to encourage Ofcom to think more radically than it has.

I am grateful for the opportunity to speak in this debate. I do not want to hog the floor, as many other people wish to speak. My main point is that we should not just blame BT. The problem exists because of technological change, and Ofcom must come up with some imaginative proposals for the Government to review and come to a conclusion on. That is the right way forward if we are to ensure that there is universal provision. It is a great irony, at a time when international as well as national communications have never been more available to people, that there is a real problem of who will pay for the parts of the United Kingdom that have a sparse population and are, therefore, an unattractive commercial proposition.

10.12 am

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): I very much welcome this debate and congratulate my hon. Friend the Member for Brecon and Radnorshire (Mr. Williams) on securing it. It has highlighted an important issue. Like him, I expect many phone box closures in my constituency. BT has proposed closing more than one third of them—39 phone boxes. On one 25-mile stretch of road from Alford to the Lecht, it wants to reduce the number of phone boxes from eight to one. I wonder whether it has taken into account in its modelling the knock-on effect of closing the one next door, or does it look at each one in isolation in the current network? That is an important aspect that it needs carefully to consider.

As I said in an intervention, it is important to get across the message in respect of the veto that community councils and planning authorities have. Many constituents meet me in the street and tell me that they object to a phone box going, or to BT reneging on and changing its mind about what they thought was an implicit promise at privatisation that the network would be maintained, but they ask, "What is the point of writing?" The point is that if they write to their community council and if the community council represents their views, the phone box will not close. As it is a rare consultation in which it is still the case that objections are absolute if they come through the right means, this debate is very important in highlighting to people that that veto exists. In Scotland, particularly, the fact that the deadline has been extended to 22 October gives people the chance to get their objections in now that the cycle of meetings is back on.

The fundamental part of this debate is the conundrum that although in a sparsely populated area a phone box will be more difficult to maintain and there will be fewer users, it is in the sparsely populated area that a phone box is more of a lifeline. The fact that it is not economic does not reduce its lifeline potential. As has been said, it is important to take into account the lack of mobile phone coverage and the fact that many people use pay-as-you-go mobile phones. In an emergency, if they have run out of pay-as-you-go, there is the phone box.

The stretch of road that I mentioned leads to a ski resort. In bad weather in the winter, it is important to have a safety net.

Matthew Green: An important point about safety is that the Ordnance Survey maps used by hill walkers show where payphones are. Most people will use the same maps over the next five to 10 years—they do not buy maps that frequently—and if a lot of phone boxes are removed, they may well go down a hillside to what they believe is the nearest box and discover that there are none there. That could lead to people losing their lives.

Sir Robert Smith: That is an extremely important point. To be fair, I think that BT contacted Members in Scotland during the consultation to let us know, but the local authorities feel aggrieved at how they were approached. They were not approached formally, through the chief executive, and had to spend ages trying to decipher and make usable the maps with which they were provided. Although Ordnance Survey maps might have payphones marked on them, my local authority felt that the BT maps were not up to scratch.

One of the questions addressed in the question and answer sheet that was provided to community councils was:

> "Will you be maintaining payphones where there is poor mobile coverage?"

BT's response was:

> "Whilst we are currently working with mobile operators to improve their coverage, we cannot be held responsible for their blackspot areas."

However, BT can be held responsible for finding out where those areas are and, from that, identifying which phone boxes provide a vital function in filling that blackspot. That is an important part of the feedback loop.

I finish by reinforcing the point that the hon. Member for Salisbury (Mr. Key) made about going forward with the USO and hearing the Government's plan to protect such a vital network. In the case of post offices, the Government have had to intervene to protect rural areas. There is a concern that rural areas are being neglected. Almost by definition, the USO exists because people are not confident that the market will provide the service. On the whole the USO will have to be paid for and it is important that we should pin that down. I am slightly concerned that we are using the average cost of a phone box. Presumably the marginal cost is crucial, because there will be overheads whether or not there are a lot of phone boxes in urban areas. In the consultation by Ofcom, it is important that we remember the implicit promise both that universal services would still be protected when markets were brought to bear and that rural areas in particular would be protected from the damage of competition.

Richard Younger-Ross (Teignbridge) (LD): Briefly, does my hon. Friend agree that the industry, rather than the taxpayer, should bear the costs?

Sir Robert Smith: That is a question that is still to be considered. In the end, the costs have to be paid. In some universal services the taxpayer picks up the cost, but in other cases, such as energy, the user gets the universal service through cross-subsidy. There is probably a serious debate to be had on whether the cross-subsidising unit is too small. Is it wrong that the phone boxes are cross-subsidising? Since the industry was privatised and there was meant to be a burden on one player, perhaps all the players operating in the market could be levied to ensure that the universal service is maintained, as in the potential legislation on the postal service. However, it is extremely important to establish in the consultation that rural areas deserve to be connected to the rest of the United Kingdom and that the universal service must be protected.

10.18 am

Mr. Peter Atkinson (Hexham) (Con): I add my congratulations to the hon. Member for Brecon and Radnorshire (Mr. Williams) on bringing forward this important debate. It is particularly relevant to my constituency, which is one of the most sparsely populated in England, and to the north-east of England as a whole, where some 700 phone boxes are threatened by BT. However, I support what my hon. Friend the Member for Salisbury (Mr. Key) said: we are not here to attack BT all the time. BT inherited a legacy, but technological change has made that legacy hard to maintain. It is right that we should address our comments not only to the Minister—there has to be Government direction—but to Ofcom, because it is up to Ofcom to come up with a proper solution.

The hon. Member for West Aberdeenshire and Kincardine (Sir Robert Smith) talked about the significance of public call boxes in rural areas. Like him, I am concerned that the boxes that are being targeted in my constituency are situated where there is no mobile phone coverage at all. It is utterly wrong that all forms of telecommunication should be removed from those areas.

Part of the solution lies with mobile phone coverage. Parts of some substantial communities in my constituency still have no mobile phone coverage because the mobile phone companies argue that there is not enough revenue from them. The companies generally do not want the expense of putting up masts, although some do, and that is the irritating thing. For instance, when the disastrous foot and mouth epidemic hit my constituency—particularly in the part of it in which mobile phone and, indeed, television coverage is very poor—I noticed that some vets and Ministry officials had three mobile phones, because if they could not get reception on O2, they might get it on Orange and if they could not get it on Orange, they might get it on Vodafone. It seems to me that one of the keys to solving that problem is giving our mobile phones the ability to roam as they do abroad. That would extend the coverage of mobile phones hugely.

The Minister has a responsibility to crack the problem. The veto that community councils have about the removal of phone boxes, while existing, will in reality become complete nonsense. It will not be possible for a community council to say no to the removal of a hugely loss-making service. It defies belief that a community council will be able to maintain that power. So we need new solutions and the matter requires the intervention of the Minister. It requires Ofcom to come up with some imaginative solutions about the future.

10.21 am

Lembit Öpik (Montgomeryshire) (LD): I congratulate my hon. Friend the Member for Brecon and Radnorshire (Mr. Williams) on making what was undoubtedly the best speech about public telephones that I have ever heard in this Chamber.

I will talk specifically about my constituency, because my hon. Friend made the points about Wales as a whole. Montgomeryshire stands to lose 91 of its 210

[Lembit Öpik]

payphones—more than one third of the network. I acknowledge that BT faces great financial pressures with regard to those payphones and that the advance of mobile phone technology has had a negative impact on public payphone usage. However, to use that as a justification for eliminating public payphone provision in parts of Montgomeryshire would be like the Royal Mail cutting some of its rural postal deliveries on the basis that many people use e-mail and so do not need a postal service anymore.

Therefore, I ask that BT be sensitive to the peculiarities of our, and other, rural regions. Under current plans, Powys and Montgomeryshire will lose more phone boxes than any other region in Wales. As much of Montgomeryshire is not covered by mobile phone networks, it seems clear that those regions have a particular need to maintain phone boxes.

As we heard, public payphones are a vital means of contact in cases of emergency. In fact, when I had what nearly amounted to a fatal accident in 1998, it was in an area with no mobile phone reception, so it was a close call. Had the accident been any worse, my chances of survival would have been so marginal that a payphone could have made the difference between life and death. Therefore, I speak from experience.

On some routes in Powys, it is possible to travel for 20 miles without a usable phone signal. The removal of public payphones will create communication black holes in Montgomeryshire that are beyond the range of mobile phones. In my judgment, and from my experience, that will inevitably lead to some loss of life—though not in large numbers—and definite suffering in emergency situations. I do not think that those blind spots are acceptable.

The good news is that British Telecom does not find those blind spots acceptable either. It commented recently that:

"the Provision of Service guidelines indicate that we provide public telephone service to any member of a community who does not have access to a landline or mobile telephone".

In that respect, much of Montgomeryshire—indeed, much of mid-Wales—must qualify. I hope that BT will take that into consideration.

In fact, there is a case for increasing the number of phone boxes, not reducing it. I will be satisfied if BT maintains the number of call boxes in areas where mobile phone coverage is poor or non-existent. Naturally, BT will cite economic reasons for the reduction. I was interested in what my hon. Friend the Member for Argyll and Bute (Mr. Reid) said about whether it is the payphone part of the company, or BT as a whole, that needs to break even. We have been told that it is the payphone side. Will the Minister clarify which is the case?

I have received many letters of protest about BT's plans from councils such as Penybontfawr community council, Machynlleth town council and Cadfarch community council. Particular representations have been made about the removal of the phone kiosk facility in Hirnant. It is a small community set in a deep narrow valley and there is no hope of getting mobile phone coverage in that area. If the BT payphone is removed, there will be no access to a payphone for a minimum of two and a half miles in any direction. Llanfihangel residents consider their phone box a lifeline, again, because there is no mobile phone coverage. Those examples are typical throughout my constituency.

My hon. Friend the Member for Brecon and Radnorshire highlighted the importance of payphones for child protection. Even when there are mobile phone signals, one must accept that the payphone is sometimes a lifeline between children in need and those who can help them.

Ultimately, the problem is that a private company is charged with providing what is, in essence, a public service. Our task is to reconcile BT's financial needs with the provision of adequate communications coverage for the people of Montgomeryshire. However, I thank BT for attending a useful meeting with my hon. Friend and me on 15 October, in which we were reassured that reasonable objections to payphone closures will be taken seriously and will trigger reconsideration. We were also told that BT will not remove any payphone without the agreement of the local council. We hope that BT will stick to its word.

I seek from the Government progressive debate with all the stakeholders. BT has a long-established reputation in Montgomeryshire, and the local community is generally supportive of the firm's activities in mid-Wales. So far, BT has been responsive to our questions and points, for which I thank it again. If it interacts closely with local communities in my constituency, as it has said it would, I am sure that the issue can be resolved happily. All I ask is that the Minister assures us that, if there is an impasse, or if I and other right hon. and hon. Members have serious concerns, he will be willing to hold discussions that seek to resolve those issues in the interests of the local community.

10.27 am

Malcolm Bruce (Gordon) (LD): I, too, congratulate my hon. Friend the Member for Brecon and Radnorshire (Mr. Williams.) The number and range of speeches have shown that this is a very live issue that is causing much concern, although, to be honest, I am somewhat surprised by the lack of participation of Labour Members, apart from the Minister. I cannot believe that not one of the 400-odd Labour Members is concerned about their phone box closures. For those who have expressed concern, there are several key issues.

In my case, BT and the local manager informed me before the notices went out that the consultation was about to begin. To be fair, whatever the criticisms about what is proposed, BT has gone through the process fairly well, although I do not believe that it widely advertised the right of veto, which would have seriously undermined its objectives and is a right that people should be aware of. In some cases, there probably will be no objection. One constituent phoned me to say, "Thank God they are finally closing that phone box. It is continually being vandalised and is a target for all sorts of other problems." Some closures will therefore be acceptable, but others will cause considerable concern.

Some of BT's arguments are a little disturbing. The first and most obvious argument relates to the development of mobile phones and the implication that, as most people have a mobile phone, it is reasonable to review the provision of public phone boxes. As has been said, the irony is that BT is removing most of the boxes from rural areas where mobile phone coverage is weakest, which destroys the validity of that argument.

I do not believe that roaming resolves the issue, but it is a central point in any case. The protection of the exclusive contract has run its course, whatever the original justification for it. I understand that Ofcom is reviewing it. Given that most people have used roaming outside the United Kingdom, they will become more and more irritated by their inability to access roaming in the UK. Ofcom should address that issue. I would be interested to know if the Government have a particular view on the issue, which is important.

Another issue is that of emergency calls. BT says that only 7 per cent. of 999 calls come from phone boxes. I do not know how many 999 calls there are, but I suspect that 7 per cent. of a large number is still a large number. It could also be a matter of life and death. Are we saying that, for commercial reasons, 7 per cent. of the population can die in an emergency? That cannot be acceptable.

Something that falls short of a 999 emergency, such as a car breakdown or a missed rendezvous, is a personal emergency. It is an embarrassment, or a cause of confusion. People will worry and the person concerned will want to make contact. One would not dial 999 to say, "Can you tell my mother I've missed the bus?" It is not a 999 issue, but it is important for a mother waiting for a 14-year-old girl. That is when call boxes are really useful.

British Telecom acknowledges that the biggest users of public payphones are in the 14 to 24 age group—the most vulnerable people. Those telephones are also used by callers to ChildLine, for all kinds of reasons, in urban as well as in rural areas. Of course, it cannot be argued that every phone box must be protected just in case a child is about to be abused in the neighbourhood. However, removal seems a matter of real concern.

My hon. Friend the Member for Ludlow (Matthew Green) made an important point about Ordnance Survey maps. The marking of important services on those maps is part of a long and hallowed tradition. That is not to argue that, because something is on an Ordnance Survey map, it must never be removed, but, particularly in rural areas where people are walking, hiking or travelling in other ways, the comprehensive withdrawal of the services in question, as opposed to the occasional withdrawal and the warning that goes with it, destroys the value of such maps.

Mr. David Heath (Somerton and Frome) (LD): If one starts from the premise that what is needed is a publicly accessible emergency communication system across rural areas—setting aside the commercial considerations—one will start with a map not entirely dissimilar from the present one. If we take a social view of the importance of local phone boxes, we start from the right premise. If we take a commercial view, we start from the wrong premise.

Malcolm Bruce: That is a fair intervention, provided that we add the rider that we mean not only 999 emergencies, but the others that I have identified. My understanding is that BT has said that it could replace call boxes with emergency telephone provision for 999 services. That would be preferable to nothing at all, and would meet the needs of walkers in emergencies, but would not meet the less-than-emergency but still urgent need for call boxes.

The question is: who pays? BT has said that provision should be contained within its call box structure. I understand that there is no legal requirement for that. If the Minister has a view, it will be helpful to know. There is an argument that the industry, including providers besides BT, should be involved, not least because companies whose ambitious, grandiose plans for providing public call boxes all over the country were never fulfilled have left BT as the overwhelmingly major provider. Outside Hull, 1,400 boxes out of 140,000 are provided by someone other than BT.

BT is at present thinking about removing 10,000 of its 138,000 call boxes. As far as I can see, the cuts are pretty evenly distributed. I was interested that every constituency example was remarkably similar. From a Scottish Parliament briefing that I received, I find that, if BT has its way, 10,000 will be removed across Britain. Funnily enough, 1,000 will be removed from Scotland. It so happens that we have 10 per cent. of the population. However, we have 40 per cent. of the land area. The question arises whether the criterion should be where the phone boxes are or where the people are.

There is something not quite right about the approach that is being used. It does not ring true as a genuine call box by call box review. It looks more like an approach based on the need to get rid of 10 per cent. and on finding out where the loss-makers are. The approach to the issue cannot be about profitability. BT has acknowledged that by announcing how many unprofitable boxes it proposes to keep. This is a matter of accessibility.

It may be that some remote call boxes are used only rarely, but that the circumstances of their use make them a vital lifeline. I know of many instances, although this is no comfort to BT, of people using phone boxes in a way that does not generate revenue. It is standard practice in rural parts of my constituency for a child who gets off a bus at the end of the road a mile or two from the farm to phone, let the phone ring three times and hang up. That means, "Mum, I'm waiting for you to pick me up at the phone box." That is an important service. It is not profitable to BT but its withdrawal would cause problems.

Lembit Öpik: I still do that now.

Malcolm Bruce: Frankly, that does not surprise me. One of my constituents even conducted an entire Open university distance learning course from his local phone box. He has now managed to secure that box as a piece of personal heritage from BT, which has been very co-operative.

The spirit in which the debate has been conducted demonstrates genuine concerns and issues. It acknowledges that BT is not being completely philistine and hard-headed about the matter, but recognises that we are not where we should be. The general appeal that I make is for BT to back off just now, to recognise that this is a serious issue, to ask Ofcom to think a little more about the universal service obligation, to deal with the

[Malcolm Bruce]

roaming issue—although that does not resolve the matter—and to return to the scheme when people feel that there is cause for rationalisation. My hon. Friends the Members for Argyll and Bute (Mr. Reid) and for West Aberdeenshire and Kincardine (Sir Robert Smith) described specific problems in their areas. Logic tells us that there might be a case for moving every third box if it has very low use, but there is no logic in leaving 11 or 15 miles of road with no box at all.

My hon. Friend the Member for West Aberdeenshire and Kincardine and I share one such area. The most celebrated phone box in Aberdeenshire at the moment, for reasons of local campaigning, is at the Kildrummy inn. That used to be in Gordon, is currently in West Aberdeenshire and, thanks to the boundary commission, is returning to Gordon. That makes it a very fought-over and fought-for phone box. The serious point is that it is on the road that leads up to the ski resort. There are boxes every two or three miles, but the proposal is to remove most of them. Logic dictates that there might be a compromise, by which one or two would be removed and two or three kept.

We urge BT to back off and to recognise that the concerns expressed today are serious and genuine. We understand its problem, and there is no lack of constructive engagement with that, but there is a need for a solution that genuinely meets the concerns and needs of rural communities and is fair.

On the point about the real cost, my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) raised a number of points in his representations, and particularly picked up on the point about the £1,400 or £1,500 cost. He said that he did not believe that many of the boxes proposed for closure in his area cost anything like that, and that he did not see why he should have to pay the cost of frequently vandalised boxes in urban areas, which is spread across the piece, when the boxes in his area do not cost a great deal to maintain.

This has been a good and important debate. I hope that the Minister will acknowledge that he cannot hide entirely behind Ofcom on this. We recognise the regulator's role, but views have been expressed constructively and vehemently by too many Opposition Members here. We should like to know not only Ofcom's view but the Government's view on how to deal with the problem.

10.38 am

Michael Fabricant (Lichfield) (Con): This has been an interesting and important debate. As has been pointed out, it is surprising that apart from the Minister, of the 460 or 470 Labour MPs in Parliament not one has chosen to take part in this debate, which affects not only rural but urban areas. In Lichfield, if one has a Vodafone phone, one does not get Vodafone coverage. I hope that Vodafone might be listening, and will provide such coverage. As the hon. Member for Gordon (Malcolm Bruce) said—I absolutely agree with him—if roaming were possible in the United Kingdom, that would not be an issue because I could access other mobile phone operators through my phone.

I congratulate the hon. Member for Brecon and Radnorshire (Mr. Williams) on introducing this debate, which is on an important issue.

Like my right hon. Friend the Member for Tonbridge and Malling (Sir John Stanley), I received a letter from BT informing me that there would be phone box closures in my constituency. That brought a sense of déjà vu, because it reminded me—it might similarly remind others here today—of the Government's recent handling of post office closures. They passed the buck on that, and I hope, as the hon. Member for Gordon said, that the Minister will not choose to pass the buck today and blame it all on Ofcom, just as the Secretary of State has blamed post office closures on the Royal Mail.

Let us be clear about the universal service obligation imposed on BT by the Communications Act 2003, which was passed only last year. It clearly says that BT

> "are required to ensure the adequate provision of public call boxes and call box services throughout the UK to meet the reasonable needs of end users".

We heard the hon. Member for Montgomeryshire (Lembit Öpik) say that, in his constituency, this can be a matter of life and death. There have been instances in all our constituencies when people have not had mobile phones with them or where mobile phone coverage was not available, and the emergency services have been summoned in time only through the use of an available call box.

Ofcom's current assessment is that BT cannot and should not discriminate against vulnerable consumers, as we have heard today, because they may rely on payphones to access telecommunications. The Minister clearly agrees. In the *Daily Express* on 18 August, he said:

> "not everyone can afford a mobile or home phone".

He is, of course, right. BT and the Government must ensure that payphone users have access to competitive services equal to that of fixed-line users. Closing more than 9,000 call boxes does not fulfil this brief, or the requirements laid on BT by the Communications Act 2003.

There is still a real demand for payphones. Some 587 million calls a year are made from payphones, 9 per cent. of which are emergency calls made from call boxes, as we heard today. Moreover, many disadvantaged and minority groups use payphones extensively. A study carried out by Oftel in 2003, before Ofcom was founded, found that asylum seekers and non-white ethnic groups use payphones and PayCards regularly to make international calls to their homes and their loved ones, to keep costs down. The same survey found that more than 2 million adults use payphones regularly to call 0800 numbers. That point has not be raised today, but let us not forget that one cannot call an 0800 number free of charge from one's mobile phone. That is an important issue.

Some 39 per cent. of regular payphone users also have mobile phones, but mobile operators either charge for calls to freephone numbers, as I just said, or bar access altogether, so even if one is willing to pay, one cannot get through. Moreover, as we have heard, universal mobile coverage has still not been achieved, and I doubt that it will be achieved, because of the topography of the British isles. In rural and some urban areas, there are still large holes in the network, so there is no question of choice; consumers must use fixed-line phones. BT payphones therefore provide an important source through which people can access this service.

I fear that BT's removal of more than 9,000 phone boxes will disproportionately affect certain sectors of society—those who are deprived for one reason or another—as well as urban users and those in rural areas. I do not believe that the Government should pass the buck or allow those who cannot afford a mobile phone to be so disadvantaged. I shall quote the Minister again, if I may, as he has the disadvantage of having a constituency that is not very far from mine, so I get to see the same newspapers occasionally. In the *Coventry Evening Telegraph* on 16 August this year, he said:

> "the main thing is if they are taking away payphones, they ought to do it with some concern for areas where it will have a social impact. We need to make sure that we do not disproportionately hurt people who are already disadvantaged."

Mr. O'Brien *indicated assent.*

Michael Fabricant: The Minister agrees with himself: we need to ensure that we do not disproportionately hurt people who are already disadvantaged. He is right.

Mr. O'Brien: I am making the case for my constituents and for the Government, rather than for the hon. Gentleman, so perhaps he should not claim that he is the only one who supports call boxes.

Michael Fabricant: Had the Minister listened to the debate he would know very well that I am not the only one who supports call boxes, because I think everyone taking part in this debate supports them, apart from the Labour party. That is the point that we are all making.

A point that no one has raised, which is not trivial, is that 2,900 of the 9,000 call boxes that are to go will be the traditional red ones. Those red telephone boxes are a part of our heritage and are recognised as such by millions of people all over the world. The red telephone box is a great British icon. BT, of course, sees the matter rather differently. It states that

> "the fact that a phone box is red is irrelevant as we plan our removals based on usage levels and the size of the community it serves".

That is a pure logical argument, but I do not think that the type of phone box should be irrelevant. We should try to protect our phone boxes—particularly our red phone boxes—in historic areas. I have a plea for a particularly nice type of historic area—cathedral cities, such as Lichfield.

Mr. Williams: The hon. Gentleman has raised a new point, which was brought to my attention by a constituent in New Radnor, who claimed that the six telephone boxes under threat there are all listed red telephone boxes. British Telecom now tells me that it is unable to close any telephone box that is listed.

Michael Fabricant: That is a very interesting and revealing point. I do not know whether I should reveal this, but I think I will. Several examples have been given of ways of using phone boxes without getting a connection, such as children ringing three times. I heard from an hon. Member, before the debate, that he was actually conceived in a red phone box, so an important issue is involved.

We have heard from several hon. Members, including my hon. Friend the Member for Salisbury, about the financial aspect of the matter. Each phone box apparently costs on average £1,650 a year to maintain. Clearly that is a problem. However, the removal of so many call boxes is going too far. The Government must not allow BT to forget, as they allowed the Post Office to forget, that it is a universal public service provider.

The Minister gave an assurance, in an intervention, that that right of veto would not be taken away and that Ofcom is not considering that. That is not what Ofcom has said to several Opposition Members. Will the Minister make it clear whether the veto will still stand after the Ofcom consultation has been completed? It is now reviewing the universal service obligation, and that review will start next month. The consultation will last 12 weeks and will cover the whole issue of objections by public bodies.

I will not make an excuse for raising the issue of post office closures again, because I believe that the closures were shambolic. The Government must not be allowed to pass the buck to Ofcom. As my right hon. Friend the Member for Tonbridge and Malling said, the Minister must come clean. BT is a public service provider, just like the Post Office. Will the Minister give Opposition Members an assurance that our payphones are safe in Government hands?

10.50 am

The Minister for Energy and E-Commerce (Mr. Mike O'Brien): In the limited time available, I have several issues to deal with and shall try to cover as many as I can of the points that have been raised.

I congratulate the hon. Member for Brecon and Radnorshire (Mr. Williams), who has raised an enormously important issue. Not only his constituents, but mine and those of other hon. Members, will be concerned about it. This has been a good debate and some important points have been raised. British Telecom needs to listen to the real concerns that have been expressed by hon. Members and take some of them on board when it next seeks to carry out consultations with local authorities and others about how call box closures take place.

The hon. Member for Salisbury (Mr. Key) made a good point. He said that we should not just blame BT, that there is a wider problem of the growth in mobile phone use, and that Ofcom needs to look at the issues in an innovative way. He is right about that. For some time, the business conducted by public call box providers—especially BT—has been under increasing pressure. Mobile phone use has increased and call box use has decreased proportionately. Telecommunication is, of course, a privatised industry. Companies seek to make profits and that has led to call box operators deciding to scale back the provision of call boxes and remove some that they regard as underutilised or uneconomic.

Regulation of call box provision is a matter for the independent regulator, the Office of Communications. The Government set the broad overall framework, but the detailed regulation is entirely a matter for Ofcom. It always amazes me that we get Conservatives saying that we ought to privatise things, put them in the private sector, get the Government off people's backs and end Government interference, and then, as soon as things are privatised and there is an independent regulator, they say that the Government are passing the buck

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because they are not interfering enough. That is politics, but it is not serious; it is knockabout politics. What we are dealing with is a serious issue and people need to get a clear view of the way forward.

Over the past five years, it is certainly true that mobile phone penetration has increased to cover most of the population, except for the very young, some of the very old and those who are unable to afford a mobile phone or who have made a conscious decision—who can blame them?—not to have one. That has caused a sustained reduction in call box use and, from a commercial perspective, reduced the revenue that BT gets from payphones. However, the provision of public call boxes should not be seen just as a commercial venture that is part of BT's business.

The Government and Ofcom see the need to protect the provision of call boxes as an important means of social and economic inclusion. Although usage has been declining, call boxes are still well used by significant proportions of the population. The overall numbers may be small and users may be from particular groups, such as the young and low-income users, but they are people to whom there is an obligation, and that needs to be recognised.

The tension between the commercial and the public service issues was conveyed very well by the hon. Member for Montgomeryshire (Lembit Öpik), who said that we were talking about a private company with a public service obligation. We know that that private company has a real problem. Hon. Members do not want to lose their local call boxes—they do not want to lose that public facility—so Ofcom is undertaking a broader consultation about how we look at the public service obligation. I hope that the consultation, which is coming up shortly, will involve more than 17 people replying to Ofcom and that it will be ensured that hon. Members can voice in their concerns about the way in which the public service obligation operates.

Matthew Green: Will the Minister give way?

Mr. O'Brien: Will the hon. Gentleman excuse me? I have only three and half minutes left to reply and there is quite a lot I have to get through.

The call box network is protected by the universal service obligation and a right to object, in limited circumstances, on the part of local authorities. BT and Kingston, the providers of call boxes, fund that network, but Ofcom now needs to consider through a wide consultation how we can maintain reasonable access to call boxes for members of the public and how we can protect that network. The Government want broad accessibility of call boxes to the public, particularly to those groups who need them. I want to be clear on that.

I am also concerned by some of the points raised during the debate about BT's method of consulting on the issue, particularly in not making it clear to some local authorities that they have—effectively—a right of veto and can exercise that right. BT needs to take those points on board and to listen to the strong concerns expressed here. In the letter I saw about particular call boxes, I do not recall a reference to that veto, but I will look at that letter again. I think that, when they get told about proposals to close call boxes, Members of Parliament also need to be aware that there is a right of veto. That awareness needs to be raised.

The stories that we heard about the way that BT responded to—at least initial—inquiries by hon. Members are a matter of concern. BT needs to make sure that the consultation is carried out properly. The hon. Member for Brecon and Radnorshire also pointed out that consulting more widely with local authorities and with the LGA might well be in BT's interests when considering whether we can find a way forward. I hope that it will listen to that recommendation.

On the consultation that is taking place, I have asked for the situation in relation to the veto to be double-checked with Ofcom today. I must be clear about what it said. Removing the veto is not one of the options that it is considering. However, it is a consultation. Therefore, it may well be that others—perhaps BT—say that Ofcom ought to consider removing the veto. While Ofcom are not putting that forward as one of its options for change at this point—I am told by my officials who spoke to Ofcom today that it is right that removing the veto is not something that Ofcom is considering—it is possible that others may ask it to do so in the future. Therefore, my recommendation to all hon. Members is that when the consultation takes place, they should get in their two-pennyworth and make sure that they state their view about how the veto should be sustained in the long-term. It is certainly an issue.

We believe that the universal service obligation is fundamental to the regulation of telecommunications in the UK. It means that basic telephone services should be available to everyone on reasonable request and at an affordable price. That includes the provision of call boxes. Accordingly, the provision of call boxes has been included in the Department of Trade and Industry's Electronic Communications (Universal Service), Order 2003, which was made under the Communications Act 2003. It sets out the framework for Ofcom to set out the detail of call box regulation. It preserves the provision of call boxes to meet the reasonable needs of end users in terms of geographical coverage, numbers of call boxes and quality of service.

One of the concerns raised is about rural areas. Before I close, I will say a word on that. BT should recognise that there are areas that mobile phones do not cover. There are areas that particular providers of mobile phone services are unable to access. In other words, there are blackspots. Therefore, it is necessary to have some call box coverage in those areas.

The way in which the rules for removing a call box operate means that there needs to be a 42-day consultation period. Where it is the case that the local council has not been made aware by BT of its right to veto a closure, and has therefore not been able to make a recommendation in the 42-day period, I hope that BT will consider allowing the local council to raise the issue with it subsequently and take on board the local council's concern that a call box should not be closed.

Osteoporosis (Dorset)

11 am

Mr. Robert Syms (Poole) (Con): This is an important debate, particularly for the 3 million people affected by osteoporosis, for many of my constituents in Poole and for other people in Dorset, where we have a high age profile. It is a major problem in the area.

Osteoporosis affects one in three women and between one in 12 and one in eight men over the age of 50. Over the next 50 years, it is predicted that the level of osteoporosis will double, mainly because of the ageing population.

Osteoporosis is often passed off as a normal facet of ageing, rather than a serious condition that requires treatment. However, without treatment, osteoporosis can be painful and debilitating. Every two minutes, someone has a fracture due to osteoporosis, resulting in more than 200,000 fractures a year. Sometimes, those are a major factor in mortality. Nearly one in five people who suffer a fracture die within a year. The cost to the national health service and the wider economy is between £1.7 billion and £1.8 billion a year.

As well as causing considerable pain, osteoporosis has major implications for NHS resources. More than 800,000 hospital bed nights each year are accounted for by patients with hip fractures in England alone. Patients with spinal fractures visit their GP an additional 14 times in a year following a fracture. Osteoporosis will have a major and growing impact on the NHS.

Apart from the overall situation, osteoporosis has a tremendous impact on individuals. Broken bones due to osteoporosis can result in pain, deformity, depression, anxiety, social isolation and death. Up to one in three hip fracture patients die within a year, and some surveys show that 80 per cent. of elderly women at high risk of hip fracture would rather die than have a bad hip fracture and lose their independence. Fear of falling and breaking bones can prevent women from enjoying a normal retirement, and osteoporosis can prevent patients from doing many ordinary daily activities.

Osteoporosis is a preventable condition. Strong bones can continue to be built up to the age of 35. Therefore, the earlier in life that a healthy lifestyle is adopted, the greater the benefits. Key risk factors include lack of physical activity, smoking, excessive alcohol, and low calcium and vitamin D intake.

The difficulty nationally with osteoporosis is that it tends to form part of lots of other strategies. The Government have a preventing falls strategy and there is a national service framework for older people. Osteoporosis is a part of both. However, it is sometimes not the focus, and remains under-prioritised. That is one of the reasons why I want to raise the issue in the House of Commons, and I am glad to see the Minister of State here today.

My interest was increased by a visit to the offices of Osteoporosis Dorset, a local charity partly funded by the Dorset and Somerset strategic health authority, which funds the osteoporosis prevention officer, Mrs. Carol Jones. I met the chairman, Group Captain John Rees. They went through some of the things that they do. I intend to point out what can be done, because prevention and work in the community are important in dealing with the problem.

Osteoporosis Dorset was established in 1992 to reduce the incidence of fractures in the county. From its inception, it has received support from the Dorset health authority. Its scientific advisory group developed a clear strategy built around the rubric "Prevention through education", using a high-risk-group approach. The groups were defined as women with early menopause before 45 years; men and women on long-term corticosteroids; patients presenting with low-trauma fractures; residential care-home residents, for whom Osteoporosis Dorset has been instrumental in introducing hip protectors; and elderly people living at home, the strategies for whom have included falls templates, calcium and vitamin D, and hip protectors.

Much work and money was dedicated to piloting the ideas and developing protocols for the management of those groups of individuals at high risk of osteoporosis. In addition, the charity formed a nurse network known as the Bone Alliance, which trained practice nurses—at no cost to the individual or practice—in how to support their patients. That local organisation does a lot of excellent work in advising GPs. One point that has been raised with me is that, because osteoporosis is not part of the GP contract, GPs do not necessarily pay it adequate attention. In Poole, the organisation helps to make up for that by providing information and expertise. It has also developed a network of osteoporosis patient peer support groups, [illegible] well as securing funding from the Department of Health to become one of eight national pre-retirement health check pilot sites, details of which it is working on. We benefit greatly from the work of the charity and its local organisation.

One of the major benefits of Osteoporosis Dorset is that, early in its existence, it came across hip protectors, which were developed in Denmark and are widely used on the continent. They are useful devices. I shall show how and try to explain for *Hansard.* They give protection to people who are at risk of fracturing their hips, help to absorb the shock if they fall over, and provide additional protection during recovery if they have to have hip surgery. They cost only £32 plus VAT each, and Poole primary care trust is very good in that it provides them for people living in homes in the Poole area. I understand that some neighbouring primary care trusts do not provide them.

Let me demonstrate. Essentially, they are pants with pads on either side—not the most stylish items in the world, but very practical. They do an excellent job in providing protection for those in homes whose hips are at risk from falls. This practical idea could be rather more widely used in order to save people the agony that results from falling and breaking their hips.

There are many other ways in which we could tackle osteoporosis. There is no formal national screening programme for it, which means that, apart from certain groups such as those taking corticosteroids, and thus receiving regular screening, most patients are unaware that they have osteoporosis and are diagnosed only when they suffer fractures. One million women in the UK are identified for possible treatment, most commonly at the time of fracture.

A screening programme ought to be considered. That would be a way of identifying those who are prone to osteoporosis. A range of treatments can be used: bisphosphonates, non-hormonal drugs that help to

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maintain bone density and reduce fracture rates; calcium and vitamin D supplements, which can reduce the risk of hip fractures; hormone replacement therapy for women; and selective estrogen receptor modulators, drugs that act on the bone in a similar way to oestrogen and help to maintain bone density.

There have been developments. I noticed an article in the *Daily Mail* on 5 October about a drug called Bonviva, a bisphosphonate that is being developed by Roche, and which would have to be taken monthly by those with osteoporosis. One problem is that, although some 650,000 women currently receive drug treatment for the condition, there is evidence that not all of them take the drug as often as they should. It would be beneficial if there were a pill that could be taken once a month and slowly released the drug into the blood stream.

I would be interested to hear the Minister's comments on drug treatment for the condition. There could be substantial savings in having a range of drugs; I have pointed out the cost of some of the treatments for osteoporosis. It is a preventable condition that has not received the attention that it needs in order to be given priority by the relevant parts of the national health service. It forms part of the preventing falls strategy and the national service framework for older people, but has not received the focus that it ought to have. I know that the National Osteoporosis Society does very good work, and Osteoporosis Dorset also does good work, but the matter requires a greater focus from the Government. We ought to consider whether to carry out more screening and put more investment into prevention, so that we not only save considerable sums of money, but avoid the tying up of substantial numbers of hospital beds as a result of people going in with fractures.

As we have heard, people with one fracture often get further fractures, which can cause problems. We ought to revisit the GP contract on this matter, and GPs ought to regard osteoporosis as a greater priority. The topic is important. Fractures impact greatly on the lives of older people. If we are serious about saving money and improving the quality of life of some of our elder citizens, the condition should be treated as a higher priority by the Government and the NHS. If it were and we invested more in prevention, we could reduce the number of cases of osteoporosis substantially.

Mr. Roger Gale (in the Chair): Before we proceed, I would like to place one matter on the record. The hon. Gentleman produced an exhibit and described it articulately, tastefully and with care for the record. I would not wish it to be thought that the fact that I allowed him to do so should be regarded as a precedent in any way.

11.11 am

The Minister of State, Department of Health (Ms Rosie Winterton): I congratulate the hon. Member for Poole (Mr. Syms) on securing the debate. I know that many of the issues that he raised are of great importance to his constituents and to him. He set out clearly many of the facts and figures relating to osteoporosis. I share his concern that we should do everything we can to reduce the suffering caused by the condition. I hope that I shall be able to reassure him that the Department of Health, the national health service and other key stakeholders have put in place a programme to do just that. I hope that I can illustrate that we are making the matter a priority and will continue to do so.

The hon. Gentleman mentioned screening. In 2000, the NHS plan announced an initiative to identify five pilot sites in England to provide advice and health checks for people entering retirement. That was managed by the Health Development Agency and ran from 2001 to 2003. As he is aware, South and East Dorset primary care trust, in collaboration with Osteoporosis Dorset, a well respected charitable trust, were involved in one of the five national pre-retirement health check pilots for women aged between 56 and 65.

The aim of the pilots was to identify risk factors and to implement strategies to reduce the risk of osteoporosis fractures, heart attacks, stroke and diabetes. Following the pilots, a major implementation programme has been put in place at the Health Development Agency, using the evidence from the pilot phase, so that practitioners and policy makers can focus services on those particular age groups.

My Department and the Welsh Assembly Government have asked the National Institute for Clinical Excellence to develop clinical guidelines and technology appraisals on what is effective in the prevention and treatment of osteoporosis, the assessment of fracture risk and the prevention of fractures in individuals at high risk—the hon. Gentleman highlighted the preventive aspect—and the assessment and prevention of falls in older people.

The technology appraisals of prevention and treatment of osteoporosis include consideration of five osteoporosis drugs, which the hon. Gentleman mentioned. The appraisal is split into two parts: primary and secondary prevention. The primary prevention part is due to be published in September 2005, after which the second part will be published, although we do not yet have a date for that. The appraisals are designed to give doctors the latest evidence-based information on the most effective treatments for osteoporosis. However, it is also important to patients and carers to have access to clear, authoritative advice on both the sort of care that might be best for them, and the standards of care they can expect from the NHS.

The fracture risk guideline, which is due to be completed in June 2005, will look at all groups recognised to be at high risk of osteoporotic fracture. It will examine the interventions that can be used to prevent fractures and cover primary care, secondary NHS health care and the professionals who have direct contact with and make decisions about the care of high-risk individuals. The guideline will also look at areas where collaboration is needed between primary and secondary NHS services. Fracture risk would apply because of the very issues that the hon. Gentleman highlighted about the need to provide ongoing preventive care and to ensure that primary and secondary care services work closely together.

The falls guideline is due to be completed in November this year. It will provide recommendations for good practice that, again, are based on the best available evidence of clinical and cost-effectiveness.

The hon. Gentleman mentioned the national service framework for older people. I hope that we might consider the appraisals and the guidelines as building on the work on standard six of the NSF, rather than think of them as separate. That is certainly one of the key policy drivers on osteoporosis. The framework sets clear milestones for the planning and development of integrated falls services and requires that such services should be established across all health and social care systems by April 2005.

Good progress is being made across the country in implementing that, but the decisions are sometimes local, in line with "Shifting the Balance of Power". However, the Department will monitor the April 2005 milestone through the strategic health authorities. We are also collecting information from a sample of health and social care communities on all the NSF standards to enable us to assess progress on implementation. That information will feed into the Healthcare Commission's in-depth review of progress on the framework. That is what we are doing to ensure that we can drive through the proposals and have a consistent service across the country.

I congratulate and pay tribute to all the staff and stakeholders in the Dorset health economy for their commitment to delivering and improving osteoporosis services for local people. As the hon. Gentleman said, osteoporosis services in Dorset are co-ordinated through a partnership between the Dorset health community and Osteoporosis Dorset. The Dorset and Somerset strategic health authority has assured me that that model of service provision is working extremely well and has resulted in the county being perceived as one of the lead areas in developing innovative, evidence-based approaches to fracture reduction. I am sure that he and his constituents are proud of that long-term arrangement, which has been operating in Dorset since 1992.

I have been assured that the details necessary to maintain an ongoing arrangement are at present being agreed by the Bournemouth Teaching primary care trust, which is the NHS organisation leading the relationship with Osteoporosis Dorset, on behalf of all primary care trusts in Dorset. I am also assured that all the primary care trusts in the Dorset and Somerset strategic health authority area are committed to delivering on this high-priority national service framework milestone and are developing integrated osteoporosis strategies as part of their overall falls strategy. I am informed that plans are being implemented to ensure that the integrated falls service, which was developed by primary care trusts in line with local partners, is in place by March 2005.

I have been illustrating some of the ways in which, nationally, we are setting the milestones and, locally, there is implementation. The hon. Gentleman asked about GP contracts. It is true that in a sense osteoporosis did not make it into the quality and outcomes framework, perhaps because there was not enough evidence-based information to make that possible. I have reviewed some of the issues around that. We are trying to build that information consistently by reviewing the pilot studies, the NICE guidelines and how we implement national service frameworks, and an independent review group is considering the GP contract and how new indicators can be included from April 2006 if new evidence emerges in those areas.

I draw the hon. Gentleman's attention to the fact that the increase in spending in the NHS overall—particularly the amount of money that is allocated at local level through devolved decision making—is allowing the development of extra services and ensuring that we can fund many of them. That is not to say that we are in any way complacent about what needs to be done.

I note the hon. Gentleman's comments about, and vivid illustration of, hip protectors—I now completely know what they look like—for people with osteoporosis, and I understand his desire for more consistency in how they are funded and provided locally. Current NICE draft guidelines on prevention and treatment of falls consider the use of hip protectors, but conclude that the evidence is not strong enough to support a firm recommendation for their use as an effective preventative measure for all people with osteoporosis. However, that appraisal is still in progress. Hip protectors are available free if they are provided by the NHS following an individual assessment of clinical need. I know that all NHS organisations in Dorset continue to make provision for that as necessary.

I reiterate that I do not underestimate the enormous burden of this debilitating disease. As the hon. Gentleman said, about 310,000 osteoporotic fractures occur each year. There is absolutely no doubt that, because of the ageing UK population, that number is set to increase. He was right to point to work that still needs to be done regarding preventive measures such as diet. The issue of how we can use diet more effectively to prevent some of the conditions that arise from poor diet is being considered in the public health White Paper.

It is only by collective and collaborative work across sectors and professions and, of course, by properly engaging with older people that we will be able to make a difference to people's lives. We need to work at a national level, build on the best practice that has been illustrated so vividly and excellently in Dorset, and consider what further measures can be taken, not least by examining relevant public health issues.

I hope that my comments have given the hon. Gentleman some assurance that we take this issue seriously and that we are working towards the clear goal of doing everything we can to reduce the effects of osteoporosis and to prevent it from occurring in the first place.

11.27 am

Sitting suspended till Two o'clock.

West Mercia Police (Funding)

2 pm

Mr. Michael Foster (Worcester) (Lab): I welcome the opportunity to raise this important matter in this Chamber. I am pleased that so many of my colleagues have turned up today to make their concerns known as well. I wish to put on the record my support and appreciation of the work undertaken by the local police. Forgive me for being parochial for just a moment or two, but the leadership of Chief Superintendent Simon Adams, who is the divisional commander of South Worcestershire, the work tackling antisocial behaviour in Warndon villages of Sergeant Chris Allen, the community engagement in St. Johns of Police Constable Tina Dodd, and the local knowledge that community support officer Lee Russell has gained just by walking his beat, and that he uses to cut crime in Warndon, are just a few examples of the really good work that our local police force does in a difficult and challenging job.

However, this debate centres on finance, to which I now turn. The nomination process for the financial year 2004–05 has left a challenge that must be met by West Mercia in its budget setting for 2005–06: a notional reduction of £517,000. That point was clearly made to my right hon. Friend the Minister for Industry and the Regions and me at a meeting with the local police authority. Unfortunately, she cannot be here at this moment. If hon. Members look at the Annunciator, they will see exactly why.

The Association of Police Authorities has recently highlighted the fact that police authorities will need a 5.5 per cent. increase in their budgets next year just to maintain current levels of service. That is largely due to the cost of salaries and the commitments arising from the unfunded police pension scheme, about which I shall say more later. I understand that the rate of so-called police inflation is increasingly recognised, and I would welcome any observations that the Minister has on the matter that may help West Mercia and other police authorities in their financial planning.

West Mercia shares the position of other police authorities. The 2004–05 budget requirement of £165.8 million will need to increase by £8.9 million, or 5.4 per cent, to maintain current policies. Broadly speaking, £5.3 million is due to increased pay and other inflation, £1.2 million is for police pension commitments and £1.9 million is for unavoidable commitments, such as salary increments following the increase in the number of police officers and the local government pension contributions for the civilian staff. An increase of only 3 per cent. in police grant—£3.2 million—would leave a shortfall of £5.7 million to be found from the council tax, which would have to increase by 9.8 per cent., raising the band D rate to £151.14. I repeat that those figures are for maintaining the status quo. They make no provision for matters pressing on West Mercia such as improved custody facilities, improvements to call handling and increased calls to tackle antisocial behaviour.

Before I press the Minister on areas where I hope that she can use her influence to help West Mercia, I would like to spend some time exploring the background to the funding problems and try to shed some light on them. It has been said in some Government quarters that West Mercia is a high-spending police authority. Let me put the record straight. The average spend per head of population for 2004–05 for all police authorities is £182.82. West Mercia is the fourth lowest at £141.97. Even taking just the shire forces, the average spend per head is £151, and West Mercia is well below that. Narrowing the field even more to include just the most similar forces as our comparator, the average is £143.07—still higher than West Mercia. There is no way that one could describe West Mercia as a high-spending, profligate authority.

Mr. Paul Keetch (Hereford) (LD): I congratulate the hon. Gentleman on securing this debate. He is absolutely right to compare West Mercia with other rural forces and not with urban forces. Will he deal with the issue of sparsity in his speech? Although it may not be a factor in Worcester, it certainly is in Herefordshire, parts of Shropshire and parts of Worcestershire. In reality, the £2.3 million that the constabulary receives from the Government to account for the sparsity factor has not increased in line with inflation in recent years. Does he hope that it will in future, and does he agree that the money should be ring-fenced to deal with the real issues of policing in rural areas?

Mr. Foster: I shall obviously have to call immediately for a leak inquiry. Information must have gone from my office to that of the hon. Gentleman because he makes the exact point that I want to make later in my contribution.

The council tax band D levels show that West Mercia portrays itself in an unfavourable light. The 2004–05 precept is £137.69, which is higher than the national average of £126.33, higher than the shire force average of £121.12 and higher than the most similar force average of £123.06. We must accept that council tax is higher for West Mercia. Having established that it is not a high-spending police authority, why is it necessary for it to be a relatively high precept-levying authority? The answer lies in the third part of the funding triangle—Government grant per head of population. In West Mercia's case, I would call it the Bermuda triangle, because things seem to go missing in it.

David Wright (Telford) (Lab): Does my hon. Friend agree that West Mercia finds itself in its current position partly because of the brave decision that the police authority took about two years ago to recruit hundreds of new police officers? I understand that the current force strength stands at about 2,400 officers. That was a brave decision, and I hope that the Government and the Minister will respond by ensuring that the authority, having taken that decision, is provided with a good platform of grant in future.

Mr. Foster: My hon. Friend is absolutely right. In fact, I think that those police officer numbers are at the highest level since the constabulary was formed in 1967, which is testimony to what my hon. Friend describes as a brave local decision.

The average Government grant for all police forces is £138.11 per head, while West Mercia's is £92.24. Shire forces average £107.16 per head, and most similar forces average £99.07 per head. This is the core of the problem.

If West Mercia received the all-force average Government grant per head of population, it would receive an additional £53.6 million to spend. If it received the shire force average, it would have £17.4 million more to spend, and if it received the most similar force average Government grant per head it would get £7.9 million more to spend each and every year.

We must view that information in the context of what I have already explained is a requirement to spend an extra £8.9 million next year just to stand still. Raising £1 million from council tax only would limit the increase to £2.38, or 1.7 per cent. All the police forces in England and Wales that surround West Mercia receive a higher Government grant per head than West Mercia. I believe that the Minister will agree that crime does not respect local administrative boundaries, even though funding seems to. In the small island state that we live in, people do not understand why postcode lotteries still exist.

As a resident and council tax payer in West Mercia, I accept—as my hon. Friend the Member for Telford (David Wright) has mentioned—that local decisions have also been made to increase council tax to pay for additional police services. For example, the 2002–03 budget proposed to recruit an additional 300 police officers, all funded locally. Indeed, that contributed to the council tax increase of 33.1 per cent. experienced that year but—significantly, because of the manner in which council tax capping has been used this year—the decision also has annual council tax consequences.

Using figures supplied by the police authority, I estimate the additional marginal cost of activity associated with employing those 300 officers to be £4.28 on council tax. That is in addition to the direct employment costs identified back in 2002–03. Deducting the whole cost of employing those 300 officers from the police budget would see the band D precept reduce to £119.10, saving some £18.59 over the year. That brings the council tax below the national force average, the shire force average and the most similar force average.

However, at a philosophical level, should that decision be held against West Mercia in council tax capping decisions? I have a real problem with arguing that it should. Delegating to local people powers to improve their local police force is a way of empowering them to respond to local need and it provides a mechanism to give greater democratic accountability to the police force. I find it difficult to argue the case that local people should be penalised for actively seeking a local solution to what they consider to be local problems.

Peter Bradley (The Wrekin) (Lab): I want to reiterate the point made by my hon. Friend the Member for Telford (David Wright). According to the figures that I have seen, there has been an increase of something like 30 per cent. in staff numbers at West Mercia over the past seven years. We now have 4,000 police officers and support staff, whereas before we had 3,100. The benefits are obvious for all to see. There are 40 additional police officers patrolling the streets of my constituency. There are 21 community support officers in Telford and Wrekin and I have just written a letter to the Minister encouraging her to fund more. How many letters has my hon. Friend the Member for Worcester (Mr. Foster) had from constituents complaining about the increase in the precept of West Mercia police? Perhaps he will also tell us how many letters he has received from ordinary local council tax payers objecting to the increase in the council tax levied by his council.

Mr. Foster: I confess that I have indeed received one letter complaining about the 2002–03 police precept increase. It was a case that I know that the police authority is well aware of and it has involved a prolonged exchange of correspondence. However, I have received numerous letters from my constituents applauding the work that the police are doing in cutting antisocial behaviour and crime generally. They far outweigh the single letter that I received in 2002–03.

My hon. Friend makes an important point about staff numbers increasing, because it is not just the increase in police officer numbers that is relevant; the civilianisation of the police force, which means that more operational officers can go on the beat, is also an important way in which we can manage the resources that we have.

Mr. Peter Luff (Mid-Worcestershire) (Con): Just for the record, I have had a lot of letters complaining about the increase in precept.

Mr. Foster: I take that point on board. I am not in a position to dispute it one way or the other. Of course, it matters that the police authority undertook proper consultation. Community policing boards agreed to the precept increase and that was supported by an opinion poll survey conducted in January 2002 among 500 residents of West Mercia, which found that 71 per cent. of people supported adding 50p a week to their council tax specifically to pay for 300 extra officers. That figure rose to 81 per cent. when people were asked about adding 30p to recruit 100 extra officers. Only 19 per cent. were not in favour of any increase at all.

Having established, I hope, that West Mercia is a low-spending force, albeit with a relatively high council tax precept as a result of the low level of Government grant, it is worth looking at whether West Mercia uses those resources efficiently. The most recent baseline report produced by Her Majesty's inspectorate of constabulary identifies West Mercia as delivering high levels of performance. It has consistently more than delivered the efficiency targets demanded of it. Some £16.5 million of efficiency gains has been delivered over the past five years. The HMIC report ranks the strategic management and the performance management of the force as excellent. It states that the authority has a strong record of effective budgetary control. I am doubly delighted about that because I know that at least two of my former students work in that department at the police authority—but no doubt the director of finance, Mr. Stephen Howarth, would also like to claim some credit for that.

West Mercia has one of the best performing estate management functions in the country. PricewaterhouseCoopers suggested in its external audit letter of 2002–03 that the force's report was one of the best that the auditor had issued. The force collaborates nationally and regionally to ensure best practice and procurement, and has consistently used civilian staff to release police officers for operational duties. Crime is falling in West Mercia, especially in the South Worcestershire division with which I am most familiar.

[Mr. Foster]

The most recent figures for the city of Worcester show that between April and August 2004, compared with the same period last year, robbery was down by 59 per cent., vehicle crime down by 34 per cent., burglary down by 11 per cent. and violent crime down by 2 per cent. Of the violent crimes committed, 72 per cent. are detected. In the police performance monitoring report 2003–04, produced last month, West Mercia shows year-on-year improvement or above average performance in citizen focus, reducing crime, investigating crime, promoting public safety, providing assistance and resource usage—in short, all six performance measures that the Home Office uses.

However, like me, West Mercia wants the force to improve on what it does. That is why I should like to press the Minister for help with several matters. Let me make it quite clear that in calling for her assistance, I do not want to hear from her that salvation lies in a financial fairy godmother dressed in orange who, slapper-like, promises to take everyone to the ball—that is the Lib Dem way. Nor do I want to be fobbed off by revelations that some fantasy island exists far, far away, paved with cash to pay for more police funding—that is the Conservative way. I live in the real world, and I want real help.

First, the Minister will know of my support for West Mercia's bid for 40 extra community support officers. Achieving success in that bid will help to overcome some of the funding shortfalls that I highlighted earlier. Will she assure me that she will look favourably on that bid? I understand that such bids are usually heavily oversubscribed, and the Minister might be tempted to prioritise areas that do not yet have CSOs. I ask her, however, not to ignore those forces that took up the challenge to begin with and helped to pioneer the deployment of CSOs.

The second matter is the police grant for 2005–06. I hope that I have convinced the Minister of our case for increased grant, but I am well aware of the three-year formula freeze. I ask the Minister to consider granting area cost adjustment to West Mercia in the medium to long term, which would raise an extra £1.7 million on this year's figures if we received the same rate as neighbouring Gloucestershire. I also ask her to examine more closely the details of the formula. For example, low incomes as calculated through the working families tax credit could be used as a deprivation indicator, rather than just income support claimant counts, which count only the unemployed. Such a change was, interestingly, made for the education formula spending share last time it was reviewed.

Will the Minister use her influence over colleagues at the Office of the Deputy Prime Minister in discussions about local government finance? The following bodies had nominated or designated budgets this year: Herefordshire unitary authority, Hereford and Worcester combined fire authority, Telford and Wrekin council, and West Mercia police authority. It is glaringly obvious that there is a geographical bias unwittingly built into the system, as all those bodies lie in the West Mercia area. That reinforces the case that colleagues and I have made on behalf of Worcestershire county council over several years. For 2004–05 a standard increase in grant of 3.25 per cent. was paid to all police forces, meaning that none lost out comparatively. I know that the Home Office is under pressure to scrap such a floors-and-ceilings scheme, but I ask for such floors to be adopted again in the short term so that West Mercia is not penalised any further.

Thirdly, West Mercia currently receives the welcome rural sparsity grant that the hon. Member for Hereford (Mr. Keetch) mentioned. It was first set up in 2001 and was ring-fenced to protect forces such as West Mercia. It brings in £2.3 million. Given what I said about the police grant, I ask the Minister to retain the grant as it is and not to incorporate it into the mainstream police grant. The rural sparsity grant exists because of the known higher cost of policing in rural areas. A small matter that has been pointed out is that, since its creation in 2001, the rural sparsity grant has not been increased in line with inflation. The Minister may want to correct that.

Finally, I urge the Minister to consider what I call nationalisation of the police pension scheme to avoid instability in levying council tax. Like all other forces, West Mercia funds its pension liabilities itself. Of course, that can vary from year to year depending on the age and the retirement profile of police officers. If that responsibility were taken away from the force and funding allocated centrally, local council tax payers would not see so much variation in council tax increases each year.

It is not doom and gloom in West Mercia—far from it. Crime is falling; police numbers are at record levels; CSOs are patrolling our streets and helping to tackle antisocial behaviour using the new tools. Divisions such as South Worcestershire are at the forefront of best practice in combating antisocial behaviour, including the use of dispersal zones. There is a real sense of ambition to press ahead to meet even greater challenges and to improve performance further. In the background, there are the financial constraints that I described. We want the Minister to use whatever influence she can to help West Mercia achieve even more.

2.21 pm

Mr. Peter Luff (Mid-Worcestershire) (Con): Mr. Deputy Speaker, I am glancing around to see how many colleagues are trying to catch your eye. I make it three more before we cut off at 3 o'clock, so we have a bit longer than we thought.

Having said that, there is, in many senses, not a great deal left to say; the hon. Member for Worcester (Mr. Foster) said most of it. However, what is worth saying is worth repeating and I intend to do that, in part at least. I congratulate him on securing the debate. A number of us applied for it and he won the prize, so he got the opportunity to make the important points first. On that issue there is, largely, consensus in the three counties.

I do not agree with a couple of the things that the hon. Gentleman said. I will get them out of the way at the beginning so that I can return to a spirit of consensus. First, I regret the national policy points that he made, because there is genuine disagreement between the three parties about how to fund the overall level of public service expenditure. The issue that we are debating is not national policy, which is irrelevant; it is how the national pot is split between the geographical areas. That is the crucial issue. I happen to think that he is wrong about Conservative party policy and that his Government's policy is wrong, but that is irrelevant.

The issue is: how do we get a fair share of what the Government who are in power make available? The hon. Gentleman made the point about the obvious geographical issue so powerfully towards the end of his speech. If all those authorities are being capped, nominated, warned and threatened, something has gone wrong with the system.

The other thing that I disagreed with was the implication that the hon. Gentleman was led on to by his hon. Friend the Member for The Wrekin (Peter Bradley) that the level of council tax is acceptable. I have had many letters of protest from my constituents—I do not know how many off the top of my head, but 20, 30 or 40, which is quite a lot—complaining about the level of the council tax increase and always highlighting the police grant as one of the most unacceptable increases of all. So there is resistance to further council tax increases and we need to recognise that people on low and fixed incomes—across the country but certainly in my constituency—cannot tolerate further significant real-terms increases in council tax across any of the component precepting authorities. We must work towards a system in which they do not have to face those large increases.

Peter Bradley: For the record, there have been complaints in my constituency about the level of council tax, but they are directed at the local authority and not at West Mercia police authority. I doubt that there is a single Member here, or anywhere else in West Mercia, who made representations to the Office of the Deputy Prime Minister that West Mercia should be capped.

Mr. Luff: I am grateful for that clarification. In Worcester and Wychavon, we are lucky that the district councils have kept the increase in line with inflation for their own precepting. However, the police precept is growing every year. If it increases in absolute and relative terms each year, clearly it becomes more of a problem and a bigger component of the council tax.

Let us get back to areas that we agree on. The trouble is that the situation is "Here we go again". Worcestershire seems to do badly on everything—schools, social services, fire authority, even health expenditure. I think that the same is true of Herefordshire and Shropshire too, but it is certainly true of Worcestershire.—*[Interruption.]*—My hon. Friend the Member for North Shropshire (Mr. Paterson) will, I am sure, speak for Shropshire.

Mr. Keetch: Who will speak for Herefordshire?

Mr. Luff: I will speak for Herefordshire as well. I will happily speak for the whole of West Mercia, because we agree that there is a shared problem of considerable dimensions.

I agree with what the hon. Member for Worcester said in his comprehensive opening remarks. We have a very efficient and well run police authority. I, too, pay tribute to our new chief constable, Paul West, who is an outstanding chief officer; to chief superintendent Simon Adams, a truly excellent policeman whom the hon. Gentleman and I share as divisional commander; and to my local district inspector, Steve Booker, a first rate policeman who looks after Wychavon. We are very lucky in the officers that we have, but the problems are there and they are very real.

The hon. Gentleman gave some figures, but I do not think that he gave the following. If I am repeating the ones that he gave, I am sorry, but the point is that all our neighbouring police authorities receive more from Government than we do. Not surprisingly, the West Midlands—the biggest—receives £150.01 per head of population; Gwent receives £130.01; North Wales receives £117.48; Cheshire receives £109.76; Dyfed-Powys receives £105.09; Staffordshire receives £104.27; Gloucestershire receives £103.88; Warwickshire receives £97.07; and poor old West Mercia at the bottom receives £92.24, which is by far the lowest—the ring in the middle of the doughnut. Even dragging us up to Warwickshire's apparently low level would give us an extra £5 million in central Government grant. By my calculation—which differs slightly from that of the hon. Gentleman—bringing us up to the average for most similar forces, which is probably the best measure to use, would give us an extra £6.83 million. That would be a significant bonus.

Nationally, police authorities are saying, "Please can we have a 5.4 per cent. to 5.5 per cent. grant increase this year?" I would ask for that on behalf of West Mercia, too. The Government are talking about increasing grants to public authorities in line with inflation. Governments have always done that; this Government are doing it and the previous Government did it. The trouble is, however, that such grants are largely grants to pay salaries and pensions, and salaries and pensions go up by more than inflation. The figure that the Government should use as the measure by which they increase grants is the increase in average wages, because it would be fairer. The problem of police pensions, rightly highlighted by the hon. Member for Worcester, compounds the problem. I share his plea to keep the floors and the ceilings. They are crucial to resolving this problem and their removal would be devastating for West Mercia constabulary.

I want to make the point about neighbours again. The hon. Gentleman rightly talked about area cost adjustment. It is iniquitous that we do not receive that adjustment. When I canvass and knock on doors in my constituency, I am amazed by the number of West Midlands police officers whom I find living in Droitwich. The West Midlands, which gets area cost adjustment for the extra cost of recruiting and paying officers, gets that money and then takes them from the West Mercia area. I always love meeting police officers, but it always galls me to think that such a police officer is judged by the Government to be worth more than a similar officer living next door but working for a different police authority.

Mr. Keetch: Does the hon. Gentleman know that in my part of Herefordshire, wonderfully commanded by Kevin Bentley, the divisional commander, we have officers working for Gloucestershire constabulary? It is not only Warwickshire and the West Midlands that receive the adjustment but Gloucestershire and Cheshire. Once again, when compared with our neighbours we are being badly treated.

Mr. Luff: It is a delight to agree with the hon. Gentleman. He is absolutely right, and there is no justification for maintaining that discrimination when all the other forces around us are getting so much more.

[Mr. Luff]

My figures for the amount we would receive at Gloucestershire's level of area cost adjustment are the same as those of the hon. Member for Worcester—about another £1.7 million, which would make a big difference. I have received encouraging reassurances from the Minister about the rural sparsity grant. It is an important grant, which we must maintain.

Pensions lie at the heart of the difficulty. Perhaps the Minister will say something in her winding-up speech about the Government's overall plans for police pensions. West Mercia does not face a unique problem; it is shared across the whole country. It is a difficult nettle to grasp, but unless it is grasped soon, it threatens to undermine the whole system of police funding for the foreseeable future. The issue is important not just in West Mercia but across the country.

I am sceptical, in the best sense of the word, about community support officers. I would rather have real police officers than two-thirds police officers. My chief constable is working firmly, clearly and authoritatively to persuade me that I am wrong. He may yet persuade me; I am not yet there.

Peter Bradley: May I put this right? They are not substitutes, proxies or semi-police officers. They are what they say they are: community support officers. They play a crucial role in the community. As I said earlier, we have 21, with more to come, in Telford and Wrekin. They have been widely welcomed, not only when they were introduced but ever since, for the presence and reassurance they provide and for the work that they do to address low-level crime, which has such a high-level impact on community life.

Mr. Luff: I hear what the hon. Gentleman says. It is a point of view; it is not one that I happen to share. I would rather have real, fully-fledged police officers with all the powers available to them. I will not get into a debate about community support officers now; we are talking about West Mercia.

However, given that we have such people and that the Government want them to exist in greater numbers, I want us to have a reasonable whack of them. I have written in support of the bid from the West Mercia constabulary for additional community support officers. How much better would it be if we were offered extra police officers instead?

Mr. Owen Paterson (North Shropshire) (Con): There is an important point here. Our main beef is the unfairness of the current system and the way in which central funds are distributed. Does my hon. Friend agree that the problem with community support officers is that certain funds are allotted purely to funding support officers, not necessarily policemen? Our chief constable and others might, given a free choice, spend their money on real police officers.

Mr. Luff: I would prefer it if one single cheque came from the Government to West Mercia police authority every year, so that it could decide its priorities free of the wretched targets that distort the way in which policing is conducted in West Mercia.

David Wright *rose—*

Mr. Luff: I am trying to draw my remarks to a conclusion, but I will give way one last time.

David Wright: The hon. Gentleman is being most generous, as he always is. The chief constable has made it clear to me and to other Members in meetings that CSOs count as civilian staff in the West Mercia force calculations. We are not talking about police officers; there have been more police officer posts and CSO staff, who are counted as civilian staff. There is no hidden bureaucracy in terms of civilianisation—they are counted in that way.

Mr. Luff: I did not suggest that there was, and if the hon. Gentleman thought that I did, that was quite wrong. Those people are obviously low-level police officers, although they may count as civilians, but I would rather have a fully-fledged policeman or woman. I would rather pay a little extra and get somebody fully qualified, with all the powers of arrest and detention that these people ought to have. This is a separate debate, but if there are extra policing resources, whatever shape they take, we want our fair share. *[Laughter.]* I am sorry if hon. Members find that amusing, but I think that they would find it equally amusing if I backed a bid for community support officers without making it clear that I would rather we did not have them. I would rather have police officers.

Peter Bradley: Stop digging.

Mr. Luff: I would rather have police officers.

We have had a welcome increase in police officers over recent years, but that has been paid for by council tax payers. There is a limit to what the council tax payer can bear. In my judgment, we have the absolute minimum level of policing in West Mercia. It is true that we live in a relatively low-crime area. There has apparently been some success, although detection rates could improve.

A stack of crimes goes on in Wychavon, which I know about, and which the police tell me that they do not have the resources to police. They range from fly tipping to immigration to driving offences related to illegal gangmaster activity. If we had the resources, we could deal with those offences. We need more police officers, and I do not think that the council tax payer should have to pay for them. It is about time that Government—not this Government, but Government in general—gave Worcestershire the fair deal that it has lacked for so long.

2.34 pm

Dr. Richard Taylor (Wyre Forest) (Ind): I also thank the hon. Member for Worcester (Mr. Foster) for obtaining this debate, and doing such a brilliant job on the brief, which I am sure that we have all received, so that none of us has to remember the masses of figures that he produced.

This is a vital issue for the whole of West Mercia. I want to remind the Minister, who does not come from particularly nearby, what West Mercia is. The name derives from the Welsh marches, so we are men of the marches. In Bewdley in my constituency, there is even still an area called Catchem's End, which is just the English side of the River Severn. We believe that that was the last place where the Welsh could be caught on their way back to Wales. Or was it the last place where they could catch the English on the way back to England?

Mr. Keetch: Just as a point of historical fact, in the precincts of Hereford cathedral close one is still permitted to shoot Welshmen, using a bow and arrow, on market day. The historic practice of chasing Welshmen in the Welsh marches has been the preserve of Herefordians for many centuries.

Dr. Taylor: I thank the hon. Gentleman very much for that intervention. I wonder whether he also knows that the Mercians invaded Wessex and Northumbria and almost took Bamburgh castle. However, we are not campaigning in that sort of way. All that we want, as has been said by so many hon. Members, is absolute fairness across the board, so that the West Mercia police can have the same crack of the whip as other like authorities. I shall not go into the figures; I shall be just a little parochial, as was the hon. Member for Worcester, and mention some improvements that have happened in my local patch.

The 300-officer increase across the area has been of tremendous benefit. Although people still do not see as many police officers around as they would like to, they are beginning to see more than they did. The police are able to enforce an alcohol-free zone, and to do more about antisocial behaviour. However, people still complain to me about the lack of police presence.

The limitation on the way in which the police can tackle the drug problem is alarming. I have driven around the constituency with policemen and they have shown me the light on outside a house that means that the drug dealer is in there and is ready to deal, but they cannot tackle him under those circumstances. The problem of pensions has been mentioned, as has that of custody facilities. I believe that there is one facility in West Mercia—not in my patch—that is full by 2 pm on a Saturday. Call handling is improving, but needs to do so more, and more help is needed to counter antisocial behaviour.

I acknowledge that we get a rural sparsity grant, and reinforce the comments that have been made: we must keep it. West Mercia is a slightly odd selection in that it is largely rural but has some fairly big cities and many moderate-sized market towns. It is a difficult area to police. I do not quite understand the floors and the ceilings, but I take the point that they are essential for us, so they must be kept.

Historically, West Mercia is a low-cost and highly efficient authority, as has been confirmed by Her Majesty's inspectorate. It provides good value for money. It has more than achieved efficiency savings in the past few years; the authority actually put in a restrained precept last year. It is almost another example of an authority being penalised for efficiency and economy. There is also an understandable local feeling that if the economies had not been made and the precept had not been restrained, we probably would not have suffered so much.

To conclude, we must maintain the sparsity grant and the floors. Area cost adjustment should be considered, as it is in so many other instances in which the counties are disadvantaged. I disagree with the hon. Member for Mid-Worcestershire (Mr. Luff) about community support officers. They are uniformed bodies who are very obvious around the place. As they count as civilian staff, they are a tremendous addition. They certainly do a very good job in my area, and I ask for support for the bid for the extra 40 CSOs.

West Mercia has a very high number of civilian staff, which does release the uniformed officers. I praise it for that. The crucial problem, however, is that the Government grant per head is one of the lowest, so the proportion paid by local taxpayers is much higher than the average. Policing is such an important issue for the Government that I long to hear whether the Minister will address our problems in West Mercia.

2.40 pm

Matthew Green (Ludlow) (LD): When I was elected in 2001, I calculated that I probably represented one of the least policed areas of the country. At that time, before the increase, West Mercia had the second lowest number of police per head of population in the country. My constituency of 63,000 electors had only 63 police officers, which was about half the average for West Mercia. I am delighted to say that when West Mercia decided two years ago to raise council tax by 33 per cent. in order to recruit an extra 300 officers—a decision that I fully supported—my constituency gained 22 extra officers. That increase of a third was thanks not to Government funding but to a local decision bravely taken by the chief constable and the police authority. I believe that that decision had the support of every Member to whom I have ever spoken, which might put into perspective for the Minister just how far down the scale West Mercia is when it comes to police numbers. London has something like seven times as many police officers per head of population as my constituency does. Admittedly, we are a low-crime area, but we still need policing. Given shift systems and the like, it does not take a genius to work out that not many police officers are on duty in my area at any one time.

As the hon. Member for Worcester (Mr. Foster) clearly said—I am delighted to congratulate him on securing this very timely debate, and congratulate other Members who have spoken—the basic problem is that the grant for West Mercia is much lower than for almost any other police authority, including the comparators. That is the basic root of the problem. However, several other issues have compounded it, some of which I shall discuss. Of particular concern is the way in which West Mercia ended up being nominated for next year, which caught even the Home Office by surprise.

We have heard that even a standstill for next year might need a 9.8 per cent. council tax rise because of the effects that have been discussed. This would clearly put West Mercia in line to be nominated or capped next year as well, which is of considerable worry. As we have heard, the force needs to address some very important

[Matthew Green]

matters, particularly in relation to custody suites, or cells as most of the public call them—"custody suites" is a very modern term. There are no custody suites in my constituency at the moment. The force has had to close them, quite rightly, because of modern requirements for handling prisoners.

If someone is arrested in Ludlow, the nearest custody suite is Shrewsbury. It takes two police officers 50 minutes to drive that person to the custody suite, log them in and do all the necessary work. It takes two officers away for several hours—I have already said how few officers there are in my constituency—just to take an offender to the custody suite. There are plans to install a new custody suite at Leominster in Herefordshire—*[Interruption.]* The hon. Member for Leominster (Mr. Wiggin) does not appear to be here. Leominster is just down the A49 and about 10 to 15 minutes from Ludlow, which would make a significant difference to the number of police who can be active in my constituency. They can be back in the area much quicker if they need to make arrests. However, that custody suite is not in next year's funding proposals for a 5.5 per cent. increase and a possible 9.8 per cent. rise in council tax, about which we have heard. Things that are very necessary will not happen as a result.

Mr. Paul Marsden (Shrewsbury and Atcham) (LD): As my hon. Friend said earlier, is that not the crux of the matter? The figure cited of between £6.8 million and £7.9 million is below the level for most similar forces, but West Mercia is facing a cut of £517,000 this year, and that happens year after year. Surely the Minister realises that that must end.

Matthew Green: My hon. Friend is absolutely right: West Mercia faces a £517,000 shortfall in what it would have projected to spend next year without allowing for growth.

Peter Bradley: The hon. Gentleman said that his hon. Friend was right. As I understand it, his hon. Friend is not right in claiming that there will be a cut of £500,000 in West Mercia's funding. What the hon. Gentleman described is not what his hon. Friend described.

Matthew Green: It is not a cut in this year's budget. No; it is an enforced holding down of next year's budget. That is what nomination is; in effect, it will result in a cut in what probably would have been spent next year. It is semantics to argue about whether we should call it a cut.

I shall briefly mention some of my concerns about the process for deciding next year's nomination. When the Minister for Local and Regional Government met the police authority to discuss the matter, I understand that one of the factors that he took into account was the fact that complaints had been made about the size of the rise. I believe that the Office of the Deputy Prime Minister received one complaint about the size of the rise—from just one person—yet that one complaint seemed significant to the Minister for Local and Regional Government.

There is a problem with the Government's tactics. They announced that there would be potential capping to keep authorities' spending down; then, to ensure that council tax was kept low, the Chancellor gave extra money to local authorities. That money pulled them all down a couple of percentage points. However, the money went only to local councils; it did not go to police authorities. That fact was missed by the ODPM, which went ahead with the capping without realising that it would not help the police authorities—which it clearly cannot do, because it comes from a different funding pot.

I am concerned that exactly the same will happen next year. If West Mercia has to look for a 9.8 per cent. rise in council tax, it will be told that it must be kept down. Ministers from the ODPM have already made it clear that it should be lower this year than last, and I am sure that they will hammer it down. I am also sure that, just before the projected election next year, the Chancellor will hand over some cash to make council tax even lower. I can see it happening; but it will not affect police authorities if it is done then as it was done this year, and the police authorities could find themselves caught out.

I reiterate the plea that we heard earlier about area cost adjustment. I regularly canvass police officers in my constituency who work for West Midlands police. They freely admit that they prefer to live in Shropshire, although some experienced officers later come to work for West Mercia police. Those officers get the area cost adjustment for working in the West Midlands police area while living in the West Mercia area. It is clear that West Mercia should have an area cost adjustment. I hope also that the Minister will keep and increase the sparsity grant, which has not kept pace with inflation since its introduction. It was welcome then, but at best it is now in danger of stagnation. In time, that will further increase the problems for West Mercia.

Finally, we are debating the subject today because of a national political problem over council tax. West Mercia has been nominated for next year, but that is down to the fact that the Government have become very nervous about the level of council tax. Until they get to grips with council tax, scrapping it and replacing it with something fairer that is based on the ability to pay, they will continue to have such problems and to deprive local forces of the ability to take their own decisions. I am sure that every Member backs the idea of local police authorities being able to take decisions for themselves about the number of police and how to pay for them, rather than being brought to heel, so to speak, by Ministers in London who act for national political reasons, without any judgment on the way those local forces are run.

2.50 pm

Mr. Owen Paterson (North Shropshire) (Con) *rose*—

Mr. Deputy Speaker (John McWilliam): Order. May I ask the hon. Gentleman to be as brief as he can, because we want to get to the wind-ups?

Mr. Paterson: I shall be extremely brief because many of the points have been made. I congratulate the hon. Member for Worcester (Mr. Foster) on landing this debate, which is a matter of great interest to all our constituents, and on having assembled all the Members for Shropshire for the first time since *Shropshire Life* got us together on the green. I also congratulate him on excluding the hon. Member for Montgomeryshire (Lembit Öpik), who muscled in on the photograph.

In connection with such matters of great historical note, I remind the hon. Member for Wyre Forest (Dr. Taylor) that one of the kings of Mercia, who was obviously of the soft left, made it policy to chop off the hand of any Welshman caught the wrong side of Offa's dyke. However, his successor, who perhaps came from the middle way, chopped their heads off.

We have heard a lot of figures and the hon. Member for Worcester clearly elucidated the situation. The brutal figure for West Mercia is £92.24 but in the case of North Wales police—at the bottom of the hill where I live—every resident receives £117.48. That is a brutal, simple fact. We are not complaining about the global sum of money, but about the unfairness of the distribution system, which goes back to before the Government came to power, to the advanced ideas of West Mercia about civilianising—a ghastly piece of jargon—which basically meant replacing police officers answering telephones with civilians. Of the 4,000 staff, 2,600 are civilians and 1,400 are officers. West Mercia is being penalised for its advanced thinking from several years ago. Will the Minister look at the situation?

Peter Bradley: The hon. Gentleman made what is, I am sure, an innocent mistake. The police officer complement, as I understand it, is 2,424, not 1,400, although there are 1,602 police staff. Well over 50 per cent. of those employed by West Mercia are actually police officers.

Mr. Paterson: I am grateful for that contribution, but the figures I mentioned were those that I jotted down when I went with my hon. Friend the Member for Mid-Worcestershire (Mr. Luff). I am sure that we can sort them out later but, regardless of which figures are right, my point is that West Mercia replaced police officers with civilians early on and is now being penalised because of the way the system has been built.

When I wrote to the Home Secretary, I received a kind response from the Minister of State that contained a paragraph that I should like her to elucidate. The letter said:

> "You say that the West Mercia Constabulary is unfairly funded as their grant per head of population is different to neighbouring forces. We do not distribute funding on this basis. Grant varies between authorities with a range of socio-economic characteristics reflecting a range of relative policing needs. There are no objective grounds to suggest that West Mercia is unfairly funded".

But to anyone paying council tax, £92.24 as compared with £117.48 is unfair. That bears down disproportionately on my poorest constituents, who are the ones who write to me about the global area of council tax. I take a middle way between the hon. Member for The Wrekin (Peter Bradley) and my hon. Friend the Member for Mid-Worcestershire.

I have had a lot of letters complaining about the global level of council tax, but which do not mention the precept especially, but it is worth pointing out that 300 extra officers were all funded by increases in council tax, and not from central Government. In the next line of the letter the Minister rather gives things away. She states:

> "I recognise that formula changes implemented in 2003–04 did shift resources in favour of more urban areas."

That, bluntly, means that there was a shift by central Government, which did not favour rural areas. The Minister must acknowledge that, so I ask her to reply with reference first to the civilianisation, which went ahead very early in West Mercia, and secondly, to the clear shift of central Government money from rural to urban areas.

I entirely endorse the comments made by the hon. Member for Ludlow (Matthew Green) on cells. The cells in Market Drayton and Oswestry were closed about five years ago, which caused considerable upset in the area. The people who were put in those cells were, frankly, what one would call low-tech cases. Nearly all of them were people who had had too much to drink. I entirely endorse the practice of taking more dangerous cases off to high-quality custody suites, but it is ridiculous that two policemen should be driving people around Shropshire in a van. In one case someone went from Oswestry to Shrewsbury to Telford and ended up in Worcester, which is nonsensical.

I should like the Minister to examine the health and safety regulations on cells. We have an excellent new chief constable, who is carrying out a review of the matter. I hope that the Minister will give him a helping hand, so that the cells can be reopened for the low-tech cases that I referred to.

2.55 pm

Mr. David Heath (Somerton and Frome) (LD): I congratulate the hon. Member for Worcester (Mr. Foster) on securing not only the debate but the support of hon. Members representing constituencies in Worcestershire, Shropshire and at least half of Herefordshire, and on achieving a degree of consensus about what is obviously an important local issue. I speak of a degree of consensus because it clearly frayed at the edges with the occasional difference of opinion and some forays into the subject of the heptarchy and its doings, which I am not sure are entirely relevant to the subject of the West Mercia police authority.

What clearly unites hon. Members from the part of England in question is the feeling that they are not being given a fair deal for their police authority, and that they want things to improve. They are right to bring that matter forward today, and I have a sense of déjà vu because I remember all too clearly similar debates about different parts of the country, taking place over years—not least when I was the chairman of a police authority in the era of capping, when there were no increases in police numbers, and when the Home Secretary was the right hon. and learned Member for Folkestone and Hythe (Mr. Howard). We remember, and recognise the difficulties.

Most hon. Members were astonished, after last year's capping announcement, to find that a police authority had apparently been plucked out of the air for the nomination. It is a great shame that there was not a separate debate on the police authorities in the context of the capping debate, because it would have been extremely useful to bring out some of the issues then in a way that the brief statement on local authorities and police authorities did not make possible.

When we study the position of West Mercia police authority, and the fact that it has been nominated, and consider what the hon. Member for Worcester said about the other local authorities in the area which were capped or nominated at the same time, we can draw only two reasonable conclusions. Either the people of West

[Mr. David Heath]

Mercia have collectively lost the use of their critical faculties with respect to their local authority members, or somehow the formula is wrong. Some hon. Members may doubt it, but I suspect that the latter is the case.

When I consider policing authorities across the country, I notice that we are also asked to believe that every police authority—they are not usually the most profligate authorities or the most cavalier in their use of public resources—has apparently in the past year taken leave of its senses and incorporated a substantial council tax increase. Indeed, the average increase for all 43 authorities was 11.7 per cent. We must either believe that police authorities as a class have taken leave of their senses, or that there may be something wrong with the Government formula for distributing grant and providing for local authorities. I think that the latter is the case.

I am not speaking as an advocate for West Mercia—my responsibilities lie elsewhere—but I have looked at the way in which it spends its money. Is it spending appropriately? Yes, as far as I can see. Is it using its resources well? Yes, as far as I can see, and as far as Her Majesty's inspectorate of constabulary, the Audit Commission and everyone else who has investigated can see. Is it spending, empirically, a high amount on policing? No, it is not. The fact that it is not is transparent from the figures that we have all been given. Is it following the Government's intentions? Yes it is: it is employing the extra police officers whom the Government boast of having employed. If one looks at the Government paper, "Policing: building safer communities together", one can see the Minister smiling on the front page and boasting about the real achievements that continue to be made, such as the fact that the number of police officers has risen to an historic high. That is true, and I congratulate the Government on that, but she cannot will that end and not will the means by which to support it, which is what West Mercia has done by increasing its precept to pay for extra police officers.

If one looks at the figures for West Mercia—I have just done some back-of-the-envelope calculations based on those figures—one can see that the spending per head on policing is instructive, because it has risen substantially over the seven years of Labour Administration: it has gone from £92.30 to £133.31. That is an increase of just over £41, or about 42 per cent. That is great. That is doing the job that the Government were elected to do, and which they promised to do. However, the Government spending for West Mercia over the same period has gone from £76.74 per person to £90.04. That is a rather more miserly increase of £13.30, which is about 17 per cent. The contribution from council tax payers—here is the rub—has gone from £15.56 in 1996–97 to £43.27 last year. That is an increase of £26.71, or 170 per cent. That is the difference: Government spending is up 17 per cent., while council tax payers' contributions are up 170 per cent.—a tenfold percentage increase. That is why people get upset.

I accept what hon. Members around the Chamber have said—that they have had very few letters criticising the police precept, because people generally want their money to be spent on policing. People do not see why they should spend extra money and not get anything to show for it: they are happy to pay to see extra officers on the street, but they are not happy to pay a council tax increase that is out of all proportion to the benefit that they derive from it. I must say that council tax increases often appear to be entirely arbitrary.

There is a deep, dark secret in this place, which is that the three major parties in this House agree to a large extent about what we want to happen with policing. There is a degree of consensus that would, were it to be known outside, entirely ruin the careers of some of our colleagues. We understand what is needed and we want extra police officers. Some hon. Members have reservations about community support officers. As far as I am concerned, they are a useful adjunct to, but not a replacement for, police officers—that is the view that we have always taken. We want to see investment for efficiency. We want police officers to be given tools that keep them on the streets rather than in police stations filling out forms. I think that we all agree on that.

My hon. Friend the Member for Ludlow (Matthew Green) and others spoke about custody suites. They are important because if a police officer has to travel to put an arrested person into custody, that is a huge disincentive to making an arrest. When arrests are made, police officers are effectively taken off the streets while they travel to the nearest custody suite, which can be a long way in rural areas.

Peter Bradley: The hon. Gentleman makes an important point. Will he support the initiative to issue on-the-spot fines that the Government have had under trial? In cases of low-level crime such as those to which the hon. Member for North Shropshire (Mr. Paterson) referred, such fines would free up custody centres and would mean that time would not be spent conveying people who would otherwise be arrested from the scene of the crime to the custody suite or police station, and then further afield.

Mr. Heath: The answer to that question is yes, but with reservations. We have debated the initiative in statutory instrument Committees, and the Minister knows that I have strong reservations about its effectiveness when it comes to children over 10. We still need to see evidence that it is effective in reducing recidivism. Only if it does that is it effective. If a fine by means of a fixed penalty notice, rather than an arrest, does not deter someone from committing crime again, we must rethink. However, that obviously has a value in reducing police time. We are clear about that.

Matthew Green: The point about on-the-spot fines, though, is that many of the people arrested and in custody suites on Friday and Saturday nights are drunk and disorderly, and they cannot be given an on-the-spot fine and be left on the streets to continue to be drunk and disorderly. One whole point of the police action is to take them away and put them in a cell, if only to recover from the state into which they have got themselves. Such offences are clearly not suitable for on-the-spot fines.

Mr. Heath: My hon. Friend makes an important point. The biggest deterrent to crime is the expectation of being caught, which increases when people know that there are enough police officers to do the job. To have enough police officers, we have to have the budget to pay the police officers. That is the simple arithmetic of the matter.

There will be strains on any police authority budget. We know about the issues of wages and pensions. I was promised by the right hon. Member for Penrith and The Border (David Maclean) when I went to see him in 1996—I remember this well—that by January there would be a solution to the police pensions problem, but that has never happened. It did not happen under the previous Conservative Government and it has not happened under this Government. We still have a huge difficulty with that.

We can have our arguments about our ideas for police reform. I should like to see a bolder move towards a national police force that takes away national functions and leaves chief constables to fight local crime effectively and concentrate on local issues. That is my party's view. I would also have a different system of financing, which might be better or worse. We could have a political debate on that, but it is not today's question. It would be right to have a relationship between local areas and the chief constable, for example through some form of minimum policing contracts—local contracts that provide for a minimum number of police. That is particularly important in rural areas that abut urban areas, where we so often see the rural police officer absorbed into the city environment to fight crime. That happens for perfectly understandable reasons, but the people in rural areas feel that they are deprived of their police cover.

All those are matters for debate, but our real concern today is that the problems are not just in West Mercia, although it has particular characteristics. It is a largely rural force; it does not have a large city; it suffers as a result of the formula; it is outside the area cost adjustment. I must say that I do not agree with simply extending the area cost adjustment to take in another police force area; the problem is the system, not the fact that it does not happen to cover the particular authority in question. More importantly, however, a huge problem is looming next year. We know that a gap is coming, we know what demands there will be on the Home Office's overall budget and we know that, at the moment, it cannot meet the demands of the police service. That is where the Minister needs to focus her attention. How do we close that £350 million gap that the police authorities recognise, without laying off officers—a tragedy at a time when we are finally getting more officers on the streets—or the civilian staff who allow the police officers to do the job for which we pay them? That is the difficulty that the Government face, and I have not yet heard any sort of answer on it. Perhaps we will not hear that until the next Budget.

3.8 pm

Mr. Dominic Grieve (Beaconsfield) (Con): May I say to the hon. Member for Worcester (Mr. Foster) how pleasant it is to attend and to listen to this debate? Although I know parts of West Mercia extremely well, I do not do so as a politician. Hearing about individual problems, or a wide problem pulled down to an individual area, is always extraordinarily productive for us in understanding how policies work on the ground. We owe the hon. Member a debt for having secured today's debate.

I shall not be drawn on the issue of the Welsh, save to say that I do not think that such comments are made only in West Mercia. Where my wife's cousins come from in Yorkshire, the rubbish at the bottom of the farmyard is called keltea. When I inquired as to why that was, I was told that the only etymological origin for the word was the rubbish left behind by marauding Celts when they were seen off. I think that the Welsh might have something to complain about in that respect.

Mr. Deputy Speaker: Order. Speaking as the descendant of some of those marauding Celts, I hope that the hon. Gentleman does not mean me.

Mr. Grieve: Mr. Deputy Speaker, I thought that my comment would probably provoke a response. I shall rapidly move on to the substance of my comments.

Today's debate has highlighted the similarities between the problems of West Mercia and those of Thames Valley, which is the area that I represent. The clear connections between them identify a difference that the Government will need to deal with. West Mercia was set up in 1967 in exactly the same way as Thames Valley was set up. The areas were rural in the way that our grandfathers would have understood the term: deep countryside, market towns, county towns and very little else. Since that time, the population and infrastructure in areas such as West Mercia and Thames Valley have developed proportionately far more than in other areas of Britain, but, historically, expenditure on policing, particularly on police numbers, has not kept pace with that level of development.

The hon. Gentleman and other hon. Members have identified particular complaints. The area that I represent, which is on the edge of London but not within London—without London or Birmingham weighting allowances—has all the things that highlight police areas that have problems. There are difficulties with recruitment and retention. Other police forces are more attractive, and the number of police per head of population is proportionately low. It is no surprise that Dyfed-Powys just over the border from West Mercia has the highest clear-up rate in the country, as it also has the highest rate in England and Wales of police per head of population.

This is not rocket science. The problem that the hon. Gentleman identifies and that I hope the Minister will deal with—it is a non-partisan issue—is how to succeed in moving the civil servants at the Home Office into making police area assessments that are not 25 years behind the times. That is one of the key problems in policing areas such as West Mercia or my own area, Thames Valley.

I was interested to hear the hon. Gentleman say that policing had been a success in the past 12 months. It is certainly true that crime rates have been coming down, but the overall position in respect of violent crime in West Mercia since 1998–99 is absolutely horrific, with a rise of 195 per cent. between 1998–99 and 2003–04. The rates may be coming down for the first time, but they are certainly not going down to the levels that existed before 1998–99, or before the Labour Government's election to office in 1997. It seems that that considerable challenge is not being met.

Hon. Members, particularly my hon. Friends the Members for Mid-Worcestershire (Mr. Luff) and for North Shropshire (Mr. Paterson), have commented on

[Mr. Grieve]

the necessity for fairness in the allocation of money. I agree that the burden of the 300 extra police officers has been put entirely on the precept, and that that is an unsustainable and unattractive prospect. One only has to look at how the council tax police element has been treated since 1996–97 to see an all too familiar pattern of whacking rises, which were interrupted in 2000–01 to 2001–02 by the imminence of a general election, when cash was suddenly made available. The amount spent in those two years went up from £74.06 to only £78.50. That form of stop-go funding is dependent only on the extent to which the Government think that the electorate will punish them. In the long term, such funding is unsustainable. I wait to hear from the Minister how the Government intend to deal with those points.

I conclude with the wider issue, which is whether we have enough police officers to do the job. I believe that the answer is clear from this debate. We do not. If we wish to move towards the forms of neighbourhood policing that have been successful in other countries in achieving reductions in crime, we will have to fund the necessary police officers to do the job.

That is why my party carried out its study two years ago of what was required. It concluded that 40,000 extra police officers in England and Wales were required to achieve proper neighbourhood policing, that CSOs cannot be a substitute for that—even though I am sure they play a useful role—and that, if we want to achieve a reduction in crime, we will have to put the funding in.

That is why we committed ourselves to increasing the police force by 40,000 officers. We intend to carry out that promise. It will take several years to achieve—officers cannot be recruited overnight—but we are deeply committed to the plan, because it is the only way in which the electorate in West Mercia, or anywhere else, will see a proper benefit from the money that they pay in tax in relation to the police.

That is the challenge. I fear that the Minister will not be able to meet it. The truth of the matter is that the Home Secretary has been carpeted by the Chancellor of the Exchequer over the issue of expenditure on policing. He has failed to persuade the Prime Minister to back him up—indeed, the Prime Minister now seems to be rather supine in the face of the Chancellor. Real savings could be identified in the Home Office by grappling with issues such as immigration and asylum. Until all those things happen, the extra money for the real increase in police numbers that we need will not be available. In the meantime, it is the poor old council tax payer who will be required to pick up a burden that, frankly, going by the figures, is intolerable.

3.16 pm

The Minister for Crime Reduction, Policing and Community Safety (Ms Hazel Blears): I will endeavour to deal with as many points raised by Members as I possibly can. This has been a lively and interesting debate and I want to congratulate, in particular, my hon. Friend the Member for Worcester (Mr. Foster) on obtaining the debate. I am sure that all of his colleagues would join me in that. I am delighted that, on the whole, Members have concentrated on the particular matter of West Mercia, on which there is a degree of cross-party concern. Later, I might come on to some of the more provocative comments made by the hon. Member for Beaconsfield (Mr. Grieve), although I will try to restrict myself—tempted as I am—to concentrating on the issues that we are debating.

Like the hon. Member for Beaconsfield, I am not that familiar with the West Mercia area, although I had the recent pleasure of attending an extremely good event organised by my hon. Friends the Members for Telford (David Wright) and for The Wrekin (Peter Bradley). We got together to discuss antisocial behaviour with local police officers, the local authority and local residents. I was hugely impressed by the commitment of all parties in that area, not just to tackling antisocial behaviour, but to dealing with residents' fear of crime. Certainly the feedback that I have received is that that is beginning to bear fruit. I am absolutely delighted that antisocial behaviour powers are increasingly being used and I congratulate my hon. Friends on taking the initiative in organising that event.

My hon. Friend the Member for Worcester has done an excellent job in setting out the police authority's case and he has given us a great deal of factual information. However, I want to confirm to Members that the background to the position in West Mercia is that there has been significant extra investment in policing, both by the Government and indeed locally by council tax payers. The increases in police strength, community support officer numbers and police staff levels all reflect the increasing investment that local people wanted to see to provide more safety and more security in their communities. That is reflected nationally. We now have the largest number of police officers that we have ever had in this country: there are nearly 140,000 police officers, and together with 4,000 community support officers they provide that essential reassurance.

So although there will be issues about particular areas, levels of funding, the distribution of the grant and the way in which it is calculated, I ask all hon. Members to bear it in mind that those issues exist against the background of a significant investment in policing over the past few years. Every Member, as a constituency Member, will begin to notice that their constituents are telling them that, while they still want to see more police officers, they are beginning to see the difference on the ground, in their communities.

Clearly there is much more to be done. I am not for a moment complacent about our record. That is why we had the five-year strategic plan, why we shall issue a White Paper very soon and why we shall issue the next edition of the national policing plan. We shall continue to try to ensure that our police service is as efficient as it can be and that we get the best productivity out of the investment that we make.

I was disappointed by the contribution of the hon. Member for Mid-Worcestershire (Mr. Luff), who appeared simply to cleave to the past and to a traditional way of doing things. I say to him that, if we are to get the best value out of public investment in our public services—including investment in policing—we must be more creative about the way in which those services work. We must use science, technology and civilianisation and we must implement work force modernisation to free up police officers to work on the front line. I was disappointed by his statement, which I would characterise as an old-fashioned view of the world. I ask him to open up his horizons and to be a bit more creative.

Mr. Luff: The Minister has raised a provocative and important point. West Mercia constabulary has been at the forefront of innovation in policing. It was at the forefront of thinking outside the box and being modern and it is now being penalised for its pioneering approach. I am all in favour of being modern, but that must mean selectively modern. Modernity is not good for its own sake.

Ms Blears: I do not for a moment dispute West Mercia's excellent record as an efficient police authority. I was referring to the hon. Gentleman's personal views rather than to the performance of West Mercia, and was making a plea for him to be a bit more open-minded about the way in which public services in this country are conducted.

On the settlement for West Mercia last year, Members will know that we did our best to maximise the amount of police grant that was available. We got £140 million from other Home Office budgets. So we were not terribly popular in the Home Office but we garnered as much as we could for the police general grant because we know that it is a top priority for the public. We then put an extra £100 million from specific grants into the general grant and we decided—exceptionally—that we would have a standard rate of general grant increase of 3.25 per cent.

That decision benefited West Mercia. If we had implemented the funding formula in full, the force would have received a grant of £106.4 million, but because of the floor of 3.25 per cent., it received £107.7 million. It received £1.3 million more because the floor was there. The hon. Member for North Shropshire (Mr. Paterson) referred to the letter that I sent him that showed that we had provided the floors and, therefore, that West Mercia had received slightly more funding than the formula would have given it. Although the formula has been changed and, if it were implemented, would shift resources towards urban areas that have greater needs for policing, so far it has not been implemented because we took the exceptional decision last year to provide the 3.25 per cent. flat-rate settlement that protected West Mercia.

Today I heard a plea that we should continue to have those floors so that West Mercia will be protected in future. We are keen to return to a position where we can have some floors and ceilings, but obviously I understand the plea from authorities that are in a similar position to West Mercia that they should not be unduly penalised as a result of the reintroduction of floors and ceilings.

Clearly, I am not in a position to go into detail today about this year's police settlement. I will make an announcement about that in November, but I hear the strong plea. It was one of the reasons why, last year, we made that flat-rate settlement rather than implementing the funding formula. Members will know that authorities such as my own lost money. Greater Manchester lost £6 million. The West Midlands was £26 million adrift and the Metropolitan police were £54 million adrift. We are concerned that we use the flat-rate increase rather than floors and ceilings. I am sure that hon. Members will understand that other areas have difficulties as well.

This year, West Mercia was nominated on its budget increase. The reasons for that were that we were concerned to ensure that we had reasonable council tax increases. Concern was expressed, particularly by people on fixed incomes, about the level of council tax increases. Therefore, criteria were set around which people would either be nominated or designated on their budgets. We had had some large council tax increases in the preceding years and the measures that we took this year brought down the police precept from about 26 to 28 per cent. in 2003–04 to about 12 per cent. this year. The average total council tax increases were brought down to 5.9 per cent., compared with 12.9 per cent. in 2003–04. There was a need to exert that pressure on council tax, but I entirely understand why the three police authorities that found themselves on the wrong side of the criteria came in and made representations. I was present with my right hon. Friend from the Office of the Deputy Prime Minister, the Minister for Local and Regional Government, to hear them. West Mercia made a good case on the grounds of its efficiency and performance but unfortunately the criteria were set and there were no exceptional reasons to enable us to depart from the decision to nominate its budget in that case.

I cannot go into great detail about the settlement for next year, but we want to bring back the floors and ceilings if we can. We are working hard to maximise the amount we have for policing because we know that it is a top priority for the public. We have considered the information about the costs in the system from the Association of Police Authorities and from the Association of Chief Police Officers. I reject the phrase "police inflation", but I take the point made by my hon. Friend the Member for Worcester about the committed costs for pay, pensions and increments. In drawing up the police settlement we are taking those costs into account as far as we can.

Inevitably, every organisation has fixed costs. I say to every police authority, including West Mercia, that they must consider different ways of carrying out their business in order to get as much productivity as they can out of the investment made so that they can meet their costs. I do not underestimate the challenges to the police authorities in doing that, but inevitably every organisation—public or private—must try to face up to such costs.

Mr. Heath *rose—*

Ms Blears: I am not going to give way as I have only four minutes in which to address the issues raised.

Hon. Members raised the issue of the rural sparsity grant, and I am happy to confirm that it will remain in its present form for next year and there will be no change to the formula that underpins it. The rural fund will not be increased in line with inflation. The decision was made that, where there are any extra funds, we want to put them into the general police grant that can be spent at the discretion of forces. We are constantly under pressure to give people local discretion, but the main fund will recognise the particular pressures in rural areas.

[Ms Blears]

I am delighted to tell hon. Members that this Government are making progress on police pensions. Unlike previous Governments we issued a consultation document, which came out in December 2003, and we have proposed a system whereby employers' and employees' contributions will go into a fund, pensions will be paid out of it and a central Government top-up will smooth out the volatility in the current system, which has been a real difficulty for police authorities. When there is a spike of people retiring, it is quite difficult to meet those pressures. Police authorities know when people are due to retire, so there should be an element of forward planning, but the system will be much better with a central fund whereby Government take the volatility and uncertainty out of the system. We hope to proceed in that manner. I hope that hon. Members acknowledge that, if achieved, that will be a significant step forward.

My hon. Friends the Members for Worcester, for Telford and for The Wrekin, together with the hon. Member for Wyre Forest (Dr. Taylor), have pressed me on the application for additional CSOs. I am delighted that Members feel CSOs are making a significant contribution. They patrol for 70 per cent. of their time, and that is why they are different from police officers. They are not extracted to go to court and give evidence and they are not taken off to do other jobs; they are there to reassure the public, and that is why they are such a vital part of our police service. The comments of the hon. Member for Mid-Worcestershire about their not being real police officers or being two-thirds of a police officer are very derogatory. I believe that they provide a good service.

I have heard the pleas of my hon. Friends, and I will be looking closely and carefully at the submission from West Mercia for extra CSOs. I have applications from across the country, but I will bear in mind the points made forcefully by hon. Friends.

I was delighted that the hon. Member for Wyre Forest acknowledged the complexity of floors and ceilings. His contribution was very refreshing. The contributions made about the possibility of shooting Welsh people in Hereford sounded to me like terribly antisocial behaviour, and I have no doubt that steps will be taken with regard to that.

I am delighted to have had the opportunity to respond to all hon. Members' concerns. I see how important policing is to their local communities, and I am glad that they have taken the time and effort to attend and make representations. All I can confirm to them is that I shall bear in mind everything that they have said this afternoon when making decisions about the police settlement, and I am sure that we shall have the pleasure of debating the subject in future.

Woodlands (Article 4 Directives)

3.30 pm

Mr. Huw Edwards (Monmouth) (Lab): I was intrigued by the Minister's comment about Welsh people near the end of her speech. I wonder what comments were made against Welsh people during the previous debate.

It is a privilege to raise an issue that affects not only Wales but parts of England: the sale of woodlands and the use of article 4 directives. The matter was drawn to my attention by two constituents, Mr. Bill Butler and Colonel Brian Ruddy, who attended my surgery in Monmouth a few months ago. Their concern was to protect woodlands in their local area—Catbrook in my constituency—but from the diligent research that they have undertaken it is clear that the campaign that they have successfully started has nationwide implications, which is why I am grateful to have the opportunity to raise the matter.

In 1999, I secured a debate on a similar subject, concerning the sale of large-scale woodlands in Chepstow Park wood in my constituency. Following that debate, there was a successful resolution of that issue. The main aim of my contribution today is to highlight the environmental impact that the subdivision and sale of woodland can have, particularly in areas of outstanding natural beauty, and the selling practices of companies such as Woodland Investment Ltd.

I would like the subdivision and sale of woodlands to be included in the Government's current consultation on the subdivision and sale of agricultural land, and to ensure that the planning process in England and Wales is responsive to the subdivision and sale of woodlands through the use of article 4 directives and sections 84 and 85 of the Countryside and Rights of Way Act 2000, which gives special protection to areas of outstanding natural beauty.

I hope that guidance similar to that which has been given to local authorities in England—to the credit of the Minister's Department—will be given by the National Assembly for Wales to local authorities in Wales. One my main aims is to urge the Forestry Commission to consider seriously the disposal of forestry and woodland areas and to ensure that they are not sold to companies such as Woodland Investment Ltd., which are likely to subdivide and to sell them off in small plots.

Mr. Bill Butler and Colonel Brian Ruddy drew my attention to a potential threat to local woodlands in Catbrook, a lovely village in the Wye valley area of outstanding natural beauty. Their concern arose from the siting of signs stating "Woodlands for Sale" in what is known locally as Ninewells wood. These signs are commonly found on roadsides throughout England and Wales. I was intrigued by a similar sign that appeared beside the A40 just north of Monmouth relating to woodland known as Hayes Coppice on the border of my constituency and that of the hon. Member for Hereford (Mr. Keetch), with whom I have discussed the matter.

Those "Woodlands for Sale" signs have been erected by Woodland Investment Ltd. It advertises small plots of woodland for sale through the internet. It is believed that potential buyers are urged to own a piece of

Britain's beautiful countryside and advised that they can use the wood for a variety of purposes such as holding family reunions or the siting of caravans. In planning terms, those activities would require a change of use from agricultural forestry to recreation. However potential buyers are not informed of that. One of the main purposes of the debate is to highlight the need for a potential change of use, and the directives that local authorities should give in such cases.

The woodlands in Catbrook had been subject to a local dispute. Local residents sought to purchase a 25-acre wood. Unfortunately, they lost out in an auction and the company that bought it subsequently sold it on to Woodland Investment Ltd. The company established a new entrance to the wood and constructed a hard-standing area. The question is whether it needed planning permission to do that. I understand that Monmouthshire county council is deciding whether to take enforcement action. Purple marks on trees were evident and contractors informed local residents that the wood was to be sold off in small plots.I ask the Minister and his advisers to be good enough to look at the website of the company—www.woodlands.co.uk—and to consider whether the advice that it gives requires the Government and the Welsh Assembly to update the planning system, so that it can respond to this new, internet-type sale. We had a public meeting in Catbrook village hall, which was well attended. One of the contributors to that meeting was my predecessor, Mr. Roger Evans, whose expertise in planning law I acknowledge. He had advised us all to ask the local authority, Monmouthshire county council, to apply article 4 directives to save that wood and other woods in my constituency in which similar signs are going up, and which are being advertised for sale on the internet. There are woods in the Cross Ash area and in Hayes Coppice, just north of Monmouth.

On the woodlands.co.uk website, the question is asked,

> "What sort of things can I do with my woodland?"

The answer is quite intriguing:

> "You can walk, climb, make camp fires, study wildlife or work with wood. You can camp there and have family reunions, christenings and bonfire night parties. With your own wood you can do things that aren't possible in 'public woods'".

I wonder what that is a reference to.

> "For many woodland owners there is the satisfaction of owning a small piece of the British countryside and being able to manage it."

I do not think that anybody would question that as an objective. However, it is the non-forestry, non-woodland functions that most concern my constituents.

> "Potential buyers are advised that they are not able to build a house on the woodland—but you can build for forestry purposes".

For example, one could erect

> "a steel shipping container as a shed that could be used if you were to engage in forestry work."

It is said that

> "These are very secure and surprisingly cheap (under £1,000 for 1690 sq feet). This has the advantage that they can be installed quickly and moved within the wood . . . should the planners object to the siting, they can be relocated."

My constituents are rather horrified at the idea that local woods could be subdivided into small plots, with shipping containers located willy-nilly throughout them in case people want to engage in woodland work, with the proviso that they had better move on should the planners try to catch up with them. Another question that is asked is,

> "Can I park a caravan?"

to which the answer is:

> "The 28 day planning rule means that you can park a caravan in your wood and use it for 28 days in the year. Many people leave a caravan in their woodland for longer but this can only be done if there are no objections from neighbours. A white caravan in a wood does "shout" so it is sensible to paint caravans in dark green or brown."

Again, that idea causes great concern to my constituents. As well as P and O shipping containers, we are to have caravans painted in brown or green dotted around the woodlands of the Wye valley.

A number of issues arise from the marketing and sales practices of Woodland Investment Ltd. Woodland sites are often subdivided and then given new names, so we see advertised on the website woods that have unrecognisable names. They do not appear on the Ordnance Survey map. They are a creation of the marketing of the company.

The price of woodland sold in sub-plots through the internet is often considerably higher than the price that one might pay at auction. Ninewells wood is being advertised for sale at £4,000 per acre, compared with a maximum auction price of about £2,000. There is also a clear effort to minimise the planning limitations and the permitted development rights associated with using small woodland sites for such activities as family reunions, the parking of caravans and steel containers, and the dangerous practice of having bonfire parties.

There have been serious fires in the Wye valley in recent years and the fire service faces major problems in combating forest fires. When we hear of forest fires, we think it inconceivable that the planning system permitted people to buy small woodlands and to have bonfire night parties. It would be an irresponsible policy to condone. Potential purchasers might also have unrealistic expectations of the viability of harvesting the wood from small sub-plots.

My constituents respect the wish of people to own a bit of woodland to engage in small-scale forestry. However, they are seriously concerned about the sale of woodland for non-forestry purposes. That matter has been stressed to me in correspondence from the Woodland Trust, which encourages people to invest in small woodland sites, but does not accept the principle that they should be used for non-forestry work.

There has been a history in England of the subdivision and sale of agricultural land. My hon. Friend the Member for Braintree (Mr. Hurst) and the hon. Members for Isle of Wight (Mr. Turner) and for Wealden (Charles Hendry) have raised the matter in the House. My right hon. Friend the Minister for Housing and Planning issued a written statement on 19 April that acknowledged the problems associated with the subdivision and sale of agricultural land, with the erection of caravans and access to roads, and concern about the buyers of small lots being misled into believing that they could do more with the plot than would normally be allowed under the planning system. The same concerns about the subdivision and sale of agricultural land apply to the subdivision and sale of woodland.

[Mr. Huw Edwards]

The consultation that the Government have undertaken should be extended to cover woodlands. In answer to a written parliamentary question, my right hon. Friend stated that no concern had been expressed about the subdivision and sale of woodland. That is why I submitted to him the letters to Monmouthshire county council and to me from constituents expressing concern about the subdivision and sale of woodland.

We believe that we may have been the first to identify the threat to woodlands as a result of that practice. I fully acknowledge those hon. Members who have identified the threat, especially from a company called Gladwish Land Sales, from the subdivision and sale of agricultural land in England.

According to Mr. Brown, one of my constituents who lives by Ninewells wood:

> "The local environment is rich with wildlife, flora and fauna, some of which are very rare species. The wood is a breeding site for the nightjar—an internationally endangered species . . . the wood should be harvested and then allowed to return to natural ancient woodlands."

He and his neighbours care deeply about the local wood. They hoped to purchase it in order to protect it, but they lost out.

Mrs. Heidi Broughton, the agent of Woodland Investment Ltd., has been particularly offensive to Mr. Brown and his wife. She said that, if they were to cause any more trouble, the company would bring in the travellers. The company has already established a hard-standing area and a gateway to the woods, which we believe was done without planning permission and is contrary to planning regulations. Such threats are highly irresponsible, and I hope that Woodland Investment Ltd. will apologise to my constituents and withdraw the threat unequivocally.

It is essential to stress that the environment will be threatened if local woods are split up. There is a threat to biodiversity from the siting of caravans and the holding of family reunions and bonfire parties. The planning response in England has been to apply article 4 directives. Those relate to article 4 of the Town and Country Planning (General Permitted Development) Order 1995, which gives planning authorities the power to override permitted development rights. Wealden district council has applied article 4 directives. Several sites in the Wealden district council area are within an area of outstanding natural beauty. Charnwood district council in Hertfordshire has also applied article 4 directives. My constituents and I have urged Monmouthshire county council to apply article 4 directives to all the potential sites in Monmouthshire in the Wye valley area of outstanding natural beauty.

The advice given by the Office of the Deputy Prime Minister to local authorities acknowledges the problems, and states that local authorities should act swiftly and pre-emptively. It gives advice on the measures in the Planning and Compulsory Purchase Act 2004 to speed up enforcement action following a breach of planning control, and to enable a planning authority to issue a temporary stop notice when a breach of planning control is first identified without having to serve an enforcement notice .

I urge my hon. Friend the Minister to talk to his colleagues, the Ministers in the National Assembly for Wales, to ensure that similar guidance is given to local authorities in Wales. Carwyn Jones, the Minister, stated that the position is being monitored in Wales. I hope that one outcome of today's debate is that more pressure will be put on the National Assembly for Wales to recognise the potential threat that those practices pose throughout Wales.

Furthermore, it should be acknowledged that local authorities must be more informed of their duty under sections 84 and 85 of the Countryside and Rights of Way Act 2000. I had the privilege of serving on the Committee that dealt with that legislation and participated in the debates. That Act requires positive and effective action to be taken by the Government and local authorities to protect areas of outstanding natural beauty. Section 84 states that local planning authorities have the power to

> "take all such action as appears to them expedient for the accomplishment of the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty or so much of it as is included in their area."

Section 85 requires Ministers of the Crown, public bodies, statutory undertakers and any persons holding public office to

> "have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty."

In the inventory maintained by the Countryside Council for Wales, Ninewells wood is classified as semi-natural ancient woodland. The purpose of the AONB classification is to protect and to enhance the natural beauty and amenity of the Wye valley, including its physical, ecological and cultural landscape, and to promote the quiet, informal enjoyment of the Wye valley by the general public, but only so far as it is consistent with the first objective. I contend that local authorities, including Monmouthshire county council, need to mindful of the overriding duty to protect AONBs.

The Forestry Commission and I have been in correspondence about the matter. It has recently come to light that the commission is intent on disposing of a number of woodlands that do not deliver a significant public benefit. The sale of woodlands in Wales is expected to raise about £1.8 million. I am concerned that the commission could sell to companies such as Woodland Investment Ltd, which may then subdivide those sites and dispose of them separately. I would not have thought that it was within the raison d'être of the Forestry Commission to allow woodlands to be degraded as the result of inappropriate activities on woodland sites. My hon. Friend the Minister and his ministerial colleagues in the Department for Environment, Food and Rural Affairs and the Welsh National Assembly should consider the implications.

I urge the Minister to consider the main policy objectives that I identified at the outset. They are to consider the environmental impact of the sale and subdivision of woodland, especially in AONBs; and to include the subdivision and sale of woodlands in the Government's consultation on the subdivision and sale of agricultural land. Although woodlands are fundamentally different, there are similarities, but it would take much longer for woodland to recover should there be any degradation as a result of subdivision and sale. The other objective is to ensure that the planning processes in England and Wales are responsive to subdivision, through the use of article 4 directives and sections 84 and 85 of the Countryside and Rights of Way Act.

Following my Adjournment debate on the proposed sale of Chepstow Park wood in 1999, Forestry Commission policy was changed, and the wood was saved from development as a holiday village complex. I am grateful to those of my constituents who attended the public meeting, who have written to me on the subject and who are in London today. I am especially grateful to Brian Ruddy and Bill Butler for their diligent research in identifying the implications of the subdivision and sale of woodlands. The issue affects not only my constituency, but has implications for the whole country. I will do the best I can, using the facilities that Parliament gives me, to protect the beautiful woodlands of the Wye valley. I hope that, in his response, the Minister will offer some reassurance.

3.49 pm

Paul Clark (Gillingham) (Lab): I congratulate my hon. Friend the Member for Monmouth (Mr. Edwards) on securing this debate and on putting so succinctly the issues that have arisen in his constituency. As he rightly said, the future protection of our woodlands is relevant not only to his constituency but to the entire country. He has also drawn attention to the sensitivity of woods and forests. His constituents complained about the possible threats to the amenity of woodland. Those threats include shipping containers used for storage and the penetration of woodland by cars and caravans. I take the point that such actions can damage existing trees and the tree root system, and can be intrusive and unsympathetic to the landscape.

I have read very closely the Ninewells conservation group's report on the area to which my hon. Friend referred. I congratulate the chairman and the secretary of that organisation and others involved on presenting an informative document for consideration by the Office of the Deputy Prime Minister and for today's debate. We recognise the concerns. We rely on vigilant local communities and amenity groups, as well as on local authority and Government agencies, to defend the safety and continuity of our attractive woodland, wherever it is.

My hon. Friend referred to the statement on agricultural land in April by my right hon. Friend the Minister for Housing and Planning, in which he said that farmland was being sub-divided into small plots for sale over the internet and explained why that was bad news for the appearance of the countryside, a matter to which I shall refer later.

My hon. Friend has done a great service in raising the profile of this issue. When my right hon. Friend the Minister made his statement, the significance of splitting sites into plots was particularly relevant to agricultural land. At the moment, agricultural land is of more concern in England than woodland. Although the Secretary of State has considered several requests to approve article 4 directives involving woodland, especially in the south-east and the west midlands, the sub-division of woods does not yet appear to be the large-scale problem that it is for former fields and meadows. Having said that, the issues facing planners are the same, regardless of whether farmland or woodland is being sub-divided—a point that my hon. Friend made.

Woodland is a precious rural asset. Its landscape, wildlife and forest products are of benefit to everyone, even where there is no particular public access to a given wooded area. Insensitive and unauthorised activities can lead to an unwelcome change in the appearance of woodland.

Woodland, too, could suffer neglect, especially if plots are bought as a long-term investment in which there is little commercial incentive to maintain the trees properly. The Minister for Housing and Planning spelled that out in his statement when he explained how the appearance of the countryside could change. As with farmland, plot sales of woodland might create fear in those who live nearby that development is inevitable. I certainly picked up on that concern when reading submissions from my hon. Friend's constituents to him and to the county council.

I take this opportunity to outline some of the relevant parts of the law governing the use of forest land and to provide clarification. Hon. Members will be aware that the key concept—the trigger for planning control—is whether something is development. That is the nub of the issue. Some types of activity do not amount to development unless they are so frequent that they have an impact on the local amenity and bring about an unauthorised change of use. The following examples—my hon. Friend referred to some of them—are not usually seen as development: brief events such as a bonfire or an outdoor party, picnics, barbecues, family gatherings, even the parking of a car, do not amount to development. Other activities that are normally deemed to be development and which therefore fall under planning controls include, for example, the erection of buildings, fencing an area and the creation of access roads. However, there is a third category, to which my hon. Friend has alluded. Some development is given a permitted development right—a general planning permission that removes the need to make a planning application.

In the context of woodland, several of those rights could be relevant. The Town and Country Planning (General Permitted Development) Order 1995 allows for the stationing of caravans, camping, works necessary for the purposes of forestry, and the staging of events on no more than 28 days—in some cases, 14 days—unless the land is a site of special scientific interest. I note that the area to which my hon. Friend refers adjoins the SSSI site of Cleddon Bog. The fact that, although it is not itself a SSSI, it adjoins one, might be relevant to a planning application, but that is a matter for the local authority.

As for shipping containers, bearing in mind what might happen with regard to planning applications and enforcement action, I do not want to speculate about any particular plot sale advertisement and the suggestions made in it. However, a container could be treated as a building for development control purposes. It is a matter for the local planning authority to assess whether development is going on and whether it is lawful. That might involve taking into account other indicators of what is happening on the site.

There are circumstances when placing a caravan on land may change the principal use of the land. For that reason, use of the land for an occupied caravan generally requires planning permission. However, there are exceptions, one of which, under schedule 2 to the

[Paul Clark]

order, covers use of land for one or two nights by a person travelling with a caravan, subject to an annual limit of 28 days on the given land. It is not permitted to spend a full 28-day period, but various periods of one or two nights up to a maximum of 28 days are permitted.

As for gates and fences, those can be permitted development. A planning application is not required for the construction or alteration of a gate, fence, wall, or other means of enclosure, provided that it does not exceed 1 m in height, if it is adjacent to a highway used for vehicular traffic. I just wanted to clarify some of the points raised by my hon. Friend.

Any permitted development right can be withdrawn, if there are strong planning grounds, under article 4 of the order. Such directions may be used if there is a significant, specific and credible threat to an important amenity. My hon. Friend is right that we are consulting about changes to make it easier for article 4 directives to be used. We have been in official discussions with Members of the National Assembly for Wales to ensure that there is understanding about this. In addition, temporary stop notices are a provision of the Planning and Compulsory Purchase Act 2004. We have discussed their implementation with Welsh colleagues.

Time defeats me. There are several other relevant aspects, such as areas of outstanding natural beauty. New provisions on planning statements afford greater cover for ancient woodlands. That approach is relevant and it is worth considering. My hon. Friend has strongly highlighted the environmental impact and the woodland issues. We are seriously considering extending consultation on article 4 to woodland, and I thank my hon. Friend for taking the opportunity in this debate to raise such important issues.

Sea Defences (Essex)

4 pm

Mr. John Whittingdale (Maldon and East Chelmsford) (Con): I am grateful for this opportunity to debate an issue of enormous importance to my constituents, particularly those living in the Maldon district.

Essex has more than 275 miles of sea walls. Perhaps up to one third of those are within my own constituency and a significant part of the rest lie in the constituency of my hon. Friend the Member for Rayleigh (Mr. Francois), whom I am pleased to see in this debate. Last year, he and I attended the service in Chelmsford cathedral to commemorate the 50th anniversary of the great floods, which resulted in more than 100 deaths in Essex. All of us are very conscious, therefore, of the ever-present threat from the sea.

That threat is increasing for several reasons. Climate change is leading to rising sea levels, the rate of which some estimate at around 30 cm a century. On top of that, the land is sinking at about the same rate, owing to the tilt that results from settling following the retreat of the ice age some 15,000 years ago. Although there may be some disagreement about the precise rate at which that is happening, there is no doubt that the combined effect of those two processes is that the sea level is rising relative to the land in Essex. The Government's estimate of the rate is about 6 mm every year. At the same time, salt-marsh is being steadily eroded, at about 1 per cent. a year. That not only destroys an enormously important natural habitat, but results in the loss of its value in absorbing the wave and tidal energy, thus increasing the pressure elsewhere.

According to a recent parliamentary answer that I obtained, the Environment Agency assessed 86.6 per cent. of the flood defences in Essex as fair or better. However, that figure is deceptive, since it includes fluvial as well as tidal defences. A recent engineer's report that I have seen rated the sea defences at Steeple Wick, Mayland creek and Tollesbury in my constituency as very poor, with a residual life of less than five years. At Mayland and Maylandsea, where there is a significant population, the defences are also rated as poor. Maldon district council has expressed concern about the threat to the Southminster branch railway line, which passes uncomfortably close to the high water mark at Stow creek on the Crouch estuary.

According to parliamentary answers, 63 miles of Essex sea wall—about 23 per cent. of the total—have been raised and improved in the past 20 years. Of that total, however, just 0.62 miles have been improved in the past five years. In 1999, 2000, 2001 and 2003, no improvement took place at all. Instead, there have been a succession of studies: the Roach and Crouch estuary strategy study, which cost £400,000, the Colne and Blackwater estuary strategy study, which cost £400,000, the Stour and Orwell estuary strategy study, which cost £350,000, the Essex coastal habitat management plan, which cost £50,000, and the Essex shoreline management plan, which cost about £250,000.

In April, the Environment Agency published a report entitled "Maintenance of Uneconomic Sea Flood Defences: A Way forward". The report concentrates on Essex, where, it says:

> "the combination of rising sea levels and foreshore erosion, which threatens the sustainability of defences and gives rise to loss of intertidal habitat, together with many uneconomic seawalls mean that action is urgently required."

The report states that

> "the cost of maintenance of many existing defences along stretches of the Essex coast and estuaries exceeds the benefits."

The report therefore proposes to classify each length of sea wall into one of four categories.

For those defences in category 4, the report recommends that the Environment Agency should begin withdrawing maintenance as soon as possible. In those cases, it states that landowners should be informed of the anticipated residual life, the existing standard of defence and the condition of the structures at the earliest opportunity. Landowners will be able to apply to the Environment Agency for permission to maintain defences on their land at their own expense. An alternative is to apply for countryside stewardship intertidal habitat creation payments, but the paper also makes it clear that there is no legal requirement or general provision for compensation to be paid.

At present, we have no firm indication of how much land is affected, but in the Crouch/Roach estuary system, the Environment Agency has estimated it at 389 hectares. It is worth noting that the Department for Environment, Food and Rural Affairs consultation document "Making Space for Water", published in July, states that on a national assessment, it is estimated that up to 500,000 hectares of agricultural land are currently behind potentially non-viable flood defences and are therefore candidate areas for restoration and realignment policies.

Although I do not dispute the logic of the Department's approach, it raises an awful lot of questions. Landowners are not convinced of the method used to calculate either the cost of maintaining the defences or the value of the land lost if they are abandoned. The method of economic appraisal undervalues heritage, environment and community assets such as footpaths. The phased introduction of the single farm payment will make the process even more confusing.

There is real suspicion, too, that policy is being driven in large part by the habitats directive, and that greater concern is being paid to the preservation of wildlife habitat than to the preservation of agricultural land for food production or our heritage. It seems extraordinary that there is a raft of protections for a reed bed providing habitat for birds, together with a requirement for the provision of compensatory habitat should it be lost, while a grade I listed building has no legal right to protection nor do its occupants have any entitlement to rehousing in the event of its flooding.

The failure to carry out almost any improvement works to sea defences in the past five years may well be explained in part by the directive requirement that compensatory habitats should be provided. At one time it appeared that even maintenance work would trigger the same requirement, and I should be grateful for the Minister's confirmation that that is not the case.

The priority points-scoring system used by DEFRA to assess projects is also set so that no flood defence scheme in the whole county of Essex qualifies. What is more, it is distorted in favour of fluvial works rather than coastal defence. On the one occasion when it appeared likely that a scheme would score sufficiently, the Government promptly raised the threshold. The position will be made worse by the abolition of the Essex local flood defence committee and its incorporation into a regional committee including Norfolk and Suffolk. That will mean that future decisions will be taken by a body that is more remote and has little knowledge of the particular problems in the county.

The option that causes most controversy—managed realignment—will have a part to play, which most landowners and farmers accept. There have already been a number of small-scale trials of managed retreat in my own constituency: at Northey island, St. Lawrence and Tollesbury. However, the Minister might be aware that a recent proposal to create 170 hectares of wetland at Weymarks in Bradwell had to be withdrawn because of the strength of public opposition. At the very least, therefore, people need to be convinced that the alternative options have been fully considered before managed realignment takes place.

Where landowners choose to maintain the walls themselves, they need to be able to do so easily without having to obtain myriad consents, which drives up costs and leads to lengthy delays. Although in the Maldon district the council has been supportive of landowners and not insisted on planning permission for maintenance work, that is not always the case elsewhere.

We also need to examine more carefully the effect of dredging for aggregates, which may exacerbate the problem. In Holland, there is a moratorium on dredging within 20 km of the coast, whereas here dredging may take place from 5 km out. The effect may well be to accelerate the loss of salt-marsh. Where dredging takes place in ports and harbours, the sediment is usually dumped at sea. It would be relatively easy instead for it to be used to replenish frontages, as happens in Holland. There, more than 9 million cu m of beach recharge takes place each year, compared with just 2 million cu m here.

Where realignment does take place, it needs to be planned and managed, not left to be determined by chance wherever the defences happen to fail. A breach in the wrong place could do more damage than good to the estuary. Nor can we necessarily rely on natural processes to create salt-marsh. In some areas, all that has resulted is an expanse of mudflat, which has done little to mitigate the problem.

We should also recognise that the decision to abandon land that has, until now, been defended carries with it a responsibility to compensate the owners who are affected. Realignment results in public benefit in the form of sustainable defences, creation of habitat and protection of economic assets. Landowners are therefore entitled to payment in recognition of the positive environmental benefits. In "Making Space for Water", the Government suggest that payment might be available through the environmental stewardship agri-environmental scheme, but that is time limited and it may not be sufficient, particularly if entitlement to single farm payment on the land is lost.

It is, of course, right that there should be proper consultation and study before the strategy for maintaining our sea defences is agreed, but that consultation has been going on for long enough. Defences in Essex are deteriorating and there is a real

[Mr. John Whittingdale]

fear that the Government's approach is one of abandonment by stealth. My constituents want action. That means clarity on managed retreat, reasonable compensation where retreat is shown to be appropriate, and prompt and proper expenditure on flood defences that will be retained.

Mr. Mark Francois (Rayleigh) (Con) *rose—*

Mr. Deputy Speaker (Mr. John McWilliam): Does the hon. Member for Rayleigh (Mr. Francois) have the Minister's permission to speak?

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Ben Bradshaw) *indicated assent.*

Mr. Deputy Speaker: The hon. Gentleman has not asked me either, and he should have done so beforehand, but I will call him.

4.11 pm

Mr. Francois: I thank my hon. Friend the Member for Maldon and East Chelmsford (Mr. Whittingdale) for securing the debate and for introducing it so ably.

I, too, recall the cathedral service that my hon. Friend referred to, when the congregation was addressed by county councillor Ray Howard. He spoke movingly of his experience as a boy living on Canvey Island on that fateful night in 1953. It is important for Ministers to appreciate that sea defences and protection against flooding remain emotive issues in Essex to this day. That is evidenced by the presence this afternoon of four Essex Members, including my hon. Friends the Members for North Essex (Mr. Jenkin) and for Castle Point (Bob Spink), which includes Canvey Island. In our county, we take these issues seriously. I want to drive that home to the Minister.

Given that, it is a shame that Ministers have decided to abolish our Essex local flood defence committee. The system has operated successfully for many years. It was in no way broken, so it is a shame that the Government have deemed it necessary to fix it. Last year, I led a delegation to see the Minister for the Environment and Agri-environment on these matters. That delegation included County Councillor Ray Howard and County Councillor Tracey Chapman, who has specific responsibility for those matters at County hall. We did our best to impress upon the Minister the need to retain our local committee in Essex. While I stress for the record that he gave us no guarantees, we left his office rather hopeful.

Therefore, I am sure that Ministers will understand our collective disappointment at the decision to merge us with Norfolk and Suffolk on these matters. In those places, the issues are, in some respects, somewhat different. I do not believe that that decision was undertaken for any practical reason. I believe that it was taken simply to fit in with the Government's wider regional agenda. Therefore, I deprecate it. I suspect that it will be no more popular in Norfolk and Suffolk than it is in Essex, so I want to take the opportunity to look the Minister in the eye and tell him, respectfully, that I genuinely believe that he and his fellow Ministers have made a mistake.

In the brief time remaining, I want to stress one further point about the maintenance of sea walls, which was touched on by my hon. Friend the Member for Maldon and East Chelmsford. In recent years, there has been considerable confusion about the interplay between the habitats directive and the granting of consent to undertake traditional maintenance work on existing sea walls. It would be pernicious if the Government were to withdraw funding for sea defences in some areas—essentially, leaving it to local farmers—and then so to tie those farmers up in environmental red tape that they were not allowed to maintain the walls, even if they elected to do so at their own expense. Like my hon. Friend, I would be grateful if the Minister clarified the fact that traditional maintenance does not require compensatory habitat to be provided—indeed, that formal planning permission is not required for traditional maintenance to be undertaken in the normal way.

Finally, I stress that in this area there are important environmental issues, which we all recognise, but that safety remains paramount. We in Essex have not forgotten the lessons learned from the great flood of 1953. We are still conscious of the risks. I hope that others, including those in positions of authority, will remain conscious of those risks in all that they decide to do.

Mr. Deputy Speaker: Order. If a Member wishes to make a speech in a half-hour Adjournment debate, he should obtain the permission of the Member who secured the debate and of the Minister before the debate, and he should inform the occupant of the Chair before he rises.

4.15 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Ben Bradshaw): I congratulate the hon. Member for Maldon and East Chelmsford (Mr. Whittingdale) on securing this debate. I know from the numerous parliamentary questions that he has tabled that he takes a keen interest in this issue and is very active on behalf of his constituents.

I start by apologising on behalf of the Minister for the Environment and Agri-environment, who usually speaks on flooding issues. He is unable to be here today because he is representing the UK at the conference on the convention on international trade in endangered species.

I will set out some points about the wider context of Government policies before coming to some of the specific issues raised by the hon. Member for Maldon and East Chelmsford, and by the hon. Member for Rayleigh (Mr. Francois). The Government have provided a major increase in investment in funding for flood defence and flood risk management over recent years, which is set to continue. I think that that increase is recognised across the board. Total Government expenditure will exceed £478 million this year and will rise to over £564 million next year. That is an increase of £252 million a year against the 1997–98 level. However, as the hon. Member for Maldon and East Chelmsford said, there will never be enough funding to meet every flood and coastal defence need. We have to spend taxpayers' money in ways that maximise the benefit of our investment. We need to make sure that the Government's provision for flood defence is spent where it is needed most, protecting people and their homes and possessions from the trauma of flooding.

In the face of all the natural, economic and other pressures that we face, including those of climate change, sea-level rise and the sinking of the eastern part of south-east England, the response cannot be automatically to carry on defending every last inch of coastline to the same standard. We need to consider the cost of maintaining existing defences against the benefits that that work provides. Those evaluations must be applied to flooding from rivers and the sea, in Essex and beyond. If the cost of maintenance exceeds the benefits, it is difficult, if not impossible, to justify spending public money on doing that, knowing that there are well justified schemes waiting to be brought forward for many vulnerable communities.

Allowing sea walls to be breached can have significant environmental and conservation benefits. The hon. Member for Rayleigh may not be aware of this, but I originate from Norfolk, which was also traumatised by the terrible floods of 50 years ago, so I am aware of the importance, in the consciousness and memories of the people of East Anglia, of the trauma of that flooding. I think that he would accept that, in some ways, managed retreat can help to avoid catastrophic flooding of the type that occurred then, which we hope not to have to witness again.

Inter-tidal areas in front of defences are coming under increasing pressure as sea levels rise and coastal squeeze takes place. I stress, however, that the policy is to consider the economic justification of maintenance, and that the withdrawal of maintenance by the Environment Agency does not automatically mean that walls will be breached, as landowners might carry on maintaining them.

DEFRA has published a recent policy statement on uneconomic flood defences to assist the agency in preparing its strategic assessment of flood defence needs. It incorporates the classification of existing sea walls into one of four categories: those with a clear economic case for continued maintenance; those that protect internationally designated environmental features from the damaging effect of tidal flooding; those not in the first two categories, for which maintenance is justified on a precautionary basis because the effects of withdrawal are uncertain; and those not in the first three categories. Category 4 walls are likely to protect only agricultural land, or land of little economic or social value.

The Environment Agency will work with English Nature in adopting that structured approach to considering the justification of future maintenance of all coastal sea walls through a comprehensive series of estuary strategies and shoreline management plans. If the hon. Member for Maldon and East Chelmsford will allow me to, I promise to write to him, and to the hon. Member for Rayleigh, about some of the details of the points system that he raised.

Essex estuary strategies are in preparation. Coupled with a revised Essex shoreline management plan, they will provide the information and framework necessary for making the best medium to long-term decisions. The full programme of strategy development in Essex is planned to be complete by 2007.

The presumption is that the agency will not continue to maintain category 4 defences and that the withdrawal process should begin as quickly as possible. However, where, as a result of the studies, defences are assigned to category 4, the agency will withdraw maintenance only after full discussion with the landowners affected and will always ensure that sufficient notice is given, so that landowners can consider their options and factor them into future business plans.

Landowners will have the option to maintain the sea walls at their own expense, subject to consent from the Environment Agency. Where the landowner proposes to continue the existing maintenance regime, there are unlikely to be grounds for refusal. Where the landowner decides not to maintain the wall or fails to gain the agency's consent to do so, their options could include applying for agri-environment payments to create inter-tidal habitats, and selling or leasing the property for habitat creation, for example. In many cases, sea walls for which there is no maintenance justification may have a substantial residual life of several years. It will not be a case of the agency refusing maintenance one day, and inundation the next.

We cannot undertake to defend all areas for all time whatever the cost, not least in the face of climate change. The coastline is dynamic and we need to let it move where we can for economic and environmental reasons. This is not a new policy; it is a truth that has been recognised by successive Governments. For example, the 1993 strategy for flood and coastal defence in England and Wales, issued by the Ministry of Agriculture, Fisheries and Food and by the Welsh Office, stated:

> "to attempt to protect every inch of coastline from change would not only be uneconomic but would work against the dynamic processes which determine the coastline and could have an adverse effect elsewhere and on the natural environment".

The 1993 strategy also emphasised the need to consider a range of flood management options, including setting back the existing line of defence.

I assure hon. Members that we will take rational and precautionary decisions on future maintenance regimes and that landowners will be able to consider an alternative arrangement if the decision is made to withdraw maintenance. Those principles will be fundamental to our approach.

Question put and agreed to.

Adjourned accordingly at twenty-two minutes past Four o'clock.

Westminster Hall

Wednesday 13 October 2004

[MR. JOHN MCWILLIAM *in the Chair*]

MRSA (Hospitals)

Motion made, and Question proposed, That the sitting be now adjourned.—*[Ms Bridget Prentice.]*

9.30 am

Mr. John Lyons (Strathkelvin and Bearsden) (Lab): May I first say how grateful I am that MRSA has been chosen as the subject for discussion today? I welcome the opportunity to open the debate and thank colleagues for participating in it. It is important for me to put on record our sympathy and condolences to people who have been affected by MRSA. The National Audit Office has reported that about 5,000 people a year are killed in hospitals, a fact that is obviously of major concern to politicians, staff and, of course, patients. It is creating a situation in which constituents throughout the country are now worried about even going into hospital, something that we must take on board and change. We can do that only by improving the problem of MRSA in all acute trusts in the United Kingdom.

The NAO's excellent report deals extensively with MRSA. The point of the debate is not to blame particular staff in any part of the UK. We commend staff who are battling each day against MRSA. By staff, I mean not only clinicians and nurses, but cleaning and catering staff who are trying to improve the way in which they work. We can strengthen that effort by saying continually that cleaners, catering workers and porters are every bit as important as the clinicians and nurses. They all form part of an effective staff team in hospitals, a point that we must reinforce.

Furthermore, when we discuss MRSA, there is always an attempt to make political capital from it, something that we must resist today. The problem of MRSA is not down to a Labour Government or a Conservative Government; it is not about politics. It would be a tremendous mistake for people to play a political game with MRSA. It is far too important for that. The only political point that I want to make is that when sisters, matrons and nursing staff are asked what they feel about MRSA, they say that are unhappy about not having control of cleaning staff. Cleaning is a central and crucial issue in the fight against MRSA.

Surveys carried out by the Royal College of Nursing and other organisations have highlighted the fact that they would like control of cleaning to be in the hands of ward sisters and matrons, so that they can determine the level of cleaning and when, where and how it is carried out in conjunction with the cleaning management and its staff. That is a central point. The problem arises because of contractors. Sisters and matrons have no say in the cleaning of wards by contractors, and that is a major mistake. If hospital staff want more cleaning to be carried out, they are told that it cannot be done because it is not in the contract, so they must accept a level of cleaning that they may consider inadequate and poor. We must discuss that issue. I want to see the removal of contractors from hospitals. I want sisters and matrons to have control of the cleaning staff so that they can determine the level of cleaning in a ward or other parts of a hospital. Such practice would not be going against contractors, but would give control to an in-house cleaning team and the nursing and clinical staff who work with it. It is as simple as that.

Dr. Andrew Murrison (Westbury) (Con): I have been following the hon. Gentleman's remarks with great interest. What would he say to the spokesman at the Department of Health who said this week that there was no correlation between the contracting out of cleaning and the incidence of MRSA?

Mr. Lyons: I am not an expert, so I do not know whether there is a correlation. All I am saying is that, even in those hospitals where there have been improvements, nursing staff are deeply unhappy about the fact that they cannot be involved in the issue of cleaning. We will never overcome the problem in the longer term if we do not deal with cleaning because it is central and everything else depends on it. I am only reflecting the survey evidence from nursing staff who feel strongly about the matter.

Jim Sheridan (West Renfrewshire) (Lab): There may or may not be a direct correlation between the contracting-out of services and the lack of proper cleaning in our hospitals, but does my hon. Friend agree that when services are contracted out we bring in people on extremely low wages and with poor conditions? At the end of the day, one gets what one pays for, as I know from my own practical experience.

Mr. Lyons: My hon. Friend is right, and I thank him for that point.

All I am saying is that in a busy ward or intensive care unit nursing staff may feel that extra cleaning is needed from time to time to try to keep on top of any problems, and I commend them for that. However, it is important that the cleaning staff and others are able directly to respond to that request. The last thing that we want is clinicians and nurses making requests that can be denied because of contract arrangements. That is a major mistake.

I want to put on record my thanks to Stephanie Dancer, a microbiologist in Glasgow, for her advice on MRSA when I was preparing for this debate and, above all, for her dedication to the NHS and its staff. She works enthusiastically, day by day, to try to combat MRSA in every possible way.

I shall try to be brief because a number of hon. Members want to contribute and it can only assist us if more people are involved. I have said before that the historical context is simple: MRSA has been around for a long time. It has existed, and increased, under Conservative and Labour Governments. That is a fact of life and there is no political point to be made. I congratulate the NAO and Sir John Bourn on the first-class report that they produced in July. It deals with the matter in a balanced way and encourages best practice where it exists, but tackles the issue of acute trusts and others who are falling down when dealing with MRSA. As I said at the outset, 5,000 lives a year are involved at a cost, according to the NAO, of £1 billion a year to the NHS.

[Mr. Lyons]

Some Members of Parliament have gone on record as saying that this is a major political issue and should be a central debate during the general election. They are playing politics, and it would be better if they looked after the general hospital rather than the prospects at the general election. Such comments are untimely and undermine the fight by staff to try to reverse the trend of MRSA in some of our acute trusts.

One point in the NAO report that I support and commend is that on inspection. The situation in the UK is patchy. There have been major improvements in dealing with MRSA, but some parts of the UK seem to have been unable to reverse the increasing trend of MRSA in their hospitals. We need an independent watchdog to keep the pressure on acute trusts from year to year to ensure not only that they are talking about making improvements but that they are actually making physical improvements, producing results and achieving more than just statistics. People must be able to see that there has been an improvement in their trust. I am sure that we all know the story of our own local trusts and what they are doing and not doing.

I want to concentrate on four issues: hand hygiene, antibiotic prescriptions, hospital cleaning and rapid testing for MRSA in hospitals. In recent years, hand hygiene has become critical for staff in acute trusts and other parts of the health service. It is an issue for everyone: clinicians, including consultants, nursing staff, catering staff, and cleaning and portering staff. No one can be exempt from the need for clean hands when dealing with patients and equipment. It is clear that equipment in hospitals, and wards in particular, carries MRSA, and we need to reinforce that point. Good practice exists in some trusts, but others need to up their game: they need to do more and make major improvements. Basic cleanliness can stop the spread of MRSA. It is not a recommendation; it must be a common obligation on staff. No one is exempt from hand cleaning and hand hygiene, and everyone needs to heed that message.

The NHS is doing a lot of work on hand hygiene; for instance, it is introducing alcohol-based gel dispensers, for which I salute it. Those are working very well, and we need to ensure that they are not just a flash in the pan, but a persistent and consistent part of cleanliness in our wards throughout Britain. The position is best summed up by Mr. James Johnson, the chairman of the British Medical Association, who said that is has become

> "socially, morally and ethically unacceptable for doctors not to wash their hands before touching each and every patient."

He continues:

> "Doctors, nurses and other members of NHS staff who have contact with patients must take ownership and responsibility for their own practice".

His words should become a watchword in every trust in the country.

Mrs. Patsy Calton (Cheadle) (LD): It is not just medical staff and people from the hospital who come into contact with patients; it is also visitors and relatives. I would be happy if the hon. Gentleman included them in the list of people who need to be careful about hand hygiene.

Mr. Lyons: I thank the hon. Lady for that point. When I was preparing for this debate, a number of MPs came to me and said, "John, it's all very well talking about the staff, but the whole question of patients needs to be addressed, as well." To be fair, the Patients Association is trying to reinforce the message. Whether we like it or not, visitors to hospitals carry MRSA. People go into a ward—I have been in one myself recently—and sit on the bed. There is all sorts of contact that one would think inappropriate in that situation. There is a need not only for discipline among staff, but to ensure that visiting becomes part of the hygiene regime.

Mr. Russell Brown (Dumfries) (Lab): The general public feel that if there is a family member or a friend in hospital, it is their duty to go and visit them, perhaps even if they do not feel 100 per cent. fit themselves. They may carry germs and illnesses into the hospital. Does my hon. Friend agree that that is the wrong kind of environment for such a person to go into?

Extended visiting hours also cause a problem. In my local hospital, people can visit some wards from 2 in the afternoon until 8 in the evening. That sounds fine, but in reality it cuts down on the time available to cleaners to do their job properly in the wards.

Mr. Lyons: My hon. Friend makes a valid and important point that trusts need to recognise. Hopefully they will acknowledge it in the regimes that they are establishing in their hospitals.

I am not an expert on antibiotics and their prescription, but there seems to be growing evidence among professionals and microbiologists that we need to do something about those that are being used to fight MRSA. Some of the antibiotics that we have been using for some time are becoming ineffective as strains of MRSA seem to be getting stronger. A review is needed of the antibiotics that have been used and are being used. We need to ensure that the curriculum for undergraduate training includes something about MRSA and the prescribing of antibiotics to fight it. That would give us a major fillip in our effort to defeat MRSA.

Dr. Phyllis Starkey (Milton Keynes, South-West) (Lab): Does my hon. Friend agree that there is also a need for even greater public education about antibiotics; that the more a specific antibiotic is used the more likely bacteria are to evolve drug resistance; and that the public need to be educated that antibiotics must be used sparingly if they are to retain their usefulness in circumstances where they can save lives as opposed to merely helping us to recover more quickly from minor ailments?

Mr. Lyons: My hon. Friend makes a valid point. As the professionals say quite readily, the consumption of antibiotics may be driving up the incidence of MRSA in some locations.

Clinicians need specialist training on how best to treat MRSA. If there is best practice in one part of the UK, let us share that knowledge to assist everyone in their approach. We must have a full study of possible new treatments for MRSA. Good creams and lotions have come on to the market, and we must say to the National Institute for Clinical Excellence that we need to fast-track those inventions to ensure that we tackle the problem on all fronts. I hope that that can be done quickly.

It is not only MPs and politicians who worry about antibiotics but specialists, microbiologists and clinicians. Steve Davis, microbiologist and specialist adviser to the Institute of Biomedical Science, has highlighted the problem whereby some antibiotics that have been used in the past are no longer strong enough to defeat MRSA. We must review the entire strategy for recommending and prescribing antibiotics in order to provide not more but better antibiotics, to try to reduce antibiotic use in acute trusts.

Cleaning is a central issue, and we will make no improvements until we deal with it. Evidence from an RCN survey showed that 42 per cent. of the nurses questioned highlighted the use of agency cleaners as a problem, and they also mentioned inadequate cleaning of hospitals. Some 49 per cent. thought that the use of agency cleaners was one cause of the rise of the superbug. We must ensure that we reflect the views of professionals who are on the wards day to day trying to deal with this issue.

Anne Picking (East Lothian) (Lab): I am sure that my hon. Friend remembers the time, when I was part of the NHS, when the cleaning staff were part of a team and they felt part of a team. When they come in from an agency and are viewed merely as a member of the cleaning staff, they do not feel part of that team. They do not feel the same obligation, and sometimes they do not have the proper materials to do the job as well as they could. I found that when the cleaning and portering staff were part of the whole team, they did a better job. Does my hon. Friend agree?

Mr. Lyons: I do; it is important to give staff proper recognition. We all know from our constituencies that if we do not have decent cleaning staff in our schools we face major problems, and it is the same in hospitals. Cleaners need to feel part of the staff, and progress is being made on that , but we must do more so that they feel part of the clinical collective on the ward who are fighting MRSA and helping the patients whom we represent.

This issue is not just about the management of the ward, or the sister and the matron. We must ensure that there are adequate numbers of cleaners, that there is adequate time for cleaning and that there is flexibility in the cleaning team. If a sister, staff nurse or matron thinks that a ward needs a deep clean, she should be able to make that decision along with the clinicians and not be told, "I'm very sorry but that's not in the contract so you can't have it." Health service staff need that flexibility 24 hours a day, seven days a week, 52 weeks a year. There is a serious concern that we get to Friday and think that we can lower our guard on Saturday and Sunday. I am saying the opposite: the standard of cleaning that we have from Monday to Friday is needed over the weekends as well. We need to make sure that we have 365 days a year of best practice in every hospital.

The chief medical officer, Sir Liam Donaldson, said:

> "Tackling MRSA is a top priority. There is no room for complacency. The National Audit Office report makes it clear that some parts of the NHS do better than others in controlling infection."

Of course they do; that is the central thrust of my contribution today. The evidence is good in some areas and patchy in others.

This debate is not about pointing the finger; it is about encouraging some hospitals to become more focused and to match the best practice in others. There are brilliant examples of best practice, where people have been totally focused. This debate is about commending staff, saluting their work and helping patients, but it is also about telling others that they need to be more focused and determined in fighting MRSA so that we have good practice throughout the UK.

We need a better system of identifying MRSA. At present, it takes something like 48 hours for most acute trusts to identify it. It may take even longer if someone is admitted late on a Friday and the hospital has no facility to identify the infection over the weekend. We must change that. We need services to be available every day to clinicians, microbiologists and others involved.

We need to consider capital investment in equipment that can do that work for us. The Chancellor has produced billions of pounds for the health service; we all know that, and give it due recognition. The beauty of the polymerase chain reaction equipment, which can cost £40,000 or £50,000, is that it will give a result on MRSA in an hour, and it would be a valuable investment for any location. People may say that that is expensive. I think that the money is there, but trusts need to prioritise spending and see that that would be a good way of working. Perhaps NICE can look at that and make a recommendation. At the end of the day, the quicker we can identify MRSA, the quicker clinical staff can take decisions about the isolation of the person affected and protect high-dependency and high-risk patients.

I ask Members to use this debate to be constructive about what is happening in our hospitals, but at the same time—and without being overly critical—to say that we need more from hospitals that are not doing enough. As I said at the outset, I commend staff. They are doing an excellent job in some locations, but we need others to be more focused so that we can now build on the improvement that has been achieved and defeat MRSA.

9.53 am

Mr. Archie Norman (Tunbridge Wells) (Con): I congratulate the hon. Member for Strathkelvin and Bearsden (Mr. Lyons) on instigating the debate and making a knowledgeable and constructive speech, with almost all of which I am in agreement.

MRSA is not just a serious problem today, but a growing one. The incidence of MRSA has grown rapidly in the past 10 years, and some experts believe that if we do not take action it could double during the next five or 10 years. Obviously we hope that that does not occur. MRSA is clearly a serious and central problem, which will reward investment. It is important to remember that the cost of MRSA to hospitals at the moment is very great. That is not just the cost of treatment; it involves bed occupancy and a cost to patients and patient lives.

Although I do not believe that capital investment is the key to the problem, all the evidence is that investment in MRSA control procedures will save money for the NHS. Some hon. Members will have read

[Mr. Archie Norman]

the article in the *British Medical Journal* this July which outlined the experiment in Chelmsford where intensive steps were taken to manage MRSA in particular wards. One interesting thing about that experiment, although it is hard to draw generalised conclusions from it, is that a 17 per cent. increase in the throughput of patients was achieved as a consequence of that control.

What is striking is that the incidence of MRSA is very variable, and that is the main theme of my contribution. The incidence varies widely between countries—we know that this country has a very high incidence, possibly the highest—but it also varies between like-for-like hospitals in the NHS. Indeed, it varies within hospitals. In my local trust, the apparently modern facilities in Maidstone have a high incidence of MRSA, and, curiously, the old-fashioned facilities in Tunbridge Wells have a low incidence.

It is also clear that the incidence of MRSA varies between sectors. For instance, BUPA hospitals report that they have a negligible incidence of MRSA. There are particular reasons for that, and it is clear that they have advantages. However, I am making a point not about private versus public, but about the fact that there is wide variability. That is not the result of scientific or biological factors; it is the result of way in which hospitals are managed.

Many of the factors that the hon. Gentleman mentioned are to do with the approach to cleaning, discipline and the standards of hygiene that run through the hospital organisation. At heart, this is a management issue. From the chief executive downwards—through the consultants, the medical director, the modern matrons and sisters and right down to the cleaners—there must be a set of habits and disciplines and a way of working that are continuously enforced, measured and monitored. People must be rewarded for that way of working and made to feel that they are getting ahead of the problem.

That sort of culture must be created if we are to tackle MRSA. It cannot be done by spraying leaflets and propaganda around the place or by putting up posters. I am not against those things, but they simply are not the solution. I am sceptical about the idea of creating a watchdog or MRSA tsar for hospitals. I honestly believe that that misses the point, which is that the way in which hospitals are managed and operated from top to toe is of central importance.

In the early days of the NHS and pre-NHS—before we had antibiotics—hospitals were obsessive about discipline. One reason for that rather old-fashioned approach, with matrons in starched white uniforms and so on, was precisely that one could not treat hospital-acquired infections with antibiotics. Of course, people have forgotten about that time 50 or 60 years ago, and we cannot go back to that era, but there is a lesson to be learned.

So many of the little things that made up those disciplines have vanished. We can all see that if we walk round a ward. The hon. Member for Dumfries (Mr. Brown) mentioned visitor access. On balance, for quality of patient care and comfort, it is an attractive idea that people can visit their relatives at any time of the day or night. However, it is not a practical idea if one wants to regain control of the ward environment. I am not advocating that we go back to strictly limited visitor hours, but sisters, nurses and cleaners clearly say that they need strictly enforced times without visitors so that they can get control of the ward. There must be enough hours when the wards are uncluttered by visitors for the cleaning to be done, for consultants to do their visits, for problems to be cleared up and for patients to be attended to and cleaned.

The sister and nurses on the ward would be able to prepare for visitors' arrival, and visitors absolutely would have to adopt the same disciplines as any doctor or nurse coming on to the ward. There must be hand washing and caution about what they do and do not touch. They must be aware of what they are wearing and their cleanliness when they arrive. Cleanliness must be a total culture. It cannot be something that just one person does. It is not just to do with putting alcohol-based solution around the place. That is a good idea, but it is not enough.

I share the view of the hon. Member for Strathkelvin and Bearsden that if we do not measure the problem, we will not solve it. It is possible to walk into one ward and believe that it is entirely clean, then walk into another ward and think that it is inadequately cleaned, yet find that the latter has a lower rate of MRSA. Cleanliness is not just visual and superficial.

At the moment, far too many of our measures of cleanliness are just that—visual and superficial; for example, the patient environment advisory team inspections, which the Government like to cite as evidence that we have clean hospitals, are basically visual measures and too superficial to measure the incidence of MRSA. That must change because it is clear that those inspections are missing the point. According to the inspections, in 2003 no NHS hospital had a poor cleanliness record, yet we have a continuously rising and internationally high level of MRSA. That cannot be an acceptable measure; it simply shows that we are missing the point and risk reinforcing complacency.

I make the point, which the Minister may want to respond to, that 78.7 per cent. of hospitals were described as having "good" cleanliness records. They do not. That is simply missing the point and it must change. Investment in measuring MRSA incidence and propensity in the wards is required. It means that there must be a more laborious process than simply wandering around and having a look. I recognise that that will be more expensive, but I strongly believe that it will pay off.

I know that we are not meant to be fond of targets in the NHS, but I see no harm in measuring to see whether we are succeeding. That is entirely sensible. For ward sisters to be able to say, "Actually, my ward's done pretty well—last year I had a high level of MRSA and this year a much-reduced one", seems to me entirely reasonable and admirable and a requirement of good ward management.

In that vein, of how to regain control of the ward and how managers can seek to take responsibility, I want to touch on the hon. Gentleman's point about cleaners. I share the view that there is a problem with cleaning contractors in many NHS hospitals. I do not share the view that that cleaners must be employed by the NHS or by those hospitals, but I entirely accept that if cleaning is a subcontracted service, it is more difficult, and requires greater effort, to ensure that cleaners are managed as though they were employees. If sisters are to have control of their ward environment, they must have the capacity to clean.

Cleanliness in wards is not a question of a daily routine that can be prescribed in a contract. It is a function of incidents that happen, responses that must be made when patients arrive, or must be moved, perhaps unexpectedly, and when they have accidents or problems. In hospital life, that happens all the time, so if one is responsible for a ward, having the capacity to clean at one's fingertips is critical. That will only happen if there is sufficient flexibility in the contracts and motivation, good will and a sense of teamwork.

I want to touch on that as well. One of the things that concerns me, not just in the NHS, but in many organisations, is the tendency to regard subcontracted functions as delegated-out functions—in other words to think, "They're no longer things that we own. I'm a ward sister, it is subcontracted and is not mine." With that goes a desire to cut cost, which is understandable, and a reduction in status. I strongly believe that cleaning in hospitals must be regarded as a specialist occupation and that cleaners must be regarded as worthy of as much respect as a hospital consultant or chief executive.

Only when we start treating our people that way, and listening to what they say about the cleaning routine and equipment, will we create an environment in which they feel motivated to deliver a better outcome. Whether or not they work for a contractor, cleaners need to be aware of the problems and to be trained in tackling them. They need to know that they have got measures of performance, and that they are part of the team and welcome to come to work. They may be cleaning the floor, but that is a worthwhile job and they make a decent contribution that the team appreciates. All too often, cleaners do the job only because it is a way of earning a daily crust. That is why things will not work.

Jim Sheridan: The hon. Gentleman remains unconvinced that subcontracting-out is the problem. Does he share my experience, which is that in hospitals, including those with contractors, the cleaner is part of the team? They build up a relationship with the nurses and doctors and know exactly what their responsibilities are. That does not exist under subcontracted-out services, because in reality there is a different cleaner in each ward every day. People do not take ownership of responsibility.

Mr. Norman: The hon. Gentleman touches on an important point. One of the great problems with cleaners is that it is a low-status job. They are not involved in a team, and there is limited work satisfaction. They do not feel that they are striving towards a goal and achieving things for patients in the way that other people in the hospital are. That means that those who take up the job are often people who have been unable to find employment elsewhere; as soon as they do, they leave. Work satisfaction and morale are extremely low. That is why the system does not work.

I entirely share the view that if cleaners are rotated from ward to ward, they will not derive any satisfaction from their work. However, the issue on which we are touching is whether we can deliver a quality-managed, rewarding role in a subcontracted environment. There are other models—for example, in IT provision and other fields of medicine—in which highly motivated employees operate in a contract framework that allows them to be part of a team. In those models, the contractor is measured not just on whether enough warm bodies turn up every day to clean the floor, but on whether outcomes are delivered, whether there is job satisfaction, and whether the labour turnover is sufficiently low for people to spend enough time in the job learning how to do it.

Mr. Russell Brown: My hon. Friend the Member for Strathkelvin and Bearsden (Mr. Lyons) said that he did not want the subject to become a political issue, but sometimes we cross the battleline on these matters. He commented on the status of the job and the high turnover. I fully appreciate that there will be different situations as regards cleaning operators in different parts of the country, but there are many dedicated cleaning staff. I can only highlight my own locality, where there are people who have worked in the service for 15, 20 or 25 years, and who are dedicated to doing a job that is seen by some people as very mundane—almost as a case of putting in the time in return for money. There will be turnover, but many members of staff—the vast majority, I think—are genuinely dedicated.

Mr. Norman: We are in danger of violently agreeing. It is not my intention to be critical of the cleaning staff that we have; quite the contrary. The way forward is to create a workplace environment in which there can be more of the type of staff to which the hon. Gentleman referred: those who are dedicated because they have great satisfaction in coming to work, and because they feel that they are part of the team and are treated as playing a serious, important role in the battle against MRSA. The issue that we are touching on is whether that can be delivered under a subcontracted arrangement. I am not one to take a dogmatic stance on that; it is an open question. All I would say is that it is not impossible, in my experience, to deliver high-quality performance and to involve motivated employees though subcontractors. It is possible, but it can be difficult.

I will move on quickly, because I am aware that I am using a lot of time. It is important to tackle MRSA holistically, right the way through the hospital management system. That includes not just doctors and cleaners, but the nursing environment. One thing that gives me great concern is that sisters no longer feel that they have control of the ward environment, for some of the reasons that we described. They no longer, for instance, control the access for doctors and consultants as they used to; they no longer feel that they have sufficient control of the cleaning environment. They find themselves tied down with far more paperwork and back-office activities and therefore do not have the capacity to play a commanding front-line role for as much of their time as they would like.

When attacking a problem like this in any organisation, it is central to establish the supremacy of the first line manager, who, in the case that we are discussing, would be the sister. The sister must have

[Mr. Norman]

control of everybody who comes in and out of the ward, and of the disciplines that are applied. That has to be clearly established in the hospital culture.

It is important, too, that we start to think again about the training of some of the nurses. We have moved a lot of nursing training into the classroom and out of the ward environment. There have been steps to try to create a higher status for the nursing profession and for nurses to take up some of the roles previously undertaken by doctors. All those are understandable measures. However, we should never allow the idea that nurses are too important to do the cleaning, which is starting to appear in some parts of NHS hospitals, to become widespread.

At the end of the day, the nurse should be responsible for the whole of patient care, and that includes every aspect of the environment and cleaning. It does not mean that qualified nurses should delegate such activities to unqualified nurses. From anecdotal evidence, it seems that that happens in far too many hospitals today: if cleaning needs to be done or a patient needs cleaning, we look around for an unqualified nurse. Let us remember that we have substantially increased the number of unqualified nurses during the past six or seven years. I think that they make up something like 27 per cent. of the total number, although that figure may have changed.

I urge the Minister to think rapidly about another point touched on by the hon. Member for Strathkelvin and Bearsden: the design of, and access to, washing facilities in hospitals. We are building substantial numbers of new hospitals, and the development of MRSA has important implications for design. One of the reasons why there is not effective hand cleaning today, even in very modern hospitals, is because it is difficult to do. First, the hand-cleaning facilities are out of sight. Secondly, they are 50 or 100 yd away at the other end of the ward. If doctors are moving from patient to patient and visitors come into the ward and there are no visible hand-cleaning facilities, the chances of their missing out on hygiene and hand cleanliness are much greater. It is critical that we should think again about design. If hygiene and hand cleanliness are to be part of the continuous discipline of the ward environment, hand-cleaning, washing and bathroom facilities need to be substantially improved.

The last thing that I want to touch on, although it has not cropped up to date, is bed occupancy levels. If, as we seek to do in the NHS, we run very high bed occupancy levels—for good reasons, for the most part, such as our effort to reduce waiting lists and maintain throughput—the MRSA environment becomes much more difficult to control. Patients are moved from ward to ward to maximise utilisation, and there is a risk of spreading infection as a result. There is not enough time to screen patients as they come into critical wards. When wards ought to be closed down or when extreme cleaning measures ought to be taken, the stress on management to deliver targets—dreaded word—and to accept patients is in conflict with its capacity to take the measures necessary to deal with what appears to be the invisible problem of MRSA, which is unmeasured and lurking behind the scenes.

I do not believe that there need be a direct conflict between bed occupancy levels and the control of MRSA; it is not as simple as saying that occupancy levels should move down from 85 per cent. to 80 per cent. However, I believe that we should again vest control of the ward environment in the sister and in the chief executive of the hospital. It needs to be absolutely clear that the NHS trust, the chief executive, the line management and the sister are responsible for making such clinical judgments. That is why we have to be extremely careful about the type of pressures that we are putting on chief executives and trusts with a target-based performance regime; I have discussed that before with the Secretary of State and others. There is a balance to be struck, and I am not convinced that we have got it right.

Mr. Deputy Speaker: Order. I have no control over the time that Members take, but I can say to them that the purpose of these debates is for the Member initiating them to get a full response from the Minister. If hon. Members are brief, I will have time to call them before I start the wind-ups, but if they are not brief we will have to go straight into the wind-ups.

10.15 am

Dr. Phyllis Starkey (Milton Keynes, South-West) (Lab): I will be very brief. I want to make two general points followed by a specific one about an issue that has not been raised.

My first point is that, to a certain extent, the problem of MRSA will get worse regardless of what we do about it. The rise of drug and antibiotic-resistant bacteria is an inexorable fact of life. It is a fact that bacteria are incredibly successful at evolving, and the more we use drugs and antibiotics the more they will evolve resistance to them. We have to try to slow down the rate at which that drug and antibiotic resistance occurs. The clinical guidelines on the way that drugs and antibiotics are used are important and should be adhered to, because sensible use of drugs and antibiotics can slow down the development of resistance and extend their useful life. That is the issue that I was trying to raise earlier. It is a matter of everybody adhering to clinical guidelines, but it is also a matter of educating the public to understand that antibiotics can have a very limited life if we use them irresponsibly.

Secondly, I commend the hon. Member for Tunbridge Wells (Mr. Norman) for his remarks about management. In hospitals, a lot of people are collected together who are, by definition, ill. They therefore have limited resistance to infections to which the healthy population would be resistant. That means that hygiene is of prime importance and, to protect patients, there must be clear management structures that maintain a proper hygienic environment within hospitals.

My third point arises out of a specific issue that could affect the hospital in Milton Keynes, and it is that the media must act responsibly. I understand that ITV was planning to broadcast a programme about MRSA on Monday evening in which publicity would be given to MRSA cases in a number of hospitals, including the one in Milton Keynes. The hospital management there drew to ITV's attention the fact that the information on which the programme was based was unfounded: an allegation, for which there was no proof, that there had been a case of MRSA in the Milton Keynes hospital. Moreover, ITV had apparently asked a private firm to go round the hospitals testing their public spaces for the presence of MRSA, and the test that that firm had used was not one of the approved tests; apparently, it cannot distinguish between MRSA and MRSE. Do not ask me to say now, off the top of my head, what the E stands for; suffice it to say that MRSE is a different infection which, although serious, is not as bad as MRSA.

I am pleased that ITV did not go ahead with the programme. I have no idea whether it intends to show it on another date, but I hope that the postponement is evidence that it has acted responsibly, and that when it was drawn to its attention that the information on which its programme was based was inaccurate, it chose to withdraw it. I hope that that is a proper interpretation of its behaviour. If it is, I wish to place on record my appreciation for that part of the media acting responsibly. If my interpretation of ITV's behaviour is wrong, my commendation will be withdrawn. I simply wanted to get that example into the public domain. It shows that the issue is serious and needs to be publicly debated. However, it is incredibly important that the debate is well informed, based on solid facts and does not confuse the public still further.

Sue Doughty (Guildford) (LD): The *Evening Standard* was responsible for similar infiltration, in which a journalist posed as a porter and took swabs in my local hospital—the Royal Surrey County. We did not have the opportunity to check the facts before they went into print. I subsequently asked the Health Protection Agency to look into the claims in the *Evening Standard* that the hospital was rife with MRSA—that it was on every surface. As of this morning—even now—the agency has not received the MRSA isolates to try to reproduce those tests. This case involves a laboratory, Chemsol, which has done a lot of the testing in hospitals that the *Evening Standard* has highlighted as being riddled with MRSA. We need accuracy in this matter, because people worry when they go into hospital. We want to know where MRSA is—not where it is not. That is an outstanding problem.

Dr. Starkey: I absolutely concur with that. Responsible media reports are very useful, but the media must not confuse the public about an important issue, many aspects of which have been responsibly explored in this debate.

Mr. Deputy Speaker: Before I call the hon. Member for Weston-super-Mare (Brian Cotter), I ask him to be brief, because we want to get to the wind-ups.

10.22 am

Brian Cotter (Weston-super-Mare) (LD): Thank you, Mr. Deputy Speaker. I also thank the hon. Member for Strathkelvin and Bearsden (Mr. Lyons) for raising what is always said to be an important debate in this Chamber in terms of trying to achieve clarity. People have worries about the matter and the problem must be addressed, so I thank him for his constructive and informed comments.

The hon. Gentleman referred to the National Audit Office and the figure of 5,000 patients a year. It has said since the report that patchy progress has been made since 2000 in tackling this issue. I took part in a debate in January, after it was announced that Weston general hospital had come out as one of the worst in the country for MRSA cases. In fact, there are complications relating to how figures were arrived at—in Weston in particular—but I have a concern about the matter.

We have a new chief executive of the Weston hospital, and in recent times I have been encouraged by how he has tackled the issue. As many of us are, I am encouraged by the way that various initiatives have been taken to do with the cleaning of hands by doctors and nurses. I hope, and am assured, that they are encouraged to clean their hands after every single contact with patients and others; I am assured that that is happening in Weston.

In Weston, I attended the initial meeting of the patients' environment forum, which is bringing medical staff, patients, housekeepers, cleaners—everybody—round a table together. I was glad to see them sitting round the table talking about the problem and trying to make a combined effort. I have referred to the fact that Weston has had some particularly bad statistics. It also has a population whose age is higher than average. Given that, it is imperative that action is taken to improve standards of cleanliness.

It has sometimes been claimed that problems arise from residential and care homes. According to Mark Gritten, the chief executive of Weston hospital, between April 2003 and April 2004, 15 out of 32 cases of MRSA at the hospital involved people who had been admitted with that condition. According to a recent Government report, more than a third of care homes failed to have strict infection control. Although I know that the majority of homes in Weston are of a high standard, what action is the Minister taking—given that the Government identified this as an issue—to try to get care homes cleaned more satisfactorily?

I want to make a point to the Minister on behalf of Weston general hospital and the trust, which I have made before, but which I feel constrained to make again. We have some real statistics that show that my area is underfunded as against other parts of the country to the tune of £10 million. I shall return to that issue; I hope it will be addressed, because it is having an impact in other respects too. Recently, under the new chief executive, the hospital voted an extra £50,000 to be spent on cleaning services, which is good. But if we had more money, we could spend a little more on what needs to be done, as many people have identified, in terms of cleaning and general issues.

To quote a local source from the hospital—the chief executive—we have a problem, because with underfunding, particularly in Weston, it is difficult to

> "try to screen known MRSA patients by using single cubicles, but the increase in the number of affected patients, and the general pressure of emergency admissions on the hospital"

is making screening and keeping people to one side very difficult. Perhaps the Minister will reconsider Weston's funding in this respect, because it is having an impact in all sorts of ways.

I welcome the debate but draw my remarks to a conclusion, as we all want to hear what the Minister has to say.

10.27 am

Mrs. Patsy Calton (Cheadle) (LD): I, too, congratulate the hon. Member for Strathkelvin and Bearsden (Mr. Lyons) on securing this important debate. I associate myself with his remarks about it being a tragedy for patients, their relatives and staff when an MRSA case comes to light and, unfortunately, leads sometimes to the patient's death.

The hon. Gentleman made some good points about how important everyone in the hospital is—not just the medical staff, but the non-medical staff—and the importance of their working together. I shall return to that in a minute. Although there is perhaps no direct link between the observed cleanliness of a ward and the MRSA cases that occur in it, patients' perceptions are important. Patients who believe that they are going to get better seem to do so more often. When a patient goes into a ward that is untidy and dirty, with dust on surfaces and dirt on the floor, it is likely that that will affect their perception of their getting better. It is important, for patients' perceptions apart from anything else, that the ward is demonstrably clean.

We have not dwelt a great deal on statistics, possibly because, as my hon. Friend the Member for Sutton and Cheam (Mr. Burstow) highlighted, one problem is that they are not massively available on this front—the recording has not been as effective as it might have been. We know that the death toll from hospital-acquired infections is about 5,000 a year, but the National Audit Office estimates that there may be as many as an additional 15,000 cases per year where hospital-acquired infections are a contributory cause of death. However, they are not properly recorded, so we do not know.

The NAO estimates the cost of hospital-acquired infections to be £1 billion per year, so anything we can do to reduce that amount means that there is quite a prize to be won, not just in terms of patients getting better more quickly, but in terms of the health service saving the money that it has to spend on those infected patients.

Some 9 per cent. of patients have a hospital-acquired infection, which is a horrendous statistic. I make no party political point on that because it has been the case for a number of years, and it requires investigation. Although it is common to quote that it is less of a problem in other countries, statistically, it is not much different there, and any difference could be accounted for by variations in accounting methods. It is not helpful to bandy about the idea that this is a British disease.

Dr. Murrison: I must correct the hon. Lady. Although rates of hospital-acquired infection are more or less uniform across Europe, the chances of catching MRSA certainly are not. There is a 40 times greater chance of getting MRSA in the UK than in Holland, for example.

Mrs. Calton: I am well aware that, where MRSA is concerned, there are variations within hospitals, across the country and in different countries. We do not know enough about that, or about why there are such variations across different countries, within our country and within wards. However, I was talking about hospital-acquired infections generally, and MRSA is part of that wider spectrum.

The Public Health Laboratory Service said in 1999 that patients stayed in hospital 2.9 times longer if they had a hospital-acquired infection: they stayed an average of 14 days, at a cost of £3,000 per patient. That cost will be higher now. A person with a hospital-acquired infection is seven times more likely to die in hospital than someone without one. Those are important facts and estimates on which we need more information, and more collecting of information.

My hon. Friend the Member for Sutton and Cheam asked some time ago, in a parliamentary question, about MRSA research studies that were then still to report. I shall be interested to obtain any information that the Minister can give us on the studies that should have reported by now. For example, it was reported on 6 October 2003 that the study entitled "Faster Testing for MRSA: Models to Estimate the Cost-effectiveness of Faster Testing of Cases Admitted for Hip and Knee Replacement" would report by November 2004. It would be useful if the Minister gave us an update on some of the information that she gave earlier.

I agree with many of the points made by the hon. Member for Tunbridge Wells (Mr. Norman), but I take exception to his view that cleaning is necessarily a low-status job and I want to dissociate myself and my party—

Mr. Norman: I just want to clarify that my point was not that cleaning is necessarily a low-status job, but that it should not be. Cleaning is as much a specialist and critical part of the control of the ward environment as any other role there. In fact, I specifically said that we must get to a stage at which we take cleaners and their contribution as seriously as we do that of consultants, nurses and the chief executive of the hospital.

Mrs. Calton: I thank the hon. Gentleman for that clarification. I hope therefore that he will not again use the term "enough warm bodies". That is a somewhat derogatory remark to make about anyone working in the health service.

The hon. Gentleman is absolutely right, though, to say that this problem is a matter for everyone working in the health service, and for patients as well. My hon. Friend the Member for Weston-super-Mare (Brian Cotter) made the point that he was pleased to see at his hospital medical and non-medical staff, patients and visitors all working together via a patients forum to try to reach a solution. He is right about that, and I am pleased to say that my hospital, Stepping Hill, is similarly taking notice of patients forum responses.

I support the points made by the hon. Member for Milton Keynes, South-West (Dr. Starkey), who asked for greater responsibility from the media. Some reporting of MRSA that has taken place will undoubtedly create fear in the minds of quite a few patients and leave them afraid to go to hospital. I have even felt that it is best to stay away if it is possible at times. The prospect of going into hospital when the headlines are screaming MRSA is a concern in the minds of patients who are immune-depressed. Those headlines are often based on faulty science or a woeful lack of information. The matter must be publicly debated, and I support the debates in this House, but scaremongering is not useful.

We need more information about the impact of cleaning methods in hospitals. Since we know that hands are the most important vector of infection and of MRSA in particular, anything that they touch must be clean. We know that dust can carry infection. We have concerns about cleaning contracts, the wages paid to cleaners and the contracts associated with private finance initiative and public private partnership methods of building new hospitals. All those must be looked at—we must ask whether they produce more hand contact with infection. Unfortunately, I think that in some cases they do. I visited a hospital recently where the beds seemed to be very close to each other, and that concerned me greatly, particularly as they were in a renal unit.

The issue of more than 85 per cent. occupancy must be examined as well. Is 85 per cent. the optimum point beyond which we can go no further? It would be useful to know what research has been done on that.

We know that hand washing is the most important activity for cutting cross-infection. In my constituency, bedside-mounted and staff-carried alcohol gel dispensers are being installed at Stepping Hill hospital, which already has a low incidence of infection. That is not a gimmick; it is useful. Views from the patients forum have been sent to the clinicians and a week-long awareness raising campaign is forthcoming.

I do not think that anyone has mentioned that elective surgery patients can be separated from trauma patients. That seems to be producing good results in many hospitals. We need more single rooms in order to isolate people, and that seems to be a deficiency in some hospitals. In the South Manchester University Hospitals NHS Trust, which is also used by my constituents, an integrated care pathway for MRSA has reduced cross-infection. We should examine all good practice to see whether it can be spread throughout the country.

The Royal College of Pathologists is concerned at the lack of training in microbiology in medical schools and training establishments. I would be grateful to the Minister if she addressed that issue.

10.38 am

Dr. Andrew Murrison (Westbury) (Con): I congratulate the hon. Member for Strathkelvin and Bearsden (Mr. Lyons) on bringing this debate to Westminster Hall. It is an important issue. Before the party conference recess, we debated the similar issue of hospital-acquired infections during an Opposition-day debate. There is a great deal of commonality between MRSA and hospital-acquired infections; indeed, the one cannot really be considered without the other.

I recall on 8 September when we debated hospital-acquired infections that the Minister was keen to draw attention to the fact that this is a non-partisan issue. We celebrated that during the debate, but the Secretary of State subsequently abandoned the refreshing attempts at consensus and claimed that MRSA rates increased substantially while the Leader of the Opposition was a member of the Cabinet over a decade ago. The Secretary of State neglected to point out that rates of MRSA infection have doubled since 1997. I mention that only to get the partisan part of the debate off my chest. In the spirit of this debate and of Westminster Hall, I will resist the temptation to score points during the rest of my remarks, which I will keep brief given that the Minister has many points to answer.

We must get away from the blame culture—we have touched on that at some length today—but equally we must be clear about what the evidence suggests. In the context of contract cleaning, it is important to state for the record that there is little evidence that there is a correlation between contracting out of cleaning and the incidence of MRSA. There may be some good common-sense reasons—my hon. Friend the Member for Tunbridge Wells (Mr. Norman) touched on some—for supposing that contracted-out cleaning might not be as good as in-house cleaning, but we need at least to acknowledge the evidence that exists. I am afraid that this area, more than any other, is susceptible to political manipulation, and we must avoid that.

I echo the points made by hon. Members about the importance of the cleaning staff. I know that, as a politician, it is always extremely easy to say that kind of thing, but it is genuinely the case. I speak from some experience. My first job as an NHS employee was as a hospital porter some 25 years ago, so I understand the importance of ancillary staff in the national health service. I hope that, as we try to work out how to deal with this problem in the NHS, Ministers will give further thought to how ancillary staff can be made to feel a better part of the hospital team. At the moment, ancillary staff sometimes do not feel that way.

I hope that the Minister will recall a constituent of mine called Mrs. Burton, whose story I raised during the Opposition-day debate on 8 September. Mrs. Burton trained to be a nurse many years ago and unfortunately recently had occasion to be admitted to hospital as a patient. When she came out, she wrote me a very good letter in which she laid out 20 points covering things that she thought might be improved in the NHS, particularly in relation to the management of wards, to address the problem of hospital-acquired infection and MRSA. It was a very considered letter. I did send it to the Minister and I would be grateful if, when she replies, she said when I will receive a reply to those points. We are facing a real problem in the NHS in respect of MRSA and the Minister ought to be grateful for any help that she can get at this juncture. Mrs. Burton's remarks were valuable in that respect.

Although many of the points raised by my constituent might seem not particularly trendy or a little old-fashioned, many of those who are involved in the sector feel that we might need to look at old-fashioned notions of cleanliness and asepsis. I was interested to see an editorial in the *British Medical Journal* last month that essentially said exactly that. It was authored by a professor of infection control from the Netherlands, a country that has a very low rate of MRSA—although I should say, in response to the remarks by the hon. Member for Cheadle (Mrs. Calton), that it has a hospital-acquired infection rate that pretty well mirrors our own. We need to be a little careful about confusing one with the other.

The professor concerned stated that we must have some

"faith in the strength of common sense."

By that, I think that he meant that sometimes in this area it is difficult to get material that is high up the evidence hierarchy to persuade us to act in one way or another to

[Dr. Andrew Murrison]

tackle the range of conditions, but we must apply what appears to be common sense. In that respect, the remarks by my hon. Friend the Member for Tunbridge Wells were particularly valuable. Sometimes, there will not be strong evidence for acting in one way or another and we must apply what appears to be common sense in management terms.

The Leader of the Opposition called MRSA "the British disease". I think that he probably meant that it was an NHS disease, because the instances of MRSA are a lot higher in the NHS. In private hospitals, it is less of a problem, or less of a declared problem—perhaps there is a subtle difference between the two.

Dr. Starkey: Does the hon. Gentleman accept that he is not comparing like with like? NHS hospitals have a much higher percentage of chronically ill patients than private hospitals and one needs to take into account the susceptibility of the patients to the infection as well as the prevalence of the infection.

Dr. Murrison: The hon. Lady is absolutely right. I am not being judgmental; I am just stating a fact. We must compare like with like. It might be useful to compare orthopaedic cases in the private sector and in the NHS. The same applies to other case mixes. We need to learn why that is. Given that throughput in the private sector is comparable with that in the NHS, we cannot blame the fact that the NHS sees more patients. We must learn about the problem wherever we can.

We must also compare large hospitals with small hospitals. It seems that MRSA is far less of a problem in community hospitals than in larger ones. Above all, we must consider why we seem to be doing so badly in resolving the problem of MRSA in this country compared with other European countries.

The National Audit Office said that the cost to the NHS is £1 billion, but the true cost is far higher in terms of patient suffering and problems for staff. It should be no surprise to any of us here that it is a real problem for staff morale. Trust in NHS staff has taken a major hit. We all receive letters about MRSA and the question of trust has arisen in my mailbag. We are at a sorry pass when the Government exhort patients to ask nursing staff if they have washed their hands. I am unhappy about that because washing hands should be part of the culture of the NHS and I welcome measures to introduce basic hygiene into the clinical curricula.

I said on 8 September—it is worth repeating in the context of MRSA—that during my medical training no attention at all was paid to hand washing or hygiene of any sort. It was perhaps dismissed as being not sufficiently academic to be introduced into a medical curriculum. It jolly well is and I hope that the Minister will do everything she can to ensure that hygiene is an integral part of the curriculum for everyone who trains for a post in the NHS.

I shall rattle through the remainder of my speech briefly. There is some unfinished business from 8 September to which the Minister may now be in a position to respond. First, my right hon. Friend the Member for North-West Hampshire (Sir George Young) asked about the rapid review of innovative products and the Minister of State, Department of Health, the right hon. Member for Barrow and Furness (Mr. Hutton), said that his Department was considering six of them. I wrote to clarify which ones and to ask for a progress report, but I have received none. Perhaps the Minister can help me with that.

Secondly, I asked how many times senior nursing staff have been able to exercise the powers that Ministers have apparently given them to withhold payment to contractors and departments that have not cleaned to a satisfactory standard. Again, I have received no answer. Finally, the Government's then recently announced target of a tub of hand cleanser for every bed by April 2005 implied that it was good enough to wait nine months, but I asked whether that could be speeded up. Again, I would be grateful if the Minister gave a progress report on that.

I have said enough. The Minister has many points to respond to and I would be grateful if she did so.

10.48 am

The Parliamentary Under-Secretary of State for Health (Miss Melanie Johnson): I congratulate my hon. Friend the Member for Strathkelvin and Bearsden (Mr. Lyons) on securing this debate on an important subject and I welcome him back from the summer recess. It is a pleasure to see him looking so well.

Hospital-acquired infections, including MRSA, are a financial burden on the NHS, but, more importantly, as a number of hon. Members have said, they affect patients by causing illness, pain, anxiety, longer stays in hospital and sometimes death. We are therefore facing up to the challenges that they present. Such infections are a problem not only for the NHS, but for health services everywhere, as a number of hon. Members noted. In the United States, Australasia and most European countries, including ours, the percentage of patients who experience a hospital-acquired infection ranges between 4 per cent. and 10 per cent. That proportion is remarkably consistent.

Unfortunately, as a number of hon. Members commented, not all hospital-acquired infections are preventable. Many factors contribute to the problem. As my hon. Friend the Member for Milton Keynes, South-West (Dr. Starkey) said, more susceptible patients, such as those with severe and chronic diseases, are being treated than ever before. At the same time, advances in treatment that improve patient survival rates, such as chemotherapy, can leave patients much more vulnerable to infections. However, although there is no simple solution to this complex and multi-faceted problem, it is generally accepted that up to 30 per cent. of cases of infection could be avoided with the better application of existing knowledge and good practice.

MRSA has become a greater problem in the UK for a number of interrelated reasons, including the simple fact that the strains responsible for most of the infections in the UK are particularly well adapted to spreading between patients. Although the causes of MRSA are many and complex, we believe that the risk of contracting MRSA and other health care-associated infections can be reduced by simple and effective infection-control measures. We know that more needs to be done but, as the NAO report acknowledges, our work has moved infection control up the NHS agenda, so that it is now a top priority.

I shall deal briefly with the political aspects. Like the hon. Member for Westbury (Dr. Murrison), I am delighted about the tone in which this debate and the previous debate in the House have been conducted. The problem will not be solved by party political rhetoric, and I am deeply grateful to hon. Members for generally resisting the political. However, perhaps they will forgive me if in response to the hon. Gentleman's comments, I say simply that if his leader will not listen to the rest of us, he should listen to his hon. Friend the Member for Tunbridge Wells (Mr. Norman) and recognise that we have published data on hospital-acquired infection rates and there is no doubt that the imperative under the Conservative Government to take the cheapest competitive tender did not help the situation in the early days, or that the lack of investment has not helped the health service.

Dr. Murrison: Will the Minister give way?

Miss Johnson: I have got very little time, but I will give way once to the hon. Gentleman on this point.

Dr. Murrison: I am very grateful to the Minister for giving way. There may be some truth in what she says, but the number of MRSA cases continues to climb; it went up by 4 per cent. last year, which is a significant increase. It is therefore a bit disingenuous of her to blame Conservative regimes for the problem.

Miss Johnson: I was only making the point that we either have done or are doing a lot of the things that have been suggested and that the genesis of the problem lies much further back in time. In that genesis we see issues such as getting the cheapest cleaning rather than seeking to achieve value for money and maintaining standards.

I was interested in the remarks of my hon. Friend the Member for Milton Keynes, South-West about the responsibility of the media. It is important that all of us, including the media, conduct the debate in the best possible way. Otherwise, as a number of hon. Members said, we will increase patients' anxiety about going into hospital. The hon. Member for Cheadle (Mrs. Calton) pointed out how sad it would be if that were to happen, because the vast majority of patients are far better off receiving their treatment than worrying about infection rates.

Turning to the scale of the problem, our best data on MRSA are drawn from surveillance of bloodstream infections, which have shown a slight, but not dramatic, increase—about 5 per cent.—in the past three years. I have with me a list, extracted from the published data, which shows that infection rates are currently falling in a number of trusts. We want to continue that success and build on it so that every trust is in that category, which is why there is now a target for all trusts to reduce infection rates. That can only help. In addition all the actions suggested in the documents "Winning Ways" and "Towards cleaner hospitals and lower rates of infection" are now being pursued. That will begin to have an impact.

It has been suggested that collecting data from every ward might be advantageous. I counsel against that because of the different patient mixes in wards and the different issues and ward environments. In addition, it might lead to great anxiety on the part of patients in some areas, and perhaps to over-reassurance for staff and patients in others.

I am not going to go through the situations in other countries, because that subject was substantially aired in the previous debate in the House. However, a couple of Members have mentioned the built environment and PFI schemes. I agree with the hon. Member for Tunbridge Wells in that respect—indeed, I agree largely with a lot of what he said. Getting the built environment right is crucial. Since 1997, our guidance on major hospital redevelopments has aimed for a minimum of 50 per cent. of bedrooms to be single bedrooms. As the plans progress, we should be better placed to achieve the same low infection levels as in the best examples abroad, which might partly be due to building structures, although I agree that there are other issues such as where basins and hand cleaning provisions are located. All indications are that investment in buildings will bring about a big change. Single-bedroom provision in the major PFI projects is running at 35 per cent. to 40 per cent.—sometimes even 50 per cent. Change is taking place.

In July, we announced a new year-on-year MRSA reduction target to show the priority that we give the problem. Having a target also ensures that the issue is given priority in the NHS. I must briefly address the question whether targets in some way militate against solving the problem. A number of trusts that have falling rates of MRSA have hit all their targets. There is no straightforward correlation, and I counsel hon. Members against stating any such correlation: the figures show that no such correlation has been proved. Targets have improved access to treatment and shortened waiting times. We are confident that the new target will help in improving infection control.

As Members have said, hand hygiene is very important. In September, we launched the first ever national hand hygiene campaign. I agree that just having a campaign is not sufficient, but we are taking a phased approach. Good preparation is important to the introduction of such measures. The National Patient Safety Agency is driving that forward.

The provision of alcohol rubs has been mentioned. That is being rolled out over the next year, but that is not to say that we are not trying to bring it forward. Some Members have already highlighted the fact that such provision already exists in a number of places; it depends on the circumstances, on what provision there was before, and on how quickly people have been able to institute it. At the end of the day, such provision may not be possible for every single bed. For example, it is not always feasible in children's wards. However, handrubs will be required at all staff-patient contact points and a number of hospitals are driving that forward in the most positive way.

Many hon. Members asked about cleanliness and the role of ward sisters and matrons. We have already said clearly, and I reiterate, that it is important that matrons and ward sisters are in control. They should have sufficient control over cleaning staff to make sure that they are able to maintain and have oversight of the wards. Under the new "Agenda for Change" pay system, the minimum wage in the NHS will be the national minimum wage plus 84p. That will help to make sure that cleaners are paid more than the

[Miss Johnson]

minimum rate for other cleaning jobs. I agree strongly with hon. Members, particularly my hon. Friends, who made points about the significance of including cleaners in the ward team. Increasingly, all such people will be under the control of matrons and hospital staff, with the flexibility to deal with issues if they arise. Better, renewed contracts will strengthen provision.

Concerns have been voiced about the training of microbiologists. The inspector of microbiology and infection control is discussing the training curriculum with the royal colleges to improve course content on infection control. That is the right avenue to take.

We have made sure that all the right measures are in place to start to tackle the problem. I agree that the problem is one of culture and that it needs to be tackled in the most fundamental way by hospitals, but they have the incentives and resources to do so and are able to give it priority.

Compulsory Demolition

11 am

Mr. Siôn Simon (Birmingham, Erdington) (Lab): This is my first experience of speaking in this excellent adjunct, and of addressing this excellent Minister, and I am grateful on both counts.

I have come largely to talk about a pub. In part, its plight is symbolic of many other such places in the city of Birmingham and my constituency of Erdington, although it is an actual, specific pub. It is what one great American writer might have called a personal pub—not that I personally have ever been in it. It is now an ex-pub, and, several years after its demise, it is causing serious problems. The Minister is not responsible for this pub or, as far as I am aware, for any pubs; he is not that kind of Minister. Nor is he directly responsible for the continued, ugly, dangerous, and pointless existence of the benighted building in question. However, he is responsible for the law and its attendant regulations that have allowed the situation to occur. I shall sketch out the problem that has led me to trouble the Chamber and the Minister today, before going on to the more widely applicable matter of what I would like him to do about it.

On Six Ways island—Britain's first, and one of Birmingham's best known, traffic islands—which might be thought of as the entrance to Erdington's high street, sits the former Queen's Head public house. That is an inauspicious eventuality. It is the burnt-out shell of a former pub, enclosed in a metal sheath to keep children away from the vermin, vagabonds and structural hazards within.

During the several years in which it has lain derelict, the site has twice been the playground of arsonists, who have started very serious fires. That prompts me to wonder when anything has ever been "secured" from idle-handed youngsters by having a fence put around it. A derelict building—fence or no fence—is a lethal challenge to every kid in the neighbourhood. Yet the enforcement order served on the site in 2001 required only that the site be made "secure", which, apparently, means a fence. As I say, I believe—as does everybody else in Erdington—that the only way to "secure" such a site is to knock it down. The travellers who were on the site prior to the order may have moved on, but does that make the site secure? No.

As I understand it, the Housing Act 1985 provides demolition provision for properties that are unfit for residential accommodation, but when does a non-residential property become such an intolerable part of a community that it, too, must be demolished? The Town and Country Planning Act 1990 does not seem to provide a satisfactory answer.

The site is neither secure nor safe; those two terms seem, but ought not, to be the only criteria that can compel demolition. Can it be true that the law provides no avenue for demolition on grounds of commercial regeneration or social aesthetics? If no one will knock down this monstrosity—let us be clear, it will have to be knocked down in the end; it is a filthy, pointless, burnt-out shell—the only questions are how many more than the five years already it will be left standing hideously until they do, and whether the next time it is burned down there will be a gang of kids or rough sleepers inside.

This is a ridiculous situation. The area around the site is having hundreds of thousands of pounds of taxpayers' money spent on regeneration. Graffiti and posters are being removed from the high street, and we have plans to pedestrianise more of that street. There is a new village green. Shoplifting and street crime have been massively cut by new CCTV, and so on. Those projects involve high levels of community participation and partnership with local groups, yet the Erdington town centre partnership reports that new private sector investment is being discouraged by the visual blight that is this long-derelict building. Erdington residents association has described it as

> "in appalling condition; an eyesore which people first see when they enter Erdington from Birmingham city centre. It has been derelict for . . . years and the Fire Brigade has described it as dangerous—after all it has been attacked by arsonists twice. Rats have been seen on the site, as has evidence of drug taking. Once it's flattened it will be better for everyone."

I know that the Minister cannot comment on individual cases. This is a matter for the city council. However, it would kind of like to see it knocked down too. In a letter to me this week, the district planning officer said:

> "We consider that since tidying-up measures would be sufficient to secure a reasonable appearance, specifying demolition *only* could well prompt an appeal, indeed a possibly successful appeal, further delaying the aim of achieving a visually-better site. We have decided therefore, and subject to final legal agreement, that a notice specifying tidying-up or demolition is the best way forward—the site owner can choose which suits him, and a delaying appeal will be much less likely. The site will either be tidied, or the buildings demolished, both options to the benefit of the locality. In any event, I will continue to informally encourage demolition at the earliest opportunity."

That is marvellous.

I come to the several issues that the Minister can put right, which we might call the parameters of action provided to local authorities by central Government: laws that are made in this place and guidance that comes from the Government. First, the council says:

> "tidying-up measures would be sufficient to secure a reasonable appearance".

That is nonsense. Nobody in Erdington believes it. The only thing that will secure a reasonable appearance for the Queen's Head is knocking it down. Councils do not come to such conclusions autonomously. They have legislation and guidance that tightly prescribes the parameters of their opinions. If their conclusions are wrong, discounting, as I do, the almost inconceivable eventualities of incompetence or ill will on their part, the parameters that they were set must be wrong. That is a matter for the Minister.

It is also wrong if requiring this monstrosity to be demolished

> "could well prompt an appeal, indeed a possibly successful appeal".

That is also a matter of planning law and, therefore, for the Minister. Furthermore, it is clear that in cases such as these there is considerable confusion as to what constitutes danger. That is puzzling to me; danger is such a straightforward concept. If one is in a burning building that should have been knocked down years ago and it is falling on one's head, that is clearly dangerous. I know what dangerous means and I hope that the Minister might encourage moves towards redrafting the legislation or the guidance, such that that unfortunate ambiguity is ironed out.

For the district planning officer to believe that requiring straightforward demolition under a section 215 notice of the Town and Country Planning Act 1990 would make a successful appeal more likely is simply not good enough. The council needs better powers to require such buildings, which are inevitably going to be demolished anyway, to be demolished in reasonable time. Indeed, the council should have an obligation so to require, and to do so well before the five years that we have been waiting for somebody to do something about the Queen's Head.

I say nothing of arrogant and irresponsible landlords. I do not ask the Minister to legislate on this occasion for good corporate citizenship. I ask only that he give appropriate powers to local authorities to take control where bad landlords cannot be bothered.

What precisely does Erdington want from the Minister? Flicking through a recent *Hansard*—as I do—I came across a few words of the hon. Member for New Forest, West (Mr. Swayne) that expressed my feelings perfectly. He said:

> "I have not come here to find out what the law is. The courts determine what the law is; lawyers will tell us what the law is. I have come here, and brought the Minister here, to do what only a Minister and a politician can do—discuss not what the law is, but what the law ought to be and, if it ought to be different, what he proposes to do to change it."—[*Official Report, Westminster Hall*, 15 September 2004; Vol. 424, c. 466WH.]

The hon. Gentleman was talking merely about the defence of the realm and the practice of medicine. They are simple matters compared with my subject today, which is planning. Planning is a legal minefield and not one on which I propose to dance a meretricious minuet with the Minister. I have no interest, and nor do my constituents, in trading subsections, appendices and special provisions.

Mr. Khalid Mahmood (Birmingham, Perry Barr) (Lab): Locally elected councillors sit on planning committees and the time has now come for those committees to be given proper powers to deal with places that are complete eyesores in our communities. They should be able to hold proper committee meetings on that basis and be able to deal rapidly with such issues.

Mr. Simon: I am grateful to my excellent next-door neighbour for his timely and wise intervention. We want to bring to the attention of the Minister and his Department a problem that is serious, chronic, potentially lethal, pointless and emblematic of a wider problem throughout the city of Birmingham and, for all I know, other cities. I was about to say similar cities, but obviously there are no cities comparable with Birmingham. I refer to the problem of when big, old pubs on corner plots have outlived their licensed usefulness, are continually being redeveloped and often lie dormant or derelict for—in the case under discussion—far too many years. The council has insufficient power or insufficient statutory obligation to compel demolition in such circumstances as I have outlined. Either way, that is a matter for the Minister, and we in Erdington would like him to sort it out for us.

11.11 am

Paul Clark (Gillingham) (Lab): I congratulate my hon. Friend the Member for Birmingham, Erdington (Mr. Simon) on raising such an important issue. Far be it from me to imply that there is another city like Birmingham—I understand that as a constituency Member of Parliament—although the issue that he raises is how best to deal with something that is of course faced by other authorities too.

From my reading of the reports about the site that my hon. Friend has provided to the Department and the report that was printed in the *Birmingham Evening Mail*, I can well understand the frustration that is felt by him and the local residents about the eyesore, as he puts it, on their doorstep in the shape of the Queen's Head public house and about the period over which the issue has run.

Let me at the outset point out that the Government are committed to tackling dereliction and to retaining land in productive use. That is a key part of our drive to maintain and improve the quality of the built environment, as much as it is important to have a sustainable development strategy. My hon. Friend will recognise the importance of retaining land and bringing it back into use, as it fits 100 per cent. into the sustainable community strategy that the Government are pursuing, and eases pressure on other possible greenfield sites and the countryside further afield. That is the baseline where we start.

My hon. Friend is right that we do not have direct responsibility for public houses. Our approach to planning is not to interfere day by day with the powers of local, democratically elected planning authorities. It is for them to make the best decisions for their local communities. They are on the ground and are best able to take such action. My hon. Friend is right, however, that we have a responsibility to create a legislative environment in which local planning authorities undertake their planning responsibilities, and I want to cover some of those issues and provisions.

Section 215 of the Town and Country Planning Act 1990 provides a local authority with the ability to require buildings and land to be cleaned up when their condition is adversely affecting the amenity of an area. When the condition of a particular plot of land or a building seems to be having a negative effect on an area, the authority can serve notice requiring the owner to remedy the situation. Such notices are often referred to as untidy site notices or section 215s.

My hon. Friend will recognise—I am not talking about specific sites—that there could be one owner or a collection of owners and, because the sites are in private ownership, a number of issues are immediately raised and further steps have to be taken responsibly by the local authority in using the planning controls at its disposal and the legal system. We must make sure that it is right; that is only fair under the law.

The powers under section 215 have been effectively used to make derelict buildings look occupied while keeping them secure from acts of vandalism, incidents such as those at the Queen's Head to which my hon. Friend referred, and antisocial behaviour. In fact, in several local authorities, an owner required to undertake external works has gone further and redeveloped the site or the building, to bring it back into proper use, rather than just securing it from health and safety and other points of view. We have also given powers to local authorities under section 219: If a landowner does not remedy what is listed in a section 215 order, the local authority can do so by default and recharge the landowner. Those powers have also been used.

I said at the outset that it is not for us to dictate day to day; it is for us to provide the framework. Part of that framework is planning legislation, such as section 215, and part is guidance to local authorities on how that can be used. In the past there has certainly been resistance to using some of the powers available to local authorities because of worry about costs being levied against them. That particularly applies to the default powers. That is why, in 1998, we issued guidance in circular 02/98, which is still relevant, on practical measures that can be taken to tackle dereliction. It contains positive measures to help prevent and tidy up derelict sites and to encourage local planning authorities to use their default powers.

I will come in a moment, as far as I can, to the case of Birmingham and the specific site to which my hon. Friend referred. It is for the local authority to decide whether a section 215 notice under the provisions would be appropriate in a particular case. It would have to take account of local circumstances and would need to consider, for example, the condition of the site, the impact on the surrounding area and the scope of its powers. A section 215 notice can be a stand-alone process or carried out in partnership with other agencies that might be relevant to a particular site or combination of sites. That is alongside proactive measures such as empty homes strategies, developments briefs and public-private funding programmes. Those are all development control tools that can be used by a local authority.

Before the end of the year, we will take that further by issuing a good practice guide on the use of section 215. We have already consulted with stakeholder organisations on the contents, and the final version will be circulated before the end of December to all local planning authorities. We recognise that many local authorities have successfully used 215s to deal with the type of problems to which my hon. Friend refers.

Mr. Simon: I am conscious that the Minister may go on to say all kinds of things that I do not know about yet, but could he keep in mind that, although I take his points about section 215, we want the pub knocked down? The site is no more likely to be rebuilt or put back together than Stonehenge. It is only a matter of time before the building is demolished. I am concerned by the impression I have formed that the local authority has neither the power nor the statutory obligation to compel demolition rather than tidying up.

Paul Clark: I thank my hon. Friend for that intervention. I am bearing in mind what he would like to happen. I know that his endeavours on the issue with Birmingham city council and others have been great. He read out a letter that he received from the planning officer, which indicates that there is some movement towards what he wants. Action is being taken—rightly so—by local government, which best knows the site's potential or where we can go with it. When I say "we", I am talking about the local authority, the local planning authority and the strategic authority, along with the private landowners who hold that patch of land. All those factors have to come together, and, because of variations on any given site, it is difficult for straightforward requirements to be laid down at a national level. I shall explain a bit more as I come now to deal with the Birmingham city council case.

My hon. Friend is aware that a section 215 was issued in September 2002. Birmingham city council took that decision on the public house. Unfortunately, the section 215 was issued on the previous owner of that site. At the time of its being issued, there was a change in ownership. One can immediately see one of the hurdles of dealing with privately owned sites through the system. The local planning authority is preparing a new section 215. I know that my hon. Friend has been heavily involved with it through his work as a constituency MP. It is intended to cover not just the public house but the whole site, which also contains several other former industrial or commercial buildings that are equally derelict. Birmingham city council has taken the decision that it is important to cover the whole site.

My hon. Friend is keen to see in the new 215 a 100 per cent. requirement—no holds barred—for demolition of the building. The information that I received from the council and the letter that he recently received from the planning officer indicate that the authority is considering a provision in the 215 for remedial action or demolition. Clearly, that has come about because of the work of my hon. Friend, local people and organisations such as the Erdington residents association.

There is always a danger that any decision will be challenged through the courts, and I know that my hon. Friend will want to ensure that whatever is put in place now through the system has a lasting effect and is not delayed further by great court cases. Therefore—learning from the best practice of other authorities and using existing powers and guidance provided by the Department on their use—it is sensible that Birmingham city council gets it right and we get a lasting solution for his residents. He is right to say demolition controls are about whether dwellings—houses or flats—are unfit for habitation. I suspect that he knows why legislation was introduced specifically on housing and homes for people: we want to eradicate any instance of someone living in an unfit home. He is right that that is where the Housing Act 1985 leads us.

The use of compulsory purchase orders is also open to local authorities, which enable them compulsorily to purchase a site, but although the Government believe that those are important tools for local authorities as a means of assembling land, we expect CPOs to be used as a last resort, and most local authorities do so. Nevertheless, compulsory purchase is another tool for a local authority to consider using. CPO powers cannot be used in isolation; the local authority must be using other powers—requiring that the land be redeveloped for housing, for example, under the 1985 Act. The land must be acquired for a purpose.

We have sought to make CPO powers easier for local authorities to use. My hon. Friend will no doubt recall the Planning and Compulsory Purchase Act 2004, which contains, in part 8, a series of measures to reform the compulsory purchase system, and they will be brought into effect at the end of this month. For example, the Act amends the power of local authorities, joint planning boards and the national parks authorities, and allows them compulsorily to acquire land if they think that it will

"facilitate the carrying out of development, redevelopment or improvement on or in relation to land which is likely to contribute to the promotion or improvement of the economic, social . . . or environmental"

benefit to

"their area."

I quote that specifically so that it is clear. I reiterate, however, that the Secretary of State would normally expect any statutory procedures intended to remedy derelict or unsightly land, such as section 215s, to be followed through first and foremost and exhausted before CPOs are considered. In addition, the new Act introduces a "well-being" power—well-being for the given area—which helps to make an argument, although we would still expect there to be a clear proposal for the use of the land under a CPO.

My hon. Friend will be aware of the highway improvements that are required under the bus showcase standard. That affects part of the land about which we are talking and is part of the opportunity to secure a sustainable change of use. Again, it is for the local authority, together with landholders and other interested parties, to become involved in finding out how to take forward a given site to make a lasting change that benefits everyone, particularly the residents in the area. I noted that my hon. Friend said that there is a lot going on around the area—CCTV cameras, a new village green and getting money into existing communities through various programmes.

I hope that my hon. Friend recognises that the Government are keen that a remedy for such sites is found as quickly and as fairly as possible, because they are important to the sustainable communities programme, which this Government have been developing and taking forward. I know that through the hard work of my hon. Friend and neighbouring colleagues, they will ensure the best result through Birmingham city council.

11.30 am

Sitting suspended till Two o'clock.

Hospice Movement

2 pm

Bob Spink (Castle Point) (Con): I begin with a quote, Mr. McDonald.

Mr. Deputy Speaker (Mr. John McWilliam): Order. That was not even close. My title is Mr. Deputy Speaker, but my name is McWilliam.

Bob Spink: Thank you, Mr. Deputy Speaker. The quote is as follows:

> "Our visits to Little Haven give us relief from some of the pressures we have to face all the time. It is very difficult to have a normal family life.
>
> Looking after Betty is extremely demanding, but we want to spend as much time with her as we can. She is so precious and we don't know how long she will be with us."

The quote is from one of the families who use Little Haven hospice in my constituency.

I wish to start by thanking Mr. Speaker for kindly selecting the hospice movement as the subject of our discussion. This is a very important debate and I thank sincerely all hon. Members who have taken the trouble to come along to the Chamber this afternoon. I shall focus on the children's hospice movement. I shall be as brief as I can—about 10 to 15 minutes, depending on interventions—because there are so many hon. Members present who are much more eloquent and expert than me in such matters and they deserve to have time to speak.

I wish to thank Andy Smith, chief executive of Little Haven, who has contributed greatly to what I have to say. Indeed, I thank all who are involved in the hospice movement: those concerned with medical matters, domestic matters, management matters, voluntary support and, of course, the fundraisers. I hope that my family never need their help but, if they do, I know that the hospice movement will be there for them.

Funding is one of the key issues in the hospice movement. Children's hospices receive 5 per cent. statutory funding. Little Haven in my constituency receives 1.9 per cent. funding from statutory sources, leaving almost all the funding it needs having to be collected from the voluntary sector. Thankfully, we have a wonderful voluntary support sector locally and excellent campaigning local newspapers whose editors, Martin McNeill and Steve Neale, do all they can. We receive support from local businesses such as BP and the three Conservative clubs in my constituency. The Hadleigh, Canvey Island and Benfleet Conservative clubs raise money for the hospice virtually every year. We receive support from the schools; the whole community mucks in to do what it can to support such a wonderful movement.

The fact is that hospices need 40 per cent. statutory core funding. I wish to refer briefly to the special case of motor neurone disease. We have a wonderful MND association in south Essex with great people. People with MND need palliative care to maximise the time and quality of the time that they have left. Readily available high-quality services can significantly improve people's quality of life, but many people who are diagnosed with MND will, of course, live long, fulfilled and happy lives, giving joy to themselves and those around them. Sadly, however, half those people will die within 14 months, so it is important that palliative care is available early in the process to those who have this particular disease.

Access to palliative care is generally low and varies depending on diagnosis, with priority given to people with cancer. That brings me to Marie Curie Cancer Care. It is a wonderful organisation and I pay tribute to everyone connected with it. Marie Curie provides specialist palliative care for about 24,000 people a year in the United Kingdom. The organisation runs 10 hospices in the UK, but perhaps it is best known for its 2,500 Marie Curie nurses who provide care for people in their homes.

About two thirds of people would prefer to die at home. About a quarter of people would prefer to die in a hospice and fewer than one in 20 would prefer to die in a hospital. However, most people die in hospitals, although this is clearly a matter in which personal choice should rule the day, whenever possible. Marie Curie helps to give that choice, and God bless it for that.

In July 2004, the Health Committee published a report on palliative care whose two key recommendations were on funding and access. Access is patchy at best and works against those in less affluent areas. Both Marie Curie Cancer Care and the Motor Neurone Disease Association believe that access should be available to everyone who needs it regardless of diagnosis or postcode; currently, it is not. I know that the Minister is a very good lady, and that she is listening carefully and will address these points.

Little Haven in Castle Point is one of 35 children's hospice services in the UK. They help children with life-limiting conditions, as well as the families of those children. In the UK, there are 15,000 to 20,000 children with such conditions, most of whom will not live to adulthood. The daily toll of caring for a child with a life-limiting condition needing 24/7 care places a huge emotional, physical and financial strain on the whole family.

David Taylor (North-West Leicestershire) (Lab/Co-op): The hon. Gentleman refers to the fact that there are 35 children's hospices in the UK—one of which is the Rainbows children's hospice in Loughborough in the constituency of my hon. Friend the Member for Loughborough (Mr. Reed), who is my neighbour. In the points that the hon. Gentleman is about to make, will he press the Minister to take a closer look at what the Government say about funding? They say it is the responsibility of PCTs to negotiate agreements, but the number of PCTs, as well as the fact that children's hospices are so specialist and their catchment area so large, makes that proposition unviable. Does the hon. Gentleman accept that?

Bob Spink: I do. The hon. Gentleman is a great campaigner for the hospice movement—he supports his local hospice tremendously well—and he has anticipated my words. I hope he will listen carefully to what I have to say.

The daily toll of caring for children with life-limiting conditions is heavy, as care can be required 24 hours a day, seven days a week, sometimes for many years. That places a huge strain on the family. Life expectancy can vary from just a few months to a number of years, and the health of the child often deteriorates gradually, making them increasingly dependent on the parents and carers. The needs of such children are met in many settings, including the children's hospices, which play a key role, in partnership with other agencies, in helping to meet those complex needs and to support the whole family.

I wonder what images spring to mind when the words "children's hospice" are spoken. Perhaps they are images of unhappiness and despondency—indeed, at times there is great sadness—but children's hospices are focused on enjoying life to the full while it is there, and the children and their families experience much fun and laughter in them. They know that they are not alone. Children's hospices welcome families for a break together in a friendly and homely environment; they allow them time to be a family and to enjoy the life of their child while they can. This is a time when the burden of being the principal carers is lifted.

Children's hospices also help children and families in their own home; that is important. They offer information, practical assistance and advice. They provide a 24-hour telephone support helpline, as well as expert emergency and palliative care and advice, and they frequently make home visits. They also provide end-of-life care and, after the death of a child, bereavement support. That care meets the physical, emotional, social and spiritual needs of individual children and their families.

Children's hospices help in a way that the national health service cannot. They bring together a range of care and advice to support the whole family throughout all the stages of the child's illness, keeping children and families right at the centre of that process. The need for these services is beyond doubt. Another family that use Little Haven said:

> "The support we get from the staff at the hospice is incredible, Jono is really well looked after and we meet other families in similar situations we can relate to."

Children's hospices also benefit our local communities, bringing them together with a common goal of helping others in need. A children's hospice can cost anywhere between £3 million and £4 million to build and have £1.5 million annual running costs thereafter. Almost all that money is raised in the local community. That takes unprecedented commitment and dedication.

Mr. Andy Reed (Loughborough) (Lab/Co-op): I congratulate the hon. Gentleman on securing this debate. Last Friday, I was fortunate enough to bring a group of children from the Rainbows hospice to visit No. 10, which emphasises his point about the need for a wider social aspect to this issue.

I assume that the hon. Gentleman will, quite rightly, come on to the financing of children's hospices. My hon. Friend the Member for North-West Leicestershire (David Taylor) has mentioned the PCTs, but will the hon. Gentleman concentrate some of his energies on the role of social services? Social services from across the region often use the services of such hospices, particularly those of the Rainbows hospice. They know that they should pay, but get away with not paying because the fundraising is so good. Will he insist that social services departments pay their way?

Bob Spink: I am grateful for the hon. Gentleman's intervention and for all the work that he does in his constituency to help families with children with life-limiting conditions. That is much appreciated. I shall be addressing the Treasury rules that come into play in 2006, which state that any work done in the charitable sector that should have been undertaken by the statutory sector, or that displaces work that the statutory sector would otherwise have to do, should be reimbursed by the statutory sector. The hon. Gentleman has given me the opportunity to make that point, and I thank him for that.

John Mann (Bassetlaw) (Lab): May I say that no Opposition Member raises their constituents' interests as consistently well as the hon. Gentleman? On funding, will he pay attention to the cross-border issues that afflict constituencies such as mine, which sits in the east midlands but naturally looks to Yorkshire, including to the Bluebell Wood children's hospice in Sheffield, for hospice places for our children?

Bob Spink: I thank the hon. Gentleman for his kind words. This is one of those debates at which the House excels. A number of people who work very hard for the hospice movement, all of whom care deeply for their constituents and put party politics aside, are making contributions. I will probably use that as my final comment before finishing my speech.

I was talking about the involvement of the whole community in raising funds. Little could get me out of my bed on a cold, wet Sunday morning to run 26 and a quarter miles, but my local hospice movement did, and I was proud to take part. I recommend it to other Members. Almost all the money for children's hospices is raised in the local community, which takes tremendous dedication.

It would have been easy for me to try to score cheap political points on funding, but I will not do that. In fact, I warmly congratulate the Government and thank them for the extra funding that they are putting into the health service; I will not mention the application of such funds at this point. On average, children's hospices receive only 5 per cent. of their funding from statutory sources. I urge the Government to work in partnership with children's hospices, as they do with adult hospices, to develop a mechanism to fund a service that the state would have to provide if children's hospices were not there. That point was raised by the hon. Member for Loughborough (Mr. Reed) a moment ago.

The same principle that applies to adult hospices should apply to children's hospices. Unfortunately, it does not; the same dialogue is not taking place with children's hospices, which is a glaring anomaly. I ask the Minister to address that point today or to write to me about the matter as soon as possible.

The Government should include the children's hospice service in their funding discussions with the adult hospice sector. The national service framework for children and young people could prove to be a powerful agent in helping to achieve the necessary change.

[Bob Spink]

Although children's palliative care is a thin slice of the section on disabled children, the NSF offers a key stepping stone towards developing such services. The Government now need to ensure that the PCTs are assessing the need for children's palliative care in their locality and meeting the full cost of providing that care. That should form part of the monitoring of the NSF. I would be grateful if the Minister confirmed that that will be the case and told us how it will be achieved.

The New Opportunities Fund, now the Big Lottery Fund, has helped Little Haven and many other children's hospices. We are all deeply grateful for that, but the money runs out in March 2006. The funding has become an important mainstay of children's hospices in terms of meeting their running costs, and when that disappears in 2006, the funding situation will become very fragile.

The Government have described how children's hospices should negotiate with PCTs for statutory funding; I hope that the Minister will not dwell too long on that, as we have all heard that argument. Because of the absence of any central guidance from the Government to PCTs, the arrangement results in unacceptable uncertainty for the hospices. Children's hospices have to deal with up to 15 PCTs in any one area. That means 15 rounds of negotiations and 15 very variable possible outcomes. That is not good enough, as it consumes valuable hospice resources.

We need the Government to focus on that and to ensure that the process is streamlined and clarified for everyone's sake. Children's hospices are not looking for an easy life; they simply want a fair deal, practical help and support in finding their way through the funding maze, so that they can concentrate on what they were set up to do.

The Minister is a good Minister. I said that before, and I really mean it. She knows that, as a society, we need hospices. I hope she accepts that and will do what she can to support them in terms of funding and access.

David Taylor: A Minister under the Conservative Administration, the right hon. Member for South-West Surrey (Virginia Bottomley), stated:

> "The Government's objective is to work towards a position in which the contribution from public funds available to voluntary hospices and similar organisations matches that of voluntary giving."—[*Official Report*, 15 December 1989; Vol. 163, c. 847W.]

I hope that this Government pick up that objective and run with it. Does the hon. Gentleman agree?

Bob Spink: I am delighted with that intervention, because it gives me the opportunity to say that there is no better man in the House when it comes to fighting for the health service and for constituents than my hon. Friend the Member for West Chelmsford (Mr. Burns), who is on the Front Bench. He will explain Conservative policy on the matter.

When thinking about hospice care, it is all too easy to become distracted by age groups, buildings and disease types, but a hospice is not just a building. It is a service for adults and children, providing, for instance, care at home—a total service. There are many important differences between children's and adults' hospices, but they share the same vision of caring for people at their time of greatest need. Help the Hospices and the Association of Children's Hospices have called on the Government to appoint a Minister for palliative care. That Minister's role would be not only to join up policy on palliative care for children and adults, but to co-ordinate a cross-departmental cross-sector strategy to support people coping with death.

We all value our hospices. They are a jewel in the health service crown.

Lady Hermon (North Down) (UUP): I congratulate the hon. Gentleman, as other hon. Members have, on securing this debate.

The hon. Gentleman referred to cross-departmental responsibilities. Is not one of the key issues for hospices the amount that VAT takes out of their budgets? Is it not time that the Government made all children's and adults' hospices exempt from VAT?

Bob Spink: The hon. Lady makes a fair point, and one that I intended to address, although I failed to do so. I am grateful to her. No doubt the Minister will deal with the matter.

We know that hospices are very important. As a hospice user put it:

> "We know that while we are at the hospice we are in safe and knowledgeable hands—and so do our families".

Let us work together in Parliament, cross-party, to get this right.

Several hon. Members *rose*—

Mr. Deputy Speaker: Order. Many Members are trying to catch my eye. If speeches are brief, I can get everyone in; if they are lengthy, I cannot.

2.19 pm

Jim Dobbin (Heywood and Middleton) (Lab/Co-op): I congratulate the hon. Member for Castle Point (Bob Spink) on securing this debate. He has an excellent record of speaking on behalf of the vulnerable in society, and he did so just a moment ago.

Palliative care has long been the poor relation in terms of publicity and funding in the NHS. As we are now aware, more people will be living longer due to improvements in medicine and a better standard of living; as a result, we are also aware that more people will require palliative care. Therefore, the NHS has taken more responsibility for funding. In the past, hospices were funded totally by voluntary contributions, but with the realisation that the number of people needing palliative care was increasing, the NHS had to accept that responsibility—quite right too. Palliative care services were provided in some hospitals, but the voluntary hospices were still essential to supply the total need. We know that fundraising is essential to the upkeep of the many voluntary hospices.

The management and volunteers at the local Springhill hospice in Rochdale, which serves my constituency—and serves it so well—have come up with ever more innovations to persuade people to part with their money in the worthiest of causes. There is, for example, the annual man and woman of the year luncheon, at which it raises a huge amount of money. I am on one of the committees that organises those events, which are very enjoyable and raise the awareness of the local community. There are concerts, tug-of-wars, sponsored walks and bike rides, auctions, coffee mornings, fairs and other entertainments enjoyed and supported by all in the borough. There is a hospice shop, staffed and run by volunteers, which supplies everything under the sun.

One cannot fault the hard work and commitment that have been put in over the years to keep the hospice movement going as a vibrant, irreplaceable service in the area. I was a member of the local health authority when another member, Margaret Geohagen, started the hospice. It is to her credit that she did so, and she is still its chair.

There is a constant headache of achieving targets each year. Hospices are the victims of their own success. They are now providing specialist palliative care at home and in the hospice; they are providing respite care to give carers a necessary break; they are providing care for families of patients; and, at the same time, they have to deal with the upkeep and refurbishment of the buildings and grounds.

The NHS contributes about a third of the funding of palliative care, as I understand it, in adult hospices run by local charities. The National Institute for Clinical Excellence guidelines suggest that the NHS should commission palliative care services, but that providers may come from the independent sector. The Treasury recommended that all Departments should ensure that the price of contracts reflects the full cost of the service, with a deadline of April 2006. I understand that the Charity Commission states that a charity should not use its resources to supplement what the public bodies should provide, so the NHS should fund the costs of providing palliative services. Hospices should be using their funds to supplement and improve the services funded by the NHS.

I receive letters from my local hospice suggesting that it is not yet receiving the full cost of the service as described by NICE, and there is a bit of uncertainty over its future budgets. Primary care trusts will need to be sure that they are assessing correctly the special palliative care needs in their areas and they must ensure that all such needs are met.

Mrs. Lorna Fitzsimons (Rochdale) (Lab) *rose—*

Mr. Deputy Speaker: Order. Before I call the hon. Lady, may I remind Members of the rule about reading? Copious notes are allowed, but reading is not. The hon. Member for Heywood and Middleton (Jim Dobbin) appears to be on the first page of his notes. I did advise that Members should be brief.

Mrs. Fitzsimons: Thank you, Mr. Deputy Speaker.

I thank my hon. Friend the Member for Heywood and Middleton for giving way. As the neighbouring constituency MP, my constituents are also served well by Springhill hospice. First, does he agree that there is a role that has not yet been used by the strategic health authority, whereby many hospices serve many PCTs in that the PCTs all—equally and separately—fund what they are meant to fund, rather than putting the weight on one or two PCTs that are fully apprised of the value of the hospice movement?

Secondly, will my hon. Friend add his praise to mine for the hospice movement for the work it does in the palliative care networks? We know the value of the work that the movement does for people in homes and in the hospices, but the problem is the plight of people who have to suffer in hospitals and do not get the same palliative care. The movement has been leading in finding a way to train of lots of nurses in palliative care on the wards.

Jim Dobbin: I accept the points that my hon. Friend is making. She represents a seat in the same borough, so she knows the hospice that I am talking about. I also accept your guidance, Mr. Deputy Speaker. The point that I am coming to is that one Minister needs to be given responsibility for the full provision of palliative care for adults and for children's carers and providers. I want to come to a close, because you have asked us to be brief and more hon. Members want to speak. I pay tribute to the voluntary ethos of the hospice movement and to its dedication to raising funds to keep itself going.

I appreciate all the work that the Government are doing. I ask them to focus a bit more on the financial needs and the financial supports of the hospice movement, particularly the support given to children's hospices throughout the country. There is a dearth of support in that area. That needs to be examined.

2.26 pm

Mr. David Amess (Southend, West) (Con): I congratulate my hon. Friend the Member for Castle Point (Bob Spink) on securing this debate; I agree with everything he said. I suppose I could sit down immediately, but there are one or two points that I wish to make.

This is not a party political matter; no political party invented hospices. Dame Cicely Saunders has led the movement and I applaud everything she has done. As a member of the Committee that considered the Bill that enabled primary care trusts to come into existence, I say to the Minister that I and many other colleagues made many points about funding at that stage. I hope she will address the issues, specifically funding, as the primary care trusts are expected to deliver practically everything, but that is not quite working as the Minister had told us all.

My hon. Friend the Member for West Chelmsford (Mr. Burns) and I have the privilege of serving on the Health Committee. I am delighted that my hon. Friend the Member for Castle Point mentioned our report on palliative care and I know that the Minister gave evidence to us.

The Committee was briefed by Dr. Keri Thomas that patients had little real choice about how they would spend their last days. We were told that

> "though most of the final year of life is spent at home, most patients still die in hospital."

Will the Minister address that in terms of the back-up service? Locally in Southend, we have a wonderful organisation called SPDNS, which is led by John and

[Mr. David Amess]

Rosalind Matty. They have celebrated 25 years of trying to help people die with dignity at home. However, there are other challenges in terms of getting the necessary staff support to give people the opportunity to die at home if they so wish.

As my hon. Friend said, we are served by three wonderful hospices locally: Little Haven, Fair Havens and St. Luke's. When I was first elected to Parliament in 1983, I knew little about the hospice movement, although I knew about St. Joseph's hospice in Hackney. Within a year, I had celebrated my second miracle in my then constituency—the first was to be elected—which was to be given the great honour of laying the foundation stone of St. Luke's hospice.

That came about through a wonderful lady called Trudy Cox, who was a district nurse. She was called to attend a house, thinking that the person concerned was ill. She walked into the bedroom and the mother lay dead in the bed with her children around her. She said that, after that, she was determined that no one should ever die in those circumstances again. She called a meeting and said that she was not going to argue with the Government about funding, but that she would mortgage her house and there would be a hospice. Within a short time, and with no huge benefactors, St. Luke's hospice was built. It does a wonderful job, just as Little Haven and Fair Havens do.

The adult hospices in England and Wales have given all hon. Members the same briefing. Mine is a tiny contribution in terms of what the Minister might respond to, because she will know that that movement wants full cost recovery. It feels strongly that primary care trusts are required to fund sufficient services to meet local need but that they are not delivering on that. It also feels that commissioning sufficient services for its population should happen in reality and the hospices should not be necessarily left to fill all the gaps.

As the hon. Member for Heywood and Middleton (Jim Dobbin) said, Government leadership and strategy are very important. The adult hospice movement wants the Government to ensure that there is one Minister with responsibility for joining up palliative care policy across diagnosis for adults and children, working closely with palliative care providers and patient and carer organisations. It also feels that there should be integration with existing quality programmes and streamlining of statutory inspections. We have only to think of our schools being inspected by Ofsted to know how disruptive such a process can be for all concerned.

All Members of Parliament support their local hospices and wish to be associated with their local hospice movement, but I hope that the Minister will deal specifically with how primary care trusts can address the current funding difficulty.

Several hon. Members *rose*—

Mr. Deputy Speaker: Order. I thank the hon. Members who have spoken thus far; they have been exemplary. I call David Taylor.

David Taylor: I do not want to speak.

Mr. Deputy Speaker: Sorry, I thought you did. I call Martin Linton.

2.32 pm

Martin Linton (Battersea) (Lab): Thank you, Mr. Deputy Speaker. I am sure that my hon. Friend the Member for North-West Leicestershire (David Taylor) will make some excellent contributions to the debate.

I thank the hon. Member for Castle Point (Bob Spink) for applying for the debate because it gives us a chance to discuss the needs of the hospice movement. He has mentioned the Little Haven children's hospice so often that it must have become the most famous hospice, at least among fellow Members of Parliament. I hope to do the same for the Trinity hospice, which was established in 1891, making it the oldest in the United Kingdom. Its catchment area is the whole of south-west London, which has a population of some 750,000 people.

My constituency is at the centre of that catchment area and, although the hospice itself is a few yards outside my constituency, I have good links with it. Those links have become much firmer since April when, like the hon. Member for Castle Point, I ran the marathon as part of the hospice team to raise money for it. I had two targets: one was related to how quickly I could get to the finish, which I just about met, and the other was to try to raise £1,500 for the hospice. I am glad to say that I achieved that, thanks to the generosity of local people and the fact that, as soon the Trinity hospice was mentioned, so many people said, "I just don't know how I can thank that place enough for what it has done for my family." I was able to say to them, "It's easy, you can sponsor me in the marathon." Many people did so and I was able to raise nearly three times the sponsorship target. It is sobering to discover, however, that my £4,000 will keep the hospice going for less than half a day.

Hospices such as Trinity need to fundraise because they do not get 100 per cent. funding from the national health service. As I understand it, the health service will fund the community service—there is a community team at the hospice with about 280 patients on its books—and the bed service. Trinity has about 30 beds, although it could happily double that number. However, when it comes to core needs, Trinity gets only about 45 per cent. of its funding from the health service. The funding does not in any case include complementary therapies not recognised by the NHS such as massage, heart therapy, relaxation therapy and hypnotherapy, which are excellent forms of palliative care. As a result of those two factors, the Trinity hospice gets about 35 per cent. of its funding from the NHS—£2 million out of £6 million.

Many people have mentioned the need for full funding. Talking to my local hospice, I found that it does not want 100 per cent. funding. There are a few NHS hospices in London that are 100 per cent. funded, although there are very few across the rest of the country. Trinity hospice values its independence and freedom, but like most hospices it wants an increase in the percentage of its costs that are funded through the NHS. It would warm to the suggestion made by my hon. Friend the Member for North-West Leicestershire of a 50-50 split between NHS funding and its own fundraising.

Within that general demand are several specific points that concern the hospice. I shall raise them briefly while I have the Minister's ear, so that she can comment on them. The first is even funding between primary care trusts. The hospice has to negotiate with seven different PCTs, and some are likely to offer a higher percentage than others. It is known that some will be in danger next year of short-changing the hospice because of their financial situation. It is important that such organisations as hospices should have the same rate of funding from all PCTs. If there is anything the Department of Health can do to ensure that those PCTs are able to give them the same funding, that will be helpful.

Another point that the hospice raises is that the voluntary sector has great difficulty matching the pay rises for NHS staff, although it has to do that. I would never argue against those pay rises, which are richly deserved, but they should be taken into account in deciding how much to fund the hospices, which have to try to keep pace with NHS increases.

Another suggestion is to work towards a system of funding per head. At present, the block grant is based on last year's occupancy and on 80 per cent. bed occupancy. Trinity achieves a good 96 per cent. bed occupancy, which means that the funding it gets is underfunding. It would be far better if were Trinity funded on the basis of the bed occupancy it achieves, even if that is not 100 per cent.

The hospice has also told me that it would like three-yearly, not one-yearly, budgets. This Government have tried to follow that principle for many voluntary bodies, Government agencies, local authorities and education authorities. We can understand that hospices have an equal need for predictability and dependability in their funding. One of their aims, which they can achieve only with funding improvements, is to expand their care to illnesses other than cancer. Cancer was the original reason for most hospices coming into existence, and the bulk of the palliative care that they give is for that, but there are many other illnesses for which hospice care would be appropriate.

Hospices suffer, perhaps even more than the health service, from bed blocking. Often, that problem depends on a patient finding a nursing home place. Trinity has had examples of people who no longer need hospice care occupying a hospice bed for more than a year while they try to find a nursing home place.

In central London there is a huge problem with parking, which I as a constituency MP have helped to deal with on behalf of district nurses. People working for the hospice can pay about £500 a year for the privilege of parking in the street outside their hospice. The community team needs to be able to move freely around the boroughs to visit the 280 people on its list.

I pay tribute to the chairman of Trinity hospice for the past 10 years, Patrick Hurst. He has brought about a real revolution in the hospice's ability to deal with the demand for its places, including a new capital build plan and far greater services to the community than Trinity was ever able to deliver before. There has been an increase of about 400 per cent. in the community team, and thus a huge increase in the number of patients with whom the hospice is able to deal.

I make those suggestions in the knowledge that the Department of Health and the Government are already doing an enormous amount to help hospices through the primary care trusts, but this is the direction in which hospices—certainly my local hospice—would like them to move in future.

Finally, Mr. Deputy Speaker, I apologise if I have to leave a little early. My excuse is the only one that would cut any ice with you: I have to see Mr. Speaker.

Mr. Deputy Speaker: I know the feeling. I call Sir Teddy Taylor.

2.40 pm

Sir Teddy Taylor (Rochford and Southend, East) (Con): We all owe a debt to my hon. Friend the Member for Castle Point (Bob Spink) for raising this issue, as it concerns many of us. We are all aware of his total commitment to Little Haven. The great work that he does for it is well known and is, I am sure, greatly appreciated. I have had a connection with Fair Havens and Little Haven for many years as an honorary office bearer. All of us are well aware of the fantastic work done by hospices. Of course, they depend enormously on voluntary helpers—without voluntary help, it would be difficult for them to continue—and they have to raise a huge amount of money to ensure that the service is maintained.

I wish to put three brief points to the Minister. One thing that worries me enormously—I hope she will confirm whether this is true or untrue—is that, on the basis of figures I have seen, NHS funding of hospices as a percentage of total spending has decreased in recent years. That should worry us all, irrespective of the Government in power. Obviously, this can happen without people noticing. In 1996–97, 35 per cent. of funding was covered by the NHS. In 2001–02, that fell to only 29 per cent., which is a massive reduction. Since then, there has been the £50 million boost for specialist palliative care, which increased the amount to 32 or 33 per cent. However, we should be aware that that percentage of total spending is still less than it was in 1996–97. That should worry us all.

The hospices in the Southend area and in Castle Point are very fortunate to receive enormous contributions from the local communities, but hard work is required to maintain them and, as expenditure is constantly increasing, that is no easy task. My first question is, does the Minister accept that funding has been reduced and that there is a need to increase it?

Secondly, does the Minister accept that funding for children's hospices is tiny compared with the funding available to hospices generally? Only about 5 per cent. of total funding is provided from public funds, which is very low indeed. In the case of Little Haven, the figure is only 1.9 per cent. When we have had problems in the past, Governments have said to us that there are things we can do. For instance, we can request lottery funding, which has been greatly appreciated. A special fund has been set up, but the plain fact is that it will fall out and stop in 2006.

The main guidance has been that we should go to the primary care trusts. A delightful lady runs one for us in Southend, but there are so many PCTs that it really is a bit confusing. Some hospices have to deal with three, four, five or—in the case mentioned by my hon. Friend the Member for Castle Point—15. Trying to get straight guidance from them on how funding should be provided

[Sir Teddy Taylor]

is almost impossible. The Government really need to give clear indications or rules to PCTs as to what funding they should provide for children's hospices. It is no good at all to leave that to discussions. We appreciate that PCTs have a bit of a nightmare, as do all organisations in the health service, in covering all their costs. Therefore, we need a commitment to additional spending and a clear promise that the PCTs will be advised on suitable funding.

Mr. Lindsay Hoyle (Chorley) (Lab): Further to the hon. Gentleman's last point, I have a children's hospice in Chorley—Derian House suffers in respect of funding from PCTs. The local PCTs give money, but young children come from as far away as London or Scotland and may make a one-off visit this year, or perhaps in three years, so their PCT never contributes.

The hon. Gentleman is absolutely right that children's hospices have always been the poor relation in funding. Does he agree that we ought to have more funding directly from the Secretary of State, or in another way, if funds cannot be channelled through the PCTs equally?

Sir Teddy Taylor: The hon. Gentleman expresses my feelings exactly. I would much prefer to have straight funding from the Government, due to the confusion in the system with all the PCTs. That would be infinitely better as it would clear up a lot, but, on the other hand, we do not want to interfere with the powers given to PCTs because they are very sensitive.

I agree with the hon. Gentleman. If that proposal were possible, great; if not, PCTs should have some clear guidance on the funding needed.

Mrs. Fitzsimons: Does the hon. Gentleman think that the target set by the Government for funding child and adolescent mental health—guidance referring to a non-ring-fenced target of 10 per cent. growth year on year over the next three years—is a good example? That has been met by nearly all PCTs. Would he recommend that formula to the Government?

Sir Teddy Taylor: That is something for the Minister to consider, because it is far too complicated for me. We need straight indications that, because of the reduction that has taken place, there will be an increase and that PCTs will be given clear guidance. The hon. Lady has mentioned something important that the Minister will need to examine, but I am looking for those two straight pieces of guidance.

I hope that when the Government work out such things as the inspections that are taking place, they will bear in mind the burdens on those running a hospice. Some of our schools have different views on inspections: those that get good reports think they are a wonderful idea while those that get bad reports think they are a very unusual system.

For hospices, the real problem is the time taken up by inspections. My understanding—the Minister can tell me if I am wrong—is that we have two organisations undertaking the inspections; they do not attract much notice and they take up a huge amount of time. Quite honestly, when people have the job of running a hospice, particularly when they depend a great deal on voluntary work, having two such inspections is bad. Surely, through the simplification of democracy, we could have one organisation, and only one, to carry out the inspection. If a hospice gets a good report and is clearly well managed, there should be some means whereby a gap between inspections is introduced for it compared with others.

I hope that the Minister appreciates the huge burdens that hospices have to bear and the enormous task of fundraising undertaken by volunteers. I also hope she realises that problems could arise unless something is done. Many people spend a great deal of time and effort on ensuring the continued operation of hospices, but they need additional help.

The Minister will be aware that the only guidance she has had from Members present is that something should be done. I hope she can provide some guidance. All of us present appreciate the special interest taken by my hon. Friend the Member for Castle Point, and we thank him for giving us the opportunity to raise these important issues.

Several hon. Members *rose*—

Mr. Deputy Speaker: Order. If Members are brief, I can get one or possibly two more speakers in. Ignore the annunicator; we know what we are talking about.

2.48 pm

Mr. Andy Reed (Loughborough) (Lab/Co-op): Thank you, Mr. Deputy Speaker. I am glad that you said that before I rose to speak and I hope that you feel that way at the end.

I will be brief because much has already been said. I probably need only clarify. I am grateful to the hon. Member for Rochford and Southend, East (Sir Teddy Taylor) for homing in on where we can make progress.

I have asked questions and raised this issue particularly in relation to children's hospices. The Rainbows hospice in my constituency is only 10 years old; it was 10 years old last month. It has celebrated great growth in that time, and it continues to want to grow. It is a happy place. The first time I visited, I was rather nervous, thinking that it would be a deeply depressing place, but far from it. I had my photograph taken in the ball pit with some of the children, and we really enjoyed ourselves. I left with mixed emotions of joy and an understanding of what a hospice is really about. The hospice serves many PCTs and has exactly the same problems as those already mentioned.

I want to raise the specific problem that occurs when social services departments use the hospices. The county council passed a motion supporting a campaign run by the local newspaper and me, until I wrote to the council to say, "Congratulations on supporting the campaign to fund the Rainbows hospice. If your social services department were to pay up, it would make some difference." I have still not had a reply to that letter, strangely enough. Perhaps today's debate will trigger the county council to deliver some of the cash. It uses the services; it needs to pay.

The matter comes down to the specific issue about guidelines. Like most Members, I have spoken to my local PCT. I encouraged all the Members I know in the east midlands to do that. The PCT will say, "Yeah, we totally agree. We should be funding children's hospices." It is wonderful, is it not? However, when it comes to the detailed negotiation, the money is not there, or it is not the priority at that time. The Department of Health will say, "It is a priority and the PCT should be funding it", and we get caught in a muddle.

The only way forward is if we establish some guidelines and guidance that, while not exerting extreme pressure, make it clear to PCTs and to social services departments that use those facilities for health matters that we expect them not to pay 100 per cent. but to pay the 40 per cent. that we estimate is used to provide health service care at our hospice. PCTs should just pay their way. That is not a Stalinist diktat from the centre. We need some simple guidelines that make it clear to every PCT in the country that it ought to pay its fair share.

I congratulate everyone at Rainbows on their hard work in raising £1.5 million every year. What a daunting prospect it is to wake up every 1 April knowing that one needs to raise another £1.5 million, but every year they do it. Fortunately, I did not have to do a marathon. They are going to get me to jump out of an aeroplane with a parachute. Suddenly, the marathon sounds a lot more enticing.

Several hon. Members *rose*—

Mr. Deputy Speaker: Order.

2.51 pm

Sue Doughty (Guildford) (LD): I thank the hon. Member for Castle Point (Bob Spink) not only for securing the debate but for covering so many of the important points that we came along to make. I will try not to repeat any more than is necessary to make my points.

St. Christopher's hospice opened in my constituency not long after I was elected. There is a history of concern about primary care trust funding for hospices. I hope that, by the time that we go into the next election, we will have resolved the issue. Three and a half years ago, the hon. Member for Putney (Mr. Colman) and I went to see the then Minister in charge of children's care, the Under-Secretary of State, Office of the Deputy Prime Minister, the hon. Member for Pontefract and Castleford (Yvette Cooper). We discussed two issues: the difficulty in securing PCT funding and regionalisation.

After that meeting, we all came away feeling that we needed stronger guidelines—particularly with children's hospices—about regional cover. Otherwise, we end up with fundraising in adjacent areas almost in competition. There is a problem and it needs to be dealt with.

We did not get very far though—nothing much happened on the funding that we hoped for—so, in October 2002, I wrote to the next Minister. By March 2003, another Minister was in place. I was fortunate to secure an Adjournment debate in May 2003 and the Minister made it clear that PCTs should contribute. At that point, I made the history clear—the fact that the chief executive of my local children's hospice had been round the PCTs and not succeeded. However, I was again given the advice that the PCTs should contribute. Since then, the chief executive has been round again and not succeeded. I tell that story to make it clear that people have been trying to resolve the issue for a long time.

I invite the Minister to visit St. Christopher's hospice. We invited the Minister for Children, Young People and Families, the right hon. Member for Barking (Margaret Hodge), and she said that it was not her job. It is important that a Minister visits to look at the brilliant work that is being done by St. Christopher's. I am sure that it is on a par with what is being done across the country.

The important thing is the justice of the issue. We talked about where the Government should play their part. I agree with Members who suggested that we should have a Minister with responsibility for palliative care. We all have huge fundraising efforts. In my area, Standard Life Healthcare, Allianz Cornhill and the cricketer Adam Hollioake do huge amounts of work, as do lots of ordinary people. However, they should not be doing it in the knowledge that the Government are not stepping up to the mark. We are looking not for 100 per cent. funding—hospice care is different from hospital care—but for funding to provide those elements that the national health service would provide if the hospice were not there. That is a matter of justice. I hope that we get it. I would like to go into the next general election knowing that we have got that point nailed once and for all.

2.54 pm

Mr. Paul Burstow (Sutton and Cheam) (LD): I congratulate the hon. Member for Castle Point (Bob Spink) on securing this important debate, and commend the many contributions that have been made in the debate and the points that have been made to the Minister. I want to illuminate and add to some of those points and to ask the Minister some questions to which the debate begs answers.

The need for such services is beyond doubt and, like the hon. Gentleman, I cannot miss the opportunity of expressing my appreciation of the work of the hospice in my constituency. St. Raphael's hospice covers the population in my constituency and that of Merton borough. It has a fantastic team of staff and an extraordinary team of volunteers, who go out of their way to make a difference to the quality of life of patients and families who are struggling to cope with the difficult circumstances that brought them to the hospice. Two hundred and fifty volunteers play a part in that hospice and I take my hat off to them for their efforts.

The local paper, the *Sutton Guardian*, recently launched a campaign to raise £50,000 to expand the services provided by St. Raphael's hospice. In less than three months, it hit the halfway mark, which indicates how powerfully hospices move local populations, how strongly people feel attached to them and how much people are willing to dip into their own pockets to ensure that their hospice survives, thrives and continues to support people in the local community.

That brings me to the first and key question of funding. Will the Minister tell us something about the road map for realising the Treasury cross-cutting review of the voluntary sector? That review was published in

[Mr. Paul Burstow]

2002. As we have heard, it said that, when there is a statutory responsibility for a service, even if it is provided within the voluntary sector, there is a requirement for full reimbursement of costs. What is the plan to ensure that that conclusion, which the Treasury reached in 2002, becomes reality by 2006?

Clearly, it is not appropriate in the long run—it is not defensible even now—that hospices rely on charitable and lottery funding to pay for services that would be free if they were provided within the NHS. Trustees have a legal duty not to use charitable money for such purposes and, given what the Treasury has said, there will come a point when the Charity Commission will have to step in to question whether the level of funding is adequate to meet the need.

We have had the figures showing how the level of funding for adult hospice care has fluctuated and fallen compared with the level only a few years ago. If adult hospice care is the Cinderella of services in palliative care, children's hospice care is the poor relation of that Cinderella. To have only 5 per cent. of its funding from the NHS cannot be an adequate or acceptable measure of the support that we as taxpayers should be prepared to put into such an important service.

Many hon. Members have described the lottery of PCTs accepting their responsibility in principle but not picking it up in practice. Where children's hospices seek to work out who they have a relationship in respect of planning and commissioning services and whom to talk to about the new arrangements for payment by results, how will that go forward? Surely, this is an area in which specialist commissioning has a part to play, given that it cannot be right for voluntary organisations to have to play a game of chasing multiple PCTs to find the right person to release resources.

Dr. Vincent Cable (Twickenham) (LD): I want to ask my hon. Friend a question on behalf of the Shooting Star Trust, which is just starting to open its doors as a children's hospice in my constituency. Is there a logical basis for the disadvantageous funding of children's hospices, which the hon. Member for Rochford and Southend, East (Sir Teddy Taylor) emphasised? The purpose of hospices is to provide respite care and the cost of looking after children in a hospice is often disproportionately higher. Why are children's hospices discriminated against in this way?

Mr. Burstow: In his question, my hon. Friend has put his finger on the nub of the matter. We are effectively talking about discrimination being perpetuated in the system of funding hospice care. It cannot be right or acceptable that children's hospices that provide core services that social services and the NHS want to use have to rely heavily on flag days and other fundraising devices to cover their costs.

It is vital to remember that we should focus not only on the very important work that palliative and hospice care provides for those with cancer. More than 95 per cent. of the services in hospices are concentrated on that group, but there are more than 300,000 people with degenerative and other diseases who would benefit from palliative care and hospice care. In evidence to the Select Committee report, the British Lung Foundation made representations about coronary obstructive pulmonary disease and people with that condition who would benefit from palliative care. We have heard about motor neurone disease and how people from that group are very fortunate if they can access hospice care. However, many do not, which also applies to those with dementia of one sort or another.

Reference has been made to social care and its role. It is incumbent upon the Government to be a lot clearer about where the line is drawn with regard to who is responsible for funding those services. I am thinking in particular of the issue of continuing NHS care, which was explored during the Select Committee's inquiry, but has not been satisfactorily dealt with through answers from the Government.

Quite recently, I asked a question to find out when the Government will be publishing their review of where strategic health authorities had got to in considering the criteria in respect of continuing care. I received an answer that did not relate at all to the question that I asked, and I hope that the Minister will give us some idea of when we shall see the outcome of that review.

During our inquiry, we were told that people were still in a situation where arbitrary time periods on when funding would be available were set by strategic health authorities. A person could be 11 weeks from death—I do not know how on earth someone comes to that judgment— and then they would get continuing care funding from the NHS. The period may be nine weeks or eight weeks. None of those procedures is lawful or fits within the guidance that the Department issues. How can that be allowed and tolerated and what is being done to change it? Will the Minister tell us today where the Government have got to with their long-awaited review?

This is an important area of public policy. Parliament should be debating it, and the Government should focus their attention on it, whether through a Minister or a national service framework for palliative care—I think that the latter is more likely to pull the threads together than simply having a figurehead. It is right and proper to have this debate. We need to see the funding put in and the services developing. Of those people who could benefit, only 1 per cent. benefit from palliative care in this country. That is an appalling indictment. More people must benefit from such services in future.

3.3 pm

Mr. Simon Burns (West Chelmsford) (Con): I congratulate my hon. Friend the Member for Castle Point (Bob Spink) on giving us the opportunity to have this important debate, which has generated considerable interest, shown not least by the number of hon. Members who wished to take part in it. I was particularly pleased that he secured the debate because he rightly and with justification spoke about the Little Haven children's hospital in his constituency, in the south of Essex. I welcome and recognise what he said about the excellent work that that hospice does because it also serves my constituency, alongside the children's hospice based in Cambridge, which also provides that service.

Along with many other hon. Members who have contributed to the debate, I have an adult hospice in my constituency, Farleigh hospice, which has done a fantastic job during the past 18 to 20 years in looking after adults in need of palliative care. Like all hospices, it works day in, day out, through the tremendous work that the staff do in the hospice, and also through the work of an army of volunteers who help with the running of the hospice and, equally, with fundraising.

We all know from our own experiences in our constituencies how extremely expensive it is to provide palliative care and the extent of the demands on that service. Public-spirited, generous individuals do amazing work day in, day out, coming up with novel ideas for raising money to help to ensure that this fantastic endeavour continues providing a seamless service for some of the most vulnerable members of our local communities.

The extent of the work that is done up and down the country is tremendous. Let me give just a few figures. There are 216 adult hospitals with palliative care units in the country, with 25 for children alone. There are 3,096 beds, with 196 beds on top of that for children. There are 51 beds per 1 million of the population. The average size of a hospice is 15 beds, seven for children. The most common size of a hospice is 10 beds. The estimated number of admissions per year is 59,000. The estimated number of new admissions is 41,000. The mean length of stay is 13 and a half days. The estimated number of deaths in palliative care in hospices is 29,000.

That is a tremendous input into the entire provision of palliative care. Like other hospices, Farleigh hospice has been fundraising over the past few years so that it can move from its existing site. It has secured a site by Broomfield hospital, which is part of the Mid Essex Hospital Services NHS Trust, and it is building a far larger hospice by private donation, having raised a considerable number of millions of pounds with help from other areas. That is the way forward because the demand for palliative care is always going to be increasing.

Therefore, we return to one of the common themes that has run through this whole debate, which is the question of funding. Few if any people within the hospice movement would want to see 100 per cent. funding from central Government. That is not the aim, or the aspiration of the hospice movement. What the people in that movement believe is that they need their efforts—their fundraising efforts, and the time and energy they put into making sure that the palliative care in the hospices is second to none—to be recognised more in financial terms by the Government. That would help to ease some of the pressures that are placed on them to raise what are phenomenal sums of money in order to keep the hospices running. The hon. Member for Battersea (Martin Linton) said that he took part in the London marathon, that he raised £4,000 or £4,500 for his local hospice, and that that was equivalent to about half a day's running of the hospice. That figure puts into perspective the sheer extent of the costs.

Other hon. Members talked about the money that the NHS has made available to the hospice movement over the past six or seven years. I am not going to claim that the Government have cut the funding to the hospice movement, because they have not. However, the Minister will recognise that, as a number of my hon. Friends and others have said, the contribution that the NHS makes to the hospice movement fell between 1996–97 and 2001–02 from about 35 per cent. of the costs of running a hospice to 29 per cent. That proportion has improved somewhat since 2001–02, because the Government made £50 million available for palliative care. Even so, the figure is still somewhere between the top end of 32 per cent. and 33.33 per cent., which is lower than in 1996–97—it was 35 per cent. then.

Part of that problem is simply that health service inflation is considerably higher than the retail prices index, or other methods of managing and assessing inflation. The Government must consider that again, not only for adult services but, as several hon. Members have said, for children's services in particular. For the average funding for children's hospices coming from the NHS to be 5 per cent. is unreasonable, as I am sure the Minister will accept. That is why my party made a manifesto commitment at the 2001 election that the NHS contribution to the hospice movement—both adult and children's hospices—would be 40 per cent. of the running costs if we were returned to government. That remains our pledge for the next election, because we recognise the important role that the hospice movement plays in the provision of palliative care.

I want to consider two other funding matters. The first, which many hon. Members have raised, is the fact that many hospices do not cover just a single constituency, a single PCT or even, in some cases, a single strategic health authority area. In my area, mid-Essex, the Farleigh hospice has to deal with at least five PCTs. It is important that Ministers in the Department of Health look at that again. I am not arguing that they should take away the powers of PCTs, because they were established to devolve powers to the localities, so that local people could take local decisions to meet local health needs and commitments. However, I am arguing for some rationalisation, so that there is more consistency and ease for hospices to deal with PCTs as a group, rather than having to deal with each, one by one.

The second problem, whose resolution would greatly benefit the hospice movement, is that, more often than not, particularly because of the financial pressures on PCTs, it can be late in the day—even early in the next financial year—before they decide what to fund their local hospice with. That causes problems with the provision of service.

The Government, to their credit, have changed the system in other sectors of health provision, so that announcements are made on a three-year rolling programme of future funding, which gives more stability and more opportunity for planning. That is a positive step, and I ask the Minister to examine whether it would be possible and reasonable to bring in such a mechanism for PCTs when they consider funding for hospices. That would give hospices more security and enable more straightforward future planning.

There is a gap in the hospice movement in provision for the age group of 18 to 40-year-olds. There is only one hospice in England that caters for that group, based in Oxford. There is a significant difference between the needs of that age group and those of the more elderly population and children. That was brought home to me by a constituent, Mrs. Whiffen, whose son Jonathan died aged 19 from a degenerative disease. He was looked after in the children's hospice in Cambridge for some years, but when he became 16 or 17, he and his mother felt that he had outgrown the services there. The service

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had been wonderful for him until then, but now that he had grown older, he felt that it provided more of a children's environment.

Mrs. Whiffen was concerned because, when Jonathan went to an adult hospice, the average age of the patients being cared for there was 72, a considerable jump for a teenager. She feels—there is some justification for this—that more needs to be done to meet the requirements of that age group, rather than placing those young people in hospices where the population is of a more mature age, and where their needs and desires might conflict with those of more mature individuals. She is trying to do something about that in the Chelmsford area by seeking to raise funds to set up a hospice somewhere in mid-Essex to replicate the services provided by the hospice for young adults in Oxford. More must be done in that field.

Lady Hermon: Will the hon. Gentleman give way?

Mr. Burns: If the hon. Lady will forgive me, I will not because I have spoken for my time and I do not want to encroach on the Minister's time.

In conclusion, no one in this debate has questioned the dedication, hard work and fantastic achievement of all those involved in the hospice movement and that field of palliative care. We just ask the Minister, who I am sure recognises and accepts many of our arguments, that more be done to meet the financial costs of providing that fantastic care.

3.15 pm

The Parliamentary Under-Secretary of State for Health (Miss Melanie Johnson): I join all other Members in congratulating the hon. Member for Castle Point (Bob Spink) on instigating today's debate. I know that he takes a keen interest in this issue, and it is obvious from the quality of today's contributions that many other Members also take such an interest.

Like other Members, I acknowledge the outstanding work done by all in the hospice movement who care for those in need of specialist palliative care. I entirely endorse the closing remarks of the hon. Member for West Chelmsford (Mr. Burns) on their role. The contribution of the voluntary hospice movement cannot be overestimated, and our partnership with it is very important. I recognise that the voluntary contribution to hospices is a tremendous strength of the movement and a tremendous success, and I recognise the big role that voluntary activity in hospices plays in our lives.

For adult hospices, the partnership that I mentioned has been strengthened nationally through the joint NHS-voluntary sector national partnership group for palliative care, chaired by the national cancer director. That group includes representatives from the local voluntary sector, NHS hospices, Help the Hospices, the Independent Hospice Representative Committee and the National Council for Palliative Care. At a local level, cancer networks have established effective partnerships for service planning and provision, ensuring that local voluntary and statutory sector services work in effective partnership and co-ordination.

On the children's palliative care side, the Department has observer status on the council of the Association for Children with Life-threatening or Terminal Conditions and their Families, and we are in regular contact with the Association of Children's Hospices. We have worked with the council and the association to promote children's palliative care and sponsored projects being taken forward by both organisations. We have also worked with the New Opportunities Fund, which has been mentioned, and which is providing important funding for projects in support of children with life-threatening illnesses.

In passing, I want to address the question of a Minister for palliative care. I am the Minister with responsibility for adult palliative care, and my colleague the Under-Secretary of State for Health, my hon. Friend the Member for South Thanet (Dr. Ladyman), is the Minister who deals with children's hospices. I realise that an argument is being advanced in this debate for putting those roles together. However, my betting is that had we done so, various people would have bobbed up in this debate to make a point about the need to separate children and adults because their needs are very different. I have just heard a version of an argument about why such roles need to be separated, because of the needs of different age groups.

There is no easy way of cutting up this particular cake to find the best possible answer, but what we have is in my view the right approach—considering the needs of children in this area alongside those of all children, who are, broadly speaking, very different from adults. I take the point that we are not yet necessarily meeting the needs of adolescents, nor perhaps of people in their early 20s. I am not quite sure about the age band mentioned by the hon. Member for West Chelmsford, but I fear that my children of around that age would not really identify themselves with people aged 40. I am sure that there are others in a similar position.

The work of the Select Committee on Health has been extremely helpful. The Committee has praised the initiatives to double the palliative care work force and the £50 million extra investment that has already been mentioned, and particularly the funding for black and ethnic community projects and services for children. The Committee and we accept that more needs to be done, and we need to ensure that integrated services are in place to meet the needs of patients who are receiving palliative care, regardless of their diagnoses. We all recognise that a lot of the palliative care is still provided to cancer patients, certainly on the adult side, but less on the children's services side, where there is a greater mix. We need to recognise that there are issues. The question of the integration of services remains a high priority for the Government.

I should like to deal briefly with a couple of points about adult hospices before moving on to children. First, I recognise that some of the points made and concerns expressed about funding relate both to adults' and children's hospices. Those arguments have been advanced in both quarters, although they have been advanced particularly in relation to children's hospices this afternoon. The 2000 NHS cancer plan pledged to increase the funding for specialist cancer care services for adults by 2004, with the £50 million that we have put in. That additional funding is for services in their entirety, and not only for hospices. It helps to tackle inequalities in access to specialists in palliative care and enable the NHS to make a realistic contribution to the costs that hospices incur in providing agreed levels of service. We have met that commitment and ensured that the moneys reach the front-line services. We set up a central budget for three years to do that, which has ensured that the money is protected.

Mr. Burstow: Does the Minister agree that, because the money is being channelled to provide services for cancer patients, it excludes everyone else—the 300,000 people a year who have degenerative diseases, but not cancer, and who would benefit?

Miss Johnson: The money is for specialist palliative care, and although it comes from that route, there will be flexibilities.

Mr. Burns: Will the Minister give way?

Miss Johnson: I would rather make some progress, because hon. Members have raised so many points that I do not have the chance to answer many of them in any case.

Mr. Burns: Will the Minister answer on funding?

Miss Johnson: I am coming to that.

Before the additional funding was granted, independent adult hospices received an average of 28 per cent. of their annual costs from the NHS. That percentage has now increased. Although we do not have the final figures for the whole country, preliminary data from monitoring in 2003–04 shows that £24.5 million or 54 per cent of the £45.8 million reported on so far has gone to voluntary sector organisations, and mostly to hospices. Some £8.2 million has supported new developments and £16.3 million has supported existing services. The remainder has supported services in the NHS, or if it has not been spent in-year; it has been protected for future use for palliative care. The £50 million is recurrent in the PCT baselines.

Mr. Burns: The Minister said that the figure was 28 per cent. and that it rose, but everyone else understands that, as a proportion of the total cost, it was 35 per cent., dropping to 29 per cent. by 2001–02. Why is there a discrepancy in the figures?

Miss Johnson: The hon. Gentleman will understand that if a huge amount extra is put into in the NHS, as we have been doing, the proportion may drop when one looks at the whole. There is an increase in the funding for hospices coming through the routes about which we are talking, as I said a moment ago.

Mr. Burns: Will the Minister give way on that point?

Miss Johnson: No; I have seven minutes in which to deal with a lot of points.

On three-year funding and the short-term issues that all the hospices need to address, the PCTs have received the three-year funding and have already got £50 million extra, specifically for palliative care for the three years between 2005 and 2007–08. There is no reason why they should not make commitments in the longer term, rather than year by year. We recognise that there is a need for more funding, but we have met the commitment in the cancer plan, and PCTs must assess their local priorities. Hon. Members are adopting different attitudes to that issue. On one hand, people are urging us to go down the road of devolving more responsibilities to a local level, as we are rightly doing, and at the same time, whenever there is an issue on which people want to see a change locally, they are coming back to the centre of Government, saying, "You should legislate on these matters and provide central direction."

We believe that payment by results will be important in future and will radically change the arrangements for funding care providers. It will comprise a nationally set tariff for most service activity, including services provided by voluntary or independent sector providers, and it will be built on treatments and activities called health care resource groups. We remain on course to implement payment by results for adult palliative care in the NHS and the voluntary sector by 2008–09. A lot of work is under way at the moment, including that of the national partnership group, which is working to validate the costs incurred by a range of hospices. That work will inform the development of the health care resource groups.

Much of the debate has concentrated on children's hospices. The hon. Member for Castle Point has previously made points about the need to provide a general uplift in funding for children's hospices, and that has been the theme of some of the contributions this afternoon. However, he has made the assumption that a central funding directive would offer a practicable method of achieving that. On previous occasions, it has been suggested that we should base such an uplift in funding on some predetermined linkage to adult hospices or on a pre-set percentage of hospice running costs, rather than allow the level of NHS funding to be determined by NHS servicing arrangements.

Although I entirely share the hon. Gentleman's desire to see the children's hospice movement succeed, I cannot agree with the proposed solutions. Children's palliative care involves a much longer-term provision than adult palliative care, and it is structured around the successful management of serious chronic conditions at home rather than in the hospice. As Members have seen for themselves, such care is about promoting the quality of life associated with domesticity, social interaction, growth, increasing independence and the customary pursuits and developmental achievements of childhood. As a number of Members have commented, it is as much a celebration of life as anything else.

Support measures in the children's home, access to education and social activity are all key to that achievement, and it is important that the PCTs ensure that provision is properly balanced and that there is full availability of home care in their areas. Directions to PCTs to fund hospices by some given percentage could easily unbalance the essential mix of care, and favouring hospice care over home care could diminish the latter. The majority of child and adolescent deaths occur at home; a mistaken comment was made about that earlier. Linking the level of funding for a children's hospice to that of an adult hospice would ignore local perspectives and experience. I am glad that many Members support

[Miss Johnson]

the extra money going into the NHS, although it is not supported equally by all parties when it comes to overall national funding decisions.

On the role of the national service framework for children and palliative care provision, we of course have a role in securing the right level of hospice services for children. That is why there was a module focused on support for disabled children in the recently launched NSF for children. Copies of the complete set of NSF documents are, or will be, placed in the Library. I shall ensure that the hon. Member for Castle Point in particular receives a copy of the disabled child document, which includes a specific section on palliative care and the support of children with life-threatening illnesses. It clearly identifies that high-quality palliative care services should be available for all the children and young people who need them. That goes a long way towards addressing the points made by Members about the need for a clear central statement of what is being called for. That is in the children's NSF.

That section notes that palliative care services are provided by a network of agencies and that close co-ordination and liaison are essential. It also notes the importance that we attach to recognising the changing needs of young people receiving palliative care as they move on from children's services. It therefore goes some way towards meeting the point made by the hon. Member for West Chelmsford.

We are saying clearly that local authorities, PCTs and NHS trusts must ensure that palliative care services provide high-quality, sensitive support that takes account of the physical, emotional and practical needs of the children or young people and their families, including their siblings; that services maximise choice, independence and creativity to promote their quality of life; that services are delivered where the child and the family want them—in the home, hospital, hospice or any other setting; that services include the prompt availability of equipment to support care; that palliative and terminal care services are regularly reviewed with parents, or carers and patients; that gaps in provision are identified or addressed; and that issues such as short-term breaks are also taken into account. In order to help the PCTs in their strategic development of those services, we aim to—

Mr. Deputy Speaker: Order. Time is up. I thank all Members for their co-operation. We managed to hear seven Back-Bench contributions and four interventions from Members who did not contribute. It is thanks to the co-operation that has been given that we have managed it.

Driving Without Entitlement (Penalties)

3.30 pm

Tim Loughton (East Worthing and Shoreham) (Con): I am delighted to have this opportunity to launch this short debate on penalties for driving without entitlement. I am glad to see that the Minister is about to take his place, because I know what an interest he takes in the issue. I should say at the outset that I am grateful for the briefings and advice that I and other hon. Members have received from the Parliamentary Advisory Council for Transport Safety or PACTS. I am also grateful for the interest that the media have taken in the subject, and in particular for the campaign run by *The Sun*. Also, I support the campaign by the hon. Member for South Dorset (Jim Knight), who presented a ten-minute Bill, of which I was pleased to be a co-sponsor, just before the summer recess. We wish that well.

On 12 October 2003, a year ago yesterday, there was a horrific crash in Hove, which is adjacent to my constituency. My constituent Natalie McCabe, known as Flo, a 21-year-old nursery nurse, and her friend Vicki Browne, aged 19, died in that horrific crash. Becky Fish, the third passenger, lost a leg, and will be maimed for life. The driver was a 21-year-old barman, who was relatively unscathed and later found hiding in a shop doorway. He had no licence. In fact, he had never possessed a licence or passed his test. He had no tax and no insurance for the car. It was estimated that he was driving at 60 mph in a 30 mph zone in the middle of town, and he was almost two times over the alcohol limit. The cruel irony was that he had offered to drive the girls home as he thought that it would be safer.

On 18 March this year, the driver was sentenced to five and a half years' imprisonment on two counts of causing death by dangerous driving, driving without a licence and insurance, and drink-driving. At least he had the decency to plead guilty. He was also banned from driving for five years. I do not know what the significance of that is, given that he had no licence in the first place. Perhaps he will seek to take driving lessons while he is in jail.

In April, the family asked the Solicitor-General whether she would review the case on the basis that too lenient a sentence had been handed out. Unfortunately, the Solicitor-General declined and said that there were no grounds for doing so. The driver will be eligible to get out of prison to go for job interviews next Easter. In January 2006, he will be eligible to apply for early release and by July 2006, if he behaves himself, it is likely that he will be released, despite the seriousness of the crimes. Meanwhile, the McCabe family and the family of Vicki Browne have each lost a daughter, both of whom had everything to live for. The tragedy has overshadowed the families. To add insult to injury, the McCabe family had to pay for the funeral expenses plus VAT. They are to get a headstone on which they will also be charged VAT.

The McCabe family did not take the matter lying down. Despite their obvious grief, they decided to get up and do something about the injustice suffered by the families. They campaigned for a change in the law to include a separate penalty category for drivers without a licence who maim or kill. They contend that that should carry a similar sentence to death by dangerous driving. They also advocate a system whereby drivers are required to display a valid driving licence and insurance documents on the windscreen of their vehicle.

I support that campaign and have given the family every assistance. It culminated yesterday, which marked the first anniversary of Flo's death, with the McCabes—the parents and other members of the family—coming to Westminster to present a petition signed by more than 23,000 people from my constituency and neighbouring areas in Sussex. The petition was presented to my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) and last night I presented the petition formally on the Floor of the House. The family gathered that amazing number of signatures mainly by standing outside shopping centres every weekend for most of the past year. The McCabe family also e-mailed all Members of Parliament asking them to support early-day motion 1495 on penalties for driving illegally, which I tabled back in July. So far almost 90 hon. Members have signed it, and I hope that more across the political spectrum will add their support to it. Throughout the year, the McCabe family have been campaigning under the slogan "You don't need a licence to kill".

I pay tribute to the courage and dignity of the McCabe family and to the way in which they have responded to such an enormous tragedy. However, they—and I—now want action. This is not just a constituency issue that is relevant to me; it is relevant nationwide. It is an issue that has inspired many debates in this Chamber, as it has several early-day motions and private Member's Bills. I have referred already to the hon. Member for South Dorset.

The extent of the problem is alarming. It has been estimated that 1.25 million people are driving without insurance. It has been assessed that that is 5 per cent. of all drivers. That compares with an estimate of only 1 per cent. of drivers in other northern European countries who are driving without insurance. It is also estimated that about 1.75 million drivers are driving untaxed vehicles, which is 6 per cent. of all drivers. Most worryingly though, it has been calculated that such unentitled drivers are nine times more likely to be involved in accidents and 10 times more likely to have driving convictions. It has been assessed that unlicensed drivers commit about 9.5 per cent. of all recorded motoring offences and that almost two thirds of them do not tell their passengers that they are driving illegally—as was the case with Natalie McCabe and her friends a year ago. It has also been calculated that such irresponsible behaviour adds at least £500 million to the insurance premiums of responsible drivers who are entitled to drive.

Having a road traffic accident is one thing; having a road traffic accident while under the influence of alcohol is bad enough, as it has been estimated that 6 per cent. of all accidents involve drink-driving; but not being entitled to drive and getting behind the wheel of what can be a lethal weapon, as was clearly the case that night a year ago, is completely unacceptable. It is sticking two fingers up at society, the law and responsible citizens, the majority of whom go about their business lawfully and much more safely.

Lady Hermon (North Down) (UUP): This is a very important debate and I congratulate the hon. Gentleman on securing it. I wish to bring an extra dimension to our discussion and refer to the interaction between military law and civil law. I had the most ghastly experience in my constituency in which a young lady aged only 18 years lost her life in a car driven by a soldier who was serving in Palace barracks in Holywood, County Down. It transpired that that particular soldier had been disqualified months beforehand in Scotland. The Army at Palace barracks had been notified but that gentleman continued to be allowed to drive in Northern Ireland while disqualified—on duty, I understand—and while there were two warrants for his arrest. The interaction between civil and military law must be examined in respect of those who are disqualified drivers and not legally entitled to drive on our roads—on or off duty.

Tim Loughton: I am very alarmed to hear what the hon. Lady says. I cannot comment on that case, but I am sure that she will be taking it up with the relevant authorities. When there are agencies of government that could avoid such accidents, it is doubly unacceptable that they have happened.

Generally, the United Kingdom has a good safety record. In 2003, 1,169 drivers, 600 car passengers and 774 pedestrians were killed. That sounds a lot. Of course it is far too many, but it compares with a figure of about 40,000 drivers who were killed in the United States. Men are three times more likely than women to die in traffic accidents. However, just over 3.9 per cent. of all fatal or personal injury crashes involved a driver who was subsequently prosecuted for unlicensed driving, while about 14,500 drivers who caused injury or death went untraced. That figure has been increasing. In my constituency in West Sussex, 89 pedestrians were killed or seriously injured, including 23 children, and 41 cyclists died. So, there is a problem in my area and throughout the whole country, but what are the penalties?

Currently, the average fine for driving while not entitled to do so is £150 and occasionally some points. The maximum penalty is £5,000, disqualification and potentially six months in jail, but it is used very rarely. For the risk of a £150 fine, a person can buy what is virtually a disposable car. It is not a bad bet for people to drive recklessly on the basis that they do not really need the car if it is of low value anyway.

There have been some improvements, such as the merging of the DVLA database with the industry-run motor insurance computer database, so that non-insured drivers can be chased automatically. Some years ago in my constituency, PC Jeff Tooley was knocked down in Shoreham while on speed traffic control by a white van driven by somebody who did not stop. It turned out that the driver was over the limit. He was eventually apprehended, but the sentence that he received was later reduced from six years. That sentence could have been higher if he had stolen the policeman's motor car rather than knocked him down and killed him. I am glad to say that the Government have responded to that issue, and I am sure that that was one case that contributed to the weight of opinion that brought about an increase in the penalty for causing death by dangerous driving to 14 years' imprisonment, which we welcome.

[Tim Loughton]

There has also been greater use of automatic vehicle number plate recognition and the possibility of powers being given to traffic wardens. We welcome the greater use of technology. However, overall the number of traffic police has sharply declined in recent years and it is not viewed as a priority. There are concerns that too many people are still flouting the law. The Road Traffic (New Drivers) Act 1995 revokes the licence of a new driver who accumulates six penalty points within two years of passing the driving test, but as at April 2004, of the 78,000 drivers who have been disqualified under the 1995 Act, only 37,000—fewer than half—have successfully retested. What has happened to the other 40,000? Have they just given up driving? I very much doubt it. I fear that many of them are driving while not entitled to do so.

There has been some progress on the number of prosecutions. In 2002, there were 24,338 prosecutions for driving, or for causing or permitting another person to drive, other than in accordance with a licence. That was up from 23,482 prosecutions 10 years earlier. However, too many people are still getting away with it. I fear that the Government are not going to review penalties as they stand.

I am glad to see the report from Professor David Greenaway at Nottingham university, which identifies the scale of the problem. He recommends the greater use of technology to catch offenders before they can cause accidents. He also recommends considering the confiscation of cars, which is a policy that my party certainly supports—whether or not the car is owned by the driver. We need separate penalty categories in order to send out a clear message. The McCabes were obviously disappointed that the judge did not even use the tougher penalty from the maximum range allowed to him.

Perhaps we need to be more imaginative in sentencing too. A judge in Texas recently ruled in a fatal road rage crash that the offender must carry a photograph of the mangled wreckage from the horrendous crash that he caused; that he should take medicine that will make him violently ill if he drinks alcohol; that he must drive only vehicles of less than 130 hp; and that he must display a bumper sticker asking other motorists to ring the local probation department if he is driving recklessly. Those are quite extreme alternatives, but they are imaginative and they get to the heart of the problem.

I ask that, as part of the review I know that the Government are carrying out, they consider bringing in a separate category of offence for drivers who cause accidents while not entitled to drive, and who stick two fingers up at the rest of us, who go about our business lawfully. There should be serious penalties attached to that offence along the lines of causing death by dangerous driving.

Peter Bottomley (Worthing, West) (Con): I support all that my hon. Friend is saying. I suggest that he also ask the Minister to go on reviewing whether there should be extra penalties for drivers involved in a crash who do not stop even though they are pretty sure that someone has been injured. In the case of Callum Oakford, the late brother of Kathryn Proudfoot, in my constituency, the driver may have been driving only carelessly—he was uninsured and without a licence—but he certainly drove away knowing that an injury had been caused.

Tim Loughton: My hon. Friend makes a very important point, which I was going to finish on. I was aware of the case, which hit the headlines nationally and locally. What made that case all the worse was that not only was the person who caused the accident not entitled to drive and should not have been there in the first place, but they did not stop afterwards despite having known that someone had been knocked down and was seriously injured—he eventually died. If anything could have been done to save the life of that child, it was incumbent on the driver, however bad the accident for which he may have been responsible, to help out. The fact that he just drove on is quite outrageous and another factor that must be taken into account.

None of this will bring back Flo McCabe or Vicki Browne. However, changes along the lines that the family and I are suggesting might go some way to preventing more Flo McCabes or Vicki Brownes from losing their young lives needlessly. A change in the law would be a fitting response to the strength of feeling of those 23,000 people who signed the petition, and it would be a fitting tribute to the courage, determination and bravery shown by the family and parents of the two girls who have worked so hard on the campaign.

3.46 pm

The Parliamentary Under-Secretary of State for the Home Department (Paul Goggins): I begin by congratulating the hon. Member for East Worthing and Shoreham (Tim Loughton) on securing this debate on penalties for driving without entitlement. As he said, he has tabled early-day motion 1495, which has attracted signatures from hon. Members from all parties. I have learned through this debate, and through others in which I have participated with him, that he has a knack of assiduously taking the concerns and the experience of his constituents and applying them to wider issues of public policy. I congratulate him on the way in which he has done that again today. I welcome the spirit in which he mentioned the work of my hon. Friend the Member for South Dorset (Jim Knight). I am also pleased that the hon. Members for Worthing, West (Peter Bottomley) and for North Down (Lady Hermon) have been able to participate and raise issues of constituency concern to them.

I want to take the opportunity to join the hon. Member for East Worthing and Shoreham in offering my sincere condolences to the families of Natalie McCabe and Victoria Browne. As we have heard, they died so tragically just a year ago yesterday. As the hon. Gentleman explained, the driver of the car in which they were passengers was disqualified from driving; he was uninsured and was over the drink-drive and speed limits. He was sentenced to five and a half years' imprisonment on two counts of causing death by dangerous driving.

I know that the families of the victims felt that the sentence was lenient, and the hon. Gentleman referred to that. They requested that the Crown Prosecution Service consider referring the case to the Attorney-General as an unduly lenient sentence. As we have heard, that did not take place, because the sentence fell within the range of the relevant guideline. Therefore, the case was not sent on to the Court of Appeal.

I know that the hon. Gentleman will appreciate that I cannot comment on an individual case. It is, of course, a matter for magistrates and judges to sentence offenders on the facts of each case and to do so within the maximum limits that are laid down by Parliament. However, it may be helpful if I briefly make reference to the Court of Appeal guideline on causing death by dangerous driving, which was issued on 3 April 2003 and was based on the advice of the sentencing advisory panel after wide consultation. It suggests as a starting point a sentence of six years' imprisonment or more for cases involving the most serious culpability.

Hon. Members and their constituents will take their own view about the appropriateness of that guideline. As the hon. Member for East Worthing and Shoreham accepted, in this particular case account would have been taken of the driver's guilty plea and the sentence was within the maximum limit of 10 years. Although I recognise that no sentence can address the anguish of bereaved families, we have since increased the penalty for causing death by dangerous driving to 14 years. The hon. Gentleman acknowledged that. That is the highest maximum penalty for any type of offence, save the most serious, where the maximum is a life sentence. The higher maximum penalty now available might well have led to a more severe sentence in this dreadful case.

The increase arose from the concerns that were expressed during the road traffic penalties review, which reported in July 2002. It became apparent that there was a good deal of concern about the framework for the more serious bad driving offences and the adequacy of the maximum penalties in dealing with offenders who drive badly and cause death and injury on the roads. As a consequence of the review, the maximum penalty for causing death by dangerous driving was increased and the penalty for causing death by careless driving while under the influence of alcohol or drugs was also increased from 10 to 14 years. Aggravated vehicle taking where a death occurs was increased from five to 14 years' imprisonment. The new maximum penalties for those offences were introduced in the Criminal Justice Act 2003 and applied to all offences that are committed on or after 23 February.

In announcing the increased penalties for the most serious driving offences, my right hon. Friend the Home Secretary underlined our position that dangerous drivers who kill should be properly punished. The devastation that they can cause is immeasurable not only for victims' families but whole communities. Apart from the specific offences for bad driving, manslaughter can be charged in certain cases, for which the penalty is life imprisonment. For that offence the standard of proof is necessarily high in view of the penalty available. In relation to bad driving, manslaughter is not often used, but where it is charged it is mainly used where a person intended to cause harm, for example by deliberately driving into someone.

Under the Criminal Justice Act, we also introduced extended sentences and a sentence of imprisonment for public protection for specified violent offences, which can include the most serious driving offences where the court considers that the offender poses a significant risk of serious harm to the public. The reforms under the 2003 Act are designed to modernise and rebalance the criminal justice system in favour of victims, witnesses and communities.

In the debate on the clauses relating to causing death by bad driving, my right hon. Friend the Home Secretary said:

> "It is very important that the voices of victims and their families should be heard. There have been the most terrible occasions on which families have been unable to come to terms with what has happened for the rest of their lives and believe that they have not been listened to and that their voices go unheeded. We need to find ways of addressing that." —[*Official Report*, 20 May 2003; Vol. 405, c. 876.]

This Adjournment debate is, of course, one such occasion for hearing those public concerns. I want to reassure all hon. Members present that we will take careful note of what has been said today, of the strength of public feeling caused by such tragic cases and of the issues they raise. I join the hon. Member for East Worthing and Shoreham in congratulating the McCabe family on the huge campaign that they have led over the past very sad 12 months and I congratulate the hon. Gentleman on the size of the petition that he presented yesterday to Parliament.

We have ensured that the law provides for the most severe penalties in cases where bad driving has led to a death on the road. For the offence of causing death by dangerous driving, it is necessary to prove that the standard of driving fell far below that of a reasonable and competent driver. If the manner of driving is simply lower than that which is expected, the appropriate charge will be careless driving. It is the behaviour of the driver rather than the consequences that is the deciding factor in determining the appropriate offence to charge.

Where a death has occurred it is especially important that offenders are brought to justice, but as the law stands death does not by itself turn an incident into careless driving or turn careless driving into dangerous driving. Offences such as driving without a licence or insurance are punishable with a fine, penalty points and possible disqualification from driving. The fact that a death has occurred can be taken into account by the court when sentencing, but the court will be limited by the maximum penalty available for those offences. There is no culpability for any consequences resulting from driving with no licence or insurance built into the offence. Those penalties can and do seem insignificant when, as sometimes happens, drivers go on to be involved in a fatal road incident. We fully recognise the anguish and grief of families and friends who lose loved ones in those circumstances.

I had a case in my constituency three years ago in which a 12-year-old boy, Geoffrey Foy, was killed in a road traffic accident involving a driver who had no licence or insurance and who was speeding. The offender received only a fine, which made the tragedy all the harder for the family and, indeed, the wider community to bear.

The Government take a serious view of people who drive without insurance cover. Figures show—the hon. Gentleman highlighted some of them—that antisocial drivers are 10 times more likely to have been convicted of drink-driving, six times more likely to have been convicted of driving an unsafe vehicle and three times more likely to have been convicted of driving without due care and attention. That is why we have announced a tough new approach to target the estimated 1 million motorists on our roads who drive without insurance.

[Paul Goggins]

The Department for Transport plans to introduce as soon as possible a provision that will enable the police to seize and, in appropriate cases, destroy a vehicle being driven by someone not fulfilling the requirement to be insured against third-party risk. Such vehicles will be released only on production of insurance documentation and payment of removal and storage charges.

Uninsured drivers add about £30 on average to the annual premium of honest motorists and are more likely to be involved in road traffic accidents, to be non-compliant with other road traffic requirements and obligations, and to be involved in other criminal activity. The hon. Gentleman mentioned the Greenaway report. I am glad that he did so. That piece of work, which was commissioned by the Department for Transport, was published in August and made 20 recommendations. The Government have accepted the majority of the recommendations and are looking at them closely to see how and when it will be possible to implement them. I will be happy to ensure that we write to the hon. Gentleman to keep him up to date on that.

The Government are also increasing police powers to use new technology in order to make detection and enforcement more effective. A powerful new tool—again, the hon. Gentleman mentioned this—is the extended use by the police of automatic number plate recognition, or ANPR. It enables the police easily and immediately to check passing vehicles against entries on the police national computer and other databases. They can then take action as appropriate in respect of drivers who may be of interest for some offence, including that of having no insurance.

To make the use of ANPR even more effective for tackling the offence, the Government have introduced a fixed penalty of £200 as an alternative to prosecution. It is much higher than other fixed penalties and enables the police to enforce the offence on the spot, at the roadside, with an immediate impact on the offender. Of course, the police still retain the discretion to seek a prosecution if they consider that to be the more appropriate course of action, and prosecution is automatic if action is taken in respect of a second or subsequent offence.

The use of ANPR is resulting in much more rigorous enforcement, with more offenders being caught and dealt with. As ANPR usage develops further, motorists will find it increasingly difficult to drive uninsured vehicles without their being detected. Detection will largely be automatic and will no longer require the time and vigilance of individual police officers.

We plan to legislate at an early opportunity to strengthen enforcement still further by improving the information available from ANPR. To assist enforcement, the Government fully supported the Association of British Insurers in the setting up of the motor insurance database, which went live in July 2001. The database makes checking insurance a much simpler and more effective operation by giving police officers immediate access to information about insurance policies at the roadside. Police inquiries to the database are running at about 25,000 a day.

Finally, I want to mention the current review of all bad driving offences that is being led by the Home Office. We must ensure that the criminal law provides a comprehensive and clear framework for addressing bad driving and its all too often appalling consequences. We are aware of the strength of feeling generated by difficult cases such as the one outlined by the hon. Gentleman. The review will be followed by a public consultation exercise, and we shall listen carefully to all responses to the consultation paper on this area of the law. Work is ongoing on the detail of the paper, which will be published as soon as possible. I am sure that the hon. Gentleman and others present today will contribute to that consultation as and when they are able to do so.

Wind Turbines (Workington)

4 pm

Tony Cunningham (Workington) (Lab): I welcome the opportunity to have this debate. I am proud and privileged to represent what is probably—arguably, certainly—the most beautiful constituency in the country. It has six lakes, including Loweswater, Crummock, Buttermere, Bassenthwaite, Derwentwater and Thirlmere, and some of the highest mountains in England, including Skiddaw and the foothills of Helvellyn. Artists and poets, for example Wordsworth, have spent time waxing lyrical about the beauties of the area.

It is not just the lakes. The Solway coast is also spectacularly beautiful. It has fantastic sunsets. One can stand on the coast and look at the Scottish mountains across the firth and turn round and look at the English mountains on the other side. We have one of the few sites where there are red squirrels and the only two breeding ospreys anywhere in England. There is a world heritage site just to the north at Hadrian's wall. The Lake District national park has also applied for world heritage designation. So I hope that hon. Members realise that we are talking about one of the most beautiful places not only in this country, but in the world.

The coastal scenery that I mentioned also includes nationally designated areas of outstanding natural beauty. There are areas of special scientific interest running along the coast. It is that beauty that brings more than 2.5 million visitors a year to that area alone. Those visitors support about 5,000 jobs and bring about £209 million into the local economy. It is a spectacular area and tourism is being developed not only because of the Lake district, but because of the beauty of the coastal strip.

So people are surprised that, at a time when we are trying to develop tourism—there are brand new big brown signs saying, "Welcome to Cumbria" and so on—there are so many planning applications for wind turbines. Many of the sites are close to the national park, and many others are close to, if not part of, areas of outstanding natural beauty. It is not as though we do not have wind turbines already. In a 3 km radius from my hometown, Workington, there are about 36 wind turbines. That is a fair number in a relatively small area. As I said, constituents find it difficult to match the idea of tourism development and economic regeneration with wind turbines sprouting up along the coastline.

Thus far, the only guidance that we have, or seem to have, is planning policy statement 22, published in August 2004. Taken in isolation, that does not provide the clarity that is required. A policy vacuum exists in which local planners are asked to operate without the tools required to do their job properly. I think that the Department acknowledges that. What we are asking for, and what I hope is being developed for publication soon, is a set of guidelines that sits alongside that policy document.

I have other comments on that issue. PPS22 fails to acknowledge the necessity for buffer zones. If we simply acknowledge that the Lake District national park and areas of outstanding natural beauty need to be protected, we could still end up with a ring of wind turbines around the national park. In those terms, that would be okay, because those turbines would not be in the national park. Is anyone going to tell me that, if they were to walk up Sca Fell or Scafell Pike, or climb Great Gable or Red Pike, seeing wind turbines between them and the sea—or, when on the coast, seeing wind turbines between them and the Lake district—would not have a detrimental effect on the area and on its value as a tourist attraction? I think that about 45 per cent. of all jobs in Cumbria involve the tourist industry and up to 15 million tourists come to that part of the world every year.

There has also been no mention from central Government of area-based targets. I am proud that the UK is leading the world on Kyoto, but why do we not break down the treaty targets for renewable energy production into manageable chunks for different geographical areas? Failure to do so may leave areas such as my constituency, which has an obvious abundance of hills and wind, exposed to the actions of a series of power companies, which will say, "This is a nice area. Let's stick up some wind turbines."

We all recognise that we should encourage renewable energy. This country's chief scientific adviser has said that climate change is probably a greater danger to the planet than terrorism. We must heed that warning and ensure that we continue our policy of developing renewable energy. Having placed my support for renewables clearly on the record, however, I want to draw attention to a number of other issues.

If we get this wrong and start to put up wind turbines in inappropriate places—there are planning applications with Allerdale borough council, which covers my area, for turbines in very unsuitable areas—people will be turned against the concept of renewables and wind turbines in particular. In the rush to get turbines going because we must meet certain targets, if we put them in the wrong place, people will say, "They are horrible, hideous and terrible, and we do not want them at any cost." That would cause great damage to the renewable energy debate and we should avoid it.

That turn-off effect would be most profound in the areas that suffer most greatly from environmental degradation caused by badly planned wind turbine development, such as my constituency. The irony is that in my constituency, which has a proud industrial heritage, construction of wind turbines seems a forward-thinking way of carrying forward that industrial heritage, but as yet, we see no benefit to the area.

I have made clear the grave consequences of badly thought-out development, and I want to return to my earlier theme of the guidance that I want from the Government and the Office of the Deputy Prime Minister and how badly planned development can be avoided.

I have already discussed the need for area-based renewable energy targets. I believe that such a system operates successfully in Wales. I argue that that is an example of how devolved government can, first, provide policy solutions better tailored to local needs and, secondly, act as a catalyst for policy improvement elsewhere. I mean quite simply that those in Wales are doing it and it is working for them, so why cannot England have it?

[Tony Cunningham]

In a situation of this complexity, local feeling is running extremely high. A planning application was turned down by Allerdale planning authority last week or the week before. Hundreds of people turned up at the planning meeting. When the industry is inexperienced and seems at times to be champing at the bit to extend production and the Government are rightly eager to maximise renewable energy production, the policy vacuum needs to be filled as soon as possible. Planning decisions are rightly taken by democratically elected local representatives who are in touch with the needs of the locality, but the parameters of action must be decided centrally, and I hope that that will soon be the case for wind turbines.

Housing is a local level policy area and the local authority develops its own plan for where houses should go and so on. Search areas are another aspect that we should look at. I make that remark because a group of people came to see me which, like all such groups, started by saying, "We are not against renewable energy or wind turbines, but . . . " Basically, those people were talking about planners being given the right, duty and obligation to sit down and decide with the local community where the best sites were. There are brownfield sites, industrial sites and other sites that currently exist where local people may give acceptance. There is no problem with those sites, but it is this attitude of "No, no; we can't have search areas or say where companies should come and place wind turbines" that is the problem. We simply allow companies to put in a planning application, and as I said, a couple of developments have damaged the image of wind turbines in a great stretch of my constituency because they are totally inappropriate.

My other fear relates to the inspectorate. I would like to see a great deal more consistency concerning the inspectors. When two applications were made not too long ago, one inspector said, "This area has high ground, it is an area of natural beauty. We don't want wind turbines there." Another inspector came along to a different site and said, "It is on high ground, and it is an area of natural beauty. The wind turbines will enhance the geography of the area." Hang on—we cannot have both views. Such subjective views create the fear that, regardless of what local councils decide, an inspector will come from London, Bristol or somewhere and say, "We've considered the matter, but the Government want as many wind farms as possible, so one will be allowed." We cannot accept that position.

Just to prove that I am in favour of renewables, I point out that I wish that we could develop more offshore wind turbines. One site is being constructed at the moment a few miles away from the coast of my constituency. It has raised some controversy, but I would pose the following questions to you. This particular site, Robin Rigg, is in Scottish waters, but the electricity will come ashore in my constituency at a small village called Flimby. Whose electricity is it? Is it Scottish or English? Who gets the credit for it: Scotland or us?

Mr. Deputy Speaker: Order. I think that I am the wrong Chairman to answer that question.

Tony Cunningham: Those questions are an interesting point when we are considering the matter of targets.

I would like to conclude so that the Minister has ample time to answer. I took part in a Radio Cumbria interview last night on the issue of wind turbines in the area. The gentleman interviewing me started by saying, "Mr. Cunningham, all this is really about is common sense, isn't it?" He is right. It is only about common sense, and if we can have a common-sense approach where we designate areas appropriate for wind turbines, we shall have renewable energy, but be able to protect areas of outstanding natural beauty, areas of special scientific interest and areas that are special as far as wildlife and archaeology are concerned. I hope to hear from the Minister that there will be a common-sense approach and that we shall have that balance, so we can make some progress.

4.13 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): I am grateful to my hon. Friend the Member for Workington (Tony Cunningham) for raising the issue of planning for wind farms in his constituency. I know that it is a matter of considerable interest to his constituents and to people in many parts of the country. He has spoken eloquently this afternoon about the concerns of his constituents and has put his case very powerfully, which is a credit to him in his role as constituency MP.

I would just like to make a point about the area that I am at liberty to cover. We know that wind farms might be located both onshore and offshore, but the planning system deals only with onshore sites. I shall say something later about my hon. Friend's point concerning the offshore site providing electricity that arrives on his shore. The development of wind farms offshore as a technical point is a matter for the Department of Trade and Industry rather than the Office of the Deputy Prime Minister.

I would like to stand back from the detail of the specifics of wind farms in my hon. Friend's constituency and paint a broader picture of the policy background to the debate. I was glad to hear him say at the beginning of his contribution that it is important that we do what we can to reduce carbon dioxide emissions and maintain reliable and competitive energy supplies. The development of renewable energy, plus improvement in energy efficiency and the development of combined heat and power, will make a vital contribution to the aims that we both share.

The energy White Paper "Our energy future—creating a low carbon economy" sets a target to generate 10 per cent. of the country's electricity from renewable energy sources by 2010 and to double that figure to 20 per cent. by 2020. It suggests that more renewable energy will be needed beyond that if we are to meet the aim of cutting carbon dioxide emissions by 60 per cent. by 2050. We have a shared agreement on that ambition because of the importance of climate change and the impact of global warming.

Tony Cunningham: I am pleased that the Minister mentioned energy conservation. A constituent of mine said recently that if every household in my constituency were given energy-saving bulbs, more electricity would be conserved than would be generated by hundreds of wind farms. I am not sure of the science, but I hope that point emphasises that energy conservation is as important as creating more electricity.

Phil Hope: I am not able to confirm the details of statistics concerning light bulbs, but it is absolutely right to say that the way we will arrive at a successful, sustainable energy efficiency policy regarding carbon dioxide emissions will be based on a combination of activities, one of which is energy efficiency.

In the Office of the Deputy Prime Minister we have responsibility for the decent homes standard, which is improving the quality of thermal comfort and aiding energy efficiency. I am also the Minister responsible for putting in place building regulations for new build and existing building stock, so we can bear down on building regulations to reduce the carbon output of building. My hon. Friend is right to suggest that there is more than one way to do this, but it is the combination of factors that add up to the ambitious target that I was describing earlier.

On renewable energy in particular—I will deal with wind farms in a moment—as my hon. Friend rightly pointed out, we made it clear in planning policy statement 22, which we published in August, that increased development of renewable energy resources is a vital part of the target achievement if we are to deliver on the commitment on climate change and renewable energy. Positive planning, as well as common sense, which facilitates renewable energy developments, can contribute to all four elements of our renewable energy strategy.

So that we see this in context, I will outline the four elements to the renewable energy strategy. First is social progress, which my hon. Friend has just described. It means contributing to energy needs, ensuring all homes are adequately and affordably heated and providing new sources of energy in remote areas. Secondly, effective environmental protection is achieved by reducing emissions of greenhouse gases and thereby helping to limit the effects of climate change. Third is the prudent use of resources and reducing reliance on diminishing supplies of fossil fuels. Fourthly, economic growth and employment can be delivered through the creation of jobs directly related to specific developments and the development of new technologies. My hon. Friend mentioned that that is one of the benefits of the new technologies, including wind turbines and much else. They are bringing jobs to this country as we invest in the ability of manufacturing to produce new forms of technology.

I also stress that although we are debating wind farms, renewable energy covers other important sources of energy such as water flow, tides, the sun and biomass. Wind energy has a very important contribution to make in meeting the Government's targets, but other renewable energy strategies and technologies have a part to play, too. We believe most strongly that renewable energy developments are capable of being accommodated throughout the country where the technology is viable and where environmental, social and economic impacts can be addressed satisfactorily. The crux is to look at all three of those and see how they work.

As for wind farms, I am sure my hon. Friend will understand that I cannot comment on the merits of any particular proposal for a wind farm which is the subject of planning applications by Allerdale borough council, or anybody else, because of the quasi-judicial role that we in the ODPM play. However, I am aware of his concerns. If an application is rejected by a local planning authority, it is for the applicants to consider whether to exercise right of appeal to the Deputy Prime Minister, which takes me on to the point about inspectors and how that system works.

My hon. Friend raised a particular concern about consistency. Let me emphasise that, in determining appeals, planning inspectors act in a quasi-judicial role. They do so under delegated powers for the Deputy Prime Minister. I believe that the integrity, impartiality and fairness with which each appeal is handled are widely acknowledged, although I have heard my hon. Friend's points loud and clear. I assure him that the planning inspectorate has a well-developed training programme whereby inspectors are kept fully abreast of national policy development. However, it is of course for individual inspectors to weigh all the evidence presented by the parties in respect of any particular appeal before reaching a decision to allow or dismiss that appeal. Importantly, each case must be determined—that is the legal framework—on its individual merits. However, in doing so, inspectors take into account planning guidance.

PPS22 on renewable energy makes it clear that we want to work with regional and local bodies to deliver the Government's objectives around renewable energy. Therefore, regional and local plans should contain policies designed to promote and encourage, rather than to restrict, the development of renewable energy resources. The current published regional planning guidance—we now call it a regional spatial strategy or an RSS because the jargon changes—is the subject of a partial review. I was not sure whether my hon. Friend was aware of that.

The draft revision has been published by the North West regional assembly for public consultation, and it will be debated at an examination in public in November. The Deputy Prime Minister will consider the proposals contained in that draft in the light of the report on that examination in public and other representations he has received, and he will then publish his decision in due course.

Importantly, the published draft proposes targets for the region and for sub-regional areas. It proposes that Cumbria comprises a sub-region and a target for the county, and it also sets targets for other parts of the region. The critical point is that it sets out a number of criteria-based policies against which proposed wind farm developments might be assessed. This is an important part of the process. My hon. Friend's Adjournment debate is timely: the consultation period on the draft review ended in July so it is too late to make representations on that, but it is open to interested parties—which might include himself or others who have been making representations to him—to submit a short written statement to the panel conducting the examination in public by 1 November on any of the

[Phil Hope]

issues that it has been asked to address. That list of issues is being publicised this week and it includes a number of questions about policies relating to renewable energy, so there is an opportunity for my hon. Friend and those whom he is seeking to represent to put their case.

My hon. Friend eloquently described the beauty of his consistency. I know it well; I have walked those hills and dales on many occasions. He is lucky, but other MPs might want to challenge his assertion that it is the most beautiful constituency in the country. I would not make that claim for Corby, but other constituencies might want to vie for that title. However, he is right to say that many parts of his constituency are subject to being nationally and internationally designated areas: they include the Solway firth area of natural beauty, the Hadrian's wall military zone world heritage site and the Lake District national park, which is also proposed as a world heritage site.

The Government's advice on the handling of planning applications where the development proposed might affect internationally or nationally designated sites is clearly set out in PPS22. Generally speaking, proposals for renewable energy development need to be considered carefully in such areas of national or international importance for landscape and for nature conservation and wildlife, and they should be granted planning permission only where the criteria set out in PPS22 and other guidance and legislation are met.

My hon. Friend mentioned red squirrels and other forms of wildlife that are almost exclusive to his constituency. In assessing any proposals put to councils that might affect a designated site, local planning authorities should have regard to the more detailed guidance in respect of European nature conservation sites currently set out in planning policy guidance 9 on nature conservation. That provides guidance on how the Government's policies for the conservation of our natural heritage are to be reflected in planning.

For internationally designated sites, planning permission for renewable energy developments likely to have an adverse impact on the site should be granted only once an assessment has shown that the integrity of the site would not be adversely affected. If the development would have an adverse impact, it should be allowed only very exceptionally. Similar considerations apply to nationally designated sites, so the key issue is to seek to ensure that the qualities for which an area has been designated will not be compromised.

Tony Cunningham: The point that I was trying to make—I touched on it when I mentioned buffer zones—is that we can protect the site, but if we put wind turbines all around it, the effect is that the area is blighted, regardless of the fact that the wind turbines are not on it. On PPS22, I think I am accurate in saying that, strictly speaking, the policy protects the green belt around certain areas in a more stringent way than it does areas of outstanding natural beauty. Surely that is wrong.

Phil Hope: I was coming specifically to that point. With regard to land adjacent to the boundaries of particular designated sites, I regret to have to tell my hon. Friend that it is our view that local authorities should not seek to introduce buffer zones. We do not want lines on maps showing, for example, that no wind farms would be permitted within 10 km or 20 km, or some other distance, of the boundary of a national park. However, that does not leave things in the situation that he described. Instead of taking the approach that he is promoting, we believe that it is for the local planning authorities to introduce, through their local development plan—this is the critical point in the planning process—appropriate criteria-based policies against which they and prospective developers making planning applications might assess the suitability or otherwise of specific sites.

Around and indeed within nationally designated sites, some areas of land will of course be more sensitive than others to change that might impact on the designated area, so the development plan should provide the tools to help to identify those areas. The local authorities for those areas can address the type of concern that my hon. Friend puts forward through the local development plan and the criteria-based policies within it.

Let me stress that PPS22 sets out firm policies to ensure that our most valued landscapes, such as national parks, and our most environmentally sensitive areas are protected from large-scale renewable energy developments that have detrimental impacts. It has been said, and we must recognise, that some smaller-scale renewable energy developments can be accommodated in such areas without serious environmental detriment to those areas, but again we look to the local planning authorities, through their local development plan, to ensure that the right criteria-based policies are put in place to secure the right results.

I want to mention the companion guide to which my hon. Friend referred. PPS22 moves on from the old PPG system. It is designed to be a short and succinct statement of the Government's policies on renewable energy. It is not a catalogue of policies and guidance. Instead, we are producing in addition a companion guide to PPS22 that will provide more detailed descriptions of different technologies, as well as examples of good practice in development plans and developments. That has been produced through consultation. It will be published in the very near future, and I believe that it will provide the kind of help and support that my hon. Friend sought in his contribution. It will be a valuable tool.

To sum up, we are firmly of the view that the development of renewable energy, including the harnessing of wind energy, has an important part to play in reducing carbon dioxide emissions. We believe it right to support and encourage the development of wind farms, but we must do so in a way that is subject to the environmental, social and economic impacts being addressed satisfactorily. I congratulate my hon. Friend on bringing the issue to the attention of the Chamber today, and I urge him and his colleagues to consider the examination in public of the regional spatial strategy as a further approach that he might take in pursuing his aims.

Question put and agreed to.

Adjourned accordingly at half-past Four o'clock.

Westminster Hall

Thursday 14 October 2004

[MR. FRANK COOK *in the Chair*]

Struggle Against Slavery

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Jim Murphy.]*

Mr. Deputy Speaker: Before we commence, I wish to alert the Chamber to the fact that we are expecting a Division to be called in about 19 minutes, at which point I shall suspend the sitting for 15 minutes.

2.30 pm

The Parliamentary Under-Secretary of State for the Home Department (Fiona Mactaggart): I am proud to initiate the debate to demonstrate Britain's support for the United Nations international year to commemorate the struggle against slavery and its abolition. In holding the debate, we acknowledge the significance of the UN year in encouraging us to tackle modern forms of slavery, to open up a discussion about how most usefully to mark the 200th anniversary of the abolition of the slave trade in Britain in 2007 and to ensure that we learn the lessons of the past.

In its publication this year to commemorate the struggle against slavery and its abolition, the UN General Assembly stated explicitly that its intention was to draw attention to the historic struggle. At the launch, the director general of UNESCO said:

> "It was a struggle for humanity. As such, it is not over because the struggle to ensure the full enjoyment of human rights and fundamental freedoms by everyone is far from complete. We must ensure that this international year focuses on more than the negativities and sorrows of the past. It must also be used positively to stimulate the building of tolerance, peace and mutual understanding among people of different cultures, religions and traditions."

In her speech to the World Congress against Racism in Durban, Baroness Amos described the acts of acknowledgment, regret and condemnation inherent in the year as allowing us to move forward in the spirit of hope and giving us the basis on which to continue to tackle contemporary problems. Raising understanding and awareness of slavery issues and Britain's part in the slave trade, its abolition and how we can work to eradicate modern-day slavery is the best way to move forward, and the debate is part of the start of that process.

We know that Britain was a key partner in the slave trade. Abolition came about after many years as a result of one of the world's first mass human rights movements. Britain played a key part in the struggle to end the abhorrent practice of slavery. The international year can help us to prepare for the bicentenary three years from now of Parliament passing legislation to abolish the slave trade.

Slavery is a crime against humanity. Slavery and the slave trade were, and are, appalling tragedies in the history of humanity. We talk about the history but, recently, I met the lord mayor of Plymouth, Claude Miller. His great-grandfather was a slave. In just three generations, the family has swapped the chains of slavery for the chains of office. That symbol of hopefulness is one that we must focus on, too. However, the fact that that is such recent history is a powerful reminder.

Slavery has existed in many forms and in many civilisations throughout the world and across the centuries, but the transatlantic slave trade was different. It was one of the first examples of institutionalised racism. No other slave system was so regulated and so determined by the matter of race. No other system moved so many people. Millions of African people were removed forcibly from their homes and communities and taken in the most inhuman conditions to work as slaves on cotton, sugar and tobacco plantations. The basis of that horrific trade was economic. People were seen as nothing more than units of labour condemned to brutal and often short lives.

Everyone in the Chamber will know of the long struggle and ultimate success of the campaign of the abolitionists in the United Kingdom and of the strong Christian commitment that underlay the work of people such as Thomas Clarkson, who travelled thousands of miles collecting information, often at personal risk, to support the abolition of the trade, Granville Sharp, who was instrumental in using the law and, of course, William Wilberforce, the politician, evangelist and philanthropist. When first asked to use his influence to bring an end to the slave trade, he replied:

> "I feel the great importance of the subject and I think myself unequal to the task allotted to me."

We are grateful that he took a different view and went on to commit most of his parliamentary career to that effort.

It is just as important to remember that alongside the white philanthropists there were many Africans who displayed great courage and heroism in bringing the slave trade to an end. From the 1730s, when it was reported that a

> "wind of freedom was blowing on the Caribbean",

to the Haitian revolution, the enslaved peoples resisted and rebelled. Olaudah Equiano was a key participant in the campaign to end the trade, speaking at meetings and publishing a book about his experiences as a slave, which helped to change public opinion. Individuals such as Jonathan Strong and James Somerset, who used the British courts to secure their freedom, also contributed.

Now, as then, Africans need their indigenous leaders, people such as Nelson Mandela and Desmond Tutu, to help them to tackle contemporary problems of poverty, HIV/AIDS and poor education, from which millions in Africa suffer. They also need external champions, such as the G8 countries, to respond to what our Prime Minister has called a

> "scar on the conscience of the world."

He has launched the Commission for Africa in order to help to drive forward Africa's development and increase its prosperity. Early in 2005, the commission will produce a comprehensive plan, which will show how the international community can support African development. That plan, which will show what Africa needs, and what has held back progress in the past, will help us to turn international attention on Africa into international action to support Africa.

[Fiona Mactaggart]

The UK is showing the way. Since 1997 we have more than doubled our aid budget. As a result, we will be able to increase direct aid for Africa to £1 billion next year. That will enable us to lift one million people in Africa permanently out of poverty each year.

It is a sad fact that, despite being outlawed internationally, slavery is still widespread. As many as 27 million people are estimated to be living in conditions of slavery—human trafficking, forced and bonded labour or child labour. Wherever, whenever and in whatever form slavery occurs, we unreservedly condemn it, and are committed to eliminating it. As well as ratifying the key international legal instruments that outlaw slavery, we are taking positive practical steps to bring slavery to an end. For example, our embassy in Kathmandu, Nepal, provided support over three years to a charity for the production and airing of Khyala Radio, an awareness programme to make former bonded labourers aware of their legal rights and to help them to set up activity groups.

We are also working to combat trafficking, providing funds and expertise in Asia and west Africa, the Balkans and China. We are training police officers, providing direct support to women's groups and working with the International Labour Organisation to eliminate child labour. For example, human rights groups have criticised the United Arab Emirates for using young boys, some reportedly as young as four years old, as camel jockeys. They are recruited from South Asia—many of them, reportedly, against their will—by organised people traffickers in their home countries. We are funding a project by Anti-Slavery International to exert pressure in countries where camel racing takes place, and also to help non-governmental organisations in the countries the children come from to co-ordinate their lobbying against the practice.

At home, we have a comprehensive programme to combat trafficking. It includes legislation, enforcement, prevention and, very importantly, support for victims. The Sexual Offences Act 2003, which came into force on 1 May this year, introduces new, wide-ranging offences covering trafficking into, out of or within the United Kingdom for any form of sexual offence, and carries a 14-year maximum penalty. A new offence, trafficking for exploitation, which includes trafficking for forced labour and the removal of organs, is included in the Asylum and Immigration Act 2004 and will also carry a 14-year maximum penalty.

In March 2000, a multi-agency Government taskforce, Reflex, chaired by the National Crime Squad, was set up to deal with organised immigration crime. Its remit is to co-ordinate the enforcement response to such issues, both nationally and internationally, and to develop the intelligence and strategic planning to underpin that. Between April 2003 and April 2004, Reflex resulted in 38 disruptions and 38 convictions for organised immigration crime. That figure includes those who are involved in human trafficking as well as people smuggling and related activities. To be truly effective, however, the Government have recognised that they must tackle trafficking at source.

Mr. Mike Hancock (Portsmouth, South) (LD): I have a great deal of sympathy for what the Minister says, but surely the one major step with which the Government have so far refused to align themselves is a common European policy that would dictate control over these issues, including people trafficking and organ trafficking. The Government's failure to support the Council of Europe's plans to persuade its member states to adopt such a policy has been remarkable. Will the Minister explain the Government's position?

Fiona Mactaggart: I am anxious that we might be straying into matters that are partly being discussed in the Chamber, but I will return to that.

As I said, to be truly effective, the Government have recognised that they must tackle trafficking at source. We are therefore funding Anti-Slavery International to raise awareness of the abuses suffered by the victims of trafficking and to take remedial action in west Africa. We have also given £3 million to the International Labour Organisation's international programme on the elimination of child labour in the far east. This involves a number of inter-linked interventions to raise awareness and prevent trafficking, and to withdraw women and children from labour exploitation and reintegrate them back into their own or new communities.

Reflex has funded a helpline in Romania to help detect and prevent trafficking, and the Home Office is funding the Poppy Project in London, which provides safe accommodation and a range of support services for up to 25 female victims who have been trafficked into prostitution. This is just part of our national, international and global efforts to deal with trafficking, and I am glad to say that there will be a debate this week, following a television programme about trafficking in the United Kingdom.

I mentioned earlier that 2007 has a particular resonance for us in the UK, as it is the bicentenary of the abolition of the slave trade. I want to use this opportunity today to begin a debate about how we, as a country, should mark this anniversary, and how we can improve awareness and understanding of Britain's involvement in the transatlantic slave trade, including our role in its abolition.

My ministerial colleagues at the Department for Education and Skills share our concern that slavery and all black history is taught sensitively in schools. There is plenty of scope within the national curriculum for teaching black history, but one of the constraints that teachers face is unfamiliarity with the resources available. They can also feel unprepared to handle some of the difficult and challenging issues that arise. We want to support teachers through this. With the Department for Education and Skills, we are exploring how museums, such as the British Empire and Commonwealth Museum in Bristol, might provide educational resources that give a full picture of the Commonwealth and that celebrate the diversity of Britain's multi racial community.

However, education happens in communities as well as in institutions, and to this day, many people descended from enslaved Africans feel that they are denied their history, culture and sense of identity. This United Nations year is an attempt to rectify that by offering them recognition and respect. On 23 August—the international day for the remembrance of the slave trade and its abolition—I participated in an event that was organised by Rendezvous of Victory and part-funded by my Department. People there spoke passionately about the slave trade, its legacy, and contemporary issues such as prejudice, racism and disadvantage. I hope that in 2007 we tap into the knowledge, passion and energy of such groups and individuals.

I am glad to say that I have been able to discuss some of these plans with the Heritage Lottery Fund, which has already funded several projects relating to the slave trade. These range from a grant of £281,000 to the National Maritime Museum to purchase the Michael Graham-Stewart slavery collection, a grant of £92,000 to Anti-Slavery International to conserve and catalogue over 600 abolitionist tracts and pamphlets, and £25,000 to Merton black educational forum to research and develop teaching and learning resources on key black figures, including abolitionists, who have contributed to British history.

Several heritage and community-based organisations are already discussing possible projects for 2007, and the fund plans to produce an information pack that identifies important heritage sites, collections and resources to help applicants to develop their projects. It also proposes to promote the funding for this event in the media and through activities led by regional and country teams. In museums throughout the country, work is already well under way on developing plans for the bicentenary, including a new slavery gallery in Liverpool and a major exhibition in London.

As Members of Parliament, we have a responsibility to ensure that the bicentenary is effectively commemorated. Repugnance at the slave trade, and the wish to commemorate its abolition, cross party political boundaries, and I invite colleagues from all parties here today to think about how they can encourage their constituents to mark the 200th anniversary.

In holding this debate, I hope that we will begin to raise awareness of Britain's role in the transatlantic slave trade and its abolition. However, we should not be complacent about the prevalence of contemporary slavery or lessen our efforts to combat it. Nearly 200 years on from the abolition of the slave trade, Britain is a diverse society. That is a great source of strength and enriches all our lives. However, people in the black and minority ethnic communities continue to experience racism, discrimination and disadvantage. The world has changed greatly since the 19th century, but some of the issues have not. Although a repeat of the slave trade would never be allowed, we owe it to the descendants of enslaved people to ensure that their human rights are upheld and that our society recognises and celebrates the strength in its diversity.

The Government will soon be launching their community cohesion and race equality strategy, which will establish a cross-Government framework for action to promote inclusive notions of citizenship, identity and belonging, tackle inequality and lack of opportunity, confront racism and extremism, and create cohesive communities. Effective action of that kind is part of our efforts to deliver on the challenge set out by the director general of UNESCO in launching this year of commemoration, when he demanded that it should be not only

> "an act of historical solidarity with the victims of a terrible injustice and with those who fought for their freedoms and rights",

but

> "an act of re-dedication to the ongoing struggle against all forms of racism, discrimination, xenophobia, intolerance and injustice."

2.47 pm

Mr. Gary Streeter (South-West Devon) (Con): I am delighted to follow the Minister in this important debate. She will not be surprised to know that I agree strongly with the spirit and the substance of her remarks, and I do not think that there will be too much controversy.

I am delighted that this is the international year in which we seek to commemorate the struggle against slavery. I look forward to the important bicentenary in 2007 and very much welcome the Minister's invitation to take part in the debate about how best to commemorate it. She must know that she will have the full support of Her Majesty's loyal Opposition; indeed, she might even be in Her Majesty's loyal Opposition by then, but we shall see.

I have the honour of representing part of the city of Plymouth, and I thank the Minister for her kind reference to the lord mayor. Claude, who is in his 80s, is an outstanding lord mayor, and I say that even though he is a member of the Labour group in Plymouth. He does a wonderful job for the city and will be thrilled by the Minister's tribute, so I thank her most sincerely for her kind remarks.

This discussion of slavery is not only a useful reminder of how far we have come in understanding and embracing key truths about human dignity, personal freedom and rights but a solemn reminder of how far we have still to travel. It might be helpful if I take a few moments to set out the true nature and extent of the transatlantic slave trade.

It is horrifying to recognise that an estimated 2.1 million slaves were imported into the English colonies in America between 1680 and 1786.

2.49 pm

Sitting suspended for Divisions in the House.

3.19 pm

On resuming—

Mr. Streeter: In the 100 years from 1680—in a world with a much smaller population—some 2.1 million slaves were imported for the British colonies in America. In 1790, the British West Indies had a slave population of more than 500,000 people. Between 1650 and 1900, some 10.2 million slaves were shipped to the Americas from Africa, both legally and illegally. Sometimes, when we consider the scale of this atrocity, it almost takes the breath away.

We know that the main use of slaves was as cheap labour on plantations. Some 70 per cent. of all slave labour was used on sugar plantations as part of the triangular Atlantic trade system. As we know from many historical records, this precious human cargo was treated

[Mr. Streeter]

cruelly. People were shipped in the most cramped and inhumane conditions, and lived out their lives in servitude and oppression.

I have never been one for dramatic apologies about everything in our past—apologising for the last 2,000 years of British history—but in this case there must be an acknowledgement of the part that this country played in this appalling atrocity; that what we did was wrong; that it is a scar on our history and is only partially redeemed by the fact that we led the way in the abolition of the trade and then the abolition of slavery.

As we know, in 1807 a Bill was passed making it unlawful to import slaves into Britain, but it did not include the rest of the British empire; the Slavery Abolition Act 1833 included all parts. The British Government subsequently put pressure on their European neighbours. France abolished slavery in 1848 and Spain followed shortly after, so at last we gave a lead.

How did this movement for abolition come about? It was, as the Minister has already said, one of the earliest examples of a mass movement for human rights, and many slaves deserve great credit for taking part and shifting public opinion. As has already been mentioned, Mr. Equiano's graphic, first-hand accounts of his abduction and life of slavery, which were published in 1789 in London, were a massive spur to the people of this country to wake up. Also, it was an issue whose time had come. It is often the case that we can take something for granted and suddenly wake up and think, "How on earth have we allowed that to happen for so long?"

As is so often the case, although there was a growing groan from the bowels of the British people, it still required leadership to shift the status quo. We are indebted, as the Minister said, to a group of people in and around Westminster, including my personal political hero, William Wilberforce. He, along with many others including Thomas Clarkson and Granville Sharp, worked hard for many years, shifted public opinion, brought campaigns to the House of Commons and introduced Bills of Parliament, many of which were rejected. They persevered until ultimately they triumphed. That was to their credit.

It has already been said that the job is not yet done. It is shocking to discover what is happening. I must be frank and say that in preparing for this debate and starting to talk to some of the non-governmental organisations, particularly Anti-Slavery International, which I found extremely helpful and very knowledgeable, I was genuinely shocked by the scale of the problem still going on in the world today. The Morecambe bay tragedy some months ago was a wake-up call to this country. I did not know that people were being subjected to such oppression and injustice in this country. It was certainly a wake-up call for me. Then I learned that this sort of thing is happening more and more. I read yesterday that 1,400 women in 2000 were trafficked into this country for prostitution.

Forced and bonded labour, the worst forms of child labour, child soldiers and early and forced marriage are all modern forms of slavery. The job is not done and we need to do more. Many colleagues in the Chamber have fought tirelessly on this issue for many years.

It is estimated that 300,000 children are fighting in armies in more than 35 countries around the world. I have read that 20 million people are held in bonded labour around the world, especially in India, Pakistan and Nepal. The US State Department estimates that 800,000 to 900,000 people—nearly 1 million—are trafficked annually across borders. UNICEF estimated in 2003 that human trafficking nets profits of $7 billion to $10 billion a year worldwide. No wonder that the pressure is so great and the exploitation of people is so merciless.

I have a couple of specific examples about which I learned this week. Indonesians who want to work outside their country have to apply for work through Government-sanctioned recruitment agencies and are charged extortionate agency fees, which they must pay back while they work in host countries. This creates a system of debt bondage as workers are forced to pay almost all their monthly earnings to their agency. That is a form of 21st-century slavery.

The Minister has already mentioned the exploitation in the UAE of young boys, normally from the Asian sub-continent. Apparently, children, often as young as four, are being coerced into becoming camel jockeys, even though it is illegal in the UAE to work under the age of 15. That also goes on in other Arab countries.

I want to say a few words about human trafficking for two reasons. First, it is one of the worst examples of man's inhumanity to man—normally it is men being inhumane to other people. Secondly, in this globalising world, the pressure in relation to human trafficking will increase and we will have to be at our very best to defeat it. It is rightly called a modern-day slave trade. The traffickers use violence, coercion and deception to take people away from their homes and families, and force them to work against their will. The cockle-pickers in Morecombe bay were an example of that.

People are trafficked both between countries and within their own countries. The trafficking of people is a rapidly growing global problem that affects countries and families in every continent. Those who are trafficked may be forced to work as domestics, in prostitution, as labourers or in many other industries. As a result of its hidden nature, statistics relating to trafficking are impossible to measure accurately. As I have said, some reports estimate that 800,000 to 900,000 people are trafficked across borders every year.

I do not know whether the Minister is planning to speak for a second time, but if she is—and she would have my full support to do so—will she say a little more about the Government's approach to making a Europe-wide response? That has already been asked about.

I am aware of the Council of Europe convention, which is being drafted as we speak. It would be good to hear what progress is being made on it. I would like to learn from the Minister what its impact is likely to be and what the Government's will be. There are many problems that we can address ourselves. I welcome the legislation that the Government have introduced in the past two years to bear down on some of the worst abuses—trafficking, prostitution and so on. What steps are being taken to ensure that both the European Union and the wider family of European countries tackle this growing problem on a collective basis?

I have considered this issue, particularly in the past few days, and concerned myself about what the global solution might be. I believe that we come back to our old friends, the millennium targets relating to international development. As is so often the case, in addition to bearing down on specific examples of injustice and malpractice, this country must continue to advocate meeting those millennium targets and do what it can to reduce poverty and injustice throughout so much of the developing world.

I strongly support the work of the Department for International Development and the increase in its budget over the past few years—I pay tribute to the Government for that. I believe that it is a priority, and something that Wilberforce would have supported. This is a wealthy country and we should be at the cutting edge in bearing down on global poverty, instability and injustice.

If the Minister is going to make a winding-up speech, will she say a little about whether the issue of slavery is at the top of DFID's agenda? Promoting good governance and creating effective international laws, and then having enforcement mechanisms, are all right responses to this problem. Education also has a role in breaking down some of the barriers of prejudice and ignorance, particularly some of the cultural barriers. While we do not want to disturb people's cultural rhythms, some of them lead to some of the practices that have no part in a modern world. I hope that the Minister will be able to comment on whether, in her view, DFID is doing its utmost to place 21st-century slavery at the top of its agenda.

I want to finish by making one more comment. As we have heard, the abolition Bill was finally passed on 26 July 1833. It declared that slavery would be abolished and that the planters would be heavily compensated—a typical British solution. On hearing that the Bill had become law in July 1833, William Wilberforce, who was no longer a Member of Parliament, said:

> "Thank God that I have lived to witness a day in which England is willing to give twenty millions sterling for the abolition of slavery."

That was a huge sum in those days. He died three days later, on 29 July, and was buried in Westminster abbey. His life's work had been achieved. However, the challenge remains for all of us. I want the Minister to know that she has Conservative support in doing what we can to end 21st-century slavery worldwide.

3.30 pm

Jeremy Corbyn (Islington, North) (Lab): This debate and the atmosphere in which it is being conducted are welcome, and the proposals for a serious commemoration of the 200th anniversary are equally welcome. However, if we can, we have to remove ourselves from the English and European feeling of self-satisfaction that we did a good job for the world 200 years ago. The reality is that Britain and Europe made a vast amount of wealth from the slave trade, and that wealth is still with us.

One way of heading into the commemoration would be to offer a genuine, serious and heartfelt apology for the slave trade, because it is important to make such gestures. Moving on a little, we could talk of reparations for the people who suffered and the countries that suffered because of the slave trade. On an entirely practical level, I suggest that alongside the correctly placed statue to William Wilberforce, we should have a statue to an appropriate leader of one of the slave rebellions. Paul Bogle, from Morant bay in Jamaica, would be a good example, as would Nat Turner from the United States and the many others who died because they stood up for justice for their people against the injustices of the slave trade. That would be an important part of showing that we take this issue seriously and an important element in education for young people in this country and throughout the world.

The slave trade was an act of genocide against black people, who were transported from Africa, and the money made from it ended up largely in the pockets of the wealthy in this country. I advise that one of the source books for this commemoration year should be "Capitalism and Slavery" by the late Eric Williams, which he wrote as an LSE thesis in 1940 or thereabouts. It traces the way in which the English wealthy made money from the Caribbean sugar trade. That wealth can be directly traced to major British companies now, such as Booker, Lloyds bank, Barclays bank and Tate and Lyle. We can go through all the blue chip companies in the City and trace where much of their initial wealth came from. The campaign for reparations is a serious one. I hope that next year we do not just have a one-month commemoration, but end up with some kind of annual commemoration, because that is very important.

The hon. Member for South-West Devon (Mr. Streeter) rightly drew attention to the British compromise, which was to support the abolition of the slave trade and then apologise to the slave owners for doing so by giving them £20 million. I do not know what that would equate to today, but it was an absolutely phenomenal amount of money. It would be nice to know what happened to that money and where it is still held. Earlier this year, I was looking through *Hansard* reports of the early 1800s for a friend who was doing research on escaped slaves living in London. It was fascinating to read the debates. The moral high ground was taken by Wilberforce and a number of other commendable people, but there was also the nakedness of saying, "Well, hang on, if we abolish it, where's the money?" The debate was between the moral high ground and wealth. At no stage was any African person's voice heard in that debate, which was between two strands of political opinion in Europe and did not extend beyond those boundaries.

In this commemoration, we have an opportunity to do a great deal to educate people and understand the way in which British and European colonialism treated people and who the heroes really were. I would add another hero: Toussaint L'Ouverture, the leader of the Haitian revolution, which brought about the first black state in the world. My final book recommendation is "How Europe Underdeveloped Africa" by Walter Rodney. It provides a very interesting description of how the slave trade and subsequent colonialism destabilised all the economic, environmental and social systems in that continent. We ended up with the horrors of the 1884 Congress of Berlin, which drew all the straight lines all over Africa. That is the cause of so many of our current problems.

It is easy to deal with the whole slavery issue as if it were purely an anachronism, but although I wish it were that, it is not. I attend the UN Commission on Human Rights

[Jeremy Corbyn]

every summer usually, and sometimes for the full session in April and the sub-commission that is held in August. Every year, we go through the debates about these issues. There is a question about how this Parliament persuades our Government to hold to account the international agencies and to promote the international laws that are supposed to be protecting very vulnerable and predominantly young people from slavery—sex slavery, bondage and all kinds of inherent discrimination.

Article 4 of the universal declaration of human rights states:

> "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms."

We then think of all the other forms that exist.

I also want to quote what Kofi Annan said about child work in March 1999:

> "Child labour has serious consequences that stay with the individual and with society for far longer than the years of childhood. Young workers not only face dangerous working conditions. They face long term physical, intellectual and emotional stress. They face an adulthood of unemployment and illiteracy. Few human rights abuses are so widely condemned, yet"—

as he rightly says—

> "so widely unnoticed."

That is what this debate should be about; we should bring to the world's attention what all these things actually mean.

The UN convention on the rights of the child was agreed in 1989. There is a tablet in Hyde park—it was unveiled by the then Prime Minister, Margaret Thatcher—that commemorates Britain's adherence to that convention. It stated that children had rights to education, housing, health—and a right to a childhood, which so many of them are denied. However, when we look at the institutions that exist around the world which should be in a position to protect the most vulnerable, we realise their weakness. I would like the UN High Commission for Refugees and the UN High Commission on Human Rights to have far greater power. For the issue of slavery really to be dealt with, we need there to be much tougher rules that the International Labour Organisation can impose.

We should think through what was said about those poor, unfortunate people in Morecombe bay. How did they end up in that bay, other than by a whole process of the grossest exploitation of their rights, the poverty of the environment from which they came and the preparedness of a very large chain of companies in this country to buy cockles that had been picked by people who were being paid what was basically nothing for being in enormous danger? Such cockles were then served up at Wheeler's and other expensive west end restaurants. What would we discover if we were to adjourn this debate and go down to Oxford street to pore over some of the very expensive designer labels there? If we were to trace things back to who actually made those clothes, we would find that child labour, bonded labour or slave labour was producing it. We choose to turn a blind eye to that, and when the companies concerned are challenged on it, they all say, "Well, it was not really us; we bought it from a subcontractor." That is very nice and convenient for them, but it is not much help to the people who are suffering as a result.

I hope that we can do a little more to bring greater powers to the world's institutions that should be dealing with these matters. My hon. Friend the Member for Northampton, South (Mr. Clarke) tabled early-day motion 945 last year. It dealt with the whole question of child labour and the need to adhere to ILO convention 182 on the exploitation of children.

I also want to talk briefly about institutional or caste discrimination that leads directly to slavery. I must declare an interest in that I am a trustee of the Dalit Solidarity Network. We have had a number of public meetings. The discrimination against Dalit people, commonly known as untouchables, in India and other places—not only in India, but principally there—is serious. It is not merely discrimination; it is a form of slavery and control, which leads to the loss of many lives and livelihoods.

I was in India earlier this year, and I welcomed the Dalit solidarity march, which arrived at the World Social Forum in Mumbai having marched thousands of miles through India to draw attention to the plight of these people. If we were to look at the legal situation in India, and to read the Indian constitution and legal statutes, we would all say, "Fine, they have total protection." Bonded labour is illegal, slavery is illegal, and discrimination on grounds of caste is illegal—but they go on.

At a local level, if one asks any Dalit person what they do when they are threatened, when their children are forced to make carpets and bricks, when they are forced to work in the owner's house and everything that goes with that, they will say, "What can we do?" There is not a court that will be interested in what they have to say; nobody will represent them, yet the constitution offers them that protection. When one looks at the slave trade that exists in other parts of the world, one sees the reality.

When the Department for International Development and the European Union are disbursing aid packages, aid programmes and development programmes, they ensure that those programmes not only reach all people, but that they are disbursed in a way that does not prop up a social, legal or economic system that systematically exploits people or owns such forms of exploitation and slavery.

A brilliant film was shown on BBC 4 last weekend. It was a Russian film, which showed a young girl, living in fairly miserable surroundings in post-Soviet Union St. Petersburg. She was offered the chance to go to Sweden to work. She was abandoned at the airport and told that it would be okay and that someone would meet her. She arrived in Sweden, her passport was taken from her by her new owner, and she became a prostitute.

The final clip of the film shows her jumping off a motorway bridge, attempting suicide. Brilliantly, the film does not say whether she lived or died, but leaves one with that thought. All she had in her mind was a dream of her brother, like the wings of Icarus, coming back to save her. It showed that even in a country such as Sweden or Britain—anywhere in Europe where we think of ourselves as having rights, democratic values, access to justice and all the rest—and throughout the developed world, people are effectively slaves in our society, working as domestic workers, sex slaves or prostitutes.

In the anniversary year coming up, I hope that we will commemorate those people who have died because of the slave trade; that we will talk seriously about reparations for those who have suffered so much and continue to suffer from it; and that we will totally outlaw child labour, exploitation and bonded labour and all the horrors that go with them. If we cannot do that, in the 21st century, what on earth are we about? We allow a world to develop economically, with all the technical abilities that we have, yet we allow the grossest form of denial of people's rights and livelihood to exist. Let us think of the horrors, and of the genius that is wasted in those carpet factories, brick factories and all the other similar places. Then we will see the importance of standing up for the peoples' rights and ensuring that the world's institutions are not the super-powerful World Bank and International Monetary Fund but the super-powerful ILO, the UN High Commission for Refugees and the UN High Commission on Human Rights. Those are the issues that we should consider, and that is the agenda that we should follow.

3.44 pm

Tom Brake (Carshalton and Wallington) (LD): I start by thanking the Government for making the time available to discuss such an important matter. I also thank the Minister for dwelling on the United Kingdom's role in the slave trade.

In some respects, I should apologise to those in the Public Gallery, because I shall focus principally on contemporary slavery. As my party's spokesman on international development, I believe that we can do something about it. None the less, I take on board the Minister's comments about how we, as Members of Parliament, should think about what role we can play to ensure that the bicentenary is appropriately commemorated. Indeed, as the hon. Member for Islington, North (Jeremy Corbyn) said, we should commemorate not only Wilberforce but those who might be called slave activists—all those who fought the campaign alongside him.

We know from the events of the past 24 hours how difficult it can be to say sorry, but it is entirely appropriate that we should say sorry for the role that the UK played in the slave trade. We should be frank, open and blunt about it, and I am happy to do so today.

Although we are celebrating the bicentenary of the struggle against slavery and its successful abolition, it gives us the chance to highlight some of the many forms of slavery that exist now, such as bonded labour, child labour, child soldiers and the caste system and how Dalits are affected by it, a subject highlighted by the hon. Gentleman. I intend to press the Minister on what the Government can do to tackle those forms of contemporary slavery.

I shall speak first about bonded labour. Hon. Members will know that that is the selling of a person's labour or services, or those of the family or children, as security for a loan rather than for pay. Although the value of the work done always exceeds the value of the loan, high interest rates and corruption ensures that that debt is never paid off. The person therefore remains a bonded labourer.

The United Nations working group on contemporary forms of slavery estimates that in 1999 about 20 million people worldwide were held as bonded labourers. Those labourers usually work between 12 and 16 hours a day, seven days a week. They may be bound to work on the land, processing agricultural products, working in silk production or carpet weaving or engaged in quarrying.

Bonded labourers are not paid for their work, or are paid very little. They are often subjected to rape or beatings, and are sometimes locked or chained to their work. Many suffer malnutrition, and they all clearly suffer from a lack of health care and education. As the hon. Gentleman said, despite bonded labour being illegal in almost every country where it is practised, it continues to exist because of poverty and the lack of willingness of the police, the judiciary and the Government to enforce the law.

Many cases illustrate the appalling conditions in which bonded labourers work. One case, involving a non-governmental organisation called the Integrated Village Development Trust, concerned the bribing of 60 people by a carpet workshop owner in the district of Jharkhand in January 2004. At the time, all but the wealthier landowners were suffering drought and desperate hardship. Many owed the workshop owner money and were thus forced into working for him.

Among those taken into bondage by the owner were five boys under the age of 14, whose parents were agricultural labourers; the parents had taken out various loans from the workshop owner. The child labourers were forced to work for 12 or more hours a day. They were given no days off, not even for traditional festivals. They were fed twice a day on watery rice and dhal. No wages were paid. They were regularly beaten. Indeed, it is alleged that the owner was responsible for the deaths of two child workers.

That case, which is typical in south Asia, highlights the barbarity and inhumanity of the bonded labour system, and it especially highlights the illegality of bonding children. Not only was bonded labour abolished under Indian law in 1976, but employing children under the age of 14 on carpet looms is banned. The labourers in that case have been released, because some of the local villagers had links to people in local NGOs, who were able to apply pressure. I therefore strongly urge the Government and the Department for International Development to put pressure on south Asian Governments such as the Indian Government to enforce laws concerning the abolition of bonded labour. I wonder if that will be made more difficult as the scale of the UK Government's involvement in India is wound down, now that India and the UK have agreed that the UK should focus its attention, in international development terms, on countries in greater need, although in relation to bonded labour there is a clear need for involvement in India.

I also urge the Government to support more income-generating projects explicitly for bonded labourers, such as the support that they have given to ActionAid's poverty reduction project in the Kailali district of Nepal, which helps bonded labourers to achieve secure livelihoods. Funding also needs to be increased for projects that release labourers from bondage and rehabilitate them, and projects that encourage the development of civil society, because it is more likely that the law will be enforced in such societies.

As we have heard today, contemporary slavery is not only a problem for developing countries; migrants who are trafficked into the UK are often held in slave-like

[Tom Brake]

conditions. Members, the Minister and the spokesman for the official Opposition have expressed concern at the plight of trafficked workers. Will the Minister use today's debate to announce that the UK will ratify the UN migrant workers convention, which came into force in July 2003? Clearly, that would provide people who are working in the UK as slaves with the safeguards that they should have, but do not. I hope that if the Minister does not announce Government support for the convention, she will be able to explain why they do not support it. The convention aims to protect migrant workers' rights, such as the right to live and work in humane living conditions, regardless of their legal status in the UK—in other words, so that trafficked people would not simply be thrown out of the country, as my hon. Friend the Member for Portsmouth, South (Mr. Hancock) said earlier, and would have some rights that can be enforced here. I have today tabled an early-day motion calling on the Government to do that.

The hon. Member for Islington, North mentioned the issue of caste. A caste system can be defined as a hierarchy based on historically embedded cultural, social and economic differences between people. Caste systems are not simply about religion, although religion does play a part in supporting them. As we have heard, such systems are prevalent in south Asia, particularly in India, Nepal, Pakistan, Sri Lanka and Bangladesh, and in some African countries, such as Nigeria and Somalia.

I shall focus principally on the Dalit people, and am pleased that we have here at the debate someone who clearly knows a lot more about that subject than I do. The Dalits are at the bottom of the caste system and have the least resources and power in society. It is estimated that 260 million people across the world are poor because of their place in the caste system. Dalits are the untouchables—a pool of cheap labour that is used by the rest of society. Typically, the jobs that they are allowed to do include road sweeping and toilet cleaning. Cultural norms ensure that Dalits are separated from others and isolated from other castes. They have to remove their shoes when walking through other parts of the village, and are exploited for being at the bottom of the caste system. In many respects, they are in an identical position to that of bonded labourers: they are bound to the same job for generations because of their inherited, rigid position in society. Their jobs are paid, albeit at a low rate, and one could argue that they are secure, but Dalits are the social group most likely to be sold into bonded labour when the family needs extra money for weddings, funerals or hospital bills. Money is borrowed from a family member's employer, or from a money lender, in exchange for labour. Although Dalits are likely to become bonded labourers, that does not automatically mean that all bonded labourers are Dalits, especially where caste systems do not prevail.

As we have heard, Dalits are supposed to be protected under Indian and international law. The Scheduled Castes and the Scheduled Tribes (Prevention Of Atrocities) Act 1989 in India is an instrument under which those holding Dalits in bonded labour can be prosecuted. A number of UN conventions also recognise that allocating labour by caste or descent is a form of discrimination.

Along with the implementation of the Indian law in 1989 and similar laws across south Asia, other measures have been taken to advance the position of Dalits in society, such as the provision of loans. In the Punjab, loans are provided through two schemes: the integrated rural development programme and the Punjab scheduled caste finance corporation. However, both schemes have been beset by problems. For example, having received a loan, people were no longer considered to be living below the poverty line, whether or not they had benefited from the loan. Corruption is endemic in the system, with middlemen and the authorities taking a cut of the loan for themselves or for higher caste families. In addition, Indian Government guidelines specify that the loans should be given to young, educated Dalits, but 80 per cent. of loans have gone to illiterate people, most of whom were more than 50 years old and had little training on how to make best use of the money. Not surprisingly, the schemes have failed and people are now in a worse position than before, because they cannot repay the additional debts that they have incurred.

The Department for International Development has a role and it is entirely appropriate that it should consider its policies in relation to Dalits. I have tabled a series of parliamentary questions today to establish whether, in its policies, it ensures that both it and the organisations that it supports are aware of caste discrimination and that they respond to the challenge.

Even in the UK there is discrimination against Dalits. I met some Dalits recently, one of whom is a senior person working at a hospital in Ealing. He said that not he but a woman Dalit colleague of his had encountered enormous problems in establishing her authority as a manager, because the people of a higher caste with whom she worked did not recognise that she could possibly manage them. He said that there was even graffiti in the hospital—simply the word "caste"—to remind her that she had no authority in the caste system.

The problem is an issue here, so it is entirely appropriate that the Department should consider how to respond to it. Perhaps we could ensure that, for instance, UK companies that export call centre jobs to India, which can be positive for international development, use the quota system that the Indian Government say should apply to Dalits. I hope that the Minister will respond to that—if not now, then in writing—and confirm that the Department of Trade and Industry talks to British businesses that export jobs to India and other south Asian countries about responding on the caste issue and ensuring that Dalits are properly represented.

I could have carried on at length about child soldiers, which is another significant problem. Forcibly enrolling children into armies, such as the Lord's Resistance Army in northern Uganda, amounts to a form of bonded or slave labour. On that point, I hope that the UK Government can enter into a discussion with the Ugandan Government to ensure that the latter's response to the crisis is not simply military. A military response will inevitably end up killing many of the child slave labourers who were forced to join the Lord's Resistance Army. I hope that the Minister can respond positively on that point.

Also—and perhaps this issue comes under the Minister's brief—have the Government considered changing the asylum rules that apply to child soldiers? I understand that child soldiers are not eligible for asylum. However, a strong case can be made for making some children who have been forcibly enrolled into the Lord's Resistance Army eligible for asylum. Perhaps I have misunderstood the situation, and I hope that the Minister can say what the thinking is on the issue.

To conclude, there is still much work to be done on all forms of slavery, and especially on bonded labour, the exploitation of the Dalits by the caste system, child labour—and child soldiers in particular—and the enslavement of migrants in the UK. As we know, this year is the UN's international year to commemorate the struggle against slavery and its abolition. Next year, the UK will hold the presidency of both the EU and the G8. We cannot miss the golden opportunity to use those presidencies to tackle the poverty and misery caused by contemporary forms of slavery, and to try to make amends for the UK's previous role in the slave trade.

4.2 pm

Mrs. Louise Ellman (Liverpool, Riverside) (Lab/Co-op): I begin by thanking my hon. Friend the Minister for leading this debate during black history month and UNESCO's international year to commemorate the struggle against slavery and its abolition.

I was pleased to sponsor early-day motion 1010, which now has 147 signatures, at the request of the black community in Liverpool. It calls for national education recognising slavery as a crime against humanity and for the setting-up of a national slavery remembrance day, a proposal that is now gathering much support.

It is appropriate that the call comes from Liverpool, which, along with London and Bristol, was the major port of the transatlantic slave trade. By 1795, Liverpool controlled 80 per cent. of Britain's slave trade, and 40 per cent. of the European slave trade. More than 5,000 slaving voyages started from Liverpool. Liverpool's ships transported half the 3 million Africans transported across the Atlantic.

I hope that we can see a great contrast with my predecessors—those, I hasten to add, of the 18th and 19th centuries—who, together with 25 lord mayors of that period, were closely involved with slavery. There have been great changes in the local press. A sugar plantation owner, John Gladstone, the father of William Ewart Gladstone, wrote a pro-slavery column in the *Liverpool Mercury* under the pen name of Mercurator. Whatever comments we might have in our local press today, no such column would be tolerated in the *Liverpool Echo* or the *Daily Post*.

In 1788, Liverpool's citizens presented a petition against the abolition of slavery to Parliament. It stated that the petitioners contemplated "with real concern" proposals for abolition, and it pointed out that slavery continued

> "to form a very extensive branch of the commerce of Liverpool and of the Kingdom".

Liverpool has also played a pivotal role in bringing this shameful history to the public's attention. Liverpool Museums and Galleries set up its permanent transatlantic slave gallery in 1994. In 1999, it inaugurated Liverpool's slavery remembrance day, working with the black community, the city council and others. I was pleased to be present when the late Bernie Grant, the Member for Tottenham, unveiled a plaque on the dock from which slave ships once sailed. That was an important day, and everybody present was moved by the significance of the event. I pay tribute to the late Richard Foster for his foresight and to David Fleming and his staff at the museum for the progressive way in which they have developed his legacy.

The city of Liverpool itself has already formally apologised for slavery and its impact.

The key proposal in the early-day motion that I sponsored is that we should have a national slavery remembrance day, and it is worth taking time to consider the reasons why that is important. The first is that we need to focus on key issues in a way that ensures that there is a permanency about commemoration, so that it does not last only for one day or a number of days, but takes place year after year.

We also need to educate all our citizens about the fact that although transatlantic slavery made fortunes for individuals, helped to develop capitalist society and laid the basis for the wealth of banks such as Martins, Barclays and the Midland, it degraded and dehumanised millions of African people. Africans were cruelly and forcibly removed from their families and communities, stripped naked and held in leg irons below deck in cramped ships that took them to the Americas, where they were sold into slavery to create wealth for others. At times, more than 30 per cent. would die en route, and their bodies would be cast into the water. The only reason why that appalling figure was reduced was that the slave owners were concerned about making less money from their cargo of human beings.

A national remembrance day is also needed to celebrate slaves' rebellions and the resistance that played such an important part in their emancipation. Indeed, it has been suggested that 23 August would be appropriate for a remembrance day because it was the date in 1791 on which the successful rising in Santo Domingo—now Haiti—took place. Although it is important that we talk about philanthropy and reform movements in this country and elsewhere, we should never forget that the slaves themselves led rebellions and revolutions and were a vital part of their emancipation.

It is also important to have a permanent national remembrance day so that we recognise that the unequal relationship caused by transatlantic slavery led to racism, much of which still persists. Liverpool's maritime connections brought people from all over the world for many generations, and the city's black community goes back to the 1700s, yet too many black Liverpudlians still do not feel fully accepted. Local people such as Ray and Edith Costello trace their ancestry to the 19th century, but in his history of black people in Liverpool, Ray Costello talks about the feeling among so many black people that they are still not fully part of the community.

Recently, I was pleased to launch the Ministry of Defence exhibition "We Were There" in St. George's hall, in Liverpool. The exhibition shows the contribution made by black and minority people to two centuries of United Kingdom defence. There were 3 million volunteers during the second world war alone, but why is it only now that the black and minority ethnic contribution to the United Kingdom's defence is slowly

[Mrs. Louise Ellman]

being recognised? It is rare that we see the contribution of black people as part of all our history. I am glad that the exhibition has been set up, that it is in Liverpool and that it is going round the country, but we must all ask, "Why only now?" It is important to have a national remembrance day so that we can celebrate diversity and immigration on the basis of equality.

Several hon. Members have spoken about the disgrace of present-day slavery, which takes several different forms, and part of the reason for a national remembrance day must be to campaign against current injustices and manifestations of slavery. Those include the 20 million people who are suffering bonded labour, the people who are forced to work almost as slaves on Brazilian estates, and the abominable trafficking of women and children for sexual exploitation—the scandal of our time.

Home Office figures show that, in 1998, 1,420 women were trafficked into the United Kingdom for sexual exploitation. That figure may well be an underestimate because the nature of the problem means that it is very difficult to be precise, but it is just one indication of the abomination that is going on before our eyes and that requires national, European and international effort and determination for it to be eradicated.

What form should slavery remembrance day take? It could include many things: mandatory education in schools about slavery, as part of the national curriculum; ceremonies and events to mark the past and to guide the future; support for events such as Rendezvous of Victory's annual people's university of lifelong learning; and a cross-community consultative forum.

Tom Brake: Does the hon. Lady agree that it is important that the curriculum should present a picture that includes value judgments? I understand that the UK curriculum gives a very neutral presentation of Dalits and the caste system, which our education system should address.

Mrs. Ellman: I support the hon. Gentleman's comments. We could do that with support and contributions from people who might know more about their own history than those whom they are trying to educate. We have models on which this could be based—we have, for example, a holocaust memorial day, and educational materials produced by people with specific knowledge. This is certainly not value-free. We have the experience to know how to proceed with the hon. Gentleman's suggestions.

Remembrance day could also take the form of the development of a global citizenship education curriculum with pan-African educators, and programmes of action from the 2001 world conference against racism. This is not a definitive list; these are simply some suggestions.

At the moment, the national museums in Liverpool are working with the Liverpool Capital of Culture Company, of which I am a member, the black community, Granby residents' association, the city council and others to build a new museum centre to promote knowledge of transatlantic slavery. It is proposed that the centre will include a research centre, an academic centre and workshops. It will also be interactive. The centre is being developed in such a way that the visitor will not simply be a bystander who looks at something that has happened and moves on, but will be asked to consider slavery in relation to concepts of freedom and justice, human rights, current under-development in Africa and the Caribbean, reparations and contemporary slavery.

It is hoped that the museum and centre will be ready for 2007—the year before Liverpool becomes the European capital of culture in 2008. The year 2007 is significant both for Liverpool and for the fact that it is 200 years since the end of slavery in the UK. Liverpool has been central to slavery, to exposing the shamefulness of slavery, to trying to make citizens of the city and the world understand what has happened, and to trying to do better in future. It is a multicultural city—the world in one city.

It would be a fitting tribute if the opening of the new museum and centre came at the same time as the Government's recognition of national slavery remembrance day to remember and expose the past and to fight for a better future.

4.14 pm

Mr. Mike Hancock (Portsmouth, South) (LD): I am delighted to follow the hon. Member for Liverpool, Riverside (Mrs. Ellman), who offered us thoughts about how we can properly commemorate the past and look to the future. The Minister was very fair in her introduction, offering hon. Members the opportunity to make such suggestions, and it is good that the Opposition readily accepted that offer.

I am pleased to have the opportunity to speak, as the quality of the contributions has been remarkable. The common thread running through the debate has been the wish to highlight not only an evil aspect of our past, but what is happening now and the sadness that besets the world in which we live because slavery is far from dead. It is alive and well, and billions of dollars are made every year from the wretched way in which human beings are prepared to treat each other.

I accept everything that has been said about historical significance and the debt we owe to those people, black and white, who fought so hard against slavery. Some gave their lives to that fight. Wilberforce sacrificed his health in the campaign; some would say that much of his life was not well spent, but I doubt that anyone in this Chamber shares that that view. All of us are indebted to him for his commitment. Any commemoration would be right to recognise the people, black and white, who sacrificed their lives in various ways to bring about a change to the system—albeit not an end to slavery.

As a Member of this Parliament's delegation to the Council of Europe, I have long been actively involved in work to combat the exploitation of people. I have been responsible for writing reports on institutionalised children who are subsequently exploited and on the trafficking of human beings for organ transplantation. Once one starts to engage with the issue, it does not take long to understand, first, its complex nature; secondly the huge amount of money involved and, thirdly, the wretched existence that many people endure.

I spoke to a young girl who was first traded in Moldova for $100; she went through five countries to end up in the fifth traded in a sex shop in Antwerp, valued at $2,000. In two years in Europe, she had been exploited in five countries, all EU members. Fifty thousand under-age girls from Moldova alone currently work the streets in the sex trade in Italy. We can calculate that if they work five nights a week and have five clients a night, 1,250,000 illegal sexual acts are taking place per week in that single EU country—yet there were fewer than 100 prosecutions in the whole of Italy in a year. That does not make sense.

In this country, 1,400 women in a similar position are known to the Home Office—and they are only the ones that are known about. The true figure might be treble that number, if not many thousands more. Recently in Portsmouth two houses were closed down that were occupied by people in the sex trade—seven young ladies from China. What did we do? The response of the Home Office was the speedy repatriation of those girls to China and a very light sentence for the people behind the trade.

It is completely nonsensical to send girls back—to what? One has only to talk to people who have been exploited to know that, and, sadly, I have spoken to women who have been through that experience. Some of them have been traded, then sent back to their home countries from France, Belgium or the UK, but have been put back in the trade within months of their return. Why? Because the punishment for resisting is so bad for their families, and they would probably end up dead because those behind the trade would be so conscious of the evidence that they could offer.

The UK Government should be doing more. We should properly commemorate the passage of 200 years since the abolition of slavery. I want us to apologise for the part of our history of which no reasonable person could fail to be ashamed. I want us to introduce a proper commemoration—not only a one-day event, but a lasting memorial. The hon. Member for Liverpool, Riverside gave a good example in relation to the holocaust memorial. We should do something similar.

More important, I want the British Government to play a proactive part in co-operating and working purposefully to establish a European convention to which we shall willingly sign up, and work with our European Union and Council of Europe partners to ensure that it is in place. We want a common policy on fighting the trade. Trafficking is not remedied by simply sending people back. We must understand the consequences of that action for those human beings when they are returned to the evil people who sent them on their awful journey in the first place. If we fail in that, this debate will not be worth the paper on which it is printed in *Hansard*. It will be meaningless because it will have only addressed historical aspects and done nothing to advance the case of so many people who touch our lives in many ways, from the shoes and clothes that we wear to the scenes of exploitation that we see regularly on television.

The hon. Member for Islington, North (Jeremy Corbyn) referred to a trip along Oxford street to look at labels and explore what lies behind them. How many of us are not guilty of being part of the trade? We buy from those who are part of the system. He spoke with great eloquence about the get-out clause, whereby people say that they buy from subcontractors and did not know the source of the items. Really? I doubt that. We have only to look at the price that the traders paid for the items to realise that they knew the source. We have only to talk to buyers. I have sat on many aeroplanes next to people from the United Kingdom who were on buying expeditions to the far east and India. I represent a large Bengali population, and my constituents have told me many times that they have met business people from the UK in Bengal trying to undercut even already badly undercut prices, as a result of which further exploitation goes on.

As Members of Parliament, we have a responsibility to do more than just pay lip service to the debate today. The Government's duty is more than merely to give aid and say that we will target certain areas.

Jeremy Corbyn: Does not the hon. Gentleman think that when negotiating trade agreements, the World Trade Organisation should be far tougher on exploitation and all that goes with it? For example, incredibly low-paid workers producing cheap goods has a depressing effect on everyone else's living standards, because of the competition rules.

Mr. Hancock: I agree entirely. I have long believed that the World Trade Organisation has lost the plot in that respect. It does not want to discuss the issue, which is an embarrassment to the organisation, as it is to the society that it is trying to prop up by allowing such action to continue and not dealing with the problem.

When we target aid, we must be careful. Sadly, I have been in countries where aid projects that were put there for all the right reasons have been hijacked. When the eye is not watching what is happening all the time, people are simply further exploited. The benefits that we bring to small towns and villages and the way in which we make things happen or change the way in which local society is organised can make exploitation easier. The EU in particular has several questions to answer about why it does not follow through properly and fails to monitor and control the way in which its aid is used. In some instances, aid has made a situation worse, not better, because it has been given but not properly accounted for.

I am delighted that we having the debate and I hope that the Minister will give commitments that the Government can deliver. The evil of slavery is still with us. It is alive and well in our country, across Europe and throughout the world. If we do not make our Government more accountable to the House on such issues, they will have more excuse for not insisting that international organisations such as the United Nations, the EU and the Council of Europe do not give excuses for doing nothing. I have sat through too many debates on the issue and met too many dispirited, disheartened children whose lives have been ruined by such exploitation. We have to do something more than erect a statue, celebrate a day and print nice words in *Hansard*. We must have a commitment from our nation to say that we have had 200 years to get it right, but have not yet done so. Let us move forward, not just look backwards.

4.25 pm

Ms Oona King (Bethnal Green and Bow) (Lab): As we have heard, 2004 is the UN international year to commemorate the struggle against slavery and its abolition. As one of many British citizens descended

[Ms Oona King]

from slaves, I am gratified that this Government are the first in modern British history—I believe—to initiate a debate on slavery. We are here to consider the history of slavery, but also how to prevent its existence in future.

UNESCO says:

> "The slave trade is probably the human tragedy that affected the greatest number of people for the longest period of time in history."

Today it persists in new forms of massive violations of human rights proclaimed in the universal declaration of human rights in the United Nations in 1948, including child labour, forced labour, prostitution, and so forth.

Current estimates suggest that today 27 million people work as slaves. I will return to present-day slavery, but I wanted to highlight the experience of some of the Africans themselves, or their descendents, in the so-called middle passage. Those slaves who were able to free themselves—people such as Fredrick Douglass, Olaudah Equiano, Ottobah Cuguano and Phillis Wheatley—were all astonishing leaders who emerged from a background of degradation and human cruelty that we can barely imagine. It is important in a debate in 2004 in Westminster to hear some of their voices come back. I am always astonished when I read their descriptions. Cuguano wrote of his experience when he was placed into the slave ship that

> "when we found ourselves at last taken away, death was more preferable than life, and a plan was concerted amongst us, that we might burn and blow up the ship, and . . . perish all together in the flames; but we were betrayed by one of our own . . . it would be needless to give a description of all the horrible scenes which we saw . . . Brought from a state of innocence and freedom, and, in a barbarous and cruel manner, conveyed to a state of horror and slavery: this abandoned situation may be easier conceived than described."

Although it is difficult to describe these things, if only people were to read some of Frederick Douglass's work, and that of other amazing black figures who have done so much to illuminate and bring to life the horror, which, as Cuguano says, we can barely conceive.

As only the second black woman ever elected to the British Parliament, I feel that I should quote briefly from the first poem by Phillis Wheatley, America's first black poet, which, funnily enough, was about the English king and made her a sensation in 1767. She said:

> "How well the Cry for Liberty, and the reverse Disposition for the exercise of oppressive Power over others agree—I humbly think it does not require the Penetration of a Philosopher to determine."

If I may put that into 2004 slang, she is saying, "Isn't the hypocrisy of those individuals or government systems unbelievable, when they talk about liberty and freedom on one hand and practise oppression on the other?" It is instructive to consider the 12 million Africans who suffered as a result of that system and the 17 million Africans sold into slavery on the coast of the Indian ocean, the middle east and north Africa.

One thing that many African-American commentators stress is the pernicious nature of the institutions that followed slavery. As a bizarre aside, I would like to apologise to my father, who is a writer on the subject but whose books I had never read in my life, not even when they were among the politics course books at university. However, in preparation for this debate I thought that I would look up something that he had written on slavery in one of his books—he has been writing on slavery for ages and ages. He wrote about Frederick Douglass:

> "Douglass was clear that the need for resistance did not disappear with the institution of slavery. The life chances of the Afro-American were signally diminished not only by the peculiar institution, but also by the prejudicial arrangements that followed it. Emancipation was the end of an old game, but was also the old game being played in a new and more complex way."

I have to agree with my father's thoughts on that, not least if one considers the American penal system today. For instance, one astonishing statistic—every time I say it I think, "This can't be true", but it is what I was told—is that the number of African-American men, between the ages of 18 and 28 in jail today is greater than the number enslaved in the south. That is an indication of the complex ways in which institutional prejudice can cascade down the ages.

One thing that this debate is concerned with is the legacy of the slave trade. In that context, I should like to mention the situation in the great lakes region in Africa. I chair the all-party group on the great lakes region and genocide prevention, and I returned from Africa a few days ago. I am always amazed by the legacy that one can see clearly, although it is not a legacy of just slavery—obviously it is wrapped up with colonialism and there are also problems that Africans have brought on themselves, which one cannot for a moment walk away from.

There are many problems there, but if we consider Phyllis Wheatley's point about hypocrisy, surely the person who wins the title for the biggest hypocrite in the whole debate on slavery over the past 200 years is King Leopold of the Belgians. If we are talking about books that people should read if they are interested in the subject, I can say that "King Leopold's Ghost" by Adam Hochschild is an astonishing piece of work that shows how rubber slavery, as it was called then, killed 10 million people and left a legacy that is all around. Hochschild writes:

> "People in Europe continued to feel indignant over the 'Arab' slave-traders based on Zanzibar and Africa's east coast . . . European righteousness over the issue was more intertwined than ever with a growing desire for African colonies. Conveniently, the slave-traders were mostly Muslim, which allowed Europeans to feel still more virtuous . . . Leopold . . . impressed people with his vigorous denunciations of the slave trade that he was elected honorary president of a venerable British human rights organisation."

Even more shockingly, the king used his position to set up slave-trading routes. The man was clever—really clever:

> "The king described the need for fortified posts, roads, railways and steamboats, all of which would support columns of troops pursuing the slavers. He grandly offered the services of the new Congo state towards this noble end and asked in return only that the conference authorise him to levy import duties to finance the attack on slavery."

That passage takes my breath away—it is a description of the anti-slavery conference that King Leopold used as a bridge to move into the Congo and a fig leaf to cover his genocidal ambitions, and he got away with it. It is also worth mentioning a white bureaucrat, Edmund Morel, who was truly outstanding in showing what King Leopold was doing and ensuring that he was eventually no longer able to get away with it.

I have already quoted from another publication from closer to home, one that is published by the Tower Hamlets African Caribbean Mental Health Organisation. Perhaps communities outside the black community might think that it is really strange—why would a mental health organisation today be publishing something about black slaves or about freed slaves? There are two reasons. The first is to redress the imbalance of knowledge. People do not know what those black people did and the contribution that they made. The second is to try to inspire black people today. Jesse Jackson's words always spring to mind. He said to the black community:

> "You are not responsible for being down, but you are responsible for getting up."

I have given a fantastic example of how the east London Afro-Caribbean community has taken that on board.

I want to mention Anti-Slavery International, an NGO to which many people have referred. I have worked with it and have read its reports for seven years. I am always incredibly impressed by what it does.

I will conclude on the subject of present-day slavery, which we know means bonded labour. There are currently 20 million bonded labourers. It also means early and forced marriage, and we need to think about that. What does it mean to a 13-year-old girl who is essentially sold by her family into a marriage and is a sexual slave—quite often of a man who is 30 or 40 years older? That is also modern-day slavery. There is also forced labour, slavery by descent, trafficking and the worst forms of child labour to consider. An estimated 179 million children are forced to work in a way that is harmful to their health and welfare. There are also children who are forced into war.

I am always drawn to the human stories behind the statistics. I wanted to highlight a case that is on Anti-Slavery International's website. It is about Adriana, who was 16 when her father forced her to get engaged to a man from her home country of Albania. After staying with that man, Driton, and his family, the couple travelled to Greece. Adriana was then told by Driton that she would have to work as a prostitute. She completely rejected that idea, but he said that it would just be until they had enough money to buy a house and that he would beat her to death if she did not do it. She did and they flew to Paris using fake documents.

Whey they arrived, Driton forced Adriana to work on the streets as a prostitute. If she made any less than $300 a day, he beat her badly. Adriana called her parents. She was too ashamed to tell them the truth, so she told them that she could not send them any money back because she had not yet found a job. Her father told her not to bother lying to him, because he knew what she was doing. He was the one that had sold her to Driton for $20,000. She was eventually arrested by the police and deported back to Albania.

That is modern-day slavery. It happens all around and we must ensure that we give greater strength to the 1990 UN convention on the protection of the rights of all migrant workers and their families. We must also ensure that we have greater understanding that with increasing numbers of people moving away from their homes and families and being forced to migrate, increasing numbers will face the sort of situation that Adriana did.

Obviously, I am pleased that the UK Government were one of the first to sign the optional protocol to the United Nations convention on transnational organised crime, which deals with the trafficking of human beings. The Government are fully committed to its implementation. Worldwide, between 600,000 and 900,000 people are trafficked every year. The criminals running the trade earn more than $10 billion a year, and up to a third of their victims are children.

Of course I want to see the Government do more, and I am sure that when the Minister responds she will outline some of the further measures that the Government are taking. One of the most important is about the underlying issues of poverty. The UK is taking action to free Africa from the slavery of poverty; that can be seen from this year's UK aid budget, 41 per cent. of which goes to Africa.

Yes, I want a proper apology for the slave trade. Yes, I want a proper commemoration that highlights the horrors that my ancestors and others faced. However, I want more than that. More than both those things, I want a concerted effort by the international community to prevent the evils of slavery continuing down the ages, whether that involves eastern European women being trafficked, African women or the horrific situation facing the Dalits and others in some of the Asian caste systems. The fact is that slavery continues—27 million people are slaves today. Let us prioritise them above all else.

4.42 pm

Mr. David Drew (Stroud) (Lab/Co-op): It is difficult to speak last before the Minister because so much has been said. The debate has been very moving, and influential in making one's own views of this dreadful subject clearer. The starting point is that, much as we will look historically at slavery, slavery is as much a problem today as it was in the days of Wilberforce. Anyone who thinks that we can pass it off as something historical is sadly deluded.

However, I will start with a bit of history. It is good that my hon. Friend the Member for High Peak (Tom Levitt) is here. Like me, he will know from his time in Stroud that we commemorate the passing of anti-slavery legislation. There is an anti-slavery arch in Stroud, and Archway school is named after it. Recently, I had the honour of going to its refurbishment reopening—if there is such a thing—to commemorate the fact that in the days when slavery legislation eventually came to pass, the good burghers of Stroud paid money through public subscription to put up an arch. In those days, it was probably in the middle of nowhere, but now there is a housing estate around it.

People there are still proud of their arch, to the extent that money was raised again to put it back together when it was beginning to deteriorate because of the wear and tear of our climate over the years. The Stroud preservation trust in particular was responsible for making sure that the arch was brought back to a reasonable state of order. Various speakers came to the opening to talk about anti-racism and anti-slavery today. I make the connection between the past and the present and to say that my constituency has a tradition of which it is proud, and which continues today.

[Mr. David Drew]

Archway school has always prided itself on its internationalism and willingness to debate issues. I remember going to its debating society; my hon. Friend the hon. Member for High Peak may have been there too. The society was called the Soper—it was named after Lord Donald Soper, who is sadly no longer with us. As a result, it has always looked to do things on an international footing.

Bob Willey, a teacher there who has recently retired, has for a number of years taken groups of students to Geneva as part of the human rights and anti-slavery movements. Those students have engaged with students from all manner of other countries, to talk about what we in Britain could do to draw more attention to the problems that slavery continues to represent in our world. Again, I make no apology for paying tribute to Bob; I hope that he and the students from Archway school will continue with that work.

In passing, I am reminded of last year's national prayer breakfast. I will be chairman of this year's prayer breakfast, which is in a week's time; but last year, under the chairmanship of the hon. Member for South Cambridgeshire (Mr. Lansley), Andy Harrison was invited to perform his monologue on William Wilberforce. There is no more powerful way of representing what Wilberforce stood for in only eight minutes. The monologue told us what life was like for Wilberforce when trying to persuade this place of his ideas—it has not always been the most radical of places. It told us how that man set himself up with that one challenge, and was able to show how the votes had gradually moved in the right direction. It showed us that, time after time, year after year, Wilberforce was rejected and personally humiliated. It showed us also that he went through all manner of health problems on the back of getting his ideas accepted—it was his destiny as a Christian to try to get through those trials.

That is history. The question is where are we today. Like my hon. Friend the Member for Bethnal Green and Bow (Ms King), I went last year to the Democratic Republic of the Congo, where slavery is an ever-present problem. Even dearer to me—it is my passion—is Sudan. It is associated with many of the ills of our world, not least of which is Darfur, a place that I visited a few months back. The all-party group on Sudan will release its report in a couple of weeks—at least I hope so; it is now being written up.

The problems of the Sudan are legion. We could go completely off the subject—I shall try not to do so—and delve into that country's recent past. What shocked me more than anything was the question of slavery in Sudan. It has been recurrent, in the sense that it has been indicative of the African-Asian conflict between Muslims and the Christian south. There are some hopeful signs, but the slavery element hits home because of the way in which we have tried to deal with it.

Although she is not of my political persuasion, I have tremendous respect for Baroness Cox. She got involved in slave redemption—she did it for good Christian reasons—but we all know what happened, with abuses and with slaves being bought and then bought back, and with people making money on the back of it.

One of the problems with slavery is that we can talk about it—the hon. Member for Portsmouth, South (Mr. Hancock) gave us a great peroration—but if it is all words, it makes no difference. The problem with slavery is ending it. It is good that Governments can pass resolutions in the United Nations; it is even better for us to do things on a more finite level at Westminster. When it comes down to it, however, it is difficult to persuade people that slavery is wrong when they earn their livelihood from it. They think that what they are doing is not wrong, because of the cultural and the attitudinal things that have for generations constituted the way in which people live their lives.

It is problematic. As with slave redemption, we can see how not to do it; everyone now agrees that what was going on was probably fallible even if genuine. The question is what one should do instead when people say, "If you are not going to pay us for these people, we'll just get rid of them", because that is the reality: they are simply a meal ticket to these people. It is therefore incredibly difficult to deal with the problem. We see that with trafficking and the way in which the west engages with it, because we do, in a sense, exploit these people by allowing them to come through in the worst possible way.

Trafficking does huge psychological damage, whether through conflict or by treating people purely as vessels. It really does do enormous damage to them, but it also eventually damages everyone connected to it, because it is unsustainable. We can all see what has gone wrong. I was a bit of an economic historian in previous incarnations, and I am aware that it is very easy to justify these things. Some econometricians, for example, have tried to defend slavery on economic rather than moral grounds, and have argued that it was fundamental, along with the railways, to the creation of modern America. America did exploit slavery to build its economic wealth, so I am not sure whether we can blame George Bush for that, although we can blame him for many other things. There is an antecedent to the way in which modern countries, including our own, have used slavery for economic growth, and it is very dangerous to see that continuing today.

We must deal with the international aspects of slavery. It is still there, and still needs more than just motions and resolutions. It needs activity. We must always ask, through our Government, how something will fund economic activity, and if it has anything to do with slavery, we should pull back from it, no matter how much difficulty that causes us, and say, "This is unacceptable." "A fair wage for a fair day's work" must be our motto, and if that is the only way we can deal with slavery, that is how we should proceed.

4.52 pm

Fiona Mactaggart: With the leave of the House, I shall sum up the debate. I know that that is not usual, but it seems proper in view of the tone of the debate. I also want to take the opportunity to answer some of the questions that hon. Members have asked.

I believe that those who have spoken in this debate share a sense of horror about the history of slavery, a sense of shame that Britain's history and prosperity were built on such a tragic trade, and a sense of determination to ensure that the abuse of human rights inherent in the slave trade is not repeated. I believe that we also have a shared determination to make appropriate reparations for slavery, both historically and as it exists now. I was pleased by the range of suggestions—the statue proposed by my hon. Friend the Member for Islington, North (Jeremy Corbyn) and the proposals advanced by my hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman), for which that she has been campaigning for some time—and to hear about the memorial day and activities that are already happening in Stroud.

I was keen to cast forward to the bicentenary of the abolition of the trade, because we should remember that slavery in Britain was still legal for many years thereafter. Talking about the bicentenary was an opportunity to broaden the debate, instead of confining our discussion to the usual suspects and the active campaigns about an appropriate way to acknowledge and make practical reparations for this history.

I am pleased by the acknowledgement of how racism in the present day has its origins in slavery, and I am glad that I have helped to force my hon. Friend the Member for Bethnal Green and Bow (Ms King) to read her father's writing. She should do more of that. His analysis of how formal slavery was swapped for a new form of slavery is endorsed by many people's experience.

I believe that we have provided a springboard: I suspect that it is unprecedented for a Government to initiate a debate of this kind—at least, I have not been able to find a precedent. It is always a bit nerve-wracking in this place to claim that there is none, because then somebody will be sure to discover one. I thank hon. Members for being gracious enough to acknowledge that I am not in a position to answer for all the Departments that have an interest in this matter. I will try to ensure that all their questions are answered; I will address some of them now, but if my response is inadequate, I am sure that they will encourage me to follow things up with my colleagues. I will ensure that the debate is copied to my right hon. Friend the Secretary of State for International Development, because I think that he in particular will welcome it.

I am glad that at many points in the debate we connected the history of racism and slavery with our present determination to tackle poverty and its consequences. I reiterate our commitment to using our presidency of the G8 to play an active role in the review of the implementation of the millennium development goals, which the international community signed up to achieve by 2015. Let us remember those pledges—that every child will attend primary school, to combat HIV/AIDS and to reduce extreme poverty. It is essential that the G8 and other donors live up to the commitments to increase aid and make it more effective in tackling poverty and to improve the way in which our policies cohere with our development goals.

I was asked whether I was confident that our international development strategies include enough to deal with forms of contemporary slavery, as well as tackle extreme poverty. I sensed an anxiety in some Members about the focus on extreme poverty. The economic development of countries such as India is moving forward swiftly. Will a consequence of that be that some of the issues that have been raised are given insufficient attention or ignored?

Tom Brake: Is the Minister aware that India has turned down an offer from the Danes to investigate the issue of Dalits? She is right to be concerned that the focus may go off such matters.

Fiona Mactaggart: The evidence is that the focus in the UK's programme has not gone off those matters. That is important. We continue to work on them with the International Labour Organisation, the United Nations, non-governmental organisations and other Governments. I gave some examples of that work.

We have signed up to some key international instruments. I intend to discuss some of the international conventions that concerns have been expressed about.

Jeremy Corbyn: Is my hon. Friend not concerned that the ILO's inspection rights and powers of enforcement of existing statutes are limited, and, beyond that, that they are wholly inadequate for dealing with the issue of either zero wages or very low wages in the poorest countries?

Fiona Mactaggart: There are issues about how the ILO can be effective. Part of our role as an aid giver is to work in a way that supports the ILO in taking international action and supports some of those grass-roots or ground-level initiatives that I cited, which can protect forced labourers or help them to escape. They can also help to promote legislation to prevent certain practices—I gave the example of camel drivers in the United Arab Emirates.

As the debate makes clear, there is no single bullet that will put an end to this kind of abuse. What we need is a combination of international will, international legal frameworks, bilateral pressure on Governments that fail to meet the standards that the international community expects, and investment in the citizens of poor countries to enable them to make the necessary changes. My hon. Friend is right to say that some measures could be stronger, and that they would be more effective if they were, but he acknowledges that the UK has played a substantial role in pressing for the strengthening of international institutions. We have also played a leading role in providing practical support to on-the-ground citizens' initiatives, which can make a difference.

A sustainable international development strategy is a key requirement if we are to begin to tackle such issues. It is not inevitable that countries that become more prosperous have better records on human rights and other issues, but development tends to happen that way. One reason for that is that the pressures on such countries to meet standards get broader, because other countries are not only aid givers, but potential investors who do not want to risk their reputations by being involved in child labour, for example. A multi-strand strategy that combines international conventions, our aid programme and growing investment and development in poorer countries can therefore help.

I was asked specific questions about child soldiers, including whether they could be treated as refugees. Our position—this is very important internationally—is that

[Fiona Mactaggart]

the 1951 refugee convention is the cornerstone of refugee status in the UK, although its position as such is often threatened. The convention provides for anyone who has a well-founded fear of persecution on the grounds of race, religion, nationality, political opinion or membership of a social group. The courts have interpreted that provision quite widely in some cases. If someone can demonstrate a well-founded fear of persecution on one of those grounds, they can qualify for refugee status.

On whether the Government will establish a slavery memorial day, the Prime Minister said in 2000 that we should consider it. He recognised

> "the support expressed . . . for commemorating the suffering of all those sent into slavery, and celebrating its abolition. A Slavery Memorial Day is one possibility. But there might be alternatives."

I hope that our discussion will put some welly behind the debate about the proper way to commemorate such things—indeed, I think that it already has. [*Interruption.*] I am seeing some twitching: perhaps "welly" is not a very parliamentary term. None the less, I hope that our discussion will make the wider debate more forceful and help it to grow. As I said at the beginning, that debate is taking place in quite a narrow field, although the early-day motion introduced by my hon. Friend the Member for Liverpool, Riverside has helped to broaden it, and I hope that this debate will do the same.

We want a commemoration that does justice to the issue. It might take the form of a day, or of doing something enormous for the bicentenary. It might involve developing national curriculum materials that mean that teachers can feel confident in teaching about slavery in a way that includes morality. I am not convinced that the history of slavery should be only in the history curriculum; it should be in the citizenship curriculum to mark the fact that people can be turned into commodities and how degrading that is. As the debate has shown, the fact that slavery still happens should touch the humanity of us all. There are a number of ways in which we must pursue the matter. I make a commitment to ensuring that by 2007, we will have a clear view of how the memorial should best be made. I will take on board the views of hon. Members expressed in the debate.

Questions have been raised about our commitment to a common European Union policy and about international conventions. We support the Council of Europe convention and are playing a full part in the negotiations and drafting of the report. We were one of the first signatories of the UN protocol on trafficking and we engaged fully in discussions on the subsequent EU framework decision. However, we have not signed up to some conventions and protocols, including the international convention on the protection of the rights of all migrant workers and members of their families and the European convention on the legal status of migrant workers. Those conventions, which seek to provide a universal way of dealing with some of the issues, do not necessarily provide a solution that will work best either for the extreme victims of trafficking, or for effective immigration control in Britain. For example, if anyone who had been a victim of trafficking had a statutory right of residence, we could put more people at risk of being trafficked. Our view is that providing effective refuge and support for victims and using the existing flexibility in the immigration rules on a case-by-case basis to provide status for people who have been trafficked is a better course of action.

Ms Oona King: I understand why to offer that right to people who had been trafficked might backfire, but are the Government willing to consider offering trafficked people such as Adriana, who I mentioned, a three-month period of reflection before they are deported back to their country of origin? Will my hon. Friend write and let me know whether they will consider that?

Fiona Mactaggart: In practice, that may well happen in many cases, but we are not planning to have a formal period of reflection because of the risk that I have already described. We are providing for trafficked people to have refuge and to be supported when, for example, they are giving evidence. It is important that when people are willing to give evidence against traffickers, we give them support, refuge and residence—the ability to stay in this country while that is happening. However, we are certain that to provide a blanket period carries risks that could make things worse.

We are reviewing the pilot Poppy project to try to see what works best to protect trafficked women. I hope that the House accepts our determination to protect the victims and to combine that protection with effective prevention of more women becoming victims. We will not sign up to a formula that might put some of that work at risk. We have also launched a consultation on all forms of sex crime, and that is one of the things that will be considered in the review. We have determined that we will review the work done so far before working out precisely what to do next.

Mr. Streeter: It might help the Minister to know that I strongly support the approach that she is taking. She mentioned the Poppy project, which supports 25 women and which the Government are reviewing. Is there any possibility of increasing the number of people that it helps? Given the scale of the problem, 25 is a very small number. I realise that it is a pilot, but we would strongly support the extension of that scheme to provide support for more people.

Fiona Mactaggart: We want to use the Poppy experience to ensure that we can protect women more effectively. One of the reasons why there are insufficient places is that there have been difficulties in moving on some of the women who have been one of the 25. One of the problems that we are addressing is what happens if the women get stuck there—for instance, if they have to stay in this country to give evidence. I assure the hon. Gentleman that we will develop a proposal to tackle such bottlenecks. We recognise that the situation is unsatisfactory.

My hon. Friend the Member for Bethnal Green and Bow expressed her horror at the fact that there are now more African-American people who are descended from slaves in United States jails than were in the country as slaves. Institutionalised racism is still present in the United Kingdom as well. There are more such people of the appropriate age in our jails than there are in our universities. I know that slavery helped to create the attitude to other human beings that underpins the workings of racism—we heard today about caste-ist graffiti about Dalits and other examples of hatred.

I am certain that, as well as commemorating the past and recognising that slavery is a crime against humanity that we cannot permit—we will take every step to prevent its continuation—we should be determined to deal with its legacy, the existence of racism and inequality in Britain. I hope that this debate proves to be the start of something, not the end. I have a feeling that it will. If any hon. Member has raised a matter that I have not been able to deal with, I shall be pleased to have it drawn to my attention after the debate. I shall make sure that I provide a response. I am glad that I took the risk of introducing the subject. We have proved that this is the right place to start. Now I want to ensure that this debate is the beginning of something bigger.

Question put and agreed to.

Adjourned accordingly at thirteen minutes past Five o'clock.

Westminster Hall

Tuesday 19 October 2004

[MR. JOHN MCWILLIAM *in the Chair*]

EU/Iran Relations

Motion made, and Question proposed, That the sitting be now adjourned.—*[Joan Ryan.]*

9.30 am

Mr. Win Griffiths (Bridgend) (Lab): I appreciate my good fortune in obtaining this debate. It was only a year or so ago that we had another debate on Iran. It is quite fair that after eight years of the so-called efforts of constructive engagement by the British Government and the European Union, we should review the situation with regard to the outcome of that constructive engagement.

First, I shall start with a piece of constructive engagement of my own, although it arose out of difficult circumstances. A year ago last April, two members of the National Council of Resistance of Iran, who were in Syria on proper visas, were arrested by the Syrian Government. Their names are Ibrahim Khodabandeh and Jamil Bassam. They were political refugees in Britain, and had been so—in the case of Ibrahim—even before the revolution and the removal of the Shah.

They were illegally handed over to the Iranian Government, who for many weeks did not admit to having them. Eventually they said that they did have them in custody. After they had been in custody for about a year, I was allowed to visit them, as were Ibrahim Khodabandeh's daughter and her family.

I had been told verbally that I would not get a visit, but having made a formal written request I was surprisingly allowed one. When I got there, I could see that the purpose of the visit was not only for me to speak to Ibrahim Khodabandeh and Jamil Bassam—I was able to, not in completely confidential circumstances but in reasonably private circumstances. However, during my visit from 14 to 17 June, on which I was accompanied by the hon. Member for Rochford and Southend, East (Sir Teddy Taylor)—my travelling companion, so to speak, although we were looking at the Iranian Government from different sides of the fence—we had several meetings. For example, we met families who claimed that the People's Mujaheddin Organisation of Iran did not allow them to see relatives who were members of the mujaheddin.

We went to the Workers' House of the trade union movement, where we met people who said that they had been injured, or that their relatives had been injured or killed, in attacks made by the mujaheddin in Iran. We also went to the Museum of Martyrs, where we met a charity that works to provide for those who lost breadwinners in the Iran-Iraq war, and in any activities carried out in Iran by the People's Mujaheddin.

We went to the revolutionary tribunal; of course, in any circumstances, the words "revolutionary court" tend to send a shiver down one's spine. I met the judge considering the case against Ibrahim and Jamil, and was assured that everything in Iran's prisons was fine. I then raised the case of Zahra Kazemi, the Canadian photographer of Iranian family who had been battered to death in Evin prison, and was told that judicial proceedings were going on. Originally, her death was attributed to an accident, but two Iranian Government officials in the prison were then tried. However, after we got back, at the end of June or perhaps the beginning of July, we found out that the Canadian Government were not allowed to have representatives in the courtroom, that the trial was cut short, and that no one was found guilty of anything. That is a comment on Iranian justice.

I also was taken to a demonstration outside the French embassy by those who claimed that they had been hurt in some way by the activities of the PMOI in Iran and who were seeking redress in French courts. So far as I know, nothing has come of that.

I also met Mohsen Mirdamadi, an ex-reformist MP whom the Council of Guardians had prevented from standing in the February elections. He was one of many reformist MPs prevented from standing. Iran's system of democracy is still very much in its infancy if the Council of Guardians can prevent those who had spoken up against certain aspects of the regime from standing for election.

I tried unsuccessfully to meet the deputy head of the judiciary, Mr. Larijani, but I did meet Dr. Araghchi, whom I suppose we would call the Minister for Western European Affairs. I put it to him that the two political prisoners were illegally handed over to the Iranian regime and should be returned to the United Kingdom; if Iran was confident of its case, it could make an application to our courts. After all, the PMOI is on our terrorist list; if we thought that a case had been made, we could return them to Iran in a proper judicial manner. I am still awaiting the outcome of that request.

Sir Sydney Chapman (Chipping Barnet) (Con): The hon. Gentleman is talking about constituents of mine and of the hon. Member for Finchley and Golders Green (Dr. Vis). I applaud the hon. Gentleman's efforts—indeed, we are both very grateful for what he has done—but would he not agree that the real test will be whether those two prisoners are returned to this country? If they are not, there should be no question—I for one certainly will not be doing so—of trying to co-operate in any way with the Iranian regime.

Mr. Griffiths: That is important because the case, or the individual cases, could test the whole idea of constructive engagement, and of whether the Iranian Government are really determined to introduce equality before the law, and justice for their citizens. Yes, it is a good test of whether that can happen, and I certainly hope that it does.

My visit was incredibly badly reported on various websites, and I spent quite a lot of time issuing rebuttals to things that had been said. To give one example, it was said that the National Council of Resistance of Iran had tried to prevent me from going. Not only did the council not prevent me, but it was positive and helpful in providing information and so on for my visit. That is the sort of thing that I have had to contend with since my return.

One important element relating to what has just been said is that a senior member of the prison service, Mr Haj Mortezr, was present at one of our meetings.

[Mr. Griffiths]

We had three meal-time meetings—two with one prisoner and one with both. An official statement was read out, mainly for my ears rather than for the benefit of the hon. Member for Rochford and Southend, East, although he was listening carefully, saying that amnesty would be granted to any member of the PMOI who returned to Iran. I explained that that was fine and that it had been spoken of before, but that given the 20 years of hostility, deep distress and broken promises, it would not merely be a matter of people returning to Iran. There would have to be a properly negotiated settlement and a properly monitored return. Before such things could happen, the prisoners Ibrahim and Jamil would have to be returned to the UK, to show that the Iranian regime was making a positive effort to turn things around.

I am very grateful to the Iranian Government for having allowed me to go. That was part of the process that has been going on for eight years—we are given some hope, then we are sat on pretty firmly, and it is a struggle to find a way to secure a positive outcome. I am still doing that with regard to Ibrahim and Jamil. When I returned, I had a meeting for about an hour and a half with the Iranian ambassador. I then wrote to him to take up the issue of the amnesty, and how we should proceed with the return of the two prisoners to the UK so that their case could be tested in our courts. All that is still going on, and the PMOI is still on our terrorist list and that of the EU. Events have moved on since July, and we should think about removing it from those lists. I shall return to that later.

I now want to discuss the outcome of the eight years of constructive engagement.

Sir Teddy Taylor (Rochford and Southend, East) (Con): To avoid misunderstanding, would the hon. Gentleman make it abundantly clear that the NCRI is the political wing of the Mojahedin-e Khalq—or MKO—which has been classified by Britain, America and Europe as a terrorist organisation on the basis of the most appalling terrorist incidents, of which we have details? I can supply many more—it is all clarified in a book that I have here, and of which I think the hon. Gentleman has a copy.

Mr. Griffiths: I was not given a copy of that book; I do not know why the hon. Gentleman received one and I did not, but he will know that in Iran I was challenged on many occasions to explain why I support the PMOI. I frankly told my hosts that their Government had been responsible for killing many, perhaps over 100,000, members of the People's Mujaheddin, and that in 1988 there had been a particularly savage murder, the slaughter of about 30,000 political prisoners. A religious fatwa was issued by Ayatollah Khomeini, part of which stated:

> "It is decreed that those who are in prisons throughout the country and remain steadfast in their support for the [mujaheddin] are waging war on God and must be executed."

More people were killed in that series of executions in 1988 than are listed in the book that the hon. Gentleman has in front of him. Yes, I am mindful of the fact that this violent military argument has been going on for a long time. Such arguments and disputes have gone on in many parts of the world where there have been hatred and bloodletting. However, there have been agreements in the end. Think of South Africa, where the African National Congress had a military wing, Umkhonto we Sizwe, and Nelson Mandela stayed in prison for 27 years because he would not give up the concept of the armed struggle.

In this country, there have been negotiations to try to bring to an end the long, bloody conflict in Northern Ireland. All that I have said about constructive engagement is in the context of trying to find real change in the relationships between the European Union and Iran, and between the NCRI and its members, of which the PMOI is the largest—there are four or five others. We need to find a way to bring the current violent period to an end.

The issue of human rights has dogged the post-Shah period from the very beginning.

Mr. David Drew (Stroud) (Lab/Co-op): Will my hon. Friend give way?

Mr. Deputy Speaker: Before the hon. Member for Bridgend (Mr. Griffiths) gives way, I ask Members who use acronyms to use them in full the first time to give the *Hansard* transcribers a chance.

Mr. Drew: I shall try not to use an acronym, Mr. Deputy Speaker.

My hon. Friend the Member for Bridgend makes a powerful case. Would he also accept that the measure of the quality of a democracy is how it treats its minorities? Iran's treatment of its Christian minority is utterly disgraceful. Would he care to comment on that as well?

Mr. Griffiths: As in so many cases, there are always two aspects. The Iranian Government point to churches in Tehran where Christians are allowed to worship; on the other hand, I know of cases of Christians and other minorities being persecuted.

In that context I would like to mention the persecution of followers of Baha'i. Our Government have been strong in trying to change the Iranian Government's attitude to Baha'i, but there has been a long history of persecution, which has intensified markedly this year, since the removal of virtually all the reformists from the Iranian Parliament. For example, followers of Baha'i are denied access to higher education. About 800 of those who took the exam for university this year and were accepted found that when they received their acceptance notices they had been listed as Muslims. They said, "Sorry, we're not Muslims, we're Baha'i," but were told, "Well in that case you can't go to university." Progress on the treatment of followers of Baha'i ought to be a litmus test of how the Iranian Government intend to commit themselves to improving human rights—indeed, it could even be a test of the success of the EU-Iran dialogue on human rights.

The Canadian Government do not have the PMOI on a terrorist list—not all Governments in the world do. This year they are sponsoring a resolution on Iran at the UN General Assembly session—I cannot remember whether it is the 55th or the 59th—to raise many issues relating to human rights and the treatment of the Baha'i faith. In years past, but not in the past few, the EU has supported resolutions on Iran, but again last year it did not. I hope that there will be total EU support this year for a resolution on Iran, as a way of raising the prospect of the Iranian Government responding positively on such issues.

When we consider the events of the past year in Iran, we can only say that, unfortunately, the human rights situation appears to be deteriorating. Since March this year, the regime has announced more than 100 executions—the figure is taken from official, Government papers—many of which have been carried out in public. One or two cases have been highly publicised. For example, on 15 August, a 16-year-old girl was hanged in public. She was charged with acts incompatible with chastity. In another town called Marivan in western Iran, a 13-year-old girl was sentenced to execution by stoning because she was allegedly made pregnant through an incestuous relationship. She was stoned, but it seems that the person who committed the misdeed was not brought before the courts.

I mentioned Zahara Kazemi and the fact that the trial of the two people who allegedly caused her death in prison was brought to an end without any public viewing. It seems that she was battered to death, but that the Iranian Government accept that she was killed by falling down and hitting her head on a stone floor, even though her recorded injuries were more than would have been caused simply by falling down.The human rights situation is not good.

The UN rapporteur of the working group on arbitrary detention, Louis Joinet, was in Iran in 2003. On his return, he said:

"There were probably more members of the mujaheddin being held in ward 209 of Evin Prison whom we were unable to see. We believe that the treatment of those held in this ward is inhumane and contrary to human rights."

While I was there, on 14 and 15 June, the EU-Iran dialogue was going on in Tehran. On 11 October, the General Affairs and External Relations Council adopted a resolution on the conclusions drawn following the dialogue. It stated:

"The Council remains deeply concerned that despite this commitment, serious violations of human rights are continuing to occur in Iran"

and that

"little overall progress has been achieved since the start of the dialogue in December 2002."

It added that

"little progress has been made on implementing the recommendations arising from"

the visits of UN special rapporteurs.

It went on to say:

"The Council noted that the situation with regard to the exercise of key civil rights and political freedoms, such as freedom of expression, has deteriorated since the Parliamentary elections of February this year. The Council . . . expressed its concern about the recently increased number of reports about execution being carried out in apparent absence of respect for internationally recognised safeguards, and about the executions of juvenile offenders. It regretted that . . . discriminatory practices continue against women as well as against persons belonging to religious minorities, both recognised and not recognised by Iran."

I conclude with this quote:

"The Council further reaffirmed its position of principle that the dialogue remains without prejudice to the tabling of a resolution at the UN Commission on Human Rights or at the Third Committee of the UN General Assembly. It agreed that at the 59th session of the UN General Assembly, the EU will convey its deep concern at the serious violations of human rights in Iran."

After eight years, there has been little, if any, progress.

I now come to the nuclear issue, which is one of concern and which has received much publicity recently. This ongoing debate was not much of an issue until the NCRI announced that the Iranians have a secret nuclear programme, and that there was a possibility of them enriching uranium and plutonium to make weapons-grade materials. Then, of course, the Americans, with their satellite technology, focused on the places mentioned, and it was all confirmed. Since then, the Iranians have revealed some things, but not everything, and it is only as a result of inspections by the International Atomic Energy Agency that more has come to light.

The so-called EU three thought that they were on the verge of getting the Iranians to accept that they should give up their enrichment programme, and although the Americans were trying to take an even stronger line, the EU thought that it had achieved a workable compromise. However, we now read in the Iranian press that Iran intends to carry on with its uranium-enrichment activities. Hossein Mousavian said:

"Iran is not prepared for cessation—any package including a cessation of fuel cycle work would be rejected".

The Iranian press—not only the Government press, but what could be regarded as the reformist press—has made it clear that the Iranians should stand firm.

Again, this is a major issue, and I hope that the UK Government will consider it. My right hon. Friend the Foreign Secretary has expressed concerns, and in an interview on Radio 4 on 4 July, he talked about us taking

"two steps forward and it's sometimes two back as well".

He also expressed some optimism. Like him, I am an optimist, and I hope that there will be some positive outcomes from these revelations about a programme that could have resulted in the Iranians getting nuclear weapons.

There are some worrying signs given the situation in Iran. From reports in the press, it is clear that the Government of Iran have used the chaos following our invasion of Iraq to send in a lot of their people. Thousands of armed operatives have gone into Iraq, and there is an extensive clandestine intelligence network in the country. It has been suggested that Iran has moved into the best position for decades to influence the political shape of Iraq. Indeed, on 20 July, Iraq's Defence Minister himself, Hazem Shaalan, said:

"Iranian intrusion has been vast and unprecedented since the establishment of the Iraqi state. Generally speaking, Iranians have penetrated the country's sensitive centres and set up many intelligence and security centres in Iraq."

That is the position, and it is a cause of great concern. The matter must be pursued at diplomatic level to see whether we can get to the bottom of it and remove that Iranian influence.

[Mr. Griffiths]

I return to the terrorist tag on the PMOI. Even though it did not participate in any of the fighting, it was bombed in the war. Since then, the Americans have taken over its camp at Ashraf and have interviewed thousands of its members there. The Americans' conclusion, which was published on 27 July in *The New York Times*, stated:

> "A-16 month review by the United States has found no basis to charge members of an Iranian opposition group in Iraq with violation of American law."

The newspaper also quoted senior American officials as saying that

> "extensive interviews by officials of the State Department and the Federal Bureau of Investigation had not come up with any basis to bring charges against any members of the group."

The group—the PMOI—has now been granted protected status under the United Nations convention. A proclamation dated 2 July

> "by the Commander, Multi-National Forces—Iraq, on the Signing of the 'Agreement for the Individuals of the People's Mujahedin of Iran . . . ' at Ashraf"

begins

> "To the residents of Ashraf
>
> The United States has confirmed your status as 'protected persons' under the Fourth Geneva Convention".

The interesting thing in relation to the terrorist tag is that as part of the agreement the people at Camp Ashraf have rejected participation in or support for terrorism; they have given up all their military equipment and weapons; they have rejected violence and will not unlawfully take up arms or engage in any hostile act.

I have a copy of the document that those people are signing, probably at this very moment. There is a very strong case for the European Union to remove the terrorist tag, because they have been accepted as protected persons, and have said that they will not engage in or support terrorism or violence; they have also given up their arms. I hope, therefore, that my hon. Friend the Minister will announce that positive steps will be taken on that point, and that there will be renewed efforts to make constructive engagement work or to find another way of peacefully allowing democracy to continue.

Andrew Mackinlay (Thurrock) (Lab): Am I correct in assuming that the piece of paper to which my hon. Friend referred—the certificate from a United States general—has been given on behalf of the coalition? This may be a matter of joined-up government. It appears that the coalition, of which we are a part, and which the Minister represents this morning, has given the relevant people in Iraq a clean bill of health with respect to terrorism. Perhaps the Minister and my hon. Friend will pick up on that point.

Mr. Griffiths: I confirm that the proclamation is made by

> "the Commander, Multi-National Forces—Iraq"

on the signing of the agreement. It is on behalf of the multinational forces. Just as, in the case of Ibrahim Khodabandeh and Jamil Bassam, I am looking for a gesture from the Iranian Government to allow them back to Britain so that judicial and democratic processes can work properly, signalling a new departure by the Government of Iran, I hope that our Government and the EU will begin to play a more positive part.

I appreciate that there are tremendous difficulties. I have suffered and faced them myself during my visit and in things that have transpired since. However, I certainly hope for new and positive measures, perhaps to enable the people of Iran to take part in a referendum on democracy, and to engage in open debate about the type of democracy that they want.

Several hon. Members *rose*—

Mr. Deputy Speaker: Order. I have no power to impose any time limits, but, as hon. Members can see, there are many who want to take part in the debate. Brevity may allow everyone to be included.

10.3 am

Sir Teddy Taylor (Rochford and Southend, East) (Con): I shall be as brief as possible. First, I have the highest regard for the integrity of the hon. Member for Bridgend (Mr. Griffiths). He is one of the few Labour Members for whom I would vote, because I know that he is a man of principle, although I disagree fundamentally with his views on Iran. I have had the highest regard for him in many years in the House.

I have three brief points to make. First, we have an obligation to Iran. When we were engaged in discussions about the Iraq invasion I checked quite a bit of material about the war of 1980 to 1988 and the invasion of Iran by Iraq. The plain fact is that the western powers were, at that time, giving full support in every way to Saddam Hussein. I have a list of all the appalling weapons of mass destruction, including anthrax, with which the United States Government provided Saddam Hussein. I mentioned them in our debate on Iraq last March. We have an obligation to appreciate that we are not innocent parties on this issue.

My second point, which I hope the Minister will at least discuss and perhaps study, even if he does nothing about it, relates to today's motion on the European Union. I hope that the Minister will make a special point of carefully considering the Funding for Peace Coalition paper, which I am sure he will have read, on the vast amounts of money that the EU gives to the Palestinian Authority that go straight into funding terrorism.

The publication is not simply one of those argumentative pieces, but a pamphlet that goes into great detail. It mentions names, amounts, and how, because of the sheer inefficiency of the EU in managing its funds, a vast amount of money goes towards the purpose that I mentioned. It says, for example, that 60 per cent. of the PA budget was supported by overseas donations, and that, last year, the EU gave £112 million to the PA. It mentions in particular how the funding goes in various ways to al-Aqsa Martyrs and to other terrorist organisations.

Of the many members of the PA-funded militias involved in acts of terror against civilians, including Europeans, the most notable is Marwan Barghouti, the leader of Fatah-Tanzim, who was convicted on charges of murder and yet is still, unbelievably, drawing a salary from the European-supported PA budget. It is all there in great detail in the paper, which I hope the Minister will study. If he has not seen it, I will be glad to give him a copy.

My third point relates to Iran and to the MKO—or MEK—and other terrorist organisations. Here, again, the EU has a responsibility, because the headquarters of those organisations were in France for a time until the EU recognised that they were nasty, serious terrorist organisations, and they left as a result. They went to Iraq, which, as we know, has had an obsession with Iran for many years. First, are they innocent, decent and respectable people? The groups' worldwide campaign against the Iranian Government stresses propaganda and occasionally uses terrorism. In the 1970s, the MKO/MEK killed US military personnel and US civilians working on defence projects in Tehran. It also supported the 1979 takeover of the US embassy in Tehran.

In 1981, the MKO/MEK placed bombs in the head office of the Islamic Republican party and the Premier's office that killed some 70 high-ranking Iranian officials.

Mr. Griffiths: Unfortunately, there are different truths on either side of the fence in all these activities—let us call them wars. The People's Mujahedin of Iran, or the followers of Mr Rajavi, were not accused of the particular incident to which the hon. Gentleman refers until some time afterwards. In fact, the Iranian Government originally accused other elements of that attack. They focused on the supporters of Mr Rajavi only later, for, I believe, political purposes.

Sir Teddy Taylor: I fully appreciate that there are different views. That is why I do not go in for propaganda on these issues. I do not listen to what organisations say, but take different quotations provided by the Library's research department. All I can say is that I have the full details of all the activities provided by the Library, which is excellent when one is trying to find out the truth, as the hon. Gentleman will know. I will be only too glad to give him all this information if he so wishes.

On the question of the MKO/MEK and its activities in Iran, I have the paper that I mentioned. I urge anyone to read it before they take a firm line on the matter, as it details the people involved in terrorism. The hon. Gentleman and I took out for a meal a gentleman who was sentenced to, I believe, 33 years' imprisonment for killing two children in one of these activities. Sadly, the paper details a huge number of the organisation's activities that involve terrorism. That is frightening, and we should not ignore it.

Time is short, so I shall make only two more points. First, does the Minister accept that by and large Iran has a good reputation in many areas? I was impressed—this might surprise people—to find out that while some Arab countries have terrible problems in religious matters, in Iran we saw a synagogue—there are five. There is a large Jewish community, which has freedom to worship, and there are many Christian churches. I met the people coming out of one of them and asked whether they had any problems. They replied, "Absolutely none."

My second point is about the nuclear issue. I accept that it is always difficult to arrive at the truth in such matters. However, the only way in which we can make progress is to treat countries with respect. Could the Government not suggest that there might be merit in calling a conference to promote the middle east as an atomic-free zone? That would involve Israel and others in getting rid of atomic weapons, but it would be a way of making progress, which will not happen if things continue as they are.

Finally, is there not a case for the Government to make it abundantly clear that the terrorist organisation MKO has little support in Iran? The impression I gained—I am in no sense an expert—was that public opinion, which used to be supportive to an extent, turned against it because, unfortunately, the MEK and the MKO supported Iraq at the time of the invasion of Iran. There is no question—there are detailed allegations in a House of Commons paper—but that they not only gave it support but were involved in the armed conflict. What is the Minister's assessment of the support of the people of Iran for that organisation? My impression is that it is meaningless.

My final point is about universities. We had the pleasure of visiting some. I was impressed to find out that university education is a big factor in Iran. Many people attend, and receive free education—unlike those in the United Kingdom, who have to pay a great deal. Remarkably, more than half the students were women. Speaking to the students, I got the impression that the universities, far from being extreme organisations putting forward extremist views, are highly motivated educational institutions.

I hope that the Government will take a positive attitude towards Iran. It has a form of democracy. Although it is not total, there is an elected parliament and an elected president, and public opinion counts for a great deal. After the cases in which people were prevented from standing—we met one of them—we were told that it was thought that that would never happen again because of the public response.

My final point—I recognise that I have made a final point three times—is that one gets an impression of a country by walking around its streets. There are some deplorable countries in the middle east, where I feel terrified to walk, but in Iran my general impression was of a civilised society with high standards. I hope that the Minister will make it clear that we will not co-operate in any way with terrorist organisations, and that we respect Iran for the many positive developments there.

Mr Deputy Speaker, I ask hon. Members to be as brief as they can. The object of these debates is to allow adequate time for the hon. Member initiating them to receive a reply from the Minister.

10.14 am

Tony Lloyd (Manchester, Central) (Lab): I shall try to be brief. I shall concentrate on Iran's nuclear capacity, which my hon. Friend the Member for Bridgend (Mr. Griffiths) touched upon. There is no doubt that Iran will move to the top of the political agenda, and that that will almost certainly occur after the presidential election in the United States. It will be driven there by the preoccupation in Washington—on all sides—that the nuclear issue has to be dealt with.

[Tony Lloyd]

It is in our interests and those of the European Union that the EU should engage with the issue at the moment. We should have the sort of debate on the handling of Iran—if that is the right expression—that we failed to have in the case of Iraq; we learned a lesson there.

In recent years, the United States and the European Union have approached Iran in different ways. Essentially, the European Union has handled Iran in a much more intelligent fashion than has the United States, partly because the United States has varied in what it has sought to achieve, and how it has gone about it. Sometimes it has engaged in intense co-operation, as, for example, over Afghanistan; at other times it has been very distant. However, the EU, the United States and, indeed, countries such as Russia, must deal collectively with the nuclear situation in Iran.

The evidence is that Iran is at least in a position to move towards obtaining nuclear weapons, which, given its strategic situation, ought to be unthinkable. That would almost certainly lead to a nuclear arms race in the region, with countries such as Turkey, possibly Saudi Arabia and even the Syrians looking to obtain a similar capacity. That would be massively destabilising in a region that is already unstable, and the response of Israel would of course be difficult to predict.

Is military action an option, as in Iraq? Of course, all things are possible, but experience in Iraq should warn us of the enormous dangers. That said, Iran is not Iraq. It has a millenniums-old tradition and it is cohesive; indeed, it was prepared to accept up to 1 million casualties in the Iran-Iraq war in fighting for its national integrity. So, at this stage at least, most of us would say that the direction that the United States and others will want to take if Iran is not prepared to move forward would be the worst possible option, although we would not reject it in all circumstances.

If the European Union can begin serious dialogue with the United States and places such as Moscow, and, most importantly, maintain its serious dialogue with Tehran, we could set out something like a road map, making it clear to the Iranians what they would get from moving in a positive direction. We would have to take account, for example, of the fact that Iran would look for security guarantees in its own region, and the United States would obviously have to play a fundamental role in implementing such guarantees, particularly given its extraordinary influence over Israel. However, Iran is entitled to security in its own region, and it is also entitled to recognition and access in economic and social terms. In that respect, there is a lesson for the Americans, because the EU has already offered the possibility of progress on such issues.

In response, however, Iran must attend to the agenda that has been discussed this morning, particularly by my hon. Friend the Member for Bridgend. It will be fundamental to any dialogue that Iran move forward and clearly disavow its nuclear programme, and that means that it must be much more ready to accept proper inspection regimes. It would also have to move significantly on the human rights issues to which my hon. Friend referred; that, too, will be fundamental to any dialogue.

I have tried to be brief so that other hon. Members can speak. I simply conclude as I began by saying that Iran will be at the top of all our agendas within six months, almost irrespective of what happens in the American election. If Europeans do not begin to take Iran seriously now, we will have lost influence by the time the debate begins in the United States. If we are to take a cohesive approach at the global level, the time to do so is now.

10.18 am

Sir Sydney Chapman (Chipping Barnet) (Con): I am grateful to the hon. Member for Bridgend (Mr. Griffiths) for raising the important issue of the European Union's relationship with and policies towards Iran. The human rights situation there has been deteriorating for the past three years, and probably longer, which was confirmed by the outgoing EU Commissioner, Chris Patten, who is deeply concerned about reverses in human rights in Iran.

I also want to put on record the statement by the Iraqi Defence Minister—not the coalition forces—that there has been a vast intrusion into Iraq by Iranians since the fall of Saddam Hussein. Given all the information that I have garnered, including from the research facilities of our excellent Library, I have every reason to believe that Iran can produce enough weapons-grade uranium for a nuclear bomb within a year. I merely say to my hon. Friend the Member for Rochford and Southend, East (Sir Teddy Taylor)—whom I greatly respect—that Iran has spurned repeated attempts by the European Union to find a diplomatic solution to that nuclear crisis.

I have every reason to believe that Iran, or people from Iran, have taken control of many Palestinian terrorist cells. The hon. Member for Bridgend mentioned some abuses of human rights; I need not repeat them, except to mention that at least 120 people have been publicly executed since March. It is on record that about 120,000 members of the People's Mujaheddin Organisation of Iran have been executed in the past 20 years. One has only to study the articles in Iran's penal code to see how far that country disrespects human rights.

The acquisition, development and stockpiling of weapons of mass destruction have been a central policy of the Iranian regime. To say the least, their Government have been forked tongued over the issue. They have spurned attempts at a diplomatic solution, and denied and hidden evidence on the one hand and then, on the other, proudly boasted that they have two nuclear weapons programme sites.

I want to stress my gratitude to the hon. Member for Bridgend for all that he has done to try to secure the release of one my constituents, Mr. Khodabandeh.

I have one other thing to say, and that is about religious tolerance. I cannot think of any religious organisation that contains so many peace-loving, kindly and gentle people as the Baha'i faith, although I like to think that they all do. The Baha'i faith has 6 million adherents in 235 countries; some, I am sure, in all our constituencies. There are up to 350,000 in Iran, which is the birthplace of the Baha'i faith.

The Baha'is—and maybe other groups—have consistently been denied access to higher education. Early last August, the Baha'i community in Iran learned that the Iranian authorities have now ordered the Baha'is to suspend all educational activities and to close the Baha'i Institute for Higher Education. It has been the policy of the European Union, and the United Kingdom, to engage with the Iranian regime to seek trade and to try to release the tensions between the west and that great country. I believe that that policy was wrong and ill considered.

I hope that the EU and the UK Government will change their tune on Iran, given the dreadful persecutions and violations of human rights that have consistently taken place in that country over a long time.

Dr. Vis *rose*—

Mr. Deputy Speaker: Order. If the hon. Gentleman promises to take no more than three minutes, he may speak.

10.24 am

Dr. Rudi Vis (Finchley and Golders Green) (Lab): Thank you, Mr. Deputy Speaker. I begin by congratulating my hon. Friend the Member for Bridgend (Mr. Griffiths) on securing this vital debate. I thank him profoundly for informing me over the years of the politics of this rich country, Iran, where most of the people are desperately poor. He has raised many aspects of the inhumanity of the present regime in Iran, and to my mind the central aspect of his contributions is his analysis of why the People's Mujaheddin Organisation of Iran should be removed from the British, EU and United States terror lists. That would be in the interests of the PMOI and of all the democracies in the world, and would send shockwaves through the oppressive regime of the mullahs in Iran. They would no longer be able to hide behind the smokescreen that allows them to argue that the EU and the USA agree with their regime. As my hon. Friend said, by labelling Iran's principal opposition as terrorists, the EU and the USA have distanced themselves from the Iranian people.

The Iranian people share the objectives of the president-elect in waiting, Mrs Maryam Rajavi, and support her policies, central to which are democracy, equality, human rights and accountability. One aspect is also worth stressing. The Government in waiting, with their headquarters near Paris, would recognise the state of Israel and would strive for a two-state solution, which is to say, a safe state of Israel and a safe, viable and democratic state for Palestine. Such an outcome, which seems so distant at present, would be of enormous benefit for the entire middle east region and beyond. It would also be a major blow for all the terrorist groups in the middle east and beyond that are financially supported by the mullahs.

I repeat what I see as the main contribution of today's debate: the request to the USA, the EU and the UK to remove the PMOI from the list of international terrorists. That would be a major achievement towards peace in the world and something in which the UK, the EU and the USA should be most interested.

10.27 am

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale) (LD): This has been an important debate and, like others, I pay tribute to the hon. Member for Bridgend (Mr. Griffiths) on securing it and introducing it in truly comprehensive style. The valuable insight that he and the hon. Member for Rochford and Southend, East (Sir Teddy Taylor) drew from their trip to Iran has enhanced the quality of the debate enormously.

Iran's significance is lost on none of us. To take a short-term perspective, Iran has been at the centre of many key events in the past century: western involvement in regime change, then Islamic revolution and, more recently, the Iran-Iraq war. Taking a wider sweep of history, we see that Iran has always made a striking contribution, not least to the development of learning and culture across the world. Iran is of huge strategic significance to its region and the globe. To put the matter simply, Iran, with its oil and gas reserves and central location in one of the most sensitive areas of the world, has an influence way beyond its borders. Sadly, Iran also finds itself at a key junction on the international drugs routes.

In its recent report, the Select Committee on Foreign Affairs described Iran as

> "half in and half out of the international community."

For all our past and current difficulties, constructive engagement is important for the UK, the European Union and the broader international community, so that Iran can be fully engaged internationally.

A number of hon. Members have focused their comments on nuclear weapons, which must be our most pressing concern. Despite its huge oil and gas reserves, Iran is known to have been developing a nuclear capability for some time. The regime has always protested that the programme is peaceful and civil, and consistent with its obligations under the nuclear non-proliferation treaty. However, the International Atomic Energy Agency's visit in February 2003 cast serious doubts on that claim and its work since has reinforced our legitimate anxieties about Iran's capability and intentions. Recent reports of Iran's ability to build and fire missiles have added to those concerns.

Inside Iran, of course, many arguments are made in favour of developing nuclear weapons. To the east, neighbouring Pakistan and nearby India are known to have nuclear weapons. To the west, Israel has had a nuclear programme for a generation or more. Around the region, the United States and its coalition partners have a strategic presence in Iraq and Afghanistan, countries that border Iran.

Compelling as those issues may appear, none can override Iran's obligations under the non-proliferation treaty. Nor can they justify the massive escalation in the arms race that Iran's possession of nuclear weapons would represent for the region and the world. For those reasons, the international community has spent much of the past 18 months urgently attempting to persuade Iran to comply with international law. It was right to do so.

History suggests that engagement with Iran is best done through careful diplomacy. Efforts by the United Kingdom, France and Germany have been extremely important in that regard, and I applaud the Foreign Secretary and the Minister for their work.

[Mr. Michael Moore]

The EU three have made significant progress in brokering a deal with Iran to suspend its nuclear programme and to allow greater access to IAEA inspectors. The signing of the additional protocols to the safeguards agreement was a key development. The deal offered the prospect of Iran ending its uranium enrichment activities in return for guarantees that it could import all the nuclear fuel required for a civil nuclear programme. However, throughout 2004 the Iranians have been resiling on the agreement, which its Parliament has never ratified.

Critical reports were made by the IAEA in March and June; they were followed by an announcement in July that Iran would resume manufacture of centrifuges, which are critical to the enrichment process. Further criticism was made in the IAEA's September report, which set the scene for an important decision by its council when it meets in November.

Throughout the past few months, the EU's position has appeared to unravel, and it seems to be without a plan B. There is increasing American pressure for Iran to be referred to the United Nations Security Council, with threats in the background of what that might lead to. So far the EU has properly resisted that pressure, but it seems that the EU has been offering only carrots and the US only sticks. We need hard-edged constructive engagement from now on. We can offer improved trade and investment, and ultimately perhaps an EU trade and co-operation agreement, but we must also set out penalties, with the prospect of sanctions if Iran fails to comply with its obligations. Iran already has a high value of trade with the EU, which allows that prospect; it seems anxious at present to avoid such sanctions.

The Iranians are rightly concerned about the middle east peace process and the ongoing conflict in Iraq. It behoves the west—the European Union and the United States—to make serious progress in the middle east. We must demonstrate that we will tackle issues there even-handedly. Perhaps next year's conference review of the non-proliferation treaty will offer us an opportunity to confront the undoubted double standards that now exist.

Others have mentioned human rights issues; I echo what they said. To put it mildly, the elections in February were a disappointment. In political terms, Iran seems to have been going backwards since then. Many eloquent testimonies have been given about the infringement of personal freedoms, and the worrying increase in executions throughout the country. We must ask Iran to address these serious issues.

We have reached a critical moment. Human rights is a key issue between the EU and Iran. There are also concerns about drug trafficking and links to terrorism. Most frightening of all, however, is the possibility—even the prospect—of Iran developing nuclear weapons. The EU must continue to engage peacefully with Iran as we tackle that threat. The engagement must be hard edged: on one hand, there must be clear opportunities for civil and nuclear developments supported by the prospects of greater trade and investment; on the other, there must be a serious intent to use sanctions.

Iran is a serious country and we must take it seriously, but all parties must also know that we will act seriously as well.

10.35 am

Mr. Graham Brady (Altrincham and Sale, West) (Con): This short but useful debate has amply illustrated the complexity of relations with Iran and the sensitivity of the challenges that we face. I congratulate the hon. Member for Bridgend (Mr. Griffiths) on securing it.

Iran will, undoubtedly, be one of the greatest foreign policy challenges of the next Parliament and, indeed, of the next presidential term in the United States. If we get our policy towards Iran wrong, the result will be more conflict, more instability in the middle east and the added threat of nuclear weapons. If we get it right, however, there is the prize of an open and democratic Iran, a force for stability in the wider region and a country with which we can trade and co-operate freely. The stakes are therefore high.

I want to make it clear that I do not doubt the Iranian people's will for peace. It is also very clear that Iran sees the benefits of reaching a trade and co-operation agreement with the European Union. To date, however, too many members of the Iranian Government have found confrontation easier than engagement.

My hon. Friend the Member for Rochford and Southend, East (Sir Teddy Taylor) spoke of the positive aspects of Iran and the importance of positive engagement. The Opposition supported the Foreign Secretary on his visit to Iran last year with his French and German counterparts. That act of engagement was a brave act that held out the prospect of a new relationship with Iran and an end to its military nuclear programme.

We must, however, now recognise that that strategy of engagement has nearly run into the sand. Iran has reneged on its commitments to the international community and to the International Atomic Energy Agency by continuing to pursue nuclear technology that would enable it to become a nuclear power. Iran enriches uranium far above levels needed for a purely peaceful nuclear programme. The heavy water reactor in Arak is a cause for concern, and the scale of the centrifuge plant at Natanz is suspicious. Iran also continues to enhance its ballistic missile capability. This is all cause for the most serious concern. It is rumoured that the Iranian Government have ordered that the first nuclear bomb should be ready by the middle of next year. Does the Minister believe that to be accurate and, if so, is Iran on course to achieve that threat?

Our anxiety must not be limited to Iraq's weapons programmes. As several hon. Members on both sides of the House have shown, the human rights situation appears to be deteriorating again, particularly since the beginning of this year. That was exemplified recently by the execution of the young girl to whom the hon. Member for Bridgend referred in his opening address.

Worsening human rights appear to be matched by the declining strength of reformist forces in Iran and the reassertion by radical hardliners of control over the Iranian Government. Press freedom has been further constrained in recent years. The daily newspaper *Bahar*, for example, was closed in 2003. The Tehran public court claimed that the newspaper had "insulted the authorities." On the same day, the special court of the clergy closed another journal and arrested two members of the editorial board whose whereabouts, so far as I am aware, remain unknown. The Minister might have more up-to-date information on that.

There have been difficulties in our bilateral relationship, too, not least of which was the seizure of eight British servicemen and their equipment earlier this year. Everyone was delighted that the servicemen were returned safely, albeit after their public humiliation. Their equipment, however, was not returned. The Government have been very quiet about that, and I hope the Minister will update us about their efforts to see our equipment returned.

The situation is difficult, but at least we know what we want to achieve. I believe that there is very little difference between Members on both sides of the House about what our goals should be: friendly relations with an Iran that is nuclear weapons free, stable, respectful of human rights and on the road to true democracy. That goal is also shared by our partners in the EU and more widely across the Atlantic. We can achieve it only by working with our European partners and the United States.

In the past couple of years, a worrying state of affairs has developed in Iran's relations with the wider world. An impression appears to have developed that Iran has nothing to lose by snubbing the Europeans and nothing to gain by engaging with the US. While that impression persists, we may be doomed to unproductive confrontation.

In that context, will the Minister elaborate on the current Russian diplomatic initiative and its implications? The Russian Foreign Minister has visited Iran during the past fortnight, paving the way for a visit by President Putin next month. What assessment have the Government made of the prospects for success in persuading the Iranians to end their nuclear enrichment programme and submit to IAEA inspection? If the Russians reach such a deal, will the trade-off be the retention of a civil nuclear programme in the shape of the existing, although inactive, power plant and a second nuclear reactor using Russian technology? If that is the case, what steps can the Minister promise to ensure that the civil nuclear programme will not be used to allow the development of nuclear weapons to resume in future?

Bearing in mind the comments of the hon. Member for Bridgend about close involvement of Iranian nationals in Iraq, I ask the Minister whether there is evidence of personnel or equipment from Iraq's nuclear programme having found their way to Iran, either directly or through a third country. Is there evidence to support recent press comment that Iraqi nuclear weapons technology would be sold to Iran by Syria?

As the hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore) said, we are approaching a crossroads in our dealings with Iran. Our relations are likely either to improve or to get markedly worse. I hope that it will be understood on both sides of the Atlantic that crude military measures are likely not simply to be unproductive, but perhaps to be counter-productive. They might delay Iran's nuclear programme but they would not stop it. They would also unite the Iranian people's passionate national pride with hard-liners' hostility to the outside world.

Are the British Government making the case against military action to any who might be tempted to pursue it? Equally, we must make it clear to the Iranian Government—this, too, was mentioned by the hon. Member for Tweeddale, Ettrick and Lauderdale—that there will be negative consequences if Iran continues to develop a nuclear weapons programme illicitly. Likewise, our dialogue on human rights must be robust, so we need to back up our position with some credible threats of consequences for the Iranian regime.

We and our European partners have expended political capital in obtaining US agreement for talks on improved economic and political ties if Iran suspends its nuclear fuel enrichment programme. I hope that the Minister will tell us how fully behind the talks he believes the American Government to be. If Iran perceived that the US Government were ready to commit to better relations, the chances for the latest round of dialogue would be greatly increased. If agreement were reached, what mechanisms would be put in place to reassure the west that Iran was keeping its side of the agreement?

If agreement is not reached, there must be consequences. Does the Minister believe that, in that case, Iran's nuclear weapons programme should be an urgent matter for discussion by the Security Council, as has already been requested by the US? What measures might the Government recommend if Iran failed to suspend its fuel enrichment programme? Do the Government agree that Iran's further integration in the world economy would certainly have to be halted in those circumstances?

There must, on the other hand, be real incentives for Iran to accept the need to suspend its programme and improve its human rights record. Acceptance of a purely peaceful nuclear programme and improved trade relations with the EU could be enticing parts of such an offer. Such incentives, however, would be enormously more attractive if the Iranian Government believed that they could lead to a constructive relationship with the United States as well. How prepared does the Minister believe the US might be to enter into such a relationship?

We firmly support the Government's readiness to engage with the Iranian Government and we wish them well in one of the most challenging foreign policy arenas, but I hope that they will be prepared to take robust, peaceful action in the event of failure.

10.43 am

The Minister for Europe (Mr. Denis MacShane): I am grateful to my hon. Friend the Member for Bridgend (Mr. Griffiths) for initiating the debate, because it allows me to set out the Government's view of the difficult problem of our relationship—and that of our partners in Europe and other democratic partners—with Iran.

Hon. Members have made constructive speeches. My hon. Friend went to Iran with the hon. Member for Rochford and Southend, East (Sir Teddy Taylor), but from listening to their speeches it is apparent that they came back with dissimilar analyses of the situation there. That shows us the complexity of what we are dealing with.

[Mr. Denis MacShane]

I shall deal with the specific points that hon. Members made as my speech develops. Some important questions were raised. The hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore), speaking for the Liberal Democrats, invited us to get much closer to our European partners. The Foreign Minister of Germany is to meet me and my right hon. Friend the Foreign Secretary in exactly an hour. I assure the hon. Gentleman that Iran is top of the agenda.

The hon. Member for Altrincham and Sale, West (Mr. Brady), speaking for the Conservative party, seemed to suggest that we should be much closer to the United States. I do not dissent; it is the job of Government to find a way of bringing our European partners and our allies and partners in the United States closer together, not to choose to park ourselves in one camp in opposition to the other.

It was good of my hon. Friend the Member for Bridgend to start by mentioning the individual cases of Ibrahim Khodabandeh and Jamil Bassam. We should never forget that we are talking about citizens of Iran who have elected to be in exile in this country and who now find themselves in prison in Iran. They are not British citizens and we have no legal or consular oversight of them. However, I share the view that there are too many people in prison in Iran for making political statements, and too many executions have taken place, including the awful one of the 16-year-old girl. Such things are not worthy of a democratic, civilised nation and everybody in the European Union would object to them. There was also the death of Zahra Kazemi, the Canadian photographer beaten to death in Iranian police custody last year. That was of great concern to us all, especially to me, as a former president of the National Union of Journalists, to our allies and friends in the Canadian Government and to journalists throughout the world.

It is right that we should put individual cases on record. However, as has been pointed out, Iran is a great country with rather more than a millennium's worth of history and culture. In the region around Iran, we find some of the most important challenges that we face: first, how to make the world safer from global terrorism and weapons of mass destruction; secondly, how to fight the drugs trade, illegal migration and other international crime; thirdly, how to bring about reform and sustainable development in societies undergoing rapid change; and fourthly, but not least, how to support the establishment of stable democracies in Iraq and Afghanistan.

Iran's choices about its future and its relations with neighbouring countries can affect the security and prosperity of peoples well beyond the middle east. If, as I hope, Turkey gets a start date for negotiations and joins the European Union, the EU will, in due course, have a frontier with Iran. That is why the British Government and the EU have sought engagement. I do not put an adjective in front of that noun but, as the Prime Minister said in Crawford three years ago, we believe that engagement is the right way forward.

We welcome President Khatami's vision of a democratic Islamic civil society, based on the rule of law, and support those in Iran who wish to bring in reform. We co-operate successfully with Iran in a number of respects—the fact that hon. Members are able to go to the country, to visit its prisons and to have a range of political discussions in Iran is a small sign of that; it was not possible in the past. We can all think of countries that do not correspond to our democratic norms and where such things are still not possible.

We share the view of our EU partners that any development of relations with Iran, which we want to see, must be on the basis of Iranian willingness to address issues of political concern. My hon. Friend the Member for Manchester, Central (Tony Lloyd) was right to say that we need a united European approach. We also need unity with the United States. I hope that, should problems with Iran develop in a way that we hope they will not, we will not experience again the divisions between the US and Europe that have occurred over Iraq. The two great regions of democracy in the world must march together.

Let me address one of the most pressing issues, which many hon. Members mentioned—Iran's nuclear programme. We do not question the right of any country to use nuclear energy for peaceful purposes, provided—this is the essential condition—that it complies fully with its obligations. Under the non-proliferation treaty, it is unacceptable for non-nuclear weapons states to seek to acquire nuclear weapons. In the middle east, such efforts could seriously destabilise international peace and security. The hon. Member for Rochford and Southend, East asked about a nuclear weapons-free middle east, and the United Kingdom Government have always supported UN resolutions calling for such an arrangement.

In the past two years, the International Atomic Energy Agency has documented serious failures by Iran over 18 years to meet its safeguards obligations and be fully transparent with the agency. That has led to widespread concern about whether the ambitions of Iran's nuclear programme are, as the Iranian authorities claim, entirely peaceful. That is not simply a British, German, French or American concern; it is shared by the entire international community, as we have clearly seen from the actions of the IAEA board of governors, whose last six resolutions on Iran have all been adopted by consensus.

The United Kingdom, France and Germany—the so-called EU three—have played a leading role in encouraging Iran to co-operate with the IAEA. Our efforts have been aimed at giving Iran an opportunity to reassure the international community that its nuclear intentions are indeed peaceful. When my right hon. Friend the Foreign Secretary visited Tehran with his German and French counterparts last October, the Iranian authorities made a solemn commitment that they would take the necessary steps. They promised to be fully transparent with the IAEA and to co-operate in resolving the outstanding issues identified in the director general's reports. They also promised to sign, implement and ratify an additional protocol to the safeguard agreement, which would allow short-notice access by IAEA inspectors to a wider variety of nuclear sites.

Furthermore, Iran promised solemnly to suspend all uranium enrichment-related and reprocessing activities. This last point is crucial. Confidence cannot—I repeat, cannot—be restored unless Iran agrees to suspend its fuel cycle activities, including all centrifuge work and uranium conversion. Such activities are not necessary for a civil nuclear power generation programme, but they would give Iran technologies to help it towards a military nuclear capability.

I should emphasise that the suspension request is specific to Iran because of its past lack of co-operation with the IAEA and the very real doubt that that has created about the real intentions behind its nuclear programme. We do not ask other countries to suspend their enrichment-related activities if there is no reason to doubt their peaceful intentions.

The commitments made by Iran last October were a step in the right direction, but as we said at the time, what matters is not declarations of Iran's willingness, but seeing those declarations turned into reality. Since last year, Iran has supplied the agency with further details of past nuclear activity. It has also signed, but made no attempt to ratify, the additional protocol. We accept that those are significant moves, but as successive IAEA resolutions have made clear, there is much further to go. Important questions remain unresolved, such as the extent of Iran's work on advanced centrifuges and the purposes of its work on plutonium separation.

Tony Lloyd: My hon. Friend is right to say that Iran has committed itself to fulfilling certain obligations, but does he accept that there would be a real logic to offering it security guarantees, which would allow it to escape the logic of its nuclear programme?

Mr. MacShane: I understand my hon. Friend's point, but Iran must live up to its specific legal obligations under the different treaties. In other words, it must decide and show the world whether all its work is exclusively for peaceful purposes. That is the question that the entire world wants answered, including President Putin of Russia, who, in a meeting with President Chirac and Chancellor Schröder a few weeks ago at the Sochi resort on the Black sea, said that Russia was determined that Iran should not become a nuclear weapons state.

However, Iran has never suspended fuel cycle activities in a way acceptable to the board. Instead it has quibbled constantly about the scope of suspension and, in June, partially stepped back from its commitments. That is why the international community is more worried than ever. As the Foreign Secretary said in Brussels on 13 September:

> "What Iran has to understand is that it cannot turn the issue of confidence on and off like a tap".

Last month, the board reconsidered Iran's nuclear programme. It would be damaging if the IAEA board, having set out its requirements in successive resolutions, were now to accept less than full compliance. With our encouragement, it decided to give Iran a final chance. Iran now faces a clear choice: live up to its commitments and comply in full with the board's resolutions, including to put in place a full and lasting suspension, and thus reap the benefits of the international confidence that this would create, or spurn this chance to reassure the international community. If that happens, the board will need to discuss additional measures, which will probably include referral to the UN Security Council, at its next meeting. Iran now needs to act decisively before the board meets again on 25 November. Naturally, the Government will keep the House fully informed as those efforts proceed.

The nuclear issue is not the only security question on which we are engaging with Iran. As the EU has made clear, action by Iran against terrorism is also a high priority. We particularly want Iran to play a full role—

Mr. Brady: Will the Minister give way?

Mr. MacShane: I must get some of these points on record.

We want Iran to play a full role in the international fight against al-Qaeda by sharing information on al-Qaeda members whom it is detaining. We continue to urge the Iranian authorities to ensure that groups engaged in terrorism and violence in Iraq, the Israel/Palestine region and elsewhere do not draw material or political support from inside Iran.

I am dismayed by, and I refute, the inaccurate allegations made by the hon. Member for Rochford and Southend, East about EU help to Palestine. It does not help his case to make such inaccurate remarks. I will write to him, and will make a copy of my letter available to the House.

We recognise that Iran has legitimate interests in the future of Iraq and Afghanistan. It has played host to more than 2.5 million refugees from those countries. In Afghanistan, we have welcomed Iran's co-operation regarding the recent election and efforts to combat the drugs trade. Iran has played a part in restoring Iraq's economic and religious life, but its leaders have done little in public or private to support the Iraqi Interim Government and their efforts to provide security for the Iraqi people. We are deeply concerned by reports of links between the Iranian regime and armed groups that undermine the rule of law in Iraq.

Iran must also address its human rights record. Like every elected Member of this House, I was deeply disappointed that many candidates, including a quarter of the sitting Deputies, were disqualified from standing in February's parliamentary elections, and was surprised to hear that little attention was paid to that. If some outside body announced that a quarter of the MPs standing for re-election in the House of Commons could not stand, there might be a row involving even the deeply conservative and religious authorities in this country.

We believe in the dialogue between the EU and Iran, but in recent months there have been disturbing new trends in areas such as freedom of expression, the behaviour of the courts and religious freedom. We cannot support the delisting of terrorist organisations outside Iran that have committed atrocities that are crimes against humanity.

I hope that the whole House will send a message of solidarity to people of the Baha'i faith. It is a great, noble, tolerant and peace-loving religion, and its treatment at the hands of the Iranian authorities is an insult to human values anywhere in the world.

Child Support Agency

11 am

John Barrett (Edinburgh, West) (LD): In my three and a half years as a Member of Parliament, many issues have featured regularly at my weekly surgery, but one that causes misery to many constituents, mostly young mothers and their children, is the problem of dealing with the Child Support Agency. That is why I am delighted to have the chance to raise a number of concerns today. If there are any that the Minister cannot answer this morning, I hope she will contact me when she has the answers.

The problems faced by my constituents are not new. I am sure that many of the issues that I wish to raise today will be familiar to the Minister, not only because of her work in the Department for Work and Pensions but because, like every other hon. Member, she will have listened to her constituents as I have listened to mine. They are usually young mothers, but sometimes fathers, trying to get by and to do their level best for their children—the children of the many ex-partners who refuse to play a part in their children's maintenance.

We often hear of Fathers 4 Justice, in this place as well as outside, but, although they are not so vocal and do not indulge in stunts, many more mothers suffer in silence. They need someone to speak up for them. I hope that this debate will help to raise their profile in an altogether quieter and more measured way. The fact that they do not scream from rooftops, crane-tops or Buckingham palace does not mean that they do not suffer as much, and in many cases more, than those high-profile cases that we hear so much about. However, for as long as the CSA remains unchanged, hon. Members will continue to see problem cases in their surgeries—and Ministers should expect to continue responding to debates such as this.

I am not one of those people who believes that we should approach the CSA in a party political way. Neither the Minister nor I were Members when the Child Support Act 1991 was enacted, but she will know that there was broad cross-party consensus on the creation of the CSA. I would like to see cross-party agreement on its abolition, but I accept that we do not yet seem to have reached that stage. The basic point is that the CSA is not working as well as it should, and for many people it has never worked well.

Only last week, the CSA was described in *The Independent* as being on the brink of collapse. Having already written off more than £1 billion of arrears as uncollectable, the CSA still owes 500,000 parents a total of some £720 million. There is now a backlog of 30,000 cases, with less than half the amount owed to the CSA this year being collected. To make matters worse, the new £456 million computer system, designed to make the agency more efficient, is struggling to cope. With half the total number of CSA cases, that system is just not doing the job. That is totally unacceptable. This is a service involving children, in some cases very vulnerable children, which makes the situation deplorable.

All hon. Members have their own CSA stories. The most basic problems with the agency can be summed up in a letter that I received from someone living in Corstorphine in my constituency. She wrote:

> "I submitted an application to the Child Support Agency in June 2003, but despite several phone-calls to them, I have had absolutely no communication from them at all. When I phoned in, I was told that my case was being dealt with as a clerical case and that the best way to progress it was to lodge a complaint, which I did. I received a letter acknowledging receipt of the complaint and was told they would be in touch. I didn't hear anything further so at the beginning of December, I tried contacting them again for an update on my case. I spent three hours on the phone getting passed from person to person and not one of them was able to give me any information. I spoke to seven different people and each time, I had to explain the situation only to be told that I'd been put through to the wrong department. I eventually got through to someone who said they would leave a message for the person dealing with my case and he would call me back the following day. I waited over a week and there was not contact so I tried him again and the same thing happened. I was told to phone one number then another and then another. I left another message to be called back and I'm still waiting."

It is disgraceful that people such as my constituent are being left in limbo, with communications left unanswered and messages not responded to.

Far and away the most extraordinary CSA case I have come across is that of one of my constituents in Barnton—a case that is still continuing four years after the original application. In July 2000, my constituent gave the CSA all the necessary documents for a maintenance decision to be taken. After hearing nothing for several weeks she contacted the CSA again, only to be told that they had no documentation about her, and she should send the forms again. A few days later she received a letter from the CSA, returning the very documents that it had told her it had lost, and asking for more information. She phoned the Hastings office, to be told that her case was being dealt with in Falkirk. She then phoned the Falkirk office, to be told that her case was being dealt with in Hastings. Even the staff at the CSA admitted that their dealings with her case had been a bit of a shambles.

Eventually, my constituent's papers were found in the Hastings office. The CSA made a maintenance calculation, but no payments were ever made by her ex-husband to the CSA. Rather than pursuing the ex-partner for payment, the CSA simply added the missed amounts on to future payments. Of course, those payments were not made either. Then, in 2002, two years after the original application was made, the CSA finally got round to making a liability order for payment to the sheriff's office. It took another year for a public auction of my constituent's ex-partner's office goods to be organised. At that auction he handed over a cheque for £1,000 to stop the sale and the auction was cancelled—but what happened next? The cheque to the CSA bounced.

All that is rumbling on, and my constituent rightly queries the exact monthly amount of child maintenance awarded by the agency. She advised the CSA that her ex-husband had extra property from which he was receiving an income, and did additional work for which he received a salary. Those amounts were not included in the CSA's calculations. Yet the CSA chose to ignore that. It appears that it never carried out any investigations to verify the claims.

On 23 July 2003 we requested a full about the CSA findings in my constituent's case, and were told that such information would be provided in 28 days. Despite constant chasers we did not receive that report until 31 December 2003—161 days after the request, which is five times the promised time. While all that was going on, my constituent was not receiving any money. I wrote again to the CSA on 28 June and did not receive a response until, interestingly enough, I secured this Adjournment debate. None the less, four years and three months after the original application, my constituent has not received a penny in child support. Her case is one of the 25 per cent. of CSA cases—a staggering one in four—in which no payments have ever been made.

The delays that my constituent has faced in getting her money are bad enough, but her case also highlights two further systemic problems with the CSA. First, there is a problem with the agency taking ex-partners' declarations of income at face value. There has been a particular problem where the ex-partner is self-employed and it is difficult to verify profits and income independently. I came across another case involving an ex-husband who said that his income was £100 a week, on which basis the CSA calculated maintenance. Yet anyone who looked closely at that man's lifestyle—he had holidays and a new car, and had bought a new house—would see that it could not be supported on £100 a week. Any proper investigation by the CSA would have discovered that, but no investigation took place.

That leads to the second issue: the fact that lack of action by the agency forces the parents with care to become, effectively, private investigators. All too often the CSA leaves it up to parents with care to prove that the income of the non-resident parent is higher than declared, rather than forcing the non-resident parent to prove that their income is as low as they have declared. That simply cannot be right.

The report of the Work and Pensions Committee was pretty damning about the new computer system: £456 million was spent, yet 75,000 cases have been lost or stuck in the system. The contrast is clear. Why are so many cases stuck? Is that an IT problem, a personnel problem or the fault of EDS, the company that supplies the data system? For every individual whose case is stuck, the problem is a major one.

The Committee concluded that CSA customers were receiving

"an appalling level of service."

Its findings are borne out by cases in Edinburgh, West, as I am sure they are in every constituency in the country.

One of my constituents, Mrs. Wood, had been receiving regular payments until June this year, when the payments mysteriously stopped. On contacting the CSA she found that that had nothing to do with the money from her ex-partner, as maintenance was still being paid to the CSA. However, for some reason the computer had stopped forwarding payments to her account. Since then, not only has she never received the correct monthly payment, but she has received a new payment schedule that is totally inaccurate. I would like the Minister to go into some detail about whether that is the fault of the IT system. Experience with the CSA shows that it can be difficult enough getting correct payments from some non-resident parents, but surely when the correct payments are made, such as in the case of Mrs. Wood, the CSA should forward those payments, on time and in full.

I want to give the Minister as much time as possible to reply, but before I finish, I want to raise the wider issue of what to do with the CSA as an agency. The Minister will know of my party's long-standing policy of abolishing the CSA and moving its assessment and enforcement functions to the Inland Revenue. Considering the amount of cross-checking the CSA should do with the Inland Revenue, but does not always do, that would seem an entirely practical and sensible proposition. I know that the idea has even received support from some of the Minister's own Back Benchers. I still have not heard a reasonable argument from the Government as to why such a move should not happen. I accept that it would not remedy things overnight. However, it is a serious proposition that could provide the kind of joined-up government that the Minister and her colleagues always promise.

It may be easy to think of child maintenance and the CSA simply in terms of the transfer of money. However, we must never forget the purpose of that money is to protect the many children—in some cases children who remain in poverty—who need and deserve that extra help. As a father, I can never understand parents walking away from their own children and their parental responsibilities. However, we live in the real world—a world in which that absence of responsibility exists.

Although for some people the CSA exists only as a formal means to transfer money, surely the agency's key task is to prevent parents who try to avoid their responsibilities from doing so. That is where the CSA is failing in its most basic of aims: the protection of children. Far too many children are simply not getting the money they need and deserve. Although that is often the fault of the absent parent, the Minister has to accept that in too many cases—tens of thousands of them—children are not getting the help they need because of the direct failure of the CSA to act quickly, effectively or at all.

I accept that the new rules introduced last year are an improvement. However, introducing them is like giving someone a sticking plaster to deal with a broken leg. They have failed to deal with the underlying core problems of the CSA. Tinkering at the edges is not good enough; we need a complete overhaul of the entire system. Until we get that overhaul, I fear that Members of Parliament's postbags will continue to be filled with letters, and their surgeries filled with mothers, fathers and children who are being short-changed by the system. Those people deserve better.

11.14 am

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): I congratulate the hon. Member for Edinburgh, West (John Barrett) on securing a debate on a subject that is clearly of great importance to the lives of so many families not in only his constituency but in the constituencies of every Member of the House. We all see such cases in our surgeries, one way or another, so we all have an interest in the matter.

I begin by emphasising how committed my ministerial colleagues and I are to trying to create an effective and efficient child support service. I know that we are not

[Maria Eagle]

there yet—I will say that up-front—and I acknowledge the fact that there are ongoing problems. However, when we can get the new system to work properly and extend its coverage, it will be simpler, more transparent and easier for parents to understand. That should go some way towards making things easier for all parties to accept, and towards changing the staffing emphasis in the CSA from what it too often concentrated on in the past—trying to collect information to make the complex calculation under the old scheme—to compliance; that is, ensuring both that calculations are made and that money is flowing and is passed over.

That is the aim of the new scheme. I will not say that it is perfect yet; it would be foolish to do so. However, it is worth keeping in mind the fact that as the new scheme starts working better it will ultimately ensure that money reaches children more quickly, which ought to dissipate people's understandable frustrations. We already intervene in what is often a fraught situation between two parties—they are not always warring parties, but it sometimes feels as if they are. That is a delicate position for staff in the agency, which is compounded by the problems that were always there with the old system and by the ongoing difficulties that we are having in making the new system work as well as it should.

I can assure the hon. Gentleman that each week thousands of cases are cleared effectively on the new system. I am sorry that that has not happened for the first person he mentioned from his constituency, whose application was made in June 2003 and will therefore have been considered under the new system. I am disappointed to hear of that person's experience. I can say nothing further to the hon. Gentleman about that case, except that if he would like to give me more details outside the Chamber, I should be happy to look into it and try to find out what on earth is happening. From what he said, the situation does not seem to have been resolved yet. I would like to assist him in ensuring that it is resolved as soon as possible, and to pass on any information about what has gone wrong.

Until the end of June, almost 120,000 new scheme maintenance calculations had been made and about 46,000 non-resident parents had started to pay maintenance using the agency's collection service. About 25,000 parents with care had started to get the child maintenance premium income disregard in their benefit. That means that, for the first time, those parents with care will see the benefit of any maintenance paid, at a time when they most need it. If they move into work, they can retain that premium.

Because the new scheme is so much easier to understand, parents are more able to make their own arrangements without involving the agency, which, in a way, is the hidden benefit of the new scheme. Indeed, the interactive calculator on the agency's internet site had more than 25,000 visits in September this year. One assumes that those visits were probably by parents working out between themselves what the liability would be. Obviously, that has something to recommend it.

The new child support scheme is starting to make a real contribution to supporting children. However, there are still problems, as is well known. The hon. Gentleman quoted from the Select Committee report, which considered the issue closely, and hon. Members are well aware of the problems that we have had. I shall not pretend that my ministerial colleagues and I have not been disappointed with progress to deal with the problems so far, but we are going in the right direction. Progress is sometimes frustratingly slow, but we are moving forward. Clients and staff have told us that when the new scheme works, it works well, so there is something there that we can aim to improve.

People lead complex lives, and the scheme will not always seem fair to all parties who have to interact with it. That was true of the old system and it is true of the new one, but the job of agency staff is to assess the facts and properly apply the relevant law.

The second case that the hon. Gentleman raised—that of his constituent from Barnton—appears to involve an application made under the old system of child support. I am afraid that the parade of frustration that he related is indicative of a number of issues, primarily the difficulties that the old system caused for everybody. That case highlights the administrative problems of the old scheme, as well as the problem of having to deal with self-employed non-resident parents—a point that the hon. Gentleman particularly emphasised—which is acknowledged as a severe difficulty, particularly when those parents do not co-operate. Indeed, as he said, they sometimes do more than not co-operate: they deliberately try to frustrate the work of the agency. I do not understand why they would want to punish their children in that way, but many non-resident parents seem to want to do it.

We accept that there are particular concerns with self-employed non-resident parents. Theirs are often the most intractable cases in our postbags and surgeries, and make for some of the most difficult cases reported by the media. Recovery of money owed by self-employed people is notoriously difficult not only for the CSA but for a range of other agencies. Other revenue departments have similar difficulties in dealing with the self-employed. The situation is the same in other countries: the self-employed non-resident parent often presents the most intractable difficulty.

However, only about 6 per cent. of non-resident parents are self-employed. In old-scheme cases in 2003–04, compliance for the self-employed non-resident parent was about 67 per cent., compared with an overall figure of 74 per cent. There is a difference, but it is not enormous. Neither figure is good enough when it comes to compliance—both are still way too low. None the less, they demonstrate that many self-employed non-residents do co-operate. Members of Parliament, and my staff in the agency, obviously have to deal primarily with the ones who do not.

I shall say a little about what we are doing to try to increase our compliance work, because it is tremendously important. Achieving compliance is obviously an important part of the work of a large number of agency staff. I could not have said that before the new scheme was introduced, because most agency staff were occupied with trying to work out the calculations. No doubt the hon. Gentleman will know—he will have heard Ministers in my position say this before—that under the old scheme, up to 100 different pieces of information might have to be obtained before the calculation could even be made. That meant that about 90 per cent. of our staff's time was taken up trying to obtain the information, and almost none was spent chasing compliance, even when the calculation had been done. I am glad to say that the new scheme makes a great difference to that ratio, because compliance is much more important than doing the calculation if the aim, which the hon. Gentleman made clear he agrees with, is to get money to the children who need it.

At all stages of a case, staff are taking action to ensure that non-resident parents accept their responsibility and comply with the maintenance calculation. The new scheme calculation makes that easier because it is much more transparent. It might sometimes be seen to provide rough justice, but everyone can work it out: the calculation is pretty easy to do. Even before that stage, staff are encouraging non-resident parents to make voluntary payments to the parent with care while they wait for a calculation, so that they can get into the habit of paying and do not start off with arrears.

At times under the old system, by the time calculations were made the arrears seemed to be enormous and were often based on interim calculations that non-resident parents might have thought of as made in fantasyland. Moreover, parents often did not understand how the calculations had been made, which did not exactly promote compliance. The new scheme is a big step forward in that regard. We should, however, be realistic: some parents will always fail to pay, for whatever reason. The hon. Gentleman's second example perhaps made that point.

To deal with such cases, the agency is placing even greater emphasis on ensuring that money flows. Last year we launched a campaign called "Children Can't Wait", which aims to ensure that staff take prompt and effective action at the first sign that payments are not being made. Several options are available if non-resident parents refuse to make arrangements to pay, either directly to the parent with care or through the agency. The threat of a sanction will often, but not always, result in the payment of maintenance, but the agency does not shy away from taking action if the threat does not result in maintenance being paid. If non-resident parents are employed, maintenance can be deducted from their wages, although that is obviously more difficult in the case of the self-employed.

This is a specialist area of work, and since March 2004 the agency has increased the number of staff working in it.In the year to March 2004 there was a 24 per cent. increase on the previous year in the number of cases referred to bailiffs, so we are starting to take more effective action. In cases in which the non-resident parent persists in wilful non-compliance, the court can take away driving licences or commit people to prison. The hon. Gentleman will be interested to know that although only four driving licences have been removed by the court, 28 people who were in court with that threat hanging over them decided that payment was the best way to deal with the issue. People who, right up to the door of the court, do not intend to pay, can be made to do so by threats such as the removal of driving licences. The figures for committal to prison are even more interesting: 15 people have been committed as a result of non-payment, but some 234 have had suspended committal orders. That means that they decided that it was preferable to pay. Improvements are taking place.

The self-employed are a tougher nut to crack. We cannot attach their earnings because, as the hon. Gentleman made clear, it is difficult to work out what they are. However, they can receive liability orders. He might feel that the case that he raised has not been solved, but we are doing more to obtain money from self-employed non-resident parents who are not willing to pay. One has to apply to the courts for a liability order, and then the issue of what resources are available has to be proved. Such orders can deal only with arrears; they do not cover ongoing maintenance. Even if the non-resident parent pays once the order has been granted, he will not necessarily continue to do so. There can still be a problem of non-compliance afterwards if he is so inclined—perhaps it is unfair to say "he"; that is not necessarily the case, although it usually is.

John Barrett: I thank the Minister for what she has said about enforcement. Will she detail what action can be taken quickly with regard to the non-resident parent when it is obvious that his lifestyle—the person involved usually is a man—cannot be sustained on the relatively minimal income that has been declared? Can the CSA move quickly so that the arrears, once assessed, do not build up to amounts as substantial as those that have applied in cases that have come to me?

Maria Eagle: Obviously, the agency has to be able to verify that there is a problem with the income. As the hon. Gentleman says, that sometimes seems obvious to onlookers. We ask for evidence of the non-resident parent's income. It can be difficult to obtain, but we have powers to share information with other Government agencies that might have cause to hold it, which helps a great deal. The fact that we are willing to take court action quickly can also help with compliance. In addition, the fact that more of our staff now deal with compliance makes it likely that we will be able to act more quickly than in the case that the hon. Gentleman described—nobody would argue that that set a good example.

Having read what was said by the Select Committee, the hon. Gentleman asked a couple of questions about computer problems. He asked whether cases got stuck because of IT problems or other administrative problems. The difficulty is generally an IT problem. Part of the recovery programme led by our computer suppliers EDS, of which he will have heard, is designed to prevent cases from getting stuck, and there has been some progress. Improvements are made with each release of the new code and the fixes for the problems that have caused the sticking in the system.

The number of cases that are stuck has dropped from some 120,000 to about 40,000. That is progress. I accept that that does not help an individual whose case is stuck, but I can assure the hon. Gentleman that if we cannot fix the problem of a stuck case in an IT way, there are manual fixes that can get round that problem in particular cases. We deal with cases clerically to do that, but clearly that is not administratively efficient.

One of the instances to which the hon. Gentleman referred concerned the payment—

11.30 am

Sitting suspended until Two o'clock.

Private Sector Pension Schemes

Mr. Deputy Speaker: Before we proceed, let me tell hon. Members that I shall suspend the sitting for about 15 minutes should there be a Division in the House. Any time lost will be added on at the end of the debate. I call Mr. Webb.

2 pm

Mr. David Laws (Yeovil) (LD): Thank you, Mr. Deputy Speaker. I am glad that I have become so well known in the House.

Mr. Deputy Speaker: I apologise to the hon. Gentleman. Sometimes, with bifocals, you can end up looking in the wrong place because the lens is split.

Mr. Laws: I have the same problem.

I am pleased to secure the debate, and I welcome the Minister and other hon. Members to their places. It is traditional in my party to leave certain pension issues to my hon. Friend the Member for Northavon (Mr. Webb), who speaks so effectively on them for us in the House. Therefore, I do not want to raise the wide policy issues that seem to have opened up in recent weeks. Instead, I want to focus on the pensions debate as it relates to those of my constituents who have been affected by the problems that have arisen in private sector pension schemes over the past couple of years.

Without wanting to tread too much on the toes of the hon. Member for Halifax (Mrs. Mahon), who will speak in another debate later, I want to mention the experiences of 87 members of the Turner and Newall pension scheme at Daido Industrial Bearings Europe Ltd. in Ilminster, most of whom are constituents. I also want to talk about the 108 members of the Varta Ltd. pension scheme in Crewkerne, who have also encountered some problems that have affected private sector pension schemes in recent years.

I am sure that those cases are the tip of the iceberg and that other schemes in my constituency have been affected by a variety of problems. Indeed, I have had representations from 67 people who work at Doncasters in Chard and who are members of Allied Signal's reserved membership final salary pension scheme. However, I shall not focus on that issue today, because it is being dealt with through the courts; we hope that there will be a settlement. Instead, I shall focus on the first two cases.

Although I said that I wanted to leave many of the big-picture issues to my hon. Friend the Member for Northavon, it is clear that this is not just a constituency issue and that problems with private sector pension schemes have been experienced across the country over the past couple of years. Therefore, the Government not only face the challenge of achieving a fair settlement for individuals such as my constituents who have been affected by problems with their pensions. They also have a strong public policy interest in reinforcing the credibility of the private pensions industry and their own pension provision. If they do not do so, I fear that the worrying trend that we have seen over the past couple of years may develop further, with an increasingly widespread perception among members of the public that pensions are not a good investment, that they are not safe and that people should put their money into the housing market instead.

A cursory review of the personal finance sections of newspapers is enough to show that the view that private pensions are no longer safe, reliable or a sound investment is not limited to the many individuals who already have difficulty finding the money to save. Such views go far wider and include groups that traditionally have regarded pensions as a safe and sound investment but that, after their experiences with pensions over the past three or four years and with property prices over the past decade or so, are shifting their asset portfolio in a way that could turn out to be extremely dangerous in years to come if there is a significant downturn in the housing market, and particularly if everyone in the current generation saves through the housing market and ends up having to sell at the same time to fund their retirement.

The reasons for the recent problems with private sector pension provision are well known, and several have impacted directly on my constituents in the T and N and Varta schemes. Briefly, they include the introduction of controls on pension fund surpluses from 1987, which encouraged employers to take contribution holidays. That issue is of particular relevance to my constituents in the T and N pension fund. Also, of course, the abolition of tax credits paid to pension funds, in the Chancellor's first Budget, has had an adverse impact on many private schemes. The introduction, from June 2001, of the new accounting standard, FRS 17, had a further impact. Obviously, the fall of the stock market since 2001 has had a major effect on the valuation of many private sector pension schemes.

One could add further factors to that list of major elements affecting private sector pension provision, not least of which perhaps is the fact that longevity is increasing. The consequences of that must be dealt with not only in the private sector but, increasingly, in the public sector.

For those reasons, there have been significant problems in many private sector pension schemes—the beginning of the end for many defined benefit schemes. The Government have responded to that—in some cases, under quite a lot of pressure from other parties in the House—by introducing their pension protection fund, starting in April 2005, and the financial assistance scheme, which, on my understanding, will be backward-looking from May 2004.

We accept that the Government have taken two desirable steps to help many of the people who are affected by the problems with private sector pension schemes. We also accept that there are many difficulties in framing the schemes in ways that will not create incentives for private sector employers to dump their pension liabilities on the public sector. Whichever party was in government would have to be conscious of the issues and concerns that the Minister described, in the recent Conservative Opposition-day debate on pensions, as the problem of moral hazard. It is understandable also that those constituents of ours who find that they are at risk of losing all, or almost all, their pension are not interested in esoteric arguments about moral hazard, but want to know what action will be taken to assist them.

Mr. Nigel Waterson (Eastbourne) (Con): I am following the hon. Gentleman's arguments closely. Does he agree that the individuals concerned cannot for the life of them see a rational distinction between those who are caught up in a solvent wind-up of a pension fund and those caught up in an insolvent wind-up? From their point of view, they are equally unable to control events. Does he think, as I do, that they should be treated the same?

Mr. Laws: That is a real issue. I agree that the individuals concerned may not see the distinction that the Government and others want to draw. I believe that it is important, however, that the Government frame legislation in a way that does not open opportunities for the private sector to shift its liabilities to the public sector.

The two pension schemes that I want to talk about are both affected by another problem in the Government's proposals: the well known problem of the gap between the two Government schemes. Some people will be protected in part by the financial assistance scheme, up to May 2004, and others may get protection beyond April 2005 through the pension protection fund.

I bring to the attention of hon. Members today two cases involving the problem of pension schemes—and affected constituents—that fall into the gap in between. The wind-ups of the schemes in question are starting in the period between the operation of the financial assistance scheme and that of the pension protection fund. I want to press the Minister on what progress is being made on whether Government compensation will extend to people who fall into the gap. There is a strong sense among those of my constituents who are affected, but also in the mind of the average man in the street who is interested in such issues, that it would be ridiculous for one cohort of people to be trapped and, because of what happens in one year of the Labour Government's term of office, excluded from compensation. That is what would happen to the 87 members of the T and N pension scheme at Daido Industrial Bearings Europe Ltd.

In the past couple of days and in today's press, there has been hopeful news about the T and N pension fund. It seems that the unions and others have done a good job in trying to negotiate a better deal from those who are seeking to buy the company out of chapter 11 bankruptcy. Let us hope that the private sector will find a solution to the T and N problem, rather than the obligations for 40,000 individuals in the UK being transferred to the Government and the taxpayer.

I understand why the Minister has been reticent in respect of giving an undertaking on what will happen if there is no private sector solution to the T and N pension fund problems. Understandably, he does not want to encourage anything that would transfer those liabilities to the public sector, but I seek at least some encouragement that he understands the position of the people who may fall in the gap between the Government's two schemes and that he is considering their situation sympathetically. I would also be grateful if he gave us more information about the timetable that he envisages for making decisions on how such people will be affected.

I note that the Government have already made some comments on the record in the past month, indicating that they are looking at people who fall between the schemes sympathetically. Baroness Hollis of Heigham said:

> "We have not yet ruled out help in respect of schemes that start to wind up between May 2004 and the introduction of the PPF—what I call the sandwich year."—[*Official Report, House of Lords*, 7 September 2004; Vol. 664, c. GC132.]

I raised with the Minister the issue of my constituents at Daido Industrial Bearings Europe Ltd. who are affected by the T and N pension scheme. He replied in a letter dated 20 September that

> "the details of the Financial Assistance Scheme have yet to be finalised and we have not yet ruled out help in respect of schemes which start to wind up between May this year and the introduction of the Pension Protection Fund. We will take final decisions on requirements for the Financial Assistance Scheme once further research and consultation has been concluded."

Today, I want him to give not a cast-iron guarantee—I know he will not do that—but something a little more positive than "not yet ruled out" that shows that he understands that people caught in the gap between the schemes deserve proper protection from the Government. I would also like him to indicate how the research and consultation are proceeding and when we can expect a decision. I am sure that he understands that those who may be affected and who stand to lose a large amount of their provision for retirement are extremely worried about this issue and seek some guidance from the Government about how they intend to pursue it.

My constituents who are in the T and N pension fund understand that, beyond those two important points, there is a limit to the extent to which the Government can comment on the private negotiations taking place. However, when I contacted them about the debate, they asked me to raise several other issues with the Minister regarding their frustrations about how the problems in the T and N pension scheme arose. I hope that the Minister will give his views on those issues. First, in their minds, the main reason that the fund ran into problems was the long pension holiday that it had—I believe that it was almost a decade. We understand why, in the 1980s, the Government decided that a restriction to avoid losing taxation was needed, but, with the large swings in financial markets, surely we want to ensure that we do not deter any companies or pension funds that want to run up reasonable surpluses as a cushion against the bad times.

The second point raised by my constituents at Daido was whether there should be a stronger obligation on the trustees of some pension funds to have an actuarial evaluation more regularly than every three years and to give clearer information to scheme members, so that they can understand some risks that are developing and how well funded their pension scheme is. I suspect that, for many individuals in this position, the problems that they end up with and the near collapse of their scheme often come as a complete surprise. They will not have appreciated some problems as they built up—sometimes over the short term, but usually over a couple of years.

The third issue that constituents raised was whether there should be some special secure status for pension fund assets in the break-up of companies going into liquidation. One can obviously anticipate some

[Mr. Laws]

problems that might arise, but it is a legitimate issue to raise with the Government and I hope that the Minister touches on it.

The fourth and final point that the constituents raised, which is becoming increasingly relevant in the world of international ownership for private sector employers, was how the Government intend to protect UK workers in foreign-owned companies from the application of foreign pension laws. I will return to the situation faced by T and N members at Daido. Essentially, we have a Japanese firm, decisions that are made in America about a US-based pension fund and an English firm. The way in which we co-operate with other countries to agree a common set of rules, regulations and procedures in relation to pension law could be important in such cases.

I suspect that the Minister will not be as familiar with the second case as he is with the major issue of the T and N fund. It affects a large number of people in my constituency, and a much smaller number across the UK. It is the position of the 108 employees in the Varta Ltd. pension and life assurance scheme who were employed by Varta Ltd., a battery company in Crewkerne in my constituency. After the debate, I will send the Minister additional details about that particular case, so that he can respond. However, I would like briefly to raise the Varta case, not least because I suspect that it demonstrates some problems that the Government are grappling with and some that will need to be grappled with, and some measures that businesses are taking to try to reduce the pension liabilities that would otherwise fall to them.

The Varta Ltd. pension and life assurance scheme was established as a final salary scheme in 1971, and was historically funded by contributions from both the company and employees. Varta Ltd. was a subsidiary of Varta AG, a German company, and Varta AG was in turn sold to DB Investor, a company substantially owned by Deutsche Bank, in 2000. There was a further change in October 2002, when Varta AG sold a retail supply business to a US company, Rayovac Corporation. At that time, the Varta Ltd. business had to be split to separate the two bits: the part that was being purchased by the US entity and the part that was not.

It was no secret prior to the Rayovac purchase that the pension scheme, like many others, was in deficit on the basis of the minimum funding requirement and US and UK accounting standards. The deficit was about £2 million. Following the purchase of Varta Ltd. by Rayovac, the decision was made to close the Varta Ltd. site at Crewkerne and to transfer the business to the existing Rayovac operations in the United Kingdom. That took effect from 31 May 2003, at which time the employees and directors left the company.

Rayovac has met its statutory debt obligation to the scheme, as required by law, and Varta Ltd., although still nominally the principal employer, is likely to be wound up. However, Rayovac has so far proved unwilling to discuss who will negotiate any further assistance to the scheme's 108 members.

Varta Microbattery Ltd. continued to pay into the scheme after 31 May 2003, up to 31 December when its Inland Revenue approval expired. Consequently, as the last employer, the company became liable to make up any shortfall, which by that time had to be measured on a fully bought-out basis, as there were no contributing members left. When Varta Microbattery realised that that amount was £4 million in total, which the company could not afford to pay, it used the legal loophole left last year by placing the company into administration in February 2004, making all its employees redundant. The business was then immediately re-opened as a branch office of Varta Microbattery GmbH, and the company re-engaged those employees it wished to retain. By that process, it is likely to avoid its responsibility to the members of the Varta Ltd. pension scheme, unless the trustees of the scheme succeed in claiming from the German parent company. In August 2004, Varta Ltd. triggered the winding-up of the scheme, with the consequence that deferred members can now expect only about 45 per cent. of the pension that they earned.

That presents the Minister with several different issues to address, as the Government will no doubt be concerned to ensure that the pension protection legislation is very carefully put together. I do not necessarily expect him to have grasped all the details in this short debate, so I hope that, by writing separately to him, he can guide us as to whether any measures could be taken to pursue some of those obligations.

Obviously, what concerns constituents of mine who are affected by this situation is that, although they have heard about the Government's widely trumpeted scheme to offer compensation to people who have lost out in private sector schemes such as these, they now find that they fall between the pension protection fund and the Government's compensation scheme up to May 2004. This is yet another case that shows that a large number of deserving individuals fall between the two Government schemes. I hope that the Government will think again about whether they can deal with the needs of those individuals, which would not happen under the proposed schemes.

The desperation and frustration felt by many of these people, who have not always been properly informed about problems with their pension schemes and whose parent companies, with responsibility for their pension scheme, are often international, are summed up at the end of a note sent to me by a constituent, Mr Bailey, who is still employed at Daido Industrial Bearings Europe Ltd. in Ilminster and is a member of the T and N pension fund:

> "Here at Ilminster we find ourselves to be a Japanese owned Company sited in England. Our pension is based in England but appears to be effectively controlled from America. We have employees who have been with the Company for anything up to forty years. Some, myself included, are within a few years of retirement. We were encouraged by all and sundry to join the Company scheme which was promoted as the way to a financially secure retirement. Through no fault of our own- we now find ourselves in a situation where, at best, a significant percentage of our pensions may well be lost. All this to support an ailing American Company that we no longer work for!"

That is a good example of the frustration felt by people today.

We accept that many of these problems date back even further than the period of office of the Labour Government and that there are challenges for all parties.

We also accept that the problems in those two pension schemes cannot simply be put down to one or two of the Government's decisions. The ultimate solution to many problems will involve a change in the whole architecture of pensions policy. We hope that the indications from the Secretary of State for Work and Pensions in the past few weeks are that the Government may be rethinking their existing complex pension scheme, which relies too much on means-tested benefits. While the Government are doing that long-term thinking, we hope that the Minister will offer more reassurance to individuals such as my constituents who are facing great losses in income in retirement. We hope that we can work with him over the next few months to give real comfort to people in that situation.

2.23 pm

Mr. David Drew (Stroud) (Lab/Co-op): I arrived at the debate with no intention other than to intervene on the hon. Member for Yeovil (Mr. Laws). I want to say a few things, however, particularly about the administration process to which he referred, which will not surprise my hon. Friend the Minister.

I thank the Minister for receiving a delegation from Amicus, the Transport and General Workers Union and the work force of Lister-Petter, a couple of whose members graphically described the problems that they face. I share Lister-Petter with the hon. Member for Northavon (Mr. Webb): some of his constituents are part of the same pension fund as my constituents. The only thing that has changed since I last saw them is that the outcome of the administration is known. Members of the pension fund will receive less than a penny in the pound. With the best will in the world, that outcome was the biggest kick in the teeth that one could imagine. The Minister will remember that one of the gentlemen worked for Lister-Petter for 37 or 38 years, yet the workers stand to get next to nothing from the administration process.

I pay due regard to the Minister's previous boss, my right hon. Friend the Member for Oxford, East (Mr. Smith). He, too, saw me and took up some issues with the Department of Trade and Industry.

The Minister knows the arguments, and he knows what I shall be asking him to do. I know that he will reflect on what I say, but I accept that it will not be easy. The Lister-Petters of this world are prime examples of what can go wrong when companies get into difficulties and pension funds are sacrificed as a result. I know that he can say nothing about who will be included in the pension protection fund, but, if the Lister-Petter work force are not part of it, I do not know who will be. It is important to recognise that the state has a role as lender of last resort, but it should not be quite like that. Perhaps lessons can be learned and ideas taken forward to prevent a recurrence of such cases.

Mr. Steve Webb (Northavon) (LD): The hon. Gentleman has been diligent in pursuing the interests of Lister-Petter pensioners. Does he share my concern that the Government have asked such schemes for information to help to construct the financial assistance scheme but have offered no help to meet the costs of supplying that information, and that the trustees can meet those costs from the pension fund, which will leave the workers with even less? Does he think that the Government should have met the cost of obtaining that information?

Mr. Drew: The state should certainly have a role in arbitrating on how the process of administration or receivership is taken forward. I was about to say that secured creditors should not have it as easy as they seem to, and that unsecured creditors should not be sacrificed. However, when push comes to shove, often the reality is that little is left—except, dare I say it, for the Exchequer. The state may have to take on such responsibilities. It is wrong to expect the workers to carry the entire burden. It is completely unfair.

I have used Lister-Petter as a case history, but it is a good example as it demonstrates what we need to learn from such a wrong set of circumstances. From the outset, however, my investigation of the Lister-Petter pension fund showed no evidence of maladministration. The company was unfortunate in as much as there was a stock market blip at exactly the wrong moment, and the problems that the company faced were mirrored by those that faced the pension fund. Although the pension fund needed outside support, the company should have been doing more. However, the state should have a role to play in trying at least to get a fairer settlement.

The main problem when it comes to the process of administration, let alone a full winding-up, is that the power that we invest in the administrator or receiver is so great that the pension fund is left at the bottom of the pile. The way in which the assets are settled leaves the pension fund as the most unsecured of creditors. It is bound to lose. As far as I can make out—I will be careful in how I word this—it pays the administrator very little to be fair to the pension fund, whereas for the banks and other prime creditors the administrator is, for all sorts of reasons, seen to be unduly helpful.

We face a closed circle. I have raised the issue on a number of occasions. I know that it is not the Minister's responsibility, but I will continue to bang on about it. The Department for Work and Pensions and the Department of Trade and Industry must between them tackle the secret garden of the administration process and, dare I say it, receivership. The process needs to be opened out. Too often, the pension fund loses out because it is unclear what decisions are taken on behalf of whom, except that in a number of cases we can see who loses out.

In the case of Lister-Petter, the pension fund was already in difficulties when, roughly a year ago, the company began to experience serious difficulties itself. The hon. Member for Northavon talked about the issue. I have had a lot to do with the case, but I do not want to labour the point about how much of my time the issue has taken up. More important are the repercussions in a company town such as Dursley, which was based around Lister-Petter.

At its height, the pension fund was about £12 million in the red. By the time of the closure, that figure was reduced to less than £10 million and was moving in the right direction. Again, there is a question about the administrator and, dare I say it, the independent trustee appointed by the administrator to consider the grounds on which a decision to close the pension fund might be

[Mr. Drew]

taken. I accept that such legal and financial decisions must be taken, and one trusts that they are taken for all the best reasons. In the case in question, there was no real alternative in the view of the trustees of the pension fund.

The killer is that, when a pension fund is, say, £9 million in the red, the real cost of trying to keep it going is about three times that, because the money in the red must be annuitised. Again, the issue relates to the confidence of the market and what it expects. In due course, as the stock market improved, the pension could have come back. Why does that matter?

Mr. Webb: Of course, there is an alternative to annuitisation, which is for the financial assistance scheme to take over the assets—it does not have to cash them in and therefore buy a poor-value annuity. I do not know whether the Government have ruled that option out, but does the hon. Gentleman share my view that that should happen? The FAS should take over the assets, not force people to buy poor-value annuities.

Mr. Drew: I do not disagree at all. My point is that, when you look for a potential suitor—it is the role of the administrator to try to keep a company as a going concern—the pension fund is seen as a great dead weight. If an administrator can lose the pension fund, that is seen as something that makes the company more attractive. The administrator's motivation is therefore completely at odds with the continuation of the pension fund. The hon. Gentleman proposes a way to overcome that, which is something that the Minister might want to talk about. The danger is that you could end up with the state picking up a rather hefty bill, but something has to be done.

The reason the issue is so important is that it concerns the prioritisation of the security of the assets when a company experiences difficulties.

Mr. Deputy Speaker: Order. May I warn the hon. Gentleman that when he says "you" he means me? Normally, I am quite relaxed about that, but, as a former chairman of a pension fund, it could be embarrassing.

Mr. Drew: I apologise. I shall try to talk in the plural. In the situation that I described, everything is stacked against the pension fund that has to try to survive. As I have said—we accept that it is not the responsibility of the Minister—part of the solution is to persuade the DTI. I am looking for more of a level playing field, so that the pension fund is not seen to be the makeweight of any administration process. The people whom one would want to protect are those who are most unprotected. The sad thing in the case of Lister-Petter is that the people who have had the boot put in are those who stayed with the company through thick and thin and who may have foregone their pension because they preferred to stay as deferred pensioners. They have lost out completely.

2.36 pm

Sitting suspended for a Division in the House.

2.50 pm

On resuming—

Mr. Drew: I shall conclude promptly. I know that the Minister will argue against the case that I have advanced—this time in public—that there is a danger that companies will take this as an opportunity to get rid of their company schemes and that those who could be in the game of taking them over would have every reason to object if they believed that such a move would leave them responsible for a punitive pensions fund.

In these days of corporate social responsibility, there is no clearer way for a decent business to behave than to recognise that its pension fund is a critical measure not only of how effectively it does business, but of how it cares for its work force. At a time when the quality of a business is determined by the quality of its work force, we should pay far greater attention to fairness in pension funds. I hope that the Minister will give us good news. If nothing else, he should take our concerns back to the DTI and nail down the gross unfairness that we are debating.

2.51 pm

Adam Price (East Carmarthen and Dinefwr) (PC): I congratulate the hon. Member for Yeovil (Mr. Laws) on having secured the debate. He approached the issue in his typically forensic, measured and analytical way. I also congratulate him on the timing of the debate—although, as the hon. Member for Eastbourne (Mr. Waterson) said, if one misses one pensions debate these days, there will always be another over the next week.

We have focused of late on the long-term pensions crisis, in the wake of the Turner review, so it is timely that this debate concerns not the ticking pensions time bomb but the crisis that is already with us. There have been some developments in recent months. The unions are suing the Government; the Lords are in Committee considering the Pensions Bill in a state of some confusion about the Government's proposals; the parliamentary ombudsman might be about to launch an inquiry, following complaints by 47 Members of Parliament—including, I am led to believe, the Secretary of State for Work and Pensions—and there is even a criminal investigation by South Wales police. We cannot wait for all those inquiries to reach their conclusions. As we have heard from the hon. Members for Yeovil and for Stroud (Mr. Drew), the problem is ongoing for people in many constituencies. I shall accede to the Minister's request to keep my comments brief if he will agree to answer my questions, by return of post if not during the debate.

There is a link between the long-term debate and the short-term crisis, and that is the issue of trust, as the hon. Member for Yeovil said. Public confidence in the pensions system has collapsed, largely because of the myriad crises in occupational pension funds. In addressing the crisis, the Government have an opportunity to restore that confidence. I remember the debate in May when the Government announced the financial assistance scheme, to a chorus of halleluiahs from all over the House. Unfortunately, some of that good will, and the trust that was beginning to be restored by their acceptance of responsibility, has been frittered away by the Government in the subsequent months. Presumably, that is why the union has taken the action that it has, and why MPs have made an application to the ombudsman.

One of the critical worries is the adequacy of the funds. Many independent commentators have come to the conclusion that there is not enough money to make adequate provision for those whose pensions have been stolen. Any figure that one cites is dwarfed by the £5 million that the Chancellor still receives every year as a result of having removed the tax credit that pensions received on company dividends. Surely the Government can do more than they are doing.

As the hon. Member for Northavon (Mr. Webb) said, in the context of the complaints and the concerns that have been raised about administrative fees, it is absurd that the Government are asking pension schemes—which are suffering gaping holes in their provision and cannot pay some of their deferred pensioners—to pick up the tab for filling in the Government's 11-page questionnaire. All that the Government have done is ask the administrators to keep charges to a minimum. No control has been put on that. The members of the schemes, who are the innocent parties, have to suffer for something that is the Government's responsibility. The Government decided to bring in the financial assistance scheme; surely they can see fit not to fritter away further the funds in the schemes. Some have already lost 10 or 15 per cent. of their available funds in fees. Surely the Government can do better than that.

The question of who will be covered has been raised. There is a lot of uncertainty. All that the Government tell us is that some people will be helped, somewhat, at some time. That is all we can say with any certainty. Surely we need to give some response to companies. People who belonged to schemes before April 1997—10 per cent. of those identified in the Government's paper, which I think was released in June—would not be covered. I cannot see any moral, legal or other argument for excluding those people, who are in exactly the same situation as the others.

The Government risk creating a new injustice and a new set of people who feel that they have been wronged first by their companies, then by successive Governments who—unlike almost every other Government in the world—did not put measures in place to protect them, and now by a financial assistance scheme that arbitrarily excludes them. The same applies to the so-called sandwich year of the company insolvency scheme for the 300 workers of the German paper company, Felix Schoeller. That company has turned its back on a £12.5 million pension fund deficit, although its parent company made a reported profit of over £100 million in the last year. How can the members of that scheme, who have done no wrong, be excluded?

The company is to blame, and yes, the Government should be going after the company, but surely provision should be made for the members, and for those at Turner and Newall in Wales, and at the former Ferodo plant in Caernarfon, now Dynamex Friction. The workers there fought the longest-running industrial dispute in British history and now face the prospect, on top of that, of losing up to 70 per cent. of their pension fund. Surely the Government have to provide some support for those workers.

I would like the Minister to tell us whether there have been any changes to the timetable that he outlined in May, now that further work has to be done on the numbers until 12 November. Will that have any impact on the timetable? Will we still see the first payments in the spring? When will we get the affirmative procedure vote on the detailed regulations that we were promised, and will there be a debate as well as a vote?

I agree with the right hon. Member for Birkenhead (Mr. Field), whose idea of using unclaimed assets was taken up by the Opposition. I do not care where the money comes from so long as we find some for the people who, as the Minister acknowledges, believe that their pensions were stolen. Perhaps it is not such a bad idea that the South Wales police have launched an investigation. That money belonged to the scheme members.

The Government pride themselves on evidence-based policy making, but they announced an arbitrary figure before the work was done on eligible numbers. That does not make sense. They must revisit their cost assessment so that we can provide real security for all those who are deserving and who have lost out, and whom successive Governments have failed. The Government have an opportunity to restore confidence I hope they do not miss it.

3 pm

Mr. Steve Webb (Northavon) (LD): I congratulate my hon. Friend the Member for Yeovil (Mr. Laws) not merely on securing this debate—that seems an odd custom—but on his wise choice to speak on behalf of his constituents who have lost some of or all their occupational pension rights. I have struggled to come up with the right analogy, but the situation is rather like looking at a window pane in the winter when it starts to snow. Initially there is one flake of snow on the pane and then another until, suddenly, it is snowing heavily and the entire pane is covered. It is rather like that for hon. Members who become concerned about occupational pension schemes.

Most try not to know anything about such schemes, but we have all been dragged kicking and screaming into that arena, because in more and more constituencies more and more hon. Members who, for understandable reasons, have never looked into such matters are drawn in because constituents have lost their pensions. While listening to departmental questions we have the macabre sport of spotting new MPs raising for the first time issues that have been raised month after month as the problem continues to spread. My hon. Friend spoke up powerfully for his constituents who worked for Turner and Newall and Varta—I am sure that I have bought its batteries in the past, but am not sure that I would have done if I had known what it has done. My hon. Friend raised some important issues, and I hope that the Minister will respond fully.

I shall touch on the four key points that my hon. Friend raised. He asked about pension contribution holidays. That may sound like a quaint throwback to some bygone era, but it would be interesting to know whether the Government have any plans to deal with pension fund surpluses if they re-emerge—whether they remain of the view that surpluses should be capped or

[Mr. Steve Webb]

whether there are plans for funds to build up healthy surpluses again, if the opportunity arises, to cushion funds against bad years and prevent a return to the rollercoaster.

My hon. Friend referred to the role of trustees and asked whether, in his local case, they had kept the workers properly informed and whether there should have been more frequent valuations. We touched on those issues when discussing the Pensions Bill. The Government have put a new onus on trustees to understand pensions—that is a novelty—but I am not wholly convinced that they have put any onus on the trustees to ensure that scheme members are better informed. I hope that the Minister will respond on that point.

My hon. Friend also talked about the priority order of creditors when a company goes into receivership; the hon. Member for Stroud (Mr. Drew) properly raised that important issue also. If the pension fund is at the bottom of the pile, many individuals lose out badly. One could understand why the banks, if they were at the bottom of the pile, might turn round and say that that increased their risk so they must charge more interest whenever they lend money to a company. Balances must be struck. I remember the priority order of creditors being raised in one of the endless stream of Green Papers that we have seen. Perhaps the Minister will clarify whether the Government have rejected making any changes on that front.

My hon. Friend the Member for Yeovil raised that most intractable set of issues raised by the question of what happens, in this increasingly global market, when a company that takes over another company is not based in the UK. It may be split off and there are liabilities hanging around from companies that no longer exist and so on. I hope that the Minister will do more than simply say that the matter is complicated. Can he offer us an assurance that any of our constituents who work for companies that are taken over by a foreign-owned parent company will enjoy the same pension rights protection that UK employees otherwise enjoy? Do British workers need to worry about their occupational pension rights if their company is taken over by an overseas employer? What will the impact be on their pension rights?

I shall touch briefly on the financial assistance scheme and some detailed points that were made. We heard from my hon. Friend and the hon. Member for Stroud about the sandwich year. The Minister's response to an intervention on the subject last week was that he could not really say what would happen; he was worried about moral hazard.

Will the Minister clarify what he meant? Is he worried that firms considering going into receivership might hasten to do so, knowing that the pension fund liability would be, to some extent, picked up? Does he think that that might be going on at the moment? Moral hazard has many dimensions. I wonder what bar there is on the Minister giving my hon. Friend's constituents—as well as people from Lister-Petter and other companies—some reassurance.

We have had almost no information about how the financial assistance scheme will be run. The logic is that the financial assistance scheme would take over the assets of Lister-Petter, or whoever was involved, rather than converting them into poor-value annuities. Is that what will happen? Will the financial assistance scheme have assets acquired from the firms that have been wound up, topped up by the taxpayer? Who will run that? Will there be a new financial assistance board, or a quango or something similar? Surely the logical approach would be for the shadow pension protection fund to run it. It performs an almost identical function.

It has been suggested to me, rather cynically—obviously I reject the analysis—that the Government have not said that the pension protection fund will run the financial assistance scheme because that might lead people to think that there was a connection between the two. I do not accept that cynical approach; I know the Minister to be a man of principle. I hope that he will reassure me that the taxpayers' interests, and those of scheme members, will be best served by the PPF running the FAS.

Why will the FAS run for only 20 years? If I am 55 now, presumably I can expect to live another 25 or 30 years. What will happen when the money runs out? Why did the Government think that 20 lots of £20 million was the right number? As the hon. Member for East Carmarthen and Dinefwr (Adam Price) said, the Government are only now doing the research and asking the questions—but they have already worked out the answer. Where is the evidence that the figure is adequate? We all know that it is not, and that the Government started with the answer and worked back to the question.

It was interesting to watch the Minister's facial expressions when the hon. Member for East Carmarthen and Dinefwr was asking why the Government do not bear the cost of obtaining the information. If I read those expressions correctly, a paraphrase of what he was saying from a sedentary position without moving his lips was, "What do you want? The Government are already putting in £20 million and the members are benefiting from it, so they can lump it." I do not accept that analysis.

The Minister for Pensions (Malcolm Wicks): My experience of *Hansard* is that, although it is excellent in many ways, it is not good at facial expressions or irony.

Mr. Deputy Speaker: Order. Before the hon. Gentleman resumes his seat, I assure hon. Members that the transcription of the debate is not even happening in this building, let alone taking account of facial expressions.

Mr. Webb: Thank you, Mr. Deputy Speaker. It has been suggested that it is regrettable that the written English language lacks a type-face known as ironic bold, which might have been appropriate just now.

The serious point is that the schemes in question, which already do not have enough money in them, have to bear a burden. The Minister gave a written answer on Thursday to a question from me about how many letters had been sent out—he could not tell me—and about the burden of the cost of supplying the information. He said that it would depend on "the extent to which those involved in administering the schemes are able to absorb any costs incurred".

Why should they? They are profit-making organisations. Have the Government rung them up and said, "Oh go on, don't charge us for this"? What incentive do they have for not passing on the costs? Allied Steel and Wire was the classic case in which scheme administrators and independent trustees were charging £100 to answer a phone call.

Adam Price: Is not part of the problem the fact that there is no guarantee, once the cost has been borne, that the scheme will benefit? The letter that has been sent says:

"Neither the provision of the information, nor any subsequent contact from the DWP, is to be taken as an indication that a scheme or its members will be entitled to assistance"

The scheme bears the cost of providing the Government with the data, but there is no guarantee of any benefit.

Mr. Webb: It would be particularly harsh to supply the information, thereby taking money out of the fund, and then find that the scheme was not covered in the first place.

In the written answer, the Minister continued:

"The Government is still seeking"—

desperately seeking, one senses—

"industry contributions to the Financial Assistance Scheme and this is an opportunity for members . . . to provide one."

Well, we will see, will we not? The written answer ends:

"We encouraged those involved to keep costs to a minimum."—[*Official Report*, 14 October 2004; Vol. 425, c. 343W.]

Nudges, winks and encouragement. The cost to an individual scheme could be significant; the cost to the Government is negligible. Given that those workers—those scheme members—have suffered enough already, could the Government not have said, "We will meet the costs of the extra information-gathering exercise"? As the hon. Gentleman said, that exercise should feed into the scale of the financial assistance scheme, not the other way round.

We could talk all day about those issues, but I hope that we receive some concrete answers from the Minister, first to the specific questions about pension scheme management that my hon. Friend the Member for Yeovil quite properly raised, and secondly, about how and under whose auspices the financial assistance scheme will be run. There is no moral hazard in providing answers to those questions, and I hope that the Minister will do so as comprehensively as he can.

3.11 pm

Mr. Nigel Waterson (Eastbourne) (Con): I will not take up the snowflake analogy of the hon. Member for Northavon (Mr. Webb), although the Government are doing what the Americans call a "snow job" on pensioners and would-be pensioners.

I congratulate the hon. Member for Yeovil (Mr. Laws) on securing the debate. As the hon. Member for East Carmarthen and Dinefwr (Adam Price) pointed out, this is not exactly a rare opportunity to debate problems in pensions, but it is nice to have a period of calm reflection in Westminster Hall after the frenetic activity last week, with a full day's debate, departmental questions and the Turner report to keep us busy.

It is worth stepping back from the frenetic discussions that we have weekly and sometimes two or three times a week about the purpose of Government policy. In a sentence, it should be to reinvest pensions with the confidence of different groups of the British public. People saving for their retirement in company schemes want some reassurance, which I guess is supposed to be the role of the pension protection fund. There is also the vast raft of young people who are simply not interested in pensions, whom the hon. Member for Yeovil touched on. They are turned off by the whole idea of pensions and must be encouraged to take an interest again.

The other part to reinvesting pensions with public confidence is to demonstrate to those groups that we are treating as fairly as possible those people who have already got into difficulties through no fault of their own—the people at Turner and Newall in Ilminster and the constituents of the hon. Member for Stroud (Mr. Drew). I add my warm welcome to the news that the Turner and Newall problem is apparently on its way to being solved, but I am sure that there are still some loose ends to tie up. I recently met a delegation from Derbyshire, where there is a high concentration of Turner and Newall employees, and they were extremely concerned about the future. However, it seems—fingers crossed—that a solution might have been found, so that the scheme can continue on a properly funded basis. That is excellent news.

That brings us to what Baroness Hollis of Heigham has called the sandwich year, or, as it has been called more accurately, the gap year in help for people who have lost all or a large part of their pension rights. The financial assistance scheme was met with a chorus of welcome and approval from many quarters. We were sceptical and have become more sceptical, but many groups that have worked and lobbied hard were on the face of it pleased with the announcement. As more detail has oozed—the only word that covers my point—out about the likely parameters of and exclusions from the scheme, that enthusiasm has rapidly evaporated.

The hon. Member for East Carmarthen and Dinefwr said that the £400 million figure was arbitrary. I do not believe that anyone could argue with that. I have yet to hear Ministers even try to explain where the figure came from, but one thing that everyone seems to agree about is that it is not nearly enough to deal with the potential problems, let alone the additional problems that may arise between now and the PPF's coming into effect, subject to an issue that I shall deal with in a moment.

It is alarming that successive attempts by many right hon. and hon. Members, including the hon. Member for Northavon and me, to extract more detail from Ministers have met with almost complete stonewalling. As has been explained, the main reason put forward for not vouchsafing the details is moral hazard. Perhaps one can understand that. The Turner and Newall situation was vast, potentially affecting some 40,000 people and involving a shortfall—at least on paper—of nearly £900 million. That in itself was a reason for Ministers to be cautious. It is certainly the reason that Ministers have clung to in the recent past, but let us hope and expect that the good news is indeed good news, that Turner and Newall's problems will be

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manageable and that that particular problem will disappear from Ministers' desks—in which case, what other good reason is there for not giving us the details?

As I pointed out in the debate last week, it is now five months since the FAS was announced—in a bit of a flurry, I must say. I asked the Minister a series of questions. Sadly, he seemed unable to answer them then, so I shall repeat them now. I intend to keep repeating them in the hope that eventually he might give me the answers or even come up with the immortal words, "I will write to the hon. Member."

When does the Minister expect the first payment to be made? My suspicion is that it will be after spring next year, which is a date that may have some significance. Will victims of solvent wind-ups be included? Apparently, the answer is no. What is to happen about the Baroness's sandwich year? Is it really the case that a decision has been made that any wind-ups that start between May this year and April next year will not come within the FAS and, by definition, within the PPF? Will the payments be means-tested? Will they be taxed? Can the Minister report any progress in extracting voluntary contributions from industry, or the industry? Will he reconsider a bit more seriously our proposal to top up the £400 million—inevitably, it will have to be topped up—by using unclaimed assets?

It is clear that there could be a very large gap. In trying to recreate confidence in pensions, it is no good at all if Ministers are not prepared to be totally frank about such matters, particularly if a specific reason for not being so appears to have been removed from the scene.

Although the action of the steel union caused some procedural difficulties with the ombudsman's inquiry, it was not wholly unexpected. Apparently, the union looked closely at the FAS and what was on offer and was distinctly unimpressed. Some 200 cases have been referred by hon. Members to the ombudsman. I very much hope for and would urge an early decision by the ombudsman to make it clear that there will be an investigation of maladministration.

Let me touch briefly on one other issue. Again, it relates to confidence. It looks to the Pensions Bill, which this House will have the pleasure of receiving back from the other place probably just before we finish this Session, and the nature of the guarantee. I have made this point before, but it bears repeating. Hon. Members and Ministers must not oversell what is being offered in that Bill. The US model on which it is based, the Pensions Benefit Guaranty Corporation, gives a total guarantee that someone whose pension fund goes pear-shaped will get the amount to which they would have been entitled. However, we know from the detail in the Bill that that is not what is on offer in this country: the fund does not have Government backing; there is a cap on individual payments; there is only 90 per cent. for those who are still working when the problem arises; the Government are changing the rules on indexation; and, of course, as has not been lost on the newly appointed chairman of the PPF, there is a clear power to cut benefits if the funds are not available. In the interests of confidence, it is important either that some such things are changed—who knows what may happen in the debates in the House of Lords—or that we are open and honest with people about the fact that the scheme is not a guarantee and is not a complete lifeboat.

I return to the points made by the hon. Member for Yeovil. If any kind of confidence in the pension system is to be rebuilt, it is desperately important that we start to get clear details about the FAS, such as how it will be administered and by whom; how the payment of claims will be approached; how many pence in the pound people are likely to get; and when payments will start to come through. We also need answers to the other questions that I have raised again today. I promise the Minister that I will keep raising those questions until we get some answers.

3.21 pm

The Minister for Pensions (Malcolm Wicks): The hon. Member for Yeovil (Mr. Laws) introduced the debate in a measured and analytical way, and I thank him for setting the tone. I also enjoyed the challenges in the speech of my hon. Friend the Member for Stroud (Mr. Drew), and the contribution of the hon. Member for East Carmarthen and Dinefwr (Adam Price). As ever, the hon. Member for Northavon (Mr. Webb) made a valuable contribution. Among Liberal Democrat pension snowflakes, he is primus inter pares. The hon. Member for Eastbourne (Mr. Waterson) also made a challenging contribution.

I think we are all agreed that a crucial challenge for the Government, and Parliament, is to restore confidence and security in the pension system. Certain factors are largely out of our control, an obvious example being the huge decline in world share prices. Whenever it seems legitimate for the Government to intervene to introduce, or reintroduce, security and confidence, we must debate how to do so.

Although it is tempting to do so, this is not the occasion on which to re-debate the whole Pensions Bill. We have had opportunities to do that, and we will have further opportunities to do so, but I will try to touch on the more urgent issues that have been raised.

We have all met workers who have been adversely affected by the collapse of their companies and the terrible realisation that their pension dreams seem to have been shattered. Although I resist the vogue to call every issue and challenge a crisis, there is a real crisis for those groups of workers, which needs to be addressed. Part of the answer lies with the Pensions Bill and the establishment of the pension protection fund, which will come into force in April 2005—subject to the will of Parliament. The fund will ensure that compensation will be available for members of UK-based schemes whose companies go bust, leaving pension schemes underfunded. More than 10 million scheme members will benefit from the security of the new fund.

We also believe, as do more far-sighted business leaders, that business will benefit because the PPF will increase confidence in defined benefit schemes, and will increase their effectiveness as a recruitment and retention tool. The more successful we are in returning Britain to a land of full employment in which vacancies become the challenge rather than unemployment, the more people will ask serious questions about pension schemes at job interviews.

If we learn the lessons from it properly, the Pensions Benefit Guaranty Corporation gives a reasonable guide to how we should establish the fund, although we have brought in flexibilities, in terms of the levy, that are not available to the US scheme. Questions of moral hazard mean that there will inevitably be some differences in treatment between groups and companies. We have taken the utmost care to minimise the effect of that.

By providing 90 per cent. compensation subject to PPF rules for members under the scheme's normal pension age, we will ensure that compensation remains meaningful, while incentivising key decision makers to keep their schemes outside the PPF. Regulations in force in advance of the PPF mean that the debt on a solvent employer whose scheme winds up underfunded is calculated on the basis that the scheme should be able to meet the full benefits that scheme members have accrued and expect to receive, as well as the full costs of winding-up. Trustees can use the regulations if their scheme started to wind up on or after 11 June 2003.

For schemes that start to wind up on or after 10 May this year, we have also amended the priority order to ensure that assets are shared more fairly between non-pensioner and pensioner scheme members. That has been achieved by moving pensioners' future indexation down the priority order, after the accrued rights of non-pensioner members. That has a significant impact on the rights of non-pensioner scheme members.

Importantly, the new pensions regulator—another feature of the Bill—will build further security and confidence, providing an early warning system of possible problems in scheme administration, assisting in protecting members and helping to limit calls on the PPF. The regulator will build on the expertise and experience of the Occupational Pensions Regulatory Authority, but will be more flexible and more proactive. It will concentrate its efforts on schemes where it assesses that there is a high risk to members because of bad governance, poor administration or fraud.

We are making real and substantial reforms to protect scheme members for the future, but we acknowledge that the PPF will not help some members. We have not ignored them. Through the financial assistance scheme, we will offer help to people who have lost out on their final salary pension due to their scheme winding up underfunded. Our commitment—at £400 million of public money—provides a sound basis, we would argue, for a worthwhile assistance scheme for those who face the most significant losses to their pension benefits.

The hon. Member for East Carmarthen and Dinefwr asked about the assistance scheme. Hon. Members will be aware that it is our duty to ensure that it is workable and affordable. It would be wrong for us rashly to announce details of the scheme without full and proper consideration. That would adversely affect those who have already been subjected to enough speculation and would be both unfair and misleading. We will not be pushed into making statements before the scheme has been fully formulated. It is a difficult and complex area of work, and we want to ensure that we get it right.

Hon. Members, of course, have particular schemes on their minds that affect their constituents. I respect that, and there are some high-profile schemes. However, when I note that we have had to seek information from about 250 different company pension schemes, it might give hon. Members some idea of the scale of the challenge and the complexity of the task before us.

We can say that we are making progress. In May, I gave a clear timetable for how the scheme would develop. We are sticking to that timetable. I understand why hon. Members ask, "When will we hear?" but I have set out the timetable and we are on track.

As promised, a data report giving our initial estimate of people affected was laid before Parliament in June. We have been in discussion with stakeholders, trade unions, key representatives from business and the pensions industry, and scheme members affected. In addition, we have been advised by a group of pensions experts who have met us regularly over the summer.

The hon. Member for Northavon asked whether I could give details about the nature of the scheme. I cannot yet. Our plan is to produce more details at the end of this year and to have the scheme in place by the spring, with payments being made as soon as possible thereafter. I have already stated those things, and that is the timetable to which we are working. By spring, we intend to have the legislative framework in place with a view to being able to make the payments.

I have been asked about the so-called gap year, and the hon. Member for Yeovil was particularly concerned about two schemes. Various people have mentioned Turner and Newall. As far as that situation is concerned, we understand that discussions are ongoing. It would be wrong for me to pre-empt the outcome of those discussions, or for us to assume that the scheme will wind up.

We are of course sympathetic to the Turner and Newall pension scheme members, who are left in great uncertainty at present. I have met several hon. Members to discuss the scheme. We continue to monitor the situation closely and look forward to positive developments. Only last week, as has been noted, I was pleased to hear about further progress—namely, the new offer from US investors, which is being considered by the administrator and trustees of the scheme. We hope that the company will meet its obligations to the employees and achieve a beneficial outcome for all parties concerned. However, the recent developments support our view that, until those discussions are complete, it would be wholly inappropriate for any of us to draw conclusions about the future of the schemes.

The hon. Member for Yeovil mentioned another scheme and promised to write to me about it. I will respond to that, which is the appropriate way to deal with a scheme that I am not knowledgeable about at this moment.

Mr. Laws: Leaving aside the Turner and Newall scheme, does the Minister agree that it would be wholly unfair if a group of individuals fell between the two forms of compensation and protection that the

[Mr. Laws]

Government are putting in place and therefore received no compensation at all? How would he justify that to the affected individuals?

Malcolm Wicks: As I have noted, schemes winding up after 10 May 2004 will be helped by the changes to the priority order. However, I do not want to exaggerate the proportion of support that that brings; it is not the whole answer. We have said before that, for that year, we have not ruled out support from the financial assistance scheme, and of course we are sympathetic. We are closely monitoring the situation as it develops for that one-year period.

Mr. Webb: Will the Minister give way?

Malcolm Wicks: May I carry on?

We need to take moral hazard seriously. For wholly British companies and companies that are foreign owned and that have a complexity of ownership because of globalisation, we must be careful that we do not say things too rashly that might encourage companies to dump their pension liabilities on the British taxpayer. They as companies should be responsible. That is what I mean by moral hazard in this situation. We must all be careful of how we speak about the issue to avoid such difficulty. There is also an implication not only for the financial assistance scheme but for the PPF as we approach the April period, when it might be difficult, or require some analysis, to determine whether the FAS or PPF might be liable for one scheme or another. There is complexity to the matter.

I use the word "sympathy" but I realise that sympathy butters no scones. However, when we have talked about our sympathy, we have followed it up with action—with the PPF and the FAS. I am concerned about, and sympathetic to, those who will fall in that year. I hope that the hon. Member for Yeovil understands my meaning.

Primary Schools (Stevenage)

3.33 pm

Barbara Follett (Stevenage) (Lab): I am pleased to have this opportunity to air a subject that is causing my constituents and me a great deal of distress and, if plans go through, is likely to cause us even more. I am here to ask the Minister to listen to our problem and to do all that he can to persuade Hertfordshire county council to rerun its recent review and consultation on primary provision in Stevenage.

I shall try to give the background to the problem, discuss Hertfordshire's solution and then say what we in Stevenage would like to be done. Historically, Stevenage has had a large number of surplus primary school places. That has been true for almost a decade, and at present there are 1,590 surplus places, or nine and a half forms of entry. This is both a problem and an opportunity.

I was glad when, this January, Hertfordshire county council decided to address the problem by holding a review of the surplus primary school places. I was even gladder when, in a speech to the school governors and head teachers concerned, the county council officials said that the review would be transparent and clear, and that they would publish the 11 criteria on which they had based their decisions. We heard nothing at all from January until late May, however, and only a strong rumour at the beginning of June that the county council would indeed publish its review, but that the review was delayed because of the postponement of the local elections until 10 June.

I assumed, as did many head teachers, teachers and parents, that the review would be published in September and that the consultation would end around Christmas. Hon. Members may imagine my surprise when, on 21 June, we were sent the review and discovered that the consultation period was just under nine and three quarter weeks, and that it was due to start in the few hectic weeks before the schools closed for the summer holidays and end on 31 August. In other words, it was perfectly timed to fit two thirds of it into the school holidays.

When consulting on the closure of six primary schools, people do not usually allow such a small window of opportunity or hold the consultation in the holidays. Not surprisingly, the parents, many of whom are here today, were deeply suspicious of the county council's motives. I do not know whether it was carelessness or whether it was contrived, but whatever it was, the timetable has been most inconvenient and difficult.

The summer holidays are traditionally a time when we all forget about things such as politics, primary provision and schools, go away and sit on a beach or walk in the hills—but local parents did not do that this summer. Instead, they spent their time organising. I have in my hand a petition of 8,000 signatures of parents in Stevenage who are against the county council's proposals, and I shall present it to the House of Commons later this week. The parents also ensured that the county council received a record number of response forms; one county official told me that the council had received 100 per cent. more than usual.

More than 3,000 response forms were returned to the county council, of which 97.3 per cent. were from people who were against the council's proposals.

What were the proposals that caused so much consternation? As I said, Stevenage has a long-standing problem with surplus primary school places, particularly in the southern end of the town, in which the population is ageing and where, because of housing inflexibilities, we have been unable to build the sort of housing that would allow older people to move out of their large houses into smaller ones. Numbers in the schools were therefore going down. The review dealt with two schools in the centre of Stevenage and four in the south of the town.

One usually expects reviews to list the options considered, and the reasons why some are good and some bad. One also expects stakeholders to be given a choice. The people of central Stevenage were the lucky ones: they were given exactly one choice. They were told that one school in the centre of the town, either Pin Green or Bedwell, would have to close, and that was it. There was nothing else. No other solutions—believe you me, there are many—were considered.

As I said, the people of central Stevenage turned out to be the lucky ones, because the review said quite baldly that in the south of Stevenage it could not possibly recommend anything else but the merger of four schools to create a primary school that is very large for Hertfordshire. Hertfordshire's 20 most successful schools have no more than 300 pupils, and its largest primary school has 560 pupils. The school proposed for the south of Stevenage would have to have 842 pupils, which is a lot. There are only about seven schools in the whole country that are that large—I know that the Minister happens to have one of them in his own constituency. However, I would point out to him that there are special circumstances in Stevenage, involving a history of very low achievement.

Parents, local politicians and I found it deeply insulting that the review document was entitled, "Raising Standards in Stevenage". Over the years—certainly over the 10 years that I have been living in Stevenage—standards have been very low. They are the lowest in Hertfordshire. When I moved to the town in 1995, I was shocked to find that only one third of children who left school at 11 to go to secondary school could read. Is it surprising that those children did not do well in their GCSEs, or that they did not go on to A-levels or university? Is it surprising that in 1995 there was 11 per cent. youth unemployment in the town? Much of it was caused by the fact that the youths were unemployable because they were illiterate. Remember: only one third of the children could read at the age of 11.

Since 1997 that situation has been reversed and now about 80 per cent. of children who leave primary school can read at the age of 11 and are fit for secondary school. Standards have been raised, particularly in the primary area. However, until then almost nothing had been done, except by Stevenage borough council, which is very good. It is the only Labour-held district council in the east of England and it ran the Raise project, which helped to raise academic achievement, but which had to stop because Hertfordshire county council would not go on funding it. That is the commitment that the county council has to raising achievement and that is why we were so insulted when it produced the review under that title. At least it could have spared us that insult.

What has happened since then? The parents got their responses in and the county council held an education panel meeting at which it very narrowly voted through the proposals for the centre of Stevenage. It agreed to issue the statutory notices to close Pin Green school and decided in principle to proceed with the merger of the four schools in southern Stevenage, but it realised that it had not convinced the parents so it decided to have "more discussions" with them.

That is not what the parents want, or what I want. We want the consultation to be rerun, because we believe that it was deeply flawed. We have gone into the matter in great detail, using the council's own standards, which it helpfully published on its website. The introduction to the standards says that there is no point in consulting unless the county council is prepared to change its mind. It has demonstrated no such preparedness. In fact, in the face of 97.3 per cent. of the people being against the proposals, it has gone ahead with just a pause in the proceedings, not a rerun.

We feel that that is undemocratic, and many of my constituents have lost faith in the whole process of democracy. They cannot understand how we are so powerless that we can secure only the tiny victory of a stay of execution. I have letters from 241 parents asking me to refer the matter to the local government ombudsman, and I shall do so. If that fails, I shall submit the case for judicial review, because the council did not adhere to its own standards. One of those standards specifies a 12-week consultation when dealing with voluntary bodies such as parent-teacher associations and governing bodies. Only nine and a half weeks was allowed for consultation, but that was during the holidays, and yet another standard says that the holidays should have been taken into account. In this case, if the holidays were taken into account at all, that could only have been part of an attempt to railroad the closure through. I hope that that is not the case, but I fear that it might be.

The element of consultation is giving people a choice—[interruption] pardon me for sniffing, Mr. Deputy Speaker, but I always get a cold when I have an Adjournment debate.

Mr. Deputy Speaker: I know exactly how the hon. Lady feels. I have one myself.

Barbara Follett: You have my sympathy, Mr. Deputy Speaker.

At no stage were people consulted on whether they wanted a school of the proposed size. At their January meeting, the heads and governors were told that the model for change throughout the town would be a two-form entry school. That could have worked quite well. I shall not bore the House with the many permutations that might have been satisfactory to parents and which would have prevented the logjam of traffic that we shall get if the new school uses the two ancient asbestos-ridden sets of buildings on the Long Meadow site. It is not proposed to provide new accommodation. Instead, we will have to use buildings erected in the 1950s and 1960s that have asbestos in them, and they will have to

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be bodged together into one big primary school. That is simply not on. There will also have to be mixed-age classes; again, that is simply not on.

Parents feel that this was sprung on them, and they were surprised. They were called to public meetings. I did not attend them, but parents have told me that they were among the worst run meetings they have attended. They did not have the chance to speak. The meetings were totally chaotic. Parents were bombarded with statistics by county officers, who were plainly nervous—and many of the statistics were wrong. The officers included Graveley school, which is in north Hertfordshire, not in Stevenage, in the list of schools; that raised the average achievement levels, which is simply sloppy. In some of their demographic projections—probably because the county council is in collective denial about future developments—officers ignored the additional housing that will probably be built to the west of Stevenage. They ignored the big demographic changes in the area that will see the ageing population shift from the south of the town.

Officers also made it clear to parents at the consultation meeting that if they kept their children at Pin Green school, which was threatened with closure, they would not be guaranteed suitable places for their children in September 2005, nor would any attempt be made to put the children in schools with their siblings or friends. That was not quite coercion, but it was certainly powerful persuasion. Not unnaturally, the parents moved their children, which allowed one of the county council officials to say at the education panel meeting, "Well, Pin Green school effectively closed itself." No, it did not. The county council slowly throttled it to death. They began the throttling process last year when they told the governors of Pin Green school not to appoint a head until the review had been completed. That marked it down as a finished school.

The parents and I are asking the county council for the consultation to be rerun on democratic lines—for people to be consulted, for a consensus to be arrived at and eventually for us to be properly consulted on several proper options. That is even more important because the bodged review and consultation dealt not with the entire problem, which involves nine and a half forms of entry, but with only three and a half forms. That means that we shall soon need another review.

The Stevenage heads wrote to me and to county hall—I have copied the letter to the Secretary of State—expressing their total dismay at how the process was conducted. The county council knew of the problem. Instead of making it into a plus, and seeing it as a way to use the surplus places to raise achievement in a town that has historically had low achievement, it missed the opportunity. I am here today to ask my hon. Friend to try to persuade the council to do otherwise. Hertfordshire has ignored Stevenage for too long. About 1,000 children are involved and we want our parents to have a say in how their children are educated, now and in the future.

Mr. Deputy Speaker: For the sake of clarity following the Division in the House, the way in which the Standing Order works means that this debate will now have to close by 4.3 pm.

3.50 pm

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Stephen Twigg): Thank you, Mr. Deputy Speaker.

I congratulate my hon. Friend the Member for Stevenage (Barbara Follett) on securing this debate and on her tireless work in campaigning on behalf of her constituency for higher educational standards. That is reflected in her work in securing this debate and in the petition that she said that she will present in the presence of a number of parents and governors from Stevenage.

My hon. Friend's commitment to raising standards in education matches the Government's commitment. As she said, the county council has stated in respect of its aims for the review that it wishes to raise achievement in Stevenage. I am well aware of the great interest and concern that people living in Stevenage have shown in respect of the review of primary school provision in the centre and south of the town. I appreciate the anxieties that are involved when school closures and reorganisations are considered. My hon. Friend made the important point that falling rolls can provide not only a problem, but an opportunity. That is a good starting point and I hope that today's debate will enable the strength of local feeling and parental concern about the issue to be placed firmly on the record.

I reassure my hon. Friend and her constituents that we believe that we have good arrangements in place for taking forward any significant changes that follow the review that Hertfordshire has undertaken. That is to ensure that the concerns of her constituents, which she has expressed so clearly today, are given due consideration. I must make it clear from the outset that any decision on reorganising school provision as a result of such a review will not be taken by me or my ministerial colleagues. The decision will be made locally, as it would be anywhere else, by the local education authority. Such decisions were devolved to local level in September 1999, because they are best decided locally, where the full range of factors and issues can be considered in context. That view not only is held by the Government, but has widespread agreement.

Each local education authority is responsible for looking at the needs of its area and ensuring that there are sufficient school places. That responsibility involves the need to balance the supply of places, to ensure that schools serve the needs of their local communities and to provide good-quality education in a cost-effective way. Often, with population changes over the years, there will be an imbalance or a need for new provision. Local education authorities can propose changes. When the proposed changes are significant, as is the case in Stevenage, a number of stages must be gone through before the changes can be implemented. There are safeguards involved in that process to ensure that changes are made in an open, democratic way.

The first stage is consultation, with all interested parties being consulted before formal proposals are published. The local education authority has a duty to allow adequate time and must provide sufficient information to those involved. The second stage is publication. If the outcome of consultation is a decision to proceed, a formal notice detailing proposals must be published widely, including in a local newspaper and at the main entrances of the schools that are named in the proposals. People usually have a minimum of six weeks in which to submit their representations in support of or against proposals. An LEA may make the final decision on proposals that it has published only if there have been no objections. In all other cases, the proposals must be passed to the local school organisation committee. If that committee cannot reach a unanimous decision, the proposals must be passed to the independent schools adjudicator for a final decision.

On consultation, and on the concerns that have been raised by my hon. Friend in respect of Hertfordshire's handling of the review of primary provision in Stevenage, the Department does not specify precise arrangements, such as a timetable to be followed, or how options should be set out. Nevertheless, it must be recognised that LEAs have statutory responsibility for school place planning. Therefore, in the first instance, it is for them to consider options, taking into account specific local circumstances and their judgment as to the feasibility of a range of options.

We allow maximum flexibility, so that consultation can be tailored to local needs. Nevertheless, our guidance on school organisation arrangements makes it clear that the formal consultation prior to any publication must set out what is proposed in such a way that those affected understand what is involved and how they can make their views known. Furthermore, if proposals are to be taken up following consultation, the school organisation committee must consider whether the consultation undertaken was adequate before accepting formal proposals for consideration.

Of course, the arrangements for the work of school organisation committees fall under the jurisdiction of the local government ombudsman, who can investigate complaints of maladministration. I note my hon. Friend's plans to refer this case to the ombudsman. Beyond the ombudsman, there is the option to go to court and to seek judicial review. My hon. Friend has placed on record the possibility that that route will be used.

I understand that, while Hertfordshire county council has decided to revisit options for the south of Stevenage, it has also been decided to proceed with plans for the centre, in particular to close Pin Green primary school and nursery. To proceed, the LEA will need to move to the second step of the process I described earlier—to publish formal proposals. That will give all interested parties the opportunity to raise further, formal objections. If that happens, those will have to be considered by the local school organisation committee before a final decision to close the school can be made.

It is important to understand that the school organisation committee operates independently of the LEA. It represents the main education stakeholders in the area and consists of five or six groups, each having one vote on each proposal—there is an LEA representative, one each from the Church of England and Roman Catholic dioceses and the learning and skills council, and a schools group representing school governors and head teachers. In deciding on proposals, the school organisation committee takes into account their effect on educational standards, as well as their contribution to school improvement, and the need for places in the area and any financial implications, alongside the views of interested parties, including parents and the wider community, to which my hon. Friend has given voice today.

My hon. Friend has raised the issue of the possible outcome of the process in terms of the size of a planned new primary school. In our guidance, of which account must be taken, we make it clear that there should be no blanket assumption that a certain size of school is good or bad. She referred to an example in Enfield, in my constituency—Wilbury school, which has 900 pupils. It is one of the largest schools in the country. Clearly, the school that is being considered in her constituency, with 842 pupils, would come into the same category. There is no firm evidence one way or the other as to whether bigger or smaller schools can be considered better. We have many examples of schools that do well and happen to be very large, and others, also doing well, that are very small. We believe that those matters are best decided locally by those who know the area best. That is clearly the issue of contention that will move forward following today's debate.

We believe that decisions on changes to education provision in an area are best taken in that local area. Only then can everything be considered in its full context. We believe that the arrangements that have been made allow that and work well. I nevertheless appreciate the real concerns that my hon. Friend and her constituents have expressed about primary education in Stevenage, and, in particular, about the handing of consultation on the review. I am convinced that there are safeguards and that arrangements for the remainder of the process should ensure an outcome that will best serve the interests of everyone—higher standards for the pupils of Stevenage, for which my hon. Friend argued powerfully.

I thank my hon. Friend for placing the concerns of her constituents, and parents in particular, on the record. On behalf of the Department, I express the hope that a full process will be followed through, enabling everyone concerned with the education of children and young people in Stevenage to have their say, and have their say respected.

Pensions Scheme (Federal-Mogul)

4.1 pm

Mrs. Alice Mahon (Halifax) (Lab): I beg your indulgence, Mr. Deputy Speaker, because I would like to allow one or two of my hon. Friends to intervene on my speech as there is huge interest in what has happened to our constituents in connection with the pension scheme in question. Since I asked for this debate on behalf of my constituents who work or have worked for Federal-Mogul on the Bradford site, there has been some hopeful news and a rescue package could be on the cards. Nevertheless, it is important to debate the issues and the lead-up to the crisis.

The Minister will be aware of the Federal-Mogul pension crisis faced by 40,000 people in the UK, but the situation at the Bradford plant is, I believe, unique: the workers are to be made redundant as well. The plant is closing and work is being transferred to plants in Poland and Turkey, no doubt to take advantage of lower wages.

Diana Organ (Forest of Dean) (Lab): As my hon. Friend will be aware, the situation affecting her constituents in Bradford also affects my constituents in Lydney, where the closure of No. 1 foundry means job losses for 130 of 330 employees. I am sure that her concern, like mine, is for what happens to people who are made redundant now, in the midst of the corporate chaos over the pension scheme for deferred members.

Mrs. Mahon: We certainly share the same concerns, and we both have to face workers who are in despair.

I stress that although the employees of Federal-Mogul deserve the sympathy, help and support of us all, and I include the Government in that, I am firmly of the view that Federal-Mogul must foot the bill for the pensions. It is an asset-rich company, and it now looks as if the administrator and its pension fund trustee may make an offer. We all hope that a happy resolution can be achieved.

The problem started when the former employees of Turner and Newall and their unions were told that no money was available to fund their pension scheme, because the parent company in the United States faced insolvency. There were worrying aspects to the lead-up to the situation, as the company had chosen to take 15 of the past 18 years as contribution holidays, with Federal-Mogul responsible for three of the past five years. They were allowed to do that because the law in this country is inadequate.

In a very good emergency resolution at the TUC conference on 14 September, the seriousness of the situation was recognised and Amicus and the Transport and General Workers Union outlined the situation facing workers. I think it is worth quoting a little from that resolution, which was passed unanimously. It says:

> "Congress recognised that whilst American workers in the same company are protected by an insurance scheme, workers in the UK, until April . . . are not. Congress supports the joint unions in asking the Government to investigate and if necessary intervene to bring about a successful resolution to the issue. Joint unions also believe that the inadequate insolvency law should be made stronger to protect workers and pensions."

That is what I want to talk about.

Mr. Marsha Singh (Bradford, West) (Lab): My hon. Friend the Member for Bradford, North (Mr. Rooney) and the Under-Secretary of State for Trade and Industry, my hon. Friend the Member for Bradford, South (Mr. Sutcliffe), met the workers at Federal-Mogul in Bradford and were concerned about their dilemma and worries. Is it not time for the Government to act to protect workers' rights and pension rights, not just for the Federal-Mogul workers but for workers throughout the UK?

Mrs. Mahon: Hear, hear; I absolutely agree with my hon. Friend. That is why, although there might be a rescue for that particular pension scheme and although I know that the Government are undertaking a pension review and considering all aspects of the matter, I urge them to concentrate on that particular idea.

Since the TUC, events have moved on. All parties—the joint trade unions, the independent trustee, the administrator and the company—have been meeting to try to resolve the crisis. Hopes were raised when the company admitted that it had a moral and, indeed, a legal obligation to the workers. However, workers remained deeply concerned for many months because rumours persistently circulated that the company would not put in sufficient funds to honour the pensions commitment.

I have had a heartbreaking correspondence with constituents, particularly with someone whose retirement looked uncertain, and with a man who was 24 hours from being made redundant with his full pension rights, only to be told that he might have lost those rights. It was devastating, and when I met the workers—I, too, met them, as did my hon. Friends the Members for Bradford, North (Mr. Rooney) and for Bradford, South (Mr. Sutcliffe)—some were in despair.

However, a news item that offers hope appeared in the *Financial Times* on 14 October. The article, headlined "Hopes Rise for T and N pension rescue", says:

> "Hopes of a rescue for some or all of the pensions of the 40,000 former and current employees of T and N, the car parts company in administration, have been raised by an 11th hour offer by Carl Icahn, the US investor. Terms of the offer were received by T and N's administrator and its pension fund trustee last night."

So, it looks as if an acceptable offer might be on the way. If that is the case, I am pleased.

Mr. Geoffrey Robinson (Coventry, North-West) (Lab): Is my hon. Friend aware that we have just come from a meeting where, I am pleased to say, the administrator and the trustee spoke robustly in defence of British interests, which are also before the court this week? Indeed, it seems that the clock will go right back to when chapter 11 was invoked and that despite all that has happened in between—even redundancies now being discussed in the constituency of one of our other hon. Friends—arrangements will be honoured in full as though the receivership or chapter 11 had never happened. One question, involving £80 million, is outstanding. In the context of what we face, that is a relatively small sum, and I am sure that my hon. Friend will join me in urging the American side to get over that last hurdle and fund the full amount.

Mrs. Mahon: Absolutely. There are things that need to be ironed out, but we have reason for hope. I agree with my hon. Friend that the amount left is small compared with the massive amount on the table. That offer is clearly welcome and we all hope for a positive conclusion.

However, I want to move on because it is clear that the Government action in making pension schemes more secure has been welcomed by us all. We were all incredibly relieved when the Government took action, albeit with private pension schemes, but more needs to be done. From talking to my constituents, it seems to me that Federal-Mogul could have walked away from its responsibilities to those workers, despite the fact that it was clearly responsible. That is why I urge the Government to act. The workers, the unions and everyone involved have been magnificent in their fightback. They have been on the "Today" programme, and people with no experience of the media whatever have taken up the cudgels and fought. I know that my hon. Friend has formed a little group of Members here with interests in this matter and we have tried our best to highlight what would be a great injustice.

The Government must tighten the law to ensure that this does not happen again. Imagine people working for 20 or 30 years thinking that they have paid in to secure their future and looking forward to some kind of retirement—pension schemes are deferred wages, when all is said and done; they are what we have earned—only to be told, 24 hours from being made redundant or retiring, that their pension schemes are up for grabs.

I congratulate the Government, because the proposed pension protection fund legislation due to come into force in April 2005 represents possibly the first time that any Government have done anything like that in this country. That is to be welcomed because we are relieving a great many people from anxiety, but I would like to see the law made retrospective. I know that it is good that we shall have the fund, but I would like the Government to think again and make it retrospective, because there is a huge welter of misery out there among people who have been caught up in such cases. If the scheme had collapsed, another 40,000 workers would have been added to the 65,000 who are already seeking a share of the pension protection fund. That is why the pension protection fund should be made retrospective.

Mr. Terry Rooney (Bradford, North) (Lab): The pension protection fund will be there only when schemes fail. The objective must be to stop schemes failing. Two lessons have come out of all the collapses of the past couple of years. One is that the minimum funding requirement calculation has been woefully inadequate, whether that is because of the legislation, the auditors or the actuaries. The other concerns the Treasury rule that says where a scheme is more than 105 per cent. funded, the employer has to take a pension holiday. If that 105 per cent. is based on too low a valuation in the first place, a problem is created. Those factors need sorting out to prevent similar situations in the future.

Mrs. Mahon: I am grateful to my hon. Friend for intervening, because he is a bit of an expert on pensions and benefits, and we need that expertise. I am grateful that he spelt the matter out so clearly. The firm has also been responsible for other things, not least the very bad health of its employees due to asbestos, and so on.

Mr. Michael Clapham (Barnsley, West and Penistone) (Lab): I am pleased to hear that there may be a positive outcome to the pensions issue, but my hon. Friend will be aware that many pensioners are also victims of exposure to asbestos. They were facing a horrendous double whammy, but it now appears that all that needs to be sorted out is the compensation for exposure to asbestos. I am advised by the administrator that the people who have been exposed to asbestos by Turner and Newall may receive in compensation only a small proportion of the full value of their claims.

Mrs. Mahon: That is tragic. I know that my hon. Friend has done years of work in this area. He deserves all our thanks for what he has done and how he has exposed such a dreadful abuse of workers.

Tom Levitt (High Peak) (Lab): I hear what my hon. Friend says, and I am sympathetic to what she says about the pension protection fund, but does she agree that on this occasion it has been right not to look for ways for the Government to bail out the company, so as to ensure that it lives up to its responsibilities? The changes that we have seen during the past few days are clear evidence that that pressure has been working.

Mrs. Mahon: Oh yes, I made it absolutely clear at the start of the debate that the firm has the responsibility. It is an asset-rich company and can afford it.

It is good, for now, that the workers of Federal-Mogul have some kind of happy solution, but I urge the Minister to draw on that experience and feed it into the pensions review. We must ensure that our laws protect workers, so that they can have decent security in their retirement. They have worked hard for it and they deserve it.

4.16 pm

The Minister for Work (Jane Kennedy): I congratulate my hon. Friend the Member for Halifax (Mrs. Mahon) on securing a debate on this important topic, which is of relevance to us all. Her generosity in allowing colleagues to comment was a model of how such short debates can be used, especially as people throughout the country are affected by the problem.

As my hon. Friend will appreciate, I am not the Minister for Pensions, so I shall tread carefully. He apologises for not being able to attend. However, he participated in an earlier debate and I shall draw my hon. Friend's attention to his comments a little later.

[Jane Kennedy]

Many hon. Members will have constituents who have been affected by the winding-up of underfunded pension schemes such as the one that we are considering. Most of my comments will be general because of the nature of the company's position. Indeed, legal proceedings have been started and detailed negotiations are continuing as we speak. Many of us have met people who have suffered such devastating losses. We agree that everything that can be done should be done to help to ensure that Turner and Newall workers do not find themselves in that position.

We are all aware of the difficult situation faced by members of pension schemes that wind up underfunded and without enough money to secure in full the benefits that people may have accrued over a working life. I empathise with all members of pension schemes who do not receive the benefits that they were expecting—and with their families, who are also affected by such circumstances.

The Government appreciate the concerns that many people have about their occupational pension schemes. That is why we have taken action in the Pensions Bill, to which my hon. Friend referred, to prevent people ever again having to suffer the injustice of paying into a pension fund for a lifetime only to find that their pension cannot be paid in full, or even at all.

As I said, negotiations are still ongoing at Turner and Newall. We heard that a meeting upstairs between the chief executive of Federal-Mogul and representatives of the company and its employees will be listening carefully to what is said in this debate. The Minister for Pensions spoke in an earlier debate. Hon. Members and others listening to the debate may want to read the record of that debate to see what he said on the subject.

It would be wrong to pre-empt the outcome of those discussions, or for us to assume that the scheme will wind up. We are sympathetic to the position of members of the Turner and Newall pension scheme, who are left in great uncertainty at present, but we continue to monitor the situation closely and look forward to positive developments.

Only last week, I was pleased to read in the press about further progress—namely, the new offer from US investors that is being considered by the administrator and trustees of the pension scheme. We hope that the company will meet its obligations to the employees and achieve a beneficial outcome for all parties. However, the recent developments support our view that it would be wholly inappropriate for any of us to draw conclusions about the future of the schemes until the discussions are complete.

The Government have made it clear that we believe that a pension promised should be a pension honoured, and that members of final salary schemes should have confidence that the benefits that they have accrued will be paid when they fall due. That is why we have set out to bolster pension security and to protect people from the risks involved with saving in occupational pensions. We are all too aware of the impact of the wind-up of underfunded schemes and the subsequent loss of confidence in saving for retirement. Our reforms set out to restore confidence, so that people can save for their retirement safe in the knowledge that their pension is protected and that they will not face poverty.

The pensions regulator introduced in the Pensions Bill will give better protection to members of work-based pension schemes and reduce the burdens of compliance for well-run schemes. It will focus on protecting the benefits of pension scheme members and concentrate its efforts on schemes where it assesses that there is a high risk of fraud, bad governance or poor administration. The proposals mean that pension scheme members' benefits will be better protected by a regulator that has the flexibility and powers to take a targeted and proportionate approach to protecting the funds held in pension schemes.

The Pensions Bill will also establish the pension protection fund, to which my hon. Friend referred. The PPF will help final salary pension scheme members by providing meaningful compensation should their employer become insolvent and have to wind up the scheme underfunded. I suppose that all hon. Members should declare an interest at this point, as we are all members of such a scheme. The fund will significantly improve protection for pension scheme members and confidence in pensions in general. More than 13 million members of final salary pension schemes could benefit from the security and peace of mind afforded by the PPF.

In May, the Government announced the introduction of the financial assistance scheme, which will offer help to people who lose out before the PPF is introduced. There is a great deal of interest in the scheme from people whose final salary pension has been affected because their pension scheme wound up underfunded and their employer was unable to make up the deficit. Details of the FAS, including who will be eligible and the assistance to be provided, are being developed in consultation with stakeholders such as pension scheme members, trustees, trade unions and key business representatives. We believe that the FAS will greatly increase people's confidence in pensions. It will benefit not only those directly affected but pension providers and the pension industry.

It is not only those measures that will strengthen confidence. Regulations already in force mean that the debt on a solvent employer whose scheme winds up is calculated on the basis that the scheme should be able to meet the full benefits that scheme members have accrued and expect to receive, as well as the full costs of winding-up. Trustees can utilise the regulations if their scheme started to wind up on or after 11 June 2003.

In advance of the PPF, for schemes that start to wind up on or after 10 May 2004, we have amended the priority order to ensure that assets are shared more fairly between non-pensioners and pensioners. We have achieved that by moving pensioners' future indexation down the priority order, after the accrued rights of non-pensioners. That has a significant impact on the rights of non-pensioner scheme members.

In conclusion, I again congratulate my hon. Friend on taking time today to debate the situation faced by employees of Turner and Newall. I am grateful that neither she nor any other hon. Friends asked any technical questions that I might have found a tad embarrassing. We will maintain this debate, both through discussions in this Chamber and on the Floor of the House and through the open dialogue between the Government and my hon. Friends who represent pensioners from Turner and Newall. My hon. Friends are aware that the Government wish to keep that open dialogue very much in process.

I am sorry that I cannot offer more specific assurances to employees that their pension will be protected, but I am sure that hon. Members agree that it would be wholly inappropriate for me to make any promises to scheme members at this stage. We hope that the situation is resolved soon with a positive outcome for all, so that employees can look forward to a secure retirement. In the meantime, we will continue to monitor the situation closely.

Question put and agreed to.

Adjourned accordingly at twenty-six minutes past Four o'clock.

Westminster Hall

Wednesday 20 October 2004

[MR. BILL O'BRIEN *in the Chair*]

UK Citizens Detained by US Immigration Service

Motion made, and Question proposed, That the sitting be now adjourned.—*[Derek Twigg.]*

9.30 am

Mr. Keith Simpson (Mid-Norfolk) (Con): I am grateful for the opportunity to debate the important subject of United Kingdom citizens who have been detained by the United States immigration service. I shall address some general points before moving on to a specific constituency case.

At one level, foreign travel is relatively straightforward these days. Obtaining a UK passport is reasonably straightforward, and travelling for pleasure and business is common and often not too expensive. However, today's travellers must make certain that, before visiting a foreign country, they are aware of any visa requirements and any restrictions on articles and substances that they may want to take into that country. They should also familiarise themselves with its laws and customs and be aware that its legal and policing methods may not be the same as those in the UK. It would, in fact, be naïve to assume that a country's laws and customs were necessarily the same as those in the UK, and people must be made aware of the fact that similarities in language, history, law, custom and perceptions of friendship may be no more than superficial.

There are, for example, fundamental differences between the UK and the United States of America. Superficially, we have a lot in common: we have a common history and a common language; the US legal framework is very much based on that of the UK; and we have strong economic, political, military and friendship ties. However, the unwary traveller can get into serious trouble in the United States, either out of ignorance or because of the operating procedures used by the immigration service.

In the case of the United States, we must be sensitive to the impact of 9/11 and of the international terrorist attacks that preceded it or which have taken place since. One can only imagine what would be the impact on our political system if an incident like 9/11 were to take place here. There would be an immediate desire for a massive strengthening of security, far beyond what we face now. There would also be a change in the balance between the emphasis on personal liberty and the rights of the individual and the belief that collective security was paramount.

Following 9/11, as the Minister knows, the US Government established the Department of Homeland Security to co-ordinate 22 Cabinet-level agencies connected with that important subject. President Bush signed into law the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act 2001, or the USA PATRIOT ACT, to use the acronym. Obviously, some smart Alec spent a lot of time working out that acronym, and if we can find out who they are, one of our political parties might want to employ them before the general election.

The Act contains numerous provisions that affect immigrants as much as terrorist suspects. They broaden the definitions of terrorism, terrorist activity and terrorist organisations for the purposes of deportability and inadmissibility, create additional mechanisms to enable the Attorney General to detain and deport a non-citizen as a terrorist, and establish a new ground of inadmissibility for the spouses and children of those inadmissible on terrorist grounds.

Historically, the immigration and naturalisation service had responsibility for determining who could be admitted to the United States and for enforcing immigration laws. Following the reorganisation of 1 March 2003 under the Department of Homeland Security, however, two main bureaus were formed in the DHS to handle enforcement: the Bureau of Customs and Border Protection and the Bureau of Immigration and Customs Enforcement.

Apart from policing immigration and checking for the illegal entry of peoples and materials, the various agencies that make up the DHS have a primary duty to prevent terrorism. That task is truly considerable, both physically and psychologically, as the United States has to secure 8,000 miles of land and border entries as well as more than 300 designated ports of entry: a massive security problem.

Since 9/11, the United States has tightened its border and immigration procedures, with the understandable built-in suspicion that terrorists may be trying to gain access to the USA under the cover of legitimate names, backgrounds and occupations. However, since the new procedures were put in place, given the understandable psychological atmosphere of fear and suspicion after 9/11, many innocent foreign citizens, including those of the UK, have received unnecessarily harsh, arbitrary and at times totally inappropriate treatment.

Furthermore, it is difficult for either such individuals or the Foreign Office to get information from the US authorities or, at times, to obtain either an apology or redress. There have been a number of incidents involving ordinary citizens, as well as one or two high-profile ones. Hon. Members may recall that the well-known British writer, Ian McEwan, attempted to enter the USA via Canada to give a lecture. He is a writer who is much admired by Cherie Blair, the wife of our Prime Minister, and also by Laura Bush, the wife of President Bush. He was stopped at passport control and, for a reason that we do not know, he was refused entry. His passport was then stamped to show that he had been refused entry to the United States.

Following the natural furore over the incident, the United States Government investigated it and apologised to Mr. McEwan. They have now given him a letter to keep in his passport to say that a mistake was made. Once one's passport has a stamp, of course, it is there until the passport is replaced. That was a high-profile case, and I am perfectly prepared to accept that in any large organisation mistakes are made. However, mistakes have been made and incidents have occurred with people who do not have Mr. McEwan's high profile.

[Mr. Keith Simpson]

I would also like to consider the fact that a number of individuals now appear on the Department of Homeland Security's preventive lists. The DHS obviously has a whole series of these lists, such as the no-fly list. They can be based on erroneous information. The individuals concerned, and others, can be detained or expelled for minor infringements, and they face the prospect that their passport will bear a stamp advising them that they have been refused entry to the USA or that their name will remain on some computer listing that can be activated by other countries. That is a serious point, which should worry all of us.

There is an understandable desire to use information technology to prevent terrorism, to screen out suspects and to make reaction time very quick indeed. However, we all know only too well from our own experiences with computers, involving either our family interests or business, and from the Government's *record on* computers—I use the word "Government" to refer to a 20-year period—that a name can get on to a computer by mistake, by the use of the wrong surname, the wrong set of initials, the wrong address or just the wrong biog.

Not only does that person face the prospect of being detained; the greater fear is that once the mistake has been recognised, their name might still appear not only on the main computer list but on those of allied countries. Once that has happened to an individual or their family, not only are they fearful of returning to the United States, but they fear that by travelling elsewhere in the world they could be picked up again—in Berlin, Johannesburg, Rome or wherever—because their name has triggered a whole series of reactions on other computers.

Given 9/11 and the threat from terrorism, it may be that the US Government, their agencies and US public opinion are quite prepared to see individual foreigners discomfited, detained and expelled for the greater good of security. If one believes one is fighting a war, one at times will face those options and difficulties. It is not for me to moralise on that. In 1940 a British Government, largely under pressure from public opinion, rounded up tens of thousands of aliens in this country because they were of German or Italian background. The fact that many of them were Jewish or had fled from fascism was not considered a reason not to detain them. Indeed, in the USA, a similar thing happened after the attack on Pearl harbour, when the Japanese-American community was regarded as a threat.

I accept that there is a balance to be struck, but such procedure is wrong in principle as well as in practice. The United States is likely to suffer further alienation from many of its natural friends unless it rectifies its procedures and the mental attitude that it has instilled in the people in the immigration service, who naturally assume that many foreigners are potential terrorists. I know from the experience of my own family and friends who have recently visited the USA that it is bad enough for those who look roughly like the average American, but the likelihood is that those who, in their deportment or dress, look as though they come from the middle east will psychologically already be regarded as a suspect.

Since 9/11, foreigners have been denied entry to, or expelled from, US ports of entry for a variety of reasons, including on the suspicion of their being active in or supporting terrorist organisations or their political allies, on the suspicion of their being an illegal immigrant, for visa violations, for a failure to notify a previous criminal record and, at times, for just bad luck. Can the Minister give the Chamber any indication of how many UK citizens have been denied entry to the USA since 9/11? How many complaints has the Foreign Office received from UK citizens about unfair or erroneous denial? How many have complained that the treatment that they received ranged from verbal and physical abuse to being handcuffed and shackled at those ports of entry?

On the latter point, the US Government have recognised that there is a problem, not least in public relations, with the visit to London last month of Commissioner Robert Bonner of the Bureau of Customs and Border Protection. He came to London effectively to say that he recognised that the bureau had received complaints from many travellers from the UK and found that

> "there was unnecessary rudeness and hostility to people travelling into the US".

He said that he had launched a "professionalism initiative" that incorporated a new code of conduct for staff which

> "makes clear that rude or discourteous behaviour is not permitted and is subject to disciplinary action, including termination of employment."

He also said that he realised that the treatment meted out to travellers who had committed

> "minor technical violations, such as overstaying the time allowed under the visa waiver programme",

had been

> "grossly disproportionate".

He concluded:

> "We don't want to detain people who don't pose a risk. And in those cases where entry is denied, but the person poses no risk, there are procedures to deal with them that don't involve handcuffing."

To be fair, only a month ago the United States recognised that it has a problem that is serious enough for the man who effectively runs the immigration service to come here to London to issue a public apology. That is a good start. However, the problem is not so much Commissioner Bonner recognising that there is a problem, but how to train and advise the people doing the checks at points of entry to the US. If their approach is to view foreigners as potential terrorists, they will probably continue to take a fairly robust approach to any citizen who may mistakenly have done something that affects their entry. Certainly, the fact that such people are no longer to be shackled and handcuffed is an improvement.

I shall now move from the general to the particular, and the case of two of my constituents, Mr. and Mrs. David Pattison of Beeston in Norfolk. Mr. and Mrs. Pattison flew to the United States on Sunday 25 April 2004, arriving at JFK in New York at 4.50 pm, US time. They were planning to stay in New York for a few days before going to Dallas to stay with Mr. Pattison's former boss, a US citizen. At passport control, on presentation of their passports, they were led to an office after their passports had been swiped. Mr. Pattison was informed that he would be denied entry to the United States and deported because there was an Interpol notification on US records that he owed moneys to the state of Qatar, where he had worked as a finance officer. He denied the allegations but that made no difference. Since then, he has acquired written confirmation from Qatar that he was not wanted for any moneys owed and, some days later, the Qatar embassy in London said that it had no knowledge of any Interpol notification on him.

At the time, Mr. Pattison exercised his right to call the British consulate in New York, but was told that it was unable to help him. Since then, the Foreign Office has said that that procedure was wrong, and it has apologised for what appeared to be a lack of help and sympathy at the time. Mr. Pattison was then informed that he would be taken to a detention centre, while his wife was told that she had to make her own arrangements. Eventually, she went to a hotel. She was, understandably, greatly disturbed, but that appeared to have no effect on the US authorities—simpatico they were not.

After Mrs. Pattison had left, Mr. Pattison was taken to another room with seven other people already inside, where, in his own words:

> "They placed ankle shackles on me, handcuffs, and a wooden thing like a cross was fitted across my chest, and they sat me with the others. We weren't allowed to speak, and we weren't given any food or water. We just sat on chairs with guards in the room."

Eventually, Mr. and Mrs. Pattison were reunited and put on board a return flight to the UK at 6.50 pm on Monday 26 April.

Since then, the commissioner has said that, in such cases, that procedure will no longer apply. I accept that in the USA, people who are regarded as criminals are often shackled and manacled; that takes place at the state level in certain cases. However, we would regard it as an overreaction to say the least. Generally, we do not do that to violent criminals unless they are continually trying to assault the police.

Obviously, Mr. and Mrs. Pattison were shocked and traumatised by what they had endured, but they were also angry and frustrated. That anger and frustration is still with them six months later. On arriving home, Mr. Pattison contacted the Foreign Office seeking an explanation for what had happened. He said that he received little in the way of explanation at the time. Indeed, when Ian Clarke, the senior reporter for our local newspaper, the *Dereham and Fakenham Times*, contacted the Foreign Office at the beginning of May, he was told:

> "In circumstances where the US immigration department is making a decision on whether or not they are going to let a person into the country, we can't intervene."

Since then, Mr. Pattison and I, as his Member of Parliament, have attempted to gain both redress for what he and his wife endured and answers to questions. I have corresponded with Ministers and arranged a meeting with the Minister's colleague, Baroness Symons, so that she could hear directly from Mr. and Mrs. Pattison. That meeting took place in the House of Lords on 15 June, when Baroness Symons gave us about an hour of her time. She was sympathetic and agreed to follow up a number of points, in particular the alleged arrest warrant issued by Qatar through Interpol and the way in which Mr. and Mrs. Pattison were treated in New York, which she undertook to raise with the US embassy in London.

Sadly, Mr. and Mrs. Pattison believe that now, on 20 October, they are no nearer achieving their objective of obtaining an explanation and an apology from the US Government for their treatment, or an explanation from Interpol about the arrest warrant. In fact, it seems almost impossible for anybody to get an answer. Mr. and Mrs. Pattison cannot; I, as an ordinary Member of Parliament cannot; even the Foreign Office appears to be unable to get an answer from Interpol. Whatever the rights and wrongs of the Pattison case, it is incredibly frustrating that even a major British Government Department cannot get an answer out of Interpol, an organisation that acts as a clearing house through which member states can issue such warrants. That is a major problem.

In reviewing the correspondence between the Foreign Office and Mr. Pattison and myself, I note that Baroness Symons genuinely believes that she and her officials are trying to get answers for Mr. Pattison. I think that they are. Unfortunately, as they make clear, the Foreign Office is in no position to force the US authorities to explain what happens to UK citizens or to apologise for it. Foreign Office officials and Ministers have had numerous meetings, both in London and in Washington, to attempt to persuade the United States that they might have the wrong procedures and that they treat UK citizens and others unfairly. It seems that they have had limited success to date. I am not blaming the Foreign Office; it is a problem for the United States.

We are going through a period of considerable strain in British-American relations, mainly over the war with Iraq. There is a substantial amount of anti-President Bush feeling and, superficially at least, a lot of anti-American feeling. I regret that. I make these points as a convinced friend of the USA and the American people, and I speak more in sorrow than in anger. I hope that the US Government and the Department of Homeland Security will, at least, take note of the fact that British people, and a Member of Parliament such as myself, are feeling frustrated and angry. It will help to explain to them the alienation that they face from many others who will not even give them the benefit of the doubt.

There is also the problem of getting an explanation from Interpol. It seems that the Foreign Office sees itself as no more than an interlocutor between Interpol and individual UK citizens who have fallen foul of an Interpol arrest warrant.

Six months after the traumatic incident, my constituents still feel traumatised, frustrated and angry. They are not alone. Other British citizens have had similar experiences. Mr. Pattison still seeks an explanation and an apology from the US Government. I ask the Minister once again: is there any way in which the Foreign Office can facilitate that for Mr. and Mrs. Pattison? They still seek an explanation from Interpol, and indeed an answer to letters and phone calls. Is there any way in which either the Foreign Office or the Home Office can give Mr. and Mrs. Pattison practical help?

Finally, Mr. and Mrs. Pattison want closure on the experience. They feel very nervous indeed about foreign travel, certainly to the USA, which it is almost impossible for them to enter at the moment, but also elsewhere. Mr. Pattison feels that his passport has literally been marked. What guarantee has he that his

[Mr. Keith Simpson]

name is not included on various suspect lists that are not only held by the United States, but copied out to friendly Governments? We know that that is the procedure.

The citizen is at his most vulnerable. I remind the Chamber of what is printed on the front of all our passports:

> "Her Britannic Majesty's Secretary of State Requests and requires in the Name of Her Majesty all those whom it may concern to allow the bearer to pass freely without let or hindrance, and to afford the bearer such assistance and protection as may be necessary."

Obviously, that was written when few people had passports, but it puts an onus on a friendly allied nation to treat our citizens in a reasonably civilised way, at least, and to accept that it may genuinely make mistakes. Finally, the Foreign Office has a duty of care to its citizens because they are taxpayers, and because it is right.

9.56 am

Mr. Iain Luke (Dundee, East) (Lab): I congratulate the hon. Member for Mid-Norfolk (Mr. Simpson) on securing the debate and allowing us to discuss and deliberate on the plight of British citizens who have fallen foul of the American immigration authorities. I have listened carefully to the points raised by the hon. Gentleman, and to the circumstances he related as to how his constituents, Mr. and Mrs. Pattison, were treated and, to some extent, humiliated by the agency.

In support of the hon. Gentleman's case, I will highlight the experiences of my constituent, Mrs. Maureen Mordente, a 63-year-old grandmother from Dundee. She suffered at the hands of the American immigration agency when she attempted to enter the USA at Los Angeles airport on 12 February 2003. Mrs. Mordente, who is an extremely pleasant, caring and warm individual, had made a lengthy, long-awaited and eagerly anticipated trip of 11 and a half hours from London to visit her daughter, son-in-law and seven-year-old granddaughter, having not seen them since 2000. Her visit, however, was brutally cut short, as she made it no further into America than the immigration control desk and detention centre at LA airport.

Mrs. Mordente's excitement on arrival soon turned to anxiety when, after a long wait to have her passport and visa waiver form checked, the officials at the desk subjected her documents to lengthy scrutiny. After some sharp and tense discussion, she was asked to accompany immigration officials to a side room for a lengthy, tense and eventually tearful investigation. During that intimidating process, it became clear that on a visit to the United States over the festive season of 1997–98, Mrs. Mordente had inadvertently breached the conditions of her 90-day visa waiver by staying in the US for 103 days—13 days over the limit—primarily because of her daughter's illness. At that time, she was not aware of the breach of visa requirements, nor was it picked up or pointed out as she left the country in 1998, or when she re-entered and left in 2000 during a holiday with her daughter.

It is obvious that the visa infringement was logged due to the heightened attention to security after 11 September 2001—which I do not dispute is necessary—and that it caught up with Mrs. Mordente on that fateful trip, much to her cost and distress. Her treatment during the questioning, which went on for six consecutive hours, was brusque and intimidating. She knew that things were going wrong, but she believed that she would eventually be allowed to enter the United States and meet her family, who were still waiting on the other side of the immigration barriers, in the land of the free. She was allowed one telephone call, but her hopes were soon dashed as, after the questioning, she was rushed into another room, where she was fingerprinted and several photographs were taken, the last of which, it was explained, was a mugshot for her criminal record, which was to be retained in the United States. She was advised that she would be detained over night and deported back to the UK the very next day.

As hon. Members can imagine, the night that Mrs. Mordente passed in a cage in the LA airport detention centre was the most hellish experience that had ever been inflicted on her. That Dundee granny had lived a fairly quiet life but, after crying most of the night, she was deported straight back to London the next day, without her or her family having any chance to make a legal challenge to such an abrupt, arbitrary detention in and eviction from a country that prides itself on its legal system and which has a long, honoured history of seeking and promoting liberty. Nor, I believe, did the British consular service become involved in the sorry tale, despite the call that Mrs. Mordente's family made to the British consulate in Los Angeles.

The one glimmer of hope was that when Mrs. Mordente was taken from her cage to the departure lounge, after that shocking, searing sequence of events, the US immigration officer who escorted her left her with these parting words: "You're not banned from the USA, Mrs. Mordente; all you have to do is get right on down to the American embassy when you get back to the UK and get your visa sorted out. You're always welcome here in the USA, Mrs. Mordente." It seems that customer care was evident in Los Angeles.

On returning to the UK, Mrs. Mordente apprised me of her troubles. However shocked and upset as she undoubtedly was, with those friendly parting words ringing in her ears, she contacted the American consular service and doggedly attempted to obtain a visa to allow her to return to the USA. She pointed out that her husband, who in 1997–98 had also infringed the 90-day limit in the visa waiver rules but did not accompany her on the fateful trip to Los Angeles in February 2003, also applied for a visa at the same time, now starkly aware of what awaited him if he attempted to enter the United States using a visa waiver form.

Just to ensure that things would be done properly, I wrote to the then American ambassador, Mr. William Farish, whom I had met at a lunch that he hosted for the all-party parliamentary British-American group, of which I was a member. Indeed, the previous year, in 2002, I had been a guest of the American State Department and was given a card asking the American people to help me, an honoured guest in the United States, in any activity or with any problems that I might have during my two-week stay as a member of a group visiting the United States. Mr. Farish's response, which was polite and civil, as was his manner at the dinner, voiced regret that Mrs. Mordente felt that she had been unfairly treated during her short stay in the USA and recommended that she apply for a visa.

The visa application progressed. Mrs. Mordente was interviewed on 15 July 2003, but was still awaiting news of whether she would be given a visa for entry to the United States again, hopefully to revisit her family there, in September that year. The disturbing thing was that her husband had already received the news that he would be given a 10-year visa, despite his breach of the waiver conditions in 1997–98. Not until November, following my further intervention, did she receive the long-awaited news. Unfortunately it was not good: as a result of her deportation, she was ineligible to enter the United States for 10 years.

Given the success of Mrs. Mordente's husband, she, her family and everyone involved, including me, was devastated at the news. For an overstay of 13 days, this quiet, peace-loving grandmother was given a sentence of 10 years without appeal. In a further letter from the United States embassy following my approach in December, it was also made clear to me that it was very unlikely that she would be allowed a further visa entry to the United States for a further 10 years. That is 10 years of exile from her daughter and granddaughter—her loved ones—who are now settled and applying for American citizenship on the other side of the world; her daughter is married to an American citizen.

As with the case mentioned by the hon. Member for Mid-Norfolk, the local press had picked up the case and there was a story on 23 December 2003 in the *Evening Telegraph*—called "The Tele" in Dundee—under the banner headline "Banned in the USA", a parody of Bruce Springsteen's song "Born in the USA".

On 6 January this year, at the end of my tether, I wrote as a constituency MP to the Foreign Secretary. Baroness Symons responded to my request for Government intervention on 3 February, in similar terms to the reply that the hon. Member for Mid-Norfolk received:

> "Please pass on my sympathies to Mrs. Mordente for what must be a frustrating situation."

To describe the situation as frustrating was an understatement; it was horrendous. She continued:

> "However, the operation of the US Visa Waiver programme is solely at the direction of the US Government . . . Under international law we are unable to interfere in the immigration procedures of another country."

It is disgrace that the USA, a country in which the constitution enshrines a Bill of Rights guaranteeing basic freedoms for its own citizens, can treat honest, ordinary, hard-working, decent British citizens in such a way. I am not advocating that America should lower its guard against terrorism; nor am I anti-American because, as is the case for many Scots, lots of my relatives emigrated to the United States and I still have close contacts there. My mother goes out every year to visit family and I am glad to say that she has never fallen foul of the immigration service. I studied American politics and history at university and I am a close observer of the political scene in the USA, but given the nature of American society and its creditable role in the world, I believe that with that power comes responsibilities. A country that is at the forefront in size, technology and industry should at least be able to devise a system that can check whether cases are genuine, perhaps in conjunction with the Foreign and Commonwealth Office and British police. It should show a little sense and sensitivity.

I am also disappointed by the FCO response. First, there appeared to be no involvement by the British consular service in Los Angeles; secondly, it is apparent that nothing can be done through diplomatic channels to ensure that cases such as those that the hon. Member for Mid-Norfolk and I have raised can be reviewed or go to appeal to secure some form of satisfactory conclusion.

It may be apt to point out that earlier this week in the matter of deploying the Black Watch, Dundee's local regiment, in support of America, the British Government are clearly all too happy to do everything they can to assist our oldest ally. It is a pity that that sentiment appears not to be reciprocated. When there are genuine cases of unfair treatment of British citizens, there seems to be no redress and no understanding between our two countries. I hope that the debate secured by the hon. Gentleman brings about a change in attitudes and that the FCO, even at this late stage, can do something. The hon. Gentleman, the Pattisons, Mrs. Mordente and I will be grateful if it can.

10.10 am

Mr. Alistair Carmichael (Orkney and Shetland) (LD): I add my congratulations to the hon. Member for Mid-Norfolk (Mr. Simpson), not only on securing the debate but on the exceptionally assiduous manner in which he has pursued his constituents' interests. I thank him for raising the matter in this House; it gives us an opportunity to examine the human cost of decisions that are taken—sometimes at a very senior level in the Government, as has clearly been the case in the United States—and the impact that they can have.

I also commend *The Daily Telegraph*. In preparation for this debate I have had cause to review some cuttings from that newspaper, and it seems to me that it has done a great deal to bring to light the problems experienced not only by Mr. Pattison but by other UK citizens in travelling to the United States.

I will listen with great interest to what the Minister has to say. Many of the legitimate concerns expressed by the hon. Members for Mid-Norfolk and for Dundee, East (Mr. Luke) are matters for the US Government; they are essentially internal matters. We can, of course, express our concerns and hope that that will have an influence but, beyond that, if our colleagues on the other side of the pond choose not to act on our expressions of concern, we as individuals must make our own decisions.

At the start of his speech, the hon. Member for Mid-Norfolk appropriately reminded us of the importance of our relationship with the United States. As with all close friends, it is important that we should be seen as being not uncritical. It is therefore appropriate that we highlight the concerns of our constituents in this public way today. It is also to the hon. Gentleman's credit that he reminded us of our own wartime conduct in interning people whom we perceived at that time to be some sort of threat. We should remind ourselves that, in the past, we have not been immune to that sort of attitude.

On the wider front, the greatest value of today's debate will be in examining our own procedures and questioning whether some of the things that we are doing in response to 9/11 could threaten some of the freedoms that we seek to protect.

[Mr. Alistair Carmichael]

I have considered some of the most recent measures taken by the United States in the name of security, and I wonder how effective they will be. One can see the point of photographing and finger-scanning tourists who enter the country, but I question the effectiveness of the suggestion that every tourist should provide a complete record of their whereabouts in the United States before they can board the plane in the UK. For that to be effective, it would require a massive checking exercise, and it is difficult to imagine how the matter would be pursued if the person in question were to depart from the itinerary in any way. Perhaps it is not surprising that, since 9/11, there has been a 30 per cent. drop in the number of overseas tourists entering the United States. I hope that that may also serve as a salutary reminder to our Government about the possible impact of any unnecessarily draconian measures.

The hurt, anxiety and upset felt by Mr. Pattison is pretty clear. Indeed, the case was brought very graphically to the attention of the House today by the hon. Gentleman. It is difficult not to sympathise with someone in that situation. What concerned me most, however, was the withholding of information by Interpol which purported to relate to what was, in essence, a civil debt. I might have had some sympathy for Interpol if Mr. Pattison was alleged to have been involved in criminal activity in some way, but I must ask why on earth Interpol is holding information about people's civil debts. Surely all Members have experience of constituency cases in which people have fallen into dispute over the payment of a debt in the course of normal business activity. There can be any number of reasons why that could happen, but surely Interpol has better things to do with its time and resources than to hold and disseminate information of that sort.

I understand that the alleged debt, which, as the hon. Gentleman explained, was disputed and is now accepted to have neither truth nor substance, was about £6,000, or $10,000. Why on earth does Interpol have to hold such information, and what possible interest can member states have in sharing it for the sake of security?

The Daily Telegraph also highlighted the case of Marie Casafina. I do not want to go into the details of her case, but what was significant was the comment made by Richard Morris of the consular directorate of the FCO and reported in that newspaper on 22 May. He said:

> "The process of shackling and manacling by US immigration authorities prior to a person's deportation is, I am afraid, routine.
>
> We raise these cases at all levels with the Americans, asking that their immigration authorities adopt softer detention methods with British nationals."

The FCO should, quite properly, pursue this matter as vigorously as possible. Although my own experience of dealing with the criminal justice system in the United States is very small, it led me to realise that there is a culture there that accepts manacling and shackling in a way that I, as someone who made his living in the criminal justice system as a solicitor, find bemusing and barbaric. It is not for us to try to change the culture in America, but it is legitimate for us to ask that our citizens be treated with the concern and respect that they would be entitled to expect in this country.

The experiences that have been related to the Chamber today should give us a small amount of satisfaction that officers of our own immigration and nationality directorate, although certainly not blameless, have, in my experience as a constituency Member, shown flexibility and compassion. That experience may not have been shared by all, but their behaviour certainly compares very favourably with that of US immigration officials about which we have heard today.

Another concern relates to the holding of information by Governments, which is greater post-11 September that it has ever been. Information is not only held by Governments, but shared between them. The accountability of organisations such as Interpol must be given serious consideration. If Mr. Pattison's case highlights anything, it highlights for us all the fallibility of Governments in gathering, holding and sharing information.

That is one reason that my party and I believe that Government plans for the introduction of identity tags are dangerous in the extreme and should be approached with the greatest caution.

10.20 am

Mr. Gary Streeter (South-West Devon) (Con): I, too, congratulate my hon. Friend the Member for Mid-Norfolk (Mr. Simpson) on securing this important debate. He has a reputation in the House as a tireless worker on behalf of his constituents; we have seen more evidence of that today in the way that he has pursued the case and in his not being prepared to let it go. I also commend the hon. Member for Dundee, East (Mr. Luke) for raising another important case. I hope that we get some answers from the Minister on both cases—and some action.

I found the treatment of Mr. and Mrs. Pattison absolutely appalling and unacceptable. I feel for them, and I hope that today's debate shows them that we are on their side. What happened to them is unfair; it should not have happened and it must be put right. I am disappointed to learn about the wide use of shackles and manacles by US officials. I am also disappointed to learn about the role of the British consulate in America and its non-assistance in both cases. It has been suggested that that policy may now have changed. I hope that the Minister will have something to say about that. When British citizens travel abroad, they are entitled to expect more support from consular officials.

Although we have a close working relationship with the USA, I am concerned that representations from the Government do not seem to have achieved much in obtaining justice for those who have suffered. I commend my hon. Friend the Member for Mid-Norfolk for fighting so hard on behalf of Mr. and Mrs. Pattison. I hope that the Minister makes an appropriate response to the debate.

As my hon. Friend stated, it is important to put the Americans' reaction in context. We recognise and understand that 9/11 changed their world. It was the first time since Pearl harbour that the world's only superpower had experienced an attack on its mainland. It is no wonder that the country reacted in such a way and declared war on terror. If we are fully to understand world events, we must not underestimate the true impact of that frightful moment on the corporate psyche of the most powerful nation in the world.

When the twin towers came down, they brought with them an appalling loss of innocent life. It subsequently transpired that it was caused by hijackers, some of whom had entered the United States using various ports of entry. It is no wonder that the country has responded so vigorously by putting up defensive shields and trying to stop foreigners entering the country if it is suspected that they are entering America to commit terrorist acts. We understand America's new determination to secure the country; the American Government, like all Governments, have a primary duty to protect the country's citizens.

We understand also that America needed to fix shortcomings at some of its border controls. America, a country that the hon. Member for Dundee, East described as at the cutting edge of technology, has for a number of years used low-grade technology in some of its border control systems, which often used to cause mistakes. No wonder it is trying to correct that.

Although I understand those reasons, it is none the less perfectly legitimate for us to question some of the measures that have been taken, and to question whether the treatment suffered by innocent visitors to the United States is justified in every case. In a world of great mobility and liberal global markets, it is vital that every nation, especially one as powerful as the USA, strikes the right balance between robust security and allowing access to its markets for business people, tourists and legitimate visitors. The USA needs friends—in its own country and around the world—and the treatment of tourists in America has further alienated public opinion at a time when such alienation is not needed.

The relationship between Britain and the United States has rarely been closer. As my hon. Friend the Member for Mid-Norfolk said, the Conservative party treasures the special relationship; I believe in it passionately. We are close allies, and we are co-operating in the struggle against terrorism. That is right and proper. The Home Office and the Department of Homeland Security share enormous quantities of information in their joint enterprise to detect terrorists and prevent them from launching attacks. We understand and support that.

However, although we have a special relationship, which we treasure, friendships and relationships work both ways. This must be a two-way street. If we are co-operating so closely with the United States, as we should be, we are entitled to expect a greater response from the Americans, particularly when cases are raised with them at a high level by Foreign Office Ministers. I should like to know why better channels of communication are not in place between the Foreign Office and its US counterparts and why there is not more of a two-way street in dealing with cases that are raised properly by Members of Parliament.

We remain concerned at the indiscriminate and bureaucratic way in which some rules of entry to the United States have been applied. My hon. Friend raised a case involving a constituent in which US immigration officials clearly overstepped the mark. The hon. Member for Dundee, East raised another case. Scanning some of the press cuttings about this situation in recent weeks and even in the last few days, one can see that there are many other cases.

Those travelling without a visa when an immigration officer deems that one is needed are at risk of being incarcerated and sent home on the first available flight. That is what happened to Mrs. Mordente and, as we have heard, when US officials incarcerate someone, they do not mess around. Some people have complained that they were shackled to the floor during questioning. Why is it necessary in this day and age to shackle or manacle people? Such action is completely disproportionate. As my hon. Friend the Member for Mid-Norfolk said, Robert Bonner, the US Commissioner for Customs and Border Protection, has admitted that some treatment of British visitors has been "grossly disproportionate".

Last year, two Britons who were frequent travellers to the United States were detained for several hours in a detention room at Miami airport. They were questioned for several more hours about why they had visited America five times in a year. Others have had immigration officials delving into their credit card details and telephone numbers. Kevin McKay, a UK citizen, had to go through a six-week process before being allowed to fly to the United States in January 2004, because of speeding tickets that he accumulated in this country eight years ago. Such a response is disproportionate. In applying the anti-terrorism Act, under which travellers have to list any criminal offences that they have committed, US immigration officials have decided to include minor motoring offences. That might prevent me, with two speeding tickets in the last five years, from getting in—but at least I do not wear red socks. There must be a balance.

Under the normal rules, citizens of 27 countries, including the UK, are entitled to enter the United States for business or pleasure for up to 90 days without a visa. Sometimes, however, through no fault of their own—often because they have fallen ill—people are unable to leave within that time. Following 9/11 and until recently, if such people were caught while trying to leave the USA, they were arrested and detained for a number of hours, until they could be found a place on a flight home; generally, they would have missed the flight that they were trying to catch. Since August, the authorities have relaxed that policy. They no longer detain people but simply require them to apply for a visa for future travel to the USA. We welcome that change of policy towards travellers who, for entirely innocent reasons, may have overstayed their 90-day residence period in the United States.

I shall, however, raise one other specific concern. In 1952, at the height of the cold war, which my hon. Friend remembers well, the United States created a separate classification of visa, called type I, for journalists, who were no longer allowed to travel as normal business people. When the hysteria of the 1950s died down, the immigration authorities stopped applying that rule, and journalists—most of whom, I think, are normal people—travelled under the same conditions as other business travellers. They made the same use of visa waiver programmes as the rest of us.

Since 9/11, however, officials have reactivated the type I requirement, although they have not publicised the fact. Journalists now have to apply for a visa, and that process is no longer easy. They have to pay a fee of

[Mr. Gary Streeter]

£60, dial a premium-rate telephone number to arrange a compulsory interview and, if they are from Syria, Iran or North Korea, or if they are male and between 16 and 45, complete a supplementary form listing every country that they have visited in the last 10 years. They may have to wait weeks, if not months, for the application to be processed. As a result, journalists have been detained.

A well-known case involved Elena Lappin, a British citizen married to an American, who had previously entered the United States telling officials that she was visiting as a journalist without a visa. At Los Angeles airport last April—Los Angeles seems to come up from time to time in these discussions—she was arrested for not having a type I visa. She was interrogated for four hours, body searched, fingerprinted, photographed, handcuffed and forced to spend the night in a cell in a detention facility in central Los Angeles. We can see from television programmes that that is apparently not a pleasant experience. She spent another day as a detainee at the airport before flying back to London. We have already heard about Ian McEwan's experience of trying to enter the United States.

Is not it odd that a country whose Congress is constitutionally forbidden to abridge freedom of speech should so restrict travel by foreign journalists? A US Congresswoman, Zoe Lofgren, is currently sponsoring a Bill to reclassify journalists as ordinary business people, making them eligible for the visa waiver programme and putting an end to the current shambles. Perhaps the Minister is making representations about that; we should like to hear from him if so.

We are keen to hear from the Minister about all that he has been doing and will do, particularly about the two constituency cases in question. It is worth saying again that I recognise the difficulty of these matters. We must understand the shock caused by 9/11 and we recognise the duty of every nation to defend its borders and citizens, but we live in a globalizing world, and the free movement of people, goods and services plays an important part in the global economy. Although the issues are primarily a matter for the US Government, given the strength of our relationship with the USA and the impact of the policies on UK citizens, we are entitled to expect that our Government will be active and robust in dealing with these concerns.

It would be good to receive answers from the Minister to the questions that my hon. Friend the Member for Mid-Norfolk and the hon. Member for Dundee, East have put to him today. I hope that he will intervene more effectively in the case of Mr. and Mrs. Pattison. They are entitled to an explanation from the US Government and from Interpol. They are also entitled to an apology and to closure.

I hope that the Minister will also intervene more effectively in the case of Mrs. Mordente. It seems to me that she should be able to visit her grandchildren in the United States and obtain a visa from the US authorities. What will the Minister do to establish better channels of communication with his US counterparts? Will he make the most robust representations to help the US Government to get the balance right, to make more friends around the world and to treat UK citizens more fairly?

10.33 am

The Minister for Europe (Mr. Denis MacShane): I congratulate the hon. Member for Mid-Norfolk (Mr. Simpson) on securing the debate, and on the measured way in which he and other hon. Members made their points.

One reflection needs to be made before I go on with the main part of my speech: we all, as constituency MPs, deal with distressing cases of British citizens who find that they cannot secure easy entry into the UK for relatives—spouses, cousins, brothers, uncles and aunts—because of our fairly strict immigration controls. I expect that we might take it amiss if a foreign Government, through their Parliament or Ministers, criticised our immigration controls, the measures that we had decided were necessary to control people's means of entering this country.

Many hon. Members have rightly praised our long-standing and close relationship with the United States, and I think that I am safe in saying that the hon. Member for Mid-Norfolk is a staunch supporter of the transatlantic alliance. Hon. Members are right to raise individual constituency cases, but we should not let the debate become a generalised criticism of America, for we should not be comfortable if other countries criticised our mechanisms because their citizens were not given swift access to the UK or were turned back at points of entry.

The individual cases raised are of deep concern to the Government. I would be happy if an American reporter were sitting in the Chamber, reporting the debate for *The New York Times* or the *Washington Post*. As a former president of the National Union of Journalists, I am delighted that an American Congresswoman is promoting a Bill declaring that journalists are human beings and should be allowed to travel freely.

However, we must set these cases in the context of the great concern that the United States has felt since 9/11. It was not analogous to the attack on Pearl harbour: it was far worse in terms of loss of life, and the attack did not take place on an island possession thousands of miles from the American coastline but was at the heart of the United States. It was an act of aggression by what Joschka Fischer described yesterday, at a lecture that I heard him give at the London School of Economics, as those promoting the new totalitarianism of jihadi terrorism. We must have regard not only to the extraordinary new sensitivity in the United States after that single act of aggression perpetrated by people who were able to enter America because of lax immigration controls, but to the necessity of forging a permanent alliance along many fronts with the United States and the democracies of the world against what Joschka Fischer rightly calls new totalitarianism.

In the case of Mr. Pattison, which I shall return to, there may have been a distinct and separate problem with Interpol. The hon. Member for Orkney and Shetland (Mr. Carmichael) raised the question whether allegations involving a relatively small sum—it is good to hear a Scottish Member describe £6,000 as a small sum—should feature permanently on Interpol computers. Like the hon. Member for South-West Devon (Mr. Streeter), I have three points on my driving licence for a speeding fine, and it is frightening to think that that could prevent me from travelling around the world.

The United Kingdom enjoys a particularly close relationship with the United States. Bilateral relations are generally excellent and we are able to speak frankly to the US Administration whenever a problem such as that raised by the hon. Member for Mid-Norfolk arises. He asked me how many complaints we have received from British nationals about problems entering the United States since 9/11, and the answer is that we have had 30 since June 2003. We have not received many complaints about physical and verbal abuse, but I am happy to give the hon. Gentleman a written reply to his question and place it in the Library of the House so that hon. Members are aware of it. Like other hon. Members, I congratulate those newspapers that have drawn attention to the problem.

I find the idea of manacling and shackling citizens of a country in alliance with the United States in Iraq and NATO wholly unacceptable. Were we to do that to any American citizen whom we decided to deport for whatever reason, there would be an absolute outcry. I hope that there would, because the idea of shackling and manacling anyone accused of anything but the most grievous or heinous crimes or acts of terrorism is wholly unacceptable, and I am happy to place that on the record on behalf of the Government.

The US Department of Homeland Security, which oversees immigration matters, has implemented tough, enhanced immigration policies. Those measures extend to all those who travel to the United States and affect all nationalities including British citizens. Immigration procedures are a matter for individual countries. We have no locus to intervene in the immigration affairs of other countries, just as I would not accept foreign interference in our immigration procedures. It is for the US authorities to decide whom they admit to their country. However, the Government have, of course, a duty to take an interest when cases of unacceptable treatment of our nationals by foreign immigration authorities are brought to our attention.

Some 3.8 million British nationals visit the United States every year. Most of them travel on the US visa waiver programme, which allows nationals of certain countries to travel visa-free to the USA for private or business visits of 90 days or less. The vast majority pass through US immigration without trouble. However, over the past 18 months or so, we have received complaints from a small but significant number of British nationals—about 30 since June last year, as I said—who have been subjected to sometimes aggressive treatment, including manacling and shackling, by US immigration officials.

Most complainants had committed relatively minor US visa infringements. The manner in which they had been treated seemed to bear little relation to the so-called errors that they had committed. We have raised individual complaints with the US authorities and encouraged complainants to write to the US embassy and the Department of Homeland Security. The US authorities have apologised for the handling of some cases, but not for their detention policy as a whole. That is why the Government decided that we should take direct action, at senior level, with the US authorities.

In early July, the Minister with responsibility for consular matters, my right hon. Friend Baroness Symons, summoned the chargé d'affaires at the US embassy to the Foreign Office to highlight our concerns about the treatment of our nationals at US ports of entry. Obliging a foreign ambassador or his representative to come to the Foreign Office is a serious statement under the normal terms of diplomatic protocol. I stress that to underline our concern about what is happening to UK nationals going to the United States.

Baroness Symons spoke at length about the problem in general and about individual cases. She said that the matter was of great concern to the Government and asked that the United States take action to improve the manner in which our nationals were treated at US ports of entry when there was a question about their immigration status, and the conditions in which they were held in the event that they were detained. The chargé d'affaires undertook to convey our concerns to the relevant US authorities.

In late August, my right hon. Friend received a letter from the US embassy referring to the action that the US authorities had taken since her meeting with the chargé d'affaires. Our concerns had been investigated personally by Robert Bonner, the Commissioner for Customs and Border Protection, whose bureau has 35,000 employees and is part of the Department of Homeland Security. The DHS undertook to implement measures to improve conditions for what it called "immigration violators", those who are guilty of minor US visa infractions.

Those measures include the granting of greater discretion at ports of entry, to allow the admission of individuals who do not pose a terrorist or criminal threat to the United States. I only hope that a case such as that of Mrs. Mordente, which was raised by my hon. Friend the Member for Dundee, East (Mr. Luke), could not happen again if sensible discretion were exercised by officials at ports of entry who were confronted with a granny who had stayed in the United States for 13 days longer than she should have done to be with her family.

In addition, three things have been established. The first is a unit to evaluate decisions made by officials on the ground at ports of entry. People responsible for apparently inappropriate decisions or behaviour will be held accountable and required to justify their actions. The second is a working group to tackle issues of courtesy and to institute a training programme for all employees on maintaining professional and courteous standards while enforcing the law. The third is a system whereby each complaint will be tracked and reviewed at national level to ensure that appropriate action is taken.

I hope that those changes will directly affect the vast majority of the British nationals who, on arrival at US ports and airports, are considered by the authorities to be immigration violators. However, it is not just British nationals who will benefit; the measures will apply to citizens of all nations who travel to the US under its visa waiver programme. The new US detention measures will not affect those who are detained for reasons such as terrorism, criminal activity or possible illegal immigration.

During a visit to the UK in late September, Robert Bonner told journalists that his bureau had received complaints from all over the world about US immigration methods, but he was particularly struck by the number from the UK. He added that the reputation of the United States would be at stake if changes were

[Mr. Denis MacShane]

not made to improve detention and deportation methods for visitors and to give his officers discretionary powers to allow entry to visitors who had committed only minor visa violations. I have sometimes described the United States as the world's greatest self-correcting democracy, and I hope that the points raised by hon. Members, which are being taken very seriously by Baroness Symons, have been put forcefully to the US authorities and will have some impact.

I do want to go into great personal detail about the case of Mr. and Mrs. Pattison, which the hon. Member for Mid-Norfolk raised. There is clearly a problem as regards Interpol and the Government of Qatar, and we have received no documentation of any sort from the authorities in Qatar to clarify their position on the matter. I shall ask officials to write to the Qatari embassy in this country for a clear and definitive statement of their position on Mr. Pattison and for clarification whether any documentation relating to his case has been sent to Interpol.

Hon. Members must forgive me if I sound as though I am passing the ball to another Department, but, technically, relationships with Interpol fall under the aegis of the Home Office and, in particular, the National Criminal Intelligence Service. I assure the hon. Member for Mid-Norfolk and the House that I shall write personally to Mr. David Lock, the chairman of NCIS and a former colleague of ours. I shall send him a copy of the *Hansard* report of this debate and ask him to communicate directly with Interpol so that we can find out what is going on. If it would be helpful, I shall also ask him to meet Mr. Pattison. Once we have all the documents and facts in front of us, we can then at least seek to clear up that part of the problem.

I hope that hon. Members accept that the Government have been active, and successfully so, in improving the detention conditions for British nationals who have travelled to the United States on the visa waiver programme. Indeed, in achieving better treatment for our own citizens and making the robust interventions that I have reported to hon. Members, we have succeeded in achieving the same for nationals of other countries.

I am also happy to write to the National Union of Journalists and the International Federation of Journalists to seek their views on the new I visa, which the hon. Member for South-West Devon raised on behalf of the Opposition. Our US colleagues have indicated that our efforts have brought about much-needed change in that regard. We are pleased about that, but we are not complacent. We shall carefully monitor the implementation of the new US measures, and we shall not hesitate to raise with the US Administration any problems that we observe or which are reported to us.

Mr. Keith Simpson: I welcome the Minister's broad comments and thank him for offering to use his good offices with Interpol. I seek his advice on the case of my constituent and that raised by the hon. Member for Dundee, East (Mr. Luke). I accept that the Foreign Office can intervene and advise the American Government of its dissatisfaction, although it cannot tell them what to do, but how can I obtain from the American Government some recognition of the fact that my constituent was treated arbitrarily and unfairly, and some assurance that his name will not appear on the Department of Homeland Security computer, which would cause him problems if he ever wanted to return to America or, indeed, visit allied countries? Similarly, speaking on behalf of the hon. Gentleman, how can his constituent receive redress for what is effectively a 10-year bar?

Mr. MacShane: I assure the hon. Gentleman that I shall ask officials to contact the American embassy over the case of Mrs. Mordente. A Dundee granny who loves America and wants to visit should not have to wait until 2012, and for another two or three American presidents to come to office—although I am sure that we will still have a Labour Government—to see her grandchildren again. However, I stress that the decision must be for the American authorities. On Mr. Pattison, Interpol has told my officials that the warrant is still active, so the problem has to be between Qatar, Mr. Pattison and Interpol. However, I assure the Chamber and the hon. Gentleman that we will do our best for Mr. Pattison.

I make two general points in closing. First, it would be helpful if the travel pages of our newspapers highlighted the necessity for all of us to look carefully at our visas and passports and at the new requirements, particularly for those travelling to the United States.

Throughout British history famous writers have been barred from entering America. For example, Graham Greene was stopped back in the 1950s at the height of the cold war because it was alleged that he had a loose connection with the Communist party. The case of Ian McEwan has been raised, and the case of the singer formerly known as Cat Stevens caused a great fuss here. The Foreign Secretary raised the issue directly with the US Secretary of State, Colin Powell. My message is that we shall vigorously take up all the questions and problems that have been raised. However, there is a duty on us all not only to criticise the United States, but to understand that new rules are in place and to ensure that we comply, just as we expect everyone coming to our country to comply with our rules.

My second point is that we now live in a globalised economy. British business men roam all over the world, rightly, working professionally and getting involved in investments and financial transactions. Sometimes allegations are made, however. I do not refer in any way to Mr. Pattison, but I know of cases involving allegations to do with financial transactions that one party or another does not consider appropriate. Governments can step in on behalf of their nationals and accuse British citizens of improper behaviour over what would be a civil matter rather than a criminal matter, to do with contractual obligations, payments honoured or otherwise, and so on.

Once people's names are on a computer somewhere, it is, I accept, difficult to have them removed. Both as a constituency MP and as a Foreign Office Minister, therefore, I advise people to be purer almost than Caesar's wife. People should be extraordinarily careful not to become involved in any business activity that would not be the norm in UK business, but which they might feel they could get away with because they were dealing with a far-away Government, well beyond the jurisdiction of British courts. I try to put the matter as delicately as possible and I in no way refer to the hon. Gentleman's constituent. However, as a Foreign Office Minister, I find that the issue is one of the most troublesome that I have to deal with.

My message to American journalists is please to report such cases on the front page, to show the concern of the House of Commons about manacling and shackling, and the treatment meted out to the Pattisons, Mrs. Mordente and other British nationals. My message to the editors of travel pages is please to highlight the fact that America is a wonderful place. I love taking my family there on holiday, but new rules are in place and we have to respect them.

My message to the editors of the business pages is to warn business men that a wrongly signed contract, a dishonoured cheque or an investment that is not made according to the rules and with complete transparency that could be defended in a British court, may mean that their names end up on lists that could cause them trouble. Until we have defeated what Joschka Fischer described as the new totalitarianism—the onslaught of organised jihadi terrorists against western values and all countries that are committed to democracy and the rule of law—these problems will continue to plague us. However, I assure the House that the FCO will defend British citizens and be robust with American and other authorities whom we think are not treating them properly. I hope that hon. Members accept that we have obtained some redress from the United States and new ways of operating. I am grateful to hon. Members who have spoken in this important debate.

Military Records Office

10.56 am

Mr. John Randall (Uxbridge) (Con): I am very grateful to have the opportunity to raise a matter of concern to a great many of my constituents.

The Ministry of Defence records office is based in the constituency of the hon. Member for Hayes and Harlington (John McDonnell) who is, in many respects, my hon. Friend. I hope, with your permission, Mr. O'Brien, and that of the Minister, he will be able to take part in the debate. The matter affects our constituents who have raised their concerns about what is going on in the records office. It was sold off to a private company, TNT, which is closing the site in Hayes and transferring all the files to another site in the midlands.

I shall not dwell on the rights and wrongs of privatisation; suffice it to say that saying either that all privatisation is wrong, or that all privatisation is right, is not the way forward. However, in certain areas, privatisation must be done with great care. That is not my point. The records office holds the personal and personnel files of every British sailor, soldier, airman and woman, some of which go back to the first world war, although some were lost in a bombing in 1940. It is not just a highly important historical archive; it is intensely personal for many families.

I have not visited the site myself, although my hon. Friend the Member for Hayes and Harlington has done so. I have relied on evidence that has been brought to me, and what appears to be going on is nothing short of a national scandal. Hon. Members know from experience, especially in our constituency surgeries, that we sometimes have to take what is said with equanimity, if not a pinch of salt. However, although the people concerned might be said to have an axe to grind because they will eventually lose their jobs, I worked for some years in the private sector and dealt with many members of the public and staff, and I feel that I can detect when people's worries are genuine. That is why I wanted to raise the matter today. It needs to be brought into the open. I am sure that the Minister will try to answer my questions and if he, like me, is not entirely convinced that all is well, I hope that the matter will be looked into as a matter of urgency.

My constituents have come to me in almost the same distress as many people would experience in relation to personal family documents. They have a sense of ownership of the records that comes from working there for many years. It is rather like the sad state of affairs when someone dies and someone else comes in and years of a life are almost thrown away. I get the impression that that is how many of those people feel. One person who wrote to me said:

> "It is horrendous. It has to be seen to be believed."

TNT, the company that took over, apparently stated at the beginning of its tenure that there was no problem with handling the archives—it was no different to handling tins of baked beans. I have spent a good part of my life in the retail sector, and I know that each item of goods has to be handled differently. I do not believe that handling valuable archives should be treated in the same way as a commodity such as baked beans.

[Mr. John Randall]

It seems to me that the company has no experience of archiving or dealing with archives. It has more than 200 agency workers on the site. I have real concerns about the security clearance of some of those workers, and want to be assured that that issue is being handled properly. Some of the material held at the site is of a highly confidential nature and would be covered, if not by the Official Secrets Acts, certainly by the data protection legislation. I understand that the security clearance needed for that type of work would take a considerable amount of time to arrange—one has only to think of the detail required when our staff in the House apply for passes. I would also be interested to know what the charges for such security clearance would be. I get the distinct impression that, at best, some of those measures are not being fully implemented, and I have serious concerns about that.

I have heard that the behaviour of some of the agency staff leaves a lot to be desired. I have heard of towel holders being ripped off the wall in the gents' toilets, of the bin being used as a toilet, and of a roll of paper towels being put in a microwave, which was then switched on and left. Food and drink have been consumed near the files. There have been reports of people fighting, and even playing football within the archive. I know that such things would not have occurred with the quality of staff provided by the MOD.

It has also been reported that two cords on the fire doors have been cut—the doors that would be shut in case of fire. As one can imagine, a fire in an archive is probably the worst disaster that can happen. It is also reported that files are being packed into boxes with the bottoms falling out, and that files are being torn. The reviewers have complained that the files are torn when they receive them. Aircraft board of inquiry files have been separated from the main file, and there will be no chance of marrying them up to the main file once they have been relocated to people who have no experience in that area. In one instance of which I was told, a file relating to the Queen Mother was left lying on a shelf, because an agency worker did not know what to do with it. An ex-MOD worker had to search for hours to find that file, but was told by TNT that they had searched for too long and were being too conscientious.

Many files are kept in caged areas for obvious reasons, and many are for UK eyes only—I believe that that is the designation—but it seems to be quite acceptable for any agency staff to go into those caged areas to pack files for relocation as long as they are accompanied by a member of the TNT staff, who could not possibly keep an eye on the number of people in that area at a given time. Agency staff have been seen reading the files on several occasions.

If only a small number of those reports are true—and I believe that the issue involves more than that—the most distressing aspect is what is happening to individuals servicemen's documents: things are being separated in the move, and things that should be in files are disappearing. With the number of files that we are talking about, the chances of them being put back together in the appropriate files is remote.

As I said, agency staff have been seen reading personnel files. The vast majority of files relate to ordinary men and women of all ranks, and they will be important to their families. However, among those files, are the files of people who became national figures. No doubt, some of their personal details would have financial value, and I am concerned that such files could fall into the wrong hands. There are obvious security questions about people who served in certain parts of the world.

Some of the records have to be transferred by someone personally, with a secret file. They have to go by aeroplane; someone told me that they were put on a 1 pm plane at Heathrow and were expected to be back by about 6 pm. The Ministry of Defence ruling would be that a file of such importance should be picked up by a branch that should have all the necessary paperwork from its office and a secure, locked case in which to carry the file. However, it seems that some of the rules are not being adhered to.

A problem for people who try to trace relatives' files is the increasing number of "no traces"—the self-evident expression meaning that the file cannot be found—that come up. That phenomenon may be extending to the Army Medals Office in Droitwich: there is some evidence that it also increasingly has "no traces" coming back. There is only a certain amount of time that can be allocated to tracing a file before a charge is introduced. The Minister will know much more about that this than I do, but the medals office is being relocated. I worry that once such work is in private hands and charging comes in, there will not be any incentive to get the work done quickly, and that some of the savings that the MOD has introduced to try to cut down expenditure might be wasted if it ends up having to pay a lot more to trace records.

I understand that there is a points system for breaches under the privatisation contract ruling so that the contractor could lose the contract if it loses enough points. Will the Minister tell us about that and whether all the breaches have been investigated?

We will soon be wearing our poppies for Remembrance day. At this moment, in various parts of the world, our servicemen and women are putting their lives on the line for this country. It is for them and in memory of those who served before—not only those who gave their lives, but those who carried on into civilian life with distinction—that we must show respect for this valuable and irreplaceable historic archive. I hope that now that this issue has been highlighted, the Minister will instigate an immediate independent investigation into what is really going on in the MOD records office.

11.10 am

John McDonnell (Hayes and Harlington) (Lab): I return the compliment to my hon. Friend the. Member for Uxbridge (Mr. Randall) by paying tribute to him for securing this debate, and for the support that he has given the staff at the Bourne avenue site, and my constituents.

This is not just a constituency matter, but one of national importance. I know that my right hon. Friend the Minister will understand its significance when I say that the records for the Bloody Sunday inquiry were secured at this site. The staff worked intensely hard to ensure that the inquiry received all the information that it required. It is significant not only as a historical archive, but for its relevance to today and today's service people.

I have been dealing with the issue since 2002, when privatisation was first mooted. The issues that we raised in the community and with Ministers concerned security of service, the records themselves, the staff and the future of the site. The tragedy is that I do not think that privatisation would have gone ahead today. Under the new Treasury rules, it would have been below the new £20 million figure for which we would involve ourselves in such privatisations.

We were given assurances at the time of the privatisation proposal. The first was that the service would be maintained at a high quality. Secondly, we were assured that the records would be secure and, thirdly, that the staff would be cared for. We would, as employers, have a duty of care to ensure that they were redeployed and that they had a future that they could depend on.

Today, we have brought forward what can be described as anecdotal evidence of, at times, chaos on the Bourne avenue site—lost records, badly handled files, damaged files, failures of delivery of service and a failure to supervise staff that is putting the site at risk. There is a real risk to the long-term future of this valuable historical archive.

I have tabled parliamentary questions before asking about the number of complaints that have been received. Early this year, we were told that there had been 46 mostly minor complaints. My most recent question received the answer this week that there had been a number of complaints, but that they were only verbal and none had yet been put in writing. The staff should be listened to, because complaints are coming from within the site as well as from other departments.

We need to consider what procedures we need to allow people to come forward straightforwardly and with some protection to establish what is actually happening on the site and what breakdowns in service delivery are happening. I suggest that the Minister considers whether we can establish a whistleblowing procedure on the site and in those departments that are receiving the services of the Bourne avenue site, so that we can have a proper consultation about the reality of service delivery.

Staff working on the site have extreme concerns about the security of the documents. That is permeating into other departments. I tabled parliamentary questions about the issue raised by my hon. Friend the Member for Uxbridge: that of security clearance for staff. We are told that roughly 180 staff have received security clearance, while another 80 to 100 have received basic clearance. Basic clearance, from my understanding of previous parliamentary questions, involves references being taken up with past employers and perhaps a criminal records check at best. The rules whereby those staff that are security cleared have to supervise basically cleared staff are not being adhered to. Basically cleared staff—they are largely agency staff—are not adequately supervised. In our view, that is putting the security of the site and of the records at risk.

On the site, we have a dedicated loyal staff who have served this country and the Government well. Some of them are with us today, as are their union representatives. They are professional staff, and they have been an excellent example of commitment and service. The promised redeployment to other MOD sites has not occurred. Redeployment to TNT facilities means that the jobs that they have been offered are not of a like kind, so many of them will now lose their employment.

I ask the Minister to meet me, my hon. Friend the Member for Uxbridge and the trade union representatives to discuss the matter. I also call for an independent investigation, and to allow whistleblowing exercises to take place on the site and within departments so that we can get to the truth of the matter and resolve the threat to that historic archive. Again, I remind the Minister of the significance of that archive to the future of our servicemen.

11.15 am

The Minister of State, Ministry of Defence (Mr. Adam Ingram): I congratulate the hon. Member for Uxbridge (Mr. Randall) on securing this debate, which is on an important topic, and I recognise the efforts of my hon. Friend the Member for Hayes and Harlington (John McDonnell). Both have monitored the situation closely. I fully recognise their reasons and the interests of their constituents.

My hon. Friend the Under-Secretary, who has been dealing with the issue, asks me to apologise for his unavoidable absence. I shall deal with the matter on his behalf.

Like the hon. Member for Uxbridge, I have not visited the facility. However, I am told that it is worth a visit so that one can see the extent of the problems that it faces—not because of the staff issue but because of the inadequate nature of the infrastructure. I do not know whether my hon. Friend the Under-Secretary has visited the site, but I recommend that he does so. If he undertakes such a visit, some of the other issues that have been mentioned may be raised then.

I emphasise the Government's commitment to modernising and improving public services. I suspect that the hon. Gentleman and my Friend would not disagree with that prerequisite. My Department, like others, seeks to deliver quality services efficiently and effectively. The records services provided at Hayes for a number of Government departments and agencies, and managed by the MOD, is no exception.

In 1997, a study recommended that alternative ways of providing that service should be explored. Again, I would expect the hon. Member for Uxbridge to recognise that one should always look for better ways of doing things. Significant investment would be required to provide a modern and effective archive service, and public and private sector solutions were both fully explored. That resulted in discussions with three consortiums, two of which submitted bids. Although the bids were similar, the TNT and ProLogis bid offered a better quality records service and a lower risk property solution.

The overall objective was to provide the required flexibility and give value for money for the customer departments. The contract therefore provided for the contractor to bear a significant risk, as well as to construct, commission and operate a new facility, to maintain and operate the Hayes archive for an interim period, and then to dispose of the Hayes site for redevelopment.

[Mr. Adam Ingram]

The service elements of the contract cover the depositing and storage of records, their retrieval and dispatch, and, when instructed by the department concerned, the destruction of records. A significant enhancement of the previous service is the requirement to produce an electronic index of the file holdings. Given his commercial background, I hope that the hon. Member for Uxbridge recognises the importance of such an approach.

The changes will enable the contractor to track and trace requests for files; it also supports departments when discharging their responsibilities under the Freedom of Information Act 2000, which, as hon. Members will recall, comes fully into force on 1 January next year.

The final negotiations were concluded in September 2003, and the Ministry of Defence awarded the contract to TNT (UK) Ltd., with ProLogis Ltd., on 18 September 2003. The contract provides for TNT (UK) Ltd to take over functions previously carried out by civil service staff at the archive.

I shall touch briefly on how we handled staff matters. The staff were given the option, under a preference exercise, either to transfer to the contractor under arrangements under the Transfer of Undertakings (Protection of Employment) Regulations 1981, or to remain within Government employment.

When the contract was awarded, a three-month trade union consultation was conducted between TNT and the Public and Commercial Services Union, following a code of practice agreed between the Ministry of Defence, the trade unions and industry. The process was successfully concluded by vesting day, 18 December 2003, when the contract commenced. Forty-seven staff transferred to the new company, and after the award of the contract TNT launched the construction of a new archive building in Swadlincote, south Derbyshire. The facility is far more modern and advanced in design, has better fire protection—the hon. Member for Uxbridge raised that point—is more energy efficient, and is generally far more suitable for its purpose, than the buildings at Hayes

The new building at Swadlincote meets all the requirements of the Cabinet Office manual of protective security, which is not true of the Hayes building. The facility was completed ahead of schedule, on 29 April 2004, with final completion and handover, subject to the usual rectification of minor defects, on 6 October 2004. The facility has a storage capability of 1 million archive boxes, with space for expansion if necessary.

When TNT took over operation of the Hayes site on 18 December 2003, it immediately began the indexing phase of the contract, to create a complete catalogue of the archive holdings. The concept—I hope that the hon. Member for Uxbridge will agree with the approach—is to capture essential information about each of the approximately 12 million items stored at the Hayes site to create an accurate and comprehensive database of the records held. The intention is to enable rapid and accurate location of files for immediate dispatch to the customer when required.

My hon. Friend the Member for Hayes and Harlington mentioned one of the big issues that required the accurate recall of, and access to, important files going back many years—the case he mentioned was a major inquiry, but it seems to me that the same should apply to an individual record. My hon. Friend, who has followed the Saville inquiry, will know how some information kept turning up. That was not because of inadequacies on the part of the staff, but because of a less than adequate filing system. That is why we had to try for a fundamental change in practice.

The contract with TNT applies fully the Government's strict and robust security standards, extending to the physical environment, delivery services, IT systems and personnel. The hon. Member for Uxbridge raised a concern about the security vetting of the agency staff at the facility.

John McDonnell: Will the Minister give way?

Mr. Ingram: I will give way if I have time towards the end; I should rather cover all the points that have been raised, if possible. There may be time for interventions.

As to security clearance, TNT personnel, all agency staff and permanent staff employed by TNT at Hayes and Swadlincote are subject to security checks and clearances in accordance with Government policy. Those security clearances are granted on the basis of the same criteria and standards that apply to civil servants employed on similar work.

The Defence Vetting Agency has made significant improvements over the past few years, and the clearances are being processed smoothly, but not, as has been suggested, on a preferential basis. Although the matter was not raised in the debate, I am aware of comments about the private company being given preference over civil servants who wanted clearance, but that was not the case. All staff are vetted to basic or security level.

The hon. Member for Uxbridge raised the matter of people going into secure areas. I hear what he says, but I am advised that TNT allows only appropriate staff to see UK-eyes-only files. He also raised the issue of the reading of files. It seems to me that, as an indexing process is being undertaken, it may be necessary to open a file to identify what is in it, and, we hope, establish a correlation between the index name and the file content. It would not surprise me that files had been read. However, I should hardly think that all the millions of files involved would have been read.

Mr. Randall: It is important to distinguish between looking at something and reading it.

Mr. Ingram: I am not going to get into a long debate on this, but I return to the Saville inquiry. People would have to read the contents of a document in detail to see whether it was relevant to that inquiry. It is not simply a question of looking at the heading. Sometimes the content beneath it might also give a trace elsewhere. The process is not as simple as the hon. Gentleman suggests. I ask him to reflect on that. If something is for indexing, it is better to give the best index. If it is for retrieval and examination, it should be done authoritatively and, I hope, exhaustively, depending on the nature of the inquiry.

All the Government records stored at the Hayes site have been retained either to meet a continuing business need or to discharge the obligations of departments under the Public Records Acts to preserve important documents. TNT is fully aware of the requirement properly to handle and protect all the Ministry of Defence material and other material now in its charge. To provide additional assurance that the contractual requirements are being met, the MOD has set up a contract management team to work alongside TNT to assist in the transition of activity to TNT and from Hayes to Swadlincote and to undertake audits and reviews. That might go some way towards addressing the points made by my hon. Friend the Member for Hayes and Harlington. If he is demanding more, the matter might be worthy of examination by my hon. Friend the Under-Secretary, but that is the sort of audit and review mechanism that we have put in place.

The team remains based mainly at Hayes, but it has begun a relocation that will make it more convenient to oversee activity at Swadlincote.

Let me deal with TNT's performance in running the archive. The contract includes a comprehensive performance measurement specification, which specifies two time targets for each category of records retrieval. Most retrievals must meet the earlier target, and almost all the remainder must meet the longer one. The required level of achievement against the more challenging time target increases as the months elapse after vesting day, which reflects the expectation that TNT's performance should improve.

I am advised that TNT has to date consistently fulfilled those targets for records retrieval. It is, however, keen to exceed those requirements—again, because we all recognise the importance of these records—and it has been working with the contract management team to investigate areas where performance could be improved.

Unfortunately, teething problems are likely to arise in a contract of this size and complexity. As the hon. Member for Uxbridge will know from his commercial background, not everything goes swimmingly when one is moving from one large operation to another and transferring several lines on to a new computerised system, as in this case.

The contract management team is working with TNT to address these issues, which I am confident will be resolved because, again, we all recognise the important of these records. I agree that it would be worth comparing TNT's performance with the achievement before the contract was let. That would be a good thing to do, but it is simply not possible. The in-house team was not managed in the same, outcome-focused way, and it did not keep comparable performance statistics, so we had no baseline against which to assess it. That does not mean that we will not have new baselines for the new contract company.

Let me pay tribute to the dedication of the civil servants who operated the archive for many years in less than ideal conditions. That is why I suggest that a visit to the site might open eyes. In the past nine months, TNT has indexed more than 6 million records and has started to create the database to which I referred.

Before I make other points, I assure hon. Members that my hon. Friend the Under-Secretary will read what has been said in this debate. I shall speak to him, but the reform will be a matter for him. He views the process with the greatest seriousness, and we must ensure that what we are putting in place is as good as, or perhaps even better than, what went before.

John McDonnell: May I emphasise the importance of meeting members of staff to discuss this critical matter, as the contract management system is obviously not working, and we need to investigate this matter in detail and independently?

Mr. Ingram: I am taking note of the concerns—

Sitting suspended until Two o'clock.

British Council (Africa)

2 pm

Mrs. Claire Curtis-Thomas (Crosby) (Lab): I am delighted to stand here this afternoon, and I must declare an interest right away. This year, I have been immensely fortunate. I joined a scheme managed by the British Council in the UK to twin women Members of Parliament here with women MPs in parts of Africa, and I was fortunate enough to go to Zambia. First, a marvellous woman MP from Zambia, Mrs. Rosemary Chipambe, who represents the community of Nchelenge, spent a week with me, supported by the council, and then I went to see her.

I am also delighted that the director general of the British Council in Zambia could be here today. That is an extraordinary coincidence. As hon. Members will know, applying for a debate in Westminster Hall does not necessarily mean that one will secure a debate here. I told the director general that I intended to apply for a debate when I got home, and I was immensely fortunate in being allocated one the following week. I doubt whether that has happened to many hon. Members, but it is a marvellous set of circumstances and coincidences. I apologise to all those who applied for debates and did not secure them, but at least we are here now to acknowledge the work that the British Council does in Africa.

It is unfortunate but true that most of us hear about Africa only when there is a problem. The difficulties faced by the continent are well known: poverty, lack of access to education and health facilities, HIV/AIDS, the thin skills base, difficulties with the democratic processes, which have not yet been embedded so as to provide equal opportunity and a guide against corruption, and poor leadership. However, that is not the whole story, and I shall use the debate to bring into focus a continent that all hon. Members need to understand better and engage with if we are to have a fair and prosperous world and communities that contribute rather than take from others.

From what I have seen of Africa, I know that it is possible to make a positive difference there, but to do so we must change the nature of our engagement with the people of the continent. We must move from talking to listening and from showing to sharing. I certainly support such a move after my recent trip.

The United Kingdom has had a long and multi-faceted relationship with Africa. It is complicated by a legacy of colonial resentment aggravated by present-day disputes over trade, for example, and the war on terror. It is important to understand that in both the UK and Africa, a generation has grown up that has no direct experience of colonialism, but whereas in this country colonialism is something in history books, many people in Africa, including many young people, still feel that they are living out its consequences.

For almost 70 years, the British Council has been one of the UK's main channels for its engagement with Africa. The first group of student English teachers from west Africa came here to study under British Council auspices in 1936. In the same year, the council sent a British arts exhibition to Johannesburg. Its role in supporting the development of civil society, including those associated with the African National Congress, in the late 1980s and early 1990s—the dying years of apartheid in South Africa—helped to provide a strong base for high-level relations in today's era of majority rule. That was recognised by Kader Asmal, South Africa's Minister of Education, who said recently that the British Council continued to play a crucial role in South Africa in supporting its transformation agenda, particularly in the niche areas of education, the arts and culture.

Over that time, the British Council has become a familiar presence on much of the African scene. Today, many Africans, from many different walks of life, have had experience of the UK through the council. One of them, Tejan Kabbah, who lived in the British Council's Hans Crescent hostel when he was a student in London, is now President of Sierra Leone. I met Tejan last year when I went to Sierra Leone. He had only glowing words of praise for the British Council. We have to be immensely proud of an organisation that, through its assistance and support, sees today one of its former luminaries, as it were, as President of Sierra Leone.

In Ghana, President Kufuor also speaks of his student days in the British Council library in Kumasi. Opening the council's new IT-based knowledge and learning centre in Accra earlier this year, he contrasted today's high-tech facilities and its pioneering access for Ghanaians with the World Bank's global distance learning network, saying,

> "The services of the British Council provide a vital backdrop to strengthening the formal diplomatic and bilateral relations between our two countries".

The experience of the British Council in Africa—it would be well for all of us to listen to what it has to say—is that given a mixed history of mixed access to opportunities, there is a suspicion of western motives across the continent. If we in this country want to engage with Africans we need to work with them in ways that they believe are of benefit to them, not just to us—practical help rather than patronage.

From what I have seen of the British Council's work, that is what I believe we are doing. We are not patronising; we are desperately trying to help and engage communities about which we care and feel passionately. I welcome the active role that the British Council is playing to ensure that its approach is tailored to the principles of the NEPAD—New Partnership for Africa's Development—initiative, which seeks firmly to ensure that ownership lies with the Africans themselves. I was also pleased to see that the council is working with the Commission for Africa and has attached a senior member of staff to work inside the commission. That is a fantastic initiative from our Prime Minister that needs to be applauded.

Today the British Council is represented in 19 countries across sub-Saharan Africa and manages a turnover of almost £18 million. Given that the British Council programme reaches tens of thousands of Africans, that strikes me as good value for money. When we factor in the wider reach that the British Council is achieving through the cascading of its work through change agents, we see that it is clear that it is having a wider and deeper impact than the sums of money would suggest. Let us take, for example, the numbers reached through partnership of education reform or English language capacity building, which is a particular forte—a jewel in our crown—for the British Council in Zambia.

It is clear that the prospects of many millions of people have been improved by the British Council's work. It is also having an impact through new and imaginative approaches. It has a syndicated music programme called "Selector", broadcasting the best of contemporary British music to audiences of hundreds of thousands of Africans every week, making the return on the investment even greater.

I wish to take a few moments to tell hon. Members an anecdote. I visited the community of Nchelenge, which has nothing: no water or electricity. It is a very poor community of 130,000 people in north-west Africa. There is a hospital of sorts run by a missionary of nuns. When they asked me for a meal I was delighted to go, because the accommodation in Nchelenge is challenging by our standards. I got used to the cockroaches; it was the rats that got to me. When the nuns offered me a nice meal in the missionary I took up their offer, only to arrive to find them watching BBC News 24 on their satellite television. They told me that it was the best programme that they watched, and that they did so everyday. At the time, the service was broadcasting the latest antics of Roy Keane, and they talked about him as if they knew him intimately and well. I was thunderstruck that 700 miles along the road from Lusaka, where there was no transport or anything else, the BBC was reaching out to a community of people in deepest Africa. They were thrilled with the presentation. The intimacy of BBC News 24 was brought to me on that occasion.

As well as networking and bringing together people through the education programme, the British Council is also responsible for a programme that seeks not only to develop and bring on young leaders within their country, but to link them with their peers throughout Africa. The programme, which is called Interaction, also puts them in touch with people in this country, sometimes through face-to-face meetings, but its major feature is a cutting-edge website that allows them to stay in touch remotely—a facility that also gives them access to the knowledge stored in hundreds of specialist journals. The British Council uses Interaction to provide leadership training to 1,500 young African leaders, each of whom will be inspired to change the lives of thousands or perhaps millions of people. Let us hope that they do so.

Hon. Members may be surprised to hear that web-based technologies are appropriate for Africa, but that is the new reality of the continent, and the British Council is increasing its investment in electronic services. That will extend the organisation's traditional role as the provider of information through libraries. In the near future, those services will be available not only through British Council offices in capital cities, but through a growing network of cyber cafés in some of the remotest parts of Africa. Let us hope that a cyber café gets to that hospital in Nchelenge.

I do not want to create the impression that it is all plain sailing. If there are to be improvements in political accountability, democratic participation and human rights, Africans and those working with them need to address some pervasive and highly sensitive issues. In Africa, there is a lot to be critical about, but sometimes tackling the issues head on only puts people's backs up, especially among those who are well aware of the shortcomings of the human rights record of European powers in Africa.

The British Council has found a creative solution to tackling the issue of holding the powerful to account through an exhibition of political graphics from the UK called "Upfront and Personal", which toured southern Africa earlier this year. It was well received in South Africa, where there is a culture of brash, in-your-face political advocacy, but the situation in Botswana and Mozambique is very different. I understand that there was some nervousness about how such a forthright challenge to the establishment would be received.

The exhibition worked in those countries because the establishment had to be challenged. It was a challenge to show how graphic illustrators, designers and cartoonists have attempted to keep the mighty on their toes in this country. We invited people in South Africa to think about how they handled freedom of expression in their own societies. At the opening of the exhibition in Gaborone, the Minister of Communications, Science and Technology asked whether Botswana was ready for such an exhibition. He was immediately answered his own question by saying, "Hell, yes. Let's go for it."

The ways in which the British Council is working in partnership with Africa include "Dreams and teams", an international programme aimed at developing young leaders through sport. It was launched in 2001 and now operates in 20 countries worldwide, including seven in Africa. Young people, teachers and youth leaders in the UK and Africa are trained to organise inclusive sports festivals and join a school link project. They learn by doing—in teamwork, communication and inclusion. The shared language of sport is an easy way into cultural exchange, enabling mutual learning between north and south.

The British Council is developing sport as a tool for education in Africa, and it aims to pilot sports programmes in schools this year, with "Dreams and teams" forming a key component of the life-skills training syllabus. As to school links, the Department for International Development has a marvellous programme called the global schools partnership, a consortium initiative between Cambridge Education Foundation and Voluntary Service Overseas that promotes sustainable partnerships between Africa and UK schools; for example, a school in Malawi is partnered with a school in Norfolk. That link has facilitated reciprocal visits and joint curriculum work, but I know, especially through the churches in the UK and their work with the British Council, that there are huge numbers of informal linkages between schools in Britain and schools in Africa. They are immensely rewarding experiences for teachers and pupils here and in Africa.

I said that we needed to talk to Africans; when we do, they tell us that what they want are our voices. Rosemary Chipambe, my counterpart MP in Zambia said to me, "We both have a voice and we can both utter the same words, Claire, but your words will be heard much louder than mine." We must try to reach a point in our global history when all people's voices carry equal weight and when all people are heard equally by those who influence their lives.

My experience of the British Council in Zambia was extraordinarily good, and I would encourage any Member of Parliament who has not approached the British Council about undertaking an exchange visit to do so. Our representatives in such countries are

[Mrs. Claire Curtis-Thomas]

outstanding. Last year, on a visit to Sierra Leone, I met the head of the British Council there. He had a most difficult job and was dealing with a very brutalised society. He did extraordinarily well and has broken down huge numbers of barriers between himself and the administrative authorities. The British Army is still there, doing a magnificent job. The head of the British Council was on a single secondment, so he had left his family behind in the UK—he was a man of remarkable dedication. Apart from doing all the things that I love, such as promoting science, engineering and education, he did a fantastic amount to help with the development of culture in Sierra Leone.

When I went to Zambia a couple of weeks ago, I was met by John Mitchell, the director of the British Council there. He came to meet me personally and took me to his home; it was a wonderful welcome. The British Council is clearly well networked through John, who knows everyone and anyone, including members of the Government. There is a real emphasis on working together to enable the Africans to achieve not our objectives, but theirs. British resources are being put at the disposal of wonderful people who need them to achieve their potential.

The British Council works not only with other bureaucratic administrations, but with the voluntary sector and non-governmental organisations, which are numerous throughout Africa. The task faced by British Council officers such as John Mitchell is to reach out to all those agencies to maximise the benefits that we deliver in such nations.

John has to administer several grant programmes, including the Chevening awards. I told him that the funding for the awards had been reduced and that I was sorry about that because they produced fantastic returns. We get huge benefits for very little money, and I would ask colleagues in DFID and the Foreign and Commonwealth Office to look again at the awards. They are made in a number of categories, but those chosen this year do not include engineering. As colleagues will know, I am a chartered engineer by profession, and I am desperately concerned about the absence of engineering as a discrete category. Africa can receive a huge amount of investment, and people want to invest and do well there, but unless there is an indigenous population of technicians and engineers, all the investment will be wasted. A huge $10 million water installation could be built in the Nchelenge community, for example, but the company that I spoke to said that it would not build the installation unless there was a community of Africans who could manage it. It is desperately important to increase the number of engineers in Africa, because engineers build the beautiful, clean and safe communities that people need.

To conclude, the British Council's work in Africa is extraordinary, and I am grateful to have had the opportunity publicly to applaud it. I hope that the Government continue to support the British Council and people such as John Mitchell.

Vera Baird (Redcar) (Lab): My hon. Friend has given an impressive catalogue of the British Council's activities. Does she agree that one of its great characteristics is that it is very well networked and therefore able to take on issues that can be difficult in some African states? I was recently lucky enough to go on an exchange visit of the kind that she has just been on and which triggered this debate. The British Council asked me to go to Ethiopia to teach the judiciary how to deal with domestic violence cases. That is a very difficult thing to do. For one thing, the British cannot go there and pretend for one minute to have all the answers. For another, one had to contend with a very old-fashioned attitude among the judiciary, which was buttressed by a pretty out-of-date constitution. The position has now changed, but the constitution originally gave a man the right to a defence if he struck his wife because she did not obey him. Persuading judges that they should look at the new constitution as it grew and that its equality clauses had to override that old law was a very diplomatic job, from which the British Council did not shrink—

Mr. Bill O'Brien (in the Chair): Order. Interventions must be brief.

Mrs. Curtis-Thomas: I fully understand the point that my hon. and learned Friend makes.

When I was in Sierra Leone, the British Army was there trying to bring order through training the army. The British Government involvement in the reconstruction of Sierra Leone also means that we are substantially supporting its law courts and law network, and the police service and the training of the police. Support for those institutions is essential in trying to ensure that a country is brought back to the point of having a judiciary that acts both in a way that is not corrupt and in the best interests of the people whom it serves. That is an immensely challenging task, as the problem is all over Africa.

I am very concerned, as the vast majority of women throughout the world would be, about the level of female genital mutilation that occurs in Africa. Tackling that is—

Mr. Bill O'Brien (in the Chair): Order. May I ask the hon. Lady to address the Chair, please?

Mrs. Curtis-Thomas: I have difficulty looking both ways, Mr. O'Brien, and I do not want to miss hon. Members who might want to intervene, but I would not wish to insult you for one moment.

I think, however, that I have brought my remarks to a close.

2.21 pm

Mr. Derek Wyatt (Sittingbourne and Sheppey) (Lab): I congratulate my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) not only on securing the debate, which I think is the first on the subject in this Session, but on her enthusiasm for and dedication to the British Council. I also congratulate her on the way in which she has participated in the exchange with other women MPs, some of whom are present.

I congratulate David Green, the director general of the British Council, who was knighted in June this year. That was a wonderful thing—it was well deserved, because he is such a marvellous director general.

Neil Kinnock will become chairman of the council in November, and that will complement David's role. There are exciting times ahead for the British Council.

I chair the all-party British Council group. We will soon be extending the way in which we work in the House by announcing an MPs' ambassador role for the British Council, so that particular MPs' interests, such as the women's movement or equality and justice, will be twinned with a country.

When we started the all-party group seven years ago, I said to David Green that the two things that he should concentrate on were IT for Africa and sport. I think that he thought that I was barking mad. If one travelled to British Council offices across Africa eight years ago, one saw that hardly anyone had computers and no one had servers in their offices. The wonderful thing is that now they have not just one computer but, sometimes, 60 or 120. Where they had one server, now they have two, three or four.

A remarkable change has happened to the British Council—a silent revolution. That means that thousands and thousands of local people in each of the countries in Africa can come to the British Council, can see a paper that has not been restricted by the local government, can catch up with world affairs and can have conversations that they cannot always have in their villages and towns. We need to do more on the IT area, and I shall say more about that later.

In the "Dreams and teams" programme, the soccer has been sensationally successful. We have learned from our experience that it is no good turning up with 25 Nike balls and 25 football shirts, because those will get sold on the black market the day that we leave. We have concentrated on finding local leaders who can run local soccer teams when we have left, and that has been terrifically successful.

The Government can be proud of their record with the British Council. We have had seven years of increases in funding. It is never easy for the British Council, because every time there is a change in the world, it is asked to do more. We asked it to look after all the "stans" in the former Soviet Union—to open more premises there. We have asked it to do more in the middle east, especially since 9/11. Its funds are finite, and it tries its best, but it always wants more. We should be as supportive as we can. If we were to ask it how it views the next seven or eight years, perhaps it would say that we need its presence not in western Europe, but in the middle east and Africa.

The British Council is one of the three great ambassadors for the country in Africa, the other two being the Open university and BBC World Service. People are always surprised when I mention the Open university. I mention it not just because I am a graduate of it, but because it has educated 5 million Africans and is the largest university in Africa. Ethiopia and Eritrea had a 20-year war of attrition, which did no one any good. When Ethiopia eventually took the democratic path, 23 of its 25 Cabinet Ministers took MBAs. The Prime Minister got the third highest MBA ever recorded at the Open university.

We have created things to be proud of—Jennie Lee and Harold Wilson should be smiling in their graves about the extent of the Open university. The BBC World Service keeps getting better. It is good that the British Council has signed a memorandum of understanding with the Open university and the BBC World Service.

This week in the House of Commons is a typical week for the British Council. On Monday, the all-party groups on Zimbabwe and on the British Council met. We heard from David Martin, the British Council's director of central Africa, on the problems of trying to handle Zimbabwe in its current phase. He gave a remarkably poignant and telling speech, and was not shy about taking hard questions from hon. Members.

Yesterday, my right hon. Friend the Member for Manchester, Gorton (Sir Gerald Kaufman) hosted a lunch for African literature and what the British Council is doing with Margaret Meyer. This is a difficult time for African literature, and I ask the British Council to reconsider its role.

The two great British publishing houses, Macmillan and Heinemann, which have been consumed by other companies over the past 10 years, no longer publish African literature. The only way in which African literature could come to the notice of the rest of the world was through the two imprimaturs in those two big publishing companies, but that is no longer the case.

I wonder whether the British Council could find a way to create a small publishing house with the Department for International Development and with perhaps a private enterprise such as the Commonwealth Development Corporation, so that we could publish such novels and bring them to the attention of the rest of the world. It is a sad day when books are burned, as they were in Germany in the 1930s, and it is as sad a day when we can find no way to publish talented poets and writers in Africa.

I have been lucky enough to spend time with British Council officials in Egypt, Ethiopia, Malawi, Zambia, Tanzania, Mozambique, Namibia, Botswana, Kenya and Tunisia. Africa is in my skin: I was brought up in Nigeria and I simply cannot get away from it. Generally, the quality of people in our British Council offices is second to none, and they work fantastically well under trying conditions. I ask a small favour. After 16 November, when we will be able formally to start highlighting our bid for the Olympics, we could provide every British Council officer with a tape of the London bid, so that they can act as apostles and fans to help us to win.

I will finish with these three thoughts. First, we could take the Open university idea wider with the Commission for Africa, on which the British Council has a seat. Mbeke's brother—I am trying to remember his Christian name—said in his report for the South African foreign policy think-tank that facilities and education for children in primary schools are now much worse than they were under Britain, France, Germany or Italy. We could have a big idea: Open university for schools. We could call it "free school TV" and put it up in English and 10 to 15 other languages simultaneously via broadband and satellite. We could use solar energy as the source, and use the cheap £50 computer systems that are now available to carry out a primary school revolution for Africa. If there is one thing that the commission could do, it is that. I should welcome the Minister's thoughts on that.

[Mr. Derek Wyatt]

Secondly, every year, 2 billion people try to learn English. It is a lot to ask of the British Council to take care of that, although it raises considerable funds, which it uses well. There is business to be had through BBC Worldwide, the Open university and the British Council in creating a teaching online service for English.

Lastly, a new movement is on its way from America, started by a professor called Lawrence Lessig, of Stanford university. It is called the creative commons. The idea is that, as one uses a small letter "c" for "copyright", one would use two for "creative commons". They would be used to allow copyright to lapse, or to be used. The website has been visited by 1.5 million people to release their copyright in music, art and books that they have written in the past 10 or 15 years, so that we can share.

For example, Gilberto Gil, a fantastic jazz musician in Brazil who is also the Arts Minister in the Brazilian Government, has persuaded the artistic and music community in Brazil to release all their art and music for free use outside Brazil, so that Brazilian music can come to the fore on the radio and online. How wonderful it would be if we could use the creative commons idea to free up copyright and to enable education to happen faster in Africa.

2.31 pm

Joan Ruddock (Lewisham, Deptford) (Lab): I am delighted to be able to take part in the debate, as I, too, have been a participant in a British Council exchange programme. I congratulate my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) on obtaining this debate and so expertly setting out the picture of the British Council in Africa. I shall not repeat the points that she has covered, but will talk about what happened on my visit. I also congratulate my hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt), because he has not only shown immense dedication, as a parliamentarian, to the British Council and everything that it stands for, but contributed innovative ideas and suggestions, which I hope may be taken forward.

I was part of the women's exchange that was just called "Big cars and leaking roofs". The MPs have the big cars and the people have the leaking roofs. There is a perception in Africa that all MPs line their own pockets and do not care about their constituents. That was certainly not true of the twinned MP whom I met in Zambia and who visited my constituency, the hon. Rose Banda of Milanzi constituency in the eastern province of Zambia. Her dedication is as deep as that of any Member of this House, but the difficulties that she faces in carrying out her tasks are beyond the imagination of most of us.

I have had the good fortune to travel quite widely, but I had never been, until May 2003, to any of the poorest African countries. I thought that I had known all my life what it would be like in such a place, but, of course, the reality is much starker. The contrast between my constituency, which is one of the poorest in the UK, and Rose's constituency, one of the poorest in Africa, was extraordinary.

First, there are 60,000 registered voters in my constituency. Although, of course, I cannot visit them all, I can visit the whole constituency in a day. It is an inner-city constituency. Rose Banda has a mere 2,000 registered voters, but it takes two weeks to visit all the villages in her constituency.

We spent some of our time in a variety of meetings in Lusaka. One was with women MPs, the women's caucus of the Parliament. The minute we sat down—and I have to say that the meeting was extremely well organised and the majority of women MPs attended, even though the House was not sitting on that day—we found that our experiences as parliamentarians and as candidates were similar, as were our experiences of political parties.

We are the second-class gender in every Parliament and in every political party. There is no question about that. The women had faced the kinds of discriminations and difficulties with which we are all familiar in the west. We have had so much good fortune, and we have made such strides to equal gender representation, particularly in our party, that I was able to offer encouragement. I was able to talk from my experience and say that we might be in a much better position today, but that when I came into the House, there were just 37 women. We have made progress.

The women's caucus has no place to meet in that Parliament. Its members have no women's rooms; they have none of the facilities that we have gained for ourselves. However, we were able to talk about how they could move forward and not be totally discouraged. At that level, meeting with parliamentarians in the Parliament, I felt that I could make a contribution and thanked the British Council, because it had made me feel that I had been of some use there.

The highlight was the visit to the constituency. It takes seven hours to travel from the capital to the border of the constituency, and the border was vital to us, because there was a bed-and-breakfast establishment there. It was quite simple, but it had a hot water supply, a bath, hot food, electricity and mosquito nets over the beds. None of those, I was to find, were available in the constituency.

In that constituency, I saw for the first time people who would engage with me on every topic of conversation that was of interest—about the world, Africa, Zambia, and the UK—and we could have all those conversations, but they had absolutely none of the necessities that I found in the bed and breakfast to which we gratefully returned late each night. There is no electricity in the whole of the province, and no running water. There are none of the things that we now take for granted, particularly in education, such as access to computers or mobile phones.

Everything had to be made by the people themselves. Everything had to be traded or bought by people walking huge distances. It was most poignant to see all the huge plastic carrying cans—a western technology with which we are more than familiar. We have too much plastic; we have a problem disposing of it. There, each can is made to the greatest size possible, which even children have to carry when they are full of water—muddy, dangerous and diseased water from the river. Unless they carry that water daily, they have no means of washing or preparing food, and no water to drink.

Disease was clearly a major factor. One in five Zambians are, I think, infected with HIV/AIDS. In the whole time that I was there and travelling huge distances, we were able to find only one tiny clinic. Let us imagine a clinic that does not have a hot water system, and has no means of sterilisation. It was well stocked with drugs, because the world community, in various guises, was providing drugs. However, the most fundamental matters, such as sufficient room to examine people properly, were lacking—there was only one examination room. All the women who were giving birth needed to travel to that small clinic.

The basic nature of the facilities was so extreme that I could not but marvel at the way in which the people were entirely resilient and optimistic, struggling to achieve. I saw that in the schools, for example. People had gone to the muddy rivers, got the mud, carried it back—mud is jolly heavy—and made bricks. In one place, 1,000 bricks had been dried in the sun and were ready to use to make the walls of a school, or a schoolhouse for a teacher. However, there was no cement and, because of that, the 1,000 bricks would lie on the floor for a couple more years.

I went to schools that had no glass in the windows. Of course, that does not matter in the middle of a hot period. However, if it is teeming with rain or bitterly cold, it matters a great deal. Then, there were the leaky roofs. There were leaky roofs everywhere, and every village needed metal to seal the holes or to replace a roof that had blown off—a frequent occurrence, it seems. I went to a courthouse, a little wooden building with thatching, which had been almost eaten away by termites.

I had always known about people's daily struggle to live, but there is no substitute for seeing something with one's own eyes. I can tell the British Council that that is an incredibly important experience for western politicians to have. However, it is also vital that, having had the experience, we should understand what is needed and be in a position to try to meet those needs.

I went with Rose to visit the British high commissioner and to ask, "Why is the UK not making any funds available to eastern province in Zambia?" He explained quite reasonably that our Government were trying to help the Zambian Government to progress towards greater democracy, accountability and efficiency, province by province. I had to tell him that the need for help is there now. It costs so little—£4—to get a mosquito net to save the lives of newborn babies. It costs very little to equip a simple clinic or to provide a sewing machine so that women can sew cloth and sell it at market. They are prepared to walk to make sales if they can, but they have to have the basic equipment. It costs little to provide hoes for basic agriculture.

I could see all the things that Rose and her people were telling me about. They said, "Help us; we want to work, and we will do all that we can to help ourselves. We will construct our own schools,"—they had already done so in many cases—"We will dig our own latrines. We accept that we are living in a situation in which we will not get electricity or running water tomorrow." At that time, we were not able to help. However, now—I am sure that it has nothing to do with my visit—the UK Government are giving money to the eastern province and Rose's constituents have received promises of £10,000 to assist the organisations that she has worked to set up in her community.

Let me talk about those organisations. They are primarily women's clubs. The women I saw were very organised. Wherever they could, on the tiniest sums of money, they produced the smallest amount of produce that could be sold. I saw them hoeing fields in which they had said that they would grow crops not just for their families but for the whole community, and would use them to obtain money to look after the orphans. Every village has a huge number of orphans because of HIV/AIDS, and the women organise themselves to look after those children, many of whom have no parents or grandparents. The poorest people there are looking after the most disadvantaged in the world.

I saw people not only doing physical things, such as trying to get money and using it for good causes, but engaging in self-education.

2.44 pm

Sitting suspended for a Division in the House.

2.56 pm

On resuming—

Joan Ruddock: I was talking with some enthusiasm about how Zambian women are helping themselves and doing much for their communities.

I want to describe how those women are working in education. Some are teachers, but the women's clubs in the Milanzi constituency are primarily putting on theatre performances and educating whole villages about HIV/AIDS and the things that can happen to young women. I saw a most extraordinary performance, as good as anything that I could have seen in a fringe theatre in London. The message went across to children, young people and adults—both male and female. All sat and watched the performance by the women. It takes great courage, time and organisation to put on a theatre performance, and I remind hon. Members that those women were doing that without any of the props, opportunities or finance that any theatre group in Britain would expect.

Rose Banda has now organised those women's clubs into two overarching organisations: "Shading the Shame", which is an HIV/AIDS project, and the Milanzi HIV/AIDS care and support foundation. It is her intention—I hope that we can help her—to ensure that NGO funding can be directed through those umbrella organisations at the clubs, which are self-helping, committed to the community and primarily run by women.

We need to work with MPs in other countries on the mechanisms for accessing aid, which has proved extremely difficult. Few NGOs operate in that part of Zambia, and I have not had much success in persuading more to get involved with the people of Milanzi. However, I will keep trying, and the result of the programme is that I now see myself, to a degree, as one of the champions for the people of Zambia. As I have mentioned, the high commission has already adopted projects through DFID in eastern province, but much more is needed. I shall keep pressing for more help to be given to Zambia.

[Joan Ruddock]

I want to draw hon. Members' attention to the country's position with its debt payments. I hope that my hon. Friend who will reply to the debate may be able to pass this on to appropriate Ministers. I understand from a recently released report about education in Zambia that was co-authored by Oxfam and VSO that the Zambian Government will pay $377 million dollars in debt repayments compared with $221 million on education, and that there are between 8,000 and 9,000 unemployed teachers in that country. They are qualified teachers who are able to work but whom the Government are unable to pay—education is entirely a Government service—because of the limits that the International Monetary Fund has placed on Government expenditure. There is surely a need to separate the fundamental needs for basic education and basic health care from all the other aspects of governance and IMF funding. Zambia and many other African countries need that.

I am also working on a twinning arrangement for Kagora basic school. The people there asked me whether I could find a school in my constituency, and I am delighted to say that that has now happened; I hope that Haberdashers' Aske's will be involved in the twinning process. We can imagine how difficult that will be. The children in Zambia will not be able to communicate in the usual way. Somebody from the school will have to travel along those terrible roads and deal with all the other difficulties to get to the nearest place where they can pick up an e-mail or a letter. That will be difficult. It would be so much easier if they had their solar-powered computer and their satellite phone connection, as my hon. Friend the Member for Sittingbourne and Sheppey proposed.

We must do such things. It will never be possible to deliver piped water and electricity to those tiny communities in the old-fashioned way. We need new ideas and new mechanisms. That is what we can contribute; we can share our knowledge and expertise with them. I would hate it if the people of Milanzi were forced to move lock, stock and barrel into the cities, where they would encounter a new and, in some senses, an even more difficult lifestyle and greater deprivation.

I pay tribute again to the British Council. I echo everything that previous speakers have said. I was recently in Russia, where I saw the magnificent work that it is doing there and its hugely imaginative programmes. I have no doubt that this twinning arrangement has been of great value. I hope that it will continue, and I am very grateful for having had the opportunity to participate in it.

3.2 pm

Valerie Davey (Bristol, West) (Lab): I, too, congratulate my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) on securing this debate. Like her, I have shared in the twinning arrangement that the British Council in east Africa has so imaginatively developed. My twin, the hon. Ruth Msafiri, is a Tanzanian MP. She came here in November 2002, and I returned the visit in February the following year. I have had an opportunity to share that experience with Members. Therefore, while keeping much of that in mind and using it, I want to talk briefly about a return visit that I was able to make to Tanzania this year as a member of the Parliamentary Commonwealth Association. I met Ruth again and found out more about developments, particularly in education, which I want to share with hon. Members shortly.

First, however, I shall highlight the British Council's continuing work in Tanzania, and pay tribute to it. One of its key projects remains the politics of the future. That includes training for women MPs, but it goes much further. The politics of the future or POF programme includes computer training; training in key parliamentary procedures; planning and budgeting of central Government; understanding electoral law, which has changed recently in Tanzania; campaign management; fundraising; lobbying skills; and working with the media. That is the kind of background training that any current parliamentary candidate or new Member would value. However, as we can imagine, that is particularly the case in a situation where women especially are newly coming into office.

Work is also being done by the centre for international development at the state university of New York. We met Donna Bugby-Smith, who works out of the British Council office on a project to empower people and institutions to develop their own capabilities—a definition that I read out carefully, because it is important to stress the phrase "their own capabilities". We are working not only with MPs, but with civil society—non-governmental organisations and those working for HIV/AIDS organisations and on local community development projects—and enabling them to understand their role in local, regional and national society and within the Government.

Our visit was very positive and very purposeful, yet more than 1,000 teachers a year are dying from HIV/AIDS in Tanzania. It is a struggle simply to maintain the existing number of teachers in that country, let alone to meet the need to develop education further, and especially primary education, in line with the millennium projects and the call of the Commission for Africa.

I return to my visit to a teacher training college, Katoke, in Ruth Msafiri's constituency of Muleba, North on the shores of Lake Victoria. The college has no computers, a library that has not been restocked since the 1970s and a crying need for solar computers. I heartily commend my hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt) on his vision of an open school. That is exactly what is needed. The idea of carting outdated textbooks to schools such as those in Ruth Msafiri's constituency should not be entertained any longer.

We must get solar computers into remote villages, but most of all we need to get help to the teacher's training college, which provides mainly textbook resource and training to 500 primary school teachers. Enriching the value of that training and education would have a huge impact on the whole of Ruth Msafiri's constituency. I have a large constituency of some 84,000 constituents. Ruth Msafiri has at least 100,000, but she does not really know how many there are. There are some 50 primary schools of varying quality in her area, but at the time of my visit there were only two secondary schools for the whole constituency.

There is an urgent need at higher education level to train sufficient numbers of people at a sufficient level to train the teachers. Fortuitously, Bristol university's education department is twinned with the education department at Dar es Salaam university, but it does not seem to be a long-term twinning with the underpinning of finance and support that is needed to develop the relationship throughout the country or to ensure that its impact is felt in Tanzania. Indeed, it is crucial to recognise how essential African students of all countries are to higher education internationally.

I particularly wanted to speak today about the British Council report, "Vision 2020: Forecasting International Student Mobility—A UK Perspective", which was published this spring. It examines the need for this country to keep its share of the market in overseas students coming to this country or through e-learning in order that our higher education economy might be boosted.

The Prime Minister challenged the British Council to bring some 75,000 extra overseas students to this country, and it has delivered. The contribution from students from all over the world enriches our universities, and also sends students back all over the world with an understanding of Britain and an ability to share that experience in their own countries. Those students usually become friends of Britain for life.

The whole report emphasised the need for paying students, or students who can afford to pay. As a Government, we need to consider more carefully how we encourage students from Africa who are unable to pay the fees to come to this country. I looked at the work of the British Council in Tanzania in that respect; in 2003, the country had nine Chevening and Commonwealth scholars, and in 2004 it had 10, thanks to the Foreign and Commonwealth Office. There is some higher education link work to the value of more than £90,000, but it comes from the Department for International Development. It is not mainstream education funding in line with the Commission for Africa and the millennium goal for education. The Government received the British Council report very warmly, but I ask them to reconsider it in the context of how many students can come here from African countries to which they would take back their learning and experience. That would enhance the quality of education in many developing African countries, and that is my plea.

I shall end with an anecdote, to which I made a small contribution, and an important fact. This summer, I was introduced to the Prime Minister of Tanzania as Valerie Davey, and he said, "Mrs. Davey?" I said "Yes", and he said, "You taught me at Ilboru school." That was in the 1960s, I have to admit, but it was a stunning moment in my visit. We should remember that the former President of Tanzania, President Nyerere, a statesman of Africa and of the world, is a former student of Edinburgh university. Such links are extremely valuable and we should look again at the status of students from Africa who are unable to pay the fees.

Mr. Bill O'Brien (in the Chair): I remind hon. Members who are winding up the debate that it has to conclude at 3.44 pm.

3.12 pm

Tom Brake (Carshalton and Wallington) (LD): I congratulate the hon. Member for Crosby (Mrs. Curtis-Thomas) on securing the debate. At the beginning of the debate, she was breathless; I was not sure whether she had run up the stairs to get here on time or whether she was breathless at the prospect of Neil Kinnock joining the British Council. However, she made it clear later that she was excited about her shadowing experience—a feeling that was echoed by other hon. Members.

I am happy to join other hon. Members in giving plaudits to the work of the British Council. It helpfully supplied statistics, which are outstanding: it works in 220 towns and cities in 110 countries—I suspect that few organisations can make a similar claim—teaching English to more than half a million people. It collaborates in almost 2,000 arts events globally and has an earning potential of almost £200 million from clients and customers worldwide. Those are impressive statistics.

The British Council has been well established in a number of countries for a very long time. It has been in Botswana since 1972, in Cameroon since 1970, in Eritrea since 1971 and in Ethiopia since 1942, although it closed there in 1951 and reopened in 1960. Its long-term commitment to Africa is very welcome, and I am pleased that there has been a funding commitment from the Chancellor, who announced on 12 July that the budget would increase from £173 million to £197 million in 2007–08. The British Council receives a reasonable stream of contracts from DFID, among others.

One minor point to which I hope the hon. Gentleman will respond in winding up is that although the stream of contracts that the British Council receives is welcome, it fluctuates significantly from one year to the next. I received a parliamentary answer yesterday saying that the figure had gone from £24 million in 1999–2000 to £17 million in 2000–01, down further to £10 million in 2001–02, back up to just less than £20 million in 2002–03 and finally down to £13 million in 2003–04. The British Council might find it hard to accommodate those fluctuations.

The focus that the British Council puts on to Africa is important and pertinent. In the long-term, given that DFID's budget has changed to support the poorest countries more, I wonder whether the British Council should, similarly, focus its efforts on the poorest countries. I was interested to hear the detail of the work shadowing experience of a number of Members, particularly the point about Members of Parliaments in certain African countries being expected to provide money to their constituents. I was fortunate enough to visit Ghana a month or so ago, on a trip sponsored by Oxfam.

I raised that point with a Ghanaian MP whom I happened to meet and he said, "Oh yes, that is very true. In fact, I came home one day to find a constituent who had left a dead body on my doorstep and who said, 'Unless you give me some money to bury that dead body, I'm going to leave it on your doorstep.'" Sure enough, that MP had to cough up. The prospect of having a dead body on one's doorstep would encourage anyone to provide the money. Expectations need to be

[Tom Brake]

managed, but I would not like this country to go down that route in terms of people's expectations of what we can deliver.

I was interested to see the seven participating countries in the shadowing scheme: Eritrea, Ethiopia, Kenya, Malawi, Tanzania, Uganda and Zambia. I shall return to Kenya's involvement shortly.

Mrs. Curtis-Thomas: I am interested to hear the hon. Gentleman talk about the perceptions of Members of African Parliaments. They do things that we would not have to do. I learned that what sometimes appears to us as corruption is, for many Members of African Parliaments, being in a no-choice position. They are seen as a source of income in their communities, and they have far greater responsibilities for the support of families than we would ever have simply because there is no welfare, pension or care structure in place. Normally, a Member of an African Parliament is considered the person of last resort.

Tom Brake: I agree entirely with the hon. Lady. It is interesting that the work shadowing focused on improving the representation of women in Parliament, which I support. Unfortunately, the UK does worse in terms of representation—I must admit that my party does not help in this respect—than three of the countries that have signed up to millennium development goals, which require the countries concerned to improve their representation. We have something to respond to here as well.

Helen Jackson (Sheffield, Hillsborough) (Lab): I congratulate my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) on securing this debate.

Malawi was my patch. Would the hon. Gentleman be interested in my main thought in following the work, which was that governance was the issue? Governance is so often mentioned as a key priority. Bringing women into public life not only in Parliament, but across the level is an aspect of governance and something on which the British Council has worked creatively in Malawi by bringing civil society, local people and Members of Parliament together to understand how, by working together, they could contribute to governance and a different, more democratic way of going about things.

Tom Brake: Again, I agree entirely. The involvement of women is clearly not only about representation at parliamentary level, but about involvement with non-governmental organisations, civil society and so on.

I am interested in the British Council's pan-African projects, and I support their aims. An organization that can act as an advocate on Britain's behalf is important. It has become harder for the UK to put across its point of view, because of what has happened in Iraq. The British Council should be able to respond to that challenge. The perception of the UK has changed; that is certainly the impression that I get from my contacts.

As to the leadership proposal, I should be interested to know how the 1,500 potential leaders will be identified and how they will be prevented from deriving personal benefit from taking part in the scheme, as set out in the documentation. To what extent can the British Council or others involved in the initiative ensure that, for instance, certain disadvantaged sectors of society, such as people who might be excluded on a caste basis, will be represented in the group of potential leaders?

I know that the hon. Gentleman wants a reasonable time in which to conclude the debate. I hope, however, that he will be able to set out the relationship between the British Council and the Foreign and Commonwealth Office, particularly in relation to Kenya's involvement in the work shadowing. I understand also that the Foreign and Commonwealth Office, with the global opportunities fund and a programme called "Engaging with the Islamic world" is also active in Kenya. I wonder how those two things interact, particularly as one of the main outcomes there is also expected to be an increase in the representation of women.

There are certain institutions, such as Radio 4 and the BBC World Service, that we are all very proud of. I think that the British Council falls into that category, and I am very supportive of its work.

3.22 pm

Mr. Mark Simmonds (Boston and Skegness) (Con): I add my congratulations to the hon. Member for Crosby (Mrs. Curtis-Thomas) on securing this important debate following her interesting visit to Zambia with the British Council's women in politics and leadership project. The British Council is at the forefront of furthering cultural relations between Britain and the rest of the world, and the Conservative party is extremely supportive of its work. However, I am a little disappointed that the Foreign Office does not share our enthusiasm for the British Council—it has been unable to send at least one of its six Ministers. I mean no disrespect to the hon. Gentleman who will reply on behalf of the Government today, who I know will do so extremely ably and articulately.

The British Council's main raison d'être is to gain recognition abroad for the UK's values, ideas and achievements, and to build lasting, mutually beneficial relationships between the United Kingdom and other countries. It is of key importance to British foreign policy. Specifically, the British Council's role in Africa is vital. I want to record our thanks to all of those who work for the British Council in Africa, who are doing excellent work.

We all know that Africa poses great challenges. It is the only continent that has regressed economically in the past 20 years. It is also a continent of vast wealth and opportunity. Because of its reputation of trust and integrity and the long-term programmes of assistance, the British Council is in an unparalleled position to help Africans to meet the challenges that they face.

Historically, one of the greatest problems with African Governments has been the lack of democratic accountability, and the lack of institutions to facilitate a pluralistic civil society. Sadly, that has led to chronic political instability in many African countries. Corrupt and inept leadership, combined with a history of human rights abuses, inter-ethnic rivalries and, more recently and very sadly, the explosion of HIV/AIDS, have left many parts of Africa lagging behind the rest of the world in building markets, trading and improving the macro and microeconomic well-being of its citizens. That can be seen in comparison to extraordinary economic growth in China and India, which is lifting millions of people out of poverty.

Sadly, Africa has generally stagnated. I shall give one example to illustrate that. Forty years ago, Nigeria was much wealthier than South Korea, with approximately the same population. Whereas Nigeria's oil wealth was squandered, South Korea invested in educating people and targeted key export industries in the west. It is now a leading export nation and has a per capita income 20 times higher than Nigeria. While both countries have found it difficult to make the transition to full democracy, South Korea did not suffer from the same corrupt military leadership, and lessons must be learned from that.

I shall not give a detailed analysis of the multi-faceted problems that exist across Africa, but the problems can be summarised into three key areas: the lack of political stability in Africa and subsequent conflicts; the poor education of citizens; and the lack of sustainable development. The British Council's work in facilitating democratic governance, fostering development and providing education addresses those areas. It is an excellent programme working in partnership with the African-led New Partnership for Africa's Development. I agree with the hon. Member for Crosby wholeheartedly that we should be listening and not lecturing, and the British Council scheme is a starting point for that. NEPAD also shows the real desire of Africans to work with other formal and voluntary international bodies and NGOs to move forward.

The British Council's work, together with its invaluable partnerships with the Commonwealth, the World Bank and countless other bodies, means that it is uniquely placed to build support for the reform needed to ensure that African countries and Governments become more accountable to their public. Without a strong and vibrant civil society, it is exceptionally difficult to hold a Government to account and to ensure that they act in the public interest rather than in the interests of the ruling ethnicity, clique or family. In contrast, a robust civil society can deliver honest and effective rule, which all African people deserve.

The British Council works on that directly and must be supported in its challenge. For example, it set up the leadership programme that we heard about earlier—the hon. Member for Carshalton and Wallington (Tom Brake) made some good points that I hope that the Minister's stand-in will answer in his summing-up. The council has given civil society leaders in Africa the chance to learn from accumulated experience in the UK, where civil society has grown over the centuries. It has also been instrumental in transferring working knowledge to African parliamentarians through the programmes that we heard about earlier.

That excellent initiative was supported by the Conservative party, particularly by my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan). She took part in the programme and hosted a female Kenyan Member of Parliament who visited the UK. The differences between female British and female African MPs were highlighted by the hon. Member for Lewisham, Deptford (Joan Ruddock). Interestingly enough, however, my hon. Friend found that there were similarities between the problems facing female MPs: how to reach out to the electorate; how to balance family life with a demanding political career; and, slightly worryingly, how to deal with male colleagues.

The council has played a vital role in international development for 40 years and is currently working in 50 developing countries. We are pleased that this programme is part of a wider strategy to promote democratic government, education and trade. Sustainable development must ultimately be based on free market principles to ensure that the benefits of economic activity accrue to those who invest their time in enterprise and work, not to those who happen to be in power. People must have secure property rights but, without sustainable economic development, Africa's future will remain bleak. Countries should follow Botswana's example and attract foreign investment to grow their economies and to generate revenues to expand public services, as was rightly alluded to by the hon. Member for Sittingbourne and Sheppey (Mr. Wyatt).

I agree with the British Council that business will invest only if there is a viable operating environment and the skills in the local market to operate those businesses. Paramount among those skills are communications skills. The teaching of English is key. English is now the language of international commerce and business, and the council is a world leader in teaching English. Excellent English not only helps Africans to communicate with foreign businesses but enables them to join the international community of fellow English speakers and to benefit from courses and degrees taught in English. I understand that last year the British Council delivered more than 1 million hours of teaching, and set and marked 1.15 million UK exams. We should all applaud that extraordinary achievement. The council has reached more than 10 million people through teaching centres, libraries and information services, to which other hon. Members have referred.

Before I finish, I shall ask a few specific questions that I would like the hon. Member for Eastwood (Mr. Murphy), who will speak on behalf of the Government, to address, if he can, this afternoon. First, what assessment has been made of the value for money that the Government receive for the £180 million grant in aid that the Foreign Office gives the British Council? How are the outputs measured? That point was raised by the council in the evidence that it gave to the Select Committee on Foreign Affairs in detailing its "Strategy 2010: Our Vision for the Future".

Secondly, the council has expressed serious concerns that grant in aid of £204 million for 2007–08 may have an adverse impact on its good work in Africa and throughout the world. What assurances can the Government provide that there will be no diminution in the service provided by the council?

Thirdly, the council operates out of 280 premises in 110 countries. The 2004 spending review stated that efficiency savings would be realised by

> "reductions in the size of their overseas estates".

I hope that we shall receive an assurance that such reductions will not lead to the sort of shambolic sell-off of good-quality property that the Foreign Office has instigated across the world and particularly in New York.

[Mr. Mark Simmonds]

The fourth point was alluded to by the hon. Member for Bristol, West (Valerie Davey). What links does the British Council have with the further education sector in this country, and what are the Government doing to facilitate vocational learning and training throughout Africa? I am referring to Africans being educated in the UK and in their respective African countries.

Finally, is it right that the British Council operates in Zimbabwe, given the terrible abuses of both white and black people that are going on there? Do we not need to consider very carefully whether that sends the wrong signals to the currently appalling Mugabe regime?

In conclusion, the British Council is a unique institution because of its experience, reach, professionalism and integrity, but above all because it is practical.

3.32 pm

Mr. Jim Murphy (Eastwood) (Lab): I am delighted to have the opportunity to respond to the debate. First, I apologise on behalf of the Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for Sunderland, South (Mr. Mullin), who cannot be here today. It is fairly reasonable and understandable to offer hon. Members such an apology in this discussion of the British Council's work in Africa, because he is in Africa—in Kenya. I am delivering this response as the Foreign and Commonwealth Office Whip. I am sure that my hon. Friend will respond to any questions that I cannot answer in the short time available.

As I said, I am pleased to have the opportunity to respond to the debate. It is not a regular occurrence for a Whip to be heard on any issue, but if there is one important issue that we should be heard on, it is the work of the British Council, its support of the Government's work in Africa and the Government's work to support the Commission for Africa. We are providing whatever moral and political support we can to NEPAD to help African leaders who are looking for African solutions to problems that are, unfortunately, far too common in Africa.

I congratulate my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) not only on securing the debate but on its fortuitous timing, which she mentioned. She spoke with her usual passion and knowledge. Her anecdote about the BBC reminded me of the time when I travelled to the Negev desert with Bedouin tribesmen and we had—I am sure that they are not listening, so I can say this—a cup of what was possibly the worst coffee that I have ever tasted. I also received what was possibly the best hospitality that I have ever received, listening to the BBC World Service in the Negev desert.

My hon. Friend paid great compliments to the British Council on its work in Africa. I am pleased that she did so because she was correct. Not only is the British Council doing excellent work on that continent, but the British Government, as she said, have prioritised the issue of Africa for our presidency of both the G8 and the EU. The Government believe it to be crucial that the British Council fits within that work and that we work in a complementary manner to deliver the Foreign and Commonwealth Office's priorities, but that the British Council should have a degree of operational independence—something that is acknowledged to be essential throughout Parliament and across the parties.

We also had the good fortune to hear from my hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt), who is chairman of the all-party group on the British Council. He was to correct to identify the power of technology, which the British Council has identified as a key part of its 2005 strategy. He is probably the only hon. Member who has visited more countries in Africa than the Minister with responsibility for Africa; in that respect he is ahead of anyone else in Parliament.

We also heard from my hon. Friend the Member for Bristol, West (Valerie Davey) about her work in the women in politics programme in Tanzania, her teacher training in Kutoke and her experience of having met a former pupil. On arriving in Parliament, I had a similar experience with my right hon. Friend the Member for Dumbarton (Mr. McFall), when I reminded him that he was my teacher in secondary school in Glasgow. He is still with us in the House. My hon. Friend the Member for Bristol, West will be aware that Tanzania is the greatest recipient of UK development assistance in Africa, and she also raised a number of other points that I will be happy to discuss with her. I am delighted that we also heard from my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock) about her work in the women in politics programme in Zambia.

We have spoken about the fascinating and important work that the British Council carries out in educating populations and individuals around the world, but it is clear from listening to hon. Members' impassioned speeches that it is also informing politicians and parliamentarians in this country in a way that perhaps was not initially envisaged. It is not only informing but influencing political values and philosophy on the Labour Benches, as well as on other Benches.

Hon. Members highlighted the issue of water, either for building bricks or for water-treatment plants. It is interesting to note that, on average, African women and girls spend three hours every day fetching and carrying water. That prevents a number of young girls from going to school, which is an additional problem.

3.37 pm

Sitting suspended for a Division in the House.

4.1 pm

On resuming—

Mr. Murphy: I was about to compliment my hon. Friend the Member for Sheffield, Hillsborough (Helen Jackson) on her speech, but she has not yet returned to the Chamber.

A number of questions were asked about Zambia and the heavily indebted poor countries—HIPC conditions, and about achieving the completion point in HIPC. It is expected that Zambia will reach completion in early 2005. That will reduce the debt by two thirds, from $4 billion to $1.5 billion. Although that still leaves a large debt, it is a remarkable reduction.

The hon. Members for Carshalton and Wallington (Tom Brake) and for Boston and Skegness (Mr. Simmonds) asked a number of questions. I shall answer as many as time allows. They asked about fluctuation contracts, which are primarily a matter for the British Council; such contracts operate independently of Government, and there is no reason for increasing grant aid to cover them. In respect of the 1,500 scholarships, people from 19 countries will be selected in conjunction with their African partners to ensure a proper profile mix of age, gender and region.

I was asked about Kenya and about the Islamic world. We operate with the advice, support and expertise of the British Council to engage with the Islamic world programmes. We work with a joint public policy board in Kenya, and we try to co-operate with and complement the work of the British Council there.

The hon. Member for Boston and Skegness was right to say that the British Council still operates in Zimbabwe. I do not suggest that he advocates that it should not do so, but for the purposes of consistency I should say that the British Council operated in South Africa during the horrible apartheid regime. The then Conservative Government supported the continuation of that work and the council's engagement with civil and civic society. The British Council was not contaminated with the ethos or the policies of the South African Government, and nor is it contaminated now by those of Zimbabwe.

Mrs. Curtis-Thomas: Does my hon. Friend agree that it is a great tribute to the British Council that it should stay in countries with such huge problems, as many NGOs simply pull out? The indigenous populations feel abandoned. Is it not an exceptionally good thing that the British Council should stay in such countries?

Mr. Murphy: Absolutely. I pay tribute to the many thousands of staff throughout the world who work for the British Council; some of them have been mentioned, but time does not allow us to hear of the work of them all. The courage of the British Council staff who carry out such work in Zimbabwe should be put on record.

The hon. Member for Boston and Skegness asked about value for money. A Foreign Office questionnaire is sent to all FCO posts asking about the British Council's contribution to the FCO's objectives. I am delighted to say that about 90 per cent. of the responses compliment the British Council on its work and believe that it offers excellent value for money.

I am pleased to join my hon. Friend in paying tribute to the work of the British Council. It works with us in partnership to deliver a strong, democratic and prosperous Africa. We still have much to achieve in that respect, as we have heard eloquently pointed out today. The council recently launched its forward-looking "Strategy 2010", which strives to reflect the UK's international priorities. We welcome the "Strategy 2010" programme. It will make the council more flexible and efficient and equip it to respond quickly to changing public diplomacy needs. A key feature of the restructuring is the development of regional groups, as successfully piloted in the southern Africa region.

The Foreign and Commonwealth Office and the British Council face similar issues with regard to security. Both were pleased that the requests for a full bid of £4 million and a further £6 million as part of the 2004 spending review were granted so that improvements could be undertaken to ensure heightened security.

There is not ample opportunity in this vote-interrupted debate to pay accurate or appropriate tribute to the work of the British Council. That lack of opportunity is also due to the number of hon. Members who chose to attend the debate and to pay their own tributes to its work. However, on behalf of the UK Government and the Foreign and Commonwealth Office, I would like to put on record our thanks to the leadership of the British Council and our praise for the staff members who operate in countries throughout the world, particularly in Africa. They rightly raise the profile of the United Kingdom and challenge some of the perceptions about it, but more importantly, they provide skills, information, training and personal and character development for many individuals throughout the world. We have heard examples of that related to Africa.

In a time of heightened cynicism about politics and politicians, anyone listening to the passion with which hon. Members spoke today would know that politics can be a force for good. The British Council plays an important part in informing politicians to argue for change, as has happened today, and its work is a crucial part of the priorities of the Foreign and Commonwealth Office. I thank the leadership and the staff for the sterling work that they do on our behalf.

Disability Living Allowance

4.7 pm

Mr. Martin Caton (Gower) (Lab): I know that my hon. Friend the Minister is aware of the "Mobilise" campaign being run by Help the Aged and a coalition of more than 20 organisations that work in the fields of disability and ageing. The central objective of that campaign, which already has the support of 230 Members of the House, is to remove the upper age limit of 65 for claiming disability living allowance. At present, if someone becomes disabled after that age, they cannot get DLA. They can claim attendance allowance, but that benefit is much more limited. Attendance allowance has no mobility component, so there is no financial help with mobility costs, no access to the Motability scheme, no access to the specialised vehicle fund and no exemption from vehicle excise duty.

I support the "Mobilise" campaign. I believe that the current rules discriminate against older people who become disabled after 65. The rules stand in the way of that group of people living as independent, healthy and active lives as they otherwise might. In the name of justice and equality, I hope that the Government will look again at the upper age limit for that benefit.

This afternoon, however, I want to focus on the other end of the spectrum—the lower age limit for eligibility for the mobility component of DLA, as it affects some severely disabled young children. Before I do so, however, I want to pay tribute to what the Government have already done to help disabled people to live fuller lives. For children, that includes things such as the increases in the disabled child premium, the introduction of the disabled income guarantee, and the disabled and enhanced disabled child element in the child tax credit. In April 2001, the Government also reduced the age of eligibility for the mobility component of the DLA from five years to three years. That decision—taken on medical grounds—was very welcome.

Today, I urge my hon. Friend the Minister to go that bit further for some children under the age of three. To make my case, I want to tell her about the experience of a family in my constituency, Mr. and Mrs. Owen—Andrew and Alison—and their daughter, Seren. Seren was born on 14 April 2002 by caesarean section in Singleton hospital, Swansea. She was in a very poor way, and Alison and Andrew were warned after 18 hours that she was likely to die. The only treatment that could save her was at Glenfield hospital in Leicester.

A Sea King helicopter was sent to Leicester for necessary equipment and a nurse, and then to Swansea for Seren. They were told that they should name the child, in case she did not survive. As it was night when she was picked up and taken up into the sky, they called her Seren, which means star in the Welsh language. Seren was and is a fighter, and she lived, and returned to Swansea. When she was 12 days old, her parents were told that she had cerebral palsy. In fact, she has quadriplegic cerebral palsy with hypertonia in all four limbs and hypotonia in her torso. She has cerebral visual impairment and some sensory hearing impairment.

Although in her short life so far Seren has received a lot of medical attention and hospital treatment, the good news is that comparatively recent developments in equipment for children with her sort of condition can mean that operations and other intrusive treatments that would otherwise have been necessary as she grew up can be avoided. Her parents, like all parents, want to give her the best, highest quality of life possible. They have got hold of a range of positioning and seating equipment designed to aid postural management. I have visited the Owen family in their home; I have seen that equipment and lifted, or tried to lift, some of it. It is extremely bulky and some is very heavy.

I want to go through what the Owens need to take with them when they take Seren out for the day, or part of the day, and what they need if they want to take her away for a longer period of time—to visit her grandparents or go on holiday. For a day out in Andrew's Golf car, the first essential is the specialist car seat, which gives total posture support and keeps Seren's spine straight, hopefully helping to remove the need for operations to correct curvature at a later stage. It is extremely heavy; in the family, only Andrew can lift it, and even then it is not good for his health. Living and working arrangements mean that it has to be transferred between vehicles at times.

They also need Seren's special wheelchair for when the family reach their destination. It has been issued by the artificial limb and appliance centre at Rookwood and involves a CAPS II seating system that fits within a Blade Plus wheelchair. That is what they call an aggressive form of seating and support and, as with the car seat, gives the postural management that she needs. It is a solid piece of equipment, which does not fold down like a normal pushchair or even some wheelchairs. In the Golf, it completely fills the boot.

Add the tubes and feeding sets that Seren needs, as well as the normal baby stuff for a child of her age, and there is only room for mum, dad and Seren. If any members of the extended family, especially grandparents, want to accompany them, a second car has to be taken. I cannot help wondering what happens in a family with other, older children and a severely disabled child of less than three years. Are they denied the opportunity of going out as a family at all?

Apart from Alison and Andrew's determination that they should go out as a family and do the things that we all do as families, Seren needs to be transported to different places for her development: for physiotherapy and hydrotherapy, the NCH stepping stones project, occupational therapy, speech therapy and work with her vision impairment teacher.

What happens if Alison and Andrew want to take Seren somewhere and stay overnight, or over several nights? What is needed then? They need all the things that I have mentioned for a day trip, of course, as well as Seren's Jenx standing frame. She needs that because, as she cannot walk or stand, the ball and socket joint in her hips will not develop normally. The standing frame helps compensate for that, again hopefully reducing the likelihood of the need for later, restorative surgery or other treatment. She will also need her R82 Panda hi/lo chair, which is her feeding and social interaction chair. It is a sort of waistcoat design that provides total support of the torso but frees the arms to reduce tension. That piece of equipment, on its own, also completely fills the boot of the Golf.

Seren cannot yet take all her food by mouth. She receives food overnight through a pump feeding system that involves a stand and pump. That needs to be taken, as do the foods and medicines that she requires. On a longer stay away, Alison and Andrew would want to take the special toys that Seren has, which are designed to aid the development of children with severe learning difficulties. They would like to be able to take Seren's other, more comfortable tumble-form chair, which is made with foam sponge and in which she can spend up to half an hour without harm being done. They would want her "Wedge and Drema" sleep system that keeps her legs separated when she is sleeping, which is also important for her future development.

It is impossible for the Owen family to travel in one car on a visit overnight or longer, at least without leaving beneficial pieces of equipment behind. Fortunately, Alison manages to run another small car, so although they cannot travel as a family, they have the means to get themselves and all of Seren's stuff from A to B. How do families manage when they do not have access to a second vehicle? I suspect that some are largely trapped in their homes.

To add to the difficulties for Seren's family, she has just had Botox injections to loosen her hips. She is supposed to spend parts of her day in a plaster cast—her present cast is removable—but she is due for another series of jabs, after which she will be fitted with a full plaster cast that will not be taken off for some time. Transporting her in a normal family car will again be made more difficult.

The Owens' dream, which they cannot get near to affording, is for a specially adapted, large people-mover vehicle, with any lip on the boot removed, a ramp or lift on the back so that Seren could be wheeled straight in, and room for the other equipment. If the mobility component of DLA, and therefore access to a Motability deal, were available to under-threes such as Seren, the Owen family could have had that since they had first needed it. Through a combination of determination, superb logistical planning and buckets full of love, Alison and Andrew have made sure that Seren has had everything that they could provide that could help her, including getting her out and about.

As Seren will be three next April, the Owens realise that if even if the Government agreed to consider changing the rules now, they would be unlikely to benefit. However, they asked me to raise the issue in the hope that other families can benefit from the help that they did not receive in the first three years of Seren's life.

I first met Seren and her mum towards the end of last year. I visited them during a street surgery that I had organised in their village and neighbouring areas. At that time, they were also being denied a blue badge by the local authority. We managed to get that sorted out, and I wrote to the Minister on the issue that I am raising now—the lower age limit for mobility. In honesty, though, I did not fully understand the extent of the problem, and consequently I did not make anything like as full a case as I should. I concentrated just on the wheelchair and posture-protecting seating issue, when I should also have brought attention to the other items of necessary equipment that I have mentioned this afternoon.

In the responses I received from the Government, the point was made very clearly and logically that entitlement to the mobility component of DLA is based on an

> "inability or virtual inability to perform the physical act of walking".

I appreciate that it follows that as children in their first years of life do not walk, or do not walk to get around independently, the benefit is not regarded as appropriate for them. Put simply, for most kids until they are three, they will mostly travel by pushchair. Most kids' pushchairs fold easily, and are light and compact. Most kids do not need standing frames, special chairs, feeding pumps and the other equipment that I have mentioned, when they travel. Seren and some other kids do.

I am not calling for the three-year limit to be completely removed. For many children who are disabled, a normal pushchair or even small wheelchair will be their main means of movement, and they will not require much more equipment than an able-bodied child in their first three years. What I want is the introduction of some flexibility, so that the category of child who needs specialist equipment to travel with them can benefit from the mobility component of DLA. We are talking not about huge numbers or amounts of money from the national Exchequer, but about the possibility of making a huge difference to the lives of families such as Seren's.

4.19 pm

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): I begin by congratulating my hon. Friend the Member for Gower (Mr. Caton) on raising such a tremendously important issue. He rather modestly said that he did not make as full a case as he should have when he originally wrote to me. Whatever he feels about his original letter, he has certainly made a full and proper case today.

I start by saying how much we can all appreciate the difficulties that Seren and her family have faced as a result of her disabilities. This debate gives me an opportunity to explain the basis of entitlement to the mobility component of disability living allowance. I understand my hon. Friend's points, and I thank him for the balanced way in which he set out his case and explained his understanding of the Government's position on the benefit as a whole.

The DLA provides a contribution towards disability-related extra costs for people who are severely disabled early or relatively early in life. That is the raison d'être of the benefit, which focuses on severely disabled people because they have reduced opportunities to work, earn and save, as compared with people for whom the onset of disability comes later in life and, perhaps, with the increasing frailty of old age.

There is a care component and a mobility component to the DLA, as my hon. Friend explained. In broad terms, entitlement to the care component depends on the effect that physical and/or mental disability has on a person's need for personal care from someone else. Entitlement to the higher-rate mobility component depends on whether a person is so physically disabled that they are unable or virtually unable to walk. Entitlement to the lower-rate mobility component depends on whether a person needs supervision or

[Maria Eagle]

guidance from someone else when walking out of doors on unfamiliar routes because of a physical and/or mental disability. Those are the entitlement conditions.

Entitlement is not, therefore, based on specific medical conditions or particular physical conditions. It is based on the effects that a disability has on the personal care needs of each individual who claims it and on their ability to walk. For the DLA care component in cases involving children younger than 16, the need for personal care must be substantially in excess of that normally required by a child of the same age. That is the law. We recognise that some very young disabled children need substantially more care than non-disabled children. That is why there is no age limit at all on entitlement to the care component. However, entitlement to the higher-rate mobility component depends primarily on whether a severely disabled person is unable to perform the physical act of walking.

Identifying the likelihood of walking difficulties arising at some point in the future is not enough for entitlement. Decision makers who make such decisions on behalf of the Secretary of State must consider the person's ability to walk out of doors at the time a claim is made. They cannot anticipate later problems, but must consider the entitlement conditions on the date that the claim is made. Decision makers must take account of the distance over which, speed at which and length of time or manner in which a physically disabled person can make progress on foot without severe discomfort. Although the vast majority of children will be able to walk by the age of three or even two and a half, many will be unable to walk significant distances until the age of four. I describe such matters not to sound callous, but simply to set out what the law says and to remind hon. Members that the law must be applied equally in every case.

In the instance that my hon. Friend raised, we can all see that Seren has had significant difficulties, and will continue to do so. Given that it is clear that she will not be able to walk when she turns three, it is perfectly understandable for my hon. Friend to ask whether it does not therefore also seem clear that she ought to have the help that the benefit is meant to convey as early as possible. We can all understand the logic of that argument.

We have, fairly recently, considered carefully at what age the mobility component of the DLA should become available. As a result of that, we extended the higher rate to severely disabled three and four-year olds who are virtually unable to walk, with effect from 9 April 2001. The decision to lower the age from five to three was based on the views of the Government's medical advisers that three years is the earliest age at which it could be reasonably established that inability or virtual inability to walk is the result of physical disability rather than late, normal development.

I do not say on the basis of that that Seren might have late, normal development—that is clearly not the case. However, we must of course have rules that apply across the board, fairly and sensibly. At any one time, the change—reducing the age at which the DLA higher-rate mobility component and mobility components in general become payable—helps around 7,000 families with three or four-year-olds who either cannot walk because of their severe disability or have very limited walking ability.

I understand the issues that the Owen family face. I appreciate that they have problems transporting both their daughter and the necessary but bulky equipment that my hon. Friend described, including the heavy wheelchair. I am pleased that Seren gets the higher-rate care component of the DLA, which provides much-needed help to the family. However, I am powerless to intervene in individual awards—I know that my hon. Friend realises that but I want to make it clear. Awards can be made only if the entitlement conditions are met. I have no scope to waive those conditions and allow extra statutory payments or discretionary payments, however difficult the case may be.

Nevertheless, we recognise that the costs associated with disabled children can put extra pressure on families with low incomes. That is why we have introduced measures to improve financial support for families with disabled children. For example, we increased the additional elements for disabled children in the income-related benefits and tax credits since April 2001 by £17.40 above the normal cost of living increases to the current rate of £42.49 a week. We introduced the disability income guarantee in April 2001, through the enhanced disability premium. Families with severely disabled children benefit from an extra £17.08 in addition to the disabled child element or premium for each disabled child in their child tax credit or income-related benefit assessment, so additional help is available.

There is also a range of measures to help the least well-off families with disabled children. For example, help is available from the national health service with fares to hospital, and from the local authority social services with transport. A fund called the family fund may offer an avenue of help for exceptional cases such as this one. It can help with transport costs and may be able to give a grant if a child needs help getting out and about but does not get the higher-rate mobility component of the DLA. It has no waiting list for assistance, but the normal time taken from the application for such a grant to payment being made is about three months. In cases of urgent need, it may be able to work more quickly—applications can be fast-tracked and processed quicker. It buys vehicles to transport young children, but decisions made about grants from the family fund are a matter for that organisation, and I cannot promise that an application would be successful.

My hon. Friend is aware, as we all are, that Seren will be eligible to claim the higher-rate mobility component from her third birthday on 14 April 2005. It is possible for her family to apply for that up to three months in advance of her birthday to try to ensure that the award and the additional help is available to the family as soon as possible. I do not make the decisions, but judging from what my hon. Friend has said, I would be surprised if Seren was not eligible.

The specialised vehicle fund, which Motability uses to provide adapted vehicles of the sort that my hon. Friend suggested was the Owen family's dream, does not have a waiting list for applications. I would have high hopes that if and when Seren receives her higher-rate mobility component award—I hope that the family will apply three months before her birthday—the additional help offered by that award, by Motability and by the specialised vehicle fund could be put in place as soon as possible.

I also note that my hon. Friend referred to the "Mobilise" campaign and early-day motion 953. I have noticed that a significant number of hon. Members have taken a similar view to that expressed by my hon. Friend and have signed the early-day motion on the subject of people aged over-65 being denied access to the mobility components of the DLA in addition to the care components that they can get by applying for attendance allowance. My hon. Friend the Member for Kingswood (Mr. Berry) tabled that early-day motion on 31 March and I recognise the undoubted level of concern among hon. Members who have signed it.

The campaign was launched in April by Help the Aged with the support of a range of other charities and interested groups. Its aim was to extend the provisions that were introduced to help those severely disabled people who were disabled early in life and to extend the mobility components beyond age 65. The key message of the campaign is that the current benefit arrangements are unjust and that the upper limit of 65 for claiming disability living allowance is discriminatory.

While I recognise the genuine concerns expressed by hon. Members and supporters of the "Mobilise" campaign, I do not accept that interpretation of the provisions. It is normal and sensible for pensions and benefit schemes to contain different provisions for people at different stages of their lives. Child benefit is not paid to adults, and pensions are not paid to children. It is normal for social security schemes to contain age-related rules. Government resources are not infinite and it is essential for help to be focused where it is most needed and most effective, in ways that reflect varying priorities and circumstances.

For example, we provide child benefit only for people with children, working tax credit for people of working age and state pensions to those over state retirement age. In many cases, people disabled after age 65 will have had fulfilling lives in work, with opportunities to earn and save, unlike those who have been disabled early in life. The aim of the benefit is to give additional help to those experiencing the onset of disability at an early stage. They have less chance to work and save, although we are making some inroads into that situation. For that reason, once awarded, disability living allowance can continue to be paid after age 65 if the conditions of entitlement continue to be met.

We believe that we are right to focus the most help on those disabled earlier in life, for the reasons that I have set out. Therefore, we currently have no proposals to change the rules. Of course, I understand the concerns that hon. Members have expressed. The mobility component of the DLA is part of the extra assistance that we focus on disabled people of working age, who face significantly more difficulties than those who have worked all their lives and develop mobility problems after the age of 65.

The DLA age 65 rule, if I can call it that, gives effect to that policy. It was originally set out in the legislation that established the benefits, and the preceding White Paper, and it has been endorsed by successive Governments. The purpose behind the benefits has not changed and the rules in respect of age have not changed. Nor, I am afraid to say to my hon. Friend, who raised the issue at the beginning of his speech, has the policy of the Government changed. I hope that, for the reasons I have outlined, my hon. Friend will understand the policy issue, even if he does not agree with it, and that the Owen family will apply as soon as possible—three months in advance of Seren's birthday—for the higher mobility component of the DLA. I am sure that they will do so, given the well-documented organisation that they are clearly capable of. I am assured that the specialised vehicle fund can be called into play very quickly thereafter. We all hope that Seren and her family will then have available a vehicle that will make their lives easier.

Voluntary-aided Schools (North-West)

4.33 pm

Mr. George Howarth (Knowsley, North and Sefton, East) (Lab): I would like to place on record my gratitude to my hon. Friend the Minister for the funding that has been made available to Knowsley council through the building schools for the future programme. I know that he is interested and involved in that work, together with the local education authority. It is very exciting and will lead to a major improvement in our secondary schools.

I would also say, in opening, that I am going to raise an issue that is of concern in one particular school in the Sefton part of my constituency. In doing so, I am not criticising the Government's policy towards voluntary aided schools. They, in common with all other schools, are receiving increased funding. Both the Roman Catholic archdiocese and the Church of England diocese are very grateful for that funding, as are all the governors, head teachers and parents of all those schools, who recognise that significant improvements have been made.

I first came against this problem in May this year when there was a fire in the school kitchens at the Holy Family school in my constituency. I should say a few introductory words about the school, with which my hon. Friend the Member for Bootle (Mr. Benton) will concur. The school is excellent, despite the fact that the buildings in which the school operates leave much to be desired, and despite other difficulties that the school has had to overcome. My hon. Friend the Minister will no doubt be aware of the results that it achieves in public examinations, which are very good, but he might not be aware of the fact that the Prime Minister's wife visited the school a year or two ago and opened its sixth form centre, which is an excellent addition for which the Department for Education and Skills provided a major part of the funding. It has not all been doom and gloom, but much of the school is in a pretty bad condition.

After the fire this May, the governors, the local education authority and the Department set off on an odyssey to resolve the problem. The situation was resolved very recently, for which I am grateful. It means that although the kitchens and dining area are being rebuilt, the replacement of three temporary classrooms, which I visited recently and which, frankly, are awful, will be put off until the next financial year.

I say that the problem has been resolved, and all the ducks now seem to be lined up for the funding, but the chairman of the school's board of governors asked me to seek the Minister's assurance today that he is confident that not only will the school kitchens and dining area be rebuilt, but that the three temporary classrooms will be replaced with new buildings in the next financial year. As I said, I visited the buildings recently and found them to be generally appalling. Children are being taught very well, but in very shabby circumstances. The rooms are difficult to heat and are too hot when it is hot and too cold when is cold. The storage facilities are also inadequate. It really is high time that they were replaced.

The situation at Holy Family school led me to the general issue of how funding works for voluntarily aided schools. I am indebted to both the Catholic archdiocese and the Church of England diocese for the briefing that they gave me, but I in no way hold them responsible for any of my errors in relating the issues to the Chamber.

As my hon. Friend the Minister will know, the buildings in the voluntarily aided sector usually belong to the Church, and the governing body is required to contribute 10 per cent. towards capital building work costs. The remaining 90 per cent. is provided by the DFES. This raises a couple of issues, which I want to highlight. First, because of this arrangement, the governing bodies of Church schools, in agreement with the DFES, insure their property for only 10 per cent. of any damaged building that might need to be reinstated. The custom and practice at the DFES was that 90 per cent. of that funding came from what is known as emergency capital funding, which is what eventually happened at the Holy Family school.

Recently, the DFES has not provided the full 90 per cent. of the funding, but only a proportion thereof. The funding gap had to be met from the school's own development formula capital. The argument is that this puts Church schools at a disadvantage. It could be argued that schools should insure for more than 10 per cent of the cost of replacing those buildings, but that would have obvious implications for the size of the premium they would have to pay, which in turn would affect other budgets for the worse.

At a more general level, I am told that there has been a significant recent reduction in the available funding for Church schools. It gets rather complicated here but I am sure that my hon. Friend will follow me. There are three main sources of funding: targeted capital funding—TCF; local education authority co-ordinated voluntary aided programmes—LCVAP; and devolved formula capital. DFC is for smaller capital work jobs and equates to approximately £28,000 per year for a one-form entry primary school and is scaled up for larger schools.

LCVAP is co-ordinated by the local education authority for voluntary aided schools and has been significantly reduced in the past year. It is used for larger-scale building work; say, of over £50,000. The example I quoted earlier would clearly fall into that category. TCF is for major projects in excess of £500,000. There are no new TCF bids this year and, as a consequence, any essential work has to be funded either from LCVAP or DFC pots. In many cases, the money is not there and in those cases where the money is there no other building work schemes that might involve repair and refurbishment work can go ahead. That was certainly part of the problem encountered at the Holy Family school.

The Catholic archdiocese has concluded that the TCF bids for 2004–05 resulted in only one successful voluntary aided bid in the north-west. I should say that the Liverpool archdiocese covers part of Lancashire: that is why I have referred to the north-west in the debate's title. The Liverpool archdiocese had a total of seven TCF bids in five of its constituent local education authorities. These schemes included a replacement school in Skelmersdale in Lancashire. My hon. Friend the Member for West Lancashire (Mr. Pickthall) is aware of this debate—unfortunately, he is chairing a meeting elsewhere in the building—but he has been in correspondence with the Department and is concerned about the matter.

This followed the closure of three separate primary schools and the removal of a significant number of surplus places. It also involved the single siting of two schools in two local education authorities, Liverpool and Sefton, both of which have separate infants and junior departments at least half a mile apart. In addition, within the Knowsley area, two schools identified by the Knowsley commission report for rebuild were also turned down despite being submitted by the same LEA team that was successful with the building schools for the future bid, to which I referred earlier.

In each case, significant surplus places would have been removed. I hope that that gives my hon. Friend an inkling of the voluntary aided schools' concerns. I do not want to be overly critical because I know that the Department is doing a good job in my area, but it would be timely if he could agree at least to a review of the way that the schemes work in relation to voluntary aided schools. I am sure that a review would ease the minds of governors and head teachers and the archdiocese and the diocese.

4.44 pm

The Minister for School Standards (Mr. David Miliband): It is nice to serve under your chairmanship again, Mr. O'Brien. I am happy to congratulate my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) on securing the debate. I know that this is an issue about which he feels strongly. I had the privilege of visiting Knowsley on Thursday and of being able to talk to him and to some head teachers and LEA officials about the excellent work being carried out in some schools in the area. I also had the chance on Thursday to meet representatives of Catholic dioceses from all over the country, including Merseyside, and was able to discuss some of their perspectives on the issues that my hon. Friend has raised. I realise that a visit to Knowsley by a junior Minister from the Department for Education and Skills does not rival the occasion of a visit from the Prime Minister's wife, but I was happy with the reception that I received, muted and low-key though it was.

My hon. Friends the Members for Knowsley, North and Sefton, East and for Bootle (Mr. Benton) have been doughty and determined champions of their constituencies in general, and for education in them. I much appreciate their work to highlight the good practice in their schools.

Not all voluntary aided schools are faith schools. Equally, a lot of schools that are not voluntary aided but are classified, in the jargon, as having a religious character, fit under a foundation, community or voluntary controlled banner, but that is not what this debate is about. It is about how we can do our best to help all schools through capital spending.

There is agreement that the immediate problems with the restoration of Holy Family Catholic high school after the fire damage have been resolved reasonably expediently. Funding has been earmarked from our locally administered capital programme for voluntary aided schools to replace some temporary classrooms, but, in light of the unfortunate fire at the school, that money was temporarily redirected into helping with repairs. We also provided additional help by way of a significant emergency grant of almost £130,000. The good news is that, through the partnership between the local education authority and the Catholic diocese, funds have already been earmarked from next year's local programme to solve the problem of the temporary classrooms. I appreciate that that resulted in some delay in the work, which is an unfortunate consequence of the fire, but we cannot do everything at once, despite the record levels of capital investment going into our schools—up to £5 billion a year from 2005–06. Difficult choices have to be made.

My hon. Friend the Member for Knowsley, North and Sefton, East legitimately raised the issue of the different labels under which capital is spent. I hope that I can explain it in a reasonably clear way—certainly one that is clearer than some of the acronyms that appear. Capital spending is distributed in three ways: for major city or town-wide capital refurbishment in the secondary sector, we have the building schools for the future programme, of which Knowsley is in the first wave; for smaller necessary projects, we have the targeted capital fund; and the third tranche of money is devolved to LEAs and schools through so-called devolved formula capital.

In Knowsley in 2005–06, the devolved formula capital was £1.2 million, which is not an insignificant sum by any stretch of the imagination, especially when one compares it to 2000–01, when it was a mere £261,000. I need hardly say that it was much lower in 1996–97. Those three types of capital spending are used to try to account for the different sort of spend that is necessary.

The voluntary aided sector is fully involved in the building schools for the future programme. Some 30 Catholic schools around the country are fully involved in the first wave of BSF, of which Knowsley is a part. The same goes for the targeted capital fund, as some of it is reserved for voluntary aided schools and for devolved formula capital, with which voluntary aided schools play their part.

The capital programme for all voluntary aided schools has increased fivefold in the past six years to more than half a billion pounds a year. That money is specifically dedicated to voluntary aided schools. Holy Family Catholic high school has received direct capital investment of more than £2 million since 1996–97—due, in part, no doubt, to my hon. Friend's doughty lobbying. It will also benefit from the BSF programme, and it is due to be rebuilt. That level of capital funding has given huge help to the sector, but it is also important to point out that there are further developments for maintaining progress. Perhaps what I have to say will deal with the point that he raised. A working group has been set up to consider issues relating to capital funding for the VA sector in particular, recognising its place in the framework of local schooling. We have already shared with the group all the information about how capital is allocated, and demonstrated the continuing funding pressures.

The arrangements for helping VA schools in the event of a fire or other loss have been in place since we reformed the capital funding arrangements for VA schools more than two years ago. Those reforms were agreed by voluntary aided sector representatives, and approved by Parliament through the regulatory reform order of 2001.

[Mr. David Miliband]

Where there is loss or damage, whether by fire, flood or other eventuality or calamity, the arrangement is that capital grant will be available to meet 90 per cent. of the costs. The governing body must have insurance to meet the remaining 10 per cent.—the 10 per cent. relates to the percentage of the work that VA schools must contribute themselves. That is part of the bargain with the voluntary aided sector. Interestingly, at my meeting with the Catholic dioceses on Thursday, they were very committed to that 10 per cent. contribution. They see it as part of the partnership between the voluntary aid of the Church and the state in respect of capital spending.

My hon. Friend raised the issue of whether we should examine insurance arrangements. I am happy to say that we shall do so at the next available appropriate opportunity. We welcome advice on whether to hold back money for such emergencies, but, obviously, that has implications. The danger is that the money is not spent.

I am pleased with the way in which the working group has begun its work. It includes representatives from all the major stakeholders in the voluntary aided sector, including head teachers. Another benefit of the group is that it can advise us on the balance of the capital programme for VA schools. My instinct is to move towards as simple as possible a method of funding distribution, but we also know that local ownership of, and engagement, with the spend is critical.

We know, too, that there are significant pressures that can be tackled only by a more targeted approach. Next month, we shall announce another major round of capital allocations, to April 2008. I am sure that the working group will help to inform us with respect to that programme. The group will also be helping us to ensure that the interests of the VA sector are properly reflected in the building schools for the future programme. That includes the decision-making arrangements to take account of the ownership responsibilities of the trustees of VA schools.

In conclusion, I thank my hon. Friend for his appreciation of the Department's work and for giving me the chance to give an account of the strength of the partnership between the VA sector nationwide and in his constituency. I look forward to continued progress on that basis.

Question put and agreed to.

Adjourned accordingly at seven minutes to Five o'clock.

Westminster Hall

Thursday 21 October 2004

[MR. EDWARD O'HARA *in the Chair*]

Social Cohesion

[Relevant documents: Sixth Report from the Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions Committee, Session 2003–04, HC 45-I, and the Government's response thereto, Cm 6284.]

Motion made, and Question proposed, That the sitting be now adjourned.—*[Gillian Merron.]*

2.30 pm

Andrew Bennett (Denton and Reddish) (Lab): I am grateful to have the opportunity to talk about the Select Committee report on social cohesion. First, I would like to put on record the thanks of the Select Committee to Ted Cantle and Andy Forbes, our specialist advisers, who did a great deal of work in getting the Committee to understand the issues so that we could ask the right questions. I also record my appreciation of all those who submitted evidence to the Committee, and those who were witnesses. Good Select Committee reports are very much dependent on the quality of the evidence that they receive. We were certainly very grateful for that. I place on the record too my appreciation of Martin Wilson, the principal clerk to the Northern Ireland Assembly, who, as the Assembly is suspended and had nothing to do, came over to spend some time helping the Select Committee. We were grateful to him, but sad that he was not over there ensuring that the Assembly was working.

Having mentioned Northern Ireland, I will start by referring to that place. Some of the most interesting evidence came from people who talked about the parallel societies in Northern Ireland—the Protestant and Catholic societies. Perhaps those societies developed as a result of deliberate actions, particularly by the Unionists, in the '30s, '40s and '50s, but much developed almost by accident or because people looked at the little picture rather than the big one. Someone who was particularly concerned with improving the health of children would simply consider that problem without looking at the bigger picture, so people ended up making provision for a health centre in both communities, making the division between the societies that little bit worse.

The fundamental message coming out of the inquiry that I want to convey is that the Government, local government, health services and everyone else have to test everything that they do with the question "Is this particular action going to improve social cohesion or make the division in societies that bit worse?" Are they creating parallel societies where people do not mix or share the same schools or health services, and end up with different goals and no understanding of the problems and issues in the rest of the community living close by? That is the strongest message I want to convey. Every action of the Government must be focused on ensuring that what they do improves social cohesion.

I would like to explain why the Select Committee carried out the inquiry. Following the disturbances in 2001, there was a great deal of activity and inquiry, and many promises were made that various things would happen. It seemed to the Select Committee in the summer of 2003 that it was a good time to look at what progress had been made as a result of those promises. We also recognised the fact that the issue was a wide one and that there was a danger that the Committee would not have a focus, so we decided to consider Oldham as a specific case study. In September 2003, the Select Committee spent a week there taking evidence. Having done that, it seemed important that we put that evidence into the context of the rest of the country, so in the spring of 2004 we took some further evidence in the House of Commons to supplement what we had seen in Oldham. On the whole, I want to concentrate today on the good news. We took a lot of trouble in the report to include 10 case studies of good practice, but there are many more examples of how communities ensure that social cohesion is effected in their areas.

I start with policing. One thing that was most worrying at the time of the disturbances was the reaction of the police force in some places. All the evidence from Oldham is that Chief Superintendent David Baines, who took his post after the disturbances, has made a huge difference. It is sad that, having spent three years in Oldham, he is now moving to another division in Greater Manchester, but everyone we talked to in Oldham was impressed with his efforts. I hope that Keith Bentley, who will take over as chief superintendent, will continue the good work.

When I spoke to my hon. Friend the Member for Burnley (Mr. Pike) about what had happened with the police in Burnley, he emphasised that there had been a significant change in their approach and that they were much better at understanding and addressing the problems. I am not quite sure of the position in Bradford, but no doubt my hon. Friend the Member for Bradford, North (Mr. Rooney) will refer to it. One of the most positive things that has come out of Oldham and elsewhere is a better understanding by the police of the issues. In some cases, they have come up with imaginative responses in order to ensure that they work for social cohesion.

I draw attention to the opportunities for women centre, which we visited while going around Oldham. It works very hard to persuade women to return to education, to retrain and to gain extra skills. It works across the community and is doing very well. We were particularly impressed with the bus that it has provided in one of the ethnic minority communities to try to persuade women, particularly those who had come to marry in this country, to gain skills in English.

Another impressive service in Oldham is the post-16 provision. I suspect that it developed almost by accident. There is one sixth-form college and one further education college for the whole borough, so there are no divisions such as people from one ethnic background going to one school and those from a different ethnic background going to another. All the youngsters mix together and get an understanding of each other. I pay tribute to the people in Oldham. That borough used to have one of the poorest stopping-on rates, but the colleges seem to be doing extremely well.

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I pay tribute to the fire service in Oldham, which works hard to ensure that things such as smoke alarms are put into as many houses as possible. It has a multicultural approach and ensures that officers who are culturally sensitive go into homes to install them. There are many examples of good news.

I have slightly mixed feelings about school links. It is sad that in one school almost all the children are white and in another they all come from a different ethnic background. As far as I am concerned, it would be much nicer if the classrooms were mixed. However, given the way in which housing has become segregated, school links are at least an attempt to ensure that children from one school meet those from another two or three times a term and get some understanding of the issues.

Market renewal is another way to measure progress in Oldham; there is a problem, as there is in so many towns in the north of England, of empty and underused properties. I understand that there is quite a clamour in Oldham about the compulsory purchase of properties that are to be knocked down. It is interesting that indignation about the proposals comes from people of all ethnic backgrounds. There is not the feeling that one group of people is being treated unfairly or particularly advantageously. That is another example of the way in which things are improving in Oldham.

I was impressed with the evidence of the *Leicester Mercury* editor, Nick Carter, who worked hard to explain to the Committee his approach to journalism in Leicester and the way in which it appears to be increasing social cohesion in his community, rather than allowing one segment of the community to take action against another. That is also true of the chief constable of Leicestershire, who has a positive approach to social cohesion and race relations.

The West London Alliance also gave some very impressive evidence. There is a wide ethnic mix in west London, so rather than there being a majority and a minority, there is a wide spread of people from different backgrounds. The alliance takes that as a big advantage and makes sure that it uses in its community all the skills of people from different backgrounds, traditions and languages.

Today, I want the Minister to tell us about the current situation. The problem with a Select Committee is that it conducts an inquiry and comes up with recommendations, which the Government answer, but then things are forgotten if we are not careful. Sadly, in politics, one has to keep chipping away, so I will concentrate on the Government's response to the Select Committee report. In a way, I was pleased with the Government because they did not tell us to get lost and that we had got it wrong. They agreed with us on almost everything, and then said, "We are doing this, or that" to address it. I want to know how quickly they are doing those things.

My first question relates to recommendation 3, about the corporate assessment of local authorities. Will the Minister tell us where we are up to with that? One feeling that was put to us was that local authorities did not get much credit if they worked hard at social cohesion, and that they did not get much criticism if they did not. I understand that new details, to be announced next week, are to be put in the comprehensive performance assessments. Someone has hinted to me that they are still pretty feeble, and that the Government are not getting to grips with this issue. If local authorities are to be assessed, one thing that should be taken into account is how far, in all their activities, social cohesion is considered important.

A problem for Oldham is that its local authority is probably the least successful in Greater Manchester, and borders on being a weak one. The question is whether people should have been sent in to work on it. I understand that Oldham has just had its corporate assessment, and I hope—from the rumours that have reached me—that it will get some marks for significant improvement. It now has a pretty strong senior management team, which I hope will make some progress.

Ms Oona King (Bethnal Green and Bow) (Lab): On that point, I was delighted that my council in Tower Hamlets received beacon status last year for its work on community cohesion. The key lesson to be learned from Tower Hamlets is that, as my hon. Friend said, social cohesion must inform all service planning and service delivery, rather than being a bolt-on at which officers look when they are coming to the end of their delivery programmes.

Andrew Bennett: I accept that. My impression is that things are improving in Oldham, but I find it a little odd that the chief executive, Andrew Kilburn, who was in post before the riots, when the council was found to be doing so very badly, is still there—the Teflon man. I hope that the team he has put together will make things in Oldham much better.

I turn to recommendation 8 in our report and the Government's response, on what happens with local authorities and the local media. What was important in the evidence that we took from Nick Carter from the *Leicester Mercury* was that he understood clearly that the success of his paper would depend on its being read by people in the whole of greater Leicestershire—not just the city of Leicester but the whole area. He knew that he needed to work to encourage advertisers from the whole area and to encourage the readership. He appeared to be being very successful.

Oldham also has a local newspaper, the *Oldham Chronicle*. We are a little critical in our report because we are concerned that the *Oldham Chronicle* continues the practice of putting anonymous letters in its letters columns. Some of those letters are not good for social cohesion. When I pressed that matter with the editor, he assured me that he felt that free speech meant that letters should be put in. My view is that free speech is perfectly all right—a good and laudable aim—but that people should be asked to stand up and be counted. If they want a letter to go into the paper, they should be prepared to put their name to it.

Richard Younger-Ross (Teignbridge) (LD): In some papers, letters are not only anonymous but from fictitious addresses. Some papers do not even go through the cursory process of checking that the people who have written to them actually exist.

Andrew Bennett: Although I fully accept that views should be in the paper if they exist, the important thing is that we should require a name and address to them so that others can check their veracity. I hope that the *Oldham Chronicle* will think about changing its policy.

On the other hand, I have a great deal of sympathy for the *Oldham Chronicle* in that the British National party in Oldham has been threatening it by trying to create advertisers' boycotts. I am delighted that the paper has been standing up to that, and that the people in Oldham have very firmly seen off the BNP in the elections. However, I want to emphasise to the editor of the *Oldham Chronicle* that it is important that he sets out to try to capture the readership of the whole community and does not rely on the traditional white population of Oldham—missing a great opportunity to bring in the whole community.

I want to say to the people of Oldham that the *Oldham Chronicle* really is a jewel in Oldham's crown because it is a local evening paper. I represent a nearby constituency that is partly in Tameside and partly in Stockport, and I wish that there were a local evening paper there. The message that I have for the Government concerns their promise, in response to us, to consider how they can improve relations between local authorities and the local media. Their response says:

> "The Home Office intends to explore this recommendation with local authorities and media representatives in the near future."

I am never quite sure when "the near future" is in Government-speak, and I should like to find out whether anything has happened in that regard.

Recommendation 17 is on multicultural schools. We were concerned that the performance in multicultural schools tended to be better than that in monocultural ones. However, there was not any actual evidence for that, so we asked the Government to do some work on it. We received a slightly snooty response, which said that the Department for Education and Skills

> "does not need to commission a survey, as it already holds the necessary data to conduct this kind of research and will carry out the analysis as suggested. The Department has consistent policies in promoting community cohesion in schools."

I would just like to find out what the Government are actually doing on that.

When trying to find information for today's debate, I noticed that Burnley has a bid in for new secondary schools, and I hope that the Government will look favourably on that. One key question is where those two new schools are to be located. What will their catchment areas be? Burnley could produce two good multicultural schools or it could end up with one school with a preponderance of people from one background and another with people from a different background. I know that the Minister is not directly responsible for this issue, but I want to find out how far the Department for Education and Skills works to ensure that the catchment areas of new schools are designed to encourage multicultural education, rather than ignoring it.

On recommendation 20 and funding, an awful lot of the things that we saw in Oldham and that were presented to us across the country as successes are done with funding that is available only for a short or specific period. The assumption is that the funding will then be taken over as mainstream funding. That worries me a great deal. Too many projects in Oldham and elsewhere, which do some of the best work on social cohesion, are living from hand to mouth. The people running those projects are not quite sure where the next funding will come from. I hope that the Government will address that.

Recommendation 27 is really about the effectiveness of the Commission for Racial Equality. Over the past 20 years, the CRE has not performed the role that people intended for it. It may have been effective in bringing some prosecutions and helping people with discrimination cases, but I regret that it has not done a lot more in a positive role. I just hope that the changes that I am told are under way will mean that the CRE plays a much more positive role in future. All public bodies now have to produce race relations strategies, but I hope that we shall not be just ticking them off and saying, "Yes, you've got a strategy—that's okay." We must look firmly at the quality of those strategies.

Other members of the Committee and I were concerned about choice-based lettings, which the Department has pressed hard. In their response, the Government explained at length why they thought that choice-based lettings were working. However, at the end they admitted that they were not absolutely certain what impact choice-based lettings have on race relations and social cohesion. Can the Minister give us an update on how choice-based lettings are working?

The experience from Stockport is that choice-based lettings are not working terribly well with groups of constituents who have particular views on life—never mind in terms of race relations. Some tenants can be quite keen to get their friends into a vacant property next door. It is fairly easy for people to make a noise and to look as though they are not the nicest tenants when others come round to view the property before the applications for choice are submitted. That way, people who might want to move in and who might have more points qualifying them for the house can sometimes be discouraged from making an application. If that can happen in a community where there is no ethnic tension at all, it could be worse where there are such tensions. I therefore ask the Government to look carefully at choice-based lettings.

Recommendation 43 is about the trials in 13 police forces. Can the Minister give us an update on that?

Finally, I draw attention to the problems with languages in some communities, particularly those that people enter as asylum seekers. The conclusion to the Government's response, entitled "Cross government discussions", says:

> "The Criminal Justice Service teams . . . are leading on a cross-government sector working group, which includes DH, to consider the scope for sharing interpreting resources and have organised one meeting to discuss the opportunity for joint working."

I hope that since the response was published they have had a second meeting, and I hope that on those points the Minister can tell us what progress is being made.

I stress the point about language skills. Places such as Burnley, Oldham and Bradford have a pretty good record of meeting the language needs of the local community, but they have often received a significant number of asylum seekers. For many, from different

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parts of the world, there are no people locally with the language skills to help them access services. There is concern that some strain has been put on the health service by having to find people with the language skills to ensure that someone receiving medical treatment is informed of what the doctor intends. There is an argument for making extra resources available nationally to meet the needs of those areas that have taken in significant numbers of asylum seekers and where the health service has had to provide translation services.

The Committee saw and heard from communities whose members come from a range of racial backgrounds, and in many there were no problems at all. In fact, some communities embraced that diversity of ethnic background with enthusiasm. I argue very strongly that if Britain is to be successful in the world economy, we must develop the skills of everyone in the nation and take advantage of the opportunities afforded us by our multicultural society. There are ample examples of good practice throughout the country, but sadly a few communities are not grasping those opportunities. They become inward-looking and allow themselves to become more divided. It is important that we appeal to those communities to see the advantage of developing a socially cohesive community. Finally, I say to the Government that every part of their every policy ought to be proofed to see whether it will encourage social cohesion or reduce it.

2.58 pm

Ms Karen Buck (Regent's Park and Kensington, North) (Lab): I congratulate my hon. Friend the Member for Denton and Reddish (Andrew Bennett) and the Select Committee on producing a rigorous, thoughtful and informative report that will do a great deal to guide us when considering this important issue. I was pleased to hear him mention some issues in the south of England, although the report was motivated primarily by issues affecting northern towns and the explosion of tensions within them. I am pleased that the Committee considered the different aspects of social cohesion as they affect different parts of the country.

I want to concentrate my remarks on aspects of social cohesion that affect London and my constituency. As has been said, we do not have parallel societies there. We have a multiplicity of societies that are profoundly different from each other but that are often bracketed together under the broad title of black and ethnic minority communities.

The challenges of social cohesion are rooted in social change. We need to develop a wide range of social, economic and cultural responses to that social change and to ethnicity within it. I have discovered two particular dynamics: diversity and mobility. We have yet properly to recognise diversity in public policy terms. It is fundamentally different to work with and to deliver services to a society where 300 languages are spoken in the homes of residents, as is the case across London. In my constituency, 90 languages are spoken at home. The public policy mechanisms have progressed a long way over the past 20 to 30 years in response to modern Britain, but they have yet to reflect those differences.

For example, resource allocation often brings into play recognition of the number of people in minority communities and those with particular language needs, but has yet to take on board the challenges presented to those delivering services by that incredible range of backgrounds and experiences—not just languages but cultures and other issues. Housing management is probably the single biggest issue. It is possible to have a whole debate about how schools are affected. We are not discussing that, but it clearly needs to be recognised. It is not informing resource allocation or policy delivery in the way it should.

Mobility is beginning to be discussed and to be rewarded with resource allocation, but not to anything like the extent to which it should. Mobility and diversity are two sides of the same coin. In a society that is diverse, there is clearly likely to be a high population turnover. My constituency has the second highest population turnover in Britain. It is not uncommon for London constituencies—and possibly for city constituencies in other parts of the United Kingdom, although I stand to be corrected—to turn over at least a third of their electoral register every year. The electoral register is nothing like an accurate gauge of population mobility, because the most mobile populations will be those who never get on to it. To engage with a society with that level of mobility places demands on almost every part of public service and public life, which we must rise to. Those issues are the real underpinnings of the social cohesion agenda in cities, particularly in London and in areas such as my own.

What it all boils down to—this is the common thread with northern towns—is the battle for scarce resources. The total of scarce resources is different in London and the south-east from the total in northern towns, by and large—we are always generalising, but I think that that is true. However, the tensions that arise when one is battling for scarce resources are the same, although, as I said, diversity and mobility are the drivers of the pressures.

We end up with the poorest black and minority ethnic community residents and the poorest white residents, whether long-established or new arrivals, in intense competition for access to particular services. They are frequently locked together in some of our weakest neighbourhoods, which are least likely to create circumstances where they can lobby effectively to have their needs met.

I want to spend a moment or two talking about the good news. My hon. Friend was right to talk about good news, and there is a great deal. When it comes to the agenda of community safety, which is integral to effective social cohesion, we have moved so far from when I entered public life as a councillor 14 years ago that it is almost impossible to recognise what is happening on the ground.

I pay warm tribute to the policing delivery and policing strategy of recent years. It has made a remarkable difference. Even in the past few months, the introduction of neighbourhood policing in London wards, sometimes backed by Government-funded warden schemes introduced under the neighbourhood renewal fund, has quickly galvanised communities into becoming involved in community safety. One can see a palpable difference in how the safety agenda is being delivered.

That change is due not only to the police bearing down on crime and antisocial behaviour, important though it is, but to the fact that the recruitment and retention of the newer police teams, police community support officers and wardens more closely reflect a diverse community than traditional policing. That is enormously important, and if it starts feeding through into a more diverse police force, it will be welcome.

It is worth putting on record that, even at a time of increased tension in our Muslim communities because of anti-terror legislation over the past year or two and because of an increase in the stopping and searching of Muslim youths, the Muslim cultural heritage centre, one of the leading centres in my constituency, reports enormously positive relations with the police. I am always anxious to gauge the centre's concern, and glad to find that it is not a problem. That is very welcome.

The area-based work being done through a number of initiatives that have come on stream over the years is paying off. It is taking time, and only relatively recently have we begun to see some real feedback on its value. I think of the new life for the Paddington single regeneration budget programme, a number of other small single regeneration budgets, the Sure Start programmes, the children's centres, and the education action zones. Particularly important is the work being done by the two arm's-length management organisations. Taking a step away from council control, they have been much more responsive. They have stepped beyond the traditional bricks and mortar and rent collection functions and become more integrally involved in the social cohesion agenda.

On the Westminster side of my constituency, we have recently seen the development of neighbourhood forums, which are grassroots-based and proving their worth in terms of individual participation. It is not on the scale that we would like. None the less, it is much more representative.

I pay particular tribute to the neighbourhood management programme. One of the Government's neighbourhood management schemes is being run in Church Street, the most deprived ward in my constituency and one of the most deprived single output areas in the country. That sort of work is critical in creating a strategy for tackling social exclusion and building social cohesion in a diverse community.

All that is wonderful, but it leaves us with a couple of critical problems. My right hon. Friend the Minister for Housing and Planning will not be remotely surprised to hear me say that housing is the single most important problem, and that housing resources have reached the crunch point. That is where the tension occurs between minority communities and white communities—and, indeed, settled black communities. It is each against the other because of the pressure on scarce resources. Housing supply has plummeted in the social rented sector over the past 20 years, homelessness has risen dramatically, and the number in temporary accommodation has risen, with more than 60,000 in London.

Overcrowding is soaring out of control and, most critically, it is concentrated in black and minority ethnic communities. Homelessness has risen twice as fast among black and white minority ethnic communities as in the rest of the population. Twice as many black and Asian families as white are in properties unfit for human habitation. Overcrowding is six times higher among black and minority ethnic communities.

A powerful local study was undertaken in my constituency. If my right hon. Friend the Minister has not seen it, I ask him to read it as a special favour to me. It was carried out by the North London Muslim housing association, and a copy can be found in the Housing Corporation library. It is called "Understanding the Housing Needs and Aspirations of Muslim Communities". It was researched in north Kensington and it makes such depressing reading that it makes one's ear bleed. It shows an incredible concentration of disadvantage in that 90 per cent. of Muslims in north Kensington live in social housing, and more than half live in overcrowded housing.

However, importantly for the social cohesion agenda, at present and in the foreseeable future, there is a powerful sense of community and of family ties within the Muslim communities and also among white, black and other families with children growing up. They want to stay rooted in the area. A housing policy that is based on increasing mobility and moving people out to meet their housing needs will increase social fragmentation, disadvantage and resentment. When a family—whether it is a white family, a Moroccan or an Iraqi family—are living in chronically overcrowded housing with no means of escape, or in temporary accommodation with no hope of that coming to an end, if they feel that their housing predicament is in part caused by other people getting preference, or if they are required to leave the area to have those needs met, that builds quite extraordinary resentment.

If we are to take further steps forward on promoting social cohesion in areas such as mine, we need to take a fresh look at housing supply and the characteristics of those communities, and to make a clear commitment to meet those needs in communities across London and the south-east, rather than simply moving people into lower-cost or growth areas in particular pockets.

Clearly, there are issues of concentrated poverty, discrimination, disadvantage and unemployment in those neighbourhoods that are most fragmented, polarised and diverse. We have not yet found good ways of overcoming that on the scale that is needed. In particular, we need to worry about some of the strategies that we employ in areas such as child care delivery and employment service delivery. We are in serious danger of hanging so many of our policies on labour market participation that we overlook the needs of the very poorest and most disadvantaged, who are not currently in employment.

We are not making enough investment in outreach, community or neighbourhood-based development strategies to meet the needs of those communities. One of the examples is the fact that, of the 120 employment service districts across the United Kingdom, only a third work with housing providers to get into local communities and to reach people where they are. The corollary of that is that those households that are in social housing are least likely to be in the labour market. That is partly because we are not reaching them through all the different mechanisms that are available to us.

I want to talk about where we need to go in the future. In terms of future funding to meet social cohesion and social exclusion goals, it is a worry that—I do not know

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whether the Minister will be able to respond to this point—as we reach the end of projects such as single regeneration budgets, we are not replacing them with schemes that tackle capacity building in communities. Again, the projects are very labour market based. While I am in favour of anything that we can do to increase labour market participation, if we do not continue with the resources that underpin those neighbourhood forums and that support the more neighbourhood and community-based aspects of the work, we are in danger.

An aspect of that is the worry that, unless resources are increased, as we roll things such as the neighbourhood renewal fund and children's centres away from the most deprived communities, the spread will undermine the intensity of help that we can deliver in the most deprived communities. We have certainly not yet reached the point at which our most deprived communities can say that we have lifted them to an acceptable level of service.

I, like others, for shorthand, talk about black and minority ethnic communities. For me, the largest, fastest growing and the most disadvantaged communities are Muslim, but it is very important that we get beneath the skin of these communities, do the numbers and produce the needs assessments that we do not yet have.

In Muslim communities in my constituency, which are defined by faith but not by ethnicity, there are Bangladeshis, Pakistanis, Moroccans—in fact, most of Britain's Moroccan community—Yemenis, Kosovans, Somalis, Sudanese people, Egyptians, Algerians and Libyans. Almost every nationality on earth is represented. There are also greatly varying levels of participation in faith as well as no participation. We know next to nothing about the subject. Even in Kensington, North, we have no reliable assessment of how many Moroccans there are in the Moroccan community.

We cannot assess the needs of these communities if we have no assessment of how many types of communities there are, who they are and what their particular needs and issues are. The Moroccan community, for example, would have an entirely different agenda from the Kosovan communities, which are Muslim but tend not to be faith-based. We cannot tell the difference from the figures.

The Government need to make progress and to require local agencies to carry out much more rigorous assessments of the building blocks of all our different communities, so that we can be sure that we are meeting all those individual and very disparate needs, even if they tend to come under the single umbrella of disadvantage.

3.17 pm

Ms Oona King (Bethnal Green and Bow) (Lab): It is always a great pleasure to follow my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck). She began by reiterating the diversity and mobility issues of modern-day multicultural Britain. Our diversity has increased but our social cohesion has decreased, and part of today's debate is about seeing how we can reverse that trend.

I start by paying tribute to my former colleagues on the Urban Affairs Sub-Committee of the Office of the Deputy Prime Minister for another thought-provoking report. It manages to reflect some of the raw frustration felt by the communities, yet also manages to be jam-packed with policy proposals. I know that the Committee was well served by Ted Cantle in his capacity as adviser. The report clearly reflects some of his frustration at the slow progress in implementing the recommendations detailed in his taskforce's report into the summer 2001 disturbances in Burnley, Bradford and Oldham. The excellent report produced by Ted Cantle and his fellow community cohesion review team members in December 2001 should have enabled us to make better progress than we have. No one imagines that there are quick fixes or short cuts to developing community cohesion, but we can and must do more.

I want to return briefly to the subject of my intervention. My local authority, Tower Hamlets, has been awarded beacon status for its work in supporting community cohesion. The key lesson for Tower Hamlets has been that social cohesion needs to be built into and to inform all service planning and service delivery. However, I am not here to say that we have got this cracked or that we know all the answers. Clearly, we do not. The riots in Burnley, Oldham and Bradford act as a wake-up call to us all. They certainly forced me to look even closer at the community that I represent and in which I live.

East London has many advantages that are not shared in the towns that experienced those riots in the summer of 2001. We have the City, the west end and docklands on our doorstep, along with all the employment opportunities that they bring. We have a longer history of large-scale immigration, from the French protestant Huguenots in the 17th century to the eastern European Jews in the late 19th century, and our tradition started with the Normans at the Tower of London quite a long time before that. Yet both the Cantle report and the Select Committee inquiry found that Tower Hamlets has problems of racial segregation similar to those in many northern mill towns. In the early 1990s, there was huge resentment about Liberal Democrat-promoted regeneration of predominantly white estates. Now that some of the predominantly Bangladeshi estates are finally being regenerated, there is resentment among a significant part of the white community. We have a continuing undercurrent of racially motivated violence, harassment and verbal abuse, which leaves the most vulnerable living in fear and misery. Those who suffer are white as well as black, Christian as well as Muslim. That is why we recognise that we have no cause for complacency.

I want to talk in detail about three key issues that were mentioned in the Committee's report: education, youth provision and housing. Before I do so, I must commend the Government's commitment—indeed, the renewed personal commitment of the Prime Minister—to outlaw incitement to religious hatred. Taking a strong stand on that will harm extremists on both sides, from Abu Hamza to people such as Nick Griffin of the BNP. The issue should have been dealt with during the passage of the Race Relations (Amendment) Act 2000. As it stands, the law allows right-wing extremists to incite hatred against faith groups. That legal loophole has been exploited mercilessly to incite hatred against the

Muslim community in particular. The new law will not stop that overnight, and it will certainly not guarantee that my Bangladeshi and Somali constituents do not face Islamophobia and bigotry in future. However, it will help us to weed out and challenge those who peddle their racist message of hatred towards Islam and to individual Muslims. It will also be a signal to the Muslim community that it is not fighting racists alone. The overwhelming majority of decent British people want to see Muslims treated as equals, and stand with them against the racists, just as the overwhelming majority of decent Muslims stand with British people such as Ken Bigley when extremists bring so much grief to communities around the globe.

Five years ago, a racist exploded a nail bomb in Brick lane, in the heart of Britain's Bangladeshi community. It was designed to maim and kill men, women and children. It was also designed to provoke a reaction from Muslims in east London—to start a race war on the streets. Many have been astonished that it did not provoke such a war. In fact, it was the mature, wise and measured reaction of the whole Muslim community, particularly those in positions of leadership such as in the nearby Brick lane mosque, that helped to bring east Londoners of all ethnic backgrounds together in a stand against racists, rather than allowing themselves to be driven apart. Outlawing incitement to religious hatred will give the state the tools that it needs to tackle those who spread hate through this legal loophole. Ultimately, it will have a practical significance on the ground.

Turning to education, I have mentioned before in Parliament my shock at visiting two schools next door to each other soon after I was elected, in 1997. They shared a playground with a fence down the middle. On one side of the fence there were white children playing with a smattering of Afro-Caribbeans, and on the other there were brown, Muslim and Bangladeshi children. Perhaps it is because my father was brought up in the segregated south that I was so horrified by that; I could not believe it. We read about such things, but when we see them in Britain, we must think that something is seriously wrong. Everybody—the Select Committee, the Government and others who have considered the issue—realises that there is something very wrong with that. One of the key tools that we have for trying to deal with that problem is a more cohesive education system—bringing together children who are currently kept apart by education policy, as they were previously by housing policy.

I want to draw attention to the Select Committee's recommendations 18, 19, 20 and 23, which address that matter. Recommendation 18 highlights the

> "conflict between parental choice and social cohesion"

that can sometimes occur. Recommendation 19 says that the Department for Education and Skills

> "should provide additional guidance to faith schools on how to address social cohesion",

and says:

> "No new faith schools should be approved unless they are committed to promoting a multicultural agenda."

I should say that that needs to apply to new Christian schools, new Islamic schools and new Jewish schools—obviously, any faith school, not just one in particular.

Recommendation 20 asks the DFES and local education authorities to see twinning initiatives between schools

> "as part of core funding for schools",

and to put those on a long-term basis. That is very important because one-off contacts do little to move beyond initial stereotypes. Recommendation 23 is on Ofsted inspections, and asks Ofsted to consider

> "the way social cohesion is addressed by education authorities and also within schools."

I support all those recommendations, and hope that the Government will take action on them.

On youth provision, the Cantle report stressed the importance of youth services, both in promoting contact between youngsters from different ethnic backgrounds and in reaching out to those who are disaffected. It recommended something for which many of us have been calling for a long time: that youth services be put on a statutory footing. The Select Committee repeated that recommendation. The report also highlighted the need substantially to increase funding. I shall turn to housing in a moment, but I have to say that much of the previous Parliament and Labour's first term in government was characterised by Labour Back Benchers stamping their feet and banging their fists together, demanding that more money go into housing. The Government responded to that in a significant way. Were there to be a third Labour term in government—I sincerely hope that there will be—the issue of youth provision would need to be at the very top of the agenda.

The Government's response to the recommendations is another matter that I think needs a second look. The Secretary of State already has a statutory power to intervene if he feels that a local authority is failing to deliver sufficient services. In Tower Hamlets, for example, we spend the most money per pupil—or, rather, per young person—of any London borough, yet I can say as the local MP that we do not have anything approaching sufficient youth provision. That has been recognised by the Home Office. It gives us what we might term emergency youth provision in the summer months because it recognises that all hell might break loose if it does not do so.

We acknowledge that the potential resources available from the youth and community sub-block of the local education authorities' education spending settlement have increased by an average of 5 per cent. on last year. This Government have always increased resources for local authorities in a way that, frankly, has not happened since the second world war. Yes, they have done incredibly well if we measure it against that provided under former Governments, whether Conservative or Labour, but they still have not done well enough. It is clear that local authorities are tailoring their services in line with the Government's limited ambition for expanding youth services, and I implore Ministers to take a much stronger lead.

Ms Buck: Given what my hon. Friend has said, and given that schools and neighbourhoods do not necessarily coincide and that schools that draw from a wider catchment area may not be drawing children from their own neighbourhood, does she agree that perhaps the Government should carefully consider how the extended school model will develop? If the out-of-school

[Ms Buck]

activities are to be based on schools, we will need to be extremely careful to ensure that they do not miss the needs of disadvantaged groups in the neighbourhoods.

Ms King: My hon. Friend points to an important aspect of the Government's plans for providing, among other things, extended child care facilities, and for using schools as a mechanism for delivering some type of social cohesion in the neighbourhood. If schools in areas where there are segregated communities just replicate the segregation, we will not certainly achieve what the Select Committee report encourages us to do: reduce social exclusion.

We do not need youth services just during the summer months when young people are most likely to be out on the streets. Likewise, we do not win over the hearts and minds of young people if the services grind to a halt in the first week of September. We must extend the provision that is available during the summer holidays to the whole year.

Moving on to housing, the Cantle report noted the pivotal role of housing and identified in particular that the

> "impact of housing policies on community cohesion seems to have escaped serious consideration to date."

It is certainly true that the shortage of affordable housing is a key factor causing tension between different communities. My hon. Friend has just outlined the negative impact that it can have. The Government's £22 billion communities programme is changing the situation, but lack of affordable housing and its entanglement with social exclusion is not a new issue. As I said, we in Tower Hamlets are still trying to deal with some of the consequences of allocation policies that prevented overcrowded and homeless Bangladeshi families from getting the homes that they needed. We have been thinking about the impact of housing allocations on community cohesion for longer than most councils, which is why on this one point I am less supportive of the Select Committee's criticism of the new choice-based lettings scheme for social housing.

I was a little reassured to note that the Select Committee's criticism is not quite as outspoken as it was represented in the press. Unlike Ministers, I would not necessarily disagree that there is a

> "tendency for freedom of choice to lead to greater segregation",

but I do think that the days of telling people that they can take the flat that they are offered or lump it must come to an end. That is part of the rationale behind the new housing choice programme.

It is true that many of my constituents feel that they do not have a choice. When there are between 17,000 and 20,000 people on the housing waiting list, in reality there is no choice. None the less, Tower Hamlets is successfully piloting choice-based lettings. The process is still frustrating for many families, but it is better than what went before.

There is merit in the Select Committee's recommendation that states:

> "Any choice-based lettings policy should include a strategy which included encouragement for greater integration by offering support to tenants moving into areas where they might be in a minority."

I hope that the Minister will say today—or write to me if he cannot do so—what more the Government plan to do to help councils put into practice that recommendation, which suggests that families who move into areas where they might be a minority should be offered greater support. In my constituency, that would affect families from all communities.

I wish to end by mentioning inequality. Catalyst has published an excellent pamphlet. It argues cogently that countries with high levels of inequality have lower levels of social cohesion. In other words, it is not enough just to do what we have to date been successful in doing—increasing minimum standards for the most disadvantaged. If we are serious about reducing social exclusion, we must also consider the negative impact that extreme inequality has on social cohesion. There are only three countries in the pre-enlarged European Union that are less equal than the United Kingdom. They are Spain, Portugal and Greece.

Britain has, as its aim, an inclusive society. That is what the Government want and although the issue would—I hope—be a subject for another debate, I leave hon. Members with the thought that if we are to tackle social cohesion over the long term, in the next decade or so we must also reduce inequality in Britain.

3.36 pm

Mr. David Drew (Stroud) (Lab/Co-op): I am delighted to comment on the report. I am sure that some hon. Members will think that I have a cheek to do so, because it deals with urban deprivation and the riots, but I make two simple points.

First, the problems that the report identifies are exactly the same problems that rural Britain suffers from. I speak as a member of, but not on behalf of, a Labour committee of Back-Bench rural MPs. There is a great myth out there that urban problems and rural problems are distinct. I do not say that the problems in my constituency are on anything like the same scale as those in Oldham, where the riots took place. I do not even say that we can use the same policies. However, the problems are common and we must get away from the notion that they are very different.

One of the problems creating the different perception, which is related to the way in which the excellent Select Committee operates in looking at the urban side of things, is that we have our own Department—the Department for Environment, Food and Rural Affairs—and a Select Committee to shadow it. To our eternal shame, by the time we have dealt with farming, fishing, environmental issues, food—you name it—rural affairs have, as some of us feared, been shunted down the agenda. To be fair, the ODPM Select Committee has done a much better job at evaluating and highlighting what is happening in its domain than we have. That is a pure apology for the fact that we are, to some extent, letting down our communities. I hope that there is a dialogue and, although I do not want to labour the point, that is why I am speaking.

My second point is that there is a myth that there is greater cohesion in rural Britain. I do not say that all rural communities are divided. We have our views on hunting and that is no doubt a debate that anyone could take sides on. However, I represent some rural communities that are far from cohesive and that are becoming less so for the simple reason why it is becoming difficult for anyone of lower means to live there anymore. In one sense, those communities are indeed cohesive, because we have excluded people on lower incomes. However, there is a dysfunctionality in parts of rural Britain and if we ignore it, we will be as guilty as we would be for over-blowing the same problem in urban Britain. Those are the reasons why I want to speak. We must look at our country in a way that makes sense of what is happening.

The scale of the problems in rural Britain is different and the way we deal with them must inevitably involve different degrees of sensitivity. However, we must always exercise commonality in approaching such problems.

For example, everyone thinks that the education in rural primary schools is much better. Lots of people try to get their children out of primary schools in my more urban areas into rural primary schools. That is fine if they have transport or are middle class with money. If not, the children go to the local primary school.

Many things influence us politicians, but rarely do we feel shocked. One of the things that shocked me in my early days was talking to the head of a relatively small rural primary school. He talked me through the situation. One of his biggest problems was that, when the SATs results came out and the teacher assessment was done, the results were, in some years, not as good as people thought they should be—certainly not as good as middle-class parents thought they should be who sent their children to the school.

That is because there was a block of council houses in that community. Many people in the community never went down that street. They never identified with those children, who were good, traditional farming kids, whose view was that, while they would do what work they needed to, they knew—at least, they used to—where they were going in employment terms. However, the level of pressure on the head to pretend that it was a cohesive school where everyone came from a middle-class background, and then to explain to people that not all children at the school were middle class, was threatening. Schooling is just one of many issues.

My right hon. Friend is the Minister for Housing and Planning and I could go on about housing, but we have had exclusive access to one another in recent weeks, so I will give him an easy time. The classic points centre on which difficulties we face. Because there is much rundown housing in rural Britain, we presume that that is where people of lower means are able to afford housing. Of course, the opposite is happening. Much of that housing is being altered—two cottages are being knocked into one and larger properties are being restored. Therefore, there are problems of access and affordability. We have debated that on other occasions.

Local services are an interesting issue. In the same way that there are problems with the Post Office in urban and suburban Britain, there are problems in rural Britain, except that it is much more difficult in rural areas because the service starts from a much lower base. That is why we feel that pain as much as, if not more than, our urban colleagues. The point about local services is that it is even more important that communities own them because once they disown them there is no return. That is also in contrast with what happens in more urban centres.

I speak as an MP who represents five market towns. To people who live in the villages, that is urban Britain. That is still true, not so much in the Strouds of this world, but—dare I say it—in the Forest of Dean. When I taught in the Forest of Dean, there were 11-year-old children who had never been to Gloucester. We always think that people are worldly-wise and have been to many places but it is a bit of a myth. People are still locked into their local cultures.

Let me address the issue of race. It is easy, and I would love, to launch an immediate attack on Trevor Phillips. From my experience of Trevor, he would not know a rural area from one end to t'other. I do not want to rehearse the arguments, but he made the point that there is evidence of racism in rural Britain. Much of that evidence is totally anecdotal, but, if one considers the figures for my constituency, which are in the Library—anyone can identify them—one discovers that the ethnic minority population is very small. Those that are there have settled well.

It is easy to say but, in terms of the Government's asylum policy, there is an argument that goes, "Why not let more asylum seekers into rural Britain?" People forget that I live in a community where, on the back of our problems in Egypt in 1956, we built a block of houses for those who had to get out of Egypt because of the Suez crisis. They still live in my community. In fact, I am still trying to get one of them citizenship because she does not have a passport, but that is another matter. In previous times, we have brought people into rural communities in Britain. The sad thing is that an implicit racism exists in the sense that it is more difficult for people of different cultures to arrive and settle.

I have two brief stories. It cheered me up that the black church in Stroud—there are not that many black faces in Stroud—was able to work with other Christian communities to establish itself eventually. That is one of the most moving stories one could hear. There is a small Muslim community in Stroud, which is trying to find a place to establish a mosque. I will just say it is not easy. That is a matter not just of attitudes, but of money and finding a suitable location. Such problems exist, and let us not pretend—as some do when they talk about racial tensions—that it is a white, working-class problem in urban areas. I sometimes have to be very deaf to the views of better off people concerning what should happen to asylum seekers. If those comments were made in Oldham, they would be undoubtedly considered as straight BNP bigotry. It is not quite the same in rural areas, but there are problems.

We should not divide our society up into an urban part, with all its problems, and a rural part that takes care of itself. It is not like that. I could launch into a whine about how resources are allocated; rural areas traditionally think themselves under-provided for. That is a bit of a myth because we do very well. There is cross-subsidisation, but the problem is that, for the same amount of money in rural Britain, one can buy an awful lot more than one can in urban Britain, so there are not the same economies of scale.

The report has highlighted a dysfunctionality very clearly that we must analyse across the board and deal with in slightly different ways, but deal with it we must. The Government have a good record in rural Britain. I know that we will be attacked by other parties on that,

[Mr. David Drew]

perhaps even today, but we have tried to do things differently. Nevertheless, the problems have been common, which is why I have spoken today.

There are some good things, such as the local strategic partnerships, which in Stroud's case have worked very well. That is down to the Government encouraging us to carry out community development differently. We must do that. It is up to rural communities in Britain to take the lead, as it is for communities in urban Britain, but let each always hold out the hand of friendship to the other. People move between rural and urban communities, and it is important to note that. That is why I have spoken today, and I make no apology for it. I hope that it was meaningful, and that the two Select Committees might carry out parallel investigations, so that we can learn from each other.

3.48 pm

Mr. Terry Rooney (Bradford, North) (Lab): It is very unusual to speak from this position, but I am glad to take part in the debate on the Select Committee report. I congratulate my hon. Friend the Member for Denton and Reddish (Andrew Bennett) on the report. I should highlight one glaring factual error, which I pointed out this morning. Page 8 says that Herman Ouseley produced a report on the Bradford riots. He did not. He was commissioned a year before to produce a report on race relations in the city. The riots happened on 7 July 2001 and his report was published on 12 July 2001. It has been generally presumed that that was a report on the riots—how he could have done it in four days, I do not know.

Nevertheless, 7 July 2001 was a black day in the history of Bradford. The pictures that were flashed around the world were tragic. They massively damaged confidence in the city, drove away potential investors and appalled members of the public in Bradford, whatever their background.

When people come to Bradford, they are often told that we have a proud history of welcoming immigrant communities going back 150 to 200 years. During the 1850s and 1860s, Irish people came and, in the late 19th century, so did east European Jews. After the second world war, Polish, Estonian and Lithuanian people arrived, and subsequently, people from the subcontinent and the Caribbean. In the early 1970s, significant numbers of Vietnamese refugees came into the country.

Refugees have not always been welcomed, however. In the 1850s, St. Patrick's church on White Abbey road would have been the first Catholic church in Bradford had it not been burned down several times by rioting Anglicans who were determined to stop a papal invasion. In the late 19th century, when east European Jewish people came over, the synagogue that they were trying to build was burned down three times by people who were trying to stop them settling in the city. It has not always been pleasant. Nevertheless, those communities were established and they integrated in society. They had one big advantage, however—they were white. They did not stand out. That has not been the case over the past 30 years.

The Cantle report struggles to define social cohesion or community cohesion, and no doubt a number of PhD theses are being written about that throughout the country. It is difficult to identify. One thing that concerned me in the report was its discussion of segregated communities—as though some external force akin to South Africa corralled people into particular areas. That is just not true. As with all migrant communities, when people came from the subcontinent, they moved into the cheapest housing; it is standard for all migration around the world. They have never managed to escape from that poorest housing.

In Bradford, 26,000 occupied houses, largely in the inner city, are unfit for habitation. There are authorities in the north—I am not complaining—that are receiving market renewal money compulsorily to purchase and demolish empty properties that are blighting the market. Those houses in Bradford are unfit for habitation but occupied, and often over-occupied. The prevalence of diseases associated with over-occupation in such communities is high. One can understand when communities wonder why those matters cannot be dealt with.

The report talks a lot about schools. We must recognise that 99 per cent. of parents send their child to the nearest school. We have schools in Bradford where the catchment area is two or three streets around the school, and then it is full. I am not complaining, but the problem has been exacerbated by the limit on class sizes for five, six and seven-year-olds—30 kids in a class and if another one comes along, they have to find somewhere else.

We also have the problem that appertains to two or three years ago. A huge area of the inner city was not in any secondary school catchment area. Inner-city children were left with the places at schools that no one else wanted to go to. They often had to travel some seven miles, and that does not inspire migrant communities to think that they are welcome and valued. They think that they are being put at the bottom of the barrel.

I am not making a political point, but undoubtedly the breakdown between the Government and the teaching unions in the mid-1980s was a tragedy for social cohesion. The ending of school sports, culture and arts activities and exchanges meant that schools became ever more isolated from each other. The Government have introduced a programme of community physical education, with 40,000 coaches, which will go a long, long way. However, most competitive sport in schools is aimed at boys. Girls must be included as well. Through the avenues of sport, culture and arts, we can achieve engagement between schools and children, and get some contact going.

The Bradford cricket league is widely regarded as one of the best in the country, going back decades. Virtually every test player from Yorkshire started in the Bradford league. About 60 per cent. of cricketers in the Bradford league are from the Indian subcontinent. Not one of them, despite their skills and abilities, has ever been adopted by the Yorkshire county cricket club, even at trainee level. They have gone to other counties. Those have taken them on and they have gone into the first team. One or two have played at international level.

There is only one name for that: deep-rooted, embedded racism in Yorkshire county cricket club. If we bear in mind that the club has not been particularly successful in the past 10 or 20 years, it is not a right good policy either. There are resources in our communities that are not being used and that reinforces the sense of a second-class community.

The report examines at length something that was a particular issue in Oldham—regeneration and area-based initiatives that set one community against another. The history of the single regeneration budget was of each community having to prove that it was more crime-ridden, more debt-ridden, more poverty-ridden and had more ill health and disease than the next one. As an exercise in building self-esteem, that is not very good.

That situation lasted seven years. Every year, two communities, usually a black one against a white one, would bid for that year's round. That did not do anything to engender good community relations. I am glad that we are moving away from that and considering things more thematically. The themes that are relevant to one community are often very different from those that are relevant to another. It is not a simple solution, but it would be a move forward.

We need to recognise that, probably since the original community programme of the 1970s, which people who were around in those days may remember, successive Governments have—there is no nice way of putting this—tried to buy off trouble by throwing grants at minority communities. That has patently failed.

Too often, it has been the old story: a grant for three years means having to find someone to pick up the funding afterwards. Sometimes, local authorities took it on. Sometimes, they did not. If they did, it lasted for three years and then it was out of the way. However, it seemed to people on the outside that the chance of accessing those funding streams was several times higher for people in a minority community than for people in a white community. The record will bear that out quite a long way.

Where do we go to take things forward? We need to try to get something across to people. I had a brief chat with my friend the Minister—and he is my friend—this morning. We need to engage with communities, so that people recognise their commonality of issues and problems. The issue is much more to do with class than race. I know that that sounds a bit old Labour and is perhaps old-fashioned, but it is a fact.

The problems that people have on poor white council estates equate to those of the poor Bangladeshis, Kashmiris or other people who live in our inner cities. They include poverty of aspiration and ambition, lack of educational opportunities and discrimination in the workplace. There are no end of addresses on council estates in Bradford where, if someone tries to get credit, they are immediately ruled out once they give the address. They do not even go through the credit scoring. The address is taken and that is a no-no.

We need people to realise that they are essentially in the same boat, but that different, additional pressures apply in each community. We need to have avenues that allow people to talk and discuss things with each other. In Bradford, we have a neighbourhood forum system, which works pretty well. Conveniently, communities overlap in a number of areas. Among the people who engage in the process, we get a great deal of understanding and progress. The trouble is that not enough people take part, and we need to see how we can expand that.

The more people talk to each other, discuss things and realise that they have not got two heads, or nine wives, or whatever the myths are, the more we can take things forward. However, we have an incredible problem in this country—I do not know how we can deal with it, and it is one area in which I will disagree with the Select Committee—with the way in which the media have portrayed asylum seekers and have demonised communities from around the world, and with their whole agenda about Islamophobia, terrorism and everything.

Not once in the 30-odd years of trouble in Northern Ireland did anybody say that Catholic terrorists were responsible, yet news programmes repeatedly use the phrase "Islamic terrorists". We have a situation where white communities think that every Muslim is a potential terrorist, Muslim communities think that every white person will attack them because they think that they are a terrorist, and resident communities feel threatened by the reaction of the media and of other people to incomers who are asylum seekers. That is not a recipe for people being at ease with each other. It is a recipe for social uncohesion, not for cohesion.

How do we get the media to be more responsible? The report suggests that

"local authorities and other local agencies use their advertising and promotional budgets to encourage the local media to promote social cohesion".

That sounds a bit like blackmail, like saying, "If you don't print this, we'll withdraw our advertising." I may have misread it, but that is a bit of a dodgy way to go. Something needs to be done about the way in which the media, particularly some of the red tops, portray the issues. One used to expect a higher standard from the broadcast media, not least because of the regulations, but some are slipping a long way from what one would regard as acceptable standards.

Andrew Bennett: I think the Committee was keen to emphasise the evidence from Nick Carter of the *Leicester Mercury*, who made it clear that, for his newspaper to succeed, he had to appeal to the whole of the community. In appealing to the whole of the community, he was after their advertising and after their readership. He wanted more good stories about social cohesion, rather than bad stories, and his experience was that that sold newspapers.

Mr. Rooney: We need to impress on people the economic benefits not only of a resident mixed community, but of employing and engaging with those communities. About a year ago, I hosted an event in Bradford attended by 250 companies. They were quite staggered to learn of the purchasing power of the minority communities in Bradford. Organisations such as Tesco, Sainsbury's and Morrison's realised long ago that, if they were going to attract customers from those communities, they needed to have people working for them who were from those communities: it was not altruistic, but economic. In a number of banks, building societies and similar organisations, we now see at least as many ethnic minority faces as indigenous. There are all sorts of levers that we should use that are not about legislation. Legislation has a role, but all that it can do is to punish people if they do not do what we want them to, whereas we need to change people's minds and attitudes.

[Mr. Rooney]

My next point—I see that the Minister has his defence all ready—is that last year, the Government gave £539 million to local authorities nationally for youth services, but local authorities spent only £300 million: 60 per cent. of what the Government gave them. I do not know about my colleagues, but I get extremely fed up—I nearly used a word that I should not—with every patch of grass in the constituency having a "No ball games" sign on it. Kids are being driven away from areas on which people have played for decades. I am not boasting about this, but I grew up in a poor family on a white council estate with a patch of grass in front. In the winter months, that was our Wembley, and in summer it was our Lords. If we had not had that, I do not know what we would have done, but I do not think that we would have been up to much good. If we continually deprive children of places to play and meet, we will reap the reward that we will deserve.

Bradford city council—God bless it—has just decided to take somewhere between £2.3 million and £3 million, depending on how one looks at it, out of its community budget. Notionally, that is a local authority decision and, therefore, not the Minister's responsibility, but actions such as that impact on the community plan, the neighbourhood renewal plan and the local strategic partnership plan, and undermine lots of initiatives that are about building social cohesion, so it is an issue for the Government. I hope that representations are being made through the Government office that it is a direct dereliction of the commitments that councils have made to the Government to deliver on floor service targets in poor areas.

In our authority area, there is a ward called Ilkley, of which lots of people have heard because of the Yorkshire anthem. It is the 35th richest ward in the country, whereas 12 of our wards are in the bottom 10 per cent. A few years ago, Ilkley decided that it did not want to be associated with Bradford and that it wanted to move to the North Yorkshire authority, but that campaign stopped dead when Ilkley found out that the subsidy on the lines from Ilkley to Leeds and to Bradford exceeded the council tax income of the whole town. We pour money into the 35th richest ward in the country for commuting, while we leave inner-city communities desperate and desolate. Inequality, whether for reasons of race, income or whatever is a non-starter. We will never achieve anything with social cohesion until we seriously address those inequalities.

4.8 pm

Richard Younger-Ross (Teignbridge) (LD): First, I must declare an interest, as I do in all these debates, as my wife, who works for Devon county council, is currently seconded to the Office of the Deputy Prime Minister. She is thoroughly enjoying her work.

It has been an excellent debate. I think that it has been excellent because we have an excellent and challenging report to work from. We have heard a lot about housing. The Minister for Housing and Planning is present, and he will probably say in his defence that the new draft Housing Bill will change the quality of accommodation. It certainly contains good measures, which we have debated at length in the pre-legislative scrutiny committee, but the housing issue will not be resolved unless we start to build more homes. Until the Government tackle that programme and come up with proposals to build properties, whether in inner cities or rural areas, the tensions will not be relieved. They will persist until we have enough homes of good quality, because newly arrived communities—usually those from ethnic minorities—and the poorer people will always end up in the homes that are not fit for habitation. Sadly, the Government have failed to tackle that issue so far. Perhaps in his response the Minister for Housing and Planning will enlighten us on how we are to have more homes that are fit for habitation.

The hon. Member for Stroud (Mr. Drew) sounded half apologetic for speaking in the debate—unnecessarily, because he made some good points. Like him, I represent a south-west constituency and, probably like him, I was contacted by my local papers after Trevor Phillips made his comments a couple of weeks ago. I do not know whether the hon. Gentleman recalls that some years ago *The Observer* published a document about racial hatred and racial abuse in the United Kingdom. What surprised most people was the fact that if one is from an ethnic minority, one is more likely to be racially abused in the south-west than in London. There are a number of reasons for that. Partly, it is because many people are racists, and in our areas there are fewer people for them to abuse, so each person's chances of being targeted are higher. It is a problem.

In addition, there is a tendency among councillors of all parties to believe that racism is an inner-city problem. They have seen what has happened in Bradford and Oldham and elsewhere and they think, "That is their problem, not ours. We are glad that we live here; we do not have such problems." However, we do. Some excellent work has been done in Devon and Cornwall by a former Labour councillor, John Anthony—I hate to tell the Minister, but he has left Labour; it is not that he is no longer a councillor—who works on racial equality. Excellent work is being done in building links between communities in Exeter and in south Devon, so that we do not suffer problems in the future when we try to integrate people.

To give an idea of the problems that we encounter in rural areas, let me tell hon. Members that when I first contested Teignbridge in 1992, I was out canvassing Widecombe—the place, not the right hon. Lady of a similar name—and came to a typical small cottage. The lady who came to the door was stereotypical of a Devon character. She was fairly short and fairly round, with rosy cheeks; she had on a pinny and she stood on a flagstone floor. My previous campaign had been fought in Chislehurst, where I had regularly come across National Front members in the outlying areas close to Lewisham. The first thing that that lady said to me was, "It's all the fault of the foreigners." Usually, when somebody starts like that I, like most politicians I suspect, back track as fast as possible and move on because there is no point in having the argument.

However, it was the end of the day and I was slightly tired, so I spoke to her for a little longer. I had not seen any people from ethnic minorities in Widecombe; there were none there in those days, and it turned out that her complaint about the village being destroyed by foreigners referred to the fact that people had moved in from Newton Abbot, about six miles down the road. If somebody who is just from a different place is seen as an outsider—a "foreigner"—how much more difficult will it be for somebody who is demonstrably different, whether gay or with a slightly different skin colour, to settle into such a community?

I do not criticise those communities, they are wonderful places where if something goes wrong—one's house floods, for example—the neighbours will work hard together to help. They are very supportive. However, what comes with that is that they can also be frightening or intimidating to outsiders. That is why it is important for councils in rural areas to recognise that the recommendations and points made in the Select Committee report apply to them and not just to inner-city areas.

I hope that the report is part of an ongoing process and not just a one-off. If we are to tackle social cohesion, we must have an understanding of the matrix of society. We must also be in touch with the zeitgeist—that is a terrible word and I hate it; I should say with the spirit of the time. We must have a clear understanding of structures and interrelationships, and of how people feel.

Parts of the report recommend that more research should be done, and it is important that the Government act on that. Without going through all the recommendations one by one, I hope that the Minister will say, "Yes, there is good reason to do that."

I have to confess to slight disappointment by this debate. It is wonderful that the Office of the Deputy Prime Minister: Housing, Planning and Local Government Committee undertook the report, but it is a cross-cutting matter and it is a shame that Ministers from other Departments did not have the opportunity to hear this debate. We have concentrated on housing, but we have touched on education and health, and it is important that those Ministers implement the report. Paragraph 13 states:

> "Social cohesion should be seen as a long term issue to be considered by all agencies."

That is entirely right and very important. To effect that, the Government will have to work harder in their cross-cutting Departments. What seems to happen at the moment is that the cross-cutting teams try to impose the central will and the Departments try to resist it. Somehow, the Government must resolve the blockage between the different civil service Departments in cross-cutting areas. Unless we have joined-up government—all Governments have tried to achieve that and have always had difficulty in doing so, so the problem is not new—we will not get to the bottom of the matter in time.

I want to make a couple of points about recommendations 4 and 5. Recommendation 4 states:

> "Local authorities and other public agencies need to develop a vision for the provision of services which ensures that they serve different communities . . . Any decision on the funding of a new initiative and the location of a new public facility needs to be tested to ensure that it will promote social cohesion and avoid segregation."

Recommendation 5 states:

> "All funding applications for new . . . facilities such as schools, hospitals, leisure/community centres, etc, should be closely scrutinised from a social cohesion standpoint."

That is entirely right and, again, I hope that the Minister accepts that. However, the implication—the Minister may comment on this—is that if a school is built in a location that covers the catchment area of different communities, whether those communities are ethnic, on a white council estate or in posh suburbs, that might not be the cheapest or most convenient location in which to construct it. The funding formula that follow projects must be able to take account of additional costs that may accrue by enacting that recommendation.

I was a member of the Standing Committee on the Fire and Rescue Services Bill, and I notice that the report contains a couple of good examples of where the fire services are working with the community. Page 18, on the case study of Oldham community fire station, says:

> "Initially the brigade funded a single uniformed community cohesion outreach worker to develop a network of contacts within other organisations working in the various communities."

A few pages later, paragraph 75 says, on youth provision:

> "Other public agencies including the fire and police services have also become involved in promoting social cohesion among young people . . . 'Fire service personnel have also been recognised as possessing unique qualities, which they can bring to the process, by virtue of service provision to all, regardless of colour, religion, age or social classification.'"

When we considered the Fire and Rescue Services Bill, we were approached by the chief fire officers with a request that the new combined fire authorities should have the general power of well being. We pressed that as an amendment to the Bill, and it was rejected. There is a danger in the Fire and Rescue Services Act 2004 that fire service chiefs do not believe that they can undertake that work because it is outside their remit. It is very important that the Government make it clear to the fire services that they can undertake such work, because they are in some ways in a unique position to help social cohesion and resolve problems in that regard.

On education, the report highlights a dilemma and a problem in current Government policy on faith schools. The Government have been on the record as saying that they want to see more faith schools. There are Members of different persuasions who have different views on that, and there is a body of opinion on education that says that there should be no faith schools and that schools should all be the same, although that is not my personal standpoint. There are some good examples cited in the report, and it highlights a couple of important issues. Recommendation 17, on paragraph 58, says:

> "The Department for Education and Skills should commission a survey into the relative performance of multi-cultural schools aimed at dispelling any concerns that they perform any less well than mono-cultural or single faith schools."

I am not too sure whether, if the Department does that research, that will necessarily be shown in all cases. There are unique reasons why single-faith schools can be high achieving, although I am aware of a single-faith school in my constituency that had a very bad Ofsted report a few years ago.

The report goes on to say that of the single-faith schools,

> "few tended to promote social cohesion unless there were determined policies to promote integration through the curriculum."

That is the absolute nub of the matter. If we are to have single-faith schools, it is important that they work to integrate and bring about social cohesion. It is

[Richard Younger-Ross]

absolutely vital that they are part of the community; they cannot just separate themselves off as if the community does not exist. In my constituency, there are good examples of Catholic schools that have a large intake of non-Catholic pupils, and vice versa, which is the division that tends to be found there. My mother is a Catholic, and I remember when I was young the prejudice against Catholics that the hon. Member for Bradford, North (Mr. Rooney) spoke of earlier. Such prejudice is relieved only by having people of different faiths, different communities, different races and different ethnic backgrounds learning together and playing together. I hope that the Minister has not prepared his entire response in advance and that he can enlighten us on the Government's thinking on faith schools.

Finally, on asylum and the National Asylum Support Service, Committee recommendation 46 states that

> "any review of asylum policy by the Home Office should incorporate an examination of those cases where the current dispersal policy is alleged to have damaged local communities."

The Committee did not go far enough on that point.

A private care home in Teignmouth, named Dun Esk, used to house elderly people, but because the care in the community policy did not provide sufficient elderly people to send there, the owners decided to turn it into a place for asylum seekers. At the time, it was a controversial move. However, once under way it was successful. Having overcome the reaction of the local bigots, the faith communities worked together to provide education and support. They also needed to provide clothing, because the allowances were never adequate for people who arrived in nothing but what they stood up in. However, under the Government's and NASS's policy, it was decided that the home was in the wrong place, and they stopped sending people there. As a result, the home eventually went bust and had to close.

The Government need to reconsider their asylum distribution policy. They need to consider whether the places where people want to set up homes have the support of the communities. If they do, such people should be encouraged; we should not be hidebound by regulation. We should not use the regulations to say that someone is doing a good job but in the wrong place, and that they can no longer continue. That is nonsense. My one criticism of the report is that it needs to go further on that subject.

4.27 pm

Mr. John Hayes (South Holland and The Deepings) (Con): Social cohesion is vital, and it is the subject of a lengthy report and an interesting debate. Given that the hon. Member for Teignbridge (Richard Younger-Ross) declared his wife's interest in Devon and the Deputy Prime Minister, I should draw attention to my own entry in the Register of Members' Interests. My wife also works very hard—not least, and disproportionately so, in taking care of my two beautiful little boys.

Social cohesion depends on what unites people. In the opening speech from the Chairman of the Select Committee, we heard that it can depend on what people share. At the apex, perhaps, is the sense of a common identity, which springs from the idea and reality of community. Communities are not accidents. They are not the artifice of Ministers, not even one as diligent as the Minister for Housing and Planning. They are natural things that spring from the sense that people have of the things that unite them.

I suggest that communities are built on three pillars. First, they are constructed on the collective consciousness of the people who reside and work in particular places—a manner, mood and local culture inspired and informed by the collective wisdom of ages, transmitted from one generation to another. They are embodied in local institutions, customs, language and folklore.

Secondly, communities are the result of the familiar touchstones of enduring certainty. They are about aesthetic experience, the built environment and landscape, but also about communal facilities. They are about shops, recreational opportunities, parks and libraries, local doctors, schools and newspapers—we have heard how important they can be—and about pubs and clubs and all those other things that people enjoy in their locality. Communities are also about institutions—churches, local councils and the host of little platoons of community groups, charities and voluntary organisations, each with its own intricacies, civilities and courtesies, which collectively the building blocks of civilised life.

Thirdly, community is about the ability of settlements to adapt to change and to assimilate incoming residents. Community is about the social mobility that springs from that acceptance of newcomers. Robust and confident communities appreciate the opportunity presented by blending long-established and new populations, but change should, ideally, be incremental. The built environment is as good an example of that as any. All that we build should add to what is there. It should be in scale and in character with the established settlement. It should be appropriate and should often be vernacular. It should always be determined by the people of the community.

Sadly, the modern history of our towns and cities is one of the growth of soulless, ubiquitous townscapes incapable of generating the shared pride and communal investment on which cohesion is built. I am sad to say that journies to towns across Britain will reinforce that impression—that reality, for many of us.

The report illustrates the fact that Government and local government have an important part to play in reinvigorating our towns and cities and in rebuilding social cohesion where it has been lost. That is about what the Government do and do not do. My greatest criticism of this Administration is that it is always there when we do not need it, with another petty regulation and another tax rise, but never there when we do, when a community needs support or when we need to see a local policeman.

Ms Buck *indicated dissent.*

Mr. Hayes: The hon. Lady may say that that is ridiculous, but it is pretty hard to find a policeman in many of the villages in my constituency. They are a rarity. The local police do a fine job, but their resources are overstretched. For that reason, the relationship between the law and the people is in jeopardy, because people's fear of crime becomes exaggerated, and the response to crime, when it occurs, becomes ever more uncertain. It is therefore important to say that people should have a reasonable expectation of those sorts of public services, but people in many of our communities are becoming more and more disappointed about their delivery.

Ms Buck: There is a lot of common ground between us, but if he is to be absolutely fair, the hon. Gentleman must concede that the delivery and scale of public services—whether we are talking about crime and policing, education, or many other services delivered by local government—and the investment in communities to which he referred are evidently greater than they were several years ago.

Mr. Hayes: We could have a wide-ranging debate on that subject alone, but with your perspicacity and diligence, Mr. Deputy Speaker, you would quickly call me to order. Let us explore it for a moment, however, with your indulgence.

It is undeniably true that investment in a whole range of services has improved. It is, however, more questionable whether, in the experience of many of our countrymen, outputs reflects that greater investment. I draw the hon. Lady's attention to comments made by the hon. Member for Stroud (Mr. Drew), who always speaks with insight and charm in these debates. People in rural areas are probably rather less happy about—

Ms Buck *indicated dissent.*

Mr. Hayes: The hon. Lady shakes her head, but people in rural areas are probably less happy about, for example, response times from the necessary services. It is very hard to deliver effective public services in a sparsely populated rural community, and I am yet to be convinced that the Government, or previous Governments, have taken sufficient account in their allocation of resources of such challenges. That might apply to various health services; it certainly applies to policing. I had a meeting with the chief constable and the chairman of my local police authority only yesterday, just a few yards from this place, about exactly those challenges, and they expressed the most profound concerns about the resources that they have to deliver high-quality public services in the very rural county of Lincolnshire.

Ms Buck: I am conscious of the wise words of my hon. Friend the Member for Stroud (Mr. Drew) that we must be careful not to draw too rigid a distinction between urban and rural communities. However, let us take an example that has been dear to the hearts of rural and urban communities: post offices. There is a danger of a mythology building up that rural communities are harder done by, because it is an inevitable geographical fact that rural dwellers have to go greater distances to get to services. However, London has had a significantly greater share of post office closures than anywhere else in the country. If we investigated a number of public services, we would find that, despite the sparsity debate, it is urban areas that have greater deprivation, greater need and a lower level of service in comparison with that need.

Mr. Hayes: I take the hon. Lady's point about post offices. She is right that urban post office closures have been a real concern across the country. I suppose that the response to her point was embedded in the point itself when she said that access to facilities in rural areas is often more difficult simply because of where people live and the sparsity of services. That is exacerbated for the most vulnerable citizens. Half of rural parishes do not have a bus services. Many villages in my constituency do not have one. People are particularly disadvantaged if they do not own a car, or cannot share one or get a lift, and if their village has no shop—as a number of my villages do not—no church and none of the facilities that I have described as being some of the vital components in building community life and delivering social cohesion.

I am not saying, however, that this is a simple matter. The picture is much more complex than that. I am simply reinforcing what the hon. Member for Stroud said: some of the problems faced by rural areas are as profound, in those terms, as urban problems are. The problems may differ in detail, but they are certainly not different in degree. I know that the hon. Lady, with her usual generosity, will be willing to accept the measured compromise that I have expressed in those few words. *[Interruption.]* I think that we can take that as an acclamation.

In addition, the Government need to be careful about their current preoccupation with choice, freedom and opportunity, which seems to permeate every speech and announcement that we hear from them these days. I know that the Minister is at the centre of Government and is new Labour personified, and I think that he needs to be careful about that, too. There are real issues about the balance between those important things and things such as entitlement, security and certainty, which are also important elements in delivering individual fulfilment but also collective contentment and social cohesion. I simply warn the Minister—he may say that he does not need warning—that there will be difficult decisions to make about choice. I say no more than that. He will probably be able to elaborate on that in his no doubt thorough winding-up speech.

What rings true from the report and the response to it is that the Government can be an important facilitator of cohesion in bringing together disparate groups within a community. I think in particular of the voluntary sector and private sector. Often what people do is duplicated and there is an apparent barrier to sharing information and good practice. The Government can be helpful in that respect in a variety of ways.

Housing was mentioned a number of times in the debate, including by the hon. Members for Regent's Park and Kensington, North (Ms Buck) and for Bethnal Green and Bow (Ms King). I do not want to be too complimentary about them, because last time I was nice to one of the hon. Ladies—I cannot remember which one—I was accused in the press of flirting, and I have never understood quite what that meant.

Both hon. Ladies identified housing as an important aspect of delivering social cohesion. If social mobility and the mitigation of disadvantage are important elements in delivering social cohesion, housing must lie at the centre of our considerations. The acquisition of housing, both to rent and to own, is an important element in giving people a feeling that they have a stake

[Mr. Hayes]

in their community. The issue is not solely about home ownership, although it is partly so. We know that between 85 and 90 per cent. of people want to own their own homes, and it is important that we provide as many of them as possible with the opportunity to do so.

Ownership lies close to the centre of the issue, but we must also deal with the unacceptably significant problem of homelessness. I know that the fact that we have now reached the dreadful figure of 100,000 people in temporary accommodation weighs on the Minister's conscience every night when he goes to bed. That figure really is not appropriate, and I am sure that he will want to do something about it. However, it is vitally important that we address the issues associated with homelessness and hidden homelessness—I draw attention to Crisis's good work and report on that subject—as a means of delivering a greater sense of shared identity and a greater feeling among people that have a real stake in their communities.

I make no bones about the fact that I would like the Minister to consider shared equity as a way of dealing with affordability. I would like him to create a more flexible and fluid housing market so that people can move more easily from social housing into market housing, thus freeing social housing for the homeless. I would like the Minister to be more innovative and imaginative in his approach to housing. I know that being in government is tougher than being in opposition, but it is time for fresh thinking about those issues and that has a direct bearing on the consideration of the report and its aftermath.

We also heard about diversity—I mention the hon. Member for Bethnal Green and Bow again because she summed up the issues clearly. She said that as diversity had grown, simultaneously, cohesion had often reduced. That is an interesting observation, and we must be bold in addressing it. The real question is whether those trends are coincidental or whether one is the consequence of the other. If they are consequential, how do we overcome the challenge?

I do not have any great solutions, but I suspect that the right way forward involves trying to emphasise the things that unite us, so that they become more significant in our considerations, than the things that divide us. There are a lot of ways we could do that—for instance, through education, by building good links between communities, through aspiration and housing, as I have said, or through employment practice. The process must not be top-down, however, but bottom-up, with the Government acting as a stimulator and facilitator.

It is probably true that in communities that have experienced problems for a long time, in the way that the hon. Lady described, some of the lessons—I put it no more strongly than that—are better understood and have been learnt more effectively. It is interesting to compare, as she did, the experience of east London and its long history of assimilating new groups with the history of Oldham, which is highlighted in the report and which was mentioned by the hon. Member for Denton and Reddish (Andrew Bennett), who is the Chairman of the Select Committee. Perhaps we need to be better at exporting good practice and sharing across institutions some of the knowledge and understanding that has been gleaned in communities where things work as well as they can. I am not sure that the mechanisms for that are well developed. I often think that cross-authority, cross-organisation work of that kind is not as well founded as it might be, not even the sharing of good practice across local authorities, let alone across health, education and social services, the voluntary sector, the private sector and local authorities, in different geographical areas.

Ms King: The hon. Gentleman makes a good point. I just want to underline the fact that various other local authorities are using the practice developed in Tower Hamlets, but he is right that we need to improve and extend best practice.

Mr. Hayes: I take the hon. Lady's point, which does not require further comment.

I was in Wandsworth last week to look at that excellent borough's work on hidden homes. I know that the Minister is familiar with it. That outstanding project has made available many new social flats and houses for homeless people. I went into some of them, and they were absolutely superb properties that, frankly, anyone would be happy to live in; I certainly would. I ask the Minister to consider whether that example could be exported. Wandsworth estimates that there may be as many as 10,000 properties across London. I cannot validate the number, but the programme is certainly worth considering. It is another example of the kind of shared practice to which the hon. Lady draws attention.

I expect that the Minister will want give us a long and detailed summary, so I shall just review some of the specific points made in the report. I note the comments about youth provision, which are timely, given that the Prime Minister did not seem to know what the youth service was during Prime Minister's questions. He was asked a question by my hon. Friend the Member for South-West Bedfordshire (Andrew Selous) about the youth service but did not seem to understand what it was, which is slightly worrying.

The youth service is important. Youth provision is heavily associated with the objectives of social cohesion, which, as the hon. Members for Denton and Reddish and for Bethnal Green and Bow, and others, said, must intrinsically transcend all the agencies of the Government and local government. As has been said repeatedly, it must be not a bolt-on but an intrinsic consideration in the formation and delivery of a range of public policies. Recommendation 25 deals with the youth service.

In recommendation 30, the Select Committee draws attention to the importance of social cohesion in major strategic Government initiatives, and it mentions the Northern Way. I spoke on social cohesion at the Northern Way conference in Leeds recently. It seems slightly remiss that it is not at the heart of that initiative, although it is mentioned, and that it does not play a large part in the sustainable communities plan, which seems peculiar. The point was identified by the Committee, and I hope that the Minister will address it.

Several recommendations—42, 43, 44 and 45—deal with policing. I do not wish to go into great detail, except to say that under successive Governments there has been a kind of policing that is, in essence, target and crime-driven. That did not begin in 1997, of course—the assumption is more deep-rooted than that. However, the result of that has been that non-adversarial policing has become harder, because of the resource implications.

Essentially, crime-driven targets, which lead to the areas with the greatest crime getting the most resources, perhaps, understandably, mean that all the work done by the police in reassuring people, going to schools and working with all the agencies that comprise communities is hard to justify against national objectives and targets, and hard to fund because of the way resources are allocated. They do that work, but it is increasingly difficult for them. We need to take a close look at how the police are funded and how we can improve their opportunity to become involved in what might be called non-adversarial police work.

Andrew Bennett: I hope that perhaps the hon. Gentleman will take a little time to consider what has been happening in Oldham. As I understand matters, one thing that Chief Superintendent Baines did was to try to make sure that the police did much more of the kind of work he has described, including reassuring communities. Some of the spin-off was that the police got far more information back from the community. As a result, they achieved their targets for reducing crime.

Mr. Hayes: That is exactly that point. When the police become involved in that kind of preventive policing, they do not simply reassure the community and deal with the fear of crime. They also develop an effective intelligence-gathering operation, which helps to prevent future crimes. In addition, they take on an educational role, particularly for young adults and children, which helps to change the culture connected with lawlessness.

The trouble with those approaches is that some are hard to measure. They have an effect but it is not immediate—there is no direct cause and effect. We need to examine the ways in which the Oldham experience, and that of other towns and cities that have gone about the same task, can become a regular part of policing assumptions. Police authorities still do not universally adopt that kind of proactive and imaginative strategy.

Ms Buck: I agree wholeheartedly with what the hon. Gentleman says, but can he assure me that in future he and his colleagues will not pore over newly published crime statistics for any that are moving in the wrong direction and then use them as a stick to beat current policing practice?

Mr. Hayes: I could not possibly make a commitment on behalf of my colleagues in the shadow Home Affairs team, because they are wiser and better informed than I could ever be. I will say that we need a measured approach to criminal statistics. They can often be interpreted in many ways. Indeed, that is probably true of most Government statistics.

I want to raise another issue before I finish. It is almost the dream that dare not speak its name, and it certainly has not spoken its name in the debate. I mean the dream of assimilation. We have heard a lot about diversity, which is important. It is good that we have heard a lot about it. However, at some stage—today is not the day, because there is not time and a thorough and considered debate is needed—the House should talk about the issue that Trevor Phillips put on the agenda as effectively as anyone could have done a few months ago. That is the issue of whether we want an assimilated society—one that he described as placing greater emphasis on cohesion than seems to happen now.

I mention that because it is an important debate that is needed. I draw no conclusions and am not making bold statements today, but the House needs to talk about it much more openly and honestly than we have done so far, because it has great ramifications.

For me, the greatest purpose of politics is the mitigation of disadvantage. The issue of poverty has been raised. I do not think that social cohesion is possible while there is extreme poverty. I do not think that social cohesion is possible unless there is a real sense of social mobility. I think that that must be acknowledged.

The hon. Member for Bradford, North (Mr. Rooney) speaks too rarely. We should hear more of him. I think that the Minister has been a little unkind in not letting his able assistant give forth to the House more regularly. I think that the real reason is that the Minister thinks that he might be put in the shade.

Mr. Rooney: I hope that the hon. Gentleman is not flirting with me.

Mr. Hayes: I do not know what that means. I am not even off base camp when it comes to flirting.

As I said, for me the greatest purpose of politics is the mitigation of disadvantage. The greatest challenge in assisting human happiness is to repair where there is damage and sometimes to recreate social cohesion through social renewal. That means family. It means community. It means strong values and shared pride. All those things are necessary if we are to have true social cohesion.

4.56 pm

The Minister for Housing and Planning (Keith Hill): I congratulate my hon. Friend the Member for Denton and Reddish (Andrew Bennett) on securing the debate and on bringing the important subject of community cohesion to the attention of the House. I am pleased to respond to the debate, not only, properly, as a Minister in the Office of the Deputy Prime Minister but as a Member of Parliament who represents an extremely diverse constituency in south London. The 2001 census showed that almost 40 per cent. of the residents in my constituency are from a black or minority ethnic background.

It has, generally, been a good debate, wide ranging and well informed. I am sure that the House will forgive me if I single out the excellent contribution by my hon. Friend the Member for Bradford, North (Mr. Rooney). It was a superb vindication my choice of him of Parliamentary Private Secretary.

Many important issues have been raised, and I will seek to address them. Where I am unable to respond to a specific issue, I will write to the hon. Member concerned. It goes without saying that Ministers in other Departments will follow our proceedings carefully.

[Keith Hill]

I pay tribute to the Select Committee and its Chairman for the thorough and thoughtful way in which they approached the inquiry and explored a number of issues important for the future of our society. The Committee's report is a constructive contribution to the debate and makes a number of interesting recommendations on which I shall continue to reflect. Following the disturbances in Oldham, Bradford and Burnley in the summer of 2001, social cohesion became a key priority on the Government's agenda. I welcome the opportunity to emphasise its importance.

For the sake of clarity, I want to use the Government's preferred term, which is "community cohesion", rather than "social cohesion". We believe that it recognises that people lead local lives and that local communities must play an extremely important part in finding solutions to local problems. None of us can be complacent about community cohesion. Cohesive communities are strong and safe communities and are able to address issues affecting the social and economic well-being of all their residents.

Since 2001, we have taken numerous measures to tackle the causes of the disturbances, and we welcome the Committee's recognition of the progress that we have made. We worked in partnership with colleagues from across Government, the wider public service, the private sector and voluntary and community organisations to develop a good understanding of how to create the context in which cohesion can grow.

Since the disturbances, Bradford, Burnley and Oldham have all received significant additional funding and a range of other support from central Government and the regional government offices. All three areas have put in place robust community cohesion plans, developed by local agencies working together. We are encouraged by the commitment that they have shown. I visited the Bradford home hunter scheme, which has seen a sevenfold increase in the number of black and minority ethnic households on the housing register and a 68 per cent. increase in lettings to that group. The scheme was devised after research highlighted a lack of knowledge among people from black and minority ethnic groups about how to access social housing and negative perceptions about council housing. An action plan was drawn up that focused on, for example, reforming the allocations system by adopting a choice-based lettings scheme; improving direct communication between social landlords and black and minority ethnic communities; improving the condition and image of council estates; combating racial harassment; and promoting cross-cultural awareness.

The House will be aware that both Oldham and Burnley are benefiting from the housing market renewal pathfinders, which provide £53.5 million to the Oldham-Rochdale partnership and £68 million to east Lancashire. Cohesion has been emphasised in both partnerships. In response to a precise point made by my hon. Friend the Member for Bethnal Green and Bow (Ms King), a good example of how pathfinder money has been used to promote cohesion is the extension of a council arm's length management organisation called First Choice Homes, which provides support to people moving into homes in areas not traditionally associated with their own community. Tenants are provided with a package of support that includes an out-of-hours call service to housing officers and the police if they suffer any racially motivated incidents; visits by housing officers in the initial stages of their tenancy; and security measures. It is an interesting and important project. If it is an approach that proves successful, we will encourage its roll-out nationally.

Since the Government published their response to the Select Committee in July, work has continued across government to take forward this important agenda. Notably, the first part of updated Local Government Association guidance on cohesion will be published next week at a community cohesion pathfinder event. That practical guidance will be followed by strategic guidance early next year.

Andrew Bennett: Will my right hon. Friend assure me that it will be much more effective than the existing guidance?

Keith Hill: It will be, as a result of the importance that my right hon. Friend's Committee has attached to proposals of that sort. In light of the disturbances of 2001, debates such as this and his Select Committee's report, which have seized the agenda, I can assure him that the Government are already responding in a positive and practical way to many of the issues he has identified. I can also assure him that, with an expectation of early delivery, much work is continuing within government.

I was pleased to launch a joint Home Office and ODPM guidance document for those working and living in area-based initiatives last week. With reference to those initiatives, my hon. Friend the Member for Bradford, North said that the guidance document was particularly pleasing as it provides helpful, practical guidance and real-life case studies for those making ABIs work on the ground. The Committee recommended that local authorities and local agencies should agree concordats with local media, setting out how they would work together. I assure my hon. Friend that those concordats will be launched soon. The launch will be deliberately low profile, so that it does not have a counter-productive impact.

As a Leicester lad, born and bred, I was interested and pleased to hear my hon. Friend's observations about the attitude of the *Leicester Mercury* and its editor, Mr. Nick Carter. My hon. Friend's account of its approach is very reassuring, all the more so because historically it was not always thus—far from it. I congratulate the *Leicester Mercury* and its editor.

My Department said that it would carry out a race impact assessment of the housing allocations legislation, and that work is being taken forward. We have also commissioned long-term research into the impacts of choice-based lettings to which we committed ourselves in our response to the Committee's report.

Further progress has also been made on the Government's community cohesion and race equality strategy, which will be launched later this year. We acknowledge that there is still much work to be done but we are determined to build on the progress that we have already made—for example through the Race Relations (Amendment) Act 2000. That is why we have decided that this is an appropriate time to develop a Government-wide community cohesion and race equality strategy, which is due to be launched at the end of the year. That will form the basis of a renewed programme of action across Government and more widely to build community cohesion and reduce race inequalities.

The strategy will emphasise that although there is a key role for all central Departments in promoting community cohesion, it is organisations at local and regional levels that will be the key drivers of change. We need strong local leadership from all sections of the community, and we recognise the need to incentivise local authorities to break down barriers between different communities. That is why we have taken various measures, such as revising the comprehensive performance assessment framework from 2005 to assess a council's approach to promoting community cohesion as part of the safer and stronger communities judgment in the corporate assessment.

Mr. Hayes: What specific steps have the Government taken to encourage the communication of good practice between authorities and the sharing of information between other agencies? That is fundamentally important, as various hon. Members have said.

Keith Hill: The hon. Gentleman will recall my reference to the fact that only last week, I launched a good practice guide on the basis of the experience in community cohesion contained in area-based initiatives. That kind of guidance, and the drawing together of good practice, will be part and parcel of all Government initiatives in this field. It is fundamental that we draw on what has succeeded so that it can be as widely communicated as possible.

On the CPA process, although we do not propose to weight cohesion in the way that we weight some of the major service areas, we expect that cohesion will be a consideration in any judgment on each service area, where it has been identified as a weakness. For local authorities where cohesion is identified as a problem, we expect to see improvement plans in place throughout all service areas. In other words, we want to encourage what might be termed a golden thread of cohesion running through all improvement planning.

Indeed, we strongly believe that community cohesion principles need to be embedded in all mainstream services and that that is not just about special projects. As I have already mentioned, we have revised the CPA framework from next year to assess a council's approach to promoting community cohesion. At local level, various authorities including Calderdale and Blackburn with Darwen have cohesion targets in their local public service agreements. Oldham has a target on fairness in employment and service delivery and a second target on building cross-cultural links between schools.

In particular, my Department has been working to incorporate community cohesion in mainstream policies in the fire service, which was raised by my hon. Friend the Member for Denton and Reddish and the hon. Member for Teignbridge (Richard Younger-Ross). We have encouraged the fire service to play an increasing role in that agenda, including through local strategic partnerships and in partnership with neighbourhood wardens. Firefighters have been working with young people through a range of schemes, and community fire stations have made their facilities available for community use. Beacon status with funding was awarded to Cheshire fire authority in recognition of its wide-ranging work to promote community cohesion.

Furthermore, we have worked with the Local Government Association, the Home Office, the Audit Commission, the Commission for Racial Equality and the Inter-Faith Network to revise the LGA guidance on community cohesion—another example of the ways in which we are trying to spread good practice. That was raised by the hon. Member for South Holland and The Deepings (Mr. Hayes). The first of two documents will be published in November, and it sets out practical steps that local authorities and their partner organisations can take to build community cohesion into their policies and delivery of services, as well as providing examples of good practice. The second publication will provide strategic guidance to local authorities and their partners and will be published early next year.

We all recognise that central and local government and all our partners have more to do in order to build community cohesion. That means finding new ways to work together so that we can deliver even more efficient and effective public services. Local area agreements represent a radical new approach to improving co-ordination between central Government and local authorities and their partners, working through the local strategic partnership. Bradford will be one of the 21 pilot local authorities. That is a positive development, because local area agreements will simplify the number of additional funding streams from central Government going into an area, help to join up public services more effectively and allow greater flexibility for local solutions to particular local circumstances.

Community cohesion is a cross-cutting issue that concerns several central Departments. It is a key priority for my Department because of our commitment to sustainable communities. The Select Committee report expressed concern that many regeneration initiatives target very local areas and have generated resentment among residents in other areas who feel that they are losing out. However, we believe that the national strategy for neighbourhood renewal places regeneration within the right framework to ensure that it does not cause such tensions. It recognises that community participation is vital in regeneration projects, in order to be able to empower local people and to explain why different choices are made. It also enables local strategic partnerships to allocate funds according to local priorities, working across neighbourhood boundaries if they consider that appropriate. The Government's aim of narrowing the gap between the most deprived areas and the rest should also reduce the potential for tensions that can cause conflict in local communities.

We strongly believe that area-based initiatives can stimulate community cohesion if adequate support is provided. The Office of the Deputy Prime Minister and the Home Office have worked together to issue guidance both for those designing area-based initiatives and for those delivering them.

My hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck) raised the issue of capacity building. I absolutely take her point about the

[Keith Hill]

long-term need for it, but I must point out that the neighbourhood renewal fund provides funding for capacity building to community empowerment networks, which are represented on the NRF local strategic partnerships. Community engagement is central to the national strategy for neighbourhood renewal.

Andrew Bennett: Does the Minister recognise that capacity building has to go on and on? One of the sad things in many cases has been that as capacity has been built up, and people have gained skills, they have used half those skills to help the community, and the other half to move on to different communities. Therefore, we have continually to increase the supply of people with skills in each community.

Keith Hill: My hon. Friend is entirely right. That is what I acknowledged in my response to my hon. Friend the Member for Regent's Park and Kensington, North. The point is very well taken, and I undertake to take it back into my work as a housing and planning Minister. The issue of housing was raised by my hon. Friends the Members for Denton and Reddish, for Regent's Park and Kensington, North, for Bradford, North and for Bethnal Green and Bow. Overcoming segregation in housing is central to building community cohesion. One of the Select Committee's key recommendations for the ODPM was to review our present policies on choice-based lettings. We do not necessarily agree with the Select Committee that there is what it calls a

"tendency for freedom of choice to lead to greater segregation."

However, we recognise that that is a legitimate concern, and that is one of the reasons why we have embarked on a race impact assessment of the allocations legislation, including choice-based lettings. That will be completed and published by the end of the calendar year.

We are committed to giving all social housing tenants more choice over where they live, as we believe that is the best way to build communities that are stable, viable and inclusive. Choice in housing should not be restricted only to those who can afford to rent or buy their homes privately. We are pleased that the evaluation of our pilot scheme has indicated that the introduction of choice-based letting has been widely welcomed both by applicants and the pilot authorities, and that it has led to increased participation by members of the black and ethnic minority communities.

Perhaps I may now pick up one or two points made in our debate. My hon. Friends the Members for Bethnal Green and Bow and for Bradford, North raised issues about education. There is no doubt that the long-term solution to preventing social tensions from developing in the community lies partly in the classroom. Understanding other cultures is the starting point to promoting greater tolerance, which is why we developed the citizenship curriculum. This programme of study specifically provides for pupils to be taught about the diversity, origins and implications of national, regional, religious and ethnic identities in the UK, and about the need for mutual respect and understanding.

Our education policies are all about trying to improve the quality of education provided for all children, and about giving all parents choice about their child's education. However, we acknowledge that achieving these aims alone will not necessarily achieve greater community cohesion, which is why we have developed a range of initiatives to ensure that community cohesion is a key factor in all admissions policies.

Local education authorities are required to publish an annual composite prospectus that gives details of all the maintained schools in their area, including each school's admissions policy. Many schools also use open days and taster days for prospective pupils as a means of dispelling misconceptions. Furthermore, the code of practice on schools admissions encourages faith schools to give priority over at least some places to local children of other faiths or of no faith.

My hon. Friend the Member for Denton and Reddish specifically referred to new schools. As highlighted by the Select Committee's report, the building of new schools provides an excellent opportunity for making real progress in tackling segregation. This Government have invested an unprecedented level of capital in school buildings, and we are pressing LEAs to ensure that full advantage is taken of this opportunity to provide facilities that serve all communities in an area.

In its guidance on building schools for the future, the Department for Education and Skills specifically asks LEAs to consider their plans alongside other key local strategies such as those for regeneration, and to consult the widest range of local partners and communities. Similarly, the DFES has been working to ensure that new school designs incorporate areas that will enable community activities to take place and be inviting to members of the local community.

My hon. Friend the Member for Bethnal Green and Bow laid heavy emphasis on the importance of youth provision. I shall, if I may, add a personal observation, which is somewhat risky for a Minister. I totally agree with her that youth provision should rise even further on the Government's political agenda. Funding for the youth service comes from the youth and community sub-block of a local authority's education formula spend. In 2004–05, that provides possible resources of £539 million—an increase of more than 5 per cent. on last year—although I take the point made by my hon. Friend the Member for Denton and Reddish that that available spend is not always deployed. Let me add, however, that a youth Green Paper for 14 to 19-year-olds is being drafted, which is evidence that I hope will reassure my hon. Friend the Member for Bethnal Green and Bow that policy on young people is clearly a priority throughout Government.

I have already talked about housing but, with the indulgence of the Chamber, let me pick up on a couple of other issues in the limited time available. We are committed to mainstreaming community cohesion in housing policy. This issue is obviously a key concern for us. As my hon. Friend the Member for Denton and Reddish said, Ted Cantle considered segregated housing to be one of the main causes of the 2001 disturbances.

In addition to choice-based lettings, we are developing various initiatives to ensure that community cohesion is mainstreamed in housing policy. First, we have also developed the housing market renewal pathfinders to tackle low demand for housing in deprived areas. These are beginning to make excellent progress in areas of low demand and should contribute to overcoming segregation in housing by providing a larger selection of housing types.

We have also developed an action plan on lettings and cohesion. It focuses on research that is being undertaken and on pilot projects that are looking at the causes of conflict and the barriers to cohesion. The output from those work streams will inform the development of a more strategic approach to housing and community cohesion. The action plan is a starting point for that process. It brings together in one place the actions that ODPM, the Home Office and others are taking to develop the community cohesion and housing agenda.

Ante-penultimately, I turn to policing. We recognise the important role that the police can play in supporting local communities. Home Office Ministers have provided strong support for police activities in relation to communities and community cohesion. We have heard a positive account of the role of the police in Oldham and Burnley from my hon. Friend the Member for Denton and Reddish. The Home Office is working closely with the Association of Chief Police Officers to promote learning and best practice examples. The Metropolitan police's step change programme is a good example of a neighbourhood approach to policing, and the Home Office has supported its development.

Within the national policing plan for 2004–07, cohesion is supported by the key priority to provide a citizen-focused service that responds to the needs of individuals and communities and inspires confidence in the police, particularly among minority ethnic communities. My hon. Friend the Member for Denton and Reddish referred to the pilots already going forward under the national centre for policing excellence, which is currently piloting work around the police response to community cohesion. The work is being carried forward in eight areas: Leicestershire, Burnley, Bradford, Bournemouth, Ilfracombe, Tower Hamlets, Newcastle and Edinburgh. The results of the implementation and trial phase will form the basis of guidance to the police service, which will be delivered by the NCPE in autumn 2005.

Penultimately, on translation services, which my hon. Friend the Member for Denton and Reddish raised, the Government's response to the Select Committee highlighted a meeting of the cross-government working group on translation service, which is being led by the Home Office, which has been tasked by that group to devise a set of concrete proposals for sharing translation and interpreting services. We expect that work to be completed next year and the group will meet again to discuss how to take the proposals forward.

Today's debate has provided an excellent opportunity to reinforce the Government's commitment to a better future for our communities, and I am grateful to my hon. Friend the Member for Denton and Reddish for raising this important subject and permitting me to set out the Government's policies.

5.23 pm

Andrew Bennett: By leave of the House, Mr. Deputy Speaker, may I thank you for chairing our proceedings? I also thank my hon. Friends and Opposition Members for their participation and the Minister for answering so many of our questions. I assure him and the hon. Member for Teignbridge (Richard Younger-Ross) that the Select Committee will return to the issues in due course because, if Select Committees are to be effective, they must keep nagging at the Government.

Question put and agreed to.

Adjourned accordingly at twenty-four minutes past Five o'clock.

Westminster Hall

Tuesday 26 October 2004

[MR. JONATHAN SAYEED *in the Chair*]

Council Tax Revaluation

Motion made, and Question proposed, That the sitting be now adjourned.—*[Phil Hope.]*

9.30 am

Mr. Steve Webb (Northavon) (LD): Normally, when I stand up in the House I talk about pensions and pensioners. Although the subject today is council tax revaluation, it will be of particular interest to pensioners across the land who are suffering from a tax that has little or no relation to their ability to pay and has become increasingly onerous in recent years. While the subject of my debate is not the reform and replacement of the council tax, it is important to set the context. Although I will focus on the impact of council tax revaluation, my preferred solution is that we do not go through the whole palaver of spending £200 million revaluing houses, but move directly to a fair tax. That is obviously what I hope will happen.

In the unlikely event that that does not happen, it is worth reflecting on the possible alternative, which is the revaluation of council taxes. In many ways, the planned revaluation shows why the council tax is unfair. Under government policies, that will happen every 10 years, indefinitely. We will have a taste of it in a few years time. Then it will keep happening. Many of the problems that I describe in this short debate will be recurrent features of the system. My central point is that the impact of council tax revaluation will be capricious and arbitrary. It will create gainers and losers. Many of the losers will not be well placed to pay what in some cases will be substantially increased bills. I am not trying to run a scare story or saying that everyone will pay more. Revaluation will create gainers and losers.

Mr. Philip Hammond (Runnymede and Weybridge) (Con): Will the hon. Gentleman give way?

Mr. Webb: On the subject of scare stories, I willingly give way.

Mr. Hammond: On the subject of gainers and losers, will he confirm that a local income tax would also produce gainers and losers?

Mr. Webb: It certainly would. I understand that 70 per cent of people would either be unaffected or would gain from a local income tax. The vast majority of pensioners, to return to my initial comments, would gain substantially from the change.

David Taylor (North-West Leicestershire) (Lab/Co-op): There will be gainers and losers on revaluation, but does the hon. Gentleman accept that some of the gainers will be those who lost last time and some of the losers will be those who gained last time and so it is at least conceivable that the revised valuation framework will be fairer than the current system?

Mr. Webb: In a sense, my central point is that the pattern of gains and losses will be quite arbitrary. I started my research for this debate with certain assumptions about clear-cut patterns of gains and losses. The more I have looked at it, the more I have realised that in one street there will be a gain and in another there will be a loss. There will be well-off people gaining and there will be poor people losing; it will be all over the place. In my judgment, only moving to a system based on ability to pay will ensure that the gainers are those who can least afford to pay council tax and the losers are those who can most afford to do so.

Mr. Edward Davey (Kingston and Surbiton) (LD): Does my hon. Friend accept that because the Government have been so dilatory in giving even a sense of direction on where they are going on council tax reform, we cannot begin to guess who the losers and gainers will be? All that we know is that there will be a lot of losers.

Mr. Webb: I certainly will not let that stop me trying. My hon. Friend is absolutely right. People do not know what sort of local tax system they will get. At the general election, both the Labour party and the Conservative party will stand on a policy of, "We do not know yet what sort of local tax system we want". Only one party will say what it does want to see happen. But, Mr. Sayeed, you would not want me to be diverted down that track. Let us focus on the revaluation.

The council tax was introduced in 1993 by the Conservatives after a previous failed local tax system. They were trying to get out of a local taxation mess. The system was based on 1991 property values. There was no initial provision for a revaluation when the council tax was introduced, but the Local Government Act 2003 provided for a rolling 10-year cycle of revaluation. The revaluation is now being prepared and is expected to be implemented in 2007. That is my understanding. What will the effect be? As they say, we do not need a crystal ball when we can read the book, and we can see what has happened in Wales—just a few miles away over the Severn bridge—where revaluation has already taken place.

The Welsh experience raises several interesting points, which might be informative for our discussion. First, when Welsh properties were revalued, the value of bands was increased too—not only did people move up bands because of general inflation but the value of bands increased. However, that increase was not uniform, and I shall return to that, because I had assumed—as I said, I came to the issue relatively fresh—that every band threshold would go up by the average increase in Welsh house prices. That is not what happened, however, and it is interesting to reflect on why it did not happen.

The Welsh have introduced a band I—or a band Dai, as I think they call it in Wales—at the top. Although it affects only a very small number of properties, it obviously makes the tax system slightly more progressive. The Welsh Assembly also considered changing the relative fraction of the band D council tax

[Mr. Webb]

charge in each of the bands, but on reflection decided not to do so. So, the band structure remains essentially the same, although there is one extra band at the top, which affects a very small number of properties, and there are the same relativities between the bands. However, there is a differential increment in the band thresholds, which is quite a good thing, for reasons that I shall explain.

As is well known, the overall effect of the revaluation is that approximately a third of Welsh households will be placed in a higher council tax band—just 8 per cent. will be in a lower band. Of the 33 per cent. of Welsh households that will be placed in a higher band, 28 per cent.—or 28 33rds, as it were—will go up one band, 4 per cent. will go up two bands and approaching 1 per cent. will go up three or more bands, which is an incredible change in underlying liability. I shall come to some of the transitional measures in a moment, but those are the underlying changes.

Obviously, a lot depends on what happens to the band D rate. It is not obvious in itself that someone would pay more just because they moved up a band, although the chances are that they would pay substantially more. Someone who moved from band D to band E would pay an extra 22 per cent. of any given level of band D tax. Someone who moved from band D to band F, or an equivalent number of bands, as 4 per cent. of people would do, would pay 44 per cent. more council tax. That might be slightly offset by a reduced band D level, although we do not know that for sure yet. However, anyone who moved up two bands would be substantially hit, and that, of course, is before any increase in the council tax that a local authority might want to levy.

Valerie Davey (Bristol, West) (Lab): The hon. Gentleman said that he would not put out a scare story and that he would soon come to the transitional arrangements. Surely, those arrangements are crucial to the Welsh system and the system proposed by the Government, because nobody will be jumping three bands in the way that he suggests.

Mr. Webb: What is rather interesting about the transitional arrangements proposed by the Welsh Assembly is that someone could go up a whole band in a single year, which, if they moved from band D to band E, would mean a council tax increase of 22 per cent. Even if the band D rate fell by a few per cent. to offset the general drift upwards in bands, people could still face massive council tax rises in a single year. The 28 33rds, or slightly more than four fifths, of people who went into a higher band would therefore receive no benefit from transitional protection because they could go up a whole band in a single year. In other words, the vast majority of people who went up bands would have no benefit from transitional protection. Those who went up two bands would have only one year of transitional protection, because they could go up two bands in two years under the Welsh Assembly's transitional arrangements. That leaves only 0.7 per cent. of Welsh households benefiting for more than two years under the transitional arrangements. Someone whose council tax rose by 44 per cent. in two years would not take much comfort from the hon. Lady's intervention.

The impact on different sorts of household would be capricious and rather arbitrary. Those who were just inside a band after revaluation would probably gain. If an across-the-board valuation of bands was slightly more than the general increase in prices, the band D rate might go down. So, those who stayed in a band might pay less, while those who went £1 over a band might pay 20 per cent. more. A house price increase of £1 or £2 either way could result in a difference in council tax of as much as 20 per cent. Where is the logic in that? Where is the fairness? Cliff edges of that sort will become more acute as a result of revaluation. That would not happen with local income tax, which is a continuous method of taxation; marginal changes would have a marginal impact. There would be no cliff edges as there are with council tax.

The second capricious and arbitrary feature of the revaluation would be that people in the bottom band could not move down. Unless the Government subdivide the bottom band, and even if there was an across-the-board indexation, only by reducing the band D rate would those in the bottom band see any benefit from the process. People already in the top band could not go any higher—unless the Government introduced yet more bands at the top. Rather perversely, the reform would result in gains in some rather odd places—for instance, among those whose houses had stayed within a band even if the band thresholds had moved significantly—whereas some of the poorest households would gain very little. Looking at the Welsh example, the distribution impact of the changes is far from obvious.

I return to the point on damping raised by the hon. Member for Bristol, West (Valerie Davey). As I said, even under the transitional arrangements, some people will see their council tax increase by two bands in two years. That is a huge hike in liability, but with no change in people's ability to pay. In fact it could be worse than that. Someone who bought a house in 1991 while in employment, who was still living there after retirement in 2005, and therefore after the revaluation, could find that his ability to pay was substantially less, but that his council tax liability had increased dramatically. Again, the impact of the revaluation will have precious little to do with people's ability to pay.

If one looks beyond the aggregates, one can see huge variations in the impact of the tax among local authorities in Wales. In Cardiff, 64 per cent. of residents have seen their properties rise by one or more band; and 14 per cent. of that 64 per cent. have gone up two bands or more. One Cardiff householder in seven will have gone up by two bands or more over the next two years. They will see a rise of perhaps 30 per cent. or 40 per cent. in council tax for no improvement in services—and, critically, no change in their ability to pay. In Blaenau Gwent, however, only 7 per cent. of households have gone up, and 18 per cent. have gone down. The changes have different implications in different parts of Wales, with some people seeing a huge change in liability over a short period. What sort of tax is it that can swing massively from one year to another, but has no relation to the ability to pay?

David Taylor: Does the hon. Gentleman accept the basic assumption that the aggregate income from council tax will not necessarily rise, and therefore that those who move up one band—as he said, as many as a quarter of people will do so—will not necessarily be paying more council tax as a result of the revaluation? The charge per band could decline; it could go in the reverse direction.

Mr. Webb: I have already said that if the general tendency is to move into higher bands, there would be an offset if the band D rate were to come down. However, the beneficiaries will primarily be those who stay in the same band. If people who stay in the same band—the majority—are better off, somebody else will be worse off. The only people left are those whose council tax has gone up. It must be so.

I did not claim that those who moved from band D to band E would go up the full 22 per cent. I was explicit; I said that there might be some offset from the lower band D rate, but that it would not be a total offset. It cannot be a total offset, or those who stay within bands could not benefit; but they will benefit if the band D rate goes down. We do not know. For example, those who move up two bands—as have one in seven Cardiff households—could suffer an underlying 44 per cent. increase. I cannot believe that the band D reduction is going to be a fraction of that, and such people could still be 30 per cent. or 40 per cent. worse off over two years. That is capricious and unfair.

Mr. Hammond: Will the hon. Gentleman give way?

Mr. Webb: Perhaps I could make some progress. I will give way later if the hon. Gentleman still wants to intervene.

We have huge variations between areas; some people are facing very large losses. What does the Welsh experience tell us about what might happen in England? The Government obviously have not told us. They have not yet decided whether to have more bands, or whether the relativities—the ninths—or the thresholds are likely to change. One of the purposes of today's debate is to highlight what might happen, and to ask the Minister to give us some assurances about the Government's thinking on the issue. How does he plan to counteract some of the capricious and arbitrary effects of revaluation? I hope that he will respond in the right spirit.

In England, in principle, the same sort of phenomenon could take place. However, if there were to be a national revaluation of English house prices, there would be huge regional variations. For example, going by the Nationwide building society's house price index, house prices in greater London have trebled since 1991—there has been an increase of 205 per cent. The next fastest rising prices have been in the south-west, where they have risen by 193 per cent. Those regions are at the top of the table. As a south-west MP, I would point out that, of all regions outside greater London, the south-west is likely to be the one most affected by the changes. By contrast, in that period, prices rose by 141 per cent. in the north and 150 per cent. in the north-west.

If we were to continue with the present England-wide standard set of council tax bands, there would be a huge redistribution from the south to the north. If the Government were to say—perhaps the Minister will tell us that they will not—to southern authorities, "You have lots more people in bands E and F, so you can raise a lot more money. Therefore we, the Government, do not need to give you so much grant and, because the northern authorities have many more houses in bands A and B, the Government need to give them more money," there could be redistribution. The New Policy Institute is quoted on the Department's website as having estimated that there could be a £400 million deviation of resources from the south to the north of England if there were to be a straight revaluation. I am interested to note that it says,

"In our view, these simple points about the detailed pattern of winner and losers mean that basic revaluation—"

which is what I have just described—

"is impossible to defend."

I hope that the Minister will reassure us that if he must go ahead and waste £200 million on the exercise, it will not be just a straightforward national revaluation.

Valerie Davey: Will the hon. Gentleman give way?

Mr. Webb: Again, I should like to make some progress. I have already given way to the hon. Lady.

It is worth reflecting a little on the New Policy Institute's detailed analysis— published on the Department's website—of how revaluation might be approached. It asks three questions: first, whether it would be right to have across-the-board revaluation; secondly, whether there should be new bands or different ratios between the bands; and thirdly, whether there should be regional variation. One of its reasons for thinking that across-the-board, England-wide standard revaluation would not be appropriate is that, on that basis, 75 per cent. of houses in the north-west but only 6 per cent. of houses in London would be in band A or B post-revaluation. That would create an extraordinarily skewed system. The paradox, it observes, is that under such a regime, band A houses in the north would not share in the gain and band G and H houses in the south would not share in the pain. It is not simply the case that, under revaluation, rich people in big houses pay lots more; there are all sorts of perverse, unexpected and undesirable outcomes. That is another reason why the revaluation is likely to be fraught with problems.

As my hon. Friend the Member for Kingston and Surbiton (Mr. Davey) has pointed out, the New Policy Institute says that under national uprating the council tax on a typical band C property in London would rise by 15 per cent. Why should one category be singled out for double-digit increases? The implications are perverse.

I said at the start that I intended to reflect on the issue of band A properties. If there are to be gains from the change, one would want them to be for people who live in small houses on relatively modest incomes. However, there is a danger that that will not happen. If the Government simply uprate all thresholds in line with the average increase in house prices, the average band D rate, broadly speaking, will not need to change. However, if the band D rate does not change, people at the bottom of the pile in band A will not benefit. Even if the value of their houses has risen much more slowly than anybody else's and they have fallen further behind other people, the tax that is supposedly to do with house

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values will not benefit them. They will benefit only if the bottom band is indexed by less than the increase in house prices. That is what has happened in Wales, and it would be a desirable change. Many of the properties in band A will be quite modest, so one would think that this group had quite a strong case for gaining.

The New Policy Institute also observes that the revaluation, which includes reconsidering bands, relativities and thresholds, provides an opportunity for radical council tax reform. Without it, any prospect of the so-called new localism or of local authorities seriously being able to raise more of their own money is simply unlikely, because the council tax would be such an unfair tax that the additional burden would not be acceptable to local people.

I have talked generally about the impact of the changes on England as a whole, but there will also be big differences between regions, as I mentioned. The New Policy Institute points out that the south-west is already particularly hard hit by the council tax. On page 11 of its document, it says:

> "At present, the ratio of council tax to income in the South West is about 10 per cent. higher than the national average across almost all bands."

The south-west is therefore suffering from high house prices relative to a fairly low-wage economy, so there is a disproportionate ratio between the two. It is already being hard hit by the council tax, and revaluation would hit it still further, because outside Greater London it has seen the fastest rise in house prices.

Something that struck me while I was doing research for this debate is that generalities are quite difficult to make, because the impact of the revaluation will be very localised. I shall give a couple of examples. The west of England—Avon no longer exists as a unitary authority, but we still need a name for the group of four local authorities—has produced a document on its housing situation, the "West of England Sub-regional Housing Study", which says:

> "The most evident feature of the housing market in the West of England has been the phenomenal rise in house prices over the last 8 years".

Again, the people whom I represent could suffer particularly badly because of that rapid rise in house prices. Focusing even more narrowly on my local authority, South Gloucestershire council's own strategy document says that the market really took off between 1999 and 2003, with prices rising 87 per cent. in only four years.

Certain parts of the country, particularly sub-regions and local authority areas, have real housing hotspots that could lose out very badly from this revaluation if it is not done properly. There is no silver bullet or complete fix for these problems; they are inherent in the unfair tax.

I fear that the impact will be even more localised than I have already described. It is very hard to work out from land registry data and websites for house prices what has been happening to house prices in a very localised postcode sector, because only a handful of properties of a particular type might be bought or sold there, and it is very hard to get reliable estimates. I rang my local estate agent and asked him what had happened to particular properties in Thornbury, a market town in my constituency. He considered what had happened to the price of three sorts of properties—former council properties, three-bedroom semi-detached properties, and larger four-bedroom properties—which has been the relevant consideration for council tax purposes in the past decade. His business did not exist in 1991, but he considered prices from 1993.

The estate agent found a huge variation. The price of ex-council properties had risen by 221 per cent., the price of three-bedroom semi-detached properties had risen by 186 per cent., and the price of four-bedroom properties had risen by 155 per cent. Even in sub-regional bands, the impact of the revaluation on different houses in the same street will be very different. Indeed, it will be arbitrary and capricious.

The estate agent pointed out an even more peculiar feature. Four-bedroom properties are now priced at about £250,000. Members will know that £250,000 marks one of those ludicrous stamp duty jumps. No one buys a house for £251,000, £252,000 or £253,000, because the stamp duty is suddenly hiked up, but the council tax revaluation for that property will be less severe because of the arbitrary impact of another dodgy, structured Government tax, which means that the impact of council tax reform on the owner of that property is different from the impact on the owner of another property. Once again, we have an extraordinary situation in which different people, who might be next-door neighbours living in different sorts of houses but who use the same local services and have the same ability to pay, will face substantially different increases in council tax.

The Government might say that they will ease the pain by putting in place transitional arrangements, to which the hon. Member for Bristol, West, who is no longer in her seat, referred. However, any further transitional arrangements, such as damping, will make what is already a complicated system even more complex.

What about council tax benefit? For those entitled to it, it could dampen down the impact of any increase in council tax, but a great deal would depend on take-up, and we know that barely 50 per cent. of owner-occupiers take up their council tax benefit entitlement. The Government have floated stories in the press about making council tax benefit entitlement automatic. Well, whoopee! If that were possible, wonderful, but why has it not been automatic for the past seven years or, indeed, for the past 15 years since it was introduced with council tax? We would all welcome greater take-up of the benefit, but we have yet to see any concrete proposals for how it might be done.

One way for it to be done is to say that the amount of council tax benefit to which someone is entitled is broadly independent of where they live and their council tax. Council tax benefit is the difference between someone's income and their needs as assessed by family composition. Council tax does not enter the calculation. Somebody on a particular income with a particular household composition might be required to pay only £5 towards their council tax, whether it is £10 or £20. There is the potential for a national assessment of council tax benefit entitlement—if we are to continue with the system—which would not need to be local authority or property specific, but would work out how much people were expected to pay towards their council tax. That would not solve the take-up problem, but it might enable the benefit to be dealt with more effectively.

The New Policy Institute suggests relaxing the capital limits. That would not deal with the take-up problem, but it would mean that more people with modest savings could be cushioned from the impact. That would be a relatively cheap way of trying to deal with the problem.

In 1991 we had what was euphemistically known as second-gear valuation, in which the valuers never got out of their cars, but just drove down a road slowly and decided the valuations. This time, however, details of people's home extensions will be used— for example whether they have added an extra bedroom. Therefore, the revaluation will be a home improvement tax. *[Interruption.]* The Minister says, if I can lip-read correctly, that that is absolute rubbish. If he wants to intervene and correct what I have said, I am happy to give way. If people have extended their home and thereby increased its value, they will potentially be pushed up into a new council tax band. We want people to make better use of the land that they have—as long as it is acceptable to the local planning authority—rather than use up more land in greenfield sites, so taxing people for improving their homes seems odd. I have given the Minister the opportunity to correct that if it is factually wrong, but he has declined to do so.

We have a fundamentally flawed system, the failures, inequities and arbitrary nature of which will be highlighted over the next few years by the revaluation process. There will be gainers and losers. Some of them will be unexpected people in unexpected places—it will not be correlated with ability to pay. Some people in small houses will not benefit at all, whereas some people in large houses will do well out of the change, provided that they stay within the same band. There will be all sorts of odd effects. Until we have a local tax system that reflects people's ability to pay, any revaluation will be unfair, arbitrary and capricious. This revaluation will cost £200 million to be arbitrary, unfair and capricious. I can think of better ways of spending that money.

9.58 am

Jane Griffiths (Reading, East) (Lab): I am pleased to have a chance to take part in this important debate, and I congratulate the hon. Member for Northavon (Mr. Webb) on securing it. In 2007, there will be a revaluation for council tax purposes based on the values of properties in 2005. Having spoken to the local valuation office in my constituency, I know that it is already preparing for that. However, I shall not speak about whether there should be more bands for council tax, or about how bands should be changed to reflect the change in property prices. I want to mention experiences from my constituency of the last valuation, and the problems that I hope can be prevented in the up-coming revaluation.

The poll tax was one of the most important pieces of legislation of the last 20 years in terms of its impact on the political scene. It arguably brought about the demise of the then Prime Minister and even led to rioting in Maidenhead. It still haunts us in the form of its hastily introduced successor—the council tax. I was a councillor when council tax was introduced and I remember the stories of estate agents sitting in their cars dictating the value of houses from the outside. Those stories became the stuff of legend, although naturally my local valuation office says that valuations were not done in that way. A number of my council colleagues at the time ran campaigns to inform people that they had an opportunity to appeal against the valuations of their houses. As a result, many successful appeals took place and people had the valuation of their homes reduced. That pleased them, as their bills were also reduced. The council did not lose out, because the council tax base was reduced, which meant that the council received a higher revenue support grant. Once the valuation of a large majority of houses in an area with similar properties had been reduced, the same councillors campaigned to have the whole area revalued, pleasing even more people. They were happy constituents—something that we politicians like.

It can be difficult to identify what value a property should have, especially when there are a number of similar properties in an area and they are close to the boundary between tax valuation bands. That is what allowed my former colleagues to have such success in their campaigns for rebanding. The problem is still with us. The valuation office tells me that there is an area in my constituency where the houses are on the border between bands C and D. They are on an estate built in the 1960s and 1970s from only eight designs. When those homes were valued, most were put in band D, but over time people have appealed and have mainly been successful. Of course, there are rumours around the estate about who has had a revaluation. There are also tales of people who have contacted the council but have not got anywhere. One story was of someone who lived in a house in band D and found out that their sister-in-law, who lived in a house of the same design elsewhere on the estate, was in band C.

After his election in June, Councillor Mark Ralph, who lived locally and had heard about this matter, started asking questions. As a result, the valuation office has started looking again at the valuations across the estate. It is estimated that between 300 and 450 houses on the estate will be reviewed and are likely to be revalued from band D to band C. For the householders, that is a good outcome: they will each receive approximately £1,100. There will be more happy constituents, but the situation is not so good for the council, as it will receive a bill for between £330,000 and £495,000—a bill that it had not expected or budgeted for. If the council has to pay the bill out of council tax, it will cost each band D council tax payer between £6 and £9. At the same time, the council tax base is not as high as had been thought, and the council has not been receiving the revenue support grant that it should have had. That is a double whammy for Reading borough council: it has to make a payment that it has not budgeted for, and it has not received the support that it should have done.

I ask my hon. Friend the Minister to look into the matter and see whether there is some way in which Reading borough council can be reimbursed, just as the householders have been and are being. Despite having received up to £1,100, however, the householders have not had the use of that money for up to 11 years, and they have asked for interest. With non-domestic rates, interest is payable either way. If people withhold payment, they have to pay interest. If the council has

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money that it should not have—if, for example, someone has paid more than they should—the council has to pay the person interest. However, the situation is not the same for council tax; the council has no duty to pay interest. The householders applied to the council for interest payments, but it did not pay them, as it had no duty to do so.

The valuation office has now agreed that as it made the mistake, it will pay interest, but it will do so only on application. When the office makes a revaluation, it automatically informs the council and people automatically receive a rebate, but there is no system the other way. When the council has made a payment to someone, it should inform the householder that they have the right to request the payment of interest from the valuation office, or the council could inform the valuation office that it has made a payment, so that the valuation office can pay the interest.

In concluding, I ask my hon. Friend the Minister for three things. First, in the information given to valuation offices, can more thought be given to properties on the boundaries of valuation bands, to try to prevent the situation that I have described from happening again. Secondly, will he look favourably on Reading borough council when determining its grant levels in the coming months, so that the people of Reading, East do not have to pay for the mistakes of the valuation office? Will there be some recognition in allowances of the large numbers of payments that the council has had to make for the changes in valuations, and will there be recognition of the revenue support grant forgone in past years? Thirdly, will my hon. Friend consider requesting that councils and valuation offices set up some form of system automatically to pay interest outstanding, so that people do not miss out on it?

I am pleased to take part in this fascinating debate and to raise the experience of the previous revaluation. I hope that we are able to learn from it, and that no other councils experience what Reading experienced last time.

Several hon. Members *rose*—

Mr. Jonathan Sayeed (in the Chair): Order. Before I call the next speaker, I should say that I expect to start the winding-up speeches before or by 10.30.

10.5 am

Mr. Roger Williams (Brecon and Radnorshire) (LD): I congratulate my hon. Friend the Member for Northavon (Mr. Webb) on securing this debate and on his critique of the revaluation that has occurred in Wales, because it has saved me a lot of time and research.

I want to raise one issue related to the devolution settlement, which may provide a lesson to be learned when the exercise is undertaken in England. The devolution settlement has become a complex animal. We were always told that it would be a process rather than an event, but we did not understand that the process would have so many incremental stages. It is difficult to follow all the bits of legislation through the maze.

I am concerned about the council tax band valuation on park homes. People who live in park homes tend to be on low and fixed incomes, and any increases in their costs, whether they are in energy bills or council tax payments, are hard on them. The Caerwnon park residents association, which I met over the weekend, told me that a survey of its residents showed that 90 per cent. of them were either old-age pensioners or disabled people living on fixed and often low incomes.

The association, due to good leadership, has been successful in appealing against the valuations under the old system, and it has been able to push all the properties into band A. That was done using the valuation of both the pitch and the park home. Since then, the association has noticed a written answer to a question from the hon. Member for South Dorset (Jim Knight), which asked

> "the Deputy Prime Minister if he will review the way in which the Valuation Office Agency assesses mobile homes for council tax purposes."

The answer from the Minister for Local and Regional Government was:

> "Mobile homes are not in themselves subject to council tax, but liability may arise in respect of the land on which the mobile home stands. Most mobile homes pitches which are subject to council tax are rated at band A."—[*Official Report*, 20 May 2004; Vol. 421, c. 114W.]

I am not sure whether that is fully understood in England, but it is certainly not in Wales. I am still in the process of finding out whether, when the relevant powers were transferred to Wales, the Assembly took the opportunity of changing the regulations. If it did, it did no favours for people living in park home estates, who as I have said are often on limited incomes.

I am in the process of establishing whether the regulations in Wales are the same as those in England. Although I am a passionate believer in devolution, I do not believe that having different regulations for such a situation is of any benefit. It is essential that, in the English revaluations, the valuation officers have some clarity of purpose. In Wales, for instance, a number of the park homes have moved up from band A to band C, and I doubt whether that is on the basis of an increase in the valuation of the pitch. It is important that, when the English revaluation takes place, there is clarity and the valuation officers use the valuation of just the pitch rather than both the pitch and park home that sits on it. Apparently, the same regulation applies to boats and moorings. Clarity about the matter would go a long way towards helping the process in England, and I would like to hear the Minister's response.

10.10 am

Mr. Edward Davey (Kingston and Surbiton) (LD): It is a real delight to take part in this debate. I congratulate my hon. Friend the Member for Northavon (Mr. Webb) not only on securing the debate but on a fabulous speech. He showed the danger that lies behind this exercise, which has not been well thought through. If it has been well thought through, the Government have not shared their ideas with the House. My hon. Friend did a great service to the Chamber, going through the issue in a reasonable and objective way and showing what the problems were. I hope that the Minister will make his answer in a reasonable way, too. I also hope that I and the hon. Member for Runnymede and Weybridge (Mr. Hammond) will give the Minister plenty of time to answer, because the big problem is that so far the Government have not come clean on anything to do with the issue.

Ministers will say that they set up the balance of funding review. They did indeed. It sat for nearly 18 months and was published last summer. The Government's decision was to put it at arm's length, and to say that it was an interesting review and they were going to ask someone to review the review and report in December 2005.

It is interesting to read the chapter on council tax reform in the balance of funding review. It is a detailed chapter, drawing on some interesting research, which I will refer to later. The last section of the chapter says:

> "In short, much further detailed work is required on how council tax might be reformed, based on a clear vision of the direction of travel. It must now be for the Government to decide that direction of travel."

We have been waiting for that direction of travel, and have received no indications.

It is clear what the options are if the Government are going to be unwise enough to stick with council tax. As my hon. Friend the Member for Northavon said, they could add one or more extra bands at the bottom and top—or more than one band at the top, as some have speculated.

They could change the banding system to some regional approach, to try to deal with the different rises in property prices in different parts of the country, although that could be potentially arbitrary and capricious as it would involve picking one particular date, and we all know that house prices and differentials are changing all the time. The Government could go down that road, but they know the disadvantages.

They could deal with the different multipliers and the ratios between the different bands, setting the band limits in different ways. At the moment, council tax bands have a one to three relationship, while an estimate of the difference between property prices across the country gives a one to 20 relationship, on average. That shows that the bands and the multipliers that relate them to each other are a potential source for change.

There are three areas of change within the council tax system, and the Government have not told us which they favour. They have not told us which they are working on, although it is an open secret in Whitehall that the Treasury and the Office of the Deputy Prime Minister have been doing huge amounts of work on the matter. However, we have received no answer and no definitive statement.

My hon. Friend the Member for Northavon said that we could consider what was happening in Wales, and he was right to do so. He showed how more than a third of households in Wales would be going up one or more bands, with 5 per cent. of households going up two or more bands, which could be problematic for a number of people. Unfortunately, the Government say that we cannot look at Wales. The Minister for Local and Regional Government told us:

> "What happened in Wales is not a precedent or an indication of what will happen in England".

There we have it: we cannot consider Wales, as it is completely different. How it is different, he did not say. Neither did he say what the Government were going to do differently. No comment on what the Welsh have done and how badly they have handled it has been forthcoming from the Government.

Once again, we do not know the direction in which the Government will take us. That shows dishonesty on the part of the Govt. We almost certainly face a general election in the next six or seven months, and the Government still have not told us what they are going to do, despite having done all this research, had a review for 18 months, seen what is happening in Wales, had the ODPM and the Treasury considering the matter in great detail and being faced with only three basic options. What are voters expected to make of that indecision and dissembling?

The Government are behaving outrageously. They cannot simply say, "Well, the Tories haven't told us their proposals." We know that the Tories are pretty bad—they messed up the system twice in one political generation, which takes some doing for any political party—but the Government cannot get away with blaming them. The Government are in power, and they should give some indication of their plans. At the moment, we have the bizarre spectacle of their preparing for the general election with no policy proposals, and saying to the electorate, "Well, we don't know. It's going to change, because we've legislated for it to change. Under the Local Government Act 2003, it must change on 1 April 2007, but we don't know how. We can't give you any indication." So, we have two "don't know" parties; two dithering parties that will not come clean with the electorate. That is outrageous, particularly when, if the Welsh experience is anything to go by, a third of taxpayers will lose out. That is one of the approaches that undermine people's faith in politics. It is very serious.

What evidence or studies have been forthcoming to show the potential effects? My hon. Friend the Member for Northavon talked about the work of the New Policy Institute, which is on the ODPM website. It is interesting that some of the comments put forward by the institute show that it was not sure what the Government were on about either. The second paper that the NPI put forward to the balance of funding review starts off by saying:

> "In formulating our response, we have become aware that we are not clear how far the BoF"—

balance of funding—

> "review is trying to go."

I do not think that the Government know either; we are none the wiser.

The institute made a fair attempt at analysing the different options. It considered reforms such as adding bands at the bottom and top, changing the multipliers, and regionalisation. What is particularly interesting to me, as the Member of Parliament for a London constituency, is the likely impact of some of those potential changes—not changes that have been made but those identified in the scenarios in the appendix of the NPI study, which was commissioned by the Government.

In scenario 1A—the basic revaluation, from which my hon. Friend the Member for Northavon quoted—the average bill for those in inner London now on band C would go up by 15 per cent. In scenario 1B—the basic revaluation with lower band limits—the average bill for

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those in inner London on band C would go up by 19 per cent., whereas for those in band H it would go down by 4 per cent. There is a progressive change, with low and middle-income Londoners bearing the brunt.

In scenario 2A, in which there are 10-plus bands and different income proportional multipliers, lower and middle-income Londoners face a big rise, as do people in band H, but one wonders whether the Prime Minister would veto that, as he has just bought a property for £3.5 million, which is in band H. He would have to pay a massive £1,210, but he may not like to see his tax bill go up. He does not seem to be into progressivity when it comes to local government taxation. However, that is a slight diversion. My point is that in scenario 2A, low and middle-income Londoners face a massive tax rise.

In scenario 2B, there are 10-plus bands, but the multiplier is based on property prices. That scenario is still bad news for Londoners in band C, as their tax bills would go up by 18 per cent. Once again, low and middle-income Londoners would face a huge tax rise. So in all scenarios other than that with regional banding, which would be the most radical reform, low and middle-income Londoners experience double-digit rises. Even with regional banding there will be an increase. That is the evidence before us. No other studies have been done to my knowledge. Perhaps the Minister will be able to quote some, but I somehow doubt it.

Given that, what does the Minister expect us to say to people in the general election? We know the figures and he will probably say, "Well, the Liberal Democrats are scaremongering," but let us not scaremonger—let us have the facts. The Government must tell us what their policy is. They should say what they are going to do and give some figures and examples of what the changes will be. If they do not, it will not be surprising if people get scared, particularly in constituencies such as mine and that of my hon. Friend the Member for Northavon.

The issue is serious. The Minister will no doubt want to use this debate to attack the Liberal Democrats. I am sure that he will stand up, not answer any of the questions that we have put, and instead have a go at local income tax. Of course he is entitled to do that, although when he does, I hope that he will point out that the same local government tax system is used in America, Japan, Sweden, Norway, Finland, Denmark and many other countries. I am sure that he will give the idea a fair hearing. I hope that he will admit that the system is related to ability to pay and that it is predictable and clear.

I hope, too, that the Minister will admit that we have been honest in recognising that there will be losers as well as gainers, and clear about how the system would work, rather than hiding; that we have put forward our proposals for democratic debate, and that we are prepared to defend them on the doorstep. That is the difference in this debate. We have been honest in putting forward our proposals, but the Minister is hiding; and if he is hiding, we suspect that he has something to hide.

10.22 am

Mr. Philip Hammond (Runnymede and Weybridge) (Con): I congratulate the hon. Member for Northavon (Mr. Webb) on securing this debate, because it is useful to focus on revaluation. As the hon. Member for Kingston and Surbiton (Mr. Davey) said, the Government's response to the balance of funding review was to set up yet another review, which will not report until after the next general election, so the only certainty on council tax is that there will be a revaluation in 2005, which will kick in by 2007. Whatever else comes out of the balance of funding review, that is a fixed certainty with which we will have to deal.

I, too, am disappointed by the Government's response to the balance of funding review. One tries not to become too cynical in this place, but it seems extraordinarily convenient that such a difficult issue should need a further review that will just happen to take us to the other side of the general election. That will mean that the council tax, which, polling tells us, has the greatest salience of any tax with electors, will not be substantively addressed in what the Labour party presents to the electorate in its manifesto for the next general election.

We should identify the problems that will arise from the revaluation. I hope that we are doing that this morning. The hon. Member for Northavon clearly set out some of those problems and I am sure that we all accept that. Indeed, even the Government have to accept that the revaluation, in its crudest presentation, would give rise to those problems. However, I do not believe that the solution is the wholesale scrapping of council tax, which is the only property-based tax in the country, and its replacement by a local income tax.

Mr. Edward Davey: What about stamp duty?

Mr. Hammond: Well, stamp duty is a property transaction tax, whereas council tax is the only property value tax. The hon. Gentleman and his party are keen on looking at what happens in Europe and elsewhere, so they will know that almost all advanced countries have a property-based element in their overall mix of taxation.

The problem with council tax is that it is being used for a purpose for which it was not designed. It is meant to contribute to the cost of local services, but since 1997, the average band D council tax has increased by 70 per cent. and now stands at more than £1,100. Council tax has become part of Labour's overall stealth tax initiative, with part of the burden of taxation being transferred from identifiable, nationally collected taxes to local taxes, behind which the Chancellor of the Exchequer can shelter, at one remove from accountability. That, and the stealth redistribution of the burden of taxation, is what causes the public anxiety about the council tax. Changes to the local government grant formula have redistributed grant generally from the south to the north—it is not a clear and simple pattern—with a corresponding increase in the amount of council tax that people pay from the north to the south.

The Government were explicit when they introduced the change to the formula; the Minister of State said clearly that he wanted council tax payers to contribute a greater share of the burden of funding local services in areas where, in his definition, they could afford to do so. In other words, he was explicit that he wanted to shift the burden of taxation towards local taxpayers in certain areas.

So changes to the grant distribution system have shifted the burden geographically, creating winners and losers, as the hon. Member for Northavon said. The revaluation will further reinforce that if the problem is not tackled with an additional mechanism because of the way in which the resources equalisation mechanism works. As an area acquires a higher tax base through shifting properties into higher bands, so the amount of grant that it receives from central Government will reduce and the council tax payable by local people will correspondingly increase.

That will lead to the unacceptable spectre of relatively less well-off people in areas where property values are high—people whose only crime is to have lived for a long time, perhaps 10, 20 or 30 years, in a house that they could not even dream of buying today—cross-subsidising people who are much better off in areas that happen to have experienced much lower house price inflation, or suffered or benefited from it, depending on one's point of view.

We agree with the Government that a reformed council tax is likely to be the best way forward, but the emphasis is on the word "reformed". The Liberal Democrats have latched on to what I have conceded elsewhere is a very good slogan—"Axe the tax"—but that is far as their policy goes. A party that wants to campaign under such a slogan is effectively excluded from the grown-up debate on reforming the tax. However, for all the advantages of a property-based tax, the drawback is that property value may be poorly correlated with income and therefore with ability to pay. That is the issue that faces us at the margin and the challenge is to devise a reformed council tax system that recognises the worst problems that it throws up, while retaining its benefits.

When the hon. Member for Northavon was talking about the lack of correlation between the value of property occupied and income in some cases, it struck me that we have lots of taxes that are not well correlated with the ability to pay. For example, the Liberal Democrats are not proposing that duties on cigarettes should be varied according to people's ability to pay. We have a range of taxes, some of which relate to income, and some of which do not. Most advanced countries have a mixed taxation system, and the issue is about striking the right balance. I recognise that if council tax, which takes up a large proportion of the disposable incomes of people on very low and fixed incomes, is to be acceptable, we must address how we deal with that issue in reforming the council tax.

Mr. Davey: The hon. Gentleman wants a mature debate on local government tax reform. Can he now tell us, in one sentence, what are the Conservative party's proposals for council tax reform?

Mr. Hammond: In one sentence, no I cannot. However, if the hon. Gentleman bears with me for a moment, he will hear what I have to say about how our evolving policy will address a couple of specific areas that are directly related to the question of revaluation. I can assure him that when he goes into the next general election, he will not have to debate with Conservative candidates who do not have a policy on reform of the council tax. We will announce our policies on reform of the council tax, unlike the Labour party, which has made it clear that it will go into the next general election without a fully fledged policy for such reform.

If the present system, which is based on 1991 values, produces poor income to value correlations, it is obvious that the 2005 revaluations, after a decade of radically differentiated house price rises, will create a more difficult situation. Even average house price to income ratios differ widely. The hon. Member for Northavon spoke about the situation in the south-west—the well-known phenomenon by which high demand for houses caused by incoming residents, most of whom are retired, distorts the ratio between house price values and incomes in a fairly low income economy. Throughout the country, discrepancies can be even wider on an individual taxpayer basis.

It is clear that reform is needed ahead of the 2007 start date for the use of the revaluation values that will be gathered in 2005. I hope that even the Government will recognise that imposing revaluation on a single, nationwide basis without any other adjustments would cause such a dramatic shift in the tax base between areas that it would lead to an unacceptable outcome. In fairness, I think that the Government have recognised that.

There are two obvious things that the Government—any Government—could do to moderate the unfairness of revaluation, and two things that would make it worse. A fair system of local or sub-regional banding, which has as its objective equitable distribution of the burden of council tax within a billing authority, while leaving undisturbed the distribution between billing authorities, would draw much of the sting.

The hon. Member for Northavon speaks as a Liberal Democrat, and referred to regional banding. We know that the Liberal Democrats have a pathological attachment to regionalisation, but I am not sure that the Government will have the same attachment to it after next Thursday—we will have to see. However, there would be problems even with regional banding, and I am sure that the hon. Gentleman, if he considers his own region, will recognise that the differentials within regions are, in many cases, greater than the differentials between them.

We therefore need to consider a banding level that is lower than the region. That would still create winners and losers, but not whole towns and cities that were winners and losers. It would also ensure that whole communities were not penalised en masse because they happened to live in areas of high property value growth. Equally, it would ensure that windfall gains did not go to people who used the same levels of services, and who had the same or higher level of income growth, but who lived in an area that happened to have slower property value growth. The council tax is not intended to be a wealth tax by stealth; it is intended to fund local authority services that are used by all.

Such a system of local banding would be sensible, but a fudged local banding system, paying lip service to addressing the problem, using subjective criteria and shifting the burden of the tax in an opaque fashion between districts, would be a disaster for the credibility of a reformed council tax. I ask the Minister to take that point on board.

[Mr. Hammond]

The other thing that a Government can do is to re-establish fairness and transparency in the discredited grant distribution system, using clear criteria that recognise both local needs and local cost factors. That could be achieved by changes to the resource equalisation arrangements, which would deliver many of the same benefits as local or sub-regional banding, by ensuring that the penal effect of the redistribution of grant through resource equalisation did not occur in an area that suffered an upward shift of bands across the board.

A Conservative Government will commit to introducing a fair and transparent system. In relation to the revaluation, that would require a combination of fair and objective grant distribution mechanisms and/or an objective local banding system, so that when the 2007 revaluation system is introduced, the changes in banding would be used to redistribute the burden of taxation within a billing district. As the hon. Member for Brecon and Radnorshire (Mr. Williams) suggested, it would ensure that people living in the lowest value properties were recognised as such and that the distribution of tax within a community was fair. We start to run into problems when the revaluation and shifting of bands through the resource equalisation mechanism is also used as a covert mechanism to shift the burden between billing authorities as well as between citizens within billing authorities.

Mr. Davey: Is the hon. Gentleman therefore confirming that the Conservatives are in favour of a revaluation exercise of some sort?

Mr. Hammond: We accept that the revaluation will go ahead in 2005. Frankly, with or without a revaluation in 2007, we need a fairer and more transparent mechanism for distributing grant. If the revaluation goes ahead, there is a need to examine the distribution mechanism alongside the banding mechanism, because the two are flip sides of the same coin.

My concern is that a third-term Labour Government would fudge the local or regional banding question, allowing it to become a smokescreen for a redistribution of tax burden to those whose houses had risen in value even though their incomes might not have risen any faster than people in areas with a less dynamic property market. Worse still, a third-term Labour Government would add bands to the top of the current eight-band system and would probably fiddle with the ratios between bands, making the council tax more explicitly a wealth tax by stealth. Extra bands would further redistribute the burden to areas that have enjoyed—or suffered, depending on how one looks at it—exceptional house price rises, while in some areas, very few houses would fall into the new top bands.

There is a case for relief for those who live in the lowest-value properties and may be on low incomes. However, that should not be at the expense of people living in higher-value properties who may not be high-income earners. We do not have to speculate about what a Labour Government would do in office; we can look at Wales, as the hon. Member for Northavon has done, to see what a Labour-controlled Government have done. In Wales, 34 per cent. of homes have moved up a band and only 8 per cent. have moved down a band.

Mr. Stephen McCabe (Birmingham, Hall Green) (Lab): Will the hon. Gentleman give way?

Mr. Hammond: The hon. Gentleman walked into the Room only five minutes ago so I will not. I would like to conclude and let the Minister respond.

The Government are being deliberately opaque by kicking the balance of funding review report to the Lyons review and leaving it until after the general election to tell the public what they intend to do. The Minister will no doubt accuse me and the hon. Member for Kingston and Surbiton of scaremongering and setting hares running, so let us give him the opportunity to set the record straight.

Will the Minister commit the Government to introducing a transparent and independently verified system of grant distribution alongside the 2007 revaluation? Will he commit to an objectively fair local or sub-regional banding system, to be brought in at the same time as the revaluation? Will he pledge that the Government will not introduce new bands at the top of the system or alter the ratio of the top rate to band D?

The Government have accused us of scaremongering; there is a chance here for the Minister to put to bed the fears that council tax bills could double or triple for people who happened to occupy property in the highest new band in a 10-band system. I hope that he will take the opportunity of doing so. The public are looking to him to rule out the use of additional top bands or changed ratios to increase massively the burden of council tax on those who live in higher value properties in areas where property values have increased. If he will not give those assurances, and if he continues to hide behind the Lyons report, the electorate will have to draw their own conclusions.

10.40 am

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): I congratulate the hon. Member for Northavon (Mr. Webb) on securing this morning's debate. It is always good to debate local government finance, as we have done on many occasions both here and in the main Chamber.

I have listened with great interest to the hon. Gentleman's views and those of other hon. Members. The debate is on the impact of council tax revaluation, but although we have covered council tax revaluation briefly, we have also covered council tax itself, local income tax, the grant distribution system, the system in Wales, the balance of funding review and the Lyons review. We have travelled far and wide this morning, and in the brief time available to me I will endeavour to address most if not all the issues that hon. Members have raised. I will disappoint the hon. Member for Runnymede and Weybridge (Mr. Hammond) by saying that I shall not pre-empt the outcome of the Lyons review; otherwise, there would be no point in having it in the first place.

It is a pity that hon. Members have thrown around words such as "perverse", "undesirable", "capricious" and "arbitrary"—mainly the hon. Members for

Northavon and for Kingston and Surbiton (Mr. Davey), I suspect because they want to deflect attention from what is a wholly indefensible system of replacing council tax with local income tax. If I have time, I may come back to that point, but I should try to address the subject of the debate, which is the council tax revaluation.

Let me put on record some important points about revaluation to clear up some misunderstandings. In our 2001 local government White Paper, we recognised the importance of keeping property values up to date, and that it was no longer reasonable or fair that council tax was based on 1991 property values. The legislation for the revaluation is now in place, and both the ODPM and the Valuation Office Agency are working towards delivering that revaluation for 2007.

For the record, I am pleased that the decision to revalue was supported by both the Conservatives and Liberal Democrats during the passage of the Local Government Bill. The hon. Member for Brentwood and Ongar (Mr. Pickles) said:

> "We recognise the need periodically to revalue properties for the purpose of council tax."—[*Official Report*, 7 January 2003; Vol. 397, c. 64.]

There is no need to be coy about the Conservatives' supporting revaluation: they supported it wholeheartedly in Committee. The hon. Member for Southport (Dr. Pugh) supported a Conservative amendment that called for more frequent revaluation, so I assume that the Liberals also support the revaluation process. Despite all the accusations that the hon. Member for Northavon made about whether it is right or wrong and how it is going to work, the fact is that it is right to have a council tax revaluation, as voted for by the Conservatives and Liberal Democrats in the Bill's passage through Parliament.

So how do we go about the revaluation? In September this year, the Valuation Office Agency announced its intention to use an automated valuation model to assist it in the revaluation. It is currently testing the AVM using a system that has been supplied by a company called Cole Layer Trumble, a company with more than 60 years' experience in mass appraisal valuation. When I visited the VOA's Wimbledon office in September to see a demonstration of the system, I was impressed by not only the technical capability of the AVM system but the commitment, focus and enthusiasm of the VOA staff in making the revaluation happen. Current testing of the model is exceeding expectations, and it is clear that it will be a valuable tool. When the groundwork for the VOA's valuation work is completed, it will be ready to start the detailed work and place properties into bands.

Let me turn to a common misunderstanding about revaluation, which has also affected this morning's debate. Revaluation is not about raising more money overall. Indeed, in our 2001 White Paper we made a commitment not to change the overall council tax yield as a result of revaluation. I hope that that puts to bed the scaremongering that we have heard before and that we heard again during the debate today about revaluation being some form of stealth tax. There is no intention to raise the council tax yield as a result of revaluation.

Mr. Hammond: Will the Minister give way?

Phil Hope: I will just say a few more words about what we intend, because I want to clarify how it will come about.

For the vast majority of people, whose properties will increase in value broadly in line with the average, there is unlikely to be any change in banding. Only where the change in a property's value is significantly above or below the average is the property likely to change bands. So, as we have made clear, revaluation is not about raising more money overall, and anyone whose home has risen in value in line with averages is unlikely to pay more tax. Revaluation is simply about updating the system, which is based on 1991 values—hon. Members should remember that we are now in 2004—and is increasingly out of date. Members of all parties voted for the system, and I hope that they will see that it is now out of date and can no longer be fair or rational. That is why we are undertaking the revaluation.

Mr. Hammond: What the Minister says is obviously right, and the rebanding exercise will deal only with anomalies within individual billing authorities—properties that have risen or fallen out of line with the average. Does he accept, however, that the resource equalisation regime raises the important issue of the distribution between billing authorities, which is somewhat opaque, but which will none the less be the most important consequence of the revaluation?

Phil Hope: There is an issue about resource equalisation, the balance of funding between central and local government and the extent to which localisation and equalisation can go together. Indeed, that occupied much of the debate during the balance of funding review, on which leading Conservative and Liberal Democrat local government representatives served. The review reached several important conclusions—they were not recommendations, and the review was not designed to make any. One conclusion, about which I shall say a bit more in a moment, was that we should retain and reform the council tax. So, the review looked into issues of resource equalisation and localisation.

Mr. Webb: The Minister explained the process of revaluation. Will he now clarify his response to my comments about home improvements? Is it not the case that if I improve my home and add to its value by building, say, an extension, I may push myself into a higher council tax band on revaluation and face a higher council tax?

Phil Hope: There have been press articles saying that we will tax home improvements, and the hon. Gentleman has repeated the point this morning. However, such remarks are wholly misleading. They refer to the consultation that we recently launched on a proposal to include information about additional property attributes in revised council tax lists. The additional information that we might publish could include the number of rooms, including bathrooms, and the age of the property. Making such information public for the first time would make it easier for all council tax payers to understand the basis on which their valuation was made. So, the consultation is not about the basis of revaluation but about improving clarity by making more information available.

Mr. Hammond: Let us just be clear on that point. Although the consultation is not about the basis of the revaluation, the Minister is confirming the hon. Gentleman's fear that the basis of the revaluation is the value of the property as improved.

Phil Hope: I cannot repeat the point without being repetitive. The questionnaire is about publishing better information. Instead of simply saying, "Here is the number and address of the house," we can publish its attributes so that people can see whether the valuation of their property is right. The council tax payer will have greater clarity and information about the basis on which their property and their neighbours' properties have been valued. That will reduce inaccuracies and, I hope, appeals.

Mr. Edward Davey: I am tempted to ask whether we shall count the number of windows and return to the old window tax, which did not work, but I want to ask the Minister about an important point that he made. He correctly said that council tax revaluation would not necessarily increase the yield from council tax. There is no dispute about that. Our proposal for a local income tax would not increase the overall tax burden. However, will he accept that council tax revaluation will cause some people to lose?

Phil Hope: The purpose of the revaluation is to provide updated property values, because currently the council tax is based on 1991 property values. The revaluation will provide an updated and therefore fairer and clearer basis on which to levy council tax. That seems an entirely sensible idea. The hon. Gentleman supported it in Committee when the Bill was going through Parliament; indeed, the Conservatives supported that position. Whether there are winners or losers will depend on the outcome of the revaluation and the council tax banding. That is the subject of the Lyons review, which I shall come to in a moment. To say that there will be winners and losers is to say that the sun may or may not rise in the morning. Of course there will be changes, but we do not know what they will be until the revaluation takes place, the council tax banding decisions are taken, and we put the two together. Unfortunately, the scaremongering by the hon. Members for Northavon and for Kingston and Surbiton and, to an extent, by the hon. Member for Runnymede and Weybridge—although his comments were rather more judicious than those of the Liberal Democrat Members—is unhelpful, because it raises fears that are wholly unnecessary and unjustified.

I shall now deal with some of the other questions that hon. Members have raised. I want to explain the revaluation in Wales, because that was the subject of the remarks of the hon. Members for Northavon and for Brecon and Radnorshire (Mr. Williams). The revaluation in Wales will take effect from 1 April 2005, based on values as at 1 April 2003. I emphasise that council tax bands in Wales are the responsibility of the Welsh Assembly Government. Revaluation in Wales should not be seen as a precedent for revaluation in England.

I thought that Liberal Democrat Members supported devolution. Indeed, the hon. Member for Brecon and Radnorshire said that he did—except on this occasion. He cannot have it both ways. This is an opportunity for the Welsh Assembly Government to make their choices, but I emphasise that their choices are not a precedent for revaluation here. The Welsh Assembly Government have decided to add a new band at the top but not at the bottom. That is purely a decision for the devolved Administration in Wales. We might learn from the Welsh experience, but it is not a precedent or an indication of what is likely to take place in England. No decisions have been taken on how council tax might be reformed in England. I shall say more about the independent inquiry by Sir Michael Lyons in that regard.

The hon. Member for Brecon and Radnorshire made a point about park homes. The reply that he received from my right hon. Friend the Minister for Local and Regional Government was correct. I cannot say anything more about what the Welsh Assembly Government have decided to do in Wales—this is a devolved matter—but I have noted the hon. Gentleman's concerns and will take them into account. Indeed, this entire debate will feed into the Lyons review process when we consider the issues relating to park homes and other properties of that type.

My hon. Friend the Member for Reading, East (Jane Griffiths) gave the example of difficulties in Reading. She was right to focus on issues relating to properties on the boundaries; that is where all the arguments take place. They are taking place now and they will take place in the future, once the revaluation takes place and the new banding system, whatever it turns out to be, is proposed. The Valuation Office Agency will put great efforts into valuing properties on band margins, because that is where the problems lie. We want to ensure that we get the revaluation right. People in the middle of a band will not be so bothered by this. It is people on the margins who will be most concerned, and the agency has made getting the revaluation right first time a major priority.

I regret that I cannot promise to give Reading borough council special treatment in respect of the rate support grant, but I will certainly write to my hon. Friend about interest payments. She made a good point on that issue. In relation to the residents in her constituency to whom she referred, I understand that the proposal is that the VOA accepts responsibility for reimbursing, with an appropriate amount of interest, those council tax payers who have overpaid. Perhaps I can write to my hon. Friend with further detail on that, but I am grateful that she raised it in this debate, as it is important that we represent our constituencies in that way.

With little time available, I want to emphasise the importance of what we are doing on reform of local government finance. There have been two major reports on the local government finance system. The housing, planning and local government committee in the Office of the Deputy Prime Minister published its report on 16 July and on 20 July my right hon. Friend the Minister for Local and Regional Government announced the publication of the balance of funding review report.

It is highly significant that both reports concluded that council tax should be retained but reformed. The Liberal Democrats have decided to take the path of replacing council tax with local income tax, but that has been shown by both the Select Committee and the balancing of funding review to be a mistaken path. For example, Professor Glen Bramley told the Select Committee that

"it would be a great mistake to abandon council tax".

As the hon. Member for Runnymede and Weybridge said, it is appropriate to assign taxation on fixed properties to local government. The Select Committee and the balance of funding review, on which Liberal Democrats served, both came forward with the view that we should retain but reform council tax, but still the Liberal Democrats will go into the next general election with the foolhardy policy of replacing council tax with local income tax. The party will suffer the consequences of that policy when the electorate tell it what they think of it.

Let me pick up a couple of points that were made about the nature of the council tax reform. The Government's position going into the next election is clear. We wish to retain but reform council tax. The Lyons review will look at other issues associated with the balance of funding between central and local government. To remind hon. Members, the balance of funding review concluded:

"There is a clear case for reviewing council tax bands and the ratios between them at the time of revaluation."

However, the review warned that

"particular care is needed to ensure that council taxpayers on low incomes living in high value properties are not unfairly affected."

That is something that all hon. Members have mentioned this morning. To take another example, the review concluded that the detailed case for and against a sub-national approach to revaluation should be considered, in order to take account of differential movements in house prices in different parts of the country. However, the report also advised that further work was needed to determine the best solution.

Liberal Democrat Members have quoted the NPI report—a good report—that was submitted to the balance of funding review. It is because of the complexities that that report highlighted the importance of the Lyons review. In regard to that, it was noted that the case for the sub-national approach might be weaker if the current national divergence in property prices continued to close. People on fixed low incomes, particularly pensioners, can also be vulnerable to small changes. The review noted that a fair and effective council tax benefit would be a vital component of a reformed council tax package.

Unfortunately, I do not have time to give our analysis of the Liberal Democrats' local income tax proposals, although we have done that on the Floor of the House on many occasions. However, whatever the Liberal Democrats decide to go into, we would welcome their submission to the Lyons review. I understand that Sir Michael Lyons has invited the leader of the Liberal Democrats to submit evidence, and I suggest that he take advantage of that opportunity.

One thing that has been demonstrated this morning is that local government funding is a complex issue. My hon. Friend the Member for Reading, East referred to the poll tax, and the lessons of history suggest that before we make decisions on reform we must look at the implications for all the different groups affected and get those decisions right. Such reform is far too important to be rushed for political reasons, despite the Liberal Democrats' wishing us to do so. I hope that we have a spirit of constructive dialogue, that the scaremongering stops, that the analysis begins and that, as we face the many challenges and changes in central and local government over the next few years, the funding regime that we introduce supports change for the long-term and the sustainable future of local government in this country.

Local Government Finance (Lincolnshire)

10.59 am

Mr. Mark Simmonds (Boston and Skegness) (Con): May I say how pleased I am to see you in the Chair, Mr. Sayeed? I am delighted to have secured this important debate in order to voice my concerns, as well as those of many of my colleagues, councillors of all political parties, my constituents and the people of Lincolnshire, about the inadequate and unfair share of Government funding that is given to Lincolnshire local authorities.

I have for some time been drawing attention to the transfer of resources away from Lincolnshire and setting out my arguments about it. Recently, my view and that of my colleagues has been supported by clear evidence in statistical analysis compiled by Lincolnshire local authorities. That demonstrates that authorities in Lincolnshire receive significantly less Government grant support than other local authorities in England. That is grossly unjust.

I hope that the Minister will listen carefully to the facts and arguments and deal with the inequitable circumstances affecting the people of Lincolnshire. The Government need to look carefully at the way in which funding is allocated between local authorities, so that the needs of Lincolnshire—a mainly rural, but fast-growing county—can be met.

In Lincolnshire, we receive 19 per cent. less grant, per head of population, than the English average. That means that our local authorities have £104 less to spend on each person, compared with the average English local authority. The provision of public services has already been put at risk as a result of that underfunding, and I shall elaborate further on specific examples of that.

Mr. Douglas Hogg (Sleaford and North Hykeham) (Con): Does my hon. Friend agree that that effect is reinforced by the fact that the proportion of spending funded by the council tax has steadily risen from 25.35 per cent. in 1997–98 to 31.46 per cent. in 2004–05? That is aggravating the situation that he is so ably describing.

Mr. Simmonds: I am grateful to my right hon. and learned Friend for making that point. I shall repeat that set of statistics later; it is clear that the provision of public services has been put at risk because resources have been transferred away.

The detailed analysis by the Lincolnshire local authorities has revealed some very stark statistics. Funding at the national average for Lincolnshire would allow a 37 per cent. or £15 million increase in spending on the police, a 66 per cent. or £18 million increase in spending on roads, a 4 per cent. or £15 million increase in spending on education, a 25 per cent. or £33 million increase in spending on social care and a 6 per cent. or £9 million increase in spending on waste collection and disposal, recycling, street cleaning, leisure facilities and other local services. Alternatively, council tax could be massively reduced by 28 per cent.—the equivalent of a £315 reduction in council tax for the average band D property.

The Government have assessed Lincolnshire's needs as well below the national average for all services, but the exponential growth of Lincolnshire's population has put great strain on the public services provided by local authorities. From 1991 to 2001, Lincolnshire's population increased by 10 per cent. compared with the national average of 2.7 per cent. That figure includes not only people moving to Lincolnshire from the midlands, as they have done traditionally, but those going to Lincolnshire from the south of England to take advantage of the disparities in house prices.

Lincolnshire is predominantly a rural county and the costs of sparsity and access to services in rural areas have not been adequately recognised by the Government. In addition, the Government targets distort priorities, because of inadequate understanding of rural communities. Local authorities, including county, district and borough councils and the police authority, have been left with no option but to increase their share of the council tax to meet the rising costs of public services. The council tax, as my right hon. and learned Friend has pointed out, covers a constantly increasing share of local authority spending in Lincolnshire as the proportion funded by Government grant declines.

The figures that my right hon. and learned Friend gave are correct. In 1997–98, council tax was 25 per cent. of Lincolnshire's funding. By 2004–05, the figure had risen to 31 per cent. That is exacerbated by the fact that there are significant pockets of socio-economic deprivation in Lincolnshire. In comparison with many areas of the country, incomes in Lincolnshire are relatively low. That means that local people pay a higher than average share of their earnings in council tax. Nationally, council tax as a percentage of annual salary is 4.3 per cent. In Greater London, it is 2.9 per cent., but in Lincolnshire it is 5.2 per cent. That is exacerbated by the fact that the average annual salary in Lincolnshire is £5,000 less than the national average salary of £25,000, and £16,000 less than the average annual salary in Greater London of £36,000.

Specific examples could, I am sure, be mentioned from all over Lincolnshire, but I want to draw on one in my constituency. Boston borough council has been forced to increase its council tax by 9.8 per cent. this year. The council was unfortunately perilously close to selection for capping by the Government. However, that was not the fault of Boston borough council, but rather of central Government who changed complicated funding formulae without considering the implications. The reasons for that are too complicated to explain this morning, but they involve transfers of revenue support grant and of housing stock. None the less, that is a significant issue, as Boston borough council estimates that it is £496,000 worse off for the next two years as a result, and that it will continue to lose out on a significant scale in the coming years. There is a direct correlation between council tax increases and the transfer of resources away from Boston and other parts of Lincolnshire.

I have written to the Minister on several occasions, highlighting the difficulties facing Boston borough council. On each occasion, he and his colleagues have failed to address the predicament faced by the council. I have the Minister's last response in front of me this morning and I am sorry to say that it is nothing short of a disgrace. I have written to him again asking for a more detailed reply to my initial letter, and the people of Boston and I await his latest answer with great interest.

I now turn to Lincolnshire police authority, which was singled out for special pernicious treatment as the only police authority in England and Wales to receive a reduction in grant per head. Lincolnshire police received £103.72 in funding per head of population for 2002–03, but only £102.31 for 2003–04. As a result of that inadequate funding from central Government, Lincolnshire police have become increasingly reliant, as have local authorities, on funding raised through council tax. The authority now relies on council tax for 25 per cent. of its funding. In this financial year, the authority said that it needed a 5.3 per cent. increase in Government grant to maintain the same level of service, and yet it received nothing like that figure. Given that Lincolnshire is the fourth largest county by area, and has the second fastest growing population, that is totally unacceptable.

Mr. Hogg: Will my hon. Friend also make the point that in the forthcoming year the police authority will face an exceptional charge on pensions of £1.9 million owing to the fact that an exceptionally large number of officers is retiring?

Mr. Simmonds: My right hon. and learned Friend makes a good point. As I understand police authority funding, the only way in which it could fund those additional pension costs is by a reduction in front-line services. One criticism regularly made at my surgery is the severe invisibility of the police in my rural constituency. The point to which my right hon. and learned Friend referred will have a direct negative and detrimental impact on that provision of service.

The police authority is extremely disappointed by the lack of support from central Government, which will bring further difficulties in policing remote and rural areas. I agree with the chairman of a Lincolnshire police authority committee, Councillor Martin Hill, who summed up the situation as follows:

> "While Lincolnshire has continued to suffer a raw deal in terms of financial support, we have succeeded in delivering effective and efficient policing."

Were the Government to provide Lincolnshire police authority with funding at the national average, there could be a £15 million increase in spending on the police force. That could be spent in a variety of areas, including on putting more officers on the beat and on greater visibility and presence, which is what my constituents want. A recent survey conducted in my constituency confirmed that tackling crime was the No. 1 priority for the residents of Boston and Skegness. That underlines the importance of adequate and proper police funding in Lincolnshire.

One of the main differences between Lincolnshire and most of the rest of England is that it is predominately rural and communities are often far apart, which means that we rely heavily on the road infrastructure. That adds to the cost of providing services in the rural areas. However, the road infrastructure in much of Lincolnshire, particularly in my constituency around Boston, is ailing and hopelessly inadequate. There is a real need for a bypass around Boston.

Statistical evidence supports the view that Lincolnshire receives below average funding for transport infrastructure, maintenance and development. If Lincolnshire received funding at the national average, there could, according to the Lincolnshire local plan, be a realistic £18 million increase in spending on roads and on improving cycleways and public transport. That could be spent on improving the roads, and could make a major contribution to facilitating a bypass for Boston. Sadly, the problems on Lincolnshire roads, particularly in my constituency, look set to continue while the Government remain in power.

Let me comment briefly on education funding, which comes from the local authority, particularly the county council. I accept that problems in school funding have been a factor in many parts of the country, not only in Lincolnshire. Last year, there was a severe schools funding crisis throughout the country, as many schools' budgetary costs increased as a result of higher employer national insurance and pension contributions. However, the problem in Lincolnshire seems to have continued this year.

The Lincolnshire Secondary Heads Association recently said that Lincolnshire schools received less this year than those in most other parts of the country. One college principal in Lincolnshire, whom I will not name, remarked:

> "Why are they"—

school children—

> "not entitled to at least the level of funding that other young people are in similar counties around us? It means that schools can't employ the teaching and the non-teaching staff and buy the equipment they need for a modern educational system."

I entirely agree, and I do not see why the young people of Lincolnshire should be penalised.

Lincolnshire is fortunate enough to have retained grammar schools, which have provided generations of young people, some of whom are from very poor backgrounds, with an excellent education. In the Government's new five-year education plan, however, Lincolnshire grammar schools are under threat. I wrote to the Secretary of State for Education and Skills demanding equal and fair treatment for all schools, including grammar schools, but unfortunately he failed to give a commitment to the fair treatment of selective schools in Lincolnshire, which will be controlled by the manipulation of funding streams. Local authorities have calculated that if Lincolnshire received Government funding at the national average level, an extra £15 million could be spent on education—most of it, I hope, on front-line services in schools.

What can be done? In the short term, the Government could ensure that the grant settlement for next year is based on data available from the 2001 census. Currently, some 1991 census data are being used, to the detriment of authorities such as those in Lincolnshire whose needs are rapidly changing and whose populations are increasing significantly. The grant settlement should also be based on the latest population estimates. The current practice of using data that are at least two years old disadvantages authorities such as Lincolnshire that have rapidly expanding populations.

The ceiling on grants must be reviewed, as local authorities with rapidly increasing needs cannot be fully compensated through the grant system given the current ceiling. Government grant funding arrangements should be simplified and made more flexible. The ring-fencing of grants to specific areas is unhelpful and engulfs an enormous amount of management time.

[Mr. Simmonds]

I strongly recommend that the Government make funding arrangements more flexible so that local authorities can meet increased needs and demands.

Sadly, such a manoeuvring of resources away from Lincolnshire is not limited to local authorities. To some extent, it is also true of the health service, particularly dentists and the Lincolnshire ambulance service. Despite the hard work of the professionals and those who try to make the public services work, all these Lincolnshire services are suffering from being ignored by the Government. I hope that I have shown that the county of Lincolnshire has consistently lost out under the Government. I fear that this is part of the Government's ongoing and deliberate attempt at resource redistribution. Resources are being moved away from rural shires to the inner boroughs that are the Government's traditional political heartland. I hope that that trend will cease forthwith. I do not ask for special treatment for Lincolnshire or for the people of Boston and Skegness, but I do ask for our fair share. The people of Lincolnshire are not receiving it, and we demand that that changes.

11.14 am

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): I congratulate the hon. Member for Boston and Skegness (Mr. Simmonds) on securing this debate on funding in Lincolnshire.

The Government have high aspirations for local government, which we continue to match with proper investment. Before I comment on specific issues raised by the hon. Gentleman, I shall say a few words about the real improvements that we have made to the funding of local government since we took office and which are set out in the latest spending review.

I am pleased to say that we have been able to continue the considerable investment that we have been making in local government since we took office. That investment has seen a real-terms increase in grant of 30 per cent. since 1997. That compares starkly with the 7 per cent. real-terms cut in grant that councils saw in the last four years of the previous Government, of whom the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) was a member.

Mr. Hogg: In that case, will the Minister please tell us why the council tax funded 25 per cent. of spend in 1997–98 and in 2004–05 is projected to fund 31.46 per cent?

Phil Hope: I will come to that point in detail, but the simple answer is that it is because Lincolnshire authorities have been increasing council tax substantially, despite significant increases in grant each year in the past five years. I shall give him those figures in a few moments.

The other bit of bad news for the hon. Member for Boston and Skegness is that, if there were a change of Government, his councils would be in extreme difficulty. We announced our spending plans up to 2007–08 just before the summer. They mean a £7.2 billion increase in general grant for local government programmes by 2007–08 over 2004–05; 4.8 per cent. more a year above inflation in the level of local authority capital investment; and continued funding for the neighbourhood renewal programme. Funding for local authorities' emergency planning responsibilities will also be increased and there will more money for private finance initiative credits.

That contrasts with the shadow Chancellor's position, which is to impose a cash freeze in the first two years of a Conservative Government, were one—heaven forbid—ever back in power. A cash freeze on the local authorities in Boston and Skegness would wreak havoc on the services that the hon. Gentleman has so eloquently and rightly defended. He would like further increases in grant. As well as securing a debate in this Chamber, he might like to secure a debate in his own party about its policies on local government finance.

We hope shortly to announce the provisional local government finance settlement for 2005–06. That will include decisions on floors and ceilings. I will come back to the specific point about Boston. Local authorities will know that we are considering the operation of the ceiling for next year in areas of rapid population growth. I can confirm that the latest population estimates provided by the Office for National Statistics—those for mid-2003—will be used in the grant settlement. In addition, the ONS has released revisions of the mid-2001 and mid-2002 population estimates that were used in the 2003–04 and 2004–05 settlements respectively. We are committed to amending the grant distribution in those settlements to take account of the new figures.

We have also announced that the 2001 census data—other than on population—cannot yet be used in the settlement. That is because using updated data would require the recalculation of many of the formulae used in the settlement, which would break the formula freeze to which Ministers committed themselves following the formula grant review in 2002.

Authorities in Lincolnshire have benefited from the extra money that we have made available since taking office. Lincolnshire county council received a grant increase of £30 million, or 7.8 per cent., in the 2004–05 settlement, which is above the average for county councils. The district councils also received good grant increases, with most authorities receiving grant increases well above inflation.

Mr. Hogg: Must the hon. Gentleman not also address the absolute figures? He will know, for example, that the North Kesteven rate support grant per head of the population is £122 less than the national average. Those are the absolute figures.

Phil Hope: The right hon. and learned Gentleman refers to the North Kesteven settlement. General grant to North Kesteven council has increased yearly between 2001 to 2004–05 by 6.3 per cent. That is the average yearly increase and it is well above inflation. The council has introduced council tax increases of more than 6 per cent. a year. So, it has had a 6 per cent. yearly increase in grant over the past three years, and has raised council tax by 6 per cent. over those three years. Given those figures, it is difficult to understand the statement that the council has not had sufficient resources to provide services.

I remind hon. Members that Boston borough council received an increase in 2004–05 over 2003–04 on a like-for-like basis of 6 per cent. There were also increases of 4.2 per cent. for East Lindsey district council; of 3 per cent. for Lincoln city council; of 5.9 per cent. for North Kesteven district council; of 5.2 per cent. for South Holland district council; of 4.5 per cent. increase for South Kesteven district council; and of 7.7 per cent. for West Lindsey district council. All but one authority in Lincolnshire received grant increases of above the average for similar tiers of authority in 2004–05.

The hon. Member for Boston and Skegness is right to demand more money for services in his area. However, I say to him that since the Government were elected in 1997 we have provided those extra resources on a consistent basis. The past three years have seen substantial increases in grant to his authorities. He is right to come to this Chamber to demand more, but I hope that he appreciates that the figures demonstrate that those moneys have been given.

I shall now deal with some of the specific points that the hon. Gentleman made about particular areas. He has written to me about various complicated matters concerning formula [illegible] and, in particular, about the impact of large-scale voluntary transfers. This week, he will again receive a letter, to clarify some of the issues that he has raised in correspondence with me.

Let me make it clear, however, that whatever the system for distributing formula grant to local authorities, we can only distribute a fixed pot, because there is only a certain amount of money to give out to local authorities. Distribution formulae do not confer entitlements to exact amount of grant. Decisions have to be taken on how to make the formula system work with the amounts available, and floors and ceilings are one way of doing that. However, even if we did not have those, it would remain true that in the circumstances of any particular year, a council could not rely on the formula to deliver a particular amount of grant.

We introduced floors and ceilings in 2001–02 for education authorities and then extended them to cover all authorities in 2002–03. We have reviewed their operation each year. We have always calculated floors and ceilings to provide an increase based on the actual grant received by a council in the previous year, after allowing for changes in funding and function. We have made two refinements since: one on schools funding, and one that relates to shire districts by adjusting the base position to allow the revenue grant consequences of recent capital investment allocations to come through over and above the ceiling or floor. We did that because we took the view that capital investment deserved special treatment.

I am aware, from correspondence and other mechanisms, that Boston would have wished us to exclude from the grant ceiling formula grant increases that resulted from a transfer of housing stock under the previous arrangements. In principle, it would have been feasible to make other adjustments for other cases, and we did consider adjusting for the result of voluntary housing transfers. We took the view, however, that the benefits of making many further adjustments did not outweigh the considerable disadvantage of greatly complicating an already very complex grant system.

The hon. Member for Boston and Skegness also raised questions about funding for Lincolnshire police. I assure him that ensuring that there is good and proper funding for the police service remains a top priority for the Government. Lincolnshire will receive a general grant allocation—Home Office police grant, revenue support grant and redistributed business rates—of £60.6 million, which is a cash increase of £1.9 million over last year. If the funding formula alone had been applied, Lincolnshire would have received a grant of £60.1 million, but because of the floor of 3.25 per cent. on top of last year's grant, it will in fact receive £60.6 million—£500,000 more. The operation of the floor in the case of Lincolnshire police has benefited them to the tune of £500,000. That is a significant contribution to delivering better police services in the hon. Gentleman's constituency.

The Lincolnshire force will continue to benefit from additional resources from targeted programmes. Lincolnshire will receive resources from the crime fighting fund, the rural policing fund and the basic command unit fund, and money for Airwave, for the DNA expansion programme, for special priority payments, for community support officers and for capital grant—an additional £7.65 million. Most police authorities receive a similar range of grants. The hon. Gentleman is right to press for resources for better policing in his constituency and we are right to have delivered it to his police authority in the past few years.

The hon. Gentleman also raised the matter of education funding. Lincolnshire has had an increase in total recurrent funding of £880 per pupil in real terms since 1997, which is a huge investment in children's education in the county, and the Government are proud of that. Lincolnshire's schools formula spending share increase this year is 6.1 per cent per pupil, which is above the national average. Lincolnshire also receives transitional grant of £600,000 this year—and a further £300,000 in 2005–06—to help schools in the greatest difficulties, which the hon. Gentleman described, to balance their budgets by 2006–07. We recognise the difficulties that can occur, even with the extra money, and have responded positively.

The measures that we have introduced for 2004 to 2006 have restored confidence in the school funding system. As part of the funding settlement for next year, we have guaranteed all schools a minimum per-pupil increase of 4 per cent. for secondary schools and 5 per cent. for primary and nursery schools. That will promote continued stability and certainty for schools, and it has been welcomed by representative teachers, head teachers and school support staff on the work force agreement monitoring group.

Mention has been made of council tax. Our spending plans will provide overall above-inflation increases in funding for local authorities. In common with the rest of the public sector, councils need to be more efficient and we expect local government to contribute significantly in that respect, delivering at least £6.45 billion-worth of efficiency gains. Putting aside party political points, I suspect that there is agreement on both sides of the Chamber on the need for greater efficiency in public services, including local government services. I am pleased that the Local Government Association is committed to delivering those savings, which can and will be invested in front-line services.

[Phil Hope]

There is considerable variation between authorities in their scope for making future savings, but in local government as a whole there is scope for efficiency savings of about 2.5 per cent. a year in procurement, back-office reforms and so on, which is 7.5 per cent. over the next three years. Those savings are possible because they have been demonstrated by some innovative partnership agreements set up by local authorities, and by some local e-government initiatives for which I, as Minister, have been responsible. We will work closely with local government and with the Audit Commission to ensure that those gains can be achieved and delivered to improve front-line services.

We have worked hard to improve the local government funding formula and taken steps to ensure that all local authorities receive sufficient support and to provide a stable financial climate, as I hope I have shown in the debate. I hope that I have not been too robust, but I feel strongly about the matter. Lincolnshire county council and the district authorities in the area have benefited directly from this Government's extra investment in local government. We want local authorities to continue to improve local services. We set out in our latest spending review the framework for delivering them, while allowing local authorities to ensure that council tax increases are at an acceptable level. I cannot emphasise too strongly that we expect next year's council tax increases to be in low, single figures. Authorities will need to play their part through continued efficiency savings, but we will work with local government to help them to do so.

11.29 am

Sitting suspended until Two o'clock.

Coal Health Claims

2 pm

Mr. Mark Todd (South Derbyshire) (Lab): This is ordinarily a popular subject for an Adjournment debate, so I expect a full complement of speakers and I do not want to take too much of the time available in introducing the points I shall focus on.

I have chaired the English regional sub-group of the monitoring group on coal health claims, covering Derbyshire, Leicestershire and Nottinghamshire, for the past four years or so. At the end of last month, nearly 3,200 claims for respiratory disease damages and just over 1,500 claims for vibration white finger had been submitted from South Derbyshire residents. Taking the two schemes together, a little over one third of claims have been fully settled or withdrawn or denied. Settlements commenced on both sets of claims in 1996, but the bulk started to be settled only in 2001. Anyone unlucky enough to be subject to a policy dispute may have been waiting many years for any form of offer or settlement.

It has been claimed, both by Government advisers and the solicitors claimants group, that the sheer volume of claims for chronic obstructive pulmonary disease was unexpected. That view was strongly expressed by the solicitors claimants group at the last monitoring group meeting, and I found it surprising. Virtually all hon. Members present represent constituencies where substantial groups of former mineworkers live. As soon as it was clear that family members could make claims on behalf of deceased mineworkers, most people expected a vast claims mountain to accumulate. Most of us also recognised that as soon as any closure date was announced on the scheme, those who handle claims, and those who farm for them, would vigorously seek to increase the number of claims made by the final date. I find it stunning that the volume of claims submitted has come as a great surprise to the solicitors representing the claimants.

The huge task of processing 570,000 claims for COPD—I shall touch on both claims schemes at various points—is, I imagine, the largest claims process for damages in the United Kingdom and probably in Europe, and it presents issues of process management and of focus of expertise, which should have been clear to the parties to the process at an early stage. It was clear that there were significant complexities in discovering the work history of mineworkers. In many cases, pits were closed and records either destroyed or woefully incomplete because no one had imagined that they would be required for this purpose. National health service records for those who died more than 10 years ago are kept only in exceptional circumstances. For those reasons, collecting information was always going to be a challenging task, particularly on behalf of deceased mineworkers.

The Parliamentary Under-Secretary of State for Trade and Industry (Nigel Griffiths): I do not want to take up time, Mr. Sayeed, because I shall respond in full later, but it may be helpful if I point out that deceased miners and their rights were envisaged and built into the original court judgment, rather than their emerging later. When the initial calculation was made, in all good faith and taking that fact fully into account, it was estimated that 100,000 or fewer miners might be eligible for compensation. The figure is now six times that.

Mr. Jonathan Sayeed (in the Chair): Order. Many hon. Members want to take part in the debate. If interventions are brief, I shall be grateful.

Mr. Todd: I appreciate that, Mr. Sayeed. This subject could be debated at length, but I do not want to do that. We can all claim expertise in hindsight. I have a record, which has been laboured to some extent, of pressing for some years for changes in process within the scheme. I find it frustrating that the two parties to the process have only recently decided that they can move to an accelerated system for dealing with the volume of claims that they face.

It is right to congratulate the Minister on one step that he has taken to deal with the expedited process. Once it was recognised that we needed to accelerate claims—otherwise, no settlements would be found for many people until almost the end of the decade—he facilitated the process of designing a scheme that has many merits. It has cut out medical examination of records, used the data that we have already collected on the average of settlements made, and accepted the principle of discounting in cases in which it is difficult to obtain proper information, which many well-advised claimants will understand. Those design elements are sound, but I know from talking to colleagues, some of whom are here today, that the most important is the acceptance that any expedited process cannot be mandatory and that it would be wrong to tell claimants that they must accept the expedited offer or leave the scheme and pursue their claim by a civil process. That would be manifestly unfair, and I am delighted that the Minister took the initiative in saying that that would not be the Government's position in representing the coal industry.

There are other circumstances in which expedited offers might be seen as reasonable. I have been startled by the process introduced to handle services claims for vibration white finger. Although the overwhelming majority of claimants are alive and have had their hands examined so that the disability that they suffer is well known when they claim, they have to go through a further medical examination to test their fitness and whether they require assistance services to do things that most of us, albeit incompetently in my case, can do for ourselves, such as DIY, gardening and cleaning around the house, which they cannot do because of the damage to their hands.

My view, which I have expressed repeatedly, is that an expedited system for handling services claims would make sense. Many VWF claimants just want to see the end of the process, and having an overhang on services that may run until 2007 does not suit them. Provided that a fair mechanism was designed to remove some of the complex and expensive steps involved, it would be worth while to examine an expedited process for offers on that element of the outstanding claims.

We also need to reflect on the unit costs of processing claims. All of us know that the costs of handling claims, compared with the offers made at the end of the process, are widely resented in mining communities. The fact that the cost of solicitors, claims handlers, IRISC, the medical team and so on examining a claim and producing an outcome is sometimes far higher than the offer at the end of the process is regarded with considerable resentment.

Mrs. Helen Liddell (Airdrie and Shotts) (Lab): My hon. Friend makes an important point. One dimension that has changed in relation to coal health claims is the intervention of claims-handling companies and rogue solicitors' firms that see these claims as a dripping roast. I postulate that the number of claims, which at 570,000 is six times higher than was expected at the beginning, may be a consequence of claims-handling companies and so on coming into this arena. I am interested to know whether my hon. Friend has any suggestions as to how we deal with the problem of those who are exploiting miners and the families of deceased miners.

Mr. Todd: I welcome what my right hon. Friend says. We all recognise that unscrupulous claims handlers have added to the pile of claims. They have sometimes done so when most people would say that there was no substance to the claim and that they have simply induced people who have the most vague notion of what they may be involved in to submit a claim because they want to claim the proceeds on their own behalf. Obviously, such matters have been pursued; my hon. Friend the Minister will be well able to comment on some of the steps taken to deal with the more unscrupulous practices, and I do not want to detract from what he will say. My only suggestion is that we should try to maximise the information available to potential claimants.

The finish dates for the schemes have passed, so the opportunities for the sharks have gone away: they are probably circling in the water elsewhere in the system to try to find ways of making money. However, what has happened has been an illustration, from which we need to learn, of how innocent people can be exploited by people with narrow aims of their own.

I shall rattle through some key points. On vibration white finger, I have found that many claims for damages have been denied on the basis that the jobs a man did failed to fit within the list of occupations. I am talking about group 3 claims, as most of us will know of those. Subsequent checks by IRISC after longer experience of the scheme produced information about significant errors in the initial categorisation. I was stunned that of some 15,000 claims referred back to be checked as group 3 claims, 2,500 or more were recategorised as group 1 and 2 straight away through a manual exercise. That suggests an error level that we should not be prepared to accept.

It also suggests that in relation to some claims rejected early in the process, particularly those involving solicitors with little mining knowledge—one weakness in the English system, in particular, is that many solicitors with relatively little mining knowledge have been involved—the problem has been that initial rejection on the basis of occupation has simply led to the claim being denied and time running out. It has been argued powerfully that the initial denials need to be reviewed to check whether the error level found in group 3 categorisation might also apply to the initial denials. I understand the argument that the solicitors should have

[Mr. Todd]

briefed their clients more effectively and should have responded to the issues that arose when the initial denial occurred. However, we all, as practical people, must understand what has happened, which is that where solicitors of poor quality were involved, they may well not have done that. In the interests of justice, we should ensure that it is done.

When evidence is produced, another aspect of VWF that causes problems is the pursuit of witnesses by loss adjustors who appear to demand a level of proof in handling the claim that is much greater than one would usually expect in a civil court process. That affects the number and quality of witnesses and the quality of information that those witnesses provide about exposure to the relevant tools. As was discussed heavily in monitoring group meetings, I urge a more sensitive approach and a recognition of the need to understand the principles of the level of proof on exposure required in the basic civil process.

Finally, there is a small number of surface-only claims in my constituency. Common sense tells us that people exposed to surface dust in the dusty environment in which coal is sorted have been exposed to as much dust as most underground operators. The position taken until now may have been based on medical advice, but it simply flies in the face of the intuition of most of our constituents and, frankly, of all of us. We are seeing an early move towards quite properly including surface claims in this process so that they can be handled as quickly as possible.

This has been a major issue for the residents of South Derbyshire. The area has benefited substantially, but in the cruellest way. So far, £14 million has been distributed to my constituents, and I understand that a great deal more will eventually be delivered. However, it will have been delivered out of injury and tragedy, compounded by some of the processes imposed on the system and by the legalistic way in which some of the scheme was thought out.

We all recognise that we would not have pursued the matter in this way if we had started the process back in 1996—the Government were not in power then—and if we had decided how to define a sensible scheme to deal with the predicted outcome that we have. We would have delivered a faster and better outcome for the many claimants whom we represent.

Several hon. Members *rose*—

Mr. Jonathan Sayeed (in the Chair): Order. I point out to any colleagues who want to speak that there is only a limited amount of time in which to do so. Seven colleagues want to speak, so I ask each of them to limit their contribution to about five or six minutes, and then everyone will be able to make one.

2.18 pm

Adam Price (East Carmarthen and Dinefwr) (PC): I congratulate the hon. Member for South Derbyshire (Mr. Todd) on securing this important debate, which is particularly timely, given some of the changes to which I shall refer.

There is a sense of frustration that we must continually scrutinise the scheme in this way, and although the hon. Gentleman is right that the Government are not to blame for all the problems associated with the scheme, they have certainly created as many problems over the years as they have solved.

I shall briefly refer to three aspects: the new scheme for minimum payments; the new Government rules on unassessable claims; and surface workers. I echo the hon. Gentleman's comments on surface workers.

I welcome the Government's rejection of a compulsory system for minimum payments. Something had to be done. Some 54,000 claims are made a year, and there are 400,000 outstanding claims, so at the current rate of settlement, a claim would be settled in 2011—some 14 years on from the court case. That would clearly be unacceptable.

I would, however, like the Minister to address cases that have already been settled but below the new minimum payment. Does he agree with the unions that a top-up should be paid in respect of cases already settled at less than the new minimum payment? That precedent was set by the previous improvement in the expedited offers, when people who had received less than the minimum payment under the new, expedited scheme received a top-up. Surely that precedent should be used in this case.

I move on to claims that are unassessable—in the Government's view, that is—which are those of colliers who died without medical records. Last week, the Department of Trade and Industry put before Lord Justice Turner some new proposals on what it called unassessable claims. Those proposals said:

> "There will be deceased claims which fail to be assessed under the scheme where insufficient notes to enable the claim to be assessed by a respiratory specialist—whether this be after the rejection of an optional risk offer earlier in the process or not. The Department's current thinking is that there is no basis on which such claims can be assessed and they should therefore be denied."

We should like some clarity from the Minister—the most important thing today. How does he define those cases that fall within that paragraph? What is the definition of unassessable? I would point out to the Minister the early-day motion in the name of the hon. Member for Barnsley, West and Penistone (Mr. Clapham), which reflects the feelings of many coalfield Members.

In September 1999, when the Government signed it, the original handling agreement specified how to deal with such cases. Where there were no medical, coal board or benefits agency records, assessors were to be allowed to use the death certificate and a claims questionnaire to make a judgment. Every claimant who had those two documents was to be allowed to proceed with the claim. It would be beneficial if records had been preserved. To be fair to the unions, they called on the Government to ensure that as many records as possible were preserved at the beginning of the scheme. If that has not happened, it is not the unions' fault, and it is certainly not widows' fault if records have been destroyed. We would like from the Minister the Government's definition of unassessable, because another meeting with Lord Justice Turner is planned for next month. We coalfield Members need the information from the Minister today, because the suspicion—rightly or not—among many in the coalfield is that the DTI is trying to avoid paying out to tens of thousands of miners. Today is the day on which the Minister can allay those fears.

Finally, in relation to surface coal workers, I entirely agree with the hon. Member for South Derbyshire. We have heard the case for that from so many hon. Members over so many years. We even have the Government contesting surface dust claims. If those miners lose, the Government will force them to cover the legal costs. That is immoral, in my view. Dust levels in washeries and coal preparation plants were in many cases worse than they were in mines. Another Department, the Department for Work and Pensions, has recognised pneumoconiosis as a prescribed disease for surface workers and dock workers working with coal, but the Government see matters differently in relation to this scheme. That is not sustainable. Here is an opportunity for the Government to allay fears about new rules that are unacceptable for miners' widows and in relation to a relatively small group of workers who have suffered enough. They should be treated equitably by a Labour Government.

2.24 pm

Mr. Kevan Jones (North Durham) (Lab): I congratulate my hon. Friend the Member for South Derbyshire (Mr. Todd) on having secured the debate. In my constituency, the Labour Government's implementation of the coal-handling agreement has been welcome. It has paid out more than £10 million to former coal miners and families.

However, the way in which certain members of the legal profession and claims handlers have descended on a constituency such as mine and greedily plundered people's compensation is nothing short of a national scandal. I raised that issue in a debate on 3 March, and I cannot understand why there has not been a bigger outcry nationally. As I said then, I can only assume that national newspapers and others are not interested because it is not happening in leafy middle England.

In the debate of 3 March, I mentioned a case involving the Newcastle law firm Mark Gilbert Morse, which charged claimants 25 per cent. of their compensation in addition to the fees that it received from the Department of Trade and Industry. That was totally unjustified and, as I said on 3 March, was pure greed. I am pleased to say that, following the helpful intervention of the Minister and the Law Society, and thanks to publicity from the *Newcastle Evening Chronicle*, those fees were paid back to claimants. In the cases that I highlighted, more than £50,000 that was wrongly plundered from my constituents' compensation has been returned to them.

The Law Society assures me that Mark Gilbert Morse has paid back all moneys that it deducted. I asked the Law Society to give an overall figure, but it could not, which shows some of the weaknesses in its self-regulation policy. I ask anyone out there in the coalfields of the north-east, or anywhere else, who has been a client of Mark Gilbert Morse and has not had his or her deducted fees back to please come forward. Also, I challenge the Law Society to ensure that we get a proper breakdown of the wrongly deducted moneys that Mark Gilbert Morse paid back to its clients.

It is annoying that companies such as Mark Gilbert Morse knew that it was wrong to deduct those moneys, but that absolutely nothing is being done against them apart from their being forced to pay it back. The Law Society is toothless when it comes to bringing any kind of sanction against such firms. There is a growing call for the self-regulation imposed by the Law Society to end and for some other form of regulation of solicitors to be introduced.

Claims handlers, or claims farmers as I call them, have descended on many coal-mining constituencies like vultures. Such firms are totally unregulated, are represented by people who are not qualified solicitors, and have been set up purely to exploit the coal handling arrangement. Such people call themselves compensation advisers or legal advisers, although 99 per cent. of them have no legal qualifications whatever and are simply middlemen, but they do not make that clear to the people on whom they call. They often approach elderly people on their doorsteps. In the worst case that I dealt with, an 83-year-old in Beamish was forced to sign an agreement on her doorstep, although she clearly did not have a claim because her brother, whom the claim was for, died in 1952.

In other cases, companies have held meetings in working men's clubs and have sometimes purported to be from representative trade unions. Indeed, some of the firms' representatives are former union officials. Such firms make their money by charging claimants administration fees or deducting a percentage from their compensation. I have been told that they sell claims to firms of solicitors. Two solicitors' firms in Newcastle have informed me that they have been approached by claims-handling firms wanting to sell them claims.

The relationship between solicitors and claims farmers needs to be investigated urgently. In the debate of 3 March, I discussed the case of my constituent, Mr. Jobes, who had more than £3,000 of his compensation deducted by a claims farmer called Industrial Disease Compensation Ltd. of Ashington, Northumberland. IDC passed his case on to a firm of solicitors in Liverpool called Silverbeck Rymer, which, on completion of the claim, deducted the money to cover IDC's costs under the agreement that Mr Jobes had signed.

The Law Society is pursuing the case, and I thank it for its involvement. It is unclear what cost IDC incurred. In a letter to the Law Society dated 13 October, Silverbeck Rymer stated that the agreement with IDC was justified because such claims were being vigorously denied and no compensation scheme existed at the time; charges levied by IDC were intended as an indemnity for payments of other parties' solicitors and disbursements incurred; and there was an element of risk in such claims. At the time, however, that was total nonsense.

Silverbeck Rymer was first instructed about the case on 5 February 1999, but the judgment that set up the coal handling agreement was given in 1998. So, when the firm took the case from IDC, it knew that the scheme was under discussion and that it would not have to enter into litigation. It was also a member of the claimant group of solicitors, so it was well aware of developments. Indeed, the judge at the time warned the claimant group not to incur any unnecessary disbursements while negotiations were taking place on the scheme.

When it took on the case, Silverbeck Rymer knew, as IDC did, that there was no risk at all. When the handling agreement was put in place in September 1999, it also

[Mr. Kevan Jones]

knew that its costs would be covered and that the DTI would not attempt to recover costs from claimants in cases that failed. Why, then, did it deduct the money and pass it to IDC? I do not know. I challenge both firms to explain why the money was deducted and to return it to Mr. Jobes.

I know of many similar cases in the north-east and elsewhere. This case angers me because a decent, hard-working constituent has had his compensation plundered in a totally appalling way. I am aware that there are other such cases, and I ask the Minister urgently to investigate IDC in particular, because what it is doing is daylight robbery.

2.32 pm

Mr. Roger Williams (Brecon and Radnorshire) (LD): It is a pleasure to appear under your chairmanship for the second time today, Mr. Sayeed. I, too, congratulate the hon. Member for South Derbyshire (Mr. Todd) on obtaining the debate, because the ongoing scheme needs scrutiny at all stages.

Where compensation has been delivered to families and individuals whose lives have been ruined by disease, it has brought justice. However, several claims remain on the books, and hardly a week goes by without either myself or my office being approached by people who are having difficulty with their claim or with its slow resolution. As has been said, such things would have gone on for many years if something like the minimum payment scheme had not been brought in.

It is not only individuals, but areas that have benefited from the payments. However, a huge amount of money has also gone into the coffers of solicitors. Some have been very efficient and effective on behalf of their clients, but others have been less so. We have not had such problems with unscrupulous solicitors in the south Wales area, although claimants who have engaged solicitors from outside the area have had that experience. There is certainly evidence of claims being handled very inefficiently, and one firm sent a family a lot of confidential and sensitive legal documents that related to a completely different claim from the one that the family was pursuing. That caused both the family and the people involved in the other claim considerable concern.

In the short time available, I want to speak about two issues. One, which has already been touched on, is surface workers. Some people who worked on the surface were subject to even worse conditions than those who worked underground. Furthermore, the job titles describing the activity in which they were involved differed from coalfield to coalfield, as did the conditions in which they did their jobs. I therefore ask the Minister to consider the possibility of decisions being made on the basis not of job title, which, as I say, varied from coalfield to coalfield, but of the conditions and medical history that the surface workers set out in their claims.

The main issue that I want to raise is about those people who spent part of their time as miners and colliers not in the nationalised industry but in private small mines and the difficulty that they have in bringing their claims to a satisfactory conclusion. As hon. Members know, many such claims are pursued on behalf of the widows or descendants of those miners, so information about the record of their employment history is even more difficult to obtain with any certainty. However, I have been assured, by answers to questions that I have asked the Wales Office for instance, that a policy would be developed shortly to deal with such claims.

It therefore came as a great disappointment when I received a letter from Mrs. Carpenter, who was making a claim on behalf of her late father, Mr. Morris. The letter, addressed to Mrs. Carpenter from her solicitor, said:

> "I have been in contact with the Defendant's Insurers and unfortunately, your claim cannot currently be progressed as the claim is subject to a Policy Issue. I asked for this issue to be explained and basically they are unable to provide an offer until new software is developed in relation to the PMF element"—

the private mine element—

> "of your claim. The Defendant's Insurers do hope to have the new software in place as soon as possible".

Will the Minister indicate when such claims can be addressed and brought to a conclusion? A number of people are hanging on, sometimes in very poor states of health, and their lives could be radically improved by the compensation due to them that they have not received.

2.37 pm

Mr. Michael Clapham (Barnsley, West and Penistone) (Lab): I congratulate my hon. Friend the Member for South Derbyshire (Mr. Todd). The debate is timely, because the Department of Trade and Industry, together with the claimants group of solicitors, is seeking the court's approval to make adjustments to the scheme. That is what I want to concentrate on.

I am a member of the English monitoring group, which was established by my right hon. Friend the Member for Airdrie and Shotts (Mrs. Liddell). The group's purpose is to try to ensure that the scheme continues, overcoming blockages that can occur with the insurers, who are very much involved, and the solicitors; and to report to the Minister. The coal-handling scheme was established in 1999, after 18 months of discussion and negotiation between solicitors for both sides. The scheme has worked well, albeit not as fast as some would have liked. That is why we are considering how we might speed it up. The Minister has suggested introducing standard payments for certain categories of claimants, and I think we all agree that that would help speed up settlements.

At the same time, there are concerns about some of the suggestions that, I understand, the DTI made in the court on 18 and 19 October. In particular, I refer to the new concept of the unassessable case. Will the Minister clarify what an unassessable case is? Under the handling agreement, there is provision to settle cases with a paucity of medical evidence, so that a case with, for example, only the death certificate, together with the form that the widow has completed, could be settled with an offset—that is, a discount. That provision seems to have worked well, but there is now a new concept, of the unassessable case. It seems to solicitors that it is the DTI's intention to rule out an unknown but potentially large number of cases.

I received a letter from the claimants group of solicitors only two days ago. The penultimate paragraph states:

> "I trust you will agree that it would be wholly wrong for the DTI to seek to exclude deceased cases in the way apparently contemplated, particularly when they were expressly catered for under the coal handling agreement from the start and in many cases the lack of British Coal records is a result of British Coal's inappropriate continuation of their destruction."

That refers to the fact that, after the case was taken to court in 1996, British Coal continued to destroy some records. Consequently, not every case registered will have a record that can be traced through British Coal's archives, which are based in the midlands.

Will the Minister clarify the new concept of the unassessable case? In doing so, will he say how many cases are likely to be disallowed or stopped from proceeding if the unassessable case concept is implemented? There have been a number of other suggestions. Medical contractors suggest that a little tweaking to the medical assessment process would allow them to complete all the medical examinations required within three years. Again, the Minister may wish to comment on that, because the medical contractors have completed a document for the court, which was made available to the DTI before the hearing.

In conclusion, I ask the Minister to reconsider the surface work issue. He has heard from many colleagues that mining communities feel strongly about that. Many of us who know the industry are aware that surface workers in certain areas of the colliery worked in extremely dusty conditions. Will he consider allowing certain categories of surface workers to make claims? That would mean bringing in a new claims procedure especially for those surface workers who worked in certain areas of the colliery, but we could do that.

2.43 pm

David Hamilton (Midlothian) (Lab): I, too, congratulate my hon. Friend the Member for South Derbyshire (Mr. Todd) on securing this debate. I shall not go over ground that has already been covered, such as problems with the legal system, but shall talk about my personal involvement in the issue, which can be important.

As an ex-miner, I realise how the problems have come about. As a councillor in my local area, I proceeded with a number of cases, as all hon. Members present have done. I spent hours, nights and weeks trying to assist people to fill out the appropriate forms to get to the stage that we are at now. Since I became an MP, continuing cases, such as those we are now discussing, still stand out as my biggest case load. Partly, that is because I am recognised as being an ex-miner. Many people come to me because they know me, and because I live in the community I represent—I was born and bred there.

The amount of money secured is important. In Midlothian, £9.5 million has already been paid out in cases of vibration white finger. For cases of chronic bronchitis and emphysema, £9.5 million has been paid out with a lot more to come. In Scotland, £98 million has been paid out in cases of chronic bronchitis and emphysema, and £64 million has been paid out in cases of vibration white finger. By September, £1.2 billion had been paid out in the whole of the United Kingdom. The concept of providing such an amount of compensation for industrial workers is the first of its kind that I have ever known, and the Government should be congratulated on that. Let us not forget that it was this Government who delivered that package; it would not have been delivered by any other Government. We are entitled to make criticisms when we have them, but we should not lose sight of the fact that we are debating an issue that would not have been debated had things been left to another Government.

Two or three early-day motions were tabled in my name yesterday and last week. We are concerned, in spite of all the good work that the Government and we have been doing and the work done by previous Ministers. My right hon. Friend the Member for Airdrie and Shotts (Mrs. Liddell) is to be congratulated on setting up the framework for many of the cases that we are now dealing with. The Minister who followed her, my right hon. Friend the Member for Cunninghame, North (Mr. Wilson), took on the same mantle. I hope that the Under-Secretary of State for Trade and Industry, the hon. Member for Edinburgh, South (Nigel Griffiths)—the Ministers are all Scots, I notice—continues to carry through the good work of his two predecessors, so that we do not have this great victory taken out of our jaws.

The amount of money that I mentioned earlier sounds like an awful lot, but let me put it in personal terms. An old lady in my area, who has known me since I was born, came to me, and I sat down to read through the form with her four years ago. She then got an award of about £3,000, and of course she was tickled pink—she was over the moon. She did not have very much money—she never has had—and she lost her man quite early in her life and has a family of eight. I told her that that was not all that was going to come, and later on she received a further £60,000. We are talking about a group of people who have never seen that level of income in their life—that is the human aspect. Those people have never had that amount of money; the sad thing is that her man is lost, and although each of the eight members of her family received £1,000, one had already died, so that she received a further £1,000 on top. That is the sad, but good, thing that happens in such cases. That human aspect is not always considered in relation to the cases that go forward.

Two issues are really important. Private and small mines are a big issue, not just in south Wales or certain parts of the English or Scottish coalfields, and that has to be addressed. That concerns people who worked in the private mines all their lives. The second issue needs to be dealt with effectively and could include miners who worked for the National Coal Board and then for British Coal before the pit was privatised or turned into a private mine. That person's settlement cannot be made until the facts and figures about his employment with the private mine have been released. He may have worked with the private mine for only one year of a 40-year or 30-year service, but he cannot get a single penny because of that.

Mr. Roger Williams: The hon. Gentleman raises a point that I could perhaps have spoken about. Often, miners are quite prepared to have that small piece of

[Mr. Roger Williams]

their service in a private mine disregarded in order to settle the claim. However, it seems that that cannot be achieved.

David Hamilton: That is a very good point. I have already seen a number of cases where people have disregarded the second part, just to get the claim dealt with. That is unfair and wrong. However, in a number of cases people throughout the coalfield are in that category. It is surely not beyond the realms of possibility for the Minister or the Department to settle the claim while waiting for the outstanding claim on the final part to be done. I believe that that could be done with the stroke of a pen.

There is one more thing to discuss, which concerns surface workers. When I started in the pit, there was an old saying: "You start on the hill, you go down the pit, and you finish on the hill." A man's body was so wrecked by the time he finished in the coal industry that he had to finish back on the surface. I acknowledge that the Government recognise that someone with five years' underground service qualifies anyway, irrespective of whether he ended on the surface.

Let us think of the change that took place even over the short time I spent in the industry—some 20 years. In 1965, I worked in what they call a washery, and a couple of hundred people worked in the pit. When I left the pits, unceremoniously, during the miners' strike in 1984–85, Monktonhall colliery had 2,000 men, and a prep plant that produced 1 million tonnes of coal a year.

Mr. Kevan Jones: As a former miner, does my hon. Friend agree that dust levels in the screens and washers were higher than some underground? My constituent, Mr. Ken Lynne, who worked in the screens comes into my surgery every month gasping for air, and he cannot claim. Does the hon. Gentleman agree that dust levels were perhaps higher in the screens than they were underground?

David Hamilton: Yes. I was coming to the point about the major change in the coal industry when the mega pits, as they were called, began to be introduced. In the mega pits, the miners did not move around to different jobs; a person who was brought in to the baths stayed in that job for the rest of his working life. My hon. Friend's point about where someone worked on the surface is valid. Some people who worked on the surface never worked in the prep plants, and conversely, there are people who worked in the prep plants who never worked anywhere else. It is grossly unfair for those people to be disqualified. Records are available from witnesses by word of mouth—ex-managers, for example—that would confirm where those people worked in a particular period. There are ways forward; I am proud to be part of a Government that has delivered so much for a group of people.

There has been a lot of talk about the court case, but as far as I know whatever that court decides it will not be applicable in Scotland. There will, therefore, be a major division between MPs, because the legal position in England and Wales does not apply to the Scottish courts. The agreement at present is between the National Union of Mineworkers, Scotland area, and the Department of Trade and Industry. Rest assured that if there is a problem in relation to the courts, the Scottish area will step back from it and it will end up in the Scottish court. We have such a big success record behind us—we are on the last track to that success story—and we want to take the scheme forward and make it work for everyone.

2.52 pm

Jeff Ennis (Barnsley, East and Mexborough) (Lab): I, too, congratulate my hon. Friend the Member for South Derbyshire (Mr. Todd) on securing this important and timely debate. I shall not detain hon. Members too long, as many of the points that I wanted to make have already been made.

I reiterate the point made in early-day motion 666 on 24 February, which formed the basis of my Adjournment debate on 9 September: there is a pressing need to establish a minimum compensation payment for miners suffering from chronic bronchitis and emphysema; after all, solicitors are guaranteed an average of £2,200 for every CBE claim they deal with.

It would be remiss of me not to add my congratulations to the Government on implementing a scheme that has put more than £72.5 million into the pockets of people in my constituency alone. Barnsley always vies with Easington about who has had the most money, and I do not know who has had the most at present; it is a photo-finish. There are only 69,000 people on the electoral register in Barnsley, East and Mexborough, and £72.5 million has gone to 12,500 former miners in the constituency, which is fantastic. However, the case for a minimum payment scheme is overwhelming because an analysis of the claims shows that about 150,000 have been settled so far. Roughly, half the claims are live claims—the miners are still alive—and half are bereavement claims. If we established a minimum compensation payment to speed up the process, we would get the money to as many miners as possible who are still alive. Miners suffering from chronic bronchitis and emphysema are not getting any younger, and if we do not pay them shortly, the percentage rate and balance will change quickly. If we cannot make the full payments, we should make further progress on delivering interim payments.

A closer look at the analysis shows that two thirds of the full and final offers already made were for less than £5,000. Just under half the claims settled so far were for less than £2,200, which is the amount of money that the solicitors are guaranteed. Further down the scale, 22,000 claimants have received less than £1,000, some 10,000 former miners have received full and final payments of less than £500, and about 3,500 miners have received less than £200. How can we justify giving compensation of less than £200 to someone whose lungs have been so badly damaged while we pay solicitors a guaranteed £2,200? That cannot be right.

I want to repeat one example that I quoted in my September Adjournment debate, because it is appropriate to the point I am making. It concerns a miner who worked in the coal industry in Derbyshire. An ex-miner with 13 years' experience, he was found to have chronic bronchitis and emphysema. His unapportioned award was assessed at £5,304, but using the handling agreement calculator, the recoverable proportion, after taking his smoking into account, was just 0.31 per cent. of the total, resulting in an offer of £17.64. So he received £17.64 for 13 years underground, while his solicitor got at least £2,000.

I know that, after consultation with the claimants' solicitors, consideration is being given to introducing a minimum compensation payment. We heard earlier from my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) about the standard payment initiative, which is currently being negotiated, but will the Minister update the Chamber on the situation as regards establishing a minimum compensation payment, rather than a standard payment?

A minimum compensation payment would serve a number of useful purposes. First and foremost, it would speed up the process and allow more miners to receive their compensation while they are still alive. It would, I hope, cut the current end date from 2011 to 2007 or thereabouts. A minimum payment might also cut the money going to solicitors. That may sound harsh, but we should look at ways of trying to get more money from the solicitors' pockets into the miners' pockets, and that might be a secondary outcome of establishing a minimum compensation payment. I have great difficulty in morally defending a derisory compensation payment of less than £200 to some of my constituents when solicitors get an average of £2,200. In the long run, a minimum compensation payment of £1,500 could actually save the Government money. I hope that the Minister will continue to give serious consideration to that important point.

2.59 pm

Malcolm Bruce (Gordon) (LD): This debate focuses on the tragic human legacy of our coalfields. We have heard a lot of speeches from Members who represent coal-mining constituencies or have worked in coal mines, which give us, as one Member said, the human flavour of the subject. I want to reinforce one or two of the points that have been put to the Minister, and it seems to me that much of the problem relates to the complexity of the scheme.

My connection, such as it is, with the industry is that I have been down pits, although not to work; I had an association with the co-operative at Monktonhall, which the hon. Member for Midlothian (David Hamilton) will know about; and I had the honour—or privilege, or perhaps I should say surprise—of marching through Edinburgh shoulder to shoulder with Mick McGahey, the Scottish miners' president, at the last Scottish miners' gala before that folded, not least because the pits had pretty well all disappeared by then.

I do not regard myself as an honorary member of either of the unions, but I have huge respect for people who have worked in the industry. I want to make it clear that if any of the things that I say grate, they are not intended to show any disrespect for those people. I absolutely agree that they deserve to be compensated for what they have suffered.

I happened to be at lunch today with Derek Ezra, former chairman of the National Coal Board, and I mentioned that this debate was coming up. He said to me, on the issue of pneumoconiosis, that he was the chairman at the time when £100 million was paid into the fund, and that dealt with it; yet now we are talking about £7 billion for the remaining compensations.

I accept entirely that the Government have established a scheme that should have been established long ago. I give them credit for that. I do not give them credit for the scheme as it is functioning. It has been made too complicated. Cynically, I sometimes think that it is deliberately too complicated. As a consequence, many miners die before they receive any compensation. Even their estates—their widows, and others—are dying. My challenge to the Minister is that if the Government are serious, they must find a way of dealing with the matter expeditiously. It is in everyone's interest to bring it to an end and pay out what is needed in compensation.

I am sceptical, because the Government are very good at setting up schemes and getting headlines, but there are all kinds of rules. For example, we have it on the record that the Government's expectation for, and whole funding of, the minimum income guarantee to pensioners is based on the fact that more than 1 million pensioners will not claim it. The challenge to the Minister is whether we can find a way of showing that we want to get the money to the miners by a method that is clear and simple and that can be processed fast.

Mr. Kevan Jones: Clearly, the hon. Gentleman is paying tribute to the Labour Government for delivering the scheme to many of my constituents, among others, but does he know that some of the complexities of the scheme are not down to the Government, but result from decisions made by the judge and the court? Some of what the hon. Gentleman describes is not in the hands of the Minister and the Government.

Malcolm Bruce: That is a slightly questionable point. If Governments set up complicated schemes, they create a field day for lawyers. Governments have the capacity to change the legislation or a scheme in a way that would cut out the lawyers. Several hon. Members have quite reasonably and understandably complained about the costs and lawyers' fees being taken from money that should go to the deserving miners and their families. That is a serious and fair point, and under a simpler scheme the compensation would not be a case for the courts, but could be administered without reference to solicitors or other lawyers.

Hon. Members they should make common cause. A feature article from *The Guardian* of 18 September asks:

> "Who is to blame? The County Durham claimants all blamed Labour, the party they had supported all their lives but which they believe is now run by young, middle-class political advisers who know nothing about mining communities."

That is clearly not true of the hon. Members who have spoken in the debate. The passage continues:

> "The compensation scheme was poor, they insisted, because no one cared enough to make it better."

Mr. Jones: Clearly, *The Guardian* has become a mouthpiece for the Liberal Democrats. I can assure the hon. Gentleman that in my constituency, and in Durham as a whole, many thousands of people are grateful for the compensation that they have had. They have thanked the Labour Government; they do vote Labour.

Malcolm Bruce: That is fine, and I am sure that the hon. Gentleman will make sure that it goes out on his leaflets. Those who have received the money have every reason to be grateful. However, we have heard several things about the compensation—it takes a long time; some people do not get it in full; some are dead before they get the substantial amount; and many people are still waiting and being processed. Hundreds of thousands have not received anything under the scheme. Of course, the ones who have benefited are grateful.

I have constituents who are retired miners who have retired to the fresh air of north-east Scotland, and I can quote one who had been through the whole process. By the time he got to me he was, to use a phrase from our area, scunnered with it. He had marginally failed to qualify, having been put by the tribunal through two medical examinations, in spite of the fact that the union medical advisers were clear that he qualified to be compensated. He was told that he did not qualify because he had "only" chronic bronchitis. Other hon. Members have probably heard about such cases many more times than I have. It is a pretty desperate deal. I asked a Government Minister for advice, and I received some sound advice as to what that constituent could do but, not surprisingly, the constituent said, "I have no intention of doing that, I have had enough; I really do not wish to exercise my rights any longer in this process. I have finished with it," and he was not prepared to take it any further.

I suggest to the Minister that many of his colleagues are saying—he has been quoted as hinting at it himself—that a clear simplification of the scheme might achieve the right result. In an ideal world—I agree with the points about private mines and about surface workers—it would be better to say, "You were that category of worker and you had that many years' service. Without medicals or anything else, you qualify for that amount of money." If it were possible to devise a scheme of that kind, there would not be tens of millions of pounds going into lawyers' pockets; it would be going to the miners. The interesting thing about the destruction of National Coal Board records, which is obviously a matter for concern, is that the Inland Revenue ought to have records for the period going back to the beginning of the scheme. Whether it requires legislation or not, the Inland Revenue might be able to help where the National Coal Board cannot. The Minister is shaking his head. Perhaps he can answer that point. Clearly, there has to be a point of qualification.

It seems demeaning and insulting to put people through such tests and then tell them that they are, marginally, not ill enough—they have not inhaled enough dust to qualify. That seems a degrading way to treat people, rather than saying, "You clearly worked in that environment for a considerable number of years," which should be enough for them to qualify and justify a payment.

The final point of concern, which the hon. Member for Midlothian alluded to, is the difference between the Scottish and English situations. Let me link them. If the Government could come up with a simplified, catch-all scheme that applied uniformly across the country, they might avoid the possibility of challenges in different courts and the fact that an English court, while it might set a precedent, would not automatically resolve the matter under Scottish law.

I conclude by saying to the Minister that the whole House recognises, as the claims demonstrate, that hundreds of thousands of people—mostly men—and their families have worked in those conditions over many years and have suffered appalling consequences to their health. I give credit to the Government for acknowledging that and setting up the scheme. I do not demur from that. However, I can tell the Government that they will lose a lot of good will among their own supporters if they do not deliver the end result in a timely, fair and expeditious way. My challenge to the Minister is to come up with a scheme that is less litigious, more practical, more easily resolved and quicker, and to ensure that the miners get their just desserts while they and their families can still benefit.

3.9 pm

Mr. Laurence Robertson (Tewkesbury) (Con): I will not detain the House long. I am aware that hon. Members are waiting to hear the Minister's response to this important debate. I congratulate the hon. Member for South Derbyshire (Mr. Todd) on having introduced it. I seem to remember a similar debate in this Chamber a few months ago, which I think was initiated by the hon. Member for Barnsley, West and Penistone (Mr. Clapham). That another debate is taking place shows how important people feel the issue is, and that there are one or two problems with the scheme's administration.

In considering how the scheme was set up, I have to agree with the hon. Member for Gordon (Malcolm Bruce) that it is complicated. I suppose that it was inevitable that it would be so, given the number of claimants and the difficulties in assessing health, and therefore what compensation people are due. Given, as we have heard, that many people have received payouts, we could say that the scheme is working reasonably well, considering its complexities. However, I am concerned, and not only as a result of my own research. I was also concerned to hear the hon. Member for Barnsley, East and Mexborough (Jeff Ennis) say that although a number of his constituents had been well compensated, quite a few had received a derisory amount, some £200, when the claims handlers would be receiving something like £2,200. When that is the case, we have to ask the Minister again whether nothing can be done to make the system fairer.

We have heard in the past that solicitors have double claimed. From the information that I have, I believe that not many have, and I know that the Minister has written to solicitors who have been accused of double claiming and has reported those who have not replied to the Law Society. However, according to information that I have managed to find, of 173 complaints received by the society, 63 have been concluded, but repayments have been made in only 23 cases, so there is still some way to go. As I said, only a relatively small number of solicitors have double claimed, but to prove the benefit of the compensation scheme, it is important to bring justice to them and, indeed, to the people who should have been compensated.

It needs to be said that some solicitors have done quite well out of the scheme. I think that the most profitable group of solicitors has received almost £50 million. When one considers that it has dealt with a great many cases, one can say, "Well, perhaps that is fair enough."

However, we should remember that many of these cases will be much the same, if not all the same, so perhaps we should look at what is really happening.

Claims for deceased miners were mentioned. I suppose that they are the saddest of cases and will be the most complicated, but the Minister would do himself justice if he went into detail in describing not only that scheme but any changes proposed to it. There seems to be doubt about what changes are proposed.

Finally, will the Minister update the parliamentary answers that he has given by letting us know when he expects all claims to be settled? In other words, what is the completion date for compensation payments due to people who in the past, let us face it, kept this country going? I recognise right now that there have been disputes between mining unions and Conservative Governments. However, as someone who grew up in mining areas, literally next door to a coalfield, and whose father was a miner—he told me one Christmas that I got present only because he had had an accident, albeit a fairly small one, down the mine and was compensated for it—I have a natural sympathy for the miners who are claiming compensation and I am proud and pleased to align myself with the hon. Members who have spoken so far.

3.14 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Nigel Griffiths): I congratulate my hon. Friend the Member for South Derbyshire (Mr. Todd) on securing the debate and giving me the opportunity to update hon. Members on the progress made in meeting the health liabilities of British Coal, and on the review to speed up compensation payments that is being undertaken by Sir Michael Turner, the judge responsible for British Coal respiratory disease litigation. I shall respond also to the points that my hon. Friend and others made. My hon. Friend chairs the regional monitoring group on coal health claims for Nottinghamshire, Derbyshire and Leicestershire, so he speaks with considerable authority on the matter. I am sure that he will want to correct the 1996 date that he inadvertently gave in his speech, since the High Court judgments were not handed down until 1998.

I thank all hon. Friends and hon. Members who have contributed to the debate. As I said in the last Adjournment debate on the subject, this is about justice and securing justice. As was said earlier, the Government are administering the largest health compensation scheme in history. We have made payments—of up to £370,000—to almost 430,000 sick miners and their widows or families, with an average payment of £7,340 per case of chronic obstructive pulmonary disease and £7,970 for vibration white finger. Some 92,000 payments, totalling £1.1 billion, cover the damage to health caused by vibration white finger, and 238,000, totalling £1.2 billion, cover the damage to health caused by respiratory diseases. In summary, we have paid £2.3 billion to approximately 430,000 miners. In my hon. Friend's constituency, we have so far paid nearly £15 million to almost 2,700 sick miners or their widows.

My hon. Friend the Member for Barnsley, East and Mexborough (Jeff Ennis) asked how payments of less than £200 could be defended. The simple answer is that they cannot. I am therefore happy to confirm that we are negotiating on a tariff system that would wipe out those minimal payments of £200 or less and replace them with a series of fixed payments to miners. I shall say more on that later.

Hon. Members will know that I want to see everything possible done to accelerate payments and tackle the backlog of claims. Many of the claims were submitted this year, and they mostly cover those miners who were less affected by lung disease. I am advised that half the claims come from former miners whose lungs show no medical effects of disease on their function. There are also many claims from families of miners who died many years ago, for whom there are no medical records. We always planned to compensate families of deceased miners, but not if there is no medical evidence. In November, the judge will decide the minimum evidence needed in the cases of deceased miners.

To tackle the backlog, we have recruited every available lung specialist in the UK. Around 200 of the 600 qualified respiratory consultants are contracted to us to tackle it.

Some time ago, my hon. Friend the Member for South Derbyshire suggested that we use GPs to assess estate claims—the claims of miners whose widows have also died. My predecessor considered that, but concluded that because the top respiratory specialists were having difficulty in assessing such claims, GPs could not be expected to have anywhere near the expertise required. Today, my hon. Friend revisited that matter in respect of vibration white finger and suggested simplifying the process by rolling together the two medicals that may currently apply.

The first medical is designed to assess general damages. It is designed specifically to assess the extent of the claimant's vibration white finger, examines that condition only and is carried out by specialist doctors. The second medical relates to services that will compensate for the lack of ability to carry out household tasks and is used to assess conditions other than vibration white finger that affect the claimant. The second medical is carried out only for those who have claimed for services—not all claimants are eligible for services compensation. I am sorry to inform my hon. Friend that to subject all claimants to a single medical covering both general damages and services would be a waste of resources and would subject claimants to unnecessary medical tests. It would add to the bureaucracy rather than reduce it.

Mr. Todd: Will the Minister reflect that if we continue with the process as so far defined, services claims, which have not yet all been submitted, will be settled perhaps sometime in 2007? Would it not be easier to set out a simpler paper-based solution to claims based on the evidence collected so far, which could be offered at a discount to reduce the cost to the scheme of going through the second medical?

Nigel Griffiths: No, it would not be practical. My hon. Friend's clever and thoughtful idea for GPs to do more of the assessments was rejected by all parties on the basis that specialists were required. I do not rule out Sir Michael Turner's examining aspects of the process that will meet our common aim of ensuring that the time taken to deal with the backlog is reduced.

[Nigel Griffiths]

In July, Sir Michael instructed solicitors representing claimants and the DTI to examine ways of tackling that backlog. On 22 September, he instructed the DTI and the claimants' solicitors to consider how mandatory offers might be made so that medical resources could be focused on those most likely to be ill. Together, we examined risk offers based on the calculation that about 70 per cent. of people would accept the average figure already awarded and accepted by claimants with a similar disability. Those were not the miners whose lungs were more clearly damaged—they will continue to be fully medically assessed.

We know from claims already settled that only 6 per cent. of claimants whose spirometry tests show normal lung function are deemed by the consultant to have measurable disability, and even then, at low levels. The remaining 94 per cent. are found to have no measurable disability and therefore receive no or very little compensation. The judge asked the parties to consider making mandatory offers to those with normal lung function on the basis of a spirometry test. He believes that avoiding putting such claimants through a full medical assessment would have a significant impact in shortening the scheme and would allow medical resources to be focused on those most likely to be ill. However, I recognise concerns that a minority of people made mandatory offers might have received higher compensation if they had gone through the whole medical process. That is why the offers will not be mandatory in the terms that we have proposed to the judge.

Hon. Members representing miners accepted that introducing the option of rejecting a tariff offer and having the option to request a full medical assessment would delay clearing the backlog as quickly as a mandatory scheme would do it. I agreed that the offer would be voluntary. Under Department proposals, spirometry levels will be split into four categories, with an average payment to be calculated for each category of live claimant based on recent compensation settlements. Cases in which spirometry tests indicate chronic obstructive pulmonary disease will automatically go through to the medical assessment process as before. The judge is currently considering the proposal, as well as the claimants' solicitors' proposals to have six categories and for payments to be higher than the average already settled. I imagine that Sir Michael will have to rule on whether that is fair to people who have already settled.

Sir Michael has asked the Department and the solicitors to consider separately how best we can speed up the processing of claims by the widows and families of former miners. My hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) asked directly about deceased miners, and I hope that I covered that in my earlier comments.

Adam Price: Will the Minister give way?

Nigel Griffiths: I am glad that the hon. Gentleman is trying to intervene, because I was about to address his point. I emphasise that this has never been a cost-saving exercise. The Government's and the judge's objective is simply to speed up the settlement process. I deplore the actions of Plaid Cymru and its agent Bleddyn Hancock who, in the *South Wales Evening Post* on 15 October, made the ludicrous claim that the Department was speeding up the process to save £600 million in administrative costs. That sort of alarmist statement, made without foundation, is typical of Plaid Cymru, which has still not said what it has done with the £13 million that the National Association of Colliery Overmen, Deputies and Shotfirers South Wales pocketed from administering the scheme. I therefore will not take lectures from Plaid Cymru about the greedy lawyers in this case.

Adam Price: Will the Minister take an intervention?

Nigel Griffiths: Willingly, if the hon. Gentleman will justify what has happened to that £13 million.

Adam Price: I simply want the Minister to answer the question asked by his hon. Friend the hon. Member for Barnsley, West and Penistone (Mr. Clapham) which is why must we change the perfectly acceptable arrangements agreed by the Government and set under the agreement for cases where there is a paucity of evidence if those arrangements have worked until now? What has changed?

Nigel Griffiths: The arrangements for cases in which there is a paucity of evidence were envisaged at the beginning of the scheme. Sir Michael Turner now has to decide whether the arrangements are adequate to ensure that payments are made to miners. As I made very clear, the scheme was never envisaged for cases in which there is no medical evidence, rather than where there is a paucity of evidence, which was, I believe, the phrase used by my hon. Friend the Member for Barnsley, West and Penistone and echoed by the hon. Gentleman just now. We want Sir Michael to recommend the way forward in cases in which where there is absolutely no evidence so that we can ensure that settlements are fair.

So far as surface-only claims are concerned, the original judgment did not cover miners who had worked solely on the surface. The expert medical advice is that respirable dust levels on the surface of coal mines were insufficient to cause chronic obstructive pulmonary disease in the great majority of cases. Surface workers' claims for COPD cannot be paid on a scheme basis under the claims-handling agreement for respiratory diseases. As Minister, however, I instructed the miners' solicitors to have access to British Coal archives to assist them to find evidence to support the case on behalf of affected miners.

Following the latest court hearing on 4 and 5 October, the judge gave the claimants' solicitors until 18 November to secure funding for any litigation from the National Union of Mineworkers, the Union of Democratic Mineworkers, the National Association of Colliery Overmen, Deputies and Shotfirers, NACODS South Wales and others. I will be happy to report back on that.

Paul Farrelly (Newcastle-under-Lyme) (Lab): Like all hon. Members, I welcome the efforts that have been made to speed up the claims process. We can also see the good progress made by the number of offers being made and the number of cases being closed. However, cases involving small mines are the largest single group of my priority cases to be held up. I wonder whether the Minister could give us some comfort as to when he expects a final agreement.

Nigel Griffiths: I am grateful to my hon. Friend for raising that issue, which has been raised by other hon. Members. Negotiations have been difficult and protracted, and have been frustrating for everyone involved. However, as I announced in the spring, the claimants' solicitors and the small mines representatives have, following mediation and negotiation, been able to resolve the remaining difficulties.

As a result, small mines will now be included under the terms of the claims handling agreement. The Department is working with the other parties and its claims handlers to put the settlement reached into operation. As a result of this settlement, small mines claimants should be able to move from interim payments to full and final settlement. I will take a close interest in that and report back to hon. Members.

I congratulate my hon. Friend the Member for South Derbyshire on raising this important issue and on giving me the chance to keep Members up to date on the Government's position. I am sure that I will have other chances to ensure that we are kept fully up to date on this very grave issue on which we seek to achieve together so much justice for people.

Tetra Mast (Perry Barr)

3.30 pm

Mr. Khalid Mahmood (Birmingham, Perry Barr) (Lab): Tetra masts are being erected all over the country as the emergency services install new radio systems. However, there are fierce debates among residents, local authorities and scientists about their effect on health. For the past 12 months, my Labour action team and I have been supporting the residents in the Baltimore road area of Perry Barr. They do not want the 15 m Tetra mast tower on their doorstep. More significantly, they do not want a potential health hazard and actual eyesore next to a primary school that serves 700 children between the ages of three and 11.

When my constituents first told me that the operating company, mmO$_2$, had erected a mast without any consultation with the community, I was unaware of the unscrupulous tactics of mobile phone companies. I was astonished to learn that they exploit a flaw in planning guidelines that allows them to erect a mobile mast prior to obtaining planning permission, because it is used for emergency services. The operating companies abuse part of planning policy guidance note 8, which allows the erection of the masts under emergency powers. Effectively, that means applying for retrospective planning permission.

My constituents had every right to believe that, notwithstanding emergency powers, the application would eventually be turned down. Public meetings were held, concerns were raised and petitions were presented. The community and parents of the Baltimore road area had the support of the Labour councillor, who did not want the potential health hazard and visual eyesore on their doorstep. They had my support, because I did not want a mobile phone mast on the doorstep of schoolchildren. They had the support of the Labour Administration, who rightly turned down the application. Finally, the community and parents of Baltimore road were supported by my right hon. Friend the Deputy Prime Minister, who dismissed a subsequent appeal from Airwave mmO$_2$.

All that was in vain, however, because on 7 October, almost a year to the date on which the Tetra mast was erected, planning permission was granted. In the end, a valiant and emotional campaign that put the quality of life of the community on the front line of planning ended in betrayal, when the Liberal-Conservative coalition granted planning permission for the mast.

How can that have happened? That 15 m tower is just one of many needed for the West Midlands police new multi-million pound Tetra radio system, which relies on mobile phone technology instead of radio frequencies. Although the new system promises to be a far more efficient way for police officers to communicate than their current outdated system, the installation of the mast has sparked controversy.

It is claimed that the new installations are being made under emergency powers. Those emergency powers allow the operators to install and use the equipment for up to six months, while they apply for planning permission and make any necessary subsequent appeals to my right hon. Friend the Deputy Prime Minister and his planning inspectorate. That is a complete misuse of the planning guidance, of which I hope my hon. Friend

[Mr. Khalid Mahmood]

the Minister will take note and act on with the telecoms industry. Indeed, one of the recommendations of an inquiry recently held by the all-party group on mobile communications was that the Government should investigate the ways in which emergency provisions can prevail. The inquiry suggests more stringent regulations on what constitutes an emergency, with suitable penalties for operators who do not comply with such procedures.

There is nothing intrinsically wrong with wanting to provide an emergency service with a digital radio system. Such a system promises improved local and inter-service communications, with better signal quality and high reliability. I am not against our police having the best tools to beat the criminals, particularly if we are to maintain and improve on the reduced crime figures in the area. However, in my constituency, the governors of a 700-pupil school and the Labour team, along with the residents and the parents, are worried about the possible health risks—the mast is only 300 m from Dorrington school. More concerning is the close proximity of residential properties that are fewer than 100 m away.

The Stewart report—the independent study carried out in May 2001—found that the possibility of harm could not be ruled out. It suggested that a precautionary approach should be adopted.

Mr. Mohammad Sarwar (Glasgow, Govan) (Lab): My hon. Friend will be aware of various studies that have been undertaken to establish whether such masts pose an increased threat of cancer and other illnesses. As yet, the evidence has not been conclusive. Rightly, the parents of schoolchildren, and people in residential areas, are extremely concerned about the health hazards. Should the Government not have a national strategy to deal with this serious issue?

Mr. Mahmood: I thank my hon. Friend for that intervention. I totally agree that more work needs to be done. In order to allay residents' fears, it is important that we undertake such studies, and on health grounds we must ensure that the issues are dealt with properly. The Trade and Industry Committee reported that it was

> "disturbed at the lack of examination of the potentially adverse health effects of the masts."

Mr. Siôn Simon (Birmingham, Erdington) (Lab): Does my hon. Friend agree that, regardless of the health impact or otherwise of the devices, we have a consultative framework for planning legislation in this country so that ordinary people who live in an affected area have a right not just to be consulted but to have a say as to whether they have such things at the end of their gardens? They have a right to say, "OK, build it, by all means, but we do not want it dumped at the end of our road."

Mr. Mahmood: I thank my hon. Friend. He is right about consultation. One of the things about this escapade is that there has been very little consultation with residents, and one of the residents' reasons for being totally against the mast is that it was put up before any of them had been informed about the process. The complete lack of consultation with the residents of the Baltimore road area has done nothing to stem their fears that something is being hidden from them, and that is creating some distress in the community. Surely, Airwave mmO$_2$ could have relocated the mast to one of several more suitable industrial sites, away from residential properties and Dorrington school. It could still do so, but it has chosen not to.

One of the recommendations of the all-party group on mobile communications is that, in their development plans, local planning authorities lay down policies and guidance on the siting, design and appearance of telecommunications installations. The group aims to build confidence in the community, involving people in the decision-making process, suggesting a more rigorous approach to the allocation of sites, and throwing the book at communications companies that bend the rules to suit themselves and do not consult local people, as my hon. Friend the Member for Birmingham, Erdington (Mr. Simon) has said.

My constituents were let down by the Liberals and Conservatives, who gave mmO$_2$ a helping hand to erect a mobile phone mast on Baltimore road. The residents of that area cannot comprehend why the mast has been granted planning approval despite the application's having been refused by the previous planning committee, and a subsequent appeal to the Secretary of State having been lost.

Sadly, the residents were led to believe by a local Liberal councillor that a legal challenge to the decision of the local planning authority was possible. However, even he has now confessed to me by e-mail that his advice was not practical or viable, because of the expense of a judicial review. He is a person who, when challenged by me at a Perry Barr ward committee meeting about whether he supported the residents of the Baltimore road area or the Liberal parliamentary candidate for the neighbouring Birmingham, Hodge Hill constituency—fondly known as "Nokia Davies"—who worked for the telecoms industry installing phone masts, gave his categorical reply that he supported the Liberal candidate and hence not the residents of Perry Barr. What my residents need is constructive advice from their local elected representatives and not crocodile tears with no achievable end.

Clearly the jury is still out on the health risks, and clearly the unsightly and potentially harmful masts should be subject to increased public consultation not only on their siting and appearance but on health grounds. I hope that my hon. Friend will provide a constructive way forward for us to deal with unscrupulous telecoms mast operators. I urge him to refer to all the recommendations made by the all-party mobile communications group and, more importantly, to include health grounds as a planning issue when applications for masts are submitted. The only way that I can help my constituents now is by giving my support in complaining to the local government ombudsman about how the development control committee has dealt with the issue.

I urge my hon. Friend to consider all grounds in planning regulations—I am sure that he will—and particularly those relating to health. As my hon. Friend the Member for Glasgow, Govan (Mr. Sarwar) has said, that should cover the health studies that need to be carried out, and as my hon. Friend the Member for Birmingham, Erdington has noted, the people who want to install the masts should hold proper consultations so that communities can be informed of issues pertaining to them. We have to look for the best possible sites. It is no good companies putting up masts under emergency powers on the first available site without any consultation and then applying for retrospective planning permission.

I say again that the only way for me to help my constituents is to contact the local government ombudsman about the shabby way that the local government planning committee has dealt with my residents in the Baltimore road area. I hope that my hon. Friend will have something to add to that.

3.42 pm

Paul Clark (Gillingham) (Lab): I congratulate my hon. Friend the Member for Birmingham, Perry Barr (Mr. Mahmood) on securing this debate and on raising what are important concerns for his constituents and every Member of Parliament. I have no doubt that we have all received correspondence on similar issues. I also thank my hon. Friends the Members for Glasgow, Govan (Mr. Sarwar) and for Birmingham, Erdington (Mr. Simon) for their contributions. This is an important debate, and the concerns that they raised are shared by many of our constituents and us as Members.

I will start by explaining where we are vis-à-vis the case in question and the Airwave programme, looking at some of the possibilities, and emphasising the importance that the Government place on health issues and related matters—I know that they are of particular concern.

The debate relates to Tetra, which stands for terrestrial trunked radio and is a standard for digital private mobile radio. Tetra is a European standard agreed in the 1990s by the European Telecommunications Standards Institute. There is no "Tetra project" as such—as I have said, it is a radio standard—so the police are not the only organisation to use its technology.

My hon. Friend the Member for Birmingham, Perry Barr is right to say that Airwave mmO2 is currently rolling out a Tetra system on behalf of the Home Office for the police in England, Wales and Scotland. It uses the digital Tetra technology because it offers higher standards. Indeed, my hon. Friend alluded to the fact that it will undoubtedly improve matters for police officers and for the general public, and recognised that such a change was required in order to meet those goals.

The Tetra system will ensure that police forces throughout Great Britain can communicate directly with one another. They cannot do so with the old analogue systems, which are incompatible and do not provide sufficient coverage or clarity of signal. The new Tetra system will provide that coverage and clarity. It will also provide additional services that are not currently available: not only does it offer better security, but data other than normal voice communications can be transmitted.

The roll-out of Airwave is progressing well. It is currently available to 40 forces and about 78,000 police users. The Government expect it to be available to all forces by mid-2005 and that it will be fully operational by mid-2006. About 80 per cent. of the 3,000 masts required for Airwave to provide a national service have been approved without causing untoward circumstances. Obviously, further masts may be a problem—the one referred to by my hon. Friend at Baltimore road is one such—but they will be few and far between.

Mr. Simon: I have no doubt that the Minister will come to this matter in a moment, but such masts cannot be that few or that far between. In my constituency of Erdington, which is next door to that of my hon. Friend the Member for Birmingham, Perry Barr, people have come to me during the past year having woken up one morning to discover a huge, loud, dirty and ugly mobile phone mast at the bottom of their garden. Such masts have no planning permission; they do not require it, because they are apparently temporary structures—although, lo and behold, they never go away. It cannot happen that rarely; if it is happening in my constituency and in that of my hon. Friend, it must be happening all over the place. People are furious, not about the principle of masts or the health implications but about the fact that these things suddenly appear the bottom of the garden—and they have no say in the matter.

Paul Clark: I thank my hon. Friend for that. I was specifically talking about the masts required to allow the roll-out of the Tetra system, not mobile phone masts per se. I recognise what my hon. Friend says, but as I said in my introductory remarks, we will all have faced problems over communications masts—it may be clearer if I put it that way. Certainly, as far as the Tetra roll-out is concerned, the vast majority have gone through okay, but some have caused problems, one of those obviously being the one that we are discussing now.

I understand that the mast at Baltimore road is necessary to help complete the network for the West Midlands police force, which adopted the Airwave network earlier this year. The Office of the Deputy Prime Minister is aware that at some key sites it has been necessary for Airwave to install communications equipment and to seek planning approval retrospectively. We are well aware of that; I shall deal with the question a little later. The company had to do that in order to ensure complete radio coverage of the area with no black holes, otherwise the local police forces would be unable to transfer to the enhanced communications network as planned.

My hon. Friend the Member for Birmingham, Perry Barr clearly explained that the development control committee of Birmingham city council was initially minded to reject the application for the Baltimore road development on potential health grounds. The equipment was perceived as a risk to the health of residents and to that of children attending the nearby school, to which my hon. Friend referred. On 7 October, the development control committee considered a full planning permission application, and was minded to approve it.

There was a possibility that enforcement action towards the removal of the mast could have been taken at the stage to which my hon. Friend referred, but it was held in abeyance until the outcome of the application, which was considered on 7 October. As my hon. Friend is aware, it is normal practice for a local authority to hold certain actions in abeyance until various stages

[Paul Clark]

have been completed and followed through to exhaustion, and then to use enforcement if required. Having said that, there are ways to challenge that decision and my hon. Friend is minded to support consideration by the local government ombudsman of maladministration if a matter has been handled incorrectly by the planning authority or if someone feels that they have suffered an injustice in the processes followed.

I would advise my hon. Friend again to exhaust all procedures with the local authorities to give them a chance to rectify the situation before taking things to the next stage. That is common sense, and I am sure he is aware of that. The Government give responsibility to local planning authorities, which are closer to the ground, to take decisions about local communities and local planning applications.

Mr. Mahmood: Would the Government support whatever decisions were taken by the local planning authorities?

Paul Clark: I am coming to the local planning authorities' options. At certain stages, the Government and my right hon. Friend the Deputy Prime Minister can be involved. We have laid down a system that ensures that there are procedures to be followed in dealing with these matters. On planning regulations, especially for telecommunications developments, any installation that is in a designated area—such as an area of outstanding natural beauty or an SSSI—or one elsewhere that is more than 15 m high, is the subject of a full planning application. Outside the designated areas that I mentioned, licensed communication code system operators are authorised under the Town and Country Planning (General Permitted Development) Order 1995 to install specified communications apparatus without the need to make a planning application to the local authority. Certain types of development, however, such as the installation of ground-based masts of up to 15 m in height, are subject to a prior approval procedure, which allows the local planning authority the opportunity to say whether it wishes to approve details of the siting or appearance of the installation.

However, it is for the local planning authority to decide whether a particular development would require an application for prior approval or a full planning application, and it would have to decide in the light of local development plan policies and any other material considerations, including representations for and against any specific application.

A number of options are open to local authorities in terms of enforcement, and it is a matter for the local authority to decide what is the best course of action in the light of the issue it is dealing with. That is the broad line along which we expect local authorities to operate.

Mr. Sarwar: I appreciate that the matter is for the local authority to decide, but it is a national issue, not a regional one, and parents and others in all parts of the United Kingdom are rightly concerned, especially when there is professional advice that mobile use by individuals affects health and increases the risk of cancer and other illnesses. Should there not be some national strategy to allay people's fears?

Paul Clark: I recognise what my hon. Friend is saying about the health issue, and I will come to that. There is a national issue, but a Government can only lay down a framework of options and processes for planning applications, and local authorities will then make a judgment. I will come on to health because it is a serious issue of concern to many.

I want to deal now with the enforcement powers open to local authorities. First, there is the operation to serve a planning contravention notice. That may be used where it appears that there has been a breach of planning control, and the local planning authority requires information about activities on the land. Secondly, authorities have the option of serving an enforcement notice, which my hon. Friend the Member for Birmingham, Perry Barr referred to and which requires steps to be taken to remedy the breach within a given period of time. There is a right of appeal to the Secretary of State against an enforcement notice, but there is a maximum penalty of £20,000 if it is upheld on conviction.

Thirdly, authorities have the power to serve a stop notice, which has the effect of immediately stopping any activity that contravenes the planning control guidelines. Fourthly, they have the power to serve a breach of condition notice where there is a failure to comply with any condition or limitation imposed on the granting of planning permission. Fifthly, an injunction can be sought through the High Court or the county court, which would restrain any actual or expected breach of planning control. Finally, local authority planning officers have powers of entry on to land to gain the information that they require to assess what is going on and to undertake the enforcement process. Local authorities, whatever the planning application or the activity that has gone on, have a wide range of powers open to them.

There are emergency development powers. There is no specific definition under the orders on general permitted development as to what emergency works are, but one is contained in the planning policy guidance note 8, on telecommunications. Emergency developments are various

> "works the execution of which at the time it is proposed to execute them is requisite in order to put an end to, or prevent, the arising of circumstances then existing or imminent which are likely to cause"

either

> "danger to persons or property,"

or

> "the interruption of any service provided by the operator's system or . . . substantial loss to the operator".

Mr. Mahmood: Will my hon. Friend give way?

Paul Clark: I will not, as I have given way a number of times and I am conscious that I want to say a number of things to respond to hon. Members' concerns.

We take health concerns seriously, as we would be expected to. The Home Office has requested the National Radiological Protection Board to consider the issues of possible health effects caused by Tetra base stations. That was comprehensively addressed in a report by the board's independent advisory group on non-ionising radiation, chaired by Sir Richard Doll. That report, which is available on the board's website, noted that the signals from Tetra base stations, like their mobile phone counterparts, are not pulsed—there was concern that they are.

A number of steps have been taken, and the emissions from base stations under Tetra are well within international guidelines. I assure hon. Members that we continue to review the work of and to work with the industry and independent organisations to consider the possibilities on the health side, including the excellent work undertaken by the all-party parliamentary mobile communications group, some of which has been mentioned. We have undertaken to review the group's recommendations in taking forward our policies on planning for telecommunications.

Time defeats us, but I congratulate my hon. Friend the Member for Birmingham, Perry Barr on securing this debate on an issue that is important, not only for his constituents but for us all. The Government are conscious of the concerns raised by hon. Members.

Housing (Brent)

4 pm

Sarah Teather (Brent, East) (LD): It is a great pleasure to have secured this debate to raise important issues concerning housing in Brent. Access to housing and overcrowding are the No. [illegible] issues in my constituency. Of course, the issues surrounding that of housing in Brent are wide and could fill perhaps a dozen Adjournment debates; perhaps the House will allow me to raise those issues on other occasions. Today, I will confine my words to issues of access, overcrowding, and supply and demand across the sector, but with specific reference to the impact on social housing.

In common with much of inner London, Brent is an area of mixed economies, with varied wages and living standards. The average wage in Brent is about £25,000 a year, which is lower than the London average of about £33,000, but about the same as the UK average. However, that number masks huge variations. Unemployment is running at the 23rd highest of any constituency in the country, and 31 per cent. of children in my constituency are eligible for free school meals—I am sure that hon. Members will agree that that is a very high figure. The Audit Commission said that Brent is an area of significant deprivation, and the 13th most deprived London borough. Against that background, Brent has some of the highest property prices in London—in Brondesbury and Queen's Park—and has consistently been among the boroughs with the fastest rising house prices in London.

Rents are similarly high, which probably explains why so many people live in house shares. Brent is thought to have the highest level of houses in multiple occupation—HMOs—anywhere in the country. According to figures from the Brent private tenants rights group, one in 20 of unfit HMOs in England and Wales is in Brent. That extraordinary and shocking figure is borne out by my experience of constituents coming to my surgeries to complain about overcrowded bedsits, into which large families are packed, with poor escape routes and the concomitant fire risks.

Such pressures on the housing market and rented accommodation put increased pressure on the social housing sector. There are 2,076 applications on the housing transfer list in Brent—those are applications from Brent tenants who are waiting for transfers, and may well involve entire families—but there are 17,151 applications on the total register list, which includes everyone else, totalling 19,227 applications to move, as of September. That has risen by 40 per cent. in 18 months.

The ethnic breakdown of people on the housing waiting lists in Brent is as follows: 40 per cent. are black, compared with 20 per cent. of the Brent population; 19 per cent. are white, compared with 45 per cent. of the Brent population; 18 per cent. are Asian; and 6.5 per cent. are of mixed or other race. So, the problem disproportionately affects black residents in my constituency.

Brent expected the overall waiting list to reach 20,000 by 2006, but it will almost certainly reach it by 2005. However, lettings by Brent authority have declined to a 15-year low; it expects to be able to let properties to fewer than 7 per cent. of current applicants in 2004–05.

[Sarah Teather]

The Brent housing needs survey, which is compiled from a mix of census and sampling data and which looks at all the properties in the borough, whether inhabited by homeowners or tenants, found that 10.6 per cent. of households are overcrowded. That figure rises to 16 per cent. of local authority and registered social landlord homes, as compared with 2.4 per cent. of all English households.

Some 35 per cent. of those on the housing register are overcrowded. The 2001 census figures showed that Brent has the fourth highest level of overcrowding in London. Overcrowding disproportionately affects people from immigrant and ethnic minority families, as they tend to have larger families and because there is a chronic shortage of larger properties in the borough.

The impact of overcrowding and the sense of hopelessness about moving have an enormous impact on families. Week after week I hear the same heart-rending stories in my surgery, and it is to my immense frustration that there is often little or nothing that I can do to help. In almost every surgery the same story is told: a family of four has been on the waiting list for a number of years, and usually one or both parents are on anti-depressants as a result. The parents have mood swings and are often angry and lash out. The children have asthma caused from the damp in the property. The family have letters from their GP and the school stating that illness is affecting the child's ability to thrive and their academic standards. It is all because of the way they are living. The family have no sense of hope that they may be able to move.

The costs of treating the illness and the costs to society of children who are less well educated and of adults who are economically unproductive are obvious. It is an awful injustice when so much potential goes to waste. That story is repeated week in and week out. There is no more pressing injustice in my constituency. I want to tell a few of the stories.

Siobhan McCutcheon and her partner, Mr. Cottle are housing association tenants with three children who live in a tiny, two-bedroom flat in Willesden Green. The sitting room is very small; it is not big enough for a table. Their oldest child is too old now to share a room and the overcrowding is affecting his schoolwork. There is nowhere for him to do his homework because there is no table, so they have given him the small boxroom. However, there are two other children and the overcrowding problem has got worse as the family have got older.

The family have tried to make the best of it. The other two children are in the same room as their parents, but that is big enough only for a cot by the bed, so the three-and-a-half year old is in the cot. That child is the only one who will fit in a cot; the five-and-a-half-year-old is in the bed with the parents. That situation has been going on a long time. My representations to the housing association and the council have achieved nothing, because there is nowhere to move the family. The family are extremely angry and the mother is extremely depressed. I am sure that hon. Members would understand why and sympathise.

Another constituent who did not want to be named is also sharing a bed with one of her children. She has sickle cell disease, which at times causes her extreme pain and chronic problems with her hip. She cannot turn over in bed for fear of rolling on to her baby. Her other three children share a single room.

Mrs. Alderson and Mr. James live in a three-bedroom maisonette where there are eight people. The baby shares the bed with the parents and the two-year-old is in the same room. Their teenager, who has exams and is trying to get on with schoolwork, is in the boxroom. The other three children share one room. My representations on behalf of the family have brought them higher priority but no new home.

The story is similar for temporary accommodation. Brent spent £6 million on temporary accommodation in 2003–04. That covered both accommodation costs and housing benefit subsidy. It had 4,238 households in temporary accommodation in March 2004. It met the Government's target for reducing the number of people in temporary accommodation, but an awful lot remain. A recent Shelter survey of homeless households in temporary accommodation showed very similar effects of living in overcrowding to those that I have described.

In the survey, 78 per cent. said that they had health problems, 50 per cent. were suffering from depression and 50 per cent. said that their health had suffered from living in temporary accommodation. Children missed an average of 55 school days because of disruption caused by temporary accommodation. Two thirds of respondents' children said that they had problems at school. Nearly half the respondents described their children as "often unhappy or depressed". In 77 per cent. of those households there was no family member working, often because of health or mobility problems and insecurity about where they were living.

On the basis of a comparison of those needs, Shelter estimated that the additional annual cost to the public purse associated with temporary accommodation is about £500 million. That includes not only housing benefit expenditure and take-up of income support, but the result of missed school, additional take-up of sickness benefit and additional visits to GPs.The cost is huge.

Against that background, Brent council has introduced Locata, which is a choice-based letting system. There are four bands in the Locata system—A to D, defining a homeseeker's priority. Locata, not the local authority, manages the allocation of property for each homeseeker. There are five steps to inclusion on the Locata scheme. First, one must become a member, which is automatic for local authority tenants and homeseekers. Once someone is a member, they are given a number defining their banding and their priority date—the date that they registered. They then check a fortnightly "freesheet" that lists properties. Those must be picked up from libraries, but for a small fee they can be sent out. They are free to the infirm.

Members can bid for any property for which they are eligible. The sheet is issued every other Friday and bids must be received by the following Wednesday. Bids can be sent by coupon for the cost of a stamp, by text for the cost of a text, by telephone at 25p per minute, or on the web, which is the cost of a dial-up—so tenants now pay to be rehoused.

Locata allocates the bids in priority order, and puts them on a shortlist that goes to the landlord. Therefore, if lots of band C members bid for a property, the one with the most points—based on the usual criteria of waiting time and overcrowding—wins. The successful bidder is told that they have won; others have to look at subsequent "freesheets" to find out.

In this week's "freesheet" there are 29 non-sheltered accommodation properties available for Brent residents: two studio flats, 13 one-bed flats, 10 two-bed flats, one three-bed house and three four-bed homes. Hon. Members may recall that earlier in my speech I gave the number of people who were waiting to be transferred—just over 19,000. That housing will not go very far.

The housing stock in north-west London has not increased by virtue of the system; there is still chronic need. Those who were considered a priority before and were thus almost the only ones who were likely to move, are still a higher priority and more eligible. However, they, rather than the local authority, now have to look actively for properties every week. If they do not bid, they will not get rehoused. No guidance is given to people on what properties they can realistically bid for. The only benefits of the system are that void properties can be let more quickly and that there is now no penalty for refusing a property. Other than that, the system is merely an elaborate scheme to change the way in which people are let down by the lack of housing.

I am not against choice, but I am against lack of real choice and false choice—the residents are led to believe that they have a choice and that they will get a new home through this system. They get a glossy magazine through the post and think, "Great, look at all these properties I can bid for." Then, if they are a larger family, they find that there are no properties that they can bid for, and that the chances of their being rehoused are almost nil. That is not explained to people.

I spoke to Lorraine King from one of the local papers—the *Willesden & Brent Chronicle*—who sees many people in a similar situation to those whom I see. Such people are right at the end of the road; they have run out of options. She explained her frustration that people often cannot manage the system because they are disabled or because they cannot read. They do not realise that they are falling through the net.

One option is to get more people into the private rented market, but there is a huge problem in persuading people to consider that. The reasons for that unwillingness are both cultural and pragmatic. Brent takes 34 days to process changes in circumstances for housing benefit; its tenants have the fourth longest wait in London. It also has the lowest percentage in London of new claims processed within 14 days. Many landlords, therefore, are not willing to work with the sector.

Brent has a rental deposit scheme. That is good, but the loan under the scheme is only £500. For a large family, that loan is not enough to get a new property—it will not go very far. Brent also has a private housing unit, which holds people's hands, takes them through the system and tries to explain what it means to rent privately. However, all too often, when the introductions are made, the private landlords say, "No, I won't take you on housing benefit", despite the fact that they are on the list for the council. We need to do much more to encourage people to rent privately. A better loan system is needed, but housing benefit must also be processed much more quickly, and more action must be taken to tackle unscrupulous landlords.

Many of the provisions introduced by and accepted when considering the Housing Bill are welcome. I was disappointed, however, that licensing was not extended to include two-storey properties. There are many bedsits in my constituency that fall into that category.

The real problem is lack of supply. Brent has one of the highest rates of empty properties in London, at 5.4 per cent. of private sector and 3.7 per cent. of public sector dwellings. I was pleased that some of the Liberal Democrats' recommendations were incorporated into the Housing Bill, such as provision for empty property management orders. We would also require local authorities to maintain a register of empty properties in their area, and Whitehall departments to audit their properties annually and report on that to Select Committees.

However, we also need more houses to be built. The Mayor's office estimated that 23,000 homes needed to be built in London annually, and that 10,000 of which should be affordable. I know that money has been invested in the decent homes initiative and into the new deal in my constituency, but neither of those initiatives tackles the problem of supply. They improve the quality, but not the total supply. That is the most important issue. We need to examine other areas for building.

Finally, I ask the Government to make public what land is publicly owned and underused. I ask the Minister to consider making Brent a pilot project—to survey all public sector holdings, be they in education, the NHS, local authority or ex-publicly owned, so that they could be made available either to sell off, ploughing the receipts back into social and affordable housing, or so that money for affordable housing could be gained through section 106 agreements. It is no good Departments sitting on publicly owned land and speculating about its future land value. The crisis affecting my constituents is here and now and needs an urgent solution.

The costs of the crisis are felt elsewhere in the public sector. I refer to high rents for temporary accommodation, and to mental and physical health problems. A decision to make the existence of the land public knowledge and to sell it off would require leadership, but that is no more than my constituents deserve.

4.15 pm

Paul Clark (Gillingham) (Lab): I congratulate the hon. Member for Brent, East (Sarah Teather) on securing this debate on what is undoubtedly an important issue not only to her constituents but to all of us where there are the pressures and the combination of factors that she described. She explained how they come together in particularly large numbers in Brent, East, and I shall come to that in a moment.

The long-term solution to the problem is to increase supply. The hon. Lady will be well aware that the sustainable communities ethos of the Office of the Deputy Prime Minister is about providing increased supply where we need it; about quality, better use of land, and design to a decent standard where there are pressures such as in Brent, East; and about bringing

[Paul Clark]

areas of low demand and abandonment back into use and making them more attractive. As with many of these issues, as I am sure she is aware, there is no single straightforward solution to all the problems that we face throughout the country.

I shall now deal specifically with Brent. The hon. Lady knows well that it is ethnically a very diverse borough of London. In fact, it is one of only two boroughs where the ethnic minority groups together make up the majority in the area. That diversity is having a positive effect on community cohesion and regeneration in Brent.

I am well aware of the hon. Lady's history of raising issues such as house prices, empty homes in her constituency and the waiting list for housing, which she graphically described today. The Government share those concerns and are committed not only to reducing significantly the number of those in temporary accommodation but to raising the standard of homes, because that is the other side of the coin. We must not only increase the supply of additional properties but consider those properties that already exist. If I am correct, some 29 per cent. of dwellings in Brent, East are termed unsuitable for accommodation. Clearly, that situation is not acceptable, and some of the projects to which the hon. Lady referred are helping to address it. Indeed, much of the money going into her constituency and Brent as a whole is focused on housing issues rather than other matters.

The Brent housing partnership, the arm's-length management organisation, is one of only six in the country to have been rated as excellent by the Audit Commission. That partnership has been awarded £68 million for the period from 2003 to 2007 to improve housing stock, and is on course to meet the decent homes target. I am sure that the hon. Lady is aware that when the Government came to office seven years ago, there was a £19 billion backlog in repairs and refurbishments required of the housing stock. We set a target, which is to have those completed by 2010, and we are well on the way to meeting it. Equally, Brent is well on the way to achieving its decent homes standards.

As the hon. Lady said, we have begun to spend substantial sums in Brent, but we recognise that spending is not the only requirement. We are talking about a population of more than 250,000 living in approximately 104,000 households. The majority of those dwellings—63 per cent.—are owner-occupied, 13 per cent. are privately rented, 12 per cent. have registered social landlords, and only 10 per cent. are directly managed by Brent council. A number of wards in Brent, such as Brentwater, Wembley Central, Sudbury and Preston are in the top 5 per cent. of the most housing-deprived wards in the country. The housing in those wards is predominantly owner-occupied. It is estimated that to bring all non-local authority housing up to standard would cost some £7.7 billion. That is an indication of the size of the problem that faces those of us concerned with housing and living conditions across the country.

Other issues complicate the situation in Brent. For example, a large number of families require units of three or more bedrooms. That is an added factor that is different from the norm that we might find elsewhere.

Sarah Teather: That point in particular is a grave concern, because many families of Asian background tend to be larger. There is a sense that the lack of larger properties discriminates against larger families of Asian origin.

Paul Clark: The hon. Lady makes a valid point. The ethnicity of the area of Brent is beginning to help find some solutions. As I was going on to say, Brent council, along with its partners, has made housing and regeneration a policy and is good at forming partnerships with all sectors. That is fundamentally important, because if we are to meet needs in areas such as the hon. Lady's constituency, we need lasting sustainable solutions that come about not only in conjunction with local authorities and national Government, but with the constituent parts in a given area, such as the community with all its different facets. That is how to start addressing the specific problems of a given area.

One of the major leaders for regeneration in Brent is the local strategic partnership, "Partners for Brent." It has been allocated some £9.5 million-worth of neighbourhood renewal funding for the areas of St. Raphael's, Stonebridge, Harlesden, Church End and Roundwood. It has also determined that regeneration of Wembley associated with the national stadium should deliver housing supply for Brent. When I looked through the Brent regeneration action plan for 2004 to 2006, I noted that it stated that the regeneration at Wembley must deliver for local people as well as providing a national stadium.

The hon. Lady raised the issues of unemployment, jobs, skills and so on. We must address those issues through skills training for the jobs that exist and for new jobs to come. I recently attended a launch of a skills audit for my area, which examined where there are skills gaps, how we can plug them, and what we need to do to deliver training and support for local people. The Brent regeneration action plan also raises that point. That will help in the cycle of welfare and good living as well as in housing.

Another example of where moneys are going to start addressing the housing problems that the hon. Lady referred to is the housing action trust, which is based on the single neighbourhood that makes up Carlton ward. It involves the complete demolition of the Stonebridge estate and the provision of about 1,500 new homes, together with residual land for additional homes. That comprehensive programme of community development shows that the Government take seriously the concerns that have been raised in this debate.

Sarah Teather: I should make the Minister aware that none of the areas that he has so far described are in my constituency; Wembley, Stonebridge and Harlesden are all outside it. However, that is not to say that the change will not have a knock-on effect on supply in Brent as a whole. The point about the new deal for communities and the regeneration work that is taking place, particularly in south Kilburn, is that there will be no net increase in social housing units. However, there will be no net loss, which is a tribute to the work of that new deal.

Paul Clark: I thank the hon. Lady for that comment. People's housing demands and needs do not just reflect the arbitrary boundaries of the parliamentary constituencies that are drawn up by the boundary commission. One must consider the matter holistically, as I am sure she is aware.

Equally, the issue is not just about building new units. As I said at the outset, in the long-term, the goal is to increase supply, which may not be directly available in the hon. Lady's constituency. Certain sites may be coming—I am aware that some have been flagged up as possibilities—but the problem is getting together the mix to make things work. The aim is also to bring the nearly 30 per cent. of the existing housing stock up to a decent standard, so that those who live in it can have a standard that is acceptable for the 21st century.

On the housing action trust, we have also committed another £165 million over 10 years. Through that trust, additional homes will, I understand, come through. The process will involve removing the existing homes but rebuilding and providing refurbished homes for the secure tenants by 2007, and will also bring on stream some additional properties.

The hon. Lady referred to the new deal for communities in south Kilburn, where £50 million has been allocated over 10 years. The residents there identified housing as their key priority at the outset of the programme. They are on the cusp of an exciting programme that will turn what I understand to be one housing estate back into four high-quality neighbourhoods, each with its own character and facilities. Some 1,500 of the existing properties will be demolished and rebuilt, an additional 1,400 homes will be provided for private sale and 775 existing homes will be retained and refurbished. That will go some way to address some of the concerns that have been raised.

We are well aware that 73 per cent. of households in south Kilburn live in council-rented accommodation. That is why the bulk of the funding is targeted at housing projects. Not only are we putting in a substantial amount of money, but the introduction of other money will lead to a total of £630 million being given to the project. That is important to get things moving.

The hon. Lady referred to a number of other issues. I am pleased that she welcomes the developments in the Housing Bill, and she is right about the empty property management orders, which hopefully will be on the statute book before the end of this year. On overcrowding, the new housing health and safety rating system should help, with a fitness standard for housing, as should the licensing of houses in multiple occupation.

Those are just some of the initiatives and moneys that are going in. We recognise the frustration that families and communities in the hon. Lady's constituency suffer, as we do for other parts of the country. The investment in housing is high on the political agenda and the hon. Lady recognises that. We are putting money into the areas where it is most needed. Brent, East is one of those areas, as is Brent itself. We continue to monitor, to see that that money is used well and effectively for the benefit of her constituents.

Question put and agreed to.

Adjourned accordingly at half-past Four o'clock.

Westminster Hall

Wednesday 27 October 2004

[MR. FRANK COOK *in the Chair*]

Greater Manchester Metrolink

Motion made, and Question proposed, That the sitting be now adjourned.—*[Margaret Moran.]*

9.30 am

Ian Stewart (Eccles) (Lab): I am pleased to have secured this Adjournment debate at the first time of asking, as the subject is a top priority for all hon. Members in the Greater Manchester area. A number of them want to speak today, so I shall try to confine my remarks accordingly. However, I intend to take some time to give an overview of the problem, in the hope that that will leave hon. Members time to make their remarks in a more pointed way.

The Metrolink tram system is an on-road technology that can also run on heavy railtracks. The Greater Manchester passenger transport executive, which has responsibility for buses, trains and light rail systems—trams—across Greater Manchester, introduced a phase 1 line from Bury to Altrincham in 1991. That was followed by a phase 2 line from Manchester city centre to my constituency of Eccles in 1998. This successful and viable system has been acknowledged as a positive model for the rest of the country.

Since the Government announced in July 2004 that phase 3 of the Metrolink was, in effect, being put on ice, there has been a flurry of meetings, campaigns, petitions, posters, videos and letters to the official broadly based "Get our Metrolink back on track" campaign, which is supported vociferously by the *Manchester Evening News*, the *Salford Advertiser* and other local media. On 23 September, a high-level delegation from Greater Manchester brought more than 41,500 messages of support for the campaign to be handed in at No. 10 Downing street.

Ministers have been very willing to hear our representations. I thank the Minister who is here today, Tony McNulty, the Secretary of State for Transport, Alistair Darling, and the Prime Minister for meeting delegations of Greater Manchester MPs to explore ways in which we can move forward to secure the Metrolink investment that we all want. Following those meetings, the Department for Transport set up a working party with the Greater Manchester PTE. The Minister and Keith Bradley MP are involved in seeking a viable solution.

Mr. Deputy Speaker: Order. I must call hon. Members' attention to the practice that we employ in these august surroundings. They should refer to colleagues by constituency rather than by name. I hope that hon. Members will follow the correct practice from now on.

Ian Stewart: Thank you for your guidance, Mr. Deputy Speaker. I was, of course, referring to my right hon. Friend the Member for Manchester, Withington (Mr. Bradley).

As I said, following the meetings, a working party was set up. I stress that the purpose of this debate, from my point of view, is to place the problem in context, not to try to take the place of the working party. However, I am clear that progress can and must be made in concluding a viable settlement, not only because of the overwhelming public support for the Metrolink in Greater Manchester, but because concluding such a settlement would be good value for money, environmentally sound and the sensible thing to do for the good of the conurbation and, indeed, the whole north-west.

In my constituency, I recently held a "big conversation" meeting on the Metrolink, at which large and small businesses and voluntary organisations came together to express support for the Metrolink extensions. In Greater Manchester as a whole, the Manchester chamber of commerce, the Transport and General Workers Union, of which I am a proud member, and Unison are all firm supporters of Metrolink phase 3. At regional level, the North West regional assembly and CBI North West have come out firmly behind phase 3. Indeed, CBI North West did not pull its punches when it said in a letter to the Prime Minister that its members

> "do not overemphasise the point when they say that withdrawal of the Government's support for Metrolink is a hammer blow to the confidence and prospects of Northern England."

Why is the rhetoric so strong and the passion so high? It could be argued that I do not have a direct interest in the matter, but I am delighted to say that Eccles and Salford were included in Metrolink phase 2. The Metrolink came to Eccles in 1998 and was opened by my right hon. Friend the Prime Minister. I would like to outline in the words of my constituents and other commentators why the Metrolink is so popular. Alan Coates, from Life Opportunities Ltd., says:

> "We are a small organisation supporting people who have a disability in their own communities. The facility of having easily accessed transport from Eccles has greatly improved their opportunities for getting to other parts of their greater community. The promise of a much wider transport system held significant prospects for not only improved life experiences but also for a greater employment pool. In supporting people who have a disability we are also employers of some forty staff many of whom were previously unemployed. Salford still has numbers of people who are unemployed and a factor in them remaining so is access to efficient transport systems. Returning to work after being unemployed presents the individual with many challenges and availability of transport is often a deciding factor, this particularly so when the work is distant from their home e.g. to the airport."

D. J. Wilson wrote:

> "The impact of this decision may be limited now, but with the growth of the economy in the Greater Manchester area this impact will have far greater consequences in the future".

Andrew Bennett (Denton and Reddish) (Lab): Does my hon. Friend accept that one of the great successes of Greater Manchester has been the airport, through the jobs created there and in the surrounding area? However, we now have a situation where between 8 and 9 o'clock the vehicles using the motorways going south are slowed to a crawl because of the large number of people travelling to the airport. Is it not important that

[Andrew Bennett]

we have this link so that people can travel to the airport from the north of Manchester on the tram system, freeing up the motorways?

Ian Stewart: My hon. Friend is an experienced Member, and he is absolutely right. I will come on to some comments from the airport managing director later that confirm the points made by my hon. Friend.

A letter from two of my constituents, Leslie and Angela Wiseman, reads:

> "Having been a resident of Eccles for the past 25 years and a regular user of public transport the Metrolink was the best thing that happened to Eccles. The system is fast, efficient and pollution free and it is a disappointment that it is not to be extended to other parts of Greater Manchester. Journeys such as to and from Manchester Airport by Metrolink would be quicker, cheaper and easier."

Some of the small businesses in my constituency such as Smiths restaurant, an excellent restaurant in the centre of Eccles, have contacted me. Elaine McCann, Justin Critchley and David Hebden, who are partners in this business, wrote:

> "As partners in a small, but busy, restaurant in Eccles, we are in no doubt as to the amount of extra trade that the Metrolink brings to us and to other small businesses in the area. People coming into Eccles via the Metrolink are from not only our immediate neighbourhoods but also from more distant areas which can mean they're using more than one line and changing trams in order to get here. They seem more than happy to do this and an extension of the tram service can only mean that this, and other areas, will benefit from the injection of trade, business and works that such an extension would produce."

Tony Lloyd (Manchester, Central) (Lab): I am sorry to interrupt my hon. Friend in his listing of every letter from his constituents, but I am tempted to ask him whether he has found anyone against the Metrolink in Greater Manchester. I wanted to make a point consistent with what he has just said. Would he say a few words about the regeneration impact of the metro and the importance of those lines going out from east Manchester to Ashton, in relation to the advanced plans for the regeneration of our conurbation and its economy?

Ian Stewart: My hon. Friend is right, and he will hear me make some comment about the issues that he raises, but I shall leave the detail to my right hon. and hon. Friends from the constituencies concerned.

I will continue with a few more of the testimonies because it is right, as my hon. Friend has indicated, that every Member from Greater Manchester and beyond has a postbag that that could fill up the week's business of this place—rather than an hour and a half in Westminster Hall—in support of phase 3 of the Metrolink. Gerry Goodwin of Goodwin Machinery Ltd. writes:

> "Business property and homes have been purchased on the new links designated and you cannot let them down. As a staunch car user myself—when the South Manchester Line was started—I have used it at least twice a week to travel to Manchester and Bury."

John Spooner, the managing director of Manchester airport, writes:

> "Greater Manchester has been at the forefront of the delivery of integrated transport in a sustainable way . . . The existing Metrolink system has been a resounding success by any measure. It has therefore been an integral part of our transport strategy for many years. We have moved from being just supporters of the scheme to reserving valuable land for its construction and, in the last few years, directly investing over £60 million of our funds to build a new transport interchange. This involved over a million pounds in advance works and building a tunnel for the Metrolink extension . . .
>
> We have been investing in education, skills and training in local communities in readiness for the access to work that would flow from the construction of the Metrolink extension."

Geoff Muirhead CBE, who is the regional chairman of CBI in the north-west, is on record as stating:

> "Even taking into account these (additional) costs, I understand the scheme would still make a return on the investment required, even on the narrow basis used to assess its forecast performance. If the criteria were expanded to include benefits other than these related solely to transport, such as access to employment, social inclusion and enhanced land values, then the return on investment is vastly improved."

There is one final testimony that exemplifies some of the hidden demerits of the cancellation of the scheme. My hon. Friend the Deputy Leader of the House of Commons, the hon. Member for Oldham, East and Saddleworth (Mr. Woolas), wrote to the Network Rail chief executive. I quote from the letter sent by the chief executive, John Armitt, in reply on 25 August 2004. He wrote:

> "Thank you for your letter dated 3 2004 August detailing your concerns over the decision to cancel the Metrolink project for Manchester, Oldham and Rochdale.
>
> The decision by the Rt. Hon. Alistair Darling MP, Secretary of State for Transport, to reverse the planned changes for the Network Rail-managed infrastructure"—

that means the heavy rail infrastructure—

> "has naturally affected the budgetary constraints placed upon us by the Office for Rail Regulation.
>
> Until the decision by the Secretary of State, Network Rail had proceeded on the understanding that the Oldham loop would cease to be part of the heavy rail network from May 2005 and had not allocated funding to maintain it beyond this date. However, because we are required to maintain the rail network in its existing size and condition, this requirement is likely to extend to the Oldham loop if it is not to become part of the Metrolink network.
>
> The figure of £60 million is the Greater Manchester Passenger Transport Executive's own based on their own projected information. We do not concur that this figure is accurate and are currently undertaking our own detailed analysis of the various separate factors that would contribute to the cost of maintaining the Oldham loop as a heavy rail loop. These include: track condition"

and so on. He continues:

> "Under the interim review of track access charges for the period 2004–9, our agreement with the Office for Rail Regulation for funding would not have included the operation, maintenance and renewal of the Oldham loop."

What I take from that correspondence is that the situation is not at a standstill. Even the figure of £60 million projected by the PTA is, in my understanding, an underestimate. Therefore, if the Metrolink phase 3 does not go ahead, Network Rail will have to find more than £60 million just to maintain the existing heavy rail route.

Tony Lloyd: This is an important point. I say to my hon. Friend and, through him, to the Minister that it is important that we get clarification on the matter. The existing heavy rail, or the light rail that would replace it, is an essential part of the transport infrastructure going out of the north of the city. The alternative to no Metrolink and no reinvestment in heavy rail is closure of that line. Will my hon. Friend make it absolutely clear that we need an answer about whether closure of the line is one possible outcome?

Ian Stewart: Absolutely. My hon. Friend has, as always, pointed to the important issues, and I would call for an answer to those questions. I understand that my hon. Friend the Minister will not be expected to answer today, but it is surely a matter for examination at a later stage.

We have anecdotal evidence of what Metrolink has achieved, but there is more rigorous evidence and analysis. In 2000, the Transport Sub-Committee of the Environment, Transport and Regional Affairs Committee produced a report on light rapid transport systems and detailed their benefits. It said that Greater Manchester Metrolink offered an attractive alternative to the car and could thus help to limit congestion and to reduce pollution, particularly when used with other traffic restraint methods.

More recently, the National Audit Office report on light rail systems pointed to the significant benefits to passengers. Although it was not as positive about other systems, it stated that the Greater Manchester system was successful and viable. Back in the 1980s, the PTA made a detailed analysis of transport requirements and concluded that the light rail option was best. My constituency, which is on the north side of the conurbation, has certainly benefited from phase 2.

Metrolink has, in the words of Greater Manchester PTA, been the cornerstone of Greater Manchester's public transport strategy for many years. Almost one fifth of the passengers using the first phase of Metrolink previously made their journey by car, and traffic volumes on the main radial routes into Manchester running parallel with the light rail system have fallen by between 2 and 8 per cent.

Mr. Keith Bradley (Manchester, Withington) (Lab): Does my hon. Friend agree that one of the highest volumes of car traffic is in south Manchester running through my constituency? If the Chorlton to Didsbury spur were built, would the shifting of people out of their cars not have a dramatic impact on congestion and benefit the environment and people's health?

Ian Stewart: I am sure that my right hon. Friend is correct. I said that the figures fell between 2 and 8 per cent., and although such changes may appear small in absolute terms, they have had a significant impact on congestion on the roads affected. Each year, the three existing Metrolink lines carry 19 million passengers and take 3.8 million car trips off our roads. It is expected that the new extensions in phase 3, to which my right hon. Friend has referred, together with the expanded capacity of phase 1, will attract 50 million passengers a year and replace a further 5 million car trips.

My constituents have benefited from phase 2. Phase 3 is planned to serve a number of deprived areas with relatively high levels of unemployment in order to provide better access to potential places of work. It will boost regional competitiveness, assist the creation of sustainable communities and act as a catalyst for tens of thousands of new jobs. I am sure that my colleagues will elaborate on that in relation to their own constituencies.

Some solutions considered by other areas include the further use of guided or unguided buses. Buses have an important part to play in an integrated transport system. I have argued for bus re-regulation outside London and made many attempts to debate that important issue in Westminster Hall, so I was pleased when the Government announced the introduction of new powers that would enable Greater Manchester PTA to set up a bus-franchising operation, which would decide routes, timetables and fares. I am confident that the PTA will take up that challenge, but it is not a solution that should preclude the phase 3 Metrolink option. It should be done in conjunction with that, not as an alternative.

The Government recognised that when my right hon. Friend the Deputy Prime Minister announced in March 2000 that £250 million would be made available for the extension of Metrolink to Oldham, Rochdale, Manchester airport and Ashton-under-Lyne. As the *Manchester Evening News* campaigner of the day said, we then had our Metrolink for the millennium. All successive transport Ministers have been supportive of a phase 3 extension. At his speech to the CBI conference last year, the current Minister reported that the Government had more than doubled the funding available for local transport when he told the conference that

> "we've agreed funding of up to £520 million for the extension of the Manchester Metrolink."

On the basis of those commitments, Greater Manchester PTA has invested £200 million in buying and preparing land along the proposed routes of the three new lines. I acknowledge that the costs of the project have increased significantly because, it is argued, of high inflation in the construction sector and concerns about risks associated with light rail. When the Government made their announcement in July I acknowledged that costs could not continue to spiral, and although I was unhappy with his July statement I felt that my right hon. Friend the Secretary of State had left the door open for good, well-run metros such as Manchester to enter new negotiations and identify affordable extensions to their metro systems. I hope that the working party will do that, and find agreed solutions.

I am pleased that the Secretary of State is on record as saying that the Government are still supportive of the concept of rapid light transport systems and that this is an issue of cost and value for money. The statement is important because it allows me, as the MP for Eccles, to follow the vision that I and others have had for many years. I can call for future extensions of the Metrolink to the Barton strategic economic zone, where we hope that the Salford Reds rugby league club will be successful in building its new proposed stadium, and then for it to cross the Manchester ship canal to the Trafford centre. That would open a new transport facility for my constituents, and would also bring welcome regeneration investment to build on the existing investment that the Government have made in the Irlam and Cadishead bypass. I thank the Minister and the Department for approving that project.

[Ian Stewart]

I am sure that the Minister realises that the thrust of my contribution is that to make strategic sense, we need to come to an agreed solution on phase 3 so that we can then move on and grow a viable, value-for-money system in an integrated, appropriate and planned way.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. Mr. Speaker is always anxious that everyone who wishes to contribute to these debates be accommodated, and I share that view. However, our business is time limited, as hon. Members know, and this debate terminates at 11 o'clock. I am required to call the first of the three Front-Bench spokesmen at 10.30, so we are left with 37 minutes for open debate. I see that four right hon. and hon. Members are seeking my eye, only three of whom have given prior notice. I appeal most earnestly to all of them to bear the time constraints in mind when making their speech, and when accepting or responding to interventions.

9.54 am

Mr. Graham Stringer (Manchester, Blackley) (Lab): I congratulate my hon. Friend the Member for Eccles (Ian Stewart) on securing this debate. I can think of no more important issue to have affected the people of Greater Manchester in my 30 years of political activity there. No single issue has got through to so many people, and angered them, in the way that did the Secretary of State's decision not to approve Metrolink on 20 July.

I believe that that decision was fundamentally wrong, but I am extremely pleased that my hon. Friend the Minister of State is present. He has the difficult task of sorting the matter out. I certainly welcome his involvement in the working party. I support the attitude that he has taken to this as a problem to be solved.

It is not my intention to try to negotiate or to interfere with the negotiations in this debate. The debate is an important opportunity to go through the issues and to wish the working party success, but also to say in a non-minatory way that if the working party is not successful, the issue will not go away. The people of Greater Manchester, the local authorities there, the passenger transport authority, and beyond that, people in the north-west of England, will not let it go away.

My hon. Friend the Minister has a particularly difficult job because the Department, over the past year or two years, has not been as proactive as it could be. I am still concerned that when the costs of phase 3 of Metrolink escalated, from February 2004 until the statements on 20 July and indeed until meetings in September this year, there was no real activity from the Department to say, "Well, we know the figures are going up. They are going up for a number of reasons. How do we get this show back on the road?". The Department has viewed the future of Metrolink as a spectator sport, but it is not. It is vital that it happens and that the working party makes it happen.

I could spend as long as you would let me, Mr. Deputy Speaker, going through the history of this matter, but I do not want to do that. However, I want to put things in perspective. I am concerned that it makes the Minister's job more difficult when officials are saying that Ministers have "serious reservations" about light rail, at a time when the Minister and the Secretary of State are saying quite different things in public. That sort of thing undermines the process.

That is wholly consistent with the attitude that officials have taken to light rail in front of the Transport Committee. If the Minister would care to read question 54 in the record of the Transport Committee of 10 September last year, he will find that the Committee expressed extreme concern that officials from the Department were pressurising officials from the highways authority in Manchester and the PTA to invest in deregulated buses in direct competition to Metrolink along Cheetham Hill road and other parts of the Greater Manchester conurbation. That is not something that we would have expected from a Department that was seriously supportive of light rail. The Committee was also shocked to hear officials misrepresent statistics on the failure—they were pretending that it was a success—of deregulated buses in Greater Manchester and other conurbations.

When one is looking for alternatives to Metrolink—we are not, but if the Department is—a simple exercise in arithmetic will show that there simply is not the capacity in any feasible strategy to allow the numbers of passengers to be brought into the centre of Manchester and to other parts of the conurbation by bus. I do not like to quote the last Prime Minister but one, but there is no alternative to Metrolink if we want to move passengers round the Greater Manchester conurbation.

As the costs have escalated, black propaganda has been spread that the PTA was gold-plating phase 3 of Metrolink. I know of no gold-plating. The reasons for the costs of Metrolink rising are no great mystery. The world price of steel has risen and a lot of steel would be used in phase 3—that is not changeable. The cost of engineering work has risen because there is so much demand due to the success of the Government's economic policies. The businesses of light and heavy rail have become extremely risk averse, partly because of the fiasco surrounding the failure of Railtrack and the inception of Network Rail. Banks that fund light and heavy rail will no longer accept the risk. That is probably the largest factor in the increase of the costs of Metrolink.

There is no great mystery or evidence of gold-plating. If we want to get Metrolink back on track, the Government must accept the costs, as I hope they will because we cannot will them away. Changing the procurement method, as has been suggested on the Floor of the House, would not deliver what we want because re-tendering under a new process would effectively put Metrolink back three years. I remind right hon. and hon. Members that the procurement method of design, build and operate is supported and demanded by Government. It has never been favoured by the passenger transport authority or the passenger transport executive.

As far back as 1986–87, Lord Brooke of Sutton Mandeville, the then Under-Secretary of State for Transport, insisted, and it has been consistent Government policy since, on the method of design, build and operate, even though surveys, studies and independent consultants all showed that it was the most expensive option. That has always been the case, so it is not good enough for Government to say that they will consider different procurement methods. There is no mystery about why costs have risen; it is easily understood. The important thing is to find a way of working the finances so that the tram system gets back on track.

I shall finish with two final points. First, it is believed in Greater Manchester that the decision is symptomatic of a Government who do not understand the north-south divide. I agree with that, but I know that my hon. Friend the Minister of State does not. Let me put it in context. On the same day that Metrolink phase 3 was not approved, my right hon. Friend the Secretary of State for Transport announced £2.9 billion extra funding for transport in London. That enabled Ken Livingstone to say to the Transport Committee that his real problem as Mayor of London was not a slight gap in the budget because of fewer cars paying the congestion charge, but that he could not spend the money that the Treasury gave him as fast as it gave it to him. No mayor or leader of a council anywhere else in the country could say that.

On that same day, as well as the £2.9 billion extra funding, it was agreed that £340 million would go towards the London Olympic bid. I wrote to the Minister of State and he wrote back on 6 September. I asked whether London would get that money if it does not win the Olympic bid and what sort of assessment has been made of the projects. The answer was that no assessment has been made because it is not known what transport projects will be paid for from that £340 million. There was no answer to whether London would keep the money if it does not win the bid to host the 2012 Olympic games. That is why I believe that the decision is an aspect of the north-south divide. The people of Greater Manchester are right to see it as such and the Government would be sensible to pay attention to them.

Finally, it is not just a case of saying that the Government got one decision wrong among the many that they get right. The decision is fundamental to the regional competitiveness of Manchester, Greater Manchester and the north-west. Most of the documents coming out of the Office of the Deputy Prime Minister rightly make that point. If we want to do something about the north-south divide, there must be investment to make the north, the north-west and Manchester more competitive. This decision will make the area less competitive and will lead to the Government's failure to fulfil their commitment to reduce the difference between rates of growth in the north and the south of England.

One could say the same about housing market renewal projects in Oldham, in my constituency and elsewhere that are close to tramlines. The areas in which efforts will be made to put right the market failure have been determined partly by the availability of Metrolink, as have several investment decisions such as the north Manchester business park in my constituency.

The Government believe in joined-up government, but this is not a joined-up decision. It is vital to the environment and to the transport and economic strategies of Greater Manchester that my hon. Friend the Minister solves the problem and ensures that Metrolink is put back on track and that investment starts as soon as possible.

Several hon. Members *rose*—

Mr. Deputy Speaker: Order. There are 23 minutes remaining and three Members wish to speak before Front-Bench Members respond. I call Mr. Michael Meacher.

10.7 am

Mr. Michael Meacher (Oldham, West and Royton) (Lab): Thank you, Mr. Deputy Speaker. I shall be brief. I congratulate my hon. Friend the Member for Eccles (Ian Stewart) on securing a debate on this subject, which is of huge importance to the Manchester region and to north-west Members. Like my colleagues, I would also say that, in my experience, no other issue in recent times has caused such widespread and spontaneous bewilderment and anger as the announcement of the Government's decision not to go ahead with stage 3 of Metrolink. There are good reasons for that response.

Metrolink is the lynchpin in my constituency and in that of the Deputy Leader of the House of Commons of the housing market renewal pathfinder, which is an enormous £2.5 billion public-private investment in housing and community development throughout the Oldham-Rochdale area during the next 10 to 15 years. Metrolink is the trigger for several nodes of development across my constituency and the areas of Hollinwood, Derker and Werneth in Oldham. It is part of the recent urban vision for Oldham following the riots three years ago. Metrolink is regarded as a key factor in the renewal of our town.

It is also true that £200 million has already been spent on development and preparation for Metrolink, including the corridor between Manchester and Oldham. Many businesses have already made investment decisions based on the availability of the tram network. It is fair to say that the Manchester city region is the principal economic driver in the north of England and a major contributor to the national economy. Much of that is dependent on Metrolink.

We have already heard and are very well aware of the Government's reason for taking the decision; namely, affordability. Of course we are pleased that a working party is now examining alternative procurement options. We cannot presume the outcome, but the Government and my right hon. Friend the Member for Manchester, Withington (Mr. Bradley) are keen to see a solution to the matter.

As my hon. Friend the Member for Manchester, Blackley (Mr. Stringer) indicated, the decision is not in any way limited to the issue of Metrolink. The escalation of costs has also been felt by other light rail systems. Crossrail in London and various road schemes have exhibited similar cost increases. That is due to a wide range of factors, but a key one is the increasing level of risk aversion on the part of the private sector. Developers are seeking to offload the risk factor of passenger numbers not reaching predicted levels on to the public purse.

One understands the Government's concern about that, but the problem is caused by the PFI structure. If my right hon. Friend the Member for Manchester, Withington wants to get the costs down not only to the

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£530 million to which they rose, but even lower, how far is that compatible with a PFI structure? The Government sought a way to resolve the problem in the case of London Underground by making a grant on a sufficient scale to reduce the escalation of costs for private developers. I think that I am right in saying that it has been decided to expend £12 billion on Crossrail, largely out of the public purse, which avoids the problem that we are saddled with in relation to Metrolink.

Metrolink is, and has been for many years, the cornerstone of Manchester's public transport strategy. As my hon. Friend the Member for Manchester, Blackley rightly said, there is no alternative. It was never an end in itself or purely about transport schemes. It was designed to complement and to add value to a host of urban regeneration strategies. Certainly costs have risen significantly, but Metrolink is the most cost-effective way of achieving greater modal shift, increasing public transport use, reducing future congestion and delivering far-reaching economic and social benefits by its integration both with other public transport services and wider regeneration strategies.

Metrolink has been held up by the Government themselves as an exemplar system. It is certainly the most cost-effective and best of the light rail systems. It was recently given a clean bill of health by the National Audit Office report. Moreover, from the environmental point of view that I am anxious to stress, the three existing Metrolink lines already carry 19 million passengers and take nearly 4 million car trips off our roads. That contributes significantly to air quality in Greater Manchester. We believe that the future system, including the expanded capacity on phase 1, will attract about 50 million passengers a year and replace a further 5 million car trips.

Metrolink is a system for which there is no clear better-cost alternative. I beg my hon. Friend the Minister to find a solution to this problem through the revised procurement costs that are now being proposed by the working party. The Government's political credibility in the north-west is at risk here because, quite rightly, both my right hon. Friends the Prime Minister and the Deputy Prime Minister have indicated in the past their strong commitment to the area and to Metrolink as a central hinge for the future of the north-west.

10.14 am

Mrs. Lorna Fitzsimons (Rochdale) (Lab): First, I add my congratulations to my hon. Friend the Member for Eccles (Ian Stewart) on securing the debate. I do so on behalf of those of my hon. Friends who are here to support him but who will not get an opportunity to contribute to the debate. They include my hon. Friend the Member for Heywood and Middleton (Jim Dobbin), the Under-Secretary of State for Education and Skills, my hon. Friend the Member for Bury, South (Mr. Lewis) and my hon. Friend the Deputy Leader of the House of Commons.

Most Members present in Westminster Hall will know more about the history than I do, having lived longer, but to my knowledge Metrolink has been running for 13 years in Rochdale. My husband was a landlord on Drake street when the plans first appeared 13 years ago. Those plans have been in the consciousness of the people of Rochdale over the past 13 years, and they have planned their businesses and huge development programmes around them. I therefore cannot impress on the Minister enough the shock of the decision to the body politic of the people of Rochdale—not just to the professionals but ordinary people. That could be seen in the swift response that I received within hours of the announcement being made in July. I received e-mails from all over the world, from Rochdalians holidaying and working abroad, expressing their shock, disgust and dismay at the decision.

Not one of us pretends that the costs, which had risen from about £200 million to £900 million, were sustainable. To pretend that some of us think that if we exert enough pressure we will get the £900 million, is to be disingenuous and to misrepresent us. We all realise that the costs must be examined. However, we were saddened by the way in which the announcement was made.

The announcement was not expected. I have observed the situation during the seven years of my parliamentary life, and every time that there was a slight wobble we negotiated with Ministers to ensure that anything that needed to be done was done to ensure that we were still on track for phase 3 of Metrolink.

Hon. Members who spoke earlier indicated how successful Metrolink has been to date. The National Audit Office has also put on record how successful it has been. I cannot stress enough the importance of Metrolink in terms of the regeneration of places such as Rochdale. Over the past three or four years, I have chaired regeneration meetings at which we have discussed the design specifications received from the Greater Manchester passenger transport authority. Those specifications would allow local businesses to reinvest in their shopfronts to ensure that they are compatible with the design specifications for the preferred bidder for the development of Metrolink in Drake street. Millions of pounds of Government money have already been spent in the Drake street corridor and in other areas in other constituencies but, more importantly, thousands of pounds of individual business people's money has been spent. Those business people have made decisions about their entire livelihood and their future investment based on the collective promises made by Labour MPs and the Labour Government about Metrolink. I believe that we are honour-bound to find a solution.

I know that my hon. Friend the Minister of State is an honest broker in such matters, and I cannot praise him enough for the role that he and others have played in the working party in trying to find a solution. We must find a solution because, as my right hon. Friend the Member for Oldham, West and Royton (Mr. Meacher) stated, there are hundreds of millions of pounds of Government money for housing market renewal and for the regeneration of our town centres, such as the area around Kingsway, that depend on Metrolink. Our constituencies contain some of the poorest places in Britain—not just in Greater Manchester and the north-west, but in Britain—and the importance of the big bang to that regeneration cannot be overestimated.

At any stage we could have separated off into the various wings of Oldham and Rochdale, Ashton and the south, but it is crucial to ensure that the economic regeneration that is linked to the airport and the growth engine of the south of Manchester reaches the north through the centre. There are organisations in Manchester such as Knowledge Capital and Incubator Research in the World—at the biggest university in Europe. The effect of such organisations must be felt in constituencies such as mine, otherwise the regeneration money that the Office of the Deputy Prime Minister is deploying in Rochdale will not find its true value.

I therefore plead with the Minister to examine the matter in terms of the full cost of every pound of Government money. If we are analysing cost-effectiveness, how is the Minister's decision cost-effective in relation to the hundreds of millions of pounds of regeneration money being spent in Oldham, Rochdale and north Manchester? It is not cost-effective. It flies in the face of common sense. I hope that things are going in the right direction, but the clock is ticking. I beg that we do not try to approach this matter in a piecemeal manner, and that we realise that Metrolink makes good economic, environmental and social sense as well as being good government.

10.20 am

Mr. David Heyes (Ashton-under-Lyne) (Lab): I shall do my best, Mr. Deputy Speaker, to fit my speech into your time constraints.

I congratulate my hon. Friend the Member for Eccles (Ian Stewart) on securing the debate. As other hon. Members have said, there is no issue of greater importance to our constituents than this, as has been demonstrated by the words—"shock", "disappointment" and "anger"—that they have used when expressing their concerns to us.

The debate is timely, although I can understand it if my hon. Friend the Minister does not agree, as he is in the middle of complex and difficult discussions with officials and the passenger transport authority. However, it is vital that our constituents know that everything possible is being done to resolve the impasse. Privately, I know that a lot of work is going on to achieve that, but I am not sure that the public fully understand it. We have a chance today to demonstrate that the process is moving forward.

I endorse the comments made by my hon. Friend the Member for Rochdale (Mrs. Fitzsimons) that the proposals are a package, which should hang together as a big bang. Inevitably, we will talk about the parts of the line that we know best, but, uniquely, my constituency contains two Metrolink lines—the line through Failsworth and Hollinwood to Oldham and the line from east Manchester to Droylsden and Ashton, and I will speak about both of them.

Failsworth town centre is desperately in need of regeneration. Recently a major shopping centre deal was secured in expectation of Metrolink arriving soon. Hollinwood sits in the centre of a site at junction 22 on the M60 Manchester outer ring road. It is an important brownfield redevelopment site—the largest single development site in Oldham—and it has been marketed with the aim of its becoming a major job-creation location. The Metrolink station was rebuilt at great cost several years ago in anticipation of these developments.

Hollinwood and Failsworth are within the housing market renewal area, a multi-million pound Government investment, to which my hon. Friends have referred. It looked like a nice bit of joined-up Government thinking that the housing market renewal area was to be designed around a Metrolink transport artery, and it is impossible to understand why that should now be put at risk.

On the Ashton line, Droylsden town centre is similar to Failsworth in that there are major plans for canal-side redevelopment there, with shops, hotels, offices and houses, and a deal was recently secured with a developer in the expectation that Metrolink would be a key driver for that town centre development. For much of the day, Droylsden is choked with traffic because of the inadequate road network and the poor public transport system. Ashton Moss is one of the north-west's major economic development sites; thousands of jobs are anticipated at that brownfield site and Metrolink would run through it. It is next to St. Peter's in Ashton, which is in the top 1 per cent. of the most deprived wards in the UK. The Ashton renewal team is doing tremendous work in dealing with the issues there, and they are centred around expectations in respect of Metrolink.

The town centre of Ashton is the terminus of the line and the town is fighting to cash in on the benefits of the opening of the M60 four years ago; large office and retail expansions are planned there and the town is battling to recover from the blow of the recent disastrous loss of its historic market.

Tarnside's economic development anticipates and depends on Metrolink as the core transport facility at the heart of a proper integrated transport system. The Metrolink to Ashton would carry more than 6 million passengers a year, and would save 2 million car journeys. An enormous amount of advance work has already been carried out, and that is what has most shocked my constituents. Ian Spencer, the head teacher of St. Mary's school in Droylsden, admitted to being completely baffled by the announcement. He spent three years in chaos, working out of temporary classrooms while the old school was demolished and rebuilt nearby to clear the way for the Metrolink station in Droylsden. He cannot understand the logic of what is happening, and I find it extremely difficult to explain it to him.

It was a moving event when the "Save Metrolink" campaign visited the school and the pupils—eight, nine and 10-year-old children—came out to the front of the school and made a tremendous noise, cheering and singing, in favour of Metrolink. They really made the point, and if young children can understand why it is vital to their future, it should be easy for that message to go to the people who must take some of the key decisions that will determine the future quality of those children's lives.

Many good residential properties have been demolished along the line of the Ashton link through Droylsden and Audenshaw. We have built a new bridge for Metrolink over the railway near Ashton and an expensive bridge over the motorway to accommodate Metrolink lines at Ashton Moss, which is wider than would otherwise have been necessary. We have demolished industrial premises in the town centre of Ashton. Saddest of all was the demolition of the

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Wellington road flats in Ashton town centre, which were cleared to make way for the Ashton town centre Metrolink terminus.

There was a long campaign by the residents of those flats to avoid demolition. Their spokesperson, Maureen Consiglio, organised an effective campaign which resulted in them being moved, en bloc, into a redeveloped block of flats, which was funded from the proposed Metrolink investment. Those elderly people now stand and look at the site where their previous homes were and which are now just a heap of bricks and rubble. They are baffled as to why their lives have suffered such upheaval and disruption to make way for something that just is not going to happen.

There has been support for the campaign throughout Greater Manchester and in my constituency from business, the press and the community and voluntary sectors, but mostly from local individuals. All that they have in common is the feeling that the proposals just do not make sense. On the Ashton line, all the advance work has been done and only the rails and lines need to be installed. All Tameside needs is the track.

At Hollinwood and Failsworth the situation is even more bizarre. The line to Oldham and Rochdale has rails and all it needs is the wires. The people of Ashton, Droylsden, Hollinwood and Failsworth have seen that Metrolink works. They want some of the action that has transformed the economies of towns such as Bury and Altrincham. That is what they were promised and that is what the working party is charged with doing: finding a way to make it happen. With hard work, good will and the wisdom and determination of the Minister and his team, I am confident that a solution can be found and that we will get Metrolink back on track.

10.27 am

Tony Lloyd (Manchester, Central) (Lab): I congratulate my hon. Friend the Member for Eccles (Ian Stewart) on securing this debate. I want to make a few brief points in support of those made by my colleagues.

Anyone who tours Greater Manchester will see the piles of rubble, to which my hon. Friend the Member for Ashton-under-Lyne (Mr. Heyes) referred, where preparations for Metrolink have begun and, in some cases, been completed. A lot of public money has been invested in the scheme and it would be bizarre to people in Greater Manchester if the scheme did not come to fruition.

My hon. Friend the Minister has a deserved reputation for political toughness and earned respect when he said of Metrolink, "Not at that price." Most Labour Members understand that. Very few of us would argue that the public of Greater Manchester or the taxpayer generally should pay over the odds to those who will make money at public expense. A cheaper, more efficient scheme is in everyone's interest, but the Minister must take on board the points made by my hon. Friend the Member for Manchester, Blackley (Mr. Stringer) and my right hon. Friend the Member for Oldham, West and Royton (Mr. Meacher) about the concept of risk. Quite frankly, the financing scheme that central Government imposed on Greater Manchester was not the right one. It transferred risk from the private sector, which conventionally bears risk, to the public sector. We, the public, will end up paying for the risk that the private sector cannot manage. In this day and age that is a ridiculous way to finance a project such as Metrolink.

The challenge is this. The Minister's reputation for toughness is real and deserved. He is a good politician. He must be tough with those in his Department who have come up with this misguided scheme, and he must introduce a better structure for the financing of Metrolink which allows us to deliver the scheme, which is long overdue in environmental, social and regeneration terms, in a financially efficient manner.

I conclude by reminding hon. Members that we hoped that Metrolink would run to the new stadium for the Commonwealth games. That did not happen, and two years on we are still waiting for even just the preparation. It is long overdue.

10.30 am

Mr. Andrew Stunell (Hazel Grove) (LD): I am pleased to take part in the debate both on behalf of the Liberal Democrats and as a constituency Member. Hazel Grove is the south-east corner of Greater Manchester, and although we are not direct beneficiaries of any of the three lines, my constituents are as dismayed by the cancellation of phase 3 as those of the hon. Members who have spoken so far. There is anger and bafflement, and many of my constituents are looking for answers. They want reassurance that there will be a Government transport policy for Greater Manchester and that we will not just be left with the ruins that we seem to have at the moment.

I am happy to make common cause with the eight hon. Members who have contributed to the debate and other hon. Members who have been referred to, including my hon. Friend the Member for Cheadle (Mrs. Calton). All of us believe that the scheme is right for the benefit not just of the immediate corridors that have been referred to, but of Greater Manchester as a whole and beyond. It is good that we can work together despite the fact that the hon. Gentlemen and I have often had cause to be upset with each other because we share a political community and have points of disagreement.

Mrs. Fitzsimons: May I suggest to the hon. Gentleman and my hon. Friend the Member for Manchester, Central (Tony Lloyd) that the people of Rochdale and Oldham welcome the Liberal Democrats' support, given the fact that they campaigned for years to include Hazel Grove rather than Rochdale and Oldham? The cross-party consensus is welcome.

Mr. Stunell: I thank the hon. Lady for that, and very much apologise for my inadvertently sexist remark.

Phase 3 covers three different routes, which are each important in different ways. Voices have been raised in support of the loop through Oldham and Rochdale, which has been referred to, while the hon. Member for Ashton-under-Lyne (Mr. Heyes) has made a good case for the Ashton line. The third route is out to the airport, which is of particular importance to my constituents. The airport has a strategy of getting 25 per cent. of its visitors to arrive by public transport. Each day, thousands of workers go to the airport site, and over the year millions of passengers take flights from there. My constituency is on the "flight path" of many of those going to the airport along the ground, so the pollution, congestion and environmental disbenefits of surface transport to the airport are very much in their minds. My constituency straddles key radial routes out of Manchester to the south, including the A6 in particular.

The surface transport plan to the airport is of great importance to us, but I suggest that it should also be of great importance to the Government. The airport strategy documents that they published this year point out the significance of Manchester airport as an economic hub for the north-west and detail their plans for it to become yet more significant in the next 25 years. Crucial to that is sorting out the surface transport arrangements, and crucial to sorting out those arrangements will be a tram link to the rest of the conurbation.

A second part of the Government's so-called integrated transport policy is important in this context: the south-east Manchester multi-modal study, commonly referred to as SEMMMS. That is a plan to reduce traffic, improve public transport, enhance cycle and pedestrian routes and complete the local road network. A crucial part of that is the capacity to extend the tram beyond the existing proposals for phase 3 to Stockport town centre, and ultimately to Bredbury, Romiley and Rose Hill. If the SEMMMS integrated transport plan is still part of the Government's strategy, I urge them to take that into account when they consider what to do about the tram routes.

Many of my constituents saw the Secretary of State's July statement as much more than a setback—they saw it as an outrage. I had a flood of unsolicited letters from my constituents despite the fact that they know that the tram will not reach them in phase 3. Many residents have signed petitions in local libraries and taken part in campaigns run by local newspapers such as the *Stockport Express* and the *Manchester Evening News*. Stockport council has unanimously called for the tram to be restored, citing environmental and economic grounds for doing so.

I have written to the Secretary of State three times in the past 10 weeks and I raised the issue in the House on 13 September. I have not had an answer to any of the letters I have written to the Secretary of State so far, and I might have considered myself unlucky, except that I have a letter from a constituent of mine who did get a reply. He wrote to the Deputy Prime Minister—I think that he thought he was writing to the boss—saying:

> "I sent a letter to Alistair Darling concerning the cancellation of Metrolink and also concerning the apparent South East England bias of the current administration. I received two identical replies from a Department of Transport civil servant . . . obviously standard replies being sent to all who questioned Mr. Darling's appalling decision."

That sums up neatly the concerns of my constituents. They feel that they have been treated with disdain and it appears that the Government have no clear strategy or focus for supporting us in the north-west.

Will the Minister confirm that the decision on the funding of Metrolink phase 3 has not changed the Government's commitment to implement the full recommendations of the SEMMMS report, which was previously accepted by the Secretary of State? That is vital in my constituency and throughout south-east Greater Manchester. Will the Minister give details to the House of his timetable for introducing the review of costings that has been referred to? It is quite a skilful sleight of hand to substitute a review of costings for the original announcement, which most of us understood would be of cancellation. It is a welcome sleight of hand—we do not have a problem with it—but what is the timetable for introducing clear plans for reactivating all three routes in phase 3?

Does the Minister acknowledge the displaced costs? Reference has been made to the Oldham loop and the £60 million or more that will have to come from other budgets. That is not the whole matter; the hon. Member for Ashton-under-Lyne raised the question of money spent on that corridor, and the airport has also built its tunnel and invested in works there. Does the Minister understand the displaced costs that will have to come from the public purse because of the abandonment of the schemes?

Will the Minister announce that he will answer the pleas of Labour, Liberal Democrat and Conservative Members from Greater Manchester to restore those vital schemes to the spending programme? Metrolink has already proved to be that rare thing, a successful public transport innovation. Its expansion and development is crucial for regeneration, the economy and the environment, both locally and in setting an example for the rest of the country. Manchester, Rochdale, Oldham, Tameside and the borough of Stockport stand to gain from the reactivation of the schemes, but the benefits will be felt much more widely.

The phase 3 scheme has the support of business leaders, the public, MPs and councillors of all parties. It has been commended by the Government's transport consultants, it underpins the SEMMMS strategy and I urge the Minister to throw his weight and voice behind its restoration as soon as possible.

10.39 am

Mr. Greg Knight (East Yorkshire) (Con): I congratulate the hon. Member for Eccles (Ian Stewart) on securing this important debate. He has been a consistent campaigner on behalf of his constituents on the issue, as has my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady), who unfortunately cannot be with us today. I am well aware of the strong support for the future of Metrolink in Manchester and beyond. I attended a function organised by the Association of Conservative Clubs recently, when I was approached by Mr. Stephen Day, who used to be a colleague of ours representing Cheadle. He told me of his strong support for the extension.

In recent years, Manchester has enjoyed a remarkable resurgence, based partly on the hard work of its people, and partly—I like to think—on the economic framework put in place by the previous Conservative Government. It is fair to say that the Metrolink system has played a key part in that regeneration, helping to encourage firms to invest in the city. It is clearly a sign of how important the extension of Metrolink is that the Manchester chamber of commerce, supported by the CBI, the Institute of Directors and pro.manchester is co-ordinating a campaign to get Metrolink back on track.

[Mr. Greg Knight]

It is no wonder that those organisations want to be involved when it is estimated that some 6,300 jobs will be created by the project. As part of its "back on track" campaign, the chamber of commerce is encouraging members of the public to express their opinions on its website, and the following comment posted there succinctly expresses the views of the majority of local residents:

> "Getting the next phase of the Metrolink back on track is . . . essential, not only from a local business point of view but also in developing further the massive tourism potential in the region, which is simply being put on hold by this action".

As the hon. Member for Eccles said in his opening remarks, the campaign has gathered more than 40,000 signatures, which is a clear expression of how important the project is to Manchester.

The Secretary of State for Transport has said:

> "Manchester's metro has been extremely successful",

and recognised:

> "Light rail can be very effective in persuading people to use public transport",

which is one of the Government's stated transport aims. Indeed, the Government's "Future of Transport" White Paper states that they want

> "to support and encourage local and regional transport strategies to tackle congestion in towns and cities."

Local transport policies are vital, because if we do not get local public transport solutions right, an increasing number of people will take to their cars in despair, adding to the congestion from which we all already suffer.

The Deputy Prime Minister more than six years ago famously said:

> "I will have failed if in five years time there are not fewer journeys by car."

The 10-year plan promised a 5 per cent. reduction in inter-urban congestion, and an 8 per cent. reduction in large urban areas. Unfortunately, the result has been a predicted increase in journey times of 30 per cent. by 2010.

How will axing schemes such as the Manchester Metrolink extension improve those figures? The Deputy Prime Minister, who travelled to Manchester in 2000, said while there:

> "I am delighted to come to say I am making this announcement that the Manchester Metrolink extensions can go ahead."

The benefits were very clear to him at that time; he told the *Manchester Evening News*:

> "It is very much about an integrated transport system and Manchester has led the way. I've always been impressed by the development of Metrolink. It has encouraged people to use their cars less and public transport more. It's about the quality of life and about achieving our environmental objectives."

It is not often that I can say I agree with the Deputy Prime Minister, but on this occasion I do. It is strange that under the same Government—but two Secretaries of State for Transport later—the current Secretary of State does not agree with the Deputy Prime Minister's remarks. The Government's original plans were in no doubt: the Deputy Prime Minister said that he wanted to make Metrolink "the envy of Europe", and promised that there would be no strings attached to the promised funding. Is it surprising if the people of Manchester and some of their elected representatives now feel angry about the Government's perceived U-turn?

In its report, the National Audit Office highlights the real benefits that light rail schemes can provide to communities. The Manchester Metrolink is highlighted as one scheme that has

> "brought significant benefits to passengers."

In fairness, the report also highlights valid concerns, which the Secretary of State referred to in justifying his announcement that he intended to scrap several schemes. The NAO report goes on to highlight problems with integration, which is rather damning for a Government who have made so much about integrated transport systems. It also highlights problems with through-ticketing and the time it takes to put schemes in place once they have been approved. However, the main problem identified by the report was financial. For those schemes to be successful, they must be financially viable and value for money. The NAO highlighted reasons for the costs having escalated, citing lack of standardisation, the adoption of heavy rail specifications and safety arrangements and barriers to the adoption of new rail technologies. The report guides us on how to reduce costs and achieve greater value for money.

Reducing the costs of a project and improving value for money is part of the key to the way forward. I have been impressed with the way that GMPTE has put forward serious ideas, such as the proposal to increase the length of leases for equipment in order to reduce annual costs. It is an important plan to improve the quality of life for local people, as correctly stated in 2000 by the Deputy Prime Minister and repeated today by all who have taken part in the debate. It is a unique occasion when every speaker takes the view that the Government have got it wrong, and they ought to reconsider the decision that they have announced. Not one speaker has supported Government policy on this issue.

I am happy to make it clear that I am a supporter of the scheme. My party supports the scheme and a future Conservative Government would consider more imaginative ways of funding the extension of Metrolink, as we would with other infrastructure projects.

Ian Stewart: The right hon. Gentleman has hit on an important point about suggested funding options. Will he explain exactly what his party would do?

Mr. Knight: I am in discussions with my hon. Friend the Member for South Suffolk (Mr. Yeo), and I can assure the hon. Gentleman that we will be making a policy announcement on this issue before the next general election. However, I cannot reschedule my party's policy announcements to suit this debate, as much as I would like to do so. We will make an announcement shortly.

My party would end the constant stop-start nature of major transport infrastructure projects. Too often, a project makes slow progress through the planning system only to be delayed indefinitely because the finances of the Government of the day do not permit large blocks of extra expenditure.

We have had a useful and important debate, with contributions of substance from all parties, but this debate should not be necessary. There should be no doubt about the future of the Manchester Metrolink extension, so I hope that the Minister in his winding-up speech will be positive and say that he has a solution that recognises the importance of the project to Manchester and the whole region. If he does not, he and the Government will be letting down the people of Manchester.

10.48 am

The Minister of State, Department for Transport (Mr. Tony McNulty): I say at the outset, as ever in these debates, that I will come back to the facile contributions from the Opposition Front Benches and concentrate as much of the time as I can on the serious issues raised by my colleagues. I congratulate my hon. Friend the Member for Eccles (Ian Stewart) on convening the debate. I do not necessarily agree with my hon. Friend the Member for Ashton-under-Lyne (Mr. Heyes) about its timeliness or otherwise, but I appreciate from all colleagues that, unlike the previous contribution, there will be no detailed debate now on the deal or the way forward. It would simply be inappropriate, given where we are with the working party, to which I will return.

I also congratulate all Labour colleagues from Manchester on the campaign, which I fully understand. I have met a range of colleagues from Manchester since the decision, not least at the Labour party conference, where I met delegates and MPs and attended both of GMPTE's fringe meetings. I have no desire to read the *Manchester Evening News*, the *Rochdale Express or* the *Bury Times*, or to spoil my colleagues' Sunday meals by turning up on BBC North West with alarming regularity.

At the fringe meeting of the Labour party conference organised by GMPTE, I said that all of the key facts made—about regeneration, about the integrated nature of Metrolink and about the real wins that Metrolink extensions would mean for each and every community in Manchester, not simply those served by the three extensions—are without doubt. It is no surprise, and I fully endorse it, that my right hon. Friend the Deputy Prime Minister launched a document called "The Northern Way" a few weeks ago. At its heart, that document says that Metrolink and its extensions are integral to the regeneration of Manchester. They are but I repeat what I said then—not that project, not at those prices.

That is the entirely disingenuous and fatuous bit of the argument of both Opposition Front Benches. We did not hear a word about cost from the hon. Member for Hazel Grove (Mr. Stunell)—absolutely nothing. It was not even a major concern—we should just get on with it, he said. Go back to the last "shadow Budget", as it is laughingly called, and check whether it contains any more for transport this year: no. Last year: no. Successive previous years: no. It is easy to sit on the sideline as a minor third party and say, "Spend, spend, spend, spend, spend."

To the extent that there was any substance to the hon. Gentleman's comments, he dwelt on the airport link. For the purposes of the £900 million package—for want of a shorthand term for it—GMPTE deferred that link in December 2003. The link that the hon. Gentleman dwelt on is not even on the table in the package before us. It is not on the immediate agenda at all. The hon. Gentleman's contribution was very disappointing.

The right hon. Member for East Yorkshire (Mr. Knight) can talk eloquently about what a future Conservative Government will do. No future Conservative Government would, in any circumstances, consider a project that started at £282 million and topped off at £1 billion barely two years later and say, "No worries, we'll do it anyway." They simply would not do that and he knows it. So we will take his rhetoric, and that of his solo colleague in the Greater Manchester area, the hon. Member for Altrincham and Sale, West (Mr. Brady), with a huge pinch of salt.

The comments made by my hon. Friends are well made. I need to challenge some of them but I want to address several of them in substance. I start with the odd red herring. That is not a football comment—red herring is a common phrase. What John Armitt—the chief executive of Network Rail—said was that if the Oldham to Rochdale link does not go forward as part of the regeneration, Network Rail has obligations under its contract with the Office of Rail Regulation to sustain, maintain and develop the Oldham link in the line.

The notion that it is eking a concession out of me to say that, if the Oldham to Rochdale link does not happen, Network Rail will have to sustain the line is a complete red herring. If that link does not happen—we are not at that point, but I will return to our general approach shortly—Network Rail's obligations will remain its obligations while the link is part of the heavy rail network.

Tony Lloyd: Will my hon. Friend give way?

Mr. McNulty: I will not until I have made some progress, because plenty of colleagues made other important points. They are all important, and I want to address some of the others, but I may give way shortly.

At this stage at least, I cannot endorse the enthusiasm of my right hon. Friend the Member for Manchester, Withington (Mr. Bradley) not simply to get over these extensions but to bung in a few more—to Trafford Park, to the Manchester ship canal and so on. I understand the aspiration but let us do what we need to do now first.

I must challenge my hon. Friend the Member for Manchester, Blackley (Mr. Stringer) on the notion that, in the past year or so, the matter has become a spectator sport. One of the first things that I did after joining the Department a year or so ago was meet the Manchester authorities and say, "Ok, your £282 million can go up to £520 million, but that's your absolute lot. It's capped and let's see what we can do with it." So, we almost doubled the costs. It was not a spectator sport.

Subsequent to that, there was a series of revisions, all starting from the premise of £520 million being the cash cap and any number of additions, all the way up to the latest ones of £500 million-plus annual payments. Those are, again, virtually double what we originally planned. In the year and a half that I have been in the Department, it has not been a spectator sport. I do not accept that for a moment. It is not enough for hon. Members, not least my hon. Friend the Member for Manchester, Blackley, to say, "It ain't gold-plated." We

[Mr. McNulty]

know that it is not gold-plated, but we need to drill down and consider the costs. People cannot say, "Well, it's simple. Just accept the costs. That will be fine", because the costs are integral to what we are discussing. It may be said that any examination will not get to the bottom of what is going on in respect of costs, but my hon. Friend will know that any number of ideas are being thrown around now. If we believe the BBC, £300 million is suddenly going to be knocked off. If it is that easy to knock £300 million off, it must be worth further study.

Incidentally—I do not want to dwell on this—my right hon. Friend the Secretary of State for Transport did not give London £3 billion; he gave London £3 billion-worth of credit, so that Londoners could pay for London's infrastructure improvements. Ken Livingstone has gone for retail price index plus 10 per cent. on bus fares in the first instance. There is much more to come. It is slightly disingenuous to say that the Government are shutting the Manchester Metrolink but saying, "Here's £3 billion for London." That is not the case, and my hon. Friend knows it.

I shall not dwell on the north-south divide. As my hon. Friend said clearly, I do not agree about that. Nor do I believe that the Government's credibility in the north-west is at stake, or that, despite the importance that I, among others, attach to Metrolink, everything that the Government have done thus far in the north-west is suddenly withering on the vine because Metrolink is not proceeding.

I have several quick points on the background and the way forward. It is simply not right to say that Manchester's cost increases are exactly the same as those for schemes throughout the country; they are not. On the latest figures, the cost of this scheme is three times plus what it was originally. There is no comparable scheme of that size. Leeds is double; Portsmouth is close to double; and Liverpool, I think, is not even up to an overrun of 20 per cent. The magnitude of the cost increases in Manchester bears scrutiny. It is not enough simply to put that to one side and say that it belongs with everything else.

Yes, the National Audit Office has waxed lyrical, but it has done so about Metrolink as it is now. It is wrong to give the impression that it has waxed lyrical or given a rubber stamp or green light to Metrolink 3; it simply has not done so. The NAO has said good things about Metrolink thus far, and rightly so, but not about Metrolink 3. That point is important because, as my right hon. and hon. Friends will know, at least part of the deal on the table is the sustenance of the existing network. That makes it all the more important to move forward and get a deal.

The working party has met twice now, and we are due to meet again, I think, the week after next. We must try to find a way forward in an unfettered way, and I need to say this as clearly as I can: that might not mean preserving the big bang. If the big bang and £900 million is the starting point for a deal and it is that or nothing, I return to what I said earlier: not this project, at these prices. If we are to move forward and give Manchester the Metrolink that it deserves—I do not demur from that; I am fully signed up to it—everything should be on the table for the working party.

Phasing, the big bang, shifting the risk back and forth and procurement are all on the table. Drilling down beneath—design, build, maintenance and operation—must be on the table. Re-tendering the whole lot must be on the table. We must not fetter the working party, or the work that it needs to do to get Manchester to where we all want it to be, by locking ourselves in a box that says, "Big bang or nothing." With the will that has been shown thus far, and the work being done by the Department for Transport and Greater Manchester, we can get to the stage that all my colleagues and I want to reach, whereby all the regeneration benefits for Manchester, about which hon. Members have waxed lyrical, can proceed.

I say just gently in passing that the notion that the Liberal Democrats or the Tories would do things far better than the Labour Government is, to use a current phrase, an entirely flawed prospectus that is not worth looking at. We can get to where we want to be. We can get a timetable and a road map that put all these things back on track.

11 am

Sitting suspended until Two o'clock.

NHS Nursing Care

2 pm

Mr. Archie Norman (Tunbridge Wells) (Con): I am very glad to have the opportunity to devote the next hour and half to a discussion of nursing care in the NHS. I want to approach the subject constructively and I hope that the Minister will feel able to do the same and respond to some of the matters that I raise.

I do not intend to claim that there is a crisis in nursing care in the NHS. I shall, however, make a case for dealing with some of the emerging issues and argue that certain other concerns merit clarification, at the very least. It is important that all hon. Members recognise that although NHS nurses in general do fantastic work and are remarkably dedicated, they are comparatively less well paid, despite recent pay increases.

In many respects, nurses reflect the best of the public service ethos, and they undoubtedly provide outstanding care to the vast majority of patients most of the time. They are the bedrock of NHS patient care. Patients' experience and recollection of hospital stays, in particular, is affected as much by the way in which the nurses treat them as by any other factor. It is important to recognise that that patient care and the experience of being treated and looked after by nurses is driven more than anything else by the ethos, motivation and morale of the nursing work force. Highly motivated, well-intentioned, well-trained and disciplined nurses will give outstanding care, but those who work under stress and are demoralised within an unstable work force will find it much more difficult to do so.

When I researched the subject of nursing in the NHS, I found it extremely difficult to obtain many empirical, objective data—the Minister may be able to help with that. Nevertheless, there are quite strong emerging signs of increasing occasional lapses in the quality of personal care; I stress that they are only very occasional. I shall explain later why I think that may be happening.

Other emerging issues, including those of morale, work satisfaction and labour turnover—the number of nurses leaving the profession—are potentially serious and expensive for the NHS. Despite the increase in nurse numbers there are still considerable shortages in many NHS trusts.

I want first to deal with what has happened to the nurse population, why there are still shortages, and what evidence exists for problems of morale and retention and career development in nursing. On the face of it, there has been a significant growth in the number of nurses in the past six years. The Government have made such an increase an objective and have, broadly speaking, achieved it. Depending on exactly which figures one studies, it appears that in the past five or six years numbers of full-time employees have gone up by some 15 to 20 per cent. In 2003, according to the latest statistics that I have, 304,892 nurses were employed in the NHS. That increase compares, however, with an increase of approximately 11 per cent. in the number of consultant episodes and of 17 per cent. in accident and emergency attendance during the period in question.

There has been a marginal increase in nursing intensity in the NHS. The increase in nurse numbers and activity in a very labour-intensive service does not necessarily mean a significant increase in the available nursing time per patient. That, arguably, is what matters.

There has been a significant increase in the number of nurses in training—from 14,604 to 21,200 in 2001. I do not have more recent figures, but I understand that numbers have risen still further. However, it is important to remember that we are comparing the number of nurses and nurses in training with the relatively low figures of six or seven years ago. We could debate why those numbers reached those levels; it would be possible to argue that there was underinvestment in nurse training and nurse delivery. However, I do not intend to dispute such issues or to go into the history. Although the number of nurses in training has increased, drop-out rates have also risen. As 15 to 20 per cent. of nurses in training drop out before they complete their course, the increase in the numbers delivered is not as great as the increase in the number of nursing places.

Nurse shortages are still reportedly widespread in the NHS. It is hard to establish exactly how great the problem is, but the Royal College of Nursing estimates that there are 25,000 too few nurses, while official figures claim that the figure is nearer to 10,000 or 11,000. By any measure, there is still a significant shortage, despite the substantial increases that have taken place.

Despite the general lack of national statistics, studies have been undertaken on the shortages. They include the *British Medical Journal* article of September 2002 entitled "Mind the gap", which concluded:

> "The serious problems facing acute trusts in England in retaining and recruiting nurses result in high financial costs and low morale and may affect patient care."

It goes on to say that the problem is most acute in inner-city trusts, which will hardly surprise any of us.

The average age of nurses is growing every year. Although there are interesting reasons for that, it is also an indicator of the drop-out rate among younger nurses. The average age of nurses is reported to be 41; that is surprising, given the nature of the profession.

The gap in the supply of nurses, which has been created by nurses leaving the profession and despite the Government's efforts to increase the numbers coming onstream, has been plugged almost entirely by imported nurses. In fact, had we not brought in nurses from abroad over the past five or six years the number of nurses in the NHS would have remained more or less static. Moreover, 30 per cent. of students in nursing colleges are non-EU nationals. I do not mean to imply that recruiting qualified nurses and students from abroad is a bad thing—many of them perform an outstanding job and are extremely well qualified—but it is important to remember that it may leave us open to problems in future if getting nurses from abroad becomes more difficult and our shortages become more dramatic.

The flow of leavers from the profession is large and growing. That says a lot about people's willingness to stay in nursing and about morale in the profession. According to the register of nurses, the number leaving annually has roughly doubled compared with 10 years ago, and there appears to be a gentle upward trend. Of course, the number of nurses on the register is not an accurate measure of the number working in or leaving the NHS, but those are the figures that are available.

[Mr. Archie Norman]

The estimated 15 per cent. turnover rate of nurses leaving the NHS is rather high, especially bearing in mind that for the most part they do not leave for non-NHS nursing jobs, but leave the profession altogether.

There is evidence of increasing stress in nurses' work, not least because of hospitals' throughput levels, the need to meet standards and declining morale. I do not want to overstate that point, however, and there is reason to believe that it is part of a wider problem.

The Royal College of Nursing survey for 2003 suggests that 62 per cent. of nurses think that their workload is too heavy. I am not sure whether it has changed much over the years, yet the statistic reflects the concerns felt in today's workplace. The same survey said that 50 per cent. of nurses would not recommend nursing as a career to others. That is an alarmingly high figure—considerably higher, I should have thought, than 10 or 20 years ago. Curiously, 34 per cent. thought that NHS investment in nursing staff was decreasing, not increasing. Although many more resources have been put in and recruitment has increased, nurses feel that they are working harder than ever and that investment in staff is not adequate.

NHS spending on agency nurses has increased by about 80 per cent. in the past six years. The import of that is that agency nurses tend to have less longevity in the work place; that leads to a higher movement of staff through wards, which in turn creates a less stable workplace community that becomes much harder to manage.

I am not suggesting that any one of those factors is critical. Nevertheless, if we look at the total picture we see a profession in which numbers have increased through importing nurses but the number of leavers is rising. That may be a reflection of declining morale, changing workplace patterns and lack of work satisfaction among the nursing community.

The problem might be addressed in several ways; the Minister may want to refer to them. One salient issue is that a high proportion of nurses, especially young nurses, works on shift rotation, which tends to be family-unfriendly. The way in which acute hospitals are run makes it necessary to have nurses on shift rotations, so it is no good my simply stating the problem and telling people to solve it. It is clear, however, that because of today's quality of life issues and the range of options that are available to people it is increasingly hard to get young nurses of family age to work in that way.

Andrew George (St. Ives) (LD): The hon. Gentleman is presenting an important case. Does he agree that given the recent settlement for general practitioners, which means that family GPs are now able to operate on a nine-to-five, five-days-a-week basis while continuing to be well remunerated, we should compare their ability to continue their family life with that of nurses who have to work shifts?

Mr. Norman: The hon. Gentleman makes an interesting point. Not only among GPs, but in the broader health community, we have made progress in making health care work more family-friendly, and nurses working shifts are increasingly conscious of their relative position.

Having established the background in so far as it is possible with the figures available, I want to discuss the changing nature of the role and the diffusion of responsibility for nursing. Lapses in the quality of patient care occur not only because nurses are working very hard and are not always content with their working life, but because of the changing tasks that we are asking them to undertake and the hierarchy in the ward.

Since 1989, there has been a formative change in the nursing profession and in nurse training, with what was then called Project 2000 resulting in a substantial shift in the balance of nurses' training away from practical experience and into the classroom. In addition, the responsibility for the training has been shifted almost wholly from clinical to educational establishments. The arguments for those enormous changes seemed compelling at the time, but they have had important side effects. Nurses' training is now much more academic. Much of a nurse's work is very practical. Nurses enter their profession because they want to do practical work with patients, but spend half or more of their two to three years' training in a classroom environment.

That may have the effect of changing the type of people who enter nursing; it also means that nurses who come on to the wards are less experienced in practical training and the disciplines of nursing. Moreover, as has been widely reported, there is a shortage of mentors to work with training nurses during their clinical practice because a large number of trusts do not take nurses for practical training and there is a shortage of clinical placements. Generally speaking, the stress is on more academic and less practical nursing. I do not want to overstate that case because it is important that nurses should have an academic foundation as we ask them to undertake more complex medical and clinical tasks. However, it is a question of balance. The quality of clinical and practical experience that nurses have when they start working is perhaps not as good as it once was, although they are more qualified in other respects.

The other formative change in the workplace has been the development of health care assistants, or non-qualified nurses. That is significant not only in terms of the makeup of workplace economics and the division of tasks but of the effect that it has on the ward environment and the perception of role. On the whole, the rapid growth in the number of HCAs has happened for sound economic reasons. It is perfectly reasonable to employ people who are less well qualified and earn less to undertake less challenging tasks, but the ratio of qualified to unqualified NHS staff—30 per cent.:70 per cent.—may be approaching the limits of what is manageable.

In theory, health care assistants are supposed to have a national vocational qualification, but the evidence suggests that a large number do not. The King's Fund estimates that only 30 per cent. have a full NVQ, while others may have as little as six weeks training before they start on the wards. Yet in a pressured ward environment HCAs are inevitably asked to undertake important functions, some of which are medically sensitive. Unison conducted a survey—in 1999, so it is out of date—showing that HCAs' tasks can include help with drug administration. Some 18 per cent. carried out invasive procedures, 11 per cent. took blood samples; and 61 per cent. helped with catheter care.

We should not imagine that HCAs undertake only menial or basic tasks, because they are becoming an important part of the patient-health service interface. Anecdotal and survey evidence suggests that some patients have more interaction with assistants than with qualified nurses. It is potentially serious that some HCAs have had very little training and have arrived through what is in effect an unregulated route. The Minister may want to consider whether there is a compelling case for regularising the role of HCAs—I was going to say "regulating", but I do not want to give the wrong impression; I mean that we should standardise their minimum training requirements and what is expected of them—and establishing a smoother career progression that would allow people to start work with the minimum level of training, qualify as HCAs, then qualify as nurses and move on through the management and clinical hierarchy. The elements of progression have been put in place without proper ladders or quality controls.

The other side of the issue is the development of the so-called academic nurse. By way of illustration, although it is not very scientific, *The Guardian* of 11 October quotes Claire Rayner, the president of the Patients Association, who refers to the lack of practical training of nurses and the development of "academic nurses" and cites the

> "yawning gap between academic nurses, who have to spend more time pen-pushing than giving patient care, and the less informed healthcare assistants."

That is backed up by anecdotal evidence from constituents, relatives and other people with recent hospital experience who have told me that nurses on the ward felt that they were too important to undertake patient cleaning and other basic patient care activities. That is unacceptable.

According to the nurse's job description, it is not necessarily part of their official role to deal with the basic tasks of patient care. The qualified nurse is asked

> "To provide planned nursing care for patients and their families; To assist in the management and organisation of work as required."

The HCA's role is described in a subtly different way. He or she

> "Assists qualified staff by undertaking personal care duties for patients; Reports patient condition to qualified staff."

In a way, the role of the qualified or academic nurse is being institutionalised as having to do with clinical care and that of the HCA as having to do with cleaning patients and ensuring that they are comfortable. I say this with no disrespect, because I know that the vast majority of nurses are absolutely dedicated to total patient care. However, it is important for the NHS to be unambiguous about the fact that all nurses on the ward are responsible for ensuring that patients are clean and comfortable and that their psychological and personal requirements are looked after. We increasingly hear patients complain that they feel neglected because no one comes to clean them, look after them or ensure that they are comfortable. When my mother-in-law was recently in hospital, she was not provided with a proper pillow for 48 hours.

Such problems stem from the emerging hierarchy in the ward environment. They do not only arise in the UK; in Australia and Canada, programmes introduced to increase the number of lesser qualified nurses or HCAs in the ward environment have had a material impact on the number of mistakes made with patients, as well as on clinical outcomes. I am not saying that the writing is on the wall, but we can learn from the experiences of other countries. We must establish exactly what the roles are to ensure that a situation does not developing whereby some people look after patients and others are primarily clinical in their approach. There is a level beyond which the ratio cannot be pushed.

The last aspect of the problem to which I want to refer is the nature of the workplace and the loss of accountability for the ward environment. There was an entirely different system in the early days of the NHS, although I am not advocating a return to that. For example, ward discipline—control of the ward environment—was much better, which helped nurses to do their jobs and to ensure that patients were properly looked after. Through custom and practice, we have allowed that to slip away. It is a question not just of bringing back matron and putting people in charge, although there is a bit of that involved, but of working and management practice throughout major hospitals. Part of the problem is that many hospitals now have almost uncontrolled visiting hours, which means that nurses no longer have two or three hours in the morning when they can get back control of the ward environment and ensure that it is clean and under control and that patients are properly looked after.

Another problem is that doctors and other members of staff are able to stroll around the ward at will and to appear at unexpected times of day. That may not happen all the time, but it undermines the ward sister's role and her ability to say, "This is my ward. I am in charge of this environment and can be held accountable for it." When my father was a consultant, before there was an NHS, there was no question of his turning up on the ward without permission. He would have to arrive at the right time, then he would be presented with his starched white coat and told when people were ready to receive him. Needless to say, when that happened all the blankets were folded and everything was neat and tidy. I accept that that is a bygone era, but nursing is partly to do with discipline—the ability to control things and having standards that are rigorously enforced. Ward sisters should have enough spare time to check that everything has been done properly and to lead and teach the ward staff—the other nurses and HCAs—to ensure that they are doing their jobs well.

In most major acute trusts, turnover on the wards is probably much higher than the 15 per cent. that I mentioned earlier. If about a third of the ward staff move on every year, as in some trusts, it is much harder to establish a workplace community or any sort of continuity. It is also harder for sisters to manage new staff, who often have to deal with problems that are outwith their experience and need to be shown the ropes.

The Minister is probably planning to refer to modern matrons, and I do not intend to be critical of the initiative to bring them on board. In most trusts, however, the modern matron is not matron as we used to know her, but a new layer of management. The critical role is that of the ward sister, as the person who is in charge of the ward, not that of the modern matron,

[Mr. Norman]

who takes broader responsibility for an array of tasks that fall outwith the ward sister's role. The critical question is this: does the ward sister have the capacity and the authority to make decisions about who comes on to the ward and when, the cleaning on the ward, and the management of his or her staff?

We have previously debated MRSA in this Chamber. That is a central issue, as the development of MRSA is all about cleanliness in the ward environment and thus the ability of nurses and HCAs to control what happens there.

I invite the Minister to comment on the emerging trends that I have outlined. Despite the growth in the number of nurses, there is still a problem with nurse shortages that could grow. We are highly dependent on imported nurses, which, if nothing else, would put us somewhat at risk were the flow to dry up.

There are also important issues to do with the balance of qualified and non-qualified staff on wards. The role of HCAs in relation to the standard of the qualifications with which they enter the NHS is becoming a serious issue. It is fundamental that we do not allow a hierarchy of personal care to develop. There is a risk that some nurses may feel that they are a little too important to do the menial tasks involved in caring for patients. That would represent a major erosion of the successful culture of service in the NHS. There must be a case for creating a better continuum of career development through the nursing profession. We need to understand why the number of people leaving the nursing profession seems to be growing and why the average age of nurses seems to be rising.

Is the Minister satisfied that steps have been taken to re-establish a greater sense of discipline and control of the ward environment? That would help to improve the working environment, team working and the people's development, as well as to deal with the more fundamental issue of cleanliness and MRSA.

Mr. Deputy Speaker: I remind the Chamber that this debate is time-limited, and we must conclude by 3.30 pm. I am required to call the first of the three Front-Benchers to make their winding-up speeches 30 minutes before that—in 30 minutes' time. I therefore appeal to hon. Members who seek to contribute to the debate to take that time constraint into consideration both when making speeches and when accepting or responding to interventions.

2.30 pm

Laura Moffatt (Crawley) (Lab): I am delighted that the hon. Member for Tunbridge Wells (Mr. Norman) secured this debate. As a former nurse, I often think that being given the opportunity to talk about nursing is an indulgence, but I am truly grateful that we have the opportunity to talk about many of the issues that face nursing. It is a valuable debate to have.

A couple of weeks before the 1997 general election, I was still nursing on a ward in my constituency. Subsequently, for no remuneration, I have done some night duty, for the experience, and so as to reconnect with many of my colleagues who are still in the profession. There is little doubt that nursing remains one of the most amazing, challenging and wonderful professions for anyone to go into.

I am guilty of the following offence: I am totally bound by the principle of wards and nurses, when we need to remember that nurses work in all sorts of settings and ways and with all sorts of people. In this debate, it would be wrong not to acknowledge the range of nurses—men and women of all shapes and sizes, working with the elderly, or with young people, and working in ways that may be different from what we shall discuss today. It is important to remember that the nursing profession is incredibly wide, and offers enormous opportunities for many people. The estimate is that more than 80 per cent. of care in the NHS is delivered by nurses, so it is right and proper that we should focus on those care givers.

We need to be clear that nursing in the 21st century is a different deal from what it was even when I started my nursing training in the early 1970s, in that nurses must now work in partnership. The hon. Gentleman created a wonderful picture, and I remember the ward sister's vice-like grip. She was able to create her own environment. At times it was not particularly encouraging of new nurses, or nurses who wanted to progress or develop their skills, but it was a way of making sure that she kept a grip on her ward.

Of course, we cannot operate in that way today. Being an excellent ward manager, and being in charge of a team of people who contribute to nursing care, is a different deal. It is important to give the ward cleaner an equal say about what happens in a particular setting, and it is important to ensure that the consultant is aware that he or she should do a ward round at the appointed time, outside the protected mealtime—an important new development in the NHS, which I welcome. We must remind consultants, as well as nurses, that it is important to wash their hands between patients.

The picture that emerges of nursing and of the care delivered is different from what we might expect, because without that co-operation and that sense of everyone contributing, the workplace cannot function.

The hon. Member for Tunbridge Wells talked about Project 2000. Few of us—certainly few in the profession—would argue that we should return to hospital-based training, because it was so variable. We now use the phrase "nurse education", and nurses are properly educated through the university system. I understand why we moved to the university-based system, and respect that decision. Although that change has created problems, it has without doubt raised the standard of education of nurses and ensured that people have a proper career path into nursing.

I was interested in the hon. Gentleman's comments about the average age of nurses, which has been affected by several factors. I am not sure that it was right for me to go, as I did as a young woman, straight into nursing from a pre-nursing course at college, but I did so because I was so determined to become a nurse. When I go to the nurse education centre at the university of Sussex and talk to people in nurse education, I see a tremendous age range, and I find that heart-warming.

It is encouraging that people who may want a career in the nursing profession, or a profession allied to nursing, who have become health care assistants but later realise that what they really want to do is to become fully trained and registered nurses, can do so. That is an excellent way to get people into nursing, because it overcomes many of the problems that the hon. Gentleman mentioned, such as the lack of ward-based experience.

There is little doubt that classroom education is desperately needed. I well remember going straight on to the ward after six weeks in a nursing school and being asked to look after 10 intravenous infusions for people who had serious operations. That was unacceptable. The whole flavour of nurse education has changed. If people who have experience on the ward, such as health care assistants, take a measured decision to move into nursing, and trusts encourage that path into nursing and offer support, that is a tremendously efficient way to get nurses into training, not only because such people turn out to be excellent nurses, but because the chances of their falling away from nurse education are much reduced, since they know exactly what they are going into. That area could benefit from further expansion.

Nurses make such a difference today. None of us should run away from the fact that nursing is incredibly pressurised. The way in which the NHS is being reformed and is responding to patients' needs, and the pressure on those who have to deliver care, makes it much more difficult for them: they have to think quickly about how to ensure that patients are treated decently and in time, and that they are not kept waiting. Such considerations add to the problems of those who deliver care, most of whom are nurses.

The hon. Gentleman is right to say that concerns and complaints are often about nursing and associated issues, such as how we care for people on wards. That is understandable, but there are ways to tackle the problem. Many nurse organisations and trade unions are contributing to the way in which nurses develop and gain new skills.

The Royal College of Nursing's "Nursing the Future" campaign is superb, and came from America. It involves a series of nurse ambassadors from all areas of nursing who go out into schools and into the community, promoting nursing in a positive way because they feel positive about what they do and they want to go out and explain what nursing is all about. They all appear in different ways: a mental health nurse turns up in his jeans, while a formal ward nurse wears her uniform.

We can develop nurse education in many ways. The key is giving power to nurses, and we have made enormous strides. The Government have accepted and had to sort out the awful morass of nurse prescribing, which was mouldering in the doldrums and not making any progress. Now we have a comprehensive range of nurses who can prescribe, and do many other good things, themselves. In some settings they can order their own X-rays, and can ensure that everyone is ready to come in and get organised for out-patients' appointments. They have the power to organise their own workplace.

I have visited many areas to see how nurses can operate, and to ensure that they feel valued by their trusts—that is the point. A nurse today, without doubt, is highly respected. However, nurses are also under enormous pressure. They can rise to that challenge if we ensure that we value them as a profession, and support them. We should not have a silly, rose-coloured-spectacles view of nursing, but we should support nurses properly, either through the Government or by the way in which the community relates to nurses. They do not want wishy-washy support; they want their profession to be properly recognised. I firmly believe that we are moving in that direction. The pressure is on for them, but I am convinced that they are up to the job.

2.43 pm

Dr. Richard Taylor (Wyre Forest) (Ind): I pay tribute to the hon. Member for Tunbridge Wells (Mr. Norman), not only for raising this issue but for tackling it so sympathetically and constructively, and not in a party political way. I also want to pay tribute to the hon. Member for Crawley (Laura Moffatt) for her long experience in nursing—and for warning me before this debate that I had to be a little careful about what I said about nurses, as she is sitting so close to me.

Recently, after a Health Committee meeting, I received an extraordinarily rude letter from a constituent. At that meeting we had been talking about nursing, and I and other Members had repeatedly referred to nurses as being of the feminine gender. That lady got very worked up about that, and it is important to recognise that nurses are of both sexes, of equal efficiency and equal value.

Having got that off my chest, I want to remind the Chamber of what Florence Nightingale said in 1860:

> "No *man*, not even a doctor, ever gives any other definition of what a nurse should be than this—'devoted and obedient.' This definition would do just as well for a porter. It might even do for a horse. It would not do for a policeman."

Thank goodness that definition went ages ago, thanks to Florence Nightingale and lots of other people. I agree with the hon. Member for Crawley; I am talking more about hospital nursing, and in hospitals there is a partnership. The nurse is no longer the handmaiden of the doctor. She or he is an equal partner in the ward team running the show in the best interests of the patients.

I want to concentrate on one aspect of nursing that I fear is being lost in some respects—I shall consider the reasons for that after I have given some examples. I am talking about the role of the nurse as the advocate of the patient. All patients are supposed to have named nurses when they go into hospital; that is crucial. With the decrease in the hours that doctors are allowed to work and the lack of continuity of care from the medical profession, continuity is provided by nurses, who have always worked on shifts and are therefore used to handing over when they move on. However, it is in the advocacy role that nurses are needed. That is sad, but it is so.

I echo what the hon. Member for Tunbridge Wells said; it would be easy to be highly critical, because most of the letters that we get are critical rather than supportive. Let me give some examples of cases in which a nurse's advocacy was missing.

An 82-year-old man had an epidural injection that went wrong, resulting in a respiratory arrest, so he was really very ill. He was transferred to another hospital for overnight observation because the first one could not keep him overnight. At 7.30 in the evening, after seven

[Dr. Richard Taylor]

hours on a trolley, he was seen by a consultant, who said, "If you can walk, you can go home." His elderly wife was there, his son came by car, and they struggled to get his clothes on. He could just walk, so he did go home—and his wife was up all night. In my day, which was after the time of the hon. Gentleman's father, the nurses would not have allowed that. They would have stepped in and said to that consultant, "This chap can't go home now." That is one factor that is missing.

In another case, a 91-year-old suffered from unhygienic conditions on the ward, lack of personal care, two falls, pressure sores, incontinence, loss of dignity and loss of the will to live. The patient died, and there was even a delay in the notification of the death. In a third case, a 19-year-old died of a subarachnoid haemorrhage, which was probably inevitable. The family was up in arms because the information given during the poor girl's final illness was scanty and hopeless. Again, in my day, if I, as a doctor, had been guilty of handling that family as it was handled—this occurred not at my hospital, but a long way away—the nurses would have slaughtered me. They would have gone in and explained to the family exactly what was going on.

The worst example of all is the case of Victoria Climbié. In the inquiries, the social workers were blamed and the doctors were blamed a little bit—I think that the doctors should have been blamed a great deal more—but where were the nurses? One morning, when she was in hospital, a locum senior house officer was on duty, with no consultant cover, for one single shift, and at no stage was that locum instructed by the nurses about what was going on. That loss of advocacy is very severe. Beverly Malone has spoken about people being "too posh to wash", but I will not carry on that theme.

Why have we got into this state? Enough has been said about Project 2000. I agree with the hon. Member for Tunbridge Wells, in that I think that things have gone a little too far. I agree about academic training, but that must be balanced with more practical training.

There are issues of stress, overwork, undue reliance on agency nurses—who inevitably do not take the same responsibility for the patients as permanent staff do—and ward discipline, in which I am a great believer. When I first arrived at the hospital where I was to work as a consultant, I was staggered when I walked into the office and all the nurses and sisters stood up. I had not been used to that at a London hospital, but that was the discipline.

Nurses must cope with the tremendous expectations associated with widening roles. There are nurse practitioners, nurse consultants, managers, modern matrons, and emergency care practitioners, and they are expected to take on the job of the junior doctors who are not there to do it. GPs no longer do the job at night either, so there is a tremendous strain on the nurses.

I recently attended a lecture by an eminent professor of nursing called "The death of nursing". He made the point that every time there was a change, people would say, "Oh, that's the death of nursing." He believed that nurse leaders had to respond to all the changes by ensuring that they had different ways of working. His main point related to leadership of the trained nurses to get the students, the cleaners, the health care assistants and the junior doctors all working together. I am not altogether in favour of modern matrons; that is simply a name for the unit nursing officers whom we used to have. I would much prefer there to be one senior matron, who makes everyone quail when she goes round the wards.

I appeal to the Minister to remember that the traditional job of a nurse is caring for, as well as organising, other people. A little more practical training would help. As Tacitus said, "Experience teaches," and, from the 16th century:—

"Experience is the best teacher."

and

"Experience is the father of wisdom."

2.52 pm

Andrew George (St. Ives) (LD): I congratulate the hon. Member for Tunbridge Wells (Mr. Norman) on securing this very important debate, and echo the praise given by the hon. Member for Wyre Forest (Dr. Taylor) for the way in which the hon. Member for Tunbridge Wells made his case.

It is a pleasure to follow both the hon. Member for Crawley (Laura Moffatt) and the hon. Member for Wyre Forest, because they both speak from a great deal of personal experience of working in the NHS. I declare an interest to an extent, in that my wife is a former nurse. She still occasionally works on a nurse bank in a local hospital.

Like the hon. Member for Wyre Forest, I want to concentrate on acute hospitals. As the hon. Member for Tunbridge Wells rightly pointed out, there may be a disjunction between our debate on the statistics for nurses coming and going, retiring and moving to the country, and what is being delivered in the real world and the stresses and pressures experienced on the wards themselves. I shall concentrate my remarks mainly on wards.

We need to recognise that, as from April this year, the starting salary of a trained nurse will be £17,060 a year. When one compares the antisocial hours, the responsibilities, the life-and-death decisions that nurses have to take or participate in taking, the stresses and strains, and the physical nature of the job, with those of other professions—for example, the police—nurses are undervalued in terms of remuneration.

The hon. Member for Tunbridge Wells rightly emphasised the change in the nature of nurses' training since the introduction of Project 2000. There must be an appropriate balance between the academic and the practical, or the clinical. Those who have been involved in nursing for many years repeat that, in their experience, many new nurses are well trained academically but need more clinical experience before they are let loose on the wards.

In an intervention on the hon. Member for Tunbridge Wells, I attempted, perhaps not particularly well, to contrast nurses, who work antisocial hours and shifts—necessarily, as wards operate 24 hours a day—who make life and death decisions and who accept all their responsibilities, and are paid at a certain level, with GPs, who recently managed to secure for themselves—in effect, and if they so wish—a nine-to-five job, five days a week. Compared with nurses, they are well remunerated.

I am not saying that GPs do not deserve their pay or that they do not do a good and important job for which they should be properly remunerated, but I question whether the difference in levels of pay for GPs and nurses is appropriate, given the responsibility that nurses have, particularly on acute wards. I would argue from a Back-Bench position that perhaps there is a need for a review, although I would not commit my hon. Friend the Member for Sutton and Cheam (Mr. Burstow) to spending plans, which are for him, not me, to make.

I have only a few minutes left in which to emphasise two points. The first is about the amount of paperwork that nurses are now required to deal with in order to maintain their responsibilities on wards. As I see it, nurses have taken up new roles as patient biographers. They must complete a veritable encyclopaedia of information before patients can be admitted. They need superhuman powers to find the time to engage in nursing care itself, on top of all the paperwork.

Recently, I asked a nurse how much paperwork had to be completed when admitting a patient. I was told that a 28-page form must be completed when a patient is admitted to an acute ward, and that a great deal more paperwork must be completed during their stay.

Laura Moffatt: Does the hon. Gentleman not accept that taking a really good case history and background of the patient contributes to good nursing care throughout that patient's stay?

Andrew George: A balance needs to be struck between the amount of paperwork and the amount of time left for nursing care—that is a question of judgment. I simply make the point that many nurses say that much of the data and information collection is unnecessary, does not help with their job, does not help them come to clinical decisions on the ward and does not necessarily assist with the longer-term care of the patient. They estimate that the amount of paperwork has increased by about 30 per cent. in the past two to three years.

In early September, the *Daily Mail*—if I dare quote from it—published a letter from Sally Boxall, who stated:

> "I'm one of the 40,000 nurses quitting the NHS—in my case, after 25 years. The reasons that have led to my frustration at the whole soul-destroying set-up include the paperwork . . . nurses are expected to make it a priority, before patient care",

and that they have become bed managers rather than carers. We must recognise that there is a difference between what we debate in this Chamber and what actually happens on the ground.

I spoke to nurses recently about a current case in a Cornwall acute trust. Twice during the past two weeks, night duty—from 9 pm to 8.30 am—was covered by one recently qualified D grade nurse on £17,000 a year. She and two health care assistants had care of a ward of 28 seriously ill patients. That nurse had to administer drugs, put in and change drips, discuss medical care with doctors, give information to relatives, talk to nurses from other wards about the transfer of patients, admit emergencies, administer injections, change catheters, insert nasogastric tubes, and decide whether patients needed oxygen or a remedy for low blood sugar levels. She also had to deal with cardiac arrests, although it needs two nurses to resuscitate patients. I understand that is happening regularly. The local NHS acute trust hospital is short of 80 qualified nurses.

There are serious problems. Nurses are undervalued as well as being underpaid. I hope that the Government recognise that, and that they will take those issues on.

3 pm

Mr. Paul Burstow (Sutton and Cheam) (LD): I add my congratulations to those expressed to the hon. Member for Tunbridge Wells (Mr. Norman) on securing this debate. I also congratulate him on the manner and tone in which he presented his argument and the evidence that he gave in support of it, and I congratulate all who have contributed to the debate. I shall pick up a number of the points that have been raised.

First, I echo what was said at the beginning of the debate about the nature of nursing. Nurses are dedicated, but they are still less well paid than many others in the public sector. As my hon. Friend the Member for St. Ives (Andrew George) said, unfavourable comparisons can be made with other public sector workers, some of whom have done very well—they have received increases in salary and their work is valued.

The hon. Member for Tunbridge Wells was right to say that nurses are the bedrock of patient care in the NHS and that they embody the very best of the public service ethos. We must do everything we can to cherish and protect that, and to build upon it. During the next few minutes, I shall run through some of the issues that have been raised.

The hon. Member for Crawley (Laura Moffatt) rightly said that hon. Members had so far focused on nursing in the hospital setting; she said that nursing was far from being confined within the boundaries of NHS or other hospitals. The profession reaches into many other settings. I think particularly of the key role that nurses play in primary care; increasingly, they lead primary care teams, and many have become practitioners with specialist interests. As we heard, they have taken on a prescribing role, they run clinics, and they are taking a lead in developing and supporting self-management. Those are some of the many aspects that make the profession one that more people should consider as a career. I certainly support the "Nursing the Future" campaign that has been mentioned.

It is worth mentioning the British public's view of nursing—assuming that polls are an accurate reflection of their views. In a poll for *Nursing Standard*, MORI found that 81 per cent. of people believe that nurses are caring and understanding. In the same poll, eight out of 10 people said that they thought nurses were extremely hard-working. This year, through its in-patient questionnaire, the Healthcare Commission asked patients, "Did you have confidence and trust in nurses treating you?" We should remember that 75 per cent. of respondents in England said, "Yes." We MPs can often be disproportionately influenced by our mailbags. People tend to write to us only when things go wrong, but we must remember the good things when looking at the overall picture.

[Mr. Paul Burstow]

Reference was made to the ongoing concern about hospital-acquired infections and the need for a management structure that allows nurses to be more clearly in control of the ward environment. For example, concern has been expressed during the past few years about the way in which contracts were let for cleaning and catering in hospitals. Those contracts led to a fragmentation of the chain of control and command in hospitals, which made it more difficult for ward sisters, matrons and others to be confident that what needed to be done could be done immediately, rather than having to go through a lengthy contractual process.

It is interesting to read the reports, also in *Nursing Standard*, on the National Patient Safety Agency's hand hygiene campaign. The agency found that on average only 40 per cent. of necessary hand hygiene procedures were carried out. I mention that because earlier today I had the pleasure and privilege of visiting the Epsom and St. Helier NHS Trust and joining the infection control team there—Dr. Sharon Chambers, Dr. Louise Neville, Mandy Cehssum and Gill Hickman, who are the infection control nurses—as part of its infection control week.

I visited wards, met a number of modern matrons and the sisters in charge, and took part in a practical exercise to see how good people were at hand hygiene. The powder was put on, and people's hands were washed and run under the scanners. The experience was most interesting—although I came out worst—and it was a good demonstration of how engaged wards are with infection control teams. I applaud what is being done to encourage people to become engaged, in a competitive way, with basic hand hygiene, which is an important aspect of reinforcing good practice.

I want to pick up something that the hon. Member for Wyre Forest (Dr. Taylor) said about pressure sores. My hon. Friend the Member for St. Ives was keen not to commit me to any spending figures in this debate, but we need to consider how to ensure that the resources now available to the NHS are used to best effect. To rehearse some figures, it cannot be to the best effect for more than £2 million a day to be spent on treating bedsores in the NHS. Nearly one in 10 patients are affected by bedsores, more than 90 per cent. of which are preventable.

Good health care assistant practices can materially alter that situation. For example, some research suggests that spending £200 on a pressure mattress can save £1,500 on treating bedsores. There are ways in which the resources can be used more effectively. That would introduce a quantum leap in the quality of care of the individual and save the NHS resources to boot. We should ensure that the existing examples of good practice on bedsore management and reduction become the norm. Perhaps some of the examples of infection control that I have given could be repeated for bedsores.

Feeding is also important. Recent research shows that 40 per cent. of patients going into hospital are already malnourished, and that 70 per cent. of those will become more malnourished within a week of their admission. Addressing the annual meeting of the Royal College of Nursing in Harrogate about the issue, Caroline Lecko, a matron at King's College hospital, said:

> "We saw on the wards that they were extremely busy over the lunchtime period, so busy that the food really wasn't being noticed by nurses, by doctors, by therapists and everybody was too busy to make sure that patients were actually eating. We were seeing patients not really being prepared for meals and not being made comfortable to eat, with food left out of reach."

That is a real concern about practice being overlooked. Ensuring that food is eaten is linked to the other points that have been made about health care assistants.

Reference has been made to age profile of the nurse work force. With between one in five and one in four of the work force over 50, the NHS still faces the huge challenge of ensuring that we do not experience increasing shortages again over the next few years, despite the welcome increase of 67,500 since 1997. Just across the pond, the US estimates a shortfall of 1 million, and nurses are being actively recruited over here. Such pressures will intensify, not go away, and thus further increase our need to import overseas entrants into our work force, as has been said. For instance, last year more than half of those registered with the Nursing and Midwifery Council came from overseas.

One of my concerns about agency nurses relates to the Audit Commission's work a couple of years ago. The commission had serious concerns about the training, supervision and management of agency nurses entering the ward environment and said:

> "All these factors increase the chances of patients receiving care of a poorer quality than they would otherwise get."

We spend £1.7 million per day on NHS nurses in agency roles. That is a large sum of money, but I am not certain that it necessarily achieves flexibility for the permanent work force.

That brings me, briefly, to training. A report published in May entitled "Failing Students" echoed mentors' concerns about the academic quality and competence of nursing trainees. Can the Minister explain what is planned for taking forward the work of the Nursing and Midwifery Council on standards for the preparation of teachers of nursing and midwifery to ensure a necessary improvement in the quality of students coming through? I am not talking about those who give up, but those who get through into practice. The NMC report shows that mentors are ringing alarm bells and saying that some people are getting into practice who should not be there.

In conclusion, nurses are the bedrock, and we must do all we can to support them. I look forward to the Minister's response.

3.10 pm

Mr. John Baron (Billericay) (Con): I add my congratulations to my hon. Friend the Member for Tunbridge Wells (Mr. Norman) on securing the debate and on his contribution, as well as the subsequent contributions. We should make it clear that we owe a debt of gratitude to all NHS staff, not just nurses, for their hard work and commitment. The phrase has been used many times, but our nurses are the bedrock of our NHS. In many ways, in people's minds nurses reflect the standard of care that they receive in the NHS. We owe them all a debt of gratitude.

My hon. Friend rightly focused on standards and drew our attention to one or two areas that could be improved. In particular, he mentioned the importance of morale. There is no doubt that morale within the NHS, particularly among the nursing profession, is not what it should be. The Royal College of Nursing survey "Stepping Stones" surveyed around 10,000 nurses at the beginning of this year. One third said that they would quit the profession if they could, and 11 per cent. said that they planned to quit it in the very short term. The internal rotation shift system to which my hon. Friend referred—days, evenings and nights within a short period—was particularly unpopular. It is no surprise that the number of nurses leaving to work in the USA has doubled in the past year alone.

That poor morale has been caused in large part by the Government's micro-management of the NHS through its targets. There is no doubt in my mind that the Government's targets are well intentioned. No one can argue about an increase of more than 40 per cent. in NHS spending, but I believe that the Government are underestimating the extent to which targets are sapping morale within the NHS. Targets, however well intentioned, are preventing money from reaching front-line services, and there is strong evidence to suggest that they are distorting clinical priorities and that is demoralising staff. Targets are clogging up the system, and that is why the NHS is suffering so many retention and recruitment problems. After such a massive increase in spending, there has been only a modest increase in activity. We have seen a 40 per cent. plus increase in spending, but only a 5 per cent. increase in hospital treatment. Patients are suffering because they are having to wait far longer than necessary to be treated. The turnover figures are there for everyone to see.

I believe that the NHS turnover rate runs at around 22 per cent.—well above the national average. In financial terms, that is costing the NHS about £1.5 billion a year—the price of 10 new hospitals. A report by the Audit Commission in 2002 on this issue cited specific factors such as lack of professional autonomy, a sense of being undervalued by the Government and bureaucracy. Those are, without doubt, some of the problems.

I could go on giving evidence suggesting that targets are distorting clinical priorities. One of the most forceful statements recently was that of the outgoing chairman of the British Medical Association, Dr. Ian Bogle, who, as the Government will be well aware, said last year:

> "The one memory that will linger long . . . is the creeping, morale sapping erosion of doctors' clinical autonomy brought about by micro-management from Whitehall which has turned the NHS I hold so dear into the most centralised public service in the free world."

He went on to say that doctors, nurses and managers were being forced to collude in widespread cheating to meet waiting time targets designed with an election in mind. Even Unison's head of health, Karen Jennings, has said:

> "Hospital staff need to be free to concentrate on clinical needs and priorities instead of chasing crude targets."

Although targets, through their demoralising effect, have frequently been cited as a reason for the failure to retain nurses, the system of star ratings, as the Minister well knows, has come in for particular criticism. Jim Johnson of the British Medical Association has made the point that the star system

> "measures little more than hospitals' ability to meet political targets and take inadequate account of quality of clinical care, or factors such as social deprivation."

The problem with star ratings is that they are a blunt measure. They are fine for measuring hotels, but not complex organisations such as hospitals, because they give patients and the medical professionals working in them, including nurses, no indication of how well their department is doing. The system saps morale, tars all departments with the same brush and means that nurses and other medical professionals are continually trying to raise standards but star ratings are getting in the way.

One could argue that all those things are necessary because otherwise we could not understand how the NHS was performing. However, it would be better to get rid of the targets and introduce a set of clinical standards, decided by the National Institute for Clinical Excellence, whereby the medical professionals themselves, rather than politicians sitting in Whitehall, decided the right level and type of care and treatment that should be provided. There is no doubt about it: Government targets are preventing money from reaching front-line services, and sapping morale. They can also interfere with the implementation of standards, which comes back to a point that my hon. Friend the Member for Tunbridge Wells made.

We know that 5,000 people a year die from MRSA, and although it did not suddenly appear in 1997 but was here before that, figures suggest that it has increased significantly in recent years. Again, Government targets appear to be hindering the fight against MRSA because they are overriding the recommendations of infection control teams to close beds or wards for cleaning. That is clearly wrong, and needs to be put right.

I suggest to the Minister that a useful way of ensuring, measuring or judging the meeting of standards involves patient representation—this too returns us to one of my hon. Friend's central points. Although a tried and tested system of patient representation and monitoring is one way in which standards of nursing care can be gauged, that has been fundamentally undermined by abandoning the tried and tested system of community health councils, which operated for almost 30 years, in favour of myriad bodies.

We know that staff turnover in patients forums is high; in the first four months of this year it was some 11 per cent. Many people have commented that the forums are being starved of resources and facilities. I put it to the Minister that if we lose an efficient system of representation, we take away one of the main props—one of the main ways in which we and the nursing profession, and those outside it, can ensure that standards are being met.

In conclusion, I suggest that standards of nursing care are not necessarily falling. We believe, as do all Members, that nurses are doing a great job. However, the Government are placing obstacles in the way of improvement. For example, recent national service frameworks—the Government's chosen tool to lever up standards—have no targets attached to them. In a world without targets we would welcome that, but in a culture of targets, it spells disaster. Targets equal cash, and medical conditions that do not have targets attached will struggle.

[Mr. John Baron]

We know that modern matrons have been introduced, but we question their effectiveness on matters such as MRSA when the Government, as I have suggested, get in the way of them raising standards.

The recruitment and retention problems reflect the fact that although improvements have been made in the NHS—there is no disputing that—progress is not what it should have been, bearing in mind the money invested. We can refer to the high turnover rate, but this is not the fault of the nurses and other professionals who work in the NHS. It is the fault of the Government, who cannot see that their approach is fundamentally wrong.

Politicians must stop interfering. The Government must stop bombarding nurses and other medical staff with targets, and micro-managing the NHS. The NHS has been a political football for too long. The time has come to scrap the targets and the star-rating systems, and give all hospitals true freedom, so that they are accountable to patients and not bureaucrats. We believe that that approach will usher in an environment in which doctors and nurses, freed from political targets, will choose to stay because they can enjoy the freedom to give patients a standard of care that they can be proud of.

3.21 pm

The Parliamentary Under-Secretary of State for Health (Miss Melanie Johnson): In the brief time left to me, I shall do my best to sum up the debate. I join other hon. Members in congratulating the hon. Member for Tunbridge Wells (Mr. Norman) on securing the debate. It is becoming a habit for me to respond to Wednesday afternoon debates initiated by the hon. Gentleman. As on previous occasions, I found that much of his speech was sensible and I could agree with it—but not with all of it, by any means.

I join other hon. Members in recognising that NHS nurses are at the heart of the service. They provide 80 per cent. of the care, 24 hours a day and 365 days a year, and much of what we accept as the fabric of the NHS is built on the values of nursing—such as caring, treating people with dignity and respect and combining clinical and technical expertise with the fundamentals of care that matter to patients. For patients and other members of the public, nurses are often the face of the NHS, as has been said. The care that they provide is highly valued, and the Government pay tribute to their hard work and dedication.

I shall first draw attention to some inconsistencies between the remarks of Opposition Members. I am glad that the hon. Member for Tunbridge Wells recognises that we have, broadly speaking, brought about an increase in nursing numbers. That is not the impression that one would get from the remarks of his hon. Friend the Member for Billericay (Mr. Baron), who attacked us on the subject of targets.

Any organisation needs ambition and goals, and a way of telling how well it is doing. We have been instrumental in removing Whitehall controls. That has been the thrust of what we have done. In speaking about targets the hon. Gentleman failed to comment on our very good success rate, whether in the high percentage of patients who now wait only four hours—or much less—to be attended to in accident and emergency departments, the 12.2 per cent. cut in cancer mortality rates since we have been in government, or the 23.4 per cent. cut in deaths from coronary heart disease in the same period; that percentage is still growing. I could go on, but I do not have the time.

I must tackle one other point made by the hon. Member for Billericay before moving on to the much more sensible resumé of key issues given by the hon. Member for Tunbridge Wells. I refer to the point about hospital treatments and productivity, which was nonsense. In considering productivity, no account is taken of walk-in centres, most primary care work, or NHS Direct. Any successful public health or prevention work does not contribute to those productivity statistics. The more successful we are on prevention and public health generally, the less productive we are by the measures being unthinkingly used by the Opposition. That is completely ridiculous.

Mr. Baron: Will the Minister give way?

Miss Johnson: No, I will not, because I have far too little time.

As we are talking about what the Government have done, I should add that there are now 77,500 more nurses, and there has been a 62 per cent. increase in training places for nursing and midwifery. That means that 21 per cent. more nurses are now caring for patients, according to our figures, which despite slight differences, are broadly in keeping with what the hon. Member for Billericay said.

I want briefly to recognise the new roles being played by nurses, although the issue did not crop up in the debate. My hon. Friend the Member for Crawley (Laura Moffatt) rightly commented on the number of different settings in which nursing takes place. There are now 697 nurse, midwife and health visitor consultant posts, as well as a new top clinical grade that is helping to modernise and improve services, raise standards, retain the most experienced and expert nurses in practice and strengthen clinical leadership. Nurses are also acting as a first point of contact in some of the schemes that I mentioned, such as NHS Direct and walk-in centres. Furthermore, they have a range of new responsibilities and specialist roles. My hon. Friend, with her wonderful expertise and background in nursing, described how nurses can now prescribe medicines at different levels. There is a range of new activities.

More than 18,000 of those 77,500 nurses and midwives have returned to the NHS since 1999. We must not forget nurses in primary care, whose numbers increased by nearly 18 per cent. between 1997 and 2003. In addition, vacancy rates fell to less than 3 per cent. in 2003—I am afraid that I do not have a more recent figure. Finally, the number of nurses entering training has increased dramatically—by 62 per cent. I want to say a little more about nurse training, however, because the issue exercised several hon. Members.

We obviously want to attract as many people as possible into nurse training. We also want to focus on the practical side of nursing and on those who want to take on advanced clinical roles. We need a mix of skills, as I am sure the hon. Member for Billericay will recognise. We have therefore increased the practical element of training to 50 per cent., to ensure that nurses acquire the skills needed to care for patients in the more traditional way that hon. Members have talked about. It is important to strike the right balance in preparing nurses for the future, and our nursing strategy "Making a Difference", which was published in 1999, led to developments in education that have improved nurses' practical skills. In the formal sense, the provision of practical experience is an essential element of all pre-registration education. UK pre-registration programmes require 50 per cent. theory and 50 per cent. practice, and that seems to me a pretty good balance.

On the question of maintaining people in training, we have no evidence that drop-out rates are increasing. The latest data are still being analysed. The latest complete data that we have go back to 1997–98 when there was a 20 per cent. drop-out rate. Rates vary a great deal across universities and nursing branches, but local work force development confederations are working with local education providers to reduce drop-out rates, so the issue is being considered.

On the future role of health care assistants, hon. Members and others must recognise that such people play a key supportive role, which we need in the skills mix in our hospitals. Most health care professionals are already well regulated. We issued a consultation document called "Regulation of Health Care Staff in England and Wales" on 2 March and closed the consultation period on 2 July. The consultation considered the categories of staff whose work has a direct impact on patients and who have the potential to compromise public safety if their work or behaviour falls short in any way. It set out a range of options, including full statutory regulation for such staff. We are analysing the responses to the consultation and we will decide the way forward in the light of those.

There is huge satisfaction with nursing care. We know from a study by the Royal College of Nursing that the majority of nurses—78 per cent.—are enthusiastic about their work, and 85 per cent. believe that they can provide a good quality of care. The vast majority of patients, too, are happy. The nurses enjoy doing their job, and that is recognised in all the responses that we have; 85 per cent. of the nurses in the RCN "Stepping Stones" survey agreed with the statement, "The quality of care provided where I work is good."

It is important to recognise that a new brand of nurse consultant is out there, as well as all the traditional roles that we have been talking about. Modern matrons have been mentioned, and there are now more than 3,000 of them employed in the NHS, but it is not possible to think that we could go back to the past—

Mr. Deputy Speaker: Order. We must now turn our attention to the next topic of debate. I thought that a Division was about to be called on the Floor of the House, but as that has not happened, we shall start the debate.

Local Government Finance (Somerset)

3.30 pm

Mr. Adrian Flook (Taunton) (Con): May I say how pleased I am to see you in the Chair, Mr. Deputy Speaker?

Sitting suspended for a Division in the House.

3.39 pm

On resuming—

Mr. Flook: I am delighted to have secured this important debate to voice my concerns, those of county councillors of all political parties in Somerset and those of all the people of Somerset, not just my constituents. All five of us who represent Somerset constituencies are concerned about the implications of the Government's failure to factor the figures from the 2001 census into the formula spending share.

The debate is about getting a fairer grant settlement for Somerset, particularly in view of the fact that the formula used by the Government to distribute money to local authorities is very out of date. One problem is that it is based on old census data; it uses the 1991 figures rather than those collected in 2001. That skews the formulae used to distribute the grant to each local authority. It is difficult to calculate accurately the figure by which Somerset is short-changed. The council has made a fair stab at it and calculates that it is between £3.6 million and £3.8 million.

I pay tribute to County Councillor Bob Little, the local Opposition finance spokesman, who expressed concern in the council about the situation. As a consequence, he drafted a letter that was signed at the end of July by the leaders of all three parties represented on the council. All five of us local Members of Parliament, Conservatives and Liberal Democrats, received a copy.

In the letter, the county council said that it was astounded that the Government made the decision that they did in July, when they announced that the formula spending share for the financial year 2005–06 would not use the census figures collected three years ago. The Government have estimated the loss to county councils alone as being worth some £116 million each year, as the FSS fails to take into account the depopulation of the northern metropolitan areas and the growing populations in the south-west and the south-east.

What does that mean for my constituents? In Taunton Deane there are 8,000 more people than were counted in the 1991 census, while the figure for Somerset is more than 37,000 higher than in 1991. The failure to use the 2001 figures will not even be rectified for the next funding round. That is why we are here.

The Office of the Deputy Prime Minister apparently has a principle—just the one, no doubt—which is clearly stated:

> "The Data to be used in grant distribution should be the most up-to-date available".

I am sure that the Minister will comment on what he considers to be the most up to date. However, we all know that the Government are using data from 1991 as the basis for the FSS. That means that the funding for services based on demography and socio-economic

[Mr. Flook]

factors reflects the situation at the beginning of the last decade, rather that that at the beginning of this decade. In the past 13 years, Somerset's population has increased, but the people who have moved into the area tend to be older than those who were there before, and their requirements are different. That is not recognised if one uses the 1991 census figures.

As the population has grown larger, so have the towns. The constituency of Taunton is somewhat larger than it was 15 years ago. That means that the relative sparsity factor in Somerset has increased for those in the rural areas as well. That, in turn, means that we probably do not get the funding that we ought to for rural schools or rural transport. The upshot is that there is inaccurate and inadequate funding for services. All of us know from our constituency mailbags that authorities throughout the country are feeling the squeeze of funding pressures over and above those caused by the fact that the latest census figures are not being used.

Mr. David Laws (Yeovil) (LD): I congratulate the hon. Gentleman on securing this important debate. Is he aware in the past 30 years or so of any precedent for a Government waiting such a prolonged period to incorporate census data into funding figures? Is there not a serious danger that those delays will lead to unfairness not only for Somerset but for county councils throughout the country?

Mr. Flook: The hon. Gentleman makes a good point about precedent. If the Minister does not have the information with him today I would be interested to know at a later date what happened with previous census figures and how quickly they were implemented.

We would all admit that the FSS and its predecessor became even more complicated despite the fact that in the late 1990s the Government said that they were going to simplify the system. Since then, computer modelling has become much more sophisticated and the speed with which answers to questions should be found has increased. As the Minister will find out, and as a number of us were aware in the mid-1990s, a lot of juggling goes on to find the most advantageous solution to the FSS that suits as few councils as possible. It would be interesting for the Minister to write to us about what happened in the early '90s, '80s and '70s, and before that if possible, if he does not have the answer now.

The population in the south-west has grown, and the population mix has changed in that there are more elderly people, particularly in Somerset, which has led to inaccurate and inadequate funding for services. When it first became apparent that the Government were unlikely to use figures from the 2001 census and would be sticking with the 1991 figures, the Office of the Deputy Prime Minister said:

> "The ODPM might not have sufficient resources to conduct the analytical work"—

that is very much Whitehall, mandarin-speak—

> "with sufficient vigour without"—

and here it sounds like it really has been written by Sir Humphrey—

> "jeopardising the overall timetable."

Mr. David Heathcoat-Amory (Wells) (Con): Is my hon. Friend amazed, as I am, at the ODPM's pathetic excuse that it does not have enough officials to deal with the update, when the same Department is spending a great deal of money and management time on engaging with the unwanted and unnecessary regional assemblies? We suffer from one such talking shop in the south-west. Does he agree that if the Government redeployed some of the civil servants trying to impose an extra layer of bureaucracy on us in the shape of regional assemblies and made them work on updating those figures, we might have a more equitable funding settlement and meet his quite legitimate concerns?

Mr. Flook: My right hon. Friend makes a good point. Just the other day, he was showing me an advertisement in the local newspaper for six new jobs to help to back up the regional assembly. That is funded by the taxpayer, and the money has no doubt come from the ODPM. It is fair to make the point that money is being allocated to the regional assemblies, but I do not wish to go down that avenue, as we are not here to debate that subject. However, if that money had been reallocated to number-crunching civil servants, we might have received the figures more quickly.

The Minister will say that that is in fact down to the Treasury, and I will come on to that point, but we are discussing how £46 billion is allocated—or misallocated, as the figures are seemingly so out of date—throughout the country. That misallocation is hardly surprising, as the figures are 10 years out of date. The Government say that it is all right because, according to the letters that the Minister sent to Members of Parliament, there is a freeze on the formulae so that the ODPM can provide every council with funding stability. That freeze locks in the advantages for those who benefit, but it locks in the disadvantages for those who suffer. Those who get too much continue with the luxury of having too much, while the others can just waddle along calm in the knowledge that they are being officially short-changed by central Government.

There is still hope that the Government may find some resources to crunch the numbers in time for the figures from the 2011 census, but we now know from the announcement made on 21 July that they will definitely not be ready for next year.

So, let us think about the amount by which council tax will have to rise in 2005–06, the next financial year. In Somerset, council tax has risen considerably in recent years because of a combination of Government failure and perhaps—how can I put this?—the way in which the council has been run. In the forthcoming increases, at least 2 per cent. of the rise that the taxpayers of Somerset will have to pay can be put down to what can be described at best as an administrative failure and at worst as a political ploy by the Government to help their friends in the north.

Is that a coincidence, just ahead of next year's election? The Minister shakes his head. Is it a coincidence that the new figures with all the adjustments will not be needed because there has been a freeze, or is it by design? However much the Minister may protest, he must know that perception is everything in politics, and public opinion on the matter in Somerset, and I am sure in the south-west as a whole, is not on his side.

I am sure that the Minister will tell me that to incorporate the 2001 figures into the formulae is not a simple task, but what Government function is? He will tell us that if he were to incorporate the figures, it would break the funding freeze and cause large changes to the distribution. That is precisely what the people of Somerset, the county council and the district councils need and want. The Government are putting off a proper response to an ongoing trend. I am worried for the Minister's role. It is logical and it should be obvious that when the Government do get around to using the new census figures from 2001 in the formulae, the end result will be even further removed from where they would be if they used them for next year. But then again, there is unlikely to be an election the year after next.

We know that the 21 July announcement was made three weeks before the end of the Government's public consultation on local government finance amending reports. It is fair to ask the Minister why he had a consultation so early in the process if there was no intention of taking any notice of it.

Furthermore, the Government claim that they did not have a full set of the 2001 data because the Office for National Statistics released the data only in stages. I am sure that that will be the crux of the Minister's defence. What representations did the ODPM make to the Treasury—not because the Treasury is the paymaster, but because it is the Department responsible for the census—about when all the figures from the 2001 census would be available? I hope that it, too, is not involved in the largesse that ends up with the metropolitan counties of the north doing so well.

If the figures were to be used, the south-west would gain £35 million and the south-east £49 million. London would lose £50 million. Yorkshire and the Humber would be £14 million lighter, and, surprise, surprise—I am sorry to say this Mr. Deputy Speaker, because I know that you represent a constituency in the area—the north-east would be £24 million the poorer.

So, the shire counties are £116 million worse off, the south-west £35 million and Somerset £3.8 million. That would fill in a lot of potholes in Somerset's roads, buy a lot of library books, and provide quite a number of teachers and a lot more care for the elderly. The county council has called it incompetence. As a Member of Parliament, I do not think that I would go that far. However, householders in Somerset say that the £18 that they are being robbed of is yet another stealth tax. Whatever it is, Somerset deserves a full and proper explanation for that shortfall.

3.53 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): I congratulate the hon. Member for Taunton (Mr. Flook) on securing the debate. It provides a useful opportunity to discuss the issue of using the 2001 census data in the local government finance settlement for 2005–06. I welcome the opportunity that he has given us to expand on the issues that have been raised by a number of local authorities in shire areas and their representatives. He has expressed particular concern about funding for local authorities in Somerset and about the decision not to use the 2001 census data. I am very aware of the strength of feeling about the issue, as he has just been describing it, in Somerset and other shire areas.

Before I comment on the specific issues raised, it may be helpful if I provide some background on the system for distributing grant to local authorities, and on the improvements that we have made to the funding of local government since we took office. In local government finance settlements since 1997 we have increased the amount of Government grant given to local authorities by £19.1 billion. That is a 30 per cent. increase in real terms—above inflation—and compares with a 7 per cent. cut in the four years before 1997–98, when the hon. Gentleman's party was in government. The spending review 2004 goes further: it provides significant and continued extra investment in local government, with £7.2 billion more than this financial year in general grant for programmes by 2007–08. That is an annual increase of 2.7 per cent. in real terms.

I admire the hon. Gentleman for coming to the House to plead for more money for his authority in Somerset, as the right hon. Member for Wells (Mr. Heathcoat-Amory) and the hon. Member for Yeovil (Mr. Laws) have done for their authorities. I have no doubt that on many occasions over the coming months, Opposition Members will stand up to demand more money for their local authorities. As well as coming to the House to demand extra resources, the hon. Member for Taunton might want to have a quiet word with the shadow Chancellor, who has announced that if the Conservatives get into power, there will be a cash freeze for local authorities—not a 2.7 per cent. increase above inflation, but a cash freeze. Perhaps he and his colleagues should have a debate within their party about the impact that such a decision would have on services and council tax increases in their areas.

Of course, our priority funding areas have been education and personal social services. The latest settlement, in 2004–05, is a cash increase of 6.9 per cent. for those services. There can be little argument that we have provided significantly greater investment since 1997–98, and there is general agreement that recent settlements have offered welcome improvements in the money going to local authorities. The average full grant increase for Somerset since 2002–03 is 6.2 per cent. Inflation was way below that. Somerset county council then chose to increase the council tax by 10.2 per cent., which is regrettable for the taxpayers of Somerset, but at least they got a good deal from the Government with the grant. Taunton Deane borough council had a 3.9 per cent. increase in grant, while West Somerset district council had a 5.4 per cent. increase.

I now turn to the settlement specifically for Somerset county council. Somerset has benefited from the extra money of which I spoke. In 2004–05, it received an extra £287 million in general grant. That is an increase of £16.5 million, or 6.1 per cent., on a like-for-like basis compared with 2003–04. Over the past seven years, we have provided Somerset county council with an average annual increase in general grant of 4.8 per cent. in cash terms. That is not what I would describe as a case of Somerset being short-changed in the way in which the hon. Gentleman alleged.

The current grant distribution system was introduced in 2003–04 after a full-scale review and consultation. The system is designed specifically to take into account the relative needs of different authorities, and to determine grant on that basis. The general principle behind the calculation of grant allocations is to provide

[Phil Hope]

a basic amount per client—per primary school pupil, for example—or per kilometre of road and then to add top-ups to recognise the extra costs incurred in certain areas. The main top-ups are for deprivation and area costs, but a wide range of factors determines the amount of grant that individual authorities receive.

The hon. Gentleman is right to say that, in order to provide stability to local authorities, it was announced in the 2001 White Paper that following the introduction of the new system in 2003–04, no further changes would be made to the formulae until 2006–07 at the earliest. That decision has been known about since 2001, so the 2004–05 settlement was made on the same formulae as last year, 2003–04, and we intend to maintain the freeze for 2005–06.

Although we have frozen the grant distribution formulae, something that local authorities were pleased about because it gave them stability and certainty over a three-year period, we have endeavoured to use the most up-to-date data available each year for grant calculations. However, we have updated the data used in settlements only where it has been possible to do so without changing the underlying formula. I stress that point. Let me give examples of that, because it has been put around by so many shire authorities in a way that has been unhelpful and inaccurate, and I should like to get it absolutely clear. To give an example of where the data have been upgraded, when we calculate the older people's social services FSS each year, we use updated figures for the population aged 65 and over in each area, and we use the number of older people that each authority supports in care homes. We also update the proportion of older people claiming income support or disability living allowance in each area. Those are two of the deprivation indicators in that FSS formula.

However, where data change greatly it is generally not possible to use them to calculate FSS without amending the underlying formula. Two census-based deprivation indicators from the children's social services formula illustrate that point. Information from the new census tells us that the number of children living in single-parent households increased by 45 per cent. in England between 1991 and 2001 and that the proportion of children living in flats varied widely across the country, falling by 38 per cent. in the north-west but standing still in London and the south-east. Given those large changes in the data, it is clear that the relationship that we observe between the relative need for children's social services and the 1991 census data will not hold when the new census data are applied. In short, we would no longer be confident that the children's social services FSS was being directed to the authorities with the highest need.

I have spoken at length about those examples to show why sometimes we use certain data, and sometimes we do not use other data because they would necessitate amending the fundamental underlying formula, and we have a policy decision to freeze the formulae for three years to give certainty and stability. I understand the hon. Gentleman's desire to see the 2001 census data incorporated into the formulae for the grant system as soon as possible. I have given examples of where we do that and where we do not, and why. However, I want him to understand that we have had to make difficult decisions, of which those examples are just two, on whether to include the latest data available—the 2001 census data—or retain the formula freeze and provide the stability that we believe authorities require. Having balanced those arguments, we decided not to use the 2001 census data in the 2005–06 settlement. That decision was announced on 21 July.

Having reached our conclusion, we felt that it was better on balance to announce the decision as early as possible to enable authorities to make informed decisions for their 2005–06 budgets. I know that the consultation exercise was still ongoing at that time, but we decided to move early once we made that decision, to give local authorities more time to take the changes into account.

I am aware of concerns expressed by the County Councils network that the new data were not incorporated into this year's 2004–05 settlement because of lack of prioritisation of Government resources. I understand that that is the point that the hon. Members for Taunton and for Yeovil were debating earlier. In fact, we could not have incorporated the new data in 2004–05—this year—even if it were technically possible to do so because we did not have the full set of 2001 census data. In fact, we received the last set of data that we needed from the ONS only on 21 October, a few days ago. I therefore hope that I have been able to set that matter straight for the hon. Gentlemen.

As I have already said, it would be technically incorrect simply to introduce the data without first amending the statistical models underlying the FSS formulae.

Mr. Laws: Is there any technical reason why the Minister could not incorporate the 2001 census data into the 2005–06 settlement?

Phil Hope: I have already explained that where the data would affect the underlying formula, we will not incorporate them because we have chosen to freeze the formulae for the three years 2003–04, 2004–05 and 2005–06; otherwise there would be unintended consequences—the money would go to the wrong place. Changing the formulae in that way would end the freeze, which is designed to create the funding stability that local authorities require. Further research is being undertaken on the formula changes needed to incorporate the 2001 census data into the whole FSS for several services, in particular personal social services and the police. That research should conclude in time to allow us to introduce the 2001 data in 2006–07, not 2005–06. As the research is ongoing, it is not possible at this time to estimate what amount of grant any authority would receive if the 2001 data were to be incorporated in 2005–06.

In the few minutes that remain, let me just say a few words about the figures that the hon. Member for Taunton mentioned. He said that Somerset will lose £3.8 million because we are not using the 2001 census data to calculate the 2005–6 settlement. It is not actually that easy to say what the impact of the data would be, or to come up with a figure. I understand that the figure of £3.8 million—indeed, the hon. Gentleman mentioned £116 million as the gross figure for all shire counties—

was taken from a technical paper that was discussed at official level by the settlement working group. That paper illustrated what would happen if we were simply to use the 2001 census data in the current formulae. It was also based on only a partial update of data, as not all the data were then available.

Local authority experts, including the County Councils Network, agreed that that was the wrong thing to do. Therefore, the £3.8 million and £116 million that the hon. Gentleman quoted do not accurately reflect the effect of updating the census data in the funding formulae. I regret that the figures simply are not accurate, although they seem a useful explanation for what many have dubbed the missing millions.

Mr. Flook: In which case, what is the figure?

Phil Hope: The point is that we cannot give figures at present, as they are being calculated. The scaremongering by the shire authorities—and the Members who make their case in this Chamber—simply will not do, when they themselves have been at the table to discuss these matters.

We have worked with local government to establish the best way to use the new census in the funding formulae. It is clear that incorporating the new census data will require formula changes, particularly for the social services and police, that would best be made as part of the formula review that we are undertaking.

Time is not on my side, so I shall just conclude by saying that, despite the robustness of the debate this afternoon, I fully understand the points that the hon. Gentleman raised. The Government have carefully considered the case for incorporating the 2001 census data in the settlement for next year, but in order to provide authorities with the funding stability that they have welcomed overall, we decided to maintain the promised formula freeze next year. This has been a good opportunity to debate the matter. It builds on the work of the officials' settlement working group, in which all the issues are discussed, perhaps in a slightly more collaborative way than we have managed today. We shall continue to work towards incorporating the 2001 census data in the settlement for 2006–07 as part of our wider review of the distribution formulae.

Cash Machine Charges

4.9 pm

Mr. James Plaskitt (Warwick and Leamington) (Lab): May I, through you, Mr. Deputy Speaker, thank Mr. Speaker for granting me this debate?

I raise this issue because of a series of concerns. One third of the cash machine network in the United Kingdom now charges people a fee for accessing their own money, and the proportion of fee-charging cash machines in the network is increasing. On current trends, we are not far from the point where the majority of cash-dispensing machines will charge.

Charges vary, but they are not less than £1 and are often more than that, and as a proportion of the average cash withdrawal they can represent a significant deduction. There is evidence to suggest an increasing concentration of such machines in lower income areas, and my major concern is that there is no robust code or regulation in place telling the customer what is going on. In other words, there is inadequate transparency in the industry and it should be addressed, given the trends. People should object to paying for the privilege of collecting their own money.

There is something ironic about the current situation. If my current account in the bank is in the black, I can go into a bank branch—an expensive building—go to a teller, who is employed at some expense to the bank, and withdraw cash from my account for free. However, if I go to a cash-dispensing machine in the street, where no expensive building or member of staff is involved, it is increasingly likely that I shall be charged for using that machine to do exactly the same thing. The hole in the wall has become the hole in my pocket.

There is currently much debate about the reform of gambling laws. If I engage with a gaming machine I know that I may lose my money, or I may win—I take a gamble. However, if I use a cash machine that charges, I will always lose. It is guaranteed to drain my account every time. According to a *Which* survey, two thirds of people do not expect to be charged by a convenience cash machine. I am beginning to wonder why there is so much fuss about slot machines, when there are already 20,000 one-armed bandits on Britain's high streets.

I have nothing against any company wanting to get into this business and make money out of it. I am not asking the Government to ban charges for accessing cash, or asking banks or finance companies to offer a free good. They are in business and they have the right to try to make money, and a network of cash machines costs something to operate. However, the consumer also has the right to fair trading, honesty and transparency. Consumers have choice as their weapon, but they can deploy it only if they have information, and they will have it only if those they are trading with are transparent about the deal on offer. That is where there is a big gap, and we need to work to close it.

The big high street banks are not the main culprits. For the most part, their machines, often in their branches, are free at the point of use with no charge to the customer withdrawing cash—a service that is funded by interchange fees exchanged between the banks. The main problem is with the cash machines owned and operated by other companies, such as Hanco,

[Mr. James Plaskitt]

Moneybox, Cardpoint and Travelex. Hanco has the largest share of the market with 26 per cent. and Moneybox is second with a 15 per cent. share. Since Moneybox started in this business in 1999, it has raised its average charge by 60 per cent. Cardpoint currently has a 14% share of the market and has a declared strategy—it can be found in its annual report—of increasing the number of machines and increasing charges per withdrawal. A minority of the total cash withdrawn via the hole-in-the-wall operations is issued by these companies' machines. However, that is where the main problem lies and it could easily become a more significant problem unless appropriate codes or regulations are put into place.

Let me give a simple illustration of the problem. On Monday, I went to Leicester square. In between the Empire cinema and Ben and Jerry's ice cream parlour, there is a cash machine that prominently displays a Link logo. I inserted my card and went through the usual on-screen steps with which we are familiar. After the fourth step—the last before it would issue the cash—a message popped up saying that I would be charged £1.50 for the transaction. As I was attempting to withdraw £20, that would have meant a 7.5 per cent. deduction from my cash, so I aborted the transaction.

However, let us consider the problem. The machine was registered as a Link machine, which most people understand to be a free network. The Travelex sign was tucked away out of obvious sight. There was no prominent sign on that machine to tell me that it would charge; in fact, there was no sign at all.

When I began using the machine, there was no message to warn me that I would be charged. How realistic is it in normal circumstances to imagine that people will pull out of the transaction, as I did, having got that far? They have already queued, there are probably other people behind them, they want the cash, and they are in a rush. That is simply unfair trading. That machine belongs to Travelex, which cannot possibly argue that it is a convenience machine, serving only a limited clientele, and that there must be a need to charge.

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Gerry Sutcliffe): I am interested by my hon. Friend's argument. Could he describe the difference, as he sees it, between a convenience machine and the one in the case he has just outlined? I am trying to get clear in my head the differences in definition between a convenience machine and the one in Leicester square, next to Ben and Jerry's.

Mr. Plaskitt: To some extent, all the machines are convenience machines. The phrase has come into use to refer, by and large, to machines that are not located in branches of the main banks. That is what the term has come to mean, but it covers a collection of different locations and sites. I can help my hon. Friend further by pointing out that just a few metres away from that machine, in Leicester square, is a row of cash machines owned by NatWest that are not in a branch but all offer free withdrawal.

Leicester square is obviously a busy area. There is a very high footfall, to use the jargon, so Travelex's uncommunicative machine is just a cynical bit of consumer exploitation. In its briefing, Link says:

> "You will only be charged . . . if you use a 'convenience' cash machine. These are found in locations that would not normally justify the cost of installing a cash machine because fewer people are expected to use them".

That is what Link says should be the case with convenience machines, but it is patently the case that in Leicester square, one of the busiest locations one could find, Link's policy is being breached by that Travelex machine. I do not believe that it is the only such example.

If we move away from Leicester square and London altogether, we can find even more interesting examples. Let us travel instead to Liverpool, to the L5 postal district, one of the poorest in the United Kingdom. In the core of that area, nine of the 10 available cash machines charge. Or we could go to Glasgow, and the G34 postal district—six of the 10 machines in that core area charge. By contrast, in some of the more prosperous parts of the country, such as Fleet, in Hampshire, in the GU51 postal area, we find that eight of the 10 core machines are free. In the RG40 postal area of Wokingham, seven of the 10 core machines are free.

There is a financial exclusion issue arising out of the conduct of those companies. Where bank branches have largely gone from an area, people are left increasingly dependent on so-called convenience machines. They are incurring the charges, which fall disproportionately on customers with lower incomes. Benefits are increasingly paid directly into bank accounts. If a mother in the L5 area withdraws the money for her child benefit via a so-called convenience cash machine, 5 per cent. of it will end up in the hands of the automated teller machine provider.

There is also an element of age discrimination. Once a child has reached the age of 14, he or she can obtain a cash card—not a cheque account or a credit card, just a cash card. In general, children of that age will be drawing out very small amounts, so the £10 cash withdrawal on the Saturday morning trip to the shops could very well incur a charge of £1.50 if taken from a convenience machine. That is a 15 per cent. deduction from the young person's cash. Those customers do not have many other available sources from which to obtain their cash and may well be less aware of their options.

A pattern of disadvantage begins to emerge and will only worsen if the current behavioural trends in the industry are left to continue. The signs are that they will, which is why I want to bring this issue to the attention of the Chamber. Many of the banks are disposing of their cash machine network—that is, machines outside their branches. HBOS, for example, sold its non-branch machines to Cardpoint. All those machines used to be free, but they are unlikely to remain so. Abbey has also sold off part of its network to Moneybox, so free machines—in this case, those in petrol stations—are now becoming charging machines. The banks can still be involved even when the machines are sold off to other operators. RBS, for example, owns Hanco.

It is objectionable to have to pay for the privilege of collecting my own money, but I accept that those in business will see this as an opportunity to make money.

As I said in my opening remarks, however, I as a consumer have or should have some power in this relationship. At the moment, however, too many consumers are being deprived of those powers. Action is necessary to restore a level playing field.

What intervention is there in this relationship? The system is currently governed by the Link network, which applies a voluntary code, part of which I just quoted. The code quite rightly indicates that cash-dispensing machines that charge should say so, but, as the Leicester square example showed us—it is not the only one—the code is not worth the paper it is written on because it is not policed.

I want customers to be able to vote with their feet and walk away from charging machines wherever possible. That will be possible only if there is greater transparency about what those machines do. I want an enforceable code that will protect the free parts of the network, such as those operated by Nationwide. That will give consumers the power to which they are entitled. The code should say that machines must display a clear and prominent warning that they charge. This warning must be on the machine itself, not only on the screen, and it should not be tucked away or disguised. After all, if a small cigarette packet can contain a large, clear sign saying, "Smoking kills", surely a much larger cash machine can display a sign saying, "This machine charges."

Wherever possible, the amount of the charge should also be given equal prominence. The same charge notice needs to be included on the promotional signage associated with that machine, not just on the machine itself. All non-financial transactions must remain free of any charge.

This is not yet a massive problem, but I suggest to my hon. Friend the Minister that it is already significant. The trends are worrying, and are clearly established. For example, the number of fee-charging machines has increased by 40 per cent. in only the past six months. Last year, 63 per cent. of the 5,600 new ATMs installed in this country charged fees. Very soon, there will be more fee-charging machines than free ones in this country.

Those who are trying to maintain a free and convenient cash machine network are under siege from others in the industry who are anxious to charge us for accessing our own money. The voluntary code is not working, which is probably unsurprising, given the big banks' dominance over the Link network. I therefore say to my hon. Friend that it is time for the Department, which does act in the consumer's interest, to enforce fair play.

4.24 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Gerry Sutcliffe): I congratulate my hon. Friend the Member for Warwick and Leamington (Mr. Plaskitt) on securing this debate on an important subject, which is a matter of concern. I thank him for the work that he is doing, not only as a constituency Member, but as a member of the Treasury Committee. The matter that we are debating is one of several being considered by the Select Committee and I am pleased to see the Chairman present today. I am grateful for the opportunity to respond.

Mr. John McFall (Dumbarton) (Lab/Co-op): I thank the Minister, on behalf of the Treasury Committee, for his interest in these consumer issues. The Committee will have a couple of hearings on this topic in December; no doubt an invitation will be winging its way to him.

Mr. Sutcliffe: How can I resist such an invitation? It was my privilege as a very new and junior Minister to appear before the Committee last year. I gave extensive commitments, and I know that the Committee has been considering them, so I look forward to returning. The number of serious issues that it is considering, the detail of its scrutiny and its use of witness hearings show the House working to maximum effect. That work, together with the Government's examination of the issues in the wider context, will, I hope, enable us to reach the right outcomes for consumers, our constituents and the industry. There are many in the industry who operate fairly and appropriately, but we need to think about other aspects of the matter.

Protocol forbids me to mention what may or may not be in the Queen's Speech, but if we are fortunate enough to learn from it that there will be a consumer credit Bill, that will provide an opportunity to consider the issues and what can be done about them.

Cash machine charges affect everyone in the UK. Such machines are the first port of call for many of us. As my hon. Friend the Member for Warwick and Leamington said, they have supplanted the traditional counter as the mechanism of choice for withdrawing money. Many significant changes have been made to the system in the past few years. I welcome many of those developments, including the removal, in most cases, of charges to customers for using machines—notwithstanding the issues raised by my hon. Friend—the increasing transparency where charges are applied, and the wider deployment of machines. We can be sure, however, that the changes have provided, and can continue to provide, real benefit to consumers. The Government are committed to ensuring that consumers get a fair deal, value for money and greater choice. We see that as good not only for consumers but for British businesses.

My hon. Friend will know that many of the changes to cash machines result from the March 2000 report by Don Cruikshank on competition levels in UK banking. In that context, Cruikshank examined the UK machine network, Link. I want to say a few words about the report, which had a huge impact on the industry. It found that many consumers faced charges levied by their card issuer and, sometimes, additional charges levied by the cash machine provider. Those charges were not, in many cases, made clear when the cash withdrawal was made. The requirement to be an issuer of cards in order to operate cash machines was a real barrier to entry to the market.

Following the report, Link made several changes to its rules. I am interested in my hon. Friend's interpretation of those rules. Link opened its membership to non-bank organisations. It required that all charges, whether applied by the cash machine owner

[Mr. Sutcliffe]

or the card issuer, should be notified to the customer by means of an on-screen message at the time of the transaction and that customers should always have the option to cancel the transaction without charge.

Link also banned double charging, which means that card issuers will not charge customers for cash withdrawal at a machine that attracts a convenience fee, and a machine will not apply a further charge to a cash withdrawal where a customer's card issuers charge a cash advance fee. Link has made those welcome changes to its rules, and the Government believe that they have had a positive impact on the market.

Mr. Plaskitt: I am grateful for my hon. Friend's response, but he has just referred to the Link document calling for information to be given to customers using cash machines "at the time of the transaction". That is a very vague phrase. In the case that I cited, the machine in Leicester square, the time of the transaction is the last moment before it issues the cash. A lot more activity goes on before that. Does my hon. Friend agree that the customer needs to know from the outset that they are to be charged, not at the very last moment?

Mr. Sutcliffe: Given my experience in the Treasury Committee, my hon. Friend will not be surprised if I do not respond immediately with my personal opinion. I am sure he will appreciate that in these debates it is important to consider in detail the information that hon. Members give us and respond accordingly. By happy coincidence, my officials are meeting Link representatives tomorrow, and I shall ask them to take up the issues raised by my hon. Friend in the debate. I undertake to respond to him and to the Treasury Committee in due course.

On the whole, it is extremely good news that the vast majority of customers do not have to pay to withdraw cash when they use a cash machine that is not owned by their bank. According to recent Link figures, about 97 per cent. of all cash machine transactions are now free.

Mr. Plaskitt: I am grateful to my hon. Friend for giving way again so soon. Does he acknowledge that even though a charge is incurred on a small percentage of all the cash being dispensed, if we take the figure that he has just mentioned, £3.6 billion in cash is dispensed on which fees are charged? Will my hon. Friend bear in mind the fact that that amount is 48 per cent. higher than the figure for the year before, which is a fast growth in the section of the network that charges?

Mr. Sutcliffe: I am grateful to my hon. Friend for making that point. In the spirit of how we progress on these matters, he will understand that a Minister's response comes from the advice given him by officials. I know that my hon. Friend will appreciate that I, as Minister with responsibility for consumers, want transparency, to ensure that the consumer is not treated unfairly. My hon. Friend was right to make the point about percentages and what they mean in real terms.

Our information is that Link rules state that customers must be warned of the charge and given the option of cancelling the transaction. They stipulate that an on-screen message detailing all charges will appear before the transaction is completed, and the customer can pull out of it without charge. I recognise that there is some discussion about when that point is reached.

I understand that Link members have also agreed that a sign saying:

> "This machine may charge you for Link cash withdrawals"

will be clearly visible to card holders before the card is inserted in a cash-charging machine, either by a notice on the machine or an upfront screen message, at the discretion of the cash machine owner. My hon. Friend knows of our work on transparency and advertising; the sign must be very clear and the consumer must be aware of it.

On the whole, I welcome these developments and encourage the widespread adherence to the principles. It is important that consumers have relevant, correct and transparent information in order to make informed decisions and avoid being misled, which is the key issue.

As my hon. Friend said, fees are still charged in some cases, such as the use of store, credit or charge cards, when the card issuer charges a cash advance fee, or the use of non-bank cash machines, which are often called convenience machines. Increased competition in the market has led to a growth in the number of cash machines, both those provided by the banks and those provided by non-bank operators. Most non-bank or convenience machines are found in locations that would not otherwise justify the cost of installing a machine, and I was interested to hear what my hon. Friend said about the machine in Leicester square. The issue about charging in areas where convenience machines are likely to be—garages, pubs and stores—involves the number of transactions. Many of us, if we find that we need cash but would otherwise not have access to it, are prepared to pay for that opportunity of access.

The recent increase in the number of convenience machines is a benefit resulting from the changes to open up the market. Competitive markets provide the best means of ensuring that the economy's resources are put to their best use by encouraging enterprise and efficiency, and widening choice. Where markets work well, they provide strong incentives for good performance, encouraging firms to improve productivity, to reduce prices and to innovate, and they reward consumers with lower prices, higher quality and wider choice.

Allowing non-banks to join Link has allowed new operators to fill a niche and to deploy cash machines in many locations where there had previously not been a machine. The Government believe that the growth in the number of non-bank cash machines has led to an increase in choice for consumers and is driven by demand from consumers. The machines provide access to cash in locations that were not previously served, and the operator must cover the cost of providing that service. It is important to remember that prior to the change in the Link rules to allow that to happen there would have been no cash machines in most of those locations. Despite the growth in the number of non-bank cash machines, I have been told that they account for only 3 per cent. of transactions, notwithstanding the point about the value of that 3 per cent.

As my hon. Friend knows, the Government are committed to promoting financial inclusion and I would be concerned if poor people were more likely to pay for cash machine use. The Government have acted to make the benefits of banking services more widely available; I will say something about that in a moment. I would be very concerned if the rules on the transparency of charging information were not being properly adhered to or enforced.

I must now say a few words about the regulation of the industry. The provision of payment services, including the deployment ofATMs, is not regulated by the Government. However, that is not to say that there are no safeguards in place. The amount of money that flows through the UK's payment systems—Link is one, albeit one through which relatively small amounts of money flow—means that the Government must take an interest in the possibility of risks to banks or to financial stability. Most of the participants in the UK's main payment systems are banks, which are authorised by the Financial Services Authority. The non-banks that are members of Link are not FSA-authorised, and the Bank of England has responsibility for overseeing payment systems as part of its wider responsibility for financial stability.

The Government have no plans to make the provision of payment services a regulated activity. We do not believe that the risks posed are such that the costs of regulation would be outweighed by the benefits. However, the European Commission is currently developing a directive for a new legal framework for payments, which is likely to create a pan-European regulatory regime for payment services. The Government are currently engaged in ensuring that that regulation is both focused and proportionate. Although the Government do not support regulation of the provision of payment services, we believe that it is important that the market functions efficiently and that the competition is driving good service for consumers.

In conclusion, it is good news for consumers that most do not now pay for using cash machines, but I understand the points made by my hon. Friend, and I will ask my officials to discuss them with Link at the meeting tomorrow. It is important to me that there is transparency and fairness and that consumers are not misled. The work of the Treasury Committee, in conjunction with what we are trying to achieve in my Department and the work of the Treasury, will offer a better deal for consumers. The work that my hon. Friend has done means that consumers will be protected, and I am grateful to him for raising the matter today.

Question put and agreed to.

Adjourned accordingly at twenty-one minutes to Five o'clock.

Westminster Hall

Thursday 28 October 2004

[SIR ALAN HASELHURST *in the Chair*]

Antisocial Behaviour

Mr. Deputy Speaker: We shall conduct the debate with the flexibility that has become the characteristic of cross-cutting questions in Westminster Hall. Nevertheless, it will be helpful if hon. Members are brief with their supplementary questions and Ministers are brief with their answers, so that the debate can flow as fully as possible. That is particularly important if we are to deal with as many questions as have been tabled, but I will endeavour to ensure that there is the proper breadth of discussion where that is needed, rather than regard question 17 as a winning post that must be reached at all costs.

Oral Answers to Questions

The Government were asked—

Enforcement

2.30 pm

1. **Mr. Peter Luff** (Mid-Worcestershire) (Con): If the Government will make a statement on the enforcement of antisocial behaviour orders. [193542]

The Minister for Rural Affairs and Local Environmental Quality (Alun Michael): The purpose of an antisocial behaviour order is to stop antisocial behaviour. Whereas a prosecution usually deals with a single offence, an ASBO can deal with a series of low-level, persistent incidents of damage that is done to individuals and communities by people who think that anything goes and that they can get away with it. Enforcement is crucial in giving the clear signal that the police, local authorities and the courts are serious and determined to act to restore confidence to local communities. The evidence shows that ASBOs succeed in reducing antisocial behaviour not only by the person who is the subject of the order but by others in the same community. The importance of enforcement has been stressed in guidance to magistrates.

Mr. Luff: I thank the Minister for that answer. I am sure that he agrees with me that the number of ASBOs issued is not a measure of success, and that diversionary routes away from offending behaviour during the ASBO process are what really matter. I am also sure that he will endorse the efforts of West Mercia constabulary and its partners to divert 16 and 17-year-old boys and girls away from their offending patterns of behaviour. However, if an ASBO is issued, it is crucial that it be enforced properly and thoroughly. Does the Minister share the concern expressed to me by police officers in West Mercia that the lack of secure accommodation to house those who have breached ASBOs could lead to a lack of respect for the ASBO process?

Alun Michael: First, let me say that yes, change of behaviour is the crucial element. Stopping people damaging the lives of others is what ASBOs are all about. Secondly, the number of orders that have been issued—more than 3,000—is a sign of success. The number issued is accelerating because the orders are being used more consistently and rapidly in appropriate circumstances. That is good news. Thirdly, the hon. Gentleman is wrong about secure accommodation. If we simply continued with a traditional approach and failed to intervene to stop people carrying on with activities that damage individuals, families and communities, we would need more secure accommodation. The fact is that ASBOs succeed in reducing the level of such activity.

Mr. David Heath (Somerton and Frome) (LD): This is the first opportunity for cross-cutting questions on antisocial behaviour. Is it not all the more astonishing, therefore, that the Government's major announcement on the evidential basis on which antisocial behaviour orders have been working, on which we could have based our questions, will be not be made until 3.30 pm—the precise moment when these questions finish? May I put to the Minister one specific question on a matter that I believe will be part of that announcement? It is said that the Government plan to extend applications for ASBOs to community groups. Is that true? If so, how will that work, how will evidence be collected and what will be the legal advice to community groups?

Alun Michael: The hon. Gentleman is nearly as bad as the press in anticipating answers to questions that have not yet been asked and in looking to announcements that are being made in an appropriate way. The fact is that there are plenty of questions for him to ask about the performance of ASBOs and their success. Of course, Conservative and Liberal Democrat Members have opposed the actions taken by the Government to tackle and intervene on antisocial behaviour. It is the Government's intention to continue using the orders and associated measures to tackle antisocial behaviour and stop it. It is a pity that Opposition Members do not support us.

Mr. Jonathan Djanogly (Huntingdon) (Con): The concentration of ASBOs is not uniform throughout the country. Some areas are putting them into effect to a great extent; some have not issued any. So far as I am aware, Cambridgeshire has implemented and put in place only one order. What do the Government intend to do to ensure that ASBOs are put in place throughout the country?

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): The hon. Gentleman is correct to say that in parts of the country there have been huge successes, and wide application of the use of ASBOs, and in others that has not happened. That is why we want to share good practice and why the "Together" campaign, the academies and the helpline for practitioners, whether in the police or the local authority, are important. As a

[Caroline Flint]

result, if someone is thinking of using any of the measures on antisocial behaviour, they can get their questions answered clearly and quickly. Importantly, they can find out best practice from elsewhere. Every Member of Parliament has an opportunity to ensure that best practice is being implemented in their area. I am sure that the antisocial behaviour unit will be willing to assist the hon. Gentleman.

Alun Michael: May I add that if hon. Members consider their constituency experiences they will find many that are positive? In Cardiff in my constituency, for instance, ASBOs were not used for a long time, but since they have been used, with the help of the police, the local authority and an extremely good crime reduction officer, each of the communities where they have been used has benefited.

Mr. Heath: Am I really to understand from the right hon. Gentleman's earlier answer that it is improper, in the House of Commons during cross-cutting questions on antisocial behaviour, to ask about the future operation of ASBOs, because the proper place for doing so is at a press conference later this afternoon? Is that what he is saying?

Alun Michael: No, of course it is not. That is one of the silliest contributions that I have heard from an Opposition Member—and there is competition on that. I said that there were plenty of questions that hon. Members could ask about the application of ASBOs and their success and the way we are tackling and reducing antisocial behaviour across the country—items in which the hon. Gentleman appears not to be interested. He is interested only in the technicalities and in scoring debating points.

Mr. Dominic Grieve (Beaconsfield) (Con): Obviously, we all hope that antisocial behaviour orders do not have to be enforced, because we hope that they will be observed. However, we understand from the Government that approximately one third of antisocial behaviour orders are breached. Will the Minister help me on this: when she says that they are breached, does she mean that there is a report of a breach taking place, or that in one third of cases a breach has been taken before the magistrates court and adjudged to be a breach? As she will appreciate, those two things could be rather different. A proper statistical basis from which to start would be helpful.

Caroline Flint: The short answer is that I understand that they are cases that go before the court as breaches.

Mr. Grieve: So when my constituents in Burnham in Beaconsfield report that someone subject to an ASBO is running wild in the streets but that no steps are taken by the police for a considerable time to bring them before the court, no breach would be recorded during that time.

Caroline Flint: As far as I am aware that is not the case, but if that is happening in the hon. Gentleman's constituency he should raise it with the authorities locally. *[Interruption.]* If the hon. Gentleman would listen to my answer, that would be polite. If someone has an ASBO made against them, of course we want to make sure that it is enforced.

The hon. Gentleman mentioned the figure of one third of ASBOs being breached; obviously, we want to improve on that. The fact that two thirds are not breached gives some measure of the success of the scheme.

Several hon. Members *rose*—

Mr. Deputy Speaker: Order. I think that we will move on. There are various other questions relating to particular aspects of ASBOs.

Cost

2. **Dr. Vincent Cable** (Twickenham) (LD): What estimate the Government have made of the average cost of antisocial behaviour orders. [193543]

The Minister for Rural Affairs and Local Environmental Quality (Alun Michael): I know that costs have come down. In 2002, the Home Office published a review of antisocial behaviour orders—the Campbell review—which quoted a cost of £4,800 for an ASBO. However, that figure was based on a very small sample of orders in the early period of their introduction and was skewed by one abnormally complicated and unrepresentative application. Applications usually cost much less than that, and the costs decrease with experience of using the orders. New research is due to be published later this autumn, which will show in detail how costs have significantly reduced since the Campbell review.

Dr. Cable: Can the Minister reconcile his answer that the costs are low with the information that he has just given that a third of people subject to ASBOs are currently in breach and with the fact that the Metropolitan police estimate that the cost of pursuing a breach through the courts can rise to £100,000? In view of the potentially very large costs, what independent work has the Home Office done on the cost-effectiveness of ASBOs relative to other forms of intervention?

Alun Michael: We know that the Liberal Democrats do not support the use of ASBOs, and I presume that the hon. Gentleman seeks to complicate what is a very simple matter. Breaches of ASBOs have resulted in custody for about 43 per cent. of the young people and 58 per cent. of the adults. The message that should go out is that the Government, the police and the local authorities are serious about enforcing ASBOs.

The hon. Gentleman has a responsibility to his constituents to reinforce that message and to say that notice should be taken when an ASBO is issued. In communities in which that message is being given out, the costs are coming down because the authorities are getting used to the application of ASBOs. I have seen that in my constituency and I have heard it from authorities in my constituency. That is what works.

Mr. Andrew Love (Edmonton) (Lab/Co-op): I have a particular problem with antisocial behaviour and low-level crime in my local shopping centre. The safer neighbourhoods programme was introduced partly as a result of that crime, following a very successful pilot that was carried out in another part of my constituency that saw a reduction of 25 to 30 per cent. of low-level crime in the area. The Metropolitan police press release says that the programme will tackle:

"quality-of-life crimes and issues that affect the day-to-day lives of the public"

in each area. Does the Minister believe that the programme will address antisocial behaviour issues in a community, and does she see it as a perfect way of reducing antisocial behaviour in our communities?

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): I agree with my hon. Friend. This is about safer communities and safer neighbourhoods, and about all those who have a role to play, including the police, the local authorities, people who work with young people and adults, and, importantly, those with businesses in those communities. We can design out crime and work together. The work that has been done by the Union of Shop, Distributive and Allied Workers and others has been fantastic in focusing people's attention on the problems faced by shop workers and on how they can play a constructive role in a partnership.

Mr. Mark Field (Cities of London and Westminster) (Con): I want to put on the record that the Conservative party did not oppose much of the antisocial behaviour legislation, and there have been certain successes. There is no doubt that working with the Home Office, the Metropolitan police and the local authority has produced some innovative antisocial behaviour orders in the City of Westminster in my constituency, particularly in hotspots where there has been a problem with, for example, prostitution.

The hon. Member for Twickenham (Dr. Cable) got it absolutely right: ASBOs are very costly. As we all know, the Metropolitan police are under enormous cost constraints. Will the Minister say whether there is serious debate in the Home Office about what other options might be used? I accept that there is a dispute about the figures, but even given the relative success rate of ASBOs to which my hon. Friend the Member for Beaconsfield (Mr. Grieve) referred, surely other options might be a more profitable way of ensuring that the lives of all our constituents are improved.

Caroline Flint: A number of other options could be used. We do not advise ASBOs to be used a tool of last resort: they are only one tool. The hon. Gentleman has tabled a question about acceptable behaviour contracts, which are simply another example of voluntary contracts that can be drawn up between, say, the police, social services, even a school and an individual in a way that will address the behaviour that is causing problems in a community. Many such contracts have been successfully applied. They are a voluntary measure, and we are considering all sorts of different ways in which we can tackle offending behaviour. Different costs are obviously associated with them.

There are also cost implications for breaches and appeals—an issue to which the hon. Member for Twickenham alluded. Overall, however, costs have gone down where there is good practice. Importantly, criminal justice practitioners, local authorities and others across the piece tell us that the costs will be far greater in the long term if we do not address offending behaviour among the young. Such behaviour can lead to young people being regulars in the criminal justice system throughout their lives.

Exclusion Orders

3. **Mr. John Grogan** (Selby) (Lab): What plans the Government have to increase the use of exclusion orders from licensed premises. [193544]

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): This April, the Home Office published "Violent Crime—Tackling Violent Crime in the Night-Time Economy—Guidelines and Tactical Options for Police" and information on crime and disorder reduction partnerships.

The guide includes details of how a court can make an order prohibiting a person from entering specified licensed premises. It also highlights how antisocial behaviour orders can be used to prohibit certain people from entering specific areas or premises. Those and other powers will continue to be promoted to tackle alcohol-related crime and disorder, as we take forward the recommendations in our alcohol harm reduction strategy for England.

Mr. Grogan: Given that exclusion orders are a cheap and effective way of dealing with alcohol-related crime, and that they are supported by pub companies and the trade unions that represent bar staff, are the Government considering revisiting the proposals in the original licensing White Paper, which would put the courts under a new duty at least to consider making exclusion orders in cases involving violence or disorder in pubs? That could increase the take-up of those very effective orders.

Phil Hope: It is important that we use all available powers, of which exclusion orders—in the 1980 Act—are one. They have enabled individuals who have committed a crime on licensed premises—a pub—to be dealt with. The new ASBOs can be applied more widely, such as when there is antisocial behaviour on licensed premises, for example. The combination of exclusion orders and ASBOs applying to individuals on particular licensed premises or in whole areas such as town centres, if an individual is moving from one place to another and causing antisocial behaviour, gives the authorities the powers that they need to take the action that my hon. Friend requires, which is to see people dealt with most effectively. We would like greater take-up of exclusion orders by landlords of licensed premises and others to ensure that we tackle the problem of one or two people behaving badly late at night, which causes such misery for many.

Mr. Mark Field (Cities of London and Westminster) (Con): Given the problems in central London and areas with many nightclubs, such as Havering, Romford, Ealing and Croydon, what discussions is the Minister having with the Chancellor of the Exchequer to ensure that when the Licensing Act 2003 comes into force we will be able to ensure not only that exclusion orders

[Mr. Mark Field]

come into play, but that all other costings will be reimbursed to local authorities, so that life is not made a misery for so many people who live in those residential areas?

Phil Hope: It is important that we get the fees regime correct. I am pleased to say that we are making good progress on agreeing with the Local Government Association on an appropriate system for licensing the fees regime to ensure that costs are recovered and there is no extra burden on local government, while ensuring that it has the wherewithal to deliver the new licensing regime.

Another important new initiative is that of business improvement districts, of which 21 are being piloted under regulations that were passed in the House a few weeks ago. Votes are going on in some of those areas among local businesses at the moment. Many BIDs are focused on the night-time economy and provide an opportunity for new resources and new ways of dealing with difficulties in areas such as those that the hon. Gentleman described, in order to create a thriving, vibrant night-time economy that benefits local communities and brings our town centres back to life.

Tenant Behaviour

4. **Jon Trickett** (Hemsworth) (Lab): What take-up there has been by local authorities of the voluntary accreditation scheme for landlords as a means of encouraging the proper monitoring of tenant behaviour. [193545]

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): The Government do not hold official statistics on the number of accreditation schemes operating, but a directory of scheme codes is available on the Accreditation Network UK website, which holds details of about 70 schemes that are operating across the country. I emphasise that good landlords have nothing to fear from those schemes. The network has produced a model accreditation scheme, which draws together best practice from various schemes around the country. In order to foster consistency, the Government recommend that all local authorities base their schemes on that model.

Jon Trickett: I thank my hon. Friend for his response. I remind the Chamber that following the Conservatives' privatisation of estates in mining villages that were previously owned by the National Coal Board, a minority of irresponsible landlords failed to monitor tenants' behaviour, which led to flight from those communities and the gradual collapse of whole villages, certainly in my constituency. Is it not right that the Government pursue with vigour the proposal to build a partnership between local authorities, communities, responsible landlords and the criminal justice system to stamp out that behaviour, preventing the further destruction of communities by a minority of irresponsible tenants?

Phil Hope: My hon. Friend is absolutely right. Such local partnership achieves the results that he wants. The legacy that we inherited in 1997 was not only what he describes. Many estates and communities were rundown because of lack of investment in housing stock, and combined with the high unemployment that we inherited, it caused huge difficulties. I am pleased that in many areas the combination of investment in capital stock, the decent homes programme and the return to much higher employment, has changed the nature of many neighbourhoods dramatically.

We must bring together the existing powers in those areas where there are still problems. They include a good accreditation scheme, where local authorities and landlords are working together; the use of antisocial behaviour orders and acceptable behaviour contracts, which can also apply to tenants; and the use of the statutory nuisance powers under previous legislation. If all the tools available in a local area are brought together, we can bear down on the problem and regenerate communities, so that they become cleaner, safer and greener.

Matthew Green (Ludlow) (LD): Does the Minister agree that it is not just the monitoring of tenant behaviour, but the promotion of good standards of housing, that will lead to a reduction in antisocial behaviour? Does he accept that the private sector can be part of the solution rather than just a problem, especially by encouraging private sector landlords to belong to trade organisations such as the National Landlords Association, through which it is easier to promote good practice?

Phil Hope: The hon. Gentleman is right. His point is that if we can promote and invest in good landlords, the unscrupulous landlords who do not play their part in the community will be seen for what they are. The Housing Bill includes the selective licensing of privately rented properties, and takes new powers to target those areas where the problems are the most acute, including the licensing of houses in multiple occupation and interim management orders.

We need to work with the good landlords, with the local authorities and with tenants to build a culture of responsible tenancy: responsible tenants and responsible owners. We also need to use the powers being introduced to bear down on the few landlords and tenants who make life such a misery for others.

David Taylor (North-West Leicestershire) (Lab/Co-op): Three of the country's leading universities are in Leicestershire. As a resident of the county, I have found it disappointing in recent years to observe the decline in town-gown relationships because of the antisocial behaviour of a small minority of students. However, that is sometimes initiated and aggravated by inattention and lack of the observance of reasonable standards by private landlords who own such properties. Would not there be merit in examining the experience of some university towns and their accreditation schemes, integrating them with local authorities?

Phil Hope: That is a very helpful suggestion. Some universities—I think Birmingham is at the forefront—have been considering the impact of students being given accommodation in one part of town, which creates difficulties because of its effect on the local economy when the students leave in the summer. Other universities—

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): Leeds university.

Phil Hope: I am prompted by my hon. Friend that Leeds is one of the universities that is considering ways and means of dealing with the issue and investigating how landlords and local authorities can work together to manage that problem. The result has been lessons that apply not just in other university towns but, as my hon. Friend suggested, to tenants generally.

Local authorities now have an important strategic role considering all the needs of homelessness and housing in their areas, and not just from the landlord's point of view. That strategic role puts the local authority in a prime position to draw on best practice, bringing together the partners to solve the problems.

Mr. Deputy Speaker: Order. Replies are getting a little long.

School Exclusions

5. **Mr. John Randall** (Uxbridge) (Con): To ask the Secretary of State for Education and Skills, if he will make a statement on links between school exclusions and antisocial behaviour. [193546]

The Minister for Children, Young People and Families (Margaret Hodge): Excluded pupils are more likely to engage in antisocial behaviour and become involved in crime. Many will be offending prior to the exclusion, others will take up offending afterwards, and there is no clear understanding of the direction of causality. We are investing in early intervention to tackle the behaviour that leads to exclusion through a range of measures: for example, learning support units and learning mentors. Also, we have extended the scope of parenting orders and contracts to cover cases of exclusion following serious misbehaviour.

Mr. Randall: I thank the Minister for that reply. It is probably self-apparent that once those who are causing problems in schools are excluded they are very likely to cause the same sort of problems outside the school gates. It is obviously a problem. What discussions has the Minister had with other Departments on the matter? Presumably, once students are excluded they are not receiving a full-time education and are out in the community. What discussions have been had with the Home Office to try to get a grip on the problem?

Margaret Hodge: Every child of statutory school age will be receiving education, whether in school, in a pupil referral unit or by some other means at home. One of the issues that we have been pursuing with local education authorities is ensuring that they give every pupil, excluded or not, an education, as is their entitlement. However, it is a difficult issue, because having disruptive pupils in the classroom is of no benefit to the other children who are there to learn. We have to balance the interests of the rest of the cohort in the classroom with those of the individual child.

The "Every Child Matters" agenda and the reforms that we are trying to instil in children's services are about bringing together all the agencies that work with troubled and troublesome youngsters to try to ensure that we prevent them from getting to the point of exclusion or, if we do exclude them, that they get the proper co-ordinated support from all services, so that we minimise the risk and harm that they could cause and maximise their potential and the contribution that they could make to the community.

Mr. Randall: Has any research been carried out into whether those who have been excluded try to influence people still in school to get them involved in trouble?

Margaret Hodge: I do not have any research to hand, but I share the hon. Gentleman's view that troublesome teenagers probably influence their peer group, whether they are in school, on the council estates or in their communities. Wherever they are located, peer groups have a strong influence. How do we tackle that, particularly with teenagers? In working towards the youth Green Paper, which we hope to publish in the not too distant future, we are trying to find positive activities in which to engage young people. It is important to give them something to do and somewhere to go.

Trying to spot the difficulties early so that intervention can be made early is also important, as is getting the agencies to work together and with the families to ensure that early intervention. The work that we are doing to support parents, as well as promoting the interests of children and young people, should go some way to lessening the problem.

Matthew Green (Ludlow) (LD): I am sure that the Minister will be aware that one of the best ways of reducing exclusion is reducing levels of unacceptable behaviour in classrooms. One of the most successful ways that that has happened in recent years has been through the building of a school designed by Sir Norman Foster. As I understand it, that school has seen a dramatic reduction in the number of pupils playing truant and in the bad behaviour of those in school. To what extent is the DFES investigating how good design of schools can play a part in reducing unacceptable behaviour levels?

Margaret Hodge: Design is a factor, and I hope that the hon. Gentleman supports the enormous capital investment that we have embarked on, particularly for secondary schools. We have said that within 10 years every secondary school will either be renewed or rebuilt so that it is fit for purpose in the new century. I also hope that he supports the investment that we are making directly in behaviour and attendance. We are spending nearly £500 million in the 2003 to 2006 spending review period on promoting good behaviour in the classroom and dealing with both authorised and non-authorised non-attendance, which is another factor that can cause problems in the community such as antisocial behaviour.

I would also point out to the hon. Gentleman that as well as buildings we must consider the quality of the staff and the support given to children and young people from teachers and other school support staff. Our

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massive investment in recruiting and keeping teachers, and offering them appropriate professional development, is important.

Police Community Support Officers

6. **Mr. Wayne David** (Caerphilly) (Lab): What measures are being introduced to extend the powers of PCSOs. [193547]

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): In the consultation paper "Policing: Modernising Police Powers to Meet Community Needs" which was published in August, the Government proposed adding to the powers of PCSOs. I congratulate my hon. Friend on his ten-minute Bill, which raised the issue in the House. As is so often the case, the development of Government policy on antisocial behaviour has been greatly helped by the attention brought to it by Members such as him.

The new powers proposed for PCSOs in the paper are those to direct traffic, to deter begging, to enforce byelaws and to search a detained person who may present a danger to himself or others—that particular power has been piloted in my hon. Friend's area. In the consultation paper, we also proposed extending the powers of PCSOs to deal with the night-time economy and alcohol-related antisocial behaviour. The consultation period has now closed, and we are considering all the replies and hope to respond in the not too distant future.

Mr. David: I thank the Minister for her positive reply. The introduction of PCSOs has been an undoubted success, and the fact that communities have responded so positively shows that the Government are moving in the right direction. However, there is a need to strengthen the powers of the PCSOs, as the Minister suggested. I recognise that this is a contentious area, but there is an argument that, in certain specified, limited circumstances, PCSOs should have a power of arrest. I hope that at some time in the not too distant future, the Government will find time to consider that possibility.

Caroline Flint: On the whole area of antisocial behaviour, the Government have been very much in listening mode, taking account of people's direct experiences. However, it is important that we walk before we run. We must recognise that we should deal with the power of arrest carefully and constructively, and we must be clear that there are different roles for police officers and community support officers. We want to ensure that the powers that we grant will be used—that is important—and that there is adequate support for PCSOs. We also want to ensure that the scheme is developed in line with the law enforcement family, in which people work together. I have listened to my hon. Friend, but we must first ensure that we get right the present powers and those that might be on board in the not too distant future.

Angela Watkinson (Upminster) (Con): The divisional commander in Havering has been pleased to have PCSOs as an additional aid to policing, but he shares my concern that, having heard the Home Secretary express his intention of increasing significantly the number of PCSOs and the possibility of increasing their duties, they will be used instead of, and not as well as, police constables. We want to ensure that if the cost is coming out of the global budget of, in our case, the Metropolitan police, the PCSOs will be additional rather than taken from the budget for police constables.

Caroline Flint: There is no intention to take money from the budget for police constables. We have the highest recorded number of police officers ever—

Angela Watkinson: Not in Havering.

Caroline Flint: Well, the number of police officers in England and Wales is the highest ever, and that is welcome. However, it is a question not only of police numbers but of ensuring that fully trained police officers can carry out the duties for which they have been given powers. It is a question of intelligence-led policing and of ensuring that civilians can do some of the bureaucratic work because, important though it is, we do not want police officers spending their time behind desks. In that respect, community support officers are about added value—they add value to the family of law enforcement.

David Taylor (North-West Leicestershire) (Lab/Co-op): Over the past few months, I have had extensive contact with parish councils and police officers in North-West Leicestershire, and if my experiences are typical, there is no doubt that communities are strongly warming to CSOs and that police officers are working effectively with them. However, in echoing the comments of my hon. Friend the Member for Caerphilly (Mr. David), I put it to the Minister that CSOs would be more effective if they were more certain of their future. Many of the funding schemes are very short term. Can the Minister give us some assurance that, at least in the medium term, CSOs can be certain of the jobs that they hold for longer periods? Periods of two years or less are no spur towards effectiveness and do not boost morale.

Caroline Flint: I take on board my hon. Friend's point, but the announcement just a short time ago of our ambition to raise the number of CSOs to 25,000 gives some indication of how important we think they are. The certainty that we can provide through funding is important, but we must also consider what is provided in local communities. CSOs have a right and proper place in tackling concerns in our communities, and particularly antisocial behaviour. It is a matter of changing how we deal with such issues and then of chief constables and others, including local authority colleagues who are involved with neighbourhood wardens, doing things differently. We acknowledge that that will require additional funding in some areas and we have put record amounts into provision. However, in some ways, it is also question of saying, "If it works, it's worth funding. If it doesn't work, stop funding it." Those choices have to be made at national and local level. However, I hear my hon. Friend's point.

Tom Brake (Carshalton and Wallington) (LD): Has the Minister considered the role that community support officers could play in serving graffiti removal notices on businesses such as the Post Office, Telewest and Network Rail, which, certainly in my constituency, are often the least effective at removing graffiti?

Caroline Flint: The hon. Gentleman has tabled a question on graffiti, and we take the issue very seriously. Graffiti removal has primarily involved local authorities. As the hon. Gentleman knows, we have consulted widely on how we can improve the way in which we deal with those responsible for graffiti, including tagging, as well as with graffiti on amenities. Local authorities are being given powers so that they can make organisations remove graffiti within 28 days. In my community in Doncaster, community support officers employed by the local authority are often involved in addressing graffiti issues.

I hear what the hon. Gentleman says, and we are constantly discussing the different roles that individuals such as community officers, neighbourhood wardens or others can play in dealing with such problems in our communities.

Drugs

7. **Mr. Peter Atkinson** (Hexham) (Con): To ask the Secretary of State for Education and Skills what steps the Government have taken to assess the effect of the availability of illegal drugs in schools on antisocial behaviour. [193548]

The Minister for Children, Young People and Families (Margaret Hodge): Evidence from the Department of Health's survey "Smoking, drinking and drug use among young people" indicates that there is a strong link between truancy and exclusion from school and drug taking. We have made it clear that illegal drugs have no place in schools. We are supporting head teachers and governing bodies, together with local partners, including the police, in their efforts to tackle illegal drugs in schools.

Mr. Atkinson: I thank the Minister for her reply. I apologise for not being here at the start of the sitting and for having to leave quite soon to take part in the debate on the Floor of the House. However, it is difficult to be in two places at once.

There is anecdotal evidence that recreational drugs in particular—ecstasy being one such drug—are freely traded in some schools. School heads and staff are reluctant to involve the police in stopping and searching pupils in the school grounds, because it would give the school such a bad reputation. What advice does the Minister have for head teachers and staff who realise that some of their pupils may be taking drugs or, more seriously, trading them?

Margaret Hodge: I am quite surprised by the experience in the hon. Gentleman's constituency, because we are encouraging more and more schools to have a police presence on the premises. Indeed, a new school is being built in my constituency that will have a mini police station or a place for a police surgery within the grounds.

Mr. Gerald Howarth (Aldershot) (Con): What? God almighty.

Margaret Hodge: The hon. Gentleman expresses surprise, but I think that it is important to have all those services that support children and families located around the area where they feel safe. Whether it is the police, health and youth services or other services, having them located together is a positive move to encourage positive behaviour, rather than always coming in when things have gone wrong and having to implement measures such as antisocial behaviour or parenting orders.

I am surprised by the comments of the hon. Member for Hexham (Mr. Atkinson). Perhaps he will write to me about the schools where he has had such experience. We are encouraging heads to work much more closely with schools. We are providing a lot of education about drugs and we are training teachers to provide better education to prevent children moving into the drug culture.

Mr. Gary Streeter (South-West Devon) (Con): I am slightly horrified by the Minister's last reply. What a state we have got into. I wanted to ask her about cannabis use in the school playground. There is growing evidence of a reaction that can cause mental health difficulty leading to antisocial behaviour among a significant minority of young people who take cannabis. Will the Government look again at the decision that they made some months ago to reclassify cannabis as a class C drug? Was that not with hindsight a rather absurd decision?

Margaret Hodge: The Under-Secretary of State for the Home Department, my hon. Friend the hon. Member for Don Valley (Caroline Flint), who is the great expert on drugs in the Home Office, will deal with that. I want to come back on the issue of whether it is horrifying to have a police presence within a school. [HON. MEMBERS: "A police station."] There will be some police officers based in the school.

Matthew Green (Ludlow) (LD): Armed guards?

Mr. Deputy Speaker: Order.

Margaret Hodge: There is a mistaken view being expressed in that horror that the police are not there to prevent crimes but simply to detect them. If we want to build confidence among young people in the police service and if we want to move from always intervening only when things have gone wrong, we cannot keep the police as a separate arm. If we want to build that stronger preventive infrastructure and to prevent children and young people from falling through the net, it is important to have the police service and the whole of the criminal justice system engaged in the support services that we provide for children and young people, whether that is through health services, social care, or education.

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): I do not agree with the hon. Member for South-West Devon (Mr. Streeter) that it was a mistake to reclassify cannabis. We have classifications to demonstrate the different harms of drugs. It is important that we do that in a credible way. Our polling has shown that the work we did during the reclassification process was successful, because the vast majority of young people continue to believe that it is an

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illegal drug. Having said that, the whole point of the work that we do for young people on substance misuse is geared to deal with all sorts of drugs—both illegal and legal—that young children can get into a pattern of misusing. We have pooled the young people's treatment budget from a number of different organisations so there is one pot locally. Local people and agencies can decide how best to use that money.

Young people from 10 places are currently involved in drug-testing pilot schemes; even if a person does not test for a class A drug, evidence of other substance misuse will be attended to. This is about the relative harms of different drugs and having credible information with which to engage young people, but making sure that they recognise that all drugs in all classifications do harm. However, that harm is relative.

Mr. James Gray (North Wiltshire) (Con): That we should have mini-police stations at schools is symptomatic of the dreadful state to which our once great nation has sunk.

On a wider subject and leaving drug abuse to one side, is the Minister not concerned about solvent abuse, which has resulted in more deaths among teenagers than drug abuse in recent years? Is she not concerned that the main thrust of the education programme of the Department for Education and Skills on that front is to do with the drugs themselves and has remarkably little to do with solvent abuse? Will she commit the Government to increasing the amount of education on the subject of solvent abuse?

Caroline Flint: The hon. Gentleman makes a point. Many substances, both legal and illegal, cause huge problems if they are misused by anyone—but especially by young people. Last year, I and my colleagues from the Department for Education and Skills and the Department of Health started a project called "Blueprint", which is being carried out in years 7 and 8 at about 25 schools. It has brought together some of the best practices in drug education and prevention among young people from around the world.

I was pleased to visit a school in Lancashire, which is looking at a whole range of habits, from illegal drugs to solvents, cigarettes and alcohol—and also prescribed drugs. Some children have access to prescribed drugs at home, and there have been some terrible accidents as a result of children not realising the seriousness of using drugs straight from the medicine cabinet. It is an important issue, and we are looking across the board for better ways to engage with young people, in order to explain the consequences of taking substances that could have serious effects. Access to solvents is also a problem for young people, and legislation has been enacted to deal with that matter. However, we have to be vigilant about those who might be disruptive by allowing youngsters access to solvents.

Witness safety

8. **Angela Watkinson** (Upminster) (Con): To ask the Secretary of State what measures the Government will introduce to ensure the safety of witnesses to antisocial behaviour when giving evidence to the police. [193549]

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): The Government's national strategy "A New Deal for Victims and Witnesses", of July 2003, acknowledges the need for victims and witnesses of antisocial behaviour to receive the same level of support as victims and witnesses of crime. The national roll-out of the "No Witness, No Justice" project started in April 2004, and we hope that it will improve the experience of all witnesses moving through the criminal justice system, whether in the civil or the criminal courts.

Angela Watkinson: Havering police have just issued their first ASBO. One of the main contributory factors in the delay and the inordinately long time that it has taken to produce the order was the difficulty of persuading witnesses to appear in court.

There is a real fear among those giving evidence, particularly in cases involving "neighbours from hell" in which not only the individual who is going to court but the whole family are engaged in a variety of antisocial behaviour. The real fear of witnesses is that the case will go to court and they will give evidence, but the case will fail. Those who give evidence will then have to return to the situation that caused the problem. Not only the accused but other members of the accused person's family are likely to seek retribution. The protection of witnesses will result in enormous costs, not only in the court itself but in the outcome after having to attend court. Has the Minister given any thought to the funding of that process?

Caroline Flint: I am pleased that the hon. Lady's area has finally applied for its first antisocial behaviour order. However, there may be some problems; I do not think she quite understands that, in applications for ASBOs heard in the civil court, one can use hearsay and professional witnesses. It is different for applications made to the criminal court.

As I said earlier, it would help if Members of Parliament took the opportunity to find out what is best practice elsewhere. As the hon. Lady said, antisocial behaviour is often about people living very close to those who are causing the problem. That is the very reason why hearsay and professional witnesses, such as police officers or housing officers, can be engaged to give evidence in the civil court.

My right hon. and learned Friend the Lord Chancellor has indicated that he is keen to look at whether the special measures, such as using video, that are afforded to those in criminal proceedings could be afforded to witnesses in civil proceedings. There are measures in place for cases where someone's next-door neighbour might be the problem. The way to protect people in those circumstances is through hearsay and professional witnesses. However, we are mindful that on occasion individuals may need to come forward, and my right hon. and learned Friend has talked about considering special measures for people in that situation.

Mr. Tony McWalter (Hemel Hempstead) (Lab/Co-op): Does my hon. Friend not accept that the message, particularly on the availability of professional witnesses, is not getting across? When some hooligans were destroying a little shopping centre in my constituency, one of my constituents complained to the police, but all they said was, "Well, if you want to do anything about it, you'd better give us a camera with some film in it." So, my constituent got his camera and poked it out of the window the next time the kids were there, but they then reported him for paedophilia. The accusation was taken up by a separate police officer and went a long way before I intervened personally and stopped the nonsense. There is a long way to go before witnesses are given proper protection.

Caroline Flint: My hon. Friend raises an important point. When young people—or adults, for that matter—cause trouble in an area, the section 30 dispersal powers are available as well. Indeed, I know that he has had success in his area in that regard. We are trying to raise the benchmark on how all the measures to deal with antisocial behaviour are applied in England and Wales. In some areas, there has been astounding success, which has been achieved through effective partnership between a number of different agencies, engaging with and listening to the local community and also gaining people's trust, so that when they report incidents there is a method to collect that information so that it can be used in the courts.

A lot more has to be done, however. There is no doubt that those in management and supervisory positions, whether in the police service or local authorities, have to ensure that their front-line staff are aware of the powers that are in place, because it is important that people understand that the powers are there to be used. There is can-do attitude, which is demonstrated by the number of places where people are doing just that—getting on with the job and dealing with the problem. In doing so, they increase the confidence of the local community, not only in policing, but in all the other services with a role to play.

Breaches of orders

9. **Andrew Selous** (South-West Bedfordshire) (Con): How many antisocial behaviour orders have been breached in each year since 1999, and how many of those were punished with fines and how many with prison sentences? [193730]

The Minister for Children, Young People and Families (Margaret Hodge): Breach data are available from June 2000 to December 2002. During that period, 372 breaches of ASBOs were recorded: 14 in 2000, 120 in 2001 and 238 in 2002. On punishment, in 2000, five received a fine, and five received a prison sentence. In 2001, 15 received a fine and 62 received a prison sentence and in 2002, 20 received a fine and 112 a prison sentence.

Andrew Selous: I am grateful to the Minister, but what advice would she give to my constituents who have suffered horrendous antisocial behaviour for the last couple of years and to the officers of the central division of Bedfordshire police who have wanted to impose ASBOs but, in collecting evidence, have sometimes found witnesses to be far too scared? That relates to the question of evidence, which we have dealt with. The Under-Secretary for the Home Department mentioned professional witnesses, so could the Minister say a bit more about that? From which agency of government or local authority department are professional witnesses supposed to spring?

Margaret Hodge: I would have hoped that the previous answer from my hon. Friend the Under-Secretary could have given comfort to the hon. Gentleman. Professional witnesses could be local authority officers, members of the police service or any of the professionals who are party to a case or have relevant evidence. Professional witnesses do not have to be the individuals who have experienced the antisocial behaviour, but professionals acting on behalf of those individuals. We have also talked about the steps that the Lord Chancellor hopes to take to enable people to give evidence in a more anonymous environment.

Mr. Dominic Grieve (Beaconsfield) (Con): May I ask the Minister to return to the question that I asked the Under-Secretary of State for the Home Department? I listened carefully to the answer that I received.

My question concerned the relationship between the number of ASBO breaches and the number of reported breaches. It is not a trick question, but it is important to try to assess what is going on. I have received anecdotal information that when an ASBO is breached, it may be a considerable time before anything is done about it. Meanwhile, one gets complaints from members of the local community. It may also be the case that sometimes no action is taken on reported breaches of ASBOs. Is the Home Office collating statistical material on that matter and, if so, would it be possible to make that available to hon. Members so that we can make an assessment?

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): As far as I am aware, information is not being collected centrally on anecdotal evidence about situations in which a police officer sees that an ASBO has been breached and does not report it, so that the breach does not go back to court. That is a rather convoluted situation. If the hon. Gentleman has evidence that ASBOs are being breached and action is not being taken, we would be open to receiving that evidence and information on where those cases are occurring. Our view is that if ASBOs are breached, that should be referred to the relevant authorities and the necessary proceedings should be followed.

If there is evidence of such situations occurring, it is important to bring that to the attention of the local senior police officers or others who are charged with the responsibility for that area. However, as I said earlier, one positive thing that we do know is that only about a third of all ASBOs are breached.

I would not want there to be confusion about the figures, because there are issues related to the number of people who have had ASBOs imposed on them, and the number of times that someone might breach an ASBO and be taken to court, resulting in a further action against them. There are the numbers of people and the numbers of breaches, but it is possible that an individual might, on occasion, commit more than one breach, which then would go back into the system and be dealt with again.

I will examine what the hon. Gentleman says in more detail. However, we do not collect data centrally on breaches that are not followed up by police officers on

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the ground, because that would be hard to do. However I will ask my hon. Friend the Minister for Crime Reduction, Policing and Community Safety about that matter and whether she has given it any attention.

Mr. David Watts (St. Helens, North) (Lab): My housing trust has a specialist unit. Is there a case for having specialist units in the police, and special courts to deal with the issue more effectively?

Caroline Flint: What we do have in some areas are special prosecutors. That was a result of recognising that, when the antisocial behaviour legislation was introduced, it was quite difficult to get those on the court side of the process to appreciate and understand what we meant by antisocial behaviour and its impact on local communities. That is one of the reasons why, in some areas, special prosecutors have been involved. It is also one of the reasons why my colleagues in the Department for Constitutional Affairs have been engaged in training with the clerks to the courts and magistrates, so that they understand better what is happening in local communities and how to deal with it.

Mr. David Heath (Somerton and Frome) (LD): Just for the record, we did not oppose ASBOs, as the Minister for Rural Affairs and Local Environmental Quality said. However, I am sure that that will not make any difference to what he says in future.

There is a real issue about breaches of ASBOs. None of us wants to see such breaches, but one of the things that might increase the number of potential breaches is if ASBOs are overly prescriptive in terms of the prohibitions that are put into them. For example, there was the case of the 13-year-old who was told that he must not say the word "grass" anywhere in England and Wales for six years, or the 21-year-old who was told that he was not to wear any head gear under any circumstances, or the 88-year-old who was forbidden to be sarcastic to his neighbours and has now committed three breaches, which have presumably gone into the records. Is there a case for better guidelines on what should properly be included in ASBOs, so that they are focusing on real antisocial behaviour, rather than on what someone has in mind as a prejudice?

Caroline Flint: This is interesting, because I think that some of the ways in which ASBOs have been applied have been really creative. In some cases, the creative use of ASBOs has had more resonance with the young person as an immediate sanction for their offending behaviour than any bureaucratic blueprint that we could pull together about how they should operate. It is important to allow creativity so that people can get to the heart of the problem.

I have two things to say to the hon. Gentleman. First, an ASBO can be varied. That is important because if—*[Interruption.]* He says that they should be, and they can be. If, for example, a young person in respect of whom an ASBO has been issued improves their behaviour, there is room to vary the order. One young gentleman was prohibited from going into a certain area. During the period covered by the ASBO, he joined a local football team and a match took place in the area from which he was excluded. Quite rightly, it was asked why that young man, who was then engaged in positive behaviour, should be denied access to that area.

Secondly, as from 1 May this year, individual support orders can also be attached to ASBOs. ASBOs are about what one cannot do. Individual support orders are about trying to challenge behaviour. I do not agree entirely with the hon. Gentleman's point. We are dealing with the issue in a rounded way. We are stopping people doing certain things and challenging behaviour in the short and long term.

Mr. Deputy Speaker: Order. I do not think that my expectations as expressed at the beginning of questions have been fulfilled. Hon. Members will draw their conclusions when they read *Hansard* tomorrow. There is obvious tension between providing opportunities for supplementary questions and more than one ministerial answer, and making progress down the Order Paper. However, brevity should still be our watchword if we are to make a success of such sessions in future.

Mr. Gerald Howarth (Aldershot) (Con): On a point of order, Mr. Deputy Speaker. You will know that Mr. Speaker deprecates the practice of Ministers making announcements outside the House of Commons when they should properly be making them here. We are having this sitting on antisocial behaviour orders this afternoon. The hon. Member for Somerton and Frome (Mr. Heath) made a very important point at the outset, which was that the Prime Minister is about to make a statement on that issue. It is stated in *The Guardian* no less—so some will believe that it must be true:

> "Blair announces huge leap in Asbo programme".

We do not know whether what Ministers have told us today constitutes the full exposure of the announcement being made by the Prime Minister. Should the Prime Minister—

Mr. Deputy Speaker: Order. I have to tell the hon. Gentleman that what Ministers say, and what any hon. Member says, cannot be controlled by the Chair. If he wishes to pursue the matter, that is probably better done by a point of order on the Floor of the House. All I can do is take the Chair at a sitting that has been arranged. Everything that has been said by every hon. Member and every Minister is on the record to be judged and perhaps, at a later time, questioned.

The Minister for Rural Affairs and Local Environmental Quality (Alun Michael): Further to that point of order, Mr. Deputy Speaker. May I just point out that the level of ASBOs, which may well be referred to elsewhere, was given in my reply earlier?

Mr. Deputy Speaker: One must not, on a point of order, seek to pursue the argument:

United Nations

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Heppell.]*

3.34 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): I am pleased to have the opportunity, for the second year in a row, to open a debate on Britain's position within the UN. The debate will demonstrate, in particular, our commitment to engaging far more on critical issues. When we undertook the debate last year, we were at a critical juncture. The UN had been divided over military action in Iraq. It had endured the worst ever attack on a UN operation, with the murder in Iraq of 22 UN personnel, including, tragically, Sergio Vieira de Mello, one of the world's greatest ambassadors for peace. A heated debate continued over how the UN should respond to international crises, whether those were terrorist attacks, humanitarian disasters or environmental devastation. There has been a further escalation in terrorist activity—not just the carnage of suicide bombings in the middle east but the despicable kidnap and murder of innocent civilians in Iraq and the frankly sickening scenes of children being held hostage and brutally murdered in Beslan. Conflict, poverty and disease are still ravaging parts of Africa.

That is a grim and distressing picture, but I believe that there are signs of hope. I am encouraged by the unity among UN member states in dealing with Afghanistan, Haiti and the Democratic Republic of the Congo and I commend the consensus among UN members on action to fight terrorism, prevent conflict and cope with natural disasters.

The UN's role in Iraq has also been crucial. Ambassador Brahimi's patient, and determined negotiations with Iraq's political and religious groups were, I believe, instrumental in forming a political authority and paving the way for the UN's role in preparing for elections for a representative and democratic Iraq. The United Nations team, under the secretary-general's special representative Ashraf Qazi, is now working with the Iraqi independent elections commission to prepare for elections in January.

Returning to Iraq has been an immensely difficult decision for the UN, and in the face of last year's attack the security of UN personnel has been of paramount importance. We and the United States are working closely with the UN to ensure that it gets the security that it needs. I applaud its courage and pay tribute to UN staff and military and civilian personnel from the 30 nations in the multinational force, and to those working for non-governmental organisations, voluntary bodies and businesses, in difficult and dangerous circumstances, to help the people of Iraq.

As we move closer to the January elections the terrorists and insurgents are stepping up their attacks in an attempt to derail the political process. We must do all that we can to stick to the agreed political timetable, in which the elections are vital for a stable and united democracy to take root in Iraq. As the Foreign Secretary has repeatedly said, we need security for elections and elections for security. We are working closely with the Iraqi interim Government, the elections commission, the Iraqi security forces and the UN to ensure that adequate security arrangements are in place for the election period.

The UN has worked tirelessly with the African Union and the European Union to bring about an end to the fighting in the Darfur region and to provide humanitarian assistance to thousands of displaced people. Recent Security Council resolutions have, I believe, sent a clear message to the Sudanese Government and the rebel groups that they must do more to protect the people of Darfur.

The UN has significantly increased its work in the Democratic Republic of the Congo to help disarm, demobilise and rehabilitate Congolese combatants. UN experts are now monitoring the arms embargo, which is a vital process in preventing further fighting. In Haiti at the beginning of the year the UN responded rapidly to the breakdown of law and order by deploying, first, a multinational interim force and, then, a longer stabilisation mission to help maintain security and find solutions to the issues that had caused violence.

Today there are more than 53,000 peacekeepers working in 16 UN missions around the world. Yet we all recognise—the UN, individual member states and humanitarian agencies—that we are not doing enough soon enough to prevent conflict from erupting, to build peace, to reconstruct broken nations and, in short, to break the cycle of violence, whether that is caused by age-old political or religious strife, a collapse in law and order, poverty, hunger or disease.

Every conflict, wherever it is, has ramifications for the international community. Extremists are using regional conflicts to spread terror across the globe. International security is at stake, so we have to stop the terrorists. That means stopping the flow of weapons and ensuring that weapons of mass destruction never fall into their hands. It also means, critically, tackling the causes—political, economic and social. That is a huge challenge, which only a massive international effort can meet.

As my right hon. Friend the Foreign Secretary said earlier in the year:

> "Global security is our collective responsibility, and we must all engage in this debate."

That is why I believe that the high-level panel, established by the Secretary General, which will report in December, marks a significant step in the way in which the UN approaches today's threats to international peace and security.

I am optimistic that the panel's report will provide ideas for effective collective action in response to those international threats, and give renewed impetus to debates on United Nations reform.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): Will the Under-Secretary explain why his paper, Cm 6325, does not once mention the oil-for-food programme and the United Nations' role in it? Will the hon. Gentleman comment on the fact that Kofi Annan still refuses to make public the findings of the oil-for-food report? Is not that a disgrace? Should not the public be able to see that information? Would it not help to restore faith in the work of the United Nations?

Mr. Rammell: The oil-for-food programme inquiry, with which we are co-operating, has come up with serious criticisms that it is the responsibility of nation states, through their legal systems, to pursue. The processes are under way and that is the important and correct manner in which to deal with the issues.

We have proposed several ideas on the issues being discussed by the panel, details of which can be found in the annexe to the command paper, to which the hon. Gentleman referred. We look forward to an early discussion of the report's recommendations with the United Nations and with other member states.

I said earlier that we need to be more proactive in preventing conflict from erupting in the first place—

Mr. Andrew Love (Edmonton) (Lab/Co-op): I thank my hon. Friend for giving way. I welcome the second annual report on the United Nations, which was a great initiative by the Government. I refer to the annexe and the reform of the United Nations. People say that if we did not have a United Nations we would need to invent it, but everyone recognises that perhaps it does not work as well as it could, therefore there is need for reform, and I am pleased about the Government's proposals in that respect. Can my hon. Friend reassure us that the Foreign and Commonwealth Office, on behalf of the Government, is making every effort to ensure some form of consensus, so that Kofi Annan can put a set of proposals for radical reform to the UN in the near future?

Mr. Rammell: The need for consensus, and not consensus of the lowest common denominator, is a key factor that is driving our work at present. We also need to establish the means to take that consensus forward and get agreement.

Mr. Gary Streeter (South-West Devon) (Con): I do not want the Minister popping up and down in his present condition. He mentioned the important high level panel report, which we look forward to receiving. I believe that it is reporting in December. We are disappointed that the debate on the United Nations has been moved from the Chamber to Westminster Hall. Can the hon. Gentleman assure us that after the report is available there will be a debate in the Chamber to discuss the important measures that will no doubt be put before us and to build a consensus from Westminster?

Mr. Rammell: The hon. Gentleman knows that decisions on where debates take place are beyond the respective Front Benches. Nevertheless, his argument is compelling, given the seriousness of the issues, and I hope that if time is available we can discuss them on the Floor of the House.

I said earlier that we needed to be more proactive in preventing conflict from erupting in the first place, which means identifying and analysing specific threats at an early stage. It also means agreeing collectively what is the appropriate course of action. In doing so, we need to mobilise all the resources of the United Nations from the earliest stages of a potential crisis. That requires strong leadership from the United Nations, the political will of its members to sustain UN action over the long term, and UN institutions that are focused on priority action.

The United Nations needs to develop non-military tools for engagement and intervention, including reintroducing the rule of law, support for policing and, where necessary, emergency civilian administration. Where non-military action is insufficient to avert conflict or a humanitarian crisis, the UN needs to agree when military action might be needed. I have often spoken of the urgent need to address the issue; we simply cannot let another Rwanda or Kosovo happen. Three years ago the UK proposed a set of guidelines on intervention for consideration by the Security Council, and now is the time to move the debate forward.

We must also ensure that the UN's counter-terrorism and counter-proliferation mechanisms are sufficiently robust and have the resources to carry through the vital monitoring and support work that they began this year. One of the greatest threats to human security is, the estimated 600 million small arms and light weapons in global circulation. Those weapons kill more than 300,000 people a year, many of whom are innocent civilians. The Foreign Secretary rightly made an important announcement recently that the UK would start work soon with international partners on an international arms trade treaty. That is a positive step forward. Taking arms out of circulation would make it easier to combat terrorism and crime and to secure long-term peace and development in areas of conflict.

The UN's peacekeeping efforts, which are universally admired, need to be strengthened to provide more recovery and reconstruction support, thus enabling states to get back on their feet and sustain the peace. Closer co-operation with regional organisations and more effective co-ordination between UN agencies would help make the best use of resources and avoid duplication of peace-building programmes.

Much of the UN's expertise lies in the remarkable work that its agencies have performed for decades in alleviating poverty and supporting the most vulnerable people in the poorest parts of the world. For that to have a lasting effect, the international community must redouble its efforts and increase the resources that it puts into poverty reduction. Reducing poverty and inequality will go a long way to preventing and resolving conflict.

The UK has taken the lead by proposing a new international financing facility, which would and could bring forward aid flows, allowing them to be increased to $50 billion a year in the short term. The UK is already rightly a major contributor to the UN system, in both our engagement and our financial support. UK contributions to the UN in 2003 were more than £623 million, and we are the fourth largest contributor to the UN peacekeeping budget after the United States, Japan and Germany. We supply more troops to UN operations than any other permanent member of the Security Council. That is a record of which all Members can be rightly proud.

We will also use our strong position in the UN to press forward with the reform programme set out by the Secretary-General, so that the UN is structured and resourced to meet the challenges that lie ahead. At the General Assembly last month, the Secretary-General spoke powerfully about extending the rule of law throughout the world as the only way to guarantee freedom for all. I have just returned from New York, where as president of the Security Council I chaired the debate on building justice and strengthening the rule of law. We will continue to support the UN's efforts to put the rule of law firmly at the centre of post-conflict reconstruction.

We will use our presidency of the European Union and our chairmanship of G8 in 2005 to make further progress on a free and fair international trading system, on tackling poverty and disease in Africa and on slowing environmental damage from climate change. We have nevertheless much work to do, but I believe that when we meet again for this debate in a year's time, the UN will have reviewed progress on meeting the important millennium development goals. Only by reaching those goals can we hope to achieve sustainable security and, from there, stability and prosperity for all mankind. As the Secretary-General said at the General Assembly in New York, let us not be found wanting.

We are at an historically important juncture: there is a future that can secure and protect our world, and the United Nations, and the efforts of all the nation states that make up the UN, has to be at the heart of that.

Mr. Clifton-Brown: Perhaps the most important issue in protecting our world is nuclear non-proliferation. The command paper to which I have already referred includes warm words about preventing the spread of nuclear technology, but there is a real problem with Iran's verification of its return to the International Atomic Energy Agency. I understand from today's press that talks are continuing on the issue. Will the Minister comment on what the British Government are doing? It seems to me that until we can get a compliant Iran, it will be very difficult to achieve a stable situation in Iraq.

Mr. Rammell: The hon. Gentleman will be aware that, with France and Germany, we have been at the forefront of efforts to take a constructive stance on Iran and address the concerns that exist about its nuclear capability. We have consistently said that Iran needs to go the whole distance in addressing the international community's concerns, particularly ending any fuel cycle activities and demonstrating that it has done so. That is the challenge for Iran between now and the IAEA board meeting, which I believe takes place towards the end of November. At that stage, we will have to judge whether Iran has made that commitment and reassured the international community. If not, we will have to seek reference to the Security Council.

This is an extremely important debate and I look forward to hearing the contributions from other hon. Members.

3.50 pm

Mr. Gary Streeter (South-West Devon) (Con): It is a pleasure to take part in this important debate. I must put on record our slight disappointment that it has been curtailed to two hours and is taking place in Westminster Hall but, none the less, we welcome it. We certainly welcome the Command Paper that the Government have produced. It is very useful indeed and, in terms of the reform of the United Nations, which I will deal with in a moment, we agree with the broad thrust of the Government's suggestions.

We agree that in the 21st century we need a strong United Nations. I sometimes ask myself what the alternative is to a strong international organisation such as the United Nations—I sometimes even find myself asking that about the European Union. We do not always appreciate everything that it says and does, but what is the alternative? We do not want to return to a 19th-century world of nation-state activity, shifting alliances and unilateralism. Nor do we want the Orwellian nightmare of regional power blocs constantly at war with each other. We need a strong United Nations.

The horrors of world war one and world war two demanded a response of world leaders to set up mechanisms to promote global peace and stability. The challenges are different in this globalising and interdependent world, but they also demand a streamlined and effective modern United Nations—new global architecture to fit a modern world. We support the reform process. We want the UN to be the body that is respected by all and that makes and enforces rules by which we can carry out our international business and achieve global stability. There is no plan B; that body must be the United Nations.

The UN must also be a forum for dialogue. As we know, dialogue is crucial to overcoming misunderstandings and hostility. The fault lines in the world used to be between east and west. It is now much more complex than that, but there are still fault lines, so there is a need for forum and dialogue.

Although the Minister gave an upbeat speech today, for understandable reasons, about the performance of the United Nations, I shall be slightly more critical of aspects of its performance over recent years. Many of us were concerned that the conduct of some members of the Security Council over the recent conflict in Iraq has undermined a great deal of its credibility.

With the honourable exception of the intervention in Afghanistan, which came hot on the heels of the 9/11 outrages, and possibly Haiti, which the Minister mentioned, it is possible to argue that over the past 10 or 15 years, the UN has notched up precious few successes. Recent cases include Iraq and Kosovo, where it was unable to agree, Bosnia, where it is rightly claimed that it moved too slowly, Rwanda, where it was looking the wrong way, Israel-Palestine, where it has been powerless to intervene, Zimbabwe, where it seems unable to intervene, and Darfur in Sudan, where its intervention is now welcome but has been far too long in coming. Judging by its performance, the UN's credibility is under threat, which is why the reform process is so important.

I recognise that there has been much positive work and I pay tribute, as the Minister did, to the important work of Lakhdar Brahimi in putting together the Iraqi Interim Government. Most of us were impressed that that was so well done and has stood the test of time over the past few months. I also pay tribute to the work of the International Atomic Energy Agency. We hope that that will have a positive outcome and we support continued intervention in Iran, trying to persuade that country to discontinue its uranium enrichment programme—an absolutely crucial process. The Minister will have our support for taking effective action on that issue.

[Mr. Gary Streeter]

In the debate about reform of the United Nations there is a vital question that I do not believe the Government have asked in their Command Paper: what is the United Nations for? It was put together in a different age and has grown like Topsy ever since. Although the Minister gave us a quick tour d'horizon of what it does, I look at the UN's flow chart—the list of activities, agencies, committees and bodies—and ask myself whether the organisation has lost sight of its core business, which should be peace and security.

I have done quite a lot of international development work in the past few years and I must say that we need to make the point that investment, whether public or private, is very hard to secure where there is conflict, but where there is an absence of conflict, both public and private investment comes pouring in and increases living standards.

The United Nations has a vital role to play in dealing with conflict and in promoting peace and security, yet it is also involved in many other activities. There is the United Nations University, the United Nations Office for Project Services, the United Nations human settlements programme, the UN Institute for Disarmament Research and so on. There are many UN agencies and committees, all of which I am sure are very worthy and doing important work, but as we know from other organisations, we can sometimes get bogged down and distracted if we lose sight of core business.

I am sorry that the Government's Command Paper did not ask what the core business of the UN is and how it can better focus on it: indeed, how it can do less better. None the less, we look forward to the high level panel report, which will be produced in December. We have great respect for Lord Hannay, our representative on the panel, and we are delighted that the Minister agrees that we should have a full debate on the report when it is in our hands, perhaps early next year.

We also recognise that conflict resolution and prevention and the promotion of global stability raise very difficult questions of sovereignty and practicality. On page 62 of the Command Paper, the Government suggest that the UN needs to be clearer about when it should intervene. In particular, they say:

> "The Security Council should consider drawing up guidelines for international debate, on the instances of state failure and other threats in which the Security Council should consider authorising military interventions."

It is fundamental that we have a debate on when the Security Council should authorise intervention and how that intervention should take place. Should the UN be the body to intervene? Some people believe the UN to be an independent, third-party organisation with a standing army of its own that is ready to zoom into any conflict situation. Of course that is not the case. As we have seen in most of the major conflicts in recent years, if the Americans and Brits do not do it, it does not get done. How we should intervene and when we should intervene are vital questions, and we support the Government in calling for a debate on them. Issues of sovereignty and international law are not easy to consider.

The next thing that needs to be thrashed out is how the Security Council in particular should take decisions and who should serve on it. That is a very important part of the current debate and the Government refer to it on page 71. They do not exactly stick out their neck, but say that they believe in the expansion of the Security Council. I think that we all believe in that, but they do not suggest how that should be done. Perhaps we are a little braver, but we certainly see—[*Interruption.*] They do not say that in the small print of the Command Paper, but they may have said it elsewhere.

We certainly support countries such as India and Brazil and either South Africa or Egypt coming on board as permanent members of the Security Council, particularly if it is understood that they are representing their region or sub-region, which is why they are joining that important group of people. The composition of the Security Council needs to reflect modern and approaching realities of where global power lies.

It is worth repeating the point that I made last year in a similar debate that the UN cannot work without the full engagement of the world's only superpower. If the United States of America is not fully engaged in the UN, the UN is simply a talking shop, and a pretty toothless one. It is therefore vital that the US is engaged in the reform process and signs up to whatever comes out of it. The United Kingdom has a very real role to play in persuading our American friends that it is critical that they form part of the multilateral response to what is going on in the world and that they do not simply seek to go it alone.

It would also be very welcome if we could see an end to the pork-barrel politics that the General Assembly often reflects. It would be very good indeed if members could be encouraged to see the bigger picture of global peace and security, hard though that is, rather than seeing simply what they can take back to their own countries and regions.

Mr. Clifton-Brown: Is not a real, glaring example of what my hon. Friend says staring us in the face? If the UN could play a bigger role in providing a broader peacekeeping force in Iraq, that force would be much more broadly recognised and welcomed by the Iraqi people than the present force, whose members tend to be regarded as occupiers, not peacekeepers.

Mr. Streeter: My hon. Friend is quite right and we are all aware of the genesis of that situation. The lesson that we must learn is that such unilateral and bilateral interventions are much less good than multilateral interventions supported by the entire Security Council, followed by reconstruction and peacekeeping on a UN, not a unilateral basis. My hon. Friend is absolutely correct.

As we all know, the Government have suddenly become very keen on gambling. It might therefore be worth making a small wager about whether the radical reform that we want to see at the UN is likely to take place on a greater or lesser time scale than the radical reform of the House of Lords. Given the Government's sudden enthusiasm for gambling, that is perhaps worth a small wager. Both are long-term projects and we wish the Government well in reforming the United Nations.

Page 59 of the Command Paper states:

> "Examples of the threats or warning signs that the UN should be focusing on might include . . . overthrow of democracy".

That is an interesting point, given that many UN members are not democratic countries themselves. Have the Government thought about including some kind of threshold as a way of incentivising the steady march towards democratic values? I mean not the Westminster-style of democracy, but the rule of law, freedom of speech, human rights and some kind of representative Government. Would it be appropriate for nations to have to cross a threshold before being allowed into certain global corridors of power? Would that not incentivise them to pursue the important process of becoming more democratic? I recognise that there is a slight problem with that way of thinking as regards China, but it would still be in the Government's interests to ensure that even the UN's structures incentivised its members to become ever more democratic.

I want to focus for two or three minutes on the important issue of the oil-for-food scam. It is strange, as my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) said, that it is not worth a single line in the Government's Command Paper, given that the issue has been one of the greatest setbacks to the UN's credibility recently. It has been revealed in figures supplied by the Iraqi Interim Government that up to $60 billion may have been affected by corruption and removed from the oil-for-food programme before finding its way into the wrong pockets, including $10 billion that may have gone to Saddam Hussein and his entourage. The Security Council was being paid £3 billion to administer the programme—it was being controlled by the United Nations—yet that vast sum went missing.

We need a fully parliamentary debate on the issue for two reasons. First, it is crucial to the UN's credibility that lessons are learned and that such corruption does not happen again. Secondly, we now know that there is a real link between the funds that went missing and the weapons being used against British troops serving in Iraq. As the Foreign Secretary is probably aware, the Secretary of State for Defence said last week:

> "There is no doubt that some people who are continuing to fight are fighting for the restoration not of Saddam's regime in particular, but of the privileges and money that they enjoyed as a result of the corruption that existed during his time in office. There is no doubt that many of those people benefited significantly and are using some of those funds to buy weapons to kill not only members of the coalition, but Iraqis."—[*Official Report*, 18 October 2004; Vol. 425, c. 642.]

Oil-for-food money—taxpayers' money—that went missing is now being used in the battle against our own troops.

I have four questions for the Minister to answer either this afternoon or in writing. On 24 March 2000, Sir Jeremy Greenstock, our excellent UN ambassador, reported to the Security Council serious concerns about corruption. What action did the Foreign Office take when he blew the whistle four years ago? Secondly, senior figures in France and Russia have now been implicated in the scandal. What is the Foreign Office assessment of the impact that that had on the workings of the Security Council up to and including the crucial vote on UN Security Council resolutions on Iraq?

Thirdly, given that the Volcker inquiry has suggested that it will take more than three years to investigate, can we afford to wait that long? Should we not have an inquiry right now to investigate the British angle of the scandal? We do not yet know whether anyone domiciled in Great Britain is implicated, and Kofi Annan will have retired by the time the Volcker inquiry reports.

Fourthly, given the statement by the Defence Secretary, why have the Government refused to raise the issue directly with Kofi Annan? I will not read out the written answer received by my hon. Friend the Member for Faversham and Mid-Kent (Hugh Robertson), who has been diligent on the issue, but it is clear that at a recent meeting on 19 October the Foreign Secretary did not raise the issue. I cannot understand that, because it is a major issue with British implications. We are not accusing the Government of any wrongdoing whatsoever, but this has happened on their watch and I would urge them to move with more vigour in trying to get to the bottom of it and trying to find out what has gone wrong and why.

I could say many other things about the UN, but I want to give other hon. Members a chance to have their tuppenny worth. We all want to see a strong and effective UN that is a medium with which and through which all the world's nations are content to work, a force for global security and peace, and a voice for the powerless. That will take radical reform. We welcome the process that has started, but suspect that it will not go far or fast enough.

Next year, as the Minister has said, is a crucial one. The United Kingdom, with its chairmanship of various organisations, will be in a unique position to influence the change process for the better. We call on the Government to be more radical in their preparations and to seize this unique opportunity.

4.7 pm

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale) (LD): I, too, echo the comments made by the hon. Member for South-West Devon (Mr. Streeter) and welcome this important debate. I pay tribute to the Minister for being here in his current condition, which looks very painful. He has been a champion of the need for the House to debate these issues. Last year, we enjoyed not just one debate, but two, I recall; with the second in the main Chamber. In an outbreak of cross-party consensus, I join the calls for us to reinstate the debate in the main Chamber at a time when there is not other important business going on. Perhaps this important subject would then enjoy greater attention.

The scope and importance of the United Nations is clearly set out in the valuable document produced by the Government, Cm 6325 "The United Kingdom in the United Nations". It acknowledges that awareness of the United Nations in the United Kingdom is lower than it ought to be. In recognising that problem with the British debate, the paper has gone a long way to providing a useful summary of some of the key issues that face the UN and the UK's relationship with it.

The scope of the UN's activities goes way beyond the most obvious in security, which we tend to dwell on in this House. A quick glance at the economic and social issues section of the Command Paper will make that perfectly clear. Whether it is the United Nations

[Mr. Michael Moore]

Development Programme, UNESCO, UNIFEM, the Food and Agriculture Organisation, UNICEF or the Conference on Trade and Development, there is a massive list of agencies and bodies.

The hon. Member for South-West Devon seemed to suggest an organisation that was out of control and had grown like Topsy. A more charitable interpretation, which I would like to give, is that it reflects the sheer width and depth of the issues facing the United Nations and our attempts to combat them. There is a breathtaking—even bewildering—span of activities, and we are right to pause and reflect on what it means and what it tells us about the complexities of the world and the challenges facing countries trying to make sense of it all.

Security remains the abiding concern of individuals and Governments across the world. We live in an era where we are more conscious of failed and failing states, the growing and real threats of international terrorism and the real worries about transnational crime. Those are all closely related to the issues of global poverty and humanitarian crises, which are endemic in certain parts of the world, such as Africa. Indeed, there is an all too depressingly familiar vicious circle, where poverty creates instability, which leads to conflict, which deepens the poverty. And so it goes on. The United Nations must be able to tackle each of these priorities and to do so it must be reformed.

When we frame our debate on the reform of the UN we must be quite careful. The hon. Member for South-West Devon was careful in how he assessed this. We sometimes tend to treat the UN as if it were an independent, fully functioning organisation to which we have subcontracted many of our international concerns. The reality is that it is very dependent on the member states who make up its membership. Without the political will of those member states neither can the UN act nor can we hope to see it reformed. The United Nations Secretary General, Kofi Annan, has recognised the reality of the fast changing world and the need for the UN to adapt its responses and capabilities to suit the new world order.

The setting out of objectives in the millennium declaration with an explicit listing of the development goals was an important advance. So too was the world summit on sustainable development, which took place in Johannesburg in 2002. But it has been the recognition of the security costs of the failure to tackle those issues that has understandably dominated international debate in recent times: 9/11, the war in Iraq and the proliferation of nuclear capabilities and weapons have divided the world, but at the same time they have highlighted the need for a new consensus on the nature of the threats and how we should deal with them.

Kofi Annan set out his concerns on these issues a year ago to the General Assembly of the United Nations and set up the high level panel, which has been referred to by both the Minister and the Conservative spokesman. When he was in London last week he emphasised the importance of its work and looked forward to its report in December. The Command Paper has been extremely useful in setting out the United Kingdom Government's position and their aspirations for the high level panel report. We would broadly support the objectives that are set out there.

We must undoubtedly improve the performance of the United Nations in the areas of conflict prevention and peace building. We have to take decisive action against terrorism and the counter terrorism committee has been an important step in that regard. As the issues in India, Pakistan and, most pressingly at present, in Iran confirm, we have to strengthen our understanding of nuclear proliferation and the measures that we can take to counter it. I hope that the Minister will also be able to reflect on the worrying reports in the last few weeks in Iraq about the loss of some of the technology that might have a nuclear input.

Equally, returning to the Government's priorities for the high level panel, we cannot ignore the linkages between poverty and conflict and the close relationship they have with environmental degradation. Perhaps the most important issue that the Government highlight, which we also recognise as crucial, is item d) on page 4 of the Command Paper. It relates to

> "the circumstances in which military action should be authorised to prevent a threat from materialising by acting at an early stage, and to deal with overwhelming humanitarian catastrophes".

That is the nub of the huge debate that we have had here in the United Kingdom in the past few years, but also internationally. We may have our differences of opinion about how we got into conflicts, not least in Iraq, but the lessons to be learned from Iraq, Rwanda and Kosovo must tell us that we all have a collective responsibility to re-examine this issue. Like the hon. Member for South-West Devon, I hope that when the panel publishes its reports, we will again have the opportunity to debate the reform of the UN—not least because of this issue.

Sorting out what the UN should be focused on and what it should legitimately sanction is a key priority, but ensuring that it has the capability to act is equally important. The political legitimacy of the organisation is crucial; the expansion of the permanent membership will be a test of that. There is probably reasonable cross-party consensus on that. For our part, we support the so-called G4 of Brazil, Germany, India and Japan in their efforts to obtain permanent membership. Indeed, we would probably go further and agree with the hon. Member for South-West Devon that a significant African country—be it Egypt or South Africa—should be included as well. We add the caveat that we should ensure that all such candidates comply with any obligations they have under existing UN Security Council resolutions.

In their papers, the Government set out some other key aspects of the Security Council that we support, such as the need for greater transparency in the way in which it operates, the ability to open sessions to other members of the UN so that they can comment on and participate in key debates on issues facing the world and, perhaps most importantly when we consider what is happening at the moment, the need to reform our sanctions regimes. We must ensure that both an effective body of sanctions and a credible mechanism for ensuring that they are enforced are available to us. We also welcome the thrust of the reform proposals contained in the paper to do with peacekeeping, the General Assembly, the secretariat and the multitude of UN development funds and programmes, not least as we build up to the 2005 summit, at which the progress made on the 2000 millennium declaration will be considered.

The UK's role in the UN, which has been commented on today and to which I paid tribute in last year's debates, is significant. We are reminded once again in the Command Paper of the sheer size of the UK budgetary contribution—at £623 million, it is not an insignificant amount. We also have consistently strong diplomatic representation at the UN. In the next year, the UK will have a pivotal role in the G8 and EU presidencies. We look forward to the Government maximising their contribution to the debates when we hold those important positions.

At the outset, I suggested that there is a reasonable degree of consensus about the UN, although we have our differences about specific issues, over which we have had confrontations from time to time. Whatever those disagreements, we must all unite in recognising the need for an effective multilateral organisation that is able to tackle global problems and their underlying causes, not least when our security is at stake. The UN faces unprecedented challenges and a need for reform, but it is a powerful and invaluable organisation, which we continue to support wholeheartedly.

4.20 pm

Mr. Mark Lazarowicz (Edinburgh, North and Leith) (Lab/Co-op): I, too, welcome the fact that the Government arranged this debate, and welcome the publication of the second report on "The United Kingdom in the United Nations". At a time when many decry the work of the UN, the document is a testament to its valuable work, both directly and through its agencies, in helping to tackle some of the problems of the poorest in the world and of victims of war and terror; indeed, they are often the same people.

The document also reminds us of the important work done by many UN agencies in other fields of activity that do not always attract so much media coverage—everything from bodies essential to the world economy and communications, such as the International Maritime Organisation and the International Civil Aviation Organisation and others, such as UNESCO. I make special mention of UNESCO, not least because about 10 per cent. of my constituency is situated in one of its world heritage sites; and the city of Edinburgh has just been nominated as UNESCO's first international city of literature.

That is an indication of the breadth of interest of the United Nations and its agencies. I have no difficulty with the proposition that, with so many interests and concerns bringing so many countries together, a range of international agencies should be working in such ways. It is useful to have positive examples of successful international co-operation on record. I welcome the Government's robust recommitment to the UN, and the general all-party support for the UN that has been expressed this afternoon.

The key issue in our debate and in the more general debate outside is the recognition that, for all the UN's achievements, the international community has failed to tackle some of the most important issues of our day. Those hon. Gentlemen who have spoken referred to some of those failures. That is why it is right to consider how and to what extent the UN can be changed so as to allow it to become a more effective mechanism, whereby the international community can respond to the pressing challenges of the day.

I mentioned the failures of the international community; I say the international community rather than the UN, because the UN is the voice of the international community. However, those failures are an argument for strengthening the UN's ability to tackle such problems; they are not an argument for weakening the UN. It is essential that, in their international actions, Governments ensure that what they do strengthen the UN rather than contributes to its weakening.

I welcome the setting up of the high level panel by the Secretary-General, and the contribution that the Government made to that panel, which is set out in the annexe to the paper. Getting a consensus—a consensus not only on the lowest common denominator but a consensus for real change—is probably one of the most important objectives in international diplomacy today. I, too, hope that at an appropriate time, we have the opportunity to discuss those recommendations in a major debate on the Floor of the House.

I welcome the emphasis in the Government's contribution to the high level panel, but if we are to move to a UN that

"deals with threats to international peace and security",

a move to what effectively is a more interventionist UN, the emphasis has to be on developing a proactive and preventive response to stop threats turning into actual attacks or conflicts. I, too, strongly endorse the proposals in the Government's paper for the UN to have a strengthened analytical capacity to identify threats and to make possible responses to threats at an early stage.

I welcome also the proposals to improve UN peacekeeping operations. I would be particularly interested, either today or later, in hearing from the Minister how we could strengthen the civilian peacekeeping capacity of the UN and, indeed, of the UK, as well as the military peacekeeping capacity. It is essential also to strengthen the multilateral proliferation regimes. Again, the Government refer to the verification regime for the biological and toxin weapons convention and the strengthening of the safeguards division of the International Atomic Energy Agency. I would welcome an update.

I accept that a more proactive response to some of the challenges that face the world community may require military intervention, and that in some cases, if military action had been taken at an earlier stage, some of the problems that face us now might not have arisen. Equally, there are many examples where crises in the international community could have been prevented or conflicts or wars averted, if a more proactive peacekeeping, developmental or diplomatic approach had been adopted earlier. It is therefore right for the Government to emphasise in their paper that military action should be the last rather than the first resort.

I would go further than that and strongly argue that any military action should be undertaken only with the clear endorsement of the international community, which is expressed normally through the UN or a regional arrangement, such as the African Union, which is referred to in the paper.

[Mr. Mark Lazarowicz]

The events in Iraq in recent years are obviously the backdrop to this debate. Without going into that debate now, I do not think that anyone would dispute that our position in Iraq could well have been different and better if a degree of consensus on the right course of action could have been achieved in the UN at an earlier stage. It is for that reason that I cannot accept the argument that is put forward in some quarters that we should legitimise a more general right for states to take action to intervene militarily in other countries, unless that action either has the clear endorsement of, preferably, the UN or enjoys a clear international or regional consensus. Without such endorsement, I am worried that we will legitimise the right of, bluntly, big powers to interfere in the internal affairs of other powers, not for genuine human rights reasons, but because that suits their national interests.

When I refer to big powers, I do not use that as a code for any particular big powers, such as the USA, or smaller, more medium-sized powers, such as the UK. By big powers I mean any state that is in a position of military superiority to its neighbours. There are many small powers in the world that are nevertheless substantial military players in their own areas. We must be very careful indeed about endorsing the development of legitimising a general right of states to intervene in other countries in that way. The example of Iraq has surely shown that easy assumptions about remodelling the world with quick, surgical military action can be proved wrong in reality.

In saying that, I certainly do not argue that the world should stand idly by in the face of humanitarian crises or the flouting of the international community's will by repressive regimes or failed states. However, any action must surely have clear foundations in internationally accepted legal principles, in a clear and internationally endorsed legal order that reflects the clear consensus of the international community.

Above all, the emphasis must be on conflict prevention, tackling the underlying factors that lead to international tension and on ensuring that the UN and Governments consistently support human rights and democracy throughout the world. What that means in practical terms is that the Government should continue their efforts to strengthen the UN and allow it and its agencies to work more effectively. The programme for change that the Government set out in their annexe to the paper has my general support. We also need to press for reforms within the UN institutions, to ensure that the promotion of human rights is taken more seriously in those agencies. We certainly cannot accept, for example, the scandal of countries with abysmal human rights records taking a leading role in the UN Commission on Human Rights.

Reforming the UN also means that the UK should ensure that, as part of our efforts to combat terrorism, we do not find ourselves getting too close to regimes with questionable human rights records. We all know that a questionable human rights record almost guarantees that at some stage the country in question will become the focus of either internal or external conflict and, in some cases, a recruiting ground for further terrorism. In general terms, the agenda that the Government have set out in their document deserves to be supported and to be debated both in the Chamber and more generally in the country.

The changes will require considerable effort at international level. I am sure that my hon. Friend the Under-Secretary is actively involved in such efforts in many forums. I am glad that he spoke of the importance of pursuing the agenda through the European Union, because we have significant influence as a state there, and it is perhaps appropriate in a week when the Heads of Government are signing the constitutional treaty to mention the importance of the EU developing a stronger and more coherent policy on human rights. It is to be hoped that then the EU common position on human rights in international forums, such as the United Nations, would be stronger.

Some might regard it as strange to refer to an EU role in this context on the day after the EU failed to agree on the membership of the European Commission for the next five years. However, in my view the events in Brussels of the past few days have emphasised how an increasing common concern is felt throughout Europe on issues such as equality and human rights. There is an opportunity for the UK, in the second half of next year, to build on that common concern to ensure that Europe uses its considerable collective influence to work for the reforms that we all agree are necessary in the UN and the international system.

The Government have presented a generally excellent report today and it deserves much wider publicity throughout the country. I shall try to ensure that it receives that in my area and that it contributes to the debate about the future of the UN. That debate is not only for parliamentarians but is one in which the entire country should be involved.

4.32 pm

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): I am pleased to be here in the Chamber after an absence of several months, with you in the Chair, Mr. Deputy Speaker, and following the speech of the hon. Member for Edinburgh, North and Leith (Mr. Lazarowicz). The contributions this afternoon have been well informed, and this is a high-profile debate. I declare the fact that I was part of an all-party group that visited the United Nations last November.

This debate on the United Kingdom in the United Nations has for its background the Government's Command Paper Cm 6325, from which I have already quoted. It is an informative document. It is comprehensive, but it is very bland and I wish that it had a little more spice and a little more idea of the action that the British Government will take to support and enhance the actions of the United Nations. We can all agree, in this Chamber and much more widely, that we want a properly functioning United Nations—indeed, one that functions better than at present.

The United Kingdom has a pivotal role to play in bringing that about. Not only, as we have heard today, is it one of the largest donors, but it has, next year, the presidency of the European Union and the G8. It is also probably the closest ally of the United States, where we have considerable influence—and where we shall no doubt continue to have such influence after the election next week.

The report is interesting in that it shows what a broad field the United Nations gets involved in—everything from the International Court of Justice, to forests and the environment, to refugees and human rights. Those are all very laudable, but, as my hon. Friend the Member for South-West Devon (Mr. Streeter) said, perhaps if the United Nations did a little less, but did it better, we should be better off.

I want to focus on a few matters. As a former chairman of the all-party group on population, development and reproductive health, I welcome the UN's work in the United Nations Population Fund and the International Conference on Population and Development—particularly the goals that were set at Cairo. I note from the report that 2004 is the ICPD's 10th anniversary year. The report states, on page 37:

> "At its anniversary session this year the CPD adopted a resolution reaffirming the importance of the ICPD and implementation of the Programme of Action."

I have heard that somewhere before, fairly close to where Opposition Members are sitting. Nevertheless, "action" is a good word, and I welcome the work that the UN is doing on promoting sustainable populations and reproductive health.

Another page that I turned to in the report relates to the UN commission on narcotic drugs. Again, the document is very bland. The opening statement, at paragraph 250, says:

> "The Commission on Narcotic Drugs (CND) is the central UN policy-making body dealing with drug-related matters. It analyses the world drug situation, develops proposals to strengthen the international drug control system and is the custodian of the three UN conventions that form the basis of national and international drug control."

What a pity, as the United Kingdom has been playing a major role in trying to reduce the amount of heroin coming out of Afghanistan, that since that time, production and the amount of heroin coming to the UK have rocketed to such an extent that the price on the streets has dropped so that it is only a very little more expensive than cigarettes. That is having a very unfortunate effect on young people in this country. I hope that the Minister will say something about what we are doing to address that problem. The Royal Navy is doing an excellent job picking up ships in the Mediterranean, but that is only part of the problem. The moment that we close off one route, the drug barons, who make huge profits from drugs, find another.

Let me move on to a different subject altogether: international law and how it can be upheld through the UN. In his Sedgefield address of 5 March, the Prime Minister, perhaps rightly, raised doubts about the ability to address vast humanitarian problems around the world through the current international legal framework. He said:

> "It may well be that under international law as presently constituted, a regime can systematically brutalise and oppress its people and there is nothing anyone can do, when dialogue, diplomacy and even sanctions fail, unless it comes within the definition of a humanitarian catastrophe . . . This may be the law, but should it be?"

The need to ensure that that framework is successfully amended is pressing, because only under the rule of law can a Government act legitimately, either at home or abroad. I do not think that I have ever agreed with anything that the Prime Minister has said as much as I did with those statements.

Her Majesty's loyal Opposition have consistently upheld, throughout their existence, the rule of law. We were therefore very concerned about the basis on which we went into Iraq. I do not want to go over that particularly, but on 13 March 2003 I questioned the then Leader of the House, the right hon. Member for Livingston (Mr. Cook). I said:

> "The Leader of the House said this morning, in very profound terms, that the Prime Minister would not go to war unless he believed that he had proper legal cover."

The then Leader of the House replied:

> "It follows logically from what I said that the Prime Minister is satisfied that he has adequate legal authority in international law for any action that may be taken . . . I repeat, that the Prime Minister will take no action that he believes to be inconsistent with international law."—[*Official Report*, 13 March 2003; Vol. 401, c. 441.]

I wonder whether the Government would stand by that statement now.

Irrespective of whether the Government were right and whether they had legal cover to go into Iraq, we are where we are; there is not much point rehearsing that argument. The argument that we need to rehearse—I made this point strongly in my speech last week in the debate on defence in the world—concerns the need to concentrate on a rehabilitation and reconstruction plan for Iraq. The whole thing seems to be going perilously slowly. The Government need to put much more effort into that. As I said last week, unless we get right the basic things, such as electricity, water, sewerage and adequate housing, schools and health—which we all take for granted in this modern civilised country of ours—the Iraqi people will not feel safe or that they want a stable democracy.

I therefore want to refer to the arms-for-food programme, whereby so much money has been embezzled. We know that Saddam Hussein had a system of discount vouchers, but unfortunately it is still going on in the UN. We have heard all the stories about UN officials being involved, so my intervention on the Minister was pertinent. The investigation by Kofi Annan should be made public, so that we can all see clearly and openly what exactly the UN has been up to.

As I said in an intervention on my hon. Friend the Member for South-West Devon, I believe that establishing a more broadly based peacekeeping force in Iraq through the United Nations is essential. I am not sure whether we can achieve democratic elections in Iraq in February, but whether we can or cannot, there is no doubt that it will still be necessary to have substantial peacekeeping forces of some sort in Iraq. It would be much better if we had more broadly based forces, from Asian countries and with a more Muslim slant, so that the people of Iraq saw them as more acceptable. As I said earlier, they would be seen as genuine peacekeepers, rather than, as some sections of the Iraqi people unfortunately view us now, as occupiers because we are not of their beliefs, religion and culture.

I raised earlier another problem in that region, which is that of Iran. There is no doubt that until we get a stable situation with Iran, we will find it very difficult to achieve a stable situation in Iraq. The dictum always used to be that if Iraq and Iran had roughly equal strength of force, that would keep the peace. The problem is that, as we know, Iran is building up its air force and army. Unfortunately, it also looks as if it is moving towards a nuclear capability.

[Mr. Geoffrey Clifton-Brown]

I stress to the Minister—I hope that the Government will take this seriously—that through the International Atomic Energy Agency, which is a UN agency, we must insist on having full completion of Iran's declarations under the nuclear non-proliferation treaty. As I said in a speech last week, if it does not do that, we must build a broad diplomatic effort involving Russia, China, our major European allies France and Germany, and the United States to put increasing pressure on it.

My hon. Friend the Member for South-West Devon was a little unkind about the UN in saying that he could not think of much good that it had done. I think that that is what he said—I hope that I am not misquoting him—and I somewhat disagree with him. One thing that it has done, which might be connected with military action in Iraq, involves the sanctions on Libya, a country which has been one of the great success stories. Smaller conflicts, such as in Sierra Leone and Liberia, have also been success stories for the UN.

The problem is that the UN relies heavily on the good will of its members. We are a fully participating member, and we try to help wherever we can, perhaps to the detriment of some of our military forces, which feel overstretched at the moment. However, that is a different subject for a different day. The problem is that the UN can act effectively as a peacekeeping force only when it has assets or access to assets under its close control. That involves funding, and although I do not want to criticise the United States, because it is a close ally, I believe that it is not quite pulling its weight in funding the UN. The US is getting better at paying its dues, but there is still a $194 million shortfall in its payments to the UN as of May 2004. Indeed, the UN website says:

> "Along with several other factors, this situation has created a possibility that the United States may accrue new arrears to the United Nations and several of its specialized agencies."

As I said last week, I hope that the British Prime Minister will be the first to be phoned by the US President, whoever he is, after the election. I hope that the Prime Minister will first congratulate him, but secondly say that we should have a new middle east peace initiative. We have not talked much about the middle east, but I will move on to that. I hope that the third thing that the Prime Minister and the next President do is say that they want a properly functioning United Nations and that they must fund it properly.

Today's news from the middle east that Yasser Arafat is not well is disturbing. I hope that he makes a quick recovery but that, whatever happens—even if he is not able to continue to lead the Palestine Liberation Organisation—neither side will use this as an opportunity to increase its military activity. We need a wider middle east settlement, because the lack of such a settlement is one of the things that gives the terrorists the excuse to carry out their vile activities—incidentally, that is also the situation in Iraq.

We would go a long way towards solving the world's terrorist problems if we had a lasting, viable peace settlement in the middle east. That will involve the Palestinians having a viable state—the Israelis must accept that. Having said that, I warmly welcome Prime Minister Sharon's initiative in leaving the Gaza strip, and I hope that we will now make real progress. However, that will require the involvement of the UK Government, their EU partners, and particularly the United States and other allies such as the Chinese and the Russians. We tend to forget those last two allies, but they are very important in terms of establishing a lasting world peace.

I have just come back from China. It is interesting that the Chinese are becoming much more prepared to engage in world diplomatic efforts, as we have seen in the past few weeks over North Korea. At present, therefore, the UK Government have an opportunity—a window—to make great diplomatic efforts with the Chinese, who are very friendly towards the British. That would do us a power of good in terms of diplomacy but also in terms of the increasing trade that we could do in China. China has increased its GDP by 10 times in the past 10 years, but it still has huge problems. It has 600 million citizens doing quite well, but 700 million citizens who are virtually on the poverty line, so there is a lot of work to be done there.

This has been an interesting debate. The Government are right to hold an annual debate. I hope that next year the debate will be held in the House, and that we will all have more time to develop some of the themes at greater length, because they are incredibly important. I wish the Government well with their efforts with the United Nations. I hope that when we return to the debate next year, they will be able to tell us of the substantial progress that they have made, assuming that they—rather than we—win the election.

4.48 pm

Valerie Davey (Bristol, West) (Lab): I am pleased to have the opportunity to make a brief contribution to the debate. I begin by thanking my hon. Friend the Minister for introducing the annual debate in the week that United Nations day occurs.

Hon. Members have made valuable contributions to a wide-ranging debate. I was therefore somewhat hesitant to draw attention to one specific corner of the world. However, I am emboldened to do so by the fact that, last week, a United Nations officer again drew to the attention of the Security Council the world's largest neglected crisis—the crisis in northern Uganda. That area has not yet been spoken about in today's debate, nor is it an area that is hitting the headlines at present. Yet, after Sudan, which is now—thankfully—receiving worldwide attention, the conflict in northern Uganda remains the most tragic in the world.

The officer who brought it to the Security Council's attention was Jan Egeland, who is the Under-Secretary-General for Humanitarian Affairs and the UN's emergency relief co-ordinator. I draw attention to the problem in order to highlight a situation about which we would like the UN to pass a resolution, but in which both the UN and the British Government feel unable to intervene directly. That is not to detract from the aid and support that this Government and many others have given to northern Uganda. However, as Jan Egeland said:

> "Where else in the world have there been 20,000 kidnapped children? Where else in the world have 90 per cent. of the population in large districts been displaced? Where else in the world do children make up 80 per cent. of the terrorist insurgency movement?"

It is an appalling situation; it happens in one area of a country that is a full member of the United Nations, and to which we have given credit in respect of the development of heavily indebted poor countries and other matters—for example, Uganda's tackling of HIV/AIDS.

Yet the 18-year rebellion of the Lord's Resistance Army against the Government has, as I said, forced 1.6 million Ugandans, half of them children, into squalid, overcrowded camps in order to escape the attacks and the killings. That number includes 40,000 night commuters—children who sleep under verandas, in schools, in hospital courtyards and in bus parking places, so as to evade the snare of the LRA.

It is heartrending that children are the perpetrators and the victims in that war; they are caught in the snare set by the LRA. It is a humanitarian tragedy. Only the United Nations can take action, but it has failed to bring about a solution. Kofi Annan led a seminar in the United Nations last year on child soldiers; it is an issue that we all think of as horrific when it is brought to our attention, yet year after year—18 years now—there is no solution to this absolute tragedy.

I am emboldened to bring the issue to the attention of the Chamber today in the context of a debate on the United Nations, to put it in the context of all we have said and to use it to highlight the urgent need for the reform of the United Nations for encouraging work on conflict resolution—if only action had been taken earlier—and especially for the restoration of peace.

In briefing the Security Council last week, Jan Egeland said that there were now some positive signals that the Ugandan Government were giving the situation a higher priority, and that there were more talks going on. He was convinced, as is everybody who has considered the situation, that there is no military solution in northern Uganda. The only solution is through reconciliation, and through the efforts of the Minister and those of others, especially in the Department for International Development. Work is going on in that respect. I trust that in his further contact with the United Nations, the Minister will highlight the issue again.

I welcome the valuable report, which I hope will be read more widely than just by the hon. Members present in the debate. I hope, too, that the UK will make a valuable contribution in the high-level panel, and that when we have this debate next year, there will have been real progress in some of the many areas that hon. Members have highlighted.

4.53 pm

Mr. Rammell: With the leave of the Chamber, Mr. Deputy Speaker, I should like to respond to some of the points that were made in the debate.

The debate has been very well informed and constructive, as were the debates last year. There is a strong cross-party consensus on this critical area of international policy. The Opposition spokesman, the hon. Member for South-West Devon (Mr. Streeter), pointed to the UN successes, for example in Afghanistan and Haiti, and rightly stated where the UN has failed in the past—Kosovo, Bosnia, Rwanda, Israel and Palestine, and Zimbabwe. In these debates, we sometimes criticise the UN as though it were a freestanding institution, but the United Nations is simply as good as the sum of its parts. The international community and individual nation states determine whether there is an effective international organisation.

The hon. Gentleman rightly asked what the United Nations is for.More than anything, the UN's role is to deliver peace, security and greater equality around the world, which is where the millennium development goals are so critically important. If we in the advanced developed world, where the fear of security and terrorist attack is so strong, want the UN to demonstrate that it is willing to combat those issues, as part of that bargain—even if we did not want to do it for other reasons, which we do—we must tackle fundamental concerns about poverty and inequality around the world.

The hon. Gentleman rightly questioned the number of different agencies and committees in the UN structure. At the very least, that point underlines the need for better co-ordination and prioritisation. One case that highlights the need for prioritisation is the decision by the Security Council to end what was effectively the *Hansard* reporting of every UN Committee. That programme is 27 years behind in its reporting and costs $2 million but, when the Security Council's proposal got to the General Assembly, it was blocked. Unless we are prepared collectively and internationally to take such decisions and stop that degree of unjustifiable activity so that money can be better spent, we will continue to struggle.

A number of hon. Members referred to the debate on the circumstances that justify military intervention. That is one of the most important debates that we must have.

The hon. Gentleman also referred to our views on the expansion of the Security Council. I am sure that he missed it inadvertently, but our views are set out in detail on page 4. For some time we have been in favour of having five additional permanent members. Germany and Japan should be included because of the substantial contribution that they already make to the UN structure, and India and Brazil should represent their particular parts of the world. A country from Africa should also be included, but it is not yet clear which country is in a pre-eminent position. We are also in favour of having five additional non-permanent members.

Mr. Clifton-Brown: Ever since I have been a Member of Parliament, there has been talk of having additional members of the Security Council, and I strongly support that. When does the Minister realistically think that that might be a prospect for some of the countries that he has just mentioned?

Mr. Rammell: Somebody referred earlier to whether one was prepared to take a bet on that matter. It is enormously difficult to create a consensus for the expansion of the permanent membership of the Security Council. There is a degree of cross-party consensus about which countries should be additional permanent members. However, for every one that is identified, another country in that region believes that it is equally validly justified in seeking a permanent seat. That is part of the problem.

[Mr. Rammell]

It will be interesting to see what the high level panel comes forward with and whether we can establish a consensus and move forward on the issue. I have no doubt that having the same Security Council structure that we inherited from the outcome of the second world war almost 60 years ago is not credible or justifiable. We need to move forward, but I do not underestimate the difficulty of that.

The hon. Member for Cotswold (Mr. Clifton-Brown) intervened on the hon. Member for South-West Devon and said that what we needed in Iraq was a UN force that would not be seen as an occupying force. There are two issues in that statement. First, I do not think that the vast majority of Iraqis view our troops, which come from 30 different nations, as an occupying force. However, that minority of insurgents and terrorists who regard them as an occupying force would take that view whatever the composition of the force. At the beginning of the debate, I referred to the attack on the United Nations last year. The idea that we would not face difficulty from the insurgents if we simply had a UN force is not borne out by the facts.

The hon. Member for South-West Devon talked about the possibility of thresholds for democracy and commitment to human rights values. That issue has been debated in the past, particularly with regard to the Commission on Human Rights. It is a good idea in principle, but turkeys tend not to vote for an early Christmas. The unanimity needed to agree that threshold would be very difficult to achieve, because the countries that would be needed to vote for it would be the ones that would be excluded on the basis of the threshold from certain decision-making forums.

There has been much comment on the oil-for-food programme. It is important that I set out in some detail exactly where we are on that. On 9 August, the Independent Inquiry Committee published an interim report that provides information on the oil-for-food programme and the status of the inquiry, including its terms of reference and staffing details. The interim report described only the initiation and early progress of the inquiry, and reached no substantive conclusions on the allegations of corruption.

Subsequently, on 21 October 2004, the Independent Inquiry Committee published a technical briefing document outlining the revenue generated and spent through the oil-for-food programme. The document also listed all those companies that participated in the programme, but emphasised that inclusion in the list did not in itself constitute an implication of illicit, unethical or corrupt behaviour.

We await subsequent reports from the Independent Inquiry Committee in 2005—the time scale that we have been given—which are expected to address the role of UN staff and contractors in the management of the programme, and the allegations of corruption surrounding certain UN personnel and entities that engaged in business with Iraq under the programme.

Several UK companies were involved in buying oil from Iraq and delivering goods to Iraq under the programme. Several foreign companies based in the UK were also involved. One UK company that had contracts under the programme declared in a statement to the London stock exchange on 22 July 2004 that prices payable on certain contracts were uplifted by an aggregate of £4.2 million. The company could not rule out the possibility that sums may have been returned to Iraq. At this time, however, we have no evidence of wrongdoing by any UK companies. It is important that we allow these investigations to proceed and that we co-operate with them, which we are quite properly doing.

The hon. Member for South-West Devon also asked me four questions on the oil-for-food programme, the first of which relates to the concerns expressed in 2000 by our former ambassador to the UN, Jeremy Greenstock, and what was done as a result. We proposed and gained agreement in the Security Council on a new pricing mechanism that had prevented Saddam Hussein from under-charging for oil and diverting profits. That mechanism was put in place. We also proposed other measures, such as preventing charging of illegal port fees, but could not secure agreement in the Security Council.

Secondly, the hon. Gentleman asked if the attitude of Russia and France in the Security Council was affected by benefiting from the allegations of corruption surrounding the oil-for-food programme. The important point to make is that there are allegations that Russian and French companies benefited, but the investigation has not yet completed its work. There is no evidence of a link to those countries' positions in the Security Council.

The Volcker report will take three years. The hon. Gentleman asked me if we could wait before investigating these matters ourselves. First, the Volcker team plans to report in early 2005 on some aspects such as the role of UN contractors and the overall UN management of the programme. Any information on UK individuals or companies has been passed to the relevant authorities. We do not yet have enough information to mount any prosecutions, but we will, of course, keep this matter under active review.

I was asked why the Foreign Secretary did not discuss the corruption allegations surrounding the oil-for-food programme with the Secretary General when he visited London recently. It is important to be clear that Kofi Annan has set up an independent inquiry in which, quite properly, he has no role. There were therefore no specific points to make about the oil-for-food programme to the Secretary General. Given that it is an independent inquiry, that is the right way to deal with the issue.

The hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore) made several points. He highlighted the important link between poverty and conflict. That is a very telling point, to which we need consistently to return. He also raised the issue of the loss of Iraqi weapons technology. We are aware of those reports, and they are being investigated and will be discussed in the Security Council next month.

My hon. Friend the Member for Edinburgh, North and Leith (Mr. Lazarowicz) raised a number of points. He talked about failures within the UN system and rightly identified that those are not failures of the system itself but of the whole of the international community and its failure to get agreement to act in the right circumstances. He also talked about the need for strengthened analytical capacity within the UN to ensure early intervention, whether by military or non-military means. That is an important point to make.

My hon. Friend also talked about the need for civilian capacity in early intervention. That is one of the reasons why the Foreign Office has established a post-conflict reconstruction unit. It looks specifically at the need, among other things, for civilian activities in post-conflict situations. If that model works—we believe that it can—it could be replicated on the international stage. One of the ways in which we are currently working on the civilian front is through support for civilian contributions to peacekeeping missions. We have 10 civil police officers in Sierra Leone and 105 in Kosovo. That is just two examples. We also provide training support.

The hon. Member for Cotswold raised several points. He stressed how there is such a broad range of activities within the UN system. That is an important point, to which several hon. Members referred. We must recognise, and the UN must recognise, that it is not a world Government. That is not what it should try to do. That should therefore imbue all of us within the UN with a real responsibility to take care of the activities and functions that the UN takes up. It must not be so stretched and unco-ordinated that it cannot take effective action.

The hon. Gentleman also referred to both the UN's assessment of Afghanistan counter narcotics and our role as lead nation in trying to tackle that problem. He referred to the reports that have been published recently, as a result of the UN survey for this year, about increases in cultivation. I will be in Brussels on Thursday with Mr. Costa to give the details of that report. We have for some time been saying that we expected an increase in cultivation this year. That does not mean that our efforts or anyone else's have failed, but it does mean that this problem will take time to tackle. That is certainly the experience in any country that has successfully tackled the drugs problem in this way. It took a considerable time to turn round the situation in Pakistan and Thailand.

My reason for having a degree of confidence about Afghanistan is that the building blocks of our strategy in terms of eradication, interdiction, alternative livelihoods, police, judicial capacity and the need for high-level arrests, are all in place. We obviously must assess the degree of commitment that we give to each of those tasks but that has to be the right way forward. The real test of whether what we are doing on the drugs front in Afghanistan is working will come this time next year when all those elements have been in place for a sufficiently long period. I believe that it will work, but that will be the crunch point.

The hon. Gentleman also referred to the war with Iraq. He asked whether we still stood by our legal justification for that war. I can assure him that we do. The combination of resolutions 678, 687 and 1441 gave effective legal force to military action. Bluntly—this is the point that is sometimes forgotten in these debates—resolution 1441 gave Saddam and his regime a last chance to comply. That chance was not taken, which was the reason that we went to war, and for no other reason.

The hon. Gentleman referred also to his concerns about Iran. I share some of them. We have been taking a lead on the question with the French and Germans, and I reiterate that we are calling on Iran to give full, open and timely co-operation to the International Atomic Energy Agency. Bluntly, that is not happening. The IAEA board of governors met between 13 and 17 September to discuss the director general's latest report on Iran, which reviewed the steps that have been taken during the past three months.

The board adopted a resolution that established a clear decision point. Iran can meet international requests or face referral to the UN Security Council. We are working with our partners to set out in detail what Iran needs to do before the November board meeting. The subject is open for discussion and resolution in the longer term if Iran does so. We and many of our international partners seek to put concerted pressure on the Iranian Government to achieve that end.

The hon. Gentleman rightly highlighted China's role in international affairs at the UN. Like him, I was in China earlier this week. He was right, however, that the Chinese Government are much more prepared to engage in international affairs and to take a lead than historically has been the case. North Korea is the best example of that. We are trying to match that. We have established a comprehensive, strategic partnership, and we are constantly engaging with the Chinese on those issues.

Finally, my hon. Friend the Member for Bristol, West (Valerie Davey) rightly highlighted real concerns about the situation in northern Uganda. My hon. Friend often speaks about the issue. Unfortunately, as with so many conflicts in Africa, not enough international attention is given to such problems. If the loss of life that happens in conflicts in Africa happened on the same scale in other parts of the world, media attention would be far more significant, as would international efforts to resolve them. Nevertheless, she was right to refer to the significant aid and support that the Government are making. We will continue to do so.

We have had an extensive and productive debate. I hope that we can return to these critical issues, either in Westminster Hall or on the Floor of the House.

Question put and agreed to.

Adjourned accordingly at twelve minutes past Five o'clock.

Questions Not Answered Orally

The Government were asked—

Acceptable Behaviour Orders

10. **Mr. Mark Field**: How many acceptable behaviour orders have been issued in each police force since their introduction. [193731]

Caroline Flint: The Home Office does not routinely collect statistics on the use or otherwise of acceptable behaviour contracts—ABCs. ABC schemes, also known as acceptable behaviour agreements, are voluntary and have been developed by a range of agencies whose role it is to prevent such behaviour. Figures released today from the National Survey on Antisocial Behaviour show that 5,383 contracts have been signed in England and Wales and 45 of these ABCs have been issued in the hon. Gentleman's constituency. I understand from Westminster's return to this survey that its overall antisocial behaviour strategy has proved successful in improving community confidence.

Registered Social Landlords (ASBOs)

11. **Mr. Gerald Howarth:** How many antisocial behaviour orders have been applied for by registered social landlords in each year since 2002. [193732]

Phil Hope: The number of antisocial behaviour orders, as notified to the Home Office, where the main complainant was a registered social landlord is as follows: January to December 2003: 24; January to June 2004 (latest data available): 29.

Fly-tipping

12. **Mr. Wilshire:** If the Government will make fly-tipping an arrestable offence. [193733]

Alun Michael: All offences that on first conviction can receive a prison sentence of five years or more, which includes hazardous waste fly-tipping, are already arrestable under the Police and Criminal Evidence Act 1984. DEFRA has recently consulted on a range of proposals in the fly-tipping strategy and clean neighbourhoods consultations, including ensuring the main fly-tipping offence provides a greater deterrent. Measures will be brought forward at the next legislative opportunity.

Colleagues in the Home Office have also recently consulted on proposals to make all offences arrestable, provided that they are a serious enough example. If these proposals are brought forward, there will be no need to make specific changes to waste legislation.

13. **Mr. Swayne:** What steps the Government are taking to reduce the antisocial dumping of (a) hazardous and (b) other waste. [193734]

Phil Hope: The illegal disposal of both hazardous and non-hazardous waste is a serious criminal offence. The Government are committed to ensuring that it is dealt with appropriately and are taking steps on a number of fronts. Measures to help tackle fly-tipping have been included in the Anti-social Behaviour Act 2003, which were commenced from 31 March 2004. DEFRA has also recently consulted on a range of measures in the clean neighbourhoods consultation, which will be brought forward at the next legislative opportunity.

Duration of ASBOs

14. **Mr. Gibb:** What was the average duration of antisocial behaviour orders issued in each year since 1999. [193735]

Caroline Flint: Figures relating to the average duration of antisocial behaviour orders are not collected centrally. However, we collect figures on the number of ASBOs issued by duration of order. The minimum duration of an ASBO is two years but there is no maximum period. An ASBO may be made for an indefinite period. It is for the court to decide the duration depending on the age of the recipient and the severity of their antisocial behaviour.

Unlawful Pollution

15. **Mr. Blunt:** What discussions the Government have had with (a) the Environment Agency, (b) local authorities and (c) police authorities regarding the policing of unlawful pollution of the environment.

Alun Michael: The Government take a joined-up approach to the whole continuum of antisocial behaviour, from the low level environmental crime including fly-posting, graffiti, abandoned vehicles, noise and light pollution, through to more serious crime. In the case of environmental damage and pollution Departments across Government work closely to support co-operation between the Environment Agency, local authorities and the police authorities, including dealing with the policing of these issues.

Police Costs

16. **Mr. Francois:** How much the Government estimate is the cost to the police of dealing with (a) fly-tipping (b) abandoned cars and (c) graffiti, (i) nationally and (ii) by police force. [193737]

Caroline Flint: We do not ask police forces to provide details of cost estimates to deal with fly-tipping, abandoned cars and graffiti either nationally or by police force.

We provide grant for police authorities based on overall estimates of their relative needs for the main sweep of policing. It is for the police authority and chief officer locally to determine precisely how to organise their budgets to address local problems.

Graffiti

17. **Tom Brake:** To ask the Secretary of State for the Home Department, when he will extend to other areas the trial which allows local authorities to charge businesses for graffiti removal after failure to respond to a graffiti removal notice. [193738]

Caroline Flint: The graffiti removal notice provisions in the Anti-social Behaviour Act 2003 are being piloted in 12 local authority areas. It is already evident that the pilots have worked extremely well and other local authorities are keen to replicate the partnership arrangements that have been established. We are currently undertaking a regulatory impact assessment on the impact of the powers and consulting on the guidance which has been issued. The consultation period formally closes on the 31 December 2004. The responses will then be considered and a formal announcement made in early 2005.

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(HANSARD)

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11 October 2004

Written Ministerial Statements

Monday 11 October 2004

TREASURY

Responsibility for Tax Policy

The Paymaster General (Dawn Primarolo): In line with the recommendations of the O'Donnell review and the Chancellor's Budget statement in March, the new arrangements for the development and maintenance of tax policy are now in operation. HM Treasury has assumed responsibility for policy development, working very closely with Inland Revenue and Customs and Excise. Copies of the O'Donnell report are available in the House Libraries.

United Kingdom Listing Authority Objectives 2004–05

The Financial Secretary to the Treasury (Mr. Stephen Timms): The Financial Services Authority, acting in its role as the competent authority for listing, is referred to as the United Kingdom Listing Authority. Every year, the operational objectives of the UKLA are discussed with the Treasury. The annual objectives for 2004–05, which the Treasury has endorsed, will be placed in the Library, and also put on the Treasury website.

DEFENCE

Reservists (Operation Veritas and Related Operations)

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): I have signed a further call-out order for reserve forces for operations in Afghanistan. The new order will enable reservists to continue to be called out into service to support the stabilisation and reconstruction operations. It is effective until 30 September 2005. Over 70 reservists were called out under the order made last year. Reservists currently provide about 12 per cent. of the total UK force in Afghanistan. We continue to be most grateful for their continuing commitment and the invaluable contribution they make to the work that UK forces are undertaking in Afghanistan.

Government Response to Defence Committee's Report on Defence Procurement

The Minister of State, Ministry of Defence (Mr. Adam Ingram): I can announce that Command Paper Cm 6338, which sets out the Government's response to the House of Commons Defence Select Committee report on Defence Procurement, will be published today.

It is the Government's opinion that the House of Commons Defence Select Committee report on Defence Procurement, published in July, was a flawed document. Our response rejects many of the report's findings. It is unusual for the MOD to reject major elements of a report written by the Defence Select Committee. Regrettably, however, we have taken this action because the report made claims that were not and could not be substantiated and was selective in the way it used evidence.

War Pensioners Report 2003–04

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): I am publishing today the "War Pensioners Report" for 2003–04.

Publication of the "War Pensioners Report" is an annual event dating back to before the second world war. It is a joint document presented to Parliament by my right hon. Friends the Secretaries of State for Defence, Health, Scotland and Wales.

The 2003–04 report provides an account of the administration of the War Pensions Scheme and the various services provided for war pensioners during that period. The report provides a variety of data on degrees of disability, pensioner age profiles, rates of pensions etc. and details of what the war pensions committees and the Central Advisory Committee on War Pensions were involved in during the course of the year.

I am placing copies of the report in the Library of the House.

DEPUTY PRIME MINISTER

Government Response to ODPM Committee Report on Local Government Revenue

The Minister for Local and Regional Government (Mr. Nick Raynsford): We are publishing today the Government response to the ODPM Select Committee report on local government revenue. We welcome the Committee's report as another very helpful contribution to the important debate about local government finance.

There is significant common ground between this report and that of the balance of funding review that was published on 20 July. We now look to the Lyons inquiry to consider the detailed case for changes to the present system of local government funding, and to make recommendations on any changes that are necessary and how to implement them.

FOREIGN AND COMMONWEALTH AFFAIRS

Recent Sanctions Change: Moldova

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): On 26 August the Council of the European Union adopted Common Position 2004/622/CFSP. This amended Common Position 2004/179/CFSP (24 February 2004) that imposed travel restrictions on the leadership of the Transnistrian region of Moldova responsible for preventing progress in arriving at a political settlement of the conflict. In light of the widespread intimidation campaign being conducted against teachers, parents and students of Latin-script Moldovan schools in the Transnistrian region, the list of individuals subject to a travel ban by Common Position 2004/179/CFSP was expanded to include those persons responsible for the campaign against Latin-script schools.

Iraq: Export Licence System

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): On 8 June the United Nations Security Council adopted Resolution 1546 reaffirming the arms embargo on Iraq and introducing new exemptions for supplies of arms and related materiel required by the Government of Iraq or the multinational force (MNF) to serve the purposes of the resolution.

Upon receipt of an application to export arms or related materiel to an end user not explicitly exempt from the embargo, Her Majesty's Government will seek certification on a case-by-case basis from the Government of Iraq or the MNF. The certification is to ensure that the proposed export is required to serve the purposes of Resolution 1546 and is therefore exempted from the embargo. A certification process has been established with the Government of Iraq.

WMD Proliferation: UK Report Under UNSCR1540

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): In my written statement on 25 February 2004, *Official Report*, columns 46–49WS, on countering the proliferation of weapons of mass destruction (WMD), I expressed the hope that the UN Security Council would adopt a tough resolution against WMD proliferation, and establish an appropriate follow-up mechanism to oversee its implementation.

Both of these aims have now been achieved. UN Security Council Resolution 1540 (UNSCR1540) was adopted on 28 April this year. The resolution called on states to adopt robust national legislation to criminalise the possession, manufacture or trafficking of WMD, and their means of delivery, in particular for terrorist purposes; to develop appropriate, effective export controls on WMD related materials where these do not exist; and to maintain effective physical protection of such materials.

UNSCR1540 also established a committee (the 1540 Committee) to oversee its implementation, and called on all states to report on their implementation of the resolution by 28 October.

On 29 September the UK submitted to the Security Council its report on implementation of UNSCR1540. The UK's report under 1540 has been agreed interdepartmentally, and endorsed by the cross-Whitehall Counter-Proliferation Implementation Committee (CPIC).

We are one of the first states to submit its report to the 1540 Committee, underlining our commitment to UNSCR1540 and to counter-proliferation. I hope that the UK report will help set the standard for other states to follow, both in terms of structure and detail of the report itself, as well as in terms of concrete action to prevent the proliferation of WMD.

However, we will not rest on our laurels. The UK is continuing to review domestic implementation, as well as look at new initiatives to counter the proliferation of WMD and their means of delivery.

I am placing a copy of the UK's report in the Library of the House

HEALTH

Ministerial Accountability for NHS Foundation Trusts

The Secretary of State for Health (Dr. John Reid): As stated in my statement of 30 March 2004, *Official Report*, column 83WS, NHS foundation trusts (NHSFTs) are public benefit corporations, and, as such, are independent of the Department, and directly accountable to their local populations and to Parliament. Because of this independent status, and NHSFT's separate and local route of accountability, Ministers are no longer in a position to comment on, or provide information about, the detail of operational management within such trusts. Any such questions will be referred to the relevant NHSFT chairman.

To ensure that replies from NHSFTs are available to all Members, they will, from today, be placed in the Library.

TRADE AND INDUSTRY

British Energy: European Commission State Aids Approval

The Minister for Women and Equality (Ms Patricia Hewitt): On 17 June 2004, *Official Report*, column 48WS, I informed the House that I expected the European Commission to take a decision on the Government's proposed restructuring aid to British Energy in the autumn. I am pleased to say that on 22 September, the commission approved that aid.

This is a very significant milestone in the implementation of British Energy's restructuring plan. We have said from the outset that our aid complied with the commission's rules and this approval confirms that.

It is usual in restructuring aid cases for the commission to require the recipient of the aid to implement certain compensatory measures. In this case, the Commission's approval is subject to the following compensatory measures, which are stringent but workable:

> The company's nuclear generation business will be ring-fenced from its fossil fuel, supply and trading businesses to ensure the aid to the nuclear business is not used to cross subsidise any other of the company's businesses. This measure will last indefinitely. It is likely that this will be enforced through an undertaking between the DTI and British Energy although we have also discussed with OfGEM, the gas and electricity markets regulator, how this could best be enforced.
>
> No nuclear or fossil-fuelled capacity expansion (above British Energy's current capacity) by the company in the European economic area for six years, and no hydro-electric capacity expansion in the UK for the same period. This will be enforced through an undertaking between the DTI and British Energy.
>
> A restriction on the company selling to its industrial and commercial customers at prices below the prevailing wholesale market price for six years unless there are exceptional market circumstances as determined by an independent expert. This will be monitored by that expert and enforced by the Government.

In addition, the Commission has required the UK Government to provide more detailed reporting if payments in respect of British Energy's decommissioning and uncontracted liabilities and any incremental historic spent fuel liabilities exceed £1.629 billion. This enhanced reporting is so the Commission can satisfy themselves that the aid is being kept to a minimum and is only being used for authorised purposes. £1.629 billion is the net present value of the total of these liabilities as at December 2002, calculated using the Commission's discount rate of 5.4 per cent. nominal. Owing to the very long timescale over which these liabilities will be discharged, they are the most uncertain in terms of their value. The £1.629 billion does not include the aid we are giving in respect of British Energy's historic spent fuel costs valued by the commission at £2.185 billion, which are fixed, except for inflation. The estimate of the cost to Government (£150 million—£200 million a year on average for the next 10 years falling thereafter) given in my statement of 28 November 2002, remains unchanged.

Both to minimise Government's contribution and financial exposure to the company's liabilities, a number of measures have been put in place in the restructuring agreements. In particular, British Energy will contribute 65 per cent. of its annual free cash flow towards discharging its liabilities and, if there are material increases in British Energy's liabilities, the nuclear decommissioning authority will determine if the additional cost should fall to the company or to Government. British Energy's creditors have taken similar measures to protect their own exposures. Subject to these measures, many of which only apply when the company is cash constrained, British Energy has the freedom to run its business, in terms of corporate, operational and financial policies. It continues as a public limited company managed by its board of directors and subject to the normal private sector disciplines and requirements. The agreements strike a balance between protecting taxpayers' interests and ensuring these private sector disciplines maximise the company's contributions to its liabilities.

Under the Commission's rules, rescue aid ceases once the commission has reached a decision on the restructuring aid. Therefore, no further drawings can be made on the loan facility that the Government have made available to British Energy since September 2002. All drawings on the facility have been repaid with interest by British Energy.

The Government's main objectives in assisting British Energy remain safety and security of supply. A number of conditions of the restructuring remain to be satisfied, including that the Government must not have determined that British Energy will not be viable in all reasonably foreseeable circumstances. The condition remains in effect up to the restructuring effective date and the Government will continue to assess the company's viability until then. If the Government make such a determination at any time up to the restructuring effective date, or if there is a material adverse change in British Energy's position, the Government continue to reserve their right to withdraw their support for the restructuring. Therefore, contingency plans remain in place to secure our objectives if the restructuring plan fails for any reason and British Energy decides administration is the only option.

Women and Work Commission

The Minister for Women and Equality (Ms Patricia Hewitt): I am pleased to inform the House that on 27 September 2004 I announced the launch of the Women and Work Commission, an ad hoc advisory group comprising members drawn from both sides of the social partnership, plus experts in their respective fields. It has been set up to make recommendations to the Government on tackling the pay gap between men and women. The gender pay gap has narrowed considerably from around 30 per cent. when the Equal Pay Act came into effect in 1975, and more women than ever before—13 million—are in employment. But persistent differences in men and women's experience of the labour market remain. The gender pay gap currently stands at 18 per cent. for full-time workers and 40 per cent. for part-time workers. In a full employment economy it is imperative that we harness the skills and talents of every potential worker. The Women and Work Commission will bring forward recommendations to the Prime Minister within 12 months to build on this Government's proud record of action in this area.

The Women and Work Commission will look at:

how men's and women's education and skills affect which jobs they can get;

promotion and career progression—the 'glass ceiling';

women's experiences in the job market before and after having children; and

the different experiences of women working full-time and part-time.

The Women and Work Commission's Terms of Reference are as follows.

Women now make up 45 per cent. of the workforce, up from 38 per cent. in 1971. The Equal Pay Act and the Sex Discrimination Act in the 1970s were important milestones in breaking down the barriers to women's participation in the labour market. But wages are low in many occupations dominated by women and there is still a gap in mean hourly earnings between men and women: it is 18 per cent. among full-time workers and 40 per cent. for those women working part-time.

There are a number of factors influencing the gender pay gap. The DTI's review of maternity, paternity and flexible working legislation takes account of how caring responsibilities impact upon men and women's labour market attachment and their earnings. The Women and Work Commission will examine the other key factors shaping the difference in hourly earnings between men and women, including labour market experience, skills and education and discrimination. In investigating the impact of discrimination, the Commission will look at the measures necessary to strengthen equal pay legislation, including the case for equal pay reviews to be mandatory.

Making progress on the gender pay gap is a key priority because in a full employment economy we have to draw on the skills and talents of all potential workers, men and women, and remove obstacles to women's greater participation in the labour market. But it is also important because women have the right to expect a fair deal in the labour market.

The aim of the Women and Work Commission will be to look at these wide-ranging influences on the gender pay gap:

How men and women's educational experience and skills acquisition foreshadows occupational segregation.

General factors shaping women and men's labour market experience, including entry into employment, occupational segregation, full-time and part-time work experience, progression in the workplace and the tax and benefit system, as well as discrimination.

Women's experience in the labour market before and after having children As a substantial employer of women, the public sector warrants particular examination.

The Commission will make recommendations to the Prime Minister within 12 months from autumn 2004, taking account of the importance of promoting employability, the wider benefits to the economy and the impact on employers and public expenditure. The Commission will take account of the DTI review of maternity, paternity and flexible working legislation in shaping its recommendations.

I am pleased to welcome, alongside Margaret Prosser, Chair of the Women and Work Commission, the following members:

Chair: Baroness Prosser of Battersea

Members:

Sarah Anderson (Chief Executive, the Mayday Group),

Chris Banks (Chair of National Learning and Skills Council),

Kay Carberry (Assistant General Secretary, TUC),

Naaz Coker (Chair, Refugee Council & Chair, St George's Healthcare NHS Trust),

Debbie Coulter (Deputy General Secretary, GMB),

John Cridland (Deputy Director-General, Confederation of British Industry),

John Hannett (General Secretary, USD AW),

Sally Hopson (Retail and Managing Director (North Division), Asda),

Adeeba Malik (Deputy Chief Executive of Quest for Economic Development),

Stella Manzie (Chief Executive, Coventry City Council),

Julie Mellor (Chair, Equal Opportunities Commission),

Christine Ray (Group HR Director, The Rank Group),

Ruth Silver (Principal, Lewisham College),

Liz Snape (Head of Policy Development, Unison).

A call for evidence will be made later in the autumn. Any queries on the Women and Work Commission should be directed to Matilda Quincy, Secretary to the Women and Work Commission, Women and Equality Unit, DTI.

Written Ministerial Statements

Tuesday 12 October 2004

DEFENCE

Missile Defence

The Secretary of State for Defence (Mr. Geoffrey Hoon): The Ministry of Defence has signed an agreement setting out mechanisms for co-operation with the US in research, development, test and evaluation activities related to missile defence. This agreement is made under the framework memorandum of understanding on missile defence that I announced to the House on 12 June 2003, *Official Report*, column 57WS, and comes into immediate effect. I am placing in the Library of the House of Commons a copy of this agreement, although parts of the text relating to the handling of classified and export-controlled information have been withheld at the request of the US. This agreement replaces the 1985 strategic defence initiative memorandum of understanding as the vehicle for co-operation between the UK and US in the field of missile defence. It is intended that the new agreement will improve co-operation by providing information transfer and contracting mechanisms in keeping with current US and UK practices and the current state of development of the US missile defence capability.

Warship Support Agency

The Minister of State, Ministry of Defence (Mr. Adam Ingram): Key targets have been set for the chief executive of the WSA for financial year 2004–05 as follows:

Title	*Details*	*Target*
KT 1a—Provision of available force element days	The measurement of the number of days when the material condition of a vessel enables it to perform its scheduled task on that day.	To provide Commander-In-Chief Fleet (CINCFLEET) with the target level of available force element days agreed in the CINCFLEET/Defence logistics organisation (DLO) customer supplier agreement (CSA).
KT 1b—Provision of ready force element days	The measurement of the number of days when the material state of a vessel enables it to meet its required readiness category.	To provide CINCFLEET with the target level of the ready force element days agreed in the CINCFLEET/DLO customer supplier agreement (CSA).
KT 2—Timely completion of upkeep periods.	The measurement of the amount by which the upkeep periods overrun.	To meet the planned delivery dates for vessels undergoing deep maintenance and repair within the agreed upkeep factor tolerance.
KT 3—Timely completion of the high priority capability improvement programme	The measurement of the number of high priority upgrades implemented in accordance with the agreed and published installation plan.	To fit 87 per cent. of the high priority, type A capability improvements (alterations and Additions—A and A) selected by the equipment capability customer (ECC).
KT 4—Provision of single living accommodation	The measurement of the increase in available single living accommodation (SLA).	To provide CINCFLEET, 2SL/CNH and naval base lodger units with the required quantity and quality of single living accommodation for their entitled personnel as articulated in DLO CSA.
KT 5—Provision of operational support services at the naval bases.	The measurement of the delivery of operational support services to a satisfactory standard.	To provide CINCFLEET with the operational support services articulated in DLO customer supplier agreements (CSA) at the agreed ISO 9000 quality management standard.
KT 6—Maintenance of WSA capacity to support the naval force generation plan	The assurance that the agency has the capacity to contribute to the naval force generation plan.	To achieve a satisfactory assessment against all elements of the agency's contribution to the naval force generation plan.
KT 7—Delivering planned efficiencies	The measurement of the delivery of planned efficiencies.	To ensure delivery of 90 per cent. of the planned efficiency savings in the DLO benefits tracking tool that are scheduled to be achieved this financial year.

Support Vehicle

The Minister of State, Ministry of Defence (Mr. Adam Ingram): Following extensive work to identify the best way forward, the Ministry of Defence will appoint MAN ERF UK Ltd. as the preferred bidder for the support vehicle contract.

The support vehicle project is a tri-service procurement to replace the current cargo and recovery vehicle fleets. The new vehicles will bring the UK's armed forces a much-improved capability for transporting vital supplies to the front line while on deployed and expeditionary operations, together with a much enhanced recovery capability to deal with a greater range of damaged or immobilised vehicles.

Bids from MAN ERF UK Ltd., Mercedes-Benz UK Defence, the Oshkosh Truck Corporation and Stewart & Stevenson TVS UK Ltd. were considered. Following detailed consideration of the proposals, MAN ERF UK Ltd. have been selected as the preferred bidder for the demonstration and manufacturing phase. The MAN ERF UK Ltd. bid offered the most compliant proposal, demonstrated the best value for money and is consistent with the UK's defence industrial policy. The project team will undertake detailed contractual negotiations prior to letting a contract. The intention is to bring the new vehicles into service as soon as possible with deliveries commencing in 2007.

This will give our forces one of the most advanced support vehicle fleets in the world, whilst ensuring the British taxpayer gets the best possible value for money.

DEPUTY PRIME MINISTER

Bellwin Scheme (North Cornwall)

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): North Cornwall district council experienced exceptional flooding and consequential damage on 16 August 2004. Given these circumstances I am satisfied that financial assistance under the Bellwin scheme is justified. A scheme will therefore be established under section 155 of the Local Government and Housing Act 1989. Grant will be paid to the authority to cover 85 per cent. of the eligible costs above a threshold, which it has incurred in dealing with the flooding.

Council Tax Revaluation

The Minister for Local and Regional Government (Mr. Nick Raynsford): The Local Government Act 2003 requires the council tax revaluation in England to take effect on 1 April 2007. As part of the preparatory work, the Government has considered what property information should be published as part of the new council tax lists to help taxpayers take a view on whether the basis of their council tax band is correct.

The Office of the Deputy Prime Minister is today publishing a consultation paper seeking views on whether the council tax list should contain information about individual properties, whether the list should be published in draft by the Valuation Office Agency (as well as local authorities) and whether the Valuation Office Agency should issue a notice to each council tax payer showing the sales evidence on which the banding has been based.

Copies of the consultation paper have been made available in the Libraries of the House and are also available on the ODPM website www.odpm.gov.uk.

The consultation period ends on 4 January 2005.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Private Sewers

The Minister for the Environment and Agri-environment (Mr. Elliot Morley): I have today put forward for consideration findings from the consultation on existing private sewers in England and Wales. The Government paper summarises responses to that consultation and sets out the shared views of central government and the Welsh Assembly Government. I have placed a copy in the House Library.

Many householders are often unaware that their property is connected to a private sewer or that they are responsible for its maintenance and repair, sometimes jointly with others, until a problem occurs.

The problems associated with private sewers and drains include:

> difficulties of establishing the ownership of and responsibilities for maintaining shared private sewers;
>
> the unwillingness of some owners or occupiers to accept their responsibilities and the difficulty of requiring them to contribute towards the cost of repair to shared private sewers;
>
> the owners and occupiers are unable to afford the high costs of repair to private sewers and drains;
>
> the difficulty of getting private sewers adopted by the sewerage undertaker;
>
> sewage flooding from private sewers.

The Government have already taken action to tackle these problems. This has been done in two stages: the first stage, now in place, prevents the proliferation of the problems by introducing a protocol for the construction of new sewers. This requires all sewers to be built to a standard that would not preclude their adoption by the sewerage undertaker. New legislation will allow sewerage undertakers to adopt laterals, that part of the drain situated outside a property boundary and running from the boundary to the sewer, if they are built to an adoptable standard.

The second stage looked at existing private sewers. A consultation paper entitled "Review of Existing Private Sewers in England and Wales" was published on 1 July 2003 and sought views on a number of possible solutions, including the adoption of private sewers by sewerage undertakers.

Respondents to the consultation included local authorities, sewerage undertakers, Ofwat, WaterVoice, and a number of other groups and individuals. We have studied all responses carefully, and I am grateful for the efforts respondents have made.

Ninety-five per cent. of respondents stated that current arrangements are unsatisfactory and that changes are needed to address the problems associated with private sewers. I therefore believe that there is a clear case for action to be taken to resolve the problems created by private sewers.

Respondents supported a number of general legislative changes and the introduction of guidance. However, it was acknowledged that these measures alone may only provide partial solutions to the problems caused by private sewers.

Eighty one per cent. of respondents—including 81 per cent. of responding local authorities, and seven out of ten sewerage undertakers—favour a change of ownership. A transfer of ownership to sewerage undertakers may provide a comprehensive solution to the problem of private sewers. However, this option would result in far-reaching changes and I consider that further work needs to be done before any decisions are taken on this matter.

Before a decision can be made, a number of issues and practicalities need to be resolved, including the scope of any transfer, the form it might take, the costs, funding, impact on the private drain and sewer repair business, impact on the insurance industry and customer reaction.

This is an important issue that impacts on many householders and I am keen to find an effective solution. My Department chairs a steering group that will continue to consider the issues set out in this paper, in consultation with stakeholders as necessary, with a view to informing a final decision.

As part of the consultation process I propose to invite interested stakeholders to a seminar. This will provide an opportunity to further discuss the issues raised in this paper.

I hope to be able to publish a decision paper early in the new year.

FOREIGN AND COMMONWEALTH AFFAIRS

Middle East Peace Process: Settlements

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): Phase 1 of the Quartet's road map is clear that settlement activity including natural growth should be frozen and that all outposts set up since March 2001 should be dismantled. This has not happened. Continued Israeli settlement building has undoubtedly contributed to the current stalemate in the peace process. Continued settlement building cannot be defended on security grounds. It undermines trust in the region and is illegal under international law. Examples of UK activity on the issue of settlements are:

> We lobby the Israeli government at all levels to discuss their continued failure to fulfil their road map objectives concerning settlement activity.
>
> Officials in our embassy in Tel Aviv and our consulate general in Jerusalem monitor Israeli settlement activity on the ground through visits to settlements and work with Israeli, Palestinian and international NGOs, the World Bank and UN specialised agencies to track settlement activity. This includes regular contact with the Palestinian Negotiations Affairs Department.
>
> Analysis is made of the impact of continued settlement activity directly on the Palestinian population and the prospects for the establishment of a territorially contiguous Palestinian state.
>
> Her Majesty's Government has spent £110,000 in financial year 2003–04 on funding a project monitoring settlement activity and is sharing this information with our international partners.
>
> We have also sponsored a number of studies on Israeli government financial support to settlers, including one conducted by a well-known Israeli NGO in 2003. We share data from these projects and our own monitoring with our international partners for use in their discussions on settlement expansion with the Israeli Government.

Her Majesty's Government will continue this important work while maintaining equal commitment to encourage the Palestinian Authority to make real progress on their road map commitments.

Iraq

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): The report on the review of intelligence on weapons of mass destruction chaired by Lord Butler of Brockwell, published on 14 July 2004 (HC 898), highlighted in chapter 5.9 the importance of effective scrutiny and validation of human intelligence sources, and concluded that validation of sources after the war had thrown doubt on a high proportion of the sources and their reports. Specifically, the review concluded that the validity of the line of reporting which included the 45 minutes intelligence had come into question; it further concluded that reporting received from a liaison service on Iraqi production of biological agent was seriously flawed.

The Chief of SIS has now written to the Intelligence and Security Committee (ISC) to inform the Committee that, as a result of further investigation by SIS, both these lines of intelligence reporting have been formally withdrawn. This is normal practice in such cases.

HEALTH

Mental Health Act Commission

The Minister of State, Department of Health (Ms Rosie Winterton):

The annual accounts and accompanying comptroller and auditor general report of the Mental Health Act Commission for 2003–04 has today been laid before the House of Commons pursuant to section 98(1C) of the National Health Service Act 1977. Copies have been placed in the Library.

INTERNATIONAL DEVELOPMENT

Hurricanes Ivan and Jeanne

The Secretary of State for International Development (Hilary Benn): On 16 September 2004, I provided the House with a written statement of the United Kingdom's response to the impact of hurricane Ivan on the Caribbean. I would like to update the House on subsequent developments, including the impact of hurricane Jeanne. May I once more express all our sincere condolences to the families of those who have lost their lives, and to all those who have suffered injury and continue to suffer in the aftermath of these devastating hurricanes.

The British Government's immediate response to the relief needs of those affected by the two hurricanes have been some £3.4 million of assistance. In addition the Royal Navy frigate HMS Richmond and its auxiliary vessel RFA Wave Ruler have also provided support.

On Grenada, hurricane Ivan caused 37 deaths and affected most of the 102,000 population to some extent. Of the six parishes, St. Andrew, St. David, St. Georges and St. John were the worst effected. Approximately 30 per cent. of houses were destroyed and a further 60 per cent. damaged. According to the Red Cross some 50 per cent. of the population is currently homeless. Government buildings, the main prison, hospitals, schools and churches have all been affected. The official residences of both the Governor-General and the Prime

Minister were destroyed. Utility services were severely disrupted and the agricultural sector has been decimated. The continuing needs include emergency shelter, food, health, seeds and tools.

Following our initial and immediate support to the relief effort, reported in the earlier statements to the House, we have contributed £500,000 to the regional appeal of the International Federation of the Red Cross, of which £300,000 is for Grenada. The appeal will support 10,000 families on Grenada for the next six months with emergency food, shelter, water and sanitation and various non-food items. Following a request from the Prime Minister of Grenada, the United Kingdom's regional prisons adviser visited the island from 1–6 October to make an assessment of damage to the prison and to draw up recommendations. We have provided £30,000 for urgent repair work to the prison. Remedial repair work has already begun. We also reinforced our office in Grenada, sending four officials from Bridgetown and two from London, who among other tasks provided assistance to British citizens who wanted to leave Grenada to do so. The United Nations has launched a flash appeal for Grenada to respond over the next six months to urgent humanitarian need and to help establish the foundation for the rehabilitation of social services and economic recovery. The appeal is for £14.9 million. We are consulting United Nations agencies on how we might best support their appeal. In addition, we are providing £200,000 to Christian Aid and £200,000 to Oxfam to support their relief programmes.

The European Community has announced it is mobilising £4.65 million in emergency relief and post emergency rehabilitation to help Grenada focus on the provision of emergency shelter, food, water and other key supplies for 5,000 homeless families. It includes funds to be mobilized under the 9th European Development Fund, which are expected to be used primarily for school rehabilitation. The United Kingdom's share of this European Community assistance is about £700,000.

The Department for International Development has been re-examining how its ongoing programmes in Grenada might be modified. We have already extended the contract of our public sector modernisation consultant to work with the Prime Minister's Office and assist with the design of a new government structure, including an agency for reconstruction and development, and an implementation plan; started a technical assessment of the key constraints and immediate priorities for the private sector; and re-directed funds under our micro finance programme.

The Department for International Development will also seek to ensure that there is a co-ordinated and effective response to the present crisis. We called and chaired a donor co-ordination meeting on support to the education sector in Grenada to start discussions about how donors should align their support in this sector, which has been identified as a key priority by Prime Minister Mitchell.

Last week's donor meeting on Grenada convened by the World Bank in Washington provided a useful opportunity for Prime Minister Mitchell and his Minister of Finance to outline the traumatic social and physical cost that hurricane Ivan had inflicted upon his country. It was also an opportunity for key agencies—such as the United Nations—to highlight how the region and the donor community had responded thus far to the immediate humanitarian challenge. The Economic Council for Latin America and the Caribbean presented a report where they estimated that the total public and private cost of rehabilitation will be around £485 million. The International Monetary Fund presented a paper where they had calculated that there was a budget financing gap of around £21 million that needed to be filled between now and the end of this year. A follow-up donor meeting is planned for six weeks' time in Grenada.

The Foreign Secretary sent a personal envoy, Baroness Howells, to Grenada to express the condolences and sympathy of the British Government and people to the Grenadian Government and population and to assess the situation. She visited the island on 23–24 September. The British High Commissioner from Barbados and Department for International Development officials accompanied her. The Foreign Secretary and I are meeting her shortly to discuss her findings and assess the UK's response.

On Jamaica, 17 people were killed by hurricane Ivan. Although the Government of Jamaica were well prepared, there was still extensive damage over a wide geographical area and it appealed for international assistance. Rapid joint assessments were conducted from 14–16 September by a United Nations Disaster Assessment and Co-ordination Team, supported by United Nations agencies, the International Federation of the Red Cross Field Assessment and Co-ordination Team, the Jamaican Red Cross, non-governmental organisations and representatives from the Office of Disaster Preparedness and Emergency.

The worst affected parish was Clarendon. Other parishes severely affected included St. Catherine, Manchester, St. Elizabeth, Westmorland, Portland and St. Thomas, as well as Kingston itself. Some limited damage was reported in St. Ann, St. James and Trelawny. Most of the damage resulted directly from the strong winds. In Westmorland there was also significant flooding and in Portland and St. James landslides constrained immediate access. Around 25,000 people were affected significantly, with a higher number affected by loss of electrical power and interrupted water supply. Up to 13,000 were accommodated in shelters. More than 3,000 families received immediate relief assistance. The Jamaican Defence Forces participated in early relief efforts by airlifting food to isolated communities. The Pan American Health Organisation has been working closely with the Ministry of Health assisting with the supply of potable water to hospitals.

Some £150,000 of our contribution to the appeal of the International Federation of the Red Cross will benefit Jamaica. The appeal aims to provide support to 3,000 affected families. We have also provided £157,000 to Save the Children for the provision of non-food relief and repairs to households and schools, £200,000 to Oxfam for their relief and rehabilitation programme and £115,000 to the Pan American Health Organisation for their support to health services. The European Commission has pledged £830,000 to Jamaica through its Humanitarian Aid Office, focusing on reducing the number of persons in temporary shelters and providing alternative accommodation for those currently housed in schools. The United Kingdom's share of this support is about £153,000.

Hurricane Ivan caused widespread devastation across the island of Grand Cayman resulting in a breakdown of communications, power and water, as well as severe damage to individual properties and commercial buildings. Approximately 3,000 residents took refuge in eight government shelters. There was one confirmed death and one person missing at sea presumed dead. The islands of Cayman Brac and Little Cayman were affected by tropical storm force winds and rain but essential services were soon operational on these two islands.

The Royal Navy frigate HMS Richmond and its auxiliary vessel followed in the wake of the hurricane. It stood off Grand Cayman until it was safe for the crew to go ashore. They helped with a number of civilian clean up tasks.

The relief effort on Grand Cayman was managed through the Office of the National Hurricane Committee, supported by the British Red Cross Society—Cayman Branch. The assessments report damage to 75 per cent. of houses and between 20 and 25 per cent. destroyed, the worst damage to low cost housing areas. Five shelters remain open accommodating and feeding around 900. Schools, hospitals and government buildings suffered damage to varying degrees.

The Department for International Development sent a two person assessment team to Grand Cayman on 13 September. They reported that the airport and hospital were functioning, and food and water had been distributed to the 3,000 residents living in shelters. The Government authorities have also established systems to deliver food and water to people who were residing in their homes or with host families. In consultation with the Governor and the National Hurricane Committee, the Department for International Development team returned to Jamaica on 15 September, from where they maintained close contact with the National Hurricane Committee.

There was no immediate shortage of fuel on Grand Cayman, but there was a temporary problem with access to power to operate the three main gas stations of the island. However, distribution of fuel proved the main problem in the immediate aftermath. Power was gradually restored by the Caribbean Utilities Company who brought in additional teams. Fuel vouchers were distributed to staff working in essential services. The main desalination plant on Grand Cayman was working by 17 September and water supplied to George Town. A second smaller desalination plant was also quickly re-operational. Stocks of bottled water on Grand Cayman were gradually being depleted and although the water distribution network was being repaired it was necessary to bring in additional supplies. As a contingency measure we responded to a request to provide an urgent airlift of water.

Although there were early reports of sporadic looting, this was opportunistic rather than organised, and limited, and was soon under control. Police reinforcements brought in from other overseas territories in the region supported by the British Government. The Foreign and Commonwealth Office Overseas Territories Law Enforcement Adviser also arrived on the island to provide expert advice.

In response to the hurricane, the Department for International Development airlifted 5,000 plastic sheets, 40 metric tonnes of bottled water and a further consignment of chainsaws, adult and baby cots, water purification tablets and public health and sanitation items, including industrial and household waste disposal bags, and industrial gloves. The value of this relief response is about £200,000. An airlift of additional relief items from the International Federation of the Red Cross's Pan American Disaster Response Unit were received on 17and 23 September. The British Government have also pledged around £100,000 towards the cost of deploying a contingent from the Bermuda Regiment, which is providing support to the clear up operations.

The Government of the Cayman Islands quickly initiated a process of identifying contractors, electricians, plumbers, building and insurance inspectors in preparation for the rehabilitation and reconstruction task. A Cayman Islands Recovery Committee was formed, which includes high-level representation from Government and the private sector. Disease and surveillance systems were established to address all health conditions. To prevent tetanus infections, boosters were offered and 13,000 doses given. Supermarkets quickly reopened. The water authority has restored running water to much of Grand Cayman, although in some areas supplies are restricted to certain times. Mains supplies, however, are yet to be restored to eastern districts. Mains electricity supply has been restored to most of the capital but is still to be restored to the remainder of Grand Cayman. Many homes are being powered by generators. The Cayman Islands Government are liaising with the insurance sector to ensure payments are released quickly, so the reconstruction of homes can begin in earnest. A national recovery fund has been established.

Hurricane Ivan crossed over Cuba as a category 5 hurricane on 13 September. It took nearly five hours for the hurricane to pass over the northern tip of the island with sustained winds reaching 160 miles per hour. The Cuban authorities undertook appropriate measures in advance of the arrival of the hurricane and the Cuban Red Cross kept the population informed through a series of television and radio announcements. Over 1.5 million people were evacuated and 300,000 people accommodated in shelters. There was some damage to the agricultural and housing sector but no deaths reported. The regional appeal of the International Federation of the Red Cross supports the provision of shelter and non-food relief for 3,000 families in Cuba, The Department for International Development's contribution to the Red Cross regional appeal includes provision for support to the needs in Cuba.

Tropical storm Jeanne passed through Puerto Rico and the United States Virgin Islands on 15 September killing two people. It made landfall on the Dominican Republic as a category 1 hurricane and moved slowly north-west on 16 and 17 September, losing strength but causing extensive damage and killing 11. It reached Haiti on 17 September, with heavy rain falling over deforested hills in the north. Flooding started slowly on 18 September and then increased quickly to flash flooding causing fast run-off into the valleys and towns.

The death toll in Haiti currently stands at 1,870 with 884 people missing and 2,620 injured. Around 300,000 have been affected, with 4,471 houses destroyed. The city of Gonaives was the most seriously affected. Other towns in the peninsula, between Gonaives and Port de Paix, were also affected including Ennery, Gros Morne, Ans Rouge and Port de Paix. As a result of the flooding a big lake formed on the approach to Gonaives and submerged the surrounding roads, limiting access into the city from Port au Prince. However, Gonaives was still accessible from the south by trucks, with careful navigation. The route from Gonaives to Cap Haitien and Port de Paix was temporarily closed due to flooding and landslides.

The Interim Prime Minister Gerard Latortue called for international assistance and formed a National Emergency Committee to oversee the relief effort. The United Nations Office for the Co-ordination of Humanitarian Affairs deployed a seven-person assessment and co-ordination team to assist them.

The Haitian Ministry of Health sent four doctors and ten health officers to Gonaives. The United Nations Stabilization Mission in Haiti flew helicopters into Gonaives, carrying food and medicine. The World Food Programme has been trucking food into Gonaives. The International Federation of the Red Cross responded by making available hygiene kits, family tents, plastic sheeting and body bags from stores in Port au Prince. The Pan American Disaster Response Unit airlifted further quantities of hygiene kits, kitchen sets and plastic sheeting. The World Health Organisation delivered 10,000 basic health kits and the Red Cross and non-governmental organisations rehabilitated the operating theatre of the main hospital in Gonaives and set up an emergency field hospital and health clinics. The United Nations Stabilisation Mission provided doctors to Gonaives. Medical supplies were initially sufficient due to pre-existing Pan American Health Organisation stocks. As an interim measure additional water provision was met through bladders and water purification plants. Sufficient amounts of potable water are now available.

Following discussion with the United Nations and humanitarian agencies, the Department for International Development organised two airlifts carrying 718 family tents to provide shelter for over 3,500 people in Gonaives. Some humanitarian agencies were experiencing logistical difficulties, so the airlifts also included two landrover pick-up vehicles, four portable generators and radio communications equipment to support an expansion of their operations. The Department for International Development also deployed a humanitarian adviser to Haiti to assess the situation and consult with partner agencies. We have since invited funding proposals from non-governmental organisations and are considering support to their relief programmes. The United Nations launched a flash appeal, in New York, on 1 October. We are consulting with United Nations agencies on possible support through the appeal. The Department for International Development have provided £625,000, in support to the relief effort in Haiti. This consists of £150,00 to the International Federation of the Red Cross towards the relief operations and £475,000 to CARE towards logistics and for the distribution of 718 family tents procured by us. The European Community has announced a contribution of £1 million towards emergency relief in Haiti. The United Kingdom share of this humanitarian assistance is approximately £200,000.

Tropical storm Jeanne then continued a path across the Caribbean and was upgraded to a category 3 hurricane as it passed over the north-western Bahamas on 25 September. Several areas had been evacuated from its path and many people moved into shelters. Hurricane Jeanne struck Abaco, Andros, Berry, Bimini, Eleuthera, Exuma, Grand Bahama and New Providence islands. The most significant damage in the Bahamas was caused to the islands of Grand Bahama and Abaco. However, no deaths or serious injuries were reported, with approximately 100 homes reportedly damaged. The Bahamas Red Cross undertook an initial assessment that indicated up to 5,000 families in the hardest hit areas were in need of assistance. The International Federation of the Red Cross provided support to the Bahamas Red Cross, having utilised funds from their Disasters and Emergency Relief Fund, to which the Department for International Development makes an annual contribution. The most urgent needs have been met.

One month on from the devastation caused by hurricane Ivan across the Caribbean, the first phase of emergency response is well underway. Mid to longer-term reconstruction is expected to continue for many months. Coverage of beneficiaries is improving rapidly with affected communities having received at least one distribution of food, and various combinations of other types of non-food and shelter assistance. Reconstruction and repair of houses, schools and essential public buildings will continue to take time to address. The relief effort is working well together. All major donors have now sent missions to the affected countries to assess how they should re-shape their ongoing programmes of support, a co-ordinated response to support the plans of national government will be key to taking forward the reconstruction effort. I have already contacted the IMF, the World Bank, the Caribbean Development Bank and the Inter-American Development Bank to urge them to offer support as quickly as possible.

This has been an extremely difficult period for the Caribbean. The British Government have contributed quickly and appropriately to the immediate needs in the region and our support to the relief effort is continuing. I would like to place on record my thanks to the DFID staff, and to other colleagues across Government and in the Royal Navy for their sterling efforts. Other countries, including within the Caribbean region, have also made important and valued contributions to bring help to those in need. We will now be working hard, with other donors and the multilateral institutions, to maintain the relief effort and help bring the necessary support for the longer-term recovery of the affected islands.

NORTHERN IRELAND

Oversight Commissioner's Report

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Ian Pearson): I am pleased to announce that the oversight commissioner's second statutory report for the year 2004 was published on 21 September, in accordance with section 68(4)(a) of the Police (Northern Ireland) Act 2000. Copies are available in the Library.

This is the second report compiled by Al Hutchinson as oversight commissioner and the eleventh in the series of oversight reports published since 2001.

Fisheries Conservancy Board

The Parliamentary Under-Secretary of State for Northern Ireland (Angela Smith): Copies of the annual report and accounts for the Fisheries Conservancy Board for Northern Ireland for the year ended 31 December 2003 have been placed in the Libraries of both Houses.

This document provides details of the board's fisheries conservation and protection activities, its performance, and its income and expenditure for that year.

PRIME MINISTER

Appointment of Surveillance Commissioner

The Prime Minister (Mr. Tony Blair): I am pleased to announce that I have approved the appointment of the right hon. Sir Liam McCollum as a surveillance commissioner under the terms of section 91 of the Police Act 1997.

Sir Liam McCollum succeeded Sir John McDermott on the expiry of his appointment as a surveillance commissioner on 30 September 2004.

OSCE Delegation Replacement

The Prime Minister (Mr. Tony Blair): I am pleased to announce that my hon. Friend the Member for Manchester Central (Tony Lloyd) has been appointed as a member of the United Kingdom delegation to the parliamentary assembly of the Organisation for Security and Co-operation in Europe.

SOLICITOR-GENERAL

Customs and Excise and Inland Revenue Prosecutions

The Solicitor-General (Harriet Harman): My right hon. Friend the Attorney-General has made the following Ministerial Statement:

> "On 4 December 2003, *Official Report (Lords)*, columns *WA32–33*, I announced that the Government had decided to accept the recommendation of the review conducted by Mr Justice Butterfield, that the Customs and Excise Prosecutions Office should become a fully independent prosecuting authority, accountable to me.
>
> Subsequent to that announcement the Chancellor of the Exchequer announced on 17 March 2004, in his Budget Statement, that the Government was accepting the recommendations of the 'Review of the Revenue Departments' led by the Permanent Secretary to the Treasury, Gus O'Donnell. One of the key recommendations of that review was to integrate the Revenue and Customs into a single department.
>
> I can now announce that the Government has decided to create a single prosecuting authority to deal with revenue and customs prosecutions work, in line with the creation of Her Majesty's Revenue and Customs. The new prosecuting authority, which will be known as the Revenue and Customs Prosecutions Office (RCPO) will be an entirely separate prosecuting authority, accountable to me, and responsible for the prosecution of all HM Revenue and Customs cases in England and Wales. This is an important step which will ensure that we have an effective and fully independent prosecuting authority dealing with many of the most important cases in the criminal justice system. Work to create a fully independent prosecuting authority is underway; and the legislation required to complete the establishment of the new office will be brought forward as soon as parliamentary time permits".

WORK AND PENSIONS

Pensions Commission Report

The Secretary of State for Work and Pensions (Alan Johnson): I welcome the Pensions Commission's interim report that was published today. I would like to thank Adair Turner and his fellow-commissioners for their thorough work on this important issue. Building on the analysis in our 2002 Green Paper, this report makes clear the scale of the challenge posed by increasing life expectancy. It is good news that people are living longer. But it means difficult decisions for all of us—individuals, employers. Government and society as a whole—about how we balance work, saving and retirement.

In this initial baseline report, the commission has made a number of recommendations about how the Government collect and analyse statistical information. I welcome and accept these.

The report stresses that while some major advances in pensions have been made in the last few years, pressures on private pensions have been building up since the early 1980s. It further stresses that the biggest implications are some 20 to 25 years off, rather than being imminent. This is a problem for society over the longer term that requires us to begin to map out solutions now. As the commission says, we need "well-founded policy recommendations" rather than "immediate conclusions".

The report recognises the logic and many successes of recent pension policy. Our first priority was to tackle the legacy of pensioner poverty. In 1997 some 2.7 million pensioners were below the absolute poverty line, and many were expected to live on as little as £69 a week. Principally through record increases in support to poorer pensioners, absolute poverty was reduced by two-thirds by 2002–03; this progress is continuing through the pension credit introduced last year.

The next step was to help those on lower incomes build a second pension and ensure that it paid to do so. For the last year, the pension credit has been getting extra cash to those with modest second pensions, and the state second pension plays a crucial role in helping many people build a proper second pension for the first time, including 5 million carers and disabled people, as well as 15 million lower-paid workers.

The report recognises the importance of strengthening private pensions. The Pensions Bill and other forthcoming measures—outlined in the report—will restore public confidence in pension saving, while making it easier for firms to run good schemes. Reforms will also strengthen voluntary saving with attractive new options to save, a much simpler tax regime and initiatives to inform and activate people to help them take advantage of what is already on offer.

The report emphasises that a crucial part of the response to longer lives is likely to be more people choosing to work for longer. It shows that over the last decade employment rates for older workers have increased very significantly. This welcome trend needs to continue, and measures in the pipeline, such as the outlawing of age discrimination in October 2006, will be crucial. Under measures in the Finance Bill, for the first time people will be able to continue to work while drawing an occupational pension from the same employer. Proposals in the Pensions Bill will allow people who put off claiming their state pension to have a new choice—either to build up a higher weekly pension as now, or earn a taxable lump sum. For example, someone who delayed claiming £80.00 for five years could get either a weekly pension of £120 a week or a lump sum of around £25,000 before tax.

It is also clear to me that we need to keep in view both sides of the pensions equation—state and private. Our reform of the state system first improved its effectiveness in tackling poverty. The next step was helping lower-earners build up decent second pensions and ensuring that saving does not go unrewarded. As we go forward, we need to design a pension system that has the basic state pension at its core, continues to give special help to the poorest and provides incentives to save for hard-working families whatever their income.

Written Ministerial Statements

Wednesday 13 October 2004

CULTURE, MEDIA AND SPORT

BBC (Digital Television)

The Secretary of State for Culture, Media and Sport (Tessa Jowell): I have today placed the independent review of the BBC's digital television services by Professor Patrick Barwise in the Libraries of both Houses. The report is also available electronically on the Department's website www.culture.gov.uk, together with a copy of the supporting report from Ofcom "Assessment of the Market Impact of the BBC's New Digital TV and Radio Services".

In response to this review, I have asked the BBC to give me its initial response to the report by the end of November. I will then consider whether further action is needed in the context of Charter Review.

I will publish the independent review of the BBC's digital radio services shortly.

DEPUTY PRIME MINISTER

Firefighters' Pensions (Consultation)

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): I have today published two consultation papers on the future pension arrangements for firefighters as the first stage in meeting our commitment to introduce a new pension scheme more suited to the service of the future made in the White Paper "Our Fire and Rescue Service".

The first "Government proposals for a new firefighters' pension scheme" sets out a framework for firefighters recruited to the fire and rescue service from April 2006; the second "proposals for amendments to the firefighters' pension scheme" outlines some further changes that we believe need to be made to the existing scheme, which will continue to operate for those who are already members or join before April 2006.

Copies of the documents have been sent to fire and rescue service stakeholders, and in the case of the second paper to all serving firefighters, with an invitation to comment. The period for consultation continues until 14 January 2005.

Copies of the two documents have been made available in the Libraries of both Houses.

HOME DEPARTMENT

Security (Palace of Westminster)

The Secretary of State for the Home Department (Mr. David Blunkett): The House will be aware of the review by the Security Service and Metropolitan Police of the security of the Palace of Westminster. This report is, of course, a matter for Mr. Speaker, for the Lord Chairman and for the House authorities. However, it may be helpful if I update the House on the steps we have been taking to enhance the external security of Parliament and the surrounding area.

The Government have always set out clearly the nature of the threats that we face and the importance of keeping all our security measures and contingency planning under constant review. Therefore, alongside this formal review, I asked the Intelligence and Security Co-ordinator, Sir David Omand, earlier this year to gather a small team to provide advice on protective security measures outside the Houses of Parliament and more generally in the central Westminster area.

As the House would expect, the Commissioner of the Metropolitan Police constantly reviews policing activities around the Whitehall and Westminster area. Operational police deployments have already been increased to counter the potential threat of vehicle bombs. In addition, I have already agreed further enhancements to the support for operational policing of the area including work on a new control room and CCTV.

We will also be discussing with Westminster City Council, the Mayor, Transport for London and other relevant authorities whether any further physical measures are required to provide additional protection around the Palace of Westminster. The Government recently tabled an amendment to the Civil Contingencies Bill, which will allow highway authorities to make an Anti-terrorist Traffic Regulation Order, on the application of the Chief Constable. As we indicated in laying the amendment, this is not specifically intended to control vehicle access around Parliament but it will make it easier for the police to respond to particular threats by further controlling traffic.

Whilst there are no plans for any major programme of road closures, I am determined that we should avoid a situation in which a series of steps, which may be sensible in themselves, has a wider impact on traffic and public access to this important part of London. I therefore believe that it would be helpful to undertake a wider process of consultation with the Mayor, Transport for London and other authorities and interested parties of the consequences of and options for changes to management of traffic around Parliament should further restrictions become necessary. I believe that this is essential if we are to safeguard and enhance not just the security of the area but also its economic and social well-being.

INTERNATIONAL DEVELOPMENT

Sudan

The Secretary of State for International Development (Hilary Benn): The UK will commit at least £100 million next year for humanitarian and development assistance for Sudan provided there is early signature of a comprehensive peace agreement and the Government of Sudan live up to their commitments on Darfur. The £100 million for next year will enable us to maintain our significant response to support for the humanitarian crisis in Darfur. It will also enable the UK to contribute to other humanitarian, recovery and reintegration needs in Sudan. We look forward to the signing of a comprehensive peace agreement before the end of the year and to working with the new administrations in Sudan to establish a development programme that contributes to eradicating poverty and building a safer Sudan for all.

Written Ministerial Statements

Thursday 14 October 2004

HEALTH

GP Out-of-hours Services

The Minister of State, Department of Health (Mr. John Hutton): The Government's response to the Health Committee's fifth report of Session 2003–04 on GP out-of-hours services, Cm 6352, has been published today. Copies have been placed in the Library.

NHS Foundation Trusts

The Minister of State, Department of Health (Mr. John Hutton): We announced on 7 September 2004, *Official Report*, columns 102–03WS, that Monitor (whose statutory name is the independent regulator of NHS foundation trusts) would handle the 20 applicants for NHS foundation trust status in wave 1A as two groups, with target dates for authorisation being 1 November 2004 and 1 February 2005.

Monitor has revised the target dates to 1 January 2005 (previously 1 November 2004) and 1 April 2005 (previously 1 February 2005).

Details of the two groups are as follows:

1 January 2005

Barnsley District General Hospital NHS Trust
Burton Hospitals NHS Trust
Chesterfield and North Derbyshire Royal Hospitals NHS Trust
Gateshead Health NHS Trust
Harrogate Healthcare NHS Trust
Nottingham City Hospital NHS Trust
Southend Hospital NHS Trust
South Tyneside Healthcare NHS Trust
West Suffolk Hospitals NHS Trust

1 April 2005

Aintree Hospitals NHS Trust
Birmingham Heartlands and Solihull NHS Trust
Birmingham Women's Healthcare NHS Trust
East Somerset NHS Trust
Frimley Park Hospitals NHS Trust
Lancashire Teaching Hospitals NHS Trust
Liverpool Women's Hospital NHS Trust
Newcastle Upon Tyne Hospitals NHS Trust
Royal Bournemouth and Christchurch NHS Trust
Royal National Hospital for Rheumatic Diseases NHS Trust
Wrightington, Wigan and Leigh NHS Trust

HOME DEPARTMENT

Firearms Consultative Committee

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): I have today laid before Parliament the twelfth annual report of the Firearms Consultative Committee, copies of which have been placed in the House Library.

The work of the Committee has already helped to inform the consultation paper we issued in May on future firearms controls and we will be considering their outstanding recommendations alongside other responses.

SOLICITOR-GENERAL

Disclosure of Court Papers

The Solicitor-General (Ms Harriet Harman): Further to my statement to the House on 24 March 2004, *Official Report*, columns 885–893, concerning the disclosure of court papers to the Minister for Children, Young People and Families and with the agreement of my hon. Friend the Baroness Ashton and my right hon. Friend the Minister for Children, Young People and Families I would like to make a further statement as to how the Government propose to change the law in relation to disclosures to and by members of Parliament of information relating to family court proceedings concerning children.

The Government have concluded that the legislation governing the rules on the disclosure of information relating to family court proceedings concerning children is too restrictive and requires amendment and clarification. The amendments designed to achieve this were tabled to the Children's Bill by my right hon. Friend the Minister for Children, Young People and Families on 7 October. They will, of course, be considered in proceedings on that Bill in the usual way.

In developing proposals for changes to the law relating to disclosure of information relating to family court proceedings concerning children, policy development has been based on a primary principle of the welfare of the child, supported by four further considerations, which are:

> providing for the sharing of information between those with a legitimate need for that information;
>
> the proper functioning of Parliament and the facilitation of the discharge of MPs' and Peers' functions;
>
> the legitimacy of the law, the match between the law and what actually happens; and
>
> the proper administration of justice in family law cases.

The Government's main aim in considering amendments to the law are that the welfare of the child must be the paramount concern. We recognise that parties to family proceedings and others may have a legitimate interest, in limited circumstances, in sharing information. Our broad policy intention is to permit the disclosure of information relating to family proceedings where it is necessary to allow:

> parties to a case to obtain appropriate advice and support;
>
> MPs and Peers to undertake their official duties and Ministers to exercise their functions;

statutory agencies, such as the police, the Crown Prosecution Service and Social Services, to obtain access to relevant information for child protection purposes;

complaints to be made to supervisory bodies and investigations to be carried out;

statutory bodies to undertake their regulatory and investigative functions; and approved research to be undertaken.

This list is not exhaustive. Further background is given in the written policy statement which has been placed in the Libraries of both Houses by my hon. Friend the Baroness Ashton and my right hon. Friend the Minister for Children, Young People and Families which explains the effect of the Government's amendments and sets out the Government's thinking on this issue and their proposed way ahead if the amendments tabled are agreed to by Parliament.

Briefly, the proposed amendments would do three things. First, they would amend section 97(2) of the Children Act 1989 to limit the criminal offence of publication of information which identifies or is likely to identify a child as being involved in family proceedings, or the address or school of such a child, to publications to the public or section of the public. Secondly, section 12(4) of the Administration of Justice Act 1960 would be clarified to make it clear that where rules of court specify that certain disclosures can be made, such disclosures would not be a contempt of court. Thirdly, a series of amendments would be made to current rule making powers to clarify that rules can be made specifying the circumstances in which disclosures may be made.

Hon. Members will recall that I undertook to consult the hon. Member for Beaconsfield (Mr. Grieve)—the shadow Attorney-General—on this matter. I have also consulted the hon. Member for Torridge and West Devon (Mr. Burnett), the Liberal Democrat spokesperson on legal affairs. I have also kept the Speaker and the Chairman of the Select Committee on Standards and Privileges informed.

WORK AND PENSIONS

Employers' Liability Compulsory Insurance

The Minister for Work (Jane Kennedy): In a written statement on 30 March 2004, *Official Report*, column 88WS, the then Minister of State for Work, my hon. Friend the Member for Kilmarnock and Loudoun (Mr. Browne), announced the publication of a partial regulatory impact assessment (RIA) on a proposal to remove the requirement for ELCI from limited companies that employ only their owner (incorporated owners/sole employees). It is estimated that there are about 300,000 such companies.

The partial RIA sought the views of employers (in particular incorporated owners/sole traders), insurers and their representative bodies, and other stakeholders (e.g. employees, lawyers) and their representatives, on the proposal.

I am pleased to announce the publication on 6 October 2004 on the DWP website of the summary of responses to that consultation.

The majority of respondents to the partial RIA (over 78 per cent.) were in favour of the proposal to remove the requirement for employers' liability compulsory insurance (ELCI) from incorporated owners/sole employees. The majority of business associations, representing large numbers of businesses, were in favour of the change.

I have arranged for copies of the summary of responses to be placed in the Library.

Amending regulations will be introduced later this year and will come into force early in 2005.

Written Ministerial Statements

Monday 18 October 2004

HEALTH

National Creutzfeldt-Jakob Disease Surveillance Unit

The Parliamentary Under-Secretary of State for Health (Miss Melanie Johnson): The national Creutzfeldt-Jakob disease surveillance unit's (NCJDSU) 12th annual report has been published today. The report documents the unit's findings in relation to sporadic, familial and iatrogenic Creutzfeldt-Jakob disease (CJD), and also variant Creutzfeldt-Jakob disease (vCJD), up to 31 December 2003. Copies have been placed in the Library, and the report is also available on the NCJDSU's website at www.cjd.ed.ac.uk.

NORTHERN IRELAND

Criminal Justice

The Secretary of State for Northern Ireland (Mr. Paul Murphy): I have received the annual report of the chief inspector of criminal justice Northern Ireland for the financial year 2003–04. The report outlines criminal justice inspection's performance from August 2003, when the chief inspector was appointed, to 31 March 2004.

I have arranged for copies of the report to be laid before the House today.

Written Ministerial Statements

Tuesday 19 October 2004

CULTURE, MEDIA AND SPORT

BBC Digital Radio Services

The Secretary of State for Culture, Media and Sport (Tessa Jowell): I have today placed the independent review of the BBC's digital radio services by Tim Gardam in the Libraries of both Houses. This is the sister document to the independent review of the BBC's digital television services by Professor Patrick Barwise, which I placed in the Libraries on 13 October. Ofcom's assessment of the market impact of the BBC's new digital TV and radio services, which supports both reviews, is available electronically on the Department's website www.culture.gov.uk.

In response to the review, I have asked the BBC to give me its initial response to the report by the end of November. I will then consider whether further action is needed in the context of charter review.

DEPUTY PRIME MINISTER

Supporting People Programme

The Minister for Housing and Planning (Keith Hill): We are publishing today the Government response to the ODPM: Housing, Planning, Local Government and the Regions Committee report on the supporting people programme. We welcome the Committee's report and its reference to the progress that the Government have made in implementing many of the independent review recommendations and the work undertaken to support the 2004 spending review.

This progress will help to bring stability to the supporting people programme, providing better opportunities for vulnerable people to live as independently as possible in their own home and community. Our work will continue to focus on ensuring that good quality, value for money housing related support services are delivered to vulnerable people, and that supporting people makes a positive difference to their quality of life.

TRANSPORT

Rail Franchising

The Secretary of State for Transport (Mr. Alistair Darling): "The Future of Rail" White Paper (Command Paper 6233), published in July, announced our intention to consider how rail passenger franchises could be best aligned with Network Rail's regional and route structure.

I am today announcing the first of a reduction in the current number of franchises to 19 in the first instance. This will be a managed process and changes will be introduced as soon as possible after the expiry of existing franchise contracts. Further streamlining will be necessary to further align franchises with Network Rail's operations to facilitate closer working between train and track. These changes would be done in a managed way.

The changes I am announcing today consist of the following:

> The formation of a new Greater Western franchise from the existing First Great Western, First Great Western Link (Thames) and Wessex Services, following expiry of current arrangements. The invitation to tender for these services will be issued in summer 2005.
>
> Merging the Greater Northern services (left over when West Anglia services of the original WAGN—West Anglia Great Northern—franchise were merged into one) with Thameslink. We aim to issue an invitation to tender for these services in Summer 2005.
>
> Following the expiry of the current central franchise in 2006, services will be distributed into the Silverlink, Chiltern, Virgin Cross Country, Midland mainline and Northern franchises. We will ensure that, where appropriate, these are put out to competitive tender as soon as possible. The exact nature and timing of these competitions is being finalised to ensure it reflects the needs of passengers and industry.
>
> A new franchise incorporating South West Trains and the Island Line, unless it is decided that the needs of the Island Line are not better served by a form of community management as set out in the White Paper.

Changing the franchise map is part of the commitment to improve the efficiency of our railways. These changes will help ensure:

> Franchises are aligned as far as possible with Network Rail regions and routes in order to encourage joint working between track and train to deliver an improved service to customers.
>
> Efficiency savings through economies of scale are maximised.

I am also able to announce today that, as stated in "The Future of Rail", Network Rail will be taking over responsibility for drawing up route utilisation strategies in order to make best use of the network's capacity.

Currently the Strategic Rail Authority manage this process. The SRA will publish the strategies for the Brighton main line, the east coast main line, the Great Western main line and for the west midlands over the next few months. For all future RUSs the responsibility will be moved to Network Rail.

These are important steps in implementing "The Future of Rail" White Paper. Ahead of the invitations to tender due to be issued in summer next year the following will have happened—the industry will have introduced integrated control centres for every route/franchise and will have reformed the network code to improve local decision-making. An RUS will have been completed for each of the tendered franchises.

These actions will help deliver a streamlined rail industry, that is fit to deliver the improvements the public expect.

I shall keep the House informed of further developments as we implement the proposals set out in the White Paper.

WORK AND PENSIONS

National Employment Action Plan

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): I have today placed in the Library copies of the UK's 2004 national action plan for employment.

The EU treaty requires member states to submit an annual report to the commission that sets out the principal measures being taking at a national level to implement employment policies in the context of the agreed EU employment guidelines. The national action plan responds to this requirement.

In preparing this plan, the Government have worked closely with representatives from local government and the voluntary sector, as well as the CBI and TUC. This has enabled us to include a broad range of examples showing how the objectives of creating more and better jobs and greater social cohesion are being pursued in the UK.

Written Ministerial Statements

Thursday 21 October 2004

TREASURY

Child Tax Credit

The Paymaster General (Dawn Primarolo): I said in a written answer on 11 March 2004, *Official Report*, column 1645W, that the timing of the phased transfer on to child tax credit (CTC) of the remaining families with children in receipt of income support/job seekers allowance, planned to begin from October, would be subject to a final review in the summer and that in the meantime, families would continue to receive the same level of support through their benefits as they would from CTC.

It is extremely important to safeguard continuity of support for children among this particularly vulnerable group. Following further consideration of the proposed timetable, I have decided that the transfer should be deferred and begin instead in the course of next year. This will allow a full cycle of tax credits activity to be completed before these families are transferred in.

Meanwhile, as I announced in March, I can again confirm that families will continue to receive the same level of financial support through their benefits as they would from CTC.

DEPUTY PRIME MINISTER

Valuation Appeals (Business Rates)

The Minister for Local and Regional Government (Mr. Nick Raynsford): As part of preparations for the next business rates revaluation which takes effect in April 2005, we have reviewed the current arrangements for handling valuation appeals. As a result we are proposing to make a number of changes.

In particular we propose to remove the present limitations whereby a successful appeal against a valuation only results in bills being recalculated from the start of the financial year in which the appeal is made. In the first year of the 2000 list, to encourage early applications, there was a further restriction in that bills were only recalculated back to the start of the year if appeals were made during the first six months. This will also be removed. As a result any reduction in value would now be backdated to the start of the period, i.e. April 2005, or for later additions or changes to the list, to the date that the addition or change took effect. While the previous limitations were helpful in encouraging ratepayers to submit appeals early, the initial six months limit in particular prompted some ratepayers to submit appeals as a purely precautionary measure that were subsequently not pursued. Removing the need for appeals to be made until ratepayers are satisfied that they need and wish to proceed should reduce costs for both individual ratepayers and for the national taxpayer in administering the system, and should allow appeals that are pursued to be resolved more quickly.

We also propose that ratepayers should be restricted to a single appeal against the original 2005 valuation and against any subsequent alteration. At present duplicate appeals can be submitted by ratepayers or their agents in different formats or even by several agents in respect of the same property. Each one must be registered as a separate appeal. This causes unnecessary work and cost in administering the system and slows down the handling of appeals. As a further aid to speeding up the consideration of cases it is proposed that ratepayers should be required to provide basic rental information with the appeal. This is the single most important piece of information for the valuation officer in considering the need to alter a rateable value but it is often not provided until very late in the appeals process. Providing it at the start should allow cases to be resolved more quickly and with fewer cases going to valuation tribunal.

Further details of these proposals and some more minor technical changes will be set out in a consultation paper to be issued next month. It is estimated that the effect of the proposed changes would be to reduce the number of appeals by at least 120,000 over the life of the list. This should speed up the resolution of appeals and make the administration of the system cheaper and easier for all concerned.

The proposals complement other initiatives already being taken forward by the Office of the Deputy Prime Minister and the Valuation Office Agency as part of revaluation 2005 to make the valuation system more open, transparent and user friendly.

Home Fire Risk Checks

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): I am announcing today £25 million in capital grants to all English fire and rescue authorities over four years. The grants will total £5 million annually in the first three years, rising to £10 million in the final year, 2007–08. The funding is provided to establish a programme of home fire risk checks (HFRCs)—home visits to provide advice on fire risks and how to prevent fire, tailored to the circumstances of the household. The visits will be combined with installation of free 10-year smoke alarms.

The initiative will be targeted on the most vulnerable households—particularly the elderly, but also deprived households and areas, young families and black and minority ethnic communities. Grants will be allocated on the basis of regional smoke alarm ownership, and within each region on the basis of the fire index, mainly measures of deprivation, weighted by population. The regional allocations will be announced in due course.

FOREIGN AND COMMONWEALTH AFFAIRS

United Nations

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): Tomorrow, I will lay before Parliament a Command Paper on the United Kingdom in the United Nations

(CM 6325). Copies will be placed in the Library of the House and will be available from the Vote Office in the House of Commons and the printed paper office in the House of Lords. A copy will also be available on the Foreign and Commonwealth Office websitewww.fco.gov.uk.

This Command Paper is the second in a series of annual papers on the UK's engagement with the United Nations. This year's edition contains a foreword by the Secretary of State for Foreign and Commonwealth Affairs. It is published to coincide with a Parliamentary debate on 28 October, as well as two major events: the UK Presidency of the UN Security Council this month, and the main session of the UN General Assembly.

The United Nations carries out very important work. Yet many of us are unaware of much of this work. This paper aims to outline the wide range of activity that the organisation is involved in, and the many ways that the UK supports this work. It also demonstrates how the UN has a positive influence on the daily lives of members of the public.

The UN has been in the forefront of international news over the last year and is being asked to tackle an increasing number of issues—from violent conflict to sustainable development—in an increasing number of locations—from Afghanistan to Haiti. This activity can only be carried out effectively by a UN that is efficient and focused on the most important priorities. This year's report therefore concentrates on efforts to reform the United Nations and its constituent bodies. The UK is fully committed to the UN. As a strong supporter of the UN, we believe that only through continuous adaptation can it meet the challenges of the modern world.

HEALTH

Social Care Services

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): The Social Care Institute for Excellence (SCIE) was established in October 2001 to help raise the standard of social care services by developing and promoting knowledge about good practice in social care. It is a not-for-profit company and a registered charity. It is funded primarily by the Department of Health by way of a grant.

The Department proposes to help deliver further improvements across social care and health services through a dedicated care services improvement partnership that would be part of SCIE. The Department is currently exploring this with SCIE's trustees, who have broadly welcomed the proposal, and is working up details of how these arrangements can be achieved. This partnership would draw together seven existing initiatives, listed at the conclusion of this statement, into a single coherent framework through which local organisations in England can be helped to provide better services for people and communities with a range of care and support needs. It is proposed that most of this support will be delivered through eight regional centres based on the existing regional development centres operated by the National Institute for Mental Health in England.

SCIE are currently consulting on behalf of the Department on the improvement of services to adults. I intend to present a Green Paper to this House following that consultation detailing my plans for service improvement. The creation of the care services improvement partnership will support the delivery of the objectives within the Green Paper.

The arrangement is subject to final approval by SCIE's board of trustees and to the Charity Commission being content with the changes that this will mean for SCIE. From tomorrow the Department and SCIE will be consulting a wide range of groups and organisations across the statutory, voluntary and private sectors, including those which involve service users and carers, about the proposed partnership and how it could be developed.

It is proposed to include within the new partnership the following existing initiatives:

Modernisation agency change for children team
Health and social care change agent team
Integrated care network
Integrating community equipment services team
National Child and Adolescent Mental Health Support Service
National Institute for Mental Health in England
Valuing people support team.

The Welsh Assembly Government are considering the implications of these developments for its relationship with SCIE.

PRIME MINISTER

Review Body on Senior Salaries (Report on Parliamentary Pay and Allowances 2004)

The Prime Minister (Mr. Tony Blair): I have today laid before both Houses the Review Body on Senior Salaries report on parliamentary pay and allowances 2004. Copies are available in the Vote Office and the Library of the House. I am grateful to John Baker and the members of the Review Body for their work. The Government have noted their recommendations on pay, allowances and pensions. Implementation of these recommendations will be a matter for decision by Parliament.

WORK AND PENSIONS

Discretionary Social Fund

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): My right hon. Friend the Secretary of State will be making a number of minor changes to the discretionary social fund with effect from 25 October 2004. The changes to the fund are minor clarifications of guidance and directions, and, in the main, are consequential to legislative changes made in respect of other social security benefits. Details of the changes have been placed in the Library.

Written Ministerial Statements

Monday 25 October 2004

CABINET OFFICE

Parliamentary Commission Order 2004

The Minister for the Cabinet Office (Ruth Kelly): An order has been laid before Parliament today to extend the jurisdiction of the Parliamentary Commissioner for Administration to include the role of the Government Actuary's Department in relation to the prudential regulation of insurers prior to this function being transferred to the Financial Services Authority in April 2001. This will enable the parliamentary ombudsman to conduct a full investigation into Equitable Life.

TREASURY

Pensions Tax Simplification

The Financial Secretary to the Treasury (Mr. Stephen Timms): The new simplified regime for taxation of pensions starts on 6 April 2006. To achieve the levels of efficiency and effectiveness that both we and the pension industry want from the new regime, I can today announce that registered pension schemes will be required to send online forms and make electronic payments to the Inland Revenue from the start of the new regime on 6 April 2006.

The decision to move to a fully online service was taken after extensive discussions with the industry over the summer.

There are still a number of issues of detail on how precisely we can achieve an e-based regime and we will be asking the pensions industry, software suppliers and other interested parties to work closely with us on this.

The Inland Revenue will be publishing a short paper early next month outlining the key issues and areas they would like to work on together with those who will be involved in registered pension schemes.

INTERNATIONAL DEVELOPMENT

AU Mission (Darfur)

The Secretary of State for International Development (Hilary Benn): The Government welcome the African Union decision of 20 October to expand its Ceasefire Monitoring Commission in Darfur from approximately 500 people to more than 3,000. As the Prime Minister in Addis on 7 October said:

> "The AU is playing an absolutely vital lead role in trying to resolve this crisis, both by bringing the Government and the rebels together, to try to resolve the conflict peacefully and, meanwhile, monitoring that they are observing their interim ceasefire agreement".

The UK has already given significant support to the AU mission. We contributed £2 million to help jump-start the mission in May, and we provided airlift for the 150 Nigerian troops that joined the mission in August, as well as rations packs to feed these people. We have also provided technical planning expertise for the AU, and seconded a British monitor to the mission.

As the Prime Minister announced in Addis, we will of course play our part in supporting the expanded mission. We have set aside a further £12 million for this purpose, and are working hard to ensure that these people can be deployed quickly. We are discussing with the AU and other donors, including the European Commission, what more we can all do to support the mission.

TRADE AND INDUSTRY

Regional Development Agencies (Appointments)

The Minister for Industry and the Regions (Jacqui Smith): I would like to inform Members of the House that, as part of a rolling programme of appointments, I have decided to appoint four new board members to the Northwest Development Agency. The new appointees will take up their positions on 14 December 2004 and their names are set out below.

The new board members will replace members whose terms of office end in December this year, and they will bring experiences from business and local authorities.

Decisions on the appointments have been made following open competition in accordance with the guidelines set down in the Commissioner for Public Appointments code of practice, and following consultation with key national and regional players.

NWDA (New Members)

David Brockbank
John Moverly
Peter Hensman
John Merry

Written Ministerial Statements

Tuesday 26 October 2004

CONSTITUTIONAL AFFAIRS

The Court Service

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): The following table sets out the targets that have been set for the Court Service for 2004–05. Copies of the Court Service business plan for 2004–05 have been placed in the Libraries of both Houses.

Headline Targets	*Target 2004–05*
To support local criminal justice boards (LCJBs) in meeting their targets, including:	
Reducing proportion of Crown court ineffective trials;	from 24 per cent. To 17 per cent. By March 2006
Ensuring cases are disposed of promptly (measured as a per cent. of Crown court defendants and appellants whose cases are heard within target time);	78 per cent.
Reducing period from charge to sentence for persistent young offenders; and	71 days
Increasing sitting days in the Crown court, (in line with increase of number of crimes for which an offender is brought to justice) to 1.2 million by 2005–06.	104,200 sitting days
(contributes to PSA 1 and 2)	
Increasing year on year the level of satisfaction in four key areas of service delivery	To increase: knowledge of court staff at the public counter; knowledge of court staff on the telephone; speed of resolution of complaints;
(contributes to PSA 4)	helpfulness of written replies
Reducing issue of non-family claims in the civil courts	From a baseline of 1,790k in 2002–03 to 1,580k by March 2006
Reducing proportion of non-family cases allocated for hearing and resolved by a hearing	From a baseline of 48.9 per cent. in 2003 to 47 per cent. by March 2006
Reducing the number of non-family hearings	From a baseline of 71,300 in 2003 to 64,700 by March 2006
Increasing the proportion of contact and ancillary relief orders made by consent	From a baseline of 70.6 per cent. in 2003 to 73.4 per cent. by March 2006

Public Guardianship Office

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. David Lammy): The Public Guardianship Office's annual report and accounts for 2003–04 have been laid before Parliament today. This document gives full details of the agency's performance and expenditure for that year. Copies of the report have been placed in the Libraries of both Houses.

DEPUTY PRIME MINISTER

Milton Keynes South Midlands Sub-Regional Strategy

The Minister for Housing and Planning (Keith Hill): My right hon. Friend the Deputy Prime Minister is today publishing the revised consultation draft Milton Keynes and south midlands sub-regional strategy. The Milton Keynes and south midlands growth area is one of the four growth areas set out in the Government's sustainable communities plan published in February 2003. The plan was not simply about housing, it was about creating sustainable communities in all parts of the country. One of the key objectives of the plan is to tackle the long-term shortage of housing and particularly affordable housing. The revised consultation draft sub-regional strategy, being published today, is the next stage in the testing and examination through the regional spatial strategy (RSS) process.

The Milton Keynes and south midlands sub-region includes the area from Corby in the north to Aylesbury in the south and from Daventry in the west to Bedford in the east. Its largest urban centres are Milton Keynes, Northampton, Luton-Dunstable-Houghton Regis and Bedford-Kempston. The sub-regional strategy sets out the scale and form of development in Milton Keynes south midlands to 2031.

This document incorporates the proposed changes to the consultation draft published by the regional assemblies for the east of England, the east midlands and the south-east in July 2003. The proposed changes published today build on the July 2003 strategy and also take full account of the recommendations contained in the report of the independent panel, published in August 2004, which proposed approximately 170,000 new homes by 2021. The panel published their report following the five-week public examination held in March and April 2004.

Copies of the revised consultation draft sub-regional strategy, together with the explanatory table of proposed changes, have been placed in the Libraries of both Houses.

Under national guidance, the proposed changes will be subject to public consultation over an eight-week period, commencing today. Details of the consultation process are provided in the foreword to the revised consultation draft sub-regional strategy published today.

Once the final version of the sub-regional strategy is published, as a revision to the regional spatial strategies for the south-east, east of England, and east midlands, it will form part of the regional policy basis for the preparation of statutory local development documents by the local planning authorities within the sub-region. It is at this stage that detailed site specific and locational proposals will be brought forward to implement the sub-regional strategy. This process provides further requirements for public consultation and stakeholder involvement.

Increasing the number of homes and affordable homes in the wider south-east is essential if we are to have sustainable communities, and we recognise that it is critical that this growth is itself sustainable. This means that we will ensure that new communities have the infrastructure that they need such as schools, transport and health facilities. We will also continue to ensure that brownfield land is used first, improve the environmental efficiency of homes, and create new green spaces and places that will stand the test of time.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Kyoto Protocol

The Secretary of State for Environment, Food and Rural Affairs (Margaret Beckett): On 22 October the state Duma, Russia's lower House of Parliament, voted overwhelmingly in favour of the Kyoto protocol, thereby taking Russia one step nearer to its ratification. The Duma approved Kyoto by an impressive 334 votes in favour with only 73 votes against. The protocol will now be passed to the Russian Parliament's upper House, the Federation Council, for its approval before being returned to president Putin for final signature. Ratification by Russia would bring about the entry into force of the protocol, making it legally binding.

I warmly welcome the decision of the Duma to approve ratification. Russia is showing the rest of the world that climate change is a serious problem that needs to be tackled by serious action. The entry into force of the Kyoto protocol would represent a significant step forward in the global fight to address the problem of climate change.

I look forward to working closely with Russia at the 10th conference of the parties to the framework convention on climate change in Buenos Aires in December, and in the future in implementing our collective obligations.

HOME DEPARTMENT

National Offender Management Service

The Parliamentary Under-Secretary of State for the Home Department (Paul Goggins): Over 400 responses were received to the two written consultation exercises undertaken so far in respect of the National Offender Management Service. The majority of responses indicate strong support for the new service and the concept of end-to-end offender management.

A summary of responses is available in the House Library. It will also be available to staff and other key stakeholders through the prisons, probation, and Home Office websites.

NORTHERN IRELAND

Probation Board

The Secretary of State for Northern Ireland (Mr. Paul Murphy): I have today received copies of the annual report of the Probation Board for Northern Ireland for the financial year 2003–04. The report outlines the board's performance against targets during that year.

Copies of the report have been placed in the Libraries of both Houses.

Written Ministerial Statements

Wednesday 27 October 2004

ENVIRONMENT, FOOD AND RURAL AFFAIRS

EU Emissions Trading Scheme

The Secretary of State for Environment, Food and Rural Affairs (Margaret Beckett): The Government today announced proposals on the total number of greenhouse gas emission allowances to be allocated to UK industry as part of the first phase of the EU emissions trading scheme.

The UK published its national allocation plan in May, setting out provisional allocation levels for the first phase of EU emissions trading (which runs from 2005–07). These were based on interim projections of emissions over the period. The allocations have now been reviewed in the light of ongoing work on the projections and the new climate change agreement targets agreed with industry.

Emissions by UK installations covered by the EU emissions trading scheme for the period 2005–07 are now estimated to be 56.1 million tonnes CO_2 (or 7.6 per cent.) higher than was the case in April. The Government have considered how to reflect in their plan this increase in emissions from the interim April projections.

The Government are planning to propose to the Commission an amendment to the national allocation plan increasing the total number of UK allowances for the period 2005–07 by 19.8 million allowances. This is an increase of less than 3 per cent. from the number in the April plan.

The proposal would set out the overall number of allowances for UK industry at a challenging but achievable level. This balances the need to protect the competitive position of UK industry while moving us beyond our Kyoto Protocol commitment towards our tougher national goal.

The EU emissions trading scheme is a vital part of our drive to reduce greenhouse gas emissions across Europe. The proposed approach moves us further towards our climate change objectives, while taking account of the changes to the underlying projections.

HEALTH

Adult Social Care

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): We have made a commitment to review the national minimum standards for social care, made under the Care Standards Act 2000, within three years of their introduction. The Government are now beginning the review of the standards and the associated legislative framework for adult social care. Following the review, we will carefully consider the case for change. We intend to implement any changes to the adult social care standards in 2006.

HOME DEPARTMENT

Forced Marriage

The Secretary of State for the Home Department (Mr. David Blunkett): A forced marriage is one where one or both of the spouses do not consent to the marriage or where consent is extracted through duress. Duress includes both physical and emotional pressure. Forced marriage is an abuse of human rights and a form of domestic violence that the Government are determined to tackle. It cannot be justified on any religious or cultural basis. With this in mind the Government are today announcing a package of new measures designed to combat the abuse. These are:

> A joint Home Office—Foreign Office forced marriage unit (FMU), to be operational by the end of the year. This will be the government's central unit dealing with forced marriage casework, policy and projects. It will provide information and assistance both to potential victims and to concerned professionals;
>
> A consultation later this year on whether to create a specific criminal offence of forcing someone into marriage. This will fully engage with victims of forced marriage, women's groups and non governmental organisations to consider how best the law can be used to support victims;
>
> Forced marriage will be targeted as a specific abuse that the Government are determined to tackle in the revision of the key inter-agency guidance on safeguarding and promoting the welfare of children. This guidance will have statutory backing. This will help to ensure best practice guidance for social workers (issued in March of this year) and education professionals (to be issued in December of this year) on how to tackle forced marriage will be implemented across the country, with many more cases being successfully identified and dealt with;
>
> The minimum age for marriage entry clearance will be raised from 16 to 18. This is to give those who face forced marriage extra time in which to mature and resist familial pressure for them to enter a marriage that they do not want. In support of this an extra entry clearance officer will be posted in Islamabad to help these reluctant spouses. This officer will also assist those who have been abandoned in Pakistan by their partners and who have the right to return to the UK. This will increase our ability to support victims and stop further abuse in the wake of forced marriage.

Forced marriage is, of course, very different from arranged marriage, where the families of both spouses take a leading role in arranging the marriage but the choice whether or not to accept the arrangement remains with the prospective couple.

Identity Cards

The Secretary of State for the Home Department (Mr. David Blunkett): I am today publishing the Government's response to the Home Affairs Committee's report on identity cards and a summary of the findings of consultation and research based on the draft Identity Cards Bill which was published on 26 April 2004 (CM 6178).

The Home Affairs Committee has carried out an inquiry into identity cards. This was announced in November 2003 with the following terms of reference:

> "The Committee will inquire into all aspects of identity cards, including the practical aspects of the Government's proposals and of any future schemes, and will examine the Government's draft Bill. Among the questions they will consider are:
>
> the practical issues involved in the ID database and biometric identifiers;
>
> the security and integrity of the proposed system;
>
> the operational use of ID cards in establishing identity, accessing public services, and tackling illegal migration, crime, and terrorism;
>
> issues to be addressed in the longer-term, including compulsion; and
>
> the estimated cost of the system."

The Committee's report, which covered both their inquiry and their pre-legislative scrutiny of the draft Bill, was published in July this year.

The Government welcome the contribution made by the Committee. Its comments have been carefully considered and many of them are reflected in revisions to the draft Bill or will be taken up later at the implementation stage. We hope that legislation to build a base for a compulsory national identity cards scheme will be introduced as soon as feasible.

Copies of the Government's response and the summary of findings are available in the Vote Office and the Printed Paper Office and have been placed in the Libraries of both Houses. They can also be viewed on the identity cards website: www.identitycards.gov.uk.

TRANSPORT

Highways Agency Development Control Policy

The Minister of State, Department for Transport (Mr. Tony McNulty): This statement supplements Roads Circular 4/2001: "Control of Development Affecting Trunk Roads and Agreements with Developers under Section 278 of the Highways Act 1980".

Review of Policy

The Department for Transport, Office of the Deputy Prime Minister and the Highways Agency have been carrying out a review of the existing development control policy to see if there are any measures that could be introduced to speed up development where possible. As a result of this work the Highways Agency proposes to implement the measures outlined below.

Development in Advance of Completion of Road Improvement

The Highways Agency has considered and agreed to allow, where possible and at the request of the developer, all development to go ahead in parallel with any road infrastructure improvements being carried out under an s278 agreement. This will be subject to safety considerations and on the understanding that the Highways Agency cannot be held accountable for any delays to the road works or resulting delays for the developer.

This change would mean that developers could access sites earlier, start work and have, for example, houses ready for immediate occupation as soon as the road infrastructure was completed.

Increased use of Trigger Points

In addition, the Highways Agency has agreed to consider the use of "trigger points" so that where there is any surplus capacity in an existing network developers could utilise that capacity in their proposals. This means that developers will be allowed to proceed with their development up to an agreed point, a point where the traffic generation matches the reserve capacity. This point will usually be assessed on a given floor area for an industrial development or a specified number and size of houses for a housing development.

This change means that, where there is any surplus capacity in an existing network, developers will be able to complete and have occupied specified parts of a proposed development in advance of any network improvements required under an s278 agreement.

Time scale

These changes to the existing development control policy will be implemented with immediate effect.

WORK AND PENSIONS

Employers Liability Compulsory Insurance

The Minister for Work (Jane Kennedy): Further to the written statement on 4 December by my hon. Friend the Minister for Citizenship and Immigration I am pleased to announce the publication today of the "Framework for Vocational Rehabilitation" and its associated annex.

Vocational rehabilitation can form an essential component of best health and safety practice. Good rehabilitation programmes enable employers to retain experienced staff who add value to their business. Equally it enables workers who would otherwise be retired as medically unfit to continue in their chosen employment.

The discussion paper has been placed in the Library.

Written Ministerial Statements

Thursday 28 October 2004

TREASURY

Citizen Information Project

The Chief Secretary to the Treasury (Mr. Paul Boateng): On January 6 2004, *Official Report*, column 7WS, I announced that the Registrar General for England and Wales would lead on the next stage of development work for a UK population register. This work is being conducted by a project team based within the Office for National Statistics (ONS) and is known as the citizen information project (CIP). It is concerned with whether or not the use of a population register would improve the quality of basic data held by Government, generate efficiency savings across Government and support improved public services. I am now able to update the House on progress and on the programme of work over the rest of this stage of development.

The work has confirmed the feasibility study findings that a UK population register has the potential to generate efficiency benefits and service improvements across Government. The CIP team has investigated the costs and benefits of a range of potential options for delivering a population register. It has recommended that proposals for a national identity register (NIR), as part of the Government's proposals for ID cards, mean that if ID cards were to become compulsory then it may be more cost effective to deliver these benefits through the NIR, rather than develop a separate register. The Government have accepted this recommendation.

ONS is now in the second stage of project definition and will report to Ministers by June 2005. This includes examining in more detail how the NIR could function as a population register and exploring opportunities for adding value to existing database developments that could be cost effective ahead of the NIR reaching maturity. ONS is also exploring how efficiency and analytical requirements that cover the whole population, rather than just adults, can be met.

CONSTITUTIONAL AFFAIRS

Judicial Appointments Annual Report to Parliament

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. David Lammy): The judicial appointments annual report, covering the period 1 April 2003 to 31 March 2004, is published tomorrow, 29 October. This year the report focuses on developments and achievements within the judicial appointments process and the work undertaken ahead of the new judicial appointments commission. We have taken the opportunity to avoid duplication of data by placing the statistical tables and their supporting narrative on the Departmental website,www.dca.gov.uk. The report also shows that:

> Some 480 appointments were made in 2003-04 from around 3,000 applications.
>
> Appointments, including lay appointments, of minority ethnic candidates rose by 6 per cent. from 8.90 per cent. in 2002-03 to 14.80 per cent. and is more than triple the 1999-2000 figure.
>
> Women accounted for 32.92 per cent. of appointments, a slight increase on last year's figures.
>
> The success of the early assessment centre pilots has led to all deputy district judge competitions being conducted by assessment centres and the planned introduction of similar centres for recorder and employment tribunal competitions.

Copies of the report will be placed in the Libraries of both Houses. The report is also available on the internet.

FOREIGN AND COMMONWEALTH AFFAIRS

Gibraltar

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): I visited Madrid for bilateral talks with my Spanish counterpart, Miguel Angel Moratinos, on 27 October. The following joint statement was agreed at this meeting:

> "The Ministers for Foreign Affairs of Spain and the United Kingdom, Miguel Angel Moratinos and Jack Straw, have met in Madrid on 27 October 2004. During their meeting they discussed Gibraltar.
>
> The Ministers have agreed to consider and consult further on how to establish a new forum for dialogue on Gibraltar, with an open agenda, in which Gibraltar would have its own voice. The modalities for this dialogue will be agreed by all the concerned parties.
>
> Minister Straw welcomes the decision of the Spanish Government to promote local co-operation between Gibraltar and its surrounding area. Both Ministers are glad about the establishment of a Joint Committee Gibraltar Government-Maacomunidad del Campo de Gibraltar to promote the identification and implementation of mutually beneficial local co-operation projects and wish to set out their support for this initiative because of its intrinsic value and the confidence-building atmosphere that it could create. It is understood that for the Spanish Government this local co-operation is within the objectives of the Spanish Government in relation to the sovereignty of Gibraltar. It is also understood that the British Government fully maintains its commitment to honour the wishes of the people of Gibraltar as set out in the preamble of the 1969 Constitution.
>
> In the Annex are set out several co-operation measures to facilitate the start of the work of the previously mentioned forum.
>
> *Annex*
>
> To explore the possibilities to reach an agreement on the airport of Gibraltar under a formula acceptable to all parties.
>
> To allow the inclusion of Spanish airports as alternative airports in the flight plans whose final destination is the airport of Gibraltar.
>
> To establish a technical working party to examine and to exchange information on the pensions issue of Spanish ex-workers in Gibraltar, without prejudice to any outcome in respect thereof.
>
> The Spanish Government shall allow calls at Spanish ports of all pleasure cruise liners having the port of Gibraltar as a previous or subsequent port of call, without any restriction."

I was in contact with the Chief Minister of Gibraltar, Peter Caruana, throughout these discussions. The Chief Minister authorised me to say that he was entirely content with the terms of the joint press release.

WORK AND PENSIONS

New Child Support Scheme: Progress Report

The Secretary of State for Work and Pensions (Alan Johnson): The new arrangements for child support came into operation for new cases and some linked old scheme cases from 3 March 2003. Ongoing problems remain with the new computer and telephony systems and this has meant that progress has been slower than anticipated. The Department continues to withhold substantial payments from EDS. The payment each year is determined by the contract and is linked to service levels and to the degree of functionality delivered. Between 3 March 2003 and 19 September 2004, the agency retained £12.1 million of payments due to EDS because of performance problems.

The Child Support Agency is working to improve compliance and increase its clearance rates. The number of cases cleared this quarter was over 40,000, taking the total number of clearances, calculations and closures, to over 238,000 for the scheme to date.

The agency now has the information required to make reasonable assessments of compliance, thus improving their ability to start properly to manage performance in this area. Figures for this quarter show an average monthly performance estimated at just over 50 per cent. for both cash and case compliance. This is too low, but with reliable information now available the agency can better plan to improve this. The agency has recently appointed a new director of enforcement to lead the work on this.

The poorest families are benefiting from the new scheme with a further 8,000 families receiving child maintenance premium during this last quarter. This brings the total number of beneficiaries to over 33,000.

Achievement of the agency's accuracy target is determined at the end of March 2005 by means of a special exercise. However, the current level of accuracy, to the nearest penny, is estimated at 83 per cent. against a target of 90 per cent.

The agency recognises that performance this quarter has fallen back in some areas, partly reflecting time invested in extra training following their decision further to prioritise activity on compliance. This should permit a more balanced approach to managing cases from first application to first payment and the agency's executive managers assure me that they anticipate that this will lead to progressive improvements in performance levels over the next year, as the new arrangements become more established and better information becomes available to enable performance improvements to be targeted more effectively.

Summary of Agency Performance to September 2004

Table 1—Average Weekly Payments

	1 Qualifying child	*2 Qualifying children*	*3 Qualifying children*
Average Weekly Payment[1]	£33.72	£46.76	£55.67

Table 2—Agency Quarterly Performance

	Quarter 1 Mar-Jun 2003	*Quarter 2 Jul-Sept 2003*	*Quarter 3 Oct-Dec 2003*	*Quarter 4 Jan-Mar 2004*	*Quarter Jun 2004*	*Quarter 2 Jul-Sept 2004*	*Scheme to Sept 2004*
Applications received	73,582	78,982	85,306	83,652	83,094	73,534	478,150
Applications cleared[2] of which:	12,648	38,583	49,453	51,876	45,097	40,465[2]	238,122
Maintenance Calculations	6,671	23,857	29,672	31,229	25,657	23,526[2]	140,612
Closures[3]	5,977	14,726	19,781	20,647	19,440	16,939	97,510
First payments made through the Agency	461	5,164	11,473	14,017	14,974	15,098	61,187
First Child Maintenance Premium payments made[4]	77	3,314	6,173	7,484	8,070	8,055	33,173

Table 3—Agency Monthly Performance

	July 2004	*August 2004*	*Sept 2004*	*Quarter 2, Jul-Sept 2004*
Applications received	22,860	27,300	23,374	73,534
Applications cleared[2]	13,308	13,862	13,257	40,465[2]
Of which: Maintenance Calculations	7,654	8,278	7,449	23,526[2]
Closures[3]	5,654	5,584	5,808	16,939[2]
First payments made through the Agency	5,071	5,528	4,499	15,098
First Child Maintenance Premium payments made[4]	2,541	2,857	2,657	8,055

Notes:

1. Average weekly child support maintenance payments to parents with care are shown in the table. Figures are for September 2004 only and are calculated as the total amount received and allocated divided by the number of cases.

2. Figures from Quarter 4 2003–04 onwards and scheme to date figures include clerical cases, new scheme cases unable to be progressed on the new system. Quarter 2 figures also incorporate some adjustments to take account of a reconciliation of clerical cases. The clerical case position is as follows:

	Scheme to June 2004	Scheme to September 2004
Applications cleared	1,345	2,130
Maintenance calculations	1,134	1,937
Closures	211	193

3. Applications close for a variety of reasons. The main reasons are that the parent with care withdraws the application, perhaps due to reconciliation, or having agreed private arrangements with the non-resident parent.

4. Figures for child maintenance premium payments include an estimate of the number of parents who receive the premium by way of a disregard to their income support/income-based jobseekers allowance.

5. A proportion of cases that have a maintenance calculation in place may already be receiving payment directly, but will not be reflected in the figures shown above.

Cold Weather Payments Scheme

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): I am pleased to announce that, following advice from the Meteorological Office, the annual review of the cold weather payments scheme has now been completed. Amending regulations were laid on 11 October and will come into force on 1 November, in time for the beginning of the winter period.

One of the weather stations used in the scheme last winter, Ringway, is closing and one new weather station is being introduced at Woodford to provide data for the scheme. In addition to changing 12 weather station linkages to more representative links, 12 postcode to weather station linkages have been changed on the advice of the Meteorological Office following representations made by hon. Members. An error from last year's scheme affecting one postcode has been corrected.

I have written to each of the hon. Members affected by these changes.

In order to maintain the policy intention of making cold weather payments to vulnerable groups, people in receipt of income support or income based jobseekers allowance who are also receiving the disability element of child tax credit have been added to the list of eligible customers.

Cold weather payments are separate from, and in addition to, winter fuel payments that are paid to eligible people from age 60.

Written Answers to Questions

Monday 11 October 2004

TRANSPORT

Speed Cameras

Sue Doughty: To ask the Secretary of State for Transport if he will estimate the cost of funding an independent audit of every speed camera. [188154]

Mr. Jamieson: The 35 English and Welsh safety camera partnerships participating in the national programme confirmed to my Department in January this year that they were operating camera sites—lists of which my Department published in June and placed in the Libraries of the House—in line with the Department's rules and guidance for the programme.

I therefore do not regard a further audit as necessary. The cost of such an audit is estimated to be £200,000 or more.

Buses

Mr. Betts: To ask the Secretary of State for Transport if he will list the quality bus contracts which have been agreed to date, giving the value, length and date signed in each case. [190069]

Charlotte Atkins: No quality bus contracts have to date been submitted to the Secretary of State for approval. We have issued for consultation draft guidance on the application procedure and the criteria for approval of schemes. As announced in the "Future of Transport" White Paper, we intend to streamline the statutory procedure by reducing the minimum period between making and implementing a scheme from the current 21 months to six months. Our guidance will make clear that use of the minimum period will only be appropriate for schemes with a limited impact on bus operators.

Cars

Mr. Battle: To ask the Secretary of State for Transport what the estimated number of cars licensed in Britain was in *(a)* 1975, *(b)* 1985, *(c)* 1995 and *(d)* 2004. [189938]

Mr. Jamieson: The number of cars licensed in Great Britain, excluding exempt vehicles, at the end of each year requested was as follows:

	Number of cars
1975	12,526,000
1985	16,454,000
1995	20,505,000
2003	24,985,000

Congestion Charges/Road Pricing

Mr. Battle: To ask the Secretary of State for Transport what plans his Department has to introduce *(a)* congestion charges and *(b)* road pricing on roads in West Leeds; and if he will make a statement. [189952]

Mr. Jamieson: It is up to local authorities to decide whether or not to use the permissive powers of the Transport Act 2000 to introduce congestion charging in their areas.

Driving Licences

Mr. Battle: To ask the Secretary of State for Transport how many current UK driving licences were in circulation in *(a)* 1975, *(b)* 1985, *(c)* 1995 and *(d)* 2003. [189927]

Mr. Jamieson: The information requested is as follows:

Licence type	[1]*1975*	*1985*	*1995*	*2003*
Provisional	1,700,000	4,038,334	4,764,525	6,225,946
Full	19,400,000	25,702,696	31,670,582	33,771,687
Total	21,100,000	29,741,030	36,435,107	40,027,633

[1] Estimated

Highways Agency

Mr. Yeo: To ask the Secretary of State for Transport what the *(a)* budget and *(b)* staffing figures for the Highways Agency has been in each year since 1997; and how many new Highways Agency roads were constructed in each of those years. [190174]

Mr. Darling: The financial resources allocated to, and consumed by, the Highways Agency in each year since 1997 are identified in the agency's published annual Business Plans for the years 1996–97 to 2004–05 and Annual Reports and Accounts for the years 1996–97 to 2002–03. Staffing figures are also identified in those publications, as are details of progress on the agency's major road construction and improvement schemes.

Leeds City Station

Mr. Battle: To ask the Secretary of State for Transport what his Department's estimate is of the line capacity of the heavy rail links into Leeds City Station. [189922]

Mr. McNulty: The Strategic Rail Authority (SRA) advises that there is no simple way of defining the capacity of an individual station or route. The theoretical maximum capacity will be much greater than the actual capacity of an operational railway providing the mixture of services that demand dictates at an acceptable level of operational performance. The SRA's programme of Route Utilisation Strategies currently determines the most effective use of the network infrastructure. In accordance with the Government's White Paper "The Future of Rail", Network Rail will take on responsibility for drawing up these strategies, for agreement by Government.

Motor Cycle Accidents

Tom Cox: To ask the Secretary of State for Transport how many people have been killed in motorcycle accidents in the United Kingdom in each of the last three years. [190250]

Mr. Jamieson: The information requested is not available for the United Kingdom.

The number of people killed in accidents in Great Britain involving at least one motorcycle for each of the last three years is shown, in the table.

Number of fatalities in accidents involving a motorcycle:

Year	*Killed*
2001	643
2002	656
2003	742

Motorway Traffic Officers

Mr. Wood: To ask the Secretary of State for Transport who employs motorway traffic officers; and what their *(a)* job description, *(b)* duties and *(c)* responsibilities are. [189497]

Mr. Jamieson: Traffic Officers (TOs) are directly employed by Highways Agency and will be designated to act on behalf of the Secretary of State in accordance with the Traffic Management Act. The Traffic Management Act 2004 sets out how the traffic officers will use their special powers in relation to managing congestion and the avoidance of danger to motorists.

There is a phased programme for the migration of functions from the police to Highways Agency traffic officers, to ensure that their responsibilities are undertaken in a safe and effective manner. The TOs will only undertake safety critical functions when they are accredited as being fully competent. A copy of the job description that describes the roles, responsibilities and main duties of the TOs in the West Midlands has been placed in the Libraries of the House. Not all of the responsibilities detailed in the job description will be undertaken until this phased programme of migration has taken place and further secondary legislation has been developed.

Network Rail

Mr. Grieve: To ask the Secretary of State for Transport what the contingent liability in his Department's accounts of £21 billion principal for Network Rail's borrowing relates to. [189447]

Mr. McNulty: Details of the £21 billion principal of contingent liabilities in support of Network Rail's borrowing are set out in the Secretary of State for Transport's minutes to Parliament of 27 June 2002 and 4 February 2004.

Details of proposed new contingent liabilities relating to Network Rail's planned Debt Insurance Programme are contained in a minute from the Secretary of State for Transport laid before Parliament on 15 September 2004.

Railways

Miss McIntosh: To ask the Secretary of State for Transport who will be responsible for the regional planning assessments in the Rail Review; and how the Rail Review takes passengers' concerns into account. [189332]

Mr. McNulty: The Department is currently discussing with the SRA, the ORR and the rail industry the details of how planning, including the regional planning assessments, will be conducted in future. Passengers views and concerns will be taken into account through a reformed Rail Passenger Council.

Mr. Truswell: To ask the Secretary of State for Transport what improvements have been made to rolling stock on the Wharfedale Line since 1997; what contribution to those improvements came from public funds; what plans there are for further improvements; and whether Strategic Rail Authority resources previously earmarked for future increases in capacity are still available. [189727]

Mr. McNulty: As part of the specification for the Arriva Trains Northern franchise 16 new 3-car Class 333 EMUs were introduced in 2000. The SRA provided funding of £3,397,000 for a further eight vehicles to be available by September 2001 and £2,858,900 for another eight vehicles to be available by December 2003. There are currently no plans for SRA funding for further investment in rolling stock.

Mr. Boris Johnson: To ask the Secretary of State for Transport what guidance he has given to First Great Western Link on the proposed reclassification of the Henley-Twyford branch line as a community railway. [190217]

Mr. McNulty: None. The Strategic Rail Authority has proposed the designation of a number of local lines as Community Railways to allow them to be developed with the involvement of the local community. There will be consultation with local authorities before any route is designated.

Mr. Jenkins: To ask the Secretary of State for Transport how many miles of track there are in the rail network. [189599]

Mr. McNulty: Network Rail advises that its network comprises 19,698 miles of track.

Bob Spink: To ask the Secretary of State for Transport (1) what consultation he has *(a)* undertaken and *(b)* planned on the structure of the rail franchises in South Essex; and if he will make a statement; [189516]

(2) what plans he has to change the franchise structures of the *(a)* Fenchurch Street and *(b)* Liverpool Street rail lines. [189517]

Mr. McNulty: The Future of Rail White Paper proposes to reduce the number of franchises and we will be considering a range of options. This work is at an early stage but we will engage fully with the industry and consult stakeholders before finalising any proposals. As we have made clear, there is no question of contracts being broken.

Vehicle Manoeuvres/Pollution

Mr. Geoffrey Robinson: To ask the Secretary of State for Transport if he will make a comparative assessment of *(a)* the effect on the safety of road users and *(b)* the level of pollutants emitted when a road vehicle performs (i) a u-turn and (ii) a three-point turn. [189821]

Mr. Jamieson: The safety aspects of any vehicle manoeuvre will be dictated by individual circumstances. Drivers have a responsibility for ensuring that any manoeuvre that has the potential to bring their vehicle into conflict with other road users is carried out in a manner that is safe, legal and convenient to do so. Drivers must also consider if they can control their vehicles in the given circumstances and, while knowledge of the Highway Code will help, if there is any doubt in the driver's mind, neither manoeuvre should be carried out and an alternative method of turning found.

With regards to effects on pollutant emissions, no comparative assessments have been made and none are planned since, due to the infrequency of these manoeuvres, the impact on air quality would be negligible. However, in general terms, a higher level of pollutants might be expected from three-point turns due to the stop/start nature of the exercise.

Road Traffic Accidents

Mr. Battle: To ask the Secretary of State for Transport what percentage of road traffic accident deaths were non-car owners or drivers in *(a)* 1975, *(b)* 1980, *(c)* 1990, *(d)* 2000 and *(e)* 2003. [189937]

Mr. Jamieson: The information is not available.

Tom Cox: To ask the Secretary of State for Transport how many people have been *(a)* injured and *(b)* killed in road traffic accidents within the Greater London area in each of the last three years. [190257]

Mr. Jamieson: The table shows numbers killed and injured on the roads within Greater London in each of the last three years.

Year	*Killed*	*Injured*
2001	300	44,322
2002	281	41,227
2003	272	38,205

Severn Crossings

Paul Flynn: To ask the Secretary of State for Transport for what reasons it is not possible to use a credit card to pay the toll for the Severn Crossings; and what plans he has to introduce this facility. [190460]

Mr. Jamieson: There are no plans at present to allow credit card payments due to the fact that finance companies levy up to a 3 per cent. surcharge for such transactions. Neither the Concessionaire (Severn River Crossing plc) nor the Government is currently prepared to fund this surcharge. However, the Concessionaire and the Government will continue to review this position.

Providing such a facility may also require amending the legislation that prescribes the manner of payment of tolls (The Severn Bridges Regulations 1996—SI 1316). This states that tolls, not already paid for in advance, must be paid in cash to an appointed person at a toll-booth or by the insertion of coins into a machine provided near a toll-booth for the purpose of collecting tolls.

The Concessionaire does operate a system for pre-payment.

Ship Inspections

Mr. Carmichael: To ask the Secretary of State for Transport (1) how many ships were inspected at UK ports in July and August to assess whether they met International Ship and Port Facility Security Code standards; [188430]

(2) how many ships entering UK ports failed to meet the International Ship and Port Facility Security Code in July and August; and how many of these ships were *(a)* denied entry, *(b)* expelled from port and *(c)* detained. [188431]

Mr. Jamieson: The UK Government take a robust line with non-compliant ships seeking entry into their ports. We have a range of control measures in place for dealing with ships that are in violation of the International Ship and Port Facility Security (ISPS) Code.

It is not our policy to comment in detail on how many ships we inspect or have been denied entry, expelled, or detained at UK ports. However, between July and August 2004 Control Measures, including issuing letters of non-conformance to the ship and Flag State were taken against 17 ships (all foreign flagged).

Vehicle Excise Duty

Mr. Greg Knight: To ask the Secretary of State for Transport how much he estimates is owed to the Government for non-payment of vehicle excise duty in respect of the last financial year for which figures are available; what action he is taking to reduce this figure; and if he will make a statement. [189220]

Mr. Jamieson: The last National Roadside Survey of vehicle excise duty (VED) evasion for which figures are available was carried out in June 2002. The survey indicated that the revenue lost from VED evasion was equivalent to 4.5 per cent. of the total revenue that should be raised. In 2002–03 this equated to £193 million which was offset by £110 million in fines, penalties and relicensing revenue through enforcement activities.

A range of measures was announced in May 2003 to modernise and tighten the vehicle registration system. These included Continuous Registration which was introduced in January 2004. All those not paying their road tax or declaring their vehicles off the road are detected from DVLA's records and sent a penalty notice. It is now no longer necessary to detect evaders using their vehicles on the road. Early indications are that this system will reduce the amount of VED evaded by around £70m in 2004–05.

Vehicle Identity Check Scheme

Mr. Damian Green: To ask the Secretary of State for Transport (1) what assessment he has made of the cost-effectiveness of the vehicle identity check scheme; and if he will make a statement; [189993]

(2) what plans he has to set up a review of the vehicle identity check scheme. [189994]

Mr. Jamieson: Data extracted from the police National Computer has shown a 7.8 per cent. decrease in car theft—equating to a total of 11,500 cars—in the scheme's first year of operation. On this basis, the total saving to the motorist and, of course, society as a whole, could be more than £58 million.

The scheme cost £12.5 million to set up and in 2003–04 cost £3.3 million to operate. I am therefore satisfied that the vehicle identity check system is cost effective.

The scheme is being closely monitored by the Department and will be subject to a formal review in April 2005.

WALES

Civil Service (Job Losses)

Bob Spink: To ask the Secretary of State for Wales which services within his Office will be *(a)* affected by and *(b)* subject to job losses consequent on the cuts in the civil service announced in the Spending Review. [189646]

Mr. Touhig: Full details of the work force changes announced in the Spending Review are being worked through, and we are consulting all stakeholders including unions and staff.

Departments will come forward in due course with details of workforce changes once plans are finalised.

Departmental Absenteeism

Mr. Wiggin: To ask the Secretary of State for Wales what the absenteeism rate was for staff in his Department in each year since 1997. [185206]

Mr. Hain: Since the establishment of my Department on 1 July 1999 there has been no reported absenteeism.

Departmental Recycling

Bob Spink: To ask the Secretary of State for Wales what the latest available 12-month figures are for the proportion of the Department's redundant documentation, waste paper and card that is recycled; and if he will make a statement on the Department's recycling policy. [188700]

Mr. Touhig: The Wales Office uses the Department of Constitutional Affairs recycling scheme. In line with the Department of Constitutional Affairs (DCA), we are dedicated to sustainable development, and are currently working with DCA colleagues to introduce a comprehensive strategy and embed the principles into all aspects of our work.

Currently, all waste paper that can be recycled is disposed of in the appropriate manner, and all offices in the Wales Office have access to recycling bins. These are emptied on a daily basis and collected for recycling once a week. This generates between 10 and 20 full recycling bags each week, compared with up to 10 bags of ordinary rubbish.

Laura Ashley

Lembit Öpik: To ask the Secretary of State for Wales what discussions he has had with Laura Ashley concerning the future of Laura Ashley jobs in mid Wales; and if he will make a statement. [189612]

Mr. Touhig: While my right hon. Friend and I have not met the company recently, we are aware of the company's recent announcement that it intends to reduce it's work force at Newtown and Carno by up to 90. I very much regret the loss of these valuable jobs to the Mid Wales economy.

I understand that the company took this decision as part of its drive for greater operating efficiency and is currently in consultation with unions and those affected by the decision.

I am assured that the Assembly's Team Wales partners, including the Welsh Development Agency, are in regular discussions with the company about the situation and will provide all the support they can to find alternative employment for those affected. This includes opening discussions with other local companies currently looking to recruit staff.

Public Appointments

Mr. Alan Williams: To ask the Secretary of State for Wales if he will propose to the First Secretary of the National Assembly for Wales that he make a comparable assessment of the appointment systems for the Head of Public Sector Audit in Wales and the Comptroller and Auditor General in England, with particular reference to safeguards for the independence of the incumbent. [188562]

Mr. Hain: I am being consulted on the appointment process for the Auditor General for Wales. I am satisfied that it will conform to the Nolan principles and safeguard the independence of the Auditor General.

Travel Costs

Dr. Cable: To ask the Secretary of State for Wales what the travel costs were of civil servants in *(a)* his Department and *(b)* its predecessor Department in each year since 1997. [183895]

Mr. Touhig: I refer the hon. Member to the answer given to the right hon. Member for Haltemprice and Howden (David Davis) on 7 July 2004, *Official Report*, column 698W, which gives information about all travel costs incurred by the Wales Office.

The Wales Office has not previously distinguished between all of the travel costs for Ministers and civil servants, and could provide this information only at disproportionate cost.

All official travel is undertaken in accordance with the rules contained in the Civil Service Management Code.

Welsh Language

Mr. Llwyd: To ask the Secretary of State for Wales how many employees of the Wales Office speak Welsh. [188992]

Mr. Touhig: 9 per cent. of Wales Office staff are Welsh speakers. Others have some knowledge of the language.

LEADER OF THE HOUSE

Sittings of the House

Mr. Gale: To ask the Leader of the House for how many *(a)* hours and *(b)* days the House has sat in each month during Session 2003–04. [190010]

Mr. Hain: The information requested is as follows:

Month	*(a) Hours*	*(b) Days*
November 2003	17h 52m	2
December 2003	93h 5m	12
January 2004	123h 3m	17
February 2004	103h 34m	14
March 2004	177h 44m	22
April 2004	81h 40m	11
May 2004	131h 12m	17
June 2004	117h 53m	16
July 2004	109h 29m	14
September 2004	57h 52m	7

SOLICITOR-GENERAL

Armed Forces Investigations

Harry Cohen: To ask the Solicitor-General what the key role of the Attorney-General is in relation to armed forces investigations and possible prosecutions in respect of allegations of criminal mistreatment of Iraqis or of theft of Iraqi property; and if she will make a statement. [179796]

The Solicitor-General: The armed forces prosecuting authorities act independently of the military chain of command. They are subject to the general superintendence of the Attorney General. The current position in relation to the system for investigating and prosecuting soldiers currently serving in Iraq and which involve Iraqi civilians was set out in the written statement by the Attorney General, *Official Report, House of Lords,* 14 June 2004, c. WS 22–24.

The Attorney plays no role in relation to armed forces investigations. These are undertaken by the Royal Military Police or other service police authority for which the Secretary of State for Defence is responsible.

Departmental Accountancy Practice

Mr. Bacon: To ask the Solicitor-General who the Finance Director is of the *(a)* Crown Prosecution Service, *(b)* Serious Fraud Office and *(c)* Treasury Solicitor's Department is; what accountancy qualifications each Director holds; and on how many occasions there has been a qualified opinion on (i) the resource accounts and (ii) other accounts of each office in the last five years. [183432]

The Solicitor-General: The Finance Directors for the Law Officers' Departments are: Mr. John Graham, Crown Prosecution Service, Mr. David Partridge, Serious Fraud Office. Ms Hilary Jackson, Treasury Solicitor's Department carries out the functions of Finance Director as specified in HM Treasury's 'Government Accounting' in her role as Director of Corporate Strategy.

None of the Finance Directors above holds an accountancy qualification. The Director of Finance for the CPS is supported by staff with accountancy qualifications. The Finance Director of the Serious Fraud Office is supported by two fully qualified accountants in the finance team and his Head of Accountancy is a Management Board member. The Treasury Solicitor's Director of Finance and Information Systems is a Fellow of the Chartered Association of Certified Accountants. He is responsible for day to day financial management, reporting to the Director of Corporate Strategy, and is a member of the Board. The Treasury Solicitor's Board membership has included a fully qualified accountant since January 2001.

The Crown Prosecution Service's resource accounts for the years 1999–2000 to 2002–03 have been agreed by the National Audit Office without qualification. An audit opinion on the resource accounts for 2003–04 will be available later in the year.

The SFO's accounts received a qualified opinion in 2001–02. There have been no other qualified audit opinions.

The Treasury Solicitor's Department received qualified audit opinions on its resource and agency accounts in 1999–2000 and 2000–01. Audit opinion on the 2003–04 accounts will not be available until later in the year.

Departmental Administration Costs

Mr. Letwin: To ask the Solicitor-General what the administration costs were for *(a)* the Crown Prosecution Service, *(b)* the Serious Fraud Office and *(c)* the Treasury Solicitor's Department between the financial years 1996–97 and 1997–98. [186060]

The Solicitor-General: Details of the Law Officers' Departments gross running costs for 1996–97 and 1997–98 are contained in Table 5.5 of the Public Expenditure Statistical Analyses 2000–01 (Cm 4601). These figures are on a cash basis. From Public Expenditure Analyses 2001–02 (Cm 5101), departments' administrative expenditure was reported on a resource basis, as administration costs.

Departmental Staff (Upper Age Limits)

Mr. Andrew Turner: To ask the Solicitor-General whether *(a)* her Department and *(b)* agencies for which it is responsible (i) have a set retirement age which applies to all or most personnel and (ii) have a maximum age beyond which applications for employment will not be considered; and what the age is in each case. [186079]

The Solicitor-General: The contractual normal retirement age for most staff in the Crown Prosecution Service is 60.

CPS policy does not deal specifically with this point but in practice the CPS would not normally consider applications for permanent employment if the applicant will have reached the normal contractual retirement age of 60, or beyond, before taking up an appointment.

The retirement age in operation at HM Crown Prosecution Service Inspectorate (HMCPSI) is 60 years. However, staff who wish to remain in post after the age of 60 may do so at the discretion of the chief inspector, who will take the following into consideration; the officer's performance, efficiency and HMCPSI's business requirements. Staff on loan from other Government Departments would be subject to the arrangements of the parent department.

Due to the nature of its work the Inspectorate would be unlikely to appoint an individual as an inspector who had less than three years to serve before his or her normal retirement age. However all decisions would be taken on the basis of performance, efficiency and management requirements.

The serious fraud office has a flexible retirement policy covering staff below the senior civil service. The policy offers a minimum retirement age of 60 years at which employees may opt to retire and receive full accrued superannuation benefits as of right. Employees cannot remain in employment beyond the day prior to their 65th birthday.

The normal retirement age for the senior civil service is 60. However, the serious fraud office has the flexibility to retain members of the senior civil service beyond 60 if it is judged to be in the public interest and is satisfied about the fitness and efficiency of the individual to carry out his or her duties.

There is no maximum age (save for the above policy) beyond which applications for employment will not be considered. Job applicants are made aware of the above policy in the application pack.

The Treasury Solicitor's Department and the Legal Secretariat to the Law Officers, have a 'normal' retirement age of 60 for all their staff. This is the minimum age at which, staff can retire with full superannuation benefits.

All staff must retire by age 65 except in wholly exceptional circumstances agreed by the Treasury Solicitor. Similarly applications from staff in the senior civil service, for an extension of service beyond age 60, are subject to the specific approval of the Treasury Solicitor.

There is no bar on age in relation to recruitment. For legal trainees, recruited through the Government Legal Service, there is a two year qualifying period (the training contract) after which, Departments will expect to receive a reasonable period of qualified service.

Departmental Vehicles

Mr. Kidney: To ask the Solicitor-General how many road vehicles are operated by the Department and its agencies; how many personal injury accidents involving road vehicles operated by the Department have occurred within each of the last five years; and what the Department's policy is for managing work-related road safety. [185921]

The Solicitor-General: The Crown Prosecution Service (CPS) has an operational fleet of 18 vehicles. There is no record of any personal injury accidents involving the Department's vehicles within the last five years. The Department's policy and procedures for managing work-related road safety is contained within its Departmental Transport Guide.

HM Crown Prosecution Service Inspectorate (HMCPSI) does not operate any road vehicles. HMCPSI does use rental vehicles for its core work of visiting CPS sites for the purpose of inspections and some staff use their own vehicles. However, there have been no accidents over the last five years involving any personal injury. HMCPSI are committed to road safety and expect all drivers to show due care and attention to other users of the highway. The latest instruction has been to ensure all staff are aware of recent changes to the legislation on use of mobile phones while in a motor vehicle and to remind them of their statuary duty/obligation to comply with the law. HMCPSI include road safety as apart of the routine Health and Safety assessments to minimise risks.

The Treasury Solicitor's Department does not operate any road vehicles.

My own Department, the Legal Secretariat to the Law Officers has no vehicles. In respect of the ministerial cars used by the Attorney-General and myself, I refer my hon. Friend to the answer given by my hon. Friend the then Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster (Mr. Alexander) on 22 July 2004, *Official Report*, column 490W.

Information and Communication Specialists

Mr. Jenkins: To ask the Solicitor-General how many information and communication technology specialists are in full-time employment in the Department. [189589]

The Solicitor-General: The Crown Prosecution Service employs 33 full-time information and communication technology specialists within its Business and Information Systems Directorate.

The SFO employs 24 information and technology specialists in total. These comprise:

Management team—3

Computer forensic specialists—11

Outsourced IT service—10

The management team and computer forensic specialists are full time civil servants. The outsourced IT service is contracted to IBM Global Services. In addition a range of IT support; system development and project management staff totalling 10 man years are employed on an ad hoc or consultancy basis. The outsourced service also provides IT support for my own office, the Legal Secretariat to the Law Officers, under an umbrella arrangement with the Serious Fraud Office. LSLO employs no information and communication technology specialists of its own.

The Treasury Solicitor's Department operates an in-house information service. There are currently 24 full-time information and communication technology specialists (ICT) in the Department. This comprises of 13 full-time permanent ICT specialists and 11 full-time contractor ICT specialists.

HM Crown Prosecution Service Inspectorate currently has no information and communication technology specialists in full-time employment.

Ministerial Air Travel

Mr. Beggs: To ask the Solicitor-General what the total cost of air travel between Northern Ireland and Great Britain was for *(a)* Ministers and *(b)* officials of the Law Officers' Department in the latest year for which figures are available. [182126]

The Solicitor-General: The cost of flights by members of HM Crown Prosecution Service Inspectorate to Northern Ireland during the financial year 2003–04 (the last full year for which figures are available) was £1,640.41. The expenditure was incurred through assistance to the Chief Inspector of Criminal Justice in Northern Ireland in accordance with the Justice (Northern Ireland) Act 2002 and through participation in the evaluation of pilot arrangements for establishment of the Public Prosecution Service of Northern Ireland.

The total cost to the Serious Fraud Office for the financial year 2003–04 was £10,336.31.

The Crown Prosecution Service (CPS) does not hold centrally, details about flight destinations and the costs of individual flights. The information sought for flights between Northern Ireland and Great Britain made by CPS officials in the CPS 42 areas could be obtained only at disproportionate cost. (Code of Practice on Access to Government Information, part 2, clause 9).

The Treasury Solicitor's Department does not hold centrally information in the form required and it could be obtained only at disproportionate cost. (Code of Practice on Access to Government Information, part 2, clause 9).

My own Department, the Legal Secretariat to the Law Officers, does not hold centrally information in the form required and it could be obtained only at disproportionate cost. (Code of Practice on Access to Government Information, part 2, clause 9).

EDUCATION AND SKILLS

Adoption

Kevin Brennan: To ask the Secretary of State for Education and Skills how much has been spent on facilitation of inter-country adoption in each of the last five years; and if he will make a statement. [188974]

Margaret Hodge: The UK Government do not actively promote intercountry or domestic adoption. Section 1 of the Adoption Act 1976 places a duty on all local authorities to provide an adoption service, including a service for intercountry adoption. The Intercountry Adoption Casework Team, a small team of staff based in the Department for Education and Skills provides a telephone and web-based information service to prospective adopters. It also manages the transfer of intercountry adoption applications overseas, ensuring that the documentation is complete and complies with UK legislative requirements. The Foreign and Commonwealth Office provides a legalisation service to intercountry adopters. Information on the total expenditure by central Government on the processing of intercountry adoption applications is not held centrally.

Kevin Brennan: To ask the Secretary of State for Education and Skills what steps he is taking to facilitate intercountry adoption from Bolivia to the UK. [188975]

Margaret Hodge: The UK Government do not actively promote intercountry adoption. The Government do provide a telephone and web-based information service to prospective adopters. It also manages the transfer of intercountry adoption applications overseas, ensuring that the documentation is complete and complies with UK legislative requirements. The Department for Education and Skills also acts as the Central Authority for England under The Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption. The Central Authority for Wales is the National Assembly for Wales, for Scotland the Scottish Executive and for Northern Ireland the Department of Health, Social Services and Public Safety. The role of the Central Authority is to ensure that the requirements laid down by the convention are fully met. The UK ratified the Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption in 2003. Bolivia has also ratified the Hague Convention. The convention sets out clearly the principles which govern intercountry adoption policy, practice and procedure between contracting states. Principally these are to establish safeguards to ensure that intercountry adoptions take place in the best interests of the child and with respect for his or her fundamental rights as recognised in international law, to establish a system of co-operation amongst Contracting States to ensure that those safeguards are respected and thereby prevent the abduction, the sale of or traffic in children and to secure the recognition in Contracting States of adoptions made in accordance with the convention. Prior to the UK's ratification of the Hague Convention Bolivia has refused to accept applications for intercountry adoption. The Department for Education and Skills has subsequently received correspondence from the Bolivian authorities setting out their additional requirements in relation to intercountry adoption. However, we believe that the convention adequately addresses arrangements for adoption between contracting states.

Kevin Brennan: To ask the Secretary of State for Education and Skills how many children have been adopted from overseas to the UK in the last five years, broken down by country of origin. [189032]

Margaret Hodge: There is no centrally held information on the number of children adopted from overseas to the UK in the last five years broken down by country of origin. However, the tables that give statistics for the number of applications received in the UK by country for the last five years, have been placed in the House Libraries.

Kevin Brennan: To ask the Secretary of State for Education and Skills what assessment he has made of times for processing applications for inter-country adoption in the UK in comparison with other signatories to the Hague Convention. [189215]

Margaret Hodge: The Department for Education and Skills has not undertaken any assessment of processing times for England in comparison to other Hague signatories. Operational procedures and domestic legal frameworks governing the processing of intercountry adoption applications will vary considerably for each of the contracting States and it would therefore be difficult to draw any meaningful comparisons. There has been a substantial reduction in the average processing times for intercountry adoption applications in England over the last year.

Tim Loughton: To ask the Secretary of State for Education and Skills how many children aged *(a)* under one, *(b)* one to two, *(c)* three to four, *(d)* five to 10 and *(e)* 11 to 16 have been placed for adoption in the last 12 months. [189412]

Margaret Hodge: The attached table shows the number of children placed for adoption at 31 March 2003 who have been in that placement for 12 months or less, by age.

Children placed for adoption for 12 months or less at 31 March 2003

Age at 31 March 2003	*Number*
Total	2,300
Under 1	200
1 to 2	810
3 to 4	460
5 to 10	750
11 to 16	40
Over 16	0

Notes:

1. Figures exclude those children looked after under a series of short-term placements.

2. Figures over 100 have been rounded to the nearest 100. All other figures have been rounded to the nearest 10.

Source:

CLA100 and SSDA903 returns.

Tim Loughton: To ask the Secretary of State for Education and Skills how many adoption placements broke down in each of the last three years. [189413]

Margaret Hodge: I refer the hon. Member to my response on 6 May 2004, *Official Report*, column 1740W.

Tim Loughton: To ask the Secretary of State for Education and Skills how many children were successfully placed for adoption by each local authority in 2002–03. [189448]

Margaret Hodge: The following table shows the number of children adopted in 2002–03 by local authority.

Local authority	*Number of looked after children adopted 2002–03*
England	3,500
North East	260
Shire Counties	
Durham	30
Northumberland	20
Unitary Authorities	
Darlington	5
Hartlepool	1,010
Middlesbrough	25
Redcar and Cleveland	15
Stockton on Tees	
Metropolitan Districts	
Gateshead	15
Newcastle Upon Tyne	40
North Tyneside	30
South Tyneside	15
Sunderland	35
North West	550
Shire Counties	
Cheshire	25
Cumbria	30
Lancashire	60
Unitary Authorities	
Blackburn and Darwen	10
Blackpool	45
Halton	5
Warrington	[1]—
Metropolitan Districts	
Bolton	20
Bury	20
Knowsley	15
Liverpool	65
Manchester	80
Oldham	20
Rochdale	10
Salford	25
Sefton	15
St. Helens	15
Stockport	10
Tameside	20
Trafford	10
Wigan	15
Wirral	20
Yorkshire and The Humber	440
Shire Counties	
North Yorkshire	30
Unitary Authorities	
East Riding Yorkshire	15
Kingston Upon Hull	30
N E Lincolnshire	20
North Lincolnshire	10
York	10
Metropolitan Districts	
Barnsley	20
Bradford	50
Calderdale	10
Doncaster	35
Kirklees	30
Leeds	75
Rotherham	30
Sheffield	50
Wakefield	25
East Midlands	330
Shire Counties	
Derbyshire	50
Leicestershire	15
Lincolnshire	65
Northamptonshire	40
Nottinghamshire	45
Unitary Authorities	
Derby	35
Leicester	45
Nottingham	40
Rutland	0
West Midlands	410
Shire Counties	
Shropshire	10
Staffordshire	50
Warwickshire	20
Worcestershire	20
Unitary Authorities	
Herefordshire	10
Stoke-On-Trent	30

Local authority	*Number of looked after children adopted 2002–03*
Telford and Wrekin	10
Metropolitan Districts	
Birmingham	140
Coventry	35
Dudley	20
Sandwell	20
Solihull	10
Walsall	25
Wolverhampton	15
East of England	305
Shire Counties	
Bedfordshire	25
Cambridgeshire	15
Essex	90
Hertfordshire	45
Norfolk	40
Suffolk	35
Unitary Authorities	
Luton	15
Peterborough	25
Southend	10
Thurrock	10
London	485
Inner London	255
Camden	20
City of London	0
Greenwich	40
Hackney	15
Hammersmith and Fulham	15
Islington	30
Kensington and Chelsea	10
Lambeth	15
Lewisham	20
Southwark	35
Tower Hamlets	15
Wandsworth	15
Westminster	15
Outer London	230
Barking and Dagenham	[1]—
Barnet	20
Bexley	10
Brent	10
Bromley	20
Croydon	20
Baling	25
Enfield	5
Haringey	10
Harrow	5
Havering	10
Hillingdon	15
Hounslow	25
Kingston Upon Thames	[1]—
Merton	5
Newham	20
Redbridge	10
Richmond Upon Thames	10
Sutton	0
Waltham Forest	[1]—
South East	500
Shire Counties	
Buckinghamshire	20
East Sussex	50
Hampshire	40
Kent	115
Oxfordshire	30
Surrey	50
West Sussex	40
Unitary Authorities	
Bracknell Forest	[1]—
Brighton and Hove	20
Isle of Wight	10
Medway Towns	25
Milton Keynes	10
Portsmouth	10
Reading	15
Slough	15
Southampton	30
West Berkshire	10
Windsor and Maidenhead	10
Wokingham	[1]—
South West	265
Shire Counties	
Cornwall	35
Devon	35
Dorset	15
Gloucestershire	30
Isles of Scilly	0
Somerset	20
Wiltshire	20
Unitary Authorities	
Bath and N E Somerset	[1]—
Bournemouth	15
Bristol	45
North Somerset	[1]—
Plymouth	20
Poole	[1]—
South Gloucestershire	10
Swindon	10
Torbay	[1]—

[1] Figures between 1 and 5 have been suppressed and replaced by a hyphen (—).

Notes:

1. Figures over 1,000 have been rounded to the nearest 100.
2. All other figures have been rounded to the nearest 5.

Source:

Children looked after by local authorities, year ending 31 March 2003

Child Care

Mr. Woodward: To ask the Secretary of State for Education and Skills what estimate the Government has made of the average amount of money parents in England contribute to the cost of child care. [186863]

Margaret Hodge: A number of surveys of parents provide figures relating to the average amount parents pay for child care. Estimates differ depending on the methodology used.

According to the 'Repeat Survey of Parents Demand for Childcare'[1], households paying for childcare were spending on average £40 a week on child care. Half of these families paid up to £21 per week and one-in-ten paid more than £100.

The 2002 Families and Children Study[2] shows that the median total weekly child care costs among all paying families where the mother works were £25 per week in term-time and £35 per week in holidays.

The Government recognise that making child care affordable is a key challenge for the National Childcare Strategy and has made a substantial investment to achieve this. Working parents, subject to the level of their income, may receive support through the child care element of the working tax credit. We are also introducing greater incentives for employers to support parents with the cost of child care from April 2005.

Inland Revenue data on the child care costs of UK parents benefiting from the child care element of the working tax credit show that in April 2004 they had mean allowed weekly costs of £71.12[3]. As a result of this support, almost 318,000 working families in April 2004 were receiving an average of £49.66 per week towards their childcare costs.

In addition, all 3 and 4-year-olds are now entitled to free, part-time early education which guarantees each of them up to six terms of high quality provision before they reach statutory school age. This reduces the amount of child care that parents of children of this age have to pay for. Government also provides financial support to child care providers to help with start-up costs and sustainability, which will further reduce the costs that must be borne by parents.

[1] Repeat Study of Parents' Demand for Childcare (2002), DfES. This is a nationally representative survey of the demand for child care among parents of children aged 14 and under in England. Interviews were achieved in 5,416 households and the survey was carried out between February and July 2001.

[2] 'Families and Children in Britain: Findings from the 2002 Families and Children Study' (2004). Research Report 206 DWP.

[3] The figures on which this average is based are capped—i.e. parents who have costs above the £135/200 limits are assumed to have costs of £135/200 exactly (uncapped figures are not currently available).

Simon Hughes: To ask the Secretary of State for Education and Skills what estimate the Government has made of how many registered child care places there were in *(a)* Greater London and *(b)* each London borough in each year since 1997. [189475]

Margaret Hodge: The information is not readily available in the form requested. I will write to the hon. Member when the information is at hand and will place a copy in the Library. The figures will be available by mid-October.

Children Bill

Tim Loughton: To ask the Secretary of State for Education and Skills what estimate he has made of the cost of implementation of the Children Bill to *(a)* central Government and *(b)* local government. [189464]

Margaret Hodge: The Government produced an updated Regulatory Impact Assessment for the Children Bill on introduction in the Commons. This includes information on costs. A copy has been placed in the Library. Many of the measures in the Bill are about better and more effective ways of working and, in themselves, will not have any significant additional cost implications. However the Government will increase investment in children's services by almost £1 billion by 2007–08 compared with 2004–05. This will be used to start taking forward the reforms set out in Every Child Matters.

The Children's Commissioner is a new post. We will spend broadly £2.5 million a year on the Commissioner's Office (including on his functions). We estimate that this year the start up costs will be in the order of £100,000, including costs of recruiting.

The provisions for an information database and, if the Government were to decide to introduce one, a registration scheme for private fostering will clearly have cost implications. The extent of the costs will depend on how they are implemented. We will produce separate impact assessments and costing for these to go with the affirmative resolution regulations that would put the detail of implementation into legislation

Class Sizes

Brian Cotter: To ask the Secretary of State for Education and Skills what the average class size was in *(a)* primary and *(b)* secondary schools in (i) England and (ii) the North Somerset Local Education Authority in each year since 1997. [188660]

Mr. Stephen Twigg: The requested information is given in the table.

Maintained primary and secondary schools[1]: classes taught by one teacher, position in January each year, 1997 to 2004

	Average size of classes taught by one teacher[2]			
	Primary		*Secondary[3]*	
	North Somerset LEA	*England*	*North Somerset LEA*	*England*
1997	27.8	27.5	20.4	21.7
1998	28.4	27.7	21.7	21.7
1999	28.5	27.4	21.7	21.9
2000	28.3	27.1	22.2	22.0
2001	27.7	26.7	22.1	22.0
2002	27.5	26.3	22.3	21.9
2003	27.8	26.3	22.2	21.9
2004	27.6	26.2	22.2	21.8

[1] Includes middle schools as deemed.

[2] Classes as taught during a single selected period in each school on the day of the census in January.

[3] For secondary schools, excludes sixth form colleges.

Source:

Annual Schools Census.

Criminal Records (Local Authority Staff)

Tim Loughton: To ask the Secretary of State for Education and Skills (1) what his policy is on local authorities employing *(a)* social workers and *(b)* others working with children who have criminal records; [188922]

(2) what guidance he has issued to social services departments regarding the employment of people after a Criminal Records Bureau check has revealed a conviction; [188923]

(3) what discussions he has had with Haringey Social Services Department about the employment of people with criminal records. [188924]

Margaret Hodge *[holding answer 14 September 2004]:* The Secretary of State has not discussed the employment of people with criminal records with Haringey Social Services Department.

It is for all employers to reach their own judgments about a person's suitability to work with children and other vulnerable people taking account of the legal requirements and all the information available including, where appropriate, information from the Criminal Records Bureau. Where an individual has been found guilty of an offence against a child, the court will consider whether, under the Criminal Justice and Court Services Act 2000, the individual should be disqualified from working with children. Where an employer is notified that an individual has been disqualified by a court as a result of their conviction, the employer will be committing an offence if they employ the individual in a post working with children. Where any other conviction information is revealed, employers will naturally need to consider a number of issues including the nature and age of the conviction and its relevance to the post being applied for.

Dyslexia

Ms Walley: To ask the Secretary of State for Education and Skills what guidance is in place to facilitate provision for dyslexic schoolchildren and students; and if he will make a statement on the implications for this provision of the introduction of disability legislation. [189096]

Margaret Hodge: Guidance on identifying and assessing special educational needs, including specific learning difficulties, such as dyslexia, is given in the SEN Code of Practice, to which schools and local education authorities must have regard. A range of material for teachers on dyslexia and dyscalculia has also been produced as part of the National Literacy and Numeracy Strategies to help promote inclusion of pupils with specific learning difficulties. The guidance has been well received and other material is in preparation.

The Department continues to work closely with both the British Dyslexia Association and the Dyslexia Institute to help raise awareness and develop new resources that will be of practical assistance to teachers and other staff. For example, we have supported the production and dissemination of a dyslexia friendly schools pack and a handy hints poster for primary schools.

It is envisaged the provision of such materials and guidance will help schools meet their statutory duties under the Disability Discrimination Act (DDA) 1995 where pupils with dyslexia meet the DDA definition of having a disability.

"Bridging the gap: a guide to the Disabled Students Allowances (DSAs) in higher education" is a publication providing detailed information for students on DSA grants which are available to higher education students with a disability or a specific learning difficulty such as dyslexia. The Department also has a dedicated webpage on our student support website for students with disabilities and learning difficulties. Further information is provided in our guide "Financial Support for Higher Education Students", a copy of which is sent to every student applying for student support.

The Department offers local education authorities strategic direction on policy and detailed guidance on the Statutory Instruments under which DSAs are paid.

Extended Schools Scheme

Miss McIntosh: To ask the Secretary of State for Education and Skills what new money is being allocated to extended school day programmes that are part of the extended schools scheme. [189521]

Margaret Hodge: The Government are committed to supporting the development of extended schools. We have already invested around £45 million in the current Spending Review period to support the development of extended services in schools which includes the development of before and after school child care, out of schools clubs, breakfast clubs and other similar programmes.

My right hon. Friend the Secretary of State for Education and Skills' statement to the House on 16 September set out how the additional funding for education and children's services over the period 2005–06 to 2007–08 will support the reforms set out in our Five Year Strategy for Children and Learners. Extended schools are a key part of the strategy. However, as the strategy makes clear, we are committed to reducing the burdens on the front line, including reducing the number of different funding streams so to give local authorities, schools and other agencies more scope to use resources flexibly to meet local needs. It is not, therefore, possible at this stage to give a figure for the increased investment in extended schools.

Fathers Direct

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills what funding has been given to Fathers Direct in each year since 1997 by his Department and its predecessors with responsibility for children. [189323]

Margaret Hodge *[holding answer 16 September 2004]*: Records show that funding given to Fathers Direct since 1997 by the Department for Education and Skills and its predecessors with responsibility for children is as follows:

Under the Family support grant:

£50,000 in 1999–2000, £100,000 in 2000–01, £100,000 in 2001–02; £50,000 in 2002–03; £50,000 in 2003–04 and £50,000 in 2004–05 (£25,000 given to date, £25,000 remaining to be paid)

Under the Parenting Fund:

£117,000 in 2003–04 Under Section 64 of the Health Services and Public Health Act 1968: an award of £60,000 over two years commencing in 2003–04 (£30,000 given to date, £30,000 remaining to be paid)

Under the Parental Involvement in Children's Education Grant:

£19,000 in 2003–04, and £11,000 in 2004–05 (£7,000 given to date, £4,000 remaining to be paid) All figures rounded to the nearest £1,000.

The main activities of Fathers Direct include training, information and consultancy work for family services, prisons and schools on how to engage and work with fathers and advising Government on policy. Recent activity funded by DfES includes a project to provide information, skills and resources for supporting fathers' relationships with their children to those sectors that provide support to parents (funded under the Parenting Fund).

Foster Care

Tim Loughton: To ask the Secretary of State for Education and Skills how many registered foster carers there were in each of the last three years. [189449]

Margaret Hodge: The information requested is not collected centrally. However, my Department is currently seeking to identify and resolve data collection difficulties so that we can work towards the collection of this information in future years.

The number of children looked after at 31 March in foster placements for each of the last three years is shown in the table.

Children looked after at 31 March in a foster placement, 2001–2003[1,2]

	Number
2001	38,3000
2002	39,200
2003	41.100

[1] Figures exclude children looked after under an agreed series of short-term placements.

[2] All figures are rounded to the nearest 100.

Source:

Children Looked After by Local Authorities, Year Ending 31 March 2003

Tim Loughton: To ask the Secretary of State for Education and Skills what estimate he has made of the number of foster carers required to satisfy current demand. [189450]

Margaret Hodge: At 31 March 2003 there were an estimated 41,100 children in foster placements in England, representing 68 per cent. of all looked after children. The Department itself does not collect information centrally about the number of foster carers. However, a recent survey of local authorities, carried out by the Fostering Network, indicated a shortage of around 8,200 foster carers in England, inevitably limiting the range of placements available to looked after children. Assisting local authorities to recruit and retain foster carers is a key priority for my Department and a number of national initiatives are already in place or planned to encourage greater numbers of people to become and remain foster carers.

Further and Higher Education

Chris Grayling: To ask the Secretary of State for Education and Skills how much he plans to spend on *(a)* higher education and *(b)* further education in each of the three years covered by the recent Spending Review. [190083]

Dr. Howells: On 16 September, the Secretary of State announced that total funding for the post-16 learning and skills sector, excluding Higher Education, will rise to £11 billion by 2007–08, and total funding for Higher Education will rise to almost £9.5 billion by 2007–08. We are doing further work in partnership with the funding councils on the details of our spending plans for Further and Higher Education. Details of the grant letters to the Learning and Skills Council and the Higher Education Funding Council for England will be published at the time of release.

Information and Communication Specialists

Mr. Jenkins: To ask the Secretary of State for Education and Skills how many information and communication technology specialists are in full-time employment in the Department. [189583]

Mr. Charles Clarke: My Department employs 139 information and communication technology specialists.

Learning and Skills Council

Chris Grayling: To ask the Secretary of State for Education and Skills what process was followed for the appointment of the Chair of the Learning and Skills Council. [190082]

Mr. Ivan Lewis: Appointments to the Learning and Skills Council are made through fair and open competition, in accordance with guidance issued by Office of the Commissioner for Public Appointments.

Looked-After Children

Tim Loughton: To ask the Secretary of State for Education and Skills how many looked-after children are in *(a)* foster care and *(b)* in children's homes outside the geographical area of the placing authority. [189410]

Margaret Hodge: The information requested has been placed in the Libraries.

Tim Loughton: To ask the Secretary of State for Education and Skills how many children in England are looked after by local authorities. [189411]

Margaret Hodge: I refer the hon. Member to my response on 19 April 2004, *Official Report*, column 28W.

Modern Apprentices Scheme

Chris Grayling: To ask the Secretary of State for Education and Skills if he will list the companies who received funds from the Learning and Skills Council for participating in the Modern Apprentices Scheme in each year for which figures are available, broken down by amounts received. [190080]

Mr. Ivan Lewis: This is a matter for the Learning and Skills Council. Mark Haysom, the Council's Chief Executive, will write to the hon. Member with this information and a copy of his reply will be placed in the House Library.

Chris Grayling: To ask the Secretary of State for Education and Skills how much was spent by the Learning and Skills Council promoting modern apprenticeships in each year for which figures are available. [190081]

Mr. Ivan Lewis: This is a matter for the Learning and Skills Council. Mark Haysom, the Council's Chief Executive, will write to the hon. Member with this information and a copy of his reply will be placed in the House Libraries.

National Grid for Learning

Mr. Bercow: To ask the Secretary of State for Education and Skills how much National Grid for Learning funding has been granted to schools in Buckinghamshire in *(a)* 2002–03, *(b)* 2003–04 and *(c)* 2004–05. [189846]

Mr. Charles Clarke: I refer my hon. Friend to 'Funding for ICT in Schools in England' which is available in the House Library.

Plumbing

Mr. Drew: To ask the Secretary of State for Education and Skills how many level 2 NVQs in plumbing have been achieved in each year since 1997. [190012]

Mr. Ivan Lewis: The numbers achieving a level 2 NVQ qualification in plumbing in the United Kingdom rose steadily from 1.9 thousand in 1997–98 to 4.4 thousand in 2002–03 (the latest year for which data are available). Numbers for each year are given in the following table:

Achievement of NVQ level 2 qualifications in plumbing

Thousand

Year[1]	*Number of awards*
1997–98	1.9
1998–99	2.0
1999–2000	2.5
2000–01	3.3
2001–02	3.5
2002–03	4.4

[1] Awards made between 1 October and 30 September each year.

Source:

NISVQ

Pre-school Education

Mr. Woodward: To ask the Secretary of State for Education and Skills how many and what percentage of children had access to pre-school education in *(a)* St. Helens and *(b)* England, broken down by region, in each year since 1997. [186800]

Margaret Hodge: The information is not available in the form requested.

Provisional figures for 2004 show that all three and four-year-olds in England took up some form of early years education. 97 per cent. of these children received funding.

The available sub-national information relates the number of free part-time nursery education places taken up by three and four-year-olds. The latest figures for the St. Helens local authority area and the Government Office regions for 2003 are shown in the table. Provisional figures for 2004 show that in England, there were 1,034,900 free nursery education places taken up by 3 and 4-year-olds (or 91 places per 100 children).

Number of free nursery education places[1, 2] *taken up by 3 and 4-year-old children in maintained nursery and primary schools and private, voluntary and independent providers in St. Helens local education authority area and by Government Office Region—Position in January each year: England 1997–2003*

	1997	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*
England	790,300	813,500	819,500	868,600	924,700	992,800	1,024,000
North East	55,600	54,800	53,000	54,200	54,600	55,100	53,200
North West	125,600	126,400	128,100	134,800	145,000	142,300	143,700
Of which:							
St. Helens	3,300	3,200	3,200	3,600	3,700	3,900	3,900
Yorkshire and the Humber	93,500	94,600	91,000	100,400	105,800	108,800	108,800
East Midlands	65,000	67,200	67,700	71,400	76,300	80,800	84,500
West Midlands	93,200	96,600	97,900	103,200	105,700	111,200	113,800
East of England	73,700	78,300	79,300	80,200	84,200	101,400	108,800
London	125,700	127,300	132,300	145,600	155,300	169,200	165,800
Inner London	50,800	50,700	54,300	63,400	65,600	69,000	67,200
Outer London	74,900	76,700	78,000	82,200	89,700	100,300	98,600
South East	98,900	104,800	106,800	110,500	120,700	140,100	155,000
South West	59,300	63,400	63,400	68,100	77,200	83,800	90,400

[1] Part-time equivalent number of free nursery education places taken up by three and four-year-old children.

[2] A free nursery education place comprises five two-and-a-half-hour sessions of early years education per week, for 33 weeks of the year, usually three terms of 11 weeks. Children in maintained schools are counted as taking up one place.

The latest provisional national figures on provision for three and four-year-olds were published in a Statistical Release "Provision for children under five years of age in England—January 2004" which is available on the Department's website www.dfes.gov.uk/rsgateway. The Department is planning to publish final figures for 2004 in October.

Pupil Referral and Learning Support Units

Mr. Bercow: To ask the Secretary of State for Education and Skills if he will list the *(a)* pupil referral units and *(b)* learning support units operating in Buckinghamshire; and how many (i) staff and (ii) places there are in each. [189961]

Mr. Stephen Twigg: The January 2004 school census recorded five registered Pupil Referral Units (PRU), Aylesbury Vale PRU, Aylesbury Vale Secondary Support Centre, The Oaks PRU, The Wycombe Grange PRU and Woodlands Primary Support Centre, with a combined total of 190 pupils on roll (78 being solely registered with a PRU and the remaining 112 being dual-registered with a mainstream school), with 24 full-time equivalent teachers. Buckinghamshire has four Learning Support Units (LSU), Kirkstart LSU at Buckingham School, the Topaz Unit at Quarrendon School, The Diamond Centre at The Grange School and a LSU at Highcrest School. The Department does not hold any data on staff or place numbers for LSUs.

Research Council Funding

Mr. Drew: To ask the Secretary of State for Education and Skills in what circumstances foreign students would be eligible for Research Council grants to permit them to continue their studies. [188403]

Ms Hewitt: I have been asked to reply.

Eligibility for Research Council studentship awards is set out in the Statutory Instrument 1997 No. 1972, The Education (Fees and Awards) Regulations 1997. In accordance with European Directives, EU nationals residing outside the UK are entitled to the same support as UK residents for their tuition fees and this is provided for in the regulations. The Statutory Instrument permits the Research Councils (and a number of other bodies) to offer UK residents full support for postgraduate studies (university fees and maintenance award), while restricting the eligibility of residents of the EEA to a tuition fees only award; residents of third countries are not entitled to receive any support. Foreign students that are settled in the UK within the meaning of the Immigration Act, have refugee status, or have been granted leave to remain are treated as UK residents in respect of the Instrument.

Special Educational Needs

Bob Spink: To ask the Secretary of State for Education and Skills what the average time taken to produce a statement of special educational needs is. [189361]

Margaret Hodge: Statutory timescales for local education authorities to observe in making assessments and statements of special educational needs are set out in the Special Educational Needs Code of Practice. Local education authorities are required to publish details of the percentage of draft statements they issue within the statutory 18-week timescale. There is also a statutory timescale of 26 weeks for local education authorities to produce final statements. Data are not collected or published on the percentage of final statements completed within this timescale.

In 2002/03, on average local education authorities in England met the 18-week timescale for producing draft statements in 65 per cent. of cases. When account is taken of cases where the issuing of draft statements was held up by factors beyond the authorities' control, this figure rose to 87 per cent.

Mr. Bercow: To ask the Secretary of State for Education and Skills how many special needs status *(a)* primary and *(b)* secondary school children there were (i) in England and (ii) in the Buckingham constituency in (A) 2002–03 and (B) 2003–04. [189843]

Margaret Hodge: The requested information is given in the following table.

Maintained primary and secondary schools[1] number of pupils with special educational needs (SEN), Position in January each year 2003 and 2004

	Buckingham constituency		*England*	
	Primary	*Secondary*	*Primary*	*Secondary*
As at January 2003				
Number of pupils with statements of SEN	100	70	71,040	79,320
Percentage of school population with statements of SEN[2]	1.2	1.5	1.6	2.4
Number of SEN pupils without statements	770	500	685,100	430,080
Percentage of school population with SEN (without statements[3])	9.9	11.5	15.9	13.0
As at January 2004				
Number of pupils with statements of SEN	100	70	69,610	78,480
Percentage of school population with statements of SEN[2]	1.2	1.5	1.6	2.4
Number of SEN pupils without statements	700	440	685,700	450,120
Percentage of school popuiation with SEN(without statements[3])	8.9	10.2	16.1	13.5

[1] Includes middle schools as deemed.

[2] Number of pupils with statements of SEN expressed as a percentage of total number of pupils in same school type.

[3] Number of SEN pupils (without statements) expressed as a percentage of total number of pupils in same school type.

Note:

Figures have been rounded to the nearest 10.

Source:

Annual Schools Census

Bob Spink: To ask the Secretary of State for Education and Skills how many children are on the roll at each *(a)* severe learning difficulties and *(b)* moderate learning difficulties special school in Essex. [189050]

Margaret Hodge: The available information is shown in the table.

Special schools[1]: Number of schools and number on roll by type of provision
January 2004 (provisional), Essex local education authority

	All special schools	*Of which: Approved to make provision for severe learning difficulties[2]*	*Approved to make provision for moderate learning difficulties[2]*
Number of schools	22	11	13
Number of pupils	1,888	1,041	1,377

[1] Includes maintained and non-maintained special schools

[2] Schools can be approved for more than one type of provision.

Information on individual schools cannot be provided as it is the Department's policy not to publish figures about individual schools without their prior agreement.

Bob Spink: To ask the Secretary of State for Education and Skills how many moderate learning difficulty special schools there are in each local education authority. [189051]

Margaret Hodge: The information requested has been placed in the House of Commons Library.

Sure Start

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills if he will list the performance indicators and outcomes set for Sure-Start *(a)* in England and *(b)* on the Isle of Wight in each year since the programme's establishment. [189322]

Margaret Hodge *[holding answer 16 September 2004]:* The Public Service Agreement (PSA) targets for Sure Start since the Spending Review 2000 (SR2000) are set out as follows. No targets have been set centrally for the Isle of Wight.

(a) SR2000 (covering the period from 2001 to 2004)

PSA1—Reduce the proportion of children aged 0–3 in the 500 Sure Start areas who are re-registered within the space of 12 months on the child protection register by 20 per cent. by 2004.

PSA2—Achieve by 2004 in the 500 Sure Start areas, a 10 per cent. reduction in mothers who smoke in pregnancy.

PSA3—Achieve by 2004 for children aged 0–3 in the 500 Sure Start areas, a reduction of five percentage points in the number of children with speech and language problems requiring specialist intervention by the age of four.

PSA4—Reduce the number of 0–3 year old children in Sure Start areas living in households where no one is working by 2004.

(b) SR2002 (covering the period from 2003 to 2006)

PSA1—In fully operational programmes, achieve by 2005–06 a [x][1] per cent increase in the proportion of babies and young children aged 0–5 with normal levels of personal, social and emotional development for their age.

PSA2—In fully operational programmes, achieve by 2005–06 a 6 percentage point reduction in the proportion of mothers who continue to smoke during pregnancy.

PSA3—In fully operational programmes, achieve by 2005–06 a [x][1] per cent increase in the proportion of children having normal levels of communication, language and literacy at the end of the Foundation Stage and an increase in the proportion of young children with satisfactory speech and language development at age two years

PSA4—In fully operational programmes, to achieve by 2005–06 a 12 per cent. reduction in the proportion of young children (aged 0–4) living in households where no one is working.

(c) SR 2004 (covering the period from 2005 to 2008)

PSA1—Improve children's communication, social and emotional development so that by 2008 50 per cent. of children reach a good level of development at the end of the Foundation Stage, and reduce inequalities between the level of development achieved by children in the 20 per cent. most disadvantaged areas and the rest of England.

PSA2—As a contribution to reducing the proportion of children living in households where no one is working, by 2008:

- i. increase the stock of Ofsted-registered childcare by 10 per cent.;
- ii. increase the take up of formal childcare by lower income working families by 50 per cent.;
- iii. introduce, by April 2005, a successful light-touch child care approval scheme

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[1] Actual target levels for SR2002 PSAs 1 and 3 will be set when fuller results from the Foundation Stage Profile are available.

Mr. Bercow: To ask the Secretary of State for Education and Skills if he will list the Sure Start programmes in Buckinghamshire. [189852]

Margaret Hodge: There is one Sure Start programme in Buckinghamshire, Sure Start Wycombe. The programme was initially a Sure Start mini local programme and became a fully-fledged programme in June 2003. The programme covers three wards: North Oakridge, Central Castlefield and South Booker and provides Sure Start services to 825 children under four and their families in the catchment area.

Young People Green Paper

Charles Hendry: To ask the Secretary of State for Education and Skills when he plans to publish the Green Paper on young people provisionally entitled Things to Do and Places to Go; what proposals are likely to be included; and who will be consulted. [189826]

Margaret Hodge: We intend to publish the Youth Green Paper in December. The paper will set out a new offer for young people covering things to do and places to go; personal advice and support, particularly for young people at risk of poor outcomes; support for parents and families; opportunities for volunteering and mentoring; and the chance for young people to have more of a say.

In developing the paper, we are currently consulting other Government Departments and a wide range of key stakeholders including representatives from Local Government, schools, Connexions, the voluntary and community sectors, the private sector and young people and parents. In addition, the Green Paper will itself be a consultative document, on which we will be seeking comments from a very wide range of people.

FOREIGN AND COMMONWEALTH AFFAIRS

Colombia

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 18 May 2004, *Official Report,* column 872W, on Colombia, if he will list the two unofficial statistics on the number of internally displaced people in Colombia in the last three years assessed by his Department to be the most accurate; and if he will make a statement. [175500]

Mr. Rammell: I would like to apologise to the hon. Member for the late reply to his question.

In my reply I alluded to the difficulty in establishing totally accurate statistics of internally displaced people (IDPs) in Colombia. In gauging the extent of the problem we compare figures provided by the Colombian Government with those provided by reputable Colombian NGOs, including Consultoria Para Los Derechos Humanos Y El Desplazamiento (CODHES) or Consultancy for Human Rights and Displacement in English. This comparison enables us to monitor trends in IDP figures, increasing or decreasing, and helps in our efforts to establish the reason for such changes. The CODHES figures for 2001 were 341,925 (Colombian Government figure is 327,606) and in 2002 were 412,553 (Colombian Government figure is 379,289). However it would not be reasonable to expect that either set of figures were 100 per cent. accurate.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 18 May 2004, *Official Report,* column 872W, on Colombia, what steps *(a)* his Department took, *(b)* his Department initiated and *(c)* were taken by non-governmental organisations to assess the veracity of the

Government statistics showing a marked decline in internally displaced people in Colombia in 2003; and if he will make a statement. [175501]

Mr. Rammell: In my reply I alluded to the difficulty in establishing totally accurate figures of internally displaced people (IDPs) in Colombia. To do so we compare figures of IDPs from different, respected sources and thereby try to gauge trends. We supplement the assessment of such data by our Embassy in Bogota seeking to establish the true picture through discussions with the Government of Colombia, NGOs, international organisations working in Colombia such as the UN, ICRC, the church and civil society. The respected Norwegian Refugee Council is one of these interlocutors. Embassy officials also travel around the country to assess the situation at first hand, although such travel can be restricted by security concerns. There is no guaranteed, comprehensive means of checking the accuracy of figures of IDPs. The marked decline in numbers of IDPs in 2003 referred to new displacements in that year.

Departmental Staff (Upper Age Limits)

Mr. Andrew Turner: To ask the Secretary of State for Foreign and Commonwealth Affairs whether *(a)* his Department and *(b)* agencies for which it is responsible (i) have a set retirement age which applies to all or most personnel and (ii) have a maximum age beyond which applications for employment will not be considered; and what the age is in each case. [186085]

Mr. Alexander: In the Foreign and Commonwealth Office (FCO) all officers have a set retirement age of 60 years. However, if band A (clerical) officers wish to postpone their retirement they may do so up to 65 years and band B (junior management), band C (middle management) and band D (senior management) may do so up to 63 years.

Members of the Diplomatic Service are recruited up to 52 years to allow time for training and tours of duty at home and abroad before retirement. Members of the FCO Home Civil Service cadre are recruited up to 57 years to allow time for a normal tour of duty in a home job before retirement.

The FCO is not responsible for any agencies.

EU-Israel Association Agreement

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the Government will call for the suspension of the EU-Israel Association Agreement on the basis of the International Court of Justice ruling of 9 July. [185779]

Mr. MacShane: No.

EU-US Trade

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what the percentage change in EU trade with the US has been since 1 May. [186648]

Mr. Alexander: The value of trade in goods between the EU25 and the US rose by 10 per cent. between May and July 2004 compared to the same three months in 2003.

Source:

US Bureau of Economic Affairs, balance of payments September news release, exports and imports of goods by selected countries, not seasonally adjusted.

Human Rights (China)

Tom Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Chinese authorities with regard to observance of basic human rights in China. [175151]

Mr. Rammell: I would like to apologise to my hon. Friend for the late reply to his question.

Both my right hon. Friends the Prime Minister and Foreign Secretary raised our serious concerns about human rights issues in China during their respective meetings with the Chinese Premier Wen Jiabao and the Chinese Foreign Minister Li Zhaoxing on 10 May. I also recently raised the issue of human rights with Vice Foreign Minister Zhang Yesui during my visit to China in July.

In addition, I also raised our concerns with Chinese delegates at the biannual UK/China Human Rights Dialogue, the latest round of which took place in London on 13 and 14 May. We raised a range of issues including freedom of expression, minority rights, freedom of religion, as well as concerns about torture and the use of the death penalty.

Iraq

Mr. Gerrard: To ask the Secretary of State for Foreign and Commonwealth Affairs how many child prisoners are held in Iraqi prisons under the control of Coalition forces. [183957]

Mr. Rammell: The UK is not detaining any security internees under the age of 18.

The US is the Detaining Power for 55 security internees under the age of 18. For updated information on US detainees visit www.iac-baghdad.org.

Sir Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment the Government have made of the feasibility of opening a consulate in Erbil, Iraq; and if he will make a statement. [189368]

Mr. Straw: Her Majesty's Government are represented in northern Iraq by the office of the British embassy in Kirkuk. This decision was based on a number of factors, including security advice. Although there are no current plans to open a consulate in Erbil the consul general is already travelling extensively around northern Iraq and maintaining the excellent links we have developed in this area.

I visited Kirkuk, Lake Dokan and Erbil on 5 October.

Iraqi Airways

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the coalition was consulted on the recent sale of 75 per cent. of Iraqi Airways to an Iraqi family; and if he will make a statement. [188929]

Mr. Rammell *[holding answer 16 September 2004]:* This is a matter for the Iraq Interim Government. However the Director of Iraqi Airways has confirmed that Iraqi Airways remains 100 per cent. in the control of the Ministry of Transport.

People Trafficking

Bob Spink: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list *(a)* the key countries of origin and *(b)* the key countries of transit for the illegal trafficking of (i) children under the age of 14 and (ii) women. [183592]

Mr. Rammell: We are committed to doing all we can to combat human trafficking. I refer the hon. Member to the statement I made on 15 September 2004, *Official Report,* columns 490–95WH in an adjournment debate on the international trafficking of women which sets out the actions we are taking.

Human trafficking is a global crime, involving many source and transit countries. Some countries are both source and transit countries. Traffickers are flexible and, as circumstances change, seek new markets and routes. In its "Trafficking of Human Beings—a Europol Perspective—January 2004", Europol provides an overview of the issue. A copy of this report is available on Europol's website: www.europol.eu.int. Through our network of immigration liaison officers in Europe, we work closely with our European partners to combat human trafficking. The "UK Threat Assessment of Serious and Organised Crime 2003" available on NCIS's website, www.ncis.co.uk, also gives details of the pattern of movement of illegal migrants.

The nature of trafficking means that it is a hidden crime and there are no reliable figures about children under the age of 14 or women being trafficked into or out of Europe.

Royal Family (Overseas Visits)

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs whether Her Majesty the Queen plans to visit *(a)* Singapore and *(b)* New Zealand within the next five years. [186893]

Mr. Mullin: The forward programme of visits by Her Majesty the Queen for the next five years has not been finalised. For security reasons Royal Visits overseas are not generally announced until a few months before a visit takes place.

Sudan

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to submit a resolution to the United Nations Security Council (UNSC) to implement a comprehensive arms embargo on Sudan in addition to the measures established in UNSC resolution 1556. [189757]

Mr. Mullin: The Security Council is currently discussing the Secretary-General's latest report on Darfur, and, as a member of the Security Council, the UK will consider in due course what, if any, further measures need to be taken against the Government of Sudan.

The UK has strictly enforced an EU arms embargo on Sudan since it was imposed in 1994.

Terrorism

Mr. Wiggin: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress is being made in *(a)* breaking the global network of al-Qaeda and *(b)* the search for Osama Bin Laden. [186774]

Mr. MacShane: I refer the hon. Member to the reply my right hon. Friend the Prime Minister gave him on 16 July 2004, *Official Report,* column 1380W. We continuously assess the threat from al-Qaeda and al-Qaeda related terrorist cells, including their numbers and locations. But for reasons, which the hon. Member will understand, we do not publish these assessments. The Security and Intelligence Agencies are outside the scope of the Code of Practice on Access to Government Information (Paragraph 6, Part I).

The hunt for Osama Bin Laden continues. All coalition forces and indigenous police authorities are actively searching for his whereabouts.

WORK AND PENSIONS

Local Service Delivery

12. **Mr. Weir:** To ask the Secretary of State for Work and Pensions how he assesses the efficiency of service delivery in local offices. [190402]

Jane Kennedy: The Department's local office network is delivered through Jobcentre Plus. DWP has a Public Service Agreement (PSA) target to improve the delivery of services of each of its businesses, including Jobcentre Plus, by setting published annual targets addressing accuracy, unit costs and customer service. We also set Jobcentre Plus other targets covering key aspects of its business—job outcomes, reducing losses through fraud and error, delivery of key business processes and employer outcomes. These targets are announced annually in Parliament and in Jobcentre Plus's business plan. Progress is monitored regularly and is published in the Department's Annual Report.

Financial Assistance Scheme

13. **Mr. Wyatt:** To ask the Secretary of State for Work and Pensions when ASW workers whose occupational pensions are in administration can expect to receive their first payment from the recently announced Financial Assistance Scheme. [190403]

Malcolm Wicks: By the spring of 2005 we intend to have the legislative framework in place with a view to being able to make the first payments as quickly as possible thereafter.

Meanwhile we are continuing to work on the design of the Scheme in consultation with stakeholders. Until that work has been completed we cannot give any particular scheme's members' assurances that they will be covered.

Mr. Dalyell: To ask the Secretary of State for Works and Pensions pursuant to his answer of 5 July 2004, *Official Report*, column 546, on pension protection, how much has been paid out under the pension assistance package of 30 June. [190390]

Mr. Swire: To ask the Secretary of State for Work and Pensions, if he will make a statement on the Government's Financial Assistance Scheme. [190392]

Mr. Pond: The Financial Assistance Scheme will give support to those who face the most significant losses of their pension when their employer has become insolvent. Details of the Scheme's operation are being worked out as quickly as possible, in consultation with stakeholders. No payments have yet been made from the Scheme.

23. **Mr. Swayne:** To ask the Secretary of State for Work and Pensions, what discussions he has had with the pensions industry regarding the Financial Assistance Scheme. [190413]

Malcolm Wicks: Ministers from the Department for Work and Pensions have held many meetings with representatives from the pensions industry, including those that my right hon. Friend the Member for Oxford, East (Mr. Smith), the former Secretary of State, had with Confederation of British Industry (CBI), the Institute of Actuaries, the National Association of Pension Funds (NAPF), the Trades Union Congress (TUC), Amicus the Union, and Community.

Disability Living Allowance

15. **Mr. Llwyd:** To ask the Secretary of State for Work and Pensions how many and what percentage of appeals against the disallowance of disability living allowance were successful in *(a)* 2001, *(b)* 2002 and *(c)* 2003. [190405]

Maria Eagle: The numbers of disability living allowance appeals cleared at hearing for the periods requested are set out as follows.

Disability living allowance appeals, received at the Appeals Service, cleared at hearing and in favour of appellant, for each calendar year 2001–03

	Lodged	*Received*	*Cleared at hearing*	*Cleared in favour*	*Percentage cleared in favour*
2001	86,440	87,245	86,280	45,165	52.3
2002	82,490	82,630	72,815	39,495	54.2
2003	87,340	83,665	69,865	36,850	52.7

Notes:

1. All figures are subject to change as more up-to-date data becomes available.
2. Figures for the latest months may rise significantly as information feeds through to the Appeals Service.
3. Figures are rounded to the nearest five.
4. Figures may not sum due to rounding.
5. Percentages are to one decimal place and are based on unrounded figures
6. Figures include the results of all appeals. The figures for successful appeals against disallowance only are not available.

Source:

IAD Information Centre, 100 per cent. sample

Minimum Income Guarantee

16. **Mr. Rendel:** To ask the Secretary of State for Work and Pensions what proportion of pensioners entitled to the minimum income guarantee were in receipt of it at the latest date for which figures are available. [190406]

Malcolm Wicks: Last October minimum income guarantee was replaced by pension credit, a less intrusive, more generous entitlement. As at 31 August, over two million pensioner households were receiving the guarantee element, getting money to the poorest pensioners. This includes 260,000 more households that have been receiving financial assistance that they did not get under the minimum income guarantee.

Final Salary Pension Schemes

17. **Mr. Laurence Robertson:** To ask the Secretary of State for Work and Pensions if he will make a statement on the number of people participating in final salary pension schemes. [190407]

Malcolm Wicks: We estimate that in total there are around 22 million individual entitlements to benefits in UK defined benefit pension schemes. The number of people participating will be slightly lower than this, as individuals can be members of more than one scheme.

Benefit-Tax Credit Interaction

18. **Mr. Andrew Turner:** To ask the Secretary of State for Work and Pensions what assessment he has made of the interaction of benefits and tax credits. [190408]

Mr. Pond: We are determined to make work pay and to tackle the traps of unemployment and poverty; tax credits are at the heart of this strategy. Over 6 million hard working families are already benefiting from tax credits and over half of all children in the UK are benefiting from the increase in child tax credit.

DWP and the Inland Revenue will keep working with local authorities to ensure that tax credits, housing benefit and council tax benefit work together and continue to make it easier than ever before to move into work.

School Crossing Patrol Officers

19. **Mr. Blizzard**: To ask the Secretary of State for Work and Pensions if he will extend the higher level of earnings disregard to benefit claims from school crossing patrol officers. [190409]

Mr. Pond: All aspects of benefit payment, including disregards, are kept under constant review in order to ensure the fair and equitable distribution of benefit and the best use of public funds.

I want to pay tribute to my hon. Friend for his vigorous campaigning on this issue, but he knows that this is a complex matter with wider implications and I cannot promise that we will be able to act in the way that he would wish.

Pensions Commission

20. **Lynne Jones**: To ask the Secretary of State for Work and Pensions, when he expects the Pensions Commission to report. [190410]

Malcolm Wicks: The Pensions Commission has announced that it will publish its first report tomorrow. This will be a thorough analysis of the UK Pensions System. I welcome the work of this independent Commission which we established to keep under review the regime for UK private pensions and long-term savings. I look forward to its findings.

Incapacity Benefit

22. **Ann McKechin**: To ask the Secretary of State for Works and Pensions, if he will make a statement on incapacity benefit. [190412]

Maria Eagle: As we have already said, this Government are determined to do more to address the legacy of inactivity.

Between 1979 and 1997 the number of people receiving Incapacity Benefit trebled and had that trend continued there would be around four million people now on Incapacity Benefit instead of 2.7 million.

Almost all of those who move on to incapacity benefits want and expect to go back to work. Our reforms will give them the opportunity and full range of help needed to realise that goal.

Attendance Allowance

Mr. Brady: To ask the Secretary of State for Work and Pensions what factors contribute to delays to the reinstatement of attendance allowance, where that allowance has been suspended following a stay in hospital. [190028]

Maria Eagle: A number of factors can contribute to delays to the reinstatement of attendance allowance where that allowance has been suspended following a stay in hospital. These can include the need to contact the customer or obtain medical evidence in order to determine the impact on benefit entitlement of any change in the customer's condition. In some cases there is a need to obtain information from other sources such as a hospital, local authority or residential care home. There will also be a need to liaise with other parts of the Department where payment of attendance allowance is combined with other Social Security benefits. Staff are advised that where there are other matters to consider, priority should be given to re-instating benefit prior to making any further inquiries wherever possible.

Benefit Calculation

Tony Cunningham: To ask the Secretary of State for Work and Pensions if he will disregard borough councillor allowances as income for the purposes of benefit calculation. [190100]

Mr. Pond: The basic councillor allowance is payable to all councillors for the time they devote to their work and to cover costs for which no other specific payment is made. For those people in receipt of income related benefits, such as income support, income based jobseeker's allowance and pension credit, which are intended to help people whose resources are insufficient to meet their day-to-day living expenses; this is treated in the same way as other types of earnings and attracts the normal £5 or £20 earnings disregard. However, expenses are fully disregarded where the expenses were incurred wholly, exclusively and necessarily in the performance of the councillor's duties.

For those in receipt of incapacity benefit, which is normally paid to people who are incapacitated by the effects of their illness or disability, there is an exception for local authority councillors. Incapacity benefit is not normally payable to people who work and receive an income, however, the special provision for councillors recognises the particular obligations placed on elected councillors by disregarding such work for the purposes of deciding entitlement to benefit. Account is taken of the amount of allowance payable but benefit is affected only if the allowance exceeds the prescribed limit of £78 in any week. In this event, benefit is reduced on a pound-for-pound basis by the amount that the allowance exceeds the limit.

We have no plans to change the way in which these allowances are treated.

Bereaved Parents Allowance

Mr. Drew: To ask the Secretary of State for Work and Pensions how many appeals against non-allowance of the bereaved parents allowance there have been in each of the last three years; and how many were successful. [188404]

Maria Eagle: This is a matter for Christina Townsend, Chief Executive of the Appeals Service. She will write to my hon. Friend.

Letter from Christina Townsend to Mr David Drew, dated 6 October 2004:

The Secretary of State has asked me to respond to your question regarding the number of appeals against non-allowance of the bereaved parents allowance there have been in each of the last three years; and how many were successful.

The information is not available in the format you have requested as figures for all Widows/Bereavement benefits are recorded together. However, the information in table 1 gives details of all Widows/Bereavement benefit claims in payment. Table 2 gives details of all Widows/Bereavement benefit appeals received in each of the last three years and the number of those appeals that were successful.

Table 1

thousands

	In payment figures
March 2002	36.8
March 2003	44.4
March 2004	46.4

Bereavement benefit note:

Figures are in thousands and are rounded to the nearest hundred.

Source:

IAD Information Centre, 5 per cent. sample.

Table 2

Financial year	*Lodged*	*Received*	*Cleared at hearing*	*Cleared in favour*	*Cleared against*	*Cleared upheld*	*Cleared others*
April 2001–March 2002	865	775	580	85	[1]—	485	5
April 2002–March 2003	1,095	1,060	700	85	[1]—	610	5
April 2003–March 2004	705	810	705	85	[1]—	610	10

[1] Denotes data equal to nil or negligible.

Appeals data notes:

All figures are subject to change as more up to date data becomes available.

Figures for the latest months may rise significantly as information feeds through to the Appeals Service.

Figures are rounded to the nearest five.

Figures may not sum due to founding.

Please note that figures for the latest year may be approximately 5 per cent. overstated due to operational changes regarding the closure of Salford Regional Centre.

Source:

IAD Information Centre, 100 per cent. sample.

Exceptions Service

Mr. Drew: To ask the Secretary of State for Work and Pensions when the Exceptions Service is expected to be set up for those who cannot be part of the Government's new pensions payments arrangements. [189898]

Mr. Pond: Cheque payments (previously referred to as the Exceptions Service) will be phased in over the period from October 2004 to March 2005.

Mr. Drew: To ask the Secretary of State for Work and Pensions how many complaints he has received from pensioners who have asked to use the Exceptions Service and have been referred to other options with regard to pensioner's payments. [189899]

Mr. Pond: Independent research commissioned by DWP shows that there are very high levels of satisfaction among benefit and pensions customers who have transferred to direct payment and those who have started claiming and chose to receive direct payments. Overall 91 per cent. of customers were happy with the process of setting up direct payments (the figure for pensioners was 88 per cent.). Similarly, overall 93 per cent. of customers were happy with the process of having payments made into an account (the figure for pensioners was 92 per cent.).

Direct payment is now the normal method of payment. The Department provides staff with the factual information they need to give to customers, in order for customers themselves to choose the account which best meets their needs and circumstances. The cheque payment is only intended for those customers who we cannot pay by direct payment; it is not an alternative payment option.

We are continuing to contact existing customers to invite them to provide account details. Customers who advise the Department that they are unable to open or manage an account will be paid by cheque payment. We do not capture data concerning the number of complaints received from pensioners who have asked to use cheque payment and have been referred to other options.

Mr. Drew: To ask the Secretary of State for Work and Pensions if he will publish the figures, by constituency up to the last date for which figures are known, for *(a)* those who have been contacted about the new pensions payment arrangements, *(b)* those who have agreed to new arrangements of payment method, *(c)* those who have asked about the Exceptions Service and *(d)* those who have yet to reply. [189900]

Mr. Pond: Information is not available in the constituency-based format requested. However as at 10 July 2004 for the Constituency of Stroud 19,600 (61.9 per cent.) of all benefit accounts were paid by direct payment into bank accounts, and 1,185 (3.7 per cent.), into Post Office card accounts.

The move to direct payment is progressing well. 14.25 million customers are to be moved to direct payment, of which approximately 50 per cent. are over pension age. To date over 5.3 million pensioners have been contacted.

Of the pensioners contacted nearly 4.4 million have responded by either supplying their bank details or requesting a Post Office card account.

We do not capture data on the number of customers who have asked about cheque payments. The cheque payment is only intended for those customers who we cannot pay by direct payment; it is not an alternative payment option. Customers will not apply to be paid in this way.

With regard to the pensions customers who have not yet responded—there will always be a time lag between the total number of invitations issued and the number of people that have so far responded.

Key figures on the progress of conversion to direct payment are available in the Library. These figures are updated every four weeks.

Housing Benefit

Mr. Willetts: To ask the Secretary of State for Work and Pensions if he will list the 20 councils with the longest times for processing new housing benefit claims, identifying in each case the average time for processing claims. [185706]

Mr. Pond *[pursuant to his reply, 22 July 2004, Official Report, c. 441W]:*

The information is in the table.

20 local authorities with the longest processing times for new claims for housing benefit (HB) and council tax benefit (CTB)

	Average time for processing new claims (calendar days)		
Local authority	*HB*	*CTB*	*HB and CTB*
Bury	75	97	87
Bristol	87	90	88
North Ayrshire	79	97	88
Dundee	88	90	89
Flintshire	89	89	89
York	78	108	91
Croydon	83	105	95
East Devon	95	96	96
Mid Suffolk	92	98	96
South Northamptonshire	100	95	97
Torridge	99	96	97
Chelmsford	95	108	101
Lambeth	90	122	104
Renfrewshire	92	115	104
Portsmouth	103	112	107
Leicester	106	122	114
Manchester	137	89	115
Merthyr Tydfil	—	—	118
Hackney	114	134	123
Liverpool	183	152	167
Swale	182	203	193

Notes:

1. Four local authorities did not supply data for 2003–04.

2. It is not possible to differentiate the housing benefit/council tax benefit data from Merthyr Tydfil.

3. The data are taken from un-audited returns by local authorities to DWP, and are the most recent quarterly data they have returned for 2003–04.

Industrial Injuries Benefits

Stephen Hesford: To ask the Secretary of State for Work and Pensions how many people claimed industrial injuries disablement benefit for occupational asthma in *(a)* the UK and *(b)* England in each of the last five years. [189868]

Maria Eagle: The information is in the table.

Number of claims for industrial injuries disablement benefit for occupational asthma in the United Kingdom and England[1]

	United Kingdom	*England*
1999	1,000	700
2000	900	700
2001	800	700
2002 (March quarter)	200	200
2002 (April to December)	535	425
2003[2]	685	525

[1] Claims are based on a 10 per cent. sample up to March 2002, 100 per cent. count thereafter. 10 per cent. figures are rounded to the nearest 100, and 100 per cent. figures to the nearest five to ensure anonymity.

[2] Provisional data.

Source:

IAD, DSU1, Longbenton, Newcastle.

Jobcentre Plus

Mr. Amess: To ask the Secretary of State for Work and Pensions (1) how many redundancies he expects from the closure of Jobcentre Plus, Victoria Avenue, Southend-on-Sea; and if he will make a statement; [190033]

(2) what representations his Department has received on the closure of Jobcentre Plus, Victoria Avenue, Southend-on-Sea; and if he will make a statement; [190034]

(3) what plans there are to deploy those affected by the closure of Jobcentre Plus, Victoria Avenue, Southend-on-Sea to other areas within his Department; and if he will make a statement; [190035]

(4) what factors underlay the decision to close Jobcentre Plus, Victoria Avenue, Southend-on-Sea; and if he will make a statement. [190036]

Jane Kennedy: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to the hon. Member.

Letter from David Anderson to Mr. David Amess, dated 11 October 2004:

The Secretary of State has asked me to reply to your questions regarding the announcements made on the closure of the Victoria Avenue Jobcentre Plus site in Southend-on-Sea. This is something that falls within the responsibilities delegated to me as Chief Executive of Jobcentre Plus.

It is too early to say whether there will be any redundancies arising from this closure. The Department's aim is to redeploy as many staff as possible into other jobs within Jobcentre Plus, particularly in Great Oaks House, Basildon, which will be requiring additional benefit processing staff and is within daily travelling distance from Southend. We will also be looking at redeployment opportunities in other parts of this and other Government departments. Following this redeployment exercise we will have a clearer picture of whether redundancies might be necessary, and the numbers affected.

The District Manager for Essex has written to our partners and external stakeholders to inform them of the announcement. No representations have been made so far concerning the closure of the Victoria Avenue site.

In deciding to close Victoria House, a number of factors were taken into account, including how best to use the space available to us, and the staff expertise available to do the work. For benefit processing centres, we are looking at sites capable of accommodating 250 to 600 staff, and Victoria House is not large enough for this. Furthermore, under our contract with our estate partner Land Securities Trillium, Victoria House can be released more quickly and thus more cheaply.

I am happy to assure you that the face to face customer service to the people of Southend will be maintained in our Jobcentre Plus outlet at Dencora Court, Southend.

Should you wish to meet with the District Manager for Essex to discuss this further he can be contacted at the Essex District Office in Chelmsford on 01245 545122.

Hywel Williams: To ask the Secretary of State for Work and Pensions what Welsh language services are provided by Jobcentre Plus Direct. [189959]

Jane Kennedy: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to the hon. Member.

Letter from David Anderson to Mr. Hywel Williams, dated 11 October 2004:

As Jobcentre Plus is an Executive Agency, the Secretary of State has asked me to reply to your question concerning what Welsh language services are provided by Jobcentre Plus Direct. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

Jobcentre Plus Direct is the contact centre network for Jobcentre Plus customers who either wish to make a benefit claim or want to use our job brokering service—Jobseeker Direct.

In answer to your specific question, Jobcentre Plus Direct offers a dedicated telephone number to Welsh language speakers for both making claims to benefit and seeking help through Jobseeker Direct.

I hope this reply to your question is helpful.

Hywel Williams: To ask the Secretary of State for Work and Pensions what steps he is taking to safeguard Jobcentre Plus services delivered through the medium of Welsh during the closure and centralisation programme in Wales. [190011]

Jane Kennedy: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to the hon. Member.

Letter from David Anderson to Mr. Hywel Williams, dated 11 October 2004:

The Secretary of State has asked me to reply direct to your question concerning the delivery of Jobcentre Plus services through the medium of Welsh. This is something which falls within the responsibilities delegated to me as Chief Executive of Jobcentre Plus.

As you may be aware, Jobcentre Plus is modernising the way in which it delivers its business. We are creating a modernised service in refurbished buildings and these enhancements are dramatically changing the way we help people of working age, giving a real work focus for customers claiming benefit.

We are establishing a Contact Centre in North West Wales which will provide a Welsh Language service to our customers who contact us by telephone or through other electronic channels. For those who wish, or need, to undertake their business with us on a face-to-face basis, we will have a network of offices and flexible delivery sites throughout Wales that will continue to ensure that Welsh speaking advisers will be available.

Jobcentre Plus has made a commitment, as outlined in its Annex to the Department's Welsh Language Scheme, that the English and Welsh Languages will be treated on a basis of equality. This commitment was underlined by the Department for Work and Pensions' Permanent Secretary, Sir Richard Mottram, who attended the launch of the Department's Scheme with the Welsh Language Board at this year's National Eisteddfod.

Jobcentre Plus will continue its longstanding commitment to encourage and support members of staff wishing to learn Welsh or improve their ability to speak Welsh in the workplace. Staff dealing with claims to benefit and those conducting advisory interviews are being offered Welsh Language training to enable them to deal with customers in the language of their choice.

I can assure you, therefore, that Jobcentre Plus is taking all the necessary steps it can to safeguard the services it provides to its customers through the medium of Welsh.

I hope that this is helpful in clarifying the position.

Pension Credit

Mr. Battle: To ask the Secretary of State for Work and Pensions what his Department's latest estimate is of *(a)* the number of pensioners, *(b)* the number entitled to pension credit and *(b)* the number taking up pension credit in Leeds, West. [189948]

Malcolm Wicks: The number of people in receipt of state pension in Leeds, West was 14,500 (rounded to the nearest 100) on 30 September 2003, the latest date for which a figure is available. Information on the number of people likely to be eligible for pension credit is not available at constituency level. However, we estimate that approximately 400,000 households in the Yorkshire and Humberside region, corresponding to approximately 500,000 individuals (rounded to the nearest 50,000), are likely to be eligible for pension credit in 2004–05. Information on the number of pension credit recipients in Yorkshire and Humberside and Leeds, West is given in the table.

Pension credit recipients, 31 August 2004

	Households	Individuals
Yorkshire and Humberside	251,830	308,495
Leeds, West	4,435	5,275

Notes:

1. Figures are rounded to the nearest five.

2. Individual recipients include a small number of partners under age 60.

Mr. Dhanda: To ask the Secretary of State for Work and Pensions what plans he has to change the provision of mortgage assistance under pension credit. [189726]

Malcolm Wicks: Currently customers have their benefit entitlement in respect of housing costs calculated using a standard interest rate. This is based on the average rates charged by the top 23 building societies and is currently 5.88 per cent.

We hope to lay legislation later this year that will revise the scheme for customers in receipt of pension credit, income support and income-based jobseeker's allowance. The revised legislation will replace the standard interest rate with a standard tracker rate that will use the Bank of England base rate as a baseline and abolish the current 5 per cent. de minimus rule.

Mr. Willetts: To ask the Secretary of State for Work and Pensions if he will estimate the number of *(a)* pensions and *(b)* pensioner households eligible for the pension credit, broken down by (i) guarantee credit and (ii) savings credit for (A) each year up to 2014 and (B) appropriate intervals up to 2034. [187349]

Malcolm Wicks: Estimates of future Pension Credit eligibility are not available as policy in relation to the structure and uprating of Pension Credit has only been determined up to the end of the current Parliament. Projections of eligibility consistent with the Spending Review expenditure plans, up to 2007/08, are shown in tables 1 and 2 below. These are on the assumption that current policies are maintained for 2006/07 and 2007/08, but this should not be taken to imply that a decision on future levels of payment has been taken. Forecasts will be updated following any further decisions on rates of payment.

Table 1: Projection of pensioners eligible for Pension Credit (individuals)

Year	Guarantee element only	Guarantee element and savings element	Savings element only	Pension Credit
2004–05	1,250,000	1,700,000	1,700,000	4,650,000
2005–06	1,150,000	1,850,000	1,800,000	4,800,000
2006–07	1,150,000	1,900,000	1,850,000	4,900,000
2007–08	1,150,000	1,950,000	2,050,000	5,150,000

Table 2: Projection of pensioners eligible for Pension Credit (households)

Year	Guarantee element only	Guarantee element and savings element	Savings element only	Pension Credit
2004–05	950,000	1,400,000	1,200,000	3,550,000
2005–06	850,000	1,500,000	1,250,000	3,650,000
2006–07	850,000	1,550,000	1,350,000	3,750,000
2007–08	850,000	1,600,000	1,450,000	3,900,000

Notes:

1. Projections with this breakdown are only available for private households. In addition to pensioners in private households, there are approximately 200,000 pensioners in care homes eligible for Pension Credit. The figures in Tables 1 and 2 above do not include pensioners in care homes.
2. Estimates for private households and individuals in 2004–05 are based on the Family Resources Survey data for 2002–03 projected forward to 2004–05 to reflect changes in taxes, benefit rates and pensioners' incomes.
3. For projections beyond 2004–05 it has been assumed that pensioners' incomes will rise in line with average earnings; the guarantee credit will be uprated in line with average earnings; and the savings credit threshold will be uprated in line with prices.
4. The numbers entitled under these assumptions have then been scaled up to reflect growth in the pensioner population, using projections from the Government Actuary's Department.
5. Projections have been rounded to the nearest 50,000 cases, are subject to a wide margin of error and should be used as broad indications of the likely eligible population only.
6. A pensioner household is defined as single persons aged 60 or over and couples where at least one partner is aged 60 or over. Individuals are single pensioners with eligibility and both partners in a couple with eligibility.
7. Rows might not sum exactly due to rounding.

Pension Payments

Richard Younger-Ross: To ask the Secretary of State for Work and Pensions how many people suffered late payment of pensions in each of the last 12 *(a)* weeks and *(b)* months; what procedures are in place to resolve such delays; and what the average length of time taken to resolve these problems is. [188116]

Mr. Pond: Information is not available in the format required. There are a variety of reasons why payments may be delayed but customers who cannot access their funds, and are in hardship, can approach The Pension Service for an emergency payment.

Bob Russell: To ask the Secretary of State for Work and Pensions (1) whether UK state pensions paid to British citizens living in dependent territories, formerly domiciled in the UK, are increased in line with pensions in the UK; [190043]

(2) if he will list those countries where UK citizens living in retirement can obtain the UK state pension; and in which countries the pension is frozen at the figure when the citizen left the UK to live abroad; [190041]

(3) if he will introduce measures so that British citizens living in dependent territories and formerly domiciled in the UK can have their state retirement pension increased in line with pensions in the UK. [190030]

Malcolm Wicks: The UK state pension is payable in all countries abroad to those who are entitled to it but is only uprated for UK pensioners living overseas where there is a legal requirement or reciprocal social security agreement to do so.

It is uprated in countries within the European Economic Area[1] including Gibraltar[2] under the provisions of the EC Social Security legislation and the following countries with which the UK has reciprocal agreements: Barbados, Bermuda[2], the Channel Islands, Israel, Jamaica, Malta, Mauritius, the Philippines, Switzerland, Turkey, the USA and the now separate republics of the former Federal People's Republic of Yugoslavia (the Federal Republic of Yugoslavia (Serbia and Montenegro); Bosnia-Herzegovina, Croatia, Slovenia and the Former Yugoslav Republic of Macedonia). The state pension is not uprated in any other country and we have no plans to do so.

Notes:

[1] This includes Cyprus. Although the British sovereign base areas of Akrotiri and Dhekelia are British dependent territories and not part of the Republic of Cyprus, article 4(2) of the reciprocal agreement with Cyprus provides that if a person would be entitled to a UK state pension, it shall be payable to them while they are in Cyprus, including the sovereign base areas, as if they were in the UK.

[2] British dependent territory.

Pensions Bill

Mr. Waterson: To ask the Secretary of State for Work and Pensions what progress has been made on the consultation on Clauses 35, 36, 39 and 40 of the Pensions Bill; and if he will make a statement. [189763]

Malcolm Wicks: Over the summer officials met with a wide cross-section of pensions industry and other representatives. They also received and reviewed a large number of written comments.

My noble Friend, the Baroness Hollis has said that she will be sharing a report detailing the consultation process and its findings with the members of the Grand Committee. This is expected in the next two weeks.

Post Office Card Accounts

Malcolm Bruce: To ask the Secretary of State for Work and Pensions pursuant to the answer of 27 February 2004, *Official Report*, column 604W, on direct payment, how many *(a)* Post Office card accounts and *(b)* bank or building society accounts have been requested for (i) state pension and pension credit and (ii) Jobcentre Plus payments; and if he will break down the number of accounts receiving payments (A) of state pension and pension credit and (B) payments from Jobcentre Plus by region. [162737]

Mr. Pond *[holding answer 22 March 2004]:* The information is not available in the format requested.

As at 15 August the total number of Post Office card accounts requested since 1 April 2003 was 3,255,010. (Source: Post Office Ltd. data). This figure includes customers in DWP, Social Security Agency Northern Ireland, the Veterans Agency and the Inland Revenue. These figures include persons who have claimed benefit and persons waiting for their current order book to expire before migrating to direct payment. Accounts are not designated to the particular Departments or agencies who pay into the Post Office card account.

A breakdown of accounts into specific agencies or Departments is not available. A customer is only allowed one Post Office card account into which several benefits can be paid.

We do not have figures for the number of applications to open bank and building society accounts. This information is confidential between the customer and their bank or building society.

The information provided in my earlier answer of 27 February 2004, *Official Report*, column 604W, was from data available as at 24 January 2004. We are unable to break this total down by region because there is a problem with the geographical allocations on the 24 January 2004 dataset. The latest date for which information relating to my Department is currently available, by region, into Post Office card accounts is 23 July 2004 and is shown in the following tables together with payments into bank or building society accounts.

The number of live benefit accounts into Post Office(r) card accounts, broken down by Government office region:

	North East	*North West*	*Yorkshire and Humberside*	*East Midlands*	*West Midlands*	*East of England*	*London*
Jobcentre Plus							
Bereavement Benefit (BB)	45	110	90	60	80	50	65
Incapacity Benefit (IB)	10,500	15,510	12,060	8,015	12,090	5,465	6,670
Industrial Injuries (II)	8,295	7,090	6,010	5,145	5,110	1,250	1,335
Income Support (IS)	14,940	29,470	20,295	13,145	21,295	10,965	28,170
Jobseekers Allowance (JSA)	1,465	4,015	2,605	1,755	5,595	1,945	14,130
Severe Disablement Allowance (SDA)	490	950	860	710	830	525	405
Widows Benefit (WB)	645	1,115	1,015	695	1,010	585	580
Pensioners							
Pension Credit (PC)	29,160	50,615	39,255	25,975	42,305	26,780	28,200
State Pension (RP)	17,205	35,870	27,715	22,735	27,390	20,170	11,265
Total	82,750	144,755	109,900	78,230	115,700	67,745	90,820

	South East	*South West*	*Wales*	*Scotland*	*Benefit total*
Jobcentre Plus					
Bereavement Benefit (BB)	70	50	25	90	740
Incapacity Benefit (IB)	5,810	6,400	9,150	14,855	106,530
Industrial Injuries (II)	3,335	2,835	4,930	5,400	50,730
Income Support (IS)	13,405	11,450	11,965	24,030	199,135
Jobseekers Allowance (JSA)	1,815	1,145	1,980	3,440	39,890
Severe Disablement Allowance (SDA)	605	620	505	805	7,310
Widows Benefit (WB)	735	605	315	1,045	8,350
Pensioners					
Pension Credit (PC)	28,865	25,390	27,700	39,845	364,090
State Pension (RP)	21,965	24,265	22,280	21,940	252,805
Total	76,610	72,765	78,850	111,450	1,029,575

Source:
IAD Information Centre, 100 per cent. sample.

The number of live benefit accounts into bank or building society accounts, broken down by Government office region:

	Public Trust	*North East*	*North West*	*Yorkshire and Humberside*	*East Midlands*	*West Midlands*	*East of England*
Jobcentre Plus							
Bereavement Benefit (BB)	0	1,755	4,705	3,295	2,895	3,660	3,700
Incapacity Benefit (IB)	25	51,235	114,640	73,520	59,540	73,905	55,190
Industrial Injuries (II)	0	22,295	29,360	23,425	22,045	20,065	10,835
Income Support (IS)	0	42,960	120,495	77,555	60,245	85,605	71,545
Jobseekers Allowance (JSA)	0	19,385	45,150	32,625	24,955	47,905	31,130
Severe Disablement Allowance (SDA)	40	3,065	7,785	5,480	5,045	5,540	5,750
Widows Benefit (WB)	0	4,145	11,000	7,815	7,180	9,160	9,400
Pensioners							
Pension Credit (PC)	0	60,265	148,425	107,095	86,660	115,140	110,040
State Pension (RP)	20	196,760	598,700	434,810	400,810	482,150	611,750
Total	65	401,870	1,080,260	765,625	669,370	843,130	909,340

	London	*South East*	*South West*	*Wales*	*Scotland*	*Benefit total*
Jobcentre Plus						
Bereavement Benefit (BB)	3,325	5,335	3,350	1,820	4,000	37,845
Incapacity Benefit (IB)	61,195	68,810	56,260	59,585	85,295	759,200
Industrial Injuries (II)	9,520	19,395	15,020	12,980	20,995	205,935
Income Support (IS)	173,815	99,215	65,000	47,575	92,890	936,905
Jobseekers Allowance (JSA)	94,545	37,920	20,735	19,185	46,350	419,885
Severe Disablement Allowance (SDA)	5,120	8,020	5,535	3,355	6,290	61,020
Widows Benefit (WB)	11,455	14,020	8,065	3,780	9,575	95,595
Pensioners						
Pension Credit (PC)	127,645	146,370	109,450	60,720	111,275	1,183,085
State Pension (RP)	555,425	950,605	606,730	242,845	455,160	5,535,765
Total	1,042,040	1,349,690	890,145	451,845	831,830	9,235,230

Source:

IAD Information Centre, 100 per cent. sample.

Mr. Peter Duncan: To ask the Secretary of State for Work and Pensions what percentage of successful applicants for the pension credit have elected to receive payments to Post Office Card Accounts to date. [155597]

Mr. Pond: The information is not available in the precise form requested. However, at 31 July the number of live Pension Credit accounts was 2,581,813, of which 364,090 or 14.1 per cent. were paid to a Post Office card account. Of the total, 941,715 were not previously receiving Minimum Income Guarantee. Of these cases, 66,780, or 7.1 per cent. were being paid to a Post Office card account.

School Crossing Patrol Officers

Mr. Blizzard: To ask the Secretary of State for Work and Pensions if he will extend the higher level of earnings disregard to benefit claims from school crossing partol officers. [190409]

Mr. Pond: This is a complex matter with wider implications, however all aspects of benefit payment, including disregards, are kept under constant review in order to ensure the far and equitable distribution of benefit and the best use of public funds. [190409]

State Second Pension

Mr. Cousins: To ask the Secretary of State for Work and Pensions if he will estimate how many employees *(a)* contracted out of and *(b)* contracted into the second state pension in 2003–04, broken down by sex and age; and what information he gives older workers on contracting into the state second pension. [181947]

Malcolm Wicks *[pursuant to his reply, 7 July 2004, Official Report, c. 764W]:* The Department for Work and Pensions does not specifically provide information to older workers on contracting back into the State Second Pension. It does however publish information leaflets that contain guidance on both State and private pension provision. This guidance stresses how important it is that people regularly review their pension arrangements including decisions about whether to contract in or out, to make sure that they have the income that they need when they retire; and that they should consider taking independent advice if they feel it necessary to do so.

Estimates on the number of employees contracted out of and contracted into the State Earnings Related Pension Scheme (SERPS) in 2000–01 (the latest year for which the information is available) broken down by age and gender, are in the following table.

Thousand

	Number contracted out		*Number with SERPS membership*	
Age group	*Men*	*Women*	*Men*	*Women*
Under 20	50	38	467	372
20–29	1,121	1,084	1,563	1,302
30–39	3,069	2,529	901	825
40–49	2,364	1,724	678	900
50–59	1,330	872	851	742
60 and over	151	—	247	—

Note:

Figures are based on a 1 per cent. sample of the Lifetime Labour Market Database2 and are shown to the nearest thousand.

Source:

Department for Work and Pensions' Data Services Unit.

Ms Keeble: To ask the Secretary of State for Work and Pensions how many pensioners in Northampton are in receipt of the state second pension. [189956]

Malcolm Wicks: The information requested is not available. Such information as is available is provided in the table.

People in receipt of additional State Pension by parliamentary constituency in Northamptonshire as at 30 September 2003.

Parliamentary constituency	*Pensioners (thousand)*
Corby	11.1
Daventry	11.9
Kettering North	12.6
Northampton North	10.7
Northampton South	12.2
Wellingborough	13.4

Notes:

1. The figures are in thousands and have been rounded to the nearest hundred
2. State Second Pension was introduced in April 2002. The first people to receive it would be those reaching state pension age after April 2003.
3. The figures include pensioners who are now in receipt of State Earnings Related Pension (SERPs), or SERPS and State Second Pension, or State Second Pension alone.

Source:

DWP IAD Information Centre, 5 per cent. sample of administrative data.

Winter Fuel Payments

Mr. Damian Green: To ask the Secretary of State for Work and Pensions what plans he has to change the way in which the winter fuel payments scheme is publicised to men aged between 60 and 64 years; and if he will make a statement. [189992]

Malcolm Wicks: There are currently no plans to change the way in which winter fuel payments are publicised to men aged 60–64.

We regularly carry out research to gauge awareness and knowledge of winter fuel payments, including awareness of the scheme among those aged 60–64, as part of the routine evaluation of the publicity campaign to inform people about winter fuel payment for each winter. Lessons learned from this evaluation are taken forward to refine future publicity activity.

Women's Pension Provision

Stephen Hesford: To ask the Secretary of State for Work and Pensions what recent assessment he has made of women's pension provision; and if he will make a statement. [189690]

Malcolm Wicks: The Government recognise that the majority of pensioners are women and are committed to ensuring that pension reforms improve the position of women in retirement.

There are around 6.5 million women in Great Britain in receipt of a UK basic state pension—almost two-thirds of all recipients. Around half of these receive the full-rate basic state pension, compared to around 90 per cent. of men. The average amount of state retirement pension for women in Great Britain is £71.81, compared to £100.27 for men.[1]

Including income from private sources, the average gross weekly income for single female pensioners in 2002–03 was £197, compared to £221 for single male pensioners. Benefit income (including the state retirement pension, income-related benefits and disability related-benefits) made up almost two thirds of the gross incomes of single female pensioners in 2002–03, compared to a little over half of the gross incomes of single male pensioners.[2]

We have already introduced a range of policies that directly benefit women in four key areas:

helping women into employment through new deal, tax credits and a commitment to additional resources for child care so they can save and plan for their future;

helping lower paid women to save for their pensions through the state second pension and stakeholder pensions;

helping existing pensioners through pension credit, improvements to the basic state pension and pensions sharing on divorce;

we are committed to improving pension information for everyone to ensure that they are aware of their pension position and their choices.

We will help those in short stay jobs build up pension rights by enabling people to take a cash equivalent transfer value of their pension rights to another scheme. This is particularly important for women who have more varied employment patterns.

Around 20 million people will gain from the state second pension, including 2.5 million carers—almost all of whom are women—and 5 million low earners—around 70 per cent. of whom are women.

As my hon. Friend may know, we have announced our intention to produce a report on the subject of women and pensions by the end of the 2005 calendar year. This will provide detailed analysis of pension provision for women. The DWP has commissioned a large-scale qualitative survey that will investigate the factors that affect women's individual savings decisions within the household, and the results will be published and made publicly available.

[1] *Source:*

September 2003 administrative data.

Notes:

State Retirement Pension includes the basic state pension as well as the earnings-related component from SERPS or its predecessor (Graduated Retirement Benefit). There are also other components, for example increases for dependent spouses and children.

[2] *Source:*

Pensioners' Incomes Series 2002–03.

PRIME MINISTER

Butler Report

Dr. Julian Lewis: To ask the Prime Minister when he will fulfil the undertaking he gave in the House on 20 July 2004, *Official Report*, column 204, to write to the hon. Member for New Forest, East stating *(a)* the reason for the lack of substantive mention of GCHQ in the Butler Report, *(b)* whether signals intelligence relevant to the Iraq crisis was received and *(c)* why such intelligence was not included in the report. [189719]

The Prime Minister: I have written to the hon. Gentleman. Copies of the letter have been placed in the Libraries of the House.

Mr. Marshall-Andrews: To ask the Prime Minister pursuant to the answer to the hon. Member for East Carmarthen and Dinefwr (Adam Price) of 21 July 2004, *Official Report*, column 285W, on Iraq, on what date and at which stage during the Butler Report he was informed of the withdrawal of the Iraq Intelligence Reports to which paragraph 405 of Lord Butler's Report refers. [190426]

The Prime Minister: I have nothing further to add to my answer to the hon. Member for East Carmarthen and Dinefwr (Adam Price) on 21 July 2004, *Official Report*, column 285W.

Civil Service (Job Losses)

Bob Spink: To ask the Prime Minister which services within his Office will be *(a)* affected by and *(b)* subject to job losses consequent on the cuts in the civil service announced in the Spending Review. [189648]

The Prime Minister: I refer my hon. Friend to the answer given by my right hon. Friend, the Chief Secretary to the Treasury (Mr. Boateng) on 16 September 2004, *Official Report*, column 1659W.

Departmental Recycling

Bob Spink: To ask the Prime Minister what the latest available 12 month figures are for the proportion of his Office's redundant documentation, waste paper and card that is recycled; and if he will make a statement on his Office's recycling policy. [188702]

The Prime Minister: My office is serviced as part of the wider Cabinet Office estate. I have therefore asked my hon. Friend the Minister for the Cabinet Office to reply and a copy of her letter will be placed in the Library of the House.

Food Miles

Mr. Andrew Turner: To ask the Prime Minister pursuant to his oral answer of 15 September 2004, *Official Report*, column 1266, to the hon. Member for the Isle of Wight, if he will make a further statement on the Government's *(a)* policy on and *(b)* progress with reducing food miles. [189691]

The Prime Minister: I refer the hon. Member to my letter of 23 September 2004. Copies of the letter have been placed in the Libraries of the House.

Government Departments

Dr. Julian Lewis: To ask the Prime Minister for what reason the work of his Department has been divided between the Minister of State for the Cabinet Office and a separate Chancellor of the Duchy of Lancaster. [189673]

The Prime Minister: Similar structures have existed previously in the Cabinet Office. I believe they best meet the needs of this Government.

Iraq

Adam Price: To ask the Prime Minister (1) when he was informed that British officers Colonel Terrington and Colonel Campbell-James had been embedded within the military intelligence division of the US Combined Joint Task Force 7; [189878]

(2) what information he has been given about the work of the British Colonels Terrington and Campbell-James within the intelligence division of US Combined Joint Task Force 7. [189882]

The Prime Minister: There are a number of United Kingdom military officers embedded within the United States military in Iraq. I would not expect to receive information on particular individuals or their deployment.

Llew Smith: To ask the Prime Minister if he will instruct the Attorney-General to evaluate the statement made by United Nations Secretary-General Kofi Annan on 15 September that the invasion of Iraq was illegal and contrary to the Charter of the United Nations. [190140]

The Prime Minister: The Attorney-General has made his view clear on this matter. I refer my hon. Friend to the Solicitor-General's answer of 17 March 2003, *Official Report*, columns 515–516W, which set out the Attorney-General's view of the legal basis for the use of force against Iraq. I also refer my hon. Friend to the press notice issued by the Attorney-General's office on 14 July 2004.

Ministerial Residences

Norman Baker: To ask the Prime Minister how much has been spent on ministerial residences and the residences within them in each year since 1 May 1997; and how much in each case for each year of the sums spent was spent on *(a)* kitchens, *(b)* bathrooms, *(c)* vehicle-related facilities and *(d)* leisure facilities. [189781]

The Prime Minister: Expenditure on routine maintenance and other building works in residences occupied by Ministers is the responsibility of each Minister's Department.

For details of expenditure on work to the flat above No. 11 Downing street I refer the hon. Member to my answer of 28 February 2002, *Official Report*, column 1443–44W. Expenditure for subsequent years is as follows.

	£
2001–02	32,945
2002–03	32,707
2003–04	21,094

In addition, I also have the use of Chequers which is administered by independent trustees.

Norman Baker: To ask the Prime Minister what the total cost to public funds has been in each year since 1 May 1997 in respect of *(a)* entertainment and *(b)* staff costs for (i) Chequers and (ii) Chevening. [189782]

The Prime Minister: On entertainment costs I refer the hon. Member to the answer I gave him on 28 July 2000, *Official Report*, column 970W.

Additional figures for entertainment at Chequers are:

	£
2000–01	3,855
2001–02	5,014
2002–03	2,551

On staff costs I refer the hon. Member to the answer I gave the hon. Member for North Devon (Nick Harvey) on 13 February 2003, *Official Report*, column 952W.

Additional figures for the grant issued to Chequers are:

2002–03: £499,817.

Responsibility for Chevening is a matter for the Foreign Office.

Northern Ireland

Mr. Beggs: To ask the Prime Minister what actions he will require of Sinn Fein/IRA for them to rejoin a devolved administration. [189815]

The Prime Minister: At the conclusion of the Leeds Castle talks, my statement made clear that the Taoiseach and I believe we can resolve the issues to do with ending paramilitary activity and putting weapons beyond use. We are clear that there must be a complete end to violence in all its forms. There must also be a genuine, lasting and stable commitment to power-sharing.

Official Travel (Carbon Dioxide Emissions)

Llew Smith: To ask the Prime Minister what steps he has taken to offset the carbon dioxide emissions from the use of *(a)* aircraft and *(b)* motor cars in carrying out his official business. [190139]

The Prime Minister: I travel making use of the most efficient and cost-effective arrangements. My travel arrangements are in accordance with the arrangements for official travel set out in Chapter 7 of the Ministerial Code, and the accompanying guidance document, "Travel by Ministers".

Overseas Hospitality (Charitable Donations)

Chris Grayling: To ask the Prime Minister if he will list the charitable donations he has made when provided with hospitality overseas since 1997. [189960]

The Prime Minister: The information requested is available in the Register of Members' Interests.

Parliamentary Questions

Norman Baker: To ask the Prime Minister if he will name individuals other than officials who have helped draft parliamentary answers for him in the past year. [189827]

The Prime Minister: I refer the hon. Member to the answer I gave to him on 10 July 2002, *Official Report*, columns 988–89W.

INTERNATIONAL DEVELOPMENT

Civil Service (Job Losses)

Bob Spink: To ask the Secretary of State for International Development which services within his Department will be *(a)* affected by and *(b)* subject to job losses consequent on the cuts in the civil service announced in the Spending Review. [189647]

Mr. Gareth Thomas: I refer the hon. Member to the reply given by the Chief Secretary to the Treasury on 16 September 2004, *Official Report*, column 1659W.

East Timor

Mr Battle: To ask the Secretary of State for International Development what support the Government are giving to East Timor; and if he will make a statement. [189949]

Mr. Gareth Thomas: Since 1999 the UK has committed over £30 million to East Timor. Between 2002 and 2005 DFID will contribute £12 million to help implement East Timor's National Development Plan. This will be channelled through a World Bank managed Trust Fund. A further £1.3 million is being provided over the same period, through Oxfam, to support community education. Britain has also contributed some 19 per cent. of European Commission development expenditure in East Timor. Between 1999 and 2002 (the last year for which figures are available) this is estimated to have been some £14 million.

GM Crops

Andrew George: To ask the Secretary of State for International Development what assessment he has made of *(a)* the advantages and *(b)* the disadvantages of genetically-modified crops to developing countries. [190095]

Mr. Gareth Thomas: DFID's approach to GM crops and developing countries is based on the principle that the health of people and the environment is of primary concern. GM technologies have the potential to provide significant benefits for poor farmers. For example, the potential for increased yields in developing countries from the use of GM technology far exceeds the potential in European and North American conventional agriculture, where yields have been high for many years. GM technology could also improve the nutritional quality of staple foodstuffs.

A report published by the Nuffield Council on Bioethics contains a number of case studies detailing the actual and potential benefits of GM crops for developing countries. The report offers a constructive contribution to the on-going debate on genetic modification technologies. The Government share the report's conclusions that achieving food security and reducing poverty in developing countries are complex issues, that GM crops are unlikely to feed the world but that in some circumstances they could make a useful contribution to improving the livelihoods of poor people in developing countries.

Recognising that there are both potential benefits and risks associated with GM crops, DFID believes that developing countries need to be able to make their own informed choices about whether to adopt GM technologies or not. The UK Government have pushed for the implementation of international legislation such as the Cartagena Protocol on Biosafety, which provides for rigorous assessment and management of the risks involved in the use of Genetically Modified Organisms. The UK has ratified this Protocol.

Hurricane Ivan

Jeff Ennis: To ask the Secretary of State for International Development how many Cayman Island citizens are estimated to have been *(a)* killed and *(b)* made homeless as a direct consequence of Hurricane Ivan. [189957]

Mr. Gareth Thomas: One Cayman Islands citizen is missing, presumed dead from the impact of Hurricane Ivan and one Caribbean resident was badly injured and subsequently died. The Cayman Islands Government estimate that 860 have been made homeless. Up to 20 per cent. of residential houses have been reportedly completely destroyed and some 20 per cent. have major damage and 5 per cent. are partially damaged.

Following the impact of the hurricane, HMS Richmond and the Royal Fleet Auxiliary Wave Ruler began helping the relief effort at the earliest opportunity. They were also able to provide medical staff and deliver medicines. DFID also responded to an urgent request from the Government of the Cayman Islands by providing urgent relief items, including plastic sheeting and have since sent flights containing potable water, hygiene materials and other requested items. The cost of this direct assistance is about £172,000. DFID has also contributed £500,000 to the International Federation of the Red Cross regional appeal, for the provision of emergency food, shelter needs, water and sanitation and various non-food items. The Regional Appeal includes support to 1,000 affected families in Cayman Islands for six months.

The British Government are also contributing around £55,000 for the deployment of the Bermuda Regiment for one month to assist in clear up operations and other support.

India (Public Services)

Mr. Challen: To ask the Secretary of State for International Development which consultants have been retained by his Department and agencies for which he is responsible to provide the Government of India with advice on the delivery of public services for each of the last five financial years; what the value of each contract was; and what the nature of the contractors' briefs was. [189208]

Mr. Gareth Thomas: The number and value of contracts let respectively are:

Between April 1999 and March 2004 DFID's procurement group in East Kilbride issued 191 contracts with a total value of £97,593,493. Between January 2000 and August 2004, DFID India's contracts and procurement advice section issued 1,009 contracts with a total value of £17,823,348. This section was set up in 1999 and no details are available before January 2000. Total spending on bilateral assistance to India in the five years from 1999 to 2003 amounted to £762,875,778.

It is not practical to provide briefs for this number of contracts, as this would incur a disproportionate cost. I have arranged for the documents entitled Procurement Group Programme Contracts April 1999-March 2004 and Summary of Contracts issued by DFID India to be placed in the Library.

Information and Communication Specialists

Mr. Jenkins: To ask the Secretary of State for International Development how many information and communication technology specialists are in full-time employment in the Department. [189588]

Mr. Gareth Thomas: DFID has 125 information and communications technology specialists in its employment across all UK and overseas offices. The numbers are broken down as follows:

	Number
United Kingdom	
Information Systems Department	85
Business Transformation Unit	6
Information and Communication for Development	1
Total	92
Overseas	
Regional IT Managers	6
Local IT administrators	27
Total	33

UK based staff are engaged in the design, development, deployment and support of ICT applications to support DFID's business processes. There is also ICT support in the Information and Communication for Development team to provide technical advice on the use of ICT in DFID supported programmes.

Regional IT Managers oversee the deployment and support of internal ICT systems for DFID offices in Southern Africa, East Africa, West Africa, India, South East Asia and the Caribbean. Full-time IT administrators are locally employed in DFID's larger overseas offices to provide administration and support for staff using the ICT systems. Strong ICT systems are central to DFID's ability to deliver effectively on its Public Service Agreement. The number of ICT staff employed by DFID is determined through strategic planning processes which define the business benefits and service levels and demand demonstrable efficiency.

CABINET OFFICE

Civil Service Pensions

Mr. Betts: To ask the Minister for the Cabinet Office (1) how many widows and widowers of civil servants who are beneficiaries of the Classic Civil Service pension scheme have remarried or decided to cohabit with a new partner and consequently lost their pension rights in the last 10 years; [190070]

(2) how much it is estimated it would cost to restore pensions rights to the widows or widowers of civil servants who have remarried or decided to cohabit with a new partner in the last 10 years. [190071]

Ruth Kelly: Details of the number of widows or widowers whose pensions were suspended on remarriage or cohabitation in the last 10 years are not readily available. Between 1 October 2002 and 31 August 2004, 325 widows' or widowers' pensions were suspended due to remarriage or cohabitation.

Based on data in respect of the period between 1 October 2002 and 31 August 2004, the estimated cost of restoring pensions rights to the widows or widowers of civil servants who have remarried or decided to cohabit with a new partner in the last 10 years is in the order of £50 million.

Mr. Betts: To ask the Minister for the Cabinet Office how many widows or widowers of civil servants who have remarried or decided to cohabit with a new partner and consequently lost their civil service pensions have subsequently had their pensions restored on compassionate grounds in the last year. [190072]

Ruth Kelly: In the period 1 September 2003 to 31 August 2004, 16 widows or widowers of civil servants have had their previously ceased civil service spouses' pension restored to them.

Departmental Estate

Dr. Julian Lewis: To ask the Minister for the Cabinet Office what revenues were generated by her Department's disposal of *(a)* the bunker at Carmarthen and *(b)* the Civil Service Sports Council, Chadwick street, referred to in paragraph 1.10 of the Cabinet Office Departmental Report 2004. [189990]

Ruth Kelly: Hill House, Carmarthen was sold via an administrative transfer to the National Assembly for Wales, for £100,000.

The building in Chadwick street occupied by the Civil Service Sports Council was sold for just over £4 million, to the Civil Service Sports Council Ltd.

Both sites were disposed of at existing current market valuation.

Departmental Responsibilities

Mr. Forth: To ask the Chancellor of the Duchy of Lancaster what proportion of *(a)* his time and *(b)* the time of his officials is spent on fulfilling his ministerial responsibilities. [189389]

Mr. Milburn: I spend the time that is necessary to fulfil my ministerial responsibilities. My officials support me in carrying out these ministerial responsibilities.

Dr. Julian Lewis: To ask the Minister for the Cabinet Office (1) if she will list the additional functions *(a)* taken on and *(b)* anticipated to be taken on by her Department in 2004–05 in comparison with 2003–04; [189702]

(2) what recent assessment her Department has made of the extent to which it has *(a)* succeeded and *(b)* failed in its first objective of supporting the Prime Minister in leading the Government; [189715]

(3) in which areas of *(a)* policy and *(b)* operations her Department has (i) achieved and (ii) failed to achieve its second objective of achieving co-ordination across Government in each year since 2001. [189716]

Ruth Kelly: The Cabinet Office's role is outlined in our Public Service Agreement. Work in support of Cabinet Office objectives and targets is accounted for in the "Departmental Report, Autumn Performance Report and the Annual Report and Resource Accounts", all of which are published annually. Copies of these publications are available in the Library.

Dr. Julian Lewis: To ask the Minister for the Cabinet Office how much overall her Department has budgeted to meet the additional overall cost of appointing a separate Chancellor of the Duchy of Lancaster; into what principal categories this budget is broken down; and what the anticipated extra cost is of each such category. [189714]

Ruth Kelly: The cost of appointing a separate Chancellor of the Duchy of Lancaster will be met from within the existing Cabinet Office budget.

Departmental Websites

Dr. Julian Lewis: To ask the Minister for the Cabinet Office what recent assessment she has made of the extent to which each Department's *(a)* informational and *(b)* interactive websites are used by members of the public, in comparison with other methods of communication. [189986]

Ruth Kelly: The Office for National Statistics (ONS) omnibus survey measures the use of government websites as a percentage of the population on a quarterly basis. Currently 28 per cent. of the adult population visit government websites. The most frequent use of government websites is informational—24 per cent. of the population visit for informational purposes, while 8 per cent. download forms and 6 per cent. transact.

"Preparing for Emergencies"

Mr. Waterson: To ask the Minister for the Cabinet Office (1) what arrangements have been made for delivery of the booklet Preparing for Emergencies *(a)* to houses in multiple occupation and *(b)* to houses converted into flats; [189722]

(2) how many copies of the booklet Preparing for Emergencies have been *(a)* printed and *(b)* delivered to addresses in the United Kingdom. [189723]

Ruth Kelly: 26.7 million copies of "Preparing for Emergencies" have been printed in English and Welsh. Copies were also produced in each of the alternative languages and formats to meet initial demand. Extra copies of these are now being printed as further requests are received.

25.8 million copies were delivered to addresses in the United Kingdom through a national door-drop delivery. A television, radio and newspaper advertising campaign followed this to alert people to the fact that they should have received a copy of the booklet. It offered a number of alternative ways to get a copy of the booklet for people who had not yet received one.

Requests can be made, free of charge, by filling in and posting a newspaper coupon, or via the telephone orderline 0800 88 77 77 or via the website at www.preparingforemergencies.gov.uk.

This two stage strategy has allowed us to reach the greatest number of households in the UK, including those residents in properties divided into flats or multiple occupancy, who we were aware might be potentially difficult to reach.

Foreign Policy

Dr. Julian Lewis: To ask the Minister for the Cabinet Office if she will make a statement on the methodology employed by her Department in co-ordinating policy development for *(a)* Iraq, *(b)* Zimbabwe and *(c)* the Middle East peace process. [189989]

Ruth Kelly: The Defence and Overseas Secretariat in the Cabinet Office oversees cross-government policy on a wide range of foreign policy matters. These currently include issues relating to Iraq, Zimbabwe and the Middle East Peace Process. This activity is undertaken through discussion with all Government Departments concerned, and through inter-departmental meetings at both ministerial and official level.

Internet Advertising

Mr. Greg Knight: To ask the Minister for the Cabinet Office how much money the Government intends to spend on advertising on the internet in *(a)* the current financial year and *(b)* the next financial year; and if she will list (i) the departments concerned and (ii) the amounts spent in each case. [189160]

Ruth Kelly *[holding answer 16 September 2004]*: The information requested is not held centrally. Information on total advertising spending is held by individual Departments.

However, Government online advertising, planning and buying is procured through a Central Office of Information (COI) rostered supplier.

Non-departmental Public Bodies

Mr. Stunell: To ask the Minister for the Cabinet Office pursuant to her answer of 15 September 2004, *Official Report*, column 1591W, on non-departmental public bodies, if the Office will issue further guidance to non-departmental public bodies listed in the publication, Public Bodies, as not holding annual open meetings to encourage them to comply with the Code of Practice. [189769]

Ruth Kelly: On 17 September the Cabinet Office issued a new version of its guide "Non Departmental Public Bodies: A Guide for Departments" which has been placed on the Cabinet Office website. The new guide includes a section on openness and accountability which, among other guidance intended to encourage non-departmental public bodies (NDPBs) to be open and accountable to the community, refers to open meetings. This encourages NDPBs to hold open meetings at least once a year. NDPBs should advertise these widely to stakeholders and make a report on the outcomes or the minutes widely available. Departments have been asked to draw the new guide to the attention of all the teams sponsoring NDPBs. A copy of the new guide has been placed in the Library.

Regulatory Impact Unit

Mr. Stephen O'Brien: To ask the Minister for the Cabinet Office how many secondees from *(a)* small and medium enterprises and *(b)* businesses as a whole have worked in the Regulatory Impact Unit for each year since 2001. [189999]

Ruth Kelly: The number of secondees from private businesses employed by the Regulatory Impact Unit since 2001, as at 1 April of each year, is shown in the following table. To date none of the secondees has been from small and medium enterprises.

As at 1 April	*Secondees*
2001	4
2002	7
2003	4
2004	3

Special Advisers

Dr. Julian Lewis: To ask the Minister for the Cabinet Office how many special adviser posts which carry executive responsibilities are *(a)* filled and *(b)* unfilled; and whether it is intended to fill vacant posts. [189987]

Ruth Kelly: I refer the hon. Member to the answer given by the former Cabinet Office Minister, my hon. Friend the Member for Paisley, South (Mr. Alexander), on 10 March 2004, *Official Report*, column 1515W.

There are no plans to make any further appointments.

DEFENCE

Aerospace Equipment Exports

Harry Cohen: To ask the Secretary of State for Defence if he will break down the additional aerospace equipment exports listed in UK Defence Statistics by country, for each year since 1997. [188917]

Mr. Ingram: Estimates of total export deliveries and orders for defence equipment and services relating to the United Kingdom are published by the Defence Analytical Services Agency in "UK Defence Statistics"—the latest copy of which is available in the Library of the House. This includes data on additional aerospace equipment and services from a survey that is undertaken by the Society of British Aerospace Companies. A breakdown of the additional aerospace equipment exports line by country is not available, as the data are not collected at this level of detail. The Society of British Aerospace Companies do, however, publish data on aggregate UK Aerospace Companies' Military Export orders by broad regional destination—EU countries and the Rest of the World. These are available in their annual publication "UK Aerospace Facts and Figures".

Afghanistan

Mr. Bercow: To ask the Secretary of State for Defence what steps he is taking to improve living and working conditions for UK personnel in Afghanistan. [188358]

Mr. Ingram: UK forces personnel in Afghanistan already have access to a comprehensive Operation Welfare Package. The largest concentration of UK Forces personnel in Afghanistan is at Camp Souter, Kabul. Facilities here are generally good, with brick built accommodation, however we are working on plans to upgrade the kitchen facilities and construct more ablutions in the barrack blocks. For personnel living and working in Mazar-e Sharif the intent is to upgrade the kitchen facilities, and replace the tented accommodation with brick-built UK designed complexes. The first stage of this should be completed early next year.

Aircraft (Grounding)

Mr. Arbuthnot: To ask the Secretary of State for Defence what principles govern the grounding of Ministry of Defence aircraft. [189370]

Mr. Ingram: The only principle which governs the grounding of Ministry of Defence aircraft is that of airworthiness: if there is deemed to be an unacceptable risk in continuing with flying operations, aircraft will be grounded

C130K Hercules Fleet

Mr. Gray: To ask the Secretary of State for Defence what assessment he has made of the case for extending the life of the C130K Hercules fleet beyond 2012. [188460]

Mr. Ingram *[holding answer 13 September 2004]:* The out of service dates for in-service equipment are routinely reviewed as part of normal planning work within the Ministry of Defence. The Hercules C130K is one such case. No decisions have, however, been taken to extend its life beyond 2012.

Chequers

Mr. Gerald Howarth: To ask the Secretary of State for Defence how many RAF personnel are employed at Chequers; and in what capacity. [190078]

Mr. Caplin: There are currently four RAF personnel employed at Chequers, comprising three stewards and one chef.

Detainees (US)

Sir Menzies Campbell: To ask the Secretary of State for Defence how many suspects originally detained by UK forces *(a)* worldwide since 2001 and *(b)* in Iraq since 2003 have been handed over to the USA for interrogation; how many of those suspects are still in US custody; and if he will make a statement. [185048]

Mr. Ingram: I refer the right hon. Member to my response to his question (172697) on 1 September 2004, *Official Report*, column 724W.

Since 2001 the United Kingdom forces have not transferred over any persons they apprehended to the United States specifically for interrogation.

Eurofighter

Ann Winterton: To ask the Secretary of State for Defence what financial commitments are involved in the Eurofighter contract. [188794]

Mr. Ingram: The United Kingdom's financial commitments to date to Eurofighter contracts total £11,193 million covering the development, production and in-service support of Tranche 1 aircraft and some preparatory activities for Tranche 2.

Falkland Islands

Mr. Soames: To ask the Secretary of State for Defence what steps his Department takes to ensure the compatibility of equipment held by the Falkland Islands Defence Force with that held by British troops stationed on the islands. [189376]

Mr. Ingram: The Royal Marine Warrant Officer serving on loan to the Falkland Islands Defence Force (FIDF) advises on compatibility of training and equipment. FIDF weapons are compatible with the ammunition types held by British forces on the Islands. The FIDF also trains regularly with the UK garrison to improve interoperability.

International Committee of the Red Cross Report (Iraq)

Llew Smith: To ask the Secretary of State for Defence for what reason it was decided not to provide the Prime Minister's special envoy on human rights in Iraq with the report by the International Committee of the Red Cross on alleged abuse of detainees held in British custody, dated February 2004. [173345]

Mr. Hoon: By the time the International Committee of the Red Cross produced its interim report in February both the two major concerns it raised, and the single minor one, had been dealt with. The International Commission of the Red Cross (ICRC) had also informed the Ministry of Defence officials in subsequent meetings that they were broadly content with the conditions and regime at the UK's Detention Centre at Shaibah. Consequently there was no reason for officials to bring it to the attention of Ministers or the Special Envoy.

Iraq

Mr. Soames: To ask the Secretary of State for Defence if he will list the population centres and districts in Iraq where coalition forces do not operate on the ground owing to force protection concerns. [189377]

Mr. Ingram: There are no areas in Iraq where multinational forces are unable to operate on the basis purely of force protection concerns. The multinational force can and does operate across the country in support of the Iraqi Interim Government.

There are areas in which multinational forces agree with Iraqi forces that there will be operational restriction. In some areas this is in order not to worsen existing tensions. Currently, parts of Fallujah, Samara, Ramadi and Baghdad are subject to varying degrees of restriction, though areas change as circumstances and/or activity by Anti-Iraqi Forces alter.

Adam Price: To ask the Secretary of State for Defence whether Colonel Chris Terrington made representations to his superiors about detainee mistreatment at Abu Ghraib. [188304]

Mr. Ingram *[holding answer 13 September 2004]:* Colonel Terrington had no direct responsibility for any aspect of Abu Ghraib. He was not aware of any specific allegations of abuse. Though he was aware that an investigation was under way, he had no knowledge of its remit.

Glenda Jackson: To ask the Secretary of State for Defence pursuant to the Oral Statement by the Prime Minister of 19 April 2004, *Official Report*, columns 21–37, on Iraq, whether the siege of Fallujah was in accordance with the principles laid down in the Coalition Provisional Authority's military and political strategy. [172792]

Mr. Hoon: All operations conducted by members of the international coalition in Iraq prior to the handover of sovereignty to the Interim Iraqi Government were in accordance with the aims of bringing peace to the country, returning it to its people through a democratic Iraqi Government and ridding it of internal and external terrorists and those wishing to use militias or armed insurgents to enforce their own rule against the wishes of the majority of Iraqis.

Mr. Kilfoyle: To ask the Secretary of State for Defence what liaison UK forces personnel have had with private *(a)* military and *(b)* intelligence contractors employed by the US Government. [175096]

Mr. Ingram: Specific guidance on contact with private military and security contractors is provided to United Kingdom forces personnel in Iraq. These recognise that there will be routine contact with such companies on day-to-day operational security matters, for example in respect of threat assessments and in order to de-conflict respective operations. Such liaison is essential to the success of the operation in Iraq.

Nimrod

Mr. Hancock: To ask the Secretary of State for Defence what factors contributed to the decision to upgrade the Nimrod R1 aircraft rather than replace it; and if he will make a statement. [188149]

Mr. Ingram: As part of the Project Helix assessment phase a balance of investment study is currently being conducted to determine the most cost effective solution to our capability requirements in this area. No final decision has yet been taken. Upgrading the Nimrod R MK1 airframe is one option being considered.

Olympic Games

Bob Russell: To ask the Secretary of State for Defence how many members of HM armed forces competed in the 2004 Olympic Games. [190044]

Mr. Ingram: Three members of HM armed forces competed in the 2004 Athens Olympics, all from the Army. Private Musa Audu, representing Nigeria in the 4x400m relay, won a bronze medal; Captain Guy Fordham represented Great Britain in hockey and Lieutenant Robin Bourne Taylor in rowing.

Plastic Baton Rounds

Mr. McNamara: To ask the Secretary of State for Defence how many civilians have been *(a)* killed and *(b)* injured by plastic baton rounds discharged in Iraq. [176091]

Mr. Ingram: United Kingdom forces did not use baton rounds in Iraq during major combat operations, which ended on 1 May 2003.

Since then UK Units have used baton rounds in situations, such as some instances of riot control, where there has been a clear threat to UK forces, civilians and/or property but where use of lethal force would have been a disproportionate response.

Since 1 May 2003, UK forces have reported all confirmed fatalities of which they are aware arising from incidents in which they were involved. We are not aware of any fatalities resulting from hits from baton rounds. UK forces have also provided medical assistance to a number of injured Iraqi civilians but we do not record centrally the causes of injury.

We are not in a position to comment on civilian casualties allegedly caused by other coalition partners.

Provigil

Mr. Hancock: To ask the Secretary of State for Defence what research he has *(a)* commissioned and *(b)* evaluated on the effects of (i) Provigil and (ii) amphetamines and similar drugs in the last eight years; and if he will make a statement. [187497]

Mr. Caplin: Records held by Qinetiq indicate that research was conducted on behalf of the Ministry of Defence into the effect of certain pharmaceutical agents of this type on sleep, performance and motion sickness. One of the drugs investigated was modafinil, which is the non proprietary name for Provigil. The other drugs investigated were pemoline, caffeine and ephedrine.

In line with normal practice, the MOD commissioned this research, which was approved by an independent ethics committee, in order to develop and maintain our understanding of scientific developments in this field.

RAF Bentwaters

Mr. Gerald Howarth: To ask the Secretary of State for Defence whether his Department has a residual interest in the former Royal Air Force station at Bentwaters, Suffolk. [190077]

Mr. Caplin: The only interest which the Ministry of Defence retained in the former RAF Bentwaters, following its disposal in May 2004, is a lease for 2,000 years for an oil pipeline and pipeline termination point.

RAF Fylingdales

Norman Baker: To ask the Secretary of State for Defence if he will give the expected date of completion of the upgrading of RAF Fylingdales for the US Missile Defence System. [188741]

Mr. Hoon: Completion of equipment installation work and testing of the upgrade is expected by October 2005, from which time the radar will be able to support the missile defence mission. Decommissioning and removal of existing equipment will not be completed until summer 2006.

Recruitment

Mr. Frank Field: To ask the Secretary of State for Defence how many young people were recruited to *(a)* the Cheshire Regiment and *(b)* other parts of the armed forces in the Birkenhead area in each of the last 10 years. [188325]

Mr. Caplin: The information requested is as follows:

Naval Service

It is not possible to produce data for officers recruited to the Naval Services in the Birkenhead area as officers are recruited nationwide by Area Career Liaison Offices (ACLOs), which are dispersed around the country.

The recruiting of all Naval Ratings in the Birkenhead area is carried out through the Armed Forces Career Office (AFCO) in Liverpool and it is not possible to refine the information further. The following table shows the recruiting figures for Liverpool, from 1994 up to the present day.

	Number of recruits
1994–95	42
1995–96	122
1996–97	282
1997–98	350
1998–99	355
1999–2000	307

	Number of recruits
2000–01	245
2001–02	286
2002–03	252
2003–04	168

Army

Similarly to the Naval Services, Army officers are not recruited through AFCOs so it is not possible to provide data on recruitment in a specific area.

The following table shows the numbers of soldiers enlisted into the Army through the Army Careers Information Office (AGIO) in Birkenhead between 1 April 2000 and 31 March 2004. Reliable data for earlier years is not held. The figures in brackets represent those recruited to the Prince of Wales Division Infantry, of whom all but a very few would join the 22nd (Cheshire) Regiment.

	Number of recruits
2000–01	158 (23)
2001–02	144 (29)
2002–03	125 (28)
2003–04	122 (53)

RAF

The figures for RAF recruits (both officers and airmen) provided are from the Liverpool area as it is not possible to differentiate between the sub-districts. Figures provided before 2000 have been compiled from an older IT system which unfortunately contains some omissions. Therefore, there are no data available for the recruitment of officers in the years 1994–95 and 1995–96, or for airmen in the years 1994–95 and 1996–97.

For the year 2003–04 it was possible to sort by postcode; accordingly, the overall total is for Liverpool with subtotals, in brackets, showing those recruited from Birkenhead postcodes.

	Officers	Airmen	Total
1993–94	8	188	196
1994–95	—	—	—
1995–96	—	82	—
1996–97	3	—	—
1997–98	2	160	162
1998–99	5	212	217
1999–2000	4	190	194
2000–01	3	197	200
2001–02	8	140	148
2002–03	5	175	180
2003–04	5 (0)	189 (45)	194 (45)

Regimental Amalgamations

Mr. Wiggin: To ask the Secretary of State for Defence how many regiments have remained unamalgamated throughout their history. [189711]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

CULTURE, MEDIA AND SPORT

Intellectual Property

Mr. Boswell: To ask the Secretary of State for Culture, Media and Sport what action she is taking in conjunction with other public agencies to strengthen protection of intellectual property in the creative arts. [189775]

Estelle Morris: I refer the hon. Member to my written ministerial statement of 19 July 2004, *Official Report*, column 2WS.

The Creative Industries Forum on Intellectual Property had its first meeting on 19 July 2004, jointly chaired by myself and my noble Friend the Minister for Science and Innovation, Lord Sainsbury of Turville, and agreed to focus on three main areas of work: Piracy and File-sharing; New Business Models; and Education and Communication. The Forum is due to meet again in late November 2004.

The Department also supports a range of initiatives being taken forward by the Patent Office, an executive agency of the Department for Trade and Industry, in this very important area of work.

Museums (Leeds)

Mr. Battle: To ask the Secretary of State for Culture, Media and Sport what funding *(a)* has been committed and *(b)* will be made available through the Renaissance in the Regions programme to (i) Armley Mills and (ii) other museums in Leeds. [190004]

Estelle Morris: Under the Designation Challenge Fund, which is part of the Renaissance in the Regions programme, grants of up to £202,300 have been awarded to Leeds Museums and Galleries, which includes Armley Mills.

Leeds Museums and Galleries is also a partner in the Yorkshire Regional Museum Hub, one of the nine regional hubs funded through Renaissance in the Regions. The total allocations to the Yorkshire Regional Museum Hub under Spending Review 2002 are as follows:

	£
2003–04	210,000
2004–05	676,000
2005–06	1,180,000

It is difficult to specify what resources each hub partner receives, since much of the funding goes on general programmes that benefit all hub partners. It is for the hub to determine how much is allocated to cross-hub programmes and how much to individual hub partners.

Decisions on Renaissance funding beyond 2005–06 will be announced later this year.

Royal Parks

Mr. Rosindell: To ask the Secretary of State for Culture, Media and Sport how much private finance has been attracted to the royal parks in each of the last seven years. [189197]

Mr. Caborn: In answering the question I have taken 'private finance' to encompass Public Private Partnership (PPP) or Private Finance Initiative (PFI) arrangements entered into by the Royal Parks, the agency which manages the Royal parks in London.

It is the Royal Parks' normal practice, under the terms of their contracts, to make their concessionaires responsible for the maintenance of the buildings they occupy. The Royal Parks do not normally have information about the expenditure incurred by concessionaires on maintenance or improvements. However, during the last seven years there have been three instances where concessionaires have made significant investment in the buildings—Pembroke Lodge in Richmond Park; Inn The Park in St. James's Park; and the boathouses in Regent's Park. The Royal Parks estimate that a total of £3.3 million of private finance has been invested in these ventures over the period. The Royal Parks does not have a breakdown of expenditure by year for these concessions.

Television Licences

Mr. Gregory Campbell: To ask the Secretary of State for Culture, Media and Sport how many households there are in each parliamentary constituency in Northern Ireland; and how many are in possession of a television licence. [189764]

Estelle Morris: The table shows how many households there are in each parliamentary constituency in Northern Ireland:

Parliamentary constituency	*Number*
Belfast, East	34,824
Belfast, North	36,383
Belfast, South	39,715
Belfast, West	30,992
East Antrim	32,789
East Londonderry	32,280
Fermanagh and South Tyrone	32,203
Foyle	35,947
Lagan Valley	38,405
Mid Ulster	28,350
Newry and Armagh	34,473
North Antrim	37,583
North Down	34,931
South Antrim	36,725
South Down	35,605
Strangford	37,898
Upper Bann	38,518
West Tyrone	29,097

TV Licensing, who administer the television licensing system as agent for the BBC, are not able to provide breakdowns by parliamentary constituency of the number of licences issued. However, I understand that at 31 March 2003, the total number of television licences in force in Northern Ireland was approximately 560,000.

Mr. Gregory Campbell: To ask the Secretary of State for Culture, Media and Sport how many households have been visited in each Northern Ireland parliamentary constituency in the past 12 months by staff investigating those who do not hold a current television licence. [189765]

Estelle Morris: TV Licensing, who administer the television licensing system as agent for the BBC, are not able to provide breakdowns by parliamentary constituency of the number of investigations into possible evasion. However, I understand that TV Licensing made 37,000 visits to homes in Northern Ireland in the 2003–04 financial year. This figure includes repeat visits to some addresses.

Mr. Boswell: To ask the Secretary of State for Culture, Media and Sport in what circumstances *(a)* a person aged 75 years or over and *(b)* any other person allowed a concessionary television licence may take out such a licence additionally for a second or further property occupied by them; and what conditions (i) of residence or (ii) otherwise are required. [190018]

Estelle Morris: Free television licences for people aged 75 or over are available only for a person's sole or main residence. The £5 accommodation for residential care concession is available in respect of qualifying accommodation in which a retired person aged 60 or over or a disabled person is ordinarily resident, but does not extend to any other properties which such a person may own or occupy. The 50 per cent. reduction in the licence fee for registered blind people is available for any premises that are a residence of the individual concerned.

Wembley Stadium

Mr. Caton: To ask the Secretary of State for Culture, Media and Sport what assessment her Department has made of the impact on the construction of the new Wembley Stadium of the sacking of engineering construction workers by Fastrack Site Services; and what discussions Ministers have had with the Football Association on this. [189686]

Mr. Caborn: The industrial action at Wembley National Stadium was resolved in mid-September, when Hollandia, a sub-contractor of Multiplex at the Wembley site, offered to re-employ all of the sacked men.

We have been monitoring the situation carefully, working closely with all those involved in the stadium development, including the Football Association.

I am reassured that the stadium remains on target for completion in January 2006 and to be built within budget.

TREASURY

Child Benefit (Manchester)

Mr. Keith Bradley: To ask the Chancellor of the Exchequer how many families resident in the City of Manchester claim child benefit for a student aged 18 years. [189457]

Dawn Primarolo: There were 1,320 such families at November 2002. The number of child benefit recipients in each local authority and constituency at November 2003 will be published on 14 October 2004, by Inland Revenue under National Statistics.

Overseas Travel

Mr Battle: To ask the Chancellor of the Exchequer what his estimate is of the number of trips abroad by UK residents made in *(a)* 1975, *(b)* 1980, *(c)* 1990, *(d)* 2000 and *(e)* 2003. [189926]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Battle dated 11 October 2004:

As National Statistician, I have been asked to reply to your recent Parliamentary Question concerning the number of trips abroad by UK residents made in *(a)* 1975, *(b)* 1980, *(c)* 1990, *(d)* 2000 and *(e)* 2003. (189926)

The estimated numbers of visits overseas' made by UK residents in the years requested are shown in the table.

	Thousands
Year	*Number of visits*
1975	11,992
1980	17,507
1990	31,150
2000	56,837
2003	61,424

Source:
Office for National Statistics

Insurance

Mr. Battle: To ask the Chancellor of the Exchequer what plans he has to improve regulation of the insurance industry; and if he will make a statement. [189950]

Mr. Timms: The Financial Services Authority (FSA) is responsible for regulating financial services in the UK. The FSA has identified prudential regulation of the insurance sector as a priority and has developed a comprehensive strategy to address this issue. In addition, the FSA will regulate the selling of general insurance business from 14 January 2005.

Royal Residences

Mr. Alan Williams: To ask the Chancellor of the Exchequer what the accommodation formerly occupied by the late HRH Queen Elizabeth the Queen Mother in Windsor Great Park consists of. [188550]

Mr. Timms: The accommodation occupied by HM Queen Elizabeth The Queen Mother within Windsor Great Park was:

(a) Royal Lodge consisting of the main house including staff accommodation, gardens and grounds of 40.3 hectares including tennis court and the miniature Welsh cottage;

and within these grounds:

(b) Gardener's cottage;

(c) Chapel lodge;

(d) No. 6 Lodge Cottages;

(e) Police security accommodation.

Mr. Alan Williams: To ask the Chancellor of the Exchequer what plans have been made for the future use of the cottage previously occupied by the late HRH Queen Elizabeth the Queen Mother in Windsor Great Park; and what, other than accommodation, is included in the lease for the cottage in Windsor Great Park. [188551]

Mr. Timms: Royal Lodge has been leased to HRH The Duke of York with effect from 16 June 2003 for a period of 75 years. The lease is for all of the accommodation identified in answer to the right hon. Gentleman's question 188550.

Mr. Alan Williams: To ask the Chancellor of the Exchequer what factors determined the length of the lease for the cottage in Windsor Great Park previously occupied by the late HRH Queen Elizabeth the Queen Mother. [188552]

Mr. Timms: The lease to HRH The Duke of York for Royal Lodge is for 75 years.

The length of lease was agreed as a suitable period, taking into account the refurbishment of the property which the tenant is required to meet at his own expense in the first two years of the lease.

Mr. Alan Williams: To ask the Chancellor of the Exchequer what the basis of valuation of the lease for the cottage in Windsor Great Park previously occupied by the late HRH Queen Elizabeth the Queen Mother was; and who carried out the valuation. [188553]

Mr. Timms: The terms and valuation of the lease were negotiated between The Crown Estate as landlord and HRH The Duke of York as tenant. Agents were appointed by both parties and were required to agree the terms of the lease on a commercial basis for the lease period of 75 years.

The rental valuation was to take into account the requirement of the landlord for the tenant to restore and modernise the property at his own expense to an agreed standard.

Mr. Alan Williams: To ask the Chancellor of the Exchequer what the current value of the lease for the cottage in Windsor Great Park previously occupied by the late HRH Queen Elizabeth the Queen Mother is, using Treasury discounting figures. [188554]

Mr. Timms: The lease was granted on a commercial basis. It also takes into account the refurbishment of the property which the tenant is required to meet at his own expense in the first two years of the lease.

Mr. Alan Williams: To ask the Chancellor of the Exchequer on what financial basis the cottage in Windsor Great Park previously occupied by the late HRH Queen Elizabeth the Queen Mother had previously been occupied. [188555]

Mr. Timms: The Duke and Duchess of York (later King George VI and Queen Elizabeth) were granted occupation of Royal Lodge by King George V in 1931, without charge.

The property reverted to The Crown Estate on the death of Her Majesty, Queen Elizabeth The Queen Mother in 2002.

Average Mortality Rates

Mr. Burstow: To ask the Chancellor of the Exchequer what the average mortality rate for *(a)* professional groups and *(b)* manual groups in (i) Hartlepool Primary Care Trust and (ii) England was in the last year for which figures are available. [189266]

Mr. Timms *[holding answer 16 September 2004]:* The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Paul Burstow, dated 11 October 2004:

As National Statistician, I have been asked to reply to your recent Parliamentary Question asking what the average mortality rate for *(a)* professional groups and *(b)* manual groups in (i) Hartlepool Primary Care Trust and (ii) England was in the last year for which figures are available. (189266)

The most recent available mortality rates for sub-national areas by Social Class, based on occupation, are those which use populations from the 1991 Census. Figures for the period 1991–1993 were published for England and its constituent Government Office Regions (GORs) for males aged 20–64. Figures are not available for smaller geographic areas. Those based on populations from the 2001 Census, and deaths in the years around that Census, are not yet available. Figures for 1991–1993 are included in the table below for England and the North East GOR (which includes the area covered by Hartlepool Primary Care Trust).

Mortality rates[1] by social class, males aged 20–64, England and the North East Government Office Region,[2] 1991–1993[3]

Social class	*England*	*North East GOR*
Non manual	315	351
I—Professional	271	293
II—Managerial and technical/intermediate	293	326
IIIN—Skilled non-manual	418	463
Manual	516	663
IIIM—Skilled manual	489	577
IV—Partly skilled	486	636
V—Unskilled	786	1,285
All men	425	546

[1] Death rates per 100,000 population age-standardised to the European Standard Population.

[2] Usual residents of these areas.

[3] Deaths registered in each year.

Source:

Griffiths C. and Fitzpatrick J. Geographic Variations in Health, Decennial Supplement No 16, TSO London, 2001.

Children (Expenditure)

Jean Corston: To ask the Chancellor of the Exchequer for each of the years 1996 to 2004, what the estimated expenditure was for all children and per child, in current and in real terms, on *(a)* family credit, *(b)* working families tax credit, *(c)* child benefit, *(d)* children's allowance, *(e)* child maintenance premium for parents with care on income support and *(f)* in total; and if he will express the total expenditure on children as a percentage of gross domestic product. [187122]

Dawn Primarolo: The information requested is provided in the following tables. The figures for child benefit, child allowances in Income Related Benefits (IRBs—income support, jobseeker's allowance and minimum income guarantee/pension credit) and family credit are for Great Britain; those for working families' tax credit (WFTC) and child tax credit are UK wide. There is no Government expenditure on the child maintenance premium in income support because it is funded by payments from the non-resident parent.

Table 1: Aggregate expenditure, nominal terms

£ billion nominal

	Child Benefit	*Child allowances in IRBs*	*Family Credit*[1]	*WFTC*[1]	*Child Tax Credit*	*Total*	*Total (Percentage GDP)*
1996–97	6,941	2,650	1,014	—	—	10,605	1.4
1997–98	7,088	2,480	1,119	—	—	10,687	1.3
1998–99	7,295	2,465	1,161	—	—	10,921	1.3
1999–2000	8,283	2,670	953	549	—	12,455	1.4
2000–01	8,660	3,125	—	2,503	—	14,288	1.5
2001–02	8,795	3,482	—	3,162	—	15,439	1.5
2002–03	8,945	3,945	—	3,466	—	16,356	1.6
2003–04[1]	9,400	3,847	—	[2]—	8,889	22,136	2.0

Table 2: Aggregate expenditure, real terms

£ billion real terms (2004–05 prices)

	Child Benefit	*Child allowances in IRBs*	*Family Credit*[1]	*WFTC*[1]	*Child Tax Credit*	*Total*	*Total (Percentage GDP)*
1996–97	8,413	3,212	1,229	—	—	12,855	1.5
1997–98	8,415	2,944	1,328	—	—	12,688	1.4
1998–99	8,360	2,825	1,330	—	—	12,515	1.3
1999–2000	9,198	2,965	1,058	609	—	13,830	1.4
2000–01	9,512	3,432	—	2,749	—	15,693	1.6
2001–02	9,351	3,702	—	3,362	—	16,415	1.6
2002–03	9,352	4,124	—	3,624	—	17,100	1.7
2003–04[1]	9,663	3,955	—	[2]—	9,138	22,755	2.2

Table 3: Expenditure per child, nominal terms

£ per week nominal

	1996–97	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*[1]
Family Credit[2]	704	732	738	881	—	—	—	—
WFTC[2]	—	—	—	800	1,121	1,258	1,283	[3]—
Child Benefit	543	558	576	653	684	697	712	722
Child allowances in IRBs	807	878	915	1,013	1,225	1,397	1,634	1,644
Child Tax Credit	—	—	—	—	—	—	—	847

Table 4: Expenditure per child, real terms

£ per week real terms (2004–05 prices)

	1996–97	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Family Credit[2]	854	869	846	978	—	—	—	—
WFTC[2]	—	—	—	888	1,231	1,337	1,341	[3]—
Child Benefit	658	662	660	725	751	741	744	742
Child allowances in IRBs	978	1,042	1,049	1,125	1,346	1,486	1,708	1,690
Child Tax Credit	—	—	—	—	—	—	—	870

[1] Figures for 2003–04 are estimates.

[2] The values for expenditure on family credit and WFTC are not total expenditure on these credits, but the amount of expenditure attributable to the children in the household.

[3] Some payments of WFTC were made in 2003–04 but these related to 2002–03 awards.

Jean Corston: To ask the Chancellor of the Exchequer (1) following Chart 3.3 in his Department's Child Poverty Review for July 2004, what the total expenditure was in real terms and total expenditure as a percentage of gross domestic product on *(a)* child benefit, *(b)* tax credits and *(c)* other income-related benefits for children in (i) 1997, (ii) 2000 and (iii) 2004 (estimated); and what the respective amounts were for each for the first, sixth and tenth decile groups; [187123]

(2) for *(a)* economically active and *(b)* non-economically active households with children what the total expenditure was on children for (i) child benefit, (ii) tax credits and *(c)* other income related benefits for children in (A) 1997, (B) 2000; and what the estimated figures are for 2004. [187124]

Dawn Primarolo: The figures requested are in the following tables. The figures for child benefit, child allowances in Income Related Benefits (IRBs—income support, jobseeker's allowance and minimum income guarantee/pension credit) and family credit are for Great Britain; those for working families' tax credit (WFTC) and child tax credit are UK wide.

We do not have analysis by decile for 2000–01 and to produce it would incur disproportionate cost.

We classify individuals, rather than households, as economically active or non-economically active, so cannot provide the additional analysis requested.

Table A: Total Expenditure in real terms (2004–05 prices)

£ billion

	Child benefit	*Family credit/ tax credits*	*Other income-related benefits for children*
1997–98	8,415	1,328	2,944
2000–01	9,512	2,749	3,432
2003–04[1]	9,663.	9,138	3,955

Table B: Total expenditure as a percentage of GDP

	Child benefit	*Family credit/ tax credits*	*Other income-related benefits for children*
1997–98	0.9	0.1	0.3
2000–01	1.0	0.3	0.4
2003–04[1]	0.9	0.9	0.4

Table C: Breakdown of expenditure by decile

£ billion

(i) 1997–98

Net equivalised household income	*Child benefit*	*Family credit*	*Other income-related benefits for children*
Bottom decile	1,200	510	1,300
Sixth decile	850	13	20
Top decile	530	11	0

(ii) 2003–04[1]

Net equivalised household income	*Child benefit*	*Tax credits and other income-related benefits for children*[2]
Bottom decile	1,300	3,700
Sixth decile	980	600
Top decile	600	25

Table D: Breakdown of expenditure by decile (as a percentage of GDP)

(i) 1997–98

Net equivalised household income	*Child benefit*	*Child elements of family credit*	*Other income-related benefits for children*
Bottom decile	0.13	0.06	0.15
Sixth decile	0.10	0.00	0.00
Top decile	0.06	0.00	0.00

(ii) 2003–04[1]

Net equivalised household income	*Child benefit*	*Child elements of tax credits and other income-related benefits for children*[2]
Bottom decile	0.13	0.36
Sixth decile	0.09	0.06
Top decile	0.06	0.00

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[1] The figures for 2003–04 are estimates.

[2] The model we use to produce estimates by decile is not able to distinguish between child elements in tax credits and other incomer-related benefits for 2003–04.

Civil Service

Mr. Sheerman: To ask the Chancellor of the Exchequer how many Civil Service jobs will be lost in the *(a)* Huddersfield area, *(b)* Kirklees area, *(c)* West Yorkshire area and *(d)* Yorkshire and Humber Region as a result of the cuts announced in the 2004 Spending Review. [190297]

Mr. Boateng: Full details of the workforce changes announced in the Spending Review are being worked through, and we are consulting all stakeholders including unions and staff.

Departments will come forward in due course with details of workforce changes once plans are finalised.

Disabled People

Mr. Drew: To ask the Chancellor of the Exchequer if he will list the major initiatives the Treasury has undertaken since 1997 in relation to disabled people. [188151]

Mr. Timms: I would refer my hon. Friend to the answer from the Secretary of State for Work and Pensions of 16 September 2004, *Official Report*, columns 1738–41W. My Department works closely with DWP on some of these initiatives. Treasury's 2004 Departmental Report (Cm 6222) presented to Parliament on 30 April 2004 contains details of that work. The Report was also deposited in the Library and made available online at http://www.hm-treasury.gov.uk

Economy

Mr. Rosindell: To ask the Chancellor of the Exchequer if he will make a statement on the state of the economy. [190155]

Mr. Timms: The UK economy has continued to perform strongly, thanks to the domestic macroeconomic stability that this Government's policies have delivered. UK GDP grew by 3.5 per cent. in the year to the first half of 2004, up from 2 per cent. in the same period of 2003 and consistent with the Budget 2004 forecast. Meanwhile, the UK has the lowest rate of unemployment in the G7 and inflation is at historically low levels.

The Government will update their forecasts for the UK and world economies in Pre-Budget Report 2004.

Employee Financial Participation

Mr. Lazarowicz: To ask the Chancellor of the Exchequer (1) what steps are being taken by regional enterprise departments and agencies *(a)* to develop employee ownership and *(b)* to meet the intention of doubling the number of UK companies with employee financial participation; [189123]

(2) what the distribution of share incentive plans (SIPs) is in *(a)* listed companies, *(b)* small and medium enterprises, *(c)* companies whose schemes were their first move into employee financial participation and *(d)* companies who introduced SIP as a replacement for older schemes; [189124]

(3) how many *(a)* companies and *(b)* employees are covered by share incentive plans (i) in total, (ii) as a percentage of the workforce involved and (iii) as a percentage of the total UK workforce; [189125]

(4) how many employee ownership schemes there are in which employees hold a majority stake, broken down by geographical distribution. [189126]

John Healey: The nine Regional Development Agencies (RDAs) in England, and the devolved administrations in Scotland and Wales, have responsibility for supporting and promoting businesses activity and enterprise within each region and country of Great Britain. From April 2005 the RDAs will adopt devolved responsibility for the management of the Business Link network throughout England, which provides advice and support to businesses on a wide range of issues, including employee share ownership. The Scottish and Welsh Administrations already hold devolved responsibility for the provision of equivalent services in Scotland and Wales. The Northern Ireland Executive holds similar responsibilities for Northern Ireland when power is devolved to them.

National Statistics on the take up of Share Incentive Plan and other employee share schemes are published on the Inland Revenue website at the following internet address: http://www.inlandrevenue.gov.uk/stats/emp_share_schemes/menu.htm

Marine Stewardship

Mr. Carmichael: To ask the Chancellor of the Exchequer how much the Crown Estate spent on marine stewardship programmes in each year since 1994. [188429]

Mr. Timms: The Crown Estate formally established a marine stewardship programme in 2000 following allocation of funding by the Board of The Crown Estate. This provides funding for community initiatives, education programmes, aquaculture research, seabed research and the renewable communities fund.

Prior to 2000, funding for stewardship initiatives was provided via a number of different programmes. The introduction of the marine stewardship programme led to a more co-ordinated approach and a single budget stream.

The funding awarded under the marine stewardship programme is as follows:

	£
	Total
2004-05	[1]358,000
2003-04	496,000
2002-03	462,000
2001-02	411,000
2000-01	383,000
1999-2000	341,000
1998-99	304,000

[1] As of 1 September 2004.

Information before 1998 is not available as it is either unavailable in an easily identifiable format, or it is outside the statutory period for which financial records are kept.

Money Laundering

Mr. Drew: To ask the Chancellor of the Exchequer what evidence he has collated on whether holders of gilts have been used as a front by money launderers; and what safeguards are in place to prevent the information provided by gilt-holders *(a)* breaching human rights legislation and *(b)* falling into the wrong hands. [189653]

Mr. Timms: To the best of our knowledge few, if any, major cases of money laundering in the UK have yet been seen to involve gilts. It is, however, possible that gilts might be targeted in the future and, for this reason, it is essential that HM Treasury maintain robust preventative measures and deterrents. HM Treasury believes it has adopted a proportionate response in balancing the individual's right to privacy against the need to "know your customer", in line with best market practice and guidance issued by the Joint Money Laundering Steering Group. HM Treasury and the current and prospective Registrars maintain robust data and system security procedures and controls.

Pension Schemes (Public Sector)

Mr. Willetts: To ask the Chancellor of the Exchequer if he will estimate the extra gross pension liability accruing annually in *(a)* funded and *(b)* unfunded public sector pension schemes. [185703]

Mr. Boateng: The value of the liabilities for each main, centrally administered scheme is contained in the report of the actuary as published in the schemes' Resource Accounts. The extra gross pension liability accruing annually for each such scheme is shown in the notes to those Resource Accounts.

Private Finance Initiative

Mr. Burnett: To ask the Chancellor of the Exchequer what the capital liabilities in respect of private finance initiative contracts were in each year since 1990–91, broken down by department. [189830]

Mr. Boateng: PFI contracts where the assets concerned are on the balance sheets of procuring authorities are reported in the accounts of the procuring authorities. Those accounts also show a capital liability to repay the finance lease funding assets reported on balance sheet.

The estimated capital value of signed PFI contracts where capital assets are accounted for on departmental balance sheets is £20.7 billion. This represents 54 per cent. of the total estimated capital value of PFI contracts signed to date.

A list of PFI contracts signed to April 2004 is available on the HM Treasury public website: http://www.hm-treasury.gov.uk/documents/public_partnerships/ppp_pfi_stats.cfm

Mr. Burnett: To ask the Chancellor of the Exchequer what the annual revenue or recurring liabilities in respect of private finance initiative contracts were in each year since 1990–91, broken down by Department. [189831]

Mr. Boateng: Information on unitary charge payments made under PFI contracts are reported in the accounts of procuring authorities and are a matter for their Departments.

Projected estimates of aggregate total payments under PFI contracts across Government for the next 25 years have been published in the Budget since 1999.

Data on projections of aggregate payments made before 1999 are not held centrally and could only be collected at disproportionate cost.

Mr. Burnett: To ask the Chancellor of the Exchequer what professional and other costs were incurred in respect of private finance initiative contracts in each year since 1990–91, broken down by Department. [189832]

Mr. Boateng: The information requested is not held centrally and could only be gathered at disproportionate cost.

Self-Employed Taxpayers (Leeds)

Mr. Battle: To ask the Chancellor of the Exchequer what his Department's latest estimate is of the number of self-employed taxpayers in the Leeds, West constituency. [189946]

Dawn Primarolo: I refer my hon. Friend to table "3.13 Income and Tax By County and Region, 2001–02", on the Inland Revenue website: www.inlandrevenue.gov.uk/stats/income_distribution/table-313-2001-02.pdf Figures for 2002–03 will be published in November.

Small Businesses (Leeds)

Mr. Battle: To ask the Chancellor of the Exchequer what his latest estimate is of the number of registered small businesses in the Leeds, West constituency. [189947]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. John Battle, dated 11 October 2004:

As National Statistician, I have been asked to reply to your recent question concerning the latest estimate of the number of registered small businesses in the Leeds, West constituency. (189947)

The latest available information relates to 2003 and shows that the number of small businesses in the Leeds, West constituency registered for Value Added Tax is 1,445.

Further information about the number of businesses in the United Kingdom is available from the National Statistics publication "PA1003—Size Analysis of United Kingdom Businesses 2003" available free of charge on the National Statistics website: http://www.statistics.gov.uk/pa1003

Tax Credits

Norman Lamb: To ask the Chancellor of the Exchequer how many new claims for tax credits have been received but not yet processed. [188898]

Dawn Primarolo: As at 31 August 2004, there were around 55,000 claims that were waiting for further information or were being verified. Over 100,000 new claims were received during August.

Mr. Dhanda: To ask the Chancellor of the Exchequer when he expects the Inland Revenue to adjust the levels of repayment for individuals who have been overpaid tax credits. [189724]

Dawn Primarolo: The Inland Revenue's Code of Practice 26 "What happens if we have paid you too much tax credit?" confirms the maximum amounts by which the Inland Revenue would reduce the current year's tax credits to recover overpaid tax credit from 2003–04. A copy of the Code of Practice has been placed in the Library of the House and the text can be found on the Inland Revenue website on www.inlandrevenue.gov.uk. The content of the code is kept under review.

Mr. Andrew Turner: To ask the Chancellor of the Exchequer (1) how many recipients of tax credits were found to have been overpaid in each year since 2001, broken down by *(a)* type of credit and *(b)* bands of overpayments; [189743]

(2) how many recipients of tax credit overpaid in each year since 2001 have been *(a)* subject to attempts at recovery of overpayment, *(b)* subject to no such attempts and *(c)* subject to such attempts which have now been abandoned, broken down by type of credit; [189744]

(3) how much tax credit overpaid was or is anticipated to be recovered in each year since 2001, broken down by type of credit; [189745]

(4) what the value is of tax credit overpaid in each year since 2001 which have been *(a)* subject to attempts at recovery of overpayment, *(b)* subject to no such attempts and *(c)* subject to such attempts which have now been abandoned, broken down by type of credit. [189746]

Dawn Primarolo: For working families' and disabled person's tax credits, I refer the hon. Member to my answer to the hon. Member for Eddisbury (Mr. O'Brien) on 12 November 2003, *Official Report*, column 394W.

For child and working tax credits, complete figures for overpaid 2003–04 awards will not be available until these awards are finalised.

Mr. Stunell: To ask the Chancellor of the Exchequer how many working tax credit back-dated payment claims were outstanding on *(a)* 1 January and *(b)* 1 June by more than six weeks; and if he will make a statement. [186322]

Dawn Primarolo: This information is not available. Claims for tax credits are normally put into payment quickly unless the Inland Revenue needs more information to process them. At any date, there are always some claims for which additional information is being sought, and in some circumstances this can delay the claim being put into payment.

Mr. Stunell: To ask the Chancellor of the Exchequer what steps he plans to take to ensure software upgrades to the working tax credit system are installed; what impact he expects the upgrades to have on the outstanding back-dated payment claims; and if he will make a statement. [186326]

Dawn Primarolo: There are regular, planned, upgrades and releases of software to add new functionality for the tax credits cycle—for example, in April 2004 there was increased functionality in connection with finalisation and renewal of tax credits claims for 2003–04 and 2004–05. Upgrades to software are not expected to have a significant effect on the numbers of claims awaiting processing.

Tobacco Consumption

Mr. Dobson: To ask the Chancellor of the Exchequer what assessment he has made of the impact on the economy of reduced tobacco consumption. [189822]

John Healey: Isolating the impact on the economy of a particular public health trend, such as declining tobacco consumption, is very difficult. However, the Wanless Report, "Securing Good Health for the Whole Population", presents a range of evidence about the impact of smoking on public health, indicating that smoking kills 120,000 people in the UK every year, costing the NHS up to £1.7 billion a year and has wider costs such as productivity losses from ill health and absenteeism.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Agricultural Wages

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on this year's Agricultural Wages Board announcement. [189919]

Alun Michael: The Agricultural Wages Board is an independent body and the Agricultural Wages Act 1948 gives the Secretary of State no authority to intervene in, or seek to influence, Board decisions. Its decisions are announced by public notices in the farming press and by a press release whose wording is agreed by the Chairman of the Board and the leaders of the two sides (the lead representative of the National Farmers Union and the Transport and General Workers Union). In view of this it would not be appropriate for me to comment on the outcome of the recent pay negotiations.

Arable Farmers

Mr. Greg Knight: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what assessment she has made of the difficulties facing arable farmers in the UK following the poor weather this summer; [188560]

(2) if she will compensate arable farmers badly affected by this summer's bad weather. [188561]

Alun Michael: Our latest assessment is that this year's harvest is now largely complete, despite very substantial delays and difficulties in many parts of the country as a result of the extremely wet weather during the summer. Total yield is likely to be higher than last year, when output fell because of excessive heat and drought. But the majority of crops will be of poorer quality than expected, reducing farmers' returns in a weaker market, in addition to more expensive field and drying operations. There will also be some knock-on effects in relation to plantings and establishment of following crops.

Having considered the position very carefully in close contact with farmers' representatives and following discussions between my right hon. Friend, the Secretary of State, and the NFU President on 16 September, it has been concluded that it would be more effective to devote special efforts to making full payments in the worst affected areas at the start of the payment window on 16 November, rather than attempting to make partial payments a few weeks earlier that would have to be topped-up in a separate operation later. The areas in question are likely to include Northumberland, Tyne and Wear, County Durham, North and East Yorkshire, North Lincolnshire, Nottinghamshire, Leicestershire, Rutland and Northamptonshire.

We are continuing to work closely with farming organisations to ensure the most effective targeting of these efforts and to explore other ways in which existing schemes and resources can be used to help to mitigate the problems that we accept many arable farmers are facing.

Automotive Emissions

Richard Burden: To ask the Secretary of State for Environment, Food and Rural Affairs what emissions level has been established for the automotive sector in the UK National Allocation Plan; and what this represents as a proportion of actual emissions in 2002. [186275]

Mr. Morley: The UK National Allocation Plan, which was submitted to the European Commission on 30 April 2004 provided provisional sector-level allocations. Government have always made it clear that the allocations would be revisited in the light of updated emissions projections; verification of baseline data; and the inclusion of additional installations. The overall level of allowances to be set in the Final Allocation Decision will be reviewed in the light of these changes. In the April National Allocation Plan the automotive sector is included in the engineering and vehicles sector, which was given an indicative annual allocation of one million tonnes of CO_2. This figure is 100 per cent. of the actual emissions reported in 2002.

Government aim to publish a revised list of installation-level allocations later in the year. Following this there will be a period where industry will have the opportunity to correct any errors of fact prior to the final allocation decision.

Biodiesel

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what licences are needed by farmers producing biodiesel by processing used cooking oil. [190109]

Mr. Morley: A pollution prevention control permit is required for the esterification of used (waste) or virgin cooking oils in chemical plant to produce biodiesel. A waste management licence is required for the commercial filtering of waste vegetable oils to produce biodiesel.

Unless the used cooking oil was agricultural waste, a farmer would be subject to these controls.

Agricultural waste is currently excluded from the waste management licensing regime under section 75 of the Environmental Protection Act 1990. Agricultural waste is any substance or object from premises used for agriculture which the holder discards or intends to discard.

Bovine TB

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs how many cattle tested positive for tuberculosis in the last 12 months. [188489]

Mr. Bradshaw: 18,676[1] cattle were removed and slaughtered under TB control measures during the period 1 August 2003–31 July 2004.

[1] Provisional data, as downloaded from the State Veterinary Service database 16 September 2004. The figure includes animals which reacted to the tuberculin test and those which showed an inconclusive reaction to the test on three occasions.

British Cattle Movement Service

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs how much the British Cattle Movement Service cost in each year since 2000. [189627]

Alun Michael: The costs of running the British Cattle Movement Service (BCMS) which runs the Cattle Tracing System, in each year since 2000 are set out in the following table.

	£ million
2000–01	13.40
2001–02	14.24
2002–03	15.79
2003–04[1]	15.39
2004–05	[2]14.50

[1] The BCMS merged with the Rural Payments Agency on 1 April 2003.

[2] Projection to year end.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how many cattle passport *(a)* applications and *(b)* movement notifications were (i) received late, (ii) received late but accepted on compassionate or other grounds and (iii) received late and rejected in each of the last five years for which records are available. [189083]

Alun Michael: No cattle movement notification made to the British Cattle Movement Service (BCMS) have ever been rejected because they were late.

All calf birth registrations received by BCMS are now, and have always been, fully processed and the animals entered onto the national database, no matter how late they have arrived.

The total number of birth registrations received late in each of the last five years has been:

	Number
2000	177,862
2001	188,509
2002	212,998
2003	202,395
2004	22,415

The number of late birth registrations in respect of which full cattle passports were refused over the last five years were 13,448 animals between 1 January 1999 and 20 November 2003, and 25,746 animals between 20 November 2003 and 3 September 2004.

Of these cases, 7,616 and 4,998 animals respectively have had passports issued for them so far after appeals have been considered. These figures cannot be broken down into individual calendar years.

The BCMS merged with the Rural Payments Agency on 1 April 2003.

Mr. Redwood: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the operation of the cattle passport scheme. [189480]

Alun Michael: The cattle passport scheme is operated by the British Cattle Movement Service (BCMS) which became part of the Rural Payments Agency from the 1 April 2003. The cattle passport scheme has been in operation since 1996 and the national cattle database contains the details of the 9.9 million animals that make up the national herd.

The BCMS operates to ISO 9001:2000 standards, is registered with the British Standards Institute and its operating practices have received the Kite mark. In addition to paper reporting systems, BCMS have provided a call centre and online facilities via a website for cattle keepers to use. The BCMS is constantly striving to improve its service and efficiency.

BSE

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what evidence she has collated that BSE exists in British cattle. [189620]

Mr. Bradshaw: BSE was identified in British cattle by the Central Veterinary Laboratory in November 1986. The disease is defined on the basis of its clinical history and the characteristic pathological changes that occur in the brain. Cases of the disease in Britain are confirmed by veterinary pathologists on brain tissue from suspect animals. Biochemical screening tests for the diagnosis of BSE from brain samples are also recognised within the EU and by the International Office for Animal Health.

The occurrence of BSE in British cattle has been rigorously monitored using these methods since 1987. The numbers of cases collated are recorded on a graph which will be made available in the Library of the House.

Further information on the disease and statistics in Britain can be found on the Defra website at: www.defra.gov.uk/animalhealth&welfare/BSE/statistics/BSE statistics www.defra.gov.uk/animalhealth&welfare/BSE/publications/progressreport

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs how many BSE cases there were in 2003; and in cattle of what ages. [189621]

Mr. Bradshaw: For Great Britain there were 547 confirmed cases of BSE in 2003 in cattle of the following age groupings:

Age (months)	*Total number of cases*
<48	1
48–53	3
54–59	5
60–65	10
66–71	7
72–77	3
78–83	8
84–89	27
90–95	40
96–101	69
102–107	58
108–113	57
114–119	48
120–125	43
126–131	34
132–137	28
138–143	16
≥144	90
Total 2003	547

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs how many cattle born after *(a)* 1999, *(b)* 2000, *(c)* 2001, *(d)* 2002 and *(e)* 2003 have contracted BSE. [189622]

Mr. Bradshaw: In the UK there have been 12 confirmed cases of BSE in cattle born in 1999 and one case born in 2000. No cases have as yet been confirmed in cattle born after 2000.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of whether the passport system has *(a)* prevented BSE and *(b)* been used to collect evidence of the age of cattle likely to be affected. [189623]

Alun Michael: The introduction of Cattle Passports improved our ability to check the movement of animals during their lives, which makes it possible to trace animals potentially exposed to a disease risk such as the offspring and cohorts of BSE cases, and to trace the potential sources of infection.

Cattle passports have played an important role in identifying cattle that are required to be tested under the EU's BSE surveillance programme. This programme has enabled us to gain a more detailed understanding of BSE epidemiology, notably its prevalence across various age groups. This has allowed the monitoring of the beneficial effects of the control measures applied and, most importantly, facilitated our submission to the European Commission for moderate risk status for the UK.

Cattle Passports/Registration

Mr. Redwood: To ask the Secretary of State for Environment, Food and Rural Affairs how many farmers have missed the deadline for cattle registration; and how many animals this affects. [189479]

Alun Michael: The number of late cattle registrations and the number of keepers that these figures represent are set out in the following table:

	Total applications	*Total late applications*	*Percentage late*	*Keepers missing deadline*[1]
1999	2,993,238	90,854	3.0	31,656
2000	3,056,014	177,862	5.8	61,973
2001	2,998,238	188,509	6.3	65,683
2002	2,885,188	212,998	7.4	74,215
2003	2,952,404	202,395	6.9	70,521
2004[2]	2,135,982	22,415	1.0	7,810

[1] Exact Figures for individual keepers are not available. The average number of animals in an appeal for 2003–04 is 2.87. We have used this to estimate keeper figures for earlier years.

[2] Figures up to 3 September 2004.

Mr. Redwood: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what scope the Government have to allow late registration of cattle under EU rules; [189481]

(2) what plans the Government have to review the policy on cattle registration. [189482]

Alun Michael: The EU Regulations governing the identification and tracing of cattle require birth notifications of cattle to be made within 27 days of birth. There is no scope to extend the deadline beyond 27 days. We do not think that 27 days is an unreasonable deadline, bearing in mind the need for accurate and timely data if we are to manage disease outbreaks such as foot and mouth disease. The penalties to be applied in respect of late notifications are at the discretion of Member States.

Our current policy of refusing passports for late applications was introduced with the agreement of the industry and has been successful in reducing the number of late registrations of cattle from 6.9 per cent. to 1 per cent.. In light of the industry's concerns my officials are reviewing the existing enforcement arrangements, but any change must maintain the level of improvement we have achieved so far.

Cattle Vaccinations

Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of cattle herds are vaccinated against *(a)* bovine viral diarrhoea and *(b)* leptospirosis. [189600]

Mr. Bradshaw: Bovine viral diarrhoea (BVD) and leptospirosis are not notifiable diseases. However VLA publishes quarterly reports which looks at herd prevalence, through analysis of bulk milk serology in dairy herds, in respect of BVD and leptospirosis which are available to view on their website.

Information on the numbers of animals vaccinated is not held by Defra or by the Veterinary Laboratories Agency (VLA).

All veterinary medicinal products are assessed for their safety, quality and efficacy before being authorised for sale in the UK.

There are three Bovine Viral Diarrhoea virus (BVDV) vaccines authorised in the UK for cattle to protect adult cattle against infection or to protect the foetus against transplacental infections caused by BVDV.

There are two Bovine Leptospirosis vaccines authorised in the UK to project cattle against leptospirosis caused by Leptospira borgpeterserenii serovar hardjo and/or Leptospira interrogans serovar hardjo.

Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of breeding cows are vaccinated against *(a)* calf scour and *(b)* pneumonia. [189601]

Mr. Bradshaw: Calf Scour and pneumonia are not notifiable diseases. Information on the numbers of animals vaccinated is not held by Defra or by the Veterinary Laboratories Agency (VLA).

All veterinary medicinal products are assessed for their safety, quality and efficacy before being authorised for sale in the UK.

There are five "Calf scour" vaccines authorised in the UK to protect calves against various disease pathogens that could produce diarrhoea in young animals. These vaccines provide protection against bovine rotavirus (BRV), bovine corona virus (BCV) and "Escherichia coli."

There are 14 "Calf pneumonia" vaccines authorised in the UK to protect calves against various respiratory disease pathogens including Bovine Rhinotracheitis (IBR), Bovine Parainfluenza virus (P13), Pasteurella (Mannheimia) haemolytica, Bovine Respiratory Syncytial virus (BRSV), Bovine Viral Diarrhoea virus (BVDV).

CITES

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs how many exotic animals have been imported into the UK in each of the last 10 years, broken down by Convention on International Trade in Endangered Species listed species. [188146]

Mr. Morley: CITES listed species are placed into one of three appendices.

Appendix I—endangered species threatened and therefore prohibited from commercial trade;

Appendix II—vulnerable species that may become endangered unless trade is strictly regulated; and

Appendix III—species which are protected in a particular range state, for which the co-operation of other CITES Parties is required to ensure that the trade is lawful.

The following table shows the numbers of live animals imported into the UK by each CITES Appendix. (Current records commenced in 1997).

	Appendix	*Number*
1997	I	58
	II	25,939
	III	1,665
1998	I	103
	II	46,784
	III	1
1999	I	152
	II	43,354
	III	0
2000	I	161
	II	60,874
	III	81
2001	I	91
	II	65,039
	III	51
2002	I	124
	II	74,528
	III	67
2003	I	99
	II	82,730
	III	68
2004	I	57
	II	17,724
	III	70

There are various possible reasons for the increase. For example,

increased numbers may reflect new listings, some of which (e.g.—sea horses) may be imported in large quantities;

wildlife trade is dynamic, and trends over time may reflect diverse factors such as policy decisions in exporting countries, traders gaining access to new sources of supply, market forces, and the actions of CITES.

Trade patterns are monitored quarterly by JNCC, and worrying trends identified. Individual applications are also scrutinised and may be refused if they are considered to be detrimental to the species concerned (thus leading to consideration by the EU Scientific Review Group as to whether action to limit such trade is required).

Mr. Amess: To ask the Secretary of State for Environment, Food and Rural Affairs what her policy is on the proposal by Australia at the next Convention on Trade in Endangered Species Conference of the Parties to list the great white shark on Appendix II with zero quota. [189688]

Mr. Morley: I understand that Australia has now decided to withdraw its proposal for a zero quota and I am pleased to confirm that both the UK and the EU member states are happy to support an Appendix II listing for the great white shark.

Cormorants

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the population of cormorants; what assessment she has made of trends in the change in population over recent years; and if she will make a statement. [188960]

Mr. Bradshaw: Seabird 2000 and the Wetland Bird Survey provide current estimates for the cormorant population in Great Britain of 8,470 breeding pairs and 23,000 wintering individuals. Winter cormorant abundance is estimated to have increased by 70 per cent. between 1989 and 2001.

Countryside and Rights of Way Act

Mr. Wood: To ask the Secretary of State for Environment, Food and Rural Affairs how many applications she has received for areas to be designated under Schedule 6 of the Countryside and Rights of Way Act 2000; how many have been approved; and how many footpaths have been *(a)* closed and *(b)* diverted on the grounds of crime prevention as a result. [189508]

Alun Michael: We have received 23 applications for designation since the legislation came into force in February 2002. Twenty have been approved covering 72 areas in England. Of the remaining three applications, two were withdrawn and one is still pending. We are currently waiting for that authority to provide additional evidence in support of its application.

Since the 72 areas were designated, eighteen orders have been made under new section 118b of the Highways Act 1980 to close rights of way to prevent crime. So far, two of these have resulted in highways being closed. Another sixteen orders are awaiting confirmation by the local highway authority or Secretary of State. We are not aware of any diversion orders as yet.

Departmental Costs

Richard Ottaway: To ask the Secretary of State for Environment, Food and Rural Affairs what the cost was of printing the Department's headed notepaper in *(a)* 1996–97 and *(b)* the latest year for which figures are available. [184377]

Alun Michael: Defra was formed in 2001. Electronic templates have been used to create headed notepaper as needed so the Department does not use printed headed notepaper.

The information for 1996–97 could be obtained only at disproportionate cost.

Richard Ottaway: To ask the Secretary of State for Environment, Food and Rural Affairs (1) how much the Department and its predecessors spent on *(a)* mobile phones, *(b)* hospitality and *(c)* taxis in (i) 1996–97 and (ii) the latest accounting period; [184380]

(2) how much her Department spent on *(a)* mobile phone costs, *(b)* hospitality and *(c)* taxis in (i) 1996–97 and (ii) the latest year for which figures are available. [186033]

Alun Michael: Defra's spend on mobile phones in 2003–04 was £666,000. Information for 1996–97 could only be provided at disproportionate cost. Information on hospitality was given in my answer of 20 May 2004, *Official Report* column 1109W. We do not hold information on travel by taxi centrally and this could only be provided at disproportionate cost.

Departmental Paper (Recycling)

Bob Spink: To ask the Secretary of State for Environment, Food and Rural Affairs what proportion of the Department's redundant documentation, waste paper and card is recycled; and if she will make a statement on the Department's paper recycling policy. [188439]

Mr. Morley: It is not possible to give a figure for the proportion of redundant documentation in waste paper and card that is recycled. We do not collect data on the total amount of this material within Defra. Paper recycling facilities are in place at virtually all Defra buildings, but some accept newspapers and other types of paper waste.

We continue to increase the proportion of our total waste that is recycled or recovered each year and paper waste forms a large percentage of this. In 2003–04 Defra's total waste arising was 4,689 metric tons, of which 55 per cent. was recycled or recovered. Recycled paper constituted 16 per cent. of the Department's total waste and 61 per cent. of its recycled waste by weight.

The Department is developing a sustainable waste management strategy aimed at reducing the total amount of waste produced and increasing the proportion that is recycled. Paper recycling will be an important part of this strategy.

Farming

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs when she next plans to meet the National Farmers' Union to discuss the Government's plans for the farming industry. [184049]

Margaret Beckett: My ministerial team and I have numerous meetings with the National Farmers' Union covering many different subjects.

Fisheries

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to meet *(a)* her French Government counterparts and *(b)* the EU Fisheries Commissioner to discuss (i) cetacean strandings in the English Channel and (ii) the future of pair trawling for bass. [190106]

Mr. Bradshaw: Officials have already met with the European Commission to explore their recent statement of commitment to co-operate with the UK and other member states to find an effective solution to the cetacean by-catch problem. The technical meeting referred to in their response to the UK closure request is already being arranged and will allow the UK to present its findings in the bass fishery to other member states. The UK and the Commission will build on this sharing of knowledge to progress discussion on the problem and investigate possible mitigation measures.

As this process develops, I will take every opportunity to seek to persuade my counterparts in all member states, and the Commission, of the need for further action in this area.

Flooding

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will publish publications and reports *(a)* undertaken by, *(b)* commissioned by and *(c)* undertaken in collaboration with her Department on flooding over the last five years. [189893]

Mr. Morley: Recent reports undertaken or commissioned by Defra are available through the Defra website, including all research reports published since January 2003. Earlier reports are available on request.

Where Defra has been a collaborator in a project then the information will often be referenced on the Defra website but detailed arrangements for publication and dissemination will generally rest with the organisation responsible for leading the work.

Ghost Ships

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will make a statement on the continued presence of the four ghost ships at Hartlepool; and under what legal basis they remain there; [189559]

(2) for what reason the weather window afforded by summer has not been used to return the four ghost ships at Hartlepool to the US; [189560]

(3) if she will set out the options she has assessed for the future of the four ghost ships, currently docked at Hartlepool, indicating the *(a)* timeline and *(b)* decision-making process that applies to these options. [189561]

Mr. Morley: The future of the four US ships at Teesside is primarily a matter for the US Marine Administration, as owners of the vessels, and Able UK, who are intending to seek the necessary permissions for dismantling the vessels at their Teesside facility.

The four US ships are currently docked in Able UK's Graythorp dock on Teesside. The necessary permissions are being sought by Able UK for dismantling to take place at this location. Relevant applications will be considered and the outcome will depend upon the relevant regulators.

Dismantling work is prevented and the dock facility is subject to regular inspection by the Environment Agency in liaison with the Health and Safety Executive. The results of environmental monitoring indicate that storage of the four US naval ships at the Graythorp dock has not had a detrimental impact or posed a significant threat to the environment or human health.

GM Crops

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of *(a)* the advantages and *(b)* the disadvantages of genetically-modified crops to developing countries. [190094]

Mr. Morley: This is a matter for the Department for International Development.

Horticulture

Mr. Norman: To ask the Secretary of State for Environment, Food and Rural Affairs what the budget for *(a)* research and development in and *(b)* marketing support to the horticulture industry was in each year since 1997. [187500]

Alun Michael: The Department's annual budget for research and development on horticulture and potatoes in England and Wales for the budget years 1997–98 to 2004–05 was as set out in the following table. In 2004–05 an additional £2,250,000 was set aside to support the guarantees provided to the University of Warwick and East Mailing Research following the restructuring of Horticulture Research International.

Financial year	*R&D*
1997–98	12,202,000
1998–99	12,273,000
1999–2000	11,069,000
2000–01	11,021,000
2001–02	10,807,000
2002–03	9,804,000
2003–04	9,845,000
2004–05	9,422,000

There is no specific budget for marketing support to the horticulture industry but grants of £421,000 and £498,000 respectively were made to the industry under the Agricultural Development Scheme in 2000 and 2003. The industry also benefits from EU payments to producer organisations under the fresh fruit and vegetables regime of the common agricultural policy.

Irrawaddy Dolphin

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make it her policy to support the proposal at the Convention on International Trade in Endangered Species—Conference of the Parties 13 in Bangkok on 2 to 14 October to list the Irrawaddy dolphin in Appendix 1; and if she will make a statement. [189380]

Mr. Morley: Although the UK had some initial reservations about the trade and population data, I am pleased to report that we have now decided that an Appendix 1 listing is in the best interest of this species. We therefore fully support the current EU position of support for the proposed listing, subject to the views of the Range States.

Lions

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what action her Department is taking *(a)* to secure the future of breeding conditions for lions existing in the wild and *(b)* to preserve the lion from extinction. [189895]

Mr. Morley: It is the responsibility of the relevant range states to take appropriate action to secure the long-term future of the lion, as only they have the power to intervene directly in this matter.

However, we will continue to utilise our role within the Convention on International Trade in Endangered Species (CITES) to press for collaborative action to ensure that the lion does not become endangered as a result of unsustainable trade in hunting trophies or for any other reason.

Litter

Harry Cohen: To ask the Secretary of State for Environment, Food and Rural Affairs how her Department's litter guidance policy has affected the residents of Leyton and Wanstead. [187747]

Mr. Morley: We are constantly looking at developing policy to enable local authorities to tackle litter more effectively, not just in Leyton and Wanstead but all over the country.

Local authorities have a statutory duty, set out in part 4 of the Environmental Protection Act 1990, to deal with litter in their area. We have set out the recommended cleansing times in the Code of Practice on Litter and Refuse. We are currently reviewing the Code with a view to consulting on a revised Code in the new year.

In addition the Government provide funding to EnCams to raise awareness of a number of issues that affect the quality of the local environment, including litter. EnCams, formerly known as the Tidy Britain Group are an environmental charity and have over 50 years experience of campaigning to raise awareness of litter.

We have just concluded a consultation exercise on Clean Neighbourhoods that proposed a range of measures to improve the ability of local authorities to respond to litter and other issues affecting public space. Once we have analysed the comments received we hope to bring forward legislation at the earliest opportunity.

Milk Industry

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the recent Milk Development Council report on the situation prevailing in the milk industry. [189918]

Alun Michael: We are still considering the findings of the report and hope that it will prove a useful step in helping to improve transparency in the dairy supply chain, which was a key recommendation in the recent EFRA committee report on milk pricing.

Ministerial Statements

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs for what reason all ministerial statements made by her Department are not published on the Departmental website as a matter of course on the day of their publication. [186725]

Alun Michael: We appreciate that there is a need for considerable improvement in the Defra website. Work is in hand on this.

Statements by Defra's Ministers are published on the departmental website as soon as possible—generally on the same day or the following day. We are reviewing our procedures to minimise the number of occasions when it is not possible for statements to be published on the same day.

New Homes (Water Prices)

Mr. Amess: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the impact of the Deputy Prime Minister's plans to build new homes upon water prices. [188288]

Mr. Morley: It is for water and sewerage undertakers to plan the provision they need to make for new development. Where new development takes place, the costs of connecting water and sewerage services are largely financed by the developers and the revenue streams from newly connected customers.

Where the growth of customer demand, whether from new or existing customers, cannot be addressed from existing supplies by measures such as demand management, leakage control and water efficiency, undertakers may propose new resources or infrastructure. If the case for this is accepted by Ofwat, the costs would be taken into account when setting price limits. Ofwat published its draft determinations of price limits for the period 2005–10 in August 2004. It will make its final decisions on 2 December 2004. There are well-established arrangements for dealing with cost pressures which arise between price reviews.

New Variant CJD

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what evidence has been found of a link between cattle born in *(a)* 2000, *(b)* 2001, *(c)* 2002 and *(d)* 2003, and new cases of nvCJD. [189625]

Mr. Bradshaw: Evidence of a link between BSE in cattle and nvCJD (now known as vCJD) in humans is based on the close similarities in disease patterns in mice infected with BSE and vCJD.

Although BSE has been confirmed in one cow born in the UK in 2000, no cases have yet been confirmed in cattle born after this date. There is still a great deal of uncertainty about the range of duration of the incubation period for vCJD, but there is evidence that it is substantial. Therefore, there is unlikely to be a direct link between BSE in cattle born in or after 2000 and any recent cases of vCJD.

Specified risk materials such as brain and spinal cord must be removed from all cattle carcases. If cattle were to be infected with BSE, this is estimated to remove over 99 per cent. of infectivity.

Nuclear Waste

Mr. Hancock: To ask the Secretary of State for Trade and Industry what plans she has to allow further imports of nuclear waste into the UK. [187735]

Mr. Morley: Government policy on the import of radioactive waste remains as set out in the White Paper "Review of Radioactive Waste Management Policy—Final Conclusions", Cm 2919. The general policy is that radioactive waste should not be imported to or exported from the UK except in certain specific circumstances. These include: (1) recycling to recover useful materials; (2) treatment to make subsequent storage or disposal of the waste more manageable, in cases where the processes are at a developmental stage or the quantities involved too small for the processes to be practicable in the country of origin; (3) spent sources manufactured in the UK and returned for recycling or disposal; and (4) waste from small users such as hospitals, situated in EU member states that have such small waste arisings that provision of their own facilities would be impractical, or in developing countries that could not reasonably be expected to acquire suitable disposal facilities.

All proposed imports of radioactive waste into the UK are subject to prior approval by the relevant competent authority, under the provisions of The Transfrontier Shipment of Radioactive Waste Regulations 1993.

Over-30 Month Cattle Scheme

Mr. Bill Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs how much was spent compensating for cattle of *(a)* three, *(b)* four, *(c)* five, *(d)* six, *(e)*, seven, *(f)* eight, *(g)* nine and (i) 10 and over years in each year since 2000. [189626]

Alun Michael: The amounts spent on compensation in regard to cattle for each of the requested ages in each year since 2000 are set out in the table.

£ million

	2000	*2001*	*2002*	*2003*	*2004*[1]
30mths-3yrs	18.163	15.234	17.828	13.510	6.708
Up to 4 yrs	29.722	25.334	30.175	25.595	13.481
Up to 5 yrs	25.193	22.643	28.837	25.404	14.980
Up to 6 yrs	23.752	22.081	27.369	24.620	14.522
Up to 7 yrs	20.551	22.417	26.092	23.688	13.641
Up to 8 yrs	16.938	20.729	27.430	22.427	12.428
Up to 9 yrs	12.546	15.198	22.464	20.501	10.350

£ million

	2000	*2001*	*2002*	*2003*	*2004*[1]
Up to 10 yrs	9.982	12.829	17.952	17.873	10.088
Over 10 yrs	18.225	25.510	37.340	39.784	22.789
Teeth[2]	78.173	14.486	0	0	0

[1] To 31 August.

[2] "Teeth" has been included as prior to registration on the Cattle Tracing System becoming mandatory in 2001, whether an animal was over thirty months of age or not could only be ascertained using the established industry practice of assessing the number of teeth the animal had.

Parliamentary Questions

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to ensure that the percentage of questions tabled for a named day reply answered by that day increases. [189615]

Alun Michael: I refer the hon. Member to my earlier answer to him of 29 April 2004, *Official Report*, column 1203W.

PFI/PPP Contracts

Matthew Taylor: To ask the Secretary of State for Environment, Food and Rural Affairs how many contracts her Department had with *(a)* Barclays, *(b)* Royal Bank of Scotland, *(c)* UBS Warburg and *(d)* Bank of Scotland for advice on private finance initiative and public private partnership contracts in each financial year since 2001–02; and what fees were paid in each case. [186660]

Alun Michael: From analysis of information held centrally, no contracts have been let and fees paid by the Department in each financial year since 2001–02 to Barclays, Royal Bank of Scotland, UBS Warburg or Bank of Scotland for advice on private finance initiative and public private partnership contracts.

Rural Payments Agency

Mr. Cousins: To ask the Secretary of State for Environment, Food and Rural Affairs whether a second wave of expressions of interest in voluntary exit from the Rural Payments Agency will be offered on similar terms to the first wave; and how many staff in each location took advantage of the first wave terms. [188712]

Alun Michael: The Rural Payments Agency (RPA) is committed to reducing the number of posts as part of its change programme which includes the implementation of the changes resulting from CAP reform. It has already ceased operations at three sites and a further two sites will be vacated in 2005.

Staff at those sites that are to remain open have been invited to express an interest in voluntary exit from the RPA to take effect by the end of 2006. They are being offered voluntary redundancy on compulsory terms.

The number of staff who have expressed an interest is broken down by location as follows.

Location	*Number of staff*
Newcastle	63
Carlisle	22
Exeter	66
Northallerton	31
Reading (including outstations)	222

There will be at least one further round of invitations for voluntary exit. This will target specific locations, grades and times linked to transition plans now being finalised.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs on how many occasions in 2003–04 decisions were taken by the Rural Payments Agency to recover wrongfully made payments to farmers; and if she will list the 20 greatest sums involved. [189616]

Alun Michael: In the 2003–04 year the Rural Payments Agency has taken action to recover 299 payments that had resulted from administrative errors. The total value of these payments was £392,844.96 with the 20 greatest sums being:

	Value of payments (£)
	44,259.45
	37,562.39
	26,637.11
	26,506.15
	19,839.00
	16,800.07
	13,329.78
	12,124.00
	10,580.07
	8,963.00
	8,931.65
	5,699.96
	5,491.16
	5,049.57
	4,637.67
	4,395.56
	4,023.00
	3,612.88
	3,552.37
	3,465.03
Total	265,459.87

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how many complaints were received from farmers by the Rural Payments Agency in 2003–04; and of those, how many *(a)* complained about the time taken to process claims and *(b)* elicited the response that claims by farmers had not been received. [189617]

Alun Michael: The number of complaints dealt with under the RPA's complaints procedure in 2003 and 2004 are set out below, these have been broken down into complaints regarding Integrated Administration and Control System (IACS) and non-IACS schemes.

Schemes	*2003*	*2004*
IACS	134	113
Non-IACS	21	25
Total	155	138

Notes:

1. Figures for calendar years.
2. 2004 figures as of 13 September.

The RPA could not extrapolate the data required to break these figures down into the requested categories without incurring disproportionate costs.

Scrapped Cars

Mr. Battle: To ask the Secretary of State for Environment, Food and Rural Affairs what her Department's estimate is of the number of cars in the UK scrapped each week; and if she will make a statement. [189923]

Mr. Morley: Estimates for numbers of abandoned vehicles removed and destroyed are compiled from the Defra Municipal Waste Management Survey. The estimates (310,100 for 2002–03) are collected on a yearly basis only.

Veterinary Services

Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of current *(a)* levels of preventable disease in UK farm livestock and *(b)* the provision of large animal veterinary services.

Mr. Bradshaw: The information requested is as follows:

(a) The Veterinary Laboratories Agency and Scottish Agricultural College publish the following disease surveillance reports:

Monthly disease surveillance reports in the Veterinary Record;

Annual national disease surveillance report (known as the VIDA report);

Annual report on Salmonella in livestock production; and

Contributions to the annual UK Zoonoses Report

In addition, the VLA produces quarterly retrospective reports for each of the major livestock species which are published on their website. These reports give a continuous indication of current levels of disease in UK farm livestock.

The concept of 'preventable' disease is complex and depends on 'cost and benefit' analyses as well as inherent characteristics of the various diseases. The Animal Health and Welfare Strategy Defra Publication No. PB9469 (published June 2004) and the UK Veterinary Surveillance Strategy Defra Publication No. PB8296 (published October 2003) describe a range of measures which are being implemented in partnership with stakeholders, in order to bring about a sustainable improvement in the overall health and welfare of our farmed livestock.

(b) Earlier this year we commissioned a report to investigate the issues surrounding the supply and demand of large animal vets. While there is much concern expressed about the closure of some rural practices and the future availability of veterinarians, there is also very clear evidence that many graduates are attracted to large animal work. We are committed to regularly monitoring the supply and retention of large animal veterinary surgeons in partnership with the RCVS to ensure that the profession can play a full and effective part in the implementation of the Animal Health and Welfare Strategy.

Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the non-legislative guidance issued by the Royal College of Veterinary Surgeons precluding veterinary surgeons from offering their services to farmers with existing arrangements for emergency and clinical care of livestock; and if she will make a statement. [189603]

Mr. Bradshaw: The current guide to professional conduct issued by the Royal College does not preclude veterinary surgeons offering their services to farmers with existing arrangements for emergency and clinical care of livestock.

The Guidance for veterinary surgeons who are approached by new clients states:

> "Although both veterinary surgeon and client have freedom of choice, as a matter of professional courtesy and in the interests of the welfare of the animals involved a veterinary surgeon should not knowingly take over a colleague's case without informing the colleague in question and obtaining a clinical history.
>
> When an animal is initially presented a veterinary surgeon must ask whether it is already receiving treatment, and if so, when it was last seen, and then contact the original veterinary surgeon for a case history. It should be made clear to the client that this is necessary in the interests of the patient. If the client refuses to provide this information the case should be declined.
>
> In an emergency it is acceptable to make an initial assessment, and administer any essential treatment before contacting the original veterinary surgeon."

The Guidance for veterinary surgeons with mutual clients states:

> "Where different veterinary surgeons are treating the same group of animals, each may supply medicines for administration to those animals. Each must, however, keep the other informed of any examinations of the animals, relevant clinical information and medicines supplied or prescribed, so as to avoid any danger that might arise from conflicting advice or adverse reactions arising from unsuitable combinations of medicines.
>
> Even where two veterinary surgeons are treating different groups of animals owned by the same client, it is still advisable for each to keep the other informed of any problem which might affect their work."

Warm Front

Siobhain McDonagh: To ask the Secretary of State for Environment, Food and Rural Affairs how many homes in Mitcham and Morden have benefited from the Home Energy Efficiency and Warm Front Schemes; and how much has been paid in grants *(a)* on average and *(b)* in total. [189335]

Mr. Morley: The Home Energy Efficiency Scheme is now marketed as Warm Front.

Since the beginning of the scheme in June 2000, approximately 1,360 households have been assisted, with a total expenditure of approximately £934,000 and an average grant of £684.

Watermark Project

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs whether her Department has joined the Watermark project. [188259]

Alun Michael: Yes. Defra joined the Watermark project in September 2001. In September 2002 additional sites were included on the project. The majority of Defra office sites are now covered by the Watermark project.

The project was established in 1999 by OGC buying solutions, to develop benchmarking and management information on water consumption across the public sector. The service includes online access to a computerised database containing benchmarks for different types of building to help public sector organisations compare consumption rates and develop realistic targets for reducing usage.

Defra does not use the Watermark data collection service, as it has had its own database on water consumption for some years. However we have made good use of the benchmarking service and a number of site surveys to establish water saving measures.

DEPUTY PRIME MINISTER

Disabled Facilities Grant

Mr. Cameron: To ask the Deputy Prime Minister what plans he has to review, in conjunction with other departments, the operation of the disabled facilities grant. [190391]

Keith Hill: In response to a parliamentary question on 5 January 2004, *Official Report*, column 1, my right hon. Friend the Lord Rooker announced a review of the disabled facilities grant programme.

This review is now under way. Its terms of reference are to review the operation and outcomes of the disabled facilities grant programme and to make proposals to improve the efficiency and fairness of the provision of housing adaptations for disabled people.

A Steering Group has been established comprising officials from the Office of the Deputy Prime Minister, the Department of Health and the Department of Education and Skills. The group also includes a wide range of experts from outside organisations involved with delivering housing adaptations and representatives of disabled people. A research study has also been commissioned from the School for Policy Studies at the University of Bristol to support the Group's work.

The Group will report to Ministers in May 2005.

Castle Point Borough Council

Bob Spink: To ask the Deputy Prime Minister for how long he has placed a head official from his Department in Castle Point borough council; and if he will list the names and job titles of the head official's direct support team. [189469]

Mr. Raynsford: My right hon. Friend the Deputy Prime Minister has appointed a lead official, Anne-Marie Carrie, to work with Castle Point borough council. This appointment was made in July this year and is not for a fixed period. The lead official is supported by staff from the Local Government Practice Team of the Government Office for the East of England.

Council Housing

Mr. Purchase: To ask the Deputy Prime Minister how many council-owned dwellings under arm's length management organisation supervision have been brought up to the decent homes standard; and what the average cost is of such work in each region. [189651]

Keith Hill: Returns from local authorities and Arms Length Management Organisations (ALMOs) that have qualified for additional funding in Rounds one and two of the ALMO programme show a reduction of 43,000 in the number of homes that fail the Decent Homes standard between October 2002 and June 2004.

Work by ALMOs to bring homes up to the Decent Homes standard are funded from local authorities' existing resources and their additional ALMO funding. The extent and nature of the work required depends on the condition of each authority's stock and other local circumstances. The following estimates of the overall unit costs of such work are derived from data and forecasts from authorities in Rounds one and two of the ALMO programme and cannot be regarded as representative, especially where they are based on a sample of one or two ALMOs.

Forecast expenditure by Round one and two ALMOs to bring homes up to the Decent Homes standard

Region	*Cost per unit (£)*	*ALMOs in sample*
East Midlands	14,600	2
London	16,200	5
Yorkshire and the Humber	13,900	4
North West	11,600	4
North East	8,200	2
South West	9,800	1
East	5,600	1

Mr. Purchase: To ask the Deputy Prime Minister by what date all council-owned dwellings will meet the decent homes standard if the current rate of progress is maintained. [189652]

Keith Hill: The Office of the Deputy Prime Minister is on course to meet this target by the end December 2010.

Mr. Purchase: To ask the Deputy Prime Minister by what date he expects all council housing departments to reach the two star rating needed to qualify for additional borrowing powers. [189670]

Keith Hill: Local authorities can qualify for additional borrowing for expenditure on Decent Homes by setting up Arms Length Management Organisations (ALMOs) to manage and improve their housing stock. It is the ALMO that needs a two or three star rating from the Audit Commission to secure this additional funding. Of the 49 operational or proposed Arms Length Management Organisations on Rounds one to four the programme, 24 have already achieved a two or three star rating. Inspections of the others are scheduled to report between now and early 2006. Future Arms Length Management Organisations must achieve at least two stars within two years of becoming operational to qualify for additional funding.

Departmental Energy Efficiency

Mrs. Spelman: To ask the Deputy Prime Minister if he will make a statement on energy efficiency in his Department's buildings. [185828]

Phil Hope: The Office of the Deputy Prime Minister is fully committed to improving the energy efficiency of the buildings on its estate. The Department for Environment, Food and Rural Affairs has recently published their Framework for Sustainable Development on the Government Estate energy targets, which the Office of the Deputy Prime Minister has formally adopted as its own targets. Progress on these will be monitored on the Office of the Deputy Prime Minister's externally accredited Environmental Management System.

Domestic Violence (Leeds)

Mr. Battle: To ask the Deputy Prime Minister what funding is available for work with perpetrators of domestic violence in Leeds. [189970]

Keith Hill: There are currently two projects in the Leeds area that deal with perpetrators of domestic violence. These are the Integrated Domestic Abuse Programme (IDAP) and the STOP project.

The Government take extremely seriously the effects that domestic violence has on the lives of victims. To help tackle this abhorrent crime the Domestic Violence, Crime and Victims Bill, was introduced on the 14 June 2004. This represents a radical overhaul in domestic violence legislation. This bill will ensure that victims get the help and protection they need. There will also be a victims fund that will put money into practical services that will help victims. Indeed £4 million from the proceeds of crime has already been dedicated.

E-Government

Mrs. Spelman: To ask the Deputy Prime Minister how much expenditure his Department has allocated in each year since its establishment for public relations, marketing and publicity costs on e-government; and which external firms his Department has employed in relation to such activity. [188271]

Phil Hope: No separate allocation has been made for public relations, marketing or publicity costs on e-government. However, some of the funding from the local e-government programme has been allocated to support the dissemination of the products from the 23 National Projects, all led by individual local authorities, which have developed generic products and guidance on aspects of local e-government for all other authorities to use.

In addition, the London borough of Newham is acting as the lead authority on a project to provide a co-ordinated rollout of all the National Projects. The total budget for this project is £5.3 million. To help the authority carry out this work, the London borough of Newham has recently let a number of framework contracts to two private sector consultancies, Kaizo and Fishburn Hedges, to assist them to develop the communications strategy. These contracts were wrongly reported in the press as having been awarded by the Office of the Deputy Prime Minister.

Fire Safety

Mrs. Helen Clark: To ask the Deputy Prime Minister what changes he plans to make to the level of advice produced on house fire safety. [189979]

Phil Hope: Government home fire safety information and advice is widely disseminated and promoted in England and Wales through the campaigns of the Office of the Deputy Prime Minister's National Community Fire Safety Centre. The campaigns are developed in partnership with the Chief Fire Officers Association (CFOA) and are kept under constant review.

Mrs. Helen Clark: To ask the Deputy Prime Minister what the cost of employing consultants to deal with elements of work currently undertaken by staff in relation to fire safety *(a)* has been in this financial year and *(b)* is expected to be in 2005–06. [189980]

Mr. Raynsford: Staff, consultants and researchers are employed on a wide variety of projects connected to fire safety, for example in relation to home fire safety advertising campaigns, the revision of building regulations' Approved Document B, the preparation of guidance on the implementation of the Regulatory Reform Order, behavioural research and the evaluation of policy. The mix varies between project and project, and from time to time. The requested comparison could be made only at disproportionate cost.

Firebuy

Ann Winterton: To ask the Deputy Prime Minister what strategy his Department has set in place for companies not currently within the Fire Service Procurement Association to be included in FiReBuy. [189915]

Phil Hope: EU Tender regulations and conditions of contract do not allow a re-engagement of any company who is currently outside the contractual arrangements without returning to a tender process. Current contracts, and the contract terms held by Fire Service Procurement Agency (FSPA), would be carried over and continue to operate under FiReBuy. Once the current contracts and their terms cease, any company would be eligible to re-tender along with other suppliers.

Firelink Communications System

Jim Knight: To ask the Deputy Prime Minister if he will make a statement on the timetable for the remaining stages of the procurement and roll-out of the Firelink communications system. [190222]

Mr. Raynsford: As a result of a review of the project plan and timetable, the Office of the Deputy Prime Minister expects to award the Firelink contract around the end of this financial year, and to complete roll-out during 2008.

Fires (Deaths)

Tom Cox: To ask the Deputy Prime Minister how many deaths in fires there have been in residential properties in the Greater London area in each of the last three years. [190252]

Mr. Raynsford: The number of deaths in dwellings fires in the London Fire and Emergency Planning Authority area are set out as follows:

Deaths reported in dwelling fires attended by the London Fire Bridgade

	2001–03
2001	68
2002	56
2003	[1]62

[1] (provisional figure)

Fraud

Mrs. Spelman: To ask the Deputy Prime Minister what estimate his Department has made of the cost of fraud to *(a)* his Department, *(b)* the Executive agencies affiliated to his Department and *(c)* the Government offices of the regions in each of the last three years. [185776]

Phil Hope: Losses due to fraud in each financial year since the Office of the Deputy Prime Minister was created are as follows:

£

Financial year	The Office of the Deputy Prime Minister (C)	Executive agencies	Regional Co-ordination Unit/ Government offices
2002–03	8,592	0	134,117
2003–04	3,622	200	252,875
2004–05	0	0	0

With regards to thefts, mainly of assets, I refer the hon. Member to the answer given on 27 July 2004, *Official Report*, column 751W. The figures include losses due to fraud by staff and external parties. The amounts for the Co-ordination Unit/Government offices include only those losses for which the Office of the Deputy Prime Minister is accountable for. The Government offices are sponsored by the Office of the Deputy Prime Minister and nine other Departments, any losses on programmes delivered on behalf of the other Departments will have been reported to them. Recoveries from perpetrators have been netted off. Some incidents are still under investigation and final values may change.

Gypsies/Travellers

Mr. Battle: To ask the Deputy Prime Minister pursuant to his answer of 31 March 2004, *Official Report*, column 1501W, on gypsies/travellers, whether his Department's review of gypsy and traveller policy has been completed; and if he will make a statement. [190027]

Keith Hill: The Office of the Deputy Prime Minister's review of gypsy and traveller policy is nearing completion. Ministers will wish to consider the review's findings before making any further announcements.

Highway Installations

Bob Russell: To ask the Deputy Prime Minister (1) if he will list the categories of commercial organisations which are permitted to place installations on the highway; [187985]

(2) if he will require commercial organisations which are permitted to place installations on the highway to pay local authorities for such use; and if he will make a statement. [187986]

Mr. Jamieson: I have been asked to reply.

Section 137 of the Highways Act 1980 makes it an offence to obstruct a highway without lawful authority. The footway is part of a highway.

However, local authorities may license the following to be placed on or over the highway, and in each case there is provision for authorities to charge reasonable fees:

skips (section 139 Highways Act 1980

scaffolding (section 169)

materials (section 171)

erection of building over a highway (section 177).

In addition, section 115B of the 1980 Act enables a council to place objects or structures on a highway for the purposes of giving effect to a pedestrian planning order, enhancing the amenity of the highway and its immediate surroundings or providing a service for the benefit of the public. Section 115C enables a council to provide, maintain and operate facilities for recreation or refreshment or both on a highway. By virtue of section 115E a council may grant permission to a person to do what it has the power to do under sections 115B and 115C. In granting a permission under section 115E a council may, by virtue of section 115F, impose such conditions as they think fit, including conditions requiring the payment to the council of such reasonable charges as they may determine.

Historic Areas (New Buildings)

Mr. Sheerman: To ask the Deputy Prime Minister what steps he is taking to ensure the quality of new building in historic parts of the City of London. [190159]

Keith Hill: Responsibility for considering new buildings within the City of London rests in the first instance with the Corporation of London. In determining planning applications the Corporation are required to take account of the policies contained in their Unitary Development Plan and to also have regard to regional and national planning policy guidance. Policies of the Office of the Deputy Prime Minister on the historic environment are contained in PPG15 and on design in PPG1 and draft PPS1.

Homelessness (Leeds)

Mr. Battle: To ask the Deputy Prime Minister what his latest estimate is of the number of people homeless in Leeds. [189943]

Keith Hill: Information collected about local authorities' actions under homelessness legislation is in respect of households, rather than persons. The number of households accepted as eligible for assistance, unintentionally homeless and in priority need, as reported by Leeds city council during 2003–04, and April to June 2004, is tabled as follows.

	Households accepted as homeless[1] *in Leeds*
2003–04	4,948
April to June 2004	846

[1] Households eligible under homelessness legislation and found to be unintentionally homeless and in a priority need category

Source:

ODPM P1E homelessness returns (quarterly)

Housing Developments (Statutory Consultees)

Mr. Damian Green: To ask the Deputy Prime Minister what plans he has to add water companies to the list of statutory consultees for new housing developments. [189995]

Keith Hill: The present, non-statutory arrangements for planning applications work satisfactorily. Potential problems with water supply or sewerage are already material considerations in planning cases. If the local planning authority considers that a development would give rise to a water supply or sewerage problem, the authority should consult the relevant water company. Where such problems cannot be resolved, the local planning authority should refuse permission for new housing.

Under the Town and Country (Local Planning) (England) Regulations 2004, which came into force on 28 September, water and sewerage undertakers are statutory consultees on development plan documents. This means that local planning authorities must take into account, when preparing their development plan documents, relevant strategic advice from the water companies.

Given the arrangements set out above, there are no plans to add water companies to the list of statutory consultees for planning applications.

Information and Communication Specialists

Mr. Jenkins: To ask the Deputy Prime Minister how many information and communication technology specialists are in full-time employment in the Department. [189591]

Phil Hope: The central Office of the Deputy Prime Minister's Information and Communications Technology (ICT) team is relatively small, staffed by 10 permanent full-time staff. However, there are a larger number of ICT staff distributed within the operational teams of the Office of the Deputy Prime Minister.

Local Government Finance

Mr. Cousins: To ask the Deputy Prime Minister what the changes have been in non-domestic rateable values in each English region, indicating the net change in rateable values by region; and what percentage of properties in each region will be *(a)* above the caps and *(b)* below the reduction limits in the proposed transitional scheme. [188709]

Mr. Raynsford: *(a)* The change in rateable value by region as a result of the revaluation for 2005 is as follows:

Region	*Number of hereditaments*	*2000 rateable value (£)*	*2005 rateable value (£)*	*Percentage increase 2000–05*
East of England	169,179	3,759,194,983	4,530,319,412	20.5
East Midlands	131,647	2,671,286,483	3,095,974,587	15.9
London	276,842	10,521,499,025	12,324,263,470	17.1
North East	73,199	1,428,324,118	1,642,961,619	15.0
North West	232,745	4,661,905,921	5,352,983,060	14.8
South East	237,884	6,190,274,651	7,448,769,772	20.3
South West	176,903	3,001,938,938	3,596,359,401	19.8
West Midlands	176,370	3,741,119,665	4,249,803,575	13.6
Yorkshire and the Humber	169,863	3,364,910,944	3,807,232,855	13.1
Total	1,644,632	39,340,454,728	46,048,667,751	17.1
Central List	76	2,246,561,247	2,986,439,550	32.9
Total (inc. CL)	1,644,708	41,587,015,975	49,035,107,301	17.9

(b) The following table shows the percentage of properties in each English region affected by the transitional arrangements for the first two years.

Region	*Upward cap (percentage year 1)*	*Upward cap (percentage year 2)*	*Downward cap (year 1)*	*Downward cap (year 2)*
London	37.7	23.3	12.0	2.7
South East	39.1	25.1	15.1	3.8
East of England	31.2	19.9	15.1	2.7
South West	30.1	19.6	11.2	1.6
East Midlands	25.0	15.2	16.4	2.8
West Midlands	18.1	11.3	21.1	3.5
North West	22.4	14.1	21.0	4.2
Yorkshire and the Humber	24.7	16.5	19.4	3.5
North East	20.7	12.0	16.1	2.8

These figures are based on June 2004 data.

Non-domestic Rates

Mr. Dhanda: To ask the Deputy Prime Minister pursuant to his answer of 7 September 2004, *Official Report,* column 1164W, on non-domestic rates, how local authorities contribute to the decision-making process for distributions from the non-domestic rate pool. [189962]

Mr. Raynsford: There are two ways in which local authorities can contribute to decisions on distributions from the non-domestic rate pool.

The first is through the local authority representation on the Settlement Working Group. This is the main forum for discussions between officials and local authority representatives on the distribution of Revenue Support Grant and non-domestic rates.

The second is through the formal consultation which takes place after the Government have announced their grant distribution proposals for the coming year in the late autumn.

Recycling

Bob Spink: To ask the Deputy Prime Minister what the latest available 12 month figures are for the proportion of the Department's redundant documentation, waste paper and card that is recycled; and if he will make a statement on the Department's recycling policy. [188686]

Phil Hope: The Office of the Deputy Prime Minister's policy on recycling is to reduce waste through re-using and recycling and by using refurbished and recycled products and materials, wherever they meet business need and represent value for money.

The Office of the Deputy Prime Minister does not retain information on recycled paper in the format requested.

The Office of the Deputy Prime Minister will soon be issuing it's first Greening Operations report which will be publicly available on both the Office of the Deputy Prime Minister and Sustainable Development in government websites, a copy of this document will also be made available in the Library of the House.

Renewable Energy

Tony Cunningham: To ask the Deputy Prime Minister when the companion guide to the Planning Policy Statement 22 on Renewable Energy will be published. [190122]

Keith Hill: Planning Policy Statement 22 was published on 9 August 2004. The Office of the Deputy Prime Minister intends to publish the companion guide to the PPS later this autumn.

Smithfield Street, London (Planning Permission)

Mr. Sheerman: To ask the Deputy Prime Minister if he will initiate an inquiry into the planning permission granted to 12 Smithfield street, Smithfield in the City of London. [190160]

Keith Hill: The Office of the Deputy Prime Minister is not aware of any developments in relation to this address.

Smoke Alarms

Tony Wright: To ask the Deputy Prime Minister if he will place an obligation on landlords to fit smoke alarms to their properties. [189870]

Phil Hope: Under proposals set out in the Housing Bill, local authorities will have new powers to license certain types of privately rented accommodation and licensing of larger houses in multiple occupation will become mandatory. It is proposed that it will be a mandatory requirement that smoke alarms are installed and maintained in proper working order in all licensed properties.

Guidance to local authorities and housing associations on smoke alarm installation in their existing stock was issued in 2001.

Tony Wright: To ask the Deputy Prime Minister if he will place an obligation on those selling houses to ensure that smoke alarms are fitted. [189871]

Phil Hope: Under proposals set out in the Housing Bill, a duty will be placed on homeowners or their selling agents to provide a home information pack, including a home condition report. The home condition report covers health and safety risks. Consultation on draft guidance on preparation of the home condition report ended on 27 September and the Office of the Deputy Prime Minister is considering the responses.

The Government will continue to encourage all householders to install a working smoke alarm, whether or not the property is for sale.

Thurrock Urban Development Corporation

Andrew Mackinlay: To ask the Deputy Prime Minister what information is available *(a)* in printed brochures and other publicity and *(b)* on the internet and at what email address on the (i) function, (ii) membership and (iii) plans and proposals for Thurrock of the Thurrock Urban Development Corporation; and if he will make a statement. [190414]

Keith Hill: Thurrock Urban Development Corporation (UDC) has published its Baseline Study and its first Annual Report. The UDC is in the process of producing a brochure to explain its role, which will be distributed to stakeholders and made available on its website. The website—www.thurrockudc.org.uk—is due to go live before the end of October. Papers relating to the function and set up of Thurrock UDC can also be located on the Office of the Deputy Prime Minister's website at: www.odpm.gov.uk.

Andrew Mackinlay: To ask the Deputy Prime Minister what the *(a)* arrangements and *(b)* timetable are for the full funding of the Thurrock Urban Development Corporation; and if he will make a statement. [190415]

Keith Hill: Thurrock Urban Development Corporation (UDC) has been allocated an initial annual operating budget of £1.5 million. This will be reviewed at the end of the current financial year, by which time the permanent management teams should substantially be in place and the UDC will be better placed to judge its longer-term operating costs. By that stage the project plan and associated programme budget should also be in place.

Andrew Mackinlay: To ask the Deputy Prime Minister when he expects the Thurrock Urban Development Corporation to have *(a)* a postal address and *(b)* an office open to the public in Thurrock. [190416]

Keith Hill: The Urban Development Corporation can be contacted at:

Thurrock Urban Development Corporation, c/o ODPM Thames Gateway Delivery Office, 2 Exchange Tower, 10th Floor, Harbour Exchange Square, London E14 9GS.

The UDC Board is expected to consider the Business Case for its permanent location shortly.

Andrew Mackinlay: To ask the Deputy Prime Minister what the cause for the delay in announcing the Chief Executive of the Thurrock Urban Development Corporation is; and when an announcement can be expected. [190417]

Keith Hill: There has been no delay in the announcement of the arrival of the Chief Executive, which will be made imminently.

Andrew Mackinlay: To ask the Deputy Prime Minister when he expects to lay before Parliament the draft Statutory Instrument vesting planning powers in Thurrock Urban Development Corporation; and if he will make a statement. [190418]

Keith Hill: Thurrock Urban Development Corporation (UDC) has appointed consultants to assist in defining and establishing the Corporation's planning functions. The final report is due to go to the UDC's Board in November.

The precise timing of the Planning Order will depend upon the UDC having the necessary agency agreements with Thurrock Council in place and its own qualified staff to operate the powers.

Town Centre Regeneration

Mr. Rosindell: To ask the Deputy Prime Minister whether *(a)* Age Concern and *(b)* Victim Support are consulted on regeneration plans. [189236]

Phil Hope: The term 'regeneration plan' could refer to a wide spectrum of arrangements developed at a national, regional, sub-regional or local level. Consultation with stakeholders is integral to sustainable regeneration. The Office of the Deputy Prime Minister does not issue a definitive list of organisations that must be consulted about regeneration. Guidance recommends that consultation should normally include the voluntary and community sector as well as representatives of local communities. Decisions about who to involve in particular cases are left to the partnership or agency which is leading on any regeneration scheme.

TRADE AND INDUSTRY

Early Growth

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry how many small businesses Early Growth invested in between its inception and March 2003; and if she will make a statement. [189806]

Nigel Griffiths: The first of the seven Early Growth Funds, London Seed Capital, launched in October 2002 and made one investment in the period to March 2003. Other Early Growth Funds launched during 2003–04. In the period to September 2004 over £4 million had been invested into 39 SMEs.

One objective of the Early Growth Funds is for them to demonstrate to future private investors that it was possible for commercial returns to be made by investing modest amounts into SMEs. The funds themselves will invest over a five to seven year period and performance to date has been within expectations.

Renewable Energy

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry what progress has been made in implementing recommendations made by the Environment, Transport and Regional Affairs Committee in March 2001 that incineration and other waste-to-energy technologies should not be regarded as renewable energy sources. [187068]

Mr. Mike O'Brien: The EU directive on the promotion of renewable energy sources in the internal electricity market (2001/77/EC) defines the biodegradable fraction of energy from waste as renewable.

The Government carried out significant consultation on the support available to energy from waste through the Renewables Obligation—the main driver for the development of renewable energy in Great Britain—before deciding that the incineration of mixed waste should not be eligible for the Renewables Obligation.

The Government are however keen to stimulate the development of potentially cleaner and more efficient energy from waste technologies such as pyrolysis, gasification and anaerobic digestion. The proportion of energy, generated by these advanced conversion technologies, derived from the biodegradable fraction of waste, is eligible for support under the Renewables Obligation.

The Government have recently published the draft terms of reference for the 2005–06 Review of the Renewables Obligation. The Government do not propose to extend ROC eligibility to electricity generated from existing waste management projects which utilise conventional "mass burn" incineration technology. However the review will consider whether other options for waste management have emerged in the market which meet the goals of securing energy from wastes in efficient and environmentally beneficial ways and are consistent with the Government's wider waste management goals of increasing recycling and reducing the quantity of biodegradable MSW sent to landfill, as required by the EU landfill directive.

Mr. Battle: To ask the Secretary of State for Trade and Industry what Government aid and assistance is available to producers of each kind of renewable energy source. [189924]

Mr. Mike O'Brien: The Government's main support mechanism for renewable energy is the Renewables Obligation. It provides the same level of support for the following sources: onshore wind; offshore wind; wave; tidal; geothermal; solar PV; all new hydro and refurbished older hydro of up to 20MW declared net capacity; landfill gas; sewage gas; electricity generation from biomass such as energy crops or forestry residues; co-firing of biomass with fossil fuels; and energy from mixed waste—however, only the non-fossil derived component is eligible and advanced conversion techniques such as pyrolysis, gasification or anaerobic digestion must be used.

£500 million of funding has also been allocated between 2002 and 2008 for emerging renewable technologies. It has been provided in the form of capital grants and funding for RD&D. Some examples of money already allocated include £117 million for round

1 offshore wind projects; around £66 million for biomass projects; £31 million for solar PV; £50 million for the Marine Renewables Development Fund, and approximately £19 million per year for industry lead RD&D.

£12.5 million of this has been allocated for the Clear-Skies programme, which has recently been extended to run for an extra year to 2006. This provides grants for domestic, community and not-for-profit schemes for the following renewable sources: small-scale wind, small-scale hydro, wood-fuelled boiler and heating systems, and solar thermal systems.

Solar thermal systems are also eligible for support, for commercial companies, under the Enhanced Capital Allowance scheme.

Renewable electricity is also exempt from the climate change levy. All renewable sources eligible under the RO are also eligible for this exemption with the following exceptions: only hydro-power up to 10MW in size rather than 20MW, and energy from municipal and industrial waste incineration without the need for advanced conversion techniques—but only for the proportion of waste that is biodegradable.

Renewable energy will also benefit indirectly from the introduction of the EU Emissions Trading Scheme in 2005.

Bank Holidays

Mr. Flook: To ask the Secretary of State for Trade and Industry what assessment she has made of the cost to businesses of *(a)* extra staffing costs incurred by working on bank holidays and *(b)* additional costs incurred through closing on bank holidays. [188827]

Mr. Sutcliffe: Unfortunately, we are unable to assess the cost to businesses for extra staffing costs incurred by bank holidays, and the additional costs for closing on bank holidays. This information will depend on the individual business and may be held by the businesses themselves.

Beer Prices

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what research her Department has carried out into the impact on the retail price of beer resulting from the market position of large pub companies. [186336]

Mr. Sutcliffe: The aim of the Office of Fair Trading (OFT) is to make markets work well for consumers and it is for the OFT to investigate if there is reason to believe that the market position of pub companies is harming competition. The DTI has not carried out research into the retail price of beer.

Bioenergy

Richard Younger-Ross: To ask the Secretary of State for Trade and Industry if she will make a statement on the progress of schemes which have been awarded under her Department's Bioenergy Capital Grants scheme. [187584]

Mr. Mike O'Brien: The scheme is divided into priority sections each supporting a sector of the industry. £66 million was allocated to projects under the Bioenergy Capital Grants Scheme. This includes clusters of small heating boilers, Combined Heat and Power (CHP) and power generation.

Under priority areas la/lb/2 of the scheme, eleven power generation/CHP projects were offered grants with two having met the conditions for acceptance and now under construction. The remaining nine are all actively working toward fulfilling their grant conditions, with five having received planning permission and are in various stages of agreement on fuel supplies and power purchase agreements.

As of June 30, boilers had been installed under priorities 3a/3b representing over 5MW of capacity.

Renewable Power Stations

Nick Harvey: To ask the Secretary of State for Trade and Industry whether she intends to give smaller local power stations help towards construction. [185845]

Mr. Mike O'Brien: The Government have no plans to give help towards the construction of small power stations but are providing support in a number of other ways.

The Renewables Obligation (RO) offers support to operators of renewable power stations (many of which are relatively small) by giving a premium value to generation from eligible renewable sources. The RO rules were amended in April 2004 to allow small generating stations with a capacity of 50kw Declared Net Capacity or less to accumulate output and be awarded Renewable Energy Certificates (ROCs) on the basis of their annual, rather than monthly, output, and we are proposing some additional flexibility in our current consultation paper on the Renewables Obligation Order 2005, published on 8 September.

The DTI-funded Clear Skies (www.clear-skies.org) initiative enables not-for-profit community organisations, including housing corporation, local authorities and schools to receive up to £100,000 for grants towards installing renewable technologies, which can include small renewable generating stations. Such projects give local communities a direct stake in renewables. An extension of this initiative for a further year was announced in September.

In addition, the Government are committed, under the Energy Act 2004, to developing a strategy within 18 months or so for the promotion of micro generation in the UK. Work has already started on the strategy, which will look specifically at promoting microgeneration from energy sources that help to reduce greenhouse gas emissions, including biomass.

Business Advisory Bodies (Funding)

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what identifiable results have been achieved as a result of funding from her Department for *(a)* the Manufacturing Advisory Service and *(b)* Corporate Venturing UK. [186346]

Jacqui Smith: The information is as follows:

(a) The Manufacturing Advisory Service has consistently met or exceeded its original performance targets and by the end of June 2004 the value added to companies through its interventions had reached £66.8 million. Almost 8,000 diagnostic visits had been made, followed by more than 1,800 in-depth assignments, while average productivity improvements are running at 30 per cent.

(b) The Corporate Venturing UK (CVUK) provides customer access to a confidential web based "shop window" that companies looking for corporate venturing opportunities can access to locate partners matching their requirements. Registered users promote opportunities and post details of the attributes they can offer and what they seek in a partner. CVUK has made good progress in promoting the concept of corporate venturing—through, among other things, conferences and setting up a marketplace for potential corporate venturing partners.

British Nuclear Fuels

Llew Smith: To ask the Secretary of State for Trade and Industry whether her Department has made available resources to British Nuclear Fuels to provide loan guarantees to the company's Westinghouse subsidiary to work on new reactor designs in the United States. [187603]

Mr. Mike O'Brien: The Department has not made available resources to BNFL's subsidiary Westinghouse to provide loan guarantees for reactor design work in the US.

Citizens Advice Bureau

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry what projections her Department has made for funding Citizens Advice Bureau in the UK. [189158]

Mr. Sutcliffe *[holding answer 16 September 2004]:* None. The DTI does not fund individual Citizens Advice Bureau anywhere in the UK. It funds the umbrella organisations for England, Wales and Scotland, but not Northern Ireland.

These charitable bodies set standards for advice giving, provide training, support and co-ordinate social policy work on behalf of the individual bureaux. Individual bureaux are each independent charities that raise funds from a number of sources including local authorities.

Civil Service Relocation

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry how many of the reductions in core civil service posts in her Department by 2007–08 proposed in Sir Peter Gershon's review of public sector efficiency will be relocated to sponsored agencies in the regions. [189808]

Ms Hewitt: I refer the hon. Member to the answer I gave him on 21 July 2004, *Official Report*, columns 290–91W.

Correspondence

Sir Michael Spicer: To ask the Secretary of State for Trade and Industry when the hon. Member for West Worcestershire will receive a reply to his letters to the Minister for Employment Relations, Competition and Consumers, of 17 June. [188012]

Mr. Sutcliffe: The Department of Trade and Industry has no record of having received the letter of 17 June 2004. The Department received a copy of this letter on 22 September 2004 and will respond within 15 days of that date.

Council of Ministers

Sue Doughty: To ask the Secretary of State for Trade and Industry (1) if she will provide a Written Ministerial Statement outlining the key points on the agenda for each of the Council of Ministers' meetings at which her Department is represented in advance of each meeting; [188204]

(2) if she will provide a Written Ministerial Statement outlining for each meeting of the Council of Ministers at which her Department is represented as soon as is practicable following that meeting *(a)* the key items of discussion, *(b)* the positions of the Government on those items, *(c)* the key positions taken by other member states that Ministers consider should be noted by hon. Members and *(d)* any preliminary discussion on the timing and the agenda of the following meeting. [188205]

Mr. Alexander: I refer the hon. Member to the answer given to her question by my right hon. Friend, the Foreign Secretary, on 13 September 2004, *Official Report*, column 1451W.

Departmental Staff Survey

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry if she will place in the Library a copy of the Department's Staff Survey 2003. [189807]

Ms Hewitt: I have today placed copies in the Libraries of the House.

Development Funding (Lancashire)

Geraldine Smith: To ask the Secretary of State for Trade and Industry (1) how much Government funding has been allocated for the Luneside East development in Lancaster; [189509]

(2) if she will breakdown funding for the Lancaster District Economic Development Zone by location; [189510]

(3) how much funding has been allocated to the Luneside East Economic Development Zone by *(a)* English Partnerships and *(b)* the North West Regional Development Agency; [189512]

(4) what progress has been made regarding the Luneside East Economic Development Zone; and if she will make a statement. [189513]

Jacqui Smith: The regeneration of Luneside East is being part funded through the £8 million European Regional Development Fund (ERDF) resources available to the Lancaster Economic Development

Zone. In addition to the £2.315 million ERDF, Luneside East has been allocated £4.56 million from English Partnerships and £3.01 million from the North West Development Agency.

Lancaster City Council is the key delivery organisation for Luneside East, and is currently in the process of engaging a lead developer to take this scheme forward.

Projects approved by the Lancaster Economic Development Zone partnership to date include:

	ERDF (£)
Heysham Industrial Access Improvements	460,000
Port of Heysham	350,000
4/5 Dalton Square, Lancaster	1,048,000
Luneside East, Lancaster	2,315,000
Storey Institute (Phase 1), Lancaster	65,000

A further £861,000 ERDF has been invested in a series of public transport and employment access activities across the EDZ area.

Geraldine Smith: To ask the Secretary of State for Trade and Industry what assessment the North West Regional Development Agency has made of economic development at the Lancaster West site in Heysham. [189511]

Jacqui Smith: The Northwest Regional Development Agency is aware of the Lancaster West site in Heysham, which has recently changed ownership. The RDA has invited the Lancaster Vision Board to submit proposals for economic development activities within its area and, if the Lancaster West site is nominated by the Vision Board, the RDA will undertake an assessment of its potential.

Geraldine Smith: To ask the Secretary of State for Trade and Industry what the preferred route is of the North West Regional Development Agency for the proposed Heysham Port/M6 Link. [189514]

Jacqui Smith: The Agency recognises that both the Heysham-M6 route options offer economic benefits to the region in that they will improve access to the strategic Port of Heysham, will help in the regeneration of Morecambe and will have measurable benefits on traffic levels in Lancaster city centre. The Agency is currently reviewing the recommendations of a number of economic and environmental studies on the two route options and will reach an informed view on the preferred option shortly, taking this work into account.

The selection of a preferred route for the proposed scheme is a matter for Lancashire county council.

Dinorwic Power Station

Mr. Wiggin: To ask the Secretary of State for Trade and Industry how much *(a)* energy and *(b)* carbon credit the operation at Dinorwic has saved in each of the last three years. [188943]

Mr. Mike O'Brien: The last study to look into this was commissioned in 1999. The operation of Dinorwic pumped storage scheme has not changed since then.

The Primary Energy Savings:

From 1330 GHh per annum to 1590 GHh per annum—as reserve generation

From 534 GHh per annum to 668 GHh per annum—as TV pick-up

From -3811 GHh per annum to -1773 GHh per annum—as Peak Lopping

Carbon savings:

In the reserve generation role, Dinorwic can remove 140,000 tons of CO_2 per year

Discrimination

Keith Vaz: To ask the Secretary of State for Trade and Industry what plans she has to propose extending anti-discrimination laws for gay men and lesbians to cover the provision of goods and services. [187134]

Jacqui Smith: The Government are aware of concerns about current imbalances in legislative provision for the different groups protected by discrimination legislation, which includes gay men and lesbians. One of the first tasks of the proposed Commission for Equality and Human Rights will be to review the legislative framework to ensure that it meets the needs of a modern Britain.

The Government are committed to improving equality and human rights for all in our society. This underpins our vision of a modern, fairer and more prosperous Britain. The creation of the Commission for Equality and Human Rights Commission will help create a more equal and cohesive society.

ECGD

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry under what circumstances the decision to convert the Export Credits Guarantee Department to a capitalised Trading Fund would be reversed; and if she will make a statement. [187093]

Mr. Alexander: In my statement to the House of 1 July 2004 on the future of ECGD I set out my objectives in establishing the framework for the ECGD Trading Fund, specifically that it should:

provide a structure for managing ECGD's business consistent with the current risk-reward balance and business domain;

help to improve risk management; and

additionally that there should be transparent arrangements for reporting and accounting the economic costs to Government associated with ECGD's business.

The period of operating the Pilot Trading Fund from April 2005 will provide the opportunity to test the Trading Fund framework against these objectives and inform Ministers' decision on the move to the Statutory Trading Fund in 2007–08. That decision will be informed also by a consultation with customers on whether the pilot achieved its objectives.

Mr. Arbuthnot: To ask the Secretary of State for Trade and Industry whether her plans for restructuring the Export Credits Guarantee Department include job cuts in *(a)* 2005, *(b)* 2006 and *(c)* 2007. [189374]

Mr. Alexander: ECGD's recently appointed Chief Executive is currently assessing all areas of the business in which cost reductions can be achieved including, among other factors, necessary staffing levels. Such cost reductions will be needed to deliver lower premium rates to exporters, in line with my right. hon. Friend the Secretary of State for Trade and Industry's announcement of 1 July, *Official Report*, column 22WS.

UK Trade and Investment

Mr. Arbuthnot: To ask the Secretary of State for Trade and Industry whether the definition of a registered customer for the UK Trade and Investment website services includes an individual or company that *(a)* has derived measurable benefit from this service and *(b)* has supplied registration details only on the website. [189371]

Mr. Alexander: UK Trade and Investment's definition of a registered customer for our website, www.uktradeinvest.gov.uk, is an individual who has supplied registration details. They will usually be associated with a UK business. Customers of the website are not required to report their business improvement position as a result of using the service.

Mr. Arbuthnot: To ask the Secretary of State for Trade and Industry how many of the UK Trade and Investment website's registered customers have reported a measurable increase in business improvement through their use of UKT&I services; and whether UKT&I is on track to increase the number of registered customers by 50 per cent. by 2006. [189372]

Mr. Alexander: UK Trade and Investment is on track to increase the number of registered customers by 50 per cent. by 2005. Customers of the website are not required to report their business improvement position as a result of using the service.

Mr. Arbuthnot: To ask the Secretary of State for Trade and Industry how many new exporters were developed with the assistance of UK Trade and Investment in *(a)* 2003 and *(b)* 2004 to date; and how many were small and medium enterprises in each case. [189373]

Mr. Alexander: During 2003–04 UK Trade and Investment assisted in the development of 1,912 successful new exporters (against a target of 1,908) all of which were small and medium enterprises. During the first quarter of 2004–05 the figure was 348 (against an annual target of 2,088 and against the results of the first quarter of 2003–04 which were 338).

Ford Car Production

Mr. Geoffrey Robinson: To ask the Secretary of State for Trade and Industry if she will make a statement on discussions her Department has had with Ford Motor Company regarding Ford's future commitment to production in the West Midlands. [189443]

Jacqui Smith: Ministers and officials are in regular contact with the management of Ford Motor Company, as with other major manufacturers in the UK.

Jaguar's announcement on Friday 17 September, covering their plans for the Browns Lane site, is obviously disappointing, particularly given the efforts of the workforce to improve quality and productivity at Browns Lane. However, given the company's financial performance, tough decisions had to be taken. My right hon. Friend the Secretary of State has encouraged Jaguar's management to ensure that their workforce and trade unions remain informed and consulted, and that they discuss what steps might be taken to mitigate further job losses. It is important to note that no compulsory redundancies have been announced.

I am pleased that the company has taken the decision not to close Browns Lane Jaguar's Headquarters and administrative centre will remain in Coventry, as will the company's historic Wood Veneer Manufacturing Centre. And I am encouraged that the world leading R and D Centre at Whitely is being retained and welcome the employment opportunities for Browns Lane workers created by the growth and success at Aston Martin.

I hope that last Friday's announcement will help enable Jaguar to address its financial difficulties thereby securing a sustainable long-term future for the company, its products and its workforce here in the UK.

Mr. John Taylor: To ask the Secretary of State for Trade and Industry if she will make a statement on *(a)* the future of the Land Rover plant at Lode Lane, Solihull and *(b)* the future of the Jaguar plant at Browns Lane, Coventry. [189703]

Jacqui Smith: I welcome the news that the 'road map' for the Land Rover plant at Solihull has been agreed, and now ratified. I hope that all parties will now work together to achieve world-class productivity at the plant, and that it will have a successful future.

The decision to halt trim and assembly operations at Browns Lane has been a heavy blow to the workforce, their families and the surrounding region. It also broke the agreement the Company had with trade unions.

My right hon. Friend the Prime Minister and Chancellor of the Exchequer have committed to raise the matter with senior Ford executives in the US. In addition, my right hon. Friend the Secretary of State for Trade and Industry has also written to the company to encourage them to further engage with all the stakeholders, and particularly the workforce through their trade unions and the local MPs.

Gas Prices

Mr. Watts: To ask the Secretary of State for Trade and Industry what assessment she has made of the impact of the recent increase in the wholesale price of gas on large industrial users; and if she will make a statement. [189657]

Mr. Mike O'Brien: While the cost of gas to industry has been rising recently, this should be seen in the context of historical trends. In real terms gas prices for industrial users in 2003 were nearly 30 per cent. below their level in 1990 and well below their average over the last 30 years.

The Department is monitoring closely developments in the UK gas market and the recent increase in the wholesale price of gas. OFGEM has now announced its conclusions on its investigation into gas price increases in 2003 and 2004. It has concluded that the main causes of rising UK gas prices are record oil prices feeding into gas prices and declining UK gas supplies.

OFGEM is taking two courses of action. It is asking the European Commission to put more resources into making gas competition work, and is continuing to examine why some UK gas supplies did not reach the market.

Horse Racing (OFT Investigation)

Mr. Page: To ask the Secretary of State for Trade and Industry what her latest estimate is of the cost of the investigation by the Office of Fair Trading into British horseracing. [189816]

Mr. Sutcliffe: This is a matter for the Office of Fair Trading, which is the authority responsible for the enforcement of competition and consumer protection legislation in the UK, and I have asked its Chairman to respond to the hon. Member.

Insolvency

Sir Michael Spicer: To ask the Secretary of State for Trade and Industry what the cost has been of the review of insolvency practitioners regulations. [189154]

Mr. Sutcliffe: [*pursuant to the reply, 16 September 2004, c 1725–26W*], I am afraid that because of an administrative error the information given in the reply was incorrect.

The cost to date is estimated to be £61,965.

Insolvency Service (Staff Numbers)

Mr. Arbuthnot: To ask the Secretary of State for Trade and Industry, what the evidential basis was for the forecast increase in staff numbers at the Insolvency Service *(a)* to 1,600 in 2003–04 and *(b)* to 1,625 in 2004–05. [189785]

Mr. Sutcliffe: As from 1 April 2004 the Insolvency Service is operating under a new, net-running cost regime with fee income from insolvency cases covering the cost of administering those cases. Where case numbers rise the additional income produced enables additional staff resources to be engaged to deal with the increase.

Manufacturing Industry (London)

Linda Perham: To ask the Secretary of State for Trade and Industry what assistance her Department gives to the manufacturing industry in London. [189140]

Jacqui Smith: The DTI recognises the contribution the manufacturing sector makes to both the regional and national economies. London manufacturers are able to access mainstream DTI business support products, which encourage increased competitiveness, productivity, investment and innovation. In addition, the London Development Agency, which is primarily funded by the DTI, is responsible for direct assistance to the London business community, including manufacturers.

In July 2004 we published a progress report on the Government's Manufacturing Strategy—the first such Strategy for 30 years—which highlighted the achievements made so far, including: establishing the Manufacturing Advisory Service, introducing the Research and Development tax credit, and providing substantial investment in the science base to promote innovation. We are working closely with industry, trade unions, and other stakeholders, in key areas of the Strategy to build a highly skilled and highly productive manufacturing sector.

The London Manufacturing Advisory Service (MAS) is a DTI initiative to help manufacturers to improve productivity and performance. Since April 2003, MAS have visited 389 London manufacturers. Those businesses that have reported back to MAS have shown average business savings of £157,800 and seen turnover increase by an average of £578,900.

Business Link for London, which is currently contracted by the DTI to deliver business support, helps manufacturers and other businesses by providing impartial, expert and practical advice to London's small and medium-sized companies.

Marine Aggregates

Adam Price: To ask the Secretary of State for Trade and Industry if she will make a statement on the estimated amount in cubic metres of marine aggregates needed for domestic British construction purposes in each of the next 10 years. [188479]

Nigel Griffiths: The DTI does not produce forecasts separating marine-dredged from land-won or domestic from commercial.

Responsibility for consenting to the dredging of minerals from the English seabed rests with the Office of the Deputy Prime Minister.

Marine Development Fund

Mr. Drew: To ask the Secretary of State for Trade and Industry if she will give a breakdown of the beneficiaries of the recently announced marine development fund for renewable generation. [189910]

Mr. Mike O'Brien: The new £50 million Marine Renewables Development Fund announced on 2 August, will be primarily focused on helping wave and tidal stream projects move forward from early demonstration towards commercialisation.

The Department is currently looking at possible mechanisms for administering the new funding and has not yet allocated any funds to individual beneficiaries.

Miners' Pension Rights

Mr Wilson: To ask the Secretary of State for Trade and Industry how many miners dismissed during the 1984–85 miners' strike applied for restoration of pension rights under the scheme launched in 2002–03; how many applications were successful *(a)* in the first instance and *(b)* on appeal; and how many cases are still under consideration. [190151]

Nigel Griffiths: I refer my right hon. Friend to the reply given on 29 June, *Official Report*, columns 194–95W.

Mobile Phone Warranties

Mr. Drew: To ask the Secretary of State for Trade and Industry if she will carry out an investigation into the reliability of warranties for mobile telephones. [188605]

Mr. Sutcliffe: I have no plans to carry out an investigation into the reliability of warranties for mobile phones.

Under the Enterprise Act 2002, the Office of Fair Trading is responsible for investigating markets to see whether they work well for consumers.

National Assembly for Wales

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry what discussions she has held with the National Assembly for Wales Government on the proposals in its Technical Advice Note 8 consultation. [189212]

Mr. Mike O'Brien *[holding answer 16 September 2004]:* My officials have discussed the proposals in TANS with their counterparts in the National Assembly for Wales. Further discussions are planned.

The National Assembly for Wales is a member of the Sustainable Energy Policy Network taking forward the Energy White Paper. This provides a conduit for regular discussion on this and other issues around energy policy.

National Minimum Wage

Siobhain McDonagh: To ask the Secretary of State for Trade and Industry what assessment she has made of the impact of the national minimum wage on employment in Mitcham and Morden. [189337]

Mr. Sutcliffe: In their last report (spring 2004) the Low Pay Commission stated that the evidence showed that the minimum wage had benefited many low paid workers, with negligible adverse effects on employment and inflation. Information on employment specific to Mitcham and Morden is not available.

Newsagents

Mr. Peter Duncan: To ask the Secretary of State for Trade and Industry what assessment has been made of the number of independent newsagents that have closed during the last 12 months. [188453]

Mr. Sutcliffe: Data on the number of independent newsagents that have closed during the last 12 months are not available from official sources.

Nuclear Decommissioning Authority

Mr. Peter Ainsworth: To ask the Secretary of State for Trade and Industry if she will make a statement on the status of the EU Commission examination, in relation to State Aid issues, of the provisions relating to the establishment of the Nuclear Decommissioning Authority contained in the Energy Act 2004. [188776]

Mr. Mike O'Brien *[holding answer 15 September 2004]:* I refer the hon. Member for East Surrey to the answer I gave to my hon. Friend the Member for Blanaeu Gwent (Llew Smith) on 14 September 2004, *Official Report*, column 1537W.

Nuclear Industry

Norman Baker: To ask the Secretary of State for Trade and Industry who authorised the public comments made by Adrian Gault on nuclear power; and whether they represent the policy of her Department. [189524]

Mr. Mike O'Brien: My right hon. Friend the Secretary of State authorised the release on the DTI website of a large quantity of analytical work underpinning the Energy White Paper in February 2003. This included around 25 scenarios. There are different patterns of fuel use for electricity generation up to 2050 across these scenarios, which would all be consistent with a 60 per cent. CO_2 reduction. The Government's views on nuclear power remain as set out in the White Paper.

Nuclear Waste

Mr. Hancock: To ask the Secretary of State for Trade and Industry (1) what estimate she has made of the amount of *(a)* processed and *(b)* unprocessed nuclear waste that will be stored in the UK in (i) one year, (ii) three years' and (iii) five years' time; and if she will make a statement; [187736]

(2) how much *(a)* processed and *(b)* unprocessed nuclear waste is being stored in the UK; at which locations it is being stored; and from where the waste originated. [187738]

Mr. Morley: I have been asked to reply.

An inventory of the radioactive waste currently held, and forecast to be held in the future, in the UK is compiled periodically (normally every three years) by my department and United Kingdom Nirex Limited (Nirex). This inventory statement, known as the UK Radioactive Waste Inventory, is a published document and it gives details of the waste in terms of volume, physical characteristics and chemical composition. It also provides information on the amounts of waste which are currently held in conditioned and unconditioned form, who is responsible for its management, and where it is stored.

There are over 30 sites at which waste is stored in the UK, the major site being Sellafield. Details of where waste originated from is not contained in the Inventory, and could only be obtained at disproportionate cost. In general the waste currently held on sites is that which has arisen at the site, but there have been movements between sites over the years.

The last fully compiled Inventory, published in October 2002, is for a stock date (i.e data collection date) of 1 April 2001. Work to compile the next Inventory for a stock date of 1 April 2004 is currently ongoing, and the results will be published in 2005.

Figures for the stocks of UK radioactive waste given in the 2001 UK Radioactive Waste Inventory are:

	Stocks (m^3)		
	HLW	*ILW*	*LLW*[1]
Not yet conditioned	1,619	64,227	14,425
Already conditioned	342	11,186	303

[1] Most LLW is usually promptly disposed of to the Drigg disposal facility.

Approximate estimates of future arisings derived from the 2001 Inventory, in terms of fully conditioned volumes, are:

Estimated conditioned volume of waste (m^3)		
HLW	*ILW*	*LLW*

	Estimated conditioned volume of waste (m^3) HLW	ILW	LLW
1 April 2001	764	74,500	15,900
1 April 2004[1]	964	84,900	54,200
1 April 2007[1]	1,160	96,000	87,000
1 April 2009[1]	1,270	103,000	107,000

[1] Approximate estimates derived from 2001 Inventory figures.

Definitive 2004 figures will be provided by the 2004 Inventory results.

Mr. Hancock: To ask the Secretary of State for Trade and Industry what plans she has to *(a)* recycle, *(b)* repatriate and *(c)* bury nuclear waste currently being stored in the UK. [187737]

Mr. Morley: I have been asked to reply.

UK radioactive waste owners are responsible for the future management of their waste, subject to securing the necessary regulatory approval from the Health and Safety Executive (HSE) and the environment agencies.

The Government's position on the future of reprocessing of spent fuel was set out in the July 2002 White Paper "Managing the Nuclear Legacy" (Cmd.5552). Magnox fuel is reprocessed for reasons given in the White Paper, and this should finish by around 2012. BNFL expects to complete their existing order book for THORP reprocessing by around 2010. Before making a decision on any proposal for new THORP contracts the Government would review it against the criteria set out in the White Paper and would consult publicly.

Government policy for the return of wastes from the reprocessing of foreign spent fuel is set out in the July 1995 White Paper "Review of Radioactive Waste Management Policy: Final Conclusions" (Cmd.2919). It is that the wastes arising from such reprocessing should be returned to the country of origin, and the high level radioactive waste (HLW) should be returned as soon as practicable after vitrification. The White Paper accepted that in appropriate circumstances this return policy can be implemented by waste substitution arrangements which ensure broad environmental neutrality for the UK. Substitution of HLW for low level radioactive waste (LLW) was permitted because of the availability of the LLW disposal facility at Drigg in Cumbria. Intermediate level radioactive waste (ILW) substitution was the subject of a Department of Trade and Industry consultation paper issued in January 2004, and the responses to this are currently being considered. All reprocessing contracts signed by BNFL since 1976 have included return of waste provisions, and these has been reinforced by exchange of intergovernmental letters. The programme of return of overseas reprocessing wastes is planned to begin in 2007–8.

The Drigg facility caters for the long-term management of LLW. Options for the long-term management of higher activity waste are currently the subject of consideration and evaluation by the independent Committee on Radioactive Waste Management (CoRWM). The long-term management policy for these higher activity wastes will be decided by UK Government and the devolved administrations in light of CoRWM's recommendations, due to be delivered in summer 2006. In the meantime the waste is stored safely under the regulatory surveillance of the HSE and environment agencies.

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry pursuant to the Answer of 11 February, *Official Report*, column 1478W, on nuclear waste, how much foreign spent nuclear fuel imported from abroad is stored at *(a)* Drigg, Cumbria and *(b)* elsewhere in the United Kingdom; what plans there are to send this spent fuel back to the countries of origin; and if she will make a statement. [189150]

Nigel Griffiths *[holding answer 16 September 2004]*: No overseas spent fuel received in the UK for reprocessing at Sellafield is stored at the Low Level Waste disposal facility near Drigg.

To date, approximately 10,000 meters cubed of Low Level Waste arising from the reprocessing of overseas spent fuel has been emplaced at Drigg.

The forecast volumes of conditioned High and Intermediate Level Waste at Sellafield to be returned to BNFL's overseas customers are approximately 305 metres cubed and 3,238 metres cubed respectively. The programme to return overseas high level reprocessing wastes is planned to begin in 2007–08.

Separately, the United Kingdom Atomic Energy Authority (UKAEA) has a very small amount of overseas Intermediate and Low Level Waste associated with its Research and Material test reactor, stored at Dounreay, Caithness for return to overseas customers.

Paper Industry

Jonathan Shaw: To ask the Secretary of State for Trade and Industry what assessment she has made of the impact of energy price rises on the paper industry. [189483]

Jacqui Smith: While the DTI has not at present made any detailed assessment of the impact of higher energy prices on the UK paper industry, the Government are very much aware of the concerns of Britain's energy-intensive manufacturing industries in particular and are monitoring the situation. More generally, in July 2004 the DTI published a "Review of the Manufacturing Strategy: Competing in the Global Economy" (http://www.dti.gov.uk/manufacturing/strategy_review.pdf), which sets out a framework and action plan for Government and industry stakeholders to create the right conditions for manufacturing success.

Parental Leave

Mr. Dhanda: To ask the Secretary of State for Trade and Industry if she will reduce the length of time a parent must have been employed by a company before he or she becomes entitled to parental leave. [189739]

Mr. Sutcliffe: The Government are committed not to make any changes to the laws for working parents before 2006, after the impact of the existing legislation has been reviewed.

As part of its programme of work exploring what additional support could be provided to working parents while also meeting business needs, the DTI will examine a range of options.

Postal Scams

Jim Knight: To ask the Secretary of State for Trade and Industry what measures are being taken to ensure that vulnerable people do not become victims of postal scams. [189955]

Mr. Sutcliffe: DTI and the Office of Fair Trading (OFT) are working to raise consumer awareness of postal scams.

Most postal scams operate from outside the UK. The OFT works with the network of enforcement agencies called ICPEN (International Consumer Protection Enforcement Network) to investigate and take action against cross-border scams.

The OFT have taken a lead within Europe in taking action against scam mail under the powers provided by the Injunctions Directive and the Enterprise Act 2002 ('Stop Now Orders').

Regional Assemblies

Mr. Bellingham: To ask the Secretary of State for Trade and Industry if she will make a statement on the proposed relationship between the regional development agencies and the regional assemblies in terms of control of public funding used to support businesses. [186349]

Jacqui Smith: The Government set up regional development agencies (RDAs) in the English regions in 1999 to co-ordinate the economic development and regeneration of the regions. The RDAs are the strategic drivers of regional economic development, working with regional and local partners and stakeholders to improve the performance of the regional economies. The RDA's activities include promoting business efficiency, investment and competitiveness in various ways. Details of these and other activities to further economic development and regeneration, skills and employment, are set out in their corporate plans, which are approved by Ministers.

As part of their policy for decentralising power and strengthening the English regions, the Government are providing for the establishment of elected assemblies in regions that want to take greater responsibility for the decisions that affect them. The Government published the draft Regional Assemblies Bill and accompanying policy statement on 22 July. As set out in the draft Bill, in a region where an elected regional assembly is created, the RDA will become a functional body of the assembly. The assembly will fund the RDA from its block grant, and the RDA will be accountable to the assembly, rather than to central Government, including for the public funding it uses for business support. It will be up to each assembly to decide the precise arrangements it puts in place for its working relationship with the RDA.

The RDA's business support activities will, as now, support the regional economic strategy, which the RDA will prepare for adoption by the assembly, subject to any modifications the assembly may wish to make.

Both the RDA and the assembly will be required to publish reports on their activities and expenditure.

Regional Development Grants

Mr. Rosindell: To ask the Secretary of State for Trade and Industry what criteria are used to assess areas for regional development grants. [189230]

Jacqui Smith: The current Assisted Areas map was agreed with the European Commission in 2000, in accordance with the Regional Aid Guidelines and remains in force until 2006. It cannot be amended during that period without the agreement of the Commission.

The map identifies areas of acute labour market need and business opportunity, according to broad criteria established by the Commission. The UK map agreed in 2000 was constructed from electoral wards identified on the basis of four separate criteria: 'residence-based' (International Labour Office—ILO) and 'workplace-based' (Claimant Count) unemployment rates; manufacturing share of employment; and employment rates. These indicators were calculated from a series of ward—level information drawn from the 1991 Census, and the 1998 Labour Force Survey, Annual Survey of Employment and Claimant Count unemployment.

Regional Venture Capital Funds

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry whether all regional venture capital funds are operational; and on what dates they were launched. [189812]

Nigel Griffiths: All nine Regional Venture Capital Funds (RVCF) are operational, one in each English region.

East Midlands RVCF was launched in January 2002

North East RVCF was launched in January 2002

North West RVCF was launched in March 2002

Yorkshire and the Humber RVCF was launched in June 2002

London RVCF was launched in June 2002

South West RVCF was launched in October 2002

South East RVCF was launched in October 2002

West Midlands RVCF was launched in January 2003

East of England RVCF was launched in July 2003.

Renewable Obligation Certificates

Mr. Drew: To ask the Secretary of State for Trade and Industry what plans she has to encourage greater use of renewable obligation certificates; and if she will make a statement on how the changes introduced in the Energy Act 2004 will work in practice in relation to the new mutualisation power. [189911]

Mr. Mike O'Brien: The Renewables Obligation provides suppliers with a strong incentive to acquire Renewables Obligation Certificates (ROCs) as suppliers who do not have enough certificates to meet their share of the Renewables Obligation have to pay the buy-out price for the remainder. The proceeds of the buy-out fund are then recycled to suppliers who hold ROCs, so that those suppliers paying into the buy-out fund are effectively subsidising those who use ROCs.

The Government's current consultation paper on a number of limited changes to the Renewables Obligation, which was published on 8 September, includes a proposal to increase the level of the Obligation from 10.4 per cent. to 15.4 per cent. over the period from

2010–11 to 2015–16. This measure is in response to calls from the renewable industry to give additional confidence for the period beyond 2010 and should encourage the development of renewables and therefore the use of ROCs. In addition, the forthcoming review of the Renewables Obligation in 2005–06 will include, among other things, an assessment of the effectiveness of the Renewables Obligation, including the extent to which the Obligation has led to new renewables projects coming forward.

The current consultation paper also sets out the Government's plans to give effect to the changes introduced in the Energy Act 2004 in respect of mutualisation. Where there is a shortfall in the Renewables Obligation buy-out fund, mutualisation will work by requiring each licensed supplier with a renewables obligation (excluding the defaulting supplier) to contribute an additional sum to make up the shortfall. These sums will form a separate "mutualisation fund" which will be redistributed to suppliers holding ROCs in the same way as the existing buy-out fund.

Mr. Drew: To ask the Secretary of State for Trade and Industry if she will break down how shortfalls in the Renewable Obligation Certificates Fund were made up in *(a)* 2003 and *(b)* 2004. [189912]

Mr. Mike O'Brien: In 2002–03, there were shortfalls in the Renewables Obligation buy-out fund totalling £23.6 million. This was the result of the failure of two companies—TXU (UK) Ltd. (which lead to a shortfall of £23.1 million) and Maverick Energy Ltd. (a shortfall of £0.5million). I understand that the administrators of TXU expect to make an interim payment to the affected suppliers very shortly.

It is too early to give precise figures for shortfalls in 2003–04, although I understand that two companies—Atlantic Electric and Gas Limited and Maverick Energy Limited—both of which are in administrative receivership will not have any funds available to comply with the Renewables Obligation. The resulting shortfall from Atlantic will be around £8.5 million and from Maverick some £0.7 million.

Sunday Trading

Mr. Jenkins: To ask the Secretary of State for Trade and Industry what plans the Department has for evaluating the effect of Sunday trading on the family life of employees. [189578]

Mr. Sutcliffe: None. The Employment Rights Act 1996 provides an opt-out option for shop workers who do not wish to work on Sundays.

Tidal Renewable Energy

Paul Flynn: To ask the Secretary of State for Trade and Industry how much public money has been invested in renewable energy tidal sources in the current financial year. [189209]

Mr. Mike O'Brien: The Government provide support for research and development in tidal stream technologies under the Department of Trade and Industry's Technology Programme. So far this financial year, £444,148 has been spent and a further £566,727 committed to this area under the programme.

Additionally, on 2 August Government announced a new £50 million Marine Renewables Development Fund. The new fund will be committed over the next three years and will support the further development of both tidal and wave technologies.

Trade Statistics

Mr. Rosindell: To ask the Secretary of State for Trade and Industry what the main *(a)* goods and *(b)* services traded between the UK and (i) Finland, (ii) Sweden, (iii) Norway, (iv) Denmark and (v) Iceland were in the last period for which figures are available. [189243]

Mr. Alexander: Information on the UK's trade in goods with the Nordic countries is given in the following table.

A breakdown of the UK's trade in services with these countries is not available.

UK—Nordic countries trade in goods 2003

Main commodities traded	*£ million*
Top 3 UK exports to Denmark	
Telecoms and sound recording and reproducing apparatus and equipment	446
Office machines and ADP machines	184
Electrical machinery, apparatus and appliances and electrical parts thereof	154
Top 3 UK imports from Denmark	
Meat and meat preparations	505
Dairy products and birds' eggs	278
General industrial machinery and equipment and machine parts	197
Top 3 UK exports to Finland	
Road vehicles (including air cushion vehicles)	226
Office machines and ADP machines	170
Electrical machinery, apparatus and appliances and electrical parts thereof	125
Top 3 UK imports from Finland	
Paper, paperboard and manufactures thereof	903
Telecoms and sound recording and reproducing apparatus and equipment	584
Cork and wood	222
Top 3 UK exports to Iceland	
Road vehicles (including air cushion vehicles)	12
Other transport equipment (not road vehicles)	11

UK—Nordic countries trade in goods 2003

Main commodities traded	*£ million*
Machinery specialized for particular industries	10
Top 3 UK imports from Iceland	
Fish, crustaceans, molluscs and aquatic invertebrates and preparations thereof	218
Other transport equipment (not road vehicles)	22
Feeding stuff for animals (not incl. unmilled cereals)	22
Top 3 UK exports to Norway	
General industrial machinery and equipment and machine parts	184
Machinery specialized for particular industries	159
Office machines and ADP machines	141
Top 3 UK imports from Norway	
Petroleum, petroleum products and related materials	4,820
Non-ferrous metals	232
Professional, scientific and controlling instruments and apparatus	193
Top 3 UK exports to Sweden	
Road vehicles (including air cushion vehicles)	415
Iron and steel	332
Petroleum, petroleum products and related materials	327
Top 3 UK imports from Sweden	
Road vehicles (including air cushion vehicles)	840
Paper, paperboard and manufactures thereof	657
Iron and steel	440

Source:
Compiled by DTI from HM Customs and Excise data

HEALTH

New Variant CJD

Mr. Wiggin: To ask the Secretary of State for Health how many cases of new variant CJD have been identified in each year since 1999 [189624]

Miss Melanie Johnson: The information requested is shown in the table.

	Deaths of definite and probable vCJD
1999	15
2000	28
2001	20
2002	17
2003	18
2004[1]	4
	[2]4

[1] As of 6 September 2004

[2] Number of probable vCJD cases still alive

Cancer Services

Bob Spink: To ask the Secretary of State for Health what the average cost is of an operation for breast cancer in the NHS. [189553]

Mr. Hutton: Data are collected on the average cost of a number of procedures on the breast but are not broken down into categories allowing the identification of those procedures specific to cancer.

Mr. Drew: To ask the Secretary of State for Health what plans the Government have to expand preventative policies to combat cancer, with particular reference to reducing liability to environmental hazards by tighter regulations and better application of the precautionary principle. [188392]

Miss Melanie Johnson: With reference to reducing liability to environmental hazards through regulation, the regulatory roles lie with the Department for Environment, Food and Rural Affairs (Defra) and the Department of Trade and Industry. The role of the Department of Health is to advise these other Government Departments on the risk of adverse human health effects from chemicals in the environment. The regulations are developed to prevent adverse effects, including cancer, in humans.

Bob Russell: To ask the Secretary of State for Health what advice he has given to the Mid-Anglia Cancer Network to publish an overall plan for the provision of cancer services and specialist treatments based in hospitals at Chelmsford, Colchester and Ipswich; and if he will make a statement. [190042]

Dr. Ladyman: The Department has not issued any advice to the Mid Anglia Cancer Network (MACN) to publish an overall plan for the provision of cancer services. In line with our policy of "Shifting the Balance of Power", the configuration of local health services is a matter for the local national health service, working in partnership with its local community. It is for local NHS organisations, with their knowledge and expertise, to plan and develop services, based on that knowledge. I understand that the MACN will make a final decision about the future configuration of cancer services at its next board meeting in November.

Care Homes (Funding)

Mr. Rosindell: To ask the Secretary of State for Health how much funding his Department made available for care homes in *(a)* the London borough of Havering, *(b)* each other London borough and *(c)* each strategic health authority in each of the last five years. [189248]

Dr. Ladyman: Neither councils nor strategic health authorities are allocated funding to be spent on care homes in particular. It is for councils and strategic health authorities to decide in the light of local circumstances and priorities how much of the general funding that they receive should be spent on care homes.

The Government have provided additional resources for social services. Between 1996–97 and 2002–03 the Government have increased funding by about 20 per cent. in real terms, an average of 3 per cent. per annum and will continue to increase resources until 2005–06 by an average of about 6 per cent. per annum in real terms.

The Government have also made additional revenue resources available to the national health service. Since 1999–2000, the first year of unified allocations, funding has grown from some £31 billion to over £49 billion for 2004–05. From 2003, as part of shifting the balance of power, three-year allocations have been made direct to primary care trusts (PCTs) for the first time. PCTs received average increases of 30.83 per cent. in funding for the period covering 2003–04 to 2005–06.

Mr. Rosindell: To ask the Secretary of State for Health what representations he has received from the London borough of Havering on funding for care homes; and what his response was. [189250]

Dr. Ladyman: We have had no representations from the London borough of Havering on funding for care homes.

Carers

Mr. Battle: To ask the Secretary of State for Health what plans his Department has to improve practical support to carers of family members at home; and if he will make a statement. [189920]

Dr. Ladyman: This Government are the first ever to recognise the contribution and concerns of carers. They developed the national carers strategy in 1999 with carers and the organisations that represent them.

The Carers Grant was introduced in 1999 to support councils in providing breaks and services for carers in England. The grant has been increased annually and has provided an extra £325 million over the last five years. It is worth £125 million this year and will continue at least until 2005–06, by which time it will be £185 million.

The Carers (Equal Opportunities) Act received Royal Assent on 22 July 2004. The Act will ensure that carers are able to take up opportunities which those without caring responsibilities take for granted.

The office of the Deputy Prime Minister launched the Beacon council scheme on 7 July 2004. Supporting carers is one of the themes for the forthcoming round.

To support carers' access to information, the Department is funding Carers UK to provide advice and information in a variety of formats.

CHCs

Mr. Prisk: To ask the Secretary of State for Health how many premises are owned or leased by community health councils; and how many are *(a)* occupied and *(b)* unoccupied. [187755]

Ms Rosie Winterton: Following the abolition of community health councils on 1 December 2003, the responsibility for community health council premises transferred to NHS Estates, therefore no premises are owned or leased by community health councils. 115 premises are awaiting assignment to national health service organisations, other tenants or are awaiting sale. None of these premises is currently occupied.

Mr. Prisk: To ask the Secretary of State for Health what community health council buildings have been disposed of since 1997. [187756]

Ms Rosie Winterton: The following community health council offices have been disposed of since 1997:

Blackburn
Bolton
Burnley
Bury
Chester
Chorley
Central Cheshire
Halton
Liverpool Central
Liverpool South
Liverpool Eastern
Macclesfield
Oldham
Preston
Rochdale
Salford
South Cumbria
South Sefton
Southport
St. Helens
Stockport
South Derbyshire
South Lincolnshire
South Northampton
Bath and District
Cornwall
Exeter and District
Isle of Scilly
North Devon
Plymouth and District

Swindon and District
Torbay and District
Southampton and South West Hampshire
Coventry
Dudley
East Birmingham
Herefordshire
Kidderminster
Mid Staffordshire
North Birmingham
North East Warwickshire
North Staffordshire
Tameside
Trafford
West Lancashire
Wigan
Wirral
Airedale
Barnsley
Bradford
Calderdale
Darlington and Teesdale
Dewsbury
Doncaster
East Cumbria
Gateshead
Harrogate
Hartlepool and South Easington
Huddersfield
Hull
Leeds
Newcastle
North East Lincolnshire
North Tyneside
Northallerton
North West Lincolnshire
Pontefract
Scarborough and North East Yorkshire
South Durham and Weardale
South Tees
South Tyneside
Sunderland
West Cumbria
York
Central Nottingham
Leicester
North Derbyshire
North Northampton
Nottingham
Sandwell
South East Staffordshire
Walsall
West Birmingham
Wolverhampton
West Berkshire
Dartford and Gravesend
Worcester
Barking, Dagenham and Havering
Croydon
Harrow
Kingston
Southwark
Chichester
South Buckingham
Reading
South West Surrey
Mid Downs
Mid Surrey
North West Surrey
Milton Keynes
Huntingdon
North Hertfordshire
Great Yarmouth and Waveney
Cambridge
East Suffolk
North West Anglia
Norwich
South Bedfordshire
South West Hertfordshire
Winchester and Central Hampshire
West Surrey and North East Hampshire
Wandsworth
Aylesbury Vale
Basingstoke and North Hampshire
Northumberland

Mr. Prisk: To ask the Secretary of State for Health what estimate he has made of the total amount of *(a)* rent and *(b)* other costs being paid by community health councils since their abolition. [187757]

Ms Rosie Winterton: The estimated costs of rent on former community health council premises is £1.142 million. This is mainly due to outstanding leases. It is expected that the remaining 69 properties will be disposed of by the end of this financial year.

Mr. Prisk: To ask the Secretary of State for Health if he will list the locations of former community health council offices where rent is still payable. [187761]

Ms Rosie Winterton: Rent is still payable on the following former community health council offices:

Blackpool, Manchester South, Manchester Central, Manchester North, Halton, Warrington, East Yorkshire, North Durham, Rotherham, Sunderland, Bassetlaw, Central Lincolnshire, Bristol, East Dorset, Gloucestershire, Salisbury and District, Somerset, Isle of Wight, Portsmouth, Bromsgrove and Redditch, Shropshire, Solihull, South Birmingham, South Warwickshire, Barnet, Bexley, Brent, Bromley, Camden, City and Hackney, Ealing, Enfield, Greenwich, Hammersmith and Fulham, Haringey, Hillingdon, Hounslow, Islington, Kensington, Chelsea and Westminster, Lambeth, Lewisham, Merton and Sutton, Newham, Redbridge, Richmond, Twickenham and Roehampton, Tower Hamlets, Waltham Forest, Hove, Canterbury, Gravesend, East Berkshire, Eastbourne, East Surrey, Maidstone, Hastings, Medway, Oxfordshire, South East Kent, Tunbridge Wells, Worthing, North Bedfordshire, North West Hertfordshire, North East Essex, Southend and District, West Essex, Mid Essex, Basildon and Thurrock, West Suffolk and East Hertfordshire.

This is mainly due to outstanding leases. It is expected that the remaining properties will be disposed of by the end of this financial year.

Continuing Care

Mr. Burstow: To ask the Secretary of State for Health if he will reassess his estimate of the cost of providing free personal care with reference to *(a)* the latest Laing and Buisson survey for March 2003, *(b)* the current review of eligibility for NHS continuing care and *(c)* changes to the amount of funding for free nursing care since January 2004. [187861]

Dr. Ladyman: No, the estimate of the cost of providing free personal care will not be reassessed. None of these changes would materially affect our estimate of providing free personal care.

Mr. Burstow: To ask the Secretary of State for Health if he will estimate the cost in each year until 2009–10 of providing NHS continuing care for those people previously denied it until the review of eligibility criteria this year. [187862]

Dr. Ladyman: My written statement of 22 June 2004 specified that the National Health Service expects to pay a total of over £180 million in restitution payments to those previously wrongly denied NHS continuing care, and that this amount has been added to NHS budgets. No data are held centrally on the proportion of these cases which relate to people living today, nor what the likely life expectancy might be of those who remain alive today. In the absence of this information, no meaningful estimate of costs can be made.

Mr. Burstow: To ask the Secretary of State for Health what amount his Department has allocated to strategic health authorities *(a)* to cover the costs of reviewing their eligibility criteria for NHS continuing care and *(b)* for compensating those people who were wrongly denied continuing care over the past seven years. [187863]

Dr. Ladyman: My written statement of 22 June 2004 specified that the National Health Service expects to pay a total of over £180 million in restitution payments and that this amount has been added to NHS budgets. The review of eligibility criteria is part of the NHS' management of services and was managed within NHS budgets.

Contraceptive Services

Mr. Laurence Robertson: To ask the Secretary of State for Health what the rules are for the prescribing of contraceptives services for people under the age of 16; and if he will make a statement. [188907]

Miss Melanie Johnson: I refer the hon. Member to the reply I gave to the hon. Member for Witney (Mr. Cameron) on 4 October 2004, *Official Report*, column 1947W.

Dementia

Mrs. Iris Robinson: To ask the Secretary of State for Health if he will estimate the annual cost of providing nursing and personal care for dementia sufferers in England. [187798]

Dr. Ladyman: Since April 2003, everyone who requires care from a registered nurse will have received free of charge either direct national health service nursing care from the community nursing service or NHS funded nursing care.

The estimated cost of providing free personal care in England for those with dementia would be in the region of £1 billion. The estimated cost of providing free personal care in England for everyone with a need for personal care would be about £1.5 billion. The total gross expenditure on means tested social services for all adults in 2002–03 was £9.5 billion; net expenditure (after deducting fees and charges) was £7.5 billion.

Dentistry

Mr. Brady: To ask the Secretary of State for Health whether it is his policy that dentists from other European Economic Area countries should be required to undertake a vocational training year in the same way as UK dentists before being permitted to practise in the UK. [188035]

Ms Rosie Winterton: Yes, and we take every opportunity to advocate the benefits of vocational training in our contacts with the European Commission and the health departments of those Member States which do not have schemes. The need arises because the Dentists Directive 78/686/EEC entitles holders of qualifications meeting the standards set out in the Directive to automatic recognition throughout the European Economic Area. Member States cannot impose additional training requirements.

We are currently recruiting additional dentists to improve access to National Health Service dentistry. Where they are to appoint overseas dentists, Primary care trusts offer induction training which covers key items within the vocational training curriculum.

Sue Doughty: To ask the Secretary of State for Health what the total cost to the NHS of dental services was for each primary care trust in the Surrey and Sussex strategic health authority in each year since 1997. [188174]

Ms Rosie Winterton: The cost to the national health service of general dental services (CDS) in Surrey and Sussex strategic health authority area is shown in the table. This covers payments to GDS dentists less patient charge contribution.

Cost[1] to the NHS of general service dentistry

£ million

PCT	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Adur, Arun and Worthing	3.440	3.543	3.701	3.825	4.366	4.728	4.881
Bexhill and Rother	1.217	1.299	1.274	1.273	1.335	1.367	1.618
Brighton and Hove City	5.693	5.846	5.889	5.931	6.340	6.810	7.492
Crawley	1.575	1.863	2.273	2.093	2.174	2.215	2.600
East Elmbridge and Mid Surrey	3.676	3.911	3.958	4.059	4.746	4.851	5.187
East Surrey	2.570	2.716	2.568	2.627	2.892	3.021	3.216
Eastbourne Downs	2.626	2.883	2.879	2.996	3.425	3.621	3.572
Guildford and Waverley	3.638	3.789	3.820	3.932	4.372	4.513	5.065

Cost[1] to the NHS of general service dentistry

£ million

PCT	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Hastings and St Leonards	1.873	1.961	1.948	2.131	2.186	2.240	2.472
Horsham and Chanctonbury	1.590	1.624	1.662	1.773	2.037	2.179	2.503
Mid-Sussex	3.323	3.572	3.498	3.572	3.880	3.782	4.021
North Surrey	2.916	3.087	3.205	3.284	3.562	3.619	3.914
Sussex Downs and Weald	2.264	2.327	2.393	2.713	2.986	3.128	3.500
Western Sussex	2.979	3.109	3.371	3.556	3.800	3.781	4.081
Woking Area	3.262	3.494	3.562	3.608	4.227	4.295	4.598
SSSHA totals[2]	43.780	46.418	47.667	48.865	54.058	57.247	60.587

[1] CDS fee payments only for 1997–98 to 2000–01. For 2001–02, 2002–03 and 2003–04 some other GDS costs are included. The other costs comprise: seniority payment; maternity, paternity, adoptive pay; long-term sick pay; continuing professional development allowance (CPDA); CPDA travel hours; business rates; training grant; clinical audit convenor; clinical audit secretarial support; clinical audit travel expenses; clinical audit payment; and vocational dental practitioner salary and national insurance contributions.

[2] SSSHA totals include some other GDS costs, which are not available at primary care trust level.

Source:
Dental Practice Board.

This expenditure does not include personal dental services expenditure.

Sue Doughty: To ask the Secretary of State for Health how much was paid by NHS patients towards dental services in each primary care trust in the Surrey and Sussex strategic health authority in each year since 1997. [188175]

Ms Rosie Winterton: Patient charges in the general dental services and personal dental services by primary care trust in the Surrey and Sussex strategic health authority area are shown in the table.

General dental service and personal dental service patient charges in Sussex and Surrey

Strategic health authority *£000*

PCT	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Adur, Arun and Worthing	2,045.8	2,165.4	2,147.8	2,275.2	2,345.5	2,414.7	2,472.2
Bexhill and Rother	793.1	811.2	787.1	797.2	750.4	757.5	888.7
Brighton and Hove City	2,114.6	2,316.2	2,357.2	2,625.9	2,617.1	2,828.3	3,053.5
Crawley	651.4	810.4	922.7	928.0	910.4	711.0	720.0
East Elmbridge and Mid Surrey	2,200.5	2,391.4	2,357.6	2,290.6	2,364.9	2,204.7	2,129.6
East Surrey	1,444.6	1,631.9	1,519.3	1,654.6	1,738.8	1,754.0	1,760.1
Eastbourne Downs	1,716.1	1,927.6	1,923.7	1,962.9	2,064.9	2,155.5	1,974.6
Guildford and Waverley	1,858.4	1,922.3	1,919.6	1,893.5	1,921.9	1,951.9	2,034.2
Hastings and St. Leonards	798.3	840.0	867.5	965.3	995.5	1,030.7	1,161.3
Horsham and Chanctonbury	864.7	877.2	832.8	946.5	1,030.8	1,090.8	1,135.8
Mid-Sussex	1,453.9	1,505.0	1,602.8	1,670.3	1,656.5	1,618.8	1,748.2
North Surrey	1,663.0	1,797.4	1,934.2	1,935.8	1,946.2	1,952.9	1,857.3
Sussex Downs and Weald	1,535.4	1,553.7	1,605.8	1,845.2	1,918.7	1,999.2	2,109.3
Western Sussex	1,862.1	2,022.3	2,234.3	2,384.4	2,330.7	2,292.1	2,382.4
Woking	1,805.6	1,875.2	1,861.9	1,902.8	1,994.5	1,901.8	1,863.9
Total	22,807.3	24,447.3	24,874.3	26,078.2	26,587.0	26,664.0	27,291.0

Source:
Dental Practice Board

Personal dental services patient charges were introduced in October 1998. The first PDS patient charges in this area occurred in 1999–2000.

Departmental Satellite and Cable

Mr. Lansley: To ask the Secretary of State for Health (1) what the cost to the taxpayer was of satellite and cable subscriptions in his Department's buildings; [185862]

(2) if he will list the premium channels that his Department subscribes to. [185863]

Ms Rosie Winterton: The Department's building at 79 Whitehall (Richmond House) is connected by cable link to the parliamentary annunciator system from the Palace of Westminster. This link was in place when Richmond House opened in 1988, having first been established in 1969 in a previous headquarters building. The purpose of this is to provide Ministers, their Private Offices and other staff access to debates in the House of Commons and the House of Lords. Currently, this system is free of charge and comes in the form of a package of 24 audio and visual channels, which provide access to a range of broadcast services in addition to the parliamentary channels. Of these, Sky Sports is the only service which would be categorised as a premium channel. Separate from this, the Central Office of Information also provides a link for viewing the parliamentary committee broadcasts, at a current annual cost to the Department of £27,739.40, including VAT.

In her reply to a similar question from the hon. Member for South Suffolk (Mr. Yeo) on 23 April 2002, *Official Report,* column 241W, my hon. Friend the Member for Salford (Ms Blears) attributed this separate charge to the provision of the annunciator system.

This was based on wrong advice, arising from a misunderstanding at the time about the operation of the system. I have written to the hon. Member apologising for the mistake and drawing his attention to this reply. A copy of that letter has been placed in the Library.

Domiciliary Care

Andrew Rosindell: To ask the Secretary of State for Health if he will make a statement on the availability of domiciliary care. [189207]

Dr. Ladyman: Since 1997, the number of contact hours of domiciliary care have increased from 2.6 million to 3.1 million in 2003. More people are being kept out of residential care through the provision of intensive care packages in their own home. The number of households receiving intensive support at home has increased from 60,700 at September 1998 to 87,000 at September 2003.

In 2004–05, total social services resources for adults increased to £10.3 billion, or £775 million more than 2003–04, an increase of 8.2 per cent. in cash terms or about 6 per cent. in real terms. It is for local councils to decide how much of this funding is spent on domiciliary care.

Eating Disorders

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 14 September 2004, *Official Report*, column 1498W, on eating disorders, what information he collates on waiting times for in-patient and out-patient treatment for eating disorders. [189841]

Ms Rosie Winterton: Information on waiting times, which is available at http://www.performance.doh.gov.uk/waitingtimes/, for in-patient and out-patient treatment in England is collected by consultant specialty rather than for specific conditions. This means that the information is not available in the format requested. However, we are aware that waiting times for treatment for eating disorders are sometimes too long and this is why we asked the National Institute for Clinical Excellence to develop a guideline on the effective treatments and why the national director for mental health is developing guidance for commissioners of specialised services.

Female Doctors

Tim Loughton: To ask the Secretary of State for Health how many female doctors are employed in the NHS; and at what level *(a)* in real terms, *(b)* as whole time equivalent and *(c)* as a percentage of all doctors. [189397]

Mr. Hutton: The information requested is shown in the following table.

Hospital, public health medicine and community health services (HCHS) doctors and general medical practitioners
Female doctors by grade/type/number (headcount) and percentage

	All doctors				*Of which: Female*			
	Headcount	*Percentage*	*Wte*	*Percentage*	*Headcount*	*Percentage*	*Wte*	*Percentage*
All doctors	109,964	100	102,344	100.0	41,371	37.6	36,284	35.5
HCHS Doctors[1]	76,400	100	42,260	100.0	27,826	36.4	25,474	35.3
Of which:								
Consultant	28,750	100	26,341	100.0	7,162	24.9	6,261	23.8
Staff Grade	5,255	100	4,828	100.0	1,982	37.7	1,654	34.3
Associate Specialist	2,001	100	1,780	100.0	751	37.5	602	33.8
Registrar Group	14,619	100	13,989	100.0	5,738	39.3	5,289	37.8
Senior House Officer	18,698	100	18,419	100.0	8,231	44.0	8,048	43.7
House Officer	4,003	100	3,994	100.0	2,110	52.7	2,104	52.7
Senior Dental Officer	492	100	383	100.0	295	60.0	218	57.0
Dental officer	766	100	521	100.0	535	69.8	353	67.7
Hospital Practitioner[1]	72	100	221	100.0	20	27.8	55	24.9
Clinical Assistant[1]	461	100	1,068	100.0	146	31.7	446	41.8
Other CHS	1,283	100	715	100.0	856	66.7	443	61.9
General Medical Practitioners[2]	33,564	100	30,084	100.0	13,545	40.4	10,810	35.9
Of which:								
Unrestricted Principals and Equivalents (UPEs)	28,568	100	26,311	100.0	10,144	35.5	8,467	32.2
Assistants	456	100	329	100.0	288	63.2	202	61.5
Flexible Career Schemes	175	100	52	100.0	145	82.9	43	82.9
GP Registrars	2,235	100	2,153	100.0	1,339	59.9	1,268	58.9
GP Retainers	971	100	307	100.0	955	98.4	302	98.2
GP Returners	62	100	60	100.0	42	67.7	40	67.7
PMS others	914	100	710	100.0	531	58.1	401	56.4
Restricted Principals	78	100	71	100.0	38	48.7	35	48.7
Salaried Doctors (Para 52 SFA)	105	100	91	100.0	63	60.0	52	57.4

[1] Excludes hospital medical hospital practitioners and hospital medical clinical assistants, most of whom are GPs working part-time in hospitals.

[2] All practitioners include GMS unrestricted principals, PMS contracted GPs, PMS salaried GPs, restricted principals, assistants, GP registrars, salaried doctors (Para 52 SFA), PMS other, GP retainers, flexible career scheme GPs and GP returners.

Sources:

Department of Health general and personal medical services statistics.

Department of Health medical and dental workforce census.

General Practitioners

Mr. Burstow: To ask the Secretary of State for Health if he will estimate the average list size of general practitioners in *(a)* England, *(b)* each strategic health authority and *(c)* each primary care trust for each year since 1997. [187865]

Mr. Hutton: The average general practitioner list sizes in England for each year from 1997 to 2003 by strategic health authorities and primary care trusts have been placed in the Library.

Mr. Burstow: To ask the Secretary of State for Health what the average general practitioner list size is in *(a)* Hartlepool Primary Care Trust and *(b)* England. [189264]

Miss Melanie Johnson *[holding answer 16 September 2004]:* The table shows the average general practitioner list size in Hartlepool Primary Care Trust and England.

Average list size of Unrestricted Principals and Equivalents (UPEs)[1] *for England and Hartlepool Primary Care Trust*

As at 30 September 2003 *Numbers (headcount)*

	UPEs	*Patients of UPEs*	*Average list size*
England	28,568	52,713,780	1,845
of which			
5D9 Hartlepool PCT	45	93,550	2,079

[1] UPEs include GMS Unrestricted Principals, PMS Contracted GPs and PMS Salaried GPs. Patient data has been revised from previously published figures

Source:

Department of Health General and Personal Medical Services Statistics

Mr. Burstow: To ask the Secretary of State for Health (1) if he will list the 10 primary care trusts with the lowest number of general practitioners per 100,000 population; [189262]

(2) how many general practitioners per 100,000 population there are in *(a)* Hartlepool Primary Care Trust and *(b)* England. [189265]

Miss Melanie Johnson *[holding answer 16 September 2004]:* As at March 2004, there were 52.6 general practitioners (GP) (excluding retainers, registrars and locums) per 100,000 weighted population in Hartlepool Primary Care Trust (PCT) compared to 63.6 GPs (excluding retainers, registrars and locums) per 100,000 weighted population in England.

The 10 PCTs with the lowest number of GPs (excluding retainers, registrars and locums) per 100,000 weighted population as at March 2004 are as follows:

Doncaster, West
Thurrock
Eastern Hull
Easington
Barking and Dagenham
Walsall
Barnsley
Oldham
North Stoke
Ashton, Leigh and Wigan

All figures are based on headcount.

GP Surgeries (Disabled Access)

Mr. Damian Green: To ask the Secretary of State for Health what plans he has to provide funds to improve access to general practitioner surgeries for disabled people; and if he will make a statement. [189996]

Miss Melanie Johnson: The Department recently announced an additional £108 million over two years for improving general practitioner premises. This money can be used to meet the requirements of the Disability Discrimination Act 1995, including the new access provisions commencing 1 October 2004. The use of this money will however be subject to local decision-making and prioritisation.

The Department and the Disability Rights Commission last month issued joint guidance for the primary care sector aimed at raising awareness of the duties under the Disability Discrimination Act 1995 and improving disabled people's experience of primary care services.

Head Injuries

Dr. Richard Taylor: To ask the Secretary of State for Health what proportion of district general hospitals accepting patients with head injuries have a consultant who has undergone higher surgical training in the management of head injuries. [189453]

Mr. Hutton: Information on the staffing profile of district general hospitals and the training undergone by individual consultants employed in them is not held centrally. Central monitoring and reporting is limited to that concentrated on the information needed to demonstrate progress against the targets set out in "National Standards, Local Action: Health and Social Care Standards and Planning Framework 2005–06 to 2007–08"—published by the Department on 21 July 2004; and for contractual purposes. Additional monitoring is kept to a minimum in favour of local performance management systems, exception reporting and independent inspections.

All doctors are expected to comply with the guidelines of the General Medical Council about providing care. They must recognise and work within the limits of their own professional competence and refer a patient to another practitioner, when appropriate.

Hepatitis C

Mr. Page: To ask the Secretary of State for Health what steps his Department is taking to verify the accuracy of estimates of the percentage of the population with hepatitis C. [189817]

Miss Melanie Johnson: As part of the "Hepatitis C Action Plan for England", the Health Protection Agency is strengthening epidemiological surveillance of hepatitis C infection to provide better estimates of its prevalence and incidence in the general population and injecting drug users.

Hernia Operations

Bob Spink: To ask the Secretary of State for Health what the average cost of a hernia operation is on the NHS. [189549]

Mr. Hutton: The national average unit cost (per operation) for all national health service trusts in England for inguinal, umbilical or femoral hernia repairs, where the operation is undertaken electively (that is not as an emergency) is as follows:

As an in-patient:

For patients who are more than 69 years old or with complications or co-morbidities—£1,247

For patients who are less than 70 years old without complication or co-morbidities—£1,066

As a day case procedure:

For patients who are more than 69 years old or with complications or co-morbidities—£701

For patients who are less than 70 years old without complication or co-morbidities—£729

The data source is the reference costs 2003 collection, relating to the financial year 2002–03. This is the most current data available and is accessible on the Department's website at: http://www.dh.gov.uk/PublicationsAndStatistics/Publications/PublicationsPolicyAndGuidance/PublicationsPolicyAndGuidanceArticle/fs/en?CONTENT_ID = 4070195&chk = UzhHA3

Calculation of the costs provided are based on all activity and costs associated with each procedure, regardless of the speciality in which the activity is recorded.

Bob Spink: To ask the Secretary of State for Health how many inguinal hernia operations were carried out by the NHS in each of the last three years. [189550]

Mr. Hutton: The number of finished consultant episodes for the years 2000–01 to 2002–03 for Office of Population Censuses and Surveys 4 codes T19 to T21 (hernia operations) is as follows:

	Number
2000–01	84,003
2001–02	80,000
2002–03	82,879

Note:

Finished Consultant Episode: Finished consultant episode (FCE) is defined as a period of admitted patient care under one consultant within one health care provider. The figures do not represent the number of patients as a person may have more than one episode of care within the year.

All operations count of episodes: These figures represent a count of all FCEs where the procedure was mentioned in any of the 12 (four prior to 2002–03) operation fields in a Hospital episode statistics record. A record is only included once in each count, even if an operation is mentioned in more than one operation field of the record.

Grossing: Figures are grossed for both coverage and missing/invalid clinical data, except for 2002–03 which are not yet adjusted for shortfalls.

Source:

Hospital Episode Statistics (HES), Department of Health

Maternity Services

Mrs. Helen Clark: To ask the Secretary of State for Health what steps is he taking *(a)* to maintain the number of midwives and *(b)* to maintain the number of those available (i) for home births, (ii) to fill existing vacancies and (iii) to cover those unable to attend work. [187558]

Mr. Hutton: The Government are implementing a range of measures to recruit and retain midwives. These include improving pay and conditions, encouraging the national health service to become a better, more flexible and diverse employer, increasing training, investing in child care and continuing professional development, attracting back returners and running national and international recruitment campaigns.

In September 2003, there were 1,556 more midwives employed in the NHS than there were in 1997 and the number of students entering training to become a midwife each year has increased by 574 or 34 per cent. since 1996–97.

In line with the Government's policy to devolve decision making to those at the front line of NHS service provision, it is for individual units and trusts to make arrangements for covering home births and to cover for staff absences.

Lynne Jones: To ask the Secretary of State for Health if he will list, for each NHS organisation providing maternity services, the latest available figures for *(a)* vacancies for midwifery grades (i) in numerical terms and (ii) expressed as a percentage of total number of posts at those grades and *(b)* numbers of (i) home births and (ii) caesarean sections performed, expressed in each case (A) in numerical terms and (B) as percentages of total births. [188905]

Dr. Ladyman: The information available on vacancies for midwifery grades has been placed in the Library.

Information on the numbers of home births and caesarean sections performed is not available in the format requested. Hospital episode statistics data show that, in 2002–03, there were an estimated 12,100 home deliveries (2.16 per cent. of total deliveries) and 117,800 caesarean deliveries (21 per cent. of total deliveries) in England. Percentages for caesarean sections compared to total hospital deliveries are available by hospital in Table 33 of the NHS Maternity Statistics, England, 20O2–03 bulletin. A copy of the bulletin is available in the Library.

Kidney Dialysis

Mr. Wood: To ask the Secretary of State for Health whether Saudi Arabia is among those countries with which the UK has reciprocal arrangements for providing kidney dialysis for patients travelling abroad. [189527]

Mr. Hutton: The United Kingdom has reciprocal treatment arrangements with a number of countries outside of the European Economic Area. There is currently no reciprocal arrangement with Saudi Arabia.

Meat Consumption

Sue Doughty: To ask the Secretary of State for Health what plans he has to reduce the amount of *(a)* red meat and *(b)* white meat consumed; and if he will make a statement. [188082]

Miss Melanie Johnson: The Government recognise the contribution meat can make to a healthy balanced diet and have no plans to take specific action to reduce meat consumption. They are however, taking a number of steps to encourage people to eat a healthier diet, which includes advising moderate consumption of meat and encouraging people to choose leaner cuts and remove visible fat and poultry skin.

Mental Health

Tim Loughton: To ask the Secretary of State for Health how many incidents of *(a)* sexual assault on and *(b)* sexual harassment of mental health in-patients have been reported in each of the past 10 years; and how many of these incidents resulted in criminal or civil proceedings. [188861]

Ms Rosie Winterton: This information is not centrally available.

National health service trusts need to ensure that all patients are protected from physical, psychological or sexual harm while they are being treated in mental health facilities. As set out in Safety, Privacy and Dignity in Mental Health Units (2000), an officer at a senior level within the trust should be appointed to have responsibility for women's safety, privacy and dignity. Speedy and robust arrangements must be in place to deal effectively with staff or patients who sexually abuse or harass patients, staff and visitors. Whether there is a complaint or not, all incidents of women patients being threatened, pestered or harassed should be investigated, recorded and reported to the responsible officer for monitoring purposes.

Tim Loughton: To ask the Secretary of State for Health if he will list the types of bodies through which mental health service users are able to influence the development and delivery of mental health services; and in which trusts such bodies operate. [188862]

Ms Rosie Winterton: The Government established patients' forums for all primary care trusts and national health service trusts, including mental health trusts. Forums comprise volunteer members of the public, and include patients of the trusts for which the forums are established. Forums feed the views and experiences of patients and the public into the operation and management of services. Patients' forums make reports and recommendations to the boards of the trusts and can also refer matters of concern to the healthcare commission, local authority overview and scrutiny committees, strategic health authorities, or any other body they deem appropriate.

"Mental health policy implementation guide on adult acute inpatient care" (2002), which is available in the Library, recommends the establishment of acute care forums with involvement of service users and carers to agree and regularly review the operation and co-ordination of the range of acute care services.

Tim Loughton: To ask the Secretary of State for Health what assessment he has made of Mind's Ward Watch report; and if he will make a statement. [188864]

Ms Rosie Winterton: The Department is committed to ensuring patients' safety, privacy and dignity in all inpatient settings and understands that some people in psychiatric wards may not always feel that ward environments are conducive to their recovery.

We value every opportunity to study and take into account any new evidence and welcome working in close collaboration with Mind on this issue.

The Department has given a strong public commitment to protect patients' privacy and dignity and to achieve single sex hospital accommodation in all national health service hospitals. By December 2003, 99 per cent. of NHS trusts provided single sex sleeping accommodation for planned admissions and had robust operational policies in place to protect patients' privacy and dignity; 99 per cent. of them met the additional criteria to ensure the safety, privacy and dignity of people who are mentally ill; and 97 per cent. provided properly segregated bathroom and toilet facilities for men and women.

Tim Loughton: To ask the Secretary of State for Health what the cost was of the report commissioned by the Surrey and Sussex Strategic Health Authority into the death of Sarah Lawson in Worthing; and what the cost of legal advice to the Surrey and Sussex Strategic Health Authority in respect of the report was. [189444]

Ms Rosie Winterton: The Department does not have the requested information.

Tim Loughton: To ask the Secretary of State for Health (1) how he plans to monitor the progress of recommendations made in the report into the death of Sarah Lawson on improvement of mental health services in West Sussex; [189445]

(2) what action he plans to take to implement in England the recommendations of the report on the death of Sarah Lawson in respect of mental health services. [189446]

Ms Rosie Winterton: The report on the death of Sarah Lawson was commissioned by the former West Sussex health authority, and carried forward by the Surrey and Sussex strategic health authority. It is therefore the responsibility of the Surrey and Sussex strategic health authority to ensure that local recommendations are fully considered, and acted upon.

However, the Department will consider and respond to any national recommendations.

Mr. Battle: To ask the Secretary of State for Health whether epilepsy is included in the definition of mental disorder in the Draft Mental Health Bill; and if he will make a statement. [190007]

Ms Rosie Winterton: Under the Bill, mental disorder means

> "an impairment of or a disturbance in the functioning of the mind or brain resulting from any disability or disorder of the mind or brain".

Having a condition which falls within this definition cannot, on its own, lead to a person being detained or treated under compulsory powers. The powers in the Bill can only be used where the carefully drawn conditions are all satisfied. The conditions require that the patient is suffering from a mental disorder which is serious enough to warrant specialist treatment under the care of a senior mental health practitioner; the risk to self or others justifies use of compulsory powers and appropriate treatment is available for the individual patient taking into account all the circumstances of the case.

Mr. Wilshire: To ask the Secretary of State for Health (1) if he will make it his policy to provide further funding to the North West Surrey Mental Health Partnership NHS Trust to support the retention of respite care beds at Kingscroft, Staines; [189776]

(2) if he will make it his policy to block the proposals of the North West Surrey Mental Health Partnership NHS Trust to close respite care beds for sufferers with learning difficulties and mental health problems at Kingscroft, Staines. [189777]

Ms Rosie Winterton: Following the Department's "Shifting the balance of power" initiative, funding is allocated to primary care trusts (PCTs) on the basis of the relative needs of their populations. It is for PCTs, in partnership with strategic health authorities and other local stakeholders to determine how best to use their funds to meet national and local priorities for improving health, tackling health inequalities and modernising services.

The configuration of local health services including the provision of respite care beds is a matter for the local National Health Service, working in partnership with its stakeholders and the local community. It is for NHS organisations to plan and develop services based on their specific local knowledge and expertise.

Myasthenia Gravis

Mr. Martin Caton: To ask the Secretary of State for Health (1) if he will make a statement on Government support provided to those diagnosed with myasthenia gravis; [188628]

(2) what plans his Department has to increase awareness of the condition myasthenia gravis amongst the medical profession; [188632]

(3) if he will make a statement on support provided by Government to the families of people who are diagnosed with myasthenia gravis. [188743]

Dr. Ladyman: Although there is no cure for myasthenia gravis there are a number of treatments available to help control it. These include medication, surgery, and palliation. It is for strategic health authorities in partnership with other local stakeholders to determine how best to use their funds to provide health services for their populations, including those with myasthenia gravis, with independent inspection to ensure that patients have access to appropriate services.

The national service framework for long-term conditions will focus on improving services for people with neurological conditions. While the framework will not cover myasthentia gravis specifically, it will recommend improvements in standards, care and support that will benefit everyone with a neurological condition. We are committed to publishing the framework as soon as possible.

We have no specific plans to raise awareness of the condition among the medical profession. The Department is not responsible for setting curricula for health professional training; that is the responsibility of the statutory and professional bodies. However we do share a commitment with those bodies that all health professionals are trained so that they have the skills and knowledge to deliver a high quality health service to all groups of the population with whom they deal.

Mr. Best: To ask the Secretary of State for Health what plans the Government have to increase awareness about myasthenia gravis amongst members of the medical professions. [189133]

Dr. Ladyman: We have no specific plans to raise awareness of the condition among the medical profession. The Department is not responsible for setting curricula for health professional training; that is the responsibility of the statutory and professional bodies. However we do share a commitment with those bodies that all health professionals are trained so that they have the skills and knowledge to deliver a high quality health service to all groups of the population with whom they deal.

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NHS Direct

Mr. Gordon Prentice: To ask the Secretary of State for Health how many and what percentage of calls to each NHS Direct call centre in England in the last 12 months related to dental problems. [188566]

Ms Rosie Winterton: Information on the total number and percentage of calls to each call centre in England relating to dental problems is not collected centrally.

NHS Psychiatry

Tim Loughton: To ask the Secretary of State for Health how many *(a)* psychiatrists and *(b)* community psychiatric nurses were (i) recruited to and (ii) left the NHS in each of the last three years. [189418]

Mr. Hutton: Work force data are collected through the annual non-medical work force census. The census is a snapshot of data on a specific day in the appropriate year. The information shown in the table shows the net difference each year in the number of consultants within the psychiatry group and the number of qualified nurses working in community psychiatry between September 2000 and September 2003. Data on numbers of leavers and joiners in the national health service is not available.

Hospital, public health medicine and community health services and NHS hospital and community health services: consultants within the psychiatry group and qualified community psychiatric nurses in England

Headcount

	Psychiatrist	*Qualified community psychiatric nurses*
2000	2,904	11,080
2001	2,959	12,224
Difference 2000–01	55	1,144
2002	2,979	12,292
Difference 2001–02	20	68
2003	3,229	13,173
Difference 2002–03	250	881

Source:

Department of Health medical and dental workforce census

Department of Health non-medical workforce census

Tim Loughton: To ask the Secretary of State for Health what the vacancy rates are for *(a)* psychiatrists and *(b)* community psychiatric nurses in the NHS. [189425]

Mr. Hutton: As at March 2004 the three month vacancy rate was 9.6 per cent. for psychiatrists and 1.9 per cent. for qualified nurses working in community psychiatric nursing services.

NHS Staff (York)

Hugh Bayley: To ask the Secretary of State for Health how many full-time equivalent NHS *(a)* general practitioners, *(b)* nurses in general practitioner practices, *(c)* other NHS community nurses and *(d)* community-based NHS staff in each of the other professions allied to medicine there were in the greater York area in (i) 1994 and (ii) each year since then. [189761]

Miss Melanie Johnson: The information requested is shown in the table.

General medical practitioners (excluding retainers)[1], practice nurses employed by unrestricted principals and equivalents (UPEs)[2] and National Health Service hospital and community health services qualified community nursing[1] for North and East Yorkshire and Northern Lincolnshire Strategic Health Authority and specified organisations

Whole-time equivalents (wte)

	1994	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*
North and East Yorkshire and Northern Lincolnshire										
General medical practitioners (excluding retainers)[1]	923	933	927	944	934	951	959	968	989	1,037
Practice nurses employed by UPEs[2]	323	286	303	312	325	342	357	367	406	430
Qualified community nursing[3]	n/a	1,263	1,313	1,373	1,350	1,234	1,132	1,551	1,596	1,727
Of which:										
Selby Primary Care Group (PCG)										
General medical practitioners (excluding retainers)[1]	n/a	n/a	n/a	n/a	n/a	41	42	n/a	n/a	n/a
Practice nurses employed by UPEs[2]	n/a	n/a	n/a	n/a	n/a	14	13	n/a	n/a	n/a
Qualified community nursing[3]										
York PCG										
General medical practitioners (excluding retainers)[1]	n/a	n/a	n/a	n/a	n/a	128	131	n/a	n/a	n/a
Practice nurses employed by UPEs[2]	n/a	n/a	n/a	n/a	n/a	44	39	n/a	n/a	n/a
Qualified community nursing[3]										
York and Selby Primary Care Trust										
General medical practitioners (excluding retainers)[1]	n/a	n/a	n/a	n/a	n/a	n/a	n/a	171	184	189
Practice nurses employed by UPEs[2]	n/a	n/a	n/a	n/a	n/a	n/a	n/a	45	59	62
Qualified community nursing[3]	—	—	—	—	—	—	—	183	234	246
York Health Services NHS Trust										
General medical practitioners (excluding retainers)[1]	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Practice nurses employed by UPEs[2]	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Qualified community nursing[3]	n/a	196	193	193	161	200	240	50	24	24

n/a = not available.

[1] All practitioners (excluding retainers) include UPEs, restricted principals, assistants, general practitioner registrars, salaried doctors (Para 52 SFA), personal medical service (PMS) other, flexible career scheme GPs and GP returners.

[2] UPEs include general medical service (GMS) unrestricted principals, PMS contracted GPs and PMS salaried GPs.

[3] Community nursing includes the nursing levels; health visitors and district nurses, and the areas of work; community psychiatry, community learning disabilities and community services.

Notes:

1. GP retainers were first collected in 1999 and have been omitted for comparability purposes.
2. GP wte data has been estimated using the results from the 1992–93 GMP Workload Survey; full-time = 1.00 wte; three quarter time = 0.69 wte; job share = 0.65 wte; half time = 0.60 wte.
3. Data as at 30 September every year except GP data as at 1 October 1994–99.

Sources:

Department of Health general and personal medical services statistics.

Department of Health non-medical workforce census.

NHS Treatment Centres

Dr. Richard Taylor: To ask the Secretary of State for Health if he will ensure that any spare capacity in NHS treatment centres is used before involving independent sector treatment centres at a higher cost to the NHS. [189456]

Mr. Hutton: Both national health service treatment centres and independent sector treatment centres are intended to build capacity to treat NHS patients as safely, quickly and cost effectively as possible. Currently, it is a matter for primary care trusts (PCTs) to commission providers to meet the needs of their local populations. There is no extra cost to a PCT of using independent sector providers. In future, the decision whether or not patients are referred to a NHS provider or an independent sector provider will be down to the choice of individual patients.

Occupational Asthma

Stephen Hesford: To ask the Secretary of State for Health what his Department's policy is on encouraging businesses to invest in occupational health services for employees who develop occupational asthma; and if he will make a statement. [189869]

Ms Rosie Winterton: The Department's policy is to encourage responsible employers and businesses, large, medium and small, to invest in occupational health services for all their employees. To that end, NHS Plus was launched by the Department in November 2001. NHS Plus is now a network of over 100 occupational health departments that sell occupational health (OH) services to the private sector. These services include access to treatment for occupational asthma.

In the NHS Improvement Plan we said that building on the work of NHS Plus, the national health service can play an increasingly vital role in ensuring that employees are able to return to work as soon as possible following illness or injury. The Department will work with the Health and Safety Executive and the Department for Work and Pensions to ensure that a wider occupational health approach is supported by the NHS.

Out-of-hours GP Cover

Mr. Simon: To ask the Secretary of State for Health whether the *(a)* NHS litigation authority and *(b)* the primary care trust which has made arrangements for out-of-hours general practitioner cover will be liable in cases of clinical negligence where the negligent treatment was provided by an out-of-hours service commissioned by a primary care trust. [187371]

Mr. Hutton: If an out-of-hours service is commissioned by a primary care trust (PCT), the provider of the service will be expected to obtain their own insurance cover. The national health service litigation authority is not liable for claims as it administers the clinical negligence scheme for trusts on behalf of trusts, who retain the legal liability for clinical negligence claims.

If the PCT provides out-of-hours services itself, then any negligent act would be covered by the PCT.

Patient and Public Involvement Forums

Glenda Jackson: To ask the Secretary of State for Health what the average time between application, interview and recruitment of members to Patient and Public Involvement Forums has been in *(a)* Greater London and *(b)* England. [189704]

Ms Rosie Winterton: The average time between application and formal acceptance for members of patients' forums is 29 days for both England and London[1]. In cases where there is greater urgency, for example when a forum has fewer than seven members, the recruitment process can be accelerated to achieve completion in seven days.

[1] *Source*:
Commission for Patient and Public Involvement in Health.

Glenda Jackson: To ask the Secretary of State for Health who will be responsible for recruiting members to Patient and Public Involvement Forums when the Commission for Patient and Public Involvement in Health is abolished. [189705]

Ms Rosie Winterton: The intention is that the National Health Service Appointments Commission will become responsible for recruiting and appointing members to patients' forums.

Glenda Jackson: To ask the Secretary of State for Health how many patient and public involvement forums have had fewer than seven members for *(a)* three months, *(b)* six months and *(c)* 12 months in (i) Greater London and (ii) England. [189720]

Ms Rosie Winterton: At the end of March 2004, England had 13 patients' forums, out of a total of 572, with fewer than seven members, and London had none, out of a total of 74. At the end of June 2004, those figures were 52 and eight respectively[1]. Patients' forums did not exist a year ago.

[1] *Source*:
Commission for Patient and Public Involvement in Health.

Glenda Jackson: To ask the Secretary of State for Health what percentage of members of patient and public involvement forums are from ethnic minority communities in *(a)* Greater London and *(b)* England. [189735]

Ms Rosie Winterton: Equal opportunities information completed by patients' forum members on recruitment show that 10 per cent, are from minority ethnic communities. The figures are not yet available for London, but the Commission for Patient and Public Involvement in Health is carrying out diversity surveys in each of its nine regions, which will provide information on minority ethnic and other diverse communities.

Glenda Jackson: To ask the Secretary of State for Health how many patient and public involvement forums have the minimum number of seven members in *(a)* Greater London and *(b)* England. [189736]

Ms Rosie Winterton: At 4 October 2004, England had 486 patients' forums with at least seven members and London had 58.

Reproductive Health

Bob Russell: To ask the Secretary of State for Health (1) whether the national health service will fund intracytoplasmic sperm injection (ICSI) treatment as part of the availability of IVF; [188931]

(2) what guidance he has given to primary care trusts on access to IVF treatment; [188935]

(3) when universal availability of IVF treatment will be introduced; whether a limit will be placed on the number of cycles of treatment available; and if he will make a statement. [188936]

Miss Melanie Johnson: I refer the hon. Member to the reply I gave to my right hon. Friend the Member for Rother Valley (Mr. Barron) on 4 October 2004, *Official Report*, columns 1977–79W. The clinical guideline issued to the national health service by the National Institute for Clinical Excellence in February 2004 gives guidance on the use of intracytoplasmic sperm injection

(ICSI) in the treatment of infertility. It makes clear that ICSI should be considered as the appropriate treatment where certain clinical conditions occur.

Ritalin

Mr. Battle: To ask the Secretary of State for Health what his Department's latest estimate is of the number of children under 11 receiving the medication Ritalin; and if he will make a statement. [189982]

Dr. Ladyman: Information is not available in the form requested. Data are not held on the number of people who receive a particular medication. However, the figures in the following table show the total number of prescription items of Methylphenidate Hydrochloride dispensed in the community in England in the last six years. In 2003, Ritalin accounted for 40 per cent. of the prescription items of Methylphenidate Hydrochloride. Other brands of Methylphenidate, Concerta and Equasym, accounted for 43 per cent. and 17 per cent. respectively of the total prescriptions issued.

Number of prescription items of Methylphenidate Hydrochloride dispensed in the community in England—1998 to 2003

thousands

	Total
1998	126.6
1999	158.0
2000	186.2
2001	208.5
2002	254.0
2003	314.5

Source:

Prescription Cost Analysis data from the Prescription Pricing Authority.

In 2003, it is estimated that around 90 per cent. of the 314,500 prescription items dispensed in the community were to children (children under 16 and young people aged 16 to 18 in full time education). This proportion has been similar over recent years.

Road Traffic Accidents

Mr. Battle: To ask the Secretary of State for Health how many serious brain injuries caused by road traffic accidents were recorded in *(a)* 1975, *(b)* 1980, *(c)* 1990, *(d)* 2000 and *(e)* 2003. [189931]

Dr. Ladyman: Data are only available from 1990–91 onwards due to changes in the way data were collected. Before then data for the hospitals in-patients inquiry were collected on death and discharges on a 10 per cent. sample basis. For the hospital episode statistics system we use now, data are based on a 100 per cent. sample of finished consultant episodes.

Primary diagnosis—head injury caused by road traffic accidents in national health service hospitals in England 1990–91, 2000–01 and 2002–03

	Finished admissions
1990–91	13,078
2000–01	15,405
2002–03	14,072

Sexual Health Services

Tim Loughton: To ask the Secretary of State for Health what the average waiting times for sexual health services in the NHS are. [189421]

Miss Melanie Johnson: The average genito-urinary medicine access time is not available. However the Department is currently working with the Health Protection Agency and the Healthcare Commission to develop primary care trust level waiting time information. The Healthcare Commission is considering how best this developing information source can be used in its assessments of the performance of healthcare organisations.

Mr. Rosindell: To ask the Secretary of State for Health what steps his Department is taking to deal with sexually transmitted diseases, with particular reference to young people; and if he will make a statement. [189779]

Miss Melanie Johnson: The Government's steps for dealing with sexually transmitted diseases are set out in the national strategy for sexual health and HIV, the teenage pregnancy strategy, the national strategy for sexual health and HIV implementation action plan and the Government response to the Health Select Committee's third report of session 2002–03 on sexual health. Copies of these documents are available in the Library.

Both the sexual health and teenage pregnancy strategies recognise young people as being disproportionately affected by poor sexual and reproductive health and implementation of the strategies includes specific action to address this. The National service framework for children, young people and maternity services, published on 15 September, also includes sexual and reproductive health and provides specific standards and markers of good practice to drive up the quality of services at local level.

Mr. Rosindell: To ask the Secretary of State for Health how many sexually transmitted diseases were recorded in the Redbridge, Havering and Barking NHS Trust area in *(a)* 1999, *(b)* 2000, *(c)* 2001 and *(d)* 2002. [189780]

Miss Melanie Johnson: The numbers of sexually transmitted diseases diagnosed in genito-urinary medicine clinics in the Redbridge, Havering and Barking national health service trust area from 1999 to 2002 inclusive, are shown in the table:

Number of diagnoses of sexually transmitted diseases by sex, Redbridge, Havering and Barking NHS Trust: 1999–2002

Sex	*1999*	*2000*	*2001*	*2002*
Male	662	643	576	686
Female	1,171	1,135	1,154	1,175
Total	1,833	1,778	1,730	1,861

Smoke-free Workplaces

Mr. Frank Dobson: To ask the Secretary of State for Health (1) what research he has commissioned to evaluate the economic effects on businesses of making workplaces smoke-free; [189823]

(2) what evidence is held by the Government on the economic effects on the hospitality trade of making their premises smoke-free; [189824]

(3) what advice he has received on the effects of smoke-free workplaces on *(a)* productivity, *(b)* absenteeism and *(c)* fire damage. [189825]

Miss Melanie Johnson: The annual report of the Chief Medical Officer on the state of the public health presented an economic assessment of the effects of banning smoking in the workplace and public places. A copy is available in the Library.

Speech Therapists

Bob Spink: To ask the Secretary of State for Health how many speech therapists entered training in each of the last five years. [189359]

Mr. Hutton: Information on the number of speech and language therapists entering training in each of the last five years is shown in the table.

	Speech and language therapists
1999–2000	457
2000–01	558
2001–02	553
2002–03	597
2003–04	630

Bob Spink: To ask the Secretary of State for Health how many full-time equivalent speech therapists were employed in the NHS in each of the last five years; and if he will make a statement. [189360]

Mr. Hutton: The information requested is shown in the table.

National health service hospital and community health services: total qualified speech and language therapists in England, in each of the last five years

Whole time equivalent

	England
1999	3,939
2000	4,066
2001	4,207
2002	4,365
2003	4,707

Source:
Department of Health non-medical workforce census

Between September 1997 and 2003, the number of speech and language therapists employed in the NHS has increased by 1,372 or 28 per cent. We expect that there will be further increases in the NHS speech and language therapy workforce as a result of the Delivering the NHS Plan forecast for 30,000 more therapists and scientists in the NHS by 2008 over a 2001 baseline.

The number of training places for speech and language therapy is also increasing. In 2003–04, 630 students entered training to become a speech therapist, a 38 per cent. increase since 1998–99.

Terminally Ill Patients

Mr. Wiggin: To ask the Secretary of State for Health what research his Department has commissioned regarding the provision of support for terminally ill patients who wish to die in their homes; what NHS resources are available to such patients; and what plans he has to increase the level of such support. [186671]

Miss Melanie Johnson: The Department has not commissioned any research into the provision of support for terminally ill patients who wish to die in their homes. Cancer Networks have, however, been asked to conduct a population based palliative care needs assessment in response to the recommendations of the supportive and palliative care guidance produced by the National Institute for Clinical Excellence. This assessment will map currently available palliative care services and inform the range and volume of services required in each network.

The National Cancer Research Institute has recently announced that funds of up to £5 million will be released over the next five years to improve the way cancer care research is carried out in the United Kingdom. The Department will be committing £500,000 per annum to this initiative, and Macmillan Cancer Relief, Marie Curie Cancer Care, the Medical Research Council and Cancer Research UK will also be contributing. It is hoped that proposals to stimulate and develop new research on care from diagnosis to end-of-life will be submitted in response to this initiative, in addition to proposals on bereavement for carers.

I would also refer the hon. Member to the reply given to the hon. Member for Billericay (Mr. Baron) on 25 May 2004, *Official Report*, column 1606W.

Tuberculosis

Mr. Burstow: To ask the Secretary of State for Health (1) how many vacancies there were and what the vacancy rates were for consultants specialising in TB in *(a)* England and *(b)* each strategic health authority in each year since 1996; [187883]

(2) how many consultants were specialising in TB in *(a)* England and *(b)* each strategic health authority, in (i) headcount and (ii) whole time equivalent terms in each year since 1996. [187884]

Mr. Hutton: Information about specialists working in tuberculosis since 1996 has been placed in the Library. Vacancy information for 2002 to 2004 has also been placed in the Library. Prior to 2002 vacancy information was aggregated and it is not possible to identify TB specialists separately.

Venous Thrombosis

Dr. Richard Taylor: To ask the Secretary of State for Health what proportion of NHS hospitals undertaking joint replacement surgery have a consultant haematologist or orthopaedic surgeon with special training or interest in venous thrombosis. [189454]

Mr. Hutton: The information requested is not collected centrally.

All hospitals undertaking joint replacement or any other form of surgery are expected to have the appropriate clinical skill mix to ensure that procedures are performed safely and to a high standard.

The number of consultant haematologists and trauma and orthopaedic surgeons in England has increased by 144 (29.5 per cent.) and 462 (43.8 per cent.) respectively between September 1997 and June 2004. Individual doctors' special interests are not collected by the Department.

Hospital, public health medicine and community health services, medical Consultants within haematology and trauma and orthopaedic surgery specialties

	Number (headcount)		
England	*September 1997*	*June 2004*	*Percentage change*
Haematology	488	632	29.5
Trauma and orthopaedic surgery	1,056	1,518	43.8

Source:
Department of Health medical and dental workforce census

Vulnerable Citizens (Doorstep Selling)

Mr. Truswell: To ask the Secretary of State for Health what assessment he has made of the potential role of health and social care workers in promoting awareness among vulnerable citizens of the threats associated with doorstep cold calling. [189731]

Dr. Ladyman: The Department is represented on the cross-departmental Ministerial group, which has been established to encourage a more joined approach amongst agencies in addressing the problems of crime associated with doorstep selling. The group will consider what actions to take to improve consumer protection against doorstep selling.

Waiting Times

Ian Lucas: To ask the Secretary of State for Health what guidance he has issued to NHS trusts in England concerning targets for waiting times for patients from Wales. [182445]

Mr. Hutton: English national health service trusts treat many Welsh patients living close to the border between Wales and England. As health and the NHS are a devolved matter, it is for the National Assembly for Wales to agree waiting time targets for Welsh residents, irrespective of where they are treated. The Department's current advice to NHS trusts in England is that, as a matter of good practice, they should treat patients registered with general practitioners in Wales within the waiting time standards that apply for England.

Mr. Ruffley: To ask the Secretary of State for Health what the waiting times were for *(a)* heart surgery, *(b)* orthopaedics, *(c)* ophthalmology and *(d)* cancer treatment in the West Suffolk Hospitals NHS Trust in each year since 1997. [187196]

Dr. Ladyman: The elective waiting times for heart surgery, orthopaedics, ophthalmology and cancer treatment at West Suffolk Hospitals National Health Service trust are shown in the table.

Median and mean waiting times (days) for West Suffolk Hospital NHS Trust (RGR) for elective admissions (waiting time and booked) with main operation heart surgery, orthopaedics and ophthalmology, and for primary care diagnosis cancer treatment in each year since 1997–98 to 2002–03

	1997-98	*1988-99*	*1999-2000*	*2000-01*	*2001-02*	*2002-03*
Heart surgery: Office of Population Censuses and Surveys (OPCS) K01-K71						
Median	17	15	1	1	1	1
Mean	16	55	3	12	2	4
Orthopaedics: OPCS V01-V54 and W01-W92						
Median	138	158	240	217	183	266
Mean	162	179	235	239	223	253
Ophthalmology: OPCS C01-C86						
Median	232	211	172	129	204	303
Mean	201	181	150	168	217	251
Cancer treatment: international classification of diseases (ICD)10 C00-D48						
Median	27	27	21	20	10	12
Mean	54	49	49	51	36	45

Notes:

Diagnosis (Primary Diagnosis)

The primary diagnosis is the first of up to 14 (seven prior to 2002-03) diagnosis fields in the HES data set and provides the main reason why the patient was in hospital.

Main operation

The main operation is the first recorded operation in the HES data set and is usually the most resource-intensive procedure performed during the episode. It is appropriate to use main operation when looking at admission details, for example, time waited, but the figures for "all operations count of episodes" give a more complete count of episodes with an operation.

Grossing

Figures are grossed for both coverage and missing/invalid clinical data, except for 2002-03, which are not yet adjusted for shortfalls.

Time Waited

Time waited statistics from HES are not the same as the published waiting list statistics. HES provides counts and time waited for all patients admitted to hospital within a given period whereas the published waiting list statistics count those waiting for treatment on a specific date and how long they have been on the waiting list. Also, HES calculates the time waited as the difference between the admission and decision to admit dates. Unlike published waiting list statistics, this is not adjusted for self-deferrals or periods of medical/social suspension.

Source:

Hospital episode statistics (HES) Department of Health.

Wheelchair Services

Mr. Oaten: To ask the Secretary of State for Health when he plans to make a statement on the future of wheelchair services and equipment loan stores. [R] [190037]

Dr. Ladyman: A statement is planned for the autumn on modernising wheelchair services. This will help local primary care trust commissioners shape the future of wheelchair services. The integration of health and social services' equipment loan stores, generally known since 2001 as community equipment services, is underway.

HOME DEPARTMENT

Fines

Mr. Gerrard: To ask the Secretary of State for the Home Department (1) how many people were fined following criminal convictions in each of the last 15 years; [190047]

(2) what percentage of fines imposed after a criminal conviction were fully paid in each of the last two financial years; [190048]

(3) what the total amount was of fines imposed after criminal conviction outstanding in each of the last five financial years in England and Wales; [190049]

(4) how many people in England and Wales who were fined following a criminal conviction have fines arrears *(a)* in excess of £1,000, *(b)* in excess of £2,000, *(c)* in excess of £3,000, *(d)* in excess of £4,000, *(e)* in excess of £5,000 and *(f)* in excess of £10,000. [190050]

Paul Goggins: The number of persons fined in England and Wales for offences of all types is as follows:

	Number of persons fined
1988	1,228,029
1989	1,205,958
1990	1,172,725
1991	1,147,845
1992	1,166,347
1993	1,078,246
1994	1,043,639
1995	986,033
1996	1,061,493
1997	987,985
1998	1,049,115
1999	982,679
2000	1,003,555
2001	920,474
2002	963,977

Principal offence basis

Fines are collected by the magistrates courts. Information obtained from the Department for Constitutional Affairs states that the information on the percentage of fines which are fully paid and the total amount of fines outstanding in a financial year is not collected by the legacy systems used by the Magistrates Courts Committees. Similarly, information is not collected in terms of the numbers of people who have fines arrears in excess of a specific sum.

Animal Experimentation

Norman Baker: To ask the Secretary of State for the Home Department if he will make a statement on the increase in the number of procedures involving animals compiled under the Animals (Scientific Procedures) Act 1986. [188098]

Caroline Flint: The latest available data on the number of licensed scientific procedures involving animals are in the publication Statistics of Scientific Procedures on Living Animals in Great Britain (Command 6,291—copies are in the Library).

This shows that 2.79 million procedures, regulated under the Animals (Scientific Procedures) Act 1986, were started in 2003. This is an increase of 2.2 per cent. from the previous year, but this is within the limits of what are regarded as minor variations between years. It does not necessarily signal an established upward trend in animal use.

The pattern of species use is similar to that recorded in previous years. Rats, mice and other rodents were used in 85 per cent. of the procedures. A further 10 per cent. involved use of fish and birds.

The species afforded special protection under the 1986 Act—cats, dogs, primates and equidae—were used in less than 1 per cent. of the total. Though within this relatively small percentage there was an increase in procedures using primates, the number of such animals used for the first time fell slightly. This is because some animals can be reused in certain mild procedures, such as blood sampling.

The trend over recent years, whereby the overall balance of use has gradually tipped more towards genetically modified animals, has continued. Such animals—mainly mice—were used in 2003 in 27 per cent. of all procedures, which is only 1 per cent. up on 2002, but compares with 8 per cent. in 1995. Most regulated procedures concerning these animals relate to breeding and the maintenance of colonies.

The total number of procedures in 2003 is considerably less than those recorded annually in the 1970s and 1980s, though the general downward trend since then has levelled out over the last decade.

It is impossible to predict the number of procedures likely to be undertaken in future years, as many factors are involved over which the Government have no direct control. These include strategic decisions by funding bodies, global economic trends and developments as a result of scientific innovation and endeavour.

But further increases as part of a longer term upward trend are likely, as use of genetically altered animals opens up new avenues of medical research, as more drugs and medicines are developed, and as new regulatory safety and testing requirements come into effect.

The numbers used will, however, be minimised in each programme of work, through rigorous application by the Home Office of the licensing controls in the 1986 Act.

Norman Baker: To ask the Secretary of State for the Home Department what steps he is taking to achieve his policy to reduce the number of animals involved in experimentations. [188099]

Caroline Flint: The Government's responsibilities are to seek to reduce the animals used by minimising the number in particular projects, rather than through a reduction in the overall total, which in a demand-led area such as scientific research would not be practicable.

The use of animals can be licensed only under the Animals (Scientific Procedures) Act 1986 where there is no non-animal alternative, and then only when both the number of animals to be used and any resulting suffering is minimised. This reflects application of the 3Rs (replacement, reduction and refinement). Every step is taken in assessing licence applications, both at the establishments concerned and within the Home Office, to ensure that no 3R alternative is overlooked, and that licence authorities maintain that position.

The Home Office has previously funded work to the value of approximately £250,000 a year for projects to promote and deliver reduction and refinements. We also co-sponsored the 4th World Congress on Alternatives and Animal Use in the Life Sciences, and are a co-sponsor of the 5th World Congress due to take place later this year.

Earlier this year we announced the setting up of the National Centre for the 3Rs, which will act as a focal point for research in this important area. This implements a recommendation of the House of Lords Select Committee on Animals in Scientific Procedures. Responsibility for the National Centre rests with the Office of Science and Technology.

The Home Office continues to lead in running the Inter-Departmental Group on the 3Rs, a cross-Government body which considers many alternatives issues and keeps under review the Inter-Departmental Data Sharing Concordat.

We also support related efforts at the international level, including contributions to the European Centre for the Validation of Alternative Methods (ECVAM), on which there is a Home Office representative.

The main gains in the 3Rs have come from the scientific community itself, and any future progress is likely to come in the main from its own continuing efforts to develop, validate and adopt alternatives.

Antisocial Behaviour Orders

Siobhain McDonagh: To ask the Secretary of State for the Home Department how many *(a)* acceptable behaviour contracts, *(b)* interim anti-social behaviour orders and *(c)* full anti-social behaviour orders have been issued in Mitcham and Morden. [189354]

Ms Blears: Data are not collected centrally on numbers of acceptable behaviour contracts agreed.

No notification of interim anti-social behaviour orders (ASBOs) issued within the London borough of Merton (in which Mitcham and Morden are located) have been reported to the Home Office.

The number of notifications received, up to 31 March 2004 (latest available), of full ASBOs issued, where restrictions imposed are specific to the London borough of Merton, is six.

Mr. Battle: To ask the Secretary of State for the Home Department how many anti-social behaviour orders have been served in the Leeds city council area since they were introduced. [189942]

Ms Blears: The number of notifications received by the Home Office, up to 31 March 2004 (latest available), of Anti-Social Behaviour Orders issued, where restrictions imposed are specific to the Leeds city council area, is 122.

Breathalyser Tests

Mr. Bercow: To ask the Secretary of State for the Home Department how many breathalyser tests were carried out in the Buckingham constituency in each year since 2000; and what percentage resulted in convictions. [189858]

Ms Blears: Available information collected centrally on breath tests is at police force area level only. Buckingham constituency falls within the Thames Valley police force area. The table shows the number of breathalyser tests undertaken in Thames Valley in each year between 2000 and 2002 and the percentage resulting in a positive test or a refusal.

Thames Valley

Positive/refused	*Number of screening breath tests*	*Percentage*
2000	30,800	17
2001	26,200	18
2002	25,300	30

Central Casualty Bureau

Patrick Mercer: To ask the Secretary of State for the Home Department whether the Central Casualty Bureau is funded by central Government. [184597]

Ms Blears: There is no specific ring-fenced budget to meet the costs of running the Central Casualty Bureau when it has been opened. Funding is derived from the central Government police grant, as are all other police activity costs.

If the Central Casualty Bureau has been opened on behalf of a number of counties, forces may make a retrospective contribution following the incident.

Chechnya

Bob Russell: To ask the Secretary of State for the Home Department if he will halt the deportation to the Russian Federation of citizens from the Chechnya region until such time as their safety can be guaranteed; and if he will make a statement. [187979]

Mr. Browne: At the present time country information does not indicate that there are any reasons to halt the return to the Russian Federation of individuals from Chechnya, including those whose claims for asylum have been rejected, who no longer have a right to stay in the United Kingdom.

All asylum and human rights claims are considered on their individual merits in accordance with our obligations under the 1951 UN Refugee Convention and the European Convention on Human Rights (ECHR). This consideration takes into account up to date information on the situation in the country of origin.

Child Abductions

Tim Loughton: To ask the Secretary of State for the Home Department what progress has been made by the Police Information Technology Organisation on developing new systems for alerting the public about child abductions. [189428]

Caroline Flint: The Police Information Technology Organisation (PITO) has tested the alert messaging capabilities of the Police Portal. The Portal can provide any force with a means to alert public subscribers, for example by text message to mobile phones, to inform them of child abductions. Planned co-operation with local media to quickly broadcast child alerts has proved itself the most reliable means for informing and engaging public support.

The Association of Chief Police Officers has decided to progress the Portal's alert capability in the first instance for emergency messaging to those in the public and private sectors who have responsibility for public safety. This is being taken forward by a PITO Service

Implementation Group, with representatives from the Metropolitan police, London Resilience within the Government Office for London, the Home Office and Cabinet Office.

Community Sentences

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what assessment has been made of the impact of community sentencing on re-offending rates. [182288]

Paul Goggins: There was a 3.1 per cent. reduction in reconviction rates for those commencing community penalties in 1999, compared to 1997. The methodology is explained in Home Office On-line Report 16/02.

Community Support Officers

Mr. Rosindell: To ask the Secretary of State for the Home Department how long it takes to train a community support officer. [186907]

Ms Blears: The length of training given to Community Support Officers is a matter for individual chief officers to determine. In most forces training lasts from three to six weeks and combines classroom training with supervised patrol.

Corrections Bill

Mr. Hopkins: To ask the Secretary of State for the Home Department what plans he has to bring forward a Corrections Bill; and if he will make a statement. [189088]

Paul Goggins *[holding answer 16 September 2004]:* We intend to introduce legislation at the next available opportunity to implement a number of reforms which follow Lord Carter's review of the Correctional Services.

Correspondence

Sir Gerald Kaufman: To ask the Secretary of State for the Home Department (1) when he intends to reply to the letter to him dated 8 June from the right hon. Member for Manchester, Gorton with regards to Mr. and Mrs. T. Mahmoud; [188872]

(2) when he will reply to the letter to him dated 8 June from the right hon. Member for Manchester, Gorton with regard to Mr. T. Mahmoud. [189706]

Mr. Blunkett: Home Office officials have sent to my right hon. Friend a copy of the reply I sent to him on 12 July. I am sorry it did not reach him. Mr. and Mrs. Mahmoud do appear to qualify for consideration under the one-off exercise announced in October 2003, which allows a number of people who have claimed asylum and who have children in the UK to remain here indefinitely. Their case is now being considered.

Mr. Sanders: To ask the Secretary of State for the Home Department when he will reply to the letter from the hon. Member for Torbay of 26 August regarding NHS work permits. [189649]

Mr. Browne: The Under-Secretary, my hon. Friend the Member for Slough (Fiona Mactaggart) replied to the hon. Member on 21 September.

Keith Vaz: To ask the Secretary of State for the Home Department if he will make a statement on the reasons for the delay in responding to the hon. Member for Leicester East's letter of 17 May. [189933]

Mr. Browne: The Managed Migration Directorate (MM) of the Immigration and Nationality Directorate replied to my hon. Friend on 8 September 2004.

MM apologised for the delay in replying, which was due to an administrative error. MM now have systems in place to minimise such delays in replying to official correspondence.

Departmental Expenditure

David Davis: To ask the Secretary of State for the Home Department how much was spent by his Department on *(a)* advertising and *(b)* public relations consultants in each of the past eight years. [184805]

Mr. Blunkett: The Home Office uses advertising and public relations consultants in support of public information and communication campaigns. Since 1996–97 spending has been as follows:

1996–97

£5.23 million on advertising costs as part of total spend of £8.328 million. Communication spend represents 0.13 per cent. of total Home Office public expenditure of £6,416 million.

Campaigns included car crime, recruitment of special constables, fire safety and electoral registration.

1997–98

£1.4million on advertising costs as part of total spend of £3.372 million on total communications. Communication spend represented 0.05 per cent. of total Home Office public expenditure of £6,747 million.

Campaigns included recruitment of special constables, fire safety, absent voting and electoral registration.

1998–99

£1.8 million on advertising costs as part of total spend of £4.194 million on total communications. Communication spend represents 0.06 per cent. of total Home Office public expenditure of £7,608.2 million.

Campaigns included smoke alarms, recruitment of special constables, crime partnerships and electoral registration.

1999–2000

£5.65 million on advertising costs as part of total spend of £10.08 million on total communications. Communication spend represents 0.13 per cent. of total Home Office public expenditure of £7,996.2 million.

Campaigns included chip pan safety, fire safety, recruitment of special constables, European Parliament elections and electoral registration.

2000–01

£28.36 million on advertising costs as part of total spend of £35.637 million on total communication. Communication spend represents 0.39 per cent. of total Home office public expenditure of £9,068.7million.

Campaigns included fire safety, vehicle crime and recruitment of police officers.

2001–02

£14.4 million on advertising costs as part of total spend of £25.1 million on total communications. Communication spend represented 0.23 per cent. of total Home Office expenditure of £10,820.8 million.

Campaigns included fire safety (smoke alarms), vehicle crime, internet child protection, drugs, recruitment of police officers and special constables and postal voting.

2002–03

£9.9 million on advertising costs as part of total spend of £18.3 million on total communications. 0.14 per cent. of total Home Office public expenditure of £13,493.1 million.

Campaigns included vehicle crime, internet child protection, drugs, firearms amnesty and recruitment of police officers.

2003–04

£12.487 million on advertising costs as part of total spend of £22.083 million on total communications. Communication spend represents 0.18 per cent. of total Home Office expenditure of £12,605.5million.

Campaigns included vehicle crime, internet child protection, drugs, recruitment of police officers and domestic.

Figures up to 1997–98 are on a cash basis; after that they reflect the introduction of full Resource Accounting and Budgeting.

Dr. Bassam Odeh

Clare Short: To ask the Secretary of State for the Home Department when a decision will be made on the status of Dr. Bassam Odeh (Home Office reference A574053) following his successful appeal on 29 January. [189142]

Mr. Browne: A decision has been made to grant Dr. Odeh refugee status in the United Kingdom. The Immigration and Nationality Directorate is currently in the process of issuing the necessary status papers.

Drug Treatment

Mr. Drew: To ask the Secretary of State for the Home Department (1) if he will make a statement on the tender document for drug rehabilitation services in the Prison Service reference ST04589/659/1; and for what reason it was changed; [188607]

(2) what consultation he has undertaken with those who have provided drugs services in prisons on the new tender process. [188608]

Paul Goggins: The tender documents set out the basis for delivery of drug treatment in prisons. Changes have been made to reflect developments in drug treatment policy and to bring greater clarity around service delivery standards, pricing and performance.

There has been extensive consultation on the new tender process with those who currently provide drug treatment services in prisons. This has included two national conferences for providers and a number of one-to-one discussions.

English Language Tests

Mr. Boswell: To ask the Secretary of State for the Home Department if he will report progress in *(a)* developing criteria for English language tests for new entrants, *(b)* delivering English language tests and *(c)* exemption from tests of entrants from traditionally English-speaking countries. [188232]

Mr. Browne: From 28 July 2004, the standard of knowledge of English required of naturalisation applicants has been defined as English for Speakers of Other Languages (ESOL) Entry 3. Applicants can demonstrate this by submitting with their application an ESOL certificate, an alternative qualification for learners of English of an equivalent or higher level, or an educational qualification that could have been obtained only by someone with good English.

Naturalisation applicants from traditionally English-speaking countries are not exempted from this requirement. They should either produce an appropriate educational qualification—one which could have been obtained only by someone with good English—or seek certification from a "designated person" that they have a knowledge of English to the level reasonably to be expected of a person of full age and capacity whose native language is English. At present, only Notaries are designated but further groups are being considered.

European Borders Agency

Mr. Ancram: To ask the Secretary of State for the Home Department if he will make a statement on the decision of the United Kingdom to accept limited participation in the European Borders Agency, without Gibraltar; and for what reason the United Kingdom's full participation was rejected by the EU. [188482]

Mr. Browne *[holding answer 14 September 2004]*: Operational co-operation in the Agency is important to the UK, as an effectively managed external border is in the interests of all Member States. We therefore took an active role in negotiations to ensure that provision was made for involving the UK in the Agency's activities.

The UK is not participating in the adoption of the Border Agency Regulation because the Council took the view that the UK could not opt in under the Title IV Protocol, because the regulation builds on the external border provisions of the Schengen acquis, in which the UK does not participate. Accordingly the UK has no vote on adoption. The UK disagrees with this interpretation and with the express exclusion of Gibraltar.

The UK does not participate in the external border provisions of the Schengen acquis, because we believe it necessary to retain the right to carry out our own frontier controls.

Excessive Drinking

Mr. Best: To ask the Secretary of State for the Home Department what recent assessment he has made of the impact of initiatives by the licensed trade to curb excessive drinking. [189129]

Ms Blears: The Interim Analytical Report, which led to the publication of the Alcohol Harm Reduction Strategy for England in March this year highlighted some good initiatives undertaken by the alcohol industry collectively and individually but found that good practice was sporadic and unco-ordinated. One of the recommendations in the Strategy was for Government to develop a social responsibility scheme together with the industry. We are working closely with industry representatives to take this recommendation forward.

The Alcohol Misuse Enforcement Campaign that has been running this summer saw concerted activity by police and partners to tackle alcohol related violence and disorder and target under age and binge drinking. The results of the campaign highlight the need for more to be done on the part of the industry.

Mr. Best: To ask the Secretary of State for the Home Department what estimate he has made of the costs involved in policing alcohol-related anti-social behaviour in *(a)* England and Wales, *(b)* West Yorkshire and *(c)* Leeds in the last year for which figures are available. [189130]

Ms Blears: Police authority accounts are not kept in a form which would make it possible to identify the costs of policing alcohol related anti-social behaviour, and there is no specific grant made available to forces to deal directly with the problems associated with excessive drinking. It is for individual police forces to decide how they allocate their resources to tackle their crime and disorder priorities.

The Alcohol Harm Reduction Strategy for England, published on March 15 this year estimates that alcohol-related crime and disorder costs taxpayers up to £7.3 billion a year.

False Passports

Mr. Oaten: To ask the Secretary of State for the Home Department how many bogus passports were recovered in police operations in the last year for which figures are available. [187061]

Mr. Browne: The information requested is not available as the number of bogus passports recovered is not collated centrally.

Identity Cards

Mr. Cousins: To ask the Secretary of State for the Home Department if he will place in the Library the performance milestones in the contract for the design and structure of an identity card. [188704]

Mr. Browne: No contracts have been let for the design and structure of the identity card.

Immigration and Asylum Events

Keith Vaz: To ask the Secretary of State for the Home Department how many events the Home Office has organised for public organisations on immigration and asylum since 2003. [189978]

Mr. Browne: The Home Office organises a range of events concerning asylum and immigration, which involve other organisations from outside Government and within. However, details of these are not held centrally and can be provided only at disproportionate cost.

Managed Migration Department

Keith Vaz: To ask the Secretary of State for the Home Department how many people work at the Managed Migration Department. [189932]

Mr. Browne: As of 30 June 2004, there were 2,286 permanent staff employed in the Managed Migration Directorate (2,096.9 full-time equivalent).

National Offender Management Scheme

Mr. Drew: To ask the Secretary of State for the Home Department what discussions he has held with *(a)* county probation officers and *(b)* criminal justice boards on the National Offender Management Scheme. [168308]

Paul Goggins: All probation staff have been given the opportunity to comment on both written consultation documents issued since January 2004. Additionally the chief executive of the National Offender Management Service has conducted 10 regional meetings involving over 3,000 staff from the probation and prison service.

Local criminal justice boards have also been offered opportunities to comment on the written consultation documents and their responses made up just under 10 per cent. of those received to the second exercise.

Mrs. Gillan: To ask the Secretary of State for the Home Department how long stakeholders have been given to respond to the paper on the structure of the National Offender Management Service. [176675]

Paul Goggins: There have been two formal written consultation documents issued since January 2004. "Reducing Crime—Changing Lives" was published in January 2004 with a deadline for response of 4 March. The consultation paper on the organisational design was issued in May with a deadline of 30 June for response. In both instances submissions were received and accepted beyond these dates and included in the analysis of responses. In accordance with the Cabinet Office Code of Practice on Consultation a summary analysis and response is being prepared and will be issued by the Government shortly.

Mrs. Gillan: To ask the Secretary of State for the Home Department what consultations he has had with the major providers of drugs services to jails in England and Wales concerning the introduction of the National Offender Management Service. [181827]

Paul Goggins: There have been two formal written consultations on the introduction of the National Offender Management Service (NOMS) and a number of the major providers of drug services have taken the opportunity to contribute. These responses have been analysed and used as the basis for informing policy developments. The providers of drugs services are important partners within NOMS and the National Offender Manager met representatives of drug service agencies in September. A new unit reporting to the National Offender Manager has been established to oversee relationships with the voluntary sector.

Mr. Hopkins: To ask the Secretary of State for the Home Department in what way the creation of regional offender managers within the National Offender Management Service will contribute towards reducing the prison population. [189090]

Paul Goggins *[holding answer 16 September 2004]:* The Regional Offender Managers will play a pivotal role in reforming the delivery of correctional services, the principal aim of which is to reduce re-offending. Key features of these reforms are the development of end-to-end management of offenders and a greater use of effective community sentences in place of short-term imprisonment.

Mrs. Gillan: To ask the Secretary of State for the Home Department how regional offender managers in the National Offender Management Service structure will hold probation areas to account for their performance. [190115]

Paul Goggins: The Regional Offender Managers (ROMS) will hold probation areas to account through service level agreements, which will be based on existing standards and key performance targets.

Mrs. Gillan: To ask the Secretary of State for the Home Department what budgets regional offender managers will have for *(a)* 2004–05 and *(b)* 2005–06. [190116]

Paul Goggins: The budgets for Regional Offender Manager in full for 2005–06 will be determined in light of the development of the National Offender Management Service (NOMS) and the overall budget for NOMS in 2005–06.

Mr. Dismore: To ask the Secretary of State for the Home Department what the timetable is for the introduction of market testing of prison establishments under the National Offender Management Service. [168425]

Paul Goggins: An announcement about the Market Testing of prison establishments will be made in due course.

Alan Simpson: To ask the Secretary of State for the Home Department (1) whether each Governor will be responsible for setting charges for prisoner places for their own establishment under the new structure for the National Offender Management Service; [168833]

(2) who will be responsible for setting the cost to regional offender managers for places in *(a)* public and *(b)* privately run prisons under the new National Offender Management Service structure. [168834]

Paul Goggins: A pricing and charging mechanism for prisoner places is currently being considered as part of the National Offender Management Service (NOMS) Change Programme. Any mechanism will be agreed by the Chief Executive of NOMS and approved by my right hon. Friend the Home Secretary.

Mr. Gerrard: To ask the Secretary of State for the Home Department whether he plans to *(a)* privatise and *(b)* open to contestability a (i) probation area and (ii) National Offender Management Service region. [188538]

Paul Goggins: There are no plans to privatise any part of the National Offender Management Service, or its regions or probation areas.

We are considering how we might open up probation services to contestability but no decisions have yet been made on the scope or extent of this.

Mr. Gerrard: To ask the Secretary of State for the Home Department how he expects contestability in the National Offender Management Service to achieve more effective service delivery. [188539]

Paul Goggins: In the report "Managing Offenders-Reducing Crime" Lord Carter emphasised that service delivery can be further improved through greater use of competition from private and voluntary sectors. We accept this advice and said so in our response "Reducing Crime—Changing Lives".

We want the most cost effective custodial and community sentences no matter who delivers them. Contestability ensures value for money, with the optimum combination of cost, quality and effectiveness delivered through competition and partnership arrangements between and within the public, private and voluntary sectors.

Mr. Gerrard: To ask the Secretary of State for the Home Department how probation boards under the National Offender Management Service structure will extend their commissioning functions. [188540]

Paul Goggins: Under existing legislation, Probation Boards have the power to commission all the services of their probation area.

Mr. Gerrard: To ask the Secretary of State for the Home Department how regional offender managers with the National Offender Management Service will achieve greater innovation within the prison and probation services. [188541]

Paul Goggins: Regional Offender Managers will play a key role in reforming the delivery of correctional services and implementing the new sentencing framework.

The Regional Offender Managers will steer the development of the core offender management function and contestability. These changes require effective working between the prison and probation services, and wider co-ordination above Probation Board level in order to ensure nation-wide consistency and accountability in our approach to reducing re-offending.

Mrs. Ann Cryer: To ask the Secretary of State for the Home Department who will have the authority to move a prisoner to another prison once a place has been purchased by a regional offender manager under the new structure for the National Offender Management Service. [168784]

Paul Goggins: Prisoners move between establishments for a variety of different reasons. Decisions to transfer prisoners will be a matter for the Regional Offender Manager, advised by the Offender Manager, Population Management Unit and others.

Mrs. Ann Cryer: To ask the Secretary of State for the Home Department whether it will be the responsibility of the Chief Executive of the National Offender Management Service to set the cost that can be charged for a prison place at each establishment. [168786]

Paul Goggins: A pricing and charging mechanism for prisoner places is currently being considered as part of the National Offender Management Service (NOMS)

Change Programme. Any mechanism will be agreed by the Chief Executive of NOMS and approved by my right hon. Friend the Home Secretary.

Nuclear Installations (Threat Assessments)

Llew Smith: To ask the Secretary of State for the Home Department how many threat assessments to nuclear installations and nuclear materials in transit have been conducted by the Joint Terrorism Analysis Centre since 11 September 2001. [187308]

Mr. Blunkett: The Joint Terrorism Analysis Centre (JTAC) analytical effort devoted specifically to threats to nuclear installations and nuclear materials in transit is proportionate—and varies over time in response—to the number and credibility of those threats.

Paula Higson

Keith Vaz: To ask the Secretary of State for the Home Department what the appointment date was of Paula Higson; and what her current civil service grade is. [189934]

Mr. Browne: Paula Higson took up her appointment as Senior Director for Managed Migration on 15 September 2003. Ms Higson is a member of the Senior Civil Service.

Police

Mr. Flook: To ask the Secretary of State for the Home Department in what circumstances police community safety officers are *(a)* issued with batons and *(b)* allowed to use them. [189828]

Ms Blears: The equipment issued to Community Support Officers (CSOs) is at the discretion of individual chief officers, taking into account all the relevant health and safety considerations. I am not aware of any chief having authorised the issue of batons to CSOs.

Mr. Flook: To ask the Secretary of State for the Home Department how many police Community Safety Officers were issued with batons in Parliament Square on the afternoon of 15 September. [189829]

Ms Blears: The Commissioner of Police for the Metropolis has confirmed that his Community Support Officers are not issued with batons and none was issued with batons on 15 September.

Hugh Bayley: To ask the Secretary of State for the Home Department how many *(a)* police officers and *(b)* community support officers were employed in North Yorkshire in (i) May 1979 and (ii) each May since then. [188949]

Ms Blears: Information for police personnel strength in North Yorkshire is set out in the table. Since 1995 the frequency of the collection of police personnel data was reduced and is currently collected quarterly. To provide continuity the information in the table is for 31 March of each year from 1979.

North Yorkshire Police

Year (as at 31 March)	*Police officers*[1]	*Community Support Officers*	*Police (Support) staff*[2]
1979	1,342	—	—
1980	1,352	—	—
1981	1,355	—	—
1982	1,354	—	—
1983	1,366	—	—
1984	1,359	—	—
1985	1,332	—	—
1986	1,361	—	334
1987	1,353	—	329
1988	1,372	—	357
1989	1,370	—	420
1990	1,379	—	432
1991	1,387	—	448
1992	1,398	—	445
1993	1,393	—	452
1994	1,318	—	438
1995	1,300	—	507
1996	1,324	—	520
1997	1,338	—	520
1998	1,367	—	543
1999	1,337	—	541
2000	1,283	—	492
2001	1,305	—	591
2002	1,417	—	743
2003	1,444	—	723
2004	1,529	[3]52	864
2004 (31 August)	1,535	49	Not available

[1] Police staff strength not available before 1986.

[2] Data prior to 1996 were collected by the Police Resources Unit of the Crime Reduction and Community Safety Group of the Home Office. 1996 to March 2004 is collected by the Home Office Research, Development and Statistics Directorate (RDS). August 2004 was collected separately outside of the normal data collection arrangements and has not been subject to the same validation as RDS data.

[3] The first CSOs were appointed in May 2003 to the North Yorkshire Constabulary.

Mr. Cameron: To ask the Secretary of State for the Home Department how many *(a)* violent and *(b)* drug-related offences there were in the Thames Valley in (i) 1997, (ii) 2001 and (iii) the latest year for which figures are available. [186004]

Ms Blears *[holding answer 22 July 2004]*: Police recorded violent crime comprises violence against the person, sexual offences and robbery. The available statistics for violent crime in Thames Valley are given in the table.

Violent crime offences recorded by the police in Thames Valley

Period	*Number of offences*
1997	8,589
2001–02	29,201
2003–04	32,492

Note:

Numbers of recorded crimes are affected by changes in reporting and recording practice. In particular, changes to the counting rules in 1998 and the introduction of the National Crime Recording Standard in April 2002 led to an increase in the number of crimes recorded by the police.

In 2001–02, 25 per cent. of all violent crime recorded in Thames Valley were common assaults resulting in no injury to the victim. The equivalent figure for 2003–04 was 24 per cent.

It is not possible to identify drug-related crime from the recorded crime statistics. The figure for 1997 relates to offences of trafficking only in 1997. Possession and other drug offences were added to recorded crime series in 1998–99. The available information is given in the table.

Drug offences recorded by the police in Thames Valley

Period	*Number of offences*
1997[1]	566
2001–02[2]	4,903
2003–04[2]	5,404

[1] Drug trafficking only

[2] Drug trafficking, possession and other drug offences.

Note:

Numbers of recorded crimes are affected by changes in reporting and recording practice. In particular, changes to the counting rules in 1998 and the introduction of the National Crime Recording Standard in April 2002 led to an increase in the number of crimes recorded by the police.

The British Crime Survey (BCS) also provides data on the level of violent crime in England and Wales. However, due to the variability of specific offence figures at police force area level regional figures only are available. Data at regional level have been published as a rate per 10,000 adults since the 2001–02 BCS and are presented for the relevant region below.

Total BSC violence rate per 10,000 adults for the South East Region

2001–02	895
2002–03	826
2003–04	704

Source:

2001–02, 2002–03, 2003–04 BCS Interviews

The difference in the above rates between 2001–02 and 2003–04 is not statistically significant, therefore the level of violent crime in the region has remained stable according to the BCS.

In the 2003–04 BCS, 55 per cent. of all violent crime in the South East resulted in no injury to the victim. Figures for previous years are not available.

The BCS does not have data published on the number of drug-related offences.

Prisons

David Taylor: To ask the Secretary of State for the Home Department if he will place in the Library the findings of the IG16 report into a smoking policy for prisons from 1996. [185641]

Paul Goggins *[holding answer 22 July 2004]:* The review of prisoner smoking indicated in Instruction to Governors 16 of 1996 did not result in the production of a report.

However in 2003 the Department of Health and the Prison Service published "AQUITTED: Best practice guidance for developing smoking cessation services in prisons". Extra funding of £500,000 has been made available for each of the three years up to 2006. The launch of "AQUITTED" was supported by a programme of training seminars for staff of prisons and their local primary care trusts. The effectiveness of the initiative is being evaluated and a report is expected in 2005.

Mrs. Gillan: To ask the Secretary of State for the Home Department how many cases involving equal pay claims against the Prison Service have been taken to an employment tribunal since 1997. [189863]

Paul Goggins: The number of claims for each year are:

	Number of claims
1997	0
1998	0
1999	998
2000	310
2001	5
2002	359
2003	12
2004	87

Mrs. Gillan: To ask the Secretary of State for the Home Department how many employment tribunals have found against the Prison Service in equal pay claims in each of the last five years; and what the financial implications of those decisions have been. [189865]

Paul Goggins: There have been findings against the Prison Service in eight equal pay claims since 1997. As these findings are currently subject to appeal by the Prison Service it is not possible to provide an estimate of the financial implications.

Mrs. Gillan: To ask the Secretary of State for the Home Department what appeals the Prison Service has made against decisions of employment tribunals in equal pay cases in 2004; and what the cost of those appeals has been. [189866]

Paul Goggins: The Prison Service lodged an appeal in the case of Bailey and Others *v.* Home Office on 26 August 2004. No date has been fixed for the hearing, and it is consequently not possible to estimate its cost.

Mrs. Gillan: To ask the Secretary of State for the Home Department what conclusions and recommendations have been made in the final report of the Prison Service's Safer Locals research project being conducted by Alison Liebling from Cambridge University; if he will make a statement; and if he will place a copy of the report in the Library. [190112]

Paul Goggins: Alison Liebling's final report of the Prison Service's Safer Locals research project is awaited.

Mrs. Gillan: To ask the Secretary of State for the Home Department in which prisons prisoners can undertake *(a)* vocational training courses and *(b)* construction industry training courses. [190119]

Paul Goggins: Improving the skills of offenders and our performance in placing them in sustainable employment is central to our strategy for reducing re-offending.

Although we do not collect this information centrally, by bringing together funding for education and vocational training into one ring fenced budget we have given the Prison Service more flexibility to decide locally how best to use their funds to support local work-based learning initiatives.

Recent capital investment to upgrade facilities in prison workshops, the introduction of prisoner training programmes with employer involvement, and greater joint working with sector skills councils—including with the Construction Industry Training Board—will further ensure that prisoners can achieve skills and qualifications in areas and at levels needed by industry.

Mrs. Gillan: To ask the Secretary of State for the Home Department how many prisoners, on average, attended the prison chapel in each prison per week in the past 12 months. [190120]

Paul Goggins: This information is not routinely collated and could be done so only at disproportionate cost.

Prolific Priority Offender

Mr. Oaten: To ask the Secretary of State for the Home Department what his definition is of a prolific priority offender. [190062]

Paul Goggins: The prolific and other priority offender (PPO) strategy has been designed to allow local areas to tackle those offenders who are causing the most harm to their communities and have been identified locally through police intelligence.

We have issued guidance on the criteria which should be used in selecting prolific and other priority offenders. This recommends that selection should be based upon the nature and volume of the crimes an individual is committing; the nature and volume of other harm they are causing (e.g. as a result of their gang leadership or antisocial behaviour); and other local criteria, based on the impact of the individuals concerned on their local communities.

Public Relations/Marketing

Bob Spink: To ask the Secretary of State for the Home Department how much each police force spent on public relations and marketing consultants in the last year for which figures are available. [189306]

Ms Blears: This information is not held centrally and could be obtained only at disproportionate cost.

Racially Motivated Crime

Sue Doughty: To ask the Secretary of State for the Home Department how many racially motivated violent crimes have *(a)* been recorded and *(b)* resulted in successful prosecutions in each year since 1997, broken down by police force. [188065]

Ms Blears: Racially aggravated offences are now categorised with religiously aggravated offences. The two tables give available data for recorded offences, prosecutions and convictions.

Table 1—Number of racially aggravated recorded crimes in England and Wales, 1999–2000 to 2003–04

Financial year	Racially aggravated common assault	Racially aggravated other wounding	Racially aggravated harassment
1999–2000	4,275	2,687	10,758
2000–01	4,711	3,176	12,468
2001–02[1]	5,164	3,463	14,975
2002–03[1,2]	4,491	4,352	16,696
2003–04[1,2]	4,017	4,840	20,584

[1] The introduction of the National Crime Recording Standard on 1 April 2002 may have impacted on the figures. There may be some effect in 2001–02 from forces adopting the principles of the NCRS early.

[2] The figures include religiously aggravated offences from 2002–03.

Table 2—Number of persons proceeded against at magistrates courts and found guilty at all courts for racially aggravated offences

	1999		2000		2001		2002	
Region/police force area	Proceeded against	Found guilty	Proceeded against	Found guilty	Proceeded against	Found guilty	Proceeded against	Found guilty
East								
Cambridgeshire	49	24	93	49	91	49	95	48
Norfolk	34	16	51	26	65	24	66	29
Suffolk	35	16	39	9	74	23	64	30
Bedfordshire	17	4	36	15	58	13	67	17
Hertfordshire	40	10	100	27	116	31	130	50
Essex	55	19	89	27	163	30	120	26
East Midlands								
Derbyshire	43	13	93	44	93	53	112	58
Nottinghamshire	165	56	261	122	251	111	276	104
Lincolnshire	7	1	30	9	34	13	29	16
Leicestershire	97	34	201	104	235	119	253	111
Northamptonshire	40	19	36	10	8	11	22	8
London								
Metropolitan Police	1,512	425	2,039	672	1,646	550	1,666	607
London, City of	11	6	34	14	11	7	18	4
North East								
Northumbria	66	14	126	46	245	94	302	115
Durham	23	8	47	22	56	33	86	42
Cleveland	20	12	23	10	24	10	31	10

Table 2—Number of persons proceeded against at magistrates courts and found guilty at all courts for racially aggravated offences

	1999		*2000*		*2001*		*2002*	
Region/police force area	*Proceeded against*	*Found guilty*	*Proceeded against*	*Found guilty*	*Proceeded against*	*Found guilty*	*Proceeded against*	*Found guilty*
North West								
Cumbria	9	5	19	10	17	10	48	17
Lancashire	90	40	180	80	299	102	358	156
Merseyside	54	25	123	43	205	70	134	60
Greater Manchester	253	80	482	177	797	308	679	253
Cheshire	45	11	115	44	106	42	104	41
South East								
Thames Valley	80	23	132	53	172	71	149	68
Hampshire	81	40	246	87	237	98	270	121
Surrey	5	6	12	6	13	11	16	15
Kent	39	10	71	39	67	29	41	14
Sussex	43	8	97	40	113	52	127	42
South West								
Devon and Cornwall	30	5	117	44	120	42	98	44
Avon and Somerset	63	27	127	40	173	61	191	75
Gloucestershire	18	8	79	27	60	23	60	30
Wiltshire	25	11	29	12	39	21	42	24
Dorset	17	3	50	14	62	23	51	22
West Midlands								
West Midlands	198	57	706	228	1,038	318	997	322
Staffordshire	23	5	123	76	188	68	178	81
West Mercia	20	7	104	45	175	99	154	79
Warwickshire	7	5	21	7	43	19	63	45
Yorkshire and the Humber								
North Yorkshire	7	5	46	25	43	18	50	17
West Yorkshire	152	42	297	91	427	115	327	129
South Yorkshire	46	16	69	33	117	67	139	75
Humberside	24	13	44	19	67	37	117	48
Welsh								
Dyfed Powys	21	7	41	17	43	24	55	35
Gwent	43	21	116	37	105	51	82	46
North Wales	7	2	43	15	54	19	44	14
South Wales	201	65	270	101	338	113	243	92
England and Wales	3,815	1,224	7,057	2,616	8,288	3,082	8,154	3,240

Note:

These data are on the all offence basis.

Sentencing

Mr. Cousins: To ask the Secretary of State for the Home Department what the recommendations were of the Sentencing Advisory Panel set out in spring 2003; and what his proposals are regarding implementation of each recommendation. [188707]

Paul Goggins: In February 2003, the Sentencing Advisory Panel issued advice to the Court of Appeal proposing a new sentencing guideline for the offence of causing death by dangerous driving. The advice is available on the Panel's website.

On 3 April 2003, the Court of Appeal issued sentencing guidelines based on the proposals from the Panel.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department whether the sentencing guidelines will assist victims' representatives to understand the basis of sentences. [187241]

Paul Goggins: Yes. The Sentencing Guidelines Council will, in due course, provide guidelines that indicate a sentence of a particular kind, or within a particular range for each criminal offence. Under the Criminal Justice Act 2003, the court has a duty to state in open court, in ordinary language and in general terms, its reasons for deciding on the sentence passed. As part of this duty, where the court departs from guidelines relevant to the sentence it must state its reasons for doing so. The aim of these provisions is to enable the offender, victims and other interested parties better to understand why a particular sentence was imposed.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what the reasons are for the changes in the *(a)* frequency and *(b)* number of sentences of imprisonment over the past 10 years. [187242]

Paul Goggins: The foremost reason for the increase in frequency and number of prison sentences is increased severity of sentencing. In 1993 the custody rate for persons sentenced at all courts in England and Wales was 4.2 per cent.; this had risen to 7.9 per cent. in 2002 (latest data available).

The new Sentencing Guidelines Council established by the Criminal Justice Act 2003 (CJA) will in due course create and revise a comprehensive set of Guidelines for all offences, so as to promote consistent and just sentencing by the courts within the framework provided by Parliament. In every individual case, judges and magistrates will continue to make their own decision as to the appropriate sentence, but will be required to operate within the council's guidelines or explain why they have gone outside them in that particular case.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department whether the Sentencing Guidelines Council will have a role in analyzing recent trends in magistrates' sentences. [187244]

Paul Goggins: The Sentencing Guidelines Council will be analysing sentencing data from all courts in taking forward its work.

Terrorism Offences

Bob Spink: To ask the Secretary of State for the Home Department (1) how many people have been *(a)* arrested and *(b)* charged with an offence under the Anti-Terrorism Act 2000 in each year for which records are available; [187595]

(2) how many convictions have been secured for each category of offence under the Anti-Terrorism Act 2000 in each year for which records are available. [187596]

Mr. Blunkett: The figures requested are not routinely collected centrally by the police in the form requested. However, their records show that, cumulatively from 11 September 2001 until 30 June 2004, 609 people were arrested under the Terrorism Act 2000. 61 of these were charged under the Act and 38 under both the Terrorism Act and other legislation. The remainder were either released without charge, bailed to return, cautioned, charged under other legislation (such as that for murder, grievous bodily harm and use of firearms or explosives), or dealt with under immigration or mental health legislation. Of the 99 individuals charged under the Terrorism Act, 15 have been convicted.

The above figures now appear on the Home Office website and will be updated every six months.

Home Office Research Development and Statistics publish an annual Command Paper and supplementary volumes of criminal statistics. A breakdown of prosecutions and convictions under the Terrorism Act 2000 for 2001 and 2002 is in the accompanying table. Figures for 2003 will not be available until later in the year.

We are currently undertaking further work on the numbers of those arrested under the Terrorism Act 2000 and subsequently charged under other legislation. We will publish these figures once they are available. Previous estimates, which are likely to under-estimate those charged in this way, had suggested up to January 2004. Of the 530 people then arrested under the Terrorism Act, 263 are known to have been released without further sanction. Of the remaining 267, 165 had been charged (94 under the Act and 71 under other legislation). Others were released to immigration service detention, sectioned under the Mental Health Act, bailed, cautioned or at that point still not dealt with.

Number of defendants proceeded against at magistrates courts and found guilty at all courts for offences under the Terrorism Act 2000, England and Wales 2001 and 2002[1]

		2001		*2002*	
Offence description	*Statute*	*Proceeded against*	*Found guilty*	*Proceeded against*	*Found guilty*
Relating to membership of proscribed organisations	Terrorism Act 2000, sec. 11	3	—	1	1
Wearing any item of dress in support of a proscribed organisation	Terrorism Act 2000, sec. 13a	—	—	—	—
Wears, carries or displays any article in support of a proscribed organisation	Terrorism Act 2000, sec. 13b	—	—	1	1
Contributions towards acts of terrorism	Terrorism Act 2000, secs. 15–18 and 22	1	—	8	1
Failure to disclose knowledge or suspicion of acts of terrorism	Terrorism Act 2000, sec. 19	—	—	—	—
Failure to leave a cordoned area immediately when ordered to do so by a constable in uniform	Terrorism Act 2000, sec. 36(1)*(a)*	—	—	1	—
Failure to leave premises, which abut or are wholly or partially within a cordoned area, immediately if ordered to do so by a constable in uniform	Terrorism Act 2000 sec. 36(1)*(b)*	—	—	1	—
Failure of driver or person in charge of a vehicle which is in a cordoned area to immediately move the vehicle if ordered to do so by a constable in uniform	Terrorism Act 2000 sec. 36*(c)(d)(e)*	—	—	—	—
Contravention or a prohibition or restriction order made by a constable in uniform to a cordoned area	Terrorism Act 2000 sec. 36*(f)*	—	—	—	—
Making any disclosure likely to prejudice an investigation about acts of terrorism or failing to disclose information about acts of terrorism	Terrorism Act 2000 sec. 39	—	—	—	—
Failure to stop (Power to stop and search vehicles and pedestrians)	Terrorism Act 2000, secs. 43, 44 and 47(1)*(a)(b)*(2)	1	—	1	—
Wilful obstruction (Power to stop and search vehicles and pedestrians)	Terrorism Act 2000, secs. 43, 44 and 47(1)*(c)* and (2)	—	—	—	—
Failure to move vehicle when ordered to do so by a constable in uniform (vehicle had been permitted to remain at rest in contravention of any prohibition or restriction)	Terrorism Act 2000, secs. 48 and 51(2)	—	—	—	—
Leaves a vehicle or permits a vehicle to remain at rest, on a road in contravention of a prohibition or restriction	Terrorism Act 2000, secs. 48 and 51(1)	—	—	—	—

Number of defendants proceeded against at magistrates courts and found guilty at all courts for offences under the Terrorism Act 2000, England and Wales 2001 and 2002[1]

		2001		2002	
Offence description	*Statute*	*Proceeded against*	*Found guilty*	*Proceeded against*	*Found guilty*
Provides instruction; invites another to receive instruction in weapon training	Terrorism Act 2000, sec. 54	1	—	1	—
Directing terrorist training	Terrorism Act 2000, sec. 56	—	—	1	—
Collect, record or possession of information or articles likely to be of use to terrorists	Terrorism Act 2000, sec. 57 and 58	—	—	3	1
Failure to furnish information when required by examining officer	Terrorism Act 2000, sch. 7(5)(*a*) and (18)	—	—	1	—
Failing to produce either a valid passport or identifying document when required by examining officer	Terrorism Act 2000, sch. 7(5)(*b*)and(18)	—	—	—	—
Failing to declare or produce any relevant documents when required by examining officer	Terrorism Act 2000, sch. 7(5)(*c*)(*d*)and(18)	—	—	—	—
Failing to submit to search by examining officer or person acting on his/her behalf	Terrorism Act 2000, sch. 7(7)(8)and(18)	—	—	—	—
Failing to complete and produce an embarkation card when required to by examining officer	Terrorism Act 2000, sch. 7(16) and (18)	—	—	1	—
Wilfully obstructing a constable in the execution of his duty in a cordoned area	Terrorism Act 2000, sch. 5, sec. 36(1)(2)	—	—	—	—
Wilfully obstructing or seeking to frustrate the object of a search in a cordoned area	Terrorism Act 2000, sch.(1–3)	—	—	—	—
Total		6	—	20	4

[1] These data are on the principal offence basis.

TimeBank and Do-It

Mrs. Lait: To ask the Secretary of State for the Home Department when he plans to publish the research commissioned by his Department into *(a)* TimeBank and *(b)* Do-it. [186687]

Fiona Mactaggart: The Home Office research into the work of TimeBank and the do-it website was commissioned for internal Home Office use and it is not intended that it should be published in full, as it contains commercially sensitive information. However summaries of the main findings of this research are:

> *TimeBank*
>
> TimeBank's performance does not compare unfavourably with that of other Government funded programmes.
>
> TimeBank has managed to attract people into volunteering who have never volunteered before and has managed to broaden the base from which volunteers are recruited to some extent by attracting significant numbers of young people and people from black and minority ethnic communities.
>
> Perhaps its biggest success has been its targeted campaigns which have been extremely well received by the Campaign Partners, but less so by TimePartners.
>
> There are ongoing difficulties with the TimePartner system and the link-up with the do-it database.
>
> The functions of TimeBank and other key, strategic volunteering agencies such as do-it, the Community Channel and the National Centre for Volunteering overlap.
>
> *do-it*
>
> do-it has made a good start. In October 2001 it reported 9,000 page impressions per week, and by January 2002 it was up to 17,000. In March 2003 do-it was receiving 100,000 unique users per month. Opportunities cover a broad spectrum of service areas and skill levels.
>
> There are gaps in the evaluation that need to be addressed. There are currently no systematic data to indicate how many people have started to volunteer as a result of their contact with do-it, or indeed any feedback from users on the services that do-it provides.
>
> In the absence of user feedback, feedback from organisations was mixed. Three quarters of organisations that responded said they had received volunteers through do-it (average of 22 in the last year per organisation). Three in five organisations felt that do-it had been an effective recruitment tool.
>
> The capital modernisation scheme was felt to have been a great success, both by recipient organisations and representatives from the wider voluntary sector.

These issues are currently being addressed by both organisations.

Victim Support

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what his Department's future funding plans are for Victim Support Services. [188487]

Paul Goggins *[holding answer 14 September 2004]*: In recent years the Home Office grant to victim support has more than doubled, from £11.7 million at the start of the financial year 1997–98 to £30 million in 2004–05. We anticipate that the level of Home Office funding for victim support will continue to be in the region of £30 million for 2005–06 and 2006–07.

Volunteers

Tim Loughton: To ask the Secretary of State for the Home Department what estimate he has made of the number of *(a)* adults and *(b)* children who volunteer in the UK. [189398]

Fiona Mactaggart: According to the Home Office Citizenship Survey 2003, which covered England and Wales, 42 per cent. of people aged 16 and over (17.9 million people) volunteered formally[1] at least once in the 12 months before interview; and 28 per cent. (11.8 million people), at least once a month in the 12 months before interview. 62 per cent. of people aged 16 and over (26.4 million people) volunteered informally[2] at least once in the 12 months before interview; 37 per cent. (15.6 million people), at least once a month in the 12 months before interview.[3]

According to the Young People's Boost to the Home Office Citizenship Survey 2003, 63 per cent. of young people aged between 11 and 15 volunteered formally at least once in the 12 months before interview. For technical reasons it has not been possible to estimate the number of young people in England and Wales who volunteered formally.

There is no comparable information available for formal and informal volunteering in the UK. The main report of findings from the Home Office Citizenship Survey 2003 will be published shortly by the Home Office. The report of findings from the Young People's Boost will be published shortly by the Department for Education and Skills.

Reports of findings from the Home Office Citizenship Survey 2001 and 2003 have been placed in the House of Commons Library.

[1] Formal volunteering is defined as giving help unpaid through groups, clubs or organisations to benefit other people or the environment.

[2] Informal volunteering is defined as giving help unpaid as individuals to others who were not members of their families.

[3] Estimates of the numbers of people volunteering formally and informally were based on 2002-based projections of population for 2003 provided by the Government Actuary's Department.

Work Permits (Care Homes)

Bob Spink: To ask the Secretary of State for the Home Department how many work permit applications were received in respect of the residential care home sector in each of the last three years for which figures are available. [189308]

Mr. Browne: It is not possible to identify the number of work permit applications received in respect of the residential care home sector without incurring disproportionate cost.

Young Offenders

Mr. Oaten: To ask the Secretary of State for the Home Department how many young offenders aged 18 to 21 have been moved between prisons on overcrowding drafts *(a)* this year and *(b)* in each of the last five years. [187230]

Paul Goggins: This information on overcrowding drafts is not available, as the reasons for transfers are not recorded centrally.

Altogether there were around 13,000 inter-prison transfers of young prisoners (aged 18 to 20) in 2003–04. As this figure refers to all movements in this period, it may include some young prisoners who were transferred more than once during this period. It is not possible to identify how many of these transfers were on overcrowding drafts, although the considerable majority will have been the result of normal sentence planning procedures.

Information on inter-prison transfers of young prisoners in previous years was not centrally recorded and is not available.

Mr. Bercow: To ask the Secretary of State for the Home Department how many youths under the age of 18 from the Buckingham constituency have been held in young offenders rehabilitation centres in each year since 2001. [189859]

Paul Goggins: The number of young people under 18 remanded in or sentenced to custody by Buckinghamshire courts since 2001 is shown in the table, together with the types of establishment they were held in. We do not have separate information for the Buckingham constituency.

	Remanded[1]			*Sentenced*		
	STC	*LASCH*	*YOI*	*STC*	*LASCH*	*YOI*
2001	0	0	4	1	1	15
2002	0	3	4	1	1	23
2003	0	1	0	1	2	7
2004	1	1	0	2	0	9

[1] to avoid double counting, young people remanded in custody who were later given a custodial sentence are shown in the remanded column only.

STCs are Secure Training Centres; LASCHs are Local Authority Secure Children's Homes (the data on both these come from the Youth Justice Board) and YOIs are Prison Service Young Offender Institutions (the data on these come from the Prison Service).

Written Answers to Questions

Tuesday 12 October 2004

CULTURE, MEDIA AND SPORT

Public Swimming Pools

Kate Hoey: To ask the Secretary of State for Culture, Media and Sport (1) what action she has taken to ensure that access to public swimming pools in London increases; [186923]

(2) what action she *(a)* can and *(b)* will take to increase the number of swimming pools in London. [186924]

Mr. Caborn *[pursuant to his reply, 7 September 2004, Official Report, c. 1226W]*: The Amateur Swimming Association (ASA) is one of the 12 National Governing Bodies (NGB) able to bid for Community Club Development Programme funding from a budget of £20 million. £1.66 million has been earmarked for each NGB's ability to propose and deliver projects that meet the criteria of the programme.

I regret that in my previous answer I intimated that the ASA would receive £1.6 million from the Community Club Development Programme without first having to meet the set criteria for the Programme.

Television Licences

Anne Picking: To ask the Secretary of State for Culture, Media and Sport how many care homes in the UK are *(a)* eligible for and *(b)* in receipt of block television reception licences for sheltered housing. [190149]

Estelle Morris: The Accommodation for Residential Care concessionary scheme is open to nursing and residential homes and sheltered housing schemes which meet the qualifying criteria set out in the television licence fee regulations. 28,028 such establishments held concessionary licences at the end of August 2004, as recorded by TV Licensing. Entitlement to the concession can be determined only on receipt of an application; no information is therefore available on the eligibility of establishments which have not applied.

Tom Cox: To ask the Secretary of State for Culture, Media and Sport how many people are in receipt of a free television licence in the United Kingdom over the age of 75 years. [190259]

Estelle Morris: At the end of August 2004, approximately 3.5 million people aged 75 or over were in receipt of a free television licence. In addition, just under 400,000 over-75s living in housing covered by Accommodation for Residential Care group licences had their £5 fee waived under the free licence scheme.

DEFENCE

Departmental Spending

Mr. Breed: To ask the Secretary of State for Defence how much *(a)* his Department and *(b)* agencies of the Department have spent on electricity use in each year since 1997. [181373]

Mr. Caplin: The amounts spent by the Ministry of Defence in the UK on the purchase of electricity are:

	£ million
1997–98	112.0
1998–99	110.0
1999–2000	101.7
2000–01	96.1

These figures are VAT exclusive at current prices. Comparable figures are not available after 2000–01 as the Ministry of Defence moved to reporting of aggregated utilities (gas, electricity and water supply) expenditure in the Departmental Resources and Accounts. However details of expenditure on utilities is published in the National Statistics Publication: UK Defence Statistics 2003: Table 1.8 Defence Expenditure Outturn in the UK by Industry Group. A copy is available in the Library of the House.

Freedom of Information Act

Mr. Arbuthnot: To ask the Secretary of State for Defence whether his Department is implementing the full terms of the Freedom of Information Act 2000. [189788]

Mr. Caplin: With the exception of the Special Forces and any military unit assisting GCHQ, the Ministry of Defence and the armed forces are subject to the Freedom of Information Act 2000. As such, we will comply with the duties which the Act places on all public authorities. In accordance with the timetable announced in November 2001, the first phase of implementation was achieved in November 2002 when MOD's Publication Scheme was made available. The general right of access to information will be implemented from 1 January 2005.

Military Aircraft

Mr. Gerald Howarth: To ask the Secretary of State for Defence what the average annual operating cost is per *(a)* Tornado GR, *(b)* Jaguar GR1/A/3/3A, *(c)* Jaguar T2A/T4 and *(d)* Tornado F3; and what the estimated average operating cost is per Eurofighter. [190056]

Mr. Ingram: The average annual operating cost per aircraft is as follows:

	£ million
Tornado GR4	10.4
Jaguar GR1/3	5.6
Jaguar T2/4	5.5
Tornado F3	9.1

The estimated cost for the Eurofighter Typhoon is £4.7 million for 2004–05. This annual average will increase over time as the number of hours flown by each aircraft increases.

The figures in the table are based on the Actual Operating Fleet (average annual number of aircraft available to the RAF).

Mr. Gerald Howarth: To ask the Secretary of State for Defence what the average annual support cost is per *(a)* Tornado GR, *(b)* Jaguar GR1/A/3/3A, *(c)* Jaguar T2A/T4 and *(d)* Tornado F3; and what the estimated average support cost is per Eurofighter. [190057]

Mr. Ingram: The average annual cost incurred by the Defence Logistics Organisation (at 2004–05 prices) to support a Tornado aircraft is £1.6 million and £1.5 million for the Jaguar. As many of the spares and much of the equipment used to support an aircraft fleet is common across all variants, it is not possible to accurately attribute costs to individual marks of aircraft.

Based on through-life support estimates it is expected that the total, Defence-wide, annual average support cost (at 2004–05 prices) for a Eurofighter aircraft will be £2.2 million.

As part of our drive to transform logistics we are working with industry to reduce the costs of supporting in-service aircraft, including the future fast-jet fleet.

Provigil

Mr. Hancock: To ask the Secretary of State for Defence what quantities of Provigil and similar drugs have been purchased by his Department in each of the last five years; and at what cost. [187495]

Mr. Caplin: The quantity and cost of Provigil purchased by the MOD in the last five years is as follows:

Financial Year (1 April to 31 March)	*Volume of purchase (30 × 100mg pack)*	*Average price per pack excluding VAT (£)*	*Total (£)*
1999	141	52.21	7,361.61
2000	52	53.85	2,800.20
2001	175	53.85	9,423.75
2002	146	53.85	7,862.10
2003	89	53.85	4,792.65
2004 (to date)	117	53.85	6,300.45
Total	[1]720	—	38,540.76

[1] 720 packs x 30 tablets = 21,600 tablets.

Renewable Energy (Departmental Use)

Mr. Breed: To ask the Secretary of State for Defence what proportion of electricity used by buildings in *(a)* his Department and *(b)* its agencies has come from renewable sources in each year since 1997. [181291]

Mr. Caplin: The Ministry of Defence and its agencies did not purchase any electricity from climate change levy exempt sources until 2002–03 when 2.8 per cent. was acquired from such sources. The estimate for 2003–04 is 5 per cent. based on the minimum percentage specified in electricity supply contracts. Actual figures for 2003–04 are not yet available.

Territorial Army

Mr. Soames: To ask the Secretary of State for Defence what *(a)* the total strength of the Territorial Army, *(b)* the number of mobilised reservists and *(c)* the current Territorial Army deployment figures are. [189804]

Mr. Caplin: The information is as follows:

As at 1 September 2004:

(a) the total strength of Territorial Army was 35,480;

(b) the number of Army mobilised Regular Reservists was 100;

(c) the number of mobilised TA personnel was 2,200.

Iraq

Harry Cohen: To ask the Secretary of State for Defence pursuant to his oral statement of 10 May 2004, *Official Report*, columns 21–39, on Iraq, whether the routine hooding of prisoners in UK facilities in Iraq was contrary to instructions; on what basis the routine hooding was authorised, and by whom; whether hooding continues of Iraqis by UK forces outside UK facilities; whether hooding by UK forces outside facilities is contrary to instructions; and if he will make a statement. [173024]

Mr. Hoon: Prisoners held in UK detention facilities in Iraq have not, at any time, been routinely hooded.

Hooding was discontinued in Iraq when there was no longer a military justification for continuing the practice. Hooding during arrest and transit is acceptable when there is a strong military reason to do it, for example to offer security to our own forces and locations or to protect the detainee (by preventing identification by other detainees).

Welsh Regiments

Mr. Wiggin: To ask the Secretary of State for Defence how many regiments will be based in Wales following the review of the infantry. [189710]

Mr. Ingram: Details of the new infantry structure and the associated implications for the Army's basing strategy are currently being worked through by the Army and the hon. Member will understand that I cannot pre-empt this work. Further announcements will be made before the end of this year.

DEPUTY PRIME MINISTER

English Heritage

Mr. Sheerman: To ask the Deputy Prime Minister if he will evaluate the quality of the advice given to his Department by English Heritage. [190165]

Keith Hill: English Heritage provides the Office of the Deputy Prime Minister with advice on a range of matters. These include the review of the planning system, and characterisation of growth areas. The Government are satisfied with the advice provided, and does not see the need for a more formal evaluation.

EDUCATION AND SKILLS

Disabled People (Departmental Initiatives)

Mr. Drew: To ask the Secretary of State for Education and Skills if he will list the major initiatives his Department has undertaken since 1997 in relation to disabled people. [188152]

Mr. Charles Clarke: I would refer my hon. Friend to the answer from my right hon. Friend the Secretary of State for Work and Pensions on 16 September 2004, *Official Report*, column 1738W. In addition to the Government initiatives that he has already outlined, I would like to set out in more detail some of the work my Department is delivering in this important area.

The Green Paper "Every Child Matters" set out a vision for children's services, which included proposals to provide education, health, and social care around the needs of the child rather than the needs of professionals. It proposed that new Children's Director posts be established in each local authority with responsibility for education and social care and the development of Children's Trusts to commission multi-agency services including health, education and social care. A number of Children Trust Pilots were set up to test how this could work. This has included eight Children's Trusts who are focusing on services for disabled children.

Proposals in the Green Paper for a common assessment framework, improving information sharing and providing lead professionals for children with complex needs, will particularly benefit disabled children and their families. The Green Paper has also set out some specific commitments on disabled children around improving early intervention, family support, education and transition services.

The National Service Framework for children was published last month. This is a joint DH/DfES publication. The national standards in the NSF provide a coherent and integrated approach to services for disabled children. They will help ensure better access and smoother progression in the provision of services for children, from initial contact with the NHS, via a GP surgery or NHS hospital, through to social services support and education.

We have provided ring-fenced Sure Start funding to local authorities for disabled children in early years settings, and ensured such settings pay due regard to the SEN code of practice. This includes the introduction of Special Needs Coordinators, (SENCOs), for early years provision. The Disability Discrimination Act was also amended to include Government funded nursery education and child-care provision within its duties, along with general education.

As a result of the Special Education Needs and Disability Act (SENDA) 2001, schools are under a duty not to discriminate against disabled pupils for a reason relating to their disability. They must:

not treat disabled pupils less favourably, without justification, than pupils and students who are not disabled; and

make reasonable adjustments to ensure that disabled pupils and students are not put at a substantial disadvantage in comparison to those who are not disabled.

Schools and local education authorities (LEAs) are also under a duty to plan strategically to increase access to schools for disabled pupils and must publish accessibility plans (schools) and accessibility strategies (LEAs). The duty covers improvements to physical access, access to the curriculum, and access to information in alternative formats.

"Removing Barriers to Achievement", published this year, set out a long term vision for SEN and a programme of action to improve outcomes for children with SEN and disabilities. It included the development of a strategy to improve childcare for families with disabled children and practical tools to support schools in carrying out their statutory duties towards disabled pupils.

New duties were also placed on those bodies responsible for Further and Higher Education Institutions, Adult and Community Learning and Statutory Youth Services by SENDA. These duties include:

it being unlawful to discriminate against disabled students by treating them less favourably than others;

making provision for reasonable adjustments, including the accessibility of course materials, where disabled students might otherwise be substantially disadvantaged;

from 2005, the need to adapt the physical features of premises.

In addition, Section 13 of the Learning and Skills Act 2000 requires the Learning and Skills Council (LSC) to pay particular regard to the needs of young people and adults with learning difficulties and disabilities (LDD) when exercising its functions. Section 14 requires the LSC to have due regard to the promotion of equality of opportunity between people with a disability and people without.

From 1 October 2004 the Disability Discrimination Act has been extended to provide protection to people undertaking vocational qualifications. Organisations which award qualifications will be prohibited from discriminating against disabled people, must make reasonable adjustments in the assessment of candidates and must be able to demonstrate that competency standards represent a proportionate way of achieving a legitimate aim and do not unnecessarily discriminate. This provides a link between the employment provisions in Part II and those covering vocational training provided by Part IV and SENDA so that the legislation extends across all aspects of work and vocational training.

Since 1997, the number of Disabled Students Allowance (DSA) awards—grants to help pay for the extra course-related costs which students in higher education may incur because of a disability or specific learning difficulty—has increased from 8,123 (expenditure £10.4 million) in 1996–97 to 47,523 (expenditure £54.9 million) in 2002–03. DSAs are not income-assessed and are paid in addition to the package of support for living costs available to other students. From 2005–06 DSAs are to be extended for the first time to full-time undergraduate students undertaking distance-learning courses.

Further details of all of these initiatives can be found in the DfES Departmental Reports on the DfES website http://www.dfes.gov.uk/

Education Maintenance Allowance

Mr. Drew: To ask the Secretary of State for Education and Skills if he will make a statement on the age bar for children who are not 16 in the requisite time period for the eligibility for education maintenance allowance; what leniency in determining awards is allowed; and what plans he has to change existing arrangements. [190211]

Mr. Ivan Lewis: We took the decision to phase in EMA from September 2004 to successive 16-year-old age groups rather than immediately offer the award to all young people in Further Education. There were good reasons for doing so. The main purpose of EMA is to encourage students to stay on in learning when otherwise they would have dropped out, and the older students already in education have already made that choice. The main exception is that young people who received EMA under the pilot arrangements are eligible to apply for EMA under the national scheme. We are keeping the EMA scheme arrangements under review but do not envisage any significant changes to the eligibility criteria for 2005–06.

Mr. Drew: To ask the Secretary of State for Education and Skills why educational maintenance allowance eligibility is based on the previous tax year; and if he will make a statement. [190212]

Mr. Ivan Lewis: Assessing EMA entitlement on the household income for the previous financial year provides the most complete and secure assessment of household income. If the household income decreases significantly within the year then the young person can apply for assistance under the Learner Support Fund.

David Taylor: To ask the Secretary of State for Education and Skills (1) which variant of the education maintenance allowances pilot schemes was selected for implementation in England; [190371]

(2) what financial assistance is available to students in sixth form education whose birth date falls before 1 September 1987. [190419]

Mr. Ivan Lewis: We tested eight different variants of EMA in 56 LEA pilot areas. The national EMA scheme draws on the evidence from the pilots but is not based on any single variant. Students who are resident within one of the 56 pilot areas and whose date of birth falls before 1 September 1987 may be entitled to EMA. Those young people whose date of birth falls before 1 September 1987 and who are not resident within a pilot area are entitled to apply for Learner Support funds.

FE Colleges

Chris Grayling: To ask the Secretary of State for Education and Skills what assessment he has made of *(a)* the cost of the strategic area reviews of further education colleges and *(b)* the effect of the five-year plan on the progress of the reviews. [190079]

Mr. Ivan Lewis: The Learning and Skills Council (LSC) was established in 2001 to plan and fund post-16 education and training. LSC led strategic area reviews (StARs) were introduced in April 2003 and are an integral part of this planning role. No extra funding was allocated to carry out these reviews and it is therefore not possible to disaggregate their specific cost from the overall cost of the wide range of planning activities carried out by local LSCs.

The DfES's five-year strategy published in July sets out our vision for an education and skills system to meet the needs of the 21st century. The StAR process supports this vision by mapping local provision and identifying the balance of provision there needs to be in a locality. The progress of the StAR process has not been affected in anyway by the five-year strategy and is still expected to complete in spring 2005 as originally planned.

Plumbing

Mr. Drew: To ask the Secretary of State for Education and Skills (1) whether providers of NVQ2 in plumbing are able to supply sufficient numbers of qualified assessors for students to be able to continue with their qualifications; and if he will make a statement on the requirement for workplace assessment; [190013]

(2) what the ratio is of qualified assessors to students with regard to the NVQ2 in plumbing, broken down by each institution that offers this qualification; [190014]

(3) how many providers are no longer able to offer NVQ2 for plumbing in the current academic year due to not being able to meet its required rates of qualified assessors to students. [190016]

Mr. Ivan Lewis: The information on the ratio of qualified assessors to learners is not available within the Department.

The organisation of assessment arrangements is for the awarding bodies in conjunction with the centres which they have approved to deliver their qualifications, which in the case of the NVQ2 in plumbing is City and Guilds.

The assessment strategies that must be implemented in NVQs are specified by the appropriate Sector Skills Council or sector body and approved by the regulatory authorities.

Pupil Exclusions

Mr. Bercow: To ask the Secretary of State for Education and Skills how many decisions taken by schools in Buckinghamshire permanently to exclude pupils were reversed by independent appeals panels in each year since 2000–01. [189842]

Mr. Ivan Lewis: The requested information is given in the following table.

Figures for 2003–04 are not yet available. In January 2003 we reformed the legislation governing exclusion appeal panels to strike a better balance between the interests of the individual pupil and those of the school community as a whole. We changed the composition of independent appeal panels to include more members with experience of school life. Our guidance is that panels should not normally reinstate excluded pupils for a range of offences, including threatened or actual violence.

Maintained primary, secondary and special schools[1]: summary of exclusion appeals 2000–01 to 2002–03

	Buckinghamshire LEA Appeals against exclusion from a school		
	2000–01	2001–02	2002–03
Number of appeals lodged	16	16	7
Number of appeals heard	13	16	6
Percentage of appeals heard[2]	81.3	100.0	85.7
Number of appeals determined in favour of parent/pupil	6	7	0
Percentage of appeals determined in favour of parent/pupil[3]	46.2	43.8	0.0

[1] Excludes non-maintained special schools.

[2] Shown as a percentage of appeals lodged.

[3] Shown as a percentage of appeals heard.

Source:

School Exclusion Appeals Survey

Sustainable Development Action Plan

Ms Walley: To ask the Secretary of State for Education and Skills when he expects to fill the post of coordinator for the Sustainable Development Action Plan; and if he will make a statement. [190220]

Mr. Charles Clarke: An appointment is in the process of being made and will be confirmed shortly.

HOME DEPARTMENT

ASBOs (Buckingham)

Mr. Bercow: To ask the Secretary of State for the Home Department how many *(a)* antisocial behaviour orders and *(b)* curfew orders have been made in the Buckingham constituency since the commencement of the schemes. [189857]

Ms Blears: The information is as follows.

(a) Antisocial behaviour orders (ASBOs) have been available to the courts since 1 April 1999. From commencement, up to 31 March 2004 (latest available), the Home Office has been notified of three ASBOs issued where restrictions imposed are specific to Aylesbury Vale district council area of which the Buckingham constituency forms a part.

(b) The table shows the number of curfew orders with and without electronic monitoring made at courts in the County of Buckinghamshire from 1996 to 2002. Court proceedings data for2003 will be available in November. It is not possible from the data available centrally to identify those made in the Buckingham constituency.

Number of persons given curfew orders[1] in Buckinghamshire, 1996–2002

	Adults	Juveniles
1996	—	—
1997	—	—
1998	—	—
1999	—	1
2000	10	9
2001	21	25
2002	38	25
Total	69	60

[1] Electronic and non-electronic orders.

No applications have yet been received to establish a local child curfew scheme under section 14 of the Crime and Disorder Act 1998. Some local authorities and police forces have considered the possibility but concluded that other measures should be taken to tackle relevant local problems.

Contestability

Julie Morgan: To ask the Secretary of State for the Home Department how contestability differs from *(a)* market testing and *(b)* privatisation. [168393]

Paul Goggins: Contestability means obtaining the best value for money and the most effective supervision, punishment and care of offenders by opening up the prison and probation service to competition. We aim to engage the public, private, voluntary and 'not for profit' sectors, both in prison and the community, so that we can enhance public protection and deliver the most effective and efficient management of offenders. Market Testing, which has already been used successfully in the Prison Service and has demonstrated that public services can compete effectively with the private sector, is only one of a number of ways of achieving that aim.

Privatisation, which means selling a publicly provided service to the private sector, is not being considered.

CS Gas

Mr. Wood: To ask the Secretary of State for the Home Department (1) how many reported injuries have resulted from police use of CS gas spray in each of the last five years; and how many of those injured were police officers; [189505]

(2) how many complaints have been received in connection with the use of CS gas spray by police officers in England and Wales in each of the last five years; and what the outcome of each complaint was. [189506]

Ms Blears: Information about the number and outcome of police complaints received relating to specific situations is not held centrally by the Home Office. It could therefore be obtained only at disproportionate cost.

Similarly, information about the number of injuries caused by police use of CS spray is not centrally held, and could again be obtained only at disproportionate cost.

Dangerous Driving

David Taylor: To ask the Secretary of State for the Home Department what plans there are to review the status of witnesses in cases of dangerous driving. [187387]

Caroline Flint: The Association of Chief Police Officer's Road Death Investigation Manual aims to achieve consistent professional investigation of incidents. In the early stages of investigation, one of the most important sources of evidence may be the identification of witnesses. The manual provides guidance to practitioners on how to gather evidence and secure the accounts of witnesses.

The 'No Witness No Justice Project' aims to deliver a more customer-focused service to victims and witnesses to enable more witnesses to give evidence and increase victims and witness satisfaction.

Different approaches to support services for incidents that lead to death or serious injury are being piloted. The pilots are subject to independent evaluation and will inform national standards of care for people affected by road death and serious injury.

Departmental Recycling

Bob Spink: To ask the Secretary of State for the Home Department what the latest available 12 month figures are for the proportion of the Department's redundant documentation, waste paper and card that is recycled; and if he will make a statement on the Department's recycling policy. [188689]

Fiona Mactaggart: The information requested is not held centrally and could be obtained only at disproportionate cost. All areas of the Department participate in recycling but the way in which it is carried out and the types of materials recycled varies. For the central London estate the waste is sorted by specialist contractors after collection and waste paper and card, among other materials, are extracted for recycling. The overall recycling rate is around 25 per cent. Confidential waste paper is collected separately, shredded and then recycled.

We are currently developing a strategy in response to the waste targets recently published under the Framework for Sustainable Development on the Government Estate. This strategy will cover how we will centrally collect waste data. A summary of the strategy will be published on the Home Office website by the end of October.

Journalists

Mr. Austin Mitchell: To ask the Secretary of State for the Home Department what plans the Government have to ensure journalists are able to protect their sources. [186756]

Estelle Morris *[holding answer 13 September 2004]:* I have been asked to reply.

Section 10 of the Contempt of Court Act protects people, including journalists, from revealing their sources. In addition, the industry's voluntary Code of Practice, administered by the Press Complaints Commission, recognises that journalists have a moral obligation to protect confidential sources of information. The Government have no plans for further legislation in this area.

Name that Tag Campaign

Mr. Oaten: To ask the Secretary of State for the Home Department how many people have called Crimestoppers in connection with the Name that Tag campaign; what the duration of the campaign was; how many tags were published over the course of the campaign; how many police investigations are under way as a result; and what the total cost of the campaign was. [190046]

Ms Blears: In addition to approximately 130 calls to Crime Watch UK when name that tag was first publicised, 35 actionable calls have been made to Crimestoppers in connection with the Name that Tag campaign.

The campaign, with posters displaying 12 tags, initially ran for three months beginning in November 2003 but it has been left open-ended as the posters have generated more information and they are in fact still on display. Since my hon. Friend Paul Goggins' answer to the hon. Member on 7 September 2004, *Official Report*, column 813W two people have been arrested as a result of the campaign. A further nine people are at various stages of investigation relating to the published tags, and a further seven prolific taggers are also under police investigation. The initiative cost to the Home Office was £3,000.

Police

David Burnside: To ask the Secretary of State for the Home Department how many people are employed *(a)* directly and *(b)* indirectly, by (i) the Police Complaints Commission for England and Wales and (ii) HM Inspectorate of Constabulary for England and Wales. [189664]

Ms Blears *[holding answer 11 October 2004]:* It is assumed that the Police Complaints Commission for England and Wales referred to is the Independent Police Complaints Commission (IPCC) which was established under the Police Reform Act 2002 and commenced operations on 1 April 2004. This body replaced the Police Complaints Authority (PCA) which ceased operations on 31 March 2004.

The information requested is as follows:

	Indirectly employed (secondees and public appointees)	*Directly employed (all other staff)*
IPCC	30	239
HMIC	63	66

Brian Cotter: To ask the Secretary of State for the Home Department how many police stations have *(a)* opened and *(b)* closed in Avon and Somerset in each year since 1979. [188667]

Ms Blears: The management of the police estate and allocation of resources are matters for each Police Authority and the Chief Officer.

The Chief Constable for Avon and Somerset Police informs me that reliable information, available only from 1992–93, is as follows:

Financial Year	*Opened*	*Closed*
1992–93	0	1
1993–94	0	13
1994–95	0	6
1995–96	0	14
1996–97	0	13
1997–98	2	1
1998–99	3	0
1999–2000	0	0
2000–01	2	0

Financial Year	*Opened*	*Closed*
2001–02	2	0
2002–03	1	1
2003–04	0	0

Notes:

1. A police station is defined as an operational police facility with a public enquiry counter open during the day.

2. In March 2004, there were 43 police stations in Avon and Somerset.

In addition to the station openings above, Avon and Somerset have recently introduced six mobile police stations.

The closure of police stations in the early 1990s was part of a force modernisation programme. Divisional boundaries were reviewed, assets were streamlined, and a number of local beat stations were closed. Sale proceeds increased the police capital programme, including further enhancement of district stations to improve service.

Between 2000–01 and 2003–04 Avon and Somerset Police Authority invested over £11 million directly in Land and Buildings[1].

Avon and Somerset also provide public access through Beat Surgeries in public buildings such as libraries and community centres and in busy shopping centres.

[1] *Source*:
The Chartered Institute of Public Finance and Accountancy (CIPFA) Police Statistics.

Mr. Ivan Henderson: To ask the Secretary of State for the Home Department what the changes in police officer numbers in Essex has been since 1997. [186317]

Ms Blears *[holding answer 7 September 2004]*: On 31 May 2004 Essex police had 3,130 police officers, a record number and 169 more than in March 1997. The table shows strength for each year since March 1997.

Essex police: strength March 1997 to May 2004

As at 31 March)	*Police number*[1]	*Change in strength*	*Percentage*
1997	2,961	—	—
1998	2,928	-33	(-1.1)
1999	2,891	-37	(-1.3)
2000	2,806	-85	(-2.9)
2001	[2]2,887	+81	(+2.9)
2002	2,946	+59	(+2)
2003	[3]2,989	+43	(+1.6)
2004	3,098	+109	(+3.6)
2004 (31 August)	3,106	+8	(+0.26)

[1] Source for 1997 to March 2004 is the Home Office Research, Development and Statistics Directorate (RDS). August 2004 was collected separately outside of the normal data collection arrangements and has not been subject to the same validation as RDS data.

[2] Boundary changes with the Metropolitan police on 1 April 2000 contributed to the increase in police officer strength during 2000–01.

[3] This corrects information provided in the *Official Report*, column 876, where "all officers" for 31 March 2003 had been provided in error, rather than "all officers (excl. career brakes and maternity leave)".

Prisons

Ross Cranston: To ask the Secretary of State for the Home Department how many equal pay cases have been taken against the Prison Service in England and Wales in each year since 1997. [187958]

Paul Goggins: The number of claims for each year are:

	Number
1997	0
1998	0
1999	998
2000	310
2001	5
2002	359
2003	12
2004	87

Mr. Greg Knight: To ask the Secretary of State for the Home Department what rationale underlay the decision to permit prisoners serving life sentences to buy national lottery tickets; and if he will make a statement. [188575]

Paul Goggins: No one, including those serving a life sentence is permitted to buy national lottery tickets while they are in prison. The ticket purchased recently by a life sentence prisoner who won the Lotto (the National Lottery) was purchased while that individual was released from prison on temporary licence.

Temporary licences are granted as part of the resettlement process for those prisoners who are reaching the end of their sentence and are preparing for release. Under the terms of a temporary licence, a prisoner is bound by certain conditions aimed at preventing further offending and any antisocial behaviour. If these conditions are broken, they are recalled to prison immediately. The purchase of lottery tickets is not prohibited by the licence conditions.

Mrs. Gillan: To ask the Secretary of State for the Home Department what the pay scales are for *(a)* administrative officers in the Prison Service and *(b)* prison officers; and what job evaluation exercises have been carried out by the Prison Service in respect of administrative posts in the past five years. [189867]

Paul Goggins: The pay scale for Administrative Officers in the Prison Service is £12,502-£15,415. That for Prison Officers is £16,896-£24,868, with Long Service Increments rising to £25,788.

The Prison Service introduced Phase 1 of its review of pay and grading in July 2000. This affected 2,500 middle and senior managers, including those in administrative and operational disciplines, and replaced more than 150 existing grades with a seven-payband common.

Development of Phase 2 of the review, which would have included administrative posts, was halted in April 2002, with the project work subsumed within pay modernisation.

To date, the Prison Service has carried out 507 individual job evaluations. The system evaluates the job and not the individual job-holder, so it is not possible to identify how many of these jobs were held by administrative grades without incurring disproportionate cost.

Mr. Hancock: To ask the Secretary of State for the Home Department pursuant to the answer of 22 July 2004, *Official Report*, columns 610–11W, on prisons, if he will make it mandatory that prison staff who wish to become prison healthcare officers obtain the relevant qualifications before taking up the posts; and if he will make a statement. [187477]

Paul Goggins: There are no present plans to do so. However, the Prison Service continues to discuss with stakeholders the future options for healthcare officers, including training.

Special Constables

Mr. Bercow: To ask the Secretary of State for the Home Department what changes have been made to the *(a)* management, *(b)* welfare and *(c)* deployment of special constables in the Thames Valley area since January 2002. [189972]

Ms Blears: Chief Officers have responsibility for the management, welfare and deployment of their Special Constabularies.

Stop and Search (West Yorkshire)

Mr. Wood: To ask the Secretary of State for the Home Department how many people were stopped and searched by West Yorkshire Police during 2002–03, broken down by *(a)* age, *(b)* ethnicity and *(c)* sex. [189503]

Ms Blears: During 2002–03 the total number of persons stopped and searched by West Yorkshire Police under Section 5 of the Police and Criminal Evidence Act 1984 was 46,707. Of these, 37,255 had their visual appearance recorded as white, 2,901 as black, 5,830 as Asian, and 721 as of 'other' ethnicity.

In the same period, a further 1,155 persons were stopped and searched under Section 60 of the Criminal Justice and Public Order Act 1994. Of these, 607 were white, 82 black, 435 Asian, and 31 of 'other' ethnicity.

Stops and searches under the provisions of Section 44 of the Terrorism Act 2000 during 2002–03 totalled 18, 13 of white individuals, two of Asians, and three of persons of 'Other' ethnicity.

No information is recorded centrally on the age and sex of those stopped and searched.

Young Offenders

Mr. Oaten: To ask the Secretary of State for the Home Department pursuant to his answer 187060 of 7 September 2004, *Official Report*, column 965W, how many *(a)* female and *(b)* male young offenders aged 18 to 21 years were held (i) over 50 miles and (ii) over 100 miles from their committal court town. [190061]

Paul Goggins: As at 7 July 2004, from the information available, the distance that young offenders aged 18 to 21 years, male and female, were held from their committal court towns is set out in the table.

Distance	*Total young offender population*	*Male young offender population*	*Female young offender population*
Under 50 miles			
Total number of prisoners	5,184	4,976	208
Percentage	65	66	51
50–100 miles			
Total number of prisoners	1,828	1,732	96
Percentage	23	23	23
100 plus miles			
Total number of prisoners	944	837	107
Percentage	12	11	26
Total	7,956	7,545	411

Note:

An individual prisoner's court details are recorded to show first court appearance, committal, remand, conviction or sentencing courts. Information specifically on committal court details is not available for all prisoners and could be obtained only at disproportionate cost. Where a prisoner's committal court data is unavailable, the prisoner's remand court or convicting and sentencing court is used.

HOUSE OF COMMONS COMMISSION

Summer Works Programme

Sir John Butterfill: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what assessment he has made of the health and safety implications for *(a)* Members, *(b)* Members' staff, *(c)* staff of the House and *(d)* the general public of allowing access to areas in which work was continuing as part of the summer works programme, with particular reference to risks arising from storage of timber and flammable liquids in the Committee Corridor. [189983]

Sir Archy Kirkwood: The Head of the Parliamentary Occupational Health, Safety and Welfare Services has carried out an investigation into the health and safety arrangements relevant to works projects during the summer recess 2004. In summary, his findings were that:

> The health and safety arrangements in connection with construction projects were generally to acceptable standards.
>
> Health and safety in construction projects undertaken on the Parliamentary Estate has significantly improved over recent years.
>
> The stairs leading to the Members' Tea Room, though unsightly, were found to be in a safe condition for use.
>
> There have been no reported accidents related to non construction staff during the summer recess period; and no significant incidents at all, which overall is a good record.
>
> There are a number of learning points where improvements can be made for future construction projects, in particular better cordoning off and signage for construction related areas.

At the time of the investigation, there were no flammable liquids or timber stored in the Committee Corridor. However, observation by others during the peak period of the works projects confirms that flammable liquids were securely stored in line with good practice and timber was stored temporarily in cordoned off areas for short periods prior to use.

The full report is lodged in the House of Commons Library and copies have been sent to Mr Speaker and to the Chairman of the Accommodation and Works Committee.

Sir John Butterfill: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission pursuant to his answer of 9 September 2004, *Official Report*, column 1330W, on September sittings, if he will estimate the cost of the summer works programme had the September sitting of the House not taken place; and what the actual cost will be. [189984]

Sir Archy Kirkwood: The estimated cost of the summer works programme for 2004 is some £5.7 million against a figure of around £5.6 million if the House had not sat in September.

INTERNATIONAL DEVELOPMENT

Caucasus (Oil Pipelines)

Mr. Drew: To ask the Secretary of State for International Development if he will make a statement on the status of the Baku-Tblisi-Ceyhan pipeline; and what diplomatic discussions he has had with those countries involved on the likely outcome of this project. [190213]

Mr. Gareth Thomas: The pipeline is a matter for routine discussion between UK Government Ministers and officials with interlocutors in Azerbaijan, Georgia and Turkey. The pipeline, which is currently under construction, will be the first to transport oil from the Caspian direct to the Mediterranean, thus reducing the amount of fuel, which would otherwise be passing through the congested and environmentally hazardous Bosphorus. The pipeline and its route is a commercial matter between BTC Pipeline Company and the host countries.

More broadly, the UK Government have been actively involved in discussions between companies, civil society and the Government of Azerbaijan on Azerbaijan's involvement in the Extractive Industries Transparency Initiative, a UK-led international initiative to ensure transparency over revenues from the oil, gas and mining sectors.

Mr. Drew: To ask the Secretary of State for International Development what funding the Government has made available to the Baku-Tblisi-Ceyhan pipeline. [190214]

Mr. Gareth Thomas: The British Government are not providing direct funding for the Baku-Tbilisi-Ceyhan (BTC) project.

The UK Government are a shareholder of International Finance Corporation (IFC) and European Bank for Reconstruction and Development (EBRD). Both organisations are providing commercial loans of US$250 million.

The Export Credits Guarantee Department (ECGD) has provided cover for a US$106 million line of credit to finance UK contractors involved in the BTC project. This does not involve direct lending from ECGD, but an ECGD guarantee of commercial bank lending to the project.

Mr. Drew: To ask the Secretary of State for International Development which countries have expressed opposition to the Baku-T'blisi-Ceyhan pipe line; what discussions he has had with the *(a)* World Bank and *(b)* European Bank for Reconstruction and Development on the British position regarding the pipe line; and if he will make a statement. [190215]

Mr. Gareth Thomas: The Governments of the countries concerned (Azerbaijan, Georgia and Turkey) have all signed agreements governing the building and operation of the pipeline. DFID has not received any representations from any governments expressing opposition to the pipeline.

DFID Ministers approved the International Finance Corporation (IFC) and European Bank for Reconstruction and Development (EBRD) UK Executive Directors support for the project at the Executive Board meetings in November 2003. There is ongoing dialogue with the IFC and EBRD to ensure lessons learnt from this project inform future policies and projects funded by the Banks.

Hurricane Ivan

Mr. Foulkes: To ask the Secretary of State for International Development what assistance is being provided by the UK Government for the consequences of Hurricane Ivan in the Cayman Islands. [190275]

Mr. Gareth Thomas: Following the impact of the hurricane, HMS Richmond and the Royal Fleet Auxiliary Wave Ruler began helping the relief effort at the earliest opportunity. DFID also responded to an urgent request from the Government of the Cayman Islands by providing urgent relief items, including plastic sheeting. DFID has since sent flights containing potable water, hygiene materials and other requested items. The cost of this direct assistance is about £200,000. DFID has also contributed £500,000 to the International Federation of the Red Cross regional appeal, for the provision of emergency food, shelter needs, water and sanitation and various non-food items. The Regional Appeal includes support to 1,000 affected families in Cayman Islands for six months.

The British Government are providing £100,000 towards the costs associated with the deployment of a contingent from the Bermuda Regiment who are currently helping with the continuing clean up on the Islands. We have also provided advisory support including a Law Enforcement Adviser, a Disaster Preparedness Adviser and reinforced the Governor's office.

Mr. Foulkes: To ask the Secretary of State for International Development how much additional resources have been made available to *(a)* Grenada, *(b)* the Cayman Islands and *(c)* the Caribbean region as a result of Hurricane Ivan. [190276]

Mr. Gareth Thomas: To date, DFID has committed around £3.4 million of assistance to the Caribbean region including our share of European Community commitments, following the impact of Hurricane Ivan on affected countries. Of this approximately £840,000 and £300,000 have been provided in direct support to relief needs in Grenada and Cayman Islands respectively. In addition to this assistance, HMS Richmond and RFA Wave Ruler were deployed to both islands to offer and provide immediate humanitarian support. We are considering further support to affected countries through United Nation agencies, the International Federation of the Red Cross and non-governmental organisations.

The European Community has announced it is mobilising £4.65 million in emergency relief and post emergency rehabilitation to help Grenada focusing on the provision of emergency shelter, food, water and other key supplies for 5,000 homeless families. It includes funds to be mobilized under the ninth European Development Fund, that are expected to be utilised primarily for school rehabilitation. The United Kingdom's share of this European Community assistance is about £700,000. The European Commission has also pledged £830,000 to Jamaica through its Humanitarian Aid Office, focusing on reducing the number of persons in temporary shelters and providing alternative accommodation for those currently housed in schools. The United Kingdom's share of this support is about £150,000. The European Community has announced a contribution of £1 million towards emergency relief in Haiti. The United Kingdom share of this humanitarian assistance is approximately £180,000.

The World Bank is providing £5.55 million to Grenada from its contingency facility for regional disaster management. The Caribbean Development Bank (CDB) has provided a £55,475 grant and £277,360 soft loan to Grenada for short-term disaster recovery. The Inter-American Development Bank has provided a £111,000 grant through the Caribbean Development Bank. The Inter-American Development Bank is providing a £111,000 technical assistance grant for Jamaica.

The Caribbean Development Bank has offered up to £277,360 in concessional lending to each of the affected member countries in the region, along with a £55,475 assessment grant via the Caribbean Disaster Emergency Response Agency for each country.

Latin America

Julie Morgan: To ask the Secretary of State for International Development if he will make a statement on the Department's aims, objectives and activities in Latin America. [190304]

Mr. Gareth Thomas: DFID recently finalised its Regional Assistance Plan for Latin America 2004–2007, which lays out our strategy for DFID's bilateral programme in the region. Its goal is to reduce poverty and inequality in the region, by enhancing the impact of international community support for poverty reduction, focusing on the Inter-American Development Bank (IDB) and the World Bank.

DFID will work to improve the effectiveness of the contributions the IDB and World Bank make in creating economic opportunities for poor people and in making public services and political systems accountable and responsible to poor people. We will do so through a combination of direct support for the IDB and World Bank and working with other organisations in the region.

In addition, DFID will help to improve the coherence of donor support for governments' poverty reduction strategies and will also contribute to lesson sharing on key global policy issues,-particularly trade policies that better reflect the impact of trade on poverty and inequality, and improved quality and effectiveness of HIV/AIDS prevention, treatment and care.

DFID will retain a bilateral programme in Nicaragua to reflect its low-income status and vulnerability. British non-governmental organisations (NGOs) will be important partners in achieving our goal. An additional £7 million a year will be provided to NGOs with Partnership Programme Agreements with DFID for their work in Latin America and the Caribbean.

The Regional Assistance Plan will be formally launched later this month.

US Agencies (Sole-sourced Contracts)

Harry Cohen: To ask the Secretary of State for International Development whether the reports on audits of sole-sourced contracts that have already been undertaken by various US agencies requested by the International Advisory and Monitoring Board have been handed over; and if he will make a statement. [190231]

Hilary Benn: The International Advisory and Monitoring Board (IAMB) has requested copies of reports issued by the US Defence Contract Audit Agency on its audits of contracts for work in Iraq that included funding from the Development Fund for Iraq as well as US appropriated funds. I understand that, because the reports contain proprietary contractor commercial or financial information, including pricing data, the US Government are barred by US law from releasing this information without the permission of the company involved. I also understand that the US Government are working to resolve this issue.

SCOTLAND

Civil Service (Job Losses)

Bob Spink: To ask the Secretary of State for Scotland which services within his Department will be *(a)* affected by and *(b)* subject to job losses consequent on the cuts in the civil service announced in the Spending Review. [189637]

Mrs. McGuire: I refer the hon. Member to the answer given by my right hon. Friend, the Chief Secretary to the Treasury, on 16 September 2004, *Official Report*, column 1659W.

Departmental Recycling

Bob Spink: To ask the Secretary of State for Scotland what the latest available 12 month figures are for the proportion of the Department's redundant documentation, waste paper and card that is recycled; and if he will make a statement on the Department's recycling policy. [188691]

Mrs. McGuire: The Scotland Office is committed to the recycling policy and targets set out in the Framework for Sustainable Development on the Government Estate. The precise information requested is not available; but a large majority of the waste paper and card produced by the Scotland Office is already consigned to re-cycling.

TRADE AND INDUSTRY

Export Credits Guarantee Department

Mr. Arbuthnot: To ask the Secretary of State for Trade and Industry what assessment her Department has made of the impact of the change of the Export Credits Guarantee Department to a statutory trading fund. [189786]

Mr. Alexander: The establishment of the Trading Fund, preceded by the pilot next year, should enable ECGD to take a more expansive approach to cover and an improved service to customers. There will be a parallel commitment to reduce premiums by up to £5 million per annum on cases where ECGD is currently charging above the internationally agreed minimum benchmark.

Mr. Arbuthnot: To ask the Secretary of State for Trade and Industry what estimate her Department has made of the likely volume of new business from the establishment of the Export Credits Guarantee Department *(a)* Pilot Trading Fund in April 2005 and *(b)* Statutory Trading Fund in April 2007. [189787]

Mr. Alexander: ECGD's new business in the last two financial years amounted to £3.5 billion (2002–03) and £2.99 billion (2003–04). When making her statement of 1 July 2004, *Official Report*, column 22WS, my right hon. Friend the Secretary of State for Trade and Industry confirmed her commitment to the introduction of a Trading Fund with a capital framework designed to accommodate both business growth and risk volatility. The Chief Executive is analysing possible future business volumes.

Information and Communication Specialists

Mr. Jenkins: To ask the Secretary of State for Trade and Industry how many information and communication technology specialists are in full-time employment in the Department. [189595]

Mr. Mike O'Brien: The Department of Trade and Industry currently employs 69 (full-time equivalent) ICT specialists.

TRANSPORT

Humber Bridge Toll

Mr. Greg Knight: To ask the Secretary of State for Transport what estimate he has made of the cost of converting the toll system on the Humber Bridge so that tolls can be mainly collected automatically without the need for employing attendants. [189783]

Mr. Jamieson: The Secretary of State has made no such estimate. The Humber Bridge is not part of the trunk road network and is, therefore, not the direct responsibility of the Secretary of State. The financing and operation of the Bridge is primarily a matter for the board of local authorities who manage the bridge, the Humber Bridge Board.

Mr. Greg Knight: To ask the Secretary of State for Transport what the cost was of employing persons to collect toll money on the Humber Bridge in each of the past four years for which figures are available. [189784]

Mr. Jamieson: The Department for Transport does not hold such information centrally. The Humber Bridge is not part of the trunk road network and is, therefore, not the direct responsibility of the Secretary of State. The financing and operation of the bridge is primarily a matter for the Humber Bridge Board.

Road Traffic Accidents

Mr. Battle: To ask the Secretary of State for Transport how many deaths in road traffic accidents there were in *(a)* 1975, *(b)* 1980, *(c)* 1990, *(d)* 2000 and *(e)* 2003. [189939]

Mr. Jamieson: The numbers of deaths in road traffic accidents are shown in the following table.

	Number killed
1975	6,366
1980	6,010
1990	5,217
2000	3,409
2003	3,508

FOREIGN AND COMMONWEALTH AFFAIRS

European Union Presidency

15. **Mr. David:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether the Lisbon Agenda will be one of the priorities of the British presidency of the EU. [190330]

Mr. MacShane: Yes it will be. Our overriding presidency priority will be to take forward the EU policy agenda in an efficient, effective and impartial way, with a strong emphasis on the agenda we inherit from preceding presidencies.

Delivering sustainable, long-term improvements to Europe's growth and employment is of course a major task for the EU and a priority for our presidency and the new Commission.

North Korea

16. **Mr. Gordon Prentice:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the impact on relations between the UK and North Korea of establishing diplomatic missions in the capitals of each country. [190331]

Mr. Rammell: The establishment of embassies in London and Pyongyang has provided an effective and regular channel of communication between our respective governments. This, together with my own visit to Pyongyang last month, has enabled us to make clear our views on issues of international concern, such as North Korea's nuclear programmes and human rights record. We will continue to encourage the North Koreans to engage fully on these issues.

23. **Paddy Tipping:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with North Korea on nuclear policy. [190338]

Mr. Rammell: I visited North Korea from 11 to 14 September. North Korea's nuclear policy was one of the issues which I raised during my visit.

I made a written statement to the House on my discussions in North Korea on 16 September 2004, *Official Report*, columns 186–88WS.

Ross Cranston: To ask the Secretary of State for Foreign and Commonwealth Affairs what his assessment is of North Korea's nuclear weapons programme. [190326]

Mr. Rammell: The Government assesses that North Korea has sufficient fissile material for a small number of nuclear weapons, and the technical capability to produce them. North Korea has also confirmed that it has completed the reprocessing of some 8,000 spent fuel rods, something about which we, and the international community, are very concerned.

Afghanistan

18. **Mr. Connarty:** To ask the Secretary of State for Foreign and Commonwealth Affairs what arrangements he has made to *(a)* monitor and *(b)* assess the presidential elections in Afghanistan. [190333]

Mr. Rammell: The UK provided four UK nationals to the OSCE Election Support Team, plus funding of £140,000. We contributed £50,000 to the "Free and Fair Elections Foundation of Afghanistan", which fielded some (1,700) local Afghan monitors; and £25,000 to the "Asia Network for Free Elections" to monitor voting by Afghan refugees in Iran. British embassy staff observed in Afghanistan, Pakistan and Iran.

We shall assess the results with our international partners.

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on women's rights and dowry payments in Afghanistan. [189884]

Mr. Rammell: Women's rights have improved dramatically since the fall of the Taliban, with access to education, healthcare and employment opportunities that would have been unthinkable under the Taliban regime. Just under 2 million girls have returned to school and one-third of Afghanistan's 70,000 teachers are now women. Women's rights are protected by the new constitution, which also reserves a proportion of seats in Parliament for women candidates. Women have registered in large numbers to vote for the upcoming elections: over 40 per cent. of the 10.5 million Afghans registered.

Despite these improvements many challenges still remain. Women suffer disproportionately from violence in Afghan society. Women's ability to exercise their rights also remains heavily constrained in some areas, particularly rural areas in the south and south-east. The UK is committed to working with the Afghan Government and their international partners to improve women's ability to exercise their rights. The Foreign and Commonwealth Office and the Department for International Development have agreed a comprehensive Gender Strategy for 2004–05, a copy of which is available in the Library of the House.

Dowry payments are a traditional part of Afghan marriage ceremonies, as in many other countries.

St. Helena

19. **Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to visit St. Helena to discuss its economy. [190334]

Mr. Rammell: My right hon. Friend the Foreign Secretary has no current plans to visit St. Helena.

However, Ministers take every opportunity to meet with councillors from St. Helena when they visit the UK, during which we discuss a whole range of issues. My most recent meeting with councillors was last month in the margins of the Overseas Territories Consultative Council.

Darfur

20. **Rev. Martin Smyth:** To ask the Secretary of State for Foreign and Commonwealth Affairs what his assessment is of the situation in Darfur. [190335]

Mr. Mullin: I refer the hon. Member to the answer I gave earlier today to the hon. Member for Meirionnydd Nant Conwy.

We remain very concerned about the situation in Darfur. Despite some progress on the humanitarian side, ceasefire violations by rebel and government forces continue. My right hon. Friend the Prime Minister discussed these issues last week with the Sudanese President, who agreed to a five-point action plan. The Sudanese will be judged not by their words, but by their actions over the coming weeks.

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his Answer of 14 September 2004, *Official Report*, columns 1551–52W, what evidence the Government would need in order to determine that the atrocities carried out in Darfur constituted genocide; and if he will set out the direct consequences of defining a situation as genocide. [189796]

Mr. Mullin: As called for in Security Council Resolution 1564, the Secretary-General has established an International Commission of Inquiry to determine whether or not acts of genocide have occurred and to identify the perpetrators. He has asked the Commission to report within three months. Article II of the 1948 Genocide Convention defines genocide as the "intent to destroy, in whole or in part, a national, ethnical, racial or religious group". Under this convention, the State Parties undertake to prevent and to punish the crime of genocide.

Middle East

21. **Norman Baker:** To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the number of Palestinians who have been separated from *(a)* their farmland and *(b)* their place of work by the Israel Wall impinging into Palestinian territory. [190336]

Mr. Rammell: We estimate that approximately 240,000 Palestinians (including 220,000 in east Jerusalem) live on the Israeli side of the barrier constructed so far, and so are potentially cut off from their places of work, schools and families. About 94,000 more may have been separated from their farmland.[1]

As a result of the 30 June Israeli High Court ruling, the Israeli Government is revising the route of the barrier.

[1] These figures are based on recent Palestinian Negotiations Affairs Department and OCHA (United Nations Office for the Co-ordination of Humanitarian Affairs) reports.

Kashmir

22. **Mr. Goodman:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Government of *(a)* India and *(b)* Pakistan on Kashmir. [190337]

Mr. Alexander: My right hon. Friends the Prime Minister and the Foreign Secretary discussed India-Pakistan relations with their Indian counterparts during Prime Minister Singh's visit to London on 20 September. The Foreign Secretary met his Pakistan counterpart on 23 September during the UN General Assembly. We conveyed to both Governments our warm support for the current dialogue process, and urged them to continue to press forward to resolve all their outstanding differences, including over Kashmir.

Brazil

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department has engaged in with the Government of Brazil regarding computer hacking. [189883]

Mr. Rammell: We are in close contact with the Brazilian Government on a number of organised crime issues including hacking and other hi-tech crime. In mid-September, the head of the UK's National Hi-Tech Crime Unit (NHTCU), and representatives from the British embassy attended the first International Conference on Cyber Crime Investigations in Brasilia. We hope that the Brazilian Federal Police will also attend the NHTCU's E-crime Congress to be held in the UK in April 2005.

Butler Report

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 13 September 2004, *Official Report*, column 1450W, if he will specify the year of the dates given; which Government Ministers were informed; what communications there were between the Foreign Office and the Prime Minister's Office; and when these communications took place. [190073]

Mr. Straw: The year referred to was 2004. The Ministers referred to were my right hon. Friend the Prime Minister and me. The communications between our respective offices took place in June 2004. Information relating to internal discussion and advice is exempt from disclosure under exemption 2 of Part 2 the Code of Practice on Access to Government Information.

Chagos Islands

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to consult Chagos Islanders on compensation for loss of livelihood. [190332]

Mr. Rammell: As the hon. Member for Islington, North knows, the High Court judgment of 9 October 2003 established that the Government have no legal obligation to pay any further compensation beyond what has already been provided. This was confirmed by the Court of Appeal on 22 July 2004. Consequently, while I have made it clear that I am prepared to meet Chagossian representatives, I have no plans to consult them on compensation.

Global Warming

Joan Ruddock: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations the Government are making to the United States Administration to encourage its engagement with international efforts to combat global warming. [190325]

Mr. Rammell: I refer my hon. Friend to the answer my right hon. Friend the Foreign Secretary gave earlier today to my hon. Friend the Member for Brighton, Kemptown (Dr. Turner).

Hurricane Ivan

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the impact of Hurricane Ivan on *(a)* Grenada, *(b)* Jamaica and *(c)* Cuba giving (i) the estimated number of (A) fatalities and (B) serious injuries and (ii) the levels of homelessness in each case; and what help was forthcoming in each case. [189905]

Mr. Rammell: Sadly, Hurricane Ivan has had a devastating effect on Grenada. The latest figures we have for deaths and injuries are 39 dead and 353 treated for injuries. Royal Navy medical staff were on the ground at the general hospital on the morning after the hurricane. It is estimated that some 90 per cent. of the housing stock was damaged.

For UK assistance to Grenada I refer my hon. Friend to the statement my right hon. Friend the Secretary of State for International Development (Hilary Benn) made to the House on 14 September 2004, *Official Report*, columns 1125–27, which was updated on 16 September 2004, *Official Report*, columns 169–72WS. A further written statement, updating the House on UK assistance following Hurricanes Ivan and Jeanne was issued today.

My right hon. Friend the Foreign Secretary has appointed my noble Friend the Baroness Howells of St. David's as his personal envoy to Grenada. She travelled to Barbados and Grenada from 21 to

24 September with representatives of the Department for International Development (DFID) and the British High Commissioner to Barbados and the Eastern Caribbean to see the situation at first hand.

In Jamaica the impact was, fortunately, not as severe as first feared, although tragically 17 people have reportedly lost their lives. We do not have any details of serious injuries but the number of people directly and significantly affected by the hurricane is thought to be around 25,000 people. It is believed some 5,000 were made homeless. The Jamaica Red Cross estimates that approximately 25,000 people have suffered enough damage to their homes to require external assistance to start their own recovery. DFID have allocated £600,000 to the Jamaican humanitarian response.

The impact from Hurricane Ivan on Cuba was far less than originally feared as the eye of the storm missed the mainland. There were no reported fatalities, but according to the UN 8,000 people were left homeless. Reports are still being gathered from the affected areas, and once these are completed we will consider what support is needed.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports of looting and lawlessness were reported in *(a)* Grenada, *(b)* Jamaica and *(c)* Cuba in the aftermath of Hurricane Ivan. [189906]

Mr. Rammell: In the days following Hurricane Ivan there were reports of looting in and around the capital of Grenada, St. George's. Troops from other Caribbean countries were sent to Grenada to help re-establish control and enforce a curfew. They arrived the second day after the hurricane. The Government of Grenada says the situation is now generally calm.

As the storm approached Jamaica, the Prime Minister, P J Patterson declared a state of public emergency. This can last up to a maximum of 30 days unless Parliament extends it. The stated reason was prior knowledge of planned looting. Several people were apparently arrested. There were reports of looting in various inner city areas and two police officers were shot and wounded. The Jamaican Security forces were on duty throughout and kept the situation generally under control.

Fortunately the eye of the storm missed the Cuban mainland and there was far less damage than expected. There were no reports of looting or lawlessness.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the ability of the High Commission in Grenada to respond to the level of need in the aftermath of Hurricane Ivan for *(a)* British citizens, *(b)* Grenadian nationals and *(c)* others. [189907]

Mr. Rammell: At the time of the hurricane there was one UK-based member of staff in Grenada and two locally-engaged staff. Royal Navy personnel were on hand to assist as soon as the hurricane passed and we reinforced the office as soon as was possible with four staff from Bridgetown. The office opened as soon as it was possible for staff to reach it. Two staff were also sent from London to assist.

In the immediate aftermath of the hurricane there was no telephone service and many roads were blocked. High Commission staff moved from hotel to hotel to make contact with tour operators and British and EU tourists and helped make arrangements for them to leave the island. Staff took messages for relatives of a number of British, Grenadian and other foreign nationals in the UK and elsewhere.

Over the weekend following the hurricane we helped over 400 British, EU and Commonwealth nationals leave Grenada on a variety of unscheduled flights including one we chartered.

Our consular responsibility was to British nationals, including dual nationals and EU nationals in the first instance. Inquiring Grenadian nationals were given advice on travel and immigration regulations in the UK.

Western Sahara

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent reports he has received of remarks by the UN Secretary-General's former personal envoy to the Western Sahara on the policy of Morocco regarding a settlement in Western Sahara; and if he will make a statement on the Government's policy on progress towards a settlement. [190003]

Mr. Rammell: James Baker the former personal envoy to Western Sahara of the UN Secretary-General, gave an extensive interview regarding the Western Sahara on American television on 19 August. A transcript can be found on the internet at http://www.pbs.org/wnet/wideangle/shows/sahara/transcript.html. The Polisario have quoted from this interview in a memorandum circulated to United Nations member States.

The United Kingdom continues to seek a just, lasting and mutually acceptable solution to the Western Sahara dispute which provides the people of the Western Sahara with an opportunity to exercise their right to self-determination. We believe UN efforts to find a solution to the dispute should be maintained and we will continue to support those.

Iraq

Sir Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on border traffic between Turkey and Iraq. [189369]

Mr. Straw *[holding answer of 11 October 2004]:* There have been severe delays to traffic crossing the Habur gate between Turkey and Iraq. I discussed this with both Turkish and Iraqi governments when I visited last week and encouraged them to find a solution. Discussions are continuing, including consideration of a possible second border crossing point. Tailbacks on the Turkish side of the Habur crossing are 40–50km long. It can take two weeks for a truck to get through.

Joan Ruddock: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to the answer of 14 September 2004, *Official Report*, column 1548W, how the money is to be spent. [190232]

Mr. Rammell *[holding answer of 11 October 2004]* : The Department for International Development's (DFID) Political Participation Fund for Iraq; administered by the British Council is a £5 million programme over two years, designed to increase opportunities for political representation and participation by all Iraqi citizens, particularly women. Since early September. £145,000 has been allocated to provide support to Iraqi national women's organisations. This will help them to prepare for the elections by delivering civic education and information to women voters, working with potential candidates and monitoring women's participation in the political process. DFID and the British Council, responsible for managing the Fund, are looking at further opportunities to support women's participation in the political process, both before and after the forthcoming elections.

NORTHERN IRELAND

Ards and Down Area Plan

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland when the public inquiry into the Draft Ards and Down Area Plan will begin. [190175]

Angela Smith: The Planning Appeals Commission sets the date for the commencement of the Public Inquiry. A start date has not been set at present.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what efforts the Department of Environment has made to resolve the objections received in response to the publication of the Draft Ards and Down Area Plan; and how many of those objections were resolved by the Department. [190176]

Angela Smith: The Department of the Environment received 2369 objections to the draft Ards and Down Area Plan. A number of the objections received relate to multiple issues. Full consideration has been given to all objections and work is now nearing completion on the preparation of the Department's rebuttal statements.

While the Department may see merit in all or part of an issue raised in a number of the objections, it is not possible to resolve objections at this stage. All objections have been put on public display and can be subject to a counter objection up to the date of the public inquiry. The rebuttal statements, which set out the Department's view on each individual objection, will be presented at the public inquiry which provides the mechanism for the issues to be fully considered.

It is therefore not possible to confirm at this stage the number of objections that may be resolved.

Asbestosis

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will extend the scope of asbestos industrial injury benefit to include family members of asbestosis sufferers. [189678]

Mr. Spellar: The statutory provisions of the Industrial Injuries Scheme provide benefit to employed earners due to an illness or injury due to their occupation. There are no plans to extend the scope of the Industrial Injuries Scheme to family members of asbestosis sufferers.

Business Education Partnership

Mr. Beggs: To ask the Secretary of State for Northern Ireland what costs were incurred by each of the three departments involved in establishing the Northern Ireland Business Education Partnership. [189674]

Mr. Gardiner: NIBEP was established by the Training and Employment Agency (now the Department for Employment and Learning) and the Department of Education jointly in 1995, in the form of an unincorporated association within Business in the Community. In June 2000 it was incorporated as a company limited by guarantee and moved to its own premises. Any costs incurred in respect of this move were offset by moneys transferred from Business in the Community to NIBEP at the point where responsibility transferred from one to the other. The staffing of NIBEP when it was established in 1995 consisted of one secondment from the business sector (ie at no cost to the public purse). The Department of Enterprise, Trade and Industry has incurred no costs in respect of NIBEP at any time.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what the cost of running the Northern Ireland Business Education Partnership was in each of the last three years; and what the estimated cost of closing it is. [189675]

Mr. Gardiner: The information requested is as follows:

	Running costs (£)
2001–02	284,223
2002–03	244,999
2003–04	202,516
2004–05[1]	147,899

[1] 1 April 2004 to 31 August 2004 only.

Note:

These do not include direct programme expenditure.

Estimated cost of closing NIBEP

£18,000 + expenses (but will be subject to issues arising during the course of the liquidation).

Mr. Beggs: To ask the Secretary of State for Northern Ireland which *(a)* Department and *(b)* organisation will be responsible for carrying out the work of the Northern Ireland Business Education Partnership. [189700]

Mr. Gardiner: Future arrangements for business-education activities in support of education for employability in the curriculum are under consideration jointly by the Departments of Education, Employment and Learning and Enterprise, Trade and Investment.

As an interim measure the major bodies providing business-education activities and programmes that are currently funded through NIBEP will continue to be funded for the remainder of the 2004–05 financial year until substantive arrangements are put in place for the future. This is to be administered by the three Departments with Department of Education in the lead.

Cancer Patients

Mr. Dodds: To ask the Secretary of State for Northern Ireland what resources are provided to support cancer patients making the choice to die at home. [189966]

Angela Smith: Patients with a cancer diagnosis making the choice to die at home are facilitated through primary, community and acute services. Specific services developed within the boards in the last number of years include provision of palliative care drug boxes for out of hours use by GPs and other primary health care professionals, developing the district nursing twilight services, provision of night nursing services in partnership with Marie Curie Cancer Care and complementary and counselling therapies.

A Regional Cancer Services Framework is currently being developed to make recommendations for the future delivery of cancer services in Northern Ireland over the next 20 years. As part of its work, the framework will be considering the future development of palliative care services in the home. The framework is expected to be completed by 31 December 2004.

Castlereagh (Industrial Development)

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what discussions the Department of Enterprise, Trade and Investment has had with Castlereagh College on training requirements for future industrial development in the Castlereagh area. [189659]

Mr. Gardiner: Neither the Department of Enterprise Trade and Investment, nor Invest NI, have had any direct discussions with Castlereagh College. Invest NI's Accelerating Entrepreneurship Strategy (AES) seeks to actively embed entrepreneurship throughout Northern Ireland's education and training systems. Aspects of AES are undertaken in close liaison with the Association of Northern Ireland Colleges, which represents the sixteen Further Education colleges in NI, including Castlereagh.

Through its Business Improvement Services function, Invest NI also provides specific company based training and development programmes linked directly to the needs of local companies. These programmes can be delivered using internal or external trainers as appropriate, with each client company being responsible for the selection of any external providers. Such training is entirely tailored to the needs of the company thus offering a specific focus on the local economic development needs of the area in which it is based.

Churches (Signing)

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland when the Department of Regional Development's review of its policy on signing of churches will be carried out; and if he will make a statement. [189661]

Mr. Spellar: The Chief Executive of Roads Service (Dr. Malcolm McKibbin) has been asked to write to the hon. Lady in response to this Question.

Letter from Dr. Malcolm McKibbin to Mrs. Iris Robinson, dated 22 September 2004:

You recently asked the Secretary of State for Northern Ireland a Parliamentary Question about the review of direction signing to churches. I have been asked to reply as the issue raised falls within my responsibility as Chief Executive of Roads Service.

I can confirm that the work on the policy review of the signing of churches and other privately operated premises is on-going and it is expected to be complete by the end of November 2004.

Civil Servants (Private Sector Work)

Mr. Carmichael: To ask the Secretary of State for Northern Ireland how many divisional planning managers within the Department of the Environment have been granted permission to become private sector planning consultants in the last five years. [189881]

Angela Smith: No current Divisional Planning Manager has been given permission to become a private sector planning consultant.

Civil Service Industrial Action

Mr. Lidington: To ask the Secretary of State for Northern Ireland how many staff days have been lost as a result of industrial action in each Department, agency and non-departmental public body in Northern Ireland since the start of the current industrial action by civil servants. [188248]

Mr. Pearson: Since the start of the current industrial action by civil servants up to 3 September 2004, 54,737 staff days have been lost in Departments, agencies and non-departmental public bodies in Northern Ireland. A breakdown of the figures for each Department, agency and non-departmental public body is as follows.

Department	*Core/agency/NDPB*	*Staff hours lost*	*Staff days lost*
Agriculture and Rural Development	Department Core	61,188.9	8,268
	Rivers Agency	1,369	185
	Forest Service	733	99
	Agricultural Research Institute for NI	33	4
Culture, Arts and Leisure	Department Core	962.7	130
	Ordnance Survey NI	1890.87	256
	Public Record Office NI	717.8	97
Education	Department Core	24,048.38	3,250
Employment and Learning	Department Core	43,139	5,830
	Labour Relations Agency	1,876	254
Enterprise, Trade and Investment	Department Core	2,970	401
	Health and Safety Executive NI	104	14
	Invest NI	682	92
	General Consumer Council	111	15
	NI Tourist Board	565.5	76
Finance and Personnel	Department Core	8,296.6	1,121
	Valuation and Lands Agency	1,978.4	267

Department	*Core/agency/NDPB*	*Staff hours lost*	*Staff days lost*
	Business Development Service	1,505.2	203
	Rate Collection Agency	7,676.2	1,037
	Land Registers of NI	1,650.4	223
Health, Social Services and Public Safety	Department Core	7,610.08	1,028
	Health Estates Agency	1,073.37	145
Environment	Department Core	1,647.1	223
	Driver and Vehicle Licensing NI	8,872	1,199
	Driver and Vehicle Testing Agency	48,067.65	6,496
	Environment and Heritage Service	2,095	283
	Planning Service	23,492	3,175
Regional Development	Department Core	16,505	2,230
Social Development	Department Core	2,117	286
	Social Security Agency	111,257	15,035
	Child Support Agency	18,993	2,567
Northern Ireland Office	Department Core	158.96	21
	Compensation Agency	55.41	7
	Forensic Science Agency	42.11	6
	Youth Justice Agency	1	0.1
	NI Prison Service	764	103
Office of the First Minister and Deputy First Minister	Department Core	823.25	111
Total	—	405,071.88	54,737

Mr. Lidington: To ask the Secretary of State for Northern Ireland if he will make a statement on the action that he has taken since the beginning of the parliamentary summer recess to bring an end to industrial action by civil servants in Northern Ireland. [188249]

Mr. Pearson: Intensive negotiations took place in July between officials from the Department of Finance and Personnel and trade union representatives. At these meetings officials emphasised that the 3.67 per cent. pay deal for 2003 had now been paid and was final, but that they were willing to explore all reasonable means of resolving the dispute. The trade union also met with the Secretary of State and myself on 23 July to discuss the situation. On 3 August management tabled two offers for 2004 to the trade union a 12-month offer worth 3.49 per cent. and a 16-month offer worth 4.65 per cent. Both offers were quickly rejected and further negotiations took place on 4, 11 and 13 August. As a result of these further negotiations, management restructured the 4.65 per cent. 16-month offer and this was formally put to trade union side on 16 August. The revised offer included an increase in rates of pay of 2 per cent. plus a non-consolidated payment of £150 for all staff.

On 13 September the trade union accepted the 16-month pay offer worth 4.65 per cent. and agreed to suspend the current industrial action. It is hoped that public services can return to normal as a matter of urgency.

Staff in the Northern Ireland Office are subject to separate pay negotiations involving NIPSA in respect of Northern Ireland civil servants and PCS and PDA in respect of home civil servants. All three unions remain in dispute in relation to the 2003 pay award, although only NIPSA has taken industrial action. Formal negotiations in relation to 2004 pay are ongoing.

Mr. Lidington: To ask the Secretary of State for Northern Ireland what assessment he has made of the impact of industrial action by civil servants in Northern Ireland on *(a)* members of the public and *(b)* businesses. [188250]

Mr. Pearson: The industrial action by civil servants, which commenced on 11 December 2003, ended on 13 September. Selective strike action taken by some members of the Northern Ireland Public Service Alliance, did impact on services to members of the public and business. While contingency plans were in place to minimise disruption, strike action by staff in the Driver and Vehicle Testing Agency resulted in a significant backlog of both vehicle and driver tests. There were also delays in payment of agricultural grants and subsidies, delays in processing planning applications and postponement of Industrial and Fair Employment Tribunal hearings. Precise information on the impact of industrial action on businesses is not available and could be obtained only at disproportionate cost.

Deaths (Drink and Drugs)

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many deaths there were in Northern Ireland in 2003 from *(a)* suicide, *(b)* drowning, *(c)* house fires, *(d)* other domestic accidents, *(e)* road traffic accidents, *(f)* murder and *(g)* manslaughter; and what percentage were (i) alcohol and (ii) drug-related in each case. [188531]

Mr. Pearson: The following tables give the total number of deaths/offences in Northern Ireland in 2003 due to suicide and undetermined injury, drowning, domestic accidents (other than fires in a dwelling or drowning), fires in a dwelling, road traffic collisions, murder and manslaughter. Where possible, the percentage of these deaths/offences, which were alcohol and drug-related is provided.

Table 1: Number of registered deaths in Northern Ireland in 2003 from suicide and undetermined injury, drowning and domestic accidents (other than fires in a dwelling or drowning)

2003[1] deaths	*Number of deaths*	*Alcohol related percentage*	*Drug-related percentage*
Suicide and undetermined injury[2]	144	0	16
Suicide	132	0	13
Undetermined injury	12	0	50
Drowning[3]	25	n/a	n/a
Domestic accidents (other than fires in a dwelling or drowning)[3]	70	n/a	n/a

[1] Data for 2003 are provisional and are derived from the civil death registration system.

[2] In the UK, in considering suicide events it is conventional to include cases where the cause of death is classified as both "suicide and self-inflicted injury" and "undetermined injury". Figures for the percentage of suicides and undetermined injury that are drug-related may include prescription and/or illegal drugs and includes deaths where a combination of alcohol and prescription/illegal drugs were involved, but not intentional or undetermined alcohol poisoning alone.

[3] For these causes of death, there is no information collected on a death certificate about whether the death was alcohol or drug related.

Note:

N/a data not available.

Table 2: Number of deaths in Northern Ireland in 2003 from fires in a dwelling

2003 Deaths[1]	*Number of deaths*	*Alcohol related*	*Drug-related*
Fires in a dwelling	11	n/a	n/a

[1] Data supplied by the Fire Service of Northern Ireland. No information is available on whether the death due to a fire in a dwelling was alcohol or drug related.

Note:

N/a data not available.

Table 3: Number of deaths/offences in Northern Ireland in 2003 from road traffic collisions, murder and manslaughter

2003 Deaths/offences[1]	*Number*	*Alcohol or drug related percentage*
Road traffic collision deaths	150	30
Murder offences	35	n/a
Manslaughter offences	6	n/a

[1] Data supplied by the Police Service of Northern Ireland. The breakdown of deaths due to a road traffic collision which are alcohol or drug-related, includes deaths which are alcohol and/or prescription/illegal drug related. No information is available on whether the recorded murder or manslaughter offence was alcohol or drug related.

Note:

N/a data not available.

Demographics

Mr. Flook: To ask the Secretary of State for Northern Ireland what the population was of *(a)* Moira, *(b)* Aghalee, *(c)* Magheralin, *(d)* Dollingstown, *(e)* Donaghacloney, *(f)* Waringstown, *(g)* Maghaberry and *(h)* Aghagallon in (i) 1981, (ii) 1991 and (iii) 2001. [187996]

Mr. Pearson: Commonly agreed definitions of the geographical areas covered by settlements are not available over the period in question. In the 1981 and 1991 censuses, the settlement areas were approximated at those times by Irish Grid Squares while the 2001 census used settlement development limits as defined by the Department of the Environment. Given the different boundaries used over time, and changes in census methodology, changes in the population figures provided as follows cannot be wholly attributed to population growth or decline.

	1981	*1991*	*2001*
Moira	1,453	2,772	3,669
Aghalee	735	480	111
Magheralin	911	1,075	1,134
Dollingstown	604	877	1,830
Donaghacloney	650	755	963
Waringstown	1,167	1,831	2,523
Maghaberry	n/a	1,009	1,692
Aghagallon	n/a	655	819

Note:

n/a refers to figures for which area boundaries are unavailable.

Domiciliary Care

Mr. McGrady: To ask the Secretary of State for Northern Ireland what the contractual hourly rate paid to domiciliary care providers in Northern Ireland is, broken down by health trust area. [190019]

Angela Smith: The details are set out in the table:

Trust	*Type of care*	*Hourly rate (£)*
Armagh and Dungannon HSS Trust	Personal Care	9.50
	Practical Support	7.56
	Day Sitting	6.45
	Night Sitting	6.45
Causeway HSS Trust	All	9.90
Craigavon and Banbridge Community Trust	Personal Care	9.50
	Practical Support	7.56
	Day Sitting	6.45
	Night Sitting	6.45
Down Lisburn HSS Trust	All	10.50–11.75
Foyle Community Trust	All	7.22–9.50
Homefirst Community Trust	All	10.14
Newry and Mourne HSS Trust	Personal Care	9.50
	Practical Support	7.56
	Night Wake	7.20
	Day Sitting	6.45
	Night Sitting	6.45
North and West Belfast	All	11.00
South and East Belfast	All	11.00
Sperrin Lakeland Trust	Day rate	7.40
	Evening/twilight/ weekend	7.50
	8 hours per night	50.00
Ulster Community and Hospitals Trust	All	8.21–12.98

Mr. McGrady: To ask the Secretary of State for Northern Ireland what the average contractual hourly rate paid to domiciliary carers in Northern Ireland is by health trust area. [190020]

Angela Smith: The details are set out in the following table:

Trust	*Average hourly rate (£)*
Armagh and Dungannon HSS Trust	6.06
Causeway HSS Trust	5.70
Craigavon and Banbridge Community Trust	5.98
Down Lisburn HSS Trust	5.88

Trust	Average hourly rate (£)
Foyle Community Trust	6.13
Homefirst Community Trust	6.06
Newry and Mourne HSS Trust	5.81
North and West Belfast Community Trust	6.07
South and East Belfast Community Trust	6.07
Sperrin Lakeland Trust	6.06
Ulster Community and Hospitals Trust	6.35

Euro/European Constitution

Mr. Dodds: To ask the Secretary of State for Northern Ireland how much money has been spent in Northern Ireland since 2001 on preparations for *(a)* the introduction of the euro and *(b)* a referendum on the European Constitution. [190103]

Mr. Pearson: On *(a)* I refer the hon. Member to the response given by my hon. Friend the Financial Secretary to the Treasury (Ms Kelly), on 14 October 2003, *Official Report*, column 142W. On *(b)*, since 2001 no money has been spent on the referendum on the European Constitution in Northern Ireland.

GM Crops

Mr. McGrady: To ask the Secretary of State for Northern Ireland whether it is Government policy not to allow the growing of GM crops in Northern Ireland. [190022]

Angela Smith: It is not the Government's policy to prevent the growing of GM crops in Northern Ireland. On 9 March 2004 the Secretary of State for the Environment, Food and Rural Affairs made a statement in the House setting out the Government's policy on GM issues [Column 1381]. Similar statements were made on the same day in the Welsh Assembly and the Scottish Parliament. In addition, I issued a press release on 12 March 2004 setting out the position in respect of Northern Ireland. A copy has been placed in the Library.

The essence of our policy is that GM crops will be considered on a case-by-case basis, and consumers will have choice through mandatory labelling of GM products. The primary concern will continue to be to safeguard human health and the environment. The Government will ensure that GM products are safe and provide consumer choice through labelling, but ultimately it will be for farmers and consumers to decide whether they want GM crops and food.

Hearing Aids

Mr. Dodds: To ask the Secretary of State for Northern Ireland what the average waiting time is for people in Northern Ireland to be supplied with a hearing aid in Northern Ireland hospitals. [190065]

Angela Smith: Information on average waiting times for supply of hearing aids is not collected. However, provisional information for the quarter ending June 2004 indicates that the median waiting time (the middle value of all waiting times) from the hospital receiving a referral to the supply of a digital hearing aid is between three and six months.

Mr. Dodds: To ask the Secretary of State for Northern Ireland what the waiting list is for the supply of hearing aids to patients in each Northern Ireland hospital. [190066]

Angela Smith: This information requested is not available.

Heart Disease

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland if he will replicate the framework for heart diseases in England in Northern Ireland. [190311]

Angela Smith: While the health service for Northern Ireland is not included in the National Service Framework for Coronary Heart Disease, the main features were taken fully into account as best practice guidelines in the Review of Cardiology Services in 1999 and a subsequent Review of Cardiac Surgery Services in 2000. The recommendations from these reviews are currently being implemented through a Joint Action Plan, but the ability to fully implement all aspects of the service framework would be dependent on additional resources.

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland what plans he has to introduce measures of outcomes in the treatment of heart disease. [190312]

Angela Smith: Health and Social Services Trusts already have measures in place to monitor the outcomes of cardiology and cardiac surgery treatments on an ongoing basis. These include the use of clinical audit and contributions to national databases. For example, the Royal Victoria Hospital contributes to the national database for cardiac surgery outcomes, as well as participating in European and international trials aimed at improving treatments of heart disease.

Home Care

Mr. Dodds: To ask the Secretary of State for Northern Ireland what measures are in place to facilitate joint working between service providers of home care in Northern Ireland. [189967]

Angela Smith: The promotion of a flourishing independent sector in social care provision is a key objective of the 'People First' policy. Health and Personal Social Services bodies engage with a wide range of private and voluntary sector agencies in the planning and delivery of domiciliary care. Arrangements also exist for the joint consideration of important issues such as recruitment and training.

Housing (Fraud)

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many cases were recorded of people on housing benefits attempting to defraud the Housing Executive when purchasing houses from it in each of the last three years, with particular reference to *(a)* organised criminal gangs and *(b)* paramilitary organisations. [189676]

Mr. Spellar: The information requested is not readily available. However the Housing Executive estimates that over the last three years there were around 73 cases of suspected housing benefit fraud where a house sale was also involved.

The vast majority of these would have been referred to the Benefit Investigation Unit of the Social Security Agency in the 2003–04 financial year for investigation. Of the original 73 cases referred, in one case a substantial overpayment is being raised, in 19 cases investigations are continuing and so evidence of fraudulent activity was found in the remainder.

All allegations of fraud are taken seriously and investigated thoroughly so that those involved can be prosecuted where there is evidence of fraud. The proposed revisions to the House Sales Scheme, which will apply to applications made from 18 May 2004 contain a range of measures aimed at retaining houses in the social rented sector and will strengthen existing procedures to help reduce the potential for fraud.

Housing Executive

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will list schemes the Housing Executive has approved for the next 12 months which grant funding to housing associations for new build locations, broken down by amount of funding involved; and if he will make a statement on applications from housing associations for new build locations which have been refused because the Housing Executive disagreed with the needs assessment carried out by a housing association. [189677]

Mr. Spellar: The role of the Housing Executive is to identify housing need and to prioritise bids from housing associations to meet that need. The Department then agrees the programme and allocates funding accordingly.

The following table lists all schemes that have Housing Executive support to start on site in the 2004–05 financial year. It is not possible to provide information in respect of the next 12 months as requested, as schemes for the next financial year have not been finalised.

The Department does not maintain a record of applications where there has been a dispute between housing associations and the Housing Executive on needs assessment. In cases where a housing association feels that need has not been fully identified, the Housing Executive welcomes evidence to support the contrary view and is content to enter into discussions to resolve and make adjustments if required.

Housing association planned starts: 2004–05

Council	*Location*	*Units*	*NB RH*	*Total cost (£000)*
Antrim	Main Street, Toome	7	NB	437
Antrim	Crumlin, Antrim	12	RH	559
Antrim	Cavalier Court, Antrim	8	NB	652
Ards	33 Robert Street, Newtownards	1	RH	82
Armagh	Eglish, Armagh	6	NB	460
Armagh	Granemore Road, Ph3, Keady	17	NB	1,521
Ballymena	Fernisky Road, Kells	1	NB	287
Ballymoney	Market Street, Phi, Ballymoney	6	RH	542
Ballymoney	4 Ballywindyland Road, Macfin, Ballymoney	1	RH	160
Banbridge	Hospital Site, Ph1, Banbridge	24	NB	2,361
Banbridge	Kinallen, Ph1 , Banbridge	6	NB	550
Belfast	Ardgowan, Ph3, Belfast	10	NB	1,288
Belfast	Gainsborough, Ph1, Belfast	26	NB	3,023
Belfast	Beechmount, Ph5, Belfast	41	NB	4,663
Belfast	Owenvale, Ph2, Belfast	2	NB	232
Belfast	Malcolmson Street, Belfast	50	NB	4,351
Belfast	42–56 Ballysillan Road, Belfast	8	NB	881
Belfast	19–21 Knock Road, Belfast (Belmont Road)	10	NB	810
Belfast	Antrim Road Phld, Belfast (37 Atlantic Ave)	1	RH	166
Belfast	Antrim Road Phlc, Belfast (79 Kansas Ave)	1	RH	138
Belfast	North Rugby Club, Ph1, Belfast	79	NB	10,560
Belfast	North Belfast	5	RH	562
Belfast	Parkgate, Belfast	20	RH	416
Belfast	51 Connsbrook Avenue, Belfast	3	RH	205
Belfast	177–187 Newtownards Road, Belfast	9	NB	778
Belfast	Old School House Site, Tamar Street, Belfast	10	NB	1,106
Belfast	16 and 17 Lewis Square, Belfast	2	NB	0
Belfast	Tudor, Ph3, Belfast	40	NB	3,321
Belfast	422–424 Antrim Road, Belfast (Rosemount House)	20	RH	2,468
Belfast	Woodland Avenue, Belfast	13	NB	1,237
Belfast	Ardoyne Acquisitions Ph 3c	2	RH	166
Belfast	Ardoyne Acquisitions, Ph4A, Belfast	1	RH	85
Belfast	Ardoyne Acquisitions, Ph4B, Belfast	3	RH	248
Belfast	Ardoyne Acqusitions, Ph4C, Belfast	2	RH	170
Belfast	Ardoyne Acquisitions Ph4D, Belfast	2	RH	170
Belfast	Springfield Road, Ph1, Belfast	71	NB	8,137
Belfast	Roden/Beit/Roosevelt, Belfast	26	NB	2,871
Belfast	Morning Star, 125 Divis Street, Belfast	19	NB	2,277
Belfast	Ardkeen House, Marlborough Park, Belfast	13	RH	1,229

Housing association planned starts: 2004–05

Council	Location	Units	NB RH	Total cost (£000)
Belfast	Servia Street, Belfast	4	NB	443
Belfast	Gate Lodge, Ormeau Road, Belfast	1	RH	138
Belfast	298 Antrim Road, Belfast (Mater Dei)	13	NB	1,752
Belfast	Newington Acquisitions, Ph4, Belfast (Deer Park)	9	NB	1,118
Belfast	Rossnareen, Belfast	18	NB	2,071
Belfast	Travellers Site, Monagh Road, Belfast	16	NB	2,591
Belfast	32 Springfield Road, Belfast	13	NB	1,410
Belfast	Cliftonpark Avenue (BT Site), Belfast	2	NB	229
Belfast	Henderson Avenue, Belfast	12	NB	1,109
Belfast	Ainsworth Avenue, Belfast	32	NB	3,565
Belfast	Milk Marketing Board, Antrim Road, Belfast	83	NB/RH	7,968
Belfast	St. Gall's Site, Ph1, Belfast	32	NB	3,794
Belfast	65–67 Falls Road, Belfast	9	NB	734
Belfast	Upper Springfield Road, Belfast	24	NB	2,289
Belfast	Carlisle House, Henry Place Ph2, Belfast	9	NB	890
Belfast	Horn Drive, Lenadoon, Belfast	8	NB	1,020
Belfast	Belmont Avenue West, Ballyhackamore, Belfast	6	NB	502
Belfast	2 Brookhill Avenue, Belfast	9	NB	896
Belfast	Willowfield Avenue, Belfast	7	NB	813
Belfast	L'Arche Ph2 (Rosetta), Belfast	6	RH	467
Belfast	140 University Avenue, Belfast	14	NB	1,150
Belfast	Beechfield Street, Belfast	11	NB	1,053
Belfast	24 Clandeboye Drive, Belfast	1	RH	91
Belfast	Ph5b, South and East Belfast	4	RH	203
Belfast	Devonshire Tradas, Ph1, Belfast	17	NB	2,100
Belfast	Warehouse Site, Cambrai Street, Belfast	12	NB	1,400
Belfast	75 Woodvale Road, Belfast	1	RH	120
Carrick	Bridewell, Carrickfergus	14	NB	1,140
Carrick	Railway Cottages, Taylor's Avenue, Carrick	30	NB	3,097
Castlereagh	Bennan Park, Ballybeen	24	NB	2,579
Castlereagh	Rurals, Comber/Ballygowan/C'Reagh, Ph1	4	NB	630
Castlereagh	Dunseverick Avenue, Castlereagh	12	NB	1,151
Coleraine	Millburn Road, Coleraine	3	NB	343
Coleraine	Lever Road, Portstewart	8	NB	705
Craigavon	Castle Lane, Lurgan	18	NB	1,321
Derry	Francis Street, Londonderry	10	NB	788
Derry	West Bank, Ph1, Londonderry	10	RH	883
Derry	Abercorn Road, Londonderry	11	NB	1,027
Derry	Springtown Road, Ph2, Londonderry	34	NB	3,647
Derry	City Side, Ph2, Londonderry	4	RH	331
Derry	Belmont Cottages, Londonderry	5	NB	358
Derry	Belmont Cottages, Londonderry (RI)	12	RH	467
Derry	West Bank, Ph12A, Londonderry	5	RH	402
Derry	West Bank, Ph12B, Londonderry	5	RH	450
Derry	West Bank, Ph12C, Londonderry	5	RH	454
Derry	West Bank, Ph12D, Londonderry	5	RH	454
Derry	Donal Casey Court, Ph2, Londonderry	6	NB	406
Derry	Bonds Hill, Londonderry	15	RH	1,404
Down	Todd's Hill, Saintfield	10	NB	920
Down	The Square, Strangford	7	NB	896
Down	Central Promenade Pl, Newcastle	9	NB	543
Dungannon	Old Mill Place Orlits, Dungannon	5	NB	492
Dungannon	12 Thomas Street, Dungannon	5	RH	314
Fermanagh	Castle Hill House, Lisnaskea	5	RH	366
Fermanagh	Castlederg Road, Ederney	10	NB	833
Fermanagh	2–4 Pump Lane, Ederney(Ardvarney)	2	NB	178
Fermanagh	Drumclay, Enniskillen	20	NB	1,554
Larne	Gardenmore Place, Larne	14	NB	1,081
Limavady	49 Nedd Road, Ballykelly	1	NB	105
Lisburn	Lagmore, Ph6, Lisburn	75	NB	8,070
Lisburn	98/100 Queensway, Dunmurry	8	NB	926
Lisburn	Wallace Park (Magheralave), Lisburn	1	RH	73
Lisburn	12 Pembrook Manor, Poleglass	1	RH	97
Lisburn	Ballymacoss, Central, Lisburn	50	NB	5,153
Magherafelt	Moykeeran Crescent, Draperstown	8	NB	646
Magherafelt	Kilrea Rd, Upperlands, Maghera	3	NB	244
Newry and Mourne	Main Street, Ph2, Forkhill	8	NB	748
Newry and Mourne	High Street, Derramore, Bessbrook	14	NB	1,037
Newry and Mourne	Ph3, Newtowncloghogue	8	NB	630
Newry and Mourne	Patrick Street, Newry	7	NB	538
Newry and Mourne	Bridal Loanan, Ph4, Warrenpoint	32	NB	2,721
Newtownabbey	Carn Way, New Mossley	5	NB	632

Housing association planned starts: 2004–05

Council	*Location*	*Units*	*NB RH*	*Total cost (£000)*
North Down	Abbey Place, Holywood	29	NB	2,932
Omagh	41 Segully Road, Drumquin, Omagh	1	RH	122
Strabane	Cottages, Ph6, Strabane	10	NB	998
	Totals	1,539		

Notes:
NB—New build
RH—Properties purchased from the private market and rehabilitated to current standards
Total cost—Total scheme cost, including land purchase

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland how many homes were sold to tenants by the Northern Ireland Housing Executive in each of the five years to the end of 2003. [189733]

Mr. Spellar: For each of the last five financial years up to 31 March 2003 the figures requested are as follows:

	Number sold to sitting tenants
2003–04	5,583
2002–03	5,991
2001–02	4,985
2000–01	5,509
1999–2000	4,449

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland how many homes were in the ownership of the Northern Ireland Housing Executive at the end of 2003. [189734]

Mr. Spellar: At the end of the financial year 1 April 2003 to 31 March 2004 the number was 102,850.

Industrial Tribunals

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what the average waiting time to hear an industrial tribunal case in Northern Ireland was in the last year for which figures are available. [189696]

Mr. Gardiner: In 2003 the average time from application to hearing for Industrial Tribunal discriminatory complaints was two years six months and for non-discriminatory complaints five months.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many industrial tribunal cases in Northern Ireland are waiting to be heard; and what action he is taking to reduce waiting times. [189697]

Mr. Gardiner: On 23 August 2004 there were 12,967 cases awaiting determination by the Industrial Tribunals. Almost 2,000 of these were discrimination cases and the remainder were non-discrimination cases. Some 6,300 cases relate to a common complaint against one respondent under working time regulations and a further 1,936 cases relate to 10 large multiple applications. A case may involve more than one complaint.

A series of measures has already been taken to improve the operation of the tribunals and reduce waiting times, including:

appointment of three additional full-time Chairmen;

updating the Tribunal rules of procedure;

provision of additional administrative staff;

provision of additional Tribunal accommodation, and;

introduction of a new IT system.

Further improvements will include:

the imminent appointment of additional part-time chairmen;

enhancements to the Tribunals IT system;

testing the use of digital audio recording systems to speed up lengthy cases;

improved case management; and

promoting alternative methods of resolving workplace disputes.

In addition, new regulations due to come into effect in April 2005 will introduce statutory minimum dispute resolution procedures in every workplace in Northern Ireland. The outcome of this legislation should be a reduction in the number of applications being made to the Tribunals, which in time should reduce waiting times overall.

Inward Investment

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland what plans Invest Northern Ireland has to ensure that more potential inward investors have opportunities to visit the East Londonderry constituency in 2005. [189610]

Mr. Gardiner: In the context of a highly competitive marketplace for mobile international investment, the priority is to maximise investment for the Northern Ireland economy as a whole.

Internationally, Invest Northern Ireland will continue to focus its sales and marketing efforts on aggressively promoting Northern Ireland as an attractive and viable location for new inward investment opportunities. Invest Northern Ireland has a target of securing 150 inward visits by potential investors during the financial year 2004–05. While efforts are made to take visitors to as many potential locations as possible in Northern Ireland, each visit programme is dictated by investor requirements. Invest Northern Ireland's local offices have been working with local stakeholders to ensure that up to date and detailed information on sub-regions is available to potential investors when required.

Lagan Doc Service

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland when the recording of telephone conversations between the general public and staff at Lagan Doc Service commenced at Down, Lisburn Trust as a matter of course; and if he will make a statement. [190152]

Angela Smith: Lagan Doc Out-of-Hours Service has been recording all incoming calls from the public from 6 August 2004. The primary reason for doing so is to help improve the quality of service provided and additionally for staff training and security purposes. Callers are advised at the outset, by a pre-recorded message, that the call is being recorded and of the reasons for doing so.

Londonderry Railway Station

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland how much has been spent on *(a)* maintenance and *(b)* improvements to the rail station in Londonderry in each of the past five years. [189604]

Mr. Spellar: The following figures detail how much has been spent on maintenance to the rail station in Londonderry in each of the past five years. There were no capital costs for improvements or additions.

Maintenance

	£
1999–2000	30,445
2000–01	31,387
2001–02	33,039
2002–03	34,416
2003–04	41,930

Manufacturing Industry

Mr. Trimble: To ask the Secretary of State for Northern Ireland how many people were employed in manufacturing in Northern Ireland in each of the last five years; and how many people he estimates will be employed in manufacturing in each of the next five years. [153833]

Mr. Gardiner: The NI labour market is performing well; the latest employee jobs figure of 683,050 is the highest figure on record. However, over the last 30 years a trend of declining manufacturing employment has been a feature of advanced economies including NI. As illustrated in the following table, over the last five years the number of manufacturing employee jobs in NI decreased by over 15 per cent. (the comparable figure for the UK is 17 per cent.).

Employee jobs in manufacturing (seasonally adjusted)

Year (June)	*Manufacturing employee jobs in NI*
1999	105,430
2000	103,830
2001	101,930
2002 (R)	97,510
2003 (R)	92,840
2004 (P)	89,080

Notes:

1. Figures are rounded to the nearest 10
2. Figures are seasonally adjusted

Source:

DETI, Northern Ireland Labour Market Statistics

The Department does not provide forecasts of labour market trends. However, DETI is aware of the challenges facing manufacturing and has recently commissioned research which will inform the development of NI policy for this important sector.

Mental Health

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what the cost to public funds in the Province was in each of the last five years of *(a)* care provision, *(b)* absence from work, *(c)* legal actions against employers and *(d)* premature deaths, in relation to mental health. [188543]

Angela Smith: Details of total HSS Trust expenditure on the Mental Health Programme of Care in Northern Ireland for each of the last five years available are listed in the following table:

Year ended March	*Total Expenditure (£ millions)*
1999	114.8
2000	124.0
2001	133.2
2002	139.3
2003	150.8

The information required to answer parts *(b)*, *(c)* and *(d)* is not available.

Ministers

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland how many days each Northern Ireland Minister was on duty in the Province in each of the last six months. [188734]

Mr. Paul Murphy: The number of days that each Northern Ireland Office Minister was on duty in Northern Ireland in each of the last six months was as follows:

	March	*April*	*May*	*June*	*July*	*August*
Secretary of State	10	16	13	13	10	8
John Spellar	10	5	8	10	5	1
Ian Pearson	12	9	10	10	12	7
Angela Smith	14	9	10	5	9	9
Barry Gardiner	—	9	7	11	6	6

Post Offices (Deprived Areas)

David Burnside: To ask the Secretary of State for Northern Ireland what progress has been made in implementing the Fund to Develop Post Offices in Deprived Urban Areas. [190380]

Mr. Spellar: This Deprived Urban Post Office Scheme opened for applications in April of this year. The first application was received in May from a Belfast post master and the second application was received in June from a Lurgan post master. Both of these applications are at an advanced stage of processing. Two further applications to the scheme were received in September from post masters in Craigavon and Newry.

Officials from the Department for Social Development have met with representatives from Post Office Ltd. regarding the scheme. At these discussions the post office confirmed that further applications will be submitted to the Department in the near future.

Public Services

Mr. Barnes: To ask the Secretary of State for Northern Ireland if he will estimate the cost of the duplication of public services in Northern Ireland provided separately for Catholics and Protestants. [190026]

Mr. Spellar: The Government continues to work to provide services that are focused on delivering the outcomes that all of the citizens in Northern Ireland need and expect.

The Government acknowledges that Northern Ireland remains deeply divided, despite earnest progress, particularly at local level, to build trust and confidence within and between communities. It recognises that division, and the tensions and conflict that it causes, almost certainly may have reduced the cost effectiveness of public service provision.

The causes of division are complex and the understanding of these causes and their associated costs will be an important dimension of the work that will flow from the new strategic framework and policy on good relations that we propose to bring forward later this year.

PWS Ireland

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how much money has been paid to the company PWS Ireland in each year since January 2001 in return for work completed in fulfilling government tender work in relation to the provision of road traffic signs and associated equipment, including the hire of equipment; how much money has been paid in total in each year since January 2001 in return for the completion of government tenders in relation to the provision of road traffic signs and associated equipment; and if he will make a statement. [190132]

Mr. Spellar: The Chief Executive of Roads Service (Dr. Malcolm McKibbin) has been asked to write to the hon. Lady in response to this question.

Letter from Dr. Malcolm McKibbin to Mrs. Iris Robinson, dated 8 October 2004:

You recently asked the Secretary of State for Northern Ireland a Parliamentary Question about how much money has been paid to the company PWS Ireland in each year since January 2001, and how much money has been paid in total each year since January 2001 for the completion of government tenders for the provision of road traffic signs and associated equipment. I have been asked to reply as the issue raised falls within my responsibility as Chief Executive of Roads Service.

Under normal circumstances, in accordance with part 2, para. 13 of the Code of Practice on Access to Government Information (Third Party's Commercial Confidences), it would be inappropriate to provide the information, which you have requested. I have however confirmed with PWS Ireland that they are content that the information, which you have requested, can be provided in this instance and I am therefore able to make this available to you.

The sums paid to PWS Ireland in each year since January 2001, and sums paid in total each year since January 2001 for the completion of government tenders for the provision of road traffic signs and associated equipment, are shown in the following table.

£

	Paid to PWS Ireland	*Total sums paid*
2001	649,893	793,675
2002	610,253	834,628
2003	440,129	857,765
2004	499,039	727,522

Renewable Energy Targets

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland what progress is being made in reaching the renewable energy targets set for Northern Ireland over the next five years. [189605]

Mr. Gardiner: Northern Ireland's single renewable energy target is that, by 2012, 12 per cent. of electricity supplied to Northern Ireland consumers will come from indigenous renewable generation. Annual targets have not been set.

An estimate of the electricity supplied in Northern Ireland, originating from renewable energy sources during 2004–05, together with actual levels supplied for the past three years, is shown in the following table:

	Total renewables (excluding imports) GWh	*Total electricity supply GWh*	*Percentage renewables (excluding imports) percentage*
2001–02	128	8,317	1.5
2002–03	136	8,551	1.6
2003–04	238	8,671	2.7
2004–05 (est)	305	8,800	3.5

Residential Care (Teenagers)

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many teenagers who require some form of specialist residential care and treatment are in unsuitable accommodation; and what steps the health and social service boards are taking to provide suitable residential provision for such children. [188468]

Angela Smith: The four Heath and Social Services Boards indicate that there are 28 young people requiring some form of specialist residential care and treatment who are currently in residential accommodation not designed to meet their needs. Despite this, the Boards report that all of the young people involved are receiving a high standard of care.

The four Health and Social Services Boards are represented on the Children Matter Task Force, and there is continuing progress in the development of a range of residential care options for looked after children. This includes the development of a regional facility for children with social, emotional and psychological needs, and the expansion of the range of facilities capable of catering for children and young people with learning disabilities. There are also plans to redevelop existing Intensive Support Units, some of which will focus on addiction/substance misuse and behavioural problems.

Royal Hospital Trust

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland when he expects the Royal Hospital Trust to achieve the target of cardiac surgical operations set in 1992. [190313]

Angela Smith: A target level of 1,100 procedures per annum was set in 1992, and this was exceeded in 1994–95 when 1,128 procedures were carried out at the Royal Group of Hospitals. Since then, new therapies and interventions have been introduced that have reduced the overall demand for cardiac surgery and the case mix of patients requiring these has intensified. As a result, the Royal assesses current demand for cardiac surgery at around 900 cases per annum.

The Department of Health, Social Services and Public Safety, in conjunction with Boards and Trusts, is presently examining the cardiology and cardiac surgery service with a view to further development. This will include the reconsideration of demand and capacity issues. The waiting list for cardiac surgery at the Royal was reduced by 50 per cent. in 2003–04.

Salt Boxes

Mr. Dodds: To ask the Secretary of State for Northern Ireland (1) what criteria determine whether salt boxes are provided on streets and roads in Northern Ireland; [189902]

(2) how many salt boxes have been provided for the use of residents in *(a)* North Belfast and *(b)* Northern Ireland in each year since 2001; [189903]

(3) what the cost of the provision of salt boxes on streets and roads in Northern Ireland has been in each year since 2001; [189904]

(4) if he will provide a salt box for the use of residents in the Northwood Drive area of North Belfast. [190064]

Mr. Spellar: The Chief Executive of Roads Service (Dr. Malcolm McKibbin) has been asked to write to the hon. Gentleman in response to these questions.

Letter from Dr. Malcolm McKibbin to Mr. Nigel Dodds, dated 23 September 2004:

You recently asked the Secretary of State for Northern Ireland four Parliamentary Questions in relation salt box provision and costs in Northern Ireland. I have been asked to reply as the issues raised fall within my responsibility as Chief Executive of Roads Service.

You asked what criteria is used to determine whether a salt box should be provided. Roads Service receives many requests for the provision of salt boxes, and the demand outstrips our capacity to provide them all and replenish them, particularly in times of snow when boxes need frequent refilling.

Accordingly, salt boxes may be provided on public roads which are not included in the salting schedule, in accordance with the following procedure:

Sites qualify for detailed consideration if the gradient exceeds 5 per cent. and there is no reasonable alternative salted route;

Sites meeting that criterion are considered in more detail using a points system which takes account of factors such as, road gradient, road geometry, residential and commercial usage and community facilities (schools, hospitals, etc);

A salt box is provided if a site exceeds a certain points threshold.

You also asked how many salt boxes had been provided for the use of residents in North Belfast and Northern Ireland since 2001. While Roads Service does not maintain details of the number of salt boxes provided on a parliamentary constituency basis, the table below details the approximate number and estimated costs of providing and maintaining salt boxes across Northern Ireland's streets and roads in financial years 2001–02 to 2003–04. Generally salt boxes are collected at the end of the winter season, checked for serviceability, returned to site, and refilled before the next winter season.

Salt boxes provided in each of the last three years

	Number of boxes	*Cost*
2001–02	2,820	[1]137,689
2002–03	2,810	[1]141,153
2003–04	2,917	[1]148,420

[1] Costs include initial purchase/replacement costs attributable to these years, and the labour, plant and material cost of refilling the boxes.

With regard to provision of a salt box for the use of residents in the Northwood Drive area, there is little I can add to the recent responses you have received from Mr. Joe Drew, Eastern Divisional Roads Manager and myself on this matter.

In my letter of 21 July 2004, I explained again the above criteria used to determine whether salt boxes can be provided and, that following an assessment it has been concluded that Northwood Drive does not meet the minimum threshold for the provision of a salt box.

I have reviewed all previous correspondence on this issue, and have concluded that officials have conducted the assessment of the need for a salt box thoroughly, correctly, and in accordance with established policy, and I regret that we cannot provide a salt box at Northwood Drive.

I trust you will appreciate that there are many roads in Northern Ireland where local residents have similar concerns and, given the many other demands on our finite resources, many of them safety related, it is simply not possible for us to accede to all requests.

School Transport

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland what progress has been made in implementing the recommendation of the Northern Ireland Assembly regarding *(a)* seats and *(b)* seatbelts for all school children travelling to and from school in buses. [189611]

Mr. Gardiner: In 2003 the Department of the Environment commissioned transportation consultants to carry out an initial cost benefit assessment and draw up Terms of Reference for a full Regulatory Impact Assessment (RIA) of the Environment Committee's seating and seatbelt recommendations.

This research confirmed that these recommendations have very large capital and operating cost implications set against a small safety benefit. The consultants advised that, in order to complete a robust RIA, more data on travel demand, bus operations and school pupil casualty rates were needed. The Department is currently collating and collecting this information.

The Department of Education has no plans to amend the existing arrangements until the results of the RIA are known. All new Education and Library Board buses have seat belts fitted as standard. It will, however, take some time to replace the existing fleet which consists of almost 700 buses at present. Board buses are maintained to a higher standard than is required under current legislation.

School Travel Plan Pilot

Mr. Beggs: To ask the Secretary of State for Northern Ireland what assessment the Government have made of the operation of the School Travel Plan Pilot; and what plans there are to extend its scope. [189671]

Mr. Spellar: The Chief Executive of Roads Service (Dr. Malcolm McKibbin) has been asked to write to the hon. Gentleman in response to this question.

Letter from Dr. Malcolm McKibbin to Mr. Roy Beggs, dated 27 September 2004:

You recently asked the Secretary of State for Northern Ireland a Parliamentary Question about what assessment the Government has made of the operation of the School Travel Plan Pilot; and what plans there are to extend its scope. I have been asked to reply as this issue falls within my responsibility as Chief Executive of Roads Service.

You will be aware that, as proposed by the Regional Transportation Strategy 2002–12, Roads Service has been working to address the issue of the 'school run', given its impact on morning traffic congestion, through the Travelwise "Safer Routes to Schools" initiative. The overall aim of this initiative is to encourage more children to walk, cycle and use public transport for their journey to school.

The Department of Education, the Department of the Environment Road Safety Team and other agencies are working alongside Roads Service in this project.

The following six schools are currently participating in the initiative:

St. Joseph's College, Belfast;

Oakwood Integrated Primary School, Dunmurry;

Wallace High School, Lisburn;

St. Anthony's Primary School, Craigavon;

Parkhall College, Antrim; and

St. Brigid's College, Londonderry

This is the first time a schools initiative to promote sustainable modes of transport has been undertaken in Northern Ireland. Measures at the six schools are mainly exploratory and at different stages of development. The overall aim is to assist each school in developing a travel plan, which sets out a package of measures for reducing the number of car trips made to school. Where appropriate, Roads Service will subsequently introduce improvements to the roadway, such as installing pedestrian facilities and traffic calming measures, to facilitate children who may want to walk, cycle or use public transport. Additionally, other measures such as cycle shelters and lockers are provided by the Department of Education inside the schools premises.

To get the school travel initiative started, Roads Service and its partners have spent nearly £85,000 over the last three years to investigate existing infrastructure and facilities at the schools, examine accident data, undertake surveys to establish baseline school travel information, and pay for the training of a Travel Plan Co-ordinator who was appointed to champion the initiative in the schools. No specific funding has been allocated as yet for the further development of travel plans, as resources are being concentrated for the time being on the pilot group of six schools. However, it is intended, as part of the next stage of the initiative, to develop a practical support package that encourages other schools to engage in the travel plan process.

The improvements to the infrastructure and facilities at each of the pilot schools will be completed early in 2005. While we will undertake a preliminary assessment of how successful these measures have been during the latter part of 2005, initial work including installation of cycle shelters at the schools has had very positive results and generated an increase in cycling among pupils. It is anticipated that the planned infrastructure work to the road network adjacent to the schools should have equal effect in facilitating and encouraging more children to use sustainable modes of transport.

Self-employment

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland how many self-employed people there were in Northern Ireland by the *(a)* end of 1998 and *(b)* end of 2003. [189609]

Mr. Gardiner: The Labour Force Survey (LFS) estimates that there were 95,000 self-employed people in Northern Ireland at winter 1998–99 and 111,000 self-employed people at winter 2003–04.

Sickness Absence

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what assessment has been made of alternative methods for verifying absence from work through sickness. [188527]

Mr. Spellar: Following UK-wide consultation, as announced in "Pathways to work: Helping people into employment: the Government's response and action plan" [CM 5830], the Government have undertaken research to explore the potential for extending statutory certification to nonmedical health care professionals.

Sports Facilities

Mr. Beggs: To ask the Secretary of State for Northern Ireland what provision is being made to increase sports facilities in Northern Ireland prior to 2012. [189747]

Angela Smith: The Sports Council for Northern Ireland is presently planning a number of schemes which will include provision to increase sports facilities where required in advance of 2012. These include a new Sports Grounds Development Programme, Soccer Strategy programme and community based and performance focused Lottery capital programmes. The Sports Council is also currently developing a sports facilities strategy to help determine levels of sports facilities likely to be needed in Northern Ireland in the future, including prior to 2012. In addition to this, I am presently giving consideration to the possibility of a multi-sports stadium for Northern Ireland. The Department of Social Development (DSD), through its Regional Development Offices, and with assistance from the EU Peace 2 Programme, is contributing to and providing funding for the development of a wide range of multi-sports facilities in Northern Ireland. Moreover, in implementing the Neighbourhood Renewal Strategy over the next 7–10 years, DSD will continue to support regeneration proposals that incorporate sport as part of the comprehensive regeneration of disadvantaged areas.

Teachers (Sick Leave)

Mr. Beggs: To ask the Secretary of State for Northern Ireland pursuant to his answer of 20 May, *Official Report*, column 1216W, on teachers' sick leave, when he intends to write to the hon. Member for East Antrim. [189695]

Mr. Gardiner: I wrote to the hon. Member for East Antrim on 1 October indicating that the number of teachers who took sick leave of 20 days or more during each of the last five academic years is as follows:

	Number of teachers with 20 or more days sick leave
1999–2000	1573
2000–2001	1765
2001–2002	1765
2002–2003	1809
2003–2004	1359

I have arranged for a copy of the letter to be placed in the Library.

TK-ECC Site

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what steps are being taken by the Department of Enterprise, Trade and Investment to encourage maximum use of the former TK-ECC site in Dundonald, following its recent sale. [189660]

Mr. Gardiner: As the factory and its associated site are privately owned, Invest NI has no direct role in encouraging its use to be maximised.

However, Invest NI stands ready, if requested, to work with the owners and their agents to market the property in line with the existing employment/industrial use for which it is currently zoned.

Tunes Plateau Windfarm

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland if he will make a statement on the latest position on the proposed offshore windfarm at Tunes Plateau. [189766]

Mr. Gardiner: The development consortium continues to undertake feasibility studies within the area which could potentially accommodate a wind farm. It has not as yet made an application for the development of a wind farm at Tunes Plateau. Should such an application be received it will be subject to full public consultation.

Universities

Mr. Beggs: To ask the Secretary of State for Northern Ireland what arrangements are in place to monitor the financial position of Northern Ireland's universities. [189672]

Mr. Gardiner: The Department for Employment and Learning engages the services of the Higher Education Funding Council for England (HEFCE) to monitor the financial position of the two Northern Ireland universities through the examination of various annual financial returns. HEFCE is a non-departmental public body of the Department for Education and Skills. In addition, HEFCE assesses annual reports from each university's Audit Committee, internal auditors and external auditors, as well as carrying out periodic review visits to Queen's University and the University of Ulster. The books and records of the universities are also audited and certified annually by the universities' external auditors. These are also open to inspection by the Department's internal auditors, HEFCE's Audit Service and the Northern Ireland Audit Office.

TREASURY

Employment

Tom Cox: To ask the Chancellor of the Exchequer how many *(a)* part-time and *(b)* full-time workers are in employment in the Greater London area. [190260]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Tom Cox, dated 12 October 2004:

As National Statistician, I have been asked to reply to your Parliamentary Question about employment in the Greater London area. (190260)

There were 2,836,000 people in full-time employment and 736,000 in part-time employment with usual residence in the Greater London area in the three month period ending May 2004, the latest date for which information is available. These estimates are not seasonally adjusted.

As with any sample survey, estimates from the Labour Force Survey (LFS) are subject to sampling variability.

Anne Picking: To ask the Chancellor of the Exchequer how many jobs have been created in East Lothian constituency since 1997. [190145]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Ms Anne Picking, dated 12 October 2004:

As National Statistician, I have been asked to reply to your Parliamentary Question about jobs created in East Lothian Parliamentary Constituency. (190145)

While statistics of new jobs created are not available explicitly, statistics from surveys enable comparisons to be made of net changes in numbers of jobs from year-to-year.

The attached table shows the information requested, relating to employee jobs in East Lothian for 1997 and 2002, which is the latest year available.

Number of employees[1] with workplace in East Lothian parliamentary constituency: 1997 and 2002

	Number total
1997	18,300
2002	19,800
Change from 1997 to 2002[2]	1,500

[1] Employee jobs only, not self-employed jobs.

[2] The 1997 to 2002 change has been rounded to the nearest hundred separately from rounded levels for 1997 and 2002.

Source:

1997; Annual Employment Survey, rescaled. 2002; Annual Business Inquiry.

Lorry Road User Charging

Mr. Yeo: To ask the Chancellor of the Exchequer how many people are employed working on the project to introduce lorry road user charging; and what their budget is. [190173]

John Healey: The Chancellor of the Exchequer made clear in the 2004 Spending Review (Cm 6237), that the Government remain committed to ensuring that all hauliers, regardless of their nationality, pay an amount related to the distance they travel on UK roads. It will be revenue neutral overall to hauliers who already contribute through UK fuel duty.

In 2003–04, the last complete year for which figures are available, around 70 people were employed by the Lorry Road-user charging (LRUC) programme.

HM Customs and Excise's most recent resource allocations and accounts were published in their Annual Report and Accounts 2002–03 (HC 52) and Spring Report 2004 (Cm 6224) and updated in the 2004 Spending Review. The allocated budget for LRUC in 2004–05 is £30 million. It would be inappropriate to disclose estimates for future years: exemption 7 (Effective management and operations of the public service) of the Code of Practice on Access to Government Information applies.

National Insurance Contributions Office

Mr. Pickthall: To ask the Chancellor of the Exchequer how many citizens in this financial year to date have been sent a letter by the National Insurance Contributions Office announcing a shortfall in contributions to state pensions; how many of those letters have been shown to be wrong; and how much of this is due to lost records. [189699]

Dawn Primarolo: I gave written statements to the House, on 16 May and 18 June 2003, that Inland Revenue was to resume the issue of letters telling people about shortfalls in their national insurance contributions records. That exercise has now been successfully completed. As stated in my answer of 5 February 2004, *Official Report*, columns 1350–351W, Inland Revenue sent out over 10 million letters between October 2003 and September 2004. These show any gaps in the recipient's contribution record for the years 1996–97 to 2001–02 and invite them to inform the Inland Revenue if the information shown is incomplete or incorrect, so that records can be corrected. Corrections to national insurance records may be necessary for a number of reasons but it is not possible to identify separately those resulting from lost records.

Tax Credits

Mr. Andrew Turner: To ask the Chancellor of the Exchequer how many adjustments have been made to payments in respect of tax credit claim 2004/08 001519 as a result of errors in his Department; and if he will list the stages in determining payment under this claim, showing the calculations at each stage. [190282]

Dawn Primarolo: The Inland Revenue may need to adjust payments during the year as a result of a change of circumstances, for example to avoid paying too much tax credits over the year as a whole. They will also adjust payments to recover an overpayment of tax credits from a previous year. Their approach to payment adjustments and the recovery of overpayments is explained in the Code of Practice 26 'What happens if we have paid you too much tax credit?' and a copy has been placed in the Commons Library.

It would not be appropriate for me to discuss publicly the cases of individual customers. However, the Inland Revenue wrote to the hon. Member on 9 September 2004 and the Tax Credit Office are speaking regularly with the constituent concerned about their tax credits claim and payments.

John Thurso: To ask the Chancellor of the Exchequer how many overpayments of tax credits have been made in Scotland in this financial year; what the value of those overpayments is; and how many of these overpayments are subject to recovery. [190163]

Dawn Primarolo: Overpayments of 2004–05 awards will normally be recognised after the end of the year when incomes for the year are known and final decisions taken on entitlement.

Awards are also adjusted during the year to take account of changes of circumstance or income. Where the amount payable is reduced, payments are adjusted so as to pay out the right amount for the year as a whole. This is part of the normal operation of the tax credit system, and no count of such occurrences is maintained.

WORK AND PENSIONS

Pension Credit Entitlement

Mr. Pickthall: To ask the Secretary of State for Work and Pensions what decisions he has reached on extending the period for which pension credit customers are allowed to go abroad without it affecting their entitlement. [189698]

Malcolm Wicks: No decision has yet been made. Officials are researching a range of options for potentially extending the period for which pension credit can continue to be paid for customers who go abroad for less than 52 weeks.

Pensioners (Mitcham and Morden)

Siobhain McDonagh: To ask the Secretary of State for Work and Pensions if he will set out, with statistical evidence relating as closely as possible to the Mitcham and Morden constituency, the effects of changes in departmental policy since 1997 on the income of pensioners in the constituency. [189339]

Malcolm Wicks: The available information is set out as follows:

Nationally, the average pensioner household will be £1,350 per year, or £26 per week, better off in 2004–05 because of measures the Government have introduced, including pension credit, than they would have been under the 1997 system. The poorest third of pensioner households will be £1,750 per year, or £33 per week, better off. Figures for the average gains in Mitcham and Morden are not available. Figures available for the Mitcham and Morden constituency are as follows:

As at 30 September 2003 there were 12,700 pensioners in the Mitcham and Morden constituency in receipt of basic state pension[1]. These pensioners have benefited from the 7 per cent. above inflation increase that has been made to the basic state pension since 1997.

As at 31 August 2004 there were 3,365 pensioner households in receipt of pension credit in the parliamentary constituency of Mitcham and Morden. The average weekly pension credit payment was £51.86[2].

In October 2002, the upper age limit on claims for carer's allowance was abolished. This change means that carers aged 65 and over can now claim and gain entitlement to the allowance and to carer's additional amount in pension credit. As at May 2004, there were 140 people aged 65 and over entitled to carer's allowance in the parliamentary constituency of Mitcham and Morden[2].

The winter fuel payment and 80+ annual payment also make a positive contribution to the incomes of pensioners in the constituency. The one-off 70+ payment for households including someone aged 70 or over will help pensioners with their living expenses, including council tax bills. For data on these payments, I refer my hon. Friend to the answer given to her on 16 September 2004, *Official Report*, column 1747W.

Sources:

[1] DWP administrative data, 5 per cent. sample. Figures rounded to nearest 100.

[2] DWP administrative data, 100 per cent. sample. Figures rounded to nearest 5.

HEALTH

Commission for Patient and Public Involvement in Health

Mr. Jim Cunningham: To ask the Secretary of State for Health how much has been spent to date on setting up the Commission for Patient and Public Involvement in Health. [189668]

Ms Rosie Winterton: By the end of 2004–05, the total running and set up costs of the Commission for Patient and Public Involvement in Health (CPPIH) to date will be £66.76 million. This includes all costs associated with patients' forums. It also includes CPPIH set up costs in 2002–03 of around £2.5 million.

Colorectal Cancer

Mr. Jim Cunningham: To ask the Secretary of State for Health how many people suffering from colorectal cancer are receiving treatment. [189667]

Miss Melanie Johnson: The Department does not hold the information requested. However, data on finished admission episodes for of cancers of the colon and/or rectum is collected. This is shown in the table. These figures relate to 2002–03.

Primary diagnosis code	*Total episodes*
C18 (malignant neoplasm of colon)	87,884
C19 (malignant neoplasm of rectosigmoid junction)	14,840
C20 (malignant neoplasm of rectum)	46,759
C21 (malignant neoplasm of anus and anal canal)	2,521

Notes:

1. A finished admission episode is the first period of in-patient care under one consultant within one healthcare provider. Please note that admissions do not represent the number of in-patients, as a person may have more than one admission within a year.

2. The primary diagnosis is the first of up to 14 (7 prior to 2002–03) diagnosis fields in the hospital episode statistics (HES) data set and provides the main reason why the patient was in hospital.

3. Figures have not been adjusted for shortfalls in data (i.e. the data are ungrossed).

Source:

HES—Department of Health

Continuing Care

Mr. Burstow: To ask the Secretary of State for Health if he will list the consultancy work he has commissioned in the last 12 months concerning NHS continuing care; what the remit of the work was; when it was completed; and when he plans to publish it. [187860]

Dr. Ladyman: The only consultancy work commissioned centrally in the last 12 months has been the independent review of continuing care in nine strategic health authorities. The remit was to examine the review of criteria, progress with restitution and current processes. The work was commissioned in autumn 2003 and reported in June 2004. We will publish it in due course.

Dentistry

Sue Doughty: To ask the Secretary of State for Health how many patients were registered with a NHS dentist in each primary care trust of the Surrey and Sussex Strategic Health Authority in each year since 1997. [188173]

Ms Rosie Winterton: The general dental service dental registration numbers for June each year since 1997 for primary care trusts (PCTs) in the Surrey and Sussex Strategic Health Authority are shown in the following table:

Primary care trust	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*	*2004*
Bexhill and Rother	47,408	42,418	39,153	39,514	38,000	35,639	36,974	37,689
Brighton and Hove City	145,078	129,598	122,853	123,499	124,841	121,730	126,566	134,371
Crawley	41,770	42,236	44,827	47,250	43,746	40,264	38,127	36,941
Eastbourne Downs	87,307	65,421	81,918	83,559	83,238	81,021	79,117	76,504
Sussex Downs and Weald	81,774	77,645	73,975	77,679	76,169	77,444	80,304	78,589
North Surrey	99,302	69,949	88,437	87,201	88,423	88,265	87,311	83,797
Woking	105,698	99,312	93,386	94,920	93,786	91,592	89,833	79,144

Primary care trust	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*	*2004*
Adur, Arun and Worthing	126,674	113,321	108,242	107,023	106,832	105,724	103,331	105,900
Western Sussex	106,370	98,357	97,461	103,154	100,105	97,960	97,592	98,183
Guildford and Waverley	111,896	102,347	98,949	98,910	94,894	101,361	96,344	94,402
East Elmbridge and Mid Surrey	120,955	112,567	110,221	107,777	104,635	100,445	97,838	98,483
East Surrey	84,202	78,077	73,414	72,512	73,010	72,776	74,741	74,070
Hastings and St Leonards	53,885	48,672	47,856	49,059	51,939	49,821	50,589	51,173
Horsham and Chanctonbury	55,384	43,870	48,642	46,942	48,671	49,261	50,631	50,405
Mid-Sussex	79,010	73,469	70,629	69,585	71,042	68,999	71,800	73,300

Notes:

1. Changes in the registration periods for registrations starting after 31 August 1996 means that registration numbers for June 1997 and June 1998 are not on the same basis as later figures. Before that date, the registration period for adults was 24 months whilst children's registrations lasted until the end of the following calendar year. From 1 September 1996, registrations have lasted for 15 months from the end of the month of registration. The figures for some PCT areas will also be affected by the introduction in October 1998 and subsequent growth of the personal dental service.

2. Patients may access national health service dental treatment without being registered with a general dental service dentist, for example as a patient of a dental access centre.

General Practitioners

Mr. Spring: To ask the Secretary of State for Health, how many general practitioners there are per head of population in each of the primary care trusts within the Norfolk, Suffolk and Cambridgeshire Strategic Health Authority. [163032]

Dr. Ladyman *[Pursuant to his reply, 24 March 2004, c. 918W]:* I regret that the figures provide in my previous response were incorrect, dut to an error in the published figures. The correct figures are shown in the table.

Unrestricted Principals are Equivalents[1] (UPEs) per 100,000 patients for Norfolk, Suffolk and Cambridgeshire Strategic Health Authority by Primary Care Trust as at 30 September 2003

Number (headcount)

		UPEs	*UPE Patients*	*UPEs per 100,000 patients*
Norfolk, Suffolk and Cambridgeshire	—	1,341	2,253,423	60
Of which	Bradland	73	118,958	61
	Cambridge City	87	145,033	60
	Central Suffolk	63	100,162	63
	East Cambridgeshire and Fenland	81	146,197	55
	Great Yarmouth	47	95,988	49
	Huntingdonshire	94	150,093	63
	Ipswich	88	148,987	59
	North Norfolk	60	100,943	59
	North Peterborough	58	113,661	51
	Norwich	91	136,799	67
	South Cambridgeshire	64	103,357	62
	South Peterborough	58	95,172	59
	South Norfolk	114	202,729	56
	Souffolk Coastal	63	99,524	63
	Souffolk West	137	225,026	61
	Waveney	76	125,969	60
	West Norfolk	89	144,824	61

[1] UPEs include GMS Unrestricted Principals, PMS contracted GPs and PMS Salaried GPs. Patient data has been revised from previously published figures.

Sources:

Department of Health General and Personal Medical Services Statistics

Mr. Yeo: To ask the Secretary of State for Health, how many general practitioners there were per head of population in *(a)* England and *(b)* each Strategic Health Authority in each year since 1997. [166653]

Mr. Hutton *[pursuant to his reply, 22 April 2004, Official Report, c. 620W]:* I regret my previous response was incorrect, due to an error in the published figures. The correct figures are shown in the table.

All General Medical Practitioners[1] (excluding GP retainers) per 100,000 of the population by Strategic Health Authority: 1997–2003

Number (headcount)

		1997		*1998*		*1999*	
		All practitioners (excl. Ret)	*All practitioners (excl. Ret) per 1000,000 population*	*All Practitioners (excl. Ret)*	*All Practitioners (excl. Ret) per 100,000 population*	*All Practitioners (excl. Ret)*	*All Practitioners (excl. Ret) per 1000,000 population*
England Total		29,389	60	29,697	61	29,987	61
North East Total		1,485	58	1,506	59	1,520	60
County Durham and Tees Valley	010	649	57	650	57	656	58
Northumberland, Tyne and Wear	009	836	59	856	61	864	62
North West Total		4,040	59	4.044	60	4,124	61
Cheshire and Merseyside	015	1,421	60	1,413	60	1,456	62
Cumbria and Lancashire	013	1,134	60	1,147	60	1,158	61
Greater Manchester	014	1,485	59	1,484	59	1,510	60

All General Medical Practitioners[1] (excluding GP retainers) per 100,000 of the population by Strategic Health Authority: 1997–2003

Number (headcount)

		1997		1998		1999	
		All practitioners (excl. Ret)	*All practitioners (excl. Ret) per 1000,000 population*	*All Practitioners (excl. Ret)*	*All Practitioners (excl. Ret) per 100,000 population*	*All Practitioners (excl. Ret)*	*All Practitioners (excl. Ret) per 1000,000 population*
Yorkshire and the Humber Total		3,021	61	3,028	61	3,092	63
North and East Yorkshire and Northern Lincolnshire	011	999	62	991	62	1,011	63
South Yorkshire	Q23	758	59	758	59	772	61
West Yorkshire	Q12	1,264	61	1,279	62	1,309	63
East Midlands Total		2,338	57	2,361	58	2,369	58
Leicestershire, Northamptonshire and Rutland	Q25	908	60	902	59	898	58
Trent	Q24	1,430	56	1,459	57	1,471	57
West Midlands Total		3,026	58	3,057	58	3,093	59
Birmingham and the Black Country	027	1,327	58	1,343	59	1,357	60
Shropshire and Staffordshire	026	792	54	813	55	830	56
West Midlands South	028	907	60	901	60	906	60
East of England Total		3,080	58	3,141	59	3,156	59
Bedford and Hertfordshire	002	915	59	944	60	948	60
Essex	003	849	54	862	54	860	54
Norfolk, Suffolk and Cambridgeshire	001	1,316	62	1,335	62	1,348	62
London Total		4,532	65	4,515	65	4,496	64
North Central London	005	788	69	802	70	786	68
North East London	006	888	62	896	62	894	61
North West London	004	1,209	73	1,188	71	1,134	67
South East London	Q07	868	60	862	59	901	61
South West London	008	779	62	767	61	781	62
South East Total		4,682	60	4,788	61	4,830	61
Hampshire and Isle of Wight	017	1,060	61	1,070	61	1,089	62
Kent and Medway	018	904	58	916	59	918	59
Surrey and Sussex	Q19	1,486	59	1,518	60	1,522	60
Thames Valley	016	1,232	60	1,284	62	1,301	63
South West Total		3,185	66	3,257	67	3,307	68
Avon, Gloucestershire and Wiltshire	020	1,325	63	1,374	65	1,404	65
Somerset and Dorset	022	794	68	820	70	843	72
South West Peninsula	Q21	1,066	69	1,063	69	1,060	68

Number (headcount)

		2000	2001	2002			
		All practitioners (excl. Ret)	*All practitioners (excl. Ret) per 1000,000 population*	*All Practitioners (excl. Ret)*	*All Practitioners (excl. Ret) per 100,000 population*	*All Practitioners (excl. Ret)*	*All Practitioners (excl. Ret) per 1000,000 population*
England Total		30,252	62	30,685	62	31,182	63
North East Total		1,536	61	1,603	64	1,645	65
County Durham and Tees Valley	010	661	58	696	61	701	62
Northumberland, Tyne and Wear	009	875	63	907	65	944	68
North West Total		4,134	61	4,174	62	4,247	63
Cheshire and Merseyside	015	1,459	62	1,481	63	1,536	65
Cumbria and Lancashire	013	1,152	61	1,174	62	1,200	63
Greater Manchester	014	1,523	60	1,519	60	1,511	60
Yorkshire and the Humber Total		3,123	63	3,192	64	3,253	65
North and East Yorkshire and Northern Lincolnshire	011	1,021	63	1,039	64	1,065	65
South Yorkshire	Q23	778	61	794	63	808	64
West Yorkshire	Q12	1,324	64	1,359	65	1,380	66
East Midlands Total		2,384	58	2,437	58	2,466	58
Leicestershire, Northamptonshire and Rutland	Q25	877	57	894	57	910	58
Trent	Q24	1,507	58	1,543	59	1,556	59
West Midlands Total		3,142	60	3,157	60	3,255	61
Birmingham and the Black Country	027	1,380	61	1,391	61	1,428	63
Shropshire and Staffordshire	026	838	56	825	55	861	58
West Midlands South	028	924	61	941	62	966	63
East of England Total		3,183	59	3,204	59	3,223	59
Bedford and Hertfordshire	002	955	60	965	60	976	61

Number (headcount)

		2000	2001	2002			
		All practitioners (excl. Ret)	All practitioners (excl. Ret) per 1000,000 population	All Practitioners (excl. Ret)	All Practitioners (excl. Ret) per 100,000 population	All Practitioners (excl. Ret)	All Practitioners (excl. Ret) per 1000,000 population
Essex	003	857	53	851	53	846	52
Norfolk, Suffolk and Cambridgeshire	001	1,371	63	1,388	64	1,401	64
London Total		4,548	64	4,545	62	4,609	63
North Central London	005	819	70	804	67	806	66
North East London	006	925	62	899	59	945	61
North West London	004	1,125	66	1,150	65	1,139	64
South East London	Q07	886	60	904	60	902	60
South West London	008	793	62	788	61	817	63
South East Total		4,839	61	4,943	62	5,017	62
Hampshire and Isle of Wight	017	1,099	62	1,122	63	1,112	62
Kent and Medway	018	901	57	915	58	911	57
Surrey and Sussex	Q19	1,531	60	1,571	61	1,587	62
Thames Valley	016	1,308	63	1,335	64	1,407	67
South West Total		3,363	69	3,430	69	3,467	70
Avon, Gloucestershire and Wiltshire	020	1,424	66	1,442	67	1,460	67
Somerset and Dorset	022	846	71	867	73	895	75
South West Peninsula	Q21	1,093	70	1,121	71	1,112	70

Number (headcount)

		2003	
		All Practitioners (excl. Ret)	All Practitioners (excl. Ret) per 1000,000 population
England Total		32,593	66
North East Total		1741	n/a
County Durham and Tees Valley	010	758	n/a
Northumberland, Tyne and Wear	009	983	n/a
North West Total		4,400	n/a
Cheshire and Merseyside	015	1,593	n/a
Cumbria and Lancashire	013	1,226	n/a
Greater Manchester	014	1,581	n/a
Yorkshire and the Humber Total		3,424	n/a
North and East Yorkshire and Northern Lincolnshire	011	1,115	n/a
South Yorkshire	Q23	847	n/a
West Yorkshire	Q12	1,462	n/a
East Midlands Total		2,598	n/a
Leicestershire, Northamptonshire and Rutland	Q25	974	n/a
Trent	Q24	1,624	n/a
West Midlands Total		3,391	n/a
Birmingham and the Black Country	027	1,491	n/a
Shropshire and Staffordshire	026	897	n/a
West Midlands South	028	1,003	n/a
East of England Total		3,398	n/a
Bedford and Hertfordshire	002	1,014	n/a
Essex	003	907	n/a
Norfolk, Suffolk and Cambridgeshire	001	1,477	n/a
London Total		4,879	n/a
North Central London	005	850	n/a
North East London	006	986	n/a
North West London	004	1,176	n/a
South East London	Q07	979	n/a
South West London	008	888	n/a
South East Total		5,175	n/a
Hampshire and Isle of Wight	017	1,187	n/a
Kent and Medway	018	931	n/a
Surrey and Sussex	Q19	1,631	n/a
Thames Valley	016	1,426	n/a
South West Total		3,587	n/a
Avon, Gloucestershire and Wiltshire	020	1,524	n/a
Somerset and Dorset	022	913	n/a
South West Peninsula	Q21	1,150	n/a

n/a = Not available.

[1] All Practitioners (excluding GP Retainers) includes GMS Unrestricted Principals, PMS Contracted GPs, PMS Salaried GPs, Restricted Principals, Assistants, GP Registrars, Salaried Doctors (Para 52 SFA), PMS Other, Flexible Career Schemes and GP Returners.

Notes:

1. Strategic Health Authority population figures are derived from the 1992–2000 first revised sub-national population estimates published by ONS 27 February 2003 and so are not consistent with the interim revised national population estimates for 1992–2002 published by ONS 23 October 2003.

2. Data has been converted to match Strategic Health Authority structures for 2002.

3. Data as at 1 October 1997–1999, 30 September 2000–2003.

Sources:

Department of Health General and Personal Medical Services Statistics.

2001 ONS Population Census.

General Practitioners

Mr. Burstow: To ask the Secretary of State for Health how many whole-time equivalent NHS plan group general practitioners per 100,000 population there were in *(a)* each region, *(b)* each strategic health authority and *(c)* each primary care trust in (i) 2002 and (ii) 2003. [167424]

Mr. Hutton *[pursuant to his reply, 28 April 2004, Official Report, c. 1090W]:* I regret my previous response was incorrect, due to an error in the published figures. The correct figures have now been placed in the Library.

Sarah Teather: To ask the Secretary of State for Health how many general practitioners there are per head in each primary care trust in England. [172828]

Mr. Hutton *[pursuant to his reply, 19 May 2004, Official Report, c. 1012W]:* I regret that the figures provided in my previous response were incorrect, due to an error in the published figures. Correct figures have now been placed in the Library.

Sarah Teather: To ask the Secretary of State for Health how many general practitioners there have been per head in Brent, East in each year since 1997. [172822]

Mr. Hutton *[pursuant to his reply on 19 May 2004 columns 1012–15W]:* I regret my previous response was incorrect, due to an error in the published figures. The correct figures are shown in the table.

All Practitioners (excluding GP Retainers but including GP Registrars)[1] per 100,000 patients of Unrestricted Principals and Equivalents (UPEs[2] for North West London SHA and specified organisations, 1997–2003

Numbers (headcount)

		1997			1998		
		All practitioners (excluding GP Retainers)	*Patients of UPEs*	*Practitioners per 100,000 UPE patients*	*All practitioners (excluding GP Retainers)*	*Patients of UPEs*	*Practitioners per 100,000 UPE patients*
Q04	North West London *of which:*	1,209	2,031,706	60	1,188	2,011,394	59
4JC46	Brent Central	—	—	—	—	—	—
4XW97	Brent North	—	—	—	—	—	—
4EF26	Brent South	—	—	—	—	—	—
5K5	Brent PCT	—	—	—	—	—	—
5HX	Ealing PCT	—	—	—	—	—	—
5H1	Hammersmith and Fulham	—	—	—	—	—	—
5K6	Harrow PCT	—	—	—	—	—	—
5AT	Hillingdon PCT	—	—	—	—	—	—
5HY	Hounslow PCT	—	—	—	—	—	—
5LA	Kensington and Chelsea PCT	—	—	—	—	—	—
5LC	Westminster PCT	—	—	—	—	—	—

		1999			2000		
		All practitioners (excluding GP Retainers)	*Patients of UPEs*	*Practitioners per 100,000 UPE patients*	*All practitioners (excluding GP Retainers)*	*Patients of UPEs*	*Practitioners per 100,000 UPE patients*
Q04	North West London *of which*	1,134	1,881,696	60	1,125	2,004,915	56
4JC46	Brent Central	47	93,074	50	50	95,790	52
4XW97	Brent North	65	108,692	60	64	113,029	57
4EF26	Brent South	63	79,638	79	57	98,801	58
5K5	Brent PCT	—	—	—	—	—	—
5HX	Ealing PCT	—	—	—	—	—	—
5H1	Hammersmith and Fulham	—	—	—	—	—	—
5K6	Harrow PCT	—	—	—	—	—	—
5AT	Hillingdon PCT	—	—	—	—	—	—
5HY	Hounslow PCT	—	—	—	—	—	—
5LA	Kensington and Chelsea PCT	—	—	—	—	—	—
5LC	Westminster PCT	—	—	—	—	—	—

		2001			2002		
		All practitioners (excluding GP Retainers)	*Patients of UPEs*	*Practitioners per 100,000 UPE patients*	*All practitioners (excluding GP Retainers)*	*Patients of UPEs*	*Practitioners per 100,000 UPE patients*
Q04	North West London *of which*	1,150	2,026,480	57	1,139	2,040,719	56
4JC46	Brent Central	—	—	—	—	—	—
4XW97	Brent North	—	—	—	—	—	—
4EF26	Brent South	—	—	—	—	—	—
5K5	Brent PCT	184	320,649	57	197	347,890	57
5HX	Ealing PCT	198	360,064	55	195	352,583	55
5H1	Hammersmith and Fulham	105	180,949	58	106	186,741	57
5K6	Harrow PCT	142	259,168	55	121	221,675	55
5AT	Hillingdon PCT	138	254,204	54	137	253,087	54
5HY	Hounslow PCT	123	240,173	51	118	248,171	48
5LA	Kensington and Chelsea PCT	124	178,455	69	132	189,307	70
5LC	Westminster PCT	136	232,818	58	133	241,265	55

		2003		
		All practitioners (excluding GP Retainers)	*Patients of UPEs*	*Practitioners per 100,000 UPE patients*
Q04	North West London	1,176	2,083,156	56
	of which			
4JC46	Brent Central	—	—	—
4XW97	Brent North	—	—	—
4EF26	Brent South	—	—	—
5K5	Brent PCT	205	352,148	58
5HX	Ealing PCT	194	361,069	54
5H1	Hammersmith and Fulham	96	188,199	51
5K6	Harrow PCT	146	222,615	66
5AT	Hillingdon PCT	139	258,940	54
5HY	Hounslow PCT	133	253,558	52
5LA	Kensington and Chelsea PCT	120	195,743	61
5LC	Westminster PCT	143	250,884	57

[1] All Practitioners (excluding GP Retainers) include GMS Unrestricted Principals, PMS Contracted GPs, PMS Salaried GPs, Restricted Principals, Assistants, GP Registrars, Salaried Doctors (Para 52 SFA). PMS Other, GP Retainers. Flexible Career Scheme GPs and GP Returners

[2] UPEs include GMS Unrestricted Principals, PMS Contracted GPs and PMS Salaried GPs.

Note:

Data as at 1 October 1997–99, 30 September 2000–03

Source:

Department of Health General and Personal Medical Services Statistics

All practitioners (excluding GP Retainers)[1] per 100,000 patients of Unrestricted Principals and Equivalents (UPEs)[2] for Brent and Harrow HA: 1997–2003

	Numbers (headcount)
Brent and Harrow HA	
1997	
All practitioners (excluding GP Retainers)	324
Patients of UPEs	554,018
Practitioners per 100,000 UPE patients	58
1998	
All practitioners (excluding GP Retainers)	333
Patients of UPEs	561,395
Practitioners per 100,000 UPE patients	59
1999	
All practitioners (excluding GP Retainers)	311
Patients of UPEs	516,923
Practitioners per 100,000 UPE patients	60
2000	
All practitioners (excluding GP Retainers)	306
Patients of UPEs	560,208
Practitioners per 100,000 UPE patients	55
2001	
All practitioners (excluding GP Retainers)	326
Patients of UPEs	579,817
Practitioners per 100,000 UPE patients	56

[1] All Practitioners (excluding GP Retainers) include GMS Unrestricted Principals, PMS Contracted GPs, PMS Salaried GPs, Restricted Principals, Assistants, GP Registrars, Salaried Doctors (Para 52 SFA). PMS Other. GP Retainers. Flexible Career Scheme GPs and GP Returners

[2] UPEs include GMS Unrestricted Principals. PMS Contracted GPs and PMS Salaried GPs.

Note:

Data as at 1 October 1997–99

Source:

Department of Health General and Personal Medical Services Statistics

Mr. Watson: To ask the Secretary of State for Health what the average general practitioner list size was in *(a)* Birmingham and *(b)* the Black Country in each of the last 10 years. [165804]

Dr. Ladyman *[Pursuant to his reply, 1 April 2004, c. 260W]:* I regret my previous response was incorrect, due to an error in the published figures. The correct figures are shown in the tables.

Unrestricted Principals and Equivalents[1] (UPEs) Average List Size for Birmingham and the Black Country Stategic Health Authority, by Primary Care Trust, 2001–2003

	Number (headcount)		
Birmingham			
South Birmingham PCT	1,716	1,659	1,711
North Birmingham PCT	1,886	1,942	1,941
Heart of Birmingham PCT	2,203	2,299	2,385
East Birmingham PCT	1,991	2,024	2,100
Black Country			
Dudley South PCT	1,927	1,855	1,880
Dudley Beacon and Castle PCT	2,075	2,082	2,018
Walsall PCT	2,063	2,002	2,139
Oldbury and Smethwick PCT	1,884	1,867	1,893
Rowley, Regis and Tipton PCT	2,022	2,041	1,916
Wednesbury and West Bromwich PCT	2,063	1,960	2,035
Wolverhampton City PCT	1,959	1,930	1,992
Other			
Solihull PCT	1,786	1,795	1,898

[1] UPEs include GMS Unrestricted Principals, PMS Contracted GPs and PMS Salaried GPs. 2003 Patient data has been revised from previously published figures All data as at 30 September

Source:

Department of Health General and Personal Medical Services Statistics

Unrestricted Principals and Equivalents[1] (UPEs) Average List Size for Birmingham and the Black Country Strategic Health Authority 1993–2003

	Average list size
1993	1,993
1994	1,972
1995	1,955
1996	1,945
1997	1,941
1998	1,930
1999	1,967
2000	1,927
2001	1,943
2002	1,928
2003	1,983

[1] UPEs include GMS Unrestricted Principals, PMS Contracted GPs and PMS Salaried GPs. 2003 patient data has been revised from previously published figures Data as at 1 October 1993–99 and 30 September 2000–03.

Source:

Department of Health General and Personal Medical Services Statistics

Mr. Hepburn: To ask the Secretary of State for Health how many general practitioners per head of population there were in *(a)* the Jarrow constituency, *(b)* South Tyneside, *(c)* Tyne and Wear, *(d)* the North East and *(e)* England in each year since 1997. [162917]

Mr. Hutton *[Pursuant to his reply, 1 April 2004, Official Report c.1664W]:* I regret my previous response was incorrect, due to an error in the published figures. The correct figures are shown in the table.

Unrestricted Principals and Equlvalents[1] (UPEs) per 100,000 patients for England, South Tyneside PCG/PCT, Tyne and Wear and the North East Government Office Region 1997–2003

Numbers (headcount)

North East	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*
England	53	54	54	54	54	54	54
South Tyneside PC	[2]—	[2]—	51	51	[2]—	[2]—	[2]—
South Tyneside PC	[2]—	[2]—	[2]—	[2]—	52	52	51
Tyne and Wear	53	53	54	55	57	59	58
North East	53	53	54	55	56	57	57

[1] UPEs include GMS Unrestricted Principals, PMS Contracted GPs and PMS Salaried GPs. Figures for South Tyneside PCG appear comparable to South Tyneside PCT but this is unable to be confirmed Data as at 1 October 1997–1999 and 30 September 2000–2003

[2] Denotes not available 2003 patient data has been revised from previously published figures

Source:

Department of Health General and Personal Medical Services Statistics

NHS Staff (York)

Hugh Bayley: To ask the Secretary of State for Health how many full-time equivalent NHS *(a)* consultants and *(b)* other hospital doctors there were in each specialty in hospitals in the greater York area in (i) 1994 and (ii) each year since then. [189759]

Miss Melanie Johnson: The information requested is shown in the table.

Hospital. Public Health Medicine and Community Health Services (HCHS) medical and dental staff: within the Greater York area by specialty

As at 30 September 2003 *Whole-time equivalents*

		1994	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*
	Total for specified trusts	186	232	215	261	274	283	281	268	267	324
	Selby and York PCT	—	—	—	—	—	—	—	10	30	30
5E2	Accident and emergency	—	—	—	—	—	—	—	3	2	2
	Child and adolescent psychiatry	—	—	—	—	—	—	—	—	3	2
	Dental public health	—	—	—	—	—	—	—	5	—	—
	Forensic psychiatry	—	—	—	—	—	—	—	—	—	—
	General Psychiatry	—	—	—	—	—	—	—	—	12	12
	Geriatric medicine	—	—	—	—	—	—	—	—	0	1
	Learning disabilities	—	—	—	—	—	—	—	2	2	2
	Old age psychiatry	—	—	—	—	—	—	—	—	10	10
	Palliative medicine	—	—	—	—	—	—	—	1	1	1
	Other	—	—	—	—	—	—	—	—	0	0
	York Health Services NHS Trust	186	232	215	261	274	283	281	258	237	294
RGB	Accident and emergency	9	16	18	17	16	17	14	10	10	14
	Anaesthetics (inc. Intensive Care)	20	23	24	29	29	31	29	33	30	45
	Cardiology	2	2	3	3	2	4	7	6	5	4
	Chemical pathology	1	0		1	1	1	1	1	1	1
	Child and adolescent psychiatry	2	—	1	1	1	1	2	—	1	2
	Clinical neurophysiology	1	0	0	—	0	0	0	0	1	1
	Clinical radiology	6	6	8	11	11	13	11	9	10	10
	Dental public health	—	—	—	—	4	4	4	—	—	—
	Dermatology	2	3	3	5	3	3	4	4	4	4
	Endocrinology and diabetes melitus	2	3	4	2	2	2	3	3	4	4
	Forensic psychiatry	—	—	—	—	1	—	1	1	—	—
	Gastroenterology	2	2	2	3	3	2	3	3	4	3
	General Psychiatry	20	21	26	26	28	21	23	16	1	3
	General surgery	11	12	9	18	16	19	21	21	26	30
	Genito-urinary medicine	1	1	1	2	2	1	3	2	4	4
	Geriatric medicine	9	12	10	12	13	14	14	14	13	18
	Haematology	2	3	2	2	2	2	2	2	2	1
	Histopathology	2	3	2	5	5	5	5	6	8	7
	Infectious diseases	—	—	—	—	—	—	—	—	1	—
	Learning disabilities	2	2	2	1	2	1	1	—	1	—
	Medical microbiology and virology	1	1	1	1	1	1	1	1	2	2
	Neurology	1	3	5	6	5	8	6	6	4	4
	Obstetrics and gynaecology	14	17	14	20	19	20	19	18	16	23
	Occupational health	—	1	—	—	—	—	—	1	1	1
	Old age psychiatry	1	9	8	11	11	12	11	12	1	1
	Ophthalmology	7	9	8	7	8	9	9	8	10	12
	Oral and maxillo facial surgery	6	9	7	10	10	12	11	9	6	9
	Orthodontics	2	1	1	1	1	2	1	3	3	4
	Otolaryngology	4	5	5	6	7	7	9	8	8	8
	Paediatrics	9	15	13	18	17	13	15	15	17	23
	Palliative medicine	—	—	—	—	0	0	1	—	—	—
	Public health medicine	—	7	7	—	4	5	4	—	—	—

Hospital. Public Health Medicine and Community Health Services (HCHS) medical and dental staff: within the Greater York area by specialty

As at 30 September 2003

Whole-time equivalents

		1994	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*
	Renal medicine	1	1		1	1	3	4	4	4	4
	Respiratory medicine	1	2	2	3	4	3	3	2	3	3
	Rheumatology	1	1	1	2	1	2	1	2	2	2
	Trauma and orthopaedic surgery	12	14	13	14	16	18	18	17	16	22
	Urology	5	10	8	7	7	8	8	7	7	6
	Other	24	20	7	17	21	17	14	15	13	18

Whole-time equivalents

						Of which: Consultant						
		1994	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*	*June 2004*
	Total for specified trusts	82	87	72	102	98	110	109	121	127	134	143
	Selby and York PCT	—	—	—	—	—	—	—	1	14	15	18
5E2	Accident and emergency	—	—	—	—	—	—	—	—	—	—	—
	Child and adolescent psychiatry	—	—	—	—	—	—	—	—	2	2	3
	Dental public health	—	—	—	—	—	—	—	—	—	—	—
	Forensic psychiatry	—	—	—	—	—	—	—	—	—	—	1
	General Psychiatry	—	—	—	—	—	—	—	—	—	—	7
	Geriatric medicine	—	—	—	—	—	—	—	—	—	1	—
	Learning disabilities	—	—	—	—	—	—	—	0	1	1	2
	Old age psychiatry	—	—	—	—	—	—	—	—	10	10	4
	Palliative medicine	—	—	—	—	—	—	—	1	1	1	1
	Other	—	—	—	—	—	—	—	—	—	—	—
	York Health Services NHS Trust	82	87	72	102	98	110	109	120	113	119	126
RGB	Accident and emergency	2	2	2	2	2	2	2	3	3	4	4
	Anaesthetics (inc. Intensive Care)	12	13	11	14	15	18	17	20	21	21	23
	Cardiology	2	2	2	2	2	2	4	4	4	4	4
	Chemical pathology	1	0	—	1	1	1	1	1	1	1	1
	Child and adolescent psychiatry	2	—	—	—	—	—	—	—	—	—	—
	Clinical neurophysiology	1	—	—	—	—	—	—	—	1	1	1
	Clinical radiology	6	5	7	8	9	10	8	8	9	9	10
	Dental public health	—	—	—	—	—	—	—	—	—	—	—
	Dermatology	1	3	3	5	3	3	4	4	4	4	4
	Endocrinology and diabetes melitus	2	2	2	2	1	1	2	2	2	3	3
	Forensic psychiatry	—	—	—	—	—	—	—	—	—	—	—
	Gastroenterology	2	2	2	2	2	2	2	3	3	3	3
	General Psychiatry	7	—	—	—	—	—	1	1	—	—	—
	General surgery	4	5	4	6	3	6	6	8	8	9	9
	Genito-urinary medicine	1	1	1	2	2	1	2	2	2	2	3
	Geriatric medicine	4	4	2	4	4	4	5	5	5	6	7
	Haematology	2	3	2	2	2	2	2	2	2	1	2
	Histopathology	2	3	2	4	4	4	4	5	5	5	5
	Infectious diseases	—	—	—	—	—	—	—	—	—	—	—
	Learning disabilities	1	1	—	0	0	0	0	—	—	—	—
	Medical microbiology and virology	1	1	1	1	1	1	1	1	2	2	2
	Neurology	1	3	3	3	3	4	4	4	3	3	3
	Obstetrics and gynaecology	4	4	4	6	6	6	6	6	6	6	6
	Occupational health	—	—	—	—	—	—	—	—	—	—	—
	Old age psychiatry	1	9	8	10	10	11	8	10	—	—	—
	Ophthalmology	3	5	5	2	2	3	4	4	4	5	5
	Oral and maxillo facial surgery	3	5	3	5	5	6	5	3	3	3	3
	Orthodontics	2	—	—	—	—	1	—	2	2	2	2
	Otolaryngology	2	1	2	2	3	3	3	3	5	4	4
	Paediatrics	4	5	3	7	5	5	5	5	5	6	5
	Palliative medicine	—	—	—	—	0	0	1	—	—	—	—
	Public health medicine	—	—	—	—	—	—	—	—	—	—	—
	Renal medicine	1	1	—	1	1	2	2	3	3	3	4
	Respiratory medicine	1	1	1	2	2	2	2	2	2	2	2
	Rheumatology	1	1	—	1	1	1	1	1	1	1	1
	Trauma and orthopaedic surgery	4	4	3	4	5	6	6	6	6	8	8
	Urology	2	3	1	3	3	3	3	3	3	3	3
	Other	1	—	—	1	—	—	—	—	—	—	—

Notes:

'—' denotes zero.

'0' denotes less than one more than zero.

Source:

Department of Health medical and dental workforce census.

Patient Statistics (Wandsworth)

Tom Cox: To ask the Secretary of State for Health how many patients there were per general practitioner within the London borough of Wandsworth at the most recent recorded date. [174494]

Mr. Hutton *[pursuant to his reply, 24 May 2004, Official Report, c. 1389W]:* I regret my previous response was incorrect, due to an error in the published figures. The correct figures are shown in the table.

Patients of Unrestricted Principals and Equivalents (UPEs)[1] for Wandsworth PCT

Number (headcount)

	Wandsworth PCT
UPEs	174
Patients of UPEs	309,365
Average list size	1,778

[1] UPEs include GMS unrestricted principals, PMS contracted general practitioners and PMS salaried GPs.

Data as at 30 September 2003.

Patient data have been revised from previously published figures.

Source:

Department of Health general and personal medical services statistics.

Post-Laryngectomy Equipment

Mrs. Helen Clark: To ask the Secretary of State for Health what assessment he has made of the difficulties in communication faced by people who have had laryngectomies. [188889]

Dr. Ladyman: No assessment has been carried out centrally.

Teriparatide

Mr. Edwards: To ask the Secretary of State for Health (1) what assessment he has made of teriparatide for the treatment of osteoporosis; [189045]

(2) what guidance is given to local health trusts and local health boards about the availability of teriparatide on the NHS. [189046]

Dr. Ladyman: Teriparatide is being considered as part of the National Institute for Clinical Excellence's (NICE's) appraisal of the clinical effectiveness and cost effectiveness of technologies for the secondary prevention of osteoporotic fractures in postmenopausal women. NICE has developed guidance in consultation with a number of stakeholders. Final guidance was due to be published in October 2004, covering both England and Wales, but an appeal has been received against the final appraisal determination and guidance on this technology. NICE has arranged for the appeal panel to convene on 22 October 2004 to hear oral representations from the appellant. Full details are available on the NICE website at www.nice.org.uk.

In August 1999, the Department issued Health Service Circular 1999/176, which asks national health service bodies to continue with local arrangements for the managed introduction of new technologies where guidance from NICE is not available at the time the technology first became available. These arrangements should involve an assessment of all the available evidence. The circular applies to England only.

Written Answers to Questions

Wednesday 13 October 2004

HOUSE OF COMMONS

Bellamy's Cafeteria (Contractors)

Tom Cox: To ask the Chairman of the Accommodation and Works Committee what requirements were stipulated to contractors working on the refurbishment of Bellamy's cafeteria with respect to *(a)* hours of work, *(b)* noise levels of works and *(c)* dust levels; and if he will make a statement on when the work will be finished. [189525]

Derek Conway: The contractor is required to comply with the Control of Noise (Code of Practice for Construction and Open Sites) Order 1984 Regulations and BS 5228, the Code of Practice for Noise Control on Construction and Demolition Sites. The contractor is further required to comply with any local authority restrictions. Construction methodology and timing of work are reviewed with the contractor on a regular basis.

The control of dust is covered by conditions in the contract relating to nuisance under which the contractor is required to take all reasonable precautions to prevent such nuisance. The contractor also has responsibilities under health and safety legislation.

One of the project's stipulations is that the work to refurbish Bellamy's Kitchen must be completed within the summer months when the House is in recess, including the two week September return; a period of some 10 weeks. Given the significant amount of work involved maximum flexibility has been afforded: 24 hours per day, seven days a week working is available.

The works were forecast to be completed by the return of the House.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Fallen Stock

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what progress her Department has made in establishing a national fallen stock collection scheme; how many and what proportion of livestock farms have registered; and what plans she has for its future development. [190128]

Mr. Bradshaw: The Board of the National Fallen Stock Company, in partnership with Government and the livestock industry, remain on target to launch the scheme this autumn. We will not know how many farmers will register until the scheme begins. Future development of the scheme is a matter for the Board but the Government are committed to providing £20 million over three years to help establish it on a firm footing.

INTERNATIONAL DEVELOPMENT

Iraq

7. **Linda Gilroy:** To ask the Secretary of State for International Development what effects instability in Iraq is having on his Department's work on reconstruction. [190361]

Hilary Benn: Present levels of instability in Iraq have slowed the pace of reconstruction. However, DFID's programmes are designed to be flexible and responsive to the current difficult security environment. Extensive measures are in place to safeguard the well-being of DFID employees and contractors working in Iraq. In southern Iraq, we are about to complete a substantial programme of infrastructure rehabilitation; and capacity-building and employment generation projects are well under way. Capacity-building support to key Iraqi ministries in Baghdad, and support for civil society, the judiciary and independent media, are also continuing.

Mr. Dalyell: To ask the Secretary of State for International Development how much from departmental sources was spent in Iraq from June to September. [190354]

Hilary Benn: In the four months June to September this year, DFID disbursed a total of £15.95 million on Iraq. £15.5 million of this was programme funds, and £0.45 million was administrative costs.

In the three months between the handover of power to the Iraqi Interim Government on 28 June and the end of September, DFID disbursed a total of £11.7 million, of which £11.35 million was programme funds and £0.36 million was administrative costs.

Ethiopia

8. **Mr. Laurence Robertson:** To ask the Secretary of State for International Development what assistance his Department is giving to Ethiopia; and if he will make a statement. [190362]

Hilary Benn: UK development assistance to Ethiopia is increasing rapidly from £44 million in 2003–04 to £85 million in 2005–06. Half of our support is direct support to the Government of Ethiopia's budget to enable them to increase their pro-poor spending with additional cooperation focusing on food security, capacity building and education plus support to tackle HIV/AIDS.

Caribbean (Extreme Weather)

9. **Michael Fabricant:** To ask the Secretary of State for International Development what assistance his Department has given to British dependencies and Commonwealth countries in *(a)* the Caribbean and *(b)* Central America affected by extreme weather conditions in the last year; and if he will make a statement. [190363]

Mr. Gareth Thomas: Details of DFID's disaster relief to Caribbean countries that have been seriously affected by recent Hurricanes Ivan and Jeanne were provided to the House in the oral statement of 14 September 2004 and written statement of 16 September 2004 by the

Secretary of State for International Development. A further written statement, updating the House, was provided on 12 October 2004.

In addition to the responses to the recent hurricanes, DFID also provided some £420,000 of humanitarian assistance to Haiti, in May 2004, following severe flooding. This humanitarian assistance supported the flood relief and recovery programmes of Action Aid, Save the Children Fund and the World Food Programme for the provision of basic services, food, and water and sanitation interventions.

Aid Projects

10. **Mrs. Gillan:** To ask the Secretary of State, Department for International Development, what recent assessment he has made of co-operation between his Department and the EU on aid projects. [190384]

Mr. Gareth Thomas: DFID continually monitors and assesses cooperation with the European Union on aid projects. At a political level, the Secretary of State and I regularly meet with counterparts from other EU Member States and the European Commission. There is similar contact at an official level both at headquarters and field levels.

Nigeria

11. **Brian White:** To ask the Secretary of State, Department for International Development if he will make a statement on the outcome of his recent visit to Nigeria. [190385]

Hilary Benn: 80–90 million Nigerian's live in poverty; only India and China have more poor.

Whether Africa attains the Millennium Development Goals (MDGs) depends on Nigeria. Reforms are underway in Nigeria and there is an opportunity for change. The Government have launched their poverty reduction strategy and restored macroeconomic stability.

Donor and creditor support is critical to maintain the momentum of reform. DFID has doubled its aid to £70 million next year.

The UK is also committed to helping Nigeria to reach a sustainable solution to its debt problems through the Paris Club's Evian Approach.

Agriculture Strategy

12. **Sue Doughty:** To ask the Secretary of State, Department for International Development, if he will make a statement on his Department's agriculture strategy. [190387]

Hilary Benn: Following the launch of the 2003 Agriculture Policy Paper "Agriculture and poverty reduction: unlocking the potential", the Department for International Development has engaged in a consultative process seeking the views of others on ways to improve the effectiveness of our assistance to agriculture which will culminate in a new Agriculture Strategy Paper. This process has included an electronic forum that engaged over 550 participants and the development of 14 working papers providing material for the strategy. The first working papers are now available on our consultation website, and the remainder will be released shortly. DFID acknowledges the valuable input of NGOs, notably members of the UK Food Group, in this process. A summary draft of the strategy is being prepared, and we anticipate releasing this very shortly for wider consultation.

Millennium Development Goals

13. **Bob Spink:** To ask the Secretary of State, Department for International Development, if he will make a statement on the effectiveness of aid given *(a)* through the EU and *(b)* bilaterally in achieving the Millennium Development Goals. [190388]

Mr. Gareth Thomas: All EU member states, as well as the European Commission, are currently drawing up detailed reports on the contribution towards reaching the Millennium Development Goals. These are being prepared to a common format, agreed in advance, in order to allow comparisons to be drawn between the approaches and successes of each Member State, as well as the European Commission, in their respective development programmes.

The reports are due to be published later this year. There is no recent comparative analysis available at present which can match the thoroughness or comprehensiveness of these forthcoming reports.

Afghanistan

Mr Battle: To ask the Secretary of State for International Development if he will make a statement on his Department's support programmes for alternative livelihoods in Afghanistan. [189941]

Mr. Gareth Thomas: DFID's Alternative Livelihoods programme is an essential part of our overall strategy to reduce and eventually eliminate poverty in Afghanistan. It is also a key component of the fight against drugs. In 2003/04 DFID provided £6 million to our alternative livelihoods programme. We have budgeted for an additional £20 million over the next two years.

DFID is working with the Afghan Government to build the capacity of the key agricultural ministries (£2.1 million over three years) and have helped establish the Alternative Livelihoods working group, which acts as a forum for the Afghan Government, donors, UN Agencies and non-governmental organisations to co-ordinate activities and develop a strategic framework for the creation of sustainable alternative livelihoods.

DFID is funding pilot programmes in Badakshan (£1 million over two years) and Eastern Hazarajat (£3.7 million over four years) to develop agricultural and non-farm alternatives to poppy cultivation. These projects are being supported by a microfinance programme targeted at the rural poor (£3 million over two years) and a fund for practical research into alternative livelihoods (£3 million over three years).

DFID is also working with village development councils through the National Solidarity Programme (£13 million over three years) to help communities address their own development priorities. To date 5,947 village development councils have been elected, 3,258 projects have been approved and $29 million in block grants has been disbursed to fund community projects including the construction of roads, water supply systems, irrigation canals, hydro-power for electricity, public baths, schools and weaving facilities.

Forests (Africa)

Norman Baker: To ask the Secretary of State for International Development what action he is taking to try to prevent the loss of forest cover in Africa. [190386]

Mr. Gareth Thomas: DFID supports developing countries in Africa to make forest resources contribute more effectively to poverty reduction. DFID's work aims to improve the livelihoods of poor people and to maintain—and increase where possible—the national and global public goods provided by forests. DFID is helping to develop forest policy, implement reforms, and strengthen forest governance in Ghana, Cameroon, Malawi, Kenya and South Africa.

DFID supports the Africa Forest Law Enforcement and Governance process to help raise awareness of the problems of illegal logging and the commitment to tackle them. In addition DFID invests about £29 million a year in the Global Environment Facility, a significant share of which is spent on forest conservation.

CULTURE, MEDIA AND SPORT

Aboriginal Artefacts

Mr. Greg Knight: To ask the Secretary of State for Culture, Media and Sport what discussions she has had with the lenders on securing the return of two bark etchings and an Aboriginal ceremonial headdress on loan to the Museum Victoria in Melbourne, Australia; why such items have not been returned; and if she will make a statement. [189148]

Estelle Morris *[pursuant to her reply, 16 September 2004, Official Report, c. 1699–1700W]:* In my previous reply I stated that the current Emergency Declarations were due to expire on 18 September. This was incorrect. The Declarations in question expired on 14 September, and further Declarations were imposed on 15 September.

Computer Misuse

Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport how many cases of computer misuse there were in *(a)* her Department and *(b)* Ofcom this year to date; how many of those cases resulted in disciplinary action; and what measures are in place to (i) discourage and (ii) monitor computer misuse. [190262]

Mr. Caborn: *(a)* There have been no cases of computer misuse in the Department to date this year.

All staff in the Department must sign our Acceptable Use Policy before e-mail or internet access is provided. The policy has to be signed off on an annual basis thereafter.

All use of departmental IT systems is monitored and filtering systems are in place to prevent access to unacceptable material.

(b) With respect to Ofcom, the matter raised is the responsibility of the Office of Communications (Ofcom) as independent regulator. Accordingly, my officials have asked the Chief Executive of Ofcom to respond directly to the hon. Member. Copies of the Chief Executive's letter will be placed in the Libraries of both Houses.

TRANSPORT

Information and Communication Specialists

Mr. Jenkins: To ask the Secretary of State for Transport how many information and communication technology specialists are in full-time employment in the Department. [189596]

Charlotte Atkins: 401 information and communication technology specialists are in full-time employment in the Department for Transport.

Rural Bus Subsidy

Mr. Anthony D. Wright: To ask the Secretary of State for Transport what *(a)* the allocation of the Rural Bus Subsidy Grant to each local authority has been to date and *(b)* the percentage level each local authority has set for the revenue cost of an individual bus service to be met by the farebox before the subsidy is allocated to it. [190045]

Charlotte Atkins: The following table shows the Rural Bus Subsidy Grant allocations since its introduction in 1998. A table indicating the Rural Bus Subsidy Grant allocations awarded to authorities in each year since 1998–99 has been placed in the Libraries of the House.

It is for each authority to determine its own criteria for deciding whether particular services should be supported by the grant allocated to them, taking account of local needs and priorities and value for money. Information is not collected centrally on the criteria adopted by individual authorities. The percentage of cost met from the farebox is just one of the options available to authorities in this respect.

1998–99 to 2004–05

	Total (£)
Bath and North East Somerset	1,229,047
Bedfordshire	3,883,929
Blackburn with Darwen	342,174
Bracknell Forest	351,047
Brighton and Hove	24,367
Bristol	57,184
Buckinghamshire	4,944,798
Cambridgeshire	7,031,115
Cheshire	5,378,991
Cornwall	10,706,136
Cumbria	8,394,196
Darlington	444,227
Derbyshire	6,302,441
Devon	12,354,072
Dorset	5,093,498
Durham	5,300,250
East Riding	4,685,122
East Sussex	4,918,057
Essex	9,288,720
Gloucestershire	6,962,408
Greater Manchester	1,243,651
Halton	126,229
Hampshire	7,842,559
Hartlepool	147,930

1998–99 to 2004–05

	Total (£)
Herefordshire	4,580,866
Hertfordshire	3,890,417
Isle of Wight	1,396,463
Kent	11,415,764
Lancashire	6,671,496
Leicestershire	4,876,351
Lincolnshire	10,472,185
Medway	799,229
Merseyside	731,887
Middlesbrough	101,198
Milton Keynes	629,730
North East Lincolnshire	382,201
Norfolk	13,978,903
North Lincolnshire	2,257,283
North Somerset	1,164,853
North Yorkshire	12,101,786
Northamptonshire	6,109,129
Northumberland	4,213,196
Nottinghamshire	4,587,545
Oxfordshire	8,126,970
Peterborough	765,885
Plymouth	85,539
Poole	65,065
Redcar and Cleveland	495,357
Rutland	942,711
Shropshire	5,526,846
Somerset	8,968,127
South Gloucestershire	1,678,298
South Yorkshire	2,970,265
Staffordshire	7,094,494
Stockton-on-Tees	298,316
Stoke-on-Trent	47,549
Suffolk	10,535,383
Surrey	5,385,904
Swindon	489,008
Telford and The Wrekin	666,778
Thurrock	334,721
Torbay	75,728
Tyne and Wear	721,908
Warrington	539,147
Warwickshire	5,245,725
West Berkshire	2,039,524
West Midlands	770,575
West Sussex	5,079,425
West Yorkshire	4,999,197
Wiltshire	6,911,485
Windsor and Maidenhead	461,573
Wokingham	690,691
Worcestershire	5,922,724
York	652,750

Transport Schemes

Mr. Brady: To ask the Secretary of State for Transport if he will publish the cost to benefit ratios of all the transport schemes which he has approved in principle within the last three years, including those agreed for implementation by Transport for London. [188031]

Mr. McNulty: The Benefit Cost Ratio (BCR) is one input into a decision about whether or not a project should go ahead. It shows those impacts that have established monetary valuations. There are often other significant impacts to which a monetary value cannot easily be attached, but which are accounted for when assessing overall value for money (vfm). Environmental and regeneration impacts for example could be very large and could alter the assessment of vfm from that implied by looking at the BCR alone. In some cases, where the other impacts of the scheme are sufficiently negative, a high BCR may not mean a scheme offers good vfm. Conversely, in other cases, where the positive impacts are sufficiently large a low BCR may not mean that the scheme offers poor vfm.

In addition to the value for money assessment, there are other considerations that affect whether a project should go ahead, including:

Practicality

Deliverability

Public acceptability

Distributional and equity impacts

Affordability and finance sustainability

The achievement of central government, local and regional objectives

The amelioration of identified problems

The following table reports the latest estimates available of the BCR of the transport schemes, which the Department for Transport has approved in principle or provisionally approved within the last three years.

For local schemes the local authority does a value for money appraisal of the scheme using the New Approach to Appraisal (NATA)—launched in 1998—and submits that to the Department for independent scrutiny. The appraisal is assessed by the Department, and the BCRs listed are the Department's own best estimate, using the evidence presented in the promoter's appraisal and the information uncovered during the Department's own assessment process.

The schemes were appraised in different years and due to changes in the Government's appraisal methodology during this period, the BCRs reported have not all been calculated on the same basis, so they are not directly comparable between schemes.

The list does not include those schemes agreed for implementation by Transport for London, since the decision to approve such schemes is the responsibility of the Mayor. The exception has been the Thames Gateway Bridge, where the Department have offered to provide some Private Finance Initiative (PFI) credits, and borough streetlighting PFIs. These are included in the table.

Mode/Scheme	*Benefit cost ratio*
Heavy Rail	
Crossrail	c.2
West Coast Route Modernisation (enhancement element)	>2
Thameslink Upgrade	1.7
Strategic Roads (Motorway and Trunk Roads)	
Al Adderstone to Belford Dualling	2.4
Al Bramham—Wetherby (including Wetherby Bypass)	6.1
Al Dishforth—Leeming	1.5
Al Leeming to Barton	1.5
Al Kippings Cross to Lamberhurst Bypass	2.5
Al Morpeth to Felton Dualling	2.2
Al Stannington Junction	6.3
A1/A19/A1068 Seaton Burn Junction Improvement	2.4
A14 Ellington—Fen Ditton Improvement	1.8
A19/A184 Testos Junction Improvement	5.6
A21 Tonbridge to Pembury	1.6
A23 Handcross to Warninglid Widening	4.4
A27 Southerham to Beddingham Improvement	7.7
A30 Garland Cross to Chiverton Cross	2.6
A30 Temple to Higher Carblake Improvement	1.2
A30/A382 Merrymeet Junction	2.5

Mode/Scheme	*Benefit cost ratio*
A419 Blunsdon	3.3
A419 Commonhead Junction	3.9
A421 Bedford to M1 Junction 13	4.2
A428 Caxton Common to Hardwick Improvement	3
A45/A46 Tollbar End Improvement	3
A453 Widening (MI J24 to A52 Nottingham)	1.5
A47 Blofield to North Burlingham Dualling	7.1
A505 Dunstable Northern Bypass (A5 to MI Link)	4.3
A5117/A550 Deeside Park Junctions Improvement	3
A57/A628 Mottram in Longdendale, Hollingworth and Tintwistle Bypass	9
A590 High and Low Newton Bypass	3
A64 Colton Lane Grade Separated Junction	1.2
A64 Rillington Bypass	1.3
A66 Carkin Moor to Scotch Corner Improvement	5.8
A66 Greta Bridge to Stephen Bank Improvement	6.9
A66 Long Newton Junction	1.4
A66 Temple Sowerby and Improvement at Winderwath	1.4
A69 Haydon Bridge Bypass	1.4
M1 J19 Improvement	1.8
M1 J21–30	2.6
M1 Junction 10 to 13 Widening	4.3
M1 Junction 6a to 10 Widening	2.1
M20 Junction 10A	4.2
M25 J16–23 Widening	5.5
M25 J1b-3 Widening	9.9
M25 J23–27 Widening	2.2
M25 J27–30 Widening	2.4
M25 J5–7 Widening	4.6
M4 Junction 18 Eastbound Diverge	2.6
M40 Junction 15 (Longbridge)	6
M40/A404 Handy Cross Junction Improvement	3.7
M5 Junctions 17–18 Northbound Climbing Lane	7.5
M5 Junctions 19–20 Northbound Climbing Lane	2.3
M5 Junctions 19–20 Southbound Climbing Lane	3.1
Local Major Roads (£5 million plus)	
Rugeley Eastern Bypass Stage 2	3.6
Burntwood Bypass Phase 3	8.1
Biddulph Inner Bypass	1.8
Tunstall Northern Bypass	8.9
Hanley-Bentilee Link Road	2.2
Nar Ouse Regeneration Road	1.5
East Luton Corridor (South)	1.9
A142 Fordham Bypass	1.8
A505 Baldock Bypass	2.4
A1198 Papworth Everard Bypass	1.5
Selly Oak Relief Road	3.6
Cradley Heath Relief Road	4.5
Brierley Hill Access Road	3.3
Darlaston SDA	1.4
Scotswood Road Dualling (Newcastle)	6.2
Sedgefield-Wynyard Improvement (Durham)	1.5
Sunderland Southern Radial Route (Sunderland)	3.1
Chilton Bypass (Durham)	4
North Middlesbrough Accessibility Improvement	3.2
Sunderland Central Route	1.9
Pegswood Bypass (Northumberland)	2.7
Northern Gateway (North Tyneside)	2.3
A391 St. Austell to A30 Link Road	1.2
Weymouth Relief Road	4.2
A350 Semington-Melksham Diversion	3.5
A228 Ropers Lane Phase 1	1.9
East Kent Access Phase 1	2.9
A228 Leybourne and West Mailing Corridor Improvement	2
Kiln Lane Link, Epsom	1.9
A24 Ashington to Southwater	10
A24 Horsham—Capel Improvement	4
Stoke Hammond/Linslade Western Bypass	2.9
Bletchley Link	3
M4 Junction 11 and Mereoak Roundabout	3.3
A34 Alderley Edge Bypass	1.3
A57 Cadishead Way	4.3
A58 Blackbrook Diversion	2.4
Ashton Northern Bypass Stage 2	1.9
Wigan Inner Relief Road	2.9
Sheffield Northern Inner Relief Road Stage 2&3	1.4
A612 Gedling Transport Improvement Scheme	6.1
Mansfield Ashfield Regeneration Route	2.5
A43 Corby LinkRoad	3.4
A509 Isham Bypass	3.8
Ilkeston-Awsworth Link Road	0.8
Markham Employment Growth Zone	-3.5
Rearsby Bypass	9.2
Upperton Road Viaduct Major Maint. Scheme	2
Oakham Bypass	2.1
A158/C541 Coastal Access Improvement (Partney)	3.6
Major Maintenance Schemes	
Walton Bridge, Surrey	1.5
Undercliff Drive, Isle of Wight	2.9
Freckleton Street Bridge, Blackburn	2.1
Upperton Road Viaduct, Leicester	2.2
Local Transport Schemes—Transport Interchange	
Four Lanes Ends	1.2
Barnsley Interchange	1.8
Sheffield station—Improved pedestrian access	1.8
Wolverhampton	1.7
Ryde Interchange	0.4
Coleshill Interchange	1.6
Norwich City Centre Interchange	1.4
North Manchester Business Park	1.1
Liverpool South Parkway	1.8
Local Transport—Bus	
A638 Great North Road Quality Bus	5.7
Leeds A65 (Kirkstall Road)	1.5
South East Manchester (SEMMMS)	7.7
Manchester Northern Oribital Scheme	2.6
Hampshire A3 Bus Priority Corridor	1.8
Luton Dunstable Translink	1.5
Cambridge to Huntingdon Rapid Transit	2.4
JETTS Quality Bus Corridor	2.6
Getting Northampton to Work	1.7
Coventry Quality Bus Network	1
Milton Keynes Quality Bus Network	1.5
West Yorks Yellow School Bus	3
Local Transport Schemes—Integrated Transport	
Masshouse Circus	3.4
Walsall Town Centre Package	6.7
Luton Town Centre	1.8
Local Transport Schemes—Smartcard	
YORCARD	1.1
Light Rail	
Leeds Supertram	1.3
South Hampshire Rapid Transport	1.6
Merseytram	1.1
London	
Thames Gateway Bridge	9
Ealing PFI streetlighting project	5.5
Lambeth PFI streetlighting project	8.4
Enfield PFI streetlighting project	4.8
Barnet PFI streetlighting projects	3.5

Notes:

1. Markham Employment Growth Zone: BCR -3.54

The Markham Employment Growth Zone originated as a response to the Coalfield Task Force's Report "Making the Difference—A New Start for England's Coalfield Communities". It is principally a regeneration scheme for the former colliery and surrounding land. The method of calculating the BCR does not capture the wider economic benefits that the scheme will deliver.

2. Ilkeston-Awsworth Link Road: BCR 0.81

Ilkeston-Awsworth Link Road is justified largely on environmental grounds. The method of calculating the BCR does not capture the environmental benefits that the scheme will deliver.

3. Ryde Esplanade Transport Interchange: BCR 0.36

Ryde Esplanade Interchange is the main entry point to the Isle of Wight. It is primarily aimed at improving the quality of facilities, increasing security and encouraging tourism, which accounts for 24 per cent. of the island's economy. The method of calculating the BCR does not capture these wider benefits the scheme will deliver.

4. Merseytram: BCR 1.1

The scheme has significant benefits that are not included in the monetised BCR. These include significant regeneration and social inclusion benefits, as well as beneficial impacts on air quality and greenhouse gases.

Underground Schemes

Mr. Battle: To ask the Secretary of State for Transport what his Department's policy is on new urban underground schemes as a practical solution to future transport management. [189921]

Charlotte Atkins: It would be for local transport authorities, including Passenger Transport Authorities and the Mayor for London, to propose new urban underground schemes as part of their plans. Each scheme would need to be considered on the basis of its value for money, including its wider benefits, and affordability. The cost of such schemes means it is unlikely they would be justified except on corridors with the highest level of demand.

DEPUTY PRIME MINISTER

Chagos Islanders

Peter Bottomley: To ask the Deputy Prime Minister which departmental Ministers have responsibility for discussions with West Sussex county council about the costs of looking after Chagos Islanders arriving at Gatwick. [190153]

Phil Hope: Officials from the Office of the Deputy Prime Minister, Government Office for the South East, Foreign and Commonwealth Office, Department of Health, Department for Work and Pensions and the Prime Minister's Office met West Sussex county council on Thursday 30 September to discuss support for Chagos Islanders arriving at Gatwick airport.

Corporation of London (Planning Policy)

Mr. Sheerman: To ask the Deputy Prime Minister if he will initiate an inquiry into the planning policies and procedures of the Corporation of London. [190161]

Keith Hill: My right hon. Friend the Deputy Prime Minister has no plans to initiate an inquiry into the planning policies and procedures of the Corporation of London. As local authorities are elected autonomous bodies, the Government do not routinely comment on or investigate their day-to-day administration of the planning system. Local authorities are accountable to their electorate, their Auditor, and ultimately to the Courts.

Historic Areas (New Buildings)

Mr. Sheerman: To ask the Deputy Prime Minister if he will meet the Royal Institute of British Architects to discuss the standards and quality of new buildings in historic areas, with particular reference to the City of London. [190157]

Keith Hill: My right hon. Friend the Deputy Prime Minister has no plans to discuss these issues with the Royal Institute of British Architects.

Mr. Sheerman: To ask the Deputy Prime Minister if he will meet representatives of the construction industry to discuss their responsibilities for quality building in historic areas, with particular reference to the City of London. [190158]

Keith Hill: My right hon. Friend the Deputy Prime Minister has no plans to discuss these issues with the construction industry.

Traveller Sites (Buckinghamshire)

Mr. Bercow: To ask the Deputy Prime Minister how many *(a)* local authority and *(b)* private traveller sites there were in the Buckingham constituency in each year since 2002. [191071]

Keith Hill: The Gypsy and Traveller Count collects data by local authority area rather than by constituency. However, the following data collected from Aylesbury Vale district council are available:

	Number of local authority sites	*Number of private sites*
2002	1	4
2003	2	4
2004	2	6

Mr. Bercow: To ask the Deputy Prime Minister how many traveller *(a)* caravans and *(b)* families were on (i) authorised and (ii) unauthorised sites in the Buckingham constituency in each of the last three years. [191072]

Keith Hill: The Gypsy and Traveller Count collects data by local authority area rather than by constituency. However, the following data collected from Aylesbury Vale district council are available:

	Authorised caravans	*Unauthorised caravans*
January 2002	19	11
July 2002	19	10
January 2003	32	45
July 2003	26	18
January 2004	21	10

Note:

Information relating to the Count carried out in July 2004 will be published shortly.

HOUSE OF COMMONS COMMISSION

Parliamentary Resource Unit

Mr. Salter: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission to what grade of parliamentary pass staff working for the Parliamentary Resource Unit are entitled. [189275]

Sir Archy Kirkwood: The staff working for the Parliamentary Resource Unit have a Members' Research Assistant photo-identity pass, either a 9B (permanent) or a 9D (temporary).

Recycling

Mr. Hancock: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what quantity of *(a)* glass, *(b)* paper, *(c)* cardboard, *(d)* plastic, *(e)* metal and *(f)* other materials have been (i) recovered and (ii) recycled from the waste stream of the parliamentary estate in each of the last three years; what percentage this represents of total waste in each case; what plans there are to increase the amount recycled; and if he will make a statement. [189755]

Sir Archy Kirkwood: In the last three financial years the quantities of waste recycled were as follows:

	2002–03	*2003–04*	*2004–05 (4 months)*
Glass (tonnes)	256	173	61
Paper and cardboard (tonnes)	263	379	121
Metal (tonnes)	46	50	[1]—
Oil (tonnes)	7	4	3
In addition, fluorescent tubes and toner cartridges were recycled.			
Percentage of total waste recycled	25	26	28
Percentage of waste recovered	100	100	100

[1] Extracted at incinerator. Not separately weighed.

Recycling means that an item is reused. Recovery means that the waste is utilised in some way, for example incineration to generate electricity. Percentages of waste recycled and recovered exceed Government targets, which are to recycle 25 per cent. and recover 40 per cent.

The Waste Recycling Steering Group meets regularly and works closely with its contractors to maximise the amount of waste which is recycled from the parliamentary estate.

Summer Works Programme

Mr. Gale: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what estimate he has made of the cost of the summer works programme in 2004; and what estimate he has made of what the cost would have been had the House not been sitting in September. [190008]

Sir Archy Kirkwood: I refer the hon. Gentleman to the answer given to the hon. Member for Bournemouth, West (Sir John Butterfill) on 12 October 2004, *Official Report*, column 203W.

Mr. Gale: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what the cost of the summer works programme in 2003 was; and what estimate he has made of what the cost would have been had the House not sat in September 2003. [190009]

Sir Archy Kirkwood: The estimated cost of the summer works programme for 2003 was some £4.5 million and the estimate of the cost if the House had not sat in September was around £4.4 million.

WALES

Welsh Grand Committee

Mr. Dodds: To ask the Secretary of State for Wales how many meetings of the Welsh Grand Committee there have been in each year since 1997; where the meetings were held; and what the subject matter of debate for each Committee meeting was. [189916]

Mr. Touhig: There have been 27 meetings of the Welsh Grand Committee, of which, all except five have taken place in Westminster.

The meeting on 30 June 1997 took place in Mold; 5 May 1998 in Carmarthen; 13 July 1998 in Merthyr Tydfil; 22 February 1999 in Aberaeron; and 12 March 2001 took place in Cwmbran.

The following list gives the dates and subject matter:

30 June 1997—The Government's Programme for Wales

18 November 1997—North Wales and The Government's Proposals for a Welsh Assembly

16 December 1997—Government Expenditure in Wales 1998–99

5 May 1998—The Rural Economy in Wales

13 July 1998—New Economic Agenda in Wales

16 December Government Expenditure in Wales 1999–2000 and 2001–02

22 February 1999—Transport Policy in Wales

14 December 1999—Government's Legislative Programme

4 April 2000—Budget Statement

16 May 2000—Welsh Economy

20 June 2000—Social Exclusion in Wales

19 July 2000—Comprehensive Spending Review

11 December 2000—Queens Speech and the Chancellor's Pre-Budget Statement

13 February 2001—Building Safer Communities

12 March 2001—Budget Statement

3 July 2001—Government's Legislative Programme

28 November 2001—Pre-Budget Statement

24 April 2002—Budget Statement

16 July 2002—Draft National Health Service (Wales) Bill

21 November 2002—Government's Legislative Programme

5 December 2002—Pre-Budget Statement

24 June 2003—Economy in Wales

15 July 2003—Draft Public Audit (Wales) Bill

16 December 2003—Government's Legislative Programme and Public Expenditure in Wales

24 March 2004—Budget Statement

6 July 2004—Richard Commission

20 July 2004—Draft Transport (Wales) Bill.

HOME DEPARTMENT

Asylum Seekers (Peterborough)

Tony Baldry: To ask the Secretary of State for the Home Department if he will place in the Library his Department's report on the impact on Peterborough of asylum seekers. [187954]

Mr. Browne: So far as can be ascertained, no such report exists. Recent press references to such a report appear to relate in fact to a Peterborough council funding application which extracted comments from the city's own Community Safety Audit of 2003. In this application, asylum seeking was listed as one of a combination of factors affecting service provision.

Drug Offences

Mr. Bercow: To ask the Secretary of State for the Home Department how many people in the Thames Valley area were convicted of or cautioned for drug offences in *(a)* 2000, *(b)* 2001 and *(c)* 2002; and what proportion this represented of persons convicted of or cautioned for all indictable offences in the Thames Valley in each year. [189977]

Caroline Flint: Figures for the number of persons cautioned and found guilty for drug offences for Thames valley area for 2000 to 2002 are set out in the following table.

Number of persons cautioned or found guilty of drug offences and the proportion this represents of indictable offences, Thames Valley police force area, 2000 to 2002[1]

	Drug offences			*Indictable offences*			*Persons cautioned or found guilty for drug offences as a percentage of persons cautioned or found guilty for indictable offences*
	Cautioned	*Found guilty*	*Total*	*Cautioned*	*Found guilty*	*Total*	
2000	951	1,112	2,063	4,673	7,852	12,525	16
2001	717	1,206	1,923	3,460	8,199	11,659	16
2002	1,037	1,292	2,329	3,948	8,727	12,675	18

[1] These data are on the principal offence basis.

Mr. Bercow: To ask the Secretary of State for the Home Department how many people in the Thames Valley Police Force home area were dealt with for supply offences involving Class A drugs in *(a)* 2000, *(b)* 2001 and *(c)* 2002. [189969]

Caroline Flint: Figures for the number of persons cautioned and found guilty for Class A drug supply offences in the Thames valley area for 2000 to 2002 are set out in the table.

The information is taken from the Home Office Court Proceedings and Cautions Database and relates to persons cautioned and found guilty for drug offences.

Table 1: Number of persons cautioned or found guilty for supply[1] *of Class A drug offences, Thames Valley Police Force area, 2000–02*

	Cautioned	*Found guilty*	*Total*
2000	1	331	332
2001	2	384	386
2002	1	344	345

[1] Supply offences include possession with intent to supply.

Forensic Science Service

Adam Price: To ask the Secretary of State for the Home Department if he will publish the Government's outline business case for the future working of the Forensic Science Service. [188474]

Caroline Flint: It is not intended to publish the outline business case because of the need to maintain strict commercial confidentiality. However, a detailed summary will be submitted in evidence to the Science and Technology Select Committee, which has announced an inquiry into the Government's plans for the Forensic Science Service.

Juveniles (Detention)

Mr. Boswell: To ask the Secretary of State for the Home Department what action he is taking to improve the *(a)* accuracy, *(b)* quality and *(c)* legal integrity of warrants for detention of juveniles. [188235]

Paul Goggins: I will write to the hon. Member.

Mobile Phones

Mr. Battle: To ask the Secretary of State for the Home Department how many people have been charged with using mobile telephones while driving since the law was introduced; and if he will make a statement. [189997]

Ms Blears: Data on the numbers of people charged by the police are not collected centrally.

Data on police action (written warnings, fixed penalty notices and court proceedings) for 2003 on the new offence of driving while using a hand held mobile telephone will not be available until early 2005. Use of a hands free mobile phone is not part of the new specific offence.

2004 data will be published in autumn 2005.

National Offender Management Service

Mr. Gerrard: To ask the Secretary of State for the Home Department when he will publish a business case for the National Offender Management Service. [175827]

Paul Goggins: The case for the establishment of the National Offender Management Service (NOMS) is outlined in Patrick Carter's independent report "Managing Offenders—Reducing Crime" published along with the Government response "Reducing Crime—Changing Lives" on 6 January 2004. The draft detailed business case will be presented to the NOMS Programme Board on 22 November for discussion.

Mrs. Gillan: To ask the Secretary of State for the Home Department what the role will be of the regional offender managers in the National Offender Management Service structure. [190114]

Paul Goggins: The Regional Offender Managers (ROMS) will have the critical task of implementing end-to-end offender management across prisons and probation. They will hold the budgets for prison and probation and commission services from both sectors, using contracts and service level agreements to manage performance. They will be developing further contestability across prisons and probation. In addition, they will develop and implement the regional reducing re-offending action plans and regional resettlement strategies.

Police Searches

Bob Spink: To ask the Secretary of State for the Home Department if he will issue guidance to *(a)* the police and *(b)* the Crown Prosecution Service on the appropriate time limit within which police officers should search premises, after a suspect has emerged, in relation to section 32 of the Police and Criminal Evidence Act 1984. [187969]

Ms Blears: As indicated in my earlier response to the hon. Member on 1 September 2004, *Official Report*, column 867W, paragraph 4.2. of Code of Practice B of the Police and Criminal Evidence Act (PACE) 1984 sets out instruction on the use of powers under section 32 of PACE. That section provides that a constable may enter and search any premises in which a suspect was when arrested or immediately before they were arrested for evidence. Code B does not provide guidance of the meaning of "immediate" but we will consult on the need to expand on this when we next review the PACE Codes in summer 2005.

Prison Sentences

Mr. Oaten: To ask the Secretary of State for the Home Department what *(a)* the average time served in prison under sentence, *(b)* the average time served in prison on remand, *(c)* the total time served in prison and *(d)* the average sentence length of receptions into prison under sentence for young offenders aged 18 to 21 was in each of the last five years. [187233]

Paul Goggins: Information on the average time served in prison by young offenders aged 18 to 21 discharged is readily available only for those under sentence as provided in the tables.

Average time served in prison under sentence by young offenders aged 18 to 20[1] discharged from determinate sentences on completion of sentence or on licence, England and Wales

	Average time served under sentence (months)	
	Including remand time	Excluding remand time
1999	6.6	5.0
2000	6.2	4.8
2001	5.9	4.7
2002	5.9	4.8
2003	5.9	4.8

[1] Also includes 21-year-olds classified as young offenders on discharge.

Average sentence length of receptions into prison of young offenders aged 18 to 20 under determinate sentences, England and Wales

	Average sentence length (months)
1999	11.5
2000	11.4
2001	12.0
2002	12.8
2003	13.0

Prisons

Mrs. Gillan: To ask the Secretary of State for the Home Department how many prisoners declared themselves to be of a particular religion when they entered prison in the last 12 months; and which religions these were. [190121]

Paul Goggins: The religious affiliation recorded on the prison establishments IT system for prisoners first received into prison between July 2003 and June 2004 is shown in the table.

First receptions to prison establishments, by religion—England and Wales, July 2003 to June 2004

Total	136,999
All Christian	71,613
Anglican	44,315
Free Church	1,507
Roman Catholic	22,486
Other Christian	3,305
Buddhist	523
Hindu	670
Jewish	211
Muslim	10,098
Sikh	960
Other non-Christian	482
Non-recognised	338
No religion	52,102
Not recorded	2

Bob Spink: To ask the Secretary of State for the Home Department how many incidents of *(a)* attempted supply of illegal drugs and *(b)* use of illegal drugs were recorded in each prison in England in each of the last three years. [186525]

Paul Goggins: The following table provides details on attempts to supply drugs into prisons in the last three years.

Data are collated on a national basis. Information relating to individual prisons is not held centrally and I shall write to the hon. Member when it is available and place a copy in the Library.

	Number of incidents in visits	Number of visitors involved	Number of prisoners found guilty of drug smuggling through visits	Number of prisoners found guilty of supplying drugs within prison
2001–02	3,262	3,904	1,169	39
2002–03	2,762	3,502	1,030	18
2003–04	2,691	3,598	997	22

Information on the use of illegal drugs in prisons is provided by the Mandatory Drug Testing programme. The following table sets out the total number of samples which tested positive in each of the last three financial years. Only random samples provide a comparative measure of performance.

Establishment	2001–02	2002–03	2003–04
Altcourse	192	221	193
Askham Grange	24	12	6
Acklington	1,177	114	158
Albany	3	1	11
Ashfield	148	103	98
Ashwell	75	118	145
Aylesbury	36	94	52
Belmarsh	186	174	117
Buckley Hall	120	32	41

Establishment	*2001–02*	*2002–03*	*2003–04*
Blundeston	56	35	15
Bedford	112	73	89
Blantyre House	7	11	5
Brockhill	28	39	55
Bristol	111	78	98
Birmingham	162	59	272
Bullingdon	147	52	134
Brinsford	107	77	74
Blakenhurst	356	635	405
Bullwood Hall	38	50	8
Brixton	1,517	125	120
Chelmsford	125	132	119
Cardiff	171	160	206
Camp Hill	100	38	36
Cookham Wood	15	23	5
Coldingley	72	79	99
Castington	38	36	67
Channings Wood	112	49	32
Canterbury	115	109	99
Dartmoor	60	75	91
Dovegate	93	125	204
Drake Hall	55	37	32
Durham	235	151	140
Doncaster	424	365	441
Dorchester	67	53	66
Deerbolt	66	66	53
Dover	63	0	0
Downview	13	49	43
Erlestoke	83	51	88
Standford Hill	126	154	104
Eastwood Park	24	38	82
East Sutton Park	21	2	12
Everthorpe	182	74	63
Exeter	110	46	71
Elmley	272	189	131
Forest Bank	413	439	625
Ford	99	127	193
Foston Hall	45	5	20
Frankland	94	53	78
Feltham	117	112	93
Full Sutton	81	41	38
Featherstone	99	68	39
Garth	103	39	47
Gloucester	51	59	52
Guys Marsh	102	103	122
Grendon	9	13	26
Glen Parva	247	158	106
Gartree	21	18	28
Hollesley	53	69	58
Huntercombe	63	67	64
Moorland Open	69	51	57
Hewell Grange	28	27	55
Holme House	203	181	247
Hindley	100	134	148
Hull	84	75	91
High Down	155	133	166
Highpoint	126	165	199
Haslar	2	0	0
Haverigg	1,113	134	116
Holloway	131	69	75
Kirkham	105	141	249
Kirklevington	11	7	15
Lancaster	123	170	27
Leicester	120	57	48
Leeds	207	245	335
Lancaster Farms	49	83	92
Lowdham Grange	93	49	65
Lindholme	85	119	61
Lincoln	102	46	113
Long Lartin	140	119	85
Latchmere House	4	6	13
Low Newton	85	74	51
Liverpool	336	385	576
Littlehey	49	30	37
Lewes	216	75	160
Leyhill	198	214	260
Moorland	71	52	66
Morton Hall	215	19	15
Manchester	410	550	525
Maidstone	46	50	61
Mount	93	131	139
Edmonds Hill	—	—	97
New Hall	47	50	35
Nottingham	137	132	126
Northallerton	48	24	9
North Sea Camp	56	47	135
Norwich	160	100	83
Onley	20	46	50
Pare	76	91	177
Portland	29	31	19
Parkhurst	42	57	50
Preston	114	71	100
Kingston	25	35	42
Pentonville	370	201	251
Rochester	39	73	77
Reading	341	28	21
Rye Hill	98	51	63
Ranby	166	158	112
Risley	349	521	650
Send	29	14	19
Stafford	180	135	110
Stoke Heath	20	27	22
Stocken	101	29	33
Swaleside	165	56	108
Shepton Mallet	37	27	6
Swinfen Hall	20	23	19
Spring Hill	30	27	52
Styal	101	65	89
Sudbury	192	234	269
Swansea	90	153	98
Shrewsbury	119	143	164
Thorn Cross	57	78	113
Usk/Prescoed	25	31	63
Verne	43	48	69
Weare	108	34	59
Wellingborough	122	54	45
Winchester	127	66	129
Wakefield	9	15	16
Wealstun	134	163	116
Woodhill	90	29	74
Warren Hill	—	—	12
Wayland	82	67	35
Wymott	82	57	142
Werrington	9	10	8
Wolds	51	29	36
Whitemoor	112	61	33
Wormwood Scrubs	93	118	186
Whatton	8	2	2
Wandsworth	232	177	287
Wetherby	32	28	17
Total	14,370	12,882	14,644

Seat Belts

Mr. Barnes: To ask the Secretary of State for the Home Department how many *(a)* fixed penalty notices, *(b)* proceedings at magistrates courts and *(c)* written warnings for not wearing seat belts there were in England and Wales in 2003 and for each of the previous three years. [190025]

Ms Blears: Available information on police action for the motoring offence of driving or riding in a motor vehicle while not wearing a seat belt for the calendar years 2000 to 2002 is given in the table.

2003 data will not be available until early 2005.

Fixed penalty notices, prosecutions and written warnings of driving or riding in a motor vehicle while not wearing a seat belt[1], *England and Wales, 2000–02*

	2000	2001	2002
Fixed penalty notices	155,300	144,400	126,400
Prosecutions	5,700	5,200	4,700
Written warnings	6,200	4,700	2,900

[1] Offences under s.14(3) and 15(2) and (4) of the Road Traffic Act 1988.

Speed Cameras

Sandra Gidley: To ask the Secretary of State for the Home Department what assessment he has made of the possible effects of *(a)* forward facing and *(b)* rear facing speed camera flash on a driver driving at night. [190098]

Caroline Flint: No forward or rear-facing speed camera is type approved until it has undergone rigorous testing against set specifications that ensures its reliability and safety. The peak intensity and duration of the flash are less than levels which are commonly encountered from other sources when driving at night.

Sandra Gidley: To ask the Secretary of State for the Home Department what assessment has been made of the health and safety implications of speed cameras. [190099]

Caroline Flint: No speed enforcement equipment is type approved for use until it has undergone rigorous testing against set specifications by the Home Office Police Scientific Development Branch. This includes an assessment of health and safety factors to ensure that neither any operator nor any road user is put at risk by the operation of the equipment.

Violent Crime (Leicester)

Mr. Gill: To ask the Secretary of State for the Home Department what the level of violent crime in Leicester was in each year since 1997. [186262]

Ms Blears: Leicester is a Crime and Disorder Reduction Partnership (CDRP) area. Recorded crime data at CDRP level has only been published from 1999–2000 onwards. Violent crime comprises violence against the person, sexual offences and robbery. In 2003–04, at least 52 per cent. of all recorded violence against the person involved no injury.

The available information is given in the table.

Violent crime recorded by the police in Leicester

	Number of offences
1999–2000	6,851
2000–01	6,889
2001–02	7,544
2002–03	10,347
2003–04	11,430

Note:

Numbers of recorded crimes are affected by changes in reporting and recording practice. In particular, changes to the counting rules in 1998 and the introduction of the National Crime Recording Standard in April 2002 led to an increase in the number of crimes recorded by the police.

The British Crime Survey (BCS) also provides data on the level of violent crime in England and Wales. However, due to the variability of specific offence figures at police force area level regional figures only are available. Data at regional level have been published as a rate per 10,000 adults since the 2001–02 BCS and are presented for the relevant region in the table.

	Total BCS violence rate per 10,000 adults for the East Midlands Region
2001–02	621
2002–03	578
2003–04	600

Note:

The apparent difference between rates in 2002–03 and in 2003–04 is not statistically significant.

Source:

2001–02, 2002–03, 2003–04 BCS interviews.

Half of all violent incidents reported to the BCS during 2003–04 did not result in injury to the victim. However, this does not mean that public concern about violent crime is unjustified or that the ordeal of victims is not traumatic, even if injury has not occurred.

HEALTH

Adverse Drug Reactions

Mr. Burstow: To ask the Secretary of State for Health for what reasons only a proportion of adverse incident reports are investigated by the Medicines and Healthcare Products Regulatory Agency as stated in its Annual Report and Accounts 2003–04. [189259]

Ms Rosie Winterton: All reports of adverse incidents involving medical devices received by the Medicines and Healthcare products Regulatory Agency (MHRA) are categorised according to the level of risk associated with the event.

Only the most serious of these incidents, involving actual, or the potential for, death or serious injury to patients or user, become the subject of in-depth investigations by medical device specialists within the MHRA. These are listed as "adverse incident reports—number investigated" in the MHRA's annual report.

Typically, it is these investigations that often lead to the publication of advice to the health service.

The majority of incident reports are subject to a standard investigation, led by the device manufacturer and supervised by the MHRA.

Minor incidents that do not require immediate action are recorded on the MHRA's surveillance database for "information only" and, along with all other reported incidents, are subject to a continuous process of trend identification and analysis.

Further details of medical device adverse incident reporting and investigation processes are published by the MHRA in Device Bulletin DB2004(01)—Adverse Incident Reports 2003. This contains more detailed figures for the calendar year 2003. A copy of this publication has been placed in the Library.

Air Ambulance Services

David Taylor: To ask the Secretary of State for Health how air ambulance services used by the NHS are funded in *(a)* the East Midlands and *(b)* England; and if he will make a statement. [190244]

Ms Rosie Winterton: Since 1 April 2002, the cost of clinical staff on air ambulances has been met by the national health service on a continuing basis.

Departmental Recycling

Bob Spink: To ask the Secretary of State for Health what the latest available 12 month figures are for the proportion of the Department's redundant documentation, waste paper and card that is recycled; and if he will make a statement on the Department's recycling policy. [188692]

Ms Rosie Winterton: The Department's administrative estate has a cleaning contract, which encompasses waste management. Within this all-redundant documentation, paper and card is collected and processed for recycling.

The Department has an active sustainable development policy based upon the requirements of the framework for sustainable development on the Government estate.

Food/Advertising Industries

Ms Shipley: To ask the Secretary of State for Health if he will list the meetings he held with representatives of *(a)* the food industry and *(b)* the advertising industry between 1 February and 1 May. [189687]

Ms Rosie Winterton: No such meetings have taken place in the period specified.

Health Public Bodies

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 13 September 2004, *Official Report*, columns 1470–71W, on health public bodies, when decisions will be taken on how the savings from the Departmental review of arm's length bodies will be spent. [189890]

Ms Rosie Winterton: The resources freed up for frontline investment as a result of the review of arm's length bodies (ALBs) will be part of the normal budget allocation process in the light of the 2004 spending review settlement.

Planning for the implementation of the ALB review is underway and will involve ALBs, the devolved administrations and other interests. Implementation will be completed by 2007–08.

Health Services

Mr. Jim Cunningham: To ask the Secretary of State for Health what strategies his Department uses to involve members of the public in decision making in local health services. [189669]

Ms Rosie Winterton *[holding answer 12 October 2004]*: We have established patients' forums to get the views of members of the public about health services and feed these back to national health service trusts. Primary care trust (PCT) patients' forums have a specific role to promote public involvement in local decision-making processes that affect their health.

There is also a statutory duty on NHS trusts, PCTs, NHS foundation trusts and strategic health authorities to involve the public in decision making in local health services. It is then up to local bodies to implement this duty in ways that best meet local needs. In addition, democratically elected councillors who are members of overview and scrutiny committees have the function of scrutinising all matters relating to the planning, provision and operation of health services in the area of the local authority.

Information and Communication Technology

Mr. Jenkins: To ask the Secretary of State for Health how many information and communication technology specialists are in full-time employment in the Department. [189586]

Ms Rosie Winterton: There are 120 information and communication technology specialists in full-time employment in the Department.

Mysthenia Gravis

Mr. Laws: To ask the Secretary of State for Health what provision the Government is making to finance research projects into the *(a)* causes of, *(b)* consequences of and *(c)* treatments for mysthenia gravis. [189529]

Ms Rosie Winterton: I refer the hon. Member to the reply I gave to my hon. Friend the Member for West Lancashire (Mr. Pickthall) on 4 October 2004, *Official Report*, column 1987W.

Packaging Regulations (Medicines)

Dr. Pugh: To ask the Secretary of State for Health what plans his Department has to amend regulations relating to the packaging of prescription drugs and proprietary medicines, with particular reference to issues of child safety. [189302]

Ms Rosie Winterton: New legislation requiring the use of child resistant packaging was introduced in October 2003. Certain aspirin, paracetamol and iron-containing medicines must now be supplied in child resistant packaging. Medicines newly authorised must comply with the requirement now and for products already authorised, compliance must be achieved by October 2005. The Government will continue to keep the issue of child safety under review and if particular medicines are considered to pose a problem, the legal requirements may be revised.

Post-Laryngectomy Equipment

Mrs. Helen Clark: To ask the Secretary of State for Health what plans he has to make available to people who have had laryngectomies on prescription the base plate for the hands free valve. [188888]

Ms Rosie Winterton: A number of base plates are currently listed in part IX of the Drug Tariff and therefore may be prescribed through the national health service. Some of these are compatible for use with the hands free valve for people who have had laryngectomies. It is for appliance manufacturers to apply for their products to be listed as an appliance in part IX of the Drug Tariff to enable them to be prescribed under the NHS. A NHS trust or foundation trust may provide base plates free of charge where appropriate.

Prostate Cancer

Ross Cranston: To ask the Secretary of State for Health what plans he has to regulate the sale of do-it-yourself PSA tests. [189569]

Ms Rosie Winterton: Prostate specific antigen test kits are in vitro diagnostic medical devices and as such they are regulated by the Medical Devices Regulations 2002.

Public Relations

Dr. Cable: To ask the Secretary of State for Health what the salary costs to the Department were for employees working in public relations and publicity in each year since 1997. [183852]

Ms Rosie Winterton: Information on staff working in the Department's communications directorate in public relations and publicity in each year since 1997 to 2002–03 can be provided only at disproportionate cost.

The total expenditure on communications directorate staff in 2003–04 was £4.07 million.

WORK AND PENSIONS

Benefits

Mr. Cousins: To ask the Secretary of State for Work and Pensions what the *(a)* capital limits and *(b)* earnings disregards are for each income related benefit; and on what date each of the limits and disregards was first set. [188720]

Mr. Pond: The requested information has been placed in the Library.

Child Support Agency

Chris Ruane: To ask the Secretary of State for Work and Pensions how many Child Support Agency enforcement cases against self employed non-resident parents there have been in the last three years; and what percentage have been successful in recovering payment. [190270]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member with the information requested.

Letter from Doug Smith to Mr. Chris Ruane, dated 13 October 2004:

In reply to your recent Parliamentary Question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked the Secretary of State for Work and Pensions, how many Child Support Agency enforcement cases against self employed non-resident parents there have been in the last three years; and what percentage have been successful in recovering payment.

We are unable to provide these figures as we do not record employment status on the relevant information system. However, I can tell you that the last 3 years:

	Number
Liability orders were granted by the court	7,814
Third party debt orders lodged were lodged at court	608
Charging orders were lodged at court	718
Committal files have been referred to solicitors	328

Chris Ruane: To ask the Secretary of State for Work and Pensions what the total amount is of maintenance arrears outstanding in respect of self-employed non-resident parents who are subject to or awaiting CSA enforcement action. [190271]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member with the information requested.

Letter from Doug Smith to Mr. Chris Ruane, dated 13 October 2004:

You asked the Secretary of State for Work and Pensions, what the total amount is of maintenance arrears outstanding in respect of self-employed non-resident parents who are subject to or awaiting Child Support Agency enforcement action.

We are unable to provide the information as we do not separately identify those cases whose main source of income is from self-employment.

Chris Ruane: To ask the Secretary of State for Work and Pensions how many Child Support Agency enforcement cases in respect of self-employed non-resident parents are outstanding. [190453]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member with the information requested.

Letter from Doug Smith to Mr. Chris Ruane, dated 13 October 2004:

In reply to your recent Parliamentary Question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked the Secretary of State for Work and Pensions, how many Child Support Agency enforcement cases in respect of self-employed non-resident parents are outstanding.

There are currently 14,856 cases with our specialist enforcement teams. I am unable to say how many of these derive their main source of income from self-employment.

Chris Ruane: To ask the Secretary of State for Work and Pensions how many requests for traces the Child Support Agency have made to the Driver and Vehicle Licensing Agency in the last three years under the Service Level Agreement. [190454]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member with the information requested.

Letter from Doug Smith to Mr. Chris Ruane, dated 13 October 2004:

In reply to your recent Parliamentary Question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked the Secretary of State for Work and Pensions, how many requests for traces the Child Support Agency have made to the Driver and Vehicle Licensing Agency in the last three years under the Service Level Agreement.

In the period 1 April 2002 to 31 August 2004 a total of 1,319 referrals were made for information to the Driver and Vehicle Licensing Agency.

Chris Ruane: To ask the Secretary of State for Work and Pensions what percentage of the Driver and Vehicle Licensing Agency traces carried out for the Child Support Agency were successful; and how many led to further enforcement action. [190455]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member with the information requested.

Letter from Doug Smith to Mr. Chris Ruane, dated 13 October 2004:

In reply to your recent Parliamentary Question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked the Secretary of State for Work and Pensions, what percentage of the Driver and Vehicle Licensing Agency traces carried out for the Child Support Agency were successful; and how many led to further enforcement action.

In the period 1 April 2002 to 31 August 2004 we made 1,319 referrals for information to the Driver and Vehicle Licensing Agency. Of these 393 were successful in gaining the information sought. Our records do not show how many then led to enforcement action.

Pension/Benefit Payments

Mr. Rosindell: To ask the Secretary of State for Work and Pensions what deadlines have been set regarding the conversion to direct payment; and if he will make a statement on the progress made so far. [190154]

Mr. Pond: The Department is on course to meet the Public Service Agreement target to pay 85 per cent. of our customers by direct payment by 2005.

Research has shown that nine out of 10 of our customers who have chosen to receive their pension or benefit into an account have found it a more flexible, convenient and safer method of getting their money.

Key figures on the progress of conversion to direct payment are available in the House of Commons Library updated every four weeks.

Chris Ruane: To ask the Secretary of State for Work and Pensions what assistance his Department has given to pensioners with *(a)* mental and *(b)* physical health problems in choosing how they wish to have their pension paid. [190283]

Mr. Pond: We have liaised with customer representative groups (including CAB, Help the Aged, Age Concern, MIND) to ensure there is a shared understanding of the needs of our customers.

All customers including pensioners are being provided with all the information they need on all of their "account options", including which accounts can be used at post office branches. It will be up to the customers themselves to decide which type of account they wish to have their money paid into. Customers will need to look at all of the features of the different options and choose an account to suit their individual needs and circumstances.

Cheque payments will be available from later this month for those customers who are unable to open or manage an account.

Chris Ruane: To ask the Secretary of State for Work and Pensions what procedures he has put in place to *(a)* detect and *(b)* monitor fraud in relation to chip and pin numbers for cards for withdrawal of pensions and benefits. [190284]

Mr. Pond: Card fraud is entirely a matter for the banks, and for Post Office Ltd. in respect of the post office card account. The banking industry takes plastic card fraud seriously and is extremely active in managing it. Once conversion to chip and pin is complete cards should be even more secure from fraudulent activities.

Direct Payment is far more secure than order books. We used to lose around £50 million a year on order book fraud and about 100 pensioners a week had their order books stolen. We will monitor Direct Payment closely and will take action as necessary to deal with fraud.

Chris Ruane: To ask the Secretary of State for Work and Pensions what recent estimate his Department has made of how many pensioners do not have a bank account. [190287]

Mr. Pond: In the UK, 91 per cent. of pensioners have a bank or building society account which is suitable to receive Direct Payments.

It is evident that Direct Payment is becoming increasingly popular, particularly with pensioners. Around 80 per cent.[1] of pensioner new claims are being paid by Direct Payment.

[1] This figure was taken from the Family Resources survey 2002–03. DWP are the managers of this survey which is currently conducted by the Office of National Statistics and the National Centre for Social Research.

Note:

This information is from August 2004 data—GMS GB source, based on 100 per cent. of new claim records.

Chris Ruane: To ask the Secretary of State for Work and Pensions what guidelines his Department has issued to call-centre operatives to ensure objective information is provided to pensioners on whether to opt for a bank account or a post office account; and if he will make a statement. [190456]

Mr. Pond: All Department for Work and Pensions staff including call centre operatives have been provided with information on all of the account options available to the customer. The role of our staff is to provide factual information on the features of the different account options available to the customer. The customer can then decide which type of account they choose to have their money paid into based on their individual needs and circumstances.

Independent research commissioned by DWP shows 93 per cent. of customers found that the information they received was clear and 93 per cent. were happy once they had transferred to Direct Payment.

Chris Ruane: To ask the Secretary of State for Work and Pensions how many pension and benefit recipients failed to respond to direct payment form requests and are being paid through weekly Giro payments. [190458]

Mr. Pond: Key figures on the progress of conversion to Direct Payment are available in the Library updated every four weeks.

We are continuing to contact existing customers to invite them to provide account details. Those customers who have not yet provided their account details will be contacted again to discuss their account options, unless they have already advised the Department that they genuinely cannot open or manage an account.

Chris Ruane: To ask the Secretary of State for Work and Pensions what estimate he has made of the cost to the Department of transferring all pension and benefit accounts to direct payments. [190459]

Mr. Pond: The total DWP one-off cost of the Payment Modernisation Programme over the full 10-year investment period 1999–2000 to 2009–10 is approximately £412 million.

However, significant savings are expected from both administration costs of around £440 million per annum and a reduction in fraud of around £50 million per annum.

EDUCATION AND SKILLS

A-Level Results

Mr. Bercow: To ask the Secretary of State for Education and Skills what proportion of students achieved *(a)* 1 and *(b)* 1–3 A-E grades at A Level (i) in England and (ii) at schools and colleges based in the Buckingham constituency in each year since 2001–02; and if he will provide breakdowns of those figures between (A) independent schools and colleges and (B) state schools and colleges. [189851]

Mr. Miliband: The percentage of students achieving *(a)* one and *(b)* one to three A-E grades at GCE/VCE A Level in independent schools and in maintained schools and FE Sector colleges in both England and the Buckingham constituency in 2001–02 and 2002–03:

		One GCE/VCE A level (or equivalent) pass		*One to three GCE/VCE A level (or equivalent) passes*	
		England	*Buckingham constituency*	*England*	*Buckingham constituency*
2001/02	Independent schools	9.1	6.1	76.1	94.5
	Maintained schools and FE sector colleges	16.6	7.7	75.1	85.3
	All institutions	15.6	7.1	75.2	88.8
2002/03	Independent schools	9.0	5.6	77.4	93.2
	Maintained schools and FE sector colleges	16.8	8.5-	76.5	81.5
	All institutions	15.9	7.5	76.6	85.3

AQA

Chris Grayling: To ask the Secretary of State for Education and Skills if he will make a statement on the errors made by AQA in marking key stage 2 English SATS tests at St. Martin's Junior School in Epsom; how many other schools have experienced similar levels of errors in marking; what steps he is taking to ensure that AQA improves its processes; and what steps he is taking to ensure that AQA compensate schools for additional administrative costs incurred as a result of the errors in marking. [190376]

Mr. Miliband: I understand from the National Assessment Agency (NAA) that St. Martin's Junior School had 11 overall level changes for Key Stage 2 English.

It is not possible to break down the number of schools experiencing similar levels of error in marking. I shall write to the hon. Member with overall national figures for 2004 level changes in Key Stage 2 English when they become available and also place a copy in the Library.

The NAA, who are responsible, on behalf of the Qualifications and Curriculum Authority (QCA), for test administration, has awarded the 2005 contract for marking of the National Curriculum tests to Pearson Assessment and Testing. The Assessment and Qualifications Alliance (AQA) is working closely with Pearson to ensure that all lessons learnt from 2004 will be fed in to improving test delivery in 2005.

There is no provision for compensating schools for costs incurred by staff in checking pupils' scripts and preparing the application for review. However, where the outcome of the review shows that the quality of marking has not been to the expected standard, all review charges are refunded.

Education Funding Report

Dr. Pugh: To ask the Secretary of State for Education and Skills what assessment he has made of the Audit Commission's findings at paragraphs 28, 29 and 30 on page 11 of its report Education Funding 2004. [189749]

Mr. Miliband: The system of floors and ceilings referred to by the Audit Commission is in place to ensure that all councils receive an increase in funding each year and that there is stability in the funding of authorities. In setting the levels of floors and ceilings, Ministers are mindful of the need to make progression to the allocations implied by the formula in order to deliver the fairer distribution of funding which the formula review produced. We therefore agree with the Audit Commission that there is a balance to be struck in setting the level of the floors and ceilings.

The minimum funding guarantee that was introduced in 2004–05 has brought stability and certainty to schools budgets. It was considered appropriate to put in place such stability given the funding difficulties experienced by some schools in 2003–04. As a result of the introduction of the minimum funding guarantee two thirds of schools nationally received an increase above the level of the minimum guarantee while the remaining third of schools received a per pupil increase in funding in line with the guarantee.

Changes to a local education authority's funding formulae are matters for local discretion provided that they operate within the framework of the regulations. While the Audit Commission reports that some councils have suspended proposed changes to their funding formula, the survey was based on a sample of LEAs and was carried out before the start of the financial year 2004–05. Evidence from other authorities shows that there is no inherent need to suspend changes to formulae as a result of the minimum funding guarantee. Some authorities, in fact, have used the guarantee to provide transitional protection to ensure that such changes are phased in appropriately to ensure stability in school budgets.

Higher Education Act

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills what discussions his Department has had with representatives of students in relation to the Higher Education Act 2004. [189658]

Dr. Howells *[holding answer 11 October 2004]*: We have regular discussions at ministerial and official level with student representative bodies including the National Union of Students.

Key Stage 2 Results

Mr. Bercow: To ask the Secretary of State for Education and Skills what proportion of school pupils achieved level 4 at key stage 2 in *(a)* English and *(b)* Maths (i) in England and (ii) from schools based in the Buckingham constituency in (A) 2002 and (B) 2003. [189850]

Mr. Miliband: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) on 10 May 2004, *Official Report,* column 34W.

Ofsted Reports

Bob Russell: To ask the Secretary of State for Education and Skills what procedures are open to an individual teacher to seek independent re-examination of an Ofsted report; and if he will make a statement. [190031]

Mr. Miliband: This is a matter for the Ofsted. David Bell the HM Chief Inspector of Schools will write to the hon. Member and a copy of his reply will be placed in the Library.

School Admissions

Mr. Dobson: To ask the Secretary of State for Education and Skills what advice his Department has issued to *(a)* local education authorities and *(b)* schools on the weight to be given to the separate addresses of divorced parents seeking access to a school on the basis of geographical proximity. [190420]

Mr. Miliband *[holding answer 11 October 2004]*: Admission authorities must have regard to the School Admissions Code of Practice which gives advice on admission issues. In the case of children who live with parents with shared responsibility, the Code of Practice recommends that admission authorities ensure that their oversubscription criteria make clear how the 'home' address will be decided in a fair and considered and consistent way. It is therefore for admission authorities themselves to set out the basis on which they will consider the geographical proximity aspect for applications for children with parents who are divorced.

School Closures

Mr. Dhanda: To ask the Secretary of State for Education and Skills what procedures must be followed by a local education authority before it can close a non-selective single sex school where no similar alternative schools exist nearby; and what opportunities are available to parents of pupils at such a school who wish to make representations against proposed closure. [189738]

Mr. Miliband: The procedures for closing a non-selective single sex school are the same as those for closing any other maintained school. There are no special arrangements where there is no similar school nearby.

Those making proposals to close a school must first consult interested parties, ensuring that there is sufficient opportunity for interested parties to express their views. If they wish to proceed, they must then publish a notice in the local newspaper, at the entrance of the school and in a conspicuous place within the area (e.g. the local library). Following publication, there is a six-week representation period (or four weeks if the school is failing) during which anyone can make representations about the proposals. The proposals are normally then referred to the local School Organisation Committee (SOC). If the SOC cannot reach a unanimous decision, the proposals are referred to the schools adjudicator. The SOC and the adjudicator both have the power to approve the proposals, reject them or approve them with modifications.

In making their decision the SOC and schools adjudicator must have regard to guidance issued by the Secretary of State. This sets out a range of factors that must be considered. These include the views of interested parties, the impact of what is proposed on local standards and equal opportunities issues including, for proposals of this nature, access to single sex schooling for both boys and girls where there is parental demand.

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School Provision

Mr. Nigel Jones: To ask the Secretary of State for Education and Skills what guidelines are in place to assist local education authorities plan future schools provision to take account of housing targets. [189540]

Mr. Miliband: It is the responsibility of each local education authority to plan school provision in its area taking account of changes in local population. The Department does not issue specific guidance on planning school provision to meet increases in housing, but does provide other guidance on the statutory processes for making changes to local school organisation and separate guidance on capital.

Proposals to provide new primary schools, or enlarge any existing schools, to meet population growth, must be subject to local consultation before being published. The final decision on the proposals will generally be taken by the local School Organisation Committee or, if they cannot agree unanimously, an independent adjudicator. Where an LEA proposes to establish a new secondary school they must publish details of the need for the school, inviting other promoters to submit proposals, and the Secretary of State will decide which of the proposals submitted should be approved.

The Department provides capital support for local authorities and schools to invest in school infrastructure, including for the provision of new pupil places. The Department allocates much of its capital resources to local authorities and schools by needs-related formulae, as they can best decide how to target their highest priority needs, in accordance with their asset management planning processes. Local authorities can also negotiate contributions from developers for new school provision, under section 106 of the Town and Country Planning Act 1990 (as substituted by the Planning and Compensation Act 1991). The Office of the Deputy Prime Minister provides guidance to local authorities about such agreements in its Circular 1/97.

Special Educational Needs

Mr. Bercow: To ask the Secretary of State for Education and Skills how much funding has been made available to schools in Buckinghamshire from the special educational needs standard fund in *(a)* 2002–03, *(b)* 2003–04 and *(c)* 2004–05. [189844]

Mr. Miliband: Buckinghamshire local education authority was allocated £638,603 in 2002–03, and £640,468 in 2003–04, through the Standards Fund for Special Educational Needs. This included Government grant of 50 per cent. and local authority contribution of 50 per cent. From 2004–05, the special educational needs grant was merged into a single School Development Grant. The grant was allocated to schools for use for any purpose to promote school improvement, including special educational needs. Buckinghamshire's allocation for School Development grant of £5.9 million included £666,087 notionally for special educational needs. The amount of grant allocated to Buckinghamshire's schools will depend on local decisions. In 2002–03 and 2003–04, local education authorities were permitted to use half of their special educational needs allocation for central provision. In 2004–05, authorities were allowed to retain the same cash amount from the School Development Grant as they had retained from the special educational needs grant in 2003–04.

Student Finances

Chris Grayling: To ask the Secretary of State for Education and Skills what proportion of students who received *(a)* maximum student loans and *(b)* student grants from the Government were from families where the parents are divorced in the last year for which figures are available. [190084]

Dr. Howells: Data relating to the marital status of students' parents are not currently available centrally.

Chris Grayling: To ask the Secretary of State for Education and Skills what estimate he has made of the amount raised by higher education institutions from fees paid by part-time students in the last year for which figures are available. [190085]

Dr. Howells: The available information is taken from the Higher Education Statistics Agency (HESA) Finance Record. In 2002/03, English HE institutions raised £385.6 million income from HE fees paid by part time UK and EU domiciled students. Of this, £181.7 million of income came from undergraduate fees and £203.9 million came from postgraduate fees. Figures for part time overseas domiciled students are not indicated separately.

Chris Grayling: To ask the Secretary of State for Education and Skills what estimate he has made of the amount contributed to further education colleges by fee-paying students in the last year for which figures are available. [190086]

Dr. Howells: Information from the Learning and Skills Council, for the latest year available 2002–03 shows that tuition fee income collected by further education institutions from council funded adult students, their employers or other sources, was £155 million.

Surplus Places

Dr. Pugh: To ask the Secretary of State for Education and Skills whether permission for local authorities to amend their formulae for distributing funds to schools will depend on the progress they are able to make in reducing surplus places following the abolition of the surplus places rules. [189750]

Mr. Miliband: Local education authorities do not need permission to amend their formulae for distributing funds to schools. They are required to consult their schools and schools forum over any amendments they propose to make to the funding formula prior to the financial year in which such changes are introduced.

LEAs are responsible for planning school places in their area and have a duty to ensure that there are sufficient places and that high quality education is provided in a cost effective way. We expect LEAs to take parental preferences into account in the planning.

Teacher Substitution

Mr. Bercow: To ask the Secretary of State for Education and Skills how many teaching posts were *(a)* vacant and *(b)* filled by supply, temporary and agency teachers in (i) primary and (ii) secondary schools in the Buckinghamshire local education authority in January (A) 2002, (B) 2003 and (C) 2004. [189849]

Mr. Miliband: The table gives the total number of full-time vacancies and occasional teachers in service in maintained nursery, primary and secondary schools in Buckinghamshire local education authority in January 2002, 2003 and 2004.

	2002	*2003*	*2004*
Nursery and primary schools			
Vacancies	16	5	2
Occasional teachers	50	30	30
Secondary schools			
Vacancies	32	34	28
Occasional teachers	50	50	60

Source:
Form 618g survey.

Vacancies include all advertised posts of at least one term's duration excluding those covered by a teacher with a contract of a term of more.

Teachers in occasional service are all those in supply service or with a contract of less than one month, including those employed through an agency, who were employed for the whole of the survey date.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the security situation in Herat in Afghanistan following the recent violence directed towards UN buildings and staff. [189887]

Mr. Rammell: President Karzai removed Ismail Khan as Governor of Herat on 11 September. Ismail Khan was offered a ministerial post with the Afghan transitional administration in Kabul but has declined it, and currently remains in Herat as a private citizen. The announcement of his removal was followed by some local unrest in Herat, during which seven people reportedly died. UN buildings were targeted and some UN and NGO staff withdrew temporarily from the city. They have since returned. The new Governor has taken office, the Afghan National Army and police force are keeping order, and there have been no reports of further serious violent incidents.

Tom Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place with warlords in Afghanistan to establish their views on holding elections in Afghanistan. [190247]

Mr. Rammell: Arrangements for elections in Afghanistan have been agreed by the Afghan Transitional Administration in consultation with the UN. We are not aware of any consultations being held directly with warlords on this issue.

Tom Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the intention is that the parliamentary elections in Afghanistan will take place in all parts of the country; and if he will make a statement. [190248]

Mr. Rammell: The Afghan Government's expressed intention is to hold nationwide parliamentary elections in spring 2005. No further details have yet been announced.

Tom Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate has been made of the number of warlords who control areas of Afghanistan; what discussions are taking place with these people; and if he will make a statement. [190249]

Mr. Rammell: Afghanistan is governed by the Afghan Transitional Administration. President Karzai has acted on a number of occasions to remove regional governors who were ineffective or who were not loyal to central Government. Regional military commanders or warlords are involved in the UN-led process to demobilise and disarm militias. Latest UN figures show that this largely consensual process has succeeded in disarming more than 20,000 militia personnel (which is around a third of the total) and removing around 60 per cent. of heavy weapons from militia control. Kabul was declared free of heavy weapons on 1 September.

Azerbaijan

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's policy is on the situation concerning Nagorno-Karabakh in the Republic of Azerbaijan; what recent representations he has made regarding the presence of Russian forces; what plans there are for *(a)* mediation and *(b)* the provision of (i) observers and (ii) peacekeeping forces by international organisations; and if he will make a statement. [189873]

Mr. Rammell: We will support any mechanism for the resolution of the Nagorno Karabakh dispute which both parties can accept and which has a realistic chance of delivering a lasting political settlement. The framework for discussing such mechanisms is the OSCE Minsk Group, co-chaired by Russia, the US and France. While the UK is not a member of the Minsk Group, we support its work and remain in close touch through the UK Special Representative to the South Caucasus, Sir Brian Fall.

The Personal Representative of the OSCE Chairman in Office arranges for periodic observation of the line of control from both the Armenian and Azerbaijani sides. There are no Russian forces in Nagorno Karabakh that we are aware of. At its summit in 1994, the OSCE agreed in principle to the deployment of a multi-national peacekeeping operation, following the conclusion of a political agreement on the cessation of the armed conflict, and established a High Level Planning Group (HLPG) to work on details of an operation. This point has not been reached but high level governmental contacts between Armenia and Azerbaijan continue on a regular basis with and without the facilitation of the Minsk Group.

Bakassi Peninsula

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Governments of *(a)* Nigeria and *(b)* Cameroon on the handover of the Bakassi peninsula. [189680]

Mr. Mullin: My right hon. Friend the Secretary of State for International Development (Hilary Benn) discussed this issue with President Obasanjo in Nigeria on 7 September, and I did likewise with the Cameroonian High Commissioner in London on 20 September. We made clear our support for the International Court of Justice ruling, and that we look to Nigeria and Cameroon to negotiate the detail of its implementation with the support of the United Nations.

British Tourists (Murders)

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British tourists were murdered in each year since 1995, broken down by country. [189886]

Mr. Mullin: The number of British nationals murdered overseas since 1996 of whose deaths we have been notified is provided in the table below. We have no figures for 1995. We are unable to differentiate between tourists, business or other travellers.

We are in the process of transferring our consular records to a new system. Consequently there may be some inconsistencies in the data we are currently able to present.

							Financial Year	
Country	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003–04*
Afghanistan	0	0	0	0	0	1	0	0
Angola	1	0	3	1	0	0	0	0
Antigua and Barbuda	0	1	1	0	1	0	1	0
Argentina	0	0	0	0	1	0	0	0
Australia	5	3	2	1	0	0	2	2
Austria	1	0	0	0	0	1	0	0
Bahamas	0	2	1	0	0	0	0	0
Bahrain	0	1	0	0	0	0	0	0
Bangladesh	1	0	0	0	2	0	0	0
Belgium	2	0	0	0	0	0	0	1
Belize	1	0	1	0	1	0	0	0
Botswana	1	0	0	0	0	0	0	0
Brazil	1	0	0	0	0	0	0	0
Cambodia	1	0	0	0	0	0	0	0
Canada	0	1	0	1	1	0	0	0
Chile	0	0	0	0	0	0	1	0
China	1	1	1	0	0	0	0	1
Colombia	0	0	3	0	0	0	0	0
Comoros	7	0	0	0	0	0	0	0
Congo	0	1	0	0	0	0	0	0
Cyprus	0	0	0	0	2	0	0	2
Czech Republic	0	1	0	0	0	1	0	0
Denmark	1	0	0	0	1	0	1	0
Dominican Republic	0	0	0	0	0	0	1	0
Egypt	0	7	0	0	0	0	0	0
Eritea	0	0	0	0	0	0	0	1
Fiji	0	0	0	0	0	0	1	0
France	1	1	1	4	1	3	5	3
Germany	1	0	0	2	2	1	0	1
Ghana	0	0	0	0	0	0	2	0
Gibraltar	1	0	0	0	0	0	0	0
Greece	1	0	3	0	0	0	0	0
Guatemala	0	1	0	0	0	0	0	0
Guyana	1	0	0	0	0	0	0	1
Honduras	1	0	0	0	0	0	0	0
India	2	1	1	1	2	2	2	2
Indonesia	0	0	1	0	0	0	26	0
Iraq	0	1	0	0	0	0	0	2
Israel	0	1	0	0	0	0	0	0
Italy	0	0	1	0	1	1	0	1
Jamaica	1	0	2	2	3	2	1	4
Kazakhstan	0	0	0	0	0	1	0	0
Kenya	2	0	3	0	0	2	0	1
Kuwait	0	1	0	0	0	0	0	0
Madagascar	0	0	0	1	0	0	0	0
Malawi	0	1	0	0	0	0	0	0
Malaysia	0	0	1	1	0	1	0	0
Mexico	0	2	1	0	0	0	0	0
Mongolia	0	1	0	0	0	0	0	1
Mozambique	0	2	0	0	0	0	0	0
Nepal	0	0	0	0	1	0	0	0
Netherlands	1	3	2	0	1	1	1	0
New Zealand	0	0	0	1	0	0	0	0

							Financial Year	
Country	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003–04*
Nigeria	0	0	1	1	0	1	2	0
Pakistan	1	1	1	9	0	3	2	0
Panama	0	0	0	1	0	0	0	0
Papua New Guinea	1	0	0	0	0	0	0	0
Philippines	2	1	0	3	1	0	1	4
Poland	1	0	0	0	0	0	0	0
Portugal	0	1	0	0	0	0	0	1
Russia	1	0	3	1	1	0	0	0
Rwanda	0	1	0	0	0	0	0	0
St Lucia	0	0	0	0	0	0	0	1
Saudi Arabia	0	0	0	0	1	0	9	2
Somalia	0	0	0	1	0	0	0	2
South Africa	8	8	3	3	8	5	0	6
Spain	4	2	1	4	7	2	4	1
Sweden	1	0	0	0	0	0	0	0
Tajikistan	0	0	0	1	0	0	0	0
Tanzania	0	0	1	1	0	0	0	0
Thailand	2	1	2	1	3	0	0	0
Togo	1	0	0	0	0	0	0	0
Trinidad and Tobago	0	0	0	0	0	1	0	0
Turkey	0	0	2	1	2	1	2	0
Uganda	0	0	0	4	0	0	0	0
Ukraine	0	0	0	1	0	0	0	0
USA	7	2	8	7	5	70	1	0
Uzbekistan	0	0	0	0	0	1	0	0
Venezuela	0	0	0	0	0	0	0	1
Vietnam	1	0	0	0	0	0	0	0
Yemen	0	0	3	0	0	0	0	0
Zambia	0	0	0	1	1	0	0	0
Zimbabwe	0	0	1	1	2	0	3	2
Total	63	50	54	56	51	101	68	43

China

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Chinese authorities about the death sentence of Tenzin Deleg Rinpoche. [190002]

Mr. Rammell: We have raised the case of Tenzin Deleg Rinpoche with the Chinese authorities on several occasions and have supported EU demarches about his case. At the latest round of the biannual UK/China Human Rights Dialogue, held in London on 13–14 May, we asked for confirmation that his death sentence would [redacted] also raised concerns about the judicial process and requested a re-trial.

The EU included his case on the list of individual cases presented at the latest EU China Human Rights Dialogue, held on 24 September.

Correspondence

Sir Gerald Kaufman: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will reply to the letter to him dated 20 July from the right hon. Member for Manchester, Gorton with regard to Mr. M. Abbass. [189708]

Mr. Mullin: My hon. Friend the Minister of State at the Foreign and Commonwealth Office (Douglas Alexander) replied on 5 October. I apologise for the delay in replying while inquiries with our High Commission in Islamabad were finalised.

EU Legislation

Mr. David: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of European legislation has lapsed during the last *(a)* year and *(b)* seven years. [190052]

Mr. MacShane: This information is not held centrally and could be provided only at disproportionate cost. However, the Commission has identified more than 450 pieces of legislation which it considers could be repealed or formally recognised as obsolescent, and it will be putting proposals to do this to the Council and the European Parliament. As EU regulatory reform champions, we have strongly supported the Commission's work in this area and will continue to do so. It should be a priority for the new Commission too, and I welcome Commissioner Verheugen's comments on the issue in his recent European Parliament hearing. We are also working with EU partners on initiatives to use impact assessments as a basis for competitiveness testing, to simplify existing legislative proposals and encourage the use of alternatives to regulation.

Georgia

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's policy is on the situation concerning South Ossetia in the Republic of Georgia; what recent representations he has made regarding the presence of Russian forces; what plans there are for *(a)* mediation and *(b)* the provision of (i) observers and (ii) peacekeeping forces by international organisations; and if he will make a statement. [189874]

Mr. Rammell: The Government support the territorial integrity of Georgia and Georgia's right to control its own borders. We believe that the conflict can only be resolved and a long-term sustainable solution found, by peaceful negotiation between the parties. To this end, the UK supports the work of the OSCE mission in Georgia, who have a special role in promoting the peaceful resolution of the South Ossetian conflict, and the work of the EU Special Representative to the South Caucasus. The UK's own Special Representative to the South Caucasus is also active, having most recently visited Georgia, including South Ossetia, on 22 to 25 September 2004.

The format for dialogue between the Georgians and the South Ossetians is through the Joint Control Commission, which also includes the Russians and the North Ossetians. This Commission met last in Russia at the end of September but there were no concrete outcomes.

Russian forces form part of the Joint Peacekeeping Forces (including Georgian and South Ossetian) that are present by agreement of these parties. OSCE monitors are also present by agreement of the relevant parties. The OSCE is currently considering increasing their number of monitors from six to 16, a proposal that we support.

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what Her Majesty's Government's policy is on the situation concerning Abkhazia in the Republic of Georgia; whether he has made any recent representations regarding the presence of Russian forces; whether there are any plans for mediation and the provision of observers and peacekeeping forces on the part of international organisations; and if he will make a statement. [189913]

Mr. Rammell: The Government support the territorial integrity of Georgia and Georgia's right to control its own borders. We believe that the conflict can only be resolved and a long-term sustainable solution found, by peaceful negotiation between the parties. Being a member of the Friends of the Secretary General on Georgia, the UK actively supports the dialogue process headed by the UN Special Representative of the Secretary General. Efforts are under way to prepare for another round of these talks but they are not imminent. The UK's own Special Representative to the South Caucasus is our senior official on the Friends Group. He often travels to the region and to capitals to explore possibilities to move towards a solution.

The Russian peacekeeping forces in Abkhazia are there by agreement of the parties to the dispute. A UN observer mission (UNOMIG), including a British component, is also present. This mission was established in 1993 to verify compliance of the Cease-Fire Agreement between Georgia and Abkhazia.

Gibraltar

Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Gibraltar Government in order to ensure that it follows its obligations under the European Convention on Human Rights as expressed in the judgment of 9 January 2003 of the European Court of Human Rights in the case of L and V *v.* Austria concerning the homosexual and heterosexual ages of consent; and if he will make a statement. [190166]

Mr. MacShane: I refer the hon. Member to the reply I gave to him on 13 May 2003, *Official Report,* column 161W. I have had no recent discussions with the Gibraltar Government on this issue.

Guatemala

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Government of Guatemala about the scale of violence against women in that country. [190190]

Mr. Rammell: We are concerned at the high levels of violence committed against women in Guatemala. Unfortunately this is part of a much wider human rights problem in Guatemala, which I raised with the new Vice-President when I visited Guatemala in January. However, we have noted the positive efforts that President Berger has made since his inauguration on 14 January to improve human rights generally in Guatemala.

Our ambassador to Guatemala and other EU ambassadors raised concerns about increasing levels of violence and murders of women with both the Attorney-General and the Minister of Home Affairs in August. Yakin Erturk, UN special rapporteur on violence against women, raised similar concerns on her visit to Guatemala in February. The UK chargé d'affaires and other EU ambassadors also attended a meeting with Susana Villaran, OAS rapporteur on violence against women and Frank la Rue, Head of the Guatemalan Presidential Commission on Human Rights. Mr. La Rue acknowledged the concerns expressed by the UK chargé and other ambassadors about increasing attacks on women and said the Guatemalan Government took very seriously the issues raised by the UN and OAS rapporteurs.

We will continue to monitor human rights closely.

Haiti

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the interim Government of Haiti regarding the security situation in Port-au-Prince. [189681]

Mr. Rammell: The security situation in Haiti remains volatile. But, due to the efforts of the UN multinational force and the interim Government, there has been some improvement since the political crisis in February, which led to former President Aristide's resignation and departure.

We have no direct representation in Port-au-Prince— we cover Haiti from the British Embassy in Santo Domingo. Our Ambassador there has made regular trips to Haiti over the past 18 months, most recently visiting Port-au-Prince in August 2004, when he discussed the security situation with the Prime Minister.

Hurricane Ivan

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs how many UK holiday makers and UK citizens resident in *(a)* Grenada, *(b)* Jamaica and *(c)* Cuba were airlifted out of those countries (i) in advance of and (ii) subsequent to Hurricane Ivan. [189908]

Mr. Mullin: No British holidaymakers or citizens were airlifted out of Grenada in advance of Hurricane Ivan as there was insufficient warning of its impact. In the days immediately following the hurricane, the British High Commission in Grenada assisted approximately 400 British tourists, EU and Commonwealth nationals to secure flights, including one we chartered, out of Grenada, principally via Barbados. A further 200 British visitors, residents and dual British/Grenadian citizens have since been advised about leaving Grenada. Since 13 September commercial flights, principally via Barbados on regional airlines, have been operating out of Grenada.

We understand from British tour operators with clients in the region that before the hurricane there were around 3,400 holidaymakers. Just under half of these left the island before the hurricane struck. A significant number of those who remained were visiting friends and relatives and could not be contacted. Subsequently, 131 were moved to another part of Jamaica and 2,497 were evacuated to another island or returned to the UK.

We understand there were about 5,500 holidaymakers booked through British tour operators on Cuba. Approximately 1,000 were evacuated to an alternative holiday destination, the remainder were moved to other parts of the island.

Mr. Foulkes: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance is being provided by his Department to governments of islands affected by Hurricane Ivan. [190274]

Mr. Rammell: For information about UK assistance following Hurricane Ivan I refer my right hon. Friend to the statement my right hon. Friend the Secretary of State for International Development made to the House on 14 September 2004, *Official Report*, columns 1125–27, which was updated on 16 September 2004, *Official Report*, columns 169–72WS. A further written statement, updating the House on UK assistance following Hurricanes Ivan and Jeanne, was issued on 12 October 2004, *Official Report*, columns 14–20WS.

Hurricane Ivan hit Grenada on 7 September causing severe damage and destruction as well as loss of life. My right hon. Friend the Foreign Secretary has appointed my noble Friend the Baroness Howells of St. Davids as his Personal Envoy to Grenada. She travelled to Barbados and Grenada from 21 to 24 September with representatives of the Department for International Development and the British High Commissioner to Barbados and the Eastern Caribbean to see the situation at first hand. We look forward to discussing her recommendations.

In response to a request from the Prime Minister of Grenada, Dr. Keith Mitchell, the Foreign and Commonwealth Office's Caribbean Regional Prisons Adviser, Nicholas Brooke, has travelled to Grenada to inspect the prison, which was badly damaged in the hurricane. He will assess the current state of the prison, make recommendations for short-term remedial action and report on the medium and long-term implications for the prison following the hurricane damage. We have also provided him with some funds for immediate work on the prison.

On 12 September Grand Cayman took an almost direct hit from Hurricane Ivan. We have funded police reinforcements from neighbouring Overseas Territories to be deployed, and provided part funding for a detachment from the Bermuda Regiment to assist with the clean up operation. We have also made available various technical advisers and reinforced the Governor's office.

Iran

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs what the outcome was of the International Atomic Energy Agency's board meeting held on 13 September with respect to Iran's nuclear programme; and if he will make a statement. [189940]

Mr. MacShane: The International Atomic Energy Agency (IAEA) Board of Governors adopted a Resolution urging Iran to co-operate fully with the IAEA, to implement fully its Nuclear Safeguards Agreement and to clarify all outstanding questions regarding its nuclear programme. The Resolution also regrets that Iran has reversed its decision to suspend the enrichment of uranium. The Resolution goes on to request that the Director-General of the IAEA present a further report on progress in advance of the next meeting of the Board of Governors in November, at which time the Board will again consider what further steps to take in order to persuade Iran to abide by its obligations under the Nuclear Non-Proliferation Treaty.

The Resolution was adopted by consensus on 18 September. The full text of the Resolution, and the Director-General's report which informed the Board's discussions, is available on the IAEA internet website, www.iaea.org.

Iraq

Glenda Jackson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will request a full report from the US Government on the alleged attack by US helicopters on unarmed Iraqi civilians on Sunday 12 September in Haifa Street, Baghdad. [189741]

Mr. Rammell: We are aware of reports of civilian casualties as a result of this incident. The US authorities are currently undertaking an investigation. We understand that a US armoured vehicle came under attack. During evacuation of the vehicle's crew, US personnel were injured and helicopter support was requested.

Glenda Jackson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will request the Iraqi Interim Government to conduct an inquiry into the alleged attack by US helicopters on unarmed Iraqi civilians on Sunday 12 September in Haifa Street, Baghdad. [189742]

Mr. Rammell: We are aware of reports of civilian casualties as a result of this incident. We do not intend to request the Iraqi Interim Government to conduct an inquiry as the US authorities are currently undertaking an investigation. We understand that a US armoured vehicle came under attack. During evacuation of the vehicle's crew, US personnel were injured and helicopter support was requested.

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to the answer to the hon. Member for Birmingham, Selly Oak (Lynne Jones) of 13 September 2004, *Official Report*, column 1454W, who authorised UNMOVIC and the International Atomic Energy Agency to excise parts of the Iraqi declaration of December 2002; which categories of information were removed; how many pages the excised sections comprise; and whether it was accepted by all UN Security Council non-permanent members that they should receive only an excised version of the Iraqi declaration. [189770]

Mr. MacShane: The decision to excise parts of Iraq's declaration was made by UNMOVIC and the International Atomic Energy Agency, and agreed by the UN Security Council. The excised portion contained information about Iraq's nuclear weapons programme which could potentially be of benefit to non-nuclear weapons states seeking to pursue nuclear weapons programmes. It is not possible to say precisely how many pages of text were excised since the formatting of the excised version was different from that of the original. No member of the Security Council at the time raised any objection to receiving only the excised version of the declaration.

Israel

Chris Grayling: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Israeli Government about the treatment of Palestinian prisoners. [189694]

Mr. Rammell: I refer the hon. Member to the reply I gave to the hon. Member for Richmond Park (Dr. Tonge) on 9 September 2004, *Official Report*, column 1372W. On 2 September the Israeli Prison Service informed our embassy in Tel Aviv that the hunger strike had ended.

We continue to monitor the situation with regard to Israeli treatment of Palestinian prisoners and raise our concerns with the Israeli authorities.

Kosovo

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the forthcoming elections in Kosovo on 23 October. [189885]

Mr. MacShane: On 23 October the people of Kosovo will go to the polls to elect the Assembly of Kosovo for a second term of office. A total of 33 political entities have successfully registered for the elections representing Kosovo Albanian, Kosovo Serb, Turk, Ashkali, Gorani, Roma and Bosniak communities. However only two Serb organisations have registered, with all others boycotting. We continue to urge the Serbian Government to encourage Kosovo Serb participation in the elections and welcome the support given by President Boris Tadic on 5 October for their participation.

Responsibility for ensuring the elections are conducted in a free and fair manner will be shared between the Organisation for Security and Co-operation in Europe (OSCE) and the Central Election Commission Secretariat (CECS), a local body. The Council of Europe will provide international monitors to observe the elections. On 8 September, the Council of Europe reported that it was

> 'largely satisfied with the progress made by electoral bodies in the preparation for the election'.

The full report can be found on the Council of Europe website: www.coe.int/Observation of the elections in Kosovo/Preliminary report CEEOM IV—2004

There are 120 seats in the Kosovo Assembly. 100 seats are distributed amongst all parties in proportion to the number of votes won. Ten seats are allocated to the parties, organisations, citizens' initiatives and independent candidates representing the Kosovo Serb community. The remaining ten seats are allocated to other minority communities. Further information on the Kosovo Assembly elections can be found at www.osce.org.

Poppy Cultivation

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place with the Governments of *(a)* Afghanistan and *(b)* Burma regarding (i) poppy cultivation and (ii) progress in controlling the cultivation of poppies since the removal of the Taliban. [189888]

Mr. Rammell: As lead nation on counter narcotics in Afghanistan since April 2002, the UK has had regular discussions and works closely with the Afghan Government to support delivery of the Afghan National Drug Control Strategy, which was adopted in May 2003. I have visited Afghanistan for discussions with President Karzai and his Ministers about progress on the strategy. The UK has allocated £70 million over three years to support this work. As a result of those contacts, in the first year of implementation of the strategy the basic counter narcotics structures have been put in place: drug control legislation, a Counter Narcotics Directorate, the Ministry of Interior's Afghan Special Narcotics Force, the Counter Narcotics Police and a central eradication capability. Work is also in hand to develop alternative livelihoods for farmers dependent on opium poppy cultivation. The measures we have put in place provide a sound basis for future co-operation with the Afghan Government and international partners to secure the further development of robust institutions and programmes to combat opium production and trafficking. Progress remains linked to the wider security situation in Afghanistan and to the implementation of other areas of institution building such as policing and judicial systems.

Burmese opiates are not trafficked to the UK in significant quantities. Most stays within the Asia/Pacific region. Our Ambassador in Rangoon discussed the reduction of poppy cultivation and other drugs issues with Burmese Ministers during a visit to Northern Shan State in January 2004.

Russia

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions his Department has had with Russia regarding the situation in *(a)* Chechnya and *(b)* Ingushetia. [182178]

Mr. Rammell: My right hon. Friend the Foreign Secretary has discussed the situation in the North Caucasus with his Russian counterpart, Sergei Lavrov, on several occasions since the tragic siege at Beslan in September. Most recently they discussed Chechnya on 22 September, when they met in New York. As in previous meetings, including those during the Foreign Secretary's visit to Moscow in July, they discussed international concerns about the human rights situation in Chechnya. They also discussed the difficult security situation in the region and the need for the United Kingdom and the Russian Federation to co-operate closely in the fight against terrorism.

I also raised the situation in the North Caucasus with the Russian Ambassador when I saw him recently. This followed my substantive discussions with senior Russian officials on this subject during my visit to Moscow on 6–7 April. During my discussions in Moscow, I specifically raised concerns over human rights abuses in Chechnya, and pressed too for progress on the political process there. In addition, I raised the situation in Ingushetia with regard to the conditions for internally displaced persons there.

These exchanges are part of our ongoing, regular dialogue with the Russian Federation on the situation in the North Caucasus.

Zimbabwe

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Zimbabwe about the voter registration process in Zimbabwe. [189860]

Mr. Mullin: Zimbabwe and other members of the Southern African Development Community (SADC) recently adopted principles on democratic elections. These stipulate that all citizens should have equal opportunity to exercise the right to vote; that there should be no discrimination in voter registration; and that the voters' roll should be updated and accessible. We have made clear, including through the British Embassy in Harare and the European Union Presidency, that we look to Zimbabwe to fully respect these and other SADC principles.

NORTHERN IRELAND

Arthritis

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many rheumatoid arthritis sufferers are receiving treatment with *(a)* Embrel and *(b)* Remicade in Northern Ireland. [188534]

Angela Smith: Figures collected between June and July 2004 indicate that approximately 241 patients were being treated with anti-TNF medication; of these *(a)* 69 patients were prescribed Enbrel, *(b)* 102 were prescribed Remicade while a further 70 patients were prescribed another anti-TNF medication such as Adalimumab (Humira).

A small number of those treated with anti-TNF medication may not be rheumatoid arthritis sufferers.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many rheumatoid arthritis sufferers commenced treatment with *(a)* Embrel and *(b)* Remicade in each of the last 12 months in Northern Ireland. [188535]

Angela Smith: The information requested is not available centrally and could only be obtained at disproportionate cost.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many rheumatoid arthritis sufferers are waiting to commence anti-TNF medications in the Province. [188536]

Angela Smith: Figures collected between June and July 2004 indicate that approximately 427 persons are waiting for treatment with anti-TNF medication. All of these patients are currently receiving treatment with other medication.

A small number of those waiting for treatment with anti-TNF medication may not be rheumatoid arthritis sufferers.

Bovine TB

Mr. Lidington: To ask the Secretary of State for Northern Ireland if he will make a statement on his policy to combat bovine tuberculosis in Northern Ireland. [188247]

Mr. Pearson: My Department has in place a Tuberculosis (TB) control programme which aims to bring about a substantial reduction in TB disease levels in Northern Ireland. The control measures are based on a programme of testing, the slaughter of infected animals, the restriction of movements of animals to and from infected herds and surrounding herds, and the tracing of contact animals.

The implementation of the TB Policy Review measures which I announced at the beginning of September will ensure further progress towards the effective long-term control of the disease. The new measures being introduced this autumn include tighter restrictions on overdue TB tests and changes to the valuation system which mean that herdkeepers will in future pay for independent valuations, the independent valuer's valuation will no longer be final and binding, and an independent appeals panel is being established to review any disputed valuations.

Work is also under way on the feasibility of further measures that can be introduced to control TB. My Department is piloting the use of the gamma interferon blood test, in combination with skin testing, to assist in the detection of TB in cattle in certain circumstances. There is also ongoing work on research collaboration with the ROI.

In relation to badgers and TB, I have established a Stakeholder Group to review the badger studies that have been carried out in the ROI, along with research in badgers undertaken in NI, and all other relevant information available so far from the work in GB. I await the report of the Group to enable me to make a fully informed decision on the way ahead.

Chest Pain Clinics

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many rapid access chest pain clinics are operational in Northern Ireland; and if he will make disabled children a priority area for 2005–06. [190463]

Angela Smith: There are currently two rapid access chest pain clinics in Northern Ireland, which are based at the Royal Victoria and Belfast City Hospitals. Further clinics are expected to open shortly at the Mater and Craigavon Hospitals, and one is under consideration by Altnagelvin Hospital.

The prioritisation of children requiring cardiology or cardiac treatments is a clinical decision, based on the most clinically urgent receiving treatment first.

Domestic Violence

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what estimate he has made of the costs resulting from domestic violence in each of the last five years in Northern Ireland. [188530]

Angela Smith: The information requested is not available.

Research has recently been published which estimated the cost of domestic violence to society in England and Wales at £23 billion each year. £6 billion of this related to the direct costs of services to deal with domestic violence (police, criminal justice system, health and social services care, housing and civil legal cases) and to the loss of economic output due to the suffering of victims. There has been no similar research on costs in Northern Ireland. Extrapolation of the research figures for England and Wales on a pro-rata population basis would indicate that the cost of services and loss of economic output due to domestic violence could amount to about £180 million each year in Northern Ireland.

Early Release Scheme

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many prisoners were released under the Early Release Scheme under the Belfast Agreement; and how many of those released have been convicted of re-offending. [189794]

Mr. Pearson: To date (27 September 2004), 447 prisoners have been released early since the signing of the Good Friday Agreement under the terms of the Northern Ireland (Sentences) Act 1998. Details of those who have re-offended are only held for those who come to the attention of police whilst still under licence, of whom 28 have been convicted of further offences.

Flooding

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland what emergency plans are in operation for dealing with flooding in Northern Ireland. [188738]

Mr. Pearson: The Department for Regional Development Roads and Water Services and Department of Agriculture and Rural Development's Rivers Agency are the key Agencies in Northern Ireland with a flooding response capability in association with other key stakeholders, mainly district councils, who also have roles to play.

Each Agency has its own emergency response arrangements. As a matter of course these arrangements provide for out-of-hours contact from the public and the mobilisation of staff, plant and equipment.

With regard to specific plans, Rivers Agency responds in accordance with its Flooding Emergency Arrangements, while Water Service responds in accordance with the Water Service's Major Incident Plan and Roads Service in accordance with the Roads Service Emergency Response Plan

In addition the Rivers Agency, Roads Service and Water Service have established a Joint Flood Strategy Steering Group to oversee co-ordination of their respective efforts in preventing, planning for and responding to flooding incidents. The Steering Group, which is chaired by the Rivers Agency, has developed a set of Best Practice Guidelines on an Integrated Response to Flooding.

Irish Language

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what the cost of implementing an Irish language policy has been to each Government Department since its introduction. [187778]

Angela Smith: During devolution Northern Ireland Executive Ministers decided policy on the language to be used by each Department for letterheads and public advertisements, including the use of Irish and Ulster Scots. At an early stage during the current period of suspension, my right hon. Friend the Secretary of State for Northern Ireland, decided that the position within each Northern Ireland Department should remain unchanged. This remains his current assessment.

The costs incurred from 1998 until March 2004 as a result of these Irish language policies are as follows:

Department	*Cost (£)*
DHSSPS	367,266
DE	70,765
DEL	35,655
DFP	5,084
DCAL	26,886
DARD	388
DETI	285
OFMDFM	84,821
DOE	9,883
DRD	195
DSD	677
NIO	1,366

Jobskills Programme

David Burnside: To ask the Secretary of State for Northern Ireland what proportion of participants on the Jobskills programme moved into full-time employment in each of the last five years. [190422]

Mr. Gardiner: The Jobskills programme consists of three separate but integrated strands, each dealing with a particular client group:

the Access strand offers unemployed 16 and 17-year-olds training leading to approved qualifications up to National Vocational Qualification (NVQ) Level 1;

the Traineeship strand offers unemployed 16 and 17-year-olds training leading to the attainment of a NVQ Level 2; and

the Modern Apprenticeship strand offers employed 16 to 24-year-olds training leading to the attainment of NVQ Level 3.

Trainees can progress from one strand to another and information on each strand is recorded separately.

In the case of the Access strand, progression within Jobskills is considered a positive progression which can ultimately lead to employment; therefore, the proportion of leavers moving to employment or progressing are both provided.

Percentage

	1999–2000	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Access					
Employment	18	17	19	16	17
Progression	32	31	31	36	7
Traineeship					
Employment	63	64	65	64	31
Modern Apprenticeship	[1]—	[1]—	[1]—	[1]—	[1]—

[1] All trainees in the Modern Apprenticeship strand are required to be in employment as a condition of participation.

Training in the Access and Traineeship strands normally lasts 18 months. Consequently, 56 per cent. and 68 per cent. respectively of the 2003–04 cohort within these strands are still in training. It is, therefore, expected that the proportion moving into employment will subsequently increase.

Monkstown Young Citizen Volunteers

Mr. McNamara: To ask the Secretary of State for Northern Ireland what links have been identified between the Monkstown Young Citizen Volunteers (YCV) and the banned Ulster Volunteer Force (UVF); and what actions he will take to prevent the Monkstown YCV from promoting the UVF. [182914]

Mr. Pearson: The Young Citizen Volunteers was established in 1912 as the youth wing of the Ulster Volunteer Force. I understand that the Monkstown YCV is the local branch of the YCV. The response to any paramilitary display is a matter for the PSNI.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what action he has taken to ascertain whether the flags and emblems associated with the Monkstown Young Citizen Volunteers constitute an illegal paramilitary display. [182915]

Mr. Pearson: The police have received no reports alleging that the Monkstown Young Citizen Volunteers has committed any offences with regard to flags and emblems during this year's marching season.

MOT Certificates

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland how long it will take to clear the backlog of applications for MOT certificates in Northern Ireland due to the recent industrial dispute. [189608]

Angela Smith: The Driver and Vehicle Testing Agency expects to take up to 12 months to clear the backlog of MOT applications.

Planning Applications

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland how long it will take to clear the backlog of planning applications in Northern Ireland caused by the recent industrial dispute. [189607]

Angela Smith: It is not possible to determine how long it will take to clear the backlog of applications. However, the Planning Service is committed to processing applications as quickly as possible.

Police Duties

Mr. Dodds: To ask the Secretary of State for Northern Ireland what proportion of police officers in North Belfast have been assigned to neighbourhood or community duties. [189795]

Mr. Pearson: 15.1 per cent. of police officers in North Belfast DCU have been assigned to neighbourhood or community duties. In addition, 72 part-time reserve officers complement the work of the sector police.

Police Establishment

Mr. Dodds: To ask the Secretary of State for Northern Ireland what proportion of the police establishment in North Belfast is made up of *(a)* full-time reserve officers and *(b)* part-time officers. [189793]

Mr. Pearson: The current police establishment in North Belfast is composed of:

(a) 18.5 per cent. full-time reserve officers;

(b) Part-time reserve officers complement the DCU strength. There are currently 72 part-time officers.

Scientific Officers (Promotion)

David Burnside: To ask the Secretary of State for Northern Ireland what criteria are used by the Department of Agriculture and Rural Development's promotion boards for scientific officer positions to assess applications from persons *(a)* with a non-scientific background and *(b)* not currently working for the Department of Agriculture and Rural Development. [190382]

Mr. Pearson: The Department of Agriculture and Rural Development held a promotion board to interview candidates for promotion to the grade of

Scientific Officer in April/May 2004. A circular advising of eligibility and self-nomination arrangements was issued to all NICS Departments inviting applications from eligible officers. This was the first promotion board to this grade to which eligibility was opened to analogous grades.

For this competition the eligibility criteria was restricted to (i) officers in the Assistant Scientific Officer grade and (ii) officers in analogous grades from other disciplines who met the current entry requirements for ASOs ie. 4 GCE/GCSE 'O Levels, grades A-C which must have included English Language, Mathematics and a Science subject. In addition, all staff self-nominating were required to have a current "fitted for promotion" or better assessment on their annual report.

The key selection criteria against which candidates were assessed for promotion by the board were as follows:

(a) Services

(b) Resources

(c) People

(d) Information/Communication

(e) Professional/Specialist/Technical Knowledge and Skills

Prospective applicants were advised in an addendum to the promotion board notice that the Professional/Specialist/Technical/Knowledge and Skills criterion related to the Biology, Chemistry and Microbiology disciplines and that they would be required to demonstrate both on the application form and at interview how they satisfied this criterion in the context of these scientific disciplines.

Special Advisers

Lembit Öpik: To ask the Secretary of State for Northern Ireland how many special advisers associated with each party that held seats on the suspended Northern Ireland Executive are paid from government funds; how much has been spent in each of the past 12 months on such advisers; what the rationale is for continuing the payments; and what the duties are of those advisers. [185630]

Mr. Spellar: Following the suspension of the Northern Ireland Assembly until May 2004, a total of seven special advisers have been paid from government funds. Special advisers are employed under two separate schemes. The DUP, Sinn Fein and UUP each employ one adviser under a scheme operated by the Northern Ireland Assembly. These advisers are employed by their parties to assist in the performance of their members' Assembly duties during suspension, working for a smooth return to devolved government and engaging in discussion for that purpose. The remaining four, two appointed by the former First Minister and two by the former Deputy First Minister, were employed as civil servants and attached to the Office of the First Minister and Deputy First Minister.

Following two resignations in June 2004, the latter group now comprises two advisers, employed to support the former First Minister and Deputy First Minister respectively during suspension, working for a smooth return to devolved government and engaging in discussion for that purpose.

Details of payments for the past 12 months are set out below.

	£
	Monthly cost
2003	
July	35,350.35
August	35,899.98
September	36,707.84
October	36,314.96
November	35,936.76
December	33,119.83
2004	
January	36,079.91
February	34,726.69
March	34,086.33
April	23,653.55
May	24,286.32
June	31,062.48
Total	397,224.99

Unlicensed Hire Vehicles

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland how many people have been prosecuted in Northern Ireland for operating vehicles not licensed for hire or reward in the last five years. [189732]

Angela Smith: The Driver and Vehicle Testing Agency has primary responsibility for enforcing the regulations governing the use of vehicles for hire and reward within Northern Ireland. During the period April 1999 to March 2004 inclusive, a total of 629 operators were prosecuted for operating goods vehicles without being licensed to carry goods for hire and reward.

LEADER OF THE HOUSE

Select Committees

Llew Smith: To ask the Leader of the House what proposals he has to increase public knowledge of the dates of sitting and subject of inquiries by Select Committees; and what proposals he has to facilitate public access to Select Committee hearings. [190141]

Mr. Hain: Considerable progress has been made in making information about Committee activity more readily accessible to the public. In particular, I commend the new forward calendar of Committee activity on the Parliament website and the Committee Office telephone information line. The live webcasting of all Committee hearings is also a very welcome development. However, I believe that more needs to be done to ensure that the information provided reaches a greater section of the public; and to this end I hope that the House of Commons Commission will give sympathetic consideration to the recommendations in the Modernisation Committee's recent report on Connecting Parliament with the Public.

The reception and security facility planned for Cromwell Green will facilitate public access to Select Committee hearings. I very much hope that the House will also support in due course plans for a Visitors' and

Educational Centre, which would allow for live relay of Committee hearings, as well as proceedings in the Chamber.

CABINET OFFICE

Civil Service Pensions

Mr. Hancock: To ask the Minister for the Cabinet Office if she will make it her policy to amend the pre-2002 Civil Service Pension Scheme to allow widows and widowers of civil servants who remarry or cohabit to retain their pension rights; and if she will make a statement. [190183]

Ruth Kelly: I have no plans to do so.

Until recently all public service pension schemes (and many in the private sector) only provided widows' and widowers' pensions up until the beneficiary remarries or cohabits with someone as their husband or wife. From October 2002, a new pension scheme for civil servants was introduced (known as premium) which has an improved benefit structure paid for by higher employee contributions. One of the improvements is to provide widows and widowers pensions for life. To provide a similar improvement in respect of the pre-October 2002 scheme (known as classic), where higher contributions have not been paid, would not only be unfair to the members of premium who are paying higher contributions for enhanced benefits, but would also result in tax payers meeting the additional costs to the classic scheme of doing so.

Public service-wide additional costs for future service have been estimated at £150 million per annum, plus a one off cost of £3 billion to cover all past service.

TRADE AND INDUSTRY

Cosmetics (Animal Testing)

Tom Cox: To ask the Secretary of State for Trade and Industry how many European Union states have a ban on the use of animal testing for cosmetics; and if she will make a statement. [190251]

Mr. Sutcliffe: The UK has operated a voluntary ban on the testing of cosmetic products on animals since 1996. This ban was made compulsory on 11 September 2004, with the implementation of the Cosmetic Products (Safety) Regulations 2004 (SI 2004/2152), which implement the 7th Amendment to the EU Council Directive on the safety of cosmetic products.

All EU member states were required to implement the 7th Amendment by 11 September 2004. It imposes a ban on the testing of finished cosmetic products on animals from 11 March 2005.

Coal Mine Methane

Ms Walley: To ask the Secretary of State for Trade and Industry what assessment she has made of the implications of *(a)* converting coal mine methane to energy and *(b)* venting coal mine methane; and if she will make a statement on support for coal mine methane-related technology. [190236]

Mr. Mike O'Brien: The Government commissioned a study in 2003 to see if there are any possible mechanisms, consistent with the objectives of the Energy White Paper, which could be deployed to encourage the control of CMM emissions. This study was undertaken by independent consultants and was overseen by a Advisory Board of representatives from the industry, DTI, DEFRA, and the Coal Authority. The purpose of the exercise was to investigate means for controlling emissions to atmosphere from abandoned mines where the current practice of venting is clearly undesirable. The results of the study are available on the DTI's website at http://www.dti.gov.uk/energy/coal/cfft/coalminemethane.shtml.

The study included an assessment of commercially exploiting CMM for power generation or for use as a burner tip fuel. The consultants found that the least cost option for dealing with these methane emissions was through flaring rather than putting them to commercial use. It was also concluded that the potential capacity for power generation, beyond that already exploited by the industry, was limited at less than 20 MW. There was therefore no significant security of supply arguments for specifically encouraging electricity generation from CMM.

However, as a result of this study it was proposed that a scheme be established to control CMM emissions, which would be open to all technology options, including electricity generation, burner tip fuel use as well as flaring. Proposals from the private sector to control the emissions would be competitively considered by the Coal Authority and the most cost-effective solution awarded a contract leaving them to decide on the most cost-effective means of control.

The Government recognise and value the benefits the coal mine methane technology industry provides by tapping the methane emissions from disused coal mines and putting them to good use for generation of electricity. We have already demonstrated this support through our securing exemption from the climate change levy for electricity generated from CMM which came into force in November 2003, and why the proposed grant-scheme will be open to this technology.

Combined Heat and Power

Richard Younger-Ross: To ask the Secretary of State for Trade and Industry when she will publish the Combined Heat and Power Potential Study that is listed on the Sustainable Energy Policy Network's website. [187583]

Mr. Mike O'Brien: The "Study on the economic potential for Combined Heat and Power" was published by Defra on 22 September. It can be found on the Defra website under Environmental Protection and then under Energy: Sustainable Energy.

Doorstep Cold Calling

Mr. Truswell: To ask the Secretary of State for Trade and Industry (1) what action her Department is taking to combat doorstep crime; and if she will make a statement; [190131]

(2) what steps she is taking to achieve a cross-departmental approach to combat crime and unscrupulous trading associated with doorstep cold calling. [190130]

Mr. Sutcliffe: I refer my hon. Friend to the answer given on 16 September 2004, *Official Report*, column 1719W.

Pharmaceutical Industry Competitiveness Task Force

Norman Baker: To ask the Secretary of State for Trade and Industry if she will list the *(a)* membership, *(b)* start date and *(c)* purpose of the Pharmaceutical Industry Competitiveness Task Force; and how much has been allocated to this body by her Department. [188059]

Ms Rosie Winterton: I have been asked to reply.

The pharmaceutical industry competitiveness task force was established in March 2000 and reported to my right hon. Friend, the Prime Minister, in March 2001. A copy of the final report is available in the Library. Its aims were to ensure that the right strategies were in place to allow industry to contribute fully to the economy and bring safe, effective medicines to the British market.

The membership of the task force was:

Co-chairmen	
Lord Hunt of Kings Heath	Parliamentary Under Secretary of State for Health
Sir Tom McKillop	AstraZeneca
Members	
1. *Government*	
Lord Sainsbury of Turville	Minister for Science and Innovation
Baroness Blackstone	Minister of State for Education and Employment
Nick Raynsford MP	Minister for Housing and Planning
Stephen Timms MP	Financial Secretary to Her Majesty's Treasury
Sir Nigel Crisp	Permanent Secretary and Chief Executive, Department of Health
2. *Industry*	
Sir Richard Sykes	Glaxo Welcome
J-P Garnier	SmithKline Beecham
Bill Fullagar	ABPI President, and Novartis
Vincent Lawton	APG Chairman, and Merck Sharp and Dohme
Trevor Jones	ABPI Director General

The Department did not allocate any funding to the task force. Jointly with industry, it provided the secretariat to the task force.

Plutonium

Mr. Chaytor: To ask the Secretary of State for Trade and Industry when the BNFL ships contracted to transport weapons grade plutonium from Charleston to Cherbourg *(a)* leave Charleston and *(b)* arrive at Cherbourg; and if she will make a statement. [190096]

Mr. Mike O'Brien *[holding answer 11 October 2004]*: The PNTL ships involved in the shipment departed from Charleston USA on 20 September.

The commercial shipment of plutonium between the United States and France using British registered PNTL ships is a matter between the countries and organizations involved. The Office for Civil Nuclear Security (OCNS) has approved the security plan for the voyage while the ships are in international waters. We are told that these plans take full account of all relevant international standards and obligations regarding the carriage of nuclear material. We will not comment on the detail of these plans, including the arrival date at Cherbourg, which may obviously be of use to terrorists.

Temporary Agency Workers Directive

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry (1) what changes have been made in her Department's position on the Temporary Agency Workers Directive since July this year; [189810]

(2) what her Department's position is on the proposal for a six week qualifying period for full employment rights in the Temporary Agency Workers Directive. [189811]

Mr. Sutcliffe: The UK position remains the same in that we are supportive of the principles of the directive but that the text needs to be changed to reflect the concerns of member states.

At the Employment, Social Policy, Health and Consumer Affairs Council in Luxembourg on 4 October 2004 I made it clear that the UK Government want to make progress on the directive and called upon others to join us in offering the presidency support in finding a way forward. But it was clear that many member states have difficulties with the text, including those provisions that relate to a qualifying period of six weeks. We need to find a solution that reflects the differing labour markets across the EU.

CONSTITUTIONAL AFFAIRS

Data Protection

Mr. Gray: To ask the Parliamentary Secretary, Department for Constitutional Affairs whether he has received a formal notice from Commissioner Bolkestein about the conformity of the Data Protection Act 1998 with the European data protection directive. [190101]

Mr. Leslie: Yes.

Information and Communication Specialists

Mr. Jenkins: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many information and communication technology specialists there are in full-time employment in the Department. [189580]

Mr. Lammy: There are 167 information and communication technology specialists in full-time employment in the Department for Constitutional Affairs.

DEFENCE

Afghanistan

Tom Cox: To ask the Secretary of State for Defence what the cost to the Government of operations in Afghanistan has been to date; and if he will make a statement. [190245]

Mr. Ingram: Information on the costs of operations is included in the Ministry of Defence's published accounts for each year. The specific figures for Afghanistan, including both operating and Capital spend, are:

	£ million
2001–02	222
2002–03	311
2003–04	36
Total	569

It is too early as yet to provide a firm estimate for the costs in 2004–05.

Tom Cox: To ask the Secretary of State for Defence how many British military personnel were stationed in Afghanistan on 1 October. [190246]

Mr. Ingram: As at 1 October there were approximately 1,000 members of the British Armed Forces in Afghanistan.

Army Boards of Inquiry

Mr. McNamara: To ask the Secretary of State for Defence what rules govern the attendance of *(a)* independent observers, *(b)* family and legal representatives of the deceased and *(c)* accredited members of the press at Army boards of inquiry into a death; and what the boundaries of their participation are before, during and after each inquiry. [190201]

Mr. Ingram: Queen's Regulations for the Army states that no member of the public or the press has a right to be present at a Board of Inquiry.

The nominated next of kin may be given the opportunity to submit questions to the Board of Inquiry convening authority for consideration in the Terms of Reference.

It is the Army's practice to provide the next of kin with the Opinions, Findings and Recommendations of the Board and to offer them the option of receiving a copy of the full Board of Inquiry report should they wish to see it.

Mr. McNamara: To ask the Secretary of State for Defence (1) how many independent observers have attended an Army Board of Inquiry into the circumstances of a fatal incident in each of the past five years; [190202]

(2) in those instances where independent observers have attended an Army Board of Inquiry into the circumstances of a fatal incident, *(a)* at what rank the invitation was issued, *(b)* what reason was given for the invitation and *(c)* what the nature of their participation was; [190204]

(3) in what circumstances an independent observer to an Army Board of Inquiry into the circumstances of a fatal incident may be asked to comment on *(a)* procedural and *(b)* evidential matters. [190205]

Mr. Ingram: None.

Mr. McNamara: To ask the Secretary of State for Defence under what circumstances the Army is obliged to delay holding a board of inquiry into a fatal incident; what his estimate is of the number of boards of inquiries that are pending; and if he will *(a)* list those instances in Great Britain where the delay has exceeded five years and *(b)* set out the reason for the delay in each case. [190263]

Mr. Ingram: Under no circumstances is the Army obliged to delay convening a Board of Inquiry (BOI). Since June 2004, a BOI must convene within 48 hours of an incident occurring. The Board must be adjourned if a criminal prosecution is likely and it cannot be reconvened until criminal proceedings have concluded.

There are currently 86 BOIs at various levels of completion. None has been delayed for more than five years.

Mr. McNamara: To ask the Secretary of State for Defence what the Queen's Regulations for army Boards of Inquiry are; and what regulations govern *(a)* the purpose of a Board of Inquiry, *(b)* the circumstances in which a Board of Inquiry may be established, *(c)* who is eligible to serve on a Board of Inquiry and what ranks the members may hold and *(d)* the time limit between the events which give rise to a board being established and its establishment. [190264]

Mr. Ingram: Guidance on the convening and conduct of inquiries is contained within The Queen's Regulations for the Army, Annex A to Chapter 5, in conjunction with the provisions of the Army Act 1955; Boards of Inquiry (Army) Rules 1956; and Regimental Inquiry Regulations 1956.

The purpose of any Service Board of Inquiry (BOI) into an incident is to ascertain what went wrong and why, in order to prevent a recurrence. It is not to apportion blame. A BOI may be established for any unnatural death or serious injury, or any other matter which the Convening Authority considers should be investigated.

The President will be an officer not below the rank of Captain. There will be a minimum of two other officers, each of whom will be either an officer or warrant officer, or a person not subject to military law but who is in the service of the Crown.

Boards are now convened within 48 hours of an incident occurring.

Chinook HC1 Helicopter

Mr. Arbuthnot: To ask the Secretary of State for Defence when the airworthiness review of the Chinook HC1 helicopter was conducted; and if he will place a copy in the Library. [189789]

Mr. Ingram *[holding answer 12 October 2004]:* The Chinook HC1 Airworthiness Review was completed in August 1992 as part of an internal audit process. The review formed the first part of a process designed to address the integrity of the RAF's management of airworthiness and maintenance practices for the Chinook. I will place a copy of the review in the Library of the House.

Departmental Records Office

John McDonnell: To ask the Secretary of State for Defence what mechanism he has put in place to monitor the performance of TNT at the former Departmental Records Office, Bourne Avenue, Hayes; and what system is in place to receive and record complaints about performance. [173659]

Mr. Caplin: The Ministry of Defence has set up a Contract Management Team (CMT) to monitor the services provided by TNT to all the Departments involved at the former Departmental Records Office.

Departments should notify the CMT in writing of any TNT performance complaints. Each complaint is logged and passed to the TNT Customer Service Helpdesk Supervisor. TNT investigate the complaint and report back to the concerned department and the CMT with their findings, including a full resolution and/or process change requirement. The CMT reviews all outstanding complaints with the TNT Customer Service Supervisor daily, and monitors their progress until a successful resolution is determined. Once a resolution has been communicated to the relevant Department, the CMT follows up the resolution to ensure a satisfactory conclusion.

In addition to the processes mentioned above, the CMT and representatives of the TNT Management Team hold monthly update meetings with all departments involved to discuss TNT's service performance.

Written Answers to Questions

Thursday 14 October 2004

DEFENCE

Departmental Records Office

John McDonnell: To ask the Secretary of State for Defence how many complaints from former staff of his Department employed by TNT have been raised with regard to the new process for handling departmental records and their security. [173660]

Mr. Caplin: The Ministry of Defence Contract Management Team (CMT) has received a very small number of verbal criticisms concerning TNT's new processes for handling departmental records and their security from former MOD staff now employed by TNT. To facilitate investigation, written confirmation of the complaints was requested. None has yet been received.

Future Rapid Effects System

Mr. Gerald Howarth: To ask the Secretary of State for Defence what role he expects Galileo to play in providing the Future Rapid Effects System requirements with optimum battlespace awareness. [190058]

Mr. Ingram: Galileo is intended to be a civilian system under civil control. The Department expects the GPS military code to continue to meet defence requirements for a robust, secure satellite navigation system. Accordingly, there are no plans for the use of Galileo by the MOD's Future Rapid Effects System.

Information and Communication Specialists

Mr. Jenkins: To ask the Secretary of State for Defence how many information and communication technology specialists are in full-time employment in the Department. [189582]

Mr. Caplin: The information requested is not held centrally and could be provided only at disproportionate cost.

Iraq

Llew Smith: To ask the Secretary of State for Defence what screening tests have been established for *(a)* British troops, *(b)* British medical auxiliaries and *(c)* Iraqi civilians to assess the degree of inhalation and ingestion of depleted uranium dust during the military action in Iraq in (i) the Gulf war in 1991 and (ii) Operation Telic in Iraq in 2003; what resources have been committed to this testing; and if he will make a statement. [190206]

Mr. Caplin: On 22 September 2004, the independent Depleted Uranium Oversight Board (DUOB) announced the establishment of a retrospective testing programme for the analysis of uranium isotopes in urine and, if Depleted Uranium (DU) is found to be present, how much. The test is available free of charge to eligible individuals, including medical staff, who served in the Gulf area between 1 August 1990 and 31 July 1991 or in the former Republic of Yugoslavia on or after 5 August 1994. The total cost of the testing programme will depend on demand but is expected to be in the order of £1 million.

This retrospective test is entirely separate from MOD's own Biological Monitoring policy, under which all UK military personnel returning from theatres where DU munitions have been used—including Operation Telic—are offered a test for uranium in their urine. So far over 350 individuals have taken up this offer and have been tested. Of those, only a small number have been found to be excreting DU in their urine. These are personnel who were injured in accidental attacks by friendly forces and have embedded shrapnel. The cost to date of this programme is estimated to be £250,000. There will be a further annual staff cost of £25,000 for the duration of the project.

Assessing the degree of inhalation and ingestion of DU dust arising from the military action in Iraq among Iraqi civilians is a matter for the Iraqi Interim Government. Nevertheless, the MOD would offer advice if requested.

Land Use Payments

Paul Flynn: To ask the Secretary of State for Defence what the total amount was paid in each of the past three years to farmers and other landowners for the use of their land by his Department. [190278]

Mr. Ingram: I assume my hon. Friend is referring to the total amount paid by the Ministry of Defence to farmers and other landowners for the use of their land in respect of military training. In the last three years this has amounted to approximately £1.7 million per annum. This figure includes the costs of: the leasing of land outside of Army Training Estate (ATE) boundaries; the long term leasing of land within ATE boundaries; the purchasing of necessary Commoners Rights; and the use of other facilities such as safety buoys and electric/ water cables.

Military Equipment Sales

Harry Cohen: To ask the Secretary of State for Defence if he will list the occasions on which armed forces personnel have attended as part of their duties promotional events for UK military equipment sales in each year since 2000–01. [184731]

Mr. Ingram: Military personnel attend a wide range of promotional events, as required as part of their duties. Such events may include UK and overseas defence exhibitions as well as equipment demonstrations and displays. Information concerning the attendance of military personnel at promotional events is not held centrally and could be provided only at disproportionate cost.

Op-telic Tender

Mr. Hoyle: To ask the Secretary of State for Defence how many garments have been delivered for the Op-telic Tender DC2 ESL/3122. [190858]

Mr. Ingram: Deliveries under this contract are due to be completed by January 2005 and the supplier has completed the first batch of 2,500 garments. We expect to receive samples of this batch before the first delivery in early November 2004.

Mr. Hoyle: To ask the Secretary of State for Defence what assessment has been made of whether the fabric supplied for the Op-telic tender DC2 ESL/3122 meets the specification. [190859]

Mr. Ingram: The supplier for this contract has an obligation to deliver items which meet our specification. The Ministry of Defence quality surveillance methods include sample testing to ensure fabric is compliant. There are no concerns about the fabric used. Samples provided to date have met our specification.

RAF Kinloss

Angus Robertson: To ask the Secretary of State for Defence (1) why the hon. Member for Moray was not informed of the impending announcement concerning the airfield review and RAF Kinloss prior to the release of a press statement; [191359]

(2) which media were informed, and when, about an impending announcement concerning the airfield review and RAF Kinloss prior to the letter sent to the honourable Member for Moray on 12 October. [191358]

Mr. Ingram: The Defence Airfield Review was announced by my right hon. Friend the Secretary of State for Defence on 21 July 2004, *Official Report*, column 348. I sent letters to a number of hon. Members early on 12 October, including the hon. Member for Moray, detailing how we would be conducting the review with regard to the airfields in their constituencies. Hon. Members were therefore notified before any statement to the press, the exception being the hon. Member for Moray whose published contact details were incorrect. That led to him being notified later than other hon. Members.

Sea Cadet Corps

Mr. Rosindell: To ask the Secretary of State for Defence if he will make a statement on the number of adult volunteers to the Sea Cadet Corps. [191661]

Mr. Caplin: Statistics for the Sea Cadet Corps are compiled once a year. As at 31 March 2004 there were 4,307 adult volunteers to the Sea Cadet Corps, comprising uniformed and non-uniformed instructors and chaplains, all of whom are civilians.

Warships

Mr. Hancock: To ask the Secretary of State for Defence what plans he has to send HMS Victorious to a location other than Plymouth for its refit; and if he will make a statement. [190189]

Mr. Ingram: There are no plans to refit HMS Victorious at a location other than Plymouth. It is our policy to refit warships in the United Kingdom and Devonport Dockyard has the only facilities capable of refitting and refuelling RN nuclear-powered submarines.

CULTURE, MEDIA AND SPORT

Lottery Grants

Ms Walley: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the policy of the National Lottery towards making grants conditional upon the procurement of only certified timber. [190750]

Estelle Morris: Lottery distributors are, and are intended to be, independent of Government, but they are obliged to take into account policy directions from the Secretary of State. These directions set out the framework for the wider aims of Lottery funding, and include the need for the distributing bodies to further the objectives of sustainable development when awarding Lottery grants. The Lottery distributing bodies are strongly committed to sustainable development, including the procurement of timber from legal and sustainable sources.

Renaissance in the Regions

Mr. Sheerman: To ask the Secretary of State for Culture, Media and Sport what steps her Department is taking to support the Renaissance in the Regions programme in Yorkshire. [190450]

Estelle Morris: The 2004 Spending Review White Paper sets out the intention of the Department to extend Renaissance in the Regions to all nine regional hubs. We face a number of difficult choices and competing priorities in allocating funding from the spending review but will do all we can to take the Renaissance initiative forward.

Mr. Sheerman: To ask the Secretary of State for Culture, Media and Sport how much funding from the Renaissance in the Regions programme *(a)* has been allocated and *(b)* will be allocated to Yorkshire. [190451]

Estelle Morris: The total allocations to the Yorkshire Regional Museum Hub under Spending Review 2002 are as follows:

	£
2003–04	210,000
2004–05	676,000
2005–06	1,180,000

Allocations following the 2004 Spending Review will be made as soon as possible.

DEPUTY PRIME MINISTER

False Alarm Emergency Calls

Mr. Bercow: To ask the Deputy Prime Minister how many *(a)* genuine and *(b)* malicious false alarm fire emergency calls were received in Buckinghamshire in each year since 2001. [191054]

Mr. Raynsford: The number of fire false alarm calls attended by the Buckinghamshire fire and rescue service is as follows:

	(a) Genuine Good Intent	(a) Genuine Due to Apparatus	(b) Malicious
2001	1,611	2,435	459
2002	1,637	2,304	418
2003 (Provisional)	1,193	2,417	357

Note:

2002 and 2003 figures include estimates for fire false alarms not recorded during periods of industrial action.

Fire-related Deaths (Buckinghamshire)

Mr. Bercow: To ask the Deputy Prime Minister how many fire-related deaths in dwellings in Buckinghamshire there were in each year since 2001. [191053]

Mr. Raynsford: The number of deaths reported in dwelling fires attended by Buckinghamshire Fire and Rescue Service are as follows:

	Number
2001	3
2002	6
2003	[1]5

[1] Provisional figure.

High Hedges

Mr. Andrew Turner: To ask the Deputy Prime Minister what progress he has made on reduction of the neighbour nuisance caused by high hedges; and if he will make a statement. [191145]

Phil Hope: The public consultation on implementing Part 8 of the Anti-social Behaviour Act 2003, which gives local authorities the powers to deal with complaints about high hedges closed on 30 June. The Office of the Deputy Prime Minister is now finalising Regulations and guidance and expects the system to be fully operational around the end of 2004.

Parks

Mr. Rosindell: To ask the Deputy Prime Minister if his Department will establish a programme to improve local parklands. [191455]

Phil Hope: The Government have already established programmes for improving local parks and green spaces. These are set out in the Office of the Deputy Prime Minister's reports "Living Places—Cleaner, Safer, Greener" (ODPM 2002), and "Sustainable communities: building for the future" (ODPM 2003). The initiatives they contain are currently being implemented through the cross-government "Cleaner, Safer, Greener Communities" programme.

EDUCATION AND SKILLS

Education Finance

Mr. Hoban: To ask the Secretary of State for Education and Skills what funding streams are available to local education authority schools *(a)* directly from government and *(b)* through local education authorities, which are not available to city technology colleges and city academies. [190909]

Mr. Miliband: Schools maintained by local education authorities and city technology colleges and city academies are funded on similar terms on a like for like basis. However, the Standards Fund is used as a funding stream for schools maintained by local education authorities but not for schools of these types. However, the overall capital and revenue funding for city technology colleges and academies takes account of what comparable LEA schools would receive (including their Standards Fund allocations).

Adam Price: To ask the Secretary of State for Education and Skills what percentage of the UK's national income has been spent on education in each year since 1997 for which figures are available. [190665]

Mr. Charles Clarke: The percentage of the UK's Gross Domestic Product (GDP) spent on education since 1997 is as follows:

	Percentage
1997–98	4.5
1998–99	4.5
1999–2000	4.4
2000–01	4.6
2001–02	5.0
2002–03	5.1
2003–04	5.3
2004–05	5.4
2005–06	5.5
2006–07	5.5
2007–08	5.6

Note:

The figures for 2003–04 are based on estimated outturn and those for 2004–05 onwards are based on expenditure plans announced in the 2004 Budget Report.

Endometriosis

Mr. Cameron: To ask the Secretary of State for Education and Skills if he will take steps to ensure that information about endometriosis is routinely included in personal, social and health education in secondary schools. [190462]

Mr. Stephen Twigg *[holding answer 13 October 2004]*: In Personal, Social and Health Education (PSHE) lessons pupils are taught about sexually transmitted diseases including HIV/AIDS, how to seek professional advice on health related issues confidently, and ways of finding sources of help and information. However, we have no plans to include endometriosis routinely in PSHE lessons in secondary schools, although the condition might be raised in class discussions.

In statutory Science lessons, at Key Stage 3 (ages 11–14) pupils are taught about the human reproductive system and the menstrual cycle. At Key Stage 4 (ages 14–16) pupils learn about ways in which hormonal control occurs, including the effects of sex hormones. This would include conditions such as endometriosis which can affect fertility and the reproductive system in general.

Information and Communication Technology

Mr. Bercow: To ask the Secretary of State for Education and Skills (1) what the amount is *(a)* in total and *(b)* per pupil spent on information and communication technology in maintained schools since 2001–02, broken down by local education authority in England; [189847]

(2) what the amount is *(a)* in total and *(b)* per pupil spent on information and communication technology in (i) primary and (ii) secondary schools in England since 2001–02. [189848]

Mr. Miliband: The information requested is not available centrally. Figures for England, derived from a sample of schools, are shown in the table. Figures at sub-national level are not available as the sample was not large enough to provide reliable estimates.

The latest information on total ICT expenditure and expenditure per pupil in maintained schools was published in Statistical Bulletin 'Survey of Information and Communications Technology in Schools 2003', which is available on the Department's website www.dfes.gov.uk/rsgateway.

For 2003–04, provisional estimates on ICT expenditure per school were published in a Statistical First Release (27/2004) on 29 July, a copy of which is also available on the Department's website. For the purposes of completeness, these figures are also shown in the table.

Expenditure on information and communications technology in maintained primary, secondary and special schools, England—as at 31 March (financial year end)

	2001	*2002*	[1]*2003*	*2004*
Primary				
Total expenditure (£ million)	186	231	201	n/a
Average expenditure per pupil (£)[2]	42	59	56	n/a
Average expenditure per school (£)	10,300	12,900	11,300	14,800
Secondary				
Total expenditure (£ million)	210	260	223	n/a
Average expenditure per pupil (£)[2]	66	81	69	n/a
Average expenditure per school (£)	60,300	75,300	65,100	88,600
Special				
Total expenditure (£ million)	15	17	15	n/a
Average expenditure per pupil (£)[2]	166	333	259	n/a
Average expenditure per school (£)	13,300	15,100	13,600	18,900

n/a = Data is not currently available.

[1] The average expenditure for schools in 2003 may not be comparable to other figures in the time series due to a change in the guidance notes for the survey.

[2] Headcount of pupils.

Resources for Children and Learners

Chris Grayling: To ask the Secretary of State for Education and Skills pursuant to the written ministerial statement of 16 September 2004, *Official Report*, columns 153–54WS, on Resources for Children and Learners what proportion of the extra funding announced for the next spending review period has been allocated to *(a)* early years, *(b)* primary schools, *(c)* secondary schools, *(d)* school sixth forms, *(e)* further education and *(f)* higher education. [191816]

Mr. Charles Clarke: The written statement I gave to the House on 16 September gave high level allocations across my Department's responsibilities. There are still some further considerations required at individual programme level before all allocations are finalised. Once these considerations are concluded we will present the detailed allocations to Parliament in the Departmental Annual Report.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

BSE

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs in which other countries cases of BSE have been verified; and how many cases were reported *(a)* in the EU and *(b)* in the USA between 2000 and 2004. [189628]

Mr. Bradshaw: The Office International des Epizooties (OIE) website shows that the following countries have verified cases of BSE which have been reported:

Austria
Belgium
Canada
Czech Republic
Denmark
Finland
France
Germany
Greece
Ireland
Israel
Italy
Japan
Liechtenstein
Luxembourg
Netherlands
Poland
Portugal
Slovakia
Slovenia
Spain
Switzerland
United Kingdom

(a) The number of cases of BSE reported in the EU between 2000 and 2004 was 8,319 (the data for 2004 is available only up to July for a few countries); *(b)* while one case of BSE was diagnosed in the USA in 2003 it was confirmed as having been imported from Canada.

BSE statistics worldwide can be found on the OIE website address at: http://www.oie.int/eng/info/en_esbmonde.htm

Executive Agencies

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the salaries of the Chief Executive of each agency which falls under her Department. [189614]

Alun Michael: Salaries of Defra's agency Chief Executives are published in each agency's annual report and accounts, which are presented to Parliament each year and placed in the Library of the House.

Farm Incomes (Buckingham)

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on recent trends in farm incomes in the Buckingham constituency. [189856]

Alun Michael: Data on farm incomes at constituency level are not available at constituency level. Figures for the Government Office Region for the South East (including London) are shown in the table. Information on farm incomes for 2003–04 will be published in early December.

Net farm incomes for farms greater than eight ESU in south-east GOR (incl. London)

	£
1996–97	34,262
1997–98	13,516
1998–99	5,005
1999–2000	3,718
2000–01	3,711
2007–02	5,306
2002–03	8,595

Source:
Farm Business Survey

Farm Subsidies

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what the start date is for single farm payments. [190374]

Alun Michael: The Single Payment Scheme will start on 1 January 2005. The European Regulations require 2005 payments to be made between 1 December 2005 and 30 June 2006. Our objective is to make payments as promptly as possible within that period.

Fisheries

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has for the future management of the *(a)* six and *(b)* 12-mile fishing zones around the UK coast; and whether regulation will impact upon UK and non-UK vessels uniformly. [190105]

Mr. Bradshaw: Under the CFP only UK vessels can fish within six miles of our coast and only vessels with historic rights can fish in the six to 12 mile zone. The reformed CFP enables member states to take conservation measures applying to all vessels. We are currently considering the future of inshore fisheries management as part of the response to the Prime Minister's Strategy Unit Report "Net Benefits: A Sustainable and Profitable Future to UK Fishing".

Foot and Mouth

Mr. Boris Johnson: To ask the Secretary of State for Environment, Food and Rural Affairs whether footage of the video taken by Northumberland Trading Standards on 23 February 2001 of the conditions on Burnside Farm was submitted to the Anderson Lessons Learned Inquiry. [190218]

Mr. Bradshaw: Defra has no record of the video, taken by an official of the Northumberland Trading Standards Department, of the conditions at Burnside Farm, run by Mr. Bobby Waugh, being submitted to the Anderson Lessons Learned Inquiry. The video was shown at Mr. Waugh's trial for breach of his waste food feeding licence which was held in May 2002.

The Anderson Inquiry was given and published a full investigation of the causes of the outbreaks of foot and mouth in 2001 and also saw records of the State Veterinary Service visits to the farm. The video contains no new information.

Information and Communication Technology

Mr. Jenkins: To ask the Secretary of State for Environment, Food and Rural Affairs how many information and communication technology specialists are in full-time employment in the Department. [189584]

Alun Michael: The situation in Defra has changed recently and it may assist if I explain the background. A review of the Better Quality Services Programme for Defra IT was undertaken in 2001. This review concluded that Defra IT services should be outsourced, with some functions and strategic control remaining in Defra. IBM has been selected to run IT Services for Defra and the service commenced on 1 October 2004. Staff undertaking roles that were within the scope of the outsource transferred to IBM under the Transfer of Undertakings (Protection of Employment) Regulations 1981.

Ten full-time ICT specialists remain with the Department in the Intelligent Customer Function while 255 full-time ICT specialists were categorised as being in scope for outsourcing and are now employed by IBM.

Over-30 Month Cattle Scheme

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what the saving would be of moving the over-30 month scheme to *(a)* over 36 months and *(b)* over 48 months. [189619]

Alun Michael: The approximate savings that would have been made from the year commencing 1 July 2003 of moving the over-30 month scheme to *(a)* over 36 months and *(b)* over 48 months are set out in the following table:

£ million

Costs[1]	*(a)* *Over 36 months*	*(b)* *Over 48 months*
Producer compensation payments	10.516	32.207
Carcase disposal	6.044	18.51
Total	16.56	50.717

[1] Based on current unit costs

Pet Animals Protection Convention

Paul Flynn: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to sign the European Convention for the Protection of Pet Animals; and if she will make a statement. [190461]

Mr. Bradshaw: The Government plans to review the UK's position on signing the Council of Europe Convention on the Protection of Pet Animals once the Animal Welfare Bill is enacted.

Registered Holdings

Mr. Llwyd: To ask the Secretary of State for Environment, Food and Rural Affairs how many registered holdings there are for European subsidy purposes; how many there were in 1994; and if she will make a statement. [188991]

Alun Michael: The number of holdings that registered/submitted applications for European subsidy purposes in 2004 and 1994, under the Integrated Administration and Control System are set out in the following table.

The figures for Wales, Scotland and Northern Ireland were provided by their respective devolved assemblies.

	1994	*2004*
England	81,224	71,978
Wales	20,919	16,814
Scotland	25,542	19,675
Northern Ireland	28,748	24,944

Rural Payments Agency

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what factors underlay the decision to set the salary for the Chief Executive of the Rural Payments Agency at its present level. [189618]

Alun Michael: The Rural Payments Agency brought together functions from the former Ministry of Agriculture, Fisheries and Food's regional centres and the former Intervention Board. The purpose was to streamline, modernise and reduce the costs of administering Common Agricultural Policy (CAP) schemes, while delivering a high-quality service to farmers and traders. This new agency required a leader with a successful track record of delivering radical change in a substantial delivery organisation and it demanded someone who could sustain a high level of performance. The Chief Executive post was therefore advertised in 2000 as an Open Competition. Since then there has been the additional challenge of delivering successful implementation of CAP reform. The external market and the high expectations of the post holder were factors in determining the salary. The salaries of chief executives are reported to Parliament in the usual way.

Sea Bass

Mr. Sanders: To ask the Secretary of State for Environment, Food and Rural Affairs if she will liaise with other Departments to ensure that their catering policies source sea bass from hand line fisheries. [188137]

Mr. Bradshaw: Defra is compiling a catering services procurement toolkit that will include guidance on the relevance of fish sources to the Government's sustainable development objectives for food. This guidance will be published on Defra's website and central Departments will be notified directly.

The current draft does not refer to individual species of fish and nor does it suggest preferred catch methods but it does suggest that the method of catch should be labelled so that paying customers can make an informed choice when choosing dishes of food.

Defra supports the sourcing of sea bass from responsibly managed fisheries. Hand lining is a relatively low impact method of fishing and so can help fisheries to remain sustainable. Advice from the International Council for the Exploration of the Seas on sea bass has been that the level of exploitation of the stock appeared to be sustainable. New advice is due shortly which we will be considering carefully to ensure that this stock remains sustainably exploited. There are also currently no restrictions at a UK or community level on the method of fishing that can be used to target bass.

In these circumstances I consider it would be inappropriate to advise Departments to encourage their caterers to restrict the source of bass they purchase to hand line fisheries only.

Sugar

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with sugar beet farmers from the Vale of York on the reform of the EU Sugar regime. [190373]

Alun Michael: Ministers and officials frequently meet farming organisations, including the National Farmers Union, to discuss a range of topical subjects including sugar reform. The current chairman of the NFU Sugar Board is a beet farmer from the Vale of York.

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the future of sugar beet farming in *(a)* the Vale of York and *(b)* England. [190379]

Alun Michael: The Government have consistently pressed for early and radical reform of the EU sugar regime, which is now seriously out of line with the decoupled, market-based approach already adopted for virtually all of the rest of the Common Agricultural Policy. The current regime also gives rise to major distortions in international trade, some of which are under active challenge in the WTO.

Negotiations are beginning in Brussels on a European Commission approach to reform which would mark a step change in the operation of the regime, bringing prices significantly closer to world levels and moving towards a more liberalised and competitive system based on comparative advantage rather than historic production and national self-sufficiency. We have welcomed this as an important step on the right direction.

We are in close touch with British Sugar, the National Farmers Union and a wide range of interests, both in the UK and elsewhere, who will be affected. The consultation exercise which we carried out on the Commission's original options paper last year will be followed by a further consultation once formal legislative proposals are tabled. We will also be providing Parliament with a full Regulatory Impact Assessment as soon as the detail is clearer. In addition we will shortly be publishing independent research on the economic, social and environmental implications in the UK of sugar reform. This should help to make clearer the likely impacts on sugar beet farming in the United Kingdom, as well as putting the reform into the wider context of decoupled support for agriculture.

Supermarkets Code of Practice

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions on the Supermarkets Code of Practice she has had with *(a)* the Secretary of State for Trade and Industry, *(b)* farming organisations, *(c)* supermarkets, *(d)* retailer representatives and *(e)* other relevant bodies. [190124]

Alun Michael: Responsibility for the Code of Practice rests with the Office of Fair Trading. However, as Defra is the sponsor Department for the farming and food industries, the subject of the Code will have arisen in the course of discussions and correspondence between Defra and representatives of various bodies, including farming and retail organisations. We have also discussed the Code with the Department of Trade and Industry and the Office of Fair Trading.

HOME DEPARTMENT

Correspondence

Sir Gerald Kaufman: To ask the Secretary of State for the Home Department when he will reply to the letter to him dated 21 July from the right hon. Member for Manchester, Gorton with regard to Mr. Farag Elkailani. [189707]

Mr. Blunkett: I replied to my right hon. Friend on 15 September 2004.

Identity Cards

Mr. Cousins: To ask the Secretary of State for the Home Department what the *(a)* nature and *(b)* values are of his Department's consultancy contracts for, and in relation to, the identity card scheme. [188703]

Mr. Browne: There is one current Home Office consultancy contract in relation to the identity card scheme. PA Consulting Group were engaged in May 2004 as the Home Office's development partner providing resources in support of programme development.

Marriage (Denmark)

Mr. Hancock: To ask the Secretary of State for the Home Department if he will commission research into the effects of legislation in Denmark which require that applicants and sponsors, for the purpose of marriage, from outside the EU must be aged over 24 years. [189391]

Mr. Browne: No. We are aware of the Danish requirement and we will be looking at reports on the effectiveness of this measure as a means of preventing marriage abuse. We are also keeping our own marriage provisions—including the extension of the probationary period, and the requirement for foreign nationals to give notice of their marriage at certain designated register offices under review and will make any changes to the Rules that we consider necessary.

TRANSPORT

Galileo Satellite

Mr. Gerald Howarth: To ask the Secretary of State for Transport (1) if he will make a statement on the military implications for Galileo arising from the EU White Paper, "New Frontier for an Expanding Union" published in June; [190054]

(2) if he will make a statement on the military implications for Galileo arising from the meeting of the Council of the European Union's politico-military group on 8 September. [190075]

Mr. Jamieson: The Galileo satellite navigation system is being developed by the European Union and the European Space Agency as a civil project for transport and other non-military applications. It has been stated by successive Transport Councils that Galileo is a civil programme under civil control. A Joint Action of the Council has been agreed which enables referral of aspects of the Galileo programme that relate to the security of the European Union or its member states to an appropriate formulation of Council, i.e. Pillar II, where unanimity applies.

Driving Licences

Mr. Gray: To ask the Secretary of State for Transport what discussions he has held with European Union institutions about the standardisation of driving licences across the EU. [190806]

Mr. Jamieson: The European Commission published a proposal for a Third Directive on driving licensing on 5 December 2003. The Directive aims to promote free movement of citizens, improve road safety and increase the security of the driving licence system. My officials consulted fully and widely on these proposals during spring 2004. After detailed discussions in the Council Working Group, at which the European Commission was present, on 7 October the Transport Council reached a general approach on the Directive, which meets most of the Government's key objectives. The European Parliament is expected to complete its First Reading of the proposal in January 2005. I shall be writing shortly to the Chairmen of the Lords and Commons European Scrutiny Committees to bring them up to date on progress.

Pedestrian Walkways

Martin Linton: To ask the Secretary of State for Transport what powers are vested in *(a)* local authorities and *(b)* the police to prevent motorised vehicles from blocking pedestrian walkways. [190591]

Charlotte Atkins: Section 137 of the Highways Act 1980 makes it an offence to obstruct a highway without lawful authority. The pedestrian footway is part of a highway. The police may issue a fixed penalty notice for such obstruction. However, in London, by virtue of section 8 of the London Local Authorities and Transport for London Act 2003, authorised officers of borough councils and Transport for London are also empowered to issue a fixed penalty notice for the offence of obstruction under section 137 of the 1980 Act.

Section 15 of the Greater London (General Powers) Act 1974 makes it an offence to park a vehicle on footways and grass verges in London. This offence has been decriminalised under section 76 of the Road Traffic Act 1991 and, unless parking on the pavement has been specifically allowed at a particular location, London borough council parking attendants may issue a penalty charge notice where a vehicle is found parked on a pedestrian footway.

TRADE AND INDUSTRY

BT

Malcolm Bruce: To ask the Secretary of State for Trade and Industry pursuant to the answer of 28 April 2004, *Official Report*, column 1150W, on BT, if she will make a statement on the progress of the review of the rating system; whether she has received its initial findings; and when she expects the report to be published. [190703]

Mr. Sutcliffe: The independent rates review recommended by the Broadband Stakeholders Group (BSG) is currently at draft stage. The first draft was produced in the summer; a final draft is due at the end of October and it is expected that it will be presented to the Broadband Stakeholders Group in November.

Combined Heat and Power

Llew Smith: To ask the Secretary of State for Trade and Industry what factors governed the date of publication on the departmental website of the report by Cambridge Econometrics consultants on "Modelling Good Quality Combined Heat and Power Capacity To 2010: Revised Projections". [190798]

Mr. Mike O'Brien: Cambridge Econometrics' report titled "Modelling Good Quality Combined Heat and Power Capacity to 2010: Revised Projections" was completed on 6 November 2003 and made available on DTI's website on 12 November 2003.

Entrepreneurship Education

Chris Ruane: To ask the Secretary of State for Trade and Industry what discussions she has had with the Department for Education and Skills to promote education in entrepreneurship in schools and colleges. [190837]

Jacqui Smith: My right hon. Friend has regular meetings with the Secretary of State for Education and Skills during which they discuss a wide range of issues, including enterprise education and work-related learning, which is now a statutory requirement in English secondary schools.

In this context our two Departments have been working closely to ensure that all young people are provided with a wide range of high quality, relevant, structured experiences of work that will develop enterprise capability, innovation, creativity, risk management and risk-taking. This is necessary to prepare young people for the world of work and to equip them with the enterprise and employability skills to meet employer and workplace demands as well as the ability to start and successfully run their own businesses.

That is why she welcomed the recommendations made by Sir Howard Davies in his Review of the Economy and Enterprise Education and the commitment made in the 2002 Budget to ensure that from 2005 all year 10 pupils will have the opportunity to experience five days enterprise learning, helping to develop the knowledge, skills and attitudes for enterprise capability, financial capability and economic and business understanding. The commitment also provides funding for Enterprise advisers to work with 1,000 secondary schools in deprived areas in order to give extra support to the enterprise education agenda.

Both DTI and DfES along with other government departments are supporting the UK's first Enterprise Week—Make Your Mark Campaign on 15–21 November 2004. It aims to inspire people in their teens and twenties to be enterprising, and to engage those who influence young people or provide services for them in a discussion about the importance of enterprise. Enterprise Week is co-ordinated by Enterprise Insight, which was founded by the UK's main business organisations working in partnership with leading enterprise development organisations.

Post Office

Chris Ruane: To ask the Secretary of State for Trade and Industry what *(a)* representations she has received and *(b)* consultation has taken place with sub-post masters concerning the speed of the New Horizon computer system. [190285]

Mr. Sutcliffe *[holding answer 13 October 2004]*: None. Issues relating to the post office network computer system are operational matters for the company.

Mr. Wiggin: To ask the Secretary of State for Trade and Industry how many post offices have closed in Pembrokeshire since May 1997. [190899]

Mr. Sutcliffe: I am advised by Post Office Ltd. that data on post office closures by county or constituency is not available in the form requested, as the company does not require this data for operational purposes.

However it has produced quarterly statistics on post office closures by Government region/country since March 2000 and the net closure figures for Wales are:

Year to end March	*Number*
2001	68
2002	26
2003	18
2004	73
2005 (first quarter only)	45

Wind Energy

Mr. Ben Chapman: To ask the Secretary of State for Trade and Industry pursuant to her answer of 14 September 2004, *Official Report*, column 1541W, on wind energy, what assessment she has made of the *(a)* impartiality and *(b)* objectivity of the study commissioned by the British Wind Energy Association. [189692]

Mr. Mike O'Brien: None. Though similar studies, including the one by S.W. White and G.L. Kulcinski at the University of Wisconsin, and detailed within the House of Lords Science and Technology Committee, 4th Report of Session 2003–2004, "Renewable Energy: Practicalities", show shorter payback periods for wind farms.

Women and Work Commission

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry pursuant to her written statement of 11 October 2004, *Official Report*, columns 6–8WS, on the Women and Work Commission, what the proposed *(a)* resource budget and *(b)* departmental staff numbers to support the Women and Work Commission are; and if she will make a statement. [191855]

Jacqui Smith: The Women and Work Commission is an ad hoc advisory body of unpaid Commissioners who will report within a year. Support for the Commission will come from existing DTI/Women and Equality Unit resources.

(a) The projected resource budget is £300,000 of which £150,000 is projected administration costs and 150,000 is programme budget.

(b) The WWC Secretariat consists of three dedicated full time equivalent posts.

WORK AND PENSIONS

Benefits (East Lothian)

Anne Picking: To ask the Secretary of State for Work and Pensions what the average minimum income guarantee payment is to pensioners in East Lothian constituency. [190146]

Malcolm Wicks: The minimum income guarantee was replaced by pension credit from 6 October 2003. The average pension credit award in East Lothian at 31 August 2004 was £36.54.

Anne Picking: To ask the Secretary of State for Work and Pensions how many pensioners were in receipt of minimum income guarantee in East Lothian constituency at the last date on which it was paid. [190148]

Malcolm Wicks: As at 3 October 2003, there were 2,360 minimum income guarantee claimants in East Lothian parliamentary constituency. Pension credit replaced minimum income guarantee as at 6 October 2003.

Note:

Figures are rounded to the nearest 5.

Anne Picking: To ask the Secretary of State for Work and Pensions how many pensioners are *(a)* eligible for and *(b)* in receipt of pension credit in East Lothian constituency. [190147]

Malcolm Wicks: Information on the number of people likely to be eligible for Pension Credit is not available at constituency level. However, we estimate that approximately 350,000 households in Scotland, corresponding to approximately 450,000 individuals (rounded to the nearest 50,000), are likely to be eligible for pension credit in 2004–05. Information on the number of pension credit recipients in Scotland and East Lothian is given in the table.

Pension credit recipients, 31 August 2004

	Households	*Individuals*
Scotland	271,900	325,355
East Lothian	3,635	4,400

Notes:

1. Figures are rounded to the nearest five

2. Individual recipients include a small number of partners under age 60

Occupational Pension Schemes

Mr. Webb: To ask the Secretary of State for Work and Pensions how many letters he has sent to occupational pension schemes in wind-up, in connection with his Financial Assistance Scheme, asking them to supply scheme data by 12 November; and if he will estimate the average cost to each scheme of providing the information requested. [190645]

Malcolm Wicks: Letters were sent to scheme trustees, administrators and actuaries through a number of professional bodies on behalf of the Department. The professional bodies who agreed to send these letters included the Occupational Pensions Regulatory Authority; the Association of Corporate Trustees; the Faculty and the Institute of Actuaries and the National Association of Pension Funds. They were advised to circulate the letter as widely as possible and it is also available on the Department's website.

The cost of providing the information requested will depend on the quality and availability of individual scheme records. The impact, if any, on scheme funds in providing this information, will depend on the extent to which those involved in administering the schemes are able to absorb any costs incurred rather than passing them on to scheme funds. The Government are still seeking industry contributions to the Financial Assistance Scheme and this is an opportunity for members of the pensions industry to provide one. We encouraged those involved to keep costs to a minimum.

Pension Credit

Mr. Webb: To ask the Secretary of State for Work and Pensions how many over-75s are claiming the guarantee credit element of the pension credit. [190644]

Malcolm Wicks: As at August 2004, the number of customers aged 75 and over claiming the guarantee credit element of pension credit was 1,081,430.

David Taylor: To ask the Secretary of State for Work and Pensions what review of the application process for receipt of the pension credit has been undertaken since the scheme was introduced. [190370]

Malcolm Wicks: The application process for pension credit has been designed to be straightforward for pensioners and their family and friends, who may apply on their behalf. The pension credit application line (freephone 0800 99 1234), which is the main method of applying, is working well and at the end of August had taken around 4.48 million calls since it became operational on 7 April 2003. The Pension Service is able to offer alternative ways of applying to suit individual circumstances. Independent research, a summary of which was placed in the Library in January, found high levels of customer satisfaction with the application line and with the application process overall. We have made minor improvements to the application process in the light of experience and will continue to do so, although there are no current plans for a fundamental review.

TREASURY

Gift Aid

14. **John Barrett:** To ask the Chancellor of the Exchequer when he intends to announce the outcome of the consultation on his Department's plans to amend the Gift Aid rules on day memberships. [190550]

John Healey: Representatives of heritage and conservation charities have been involved in discussions about possible changes to the Gift Aid rules. We are considering carefully the points they and others have raised, and we will consider changes as part of the normal Budget process.

Carbon Dioxide Emissions

15. **Mr. Blizzard:** To ask the Chancellor of the Exchequer what his policy is on using fiscal measures to encourage reduction in carbon dioxide emissions. [190551]

John Healey: The Government believe that well-designed economic instruments, alongside other policies, can play an important role in reducing CO_2 emissions. A number of measures have been introduced to help achieve this, including the Climate Change Levy, Company Car Tax reform and Enhanced Capital Allowances for energy-saving equipment. The Government will continue to explore options for using cost-effective economic instruments, including fiscal measures, to reduce CO_2 emissions, taking account of all social, economic and environmental objectives.

Science

17. **Dr. Iddon:** To ask the Chancellor of the Exchequer what recent representations he has received on Government expenditure on science. [190553]

John Healey: The Government regularly receives representation on science spending.

Most recently, in developing the "Science and Innovation Investment Framework 2004–2014", published in July, the Department of Trade and Industry, the Department for Education and Skills and HM Treasury jointly undertook a wide-ranging consultation exercise, and received over 200 replies from individuals and organisations in academia, business, the charity sector, and from the regional and devolved Administrations.

National Insurance Fund

18. **Paul Flynn:** To ask the Chancellor of the Exchequer what his estimate is of the current surplus in the National Insurance Fund. [190555]

Dawn Primarolo: The Government Actuary estimates that the surplus in the National Insurance Fund will be £29.6 billion for 2004–05.

Red Diesel

19. **Mr. Carmichael:** To ask the Chancellor of the Exchequer what steps he is taking to ensure that private pleasure craft will be able to use red diesel after 31 December 2006. [190556]

John Healey: Use of red diesel, which has an effective duty rate of 4.42 pence per litre, is permitted in private pleasure craft in the UK under a derogation from the European Energy Products Directive. This derogation is due to expire at the end of 2006 and we will be discussing it with other member states closer to that date, in the light of the views of stakeholders, including boat owners.

International Currency Transaction Tax

20. **Mr. Barnes:** To ask the Chancellor of the Exchequer what discussions he has held with the Belgian Finance Minister about Belgium's support for an international currency transaction tax. [190557]

Mr. Timms: The Chancellor recently met with a range of finance Ministers, including the Belgian Finance Minister, at the Annual Meetings at which there was a discussion regarding an international currency transaction tax. The Government are open to exploring the full range of options for financing for development, and welcomes the recent reports of the French-Brazilian-Spanish-Chilean-UN and Landau working groups. The UK Government will continue to explore international taxes as potential long-term sources of development finance, but in the short-term the IFF remains the only workable proposal on the table to generate the resources urgently needed to help meet the MDGs.

Third World Poverty

21. **Linda Gilroy:** To ask the Chancellor of the Exchequer if he will make a statement on UK investment in tackling poverty in developing countries. [190558]

Mr. Timms: The Government are making a considerable and increasing investment in tackling poverty in developing countries. As announced in the 2004 Spending Review, the budget of the Department for International Development (DFID) will grow by an average of 9.2 per cent. a year in real terms over the three years of the Spending Review period, to more than £5.3 billion a year by 2007–08. Total UK official development assistance will reach nearly £6.5 billion a year by 2007–08. This is equal to 0.47 per cent. of Gross National Income (GNI) and represents a real terms increase in UK ODA of 140 per cent. since 1997.

Millennium Development Goals 2015

22. **Jim Knight:** To ask the Chancellor of the Exchequer if he will make a statement on his Department's involvement in progress towards the 2015 Millennium Development Goals. [190559]

Mr. Timms: HM Treasury works very closely with the Department for International Development towards our shared objective of making progress towards the Millennium Development Goals (MDGs).

We share a Public Service Agreement Target on progress for poor countries through the Heavily Indebted Poor Countries initiative and on ensuring that our international partners work effectively towards meeting the MDGs.

We have massively increased aid since 1997 towards meeting the MDGs. Through Spending Review 2004, total UK Official Development Assistance (ODA) will reach nearly £6.5 billion a year by 2007–08, which represents a 73 per cent. real times increase in total UK ODA since 2001, and a 140 per cent. real terms increase since 1997.

We have been at the forefront of calls for additional debt relief, including the Chancellor's recent announcement that the UK will provide our share of up to 100 per cent. multilateral debt relief for the world's poorest countries.

And because we know that on current trends we will not meet the MDGs in 2015, we are calling for an International Finance Facility that would provide the additional funding needed immediately to make progress towards the MDGs.

Oil Price

23. **Kevin Brennan:** To ask the Chancellor of the Exchequer what assessment he has made of the macroeconomic implications of recent oil price fluctuations on the UK economy. [190560]

John Healey: The Government will publish updated forecasts for the UK and world economies in Pre-Budget Report 2004 as usual, taking into account all relevant factors and developments, including oil prices.

Tax/Pension Credits

24. **Lynne Jones:** To ask the Chancellor of the Exchequer what discussions he has had with Cabinet colleagues regarding the *(a)* tax credit and *(b)* pension credit systems. [190561]

Dawn Primarolo: Tax credits have been hugely successful in their prime aims of tackling child poverty and making work pay.

John Thurso: To ask the Chancellor of the Exchequer how many new claims for tax credits have been received but not yet processed, broken down by region. [190164]

Dawn Primarolo: It is not possible to break down the number of claims for new tax credits that have been received but not yet processed by region. Over 150,000 new claims were received during September.

Hugh Bayley: To ask the Chancellor of the Exchequer how much on average tax credits add to the income of a family with two children on a wage of *(a)* £10,000 and *(b)* £15,000 a year. [191226]

Dawn Primarolo: The figures requested are in the following table.

£

Family wage	*Child tax credit*	*Working tax credit (not including childcare element)*[1]	*Total*
10,000	3,803.30	1,935.35	5,738.65
15,000	3,803.30	85.35	3,888.65

[1] This Working Tax Credit award assumes that the families qualify for the premium available for working at least 30 hours a week.

These families may also qualify for up to £7,300 a year through the Childcare element of Working Tax Credit, which covers up to 70 per cent. of eligible childcare costs (subject to cost limits of £200 a week for families with two or more children).

Mr. Laws: To ask the Chancellor of the Exchequer (1) how many people in Yeovil constituency were *(a)* overpaid and *(b)* underpaid tax credits in (i) 2002–03, (ii) 2003–04 and (iii) 2004–05 to date; and if he will make a statement; [191316]

(2) what his latest estimate is of the number of overpayments of *(a)* working tax credit and *(b)* child tax credit in (i) 2001–02, (ii) 2002–03, (iii) 2003–04 and (iv) 2004–05 to date; and if he will make a statement; [191774]

(3) what his estimate is of the tax credit *(a)* underpayments and *(b)* overpayments for each year from 2001–02 to 2004–05; and what proportion of underpayments for (i) 2002–03 and (ii) 2003–04 have now been paid in full to those entitled; [191778]

(4) what his latest estimate is of the total costs of *(a)* overpayments and *(b)* underpayments of tax credits for each year from 2001–02 to 2003–04; and if he will make a statement. [191792]

Dawn Primarolo: I refer the hon. Member to my answer to the hon. Member for Isle of Wight (Mr. Andrew Turner) on 11 October 2004, *Official Report*, columns 81–82W.

Tim Loughton: To ask the Chancellor of the Exchequer how many recipients of working tax credit have been refunded for underpayments in the last 12 months and subsequently told that the underpayment recalculations were wrong. [189432]

Dawn Primarolo: 6.1 million families are benefiting from one or both of the Child and Working Tax Credits. The treatment of overpayments arising from official error is described on page 8 of Code of Practice 26 "What happens if we have paid you too much tax credit?". Figures for the number of Working Tax Credit recipients affected are not available.

Capital Gains Tax

Ms Buck: To ask the Chancellor of the Exchequer if he will estimate the annual revenue from capital gains tax if the exemption of owner occupied housing were removed. [191570]

Mr. Timms: The latest estimated costs of exempting gains arising on a disposal of a main or only residence were given in Chapter A of Budget 2004.

These costs are not the same as the yield from abolition of the relief, as consequential effects on the housing market would substantially reduce the yield. Reliable estimates of the yield from imposing capital gains tax at present rates on the disposal by individuals of their only or main residences are available only at disproportionate cost.

Employment (Glasgow)

Mr. David Marshall: To ask the Chancellor of the Exchequer what his estimate is of the total number of jobs located in the City of Glasgow; and what percentage of the total number of jobs in Scotland this figure represents. [190996]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. David Marshall, dated 14 October 2004:

As National Statistician I have been asked to reply to your recent Parliamentary Question about jobs located in the City of Glasgow. (190996)

In 2002, the latest year for which figures are available, there were 385,000 employee jobs located in the unitary authority of the City of Glasgow. This represented 17 per cent. of all employee jobs in Scotland.

Incapacity Benefit

Mr. Berry: To ask the Chancellor of the Exchequer whether Inland Revenue information on incapacity benefit indicates to recipients that if their benefit dates from before 12 April 1995 the payments are free of income tax. [190903]

Dawn Primarolo: The Inland Revenue's leaflet IR144 "Income Tax and Incapacity Benefit" printed in May 2002 makes clear that a claimant's local Benefit Office, which is part of the Department for Work and Pensions, will advise if Incapacity Benefit is taxable or not. The SATax Return Guide refers to the tax treatment of Incapacity Benefit for those whose claim is for a period before 13 April 1995. It goes on to say that the Department of Work and Pensions (DWP) will provide a form showing whether the benefit is taxable.

International Finance Facility

Dr. Palmer: To ask the Chancellor of the Exchequer what progress is being made with the International Finance Facility. [190554]

Mr. Boateng: Good progress has been made recently with the International Finance Facility. The World Bank's final paper on Aid Effectiveness and Financing Modalities found that the IFF was technically feasible and noted that the IFF was the most advanced proposal to frontline aid. Communiques from the meetings welcomed the Bank and Fund analysis of options to increase aid flows, such as the IFF, and looked forward to a further report on options to take these forward. Furthermore, all Nordic countries supported the IFF's potential róle in providing additional finance for development. The IFF will be central to the UK Presidencies of the G7 and EU in 2005.

Tom Brake: To ask the Chancellor of the Exchequer pursuant to the oral answer from the Chancellor of the Exchequer of 17 June 2004, *Official Report*, column 895, on the International Finance Facility, if he will make a statement on the September reports by the World Bank and the International Monetary Fund regarding the UK's proposal for the international finance facility. [190905]

Mr. Timms: Good progress was made on the International Finance Facility (IFF) at the Annual Meetings this year. The World Bank's final paper on Aid Effectiveness and Financing Modalities found that the IFF was technically feasible and noted that the IFF was the most advanced proposal to frontload aid. Communiqués from the meetings welcomed the Bank and Fund analysis of options to increase aid flows, using such mechanisms as the IFF, and looked forward to a further report on options to take these forward. The UK Government will be taking forward the proposal in 2005 when the IFF will be central to the UK Presidencies of the G7 and EU in 2005.

Lorry Road-user Charge Management Authority

Mr. Streeter: To ask the Chancellor of the Exchequer (1) what the proposed functions of the Lorry Road-User Charge Management Authority are; [190646]

(2) what the proposed total costs are for setting up the Lorry Road-User Charge Management Authority in *(a)* 2004–05, *(b)* 2005–06, *(c)* 2006–07 and *(d)* 2007–08. [190651]

John Healey: I refer the hon. Gentleman to the answer I gave to the hon. Member for South Suffolk (Mr. Yeo) on 12 October 2004, *Official Report*, column 243W. HM Customs and Excise's plans for the Lorry Road-User Charge (LRUC) include the setting up of an LRUC Management Authority (MA).

The Government set out the proposed functions of the MA in "Modernising the taxation of the haulage industry: lorry road-user charge—Progress report 3" in

March 2004, a copy of which is available in the Library of the House. Since then Customs have been doing more work on the MA's functions, although final decisions about its scope and the timetable for the transition from a procurement programme to a Management Authority have yet to be taken.

Pensioners

Andrew Selous: To ask the Chancellor of the Exchequer how many pensioners live in the South West Bedfordshire constituency. [191010]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Mr. Len Cook to Mr. Andrew Selous, dated 14 October 2004:

As National Statistician and Registrar General for England and Wales I have been asked to reply to your recent question asking how many pensioners live in the South West Bedfordshire constituency. (191010).

The latest available data for constituencies can be found in reports from the 2001 population census.

Figures from the Census 2001—Census Area Statistics for parliamentary Constituencies in England and Wales Indicate that on census day (29th April 2001) there were 15,401 people of pensionable age, (5,645 males aged 65 and over, and 9,756 females aged 60 and over), resident in the South West Bedfqrdshire constituency.

The Census 2001—Census Area Statistics for Parliamentary Constituencies in England and Wales CD was released on the 16th September 2004 and is now available in the House of Commons Library.

HEALTH

Cardiac Care

Mr. Swayne: To ask the Secretary of State for Health if he will make a statement about proposed changes to the provision of cardiac rehabilitation services in south-west Hampshire. [190754]

Ms Rosie Winterton: The configuration of local health services, including the provision of cardiac rehabilitation services, is a matter for the local national health service, working in partnership with its stakeholders and the local community. It is for NHS organisations to plan and develop services based on their specific local knowledge and expertise.

Departmental Services

Bob Spink: To ask the Secretary of State for Health which services within his Department will be *(a)* affected by and *(b)* subject to job losses consequent on the cuts in the civil service announced in the Spending Review. [189638]

Ms Rosie Winterton: I refer the hon. Member to the reply given by my right hon. Friend the Chief Secretary to the Treasury (Mr. Boateng), on 16 September 2004, *Official Report*, column 1659W.

Derriford Hospital

Mr. Streeter: To ask the Secretary of State for Health (1) what assessment he has made of the treatment provided for Mr. and Mrs. Walker by Derriford hospital in Plymouth on 3 September; and if he will make a statement; [190648]

(2) what the total cost was to the NHS of transporting Mrs. Paula Walker of Plympton from Derriford hospital, Plymouth to Merthyr Tydfil hospital and then on to Winchester hospital, in September. [190649]

Ms Rosie Winterton: The Department has not made an assessment of the treatment provided for Mr. and Mrs. Walker at Derriford hospital in Plymouth on 3 September. In line with our policy of shifting the balance of power, responsibility for the provision of local health services rests with local national health service trusts and decisions about the treatment for patients are the responsibility of the clinicians involved in individual cases. The Plymouth Hospitals NHS Trust is responsible for services provided at Derriford hospital. The information requested about the cost to the NHS is not collected centrally.

Devon NHS Partnership Trust

Mrs. Browning: To ask the Secretary of State for Health (1) how many places for heroin addiction for people aged *(a)* under 18 and *(b)* over 18 are provided by the Devon NHS Partnership Trust; [190867]

(2) what the average waiting time for mental health patients referred by general practitioners to community health teams is in the Devon NHS Partnership Trust area. [190868]

Ms Rosie Winterton: The information requested is not collected centrally.

Drug Addiction Treatment

Mr. Battle: To ask the Secretary of State for Health (1) if he will make a statement on the availability of drug rehabilitation services in Leeds; [189951]

(2) what changes in waiting times for drug addiction treatment there have been since 1997 in *(a)* West Yorkshire, *(b)* Leeds and *(c)* Leeds West Primary Care Trust area; and if he will make a statement. [190006]

Miss Melanie Johnson: A full range of drug services is provided in Leeds through both statutory and voluntary providers in accordance with the interventions identified in tiers 1–3 of "Models of Care". The city of Leeds does not have a tier 4 residential rehabilitation or in-patient detoxification service. All clients are provided with these services out of the city. The National Treatment Agency (NTA) is working with the local drug action team (DAT) to improve waiting times for these services.

The information requested on waiting times has been collected since 2002 and is shown in the tables.

Average waiting times for drug treatment

Weeks

		Leeds DAT						
Essential treatment modalities	*NTA target*	*December 2002*	*March 2003*	*June 2003*	*September 2003*	*December 2003*	*March 2004*	*June 2004*
In-patient treatment	2	8.0	1.0	1.0	1.5	1.5	—	2.0
Residential Rehabilitation	3	8.0	3.0	2.5	2.0	2.0	—	4.0
Specialist prescribing	3	8.0	2.0	2.0	2.0	1.4	2.0	1.0
GP	2	2.0	11.8	2.0	2.0	2.0	—	1.0
Day care	3	2.0	2.5	1.5	1.0	1.0	1.0	1.0
Structured counselling	2	1.0	0.7	2.0	1.5	1.0	1.0	1.8

Average waiting times for drug treatment

Weeks

		Yorkshire and Humberside						
Essential treatment modalities	*NTA target*	*December 2002*	*March 2003*	*June 2003*	*September 2003*	*December 2003*	*March 2004*	*June 2004*
In-patient treatment	2	4.8	4.0	5.1	3.9	2.6	1.5	1.2
Residential Rehabilitation	3	7.4	3.7	4.0	4.5	6.3	3.3	3.2
Specialist prescribing	3	8.1	5.0	5.3	4.9	4.0	3.4	4.6
GP	2	2.4	3.2	2.4	2.1	1.9	1.5	1.5
Day care	3	2.1	3.6	1.2	1.2	1.0	0.8	1.1
Structured counselling	2	3.3	1.6	2.1	2.1	2.6	2.2	2.2

Source:
National Treatment Agency

Free School Fruit

Sandra Gidley: To ask the Secretary of State for Health pursuant to the answer of 15 September 2004, *Official Report*, column 1646, on free school fruit, how many children will benefit from the school fruit and vegetable scheme in those parts of the Romsey constituency that do not have a Romsey post code. [190300]

Miss Melanie Johnson: Schools in the Romsey constituency will join the school fruit and vegetable scheme in November 2004, when children aged four to six will start receiving a free piece of fruit or vegetable each school day.

We are currently in the process of ensuring schools participate in the scheme and aggregating the numbers of eligible children in each school. In early November, we will know the precise number of children in the Romsey constituency who are benefiting from the scheme.

Hepatitis C

Mr. Page: To ask the Secretary of State for Health what comparisons his Department has made of the prevalence of hepatitis C in the UK with that of other EU members states; and what assessment his Department has made of the reasons for differences. [189818]

Miss Melanie Johnson: In 1996, the French Reseau National de Santé Publique carried out a project funded by the European Commission entitled *European Survey on hepatitis C*[1]. Individual member states provided estimates of the prevalence of hepatitis C in their countries, which are shown in the table. These estimates were based mainly on data about blood donors or selected groups and were presented as an order of magnitude rather than reliable estimates.

The survey showed that the prevalence of hepatitis C tended to be lower in northern European countries and higher in southern European countries. The reasons for these differences are not clear.

[1] Nalpas B, Delarocque-Astagneau E, Desenclos J-C. European Survey on hepatitis C December 1996. Project financed by the commission of the European Community: DG V.

Country estimates of the prevalence of hepatitis C antibodies in the general population in the 15 European Economic Community countries, 1996

Country	*Estimated prevalence (percentage)*
Austria	*0.2–0.8*
Belgium	0.87
Denmark	0.1–0.2
Finland	<0.1
France	1.2
Germany	0.2–0.8
Greece	1.0
Ireland	*0.3–1.0*
Italy	3
Luxembourg	*0.2–0.8*
Netherlands	*0.2–0.8*
Portugal	0.5–0.9
Spain	0.1–2.5
Sweden	0.5
U.K	0.3–1.0

Note:
Figures given in italics were not reported in the survey questionnaires returned by member states, and were estimated by the authors of the report using the prevalence estimates from nearest neighbouring state.

In 1999, the World Health Organisation (WHO) published estimates of global hepatitis C prevalence by country that were derived from published studies and/or data submitted to the WHO. Differences in the population groups studied, methods of data collection and interpretation between countries, and availability of data means that the estimated prevalence shown does not necessarily represent the true prevalence in a country. These estimates are available on the WHO website at http://www.who.int/docstore/wer/pdf/1999/wer7449.pdf.

Mr. Page: To ask the Secretary of State for Health what comparisons his Department has made of the prevalence of hepatitis C in Scotland with that in the remainder of the UK. [189819]

Miss Melanie Johnson: The estimated prevalence of antibody to hepatitis C for the general population in Scotland is 0.9 per cent., compared with 0.5 per cent, for England.

Mr. Burns: To ask the Secretary of State for Health how much he plans to spend on the hepatitis C awareness campaign in *(a)* 2004 and *(b)* 2005. [190290]

Miss Melanie Johnson: The information requested is shown, by financial year, in the table.

Department of Health central funding of activities related to raising awareness of hepatitis C

Financial year	*Amount (£)*
2004–05	[1] 705,000
2005–06	[2] 1,500,000

[1] Forecast expenditure.
[2] Provisional allocation.

Hospital-acquired Infections

Mr. Liddell-Grainger: To ask the Secretary of State for Health whether the national healthcare standards referred to in Towards Cleaner Hospitals and lower rates of infection will replace the National Infection Control standard for acute NHS trusts. [186510]

Miss Melanie Johnson: The standards for better health are a new approach drawing on existing rules and guidance, including the national infection control standard for acute national health service trusts, rather than a direct replacement for the controls assurance standards. The Healthcare Commission will start a consultation in the autumn on how to assess performance against the new standards for better health.

Mr. Lansley: To ask the Secretary of State for Health what advice has been received from the Government's Chief Medical Officer since the publication of the report "Winning Ways" about the approach which hospital chief executives should adopt in responding to recommendations by infection control teams on the closure of contaminated beds, wards and hospitals. [190123]

Miss Melanie Johnson *[holding answer 13 October 2004]:* The Chief Medical Officer has consistently advised that clinical priorities and clinical need should take precedence and guide the actions and decisions of those deciding on the closure of beds, wards and hospitals. Following the publication of "Winning Ways" we would expect the directors of infection prevention and control to advise on these issues to help ensure a consistent approach and for trust boards and chief executives to take account of this advice. The decision to close a ward is a local decision that depends on a local risk assessment.

Tim Loughton: To ask the Secretary of State for Health if he will list the rates of MRSA infections among patients in each hospital trust in each of the last five years. [189408]

Miss Melanie Johnson: Information by individual named trust is only available from 2001, when, for the first time, mandatory surveillance for methicillin resistant *Staphylococcus aureus* blood stream infections was introduced. The rates per 1000 bed days are available on the Department's website at http://www.dh.gov.uk/assetRoot/04/08/58/93/04085893.pdf.

Clive Efford: To ask the Secretary of State for Health what instructions his Department has given to hospital trusts to ensure that the monitoring and detection of MRSA is done on a consistent basis. [189813]

Miss Melanie Johnson: The national health service is recommended by the Department to use the report of a working party of the British Society for Antimicrobial Chemotherapy, Hospital Infection Society and the Infection Control Nurses Association, published in 1998, as guidance on the monitoring of methicillin resistant *Staphylococcus aureus* (MRSA) infection and colonisation. Patients who develop infection will have samples taken as part of their clinical care but trusts will also carry out screening for MRSA infection and colonisation.

The detection and identification of MRSA in samples is set out in the Bacteriology Standard Operating Procedures (BSOP), issued by the Health Protection Agency. All NHS laboratories accredited by Clinical Pathology Accreditation (UK) must have in place standard operating procedures that are based on, or give equivalent results to, these BSOP Standards.

New Zealand Goats Milk

Mr. Drew: To ask the Secretary of State for Health why New Zealand goats milk is being prevented from reaching EU markets; under what procedures this restriction is being enacted; and if he will make a statement. [190209]

Miss Melanie Johnson: Rules on the composition, labelling and promotion of infant formulas and follow-on formulas are laid down in European Directive 91/321/EEC, which is implemented in the United Kingdom through national regulations.

Under the Directive, permitted sources of protein in infant formulas are cows' milk protein, soya protein isolates and partial protein hydrolysates. Infant formulas based on whole goats' milk protein are not permitted.

Mental Health Act

Sarah Teather: To ask the Secretary of State for Health (1) how many patients were sectioned under the Mental Health Act 1983 in each primary care trust (PCT) in London in each year since 1997; and what the average was for PCTs in England and Wales; [190476]

(2) how many patients were sectioned under sections *(a)* 2, *(b)* 3, *(c)* 4, *(d)* 135 and *(e)* 136 of the Mental Health Act 1983 in each primary care trust in London in

each year since 1997; and what the average was for primary care trusts in England and Wales in each case. [190477]

Ms Rosie Winterton: The information is not collected centrally.

Midwives

Mr. Colman: To ask the Secretary of State for Health (1) if he will develop and implement the NHS Community Midwifery Model; [190238]

(2) what his policy is on offering continuing care from a single midwife for each pregnant woman throughout the course of the pregnancy, labour and post-natal care. [190237]

Dr. Ladyman: I have met with the Independent Midwives Association to discuss their national health service community midwifery model. We are giving this careful consideration.

The maternity standard of the national service framework (NSF) for children, young people and maternity services was published on 15 September 2004. It asks all NHS maternity care providers and primary care trusts to ensure that all women are offered the support of a named midwife throughout pregnancy and that all women are able to contact a midwife day or night at any stage in pregnancy if they have concerns.

Implementing the NSF over its 10-year timescale is mandatory, although local agencies will have the flexibility to plan how these standards should be met.

Press Officers

Matthew Taylor: To ask the Secretary of State for Health what his projection is of the number of press officers employed in his Department for 2004–05. [187555]

Ms Rosie Winterton: There are currently 20 press officers in post and a number of vacancies will be filled by the end of 2004–05 to increase this number.

Prostate Cancer

Ross Cranston: To ask the Secretary of State for Health what research his Department is funding to develop a more reliable diagnostic test for prostate cancer. [189566]

Miss Melanie Johnson: The Department and other National Cancer Research Institute (NCRI) funding partners have jointly established two centres of research excellence, known as the NCRI prostate cancer collaboratives. The Department is meeting half the total cost of £7.4 million over five years.

The NCRI prostate cancer collaboratives are undertaking several studies relevant to the diagnosis of prostate cancer. An important outcome from the collaborative based at the Institute of Cancer Research is the recent discovery of the overactive E2F3 gene in prostate cancer tumours, which provides the potential for a test to distinguish between aggressive and non-aggressive prostate cancer cells.

Ross Cranston: To ask the Secretary of State for Health what research his Department has undertaken into the different frequencies with which men and women access primary care for cancer. [189571]

Miss Melanie Johnson: The Department has not funded work specifically on this topic. The Department's policy research programme has however funded five projects costing £0.5 million on cancer referral strategies and primary care. The purpose of the research, which is nearing completion, has been to increase the evidence base to help general practitioners with the referral of patients with possible early symptoms of cancer. It has also looked at the extent of and reasons for delay by patients in presenting to general practice.

The results will contribute to the development of policy for improving the early detection of cancer in patients with symptoms.

Radiation Risks Committee

Mr. Meacher: To ask the Secretary of State for Health if he will break down the costs of the Committee Examining Radiation Risks of Internal Emitters between *(a)* the costs of the secretariat, *(b)* the three-day workshop, *(c)* members' travel and subsistence and *(d)* other specified costs. [190207]

Miss Melanie Johnson *[holding answer 11 October 2004]*: A breakdown by specific budget heading is not available.

Tuberculosis

Mr. Burstow: To ask the Secretary of State for Health when his Department plans to publish the action plan on tuberculosis. [187855]

Dr. Gibson: To ask the Secretary of State for Health what progress has been made on the National Service Framework for tuberculosis. [188106]

Miss Melanie Johnson: Stopping Tuberculosis in England, an action plan from the Chief Medical Officer, was published on 7 October. Copies have been placed in the Library.

PRIME MINISTER

China

Mr. Gray: To ask the Prime Minister what discussions he held at 10 Downing Street with President Jiang Zemin during his visit in 1999 on human rights abuses *(a)* in China and *(b)* in Tibet. [190805]

The Prime Minister: I refer the hon. Member to the answer I gave the hon. Member for Lewes (Norman Baker) on 1 April 2004, *Official Report*, column 1568W.

Climate Change

Mr. Drew: To ask the Prime Minister what discussions he has had with representatives of the churches on their launch of Operation Noah to draw attention to the threat posed by climate change. [190908]

The Prime Minister: I have meetings with a wide range of organisations and individuals. As with previous Administrations, it is not the Government's practice to provide details of all such meetings under exemptions 2 and 7 of the Code of Practice on Access to Government Information.

Iraq

Llew Smith: To ask the Prime Minister whether he discussed regime change in Iraq in any meeting with President Bush since January 2001. [190763]

The Prime Minister: I regularly have discussions on a wide range of issues with President Bush including on Iraq. As with previous Administrations, it is not the practice of this Government to make public details of discussions with foreign Governments.

Harry Cohen: To ask the Prime Minister if he will declassify and place in the Library the Government documents published in the Daily Telegraph on 18 September about war with Iraq; whether these documents were disclosed to Lord Hutton and Lord Butler; and if he will make a statement. [190986]

The Prime Minister: No. The Government co-operated fully with the Hutton Inquiry and the Butler Review.

India

Llew Smith: To ask the Prime Minister whether he asked the Indian Prime Minister about the prospects of India signing the Nuclear Non-proliferation Treaty during his meeting with him on 20 September. [190761]

Keith Vaz: To ask the Prime Minister if he will make a statement on his meeting with the Indian Prime Minister Dr. Manmohan Singh. [190788]

The Prime Minister: I discussed a range of bilateral and international issues with the Indian Prime Minister. I refer my hon. Friend to the joint India-United Kingdom declaration which is available on the No. 10 website.

CABINET OFFICE

Departmental Responsibilities

Dr. Julian Lewis: To ask the Minister for the Cabinet Office which of the functions listed on page 6 of the Cabinet Office Departmental Report 2004 as having been exercised by the hon. Member for Paisley, South, when Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster, will in future be exercised *(a)* by her and *(b)* by the right hon. Member for Darlington. [189713]

Ruth Kelly: Details of my responsibilities and those of my right hon. Friend the Chancellor of the Duchy of Lancaster can be found in the "List of Ministerial Responsibilities".

A revised edition of the List of Ministerial Responsibilities (October 2004) has been published today and copies placed in the Library. It can also be obtained electronically at www.knowledgenetwork.gov.uk/elmr/minister.nsf.

CONSTITUTIONAL AFFAIRS

Anthony Blunt

Andrew Mackinlay: To ask the Parliamentary Secretary, Department for Constitutional Affairs what records are *(a)* open to public inspection and *(b)* withheld concerning meetings between Anthony Blunt and the late King George VI; and if he will make a statement. [190430]

Mr. Leslie: As Anthony Blunt was not employed by HM Government prior to the death of George V in 1936, it is most unlikely that any record of his meetings would form part of the public record, whether open or withheld. A search in the electronic catalogue of public records kept by the National Archives does not reveal any records relating to Anthony Blunt which are dated during the reign of George V.

Andrew Mackinlay: To ask the Parliamentary Secretary, Department for Constitutional Affairs what records are retained that are *(a)* open to and *(b)* withheld from public inspection as to (i) the facilities that were extended by the Government to Anthony Blunt in order that he could fulfil his mission to Germany in 1945 at the request of HM King George VI and (ii) the purpose of that visit as understood by Her Majesty's Government at that time; and if he will make a statement. [190431]

Mr. Leslie: A search of the National Archives' catalogue, which is publicly available on the internet, does not reveal any records relating to a visit to Germany made by Anthony Blunt in 1945. Neither is there a reference to the visit in the extensive index to Foreign Office papers available in the reading rooms at the National Archives.

I am not aware of any other material held by Government Departments on this matter.

District Judges

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs what child care provision is made available for primary carers who are district judges. [191032]

Mr. Leslie: While there is no specific judicial child care provision, all salaried judicial office holders are entitled to a range of employment benefits including Maternity Leave, Adoption Leave, Paternity Leave and Parental Leave. Office holders are also entitled to up to seven days special paid leave to address urgent domestic needs, and, with effect from 1 April 2005, part time working will become available for all judicial office holders below High Court level, subject to business needs.

In addition, on 13 October the Secretary of State for Constitutional Affairs launched a consultation paper, "Increasing Diversity in the Judiciary", which examines the current lack of diversity in the judiciary and asks for views on a wide range of issues, including whether increased opportunities for flexible working would encourage people with other commitments, such as child care responsibilities, to apply for judicial office.

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs what assessment has been made of the effects of the practice of advertising vacancies for district judges (crime) on the number of women applicants with families. [191033]

Mr. Leslie: None. However, on 13 October my Department launched a consultation paper, "Increasing Diversity in the Judiciary", which takes a radical look at the steps needed to widen the pool from which applicants for judicial appointment are drawn, while continuing to make appointments on merit. It examines the extent of, and the reasons for, the lack of diversity in the judiciary and the barriers that may discourage people from applying for judicial appointment. Information and communication strategies and the appointments process are among the areas covered by the paper. Comments and suggestions are invited by 21 January 2005.

Weekend Courts

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs (1) what kinds of case will be tried in the proposed weekend courts; [191030]

(2) what proposals the Secretary of State has for weekend courts in *(a)* district judge jurisdiction and *(b)* the Crown court; [191031]

(3) whether the proposed weekend courts will be piloted before being introduced nationally; and if he will make a statement; [191029]

(4) what provision will be made to take account of lawyers' family responsibilities in the proposed arrangements for weekend courts. [191218]

Mr. Leslie: On 13 October, the Secretary of State launched a consultation paper, "Increasing Diversity in the Judiciary", which examines the current lack of diversity in the judiciary and asks for views on a wide range of issues, including whether increased opportunities for flexible working would encourage people with other commitments, such as child care responsibilities, to apply for judicial office. One idea offered for discussion in this context is whether court sittings at the weekends or in the evenings might offer a means of introducing greater flexibility into the working arrangements of the judiciary. Were such a suggestion to be seriously considered in the future, it would be necessary to balance the interests of other groups, in particular our customers, against those of potential candidates for judicial appointment.

At present, there are no plans to introduce weekend courts, beyond those arrangements already in place. Some magistrates courts, for instance, do regularly sit on Saturdays to conduct business. In particular, weekend courts in magistrates courts were considered as a result Lord Justice Auld review of the criminal courts. He recommended that there be a

> "thorough examination of the need for and the costs/benefits of extending court working hours ....".

The Government, therefore, decided to pilot alternative working hours in magistrates courts in order to test possible improvements on the courts' efficiency and effectiveness in the interests of the whole criminal justice system. In consequence weekend, evenings and early morning courts were piloted in London and Manchester magistrates courts in 2002.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs in which establishments prisoners are kept in Afghanistan; how many prisoners are in each one; what assessment he has made of compliance with the Geneva Conventions in respect of such prisoners; which of the establishments the International Committee of the Red Cross are not allowed to visit; what the Government's position on access to such establishments by the International Committee of the Red Cross is; what representations have been made about such access; and if he will make a statement. [190230]

Mr. Rammell: The Afghan government has a network of state prisons. The US-led Coalition has detention facilities at Bagram airbase and at other US bases in Afghanistan. There are also reports of illegal private prisons in Afghanistan, run by militia commanders.

We do not have accurate information on the numbers of detainees held in prisons in Afghanistan. The Afghan Independent Human Rights Commission (AIHRC) believes that there are approximately 4,000 to 5,000 detainees in Afghan government prisons. The AIHRC estimates that the number of detainees in US detention is between 200 and 300. Up to 100 people may be detained in private jails.

We understand the ICRC has had access to Afghan government prisons and to US detention facilities in Bagram and Kandahar. The UK welcomes this access, and calls for the ICRC to be given full access to detention facilities throughout Afghanistan. ICRC reports on detainees are, however, strictly confidential between the ICRC and the country concerned.

The UK calls for prisoners' rights to be fully respected and due process to be applied to all prisoners, in accordance with the Geneva Conventions and international human rights law.

In May 2004 the UK lobbied the Afghan government to ease overcrowding in Shiberghan prison in northern Afghanistan. Approximately 1,000 prisoners were transferred from the control of General Dostum to the Interior Ministry, and transferred to the central Pol-e-Charki prison in Kabul. The UN reported that conditions and respect for human rights had improved following the transfer.

Bangladesh

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has been informed that the perpetrators of the 21 August bombings in Bangladesh have been identified. [189689]

Mr. Alexander: No. We understand that a judicial inquiry has recently submitted its report to the Bangladeshi Government. Its findings have not been made public.

British Travellers (Safety)

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place with the Governments of *(a)* Thailand, *(b)* Vietnam, *(c)* Indonesia, *(d)* Cambodia and *(e)* Malaysia regarding the safety of British travellers. [189889]

Mr. Alexander: We regularly discuss with all these Governments issues which may affect the safety of British travellers. These issues include the threat from terrorism, transnational and local crime and health risks.

Cyprus

Tom Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs on what recent dates discussions have taken place between representatives of the British Government and the representatives of the Greek Cypriot Government in Brussels; and what subjects were discussed. [183971]

Mr. MacShane: I would like to apologise to my hon. Friend for the late reply to his question. This was the result of an administrative error. Measures have been taken to ensure that this does not happen again.

My right hon. Friend the Foreign Secretary and I meet our Greek Cypriot colleagues regularly, most recently in Brussels at the General Affairs and External Relations Council on 11 October.

I am looking forward to discussing a wide range of issues to promote the interests of all the people of Cyprus during a forthcoming visit to the island.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs if the United Kingdom will oppose *(a)* the allocation of EU funds to and *(b)* the use of EU funds in Cyprus where such funds may be allocated to projects that involve, or pertain to, property of displaced persons who have not received compensation; and if he will make a statement. [190433]

Mr. MacShane: The Government is committed to fulfilment by the EU of the mandate of the Council of Ministers to end the isolation of the Turkish Cypriots. The planned disbursement of €259 million of EU funds is an important element of this. The regulation establishing an instrument of financial support for encouraging the economic development of the Turkish Cypriot community which would enable it to do so is still under discussion. We hope the regulation will include the following phrase

> "the Commission shall act in accordance with the case law of the European Court of Human Rights".

The Government considers that this should be sufficient to satisfy all those who have concerns regarding property in the north of Cyprus.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment the Government has made of the compatibility of the Annan V Plan with the Law of the Sea Convention as it relates to the Republic of Cyprus's sovereign rights over Cyprus's territorial waters; and if he will make a statement. [190435]

Mr. MacShane: The Government assessed and was satisfied that the Annan Plan was compatible with international maritime law.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has received the European Commission's proposals for spending structural funds in Turkish-occupied Northern Cyprus; and if he will make a statement. [190436]

Mr. MacShane: My right hon. Friend the Foreign Secretary has not received any European Commission proposals on this subject. The Commission cannot finalise their proposals before the regulation establishing an instrument of financial support for encouraging the economic development of the Turkish Cypriot community is agreed.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reasons United Kingdom representatives urged the Committee of Ministers of the Council of Europe to delay pressing Turkey into ending property violations in Cyprus found by the European Court of Human Rights in the case Cyprus *v.* Turkey in May 2001; and if he will make a statement. [190437]

Mr. MacShane: The Committee of Ministers of the Council of Europe was aware of the context in which the decision on Cypriot property was being made. If all sides had agreed to a settlement on the basis of the UN Secretary General's comprehensive settlement proposals then it would no longer be necessary to refer cases to the ECHR as property issues would be dealt with by a domestic court in Cyprus.

The UK believed that achieving a Cyprus settlement and thus putting in place a domestic remedy for property disputes was more beneficial than pushing through an immediate decision on property violations at the Committee of Ministers of the Council of Europe.

We always encourage member states to comply with the court's judgments and will continue to do so.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if the Government will oppose initiatives in the UN for international recognition of the Turkish Republic of Northern Cyprus; and if he will make a statement; [190438]

(2) what his policy is on adherence to UN Security Council resolutions 541 (1983) and 550 (1984) concerning Cyprus; and if he will make a statement. [190959]

Mr. MacShane: The Government are not aware of any initiatives in the UN for recognition of the "Turkish Republic of Northern Cyprus". Moreover, the Turkish Cypriot leaders and Turkish Government have stated repeatedly that recognition is not their aim.

The Government's policy on recognition of the "TRNC" has not changed. We do not recognise the "TRNC"; UNSCRs 541 and 550 remain valid.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Government will make it their policy to require a timetable for the withdrawal of Turkish troops from Cyprus to be agreed as a precondition for the opening of negotiations on Turkey's accession to the EU; and if he will make a statement. [190439]

Mr. MacShane: The withdrawal of Turkish troops from the north of Cyprus is not a precondition for the opening of negotiation with Turkey.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's policy is on the suggestion in paragraph 93 of the report of the UN Secretary General on his Mission of Good Offices in Cyprus concerning Security Council members giving a lead to states to co-operate to eliminate unnecessary restrictions and barriers that have the effect of isolating Turkish Cypriots; and if he will make a statement. [190440]

Mr. MacShane: The British Government fully support the EU policy agreed at the April General Affairs and External Relations Council on 26 April to end the isolation of the Turkish Cypriots. We welcomed the extra impetus given to that aim by the UN Secretary General's report on his Good Offices Mission. This policy is wholly in accordance with relevant UN Security Council Resolutions on Cyprus.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what action the Government have taken to further the call by the UN Security Council to lift restrictions imposed by Turkey on the United Nations Peacekeeping Force in Cyprus; and if he will make a statement. [190442]

Mr. MacShane: The Government have regular contact with the Turkish Government on a whole variety of issues including UN Peace Keeping Force in Cyprus (UNFICYP). Over the last four years, we have repeatedly raised the need to lift restrictions on the UNFICYP.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps need to be taken to permit Cyprus to become a member of the Organisation for Economic Co-operation and Development; what steps the Government have taken to further Cyprus's application; and if he will make a statement. [190443]

Mr. MacShane: The OECD is currently working on establishing a set of objective criteria for its admission of new members, rather than making decisions on a case by case basis. While that work is still in progress, it would be premature to comment on an application by Cyprus to the OECD.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the Government concluded that the aide-memoire of the Republic of Cyprus handed to the UN on 20 April 2004 during the deliberations on the British-USA draft resolution constituted sufficient proposals for security within Cyprus; and if he will make a statement. [190444]

Mr. MacShane: The Government regret that efforts to provide reassurance to Greek Cypriots on the security and implementation aspects of the settlement prior to the referenda, via a strongly worded Security Council resolution, were unsuccessful. The draft resolution, jointly sponsored by the UK and US, received almost unanimous support in the Security Council, but was opposed by the Greek Cypriot side and subsequently vetoed by Russia.

In its aide-memoire of 20 April, the Government of the Republic of Cyprus called on the Security Council not to adopt any resolution regarding the Cyprus Problem before the referendums. The aide-memoire contained the changes they deemed necessary to the draft UK-US sponsored resolution.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what consideration was given to whether to ask the European Commission to consider the final Annan Plan for Cyprus in relation to its compatibility with the acquis communautaire; and if he will make a statement. [190446]

Mr. MacShane: The European Commission was present at the final stage of settlement negotiations. The commission was satisfied with the UN Secretary General's settlement plan and that where there were derogations from the acquis they were time limited. In his speech at the High Level Preparatory Donors' conference on 15 April, Commissioner Verheugen said:

> "I would like to stress that the Annan Plan is in line with the fundamental principles on which the European Union is founded and that the viability and the economic sustainability have been strengthened".

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the occasions on which the Government have cautioned UK citizens about the possible liabilities and consequences of purchasing land and property in the northern occupied part of Cyprus, with particular reference to the success of negotiations towards a united Republic of Cyprus; what method was used in each case; and if he will make a statement. [190447]

Mr. MacShane: The Cyprus travel advice on the Foreign and Commonwealth Office (FCO) website: www.fco.gov.uk has very clear language on purchasing property in the north of Cyprus. We recommend that those considering buying property seek legal advice before doing so. We also draw attention to the political situation in Cyprus.

The advice given to those who telephone the FCO or the British High Commission in Nicosia with a query regarding buying property in the north of Cyprus, is consistent with that available on the FCO website.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs whether a representative of the UK Government discussed with *(a)* Kofi Annan and *(b)* Alvaro de Soto the documents of (i) 15 March 2004 and (ii) 20 April 2004 submitted by the Republic of Cyprus on security; and if he will make a statement. [190464]

Mr. MacShane: British officials had regular exchanges with the UN Secretary General and the UN Secretary General's Special Representative for Cyprus, Alvaro De Soto, on all aspects of security in the Annan Plan.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) whether the Government supported the provision in the Annan Plan to extend EU citizenship to Turkish citizens resident in Northern Cyprus; by what method it was proposed to identify those who would have so qualified; and if he will make a statement; [190465]

(2) how many Turkish citizens who settled in occupied northern Cyprus would be eligible for EU citizenship under the final Annan Plan for Cyprus; and if he will make a statement. [190466]

Mr. MacShane: In the final version of the Annan Plan, the number of persons entitled to citizenship was not changed. The number of those resident in northern Cyprus of mainland Turkish origin who could become citizens of the new Cyprus was capped at 45,000, with preference given to spouses of Turkish Cypriots and people born in Cyprus. Others eligible were identified on the basis of length of stay. Each side submitted to the UN before the referenda on 24 April a list of less than 45,000 persons who would acquire citizenship, in addition to those who had citizenship in 1963 and their descendants, on entry into force of the Foundation Agreement.

The Government supported the Annan Plan and continue to believe that it remains the only foreseeable basis on which a settlement can be achieved.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's policy was on the element of the Annan Plan for Cyprus that would have provided for a Turkish immigration quota allowing for further settlement from Turkey in a reunited Cyprus; what assessment he made of the *(a)* numbers and *(b)* time scale proposed; whether EU citizenship was to be extended to such settlers; and if he will make a statement. [190467]

Mr. MacShane: As stated in Kofi Annan's report to the Security Council of 2 June (paragraph 50), a safeguard mechanism was introduced into the final version of the Annan Plan related to Greek and Turkish immigration. This was done in response to Greek Cypriot concerns that there be no continuous flow of Turkish immigrants to Cyprus. Instead of a permanent quota which could, theoretically, have been regularly refilled, the UN amended Annan V to include a cap on Turkish immigration of 5 per cent. as a proportion of Turkish Cypriots for 19 years. Thereafter, to preserve its identity, Cyprus could adopt specified non-discriminatory safeguard measures in conformity with the acquis communautaire in respect of immigration of Greek and Turkish nationals.

The Foundation Agreement in the Annan Plan established the criteria of eligibility for Cypriot citizenship and residency. The federal citizenship law, as agreed by both sides during the negotiations, set out the detailed rules and procedures for granting citizenship of the new United Cyprus Republic. The full draft citizenship law can be found at www.cyprus-un-plan.org.

The Government supported the UN Secretary-General's Proposals for a Comprehensive Settlement in Cyprus and welcomed the UN's attempts in the finalisation process to address Greek Cypriot concerns, including in relation to citizenship.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what his estimate is of the number of Turkish settlers who are not de jure citizens of the Republic of Cyprus but who were included in the electoral roll used by the Turkish Republic of Northern Cyprus when it conducted its referendum on the Annan Plan for Cyprus in April; what proportion in percentage terms this group constitutes as a share of total register; and if he will make a statement. [190468]

Mr. MacShane: We do not have an estimate of that figure. The UN was satisfied that the referendum was a fair expression of the Turkish Cypriots' desire to be part of a united island.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's policy is on the decision not to incorporate the recommendations of the Technical Committee on Economic and Financial Aspects of Implementation into the fifth and final Annan Plan for a settlement in Cyprus; what representations the United Kingdom made in relation to the matter; and if he will make a statement. [190469]

Mr. MacShane: The Government is not aware of such a decision.

At the High Level Preparatory Donors' Conference on 15 April, representatives of the World Bank, the IMF and other international financial institutions, all concluded that the Annan Plan was economically viable. At the same event the international community pledged a significant amount of financial aid to Cyprus in the event of a settlement.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions were held at Bürgenstock on possible derogations from *(a)* EU and *(b)* other legislation relating to (i) human rights and (ii) property rights within Cyprus; what policy was adopted by United Kingdom representatives in relation to these topics; and if he will make a statement. [190470]

Mr. MacShane: There were discussions at Buergenstock on all aspects of the Annan Plan, including property and human rights. The EU Enlargement Commissioner, Gunther Verheugen, was present during the final stage of negotiations at Buergenstock and was satisfied with all derogations and that they were time limited. In the final version of the plan, any restrictions would be removed after 15 years. The Government agrees with the Commission's view that the Annan Plan is in line with the fundamental principles on which the European Union is founded.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the documents distributed by British representatives at Bürgenstock meetings on Cyprus entitled *(a)* the UN Secretary General's Plan for a Cyprus settlement and *(b)* Cyprus: Bürgenstock: The Final Day (31 March 2004), summary; for what purposes these memorandums were distributed; and to whom. [190471]

Mr. MacShane: British representatives did not distribute such documents at Buergenstock. They reported the developments to London by telegram in the normal fashion. These telegrams were marked restricted, were for UK use only and were not distributed to other participants at the Buergenstock meetings.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the European Council has been advised that the sovereign Republic of Cyprus shall be competent to define points of entry and exit of EU goods and people in the island of Cyprus; and if he will make a statement. [190472]

Mr. MacShane: The European Council approved the terms of the Republic of Cyprus's accession to the EU.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's policy is towards the proposal set out by President Papadopoulos of Cyprus to the European Commission on 23 August 2004 that Varosha should be returned to the jurisdiction of the Republic of Cyprus and that the management of the port of Famagusta should be vested in a body representative of both communities and chaired by a nominee of the European Commission; and if he will make a statement. [190473]

Mr. MacShane: The British government welcomes in principle any measure taken by either side in Cyprus with the aim of contributing to a climate of increased trust and confidence between the two communities. Where such measures need to be mutually agreed, clearly they should be balanced and realistic. However, such measures are not a substitute for a settlement based on the Annan plan.

East Timor

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Government of East Timor. [189679]

Mr. Alexander: My right hon. Friend the Foreign Secretary met the President of East Timor Xanana Gusmao, during his visit to the UK in October 2003. My predecessor, the then Minister of State at the Foreign and Commonwealth Office (Mike O'Brien) met East Timor's Foreign Minister, Dr. Ramos Horta, during his visit to the UK in June this year. Both meetings covered a wide range of topics including how to bring to justice those responsible for human rights violations in East Timor, East Timor's relationship with her neighbours, including boundary issues, and the future of the UN mission in East Timor (UNMISET).

EU Trade

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Government will urge the European Commission to examine the legality of trade by an EU State with any part of any EU territory where it is not possible to enforce the acquis communautaire; and if he will make a statement. [190960]

Mr. MacShane: The Commission has examined the legality of direct trade with northern Cyprus in the context of the draft regulation it has presented to the Council to enable preferential direct trade between northern Cyprus and the rest of the EU. The Government agrees with the Commission's legal position and supports adoption of the regulation.

European Constitutional

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the implications for the justice system in the UK of the clause on page 32 of the proposed European Constitutional Treaty, Cm 6289, which requires that the severity of sentences should not be disproportionate to the offence; and to which penalties this principle will apply. [190520]

Mr. MacShane: The Government does not consider that there will be any direct implications from Article 11–49 (Command Paper 6289) for the UK justice system. The Article reflects the general principle of proportionality between penalties and criminal offences which is enshrined in the common constitutional traditions of the Member States, including the UK, and in the case law of the ECJ. Article 11–49 must moreover be read in conjunction with Article 11–51, which makes clear that the Charter only applies to member states when implementing Union law and does not extend the field of application of Union law.

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the implications for the UK of the obligation on page 15 of the proposed European Constitutional Treaty, Cm 6289, to co-ordinate economic, employment and social policies. [190521]

Mr. MacShane: The Constitution would not confer any new powers on the EU for the co-ordination of economic, employment and social policy. As under the current Treaty (TEC), Member States would co-ordinate their policies within the Union. The new Article I-14 (CIG 86/04) refers to the arrangements detailed in Part III of the Constitution which carry forward those already in place under TEC.

European Human Security Response Force

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what the United Kingdom Government's policy is on the proposal to create a European Human Security Response Force. [190299]

Mr. MacShane: The UK considers the proposal for a European Human Security Response Force put forward by the Study Group on Europe's Security Capabilities as an interesting contribution to the debate on how best to improve the EU's ability to prevent conflicts and respond to crises.

As the paper points out, much is already being done under European Security and Defence Policy to improve military and civilian capabilities, through the Headline Goal and Action Plan for Civilian ESDP, and through improved civilian/military co-ordination. The agreed objective is to have more readily available and rapidly deployable civilian and military assets to underpin EU activity in conflict prevention and crisis management.

Iran

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Iran over the public hanging of Atefe Rajab in Neka in Nazandaran province on 15 August. [190194]

Mr. Rammell: We have serious concerns about the use of the death penalty in Iran, including public executions and the execution of juvenile offenders. Reports suggest Ms Rajab, a 16-year-old girl, was hanged, in public, for 'acts incompatible with chastity'. My noble Friend the Baroness Symons of Vernham Dean has made our strong concern clear to the Iranian authorities. We also continue to raise our concerns about Iran's use of the death penalty through the EU/Iran human rights dialogue.

Iraq

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received of Arabs being forced from their homes in Kirkuk and the surrounding area; who has been responsible for making them homeless; what his estimate is of the number of such displaced people residing in camps in north-central Iraq; what *(a)* position and *(b)* action the UK Government has taken on this issue; and if he will make a statement. [190228]

Mr. Rammell: Since the opening of the British Office in Kirkuk on 28 June 2004, neither they, nor the American Office, with whom they are collocated, are aware of any case where Arabisation Arabs (people that the Government of Saddam Hussein brought in to settle the North of Iraq in an attempt to change the demographics of the region) have been forced from their homes in Kirkuk. The British Office monitors closely the situation of the Internally Displaced People (IDPs) and relationships between the different ethnic groups in Kirkuk and the surrounding area, and reports on a regular basis to London. There are an estimated 50,000–70,000 IDPs in camps in Kirkuk and the surrounding area. My right hon. Friend the Foreign Secretary discussed these issues with local politicians during his visit to Kirkuk on 5 October and encouraged all to work together to resolve these issues, through political dialogue and the legal framework agreed in the Transitional Administrative Law (TAL).

Israel

Paul Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs whether British volunteers were among the members of the Christian Peacemaker Team who were attacked and seriously injured near the Israeli settlement of Maon in the South Hebron Hills on 30 September; and if he will ask the Israeli government to take steps to ensure the safety of British members of the team engaging in peacemaking activities. [190196]

Mr. Rammell: The British Consulate General in Jerusalem has not received any reports of British volunteers being involved in the incident in Hebron on 30 September. Foreign and Commonwealth Office Ministers as well as officials based in Jerusalem and Tel Aviv, have requested that the Government of Israel ensure the safety of all British citizens in the Occupied Territories. We also frequently raise with the Israeli authorities the cases of individual British nationals who have been detained by or come into conflict with Israeli security forces. British travellers should also, however, take responsibility for their own safety by paying careful attention to our Travel Advice for the Occupied Territories.

Maldives

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Maldivian Democratic Party. [189861]

Mr. Alexander: My right hon. Friend the Foreign Secretary has not had any discussions with the Maldivian Democratic Party (MDP). However officials in London and at our High Commission in Colombo maintain regular contact with representatives of the MDP.

Ministerial Travel

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what the cost was of chartering an aeroplane for his recent trip to Sudan. [188456]

Mr. Straw *[pursuant to his reply, 15 September 2004, c. 1616W]:* Due to an administration error, an incorrect answer was given to the right hon. and learned Gentleman's question. The answer should read as follows:

The gross cost of chartering an aircraft for the return trip UK-Sudan-Kenya was £168,000. Accompanying media contributed £51,700, making a net cost of £116,300.

Oil for Food Programme

Hugh Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs how many countries have instigated their own inquiries into alleged corruption at the UN during the Oil for Food Programme. [190921]

Mr. Rammell: The Government of Iraq have instigated an investigation under the auspices of their Board of Supreme Audit. We are also aware that there are a number of hearings into the allegations of corruption under the Oil for Food Programme in both Houses of the United States Congress. The United Nations Secretary General has separately appointed an independent high-level inquiry into the allegations, which we support fully.

Hugh Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the list published in the Iraqi newspaper al-Moda of those accused of corruption at the UN during the Oil for Food Programme in Iraq. [190922]

Mr. Rammell: Allegations of corruption of the United Nations Oil for Food Programme are being investigated by the independent high-level inquiry appointed by the United Nations Secretary General in April 2004. We fully support the inquiry. It would be premature to comment on the allegations until the inquiry has reported its findings.

Hugh Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the initial report of the Volcker Inquiry into alleged corruption at the UN during the Oil for Food Programme in Iraq. [190923]

Mr. Rammell: The first report of the United Nations independent high-level inquiry into allegations of corruption and mismanagement of the Oil for Food Programme was published on 9 August. The report provided background information on the Programme and the status of the inquiry, including its terms of reference and staffing details. It did not draw substantive conclusions. We look forward to the next report from the independent inquiry.

Hugh Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the findings of the Iraq Survey Group in relation to allegations of corruption at the UN during the Oil for Food Programme in Iraq. [190924]

Mr. Rammell: The report of the Iraq Survey Group, published on 6 October, made a number of allegations with regard to the United Nations Oil for Food Programme. Such allegations are being investigated by the independent high-level inquiry appointed by the United Nations Secretary General in April 2004. We fully support the inquiry. It would be premature to comment on the allegations until the independent inquiry has reported its findings.

Ports Access

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Government will urge the European Commission to examine the legality of entry by merchant shipping of an EU state into part of an EU member state's territory where it is not possible to enforce the acquis communautaire; and if he will make a statement. [190480]

Mr. MacShane: The Government does not believe that there is an issue over the legality of a merchant ship flying the flag of an EU Member State entering part of another Member State's territory where the acquis communautaire is not applied.

UK Mission (Bugging)

Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to the answer of 9 March 2004, *Official Report,* column 1438W, on UK Mission (bugging), what progress has been made by the Belgian authorities in identifying who had bugged the UK Mission in the Justus Lipsius Council of Ministers building in 2003; and if he will make a statement. [190296]

Mr. MacShane: The Belgian authorities have continued their investigations into the discovery of a number of devices in the Justus Lipsius Council of Ministers building last year. We and the other member states concerned are co-operating closely with the authorities.

Venezuela

Mr. Pike: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Venezuelan *(a)* Government, *(b)* opposition parties and *(c)* other interested parties; and if he will make a statement. [186414]

Mr. Rammell: I refer my hon. Friend to the reply I gave him on 13 September 2004, *Official Report,* column 1456W.

Vietnam

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to his European counterparts concerning a demarche to the government of Vietnam on the imprisoned human rights activist Reverend Nguyen Hong Quang; and what discussions he has had with the EU Commissioner for External Affairs concerning the case of Reverend Quang. [190193]

Mr. Alexander: We regularly discuss human rights issues in Vietnam, including freedom of religion, with our EU partners with a view to raising our concerns under the EU's regular formal human rights dialogue with the Vietnamese government.

We will continue to press the Vietnamese government to adhere to its international human rights obligations at every suitable opportunity.

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on bilateral relations with Vietnam. [190497]

Mr. Alexander: UK-Vietnam bilateral relations are healthy and strengthening. Alongside growing diplomatic, trade and development links, our relationship is also diversifying into new areas such as education and culture, discussions on human rights, and fighting international terrorism and crime.

This year alone, there have been a number of high level visits. In October, my right hon. Friend the Deputy Prime Minister led the UK delegation to the Asia-Europe Meeting V Summit in Hanoi. In May, the Vietnamese President Tran Due Luong made an official visit to the UK, where he met Her Majesty the Queen and my right hon. Friend the Prime Minister. The All Party Parliamentary Group on Vietnam, led by my hon. Friend, visited Vietnam in September.

The Department for International Development's (DfID) fast growing aid programme is a key part of our strengthening bilateral relationship. UK development assistance to Vietnam is increasing from £20 million in 2003 to £60 million in 2005. DfID have just announced a new £10 million commitment to strengthen the Vietnamese Government's own poverty reduction programmes.

The UK is one of the largest EU investors in Vietnam, with UK investment totalling approximately £2.2 billion and rising. Bilateral trade also continues to grow year-on-year and, in 2003, amounted to £1.0 billion. UK trade and investment is set to increase further following the recent EU-Vietnam bilateral agreement on the terms of Vietnam's accession to the World Trade Organisation.

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the treatment of ethnic minorities in Vietnam. [190513]

Mr. Alexander: Ethnic minority groups in Vietnam live mostly in remote and mountainous areas, which also suffer the highest rates of poverty. The Vietnamese Government and international donors (including the Department for International Development) are investing heavily in these areas to reduce poverty rates among ethnic minority communities.

During Easter 2004, there was unrest in the ethnic-minority populated central highlands region over land and religious freedom issues. Over recent years, some ethnic minority communities have lost traditional lands to Vietnamese inward migrants. Freedom of religion, especially among ethnic minority Protestants, is also not always respected at local level.

We raise issues relating to ethnic minorities, including land and religious freedom, with the Vietnamese Government regularly. My right hon. Friend the Foreign Secretary raised our concerns about human rights in Vietnam with the Vietnamese Foreign Minister during the official visit of the Vietnamese President to London in May. The then Minister of State, my hon. Friend the Member for North Warwickshire (Mr. O'Brien) also raised these issues with the Vietnamese President on the same day. With EU partners, we again raised these issues at the most recent session of our regular EU-Vietnam Human Rights Dialogue in June.

NORTHERN IRELAND

Ambulances

Lembit Öpik: To ask the Secretary of State for Northern Ireland how many ambulances have been involved in road traffic accidents in the last two years in Northern Ireland; and if he will make a statement. [188371]

Angela Smith: In the last two years for which information is available (15 April 2002 to 14 April 2004), 90 accident and emergency and 31 patient care service (non-emergency) Northern Ireland Ambulance Service (NIAS) ambulances were involved in road traffic accidents. The number of road traffic accidents reported must be seen in the context of the 677,000 emergency and non-emergency patient journeys undertaken by the NIAS over the past two years, a significant number of which were undertaken in a high risk environment. NIAS remains fully committed to ensuring the safety of its service users and its staff.

The Department of Health, Social Service and Public Safety does not hold information about accidents involving other ambulance service providers in Northern Ireland.

Lembit Öpik: To ask the Secretary of State for Northern Ireland how many road traffic accidents involving Mercedes Sprinter style ambulances there were in the last two years in Northern Ireland; and if he will make a statement. [188372]

Angela Smith: In the last two years for which information is available (15 April 2002–14 April 2004), 64 Northern Ireland Ambulance Service Mercedes Sprinter A&E ambulances were involved in road traffic accidents. I am not aware of any specific road safety issues in relation to the Mercedes Sprinter type ambulances.

The Department of Health, Social Services and Public Safety does not hold information about accidents involving other ambulance service providers in Northern Ireland.

Assets Recovery Agency

David Burnside: To ask the Secretary of State for Northern Ireland how many *(a)* republican and *(b)* loyalist terrorists have been investigated by the Assets Recovery Agency in Northern Ireland; and how many people have been convicted in the courts following investigation. [190866]

Mr. Pearson: The Assets Recovery Agency has had 44 cases referred to it by the law enforcement agencies. The cases cover the whole range of organised crime among all groupings and areas across Northern Ireland.

The purpose of the Assets Recovery Agency is to reduce crime through civil recovery of assets and I do not, therefore, anticipate criminal convictions.

Where criminal proceedings are appropriate, the case is referred back to the appropriate prosecuting authority.

Belfast Plan

Mr. Flook: To ask the Secretary of State for Northern Ireland when the Draft Belfast Metropolitan Area Plan for 2015 will be published. [187953]

Angela Smith: The publication date for the Plan is presently being finalised by my officials. It will be published in late November 2004.

Birds

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what estimate he has made of the number of *(a)* lapwing, *(b)* peeweet, *(c)* yellow yornie, *(d)* curlew, *(e)* corncrake, *(f)* buzzard and *(g)* peregrine falcons in Northern Ireland. [187788]

Angela Smith: The Department of the Environment (Northern Ireland) monitors the populations of breeding and over-wintering birds in Northern Ireland. These surveys tend to assess the populations of the more common and widespread species. Less common species require targeted surveys to assess population trends.

The species on which data have been requested are listed below; in each case, the figure is an estimate for the Northern Ireland population.

The breeding population of Lapwing is estimated at 1600 pairs (2000).

The wintering population of Lapwing: 17044 (2000). The peewet is a local name for the Lapwing.

The breeding population of Yellowhammer (yellow yornie): 300 pairs (2004).

The breeding population of Curlew: 1750 pairs (2000).

The wintering population of Curlew: 6893 (2001).

The breeding population of Corncrake: 0 pairs.

The breeding population of Buzzard: 200 pairs (1991).

The breeding population of Peregrine Falcon: 72 pairs (2002).

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what action he will take to boost farmland bird numbers in the Province. [187789]

Angela Smith: Northern Ireland government departments, in partnership with voluntary organisations, have been involved in the development of actions plans at a UK and Northern Ireland level. These plans aim to increase populations of those species that have declined most severely, such as Skylark and Curlew; and to increase the extent and quality of the habitats they use. Plans for several additional species such as Yellowhammer and Lapwing are currently being prepared by my Department and will be published next year.

The plans include a range of actions undertaken by Northern Ireland government departments, including research, site-based conservation activities and the provision of guidance and advice. Many of the most significant actions fall to the Department of Agriculture and Rural Development (DARD) and are designed to encourage and support wildlife friendly farming practices. These include the continued development of agri-environment schemes such as Environmentally Sensitive Areas (ESA) and the Countryside Management Schemes (CMS) and new initiatives such as Good Farming Practice.

Care Homes

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how long residents of the Irish Republic are required to live in Northern Ireland before they can take up places at care homes in the Province. [190590]

Angela Smith: Once a person from outside the United Kingdom takes up permanent residence in Northern Ireland, he or she becomes eligible to receive health and social care on a similar basis to other residents.

Carers

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many *(a)* men and *(b)* women in Northern Ireland over state retirement age are caring for elderly parents or relatives. [190177]

Mr. Pearson: The 2001 Census of Population showed that *(a)* 9,690 men and *(b)* 18,816 women, who were over state retirement age at the time of the Census, were involved in looking after or giving help or support to family members, friends, neighbours or others because of long-term physical or mental ill-health or disability or problems related to age. It is not possible to identify those who were caring specifically for elderly parents or relatives.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what benefits are available for people reaching state pension age who still care for elderly parents or relatives in their retirement. [190178]

Mr. Spellar: Carers of any age may be entitled to the full range of social security benefits depending on their individual circumstances. The most common benefits for carers of pensionable age are carer's allowance, retirement pension and pension credit. Many carers reaching pension age who are entitled to carer's allowance are also entitled to a retirement pension of an equal or higher amount. In these circumstances the overlapping benefits rules preclude the payment of carer's allowance. However, entitlement to carer's allowance is retained, allowing for extra help to be given to those entitled to pension credit.

Children

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland if he will make a statement on progress in implementing the Children Matter Task Force report which initiated the process of increasing and banding the range of children provision. [188469]

Angela Smith: The programme of capital developments set out in the "Report of the Children Matter Task Force Phase 1 2001–03", has led to the development of an additional 77 residential child care places. When phase 1 is completed in 2005, 82 additional and 73 replacement residential child care places will have been provided. This will exceed the initial target of 77 new and 70 replacement places. It is anticipated that phase 2 of the Children Matter Task Force, will see the development of 49 new and 131 replacement residential child care places.

Departmental Recycling

Bob Spink: To ask the Secretary of State for Northern Ireland what the latest available 12 month figures are for the proportion of the Department's redundant documentation, waste paper and card that is recycled; and if he will make a statement on the Department's recycling policy. [188693]

Angela Smith: The most recent figures available for Northern Ireland Government Departments, which show the proportion of redundant paper and cardboard that is recycled are for 2002–03. A total of 1,270 tonnes of waste paper was collected of which some 1,143 tonnes were recycled. This equates to 90 per cent. of the collected waste paper. The remaining 127 tonnes, which were unsuitable for recycling, were used as "fibre fuel" and therefore classed as being thermally recycled. There are no figures available for an overall paper recycling rate.

The volume of cardboard collected during this time was negligible, at less than 10 tonnes per annum.

The Northern Ireland Waste Management Strategy, published in 2000 and currently under review, informs Government's waste management policy to encourage the sustainable management of resources in the NI economy.

Driving Tests

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many driving tests have been performed in Northern Ireland in each year since 1997. [188879]

Angela Smith: The number of driving tests carried out by the Driver and Vehicle Testing Agency in each financial year from 1997–98 to 2003–04 is set out in the following table:

	Number
1997–98	41,864
1998–99	42,953
1999–2000	41,607
2000–01	44,359
2001–02	48,583
2002–03	48,359
2003–04	51,867

Mr. Dodds: To ask the Secretary of State for Northern Ireland what the average waiting time is in Northern Ireland for people applying to take a driving test. [188880]

Angela Smith: The average waiting time for a driving test appointment in Northern Ireland is currently 33 calendar days.

Ebrington Primary School

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland when he will announce the commencement date for the building of the new Ebrington primary school in Londonderry. [190818]

Mr. Gardiner: Schools competing for capital funds are prioritised based on educational need. Although Ebrington primary school was one of a number of schools that could not be accommodated in my Department's 2004 Capital Programme it will form part of the rolling programme of investment envisaged for the schools' estate. The Western Education and Library Board placed it eleventh on its own priority list for funding in 2003. At this stage, it is not possible to give a commencement date for when building on the new school for Ebrington primary school will start.

Endoscopes

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will introduce the use of disposable endoscopes into NHS hospitals. [187851]

Angela Smith: Single-use flexible endoscopes are not currently available on the market. There are some single-use surgical rigid telescopes available but they have not been accepted in the HPSS due to the available optical quality and because rigid endoscopes are relatively simple to decontaminate compared to flexible endoscopes. The Department has recommended that the HPSS use single-use endoscope accessories where practicable.

Farm Payments

Mr. McGrady: To ask the Secretary of State for Northern Ireland pursuant to the answer of 3 September 2004, *Official Report,* column 1481W, on farm payments, whether 96.14 per cent. of the total subsidy scheme expenditure had been paid before 30 September. [190533]

Mr. Pearson: Yes.

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many and what value of subsidy payments to farmers in the South Down area are outstanding. [190534]

Mr. Pearson: The Department for Agriculture and Rural Development does not hold subsidy claim details on a constituency basis. The number and potential value, if paid in full, of farm subsidy claims currently outstanding is as follows:

	Applications unpaid	*Value (£ million)*
Beef Special Premium	3,595	1.1
Slaughter Premium	1,706	0.6
Suckler Cow Premium	338	0.4
Extensification Payment	1,634	3

Health Service

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland what plans he has to reduce waiting times for people with hearing problems. [188470]

Angela Smith: Additional investment has been made in hospitals and other services here, including the allocation of an extra £8.5 million, of which £2.5 million is recurrent, to reduce waiting lists across all specialties, including ENT, in 2004–05. It is not possible to say what the specific impact will be on waiting times for people with hearing problems.

Digital hearing aids were introduced on the health service in Northern Ireland in October 2003 on a phased basis. The Department has also allocated an additional £500,000 in 2004–05 to increase the provision of digital hearing aids, and I have set a target for Health and Social Services Boards and Trusts to supply 5,000 digital hearing aids per annum by 31 March 2005. This figure will be reviewed at the end of the year and increased as appropriate.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what steps he is taking to combat risks to patient safety arising from parallel trade in medicines in Northern Ireland. [188497]

Angela Smith: Under the European Directives on free trade, operating within the European Union, a medicine that has a marketing authorisation in another European country, subject to certain requirements, may be legally imported into the UK and supplied to patients. This is known as parallel importing and involves a rigorous regulatory framework that assures the safety, quality and efficacy of the medicine. Each medicine must have a Parallel Importation Product Licence (PIPL) issued by the Medicines and Healthcare Products Regulatory Agency (MHRA) before it can be offered for sale by a UK pharmaceutical wholesaler and supplied through a registered community pharmacy.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what estimate he has made of the number of extra consultants which would be required if the consultant contract was accepted in the Province's hospitals. [188528]

Angela Smith: The new consultant contract has been accepted by the consultant workforce in Northern Ireland and is now being implemented throughout the HPSS subject to job plans being agreed locally between management and individual consultants. Information being gathered as part of the implementation process will identify where service gaps and pressures exist and will inform the medical workforce planning process. At present, it is too early to make any estimate of the numbers of additional consultant posts that might be required.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will make a statement on how the £12 million reallocated to health in August will be used. [188529]

Angela Smith: Some £6 million has been made available non-recurrently to DHSSPS in August to support HPSS winter planning initiatives, such as reducing the number of trolley waits in accident and emergency, and boosting capacity through short-term community and primary care schemes to facilitate early discharge from hospital.

In addition, some £6 million has been made available to support initiatives to reduce waiting lists and address other regional priorities such as the provision of Anti-TNF drugs.

Mr. Dodds: To ask the Secretary of State for Northern Ireland what resources were allocated to the training of operating department practitioners within the Health Service in Northern Ireland in the last year for which figures are available. [188849]

Angela Smith: Training of operating department practitioners is a matter for individual trusts based on the identified need within their area. Information is not held centrally on resources allocated to such training.

Housing Executive Assessments

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many Housing Executive grant assessments are outstanding in the South Down Area. [190535]

Mr. Spellar: The information is not available in the format requested. Information relating to grant enquiries is held on a district council area basis. The South Down area is covered by three council areas and at 30 September 2004 the Housing Executive had registered a total of 996 inquiries for grant aid where inspections have not yet been carried out. The figures for each area are as follows:

	Number
Banbridge council area	136
Newry and Mourne council area	444
Down council area	416

Housing Relocation (Intimidation)

Mr. McGrady: To ask the Secretary of State for Northern Ireland if he will make a statement on the use of alternative agencies to verify cases of intimidation for purposes of housing relocation. [190536]

Mr. Spellar: In order to verify cases of intimidation, the Northern Ireland Housing Executive will, in the first instance, contact the Police Service of Northern Ireland (PSNI) to confirm whether, on the basis of their knowledge of a particular case, an applicant has been or is being intimidated from their home. Where the PSNI have no knowledge of intimidation, and an applicant is reluctant to make contact with them, the Housing Executive may seek information from "Base 2", a project operated by the EXTERN voluntary organization, or from agencies such as Health Trusts, Social Services or from individuals.

In all cases the final decision as to whether an applicant is at risk by remaining in their home rests with the Housing Executive.

Identity Cards

Mr. Lidington: To ask the Secretary of State for Northern Ireland what his policy is on the introduction of an identity card scheme in Northern Ireland. [190702]

Mr. Spellar: The draft Identity Cards Bill (published 26 April) set out the legal framework for the introduction of identity cards throughout the United Kingdom

Investment Projects

Mr. McNamara: To ask the Secretary of State for Northern Ireland how much was spent in the parliamentary constituencies of *(a)* North, *(b)* South, *(c)* East and *(d)* West Belfast on each investment project sponsored by the Industrial Development Board and Invest NI in the years 1990 to 2004; what the estimate was of the number of jobs that would be created by each project; how many jobs were created by each project; and how many of these jobs have subsequently been lost. [190180]

Mr. Gardiner: The Question asked by my hon. Friend seeks information on each investment project assisted during the period 1990–2004. This level of detail could be provided only at disproportionate cost. For this reason and for ease of reference the answer presents a general analysis of investment activity in the four constituencies. The question also requests information for the period 1990–2004. However, data in the format required is only available for the period commencing 1995.

Table 1: Projects by Constituency 1995–2004

Table 1 provides details of projects supported by the Industrial Development Board (IDE) since 1995, and of those larger projects assisted by Invest NI since 2002. The answer is restricted to larger projects supported by Invest NI to ensure consistency with historical IDE data. Larger projects are those provided with offers worth more than £100,000.

Parliamentary constituency/ Financial year	*Number of projects*	*Number of jobs promoted*	*Number of jobs safeguarded*	*Total assistance offered (£000)*	*Total investment (£000)*
Belfast East					
1995–96	2	0	656	6,841,200	58,330,000
1996–97	4	95	0	1,781,500	11,758,630
1997–98	8	769	917	25,506,517	136,030,244
1998–99	5	1,186	165	7,093,240	15,372,000
1999–2000	3	1,310	78	15,139,000	89,939,280
2000–01	3	116	56	717,660	2,400,720
2001–02	2	142	90	4,556,060	22,743,000
2003–04	3	0	369	8,800,000	34,338,000
Belfast East total	30	3,618	2,331	70,435,177	370,911,874
Belfast North					
1995–96	3	138	3	1,081,350	3,246,000
1996–97	6	117	251	5,456,346	36,496,886
1997–98	6	639	220	8,206,450	35,538,000
1998–99	1	250	0	2,493,811	3,670,000
1999–2000	3	289	0	1,906,500	5,815,600
2000–01	3	1,476	0	10,385,000	21,897,000
2001–02	4	675	0	4,213,250	15,588,363
2002–03	2	0	400	330,000	1,565,000
2003–04	5	163	218	1,261,000	14,177,613
Belfast North total	33	3,747	1,092	35,333,707	137,994,462
Belfast South					
1995–95	3	93	61	482,200	2,640,000
1996–97	4	203	15	1,674,446	6,148,007
1997–98	5	1,571	134	9,406,456	19,900,058
1998–99	15	1,034	52	7,017,014	19,360,750
1999–2000	7	1,943	0	21,552,500	76,828,000
2000–01	8	877	0	4,700,500	23,004,691
2001–02	1	45	0	202,500	834,000
2002–03	6	228	16	1,349,942	5,306,884
2003–04	13	919	792	10,470,400	69,050,540
Belfast South total	62	6,913	1,070	56,855,958	223,072,930
Belfast West					
1995–96	5	477	24	14,385,420	36,404,934
1996–97	7	810	772	32,416,620	109,369,359
1997–98	3	346	0	7,068,250	24,185,000
1998–99	1	75	0	700,950	2,446,200
1999–2000	1	314	0	6,325,200	17,413,000
2000–01	3	385	0	2,455,550	9,678,000
2001–02	2	215	60	4,536,000	23,947,000
2002–03	4	122	80	1,464,500	9,419,000
2003–04	3	167	70	6,144,372	19,266,881
Belfast West Total	29	2,911	1,006	75,496,862	252,129,374
Grand Total	154	17,189	5,499	238,121,704	984,108,640

Table 2: Employment Change 1995–2004

Table 2 presents a net employment figure at 2003–04, taking into account job losses from the base year to 2003–04. As shown within Table 2 there were 13,048 jobs in existence within these businesses at the time of assistance (base year). The table also details the number of jobs expected to be created (17,189). The net change within this group to 2004 is therefore 4,685.

However, it should be noted that since it takes a number of years for each project to reach maturity, those assisted within the last four years are unlikely to have yet met their full employment creation potential. Therefore, the job creation arising from these projects, which account for 5,530 of the jobs promoted, will not be fully reflected within this analysis.

Parliamentary constituency	*Number of clients*	*Number of projects*	*Average base employment*	*New jobs promoted*	*Average BMP 03/04*
Belfast East	20	30	7609	3,618	7,697
Belfast North	24	33	1187	3,747	1,987
Belfast South	51	62	1585	6,913	4,173
Belfast West	19	29	2666	2,911	3,876
Total	114	154	13,048	17,189	17,733

Table 3: Job Losses 1995–2004

Table 3 provides further details of the employment lost due to closures during the nine-year period. This shows that 726 jobs were lost within 26 projects involving existing businesses, which closed during the period 1995–96 to 2003–04.

Parliamentary constituency	*Number of clients*	*Employment losses*
Belfast East	2	9
Belfast North	7	299
Belfast South	11	119
Belfast West	6	299
Total	26	726

Londonderry Airport

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland when he will announce his response to the request from the city council in Londonderry regarding financial assistance to develop Londonderry airport. [190817]

Mr. Spellar: A steering group set up by the Secretary of State for Northern Ireland and chaired by the council's Chief Executive is currently considering a range of technical, legal, economic and financial issues regarding the funding application. I hope that it will report shortly so that a decision can then be made.

Meat/Poultry Products

David Burnside: To ask the Secretary of State for Northern Ireland which countries have a ban on imports of meat or poultry products from the province; and what representations he has made to have each ban lifted. [190919]

Mr. Pearson: Currently some 86 countries have a ban on beef imports from the United Kingdom and the position in relation to another 27 countries has still to be confirmed. In addition, I understand that India also has a worldwide ban on imports of poultry meat. Controls for trade with countries outside the United Kingdom is a reserved matter under the Northern Ireland Act 1998. However, officials in the Department of Agriculture and Rural Development are in regular contact with the Department of the Environment, Food and Rural Affairs, which has responsibility on this matter for the United Kingdom. These contacts follow liaison with exporters with the mutual aim of maximising exports of meat and poultry products from Northern Ireland.

MOT Tests

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many people are employed in carrying out MOT tests in Northern Ireland. [188914]

Angela Smith: The Driver and Vehicle Testing Agency currently has 194 full-time equivalent staff directly involved in carrying out vehicle inspections.

Mr. Dodds: To ask the Secretary of State for Northern Ireland what the average waiting time for an MOT test in Northern Ireland is from the time of application to the test being carried out. [188915]

Angela Smith: The average waiting time for vehicl tests in Northern Ireland, including MOT appointments, is currently 63 calendar days.

Mr. Dodds: To ask the Secretary of State for Northern Ireland how much money is allocated to running each MOT centre in Northern Ireland in the current year. [188916]

Angela Smith: The Driver and Vehicle Testing Agency manages the test centre budget centrally, so specific allocations have not been made to each centre in the current year. However, the direct running costs for 2003–04 are as follows:

Test centre	£
Armagh	626,393
Ballymena	1,070,215
Belfast (including Dill Road)	1,520,176
Coleraine	960,337
Cookstown	880,503
Craigavon	1,033,785
Downpatrick	708,080
Enniskillen	640,603
Larne	708,086
Lisburn	867,089
Londonderry (including Waterside House)	891,877
Mallusk	1,012,186
Newry	883,780
Newtownards	1,241,256
Omagh	655,387

National Sports Stadium

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland when he expects to make an announcement regarding the construction of a new national sports stadium for Northern Ireland. [188733]

Angela Smith: Following the completion of a business planning exercise commissioned by the Strategic Investment Board (SIB) into the viability of a multi-sports stadium for Northern Ireland. The SIB was asked last May to investigate site and funding options. I expect to have a report on the outcome of this exercise within a few weeks and, once this has been formally considered, an announcement on the next stage in the process will be made.

National Insurance Numbers

Mr. McNamara: To ask the Secretary of State for Northern Ireland what the *(a)* target and *(b)* average processing time is from receipt of application to delivery of notification for persons applying for a national insurance number where the applicant holds a passport that is (i) British, (ii) Irish, (iii) other EU and (iv) non-EU; and how many complaints about delays he has received in the past 12 months. [190181]

Mr. Spellar: There is currently no target for the processing of national insurance number applications in Northern Ireland. (GB has a processing target of 86 per cent. within 24 days.)

There are three application centres located at Shaftesbury Square, Lisnagelvin and Portadown Jobs and Benefits Offices which feed into one allocation centre, located at Portadown Jobs and Benefits Office. Processing times from receipt of application to delivery of notification are as follows:

Shaftesbury Square 29 days;
Lisnagelvin 39 days;
Portadown 55 days.

These cannot be broken down into different passport holder types.

Three formal complaints are recorded as having been received in Northern Ireland Offices in the past 12 months.

Overseas Nurses

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what assistance is given to overseas nurses seeking accommodation in the Province while working there, with particular reference to those from outside the European Union. [188673]

Angela Smith: The issue of assistance in seeking accommodation for overseas nurses is a matter for individual Trusts. There are a variety of arrangements in place ranging from the provision of Trust accommodation to the identification of suitable private or Housing Executive accommodation.

Planning Permission

Mr. Flook: To ask the Secretary of State for Northern Ireland for how many new residential dwellings planning permission was given in *(a)* Moira, *(b)* Aghalee, *(c)* Magheralin, *(d)* Dollingstown, *(e)* Donaghacloney, *(f)* Waringston, *(g)* Maghaberry and *(h)* Aghagallon in each of the last 15 years. [187955]

Angela Smith: I regret that this information is not available in the format requested and could be obtained only at disproportionate cost.

PWS Ireland

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how much grant aid has been awarded to the company PWS Ireland in each year for the past 10 years; and if he will make a statement. [190133]

Mr. Gardiner: Over the past 10 years, PWS Ireland Ltd has received the following support from Invest NI (these figures include support offered by Local Enterprise Development Unit one of Invest NI's predecessor agencies).

£000

	Amount offered	*Amount paid*
1995	20,650	16,685
1996	3,000	1,693
1997	2,350	2,350
1998	[1]81,450	69,701
1999	5,852	5,835
2000	301	301
2002	14,307	14,307
2004	24,644	5,964
Total	152,554	116,836

[1] Offer includes 20,000 of preference shares.

Scientific Officers (Promotion)

David Burnside: To ask the Secretary of State for Northern Ireland what independent assessment has been made of the Department of Agriculture and Rural Development's promotion boards for scientific officers. [190381]

Mr. Pearson: The Department of Agriculture and Rural Development's promotion boards for scientific officers are operated under the general arrangements that apply to the conduct of internal promotion boards across the Northern Ireland Civil Service. By agreement with Trade Union Side, these promotion boards are conducted on the basis of three separate scientific disciplines: biology, chemistry and microbiology; and candidates, subject to their qualifications and experience, can self-nominate to be considered for promotion in one or more of these disciplines.

The outcome and recommendations of promotion boards generally are not subject to separate independent scrutiny. In its general administration of the promotion process, however, the Department's Personnel Division carries out a review of all promotion board documentation to ensure compliance with the requirements of the process and mathematical accuracy of the scoring applied. These aspects are also subject to periodic checks through the internal audit process.

David Burnside: To ask the Secretary of State for Northern Ireland what relative weighting is given by the Department of Agriculture and Rural Development's promotion boards for scientific officer positions to applicants who have previous scientific experience. [190383]

Mr. Pearson: I refer the hon. Gentleman to the answer I gave on 13 October 2004, *Official Report*, column 314W, for details of the last promotion board for scientific officer positions.

The key selection criteria against which candidates were assessed for promotion by the board, the weightings and pass marks as determined by the panel members were as follows:

Key criteria	*Weighting*	*Pass mark*
Services	20	—
Resources	20	—
People	30	15
Information/Communication	30	15
Professional/Specialist/Technical Knowledge and Skills	50	30

Any candidate failing to reach the minimum standard of 30 marks at interview for the Professional/Specialist/ Technical Knowledge and Skills criterion was deemed unsuitable for promotion regardless of how well they performed against the remaining criteria.

Self-harm

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many episodes of self-harm there were in each health trust area in each of the last three years. [188675]

Angela Smith: Information on the total number of episodes of self-harm is not available. However, information is available on the number of episodes of self-harm resulting in admission to acute hospitals in Northern Ireland.

The following table provides figures on the number of admissions to hospitals in each trust area in Northern Ireland as a result of self-harm for each year from 2000–01 to 2002–03 (the latest year for which the data is available).

Number of admissions[1] to hospital for self-harm by trust, 2000–01, 2001–02 and 2002–03

	2000–01	*2001–02*	*2002–03*
Altnagelvin Group HSS Trust	821	1,018	1,106
Belfast City Hospital HSS Trust	789	879	875
Causeway HSS Trust	447	412	265
Craigavon Area Hospital Group HSS Trust	779	995	818
Down Lisburn HSS Trust	388	616	514
Green Park Healthcare HSS Trust	2	0	0
Mater Infirmorum Hospital HSS Trust	183	421	344
Newry and Mourne HSS Trust	498	521	419
Royal Group of Hospitals HSS Trust	698	758	781
Sperrin Lakeland HSS Trust	263	266	273
Ulster Community and Hospitals HSS Trust	759	740	689
United Hospitals HSS Trust	1,111	1,178	1,049
Total	6,738	7,802	7,133

[1] Deaths and discharges are an approximation for admissions.

Source:
Hospital Inpatients System (DHSSPS)

TK-ECC Plant

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland which estate agent was appointed to facilitate the sale of the former TK-ECC plant in Dundonald; when the agent was appointed; when the successful offer was received; how many parties had expressed interest in the site by the date on which the deal was signed; how much the plant was sold for; and whether the buyer subsequently sold the site. [188544]

Mr. Gardiner: The TK-ECC plant at Dundonald was sold in 1995 by IDB to European Components Corporation on a freehold basis. Subsequent actions including the offering of the premises for sale are matters for the present owners of the premises.

Written Answers to Questions

Friday 15 October 2004

DEFENCE

Cyprus

Andrew Mackinlay: To ask the Secretary of State for Defence which rights and benefits enjoyed by UK and Commonwealth Forces under the treaty relating to the Sovereign Base Areas in Cyprus do not extend to non-Commonwealth Forces operating on the bases; and if he will make a statement. [190429]

Mr. Ingram: The rights and benefits accorded to United Kingdom and Commonwealth Forces under the 1960 Treaty of Establishment are set out in Annex C to the treaty papers, which is effectively a Status of Forces Agreement between the UK and Republic of Cyprus (RoC) for UK and Commonwealth forces operating in and visiting the Republic. The benefits the treaty confers include: freedom of movement between the Sovereign Base Areas (SBAs) and the RoC, jurisdictional protection for certain offences committed in the RoC, exemption from RoC taxes and import duties, and the right to bear arms. Non-Commonwealth forces are not covered under these arrangements and would need to negotiate their own status of forces arrangements with the RoC.

Any Commonwealth and non-Commonwealth forces entering and operating within the SBAs who are covered by the Visiting Forces Act 1952 (which has been extended to the SBAs) are accorded generally the same rights and benefits as similar forces visiting the UK. These include jurisdictional protection and exemptions from taxes and import duties. Our ability to grant full tax and duty exemptions to non-Commonwealth forces is restricted by our treaty commitment to collect taxes, rates and fees from non-entitled persons on behalf of the RoC. Countries not covered by the Visiting Forces Act do not enjoy any privileges within the SBAs other than consent to operate within the bases and the use of SBA facilities. However, minor concessions, such as access to military messes and bars, can be agreed case-by-case for practical purposes.

Deployment

Mr. Soames: To ask the Secretary of State for Defence how many British service personnel are *(a)* deployed and *(b)* stationed in (i) Germany, (ii) Northern Ireland, (iii) Bosnia-Herzegovina, (iv) Croatia, (v) Kosovo, (vi) Albania, (vii) the Former Yugoslav Republic of Macedonia, (viii) Sierra Leone, (ix) the Gulf Region, (x) Turkey, (xi) Gibraltar, (xii) Belize, (xiii) Kenya, (xiv) Canada, (xv) the Falkland Islands, (xvi) Cyprus, (xvii) Brunei and (xviii) Afghanistan. [189805]

Mr. Ingram: This data is compiled from a number of sources. As at late September the approximate numbers of British service personnel deployed or stationed in the locations specified were:

Location	*Deployed*	*Stationed*
Germany	0	21,250
Northern Ireland	0	11,180
Bosnia-Herzegovina	720	0
Croatia	0	0
Kosovo	180	0
Albania	0	0
FYR of Macedonia	10	0
Sierra Leone	20	0
The Gulf Region	9,070	0
Turkey	0	0
Gibraltar	0	490
Belize	0	30
Kenya[1]	0	10
Canada[1]	0	210
The Falkland Islands	1,270	0
Afghanistan	650	nil
Cyprus	410	3,100
Brunei	nil	800

[1] Training team only.

Note:

All figures rounded to the nearest 10.

The figures in the table do not include personnel serving in loan and diplomatic posts or on training detachments.

HMS Grimsby

Andrew Mackinlay: To ask the Secretary of State for Defence if he will make a statement on the incident involving HMS Grimsby in the Thames, close to Tilbury on 29 September when a rating fell overboard as the vessel collided with other craft. [190239]

Mr. Ingram: HMS Grimsby was undertaking routine survey work in the River Thames. She suffered a problem with her propulsion system while preparing to rescue a crew member who had fallen overboard, and struck two civilian vessels that were alongside a jetty. Neither of the two civilian vessels had people on board and there were no Royal Navy casualties.

The crew member was recovered unharmed by an RNLI rescue boat from Gravesend.

Hurricane Ivan

Mr. Rosindell: To ask the Secretary of State for Defence if he will make a statement on the role of the UK armed forces in helping survivors of Hurricane Ivan. [191659]

Mr. Ingram: In recent weeks, the United Kingdom armed forces have provided significant emergency humanitarian assistance in the Caribbean following Hurricane Ivan. The personnel of the Royal Navy frigate HMS Richmond and the Royal Fleet Auxiliary Wave Ruler provided emergency humanitarian assistance for Grenada and the Cayman Islands.

Emergency assistance was provided with communications, essential infrastructure, damage assessment, medical support and food distribution. The Royal Navy's role in the aftermath of natural disasters that afflict the region is to provide immediate assistance until such time as full scale humanitarian relief can arrive and the civilian rebuilding effort can begin.

In support of reconstruction efforts on the Cayman Islands, the RAF also supported a deployment from the Bermuda Defence Force with a C-130 aircraft.

As the hurricane season continues, HMS Richmond and RFA Wave Ruler remain in the region, ready to respond in the event of another humanitarian crisis.

Sudan

Ann Winterton: To ask the Secretary of State for Defence what estimate he has made of the numbers of armed forces personnel HM Government will commit to the United Nations monitoring force in Sudan during the six-year interim period; and if he will make a statement. [189546]

Mr. Ingram: I refer the hon. Member to the answer I gave on 4 October 2004, *Official Report*, column 1891W, to the hon. Member for Guildford (Sue Doughty).

EDUCATION AND SKILLS

Education Maintenance Allowances

Mr. Challen: To ask the Secretary of State for Education and Skills how many applications there have been for education maintenance allowances for the academic year 2004–05 in the Morley and Rothwell constituency; and how many have commenced payment. [190808]

Mr. Ivan Lewis: Information on the number of young people who have applied, enrolled and been paid EMA is available at local authority level. By the end of September 2,557 young people in the Leeds local authority area were enrolled for EMA by their school or college, with 2,281 having received an EMA payment. The Assessment and Payment Body is currently turning around correctly completed applications within 10 working days and 3,682 young people in Leeds have now received a Notice of Entitlement to EMA. By the end of September 5,994 young people had applied for EMA from the Leeds local authority area, and of these just over a quarter had applied in September. Incorrect applications are returned to the applicant, some of whom will be ineligible for EMA, while others may have decided to enter full-time work or work based learning. We expect the number of young people receiving EMA to increase over the next few weeks as those who applied late or whose applications needed to be returned, have their applications assessed and are enrolled for payment.

Mature Students

Mr. Sheerman: To ask the Secretary of State for Education and Skills what financial help his Department offers mature students wishing to study for a degree. [190261]

Dr. Howells *[holding answer 11 October 2004]:* Eligible full-time undergraduate students are entitled in 2004/05 to income assessed grants for fees (up to £1,150) and HE grants (up to £1,000); and if aged under 50, or between 50 and 54 and planning to work after their course, to student loans (up to £5,050 in London) with 25 per cent. of the loan income assessed. While the rates are the same as for younger students, mature students benefit disproportionately because the income assessed for independent students is normally lower and more get the higher levels of support. For example, we expect around a third of all those getting the full HE grant to be independent students, although such students make up only around 15 per cent. of the total student population.

For students with dependants, additional grants include adult dependants grant (worth up to £2,335), Parents Learning Allowance (worth up to £1,330) and a Childcare Grant (worth up to £8,840). As the grants are targeted at students with dependants the main beneficiaries are mature students.

Part-time undergraduate students of any age, and this will include many mature students, may receive income assessed fee grants of up to £575 and course grants of up to £250.

In addition, student parents are eligible to receive Child Tax Credit from the Inland Revenue and disabled students are eligible for DfES disabled students allowances which are not income assessed. Students may also receive additional financial assistance through the Access to Learning Fund, which is funded by the Department and administered by institutions. Priority groups for payments from the fund include student parents and other full-time mature students (especially those with existing financial commitments).

Pupil Data Registration

Mr. Forth: To ask the Secretary of State for Education and Skills whether the advice to schools on the TeacherNet website of 20 July regarding use of wireless technologies for pupil data registration and registering of licences is mandatory; and whether liability rests with *(a)* the Department and *(b)* schools. [R] [190291]

Mr. Charles Clarke: The advice to schools regarding the use of wireless technologies for pupil data registration and the necessity of licences under UK patent EP(GB) 0 664 061 on the TeacherNet website dated 20 July 2004 is just that, advice, and therefore not mandatory. The advice highlights the issue by setting out my Department's interpretation of the judgment in the High Court of Justice, Chancery Division, Patent Court dated 17 June 2004.

In common with all products and services, schools are liable for the consequences of their procurement decisions. Before making such decisions, schools are able to seek detailed advice from their relevant service or product supplier, or whoever provides their technical advice, such as their local education authority.

Skill Training

Adam Price: To ask the Secretary of State for Education and Skills how many adults have achieved Basic Skills Level in each year since 2001 for which figures are available. [190667]

Mr. Ivan Lewis: "Skills for Life" caters for the literacy and numeracy skills needs of post 16 learners, that is those who are no longer in compulsory education. The national strategy has an initial target to improve the skills of 750,000 adults in England by 2004, with the commitment to improve the skills of 1.5 million adults by 2007 and 2.25 million adults by 2010. Individuals count towards the target if they improve their skills evidenced by achieving a relevant national qualification, including Key Skills in Communication and Application of Number at Levels 1 and 2, and GCSEs in English and Maths.

The following table shows available data on adult learners achieving Skills for Life qualifications between the launch of the strategy in April 2001 to July 2003. Data for 2003–04 are not yet available.

Learners achieving Skills for Life qualifications in England to 2002/03 through LSC funded FE providers, Prison Service and Jobcentre Plus

	Annual achievements (thousand)
April 2001—July 2001[1]	150
August 2001—July 2002	204
August 2002—July 2003	196

[1] Achievements include learning started earlier in the academic year.

PRIME MINISTER

Ministerial Spouses (Security)

Norman Baker: To ask the Prime Minister what rules govern the public provision of security support for relatives of Ministers when such persons are abroad on personal trips. [191184]

The Prime Minister: It has been the practice of successive governments not to comment on security issues.

TRANSPORT

Access for All Fund

Mr. Norman: To ask the Secretary of State for Transport what the budget for the Access for All fund is, broken down by rail region; and if he will list the criteria for prioritising its distribution. [190219]

Mr. McNulty: Planned Government expenditure on rail for the next three years will be published in due course. The Strategic Rail Authority expects to consult on a Disability Strategy by the end of this year. The consultation document will propose criteria for prioritising the Access for All fund.

Rail Use

Mr. Drew: To ask the Secretary of State for Transport (1) what assessment has been made of the accuracy of figures for rail use; and whether this takes account of non-payment of fares; [191116]

(2) what plans he has to discuss non-payment of rail fares; and what account is taken of non-payment of fares in planning for future rail use, including the expansion of services; [191117]

(3) how many rail users there were on the Cheltenham to London service in the last period for which figures are available; and what estimate has been made of leakage of usage arising from non-payment of fares. [191129]

Mr. McNulty: The calculation of rail use by passengers does not take account of ticketless travel as it is based on the numbers of tickets sold. In the year to 18 September 2004, figures provided by First Great Western show that there were 191,006 passenger journeys between Cheltenham and London terminals. It is estimated that the fares evasion level on the network is between 3 per cent. and 7 per cent. overall.

The Government are currently engaged in a consultation on ticketless travel and the penalty fare level. The consultation period ends on 26 October.

Renewable Transport Fuels

Mrs. Shephard: To ask the Secretary of State for Transport when he intends to introduce a renewable transport fuels obligation under the Energy Act 2004. [190815]

Mr. Jamieson *[holding answer 14 October 2004]:* No decision has yet been taken on whether the Government should introduce any form of renewable transport fuels obligation. It is one of a number of policy options which the Government is currently considering as a way of supporting the development and use of biofuels in the UK. Before introducing any obligation, the Government would consult extensively on how it might operate.

Rolling Stock (Fenchurch Street)

Bob Spink: To ask the Secretary of State for Transport if he will instruct the Strategic Rail Authority to withhold permission for further removals of rolling stock from the Fenchurch street line. [190746]

Mr. McNulty: The Strategic Rail Authority, working with the rail industry, must have the ability to make decisions on the best deployment of rolling stock across the whole network. However there are currently no plans for any further re-deployment of rolling stock from the Fenchurch street line.

Bob Spink: To ask the Secretary of State for Transport what discussions the Strategic Rail Authority has had with c2c about the removal of rolling stock from the Fenchurch Street line; and what approvals they have given to c2c. [190747]

Mr. McNulty: I refer the hon. Member to the written reply given to him on 13 September 2004, *Official Report*, column 1383W.

INTERNATIONAL DEVELOPMENT

CDC

Gregory Barker: To ask the Secretary of State for International Development pursuant to his answer of 3 March 2004, *Official Report*, column 916W, on CDC, what proportion of CDC-funded travel involved an overnight stay in each year since 1999. [190514]

Hilary Benn: CDC does not keep a record of this information, and to obtain it would incur a disproportionate cost.

Gregory Barker: To ask the Secretary of State for International Development if he will list CDC/Actis Capital funded agribusiness *(a)* new investments and *(b)* disposals since June 2003 broken down by (i) country, (ii) investment fund and (iii) investment size. [190515]

Hilary Benn: New investments and disposals by CDC in the agribusiness sector by country and fund since June 2003 are as follows:

	Country	*Fund*
New agribusiness investments		
Fertisa Port	Ecuador	Latin America
Middle East Food and Trade Company SAE	Egypt	Africa
Kilombero Valley Teak Company Ltd.	Tanzania	Assets
Tanzania Tea Packers	Tanzania	Assets
Agribusiness disposals		
Favorita Fruit Company Ltd.	Ecuador	Latin America
Agro Tech Foods Ltd.	India	Assets
Mumias Sugar Company Ltd.	Kenya	Assets
Ramu Sugar	Sri Lanka	Assets
Mah Boon Krong Sirichai	Thailand	Assets

The total value of new investments at cost was US$17 million, while disposals amounted to US$22 million.

Gregory Barker: To ask the Secretary of State for International Development if he will list non-CDC third-party capital under Actis Capital's management broken down by *(a)* investor, *(b)* country, *(c)* investment fund and *(d)* amount. [190516]

Hilary Benn: The following table sets out the various Actis funds and details (by fund), the country/region, the size of the fund, the number of non-CDC investors and the percentage investment in each fund by them.

The amounts invested by non-CDC third party investors are confidential and is commercially sensitive and are therefore confidential.

Fund name	*Country/ region*	*Fund size (US$m)*	*Number of investors (excluding CDC)*	*Percentage invested by non-CDC investors*
Actis Malaysia Fund 1 LP[1]	Malaysia	60	1	33
CGU-CDC China Investment Company	China	100	1	50
Comafin	Africa	60	7	58
South Asia Regional Fund (SARF)	South Asia	105	15	46

[1] First close

Gregory Barker: To ask the Secretary of State for International Development if he will list investors in CDC's Aureos fund broken down by *(a)* amount and *(b)* proportion. [190517]

Hilary Benn: The following table gives information on the size of the various Aureos funds, the number of non-GDC investors and the percentage investment in the fund by them The amounts invested by non-CDC third party investors are commercially sensitive and therefore, confidential.

Fund name	*Fund size (US$ million)*	*Number of investors (excluding CDC)*	*Percentage invested by non-CDC investors*
Aureos East Africa Fund (2003)	40.0	7	80
Aureos West Africa Fund (2003)	50.0	6	69
Aureos Southern Africa Fund (2003)	50.0	4	70
Aureos Central America Fund (2002)	36.3	4	73
Acacia Fund (Kenya)	19.6	7	75
Ayojana Fund (Sri Lanka)	6.0	1	50
Zambia Venture Capital Fund	12.5	4	80
Ghana Venture Capital Fund	5.8	4	66
Takura Ventures, Zimbabwe	6.9	3	69
Indian Ocean Regional Fund	12.5	3	61
Mauritius Venture Capital Fund	7.5	3	80
Fedha Fund, Tanzania	11.9	5	69
Mozambique Investment Company	5.3	6	74
Tanzania Venture Capital Fund	7.6	5	67
Kula Fund, Pacific	16.9	5	68
NDB Venture Investments (Portfolio A), Sri Lanka	4.7	1	100
NDB Venture Investments (Portfolio B), Sri Lanka	6.0	1	50
Central American Investment Facility	26.4	5	62

Gregory Barker: To ask the Secretary of State for International Development whether there are plans to develop CDC/Actis Capital funds strictly devoted to the agribusiness sector. [190518]

Hilary Benn: There are no proposals currently under discussion between CDC and Actis for a fund or funds strictly devoted to the agribusiness sector. However, there is scope for agribusiness investment within all of the regional funds currently managed by Actis.

HEALTH

Acute Stroke Care

Paul Holmes: To ask the Secretary of State for Health what targeted funding Chesterfield and North Derbyshire Royal Hospital NHS Trust has received for the provision of acute stroke care; and if he will make a statement. [190576]

Dr. Ladyman: The information requested is not collected centrally. Allocations of funding for particular treatments are matters for the local primary care trust.

Chiropody

Sandra Gidley: To ask the Secretary of State for Health what advice he gives to primary care trusts concerning the length of time a patient should wait between regular chiropody appointments. [190138]

Mr. Hutton: No advice has been given. This is a matter for clinicians to address at a local level.

Cleaning Contracts

Tim Loughton: To ask the Secretary of State for Health if he will list hospitals in England whose primary cleaning contract is performed by in-house staff. [189438]

Mr. Hutton: The information requested has been placed in the Library. The data provided was collected during the 2003–04 patient environment action team (PEAT) programme. It lists 706 hospital sites where it was reported that cleaning was undertaken by in-house staff. Some sites reported that the responsibility for cleaning was split between in-house staff and contract cleaners and these sites are not listed as we do not hold information centrally on which is the primary contract.

The 2003–04 PEAT programme ran from December 2003 to May 2004. The arrangements for cleaning in hospitals are a matter for local managers and it is possible that some of the information provided has since changed.

Tim Loughton: To ask the Secretary of State for Health what assessment he has made on the effects on costs of cleaning contracts to *(a)* hospitals in England and *(b)* Worthing and Southlands Hospitals Trust of rises in (i) national insurance contributions and (ii) the minimum wage. [189439]

Mr. Hutton: Information is not routinely collected or held centrally on the pay element of the costs of cleaning contracts awarded to either national health service teams or external contractors.

Clinical Excellence Awards

Mr. Burstow: To ask the Secretary of State for Health if he will estimate the cost to the Department of *(a)* clinical excellence awards and *(b)* higher level clinical excellence awards in the last year for which figures are available. [189260]

Mr. Hutton: This is the first year of the clinical excellence awards scheme and it is not yet known how much the Department will be spending on the awards. The advisory committee on clinical excellence awards will ratify the decisions on new awards at the forthcoming meeting in October.

Last year, 2003–04, was the final year of the distinction awards scheme and the total spent by the Department on new and existing national distinction awards was £139,673,000.

Correspondence

Mr. Sanders: To ask the Secretary of State for Health when he will reply to the letter from the hon. Member for Torbay of 26 August regarding NHS work permits. [189650]

Mr. Hutton: I refer the hon. Member to the answer given by my hon. Friend the Minister of State for Citizenship and Immigration at the Home Office (Mr. Browne) on 11 October 2004, *Official Report*, column 165W.

Council of Ministers

Sue Doughty: To ask the Secretary of State for Health if he will make a written ministerial statement outlining the key points on the agenda for each of the Council of Ministers' meetings at which his Department is represented in advance of each meeting. [188196]

Mr. Hutton: I refer the hon. Member to the reply given by my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs (Mr. Straw) on 13 September 2004, *Official Report*, column 1451W.

Egg Freezing

Bob Spink: To ask the Secretary of State for Health if he will list the hospital trusts which do not offer an egg freezing service to women who have a radical hysterectomy following cervical cancer. [190964]

Miss Melanie Johnson: The information requested is not collected centrally.

Haemodialysis (Jersey)

Mrs. Spelman: To ask the Secretary of State for Health how many patients received funding from the NHS for haemodialysis treatment in Jersey in *(a)* 2003–04 and *(b)* 2002–03. [189778]

Mr. Hutton: This information is not collected centrally. The administrative arrangements which support the Health Service Convention between the United Kingdom and the Channel Islands explicitly exclude the provision of maintenance renal dialysis treatment free of charge for temporary visitors.

Primary care trusts in England may, however, pay for treatment abroad for UK residents, but the guidelines for assumption of the costs of such treatment normally exclude holiday haemodialysis.

Healthcare Commission

Tim Loughton: To ask the Secretary of State for Health what the cost was of running the Healthcare Commission in the last year for which figures are available. [189435]

Mr. Hutton: The Healthcare Commission began operating in April 2004. The budgeted expenditure for 2004–05 is £75.5 million, funded by £4 million from private and voluntary healthcare fees and £71.5 million grant in aid.

Tim Loughton: To ask the Secretary of State for Health what the responsibilities of the Healthcare Commission are. [189436]

Mr. Hutton: The Healthcare Commission is the independent healthcare inspectorate for England. Its functions are set out in the Health and Social Care (Community Health and Standards) Act 2003.

Tim Loughton: To ask the Secretary of State for Health how many reviews have been carried out by the Healthcare Commission since its inception. [189437]

Mr. Hutton: I understand from the Healthcare Commission that it has published:

33 clinical governance reviews of national health service trusts—mental health and primary care;

19 local reports on the implementation of the coronary heart disease national service framework;

one investigation;

34 inspection reports on private and voluntary providers.

Hepatitis C

Mr. Page: To ask the Secretary of State for Health what steps his Department is taking to assess the prevalence of hepatitis C in the UK population. [189820]

Miss Melanie Johnson: I refer the hon. Member to the reply I gave him on 11 October 2004, *Official Report*, column 144W.

The prevalence of hepatitis C in Wales, Scotland and Northern Ireland is a matter for the respective devolved administrations.

Hospital Closures

Mr. Boris Johnson: To ask the Secretary of State for Health how many *(a)* community hospitals and *(b)* disabled units in England and Wales have closed since 1997. [190216]

Mr. Hutton: Information on hospital closures, including specialist units, ceased to be collected in 1991 following the introduction of the national health service internal market and NHS trusts.

Life Expectancy

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 9 September 2004, *Official Report*, column 1354W, on life expectancy, what the baseline is for progress against the detailed target for life expectancy; and what progress has been made towards meeting the target. [189879]

Miss Melanie Johnson: The detailed life expectancy target is:

> "Starting with local authorities, by 2010 to reduce by at least 10 per cent. the gap between the fifth of areas with the "worst health and deprivation indicators' and the population as a whole."

The baseline is the average life expectancy at birth, for males and females separately, for the three years 1995, 1996 and 1997, for the group of local authority (LA) areas identified as having the "worst health and deprivation indicators". This group of areas is identified as the LAs that are in the worst quintile for at least three of the following variables:

male life expectancy at birth;

female life expectancy at birth;

cancer mortality in under 75s;

circulatory disease mortality in under 75s;

deprivation, as measured by the Office of the Deputy Prime Minister's index of multiple deprivation 2004, average ward scores.

We are awaiting publication of the revised data for these variables and will be able to report on progress against the target on a robust basis following publication of these data.

Malaria (Malavane)

Mr. Martlew: To ask the Secretary of State for Health if he will make Malavane available on the NHS as an anti-malaria treatment; and if he will make a statement. [191351]

Mr. Hutton: There is no drug called Malavane. The anti-malarial drug Malarone is not available on the national health service. Regulation 24, Schedule 5(1) of the national health services (General Medical Services Contracts) Regulations 2004, states that general practitioners can charge patients for

> "prescribing or providing drugs or medicines for malaria chemoprophylaxis".

National Service Framework for Older People

Paul Holmes: To ask the Secretary of State for Health what funding has been allocated to *(a)* primary care trusts and *(b)* strategic health authorities for the implementation of Standard Five of the National Service Framework for Older People; and if he will make a statement. [190575]

Dr. Ladyman: We do not allocate resources specifically for implementing the national service framework for older people or the development of particular services, such as stroke services. This allows local national health service commissioners and providers to plan and deliver services according to the needs of the local population.

For the period 2003–04 to 2007–08, expenditure on the NHS in England will increase on average by 7.2 per cent., a year over and above inflation. Older people, the biggest users of the NHS, will be among the principal beneficiaries.

NHS Bureaucracy

Mr. Burstow: To ask the Secretary of State for Health if he will estimate the cost to the NHS of all central returns of information and statistics to *(a)* the Department of Health and *(b)* the Department's arm's length bodies in the last 12 months for which figures are available. [187858]

Miss Melanie Johnson: To discharge public accountability for the about £69.4 billion spent on the national health service in 2004–05, the Department will require certain information and statistics. By the end of the year, it will take the equivalent of about 400 NHS administrative and clerical staff, out of a total 1.3 million NHS staff, to provide this information to the Department. This represents a significant reduction in the burden as a result of improving the systems for collecting information.

Similar information is not available in respect of the Department's arm's length bodies but, as was announced in July, the number of these bodies is being reduced and arrangements are being put in place to reduce their capacity to impose demands on the NHS frontline.

NHS Cleaning

Mr. Rosindell: To ask the Secretary of State for Health how much the NHS spent on cleaning its *(a)* premises and *(b)* equipment in the latest year for which figures are available. [189255]

Mr. Hutton: In 2002–03, the national health service spent a total of £460 million on domestic cleaning services. The figure includes pay and non-pay costs, for example, the cost of contract staff, fees, materials, equipment provision and uniform costs. Information on the amount spent on cleaning premises and equipment is not collected separately.

NHS Contracts (Auctions)

Mr. Oaten: To ask the Secretary of State for Health (1) what percentage of auctions for contracting work in the NHS have been cancelled owing to lack of significant bidders; [R] [190038]

(2) what assessment he has made of the use of auctions for contracting work in the NHS; [190039]

(3) how many eAuctions have been undertaken in the NHS in each of the last two years. [R] [190040]

Mr. Hutton: No eAuctions undertaken by the National Health Service Purchasing and Supply Agency (NHS PASA) have been cancelled due to lack of supplier participation.

NHS PASA undertook a pilot study of eAuctions during 2003–04, in which 13 eAuction events were completed. A report on our assessment of this pilot is available on the NHS PASA website.

There is no central record of eAuction events undertaken by NHS organisations. NHS PASA itself undertook one eAuction event during 2002–03 and 13 eAuction events during 2003–04.

NHS Nurses

Mr. Cameron: To ask the Secretary of State for Health how many nurses left the NHS in each of the last three years; and if he will make a statement. [190032]

Mr. Hutton: The information requested is not collected centrally. The Department's non-medical workforce census collects information on the number of nurses employed in the national health service each year; consecutive years' data therefore show the net change in the workforce, taking account of leavers and joiners.

The Nursing and Midwifery Council (NMC) publishes an annual statistical report which includes information about the number of nurses and midwives leaving the register. This data can be found on the NMC website at www.nmc-uk.org.uk.

Between September 1997 and March 2004, there has been a net increase in the number of nurses employed in the NHS of 77,500. The Government have met and exceeded the NHS Plan and Manifesto targets for increasing the nursing workforce and has also exceeded the expectation for 35,000 more nurses by 2008. The Government acknowledge that there are still more staff needed in these areas and we shall focus on increasing training places, retaining nursing staff and filling existing vacancies.

Primary Care Trusts

Mr. Baron: To ask the Secretary of State for Health what plans he has to reduce the number of primary care trusts. [191754]

Mr. Hutton: My right hon. Friend the Secretary of State for Health, presently has no plans to reduce the number of primary care trusts.

Reconfiguration Service Reviews

Mr. Burstow: To ask the Secretary of State for Health how many reconfiguration service reviews have been undertaken by Sir Ara Darzi, broken down by *(a)* date and *(b)* services covered. [189263]

Mr. Hutton *[holding answer 16 September 2004]*: Professor Sir Ara Darzi has undertaken or is undertaking the following service reviews:

Review	*Date*	*Services covered*
Kidderminster hospital	June-July 2001	Elective surgery
Worcestershire, County Durham and Darlington	December 2001–February 2002	All acute services
Hartlepool hospital	Under way	All acute services

Residential Care

Jim Dowd: To ask the Secretary of State for Health how much his Department has paid towards nursing costs for those in residential care in the past 12 months; and what proportion this represents of the total amount spent on residential care from all sources. [189002]

Dr. Ladyman: The total amount spent in 2002–03, the latest year for which figures are available, by councils and primary care trusts (PCTs) in providing nursing care for adults was £1.95 billion. In that year, PCTs were allocated £220 million to meet the assessed nursing needs of people in care homes providing nursing care. This was to cover the nursing care costs of people who met the full cost of their care. The corresponding costs for people financially supported by councils is not separately identifiable. Thus, a valid comparison cannot be made.

In 2003–04, PCTs became responsible for the nursing care costs of all residents in homes providing nursing care. PCTs were allocated £584 million for this purpose. The total amount spent by councils and PCTs in that year is not yet available to make a comparison.

We would expect this to be about 25 to 30 per cent. of the amount spent on residential care. The balance comprises principally the costs of personal care provided to residents and their board and lodging costs.

Sexually Transmitted Diseases

Sarah Teather: To ask the Secretary of State for Health how many cases of diagnosed sexually transmitted diseases there were in each primary care trust in London in each year since 1997. [190478]

Miss Melanie Johnson: The numbers of cases of diagnosed sexually transmitted diseases for each primary care trust in London for each year since 1997 are shown in the table.

Diagnoses of sexually transmitted diseases by primary care trust (PCT). London: 1997–2003[1]

Primary care trust	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*
Barking and Dagenham PCT	2,454	2,797	3,020	2,764	2,457	3,461	3,292
Barnet PCT[2]	1,542	1,591	1,546	1,993	2,001	1,899	923
Brent PCT	8,753	8,851	8,724	9,258	9,479	10,156	10,113
Bromley PCT	1,386	1,899	2,287	2,468	3,296	3,683	3,575
Camden PCT	15,714	17,117	17,478	18,750	20,962	22,257	26,987
City and Hackney PCT[2]	14,998	16,595	16,601	16,169	19,171	22,673	21,072
Croydon PCT	4,089	5,546	5,707	6,968	7,805	7,995	7,587
Ealing PCT	1,514	585	1,518	1,687	2,062	2,751	1,832
Enfield PCT	581	1,513	1,168	1,481	1,957	2,129	1,659
Greenwich PCT	4,361	4,314	4,901	6,012	5,170	5,385	6,607
Hammersmith and Fulham PCT	7,838	7,889	8,281	9,556	9,992	4,996	5,723
Haringey PCT	5,029	5,229	5,568	6,344	7,183	6,617	6,379
Hillingdon PCT	1,931	2,387	3,038	3,096	4,131	4,000	3,110
Hounslow PCT	3,270	3,185	3,029	4,101	4,637	5,861	6,473
Islington PCT	5,339	5,552	6,259	5,781	5,309	4,988	6,186
Kensington and Chelsea PCT	11,995	11,636	11,040	13,149	13,301	11,739	12,243
Kingston PCT	1,926	2,443	2,646	3,129	3,474	3,872	4,481
Lambeth PCT	17,865	19,998	21,327	19,971	19,754	22,003	22,209
Lewisham PCT[3]	412	353	346	482	21	—	—
Newham PCT	8,948	9,033	11,214	11,023	12,769	13,200	15,236
Southwark PCT	16,481	17,073	15,232	13,836	16,699	19,618	19,249
Sutton and Merton PCT	10,870	9,110	11,569	13,464	14,229	16,589	17,784
Walthamstow, Leyton and Leytonstone PCT	1,157	1,355	1,726	1,713	2,311	2,433	2,988
Wandsworth PCT	2,629	2,712	3,072	3,004	3,519	4,151	4,199
Westminster PCT	18,639	21,490	21,359	20,503	20,870	18,462	19,657

[1] Overall figures may be lower than stated for the London region in the annual report because the data presented here have not been imputed.

[2] One clinic in each of these PCTs did not submit all the KC60 returns for 2003.

[3] The Alexis Clinic closed in June 2001. No GUM clinics currently open in this PCT.

Short Gestation Births

Dr. Vis: To ask the Secretary of State for Health how many children were born at under 24 weeks gestation in the last two years for which figures are available; how many were still alive one year later; how many were handicapped; and from what handicaps they suffered. [190167]

Dr. Ladyman: The Department estimates that 450 babies were born from 400 deliveries before 24 weeks gestation in 2001–02. In 2002–03, about 600 babies were born from around 650 similar deliveries. Deliveries at low gestational age are often, but not always, precursors to disability. We do not have any information on the number of babies born in the most recent years who have physical or sensory impairments or learning difficulties. Neither do we know how many of those babies were still alive a year after birth. However, results of a United Kingdom and Ireland longitudinal study conducted at Nottingham University based on babies born before 26 weeks in the nine months from March to December 1995 is available at http://www.nottingham.ac.uk/human-development/EPICure/study2.htm .

Social Services Expenditure

Mr. Drew: To ask the Secretary of State for Health what the average expenditure per head of population on *(a)* children and *(b)* older people was by each social services department in the last year for which figures are available. [191120]

Miss Melanie Johnson: The table shows the average gross expenditure per head of population on children and older people for each social services department in England in 2002–03, the latest year for which data are available.

Gross expenditure per capita on older people and children by social services departments 2002–03

£

	Older people[1] *aged 65 and over*	*Children*[1] *aged under 18*
Barking and Dagenham	1,344	422
Barnet	986	403
Barnsley	904	302
Bath and North East Somerset UA	766	268
Bedfordshire	730	275
Bexley	859	278
Birmingham	997	380
Blackburn with Darwen UA	1,154	380
Blackpool UA	918	364
Bolton	960	252
Bournemouth UA	815	435
Bracknell Forest UA	906	243
Bradford	1,076	329
Brent	1,063	464
Brighton and Hove UA	1,065	505
Bristol UA	1,193	416
Bromley	838	326
Buckinghamshire	765	157
Bury	998	263
Calderdale	938	288
Cambridgeshire	763	200
Camden	1,839	709
Cheshire	843	206
City of London	2,434	1,651
Cornwall	675	262
Coventry	1,032	413
Croydon	1,043	329
Cumbria	797	245
Darlington UA	719	337
Derby UA	924	310
Derbyshire	796	219
Devon	712	233
Doncaster	875	299
Dorset	489	240
Dudley	799	229
Durham	1,022	277
Ealing	1,076	490
East Riding of Yorkshire UA	741	173
East Sussex	673	268
Enfield	937	363
Essex	790	251
Gateshead	1,181	356
Gloucestershire	643	213
Greenwich	1,215	648
Hackney	1,557	606
Halton UA	963	316
Hammersmith and Fulham	1,677	767
Hampshire	601	182
Haringey	1,372	680
Harrow	896	309
Hartlepool UA	1,106	335
Havering	732	291
Herefordshire UA	563	246
Hertfordshire	709	276
Hillingdon	872	404
Hounslow	1,078	459
Isle of Wight UA	795	253
Isles of Stilly	1,120	172
Islington	1,855	949
Kensington and Chelsea	1,290	704
Kent	759	213
Kingston upon Hull UA	1,197	544
Kingston upon Thames	1,099	280
Kirklees	1,020	258
Knowsley	991	354
Lambeth	1,429	773
Lancashire	864	230
Leeds	969	393
Leicester U A	1,055	411
Leicestershire	680	158
Lewisham	1,529	707
Lincolnshire	693	217
Liverpool	1,158	519
Luton UA	926	320
Manchester	1,336	676
Medway Towns UA	873	212
Merton	958	350
Middlesbrough UA	1,023	395
Milton Keynes UA	1,033	297
Newcastle upon Tyne	1,218	482
Newham	1,452	544
Norfolk	762	262
North East Lincolnshire UA	912	376
North Lincolnshire UA	860	351
North Somerset UA	727	236
North Tyneside	1,085	478
North Yorkshire	712	192
Northamptonshire	726	235
Northumberland	1,037	311
Nottingham UA	1,107	567
Nottinghamshire	787	254
Oldham	675	273
Oxfordshire	749	187
Peterborough UA	949	520
Plymouth UA	943	437
Poole UA	624	294
Portsmouth UA	1,078	335
Reading UA	892	386
Redbridge	943	246
Redcar and Cleveland UA	705	284
Richmond upon Thames	1,114	255
Rochdale	1,082	273
Rotherham	1,029	271
Rutland U A	693	110
Salford	1,063	507
Sandwell	1,095	368
Sefton	946	286
Sheffield	1,149	369
Shropshire	719	185
Slough U A	851	363
Solihull	649	295
Somerset	665	201
South Gloucestershire UA	769	164
South Tyneside	1,183	429
Southampton UA	1,002	396
Southend-on-Sea UA	832	395
Southwark	1,646	818
St. Helens	1,037	276
Staffordshire	774	210
Stockport	840	290
Stockton on Tees	912	259
Stoke-on-Trent UA	990	361
Suffolk	748	221
Sunderland	1,182	444
Surrey	613	219
Sutton	944	266
Swindon UA	751	252
Tameside	1,116	349
Telford and the Wrekin UA	862	281
Thurrock UA	713	274
Torbay UA	995	415
Tower Hamlets	2,106	706
Trafford	844	243
Wakefield	941	278
Walsall	993	496
Waltham Forest	1,114	426
Wandsworth	1,430	626
Warrington UA	967	177
Warwickshire	677	224
West Berkshire UA	707	282
West Sussex	706	234
Westminster	1,554	993
Wigan	886	278
Wiltshire	589	181
Windsor and Maidenhead UA	724	173
Wirral	935	329
Wokingham UA	698	196
Wolverhampton	1,070	368
Worcestershire	675	231
York UA	763	243
England	869	315

UA = Unitary authority.

[1] The population figures used to calculate the per capita expenditure are those for the same age groups as the headings in the table.

Sources:

Expenditure data, form PSS EX1;

Population data, mid 2002 Office for National Statistics estimates

Vegan Food Products

Sue Doughty: To ask the Secretary of State for Health if he will make it his policy to encourage the food industry to use the Vegan Society's sunflower logo on food products complying with vegan standards; and if he will make a statement. [190137]

Miss Melanie Johnson: The Vegan Society's sunflower logo is a registered trademark used for commercial purposes and as such, it is not appropriate for the Government to encourage its use.

Working Time Directive

Mr. Norman: To ask the Secretary of State for Health what recent representations he has received about the costs of remunerating medical staff who have signed a formal opt-out from the Working Time Directive. [186366]

Mr. Hutton: I am not aware of any such representations.

NORTHERN IRELAND

Pensions

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland whether the procedures for dealing with persons applying or the enhanced or accelerated pension administered by the Northern Ireland Local Government Officers Superannuation Committee have been revised in the past five years. [191634]

Angela Smith: The pension scheme administered by the Northern Ireland Local Government Officers' Superannuation Committee does not make provision for an accelerated or an enhanced pension arrangement. The Local Government Pension Scheme Regulations (Northern Ireland) 2002, Part III, which came into operation on 1 February 2003, did, however, make provision for optional additional benefits. One of which was to allow employing authorities to increase total membership (the number of years which count for pension purposes) of members leaving employment at or after 50. It is the responsibility of each employing authority to formulate and review their policy in respect of Part III of those Regulations.

WORK AND PENSIONS

Benefits (York)

Hugh Bayley: To ask the Secretary of State for Work and Pensions how many and what percentage of *(a)* men, *(b)* women and *(c)* men and women were (i) unemployed and claiming benefits, (ii) long-term unemployed, (iii) youths unemployed and (iv) claiming incapacity benefit or predecessor invalidity benefits in (A) the UK, (B) England, (C) Yorkshire and the Humber, (D) City of York Council area and (E) City of York and York parliamentary constituency in each year since 1979. [188955]

Jane Kennedy: The available information has been placed in the Library.

Civil Service (Job Losses)

Bob Spink: To ask the Secretary of State for Work and Pensions which services within his Department will be *(a)* affected by and *(b)* subject to job losses consequent on the cuts in the civil service announced in the Spending Review. [189641]

Maria Eagle: I refer the hon. Member to the reply given by the Chief Secretary to the Treasury on 16 September 2004, *Official Report*, column 1659W

Consultants

Mr. Willetts: To ask the Secretary of State for Work and Pensions how much his Department spent on *(a)* headhunters and recruitment consultants and *(b)* management consultants in (i) 1996–97 and (ii) the latest year for which figures are available. [185531]

Maria Eagle: DWP was formed in June 2001 from the former Department of Social Security (DSS) and parts of the former Department for Education and Employment (DfEE) including the Employment Service (ES). Consultancy procurement prior to the formation of DWP was the responsibility of the individual Agencies within DSS and DfES. The information requested was not collated centrally and could be provided only at disproportionate cost.

During 2003–04, DWP spent £0.71 million on headhunters and recruitment consultants. During 2002–03, the latest year for which figures are available, expenditure on management consultancy was £47.57 million.

Headed Notepaper

Mr. Willetts: To ask the Secretary of State for Work and Pensions what the total cost of printing departmental headed notepaper was in *(a)* 1996–97 and *(b)* the latest year for which figures are available. [185527]

Maria Eagle: In 2003–04, the latest year available, the Department for Work and Pensions spent £425,219 on headed notepaper. Headed notepaper is used for most external communications with our customers, who include most of the UK population, our suppliers and business contacts. Because the Department was formed in 2001 there are no comparable figures for 1996–07. Figures for 1996–07 for the Department's predecessor organisations, principally the Department of Social Security and the Employment Service agency are not held centrally and could be obtained only at disproportionate cost.

LandSecurities Trillium

Tim Loughton: To ask the Secretary of State for Work and Pensions what the projected annual costs of his Department's contract payments to LandSecurities Trillium are. [189417]

Maria Eagle: The total projected contract payment to LandSecurities Trillium for 2004–05 is £482.3 million.

Pension Payment Arrangements

Chris Ruane: To ask the Secretary of State for Work and Pensions how many pensioners have opted for a *(a)* Post Office and *(b)* bank or building society account for the receipt of pension payments; and how many have still to make their preference known. [190286]

Mr. Pond *[holding answer 13 October 2004]:* As at 20 August we had written to almost 5.4 million pensioners. Almost 2 million have provided their bank account details, and almost 2.5 million have requested a Post Office card account.

Those customers who have not yet provided their account details will be contacted again to discuss their options, unless they have already advised the Department that they genuinely cannot open or manage an account.

CULTURE, MEDIA AND SPORT

Green Ministers

Mr. Horam: To ask the Secretary of State for Culture, Media and Sport how many meetings of the Ministerial Sub-Committee of Green Ministers were attended by the Department's Green Minister in *(a)* 2002–03 and *(b)* 2003–04. [190850]

Estelle Morris: According to Cabinet Committee protocol, I can confirm only that I have represented the Department for Culture, Media and Sport on this committee since July 2003.

Television Licences

Mr. Gregory Campbell: To ask the Secretary of State for Culture, Media and Sport if she will estimate the percentage of households in each of Northern Ireland's constituencies in possession of a valid television licence. [191628]

Estelle Morris: As explained in my reply to the hon. Member on 11 October 2004, *Official Report,* column 69W, TV Licensing do not record the numbers of licences issued by parliamentary constituency. It is therefore not possible to estimate reliably the percentage of households in each constituency in possession of a television licence.

Mr. Drew: To ask the Secretary of State for Culture, Media and Sport what rights the television licensing authorities have to make pre-emptive calls upon the residents of newly built properties when there is no clarity as to whether they yet own a television; and if she will investigate correspondence issued by the authority with regard to this practice. [190210]

Estelle Morris: The BBC, as licensing authority, and its agent, TV Licensing, have the same rights and responsibilities in relation to newly built properties as in respect of any other property. Parliament has entrusted the administration of the television licensing system to the BBC and the Government have no power to intervene in operational matters of this kind. However, the BBC has explained that TV Licensing receives regular updates of the Postal Address File maintained by the Post Office. This information is checked against licensing data and, if an unlicensed property is identified, inquiries are made first by letter, then by telephone and if necessary by a home visit to establish if a television licence is required.

Mr. David Marshall: To ask the Secretary of State for Culture, Media and Sport how many households in the city of Glasgow are in receipt of the free television licence for over-75s. [191004]

Estelle Morris: TV Licensing, who administer free television licences for people aged 75 or over as agents for the BBC, are not able to provide geographical breakdowns of the number of free licences issued. However, 2001 Census data indicate that there are approximately 44,400 people aged 75 or over living in Glasgow.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Bovine TB

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of incidence of bovine tuberculosis in deer; and how much her Department has spent on research into this in each of the past 10 years. [190107]

Mr. Bradshaw: Bovine tuberculosis (TB) has been confirmed in five of the six established wild and feral species of deer in GB.

Defra has carried out one research project in the last 10 years which has included work on isolating TB in deer and other mammalian wildlife species (excluding badgers). The wildlife survey, carried out by the Central Science Laboratory (CSL) in the South West of England, confirmed infection in four deer species—roe deer (1.0 per cent. of 885 samples), red deer (1.0 per cent. of 196 samples), fallow deer (4.4 per cent. of 504 samples) and muntjac (5.2 per cent. of 58 samples). The prevalence of infection was significantly higher in adult fallow and roe deer. The final report of the CSL research was published on the Defra website in July and can be viewed at: http://www.defra.gov.uk/science/project_data/DocumentLibrary/SE3010/SE3010_1628_FRP.doc

A breakdown of the costs for the Central Science Laboratory research are given in the following table:

£

	Cost
1999–2000	104,418
2000–01	162,237
2001–02	195,822
2002–03	182,460
2003–04	117,686
Total	762,623

Note:

The CSL survey looked at TB in a number of mammalian wildlife species and did not focus specifically on deer.

While isolations of Mycobacterium bovis (the causative organism of bovine TB) from deer are a concern it is not clear what, if any, contribution any of the species examined in the study make to the problem of TB in cattle. We are currently considering the requirements for our future research programme.

Foot and Mouth Vaccine

Mr. Soames: To ask the Secretary of State for Environment, Food and Rural Affairs how many doses of foot and mouth vaccine are immediately available for the type O virus which occurred in 2001. [191745]

Mr. Bradshaw: Article 79.4 of Council Directive 2003/85/EEC on Community measures for the control of foot and mouth disease states that

> "The information on quantities and subtypes of antigens or authorised vaccines stored in the national antigen and vaccine bank shall be treated as classified information and in particular shall not be published."

Student Agricultural Workers Scheme

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the decision to exempt some non-EU students from national insurance contributions as part of the student agricultural workers scheme. [190843]

Dawn Primarolo: I have been asked to reply.

National insurance contributions fall within the remit of the Inland Revenue and I am replying as the Minister responsible. Regulation 145(3) of the Social Security (Contributions) Regulations 2001 (SI 2001/1004), which dates back to 1948, allows certain foreign students employed in the UK during their vacations to be exempt from NICs for the first 52 weeks of their employment. It does not apply to students from within the EU or countries with which the UK has a Reciprocal Agreement (RA) or Double Contribution Convention (DCC).

HOME DEPARTMENT

Airwave

Jim Knight: To ask the Secretary of State for the Home Department what assessment he has made of the effect on the resilience of the critical national infrastructure of a second independent national emergency service communications network operating in parallel to Airwave. [190221]

Caroline Flint: We are working with the Association of Chief Police Officers, the Association of Police Authorities, the Police Information Technology Organisation and commercial partners to increase further the resilience of Airwave. A single, resilient network has very significant cost and technical advantages over the building and operation of two independent networks.

Animal Welfare

Mr. Hancock: To ask the Secretary of State for the Home Department when he was informed *(a)* of the death of three primates en route to Huntingdon in 1998 and *(b)* that the crates in which they were carried broke International Air Transport Association regulations; and if he will make a statement. [189113]

Caroline Flint: The animals were found dead on arrival at Charles de Gaulle airport in Paris from the Philippines on 5 August 1998. Their deaths were reported to Home Office Ministers on 28 August 1998. The Ministry of Agriculture, Fisheries and Food, the department responsible at that time for the enforcement of regulations governing the transportation of animals to the United Kingdom, was also informed.

Antisocial Behaviour Orders

Ms Abbott: To ask the Secretary of State for the Home Department how many anti-social behaviour orders have been issued in the Borough of Hackney; and if he will make a statement. [190129]

Ms Blears: Anti-Social behaviour orders (ASBOs) have been available to the courts since 1 April 1999. From commencement, up to 31 March 2004 (latest available), the Home Office has been notified of three ASBOs issued where restrictions imposed are specific to the Borough of Hackney.

Asylum Seekers

Mr. Rosindell: To ask the Secretary of State for the Home Department how many people who have successfully claimed asylum in the last three years are paying national insurance contributions. [191296]

Dawn Primarolo: I have been asked to reply.

The information requested is not available.

Great Gorilla Run

Miss McIntosh: To ask the Secretary of State for the Home Department what the cost of policing the Great Gorilla Run in London on 19 September was. [190449]

Ms Blears: The Commissioners of Police for the City of London and for the Metropolis inform me that no additional policing costs were incurred for this charity event.

The Dian Fossey Gorilla Fund organised the event and provided the majority of stewards.

Police

Keith Vaz: To ask the Secretary of State for the Home Department what the Government are doing to improve trust of the police among black people. [190136]

Ms Blears: Citizen-focused policing, a key strand of the police reform programme, is about improving the way police forces understand, communicate with and engage with their communities. Race and diversity are a key element of this.

Recent national initiatives aimed at improving public confidence in the police are the Police Race and Diversity Learning and Development Programme, which aims to help officers meet the individual needs of diverse communities, and the work of the Stop and Search Action Team which aims to increase the confidence that the black and minority ethnic (BME) community has in the way the police use the stop and search power and, where appropriate reduce disproportionality.

Tom Cox: To ask the Secretary of State for the Home Department how many *(a)* men and *(b)* women police officers in the Metropolitan Police force come from a minority ethnic background. [190255]

Ms Blears: I refer my hon. Friend to the recently published Home Office Statistical Bulletin on Police Service Strength 31 March 2004.

Mr. Denham: To ask the Secretary of State for the Home Department if he will make it his policy to ensure that police forces that choose not to employ community support officers do not lose out in the distribution of the Neighbourhood Policing Fund. [190305]

Ms Blears: The aim of the Neighbourhood Policing Fund (NPF) is to support the development of local policing teams to work with residents on policing priorities in their area. The NPF will enable forces to recruit 24,000 Community Support Officers (CSOs) by April 2008.

£50 million from the NPF is to be allocated to police forces in 2004–05 in to fund the salaries of new CSOs. We are expecting all 43 forces England and Wales to submit bids for funding. We will be discussing with police authorities and forces the terms of funding in subsequent years.

Police Complaints Commission

Lady Hermon: To ask the Secretary of State for the Home Department how many *(a)* complaints have been received and *(b)* investigations were carried out by the office of the Police Complaints Commission for England and Wales in each of the last four years. [188652]

Ms Blears: It is assumed that the question refers to the Independent Police Complaints Commission (IPCC) which was established under the Police Reform Act 2002 and commenced operations on 1 April 2004. It replaced the Police Complaints Authority (PCA) which ceased operations on 31 March 2004.

A breakdown of the complaints for the years 1999–2000 to 2002–2003 are as follows.

	Total complaints received by police	*Complaints referred to PCA*	*Complaints accepted for investigation*	*Voluntary referrals of non-complaint matters received*	*Voluntary referrals accepted by PCA*
2002–03	15,248	898	447	181	133
2001–02	16,654	937	622	177	162
2000–01	18,911	946	586	125	117
1999–00	21,000	1,192	822	144	139

The powers available to the IPCC are greater than those that were available to the PCA. It can receive complaints directly rather than just by referral. It also has powers to independently investigate complaints in certain circumstances.

Prisons

Mr. Denham: To ask the Secretary of State for the Home Department what the average time taken for a prisoner on the CARATS or other drug programmes to access drug treatment on leaving prison is. [190308]

Caroline Flint: Information is not available in the format requested.

The National Treatment Agency (NTA) report that by July 2004 in the majority of Drug Action Teams (DATs), there was an average waiting time of between one and a half to three and a half weeks for all types of treatment for all drug users, both those leaving prison and those entering treatment from the community. This is compared to between three to eight weeks in December 2002. The NTA is working with DATs to ensure waiting times continue to drop.

The NTA report that waiting times in the 47 DATs where the Drug Interventions Programme (formally known as CJIP) is being delivered intensively are lower than non-Drug Interventions Programme areas.

Stop and Search Powers

Lynne Jones: To ask the Secretary of State for the Home Department how many people were stopped and searched in Lechlade near Fairford on 22 March 2003 using powers under section 60 of the Criminal Justice and Public Order Act 1994. [190778]

Caroline Flint: I understand from Gloucestershire Police that 25 people were stopped and searched in Lechlade near Fairford on 22 March 2003 using powers under section 60 of the Criminal Justice and Public Order Act 1994.

Travellers

Bob Spink: To ask the Secretary of State for the Home Department what guidance he has given to police authorities on dealing with travellers' *(a)* unwanted access to (i) privately owned and (ii) publicly owned sites and *(b)* removal from (i) privately and (ii) publicly owned sites; and if he will make a statement. [190691]

Caroline Flint: In February 2004, the Home Office and the Office of the Deputy Prime Minister (ODPM) published operational guidance for the police and local authorities on managing unauthorised camping. The guidance is available on the ODPM website.

UN Convention Against Corruption

Mr. Hancock: To ask the Secretary of State for the Home Department what timescale he has for introducing the *(a)* primary and *(b)* secondary legislation that is required in order for the UK to be able to ratify the UN Convention Against Corruption. [190483]

Caroline Flint: The Government will seek to bring forward the required legislation at the earliest suitable opportunity. In addition to primary legislation to comply with Article 55 on the forfeiture of the instrumentalities of crime, secondary legislation will be required to comply with Article 52, on the prevention and detection of transfers of the proceeds of crime, and Article 53 of the Convention, on the confiscation and repatriation of assets. Measures dealing with the requirements of Article 52 are likely to be included in the EU Third Money Laundering Directive. Our current expectation is that negotiations on the Directive will be completed by the first part of next year and we would seek to implement it in the UK through secondary legislation as soon as we reasonably could thereafter.

Measures dealing with the requirements of Article 53 will be brought forward under Part 11 of the Proceeds of Crime (POCA) Act 2002.

Violent Crime

Mr. Liddell-Grainger: To ask the Secretary of State for the Home Department what recent assessment he has made of the level of violent crime. [186549]

Ms Blears: According to figures from the British Crime Survey (BCS), which are the most reliable indicator of long-term trends in violence in England and Wales, there were an estimated 2.7 million violent incidents against adults in 2003–04. Levels of violent crime are now stable and are 26 per cent. down from 1997. The fear of violent crime has also fallen steadily since 1998, with the proportion of adults with a high level of concern about violent crime down from 21 per cent. in 2002–03 to 16 per cent. in 2003–04.

Half of all violent incidents reported to the BCS in 2003–04 did not result in injury to the victim. However, this does not mean that public concern about violent crime is unjustified or that the ordeal of victims is not traumatic, even if injury has not occurred.

Recorded violent crime has risen since 1997, reaching 1.1 million incidents in 2003–04, but these data are affected by changes in reporting and recording practices. The Home Office Counting Rules for Recorded Crime were amended in 1998 to include a large number of offences particularly in the less serious violence categories. The introduction of the National Crime Recording Standard (NCRS) in April 2002 also resulted in an increase in recorded crime. The effect for violent crime was estimated to be an increase of 20 per cent.

In addition, more violent crimes are being recorded by the police as public tolerance of violence in the family or by acquaintances diminishes. Along with a more proactive response from the police, more crimes that would have previously been unreported are now recorded in the official figures.

Violent Crime (Northampton)

Mr. Tony Clarke: To ask the Secretary of State for the Home Department what the level of violent crime in Northampton was in each year since 1997. [186416]

Ms Blears: Northampton is a Crime and Disorder Reduction Partnership (CDRP) area. Data at CDRP level has only been collected from 1999–2000 onwards. Violent crime comprises violence against the person, sexual offences and robbery. In 2003–04, at least 52 per cent. of all recorded violence against the person involved no injury.

The available information are given in the tables.

Violent crime recorded by the police in Northampton 1999–2000 to 2001–02[1]

Period	*Number of offences*
1999–2000	2,525
2000–01	2,656
2001–02	2,927

[1] The date in this table is prior to the introduction of the National Crime Recording Standard in April 2002. These figures are not directly comparable with those for later years.

Violent crime recorded by the police in Northampton 2002–03 to 2003–04[1]

Period	*Number of offences*
2002–03	4,539
2003–04	5,451

[1] The date in this table takes account of the introduction of the National Crime Recording Standard in April 2002. These figures are not directly comparable with those for earlier years.

The British Crime Survey (BCS) also provides data on the level of violent crime in England and Wales. However, due to the variability of specific offence figures at police force area level, regional figures only are available. Data at regional level has been published as a rate per 10,000 adults since the 2001–02 BCS and are presented for the relevant region in the following table.

Total BCS violence rate per 10,000 adults for the East Midlands Region

	BCS
2001–02	621
2002–03	578
2003–04	600

Note:
The apparent difference between rates in 2002–03 and in 2003–04 is not statistically significant
Source:
2001–02, 2002–03, 2003–04 BCS interviews.

Half of all violent incidents reported to the BCS during 2003–04 did not result in injury to the victim. However, this does not mean that public concern about violent crime is unjustified or that the ordeal of victims is not traumatic, even if injury has not occurred.

HOUSE OF COMMONS

Parliamentary Data and Video Network

Mr. Drew: To ask the Chairman of the Information Committee what evaluation has been carried out of the effectiveness of the work undertaken by the Parliamentary Data and Video Network from a system based around Citrix to one using broadband for remote users. [189973]

Mr. Key: The majority of users are content with the Virtual Private Network (VPN) service, which in time will replace Citrix for remote access. VPN technology, which uses broadband connections, was piloted before it was launched. Feedback from the pilot was evaluated and further feedback was invited once the service had been rolled out. The Parliamentary Communications

Directorate (PCD) has investigated all negative feedback and has taken steps to ensure that the problems identified have been resolved. The performance of the VPN continues to be closely monitored.

Mr. Drew: To ask the Chairman of the Information Committee how many *(a)* complaints and *(b)* positive comments he has received since the system of connection to the Parliamentary Data and Video Network moved from Citrix to broadband for remote users, with particular reference to (i) access problems, (ii) speed and (iii) protection from spam. [189974]

Mr. Key: Since the introduction of the Virtual Private Network (VPN) I have received eight letters commenting on the service. Most of the letters welcome the move to broadband but also detail individual complaints. Most of the complaints relate to service issues rather than to access, speed or unsolicited e-mail. Three of the letters related to access problems in areas of the country where broadband was unavailable.

I am aware that the Parliamentary Communications Directorate has recently received complaints about the speed of the VPN. Every effort is being made to resolve this issue, and the Information Committee continues to monitor it closely.

Mr. Drew: To ask the Chairman of the Information Committee how many hon. Members *(a)* use and *(b)* do not use the Parliamentary Data and Video Network. [189975]

Mr. Key: There are currently 2,253 accounts set up for Members and their staff. 1,126 of these have been used at least once. It is not possible to provide separate figures for use by Members as it is not clear how many Members allow access to their accounts by their staff.

HOUSE OF COMMONS COMMISSION

Parliamentary Data and Video Network

Mr. Drew: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what the *(a)* budget and *(b)* cost of the Parliamentary Data and Video Network was in each of the last five years; and how many users had access to the systems in each of those years (i) on the parliamentary estate and (ii) as remote users. [189971]

Sir Archy Kirkwood: The current costs, budget, and number of accounts on the Parliamentary Network (PN) for the last five years are:

£000

	1999–2000	*2000–01*	*2001–02*	*2002–03*	*2003–04*
PN Budget	1,425	1,399	1,688	1,664	2,135
PN Expenditure	1,545	1,264	1,773	1,783	2,594
Accounts at year end (approx)	3,000	4,000	5,200	5,600	6,600

Budget and expenditure figures for the PN for 2003–04 reflect organisational changes to the Parliamentary Communications Directorate and are not directly comparable with earlier years.

The total number of accounts has been given because the number of individual users is not recorded. Of the total network accounts, around 2,230 are registered for Virtual Private Network (VPN) remote access and 2,730 for Citrix remote access. The numbers cannot simply be added because network accounts can be registered for both VPN and Citrix access.

Television Sets

Norman Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission how many television sets are operationally available on the parliamentary estate; what hours they are preset to turn on and off for each day of the week *(a)* when the House is sitting and *(b)* during parliamentary recesses; what measures have been taken to conserve the energy that they use; and what energy consumption he estimates results each year from televisions being left in stand-by mode. [191185]

Sir Archy Kirkwood: There are 1,951 television annunciators on the parliamentary estate. When the Houses are sitting the central control switches on the sets for an average of approximately 14 hours per day. On non-sitting days the central control does not activate the sets. The annunciator sets have been selected for their low energy consumption. When a set is operating it consumes 65 watts and in standby mode the consumption is 5.5 watts. The estimated annual energy cost of all the sets when in standby mode is £2,300.

DEPUTY PRIME MINISTER

Bed-and-Breakfast Accommodation (Buckinghamshire)

Mr. Bercow: To ask the Deputy Prime Minister how many homeless households in the Buckingham constituency have been resident in bed-and-breakfast accommodation in each year since 2002; and what percentage of them claimed benefit in each year. [191070]

Keith Hill: Information is not collected at constituency level, only at local authority level. Information reported by Aylesbury Vale district council on the number of homeless households resident in bed and breakfast hotels under homelessness legislation at the end of each quarter since 2002 is given in the table. Aylesbury Vale DC comprises the entire parliamentary constituency of Buckingham, and part of Aylesbury. The number of these households claiming, or in receipt of, social security benefits is not collected centrally and could be provided only at disproportionate cost.

Homeless households in B&B accommodation (inc. Shared Facility Annexes): Aylesbury Vale DC

	31 March	*30 June*	*30 September*	*31 December*
2002	1	4	4	0
2003	3	0	0	1
2004	1	1	—	—

Note:
Includes households accommodated pending completion of inquiries by the local authority.
Source:
ODPM P1(E) housing returns (quarterly).

Canvey Island

Bob Spink: To ask the Deputy Prime Minister if he will make it his policy to ensure *(a)* that Canvey Island is provided with an additional access road before any further major housing or industrial development is undertaken and *(b)* that the East of England Development Agency invests in additional access roads in Canvey before making any expenditure on development on the Island. [190958]

Keith Hill: The need for an additional access road to Canvey Island is a matter which the local planning and transport authorities should take into account when they are considering any proposals for further major development which may be brought forward; the East of England Development Agency (EEDA) is not empowered or funded to build infrastructure.

Care Homes

Sue Doughty: To ask the Deputy Prime Minister what the average price paid for each care home bed by the local authority in a non-local authority run home was in Surrey in each year since 1997. [188170]

Dr. Ladyman: I have been asked to reply.

This information is not available centrally.

Gypsies

Mr. Gray: To ask the Deputy Prime Minister what estimate he has made of the number of Gypsies of *(a)* English, *(b)* Irish and *(c)* Eastern European origin in England. [190727]

Keith Hill: This information is not available—at present the bi-annual Count of Gypsy and Traveller Caravans does not require local authorities to record the ethnicity of caravan dwellers.

High Hedges

Mr. Flook: To ask the Deputy Prime Minister when he will publish the guidance to local authorities on how to implement the legislation concerning high hedges contained in the Anti-social Behaviour Act 2003. [191617]

Phil Hope: Draft guidance to local authorities on dealing with complaints about high hedges under the provisions in Part 8 of the Anti-social Behaviour Act 2003 was issued on 29 March. The consultation closed on 30 June. The Office of the Deputy Prime Minister is now finalising the guidance and Regulations and expects the system to be fully operational around the end of 2004.

Housing (South Somerset)

Mr. Laws: To ask the Deputy Prime Minister what action he is taking to improve the availability of affordable accommodation in South Somerset; and if he will make a statement. [191283]

Keith Hill: Through the Housing Corporation's Approved Development Programme (ADP) the South West Housing Body has allocated the following amounts to deliver 324 Affordable Homes in South Somerset from 2003 until 2006:

	£
2003–04	1,518,626
2004–05	1,300,629
2005–06	4,007,790

Mobile Phone Masts

Mr. John Taylor: To ask the Deputy Prime Minister when he intends to publish a response to the recommendations of the All Party Mobile Group on Mobile Phone Masts published in July. [190640]

Keith Hill: The Government do not intend to publish a formal response to the recommendations in the report on mobile phone masts published by the All Party Mobile Group in July.

The Government have welcomed the report and acknowledges the work that went into preparing the report and the expert knowledge and advice given by those who presented written and oral evidence to the Group. Accordingly, the Government have given a commitment to reviewing the Group's recommendations in taking forward Government policy on planning for telecommunications. This is happening, as evidenced by the recent publication of the consultation document "Changes to the System of Planning Fees in England" which made direct reference to the Group's work.

Planning Appeals

Mr. Greg Knight: To ask the Deputy Prime Minister what the current average delay is at the Planning Inspectorate in dealing with appeals; what action is being taken to reduce the backlog of cases; and if he will make a statement. [190931]

Keith Hill: The Planning Inspectorate has been faced with a very large increase in planning appeals over the last 18 months. 22,548 planning appeals were received in 2003–04, an increase of 21.5 per cent. compared to the previous year. In the six months to 30 September 2004 there was a 23 per cent. rise in receipts of planning appeals compared to the same period in the previous year. As a result of the substantial increase in the number of cases, the Inspectorate is currently taking an average 52 weeks to arrange a site visit, and 60 weeks to arrange a hearing or inquiry. The Planning Inspectorate are taking a number of steps to reduce the backlog of cases including taking on an additional 29 consultant Inspectors, carrying out a pilot scheme to encourage appellants to go for the less resource intensive written representations rather than hearings method, working to identify and implement ways of increasing the productivity of Inspectors, reviewing how householder cases are dealt with and restructuring the Inspectorate to increase the capacity to deal with the casework. The Office of the Deputy Prime Minister has also provided an additional £1 million to the Inspectorate this year to help them deal with the backlog.

Mr. Truswell: To ask the Deputy Prime Minister how many planning appeals relating to the Leeds Metropolitan District area have been *(a)* submitted, *(b)* upheld and *(c)* rejected in the last five years for which figures are available. [190503]

Keith Hill: The information requested is tabled below.

Leeds city council—planning appeals

	Number submitted (received)	*Number upheld (allowed)*	*Number rejected (dismissed)*
2000–01	141	33	86
2001–02	186	60	63
2002–03	223	70	122
2003–04	203	64	126
2004–05[1]	95	27	29

[1] To 30 September 2004

Planning Permission

Mr. Drew: To ask the Deputy Prime Minister if he will make a statement on the numbers of campaigning and advertising signs in the countryside, with regard to the planning permission which is required; and what criteria are used to determine whether such signs constitute flyposting. [190892]

Keith Hill: Outdoor advertisements, including signs, and those displayed in campaigns in the countryside are controlled by local planning authorities. They will be lawfully displayed provided they are in accordance with the Town and Country Planning (Control of Advertisements) Regulations 1992. Fly-posting is any printed matter designed for the purpose of advertising, announcement or direction which is affixed without authorisation to any surface.

Playing Fields and Parks

Bob Spink: To ask the Deputy Prime Minister how many additional *(a)* playing fields and *(b)* parks he estimates will be required under the Government's plan for an additional 120,000 houses to be built between 2003 and 2016 in the Thames Gateway. [190940]

Keith Hill: This information is not held centrally. It has always been an important part of the planning system to co-ordinate new development with the infrastructure it demands, including green space. The plan-led system ensures that links between infrastructure and developments are properly investigated. Planning Policy Statement 12 (PPS12) requires that local planning authorities develop a strategic approach to infrastructure provision when preparing local development documents, in terms of transport, water, sewerage, waste and general community facilities.

The Government's commitment to the provision of green space, including parks and playing fields, was laid out in Planning Policy Statement 1, which said that well designed public and green space were required as part of building sustainable communities. The Government stated in Planning Policy Guidance 17 that open space standards are best set at a local level as national standards cannot cater for local circumstances. Local authorities are expected to carry out assessments of the needs of their communities that will be used to set robust standards for the provision of all types of open space. This applies equally in the Thames Gateway as elsewhere in the country.

The Government are encouraging the enhancement and the creation of a range of new green space within the Gateway, not just playing fields and parks. The Office of the Deputy Prime Minister and Department for the Environment, Food and Rural Affairs jointly published Creating Sustainable Communities: Greening the Gateway in January 2004, setting out the importance of green infrastructure in the Thames Gateway.

The Office of the Deputy Prime Minister is funding a number of projects that will provide playing fields and parks within the Gateway. For example, we have awarded £18.5 million to the Craylands and Fryens development, which will include the construction of three new football pitches. The Office of the Deputy Prime Minister has also awarded £4.5 million for the Kent Thames Gateway Environment Programme, which will allow for the development of a new regional park in north Kent.

Regional Spatial Strategies

Bob Spink: To ask the Deputy Prime Minister whether the regional spatial strategies for the South East and East of England regions will be expected to identify the required level of provision for community facilities and infrastructure in respect of the Thames Gateway; and how these will reflect increased house-building in the Thames Gateway. [190688]

Keith Hill: The Thames Gateway is covered by three regional planning authorities—the Mayor of London, East of England and South East England. These three authorities have issued collectively an Interregional Planning Statement, published in August 2004. It sets out the allocation of 128,500 new homes in the Thames Gateway sub-region by 2016. Alongside the housing projections, the statement also identifies work to deliver environmental, social, physical and essential services to support the growth agenda and secure overall sustainability. The statement is not a statutory document, but serves as a collective approach for the three Gateway planning authorities until regional plans come to fruition.

Statutory planning guidance for the Gateway will be provided through the regional spatial strategies for London, the South East and East. The London Plan was published in February 2004. It has always been an important part of the planning system to co-ordinate new development with the infrastructure it demands. The plan-led system ensures that links between infrastructure and developments are properly investigated. Planning Policy Statement 12 (PPS12) requires that local planning authorities develop a strategic approach to infrastructure provision when preparing local development documents, in terms of transport, water, sewerage, waste and general community facilities.

Regional planning guidance for the South East and East of England regions is currently under development. It is a planning requirement that RSSs are prepared with the objective of contributing to the achievement of sustainable development. The draft strategies are being developed by the Regional Assemblies who will be expected to take into account community and infrastructure needs in producing their plans, and are duty bound to present several options. It is for example a requirement that regional strategies incorporate transport strategies that set out the transport infrastructure required to support development.

The Government Offices will be heavily involved in the development of the regional strategies and will work to secure commitments to the Thames Gateway programme not only in terms of housing numbers, but also in terms of the infrastructure needed to support growth.

In addition, the Office of the Deputy Prime Minister is working closely with other Government Departments to ensure that the raft of community services and infrastructure required to support housing growth will be delivered across the Gateway. This work is led by MISC 22, the Cabinet Committee that oversees the development of the growth areas in England.

School Provision

Bob Spink: To ask the Deputy Prime Minister how many additional *(a)* primary schools and *(b)* secondary schools will be required under the Government's growth plan for additional houses to be built between 2003 and 2016 in the Thames Gateway. [190740]

Keith Hill: It is the responsibility of each local education authority to plan school provision in its area taking account of changes in local population. The Office of the Deputy Prime Minister and the Department for Education and Skills are working together to assist local authorities in planning future needs in respect of school provision, for example, by providing forecasts of population changes in the Thames Gateway.

Where plans are developed for new primary schools, or to enlarge any other existing schools, to meet population growth, these must be subject to local consultation before being published. The final decision on the proposals will generally be taken by the local School Organisation Committee or, if they cannot agree unanimously, an independent adjudicator. Where a local education authority proposes to establish a new secondary school they must publish details of the need for the school, inviting other promoters to submit proposals, and the Secretary of State for Education and Skills will decide which of the proposals submitted should be approved.

Sea Defences

Bob Spink: To ask the Deputy Prime Minister what level of additional sea defences will be required as a result of the Government's growth plan for additional houses to be built between 2003 and 2016 in the Thames Gateway; and where these will be sited. [190739]

Keith Hill: Most of the Thames Estuary is already protected to a greater than 1:1000 year level (possibility of 0.1 per cent. of flooding in any one year) until 2030. This includes a generous allowance for future sea level rise until 2030 and is a far higher standard of protection than in most other parts of the UK. Growth in the Thames Gateway will be largely concentrated on previously developed land in existing urban area, reducing the requirement for additional flood defences.

The Environment Agency is currently carrying out a six-year study of flood risk management called 'Thames Estuary 2100'. This will consider the flood defences that will be needed to protect the Thames Estuary for the next century and where they will need to be sited. The Office of the Deputy Prime Minister is represented on the steering group to ensure that development does not restrict options arising from the study.

Redevelopment in the Thames Gateway provides the opportunity to deliver sustainable flood defences. Riverside walkways and green spaces can be used to accommodate occasional flooding as well as providing an attractive setting for development. Sustainable flood management will be integrated with plans for a green space network across the Thames Gateway as well as at locations of new developments, such as on the Greenwich Peninsula.

Standards Board for England

Mrs. Spelman: To ask the Deputy Prime Minister how much funding was allocated to the Standards Board for England in each year since its establishment; and what the estimated cost is for 2005–06. [190790]

Phil Hope: The information requested is tabled below.

£ million

	Grant paid to the Standards Board for England
2001–02	2.646
2002–03	6.514
2003–04	8.944
2004–05	[1]8.94
2005–06	[2]—

[1] Expected grant

[2] To be agreed

Travellers

Mr. Gray: To ask the Deputy Prime Minister how many travellers' sites were available *(a)* on the latest date for which figures are available and *(b)* in 1997. [190742]

Keith Hill: As at January 2004, the latest date for which published figures are available, there were 313 local authority sites available to Gypsies and Travellers in England. In January 1997, there were 327 local authority sites available.

Mr. Gray: To ask the Deputy Prime Minister what estimate he has made of the total number of travellers' caravans in England *(a)* on the latest date for which figures are available, *(b)* in 1997 and *(c)* in 1974. [190741]

Keith Hill: As at January 2004, the latest date for which published figures are available, there were a total of 14,362 Gypsy and Traveller caravans in England. In January 1997, this figure stood at 12,796. The bi-annual Count commenced in 1979 and therefore data is not available for 1974.

SOLICITOR-GENERAL

Nuclear Non-Proliferation Treaty

Mr. Hancock: To ask the Solicitor-General if the Attorney-General will make it his policy to adopt the legal opinion of Rabinder Singh QC and Professor Christine Chinkin regarding the Nuclear Non-Proliferation Treaty in relation to the Mutual Defence Agreement; and if she will make a statement. [189117]

Mr. Ingram: I have been asked to reply as the Minister responsible for this issue.

I can confirm that the Government are satisfied that the extension of the Mutual Defence Agreement for a further 10 years is compatible with the UK's obligations under the Nuclear Non-Proliferation Treaty.

There is a long-standing convention, followed by successive Governments, that neither the fact that the Law Officers have advised on a particular matter, nor the substance of any advice they may have given, is publicly disclosed. This is consistent with paragraphs 2 and 4*(d)* of the Code of Practice on Access to Government Information.

TRADE AND INDUSTRY

Business Regulation

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry on how many occasions her Department has sponsored time-limited regulations on business since 2001. [190001]

Nigel Griffiths: The information requested is as follows:

Commission Regulation (EC) No 772/2004 of 27 April 2004 on the application of Article 81(3) of the EC Treaty to categories of technology transfer agreements came into force on 1 May 2004. Article 11 of the Regulation states that it shall expire on 30 April 2014;

Commission Regulation (EC) No 1400/2002 of 31 July 2002, the cars block exemption regulating the distribution of new cars in the Community includes an expiry date of 31 May 2010; and

The Renewables Obligation Order 2002 (SI 2002/914) which applies to electricity suppliers and expires on 31 March 2027.

Nuclear Decommissioning Authority

Llew Smith: To ask the Secretary of State for Trade and Industry what discussions *(a)* she and *(b)* departmental officials have had with the European Commission in respect of the acceptability under EU state aid rules of the UK Government's proposals for the Nuclear Decommissioning Authority. [190769]

Mr. Mike O'Brien: My right hon. Friend the Secretary of State for Trade and Industry has discussed the matter with Commissioner Monti. DTI officials and the UK Permanent Representation in Brussels remain in close contact with Commission services.

Regulatory Impact Assessments

Mr. Rosindell: To ask the Secretary of State for Trade and Industry what regulatory impact assessments *(a)* have been and *(b)* will be made for those EU Directives which will come into force in the next 12 months. [190156]

Mr. Alexander: I refer the hon. Member to the reply I gave on 1 September 2004, *Official Report,* column 761W, in my previous capacity as Minister for the Cabinet Office.

TREASURY

Economic Statistics (Yorkshire)

Hugh Bayley: To ask the Chancellor of the Exchequer how many people in *(a)* Yorkshire and the Humber and *(b)* City of York pay income tax at the basic or higher rate. [191227]

Dawn Primarolo: I refer my hon. Friend to table 3.13, "Income and Tax by County and Region", and table 3.14, "Total Income by Borough and District or Unitary Authority", on the Inland Revenue website at:

www.inlandrevenue.gov.uk/stats/income_distribution/table-313-2001-02.xls

www.inlandrevenue.gov.uk/stats/income_distribution/table-3142001-02.xls

Figures for 2002-03 will be published in November.

Income Tax (Pensioners)

Mr. Chope: To ask the Chancellor of the Exchequer what the cost to the Exchequer would be of raising the minimum level at which income tax is payable by pensioners aged over 75 years to £20,000. [191361]

Dawn Primarolo: The estimated full-year cost of raising the personal income tax allowance to £20,000 per year for those aged 75 years and over in 2004-05 is £1.7 billion.

This estimate excludes any behavioural response to the tax change and is based upon the 2001-02 Survey of Personal Incomes and consistent with Budget 2004.

Mr. Laws: To ask the Chancellor of the Exchequer what his estimate is of the number of pensioners paying income tax in each year from 1995 to 2004; and if he will make a statement. [192145]

Dawn Primarolo: I refer the hon. Gentleman to table 2.1, "Number of Individual Income Taxpayers" on the Inland Revenue website: www.inlandrevenue.gov.uk/stats/income_tax/table2_1_september04.xls

Employment (Carlisle)

Mr. Martlew: To ask the Chancellor of the Exchequer how many new jobs have been created in Carlisle since 1997. [191352]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Eric Martlew, dated 15 October 2004:

As National Statistician, I have been asked to reply to your recent Parliamentary Question about jobs created in Carlisle. (191352)

While statistics of new jobs created are not available explicitly, statistics from surveys enable comparisons to be made of net changes, in numbers of jobs, from year-to-year.

The attached table shows the information requested, relating to jobs in Carlisle, for 1997 and the latest year available, 2002.

Numbers of employees[1] with workplace in Carlisle Parliamentary Constituency: 1997 and 2002

Numbers of employees	*Number* *Total*
1997	40,600
2002	42,500
Change from 1997 to 2002[2]	1,900

[1] Employee jobs only, not self-employed jobs.

[2] The 1997 to 2002 change has been rounded to the nearest hundred separately from rounded levels for 1997 and 2002.

Source:

1997: Annual Employment Survey, rescaled. 2002: Annual Business Inquiry

Landlord and Tenant Act

Mr. Maude: To ask the Chancellor of the Exchequer how many tax returns included liabilities under the new Section 42A of the Landlord and Tenant Act 1987 in 2003–04. [190682]

Dawn Primarolo: Section 42A of the Landlord and Tenant Act 1987 does not impose liabilities to tax. It requires agents to hold the service charge contributions of tenants on trust in an account at a financial institution.

As those service charge contributions are held in a trust, any income arising on the tenants' contributions is taxable in the same way as any other funds held in a trust. There is consequently no requirement for trustees to identify to the Revenue that their trusts were established in consequence of section 42A, and in many cases trust arrangements were already in place when the section 42A requirement came into force.

Tax Credits

Mr. Sanders: To ask the Chancellor of the Exchequer what steps he is taking to reduce the number of working tax credit overpayments. [191295]

Dawn Primarolo: The tax credits system is designed to be flexible: claimants' payments can be adjusted in year if their circumstances or income change. The aim is to pay the right amount to claimants over the year.

The Inland Revenue's Code of Practice 26, "What happens if we have paid you too much tax credit?", sets out the Inland Revenue's approach to tax credits overpayments and the several reasons why someone might find at the end of the year that they have been paid too much tax credit.

Mr. Laws: To ask the Chancellor of the Exchequer what plans he has to allow tax credit claimants to make in-year adjustments to their expected annual employment income for changes in income of less than £500 per year; and if he will make a statement. [191779]

Dawn Primarolo: Entitlement to tax credits is based on the income of the current tax year if that is lower than the previous year income. Claimants can ask to have their award adjusted during the year, to reflect their estimate of current year income, if they wish.

Otherwise, underpaid tax credit will be paid out when the award is finalised at the year end.

Written Answers to Questions

Monday 18 October 2004

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Farm Payments

Mr. Paice: To ask the Secretary of State for Environment, Food and Rural Affairs what target dates she has set for payment of integrated administration and control system entitlements for the 2003–04 capping year; and what date she has set for completion of payment of the first entitlement to the single farm payment. [191640]

Alun Michael: The Integrated Administration and Control System (IACS) payment target as published in the Rural Payments Agency Business Plan is "to process and pay at least 96.14 per cent. of valid IACS claims by value within the EU deadline".

The following table gives the payment windows for the individual schemes.

2004 scheme year	*Payment window (regulatory and internal)*
Arable area payments (AAPS)	16 November 2004 to 31 January 2005
Non food set-aside	16 November 2004 to 31 March 2005
Protein crop premium	1 December 2004 to 30 June 2005
New energy crop aid	1 December 2004 to 30 June 2005
Area payment for nuts	1 December 2004 to 30 June 2005
Sheep annual premium	16 October 2004 to 31 March 2005
Beef special premium	Advance payments 16 October 2004 to 31 March 2005 Balance payments 1 April 2005 to 30 June 2005
Extensification payment	Advance payments 16 October 2004 to 31 March 2005 Balance payments 1 April 2005 to 30 June 2005
Slaughter premium	Advance payments 16 October 2004 to 31 March 2005 Balance payments 1 April 2005 to 30 June 2005
Suckler cow premium	Advance payments 16 October 2004 to 31 March 2005 Balance payments 1 April 2005 to 30 June 2005
Hill farm allowance	95 per cent. of claims to be paid by 31 March 2005
Aid for grain legumes	Deadline for payment is 60 days from the publication of the aid rate, this is usually around 15 November.
Hops income aid and special temporary measures	16 October 2004 to 31 December 2004
Dairy premium scheme and additional dairy payment	16 October 2004 to 30 June 2004 30 June 2005
Single payment scheme	1 December 2005 to 30 June 2006

Horse Passports

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs how many horse passports have so far been issued, broken down by issuing authority. [190722]

Alun Michael: The following is a list of the most recent figures that English Passport Issuing Organisations (PIOs) have submitted to Defra. Forty-nine out of fifty-seven have submitted such information. No figures have been received for seven organisations and one organisation has ceased trading.

Names of Passport Issuing Organisations	*Passports Issued*
American Saddlebred Assosiation GB	134
Anglo European Studbook	11,175
American Quarter Horse Association—UK	937
Arab Horse Society	13,065
British Association Purebred Spanish Horse Ltd	400
British Connemara Pony Society	1,294
British Driving Society	11,728
British Hanoverian Horse Society	600
British Harness Racing Club	335
British Horse Society	10,198
British Miniature Horse Society	1,470
British Percheron Horse Society	755
British Show Jumping Association (BSJA)	2,358
British Skewbald and Piebald Association	694
British Spotted Pony Society–	200
Caspian Breed Society UK	140
Caspian Horse Society	165
Cleveland Bay Horse Society	1,117
Dales Pony Society	536
Dartmoor Pony Society	4,526
Donkey Breed Society	4,581
EquiCours/Selle Francais	15
Exmoor Pony Society	1,161
Farmkey	4,207
Gypsy Cob Society	100
Hackney Horse Society	705
Haflinger Society	510
Horse Passport Agency	42,746
Horse Passports Ltd	1,160
Hurlingham Polo Association	4,312
Icelandic Horse Society	391
Irish Draught Horse Society GB	361
Lipizzaner Society of GB	171
Lustiano Breed Society GB	185
Miniature Mediterranean Donkey Association	144
National Pony Society	144
New Forset Pony Breeding and Cattle Society	9,528
Pet ID Uk	79,736
Pleasure Horse Society	12,500
Shire Horse Society	3,609
Sport Horse Breeding of GB	16,678
Sports Pony Studbook Society	232
Spotted Horse and Pony Society	1,298
Spotted Pony Breed Society GB	497
Suffolk Horse Society	181
Trakehner Breeders Fraternity	876
United Saddlebred Association—UK	134
Wetherbys ID	29,761
Wetherbys thoroughbred	123,066
Total:	400,816

INTERNATIONAL DEVELOPMENT

Palestine

Mr. Jim Cunningham: To ask the Secretary of State for International Development what progress is being made in reducing poverty in the Palestinian territories. [190654]

Hilary Benn: Little progress is being made in reducing poverty in the Palestinian territory. Palestinian poverty has increased dramatically since September 2000. According to the latest World Bank report, approximately 50 per cent. of Palestinians are living in poverty on less than $2.1 per day. 16 per cent. of the total population currently live in deep or absolute poverty on less than $1.5 per day. While international aid has not prevented the increase in poverty, it has prevented even more Palestinians falling into extreme poverty and desperation.

Poverty reduction is unlikely to be achieved without a major reform of the Israeli imposed closure regime. This would allow the Palestinian economy to grow again and humanitarian aid to be delivered effectively.

Mr. Jim Cunningham: To ask the Secretary of State for International Development what measures his Department is taking to encourage transparency and accountability in *(a)* European and *(b)* international funding to the Palestinian Authority. [190655]

Hilary Benn: Substantial progress has been made since 2002 in improving the transparency and accountability of the Palestinian Authority's (PA) financial management systems. This has largely been the result of work by the Palestinian Finance Minister with donor encouragement.

DFID supported a World Bank Country Financial Accountability Assessment that endorsed the major improvements made. It also identified action needed to further improve systems. The World Bank Public Financial Management Reform Trust Fund has encouraged further financial reform. Disbursement of funding is conditional on the PA's achievement of agreed benchmarks, including on financial control management, auditing, and procurement. DFID and the EC have contributed to the Trust Fund. The World Bank and donors are carefully monitoring the use of donor funds. This benchmark approach was also successfully used by the EC in its earlier budget support to the PA. Allegations about the misuse of these funds have been looked at in great detail, but no conclusive evidence has been found that EC funds have been used for anything other than their original purpose.

OLAF, the independent EU anti-fraud office, has also been investigating these matters for over a year. OLAF's provisional assessment of 10 August stated that, to date there is no evidence that funds from the non-targeted EU Direct Budget Assistance to the Palestinian Authority have been used to finance illegal activities, including terrorism. This is a provisional assessment. The investigations are still on-going.

TRANSPORT

Inter-modal Transport

Mr. Drew: To ask the Secretary of State for Transport if he will make a statement on the role of inland waterways and inland ports in inter-modal transport. [191088]

Mr. Jamieson: Inland waterways and ports are a valuable resource in the promotion of inter-modal transport. As set out in the recent White Paper "The Future of Transport", the Government want to encourage freight traffic to be shifted from road to both rail and water where this is practical, economic and environmentally beneficial.

Rail Works (Environmental Impact)

Mr. Sarwar: To ask the Secretary of State for Transport what consultations Network Rail has carried out with English Nature regarding plans which have significant environmental impact. [190631]

Mr. McNulty: Network Rail advises that it aims to contact relevant statutory bodies such as English Nature and Scottish Natural Heritage, well in advance of operations in order to ensure that any necessary permissions or licences are obtained. If environmental surveys have identified that operations may have significant environmental impact, communication with these statutory bodies and their experts will then take place to identify procedures that may reduce the impact while still ensuring the safety and reliability of the railway.

Small Petrol Engine Emissions

Norman Baker: To ask the Secretary of State for Transport what steps are planned to reduce emissions from small petrol engines, including lawnmowers. [192310]

Mr. Jamieson: Emissions from new equipment, including lawnmowers, powered by small petrol engines under 19kW engine power are regulated by the Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 2004 (S.I. 2004 No. 2034). These Regulations transpose EU Directive 2002/88/EC into UK law and take effect for new engines being placed on the market from 11 February 2005. The Regulations also apply a second stage of more stringent standards that will take effect for most engines by 1 February 2009, the actual date dependent on engine size.

A303

Mr. Key: To ask the Secretary of State for Transport what plans he has to construct a bypass for the village of Chicklade on the A303(T) in Wiltshire. [191770]

Mr. Jamieson: The bypass of Chicklade forms part of the Chicklade Bottom to Mere scheme on the A303 and is one of a number of strategic highway schemes currently being considered for entry into the Targeted Programme of Improvements.

A36

Mr. Key: To ask the Secretary of State for Transport (1) what the *(a)* planned and *(b)* actual completion dates were of the works at Skew Bridge on the A36(T) west of Salisbury; what the (i) estimated and (ii) out-turn costs were; and if he will make a statement; [191760]

(2) what the causes were of the delay to the completion of the Skew Bridge project on the A36(T) west of Salisbury. [191765]

Mr. Jamieson: I refer the hon. Member to my answer of 5 July 2004, *Official Report*, column 494W. The works at Skew Bridge on the A36 were expected to be complete by 9 March 2004. The works were actually completed on 30 September 2004.

The contract was let for the estimated cost of £2.51 million. The out-turn costs have yet to be determined as the final account has not yet been agreed.

A66

Tony Cunningham: To ask the Secretary of State for Transport what plans the Department has to build a road across Curwen Park in Workington at the western end of the A66. [191939]

Mr. Jamieson: The Department has no plans for a new road across Curwen Park, in Workington.

Any proposals for improvements to local roads, outside the trunk road network, are the responsibility of Cumbria County Council.

Air Quality (Aircraft Cabins)

Mr. Tyler: To ask the Secretary of State for Transport what steps his Department has taken, since 1997, to ensure that health risks arising from contaminated cabin air in BAE 146 aircraft are fully and independently investigated. [191635]

Charlotte Atkins: The Civil Aviation Authority on the basis of a thorough, independent study has investigated the safety risks associated with contaminated cabin air in BAE 146 aircraft. The Aviation Health Unit, which is funded by the Department, is currently looking into the potential long term health risks associated with contaminated cabin air.

Mr. Tyler: To ask the Secretary of State for Transport whether the EU Ideal Cabin Environment project, due to start in 2005, will examine the issue of contaminated aircraft cabin air; and if he will make a statement. [191636]

Charlotte Atkins: The proposed EU Ideal Cabin Environment Project is likely to focus on cabin air pressure and is not expected to include the issue of cabin air quality.

Mr. Tyler: To ask the Secretary of State for Transport whether his Department has investigated the issues raised by the British Airline Pilots Association in relation to the Civil Aviation Authority Cabin Air Quality paper of 2004; and if he will make a statement. [191637]

Charlotte Atkins: Following representations made to the Department by the British Airline Pilots Association, its Aircraft Environment Task Group has been invited to present a paper on cabin air quality to the Aviation Health Working Group at its meeting on 27 October 2004.

Mr. Tyler: To ask the Secretary of State for Transport what steps he has taken to investigate the differences between Civil Aviation Authority mandatory occurrence reports and British Airline Pilots Association survey results concerning contaminated cabin air quality incidents in UK aircraft. [191638]

Charlotte Atkins: The Civil Aviation Authority compared the British Airline Pilots Association survey results with its mandatory occurrence reports. Much of the survey data related to low level events, often with inconclusive connections to contaminated air. Inclusion of the survey data in the Authority's database would not have advanced or improved the formal intervention action taken to mitigate the threat to safety posed by impairment of pilot performance through exposure to contaminated air. BALPA's data aligns with the CAA's assessment that there is a downward trend in the number of air contamination events now being reported.

Ambulance Service

Lembit Öpik: To ask the Secretary of State for Transport what proportion of publicly-owned ambulances in England are Mercedes Sprinters; and if he will make a statement. [191793]

Mr. Jamieson: Information available from the DVLA record does not distinguish whether a vehicle was publicly owned. At the end of June 2004, there were 10,264 ambulances registered to keepers in England which were not private individuals, of which 1,024 (10.0 per cent.) were Mercedes Sprinters.

Crossrail

Mr. Rosindell: To ask the Secretary of State for Transport (1) what he expects the total cost of the Crossrail project to be; what percentage will be provided by *(a)* the Government and *(b)* private finance; and what form the private finance will take; [191463]

(2) how much funding the Government plans to give to the Crossrail project over the next five years. [191465]

Mr. McNulty: I refer the hon. Member to the written statement on Crossrail that the Secretary of State for Transport made on 20 July 2004, *Official Report*, column 23WS, and to the written answer given to my right hon. Friend the Member for Manchester, Withington (Keith Bradley) on 13 September 2004, *Official Report*, column 1383W.

Mr. Rosindell: To ask the Secretary of State for Transport what criteria will be set for the compulsory purchase of land for the Crossrail scheme. [191467]

Mr. McNulty: The criteria will be defined in the Crossrail Bill.

Mr. Rosindell: To ask the Secretary of State for Transport how much land which is not part of the rail network he expects Crossrail to need to acquire in order to complete the project. [191468]

Mr. McNulty: No figures are readily available and to obtain them would involve disproportionate cost. The land required to construct Crossrail will be included in the Crossrail Bill.

Dartford Crossing

Bob Spink: To ask the Secretary of State for Transport what the *(a)* total toll revenue, *(b)* total operating cost and *(c)* surplus for the Dartford Crossing was in its last year of operation for which figures exist. [190730]

Mr. Jamieson: Subject to verification by the Comptroller and Auditor General, the outturn for the year ended 31 March 2004 in respect of the Dartford Crossing was:

	£ million
(a) Road user charges	69.1
(b) Operating costs	14.6
(c) Surplus	54.5

Bob Spink: To ask the Secretary of State for Transport if he will use part of the operating surplus from the Dartford Crossing to create a new access road for Canvey Island; and if he will make a statement. [190731]

Mr. Jamieson: The Secretary of State has no such plans.

Bob Spink: To ask the Secretary of State for Transport what representations he has received regarding the use of the surplus from the operation of the Dartford Crossing. [190732]

Mr. Jamieson: The Secretary of State has received numerous representations regarding the use of net income from charging at the Dartford Crossing. All income from charging at the Dartford Crossing is taken into account in the funding for the 10-year plan.

Bob Spink: To ask the Secretary of State for Transport what estimate he has made of the operating surplus from the Dartford Crossing for the current year; and what uses will be made of the surplus. [190733]

Mr. Jamieson: Estimated total income from charging at the Dartford Crossing for the current year (2004–05) is £69 million. Operational costs are estimated to be approximately £17 million. All income from charging at the Dartford Crossing is taken into account in the funding for the 10-year plan.

Bob Spink: To ask the Secretary of State for Transport how many vehicles per day on average use the Dartford crossing. [190734]

Mr. Jamieson: The average daily traffic volume is 149,000. This figure is the average for the period between 1 October 2003 and 30 September 2004 for vehicles travelling both northbound through the tunnels and southbound over the bridge.

Bob Spink: To ask the Secretary of State for Transport (1) what safety rating is given to the Dartford Tunnel crossing; and if he will make a statement; [190735]

(2) what plans he has to improve safety of the Dartford Tunnel crossing. [190736]

Mr. Jamieson: The safety of tunnel users is the Highways Agency's primary consideration and the Dartford tunnels are kept under continual review in accordance with the relevant standards for design and operation. There is no formal system for rating the safety of UK road tunnels.

The agency has commissioned a study to assess what work may be required for the Dartford tunnels to comply with the EU Directive on safety in Road Tunnels, published earlier this year. This study is expected to be finalised by the end of this year.

Driving Tests

Mr. Drew: To ask the Secretary of State for Transport what level of dialogue he envisages between local organisations of driving instructors and test examiners under the auspices of the Driving Standards Authority. [191026]

Mr. Jamieson: Examiners routinely seek to maintain professional and mutually beneficial working relationships with driving instructors. Many local driving instructor organisations hold regular meetings. Whenever possible, Driving Standards Agency examiners and senior managers attend. The discussions focus on local issues of interest to the instructors.

Mr. Drew: To ask the Secretary of State for Transport what role he foresees for *(a)* driving instructors and *(b)* the Driving Standards Authority in enhancing road safety. [191027]

Mr. Jamieson: The government's Road Safety—"Tomorrow's Roads Safer for Everyone"—was published in 2000. It identifies key roles for the Driving Standards Agency (DSA) and driving instructors in improving road safety.

The contribution of skilled and well-motivated driving instructors is central to delivering higher standards and improved road safety. Their input is significant, not only in terms of initial driver training but also in encouraging novice drivers to further develop their skills (eg by taking the "Pass Plus" course).

DSA's primary aim is to promote road safety through improving driving standards. Initially this centred on driver testing and the regulation of instructors that provide tuition in the driving of motor cars. However, the Strategy envisages a significant increase in DSA's road safety remit, including raising the standards of all driver training both pre- and post-test. The Government want to raise the quality and expertise of all driving instructors to that of the best.

Mr. Drew: To ask the Secretary of State for Transport what plans he has to make the Driving Standards Authority more accountable; and what continuing professional development is available to driving test examiners. [191036]

Mr. Jamieson: The Driving Standards Agency (DSA) is responsible to Parliament via the Secretary of State for Transport. Ministers set the agency demanding targets on performance, efficiency and service delivery and require regular updates on progress. Key priorities are contained in DSA's Business Plan and Annual Report and Accounts. The latter also reports performance against targets.

DSA's examiners undergo a rigorous supervision regime, including regular assessment of their performance by senior officers, and in-service training and development.

The agency also runs an Open Learning Fund. This is available to all staff and is aimed at encouraging lifelong learning.

Mr. Greg Knight: To ask the Secretary of State for Transport for what reasons the Driving Standards Agency requires certain applicants to pre-nominate the vehicle before a test takes place; why the agency does not take advance bookings for tests without details of the vehicle; and if he will make a statement. [191188]

Mr. Jamieson *[holding answer 15 October 2004]:* The Driving Standards Agency (DSA) administers a Trainer Booking Scheme. This enables those organisations providing training in riding a motorcycle or driving a lorry or bus to book practical test appointments up to 10 weeks in advance. Neither the name of the candidate nor the vehicle details are required at that time.

Candidate and vehicle details must be provided shortly before the date of the test to enable DSA to confirm that the candidate has the necessary driving licence entitlement to take the test, that the appropriate test has been booked for the category of vehicle concerned and that the vehicle meets the minimum test requirements for that test.

For lorry and bus tests, the test centre manoeuvring area has to be set out to accommodate vehicles of differing lengths. Having vehicle details in advance of the test saves DSA time in setting up the area and reduces inconvenience to the candidate.

Mr. Greg Knight: To ask the Secretary of State for Transport what the current average time taken in processing test applicants by the Driving Standards Agency is; and what action he is taking to reduce this time. [191189]

Mr. Jamieson *[holding answer 15 October 2004]:* The current waiting times for practical driving tests administered by the Driving Standards Agency (DSA) are as follows:

Test type	[1]*Actual waiting time*
Car practical tests	[2]9.2
Motorcycle practical tests	[2]4
Lorry and bus practical tests	[2]4.2

[1] September 2004.

[2] Weeks

I have set DSA a demanding target to reduce waiting times for car practical tests to a national average of six weeks from January 2005.

Lorry Road User Charging

Mr. Yeo: To ask the Secretary of State for Transport what negotiations have taken place between his Department and Her Majesty's Customs and Excise about lorry road user charging; and what the outcome was of those discussions. [191489]

Mr. Darling: The 2004 Finance Act laid the formal responsibility for implementing the proposed Lorry Road User Charge on HM Customs and Excise. My Department has worked very closely with HM Customs and Excise and HM Treasury to develop both policy and proposals for procuring and implementing the charge, and will continue to do so.

M27

Mr. Hoban: To ask the Secretary of State for Transport when the traffic information signs between junctions 8 and 12 of the M27 were due to be in operation; when it is expected that this will occur; and if he will make a statement. [190819]

Mr. Jamieson *[holding answer 14 October 2004]:* The new variable message signs on the M27 between junctions 8 and 12 will come into operation in January 2005. Originally scheduled for June 2004, this new date has been set to ensure both old and new roadside equipment is linked to the police control office and working correctly before being launched.

MOT Tests

Mr. Greg Knight: To ask the Secretary of State for Transport if he will make it his policy that the new computer system intended to be used for MOT testing is not introduced nationwide until he is satisfied that no delays will be caused by the use of the new technology. [191186]

Mr. Jamieson *[holding answer 15 October 2004]:* Overall the new computerised MOT service should have no adverse impact on test times, but it will take time for MOT station users to become accustomed to new processes. Current trials will identify and address factors likely to cause delays. The system will not be rolled out until we are satisfied that contracted service levels, designed to ensure MOT tests are not delayed, will be met.

New Road, Mawdesley

Mr. Hoyle: To ask the Secretary of State for Transport what powers Lancashire county council has to designate New Road in Mawdesley, Lancashire, as a 20 mph zone. [190774]

Mr. Jamieson: All local traffic authorities were given consent to introduce 20 mph speed limits and 20 mph speed zones when the Road Traffic Regulation Act (Amendment) Act Order 1999 (S.I. 1999/1608) came into force on 16 June 1999.

The decision on identifying the most appropriate speed limit is determined against an assessment framework, taking into account the local environment, the level of vulnerable road users and the road's position in the functional hierarchy.

Railways

Mr. Rosindell: To ask the Secretary of State for Transport if he will make a statement on the safety of the railways. [191459]

Mr. McNulty: The Health and Safety Executive (HSE), the railway health and safety regulator, recently published its annual report on the safety record of Britain's railways during 2003–04. Copies are available from the Libraries of the House.

Overall, there has been a continued improvement in railway safety indicators. The year saw the lowest number of significant train incidents on record as well as no train incident passenger fatalities. The total number of signals passed at danger (SPADs) in 2003–04 was the lowest 12-month total since records began in 1985, and there were also reductions in acts of vandalism, broken rails and assaults on staff. The fitment of the Train

Protection Warning System, which reduces the risks from trains passing red signals, was successfully completed at the end of 2003.

Mr. Rosindell: To ask the Secretary of State for Transport (1) if he will make a statement on the condition of *(a)* Romford and *(b)* Gidea Park railway stations; [191456]

(2) what plans he has to improve facilities at *(a)* Romford and *(b)* Gidea Park railway station. [191458]

Mr. McNulty: Romford and Gidea Park stations are managed on a day-to-day basis by ONE Great Eastern. Their franchise agreement with the Strategic Rail Authority requires them to maintain minimum standards of facilities at stations in terms of waiting accommodation, the provision of information, cleaning and maintenance. These requirements are currently being met. An audit programme is built into the franchise agreement to ensure that there is no degradation of facilities.

Mr. Key: To ask the Secretary of State for Transport whether it is his policy that car parking should be restricted at provincial railway stations in order to discourage long-distance commuting. [191759]

Mr. McNulty: The provision and management of car parking facilities is at the discretion of the train operating companies. Train operators will provide car parking where they consider it appropriate to do so.

Mr. Laws: To ask the Secretary of State for Transport (1) what plans he has to twin-track the rail line from London Waterloo to Exeter; and if he will make a statement; [192126]

(2) what plans he has to reduce journey times on the Exeter to London Waterloo line; and if he will make a statement. [192128]

Mr. McNulty: There are no current plans for double-tracking or journey time reductions. The needs of the area will be considered by the South West Regional Planning Assessment which will include input from the relevant local authorities. Service frequencies from some stations on the line are to be enhanced from the December 2004 timetable. For example, Yeovil will receive an hourly service from London.

John Thurso: To ask the Secretary of State for Transport whether he asked the promoters of the Central Railway project for a guarantee that they would not seek financial assistance from the Government at any stage of the project. [192198]

Mr. McNulty: I refer the hon. Member to the statement made on 25 March by my hon. Friend the then Minister for Transport *Official Report*, column 68WS.

Shipping

Mr. Carmichael: To ask the Secretary of State for Transport what steps the Government are taking to implement the recommendation of the Marine Accident Investigation Branch on the role of fatigue and minimum manning in ship groundings and collisions. [190636]

Mr. Jamieson: The Maritime and Coastguard Agency has instigated a survey, to run from November 2004 to March 2005, into safe manning levels across Europe. The survey will examine the manning levels required by different European administrations according to vessel size and types. It will also study accident investigations where levels of manning or fatigue have contributed to the cause. The Maritime and Coastguard Agency will present the findings to the International Maritime Organization and also to the European Commission. The findings will inform efforts to improve manning levels on merchant ships through international legislation.

Guidance on the use of lookouts on the bridge will be detailed in a new Marine Guidance Note (MGN) on safe watch keeping which is soon to go out to consultation.

Speed Limits

Mrs. Curtis-Thomas: To ask the Secretary of State for Transport how many local authorities have introduced 20mph zones on roads around schools where this is practicable. [191329]

Mr. Jamieson: The installation of 20mph zones is a matter for individual local highway authorities. As such this information is not held centrally.

DEFENCE

Armed Services Pay

Mr. Rosindell: To ask the Secretary of State for Defence if he will make a statement on the pay scales of each armed service. [191735]

Mr. Caplin: With the exception of Chief of the Defence Staff and Medical and Dental Officers in the Volunteer Reserve Forces, all armed forces personnel are on tri-Service incremental pay scales. All Medical and Dental Officers in the reserve forces are due to move onto a new tri-Service incremental pay system from 1 April 2005. The pay of all members of the armed forces is revised annually on the basis of independent recommendations that the Government receive from the Senior Salaries Review Body (SSRB) and the Armed Forces Pay Review Body (AFPRB). Copies of the 2004 Reports of the SSRB and AFPRB can be found in the Libraries of both Houses.

Flight ZD576

Mr. Arbuthnot: To ask the Secretary of State for Defence whether, in reviewing the decision of the Board of Inquiry in relation to the crash of Flight ZD576, the reviewing air marshals consulted any third party before coming to their conclusions. [191633]

Mr. Ingram *[holding answer 15 October 2004]:* Legal advice was provided for the benefit of the reviewing officers. In giving evidence to the House of Lords' Select Committee on 27 September 2001, Sir John Day referred to this advice [*House of Lords* Session 2000–2001, Select Committee on Chinook ZD576, HL Paper 25(i), page 120 para 282 A].

Medical Discharges

Mr. Keetch: To ask the Secretary of State for Defence how many people have been medically discharged from each of the three Services since 2002; and if he will make a statement. [183345]

Mr. Caplin: The numbers of medical discharges from the armed forces (both trained and untrained UK regular personnel) are given in the following tables (all figures have been rounded to the nearest 10):

Naval Service

	Financial Year		
	2001–02	*2002–03*	*2003–04*
Trained	420	350	290
Untrained	130	60	60
Total	540	410	350

Army

	Financial Year		
	2001–02	*2002–03*	*2003–04*
Trained	470	490	340
Untrained	620	560	610
Total	1,090	1,060	950

RAF

	Financial Year		
	2001–02	*2002–03*	*2003–04*
Trained	140	110	260
Untrained	20	20	20
Total	170	130	280

Parliamentary Questions

Mr. Hancock: To ask the Secretary of State for Defence (1) when he will answer the question, reference 146166, tabled by the hon. Member for Portsmouth, South on 29 December 2003, on accommodation for junior ranks of the Services; [160911]

(2) when he will answer the question from the hon. Member for Portsmouth, South, reference 160911, tabled on 9 March 2004; [173351]

(3) when he expects to reply to *(a)* question 146166, tabled on 29 December 2003 and *(b)* the pursuant questions (i) 160911, tabled on 10 March and (ii) 173351 tabled on 11 May; and what the reasons are for the delay in replying. [182346]

Mr. Caplin: I replied to the hon. Member on 22 July 2004, *Official Report,* column 524W. The delay in responding was due to difficulties in confirming figures.

Mr. Hancock: To ask the Secretary of State for Defence when he will answer the question of 5 May 2004, from the hon. Member for Portsmouth, South, on shipborne surface-to-surface missiles, ref 171863. [187046]

Mr. Ingram: I replied to the hon. Member on 8 September 2004, *Official Report,* column 1302W.

CULTURE, MEDIA AND SPORT

Boxing

Paul Flynn: To ask the Secretary of State for Culture, Media and Sport what assessment was made, as part of the Government's recent efforts to promote boxing as a sport among young people, of the cumulative health effects of repeated blows to the head suffered by boxers; and what her Department's policy is on reducing injuries and deaths among boxers. [190752]

Mr. Caborn: Boxing's governing bodies, under the guidance of Sport England, are required continuously to research and implement new safety measures. In amateur boxing, such measures have included the reduction in the duration of rounds of boxing from 3 to 2 minutes, a reduction in the weight categories from 3 kgs to 2 kgs for Junior Competition (Under 15) and an increase in the size of competition gloves from 8oz to 10oz. Amateur Boxing is also the only sport which requires and provides a comprehensive and updated medical history card for every participant which is completed by a doctor every time a competitor participates.

The introduction of these safety factors throughout the UK has seen a marked reduction in the number of bouts stopped by a referee. Evidence of this can be gained from the recent Olympic Games in Athens where out of 276 bouts contested, only one was stopped and this involved Great Britain's Amir Khan.

The Amateur Boxing Association of England (ABAofE) recommended the introduction of the "Kid Gloves" programme (a non-contact form of boxing). The programme offers a disciplined and controlled environment where young people can learn to box in a drug and alcohol free environment.

British Museum

Bob Spink: To ask the Secretary of State for Culture, Media and Sport what funds her Department made available to the British Museum in *(a)* 1996–97 and *(b)* 2003–04. [192347]

Estelle Morris: In 1996–97, grant in aid allocated by DCMS to the British Museum was £33,196,000. In 2003–04 the allocation was £37,669,000.

Funds are also available to DCMS-sponsored museums and galleries through specific project funding streams. In 2003–04 the British Museum was allocated three such awards: £400,000 from the DCMS/Wolfson Foundation Museums and Galleries Improvement Fund; £115,000 of strategic commissioning funding to promote partnerships with regional museums; and £50,000 towards the Africa Project (the first part of a three year programme of funding for this project).

Consultants

Mr. Maples: To ask the Secretary of State for Culture, Media and Sport if she will list the contracts awarded by her Department to consultants in each of the last five years, stating in each case *(a)* the name of the consulting company, *(b)* the value of the contract and *(c)* the purpose for which the contract was awarded; and if she will make a statement. [191741]

Mr. Caborn: Details of consultancy contracts from 1999 onwards are as follows.

Title	*Contractor*	*Start date*	*Value of contract (£)*
Industry Adviser to Design Partners	Christine Losecaat	2003	20,000
Fitness For Purpose Consultant	Health Food and Safety Solutions	2003	16,000
Capital of Culture—Final Sift	Kingshurst Consulting Group	2003	16,875
Capital of Culture—Destination Marketing Consultant	Tom Buncle	2003	6,000
Assessment of Costs and Benefits—London Olympic Bid 2012	PricewaterhouseCoopers	2003	38,000
Review of Heritage Protection Legislation	Gillian Ashmore	2003	50,000
Project to Professionalise DCMS's Process for Making Public Appointments	Odgers, Ray and Berndtson	2003	20,000
Legal Work—Sale of the Horserace Totalisator Board	Linklaters	2003	150,000
Consultancy Services—Tourist Data Project	Denis Allnutt	2003	15,750
Remembrance Day Services	Interserve FM	2003	37,448
Consultancy Services—IPR in the Digital Environment	Anthony Lilley	2003	5,000
Independent Review of BBC Online	Philip Graf	2003	80,000
Museum Partnership Programme	Research Centre for Museums and Galleries	2003	155,136
360 Degree Feedback	Ask Europe PLC	2003	130,070
Consultancy Services—Organisation of Reform and Modernisation Seminar	Shared Intelligence	2004	6,565
Role and Contribution of Culture to Regeneration in UK	London Metropolitan University	2004	19,000
Tourism Satellite Account	Welsh Economy Research Unit, Cardiff Business School	2004	63,850
Tourism Productivity Study	University of Nottingham	2004	45,547
Independent Review of BBC Online: Economic Adviser	Europe Economics	2004	18,000
Independent Review of BBC Online: Media Adviser	Spectrum Strategy Consultants	2004	205,000
Scoping Survey of Culture and Sport in the UK	BMRB	2004	43,267
S4C Review—Translation Services	prysg Translation Services	2004	5,000
Children—Museums Education Strategy	Morris Hargreaves McIntyre	2004	12,000
BBC Charter Review: Independent Adviser	Terry Burns	2004	18,000
Total			1,176,508
Capital of Culture consultants	Kingshurst Consulting Group	2002	30,480
Independent Review of BBC News 24	Richard Lambert	2002	30,000
Adviser—European Capital of Culture	Robert Palmer	2002	30,000
E-Commerce Impact Study on Tourism	PricewaterhouseCoopers	2002	43,750
Industry Export Groups: Industry Adviser	Tim Gardom Associates	2002	8,700
Review of BBC News 24 Opinion Survey	Market and Opinion Research International (MORI)	2002	14,700
Come into Coaching	Sue Burgess Consultancy	2002	9,000
Touchstone Change Management Consultant	Stanton Marris	2002	85,000
Financial Advisor—Apethorpe Hall	Atkins Management Consultants	2002	17,290
Cultural Facilities Register	Experian Bus Strategies/BOP	2002	42,400
Total			311,320
Lottery Grants Pilot Study	DTZ Pieda	2001	15.345
COL—Digital Services	SRU Limited	2001	20,000
Protecting the future of DCMS/CITF sectors of the economy	Business Strategies Ltd.	2001	18,000
Staff Survey	ORC International	2001	12,000
BBC Fair trading	R Whish	2001	6,345
COL Digital services Phase II	SRU Limited	2001	17,500
QUEST Research Programme	MORI	2001	64,500
Listed Places of Worship (LPW)	Liberata	2001	1,300,000
Internal Audit resources	AHL Limited	2001	70,000
Commonwealth Games review	PricewaterhouseCoopers	2001	58,500
COL formation legal advisers	Withers	2001	7,500
Consultancy support to horse race levy scheme	Organisation Consulting Partnership	2001	40,000
Total			1.571,190
Consultancy support to a staff attitude survey	ORC International	2000	13,130
Transparency of BBC's financial reporting	Pannel Kerr Forster	2000	27,300
Total			40,430
Efficiency Review of Government Sponsored Museums and Galleries	Deloitte and Touche	1999	27,500
Consultancy: Advice on Risk Management Systems for DCMS	KPMG	1999	11,836
Attitude Survey Research in Support of the BBC Funding Review	Mori	1999	15,660
Consultancy to study the BBC's financial projections and expenditure plans.	PKF	1999	18,000
Royal Armouries Consultancy	PricewaterhouseCoopers	1999	21,500
Consultancy Service to Investigate E-Commerce Best Practice in the Cultural Sectors	Spectrum	1999	26,790
Quest—Business Risk Management Strategies—Consultancy	PWC	1999	24,220
Total			145,506

Digital Television

Bob Spink: To ask the Secretary of State for Culture, Media and Sport if she will list the postcode areas in Essex where Digital Terrestrial Television services are not available. [190963]

Estelle Morris: Unfortunately, it is not possible to list the postcodes in Essex where Digital Terrestrial Television (DTT) is not available. However, Ofcom have supplied detailed information about DTT coverage in the Essex area.

Essex is served by three main transmitters that broadcast DTT services, at Sudbury, Crystal Palace and Bluebell Hill:

> Digital signals from Sudbury are available to viewers in north and central Essex, notably Colchester, Braintree, Halstead, Witham and parts of Chelmsford although currently, availability does not extend to the coast, or to the county's southern and western boundaries.
>
> Digital signals from Crystal Palace should be available to many viewers in the south and west of the county and reach Brentwood, Basildon, Billericay, Grays, Stanford Le Hope, Canvey Island, South Benfleet and parts of Southend.

Digital signals from Bluebell Hill are also available to viewers in the south of the county, Grays, Stanford Le Hope, Canvey Island, South Benfleet and in parts of Southend.

Flodden Battlefield

Pete Wishart: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the proposed plans for alterations to the Flodden Battlefield site. [190527]

Mr. Caborn: A grant of £24,970 has been awarded by the Heritage Lottery Fund to Branxton Parish Council to fund a project to explain, inform and stress the importance of Flodden Battlefield. The project will increase access to the battlefield by means of new footpaths and by publicising a short route which can be followed by car. Information boards and seats will also be placed at strategic points along these routes. In addition to this, Branxton Village Hall will be refurbished and will become a centre for a mobile exhibition about the battle. A video and leaflet promoting the battle and the local area will also be produced.

Ministerial Expenses

Mr. Prisk: To ask the Secretary of State for Culture, Media and Sport how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [191402]

Mr. Caborn: DCMS has no residential properties for the use of Ministers or officials.

Off-licences

Ross Cranston: To ask the Secretary of State for Culture, Media and Sport how many off-licences have been revoked in each of the last 10 years. [190637]

Mr. Caborn: Statistics on the number of licence revocations in England and Wales are collected on a triennial basis. The figures for years 1992, 1995, 1998 and 2001 are shown as follows:

Year to 30 June	*Total number of off licences revoked*
1992	46
1995	116
1998	102
2001	51

The statistics for 2004 are expected to be published within the next month.

Tsar Appointments

Mr. Goodman: To ask the Secretary of State for Culture, Media and Sport how many tsars have been appointed with responsibilities which cover part of the work of her Department; and if she will make a statement. [191920]

Mr. Caborn: There have been no 'tsars' appointed to cover any areas of the work of the Department for Culture, Media and Sport.

TRADE AND INDUSTRY

ACAS Codes

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what her assessment is of the likely effect of the new Arbitration, Conciliation and Advisory Service codes extending to the employee a right of appeal against any disciplinary, grievance or dismissal decision made by their employer on *(a)* the volume of applications to employment tribunals and *(b)* small and medium-sized enterprises. [189809]

Nigel Griffiths: It is widely accepted good practice for employees to have the right of appeal against any dismissal, disciplinary or grievance decision. This has always been reflected in the ACAS Code of Practice on Disciplinary and Grievance Procedures and the revised Code does not differ from the previous version in this respect. This position is reinforced by the new Dispute Resolution Regulations (which came into force on 1 October 2004) that will make the right of appeal a statutory requirement. The Government do not expect this to have any impact on the volume of tribunals applications.

Business Links

Mr. Battle: To ask the Secretary of State for Trade and Industry what practical support Business Links will be giving to the proposed community interest companies. [189945]

Nigel Griffiths: Since April 2003 all 45 Business Link operators have been required to include support for social enterprises in their business plans. The Community Interest Company will be one of several legal forms available to social enterprises from July 2005 and Business Link operators will provide a full range of service to such companies.

I am asking the BLOs to make their plans public in respect of CICs before July 2005.

Chemicals Industry

Sir Nicholas Winterton: To ask the Secretary of State for Trade and Industry if she will make a statement on the future of the UK chemicals industry. [191565]

Jacqui Smith: The chemicals industry is well-established in the UK. The Government are committed to helping the industry remain competitive and innovative to help ensure a successful future.

The Government-industry Chemicals Innovation and Growth Team Report in 2002 said that the chemicals industry had the potential to change and grow provided it grasped the opportunities. It set out a road map to help ensure that the industry would be best placed to do so. This process is being taken forward by the industry-led Chemistry Leadership Council with the support of Government.

We have put in place the instruments to help provide the skills the industry needs, the support it needs on R and D and innovation, and to help ensure that regulation is designed and implemented in a way that takes into account the competitive needs of the industry.

Sir Nicholas Winterton: To ask the Secretary of State for Trade and Industry what steps she has taken to reduce regulation in the chemicals industry. [191566]

Jacqui Smith: The chemicals industry is rightly a highly regulated sector. This regulation is there to protect health and the natural environment. At the same time, however, legislation needs to promote innovation and competitiveness if the industry is to have a sustainable future. In order to enable us to address this balance in a more systematic way in line with the Government's Principles of Good Regulation, my right hon. Friend the Chancellor of the Exchequer announced in the 2004 Budget Statement the establishment of a Chemicals Regulatory Forum. This forum is designed to provide both Government and industry with a better grasp of the cumulative impact and inter-relationship of existing regulation, and to offer the opportunity for an improved dialogue on emerging policy and regulatory proposals emanating from both the UK and the EU.

More specifically, the UK Government have been very active in seeking to help shape the development of the proposed new EU Regulation for the Registration, Evaluation and Authorisation of Chemicals (REACH), to reflect the impact that these proposals will have on the chemicals industry. The changes to the draft regulation, as a result of these representations, have so far reduced the projected cost to the industry of REACH by approximately €10.6 billion.

Correspondence

Mr. Salmond: To ask the Secretary of State for Trade and Industry when the Minister for Construction, Small Business and Enterprise will reply to the letter dated 18 August from the hon. Member for Banff and Buchan regarding constituent, Mr. A. Keys of Peterhead. [192084]

Nigel Griffiths: I have answered the hon. Member's letter today and apologise for the delay.

Data Protection Scams

Brian Cotter: To ask the Secretary of State for Trade and Industry under what powers her Department closed down companies for operating data protection scams and other such practices last year. [191632]

Mr. Sutcliffe *[holding answer 15 October 2004]*: The Office of Fair Trading has taken action under The Control of Misleading Advertisements Regulations 1988 against a number of businesses and individuals disseminating such misleading mailings.

Directory Inquiries

Mr. Drew: To ask the Secretary of State for Trade and Industry what measures she has put in place to ensure that key installations, with particular reference to hospitals, are listed in BT telephone directories, following the introduction of competition for directory inquiry services where that installation may be registered with a different phone network; and how many such cases the Department has taken up. [191012]

Mr. Sutcliffe: The matter raised is the responsibility of the Office of Communications (Ofcom) as independent regulator. Accordingly, my officials have asked the Chief Executive of Ofcom to respond directly to the hon. Member. Copies of the Chief Executive's letter will be placed in the Libraries of the House.

Employment Legislation

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what prospective changes to UK employment legislation she expects as a result of Government understandings with trade unions. [191569]

Mr. Sutcliffe: The Government develop their proposals for employment legislation after appropriate consultation, taking into account the views of all interested stakeholders, including trade unions.

Industrial Tribunals

Mrs. Iris Robinson: To ask the Secretary of State for Trade and Industry how many cases are waiting to be heard at industrial tribunal; what the average waiting time is; and what steps the Government are taking to reduce waiting times. [191274]

Mr. Sutcliffe: As at the end of August 2004, 109,535 cases were waiting to be heard at the Employment Tribunals. I regret that it is not possible to provide information on the average current waiting time. However, as at the end of August 2004 the year to date performance against the Employment Tribunals Service performance target of 75 per cent. of single Employment Tribunal cases to a first hearing within 26 week of receipt is 84 per cent. There are no plans at present to refocus resources in order to increase performance against this target.

Insolvency Service

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry pursuant to the answer of 12 May 2004, *Official Report*, column 438W, on the Insolvency Service, what measures she is taking to improve *(a)* the ratio of calls made from members of the public to the

Insolvency Service's Enforcement Hotline regarding disqualified directors and *(b)* the number of cases accepted by the Legal Services Directorate for full investigation. [191857]

Mr. Sutcliffe: In order to reduce the ratio between relevant calls received and those referred to Legal Services Directorate (LSD), the message on the Enforcement Hotline was amended in April 2004.

The message now clearly states the purpose of the Hotline and refers callers to the DTI Companies Investigation Branch or Office of Fair Trading if their query concerns a trading company; and to the Insolvency Service Central Enquiry Line for general insolvency queries. This has had the effect of reducing the number of invalid calls to the Hotline and will therefore reduce the ratio between the calls received and cases subsequently referred to LSD. Cases are referred to LSD by the Insolvency Service when there is an allegation of a criminal offence contrary to insolvency legislation.

Decisions to investigate criminal allegations are taken by lawyers within the DTI. A lawyer will consider all the information or evidence available at the time and if it is considered that there is sufficient information or evidence then the complaint is passed to the Departments own Investigation Officers Section to conduct a criminal investigation into the complaint. Once the investigation is complete the lawyer will then consider whether in accordance with the Code for Crown Prosecutors, there is sufficient evidence for a realistic prospect of conviction and whether it is in the public interest to institute criminal proceedings.

In view of the more detailed legal consideration given to any case by Legal Services Directorate, it is inevitable that not all cases referred to them will be taken forward for investigation.

Iraq

Glenda Jackson: To ask the Secretary of State for Trade and Industry how many British companies have obtained contracts in the reconstruction programmes in Iraq. [191000]

Mr. Alexander: We wish to see UK companies play a substantial role in the reconstruction process in Iraq. Many are already doing so. British companies, however, are not obliged to give details of contacts won and there is no central organisation that publishes such information. We estimate that to date, British companies are involved in contracts for reconstruction and other work in Iraq to the value of around US $2.6 billion. British companies are active in the power, water, banking, ports, construction, telecoms, security, legal services and consultancy sectors.

Minimum Wage

Mr. David Marshall: To ask the Secretary of State for Trade and Industry at what age an employee qualifies for the new top rate of £4.85 national minimum wage. [190997]

Mr. Sutcliffe: From 1 October 2004 a worker who is aged 22 or more becomes entitled to the main national minimum wage rate of £4.85 an hour.

Ministerial Expenses

Mr. Prisk: To ask the Secretary of State for Trade and Industry how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [191393]

Ms Hewitt: I am informed that the Department has not had any residential property on its administrative estate since 1998 and that information about the costs for previous years is already in the public domain.

Post Office

Mr. Burstow: To ask the Secretary of State for Trade and Industry what the budget is for the Post Office Reinvention Programme; and how much has been spent to date. [191718]

Mr. Sutcliffe: The Government have provided £210 million for Post Office Ltd's reinvention programme: £180 million for compensation payments to exiting sub-postmasters and £30 million for improvements to offices that remain.

To date, £115 million has been paid to Post Office Ltd in respect of compensation payments and £5.4 million in respect of improvement investment grants.

Jeremy Corbyn: To ask the Secretary of State for Trade and Industry what studies she has initiated of the effect on main post offices of sub post office closures; and if she will make a statement. [192714]

Mr. Sutcliffe: None. This is an operational matter for Post Office Ltd.

Statutory Dismissal Procedure

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what representations she has received from *(a)* trade unions and *(b)* small businesses on the new statutory dismissal procedure to be introduced on 1 October. [191609]

Mr. Sutcliffe: The Government recognises that the statutory dispute resolution regulations are likely to have a significant impact on Britain's workplaces. Therefore, a wide range of pre-consultation and consultation activities were undertaken.

An Advisory Group was set up in March 2003 to involve key employer and employee stakeholders in policy development and drafting. Members were drawn from small firms organisations, trade unions, sector-specific trade associations and other Government agencies. On the trade union side, the Trades Union Congress, Transport and General Workers Union, Union of Shop, Distributive and Allied Workers, and GMB were involved. The following small business groups participated as well: Small Business Council, Federation of Small Business, British Chambers of Commerce, and Forum for Private Business.

A 16-week public consultation closed on 29 October 2003. A total of 203 responses were received: 66 (or 32.5 per cent.) were received from individual employers and 20 (or 9.9 per cent.) were received from trade unions.

This was supplemented by a number of specialist focus groups: two for small businesses and one for trade union legal officers.

Trade Unions (Yorkshire)

Hugh Bayley: To ask the Secretary of State for Trade and Industry how many people were members of a trade union in *(a)* Yorkshire and the Humber and *(b)* the City of York (i) in 1997 and (ii) at the latest date for which figures are available. [191171]

Mr. Sutcliffe: The information is as follows.

(a) Union density for employees in Yorkshire and Humber for autumn 2003 is 32.8 per cent.

(b) Unfortunately the Labour Force survey (LFS) only measures Government office region and unitary authority/county level. Therefore, the City of York is not available.

(i) For autumn 1997 Yorkshire and Humber union density was 27.3 per cent.

(ii) These are the latest figures available from the LFS. Union membership is only available in autumn quarters.

Wholesale Gas Market

Mr. Lazarowicz: To ask the Secretary of State for Trade and Industry what assessment she has made of the need for a pan-European investigation into the operation of the wholesale gas market. [R] [190988]

Mr. Mike O'Brien: The European Commission is required under Directive 2003/55 concerning common rules for the internal gas market to monitor the operation of the EU gas market and publish annual reports. In addition, the Commission must produce a detailed report outlining progress in creating the internal gas market before 2006 and, where appropriate, propose further measures to address, inter alia, competition issues.

Mr. Lazarowicz: To ask the Secretary of State for Trade and Industry what assessment she has made of the need for a pan-European body to oversee the operation of the wholesale gas market. [190989]

Mr. Mike O'Brien: All EU member states are required to have independent gas regulators with responsibility for, inter alia, ensuring effective competition and efficient functioning of the EU gas market. The regulators meet regularly to consider pan-European issues, which may include the operation of the wholesale gas market.

The European Commission has powers under the competition rules in the EC Treaty to address restrictions or distortions of competition in the EU.

PRIME MINISTER

Cabinet Committees

Mr. Gordon Prentice: To ask the Prime Minister whether the Joint Cabinet Consultative Committee with the Liberal Democrats has been wound up; and if he will make a statement. [191764]

The Prime Minister: I refer the hon. Member to the list of Cabinet Committees which is available in the House Libraries and is also available on the Cabinet Office website.

Freedom of Information

Tony Wright: To ask the Prime Minister whether he proposes to amend the Ministerial Code to refer to the procedure that should be followed by ministers before issuing a certificate under section 53 of the Freedom of Information Act 2000. [191948]

The Prime Minister: The Ministerial Code will be amended as appropriate to reflect Ministers' responsibilities under the Freedom of Information Act 2000. More detailed guidance to Ministers and civil servants on the interpretation of the Act, including the issue of a section 53 certificate, will be issued by the Department for Constitutional Affairs.

Government Departments

Dr. Julian Lewis: To ask the Prime Minister pursuant to his answer of 11 October 2004, *Official Report*, column 53W, on Government Departments, in reply to the hon. Member for New Forest, East, if he will list the reasons for his belief, that dividing the work of his Department between the Minister of State for the Cabinet Office and a separate Chancellor of the Duchy of Lancaster best meets the needs of this Government; and why he made this change at this time. [191936]

The Prime Minister: I have nothing further to add to my answer to the hon. Member on 11 October 2004, *Official Report*, column 53W.

Iraq

Llew Smith: To ask the Prime Minister whether he has completed the investigation into the intelligence on the allegations that Iraq sought uranium from Africa, to which he made reference in his oral answer of 4 June 2003, *Official Report*, column 154. [190766]

The Prime Minister: I refer my hon. Friend to the answer I gave him on 22 July 2004, *Official Report*, column 463W.

Llew Smith: To ask the Prime Minister what the basis was for his statement to the House on 4 June 2003, *Official Report*, column 161, that he has no doubt that the Iraq Survey Group would find the clearest possible evidence of weapons of mass destruction in Iraq. [190767]

The Prime Minister: I refer my hon. Friend to answers I gave at Prime Minister's questions on 13 October.

Glenda Jackson: To ask the Prime Minister what evidence he used to support his statements to the House *(a)* on 25 February 2003, *Official Report*, column 124, on the prospect of Saddam Hussein's weapons of mass destruction remaining intact and *(b)* on 18 March 2003, on Iraq not being the only regime with weapons of mass destruction. [190998]

The Prime Minister: On the prospect of Saddam Hussein's weapons of mass destruction remaining intact, I refer my hon. Friend to the answers I gave at

Prime Minister's questions on 13 October. Countries of concern other than Iraq and Global Trade are covered in Chapter 2 of the Butler Report.

Llew Smith: To ask the Prime Minister what steps he took to validate the claims made by Hussein Kamel in 1995, under questioning by the United Kingdom's secret intelligence services and the intelligence services of the United States, that Saddam Hussein had already destroyed his weapons of mass destruction. [191668]

The Prime Minister: I refer my hon. Friend to the answer I gave the hon. Member for East Carmarthen and Dinefwr (Adam Price) on 16 September 2004, *Official Report*, columns 1775–776W.

Llew Smith: To ask the Prime Minister if he will list each occasion recorded in the *Official Report* where he claimed Iraq possessed weapons of mass destruction; and if he will publish a correction of each statement in the *Official Report*. [191671]

The Prime Minister: I refer my hon. Friend to the statement made by my right hon. Friend the Foreign Secretary (Mr. Straw) on 12 October 2004, *Official Report*, columns 151–55, and the answers I gave at Prime Minister's questions on 13 October.

Llew Smith: To ask the Prime Minister pursuant to his reply to the hon. Member for Carmarthen East and Dinefwr (Adam Price), of 16 September 2004, *Official Report*, column 1776W, on Iraq, if he will identify in respect of each question the particular part of the Butler Review and the other unnamed inquiries and statements to which he refers that provide the answer in each case. [191810]

The Prime Minister: These documents are publicly available and can be found in the *Official Report*, the Libraries of the House and on the No. 10 website.

Glenda Jackson: To ask the Prime Minister when he received the final report from the Iraq Survey Group on weapons of mass destruction; and if he will make a statement. [190693]

Llew Smith: To ask the Prime Minister on what date he received the Iraq Survey Group's recent report; and when he read it. [190768]

The Prime Minister: I received a final copy of the report when it was published on 6 October 2004.

Glenda Jackson: To ask the Prime Minister (1) which parts of the Iraq Survey Group report *(a)* confirm and *(b)* dispute the findings of United Nations weapons inspectors from 2002–03; [190694]

(2) which parts of the Iraq Survey Group report *(a)* confirm and *(b)* dispute the findings detailed in Government dossiers on this issue. [190695]

Llew Smith: To ask the Prime Minister (1) with which conclusions of the Iraq Survey Group he does not agree; and if he will give the reason for disagreement in each case; [190762]

(2) what assessment he has made of the findings of the Iraq Survey Group's report compared to his dossier entitled Iraq's Weapons of Mass Destruction, dated September 2002; and what steps he has taken to establish why there are significant differences between the conclusions; [190764]

(3) what comparative assessment he has made of the findings of the Iraq Survey Group's report and his dossier entitled Iraq's Weapons of Mass Destruction, dated September 2002; and what steps he has taken to establish the reasons for the significant differences between the conclusions. [191670]

Paul Flynn: To ask the Prime Minister if he will publish a list of all matters in the Iraq September dossier that were untrue, inaccurate or otherwise misleading; and if he will make a statement. [192110]

The Prime Minister: I refer my hon. Friends to the statement made by my right hon. Friend the Foreign Secretary (Jack Straw) on 12 October 2004, *Official Report*, column 151–55, and the answers I gave at Prime Minister's Questions on 13 October.

Krishna Maharaj

Peter Bottomley: To ask the Prime Minister (1) what information he has obtained since his oral answer to the hon. Member for Worthing, West in 2001 relating to Krishna Maharaj's applications for a new trial; [191723]

(2) if he will inform authorities in the United States about the recent letter from the hon. Member for Worthing, West about the doubts relating to the conviction of Krishna Maharaj for murder and the possible involvement of another. [191724]

The Prime Minister: I understand that the Foreign Office are in contact with Mr. Maharaj's lawyers who update them on new developments in his case, and are aware that Mr. Maharaj's lawyers are undertaking federal habeas corpus proceedings before the Florida courts with a view to obtaining a retrial.

The issues raised by the hon. Member in his recent letter are legal matters relating to Mr. Maharaj's case. Such matters are for Mr. Maharaj's legal team to pursue.

Ministerial Travel (Carbon Audit)

Llew Smith: To ask the Prime Minister if he will request from British Airways a carbon audit of his recent visit to Ethiopia, including the cost incurred in providing in-flight meals. [191682]

The Prime Minister: As my office has made clear this is a matter for the company. I travel making the most efficient and cost-effective arrangements. My travel arrangements are in accordance with the arrangements for official travel set out in Chapter 7 of the Ministerial Code, and the accompanying guidance document, "Travel by Ministers".

DEPUTY PRIME MINISTER

Starter Home Initiative (Buckinghamshire)

Mr. Bercow: To ask the Deputy Prime Minister how many key workers in Buckinghamshire purchased homes under the Starter Home Initiative in *(a)* 2001–02, *(b)* 2002–03 and *(c)* 2003–04. [191069]

Keith Hill: The table as follows sets out details of the key workers in Buckinghamshire who have been helped to purchase homes under the Starter Home Initiative.

	Number of key workers assisted
2001–02	None
2002–03	46
2003–04	218

Notes:

1. The table includes key workers employed within Milton Keynes.

2. A small number of key workers who applied for the Starter Home Initiative in 2003–04 did not complete their purchases until 2004–05. The breakdown of these purchasers by county is not yet available.

Disabled Facilities Grant

Rev. Martin Smyth: To ask the Deputy Prime Minister what plans he has to abolish means testing for disabled facilities grant for parents of disabled children in England and Wales. [191986]

Keith Hill: In response to a parliamentary question in the other place on 5 January 2004, *Official Report*, columns 1–4, my right hon. Friend the noble Lord Rooker announced a review of the disabled facilities grant programme.

This review is now under way. Its terms of reference are to review the operation and outcomes of the disabled facilities grant (DFG) programme and to make proposals to improve its efficiency and fairness. This will include a review of the DFG means test.

The Review Group will report to Ministers in May 2005.

Historic Areas

Mr. Sheerman: To ask the Deputy Prime Minister if he will assess the merits of establishing a commission to advise him on the preservation of a quality environment in areas of historic national importance. [190162]

Mr. Caborn: I have been asked to reply.

English Heritage was established in 1983 to act as the Government's statutory advisor on all aspects of the historic environment. In addition, the Commission for Architecture and the Built Environment was set up in 1999 to act as the national champion for high quality buildings, places and public spaces. It works closely with English Heritage on projects involving the historic environment.

Housing

Mr. Gordon Prentice: To ask the Deputy Prime Minister what estimate he has made of the number of unfit private sector dwellings in *(a)* Pendle and *(b)* Burnley. [191856]

Keith Hill: According to the Housing Strategy Statistical Appendix data supplied by Burnley and Pendle Borough Councils to the Office of the Deputy Prime Minister, the number of unfit private dwellings as of 1 April 2004 were:

	Unfit Private Dwellings 1 April 2004
Burnley	9,320
Pendle	6,642

Local Government Corruption

Mr. Rosindell: To ask the Deputy Prime Minister what procedures he has put in place to prevent corruption in local government. [191252]

Mr. Raynsford: The public expects high standards of conduct by members and officers of local authorities. To help ensure them, the Government established a new ethical framework for local government under the Local Government Act 2000 and subsequent Regulations. Every local authority was required to adopt, by May 2002, a local code setting out the standards of conduct expected of its members. Such codes must include all the provisions of the Model Code issued by the Government. An independent body, the Standards Board for England, was established to investigate allegations that members have breached the code, and local authorities' standards committees were given a role in promoting high standards of conduct locally. Regulations have recently been put in place to provide for local investigation and determination of less serious allegations of misconduct.

In addition, the Office of the Deputy Prime Minister recently begun consultation on a proposed code setting out the standards of conduct expected of local government employees. If issued, it would become part of employees' terms and conditions of employment.

To help maintain financial propriety, local authorities are subject to external audit by auditors appointed by the Audit Commission, whose role is to ensure that public money is spent economically, efficiently and effectively.

Network Rail (Development Rights)

Mr. Sarwar: To ask the Deputy Prime Minister if he will make a statement on Network Rail's permitted development rights in *(a)* conservation areas, *(b)* national parks and *(c)* areas of outstanding natural beauty. [190632]

Keith Hill: In England and Wales, Railway undertakers have permitted development rights for certain development on their operational land, required in connection with the movement of traffic by rail, under Part 17 of Schedule 2 to the General Permitted Development Order (GPDO). They also have permitted development rights under Part 11 of Schedule 2 (Development under Local or Private Acts or Orders). These permitted development rights may be exercised in conservation areas, national parks and areas of outstanding natural beauty. However, DOE Circulars 15/92 and 9/95 provide guidance to statutory undertakers on their use of permitted development rights. They make it clear that local planning authorities should be informed of any proposal likely to have a significant effect on amenity and the environment.

In exceptional circumstances a local planning authority may consider that normal planning control should apply to permitted development. The planning authority can make and submit to the Secretary of State an order under Article 4 of the GPDO seeking the removal of the particular permitted development right and requiring an application for planning permission.

In Scotland, land use planning matters are the responsibility of the Scottish Executive.

Park Home Sites

Bob Spink: To ask the Deputy Prime Minister what assessment he has made of whether current legislation provides an effective remedy to deal with harassment of park home residents by unscrupulous site operators. [190950]

Keith Hill: The park home working party was set up in 1998 to consider the operation of the existing controls on residential park homes and to make recommendations on what changes if any, were felt to be desirable to achieve a fair and workable balance between the needs and interests of park owners and home owners. The working party highlighted significant evidence of harassment and made 30 recommendations to alter this.

The current provisions in the Housing Bill will address the principal concerns identified by the working party. Further work is in hand on a range of the remaining recommendations. This will involve separate consultations on site licensing, the future revision of model standards and other issues.

Bob Spink: To ask the Deputy Prime Minister what reports he has received of park home site operators pressurising residents to sell or leave their home. [190951]

Keith Hill: The park home working party was set up in 1998 to consider the operation of the existing controls on residential park homes and make recommendations on what changes, if any, were felt to be desirable to achieve a fair and workable balance between the needs and interests of park owners and home owners. The working party highlighted significant evidence of harassment and made 30 recommendations to rectify the situation.

In addition to the report of the park home working party, an independent study of the 'Economics of the Park Home Industry' was commissioned in 2002. It found that 29 per cent. of residents claimed other residents had been pressured to leave the site and 7 per cent. of existing residents had also suffered pressure by the site owner to leave the site. It also found that the levels of satisfaction expressed by park home owners was significantly lower than in other tenure types.

Bob Spink: To ask the Deputy Prime Minister how many park home *(a)* operator licences, *(b)* sites and *(c)* residents there are. [190952]

Keith Hill: The information requested is not held centrally, and could be provided only at disproportionate cost.

Bob Spink: To ask the Deputy Prime Minister how many park home residences there were in each of the last 10 years. [190953]

Keith Hill: The information requested is not held centrally, and could be provided only at disproportionate cost.

The 'Economics of the Park Home Industry' report 2002 identified 1,683 parks in England and Wales. It estimated that there were 69,000 households currently residing on parks in England and Wales, representing a population of approximately 114,000 adults and 2,400 children.

The Office of the Deputy Prime Minister is currently constructing a database which will contain details of all park home sites in the country. It will be completed by the end of 2004 and updated annually.

Bob Spink: To ask the Deputy Prime Minister how many park home sites operate in the *(a)* public and *(b)* private sector. [190954]

Keith Hill: The Office of the Deputy Prime Minister does not collect data on the split between sites operated in the public and private sectors.

The "Economics of the Park Home Industry" Report 2002, identified 1,683 parks in England and Wales. The study estimates that there are 69,000 households currently residing on parks in England and Wales, representing a population of approximately 114,000 adults and 2,400 children. The Office of the Deputy Prime Minister estimates that local authorities manage relatively few sites.

The Office of the Deputy Prime Minister is currently constructing a database, which will contain details of all park home sites in the country. This will be made available to local authorities and stakeholders and will enable us to establish what percentage of parks are owned by local authorities.

Bob Spink: To ask the Deputy Prime Minister what assessment he has made of the proportion of park home sites that are well-managed; and if he will make a statement. [190955]

Keith Hill: The park home working party made a sound assessment in quality and management of park home sites but did not produce statistics on the exact percentage of sites that are well managed. The Office of the Deputy Prime Minister is satisfied from the 4,000 responses received when the draft Housing Bill consultation was published that there are areas in park home legislation that do not offer adequate protection for residents.

The Office of the Deputy Prime Minister is giving further consideration as to how to improve awareness of how sites are managed.

Bob Spink: To ask the Deputy Prime Minister which bodies have been consulted on the park home reform proposals. [190956]

Keith Hill: A list of principal consultees on the current consultation paper on Park Home Statutory Instruments follows. Others have made their thoughts known to the Office of the Deputy Prime Minister since publication and we will take into account their comments.

List of key organisations to be consulted

British Holiday and Home Park Association
British Park Home Residents Association
Chartered Institute of Environmental Health
Independent Park Home Advisory Service
National Association for Park Home Residents
National Park Home Council
Park Home Legal Services
Park Home Resident Action Alliance

Note:
The above list (in alphabetical order) is not a definitive list of groups and organisations that have been consulted.

Bob Spink: To ask the Deputy Prime Minister if he will extend the current consultation period on park homes reform to enable *(a)* individual residents who are not members of a residents' association and *(b)* residents' associations to submit views. [190957]

Keith Hill: The consultation paper has been publicised in trade magazines and local papers and is available on the Office of the Deputy Prime Minister's website in both English and Welsh. It meets the Cabinet Office code of practice guidance on consultation. From the number and range of responses already received, the Office of the Deputy Prime Minister is confident that the consultation paper has reached a representative sample of site owners and residents. Any further delay would put at risk the timetable for securing improvements for park home owners.

Bob Spink: To ask the Deputy Prime Minister on what proportion of park home sites there is *(a)* no, *(b)* one and *(c)* more than one residents' association. [190973]

Keith Hill: The information requested is not held centrally, and could be provided only at disproportionate cost.

Bob Spink: To ask the Deputy Prime Minister what estimate he has made of the proportion of park home residents who are members of a residents' association. [190975]

Keith Hill: The Office of the Deputy Prime Minister estimates that in excess of 10,000 people are members of the three principal national residents' associations approximately 10 per cent. of the number of park home owners.

Planning

Mr. Truswell: To ask the Deputy Prime Minister how many planning appeals have been *(a)* submitted, *(b)* upheld and *(c)* rejected in the last five years for which figures are available. [190504]

Keith Hill: The information requested is tabled as follows:

Planning Appeals in England

	No submitted (received)	*No upheld (allowed)*	*No rejected (dismissed)*
2000–01	15,336	4,515	8,401
2001–02	16,776	4,893	8,646
2002–03	18,554	5,471	9,550
2003–04	22,548	5,991	10,422
2004–05[1]	12,214	2,526	4,925

[1] To 30 September 2004

Mr. Drew: To ask the Deputy Prime Minister (1) what investigation he has made into the practice whereby a purchaser of land is able to package that land into plots for re-sale on the basis of a development opportunity when there is little or no chance of planning permission being granted; [190893]

(2) if he will estimate how many cases there have been in the last five years of land being purchased and being packaged up into plots and then being sold on, on the basis of a development opportunity when planning permission has little or no chance of being granted. [190894]

Keith Hill: The Office of the Deputy Prime Minister is very aware, particularly from correspondence and contacts with local planning authorities, of the problems and concerns arising from the practice of subdividing rural land into plots for sale. The Government's position was made clear in the Statement I made to the House on 19 April 2004, *Official Report*, columns 2–4WS and in the Adjournment Debate given by my hon. Friend the Member for Gillingham on 12 October 2004, *Official Report*, columns 56–63WH. The Office of the Deputy Prime Minister has no statistical information on plot-sales.

Norman Baker: To ask the Deputy Prime Minister what plans he has to undertake a public consultation exercise on the Companion Guide accompanying Planning Policy Statement 22. [192253]

Keith Hill: None. The draft companion guide to PPS22 has been produced by external consultants working for the Office of the Deputy Prime Minister. The research undertaken to produce the guide involved extensive discussions with local planning authorities and other stakeholders. However, it is not departmental practice to engage in wider consultation on good practice guides that are produced to support the policies set out in Planning Policy Statements.

Regional Government

Mr. Wilshire: To ask the Deputy Prime Minister if he will make a statement on his plans to consult electors in the South East Region on the draft Regional Assemblies Bill. [192298]

Mr. Raynsford: The draft regional assemblies Bill was published to help inform those voting in a referendum on whether or not to have an elected regional assembly and not for consultation. A referendum is scheduled to take place in the North East of England of 4 November. The Office of the Deputy Prime Minister would, of course, value any comments on the draft Bill that electors across the country wish to make.

Runwell Hospital

Mr. Francois: To ask the Deputy Prime Minister what stage has been reached in his Department's acquisition of the Runwell Hospital site from the Department of Health; which officials in *(a)* his Department and *(b)* English Heritage will now be responsible for administering the future of the site; and if he will make a statement. [191941]

Keith Hill: The Deputy Prime Minister and the Secretary of State for Health announced at a press conference on 7 April the in principle agreement to transfer a portfolio of about 100 surplus NHS sites to the Office of the Deputy Prime Minister. It is intended that the portfolio will be used to tackle housing shortages, including key worker housing, and promote the regeneration of priority areas as part of the £22 billion Sustainable Communities Plan.

The detailed arrangements to facilitate the transfer of sites are being developed by officials in Department of Health and the Office of the Deputy Prime Minister. The portfolio, including Runwell Hospital in Essex, remains in the ownership of the Department of Health. Proposals for each site will be worked up in consultation with the relevant local planning authority following transfer. A further announcement will be made at that stage.

Social Housing (York)

Hugh Bayley: To ask the Deputy Prime Minister how many social rented homes there were in York in each year since the unitary council was established. [191236]

Keith Hill: The requested information is tabled as follows showing local authority and housing association tenures separately.

Local authority housing

Year ending 1 April	*Council homes sold under RTB*		*Council stock*	*Year on year reduction in stock*
1996	115	(103h, 12f)	9,602	—
1997	116	(106h, 10f)	9,508	-94
1998	152	(134h, 18f)	9,341	-167
1999	138	(131h, 7f)	9,212	-129
2000	265	(245h, 20f)	8,962	-250
2001	186	(173h, 13f)	8,775	-187
2002	171	(147h, 24f)	8,604	-171
2003	188	(152h, 36f)	8,406	-198
2004	127	(98h, 29f)	8,224	-182

Housing association stock

	General needs	*Shared ownership/ leasehold schemes for elderly*	*Sales*
1996	1,180	29	—
1997	3,064	386	—
1998	3,181	461	82
1999	3,161	477	47
2000	3,299	474	51
2001	3,389	483	55
2002	3,401	430	18
2003	3,423	475	8
2004	3,654	483	26

Housing association unit completions

	Approved development programme (ADP)	*Social housing grant*	*Total*
1996–97	19	107	126
1997–98	102	20	122
1998–99	73	—	73
1999–2000	141	31	172
2000–01	143	30	173
2001–02	85	14	99
2002–03	20	19	39
2003–04	46	14	60
2004–05	44	0	44
Total	673	235	908

Hugh Bayley: To ask the Deputy Prime Minister how much the Government and local authority invested in social housing in York in each year since it became a unitary council. [191237]

Keith Hill: The amounts spent by York on housing investment, including spending on private sector renewal, since April 1996 are tabled. The table also gives the funding provided by central government to support this and for the provision of affordable housing through the Housing Corporation's Approved Development Programme.

£ million

	Housing Capita Spend	*Central Government Support*[1]	*Approved Development Programme*
1996–97	6.166	3.377	1.873
1997–98	5.759	2.773	1.379
1998–99	6.816	3.441	1.750
1999–2000	6.702	3.595	1.602
2000–01	6.496	5.330	2.923
2001–02	8.013	6.796	2.248
2002–03	7.904	6.581	1.521
2003–04	8.491	6.251	3.323
2004–05[2]	12.170	6.389	2.676

[1] These figures include the Housing Investment Programme, Private Sector Renewal, Disabled Facilities Grant, Capital Receipts Initiative, Cash Incentive Scheme and Major Repairs Allowance. They also include, up to 2003/04, an element assumed to be funded from the authority's capital receipts.

[2] Provisional figures

Thames Gateway Housing

Bob Spink: To ask the Deputy Prime Minister how many additional sewerage treatment plants will be required under the Government's growth plan for additional houses to be built between 2003 and 2016 in the Thames Gateway. [190738]

Keith Hill: It has always been an important part of the planning system to co-ordinate new development with the infrastructure it demands. The plan-led system ensures that links between infrastructure and developments are properly investigated. Planning Policy Statement 12 (PPS12) requires that local planning authorities develop a strategic approach to infrastructure provision when preparing local development documents, in terms of transport, water, sewerage, waste and general community facilities. Regional planning bodies and local planning authorities are working closely with infrastructure providers, such as Thames Water and Southern Water, to identify the need for additional sewerage capacity to support new development in the Thames Gateway.

Planning for predicted increases in sewage collection and treatment requirements (for example, as a result of new development) also forms part of the water and sewerage companies' resource planning process. Every five years each regional water company produces a

25-year business plan to take account of predicted significant increases in collection and treatment requirements. The Environment Agency reviews these plans to check for consistency with regional and national strategies. The plans identify changes in demand and identify a prioritised list of appropriate projects for investment (which can include sewerage treatment plants) looking forward over the medium and longer term.

The draft determinations by the Office of Water Services for investment by Southern Water for 2005–10 do provide for increased capacity of existing sewers and sewage treatment plants in the Thames Gateway area. At present, no additional sewerage treatment plants are planned.

Bob Spink: To ask the Deputy Prime Minister if he will estimate the number of additional allotments in the area needed as a consequence of the Government's current growth plan for an additional 120,000 houses to be built between 2003 and 2016 in the Thames Gateway. [191507]

Keith Hill: The information requested is not held centrally and could only be provided at disproportionate cost. It has always been an important part of the planning system to co-ordinate new development with the infrastructure and community facilities it demands. In the Thames Gateway as elsewhere, the plan-led system ensures that links between infrastructure and developments are properly investigated. Planning Policy Statement 12 (PPS12) requires that local planning authorities develop a strategic approach to infrastructure provision when preparing local development documents, in terms of transport, water, sewerage, waste and general community facilities.

The Government's commitment to the provision of green space, including allotments, is laid out in Planning Policy Statement 1 which states that well designed public and green spaces are required as part of building sustainable communities. The Government states in Planning Policy Guidance 17 that open space standards are best set at a local level, as national standards cannot cater for local circumstances. Local authorities are expected to carry out assessments of the needs of their communities that will be used to set robust standards for the provision of all types of open spaces. This applies equally to the Thames Gateway as elsewhere in the country. Planning Policy Guidance 3 (PPG3) emphasises the value open spaces such as allotments can add to a community and classes allotments as open spaces so that they can be protected from the priority given to development on brownfield land.

The Government is encouraging the enhancement and the creation of a range of new greenspace within the Thames Gateway. The Office of the Deputy Prime Minister and the Department for the Environment, Food and Rural Affairs jointly published Creating Sustainable Communities: Greening the Gateway in January 2004, setting out the importance of green infrastructures in the Thames Gateway. The document recognises the importance that allotments can play in helping to contribute to a diverse greenspace network across the Thames Gateway as well as offering a way for local people to take gentle exercise and have more direct contact with a supply of healthy food.

Bob Spink: To ask the Deputy Prime Minister how many additional *(a)* acute hospital beds and *(b)* medical staff, including general practitioners, will be required under the Government's current growth plan for an additional 120,000 houses to be built between 2003 and 2016 in the Thames Gateway. [191516]

Keith Hill: The Office of the Deputy Prime Minister is working with the Department of Health and the four Strategic Health Authorities in the Thames Gateway to ensure that they are aware of the impact that the increased population created by the Government's growth area policy will have on the provision of health and social care facilities, including staff and hospital beds, in the future.

The Department of Health is fully engaged and committed to the programme, and in March 2004 they announced in a written statement to Parliament, a new funding package for the four growth areas, including the Thames Gateway. The package entails:

An additional £20 million of revenue funding per annum for 2004–05 and 2005–06 for those Primary Care Trusts (PCTs) that are already experiencing considerable population growth as a direct consequence of development in the four growth areas;

An additional £20 million of capital resources for allocation in 2005–06 to the growth areas;

From 2006–07, a commitment to include a growth area adjustment in future PCT allocations. The Office of the Deputy Prime Minister and the Department of Health are working together to predict future populations in the growth areas, including the Thames Gateway, to inform this adjustment.

Bob Spink: To ask the Deputy Prime Minister how many additional *(a)* nurseries and *(b)* playschools will be required under the Government's current growth plan for an additional 120,000 houses to be built between 2003 and 2016 in the Thames Gateway. [191517]

Keith Hill: The Sure Start programme funds child care provision, including nurseries and playschools. It takes into account local authority estimates of required places based on population statistics. The Office of the Deputy Prime Minister and the Department for Education and Skills will work together to assist local authorities in planning future needs, for example, by providing forecasts of population changes in the Thames Gateway. Given that child care facilities can vary in their size, it is not possible to estimate exactly how many will be required to meet any additional places.

Bob Spink: To ask the Deputy Prime Minister how many additional libraries will be required under the Government's current growth plan for an additional 120,000 houses to be built between 2003 and 2016 in the Thames Gateway. [191519]

Keith Hill: The information requested is not held centrally and could only be provided at disproportionate cost. It has always been an important part of the planning system to co-ordinate new development with the infrastructure it demands. In the Thames Gateway as elsewhere, the plan-led system ensures that links between infrastructure and developments are properly investigated. Planning Policy Statement 12 (PPS12) requires that local planning authorities develop a strategic approach to infrastructure provision when preparing local development documents, in terms of transport, water, sewerage, waste and general community facilities.

In addition, the Office of the Deputy Prime Minister is working closely with other Government departments to ensure that the raft of community services and infrastructure required to support housing growth will be delivered across the Thames Gateway. This work is led by MISC 22, the Cabinet Committee that oversees the development of the growth areas in the South-East.

Bob Spink: To ask the Deputy Prime Minister how many additional leisure centres will be required under the Government's current growth plan for an additional 120,000 houses to be built between 2003 and 2016 in the Thames Gateway. [191520]

Keith Hill: The information requested is not held centrally and could only be provided at disproportionate cost. It has always been an important part of the planning system to co-ordinate new development with the infrastructure it demands. In the Thames Gateway as elsewhere, the plan-led system ensures that links between infrastructure and developments are properly investigated. Planning Policy Statement 12 (PPS12) requires that local planning authorities develop a strategic approach to infrastructure provision when preparing local development documents, in terms of transport, water, sewerage, waste and general community facilities.

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FOREIGN AND COMMONWEALTH AFFAIRS

Asia and Europe Meeting

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Asia and Europe meeting in Hanoi. [190496]

Mr. Alexander: My right hon. Friend the Deputy Prime Minister represented the UK at the Asia Europe Meeting (ASEM) Summit held in Hanoi on 8 to 9 October. At the Summit we exchanged views with our EU and Asian ASEM partners on a range of issues, including the role and reform of the UN, counter-terrorism and counter-proliferation, environmental issues, the EU-Asia trade relationship and the need for cultural dialogue.

As a key objective for the Summit, the Deputy Prime Minister urged ASEM partners to discuss ways in which developing and developed countries could meet their energy needs in a sustainable way. ASEM partners agreed to pursue this. The UK, in partnership with Indonesia, also launched an initiative promoting interfaith dialogue, which received support from a number of EU and Asian ASEM partners. We and our Indonesian partners will now take this forward.

The Deputy Prime Minister, together with several of our EU partners, also raised the unacceptable lack of progress towards democratisation in Burma, and called for the release of Aung San Suu Kyi and other political prisoners, the lifting of restrictions on the National League for Democracy, the start of genuine dialogue and an early visit by the UK Secretary-General's Special Representative, Razali Ismail. The UK worked closely with EU and Asian ASEM partners to build general consensus on the inclusion of language on Burma in the ASEM Chair Statement, which calls for all political groups in the country to be able to participate in national reconciliation and democratisation. We believe that this sends the regime a clear signal that ASEM partners share serious concerns about the situation in Burma.

In the margins the Deputy Prime Minister held bilaterals with the Deputy Prime Minister of the Socialist Republic of Vietnam, the Premier of the People's Republic of China and the Prime Minister of the Kingdom of Thailand.

Correspondence

Norman Lamb: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects to provide a full response to the letter from the hon. Member for North Norfolk of 13 November 2003 on the award of licences for the provision of mobile telecommunications services in Iraq. [147683]

Mr. Rammell: My noble Friend the Baroness Symons of Vernham Dean replied to the hon. Member on 15 September. In doing so, she referred to answers given in response to written parliamentary questions and explained the reasons for the lengthy delay in sending a substantive reply to the hon. Member's original letter. I will place a copy of the letter in the Library of the House.

Entry Clearance Fees

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs how much the entry clearance fee is for visitors from India to the UK. [190785]

Mr. Mullin: Visitors applying for visas to the UK pay the equivalent of £36 sterling in their local currency. The fee for a standard visit visa application in India is currently 3,100 rupees.

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what criteria are used in setting the entry clearance fee in different *(a)* countries and *(b)* cases. [190786]

Mr. Mullin: UKvisas administrate a self-funding operation. Visa fees are set at a level that ensures the full cost of providing the entry clearance service worldwide is met from fee income so that the taxpayer is not accountable for any of the costs.

A flat fee for each category of visa application is set in pounds sterling and charged to applicants worldwide at an equivalent rate in their local currency. The fees for each category are set at a level that is proportionate to the cost of processing that type of application.

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy for the entry clearance fee to be refundable if the applicant is denied a visa. [190787]

Mr. Mullin: Processing of a visa application incurs an administrative cost regardless of the outcome of that application. It is therefore our policy to pass this cost on equally to both successful and the unsuccessful applicants. There are no plans to alter this policy.

Faroe Islands

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs when the last time was that he was in contact with the Government of the Faroe Islands; and what the purpose of this contact was. [191512]

Mr. MacShane: There has been no recent contact between my right hon. Friend the Foreign Secretary and the Government of the Faroe Islands. However, my right hon. Friend the Fisheries Minister (Mr. Bradshaw) visited the Faroe Islands on 23–25 September to discuss fisheries issues. Our ambassador, Sir Nicholas Browne, visited on 7–11 May to meet the new Prime Minister Eidesgaard and other members of his Government. The visit was part of our embassy's ongoing contacts with the Faroese Government, which include appointing an Honorary Consul in Torshavn.

Gaza

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is taking to try to reduce tensions in northern Gaza; and how many people he estimates have been killed or wounded since the Israeli authorities intervened in the refugee camps there. [191121]

Mr. Rammell: We remain extremely concerned by the situation in Gaza. My right hon. Friend the Foreign Secretary issued a statement on 4 October and expressed our concern to Israeli Foreign Minister Shalom the same day. My noble Friend the Baroness Symons of Vernham Dean also raised this with the Israeli ambassador on 6 October. On 13 October the Foreign Secretary issued a second statement reiterating his concerns, and the issue was again raised at official level with the Israeli ambassador. Copies of the Foreign Secretary's press releases are available on the Foreign and Commonwealth Office (FCO) website: www.fco.gov.uk/policy/news/press-releases. British embassy officials in Tel Aviv also lobby the Israeli Defence Force, and we continue to urge Israel to act proportionately with restraint and in accordance with international law.

Since Operation Days of Penitence began on 29 September, we estimate that 119 Palestinians have been killed and 395 injured. five Israelis have also been killed.

The Palestinian casualty figures are as of 13 October, from the British Information and Service Office in Gaza. It should be noted that the total figures include both civilian and militant casualties. These are very difficult to separate for reasons given by my hon. Friend the Minister of State at the FCO (Mr. MacShane) in the written statement on the Middle East Peace Process (Civilian Deaths) issued on 7 September 2004, *Official Report*, columns 112–13WS.

Mr. Jim Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of Israel's unilateral disengagement plan from Gaza. [190652]

Mr. Rammell: We welcome the Israeli plan to withdraw from all Gaza settlements and some in the West Bank. Disengagement should be a real opportunity for progress back to the Roadmap. We have called on Israel to ensure withdrawal is full, carried out without undue delay and co-ordinated with the Palestinians and the international community. Likewise we have called on the Palestinian Authority to prepare to take on fully their responsibilities, including on security.

Hurricane Ivan

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what information sources and communication vehicles have been put in place to help UK residents contact family and friends who have been affected by Hurricane Ivan. [189909]

Mr. Mullin: Consular Directorate of the Foreign and Commonwealth Office (FCO) expanded its 24-hour call-handling capacity during Hurricane Ivan's passage through the Caribbean and into the southern United States, providing fresh information as it became available. This included informing families and friends of relevant websites. Relevant travel advice on the FCO website: www.fco.gov.uk was updated regularly.

In Grenada, our High Commission staff helped many families get in touch with each other, passed on messages, and allowed UK nationals who visited the British High Commission to use the one working phone line in Grenada and to use mobile phones to contact relatives in the UK. In Jamaica the Cable & Wireless landlines held up well during the Hurricane and most of those who needed to were able to phone abroad. However, High Commission staff did assist a number of families to get in touch with each other and passed on a number of messages from family members.

HMS Richmond (The Atlantic Patrol Taskforce (North)) provided emergency communications on the Islands. In the Cayman Islands, the Task force was instrumental in establishing early communication between the Governor and London.

Iceland

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Iceland during the last year; and for what reasons. [191568]

Mr. MacShane: My right hon. Friend the Foreign Secretary has not held discussions with the Government of Iceland in the last year. However, I visited Iceland on 21–22 July to discuss with the then Foreign and Industry Ministers a range of issues relating to Iceland's relationship with the European Union. My hon. Friend the Fisheries Minister (Mr. Bradshaw) visited on 10–12 August to discuss fisheries management issues. Senior Foreign and Commonwealth Office and Ministry of Defence officials visited Iceland in June for annual bilateral consultations and the British ambassador in Iceland enjoys regular high level discussions with all levels of the Icelandic Government.

Iraq

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to the oral statement on Iraq of 12 October 2004, *Official Report*, columns 151–55, on what date the intelligence relating to the claim that chemical and biological weapons could be deployed within 45 minutes was officially withdrawn. [191667]

Mr. Straw: I was informed that the lines of intelligence reporting to which I referred to in my Statement to the House of 12 October 2004, *Official Report*, column 152, had been formally withdrawn on 7 October.

I informed Parliament at the earliest opportunity I could. I was in Luxembourg on EU business on 11 October.

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the sites in Iraq identified by British intelligence as a facility involved in weapons of mass destruction that were passed on to the Iraq Survey Group; and if he will identify the source of the intelligence in each case. [190760]

Mr. Straw: The Iraq Survey Group (ISG) worked from its own lists of sites, and sought comments from the UK Government. The Government expressed a view as to which they considered to be the priority sites for exploitation. The ISG Report acknowledges the support they received from SIS and the Defence Intelligence Staff.

Beyond what is published in the ISG Report, I am withholding further details of the assistance provided under exemption 1*(a)* of Part 2 of the Code of Practice on Access to Government Information.

Ms Nina Jones

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department has had with *(a)* the Police Force in Prague and *(b)* Interpol following the disappearance of Ms Nina Jones of Kingsbridge, Devon; and if he will make a statement. [190289]

Mr. Mullin *[holding answer 14 October 2004]*: Ms Nina Jones went missing in Prague on 28 March. Her details were given to Interpol in London who passed a search request to their counterparts in Prague. The Czech Police conducted exhaustive inquiries with hospitals, morgues and local language schools across the Czech Republic.

Our Consular staff are in regular contact with Interpol Prague who liaise closely with the Czech Police. Ms Jones's details, including recent photographs, are stored on a central database with the municipal, border and regular Czech Police and are flagged for immediate attention should she be found. In August Consular staff asked Interpol to provide an update on their investigations and that a further check be carried out of both local and psychiatric hospitals. Unfortunately, there is still no trace of Ms Jones.

Consular staff are helping the family to distribute missing persons leaflets through our embassy in Prague. We will continue to offer the family consular assistance and liaise with the relevant authorities to help identify Ms Jones's whereabouts.

Nordic Countries

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs with which Nordic countries the United Kingdom is in discussion over *(a)* co-operation and *(b)* bilateral meetings. [191511]

Mr. MacShane: The United Kingdom is in ongoing and regular contact with all five Nordic countries at all levels and on a wide range of issues. Our Embassies, in close liaison with the Foreign and Commonwealth Office and other government departments, are the front line for day-to-day contact. A good deal of formal co-operation between the United Kingdom and the three EU Nordic members, and three NATO Nordic members takes place in the context of those organisations, and also in the United Nations, its specialised agencies and other multilateral fora. In addition, a number of formal agreements with Iceland and Norway are negotiated through the European Union on behalf of all member states. Details can be found on the website of the European Commission: www.europa.eu.int.

The United Kingdom is currently negotiating a bilateral Framework Treaty on Oil and Gas with Norway. The UK also enters into a number of other routine agreements with the Nordic countries. These include for example Memoranda of Understanding governing the relationships between our troops where they serve together overseas.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what bi-lateral agreements the UK Government *(a)* has and *(b)* has had in the last 30 years with Nordic countries. [191586]

Mr. MacShane: The United Kingdom is currently negotiating a bilateral Framework Treaty on Oil and Gas with Norway. The UK also enters into a number of other routine agreements with the Nordic countries. These include for example memoranda of understanding governing the relationships between our troops where they serve together overseas.

A note on bilateral agreements over the last 30 years has been placed in the Library of the House.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to visit Norway. [191513]

Mr. MacShane: My right hon. Friend the Foreign Secretary has no immediate plans to visit Norway. Other Ministers have visited in recent months and the next scheduled visit is by my hon. Friend the Fisheries Minister (Mr. Bradshaw) on 8–9 November. The Foreign Secretary and I have had several contacts with our Norwegian counterparts in various international fora during the past year. The British ambassador in Norway is also in regular contact with the Foreign

Minister and other Norwegian Ministers. We look forward to welcoming Foreign Minister Petersen to London before the end of the year.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his Norwegian counterpart during the past year. [191543]

Mr. MacShane: My right hon. Friend the Foreign Secretary and I have had several contacts with our Norwegian counterparts in various international fora during the past year. The British ambassador in Norway is also in regular contact with the Foreign Minister and other Norwegian Ministers. Other Ministers have also visited in recent months.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to launch bi-lateral agreements with Nordic countries. [191567]

Mr. MacShane: The United Kingdom is currently negotiating a bilateral Framework Treaty on Oil and Gas with Norway. The UK also enters into a number of other routine agreements with the Nordic countries. These include for example Memoranda of understanding governing the relationships between our troops where they serve together overseas.

The United Kingdom is in ongoing and regular contact with all five Nordic countries at all levels and on a wide range of issues. Our embassies, in close liaison with the Foreign and Commonwealth Office and other Government Departments, are the front line for day-to-day contact.

Official Visits

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans there are for official visits to the UK by the Government of *(a)* Iceland, *(b)* Norway and *(c)* Denmark. [191585]

Mr. MacShane: We are currently exploring opportunities for official visits to the United Kingdom by the new Prime Minister and Foreign Minister of Iceland. The Norwegian Ministers for local government and modernisation visited the UK on 14–15 October, and others, including the Foreign Minister, will be visiting later in the year. The Danish Defence Minister will visit the UK on 19–21 October.

Pakistan

Mr. Lidington: To ask the Secretary of State for Foreign and Commonwealth Affairs what the average waiting time between an application to the High Commission Islamabad for leave to settle in the United Kingdom as the wife of a British citizen and the date of interview was in the last period for which figures are available. [190673]

Mr. Mullin: Our High Commission in Islamabad have statistics available for the quarterly period June-August 2004. These show that the average waiting time from application to date of interview was 13 weeks.

Ports Access

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what action *(a)* the Government and *(b)* the EU may take against non-EU countries who refuse access to their ports by the commercial fleet of an EU member state; and if he will make a statement. [190441]

Mr. MacShane: This is a matter for the EU member state whose commercial fleet is refused access. The course of action is then dependent upon the circumstances and reasons for refusal of access to the ports in question.

Russia (G8 Presidency)

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what further discussions he plans with the Russian presidency in advance of the UK's presidency of the G8. [191124]

Mr. Alexander: My right hon. Friend the Foreign Secretary discussed the UK and Russian G8 presidencies with the Russian Foreign Minister, Mr. Lavrov, in Moscow in July. The Ministers asked their officials to carry forward co-ordination work for the two presidencies. Senior officials from the Foreign and Commonwealth Office will visit Russia this week as part of this process. Furthermore, officials in particular areas, such as counter-terrorism, are in regular contact with their Russian counterparts on G8 matters. The two Ministers plan to meet later this year to review progress. However, no date has yet been set.

Saudi Arabia

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs if Dr Ali-al Shamrani is still a diplomat accredited to the Saudi Arabian embassy in London; and if he will make a statement. [190494]

Mr. Rammell: Dr. Ali Al Shamrani is not now an accredited diplomat. He left the UK on 15 August 2003.

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations were made to the ambassador of Saudi Arabia about the soliciting of official information by a Saudi intelligence officer, from Mr. Ghazi Kassim; and if he will make a statement. [190495]

Mr. Rammell: The Foreign and Commonwealth Office raised this case with the Saudi ambassador and asked that the diplomat in question should be withdrawn. It is not our policy to divulge the details of discussions with foreign ambassadors. I am withholding this information under Exemption 1*(b)* of Part 2 of the Code of Practice on Access to Government Information.

Security Council (India)

Mr. Goodman: To ask the Secretary of State for Foreign and Commonwealth Affairs what his policy is with regard to a place for India on the UN Security Council; and if he will make a statement. [192185]

Mr. Rammell: The Government have long supported expansion of the Security Council in both the permanent and non-permanent categories of membership. We have supported the candidacies of Germany, Japan, India and Brazil for permanent membership. We also believe that the Council should include a permanent member from Africa.

Our commitment to work with India to achieve its place as a permanent member of the Council was recently reconfirmed in the Joint Declaration issued on 20 September following the meeting of my right hon. Friend the Prime Minister and Dr. Manmohan Singh, the Indian Prime Minister.

Turkey

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the position of Turkey with regard to future membership of the European Union. [190569]

Mr. MacShane: The European Commission's recommendation of 6 October 2004 concluded that

> "Turkey sufficiently fulfils the political criteria and recommends that accession negotiations be opened."

The UK strongly supports Turkey's EU accession and welcomes the Commission's recommendation. A decision on this will be taken by the European Council on 17 December.

Zimbabwe

Sir Patrick Cormack: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met the President of Zimbabwe; what matters were discussed; and if he will make a statement. [190532]

Mr. Mullin: My right hon. Friend the Foreign Secretary was introduced to Robert Mugabe at a reception during the United Nations General Assembly in New York on 22 September. There was no discussion between them.

WORK AND PENSIONS

Correspondence

Mr. Salmond: To ask the Secretary of State for Work and Pensions when the Minister of State for Work will reply to the letter dated 6 July from the hon. Member for Banff and Buchan regarding maximum working temperatures. [192085]

Jane Kennedy: I replied to the hon. Member on 21 July. I am sending a further copy of my letter to him.

Departmental Vehicles

Mr. Kidney: To ask the Secretary of State for Work and Pensions how many road vehicles are operated by the Department and its agencies; how many personal injury accidents involving road vehicles operated by the Department have occurred within each of the last five years; and what the Department's policy is for managing work-related road safety. [185926]

Maria Eagle: DWP currently operates 2,670 road vehicles.

The information in the table has been provided by the Department's External Accident Management companies who are contracted to DWP to maintain Accident Management Services.

DWP was formed in June 2001 from the former Department of Social Security (DSS) and parts of the former Department for Education and Employment (DfEE) including the Employment Service (ES). The DWP vehicle fleet was formed on 1 April 2002 from the former DSS and ES fleets.

Personal injury accidents involving vehicles operated by the former DSS, former ES, and from April 2002, DWP

April to March	*Former DSS*	*Former ES*	*Total*
1999–2000	59	3	62
2000–01	29	6	35
2001–02	11	3	14
DWP			
2002–03	52		
2003–04	57		

The Department's procedures for managing work-related road safety will be reviewed in the light of the recent publication from the Health and Safety Executive on managing work-related road safety.

Disability Discrimination Act 1995

Mr. Jim Cunningham: To ask the Secretary of State for Work and Pensions how the revision of the Disability Discrimination Act 1995 will affect businesses. [191809]

Maria Eagle: On 1 October 2004, the Disability Discrimination Act 1995 (Amendment) Regulations 2003 came into force. These regulations extended the employment provisions of the Disability Discrimination Act (DDA) to cover employers with fewer than 15 employees and all previously excluded occupations except the armed forces. They brought into the scope of the employment provisions an additional 1 million employers who are now under duties not to discriminate against, and to make reasonable adjustments for, disabled employees and disabled job applicants. These duties are not anticipatory, and an employer is not required to make adjustments until he has a disabled employee or job applicant.

The regulations also introduced a range of new provisions which have implications for employers in relation to the recruitment and employment of disabled people. They:

> make clear that harassment for a reason relating to disability is unlawful;
>
> ensure that treatment which constitutes direct discrimination against a disabled person, for example where it is motivated by prejudice, can never be justified;
>
> outlaw discriminatory job advertisements;
>
> bring practical work experience placements in the context of vocational training within scope of the DDA;
>
> extend the DDA's protection to claims by former employees about discrimination where the discrimination has arisen directly out of, and is closely connected to, the former employment; and
>
> ensure that instructions and pressure to discriminate, are unlawful.

Also on 1 October 2004, the final access duties for providers of services to the public were introduced. These further open up services to around 10 million disabled people in this country. The new duties require service providers to take reasonable steps to tackle physical features of their premises which otherwise make it impossible or unreasonably difficult for a disabled person to access the service; or to provide the service by another reasonable means. The duties for service providers are anticipatory.

The DDA requires employers and service providers only to make adjustments that are reasonable and factors such as the cost and practicability of making adjustments, and the financial and other resources available to the business or organisation, will be taken into account in determining what is reasonable.

Employers' Liability Compulsory Insurance

Brian Cotter: To ask the Secretary of State for Work and Pensions pursuant to the answer of 23 March 2004, *Official Report*, column 741W, on employers' liability compulsory insurance, what progress the Health and Safety Executive has made with the final validation of a Health and Safety Management Index for *(a)* large and *(b)* small businesses. [191776]

Jane Kennedy: Validation of the health and safety performance index for large organisations is due to be completed in November 2004. The Health and Safety Commission and Executive (HSC/E) will consider the findings and, subject to their approval, arrangements will be put in place for publication of the index early in 2005.

Validation of the index for small businesses has been completed. It is currently being converted to an electronic format. The index, which has been developed in association with DWP, the DTI and insurance and small business stakeholders, once approved by HSC/E will be made available through DTI's Business Link website, in November of this year.

Information and Communication Specialists

Mr. Jenkins: To ask the Secretary of State for Work and Pensions how many information and communication technology specialists are in full-time employment in the Department. [189598]

Jane Kennedy: The Department employed 412 full-time permanent information and communications technology specialists as at 30 September 2004. In addition, as at 30 September 2004, the Department employed 1,390 full-time permanent staff who support and enable the work of the IS/IT specialists utilising a wide range of related skills that are necessary to deliver effective information systems.

New Deal

Mr. Flook: To ask the Secretary of State for Work and Pensions how many people in Taunton have found long-term employment of more than six months through the New Deal. [191153]

Jane Kennedy: Information is not available on employment lasting longer than six months through the New Deal.

A New Deal for Young People and New Deal 25-plus job is defined as sustained if no new claim for jobseeker's allowance is made within 13 weeks of starting work. A measure of sustainability is not available for New Deal for Lone Parents and New Deal 50-plus. The available information is in the table.

New Deal in Taunton

Programme	*Individuals into jobs*	*Of which sustained jobs*
New Deal for Young People[1]	590	490
New Deal 25-plus[2]	270	200
New Deal for Lone Parents[3]	390	—
New Deal 50-plus[4]	180	—

[1] Data is from the national launch in January 1998 to the end of June 2004.

[2] Data is from the national launch in April 1998 to the end of June 2004.

[3] Data is from the national launch in October 1998 to the end of June 2004.

[4] Data is from the national launch in April 2000 to the end of March 2003 and represents the number of people taking up the New Deal 50-plus Employment Credit.

Note:

1. Information is not available at constituency level for New Deal for Disabled People and New Deal for Partners.
2. All figures are rounded to the nearest 10.

Source:

DWP Information and Analysis Directorate

Hugh Bayley: To ask the Secretary of State for Work and Pensions how many 18 to 24-year-olds have *(a)* enrolled on and *(b)* found work through the New Deal in (i) Yorkshire and the Humber and (ii) City of York since 1997. [191341]

Jane Kennedy: The information is in the table.

New Deal for Young People

	Yorkshire and the Humber	*City of York*
Number of individuals starting the programme	96,470	1,730
Number of individuals into jobs	58,800	800

Notes:

1. Data is from the national launch of New Deal for Young People in January 1998 to the end of June 2004.
2. Figures are rounded to the nearest 10.

Source:

DWP Information and Analysis Directorate

Hugh Bayley: To ask the Secretary of State for Work and Pensions how many people in *(a)* Yorkshire and the Humber and *(b)* City of York have found work through the New Deal for (i) lone parents, (ii) disabled people and (iii) people aged over 24 years. [191342]

Jane Kennedy: The available information is in the tables.

New Deal in Yorkshire and Humber

	Number of individuals into jobs
New Deal for Lone Parents[1]	29,870
New Deal for Disabled People[2]	2,110
New Deal 25-plus[3]	21,200

New Deal in the City of York

	Number of individuals into jobs
New Deal for Lone Parents[1]	540
New Deal for Disabled People[4]	—
New Deal 25-plus[3]	360

[1] Data is from national launch in October 1998 to the end of June 2004.

[2] Data is from national launch in July 2001 to the end of June 2004.

[3] Data is from national launch in April 1998 to the end of June 2004.

[4] Information is not available for New Deal for Disabled People at constituency level.

Note:

Figures are rounded to the nearest 10.

Source:

DWP Information and Analysis Directorate

Nuclear Installations Inspectorate

Mr. Drew: To ask the Secretary of State for Work and Pensions if he will make a statement on the impact of the work to rule of health and safety inspector members of the Prospect trade union on the efficiency of the Nuclear Installations Inspectorate. [190978]

Jane Kennedy: The work to rule by health and safety inspectors has had no effect on the efficiency of the Nuclear Installations Inspectorate (NII). Although the work to rule continues to cause some internal management difficulties and has reduced the level of some activities, I am assured by the Health and Safety Executive that there has been no impact on health and safety standards. Senior managers in the NII are re-prioritising work to ensure inspectors focus on significant safety issues with less urgent work being postponed. I understand that this prioritisation is working very effectively, but I have asked the Chief Inspector to keep me informed if he believes NII's ability to provide the nuclear safety assurance we all require is being put at risk.

Over 75s

Mr. Webb: To ask the Secretary of State for Work and Pensions how many individuals over state pension age are aged over 75. [190643]

Mr. Timms *[holding answer 14 October 2004]:* I have been asked to reply.

The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Steve Webb, dated 18 October 2004:

As National Statistician, I have been asked to reply to your recent Parliamentary Question asking how many individuals over state pension age are aged over 75. (190643)

Pensionable age is currently 65 years and over for males and 60 years and over for females.

In mid-2003 there were an estimated 9,785,600 people over state pension age in England and Wales, of whom 4,034,000 or 41.2% were aged 75 and over.

Pension Credit

Mr. Frank Field: To ask the Secretary of State for Work and Pensions if he will estimate the cost of automatic eligibility for pension credit to those pensioners aged *(a)* over 85, *(b)* 80 to 85, *(c)* 75 to 79 and *(d)* 70 to 75; and how many (i) male and (ii) female headed households in each age group would benefit from such a policy. [192147]

Mr. Pond: Assuming that a way could be found to assess entitlement to pension credit automatically on the basis of current rules, the cost for all eligible pensioners over 70 would be around £650 million a year. Such information as is available on age and gender breakdown is in the table.

Age band	*Cost (£ million)*	*Male headed households*	*Female headed households*
70–75	100	150,000	50,000
75–79	200	150,000	100,000
80+	350	200,000	250,000

Notes:

1. Figures are based on the estimated number of eligible pensioners in 2004–05.
2. Expenditure rounded to nearest £50 million and numbers of households rounded to nearest 50,000.
3. Estimates of the entitled population are subject to large margins of error, particularly when broken down by age, so estimates should be seen only as broad indications of the likely costs.

Telephone Inquiries

Malcolm Bruce: To ask the Secretary of State for Work and Pensions whether telephone inquiries relating to the direct payment of benefits and pensions are handled by staff other than those employed by his Department. [190650]

Mr. Pond *[holding answer 14 October 2004]:* Following open competition the Department has a contract in place with ATOS Origin to send mailings to customers and handle telephone responses on our behalf through a dedicated customer conversion centre. It is normal business practice for the Department to manage this sort of large scale but temporary operation in this way.

The customer conversion centre staff are fully trained, and all telephone calls are monitored to ensure that customers are presented with sufficient information to enable them to make an informed choice. Continual monitoring and evaluation throughout the conversion process has resulted in a number of improvements to staff training, scripts, letters and forms that customers are asked to complete.

HOME DEPARTMENT

Crime Statistics

14. **Mr. Illsley:** To ask the Secretary of State for the Home Department what steps he is taking to improve the circulation and dissemination of crime statistics. [191203]

Ms Blears: The steps being taken to improve the circulation and dissemination of crime statistics are based on the Review of Crime Statistics which was undertaken in 2000. Updated information on both the British crime survey, and police recorded crime, is now made available every three months. The latest information will be published this Thursday.

Fly-posting/Graffiti

15. **Mr. Russell Brown:** To ask the Secretary of State for the Home Department what action is being taken by his Department to tackle *(a)* fly-posting and *(b)* graffiti. [191204]

Fiona Mactaggart: Graffiti and fly-posting are serious issues and make areas look run-down and uncared for. This can often lead to an increase in crime and the fear of crime.

The Anti Social Behaviour Act 2003 which allows local authorities to serve Graffiti Removal Notices requiring owners to remove the graffiti within 28 days. If they do not comply, local authorities can clean up and charge the costs to the owners. These provisions are currently being piloted in 12 areas.

The Act also provides a £50 Penalty Notice for Disorder for minor graffiti and fly-posting offences. Other action includes launching our Name That Tag scheme and the 100 Days Clean Ups which aim to tackle graffiti, fly posting and other enviro-crime issues.

British Crime Survey

16. **Mr. Rosindell:** To ask the Secretary of State for the Home Department what criteria are used to determine which crimes are included in the British crime survey; and who determines the criteria. [191206]

Ms Blears: The British Crime Survey (BCS) includes all crimes experienced by adults aged 16 and over living in private households in England and Wales, with the following exceptions:

Murder

Corporate crime

Fraud (although credit card fraud is covered separately)

The crimes included in the overall BCS main crime count have not changed since it started in 1982, when the criteria were agreed by the Home Office.

Illegal Immigration (Bogus Colleges)

17. **Ross Cranston:** To ask the Secretary of State for the Home Department what measures he is taking to stop bogus colleges assisting illegal immigration. [191208]

Mr. Browne: On 22 April and 22 July we announced a raft of measures designed to tackle this problem as part of our wider review of managed migration.

These measures include:

a programme of visits by IND to educational establishments where we have doubts about their status;

a new DfES registration scheme for all genuine institutions by the end of the year; and

more Risk Assessment Units in our embassies abroad to improve the flow of intelligence about fraud or abuse.

To date we have assessed 1,050 education institutions. Over 25 per cent. have been identified as bogus and a further 25 per cent. require a more detailed visit. Our initial investigations will be completed by December of this year.

We are working closely with the English Language sector to move towards comprehensive accreditation of all private English Language schools taking overseas students.

And we are also working with education sector representatives to agree procedures for notifying us of all overseas students who fail to attend courses.

Sex Offenders

18. **Mr. Mahmood:** To ask the Secretary of State for the Home Department what plans he has to ensure that known sex offenders living in the community do not represent a threat to the public. [191209]

Paul Goggins: The Sexual Offences Act 2003 strengthened the requirements for sex offenders to notify their personal details to the police, and introduced new offences to protect children from sexual abuse and exploitation. The Criminal Justice Act 2003 has extended the provisions made in every area of England and Wales for the Multi Agency Public Protection Arrangements, which help to manage the risks posed by sex offenders in the community.

Community Support Officers

20. **Mr. Challen:** To ask the Secretary of State for the Home Department how many police community support officers he expects will be deployed in west Yorkshire by the end of this financial year; and if he will make a statement. [191211]

Ms Blears: There are, as of the end of August 2004 264 community support officers in West Yorkshire. The Home Office has already provided funding to enable the force to recruit a further 40 CSOs by 31 March 2005. In addition to this, I am currently considering proposals from forces, including West Yorkshire Police, for allocating the £50 million of new money for extra CSOs this year announced as part of Spending Review 2004. I will announce my decision shortly.

The additional funding of £50 million announced in July for the first phase of the Neighbourhood Policing Fund will help ensure that we reach at least 5,500 CSOs in England and Wales by March 2005. There will be 25,000 CSOs and wardens by 2008.

Police Training

22. **Mrs. Curtis-Thomas:** To ask the Secretary of State for the Home Department if he will make a statement on the *(a)* accreditation of police training modules and *(b)* accreditation agencies. [191213]

Caroline Flint: We are driving forward the development of good quality, accredited programmes. The introduction last year of National Occupational Standards underpinned new major programmes and led to the development of a qualifications framework for the police service.

Skills for Justice, the Sector Skills Council for the justice sector, is currently developing a quality framework for learning and development which will be available to the police sector.

This will provide for the recognition of training, and for the endorsement of individual programmes. Details of the draft quality framework will be available for consultation in November, for introduction in April 2005.

Taking a Stand Awards

23. **Mr. Kidney:** To ask the Secretary of State for the Home Department what level of participation there has been in this year's Taking a Stand Awards. [191214]

Ms Blears: Following on from the success of last year's Taking A Stand Awards, were we received 500 nominations, this year 500,000 posters were put up in Co-op shops, the BBC have promoted the Awards on local radio and there have been hundreds of pages of reports in local press.

The closing date for nominations was 28 September 2004. As of 28 September 2004 we received 651 nominations.

Afghan Hijackers

Mr. Prisk: To ask the Secretary of State for the Home Department (1) what the total accommodation costs have been for the Afghan hijackers at Stansted Airport since 2000; [185617]

(2) what the total living costs have been for the Afghan hijackers at Stansted Airport since 2000; [185618]

(3) which authority is responsible for housing the Afghan hijackers from Stansted Airport. [185619]

Mr. Browne: The 77 Afghans who arrived on the hijacked aircraft at Stansted Airport in February 2000, including the hijackers and the other passengers, have claimed asylum and have been supported under Section 111 of the Immigration and Asylum Act 1999. At present those who are still in the UK are housed in accommodation provided by the Refugee Arrivals Project, one of the six voluntary sector organisations grant funded by the National Asylum Support Service for the provision of advice and support services for asylum seekers. Reliable and available information relates to the cost of the contract for the accommodation service as a whole and not to individual asylum seekers.

Akhmad Zakaev

Andrew Mackinlay: To ask the Secretary of State for the Home Department whether conditions relating to political activity are imposed on Akhmad Zakaev while residing in the United Kingdom. [190241]

Mr. Browne: I cannot comment on individual cases. Article 2 of the 1951 Convention relating to the status of refugees sets out the behaviour expected of a person recognised as a refugee. Essentially, this is to comply with the law of the land and to conform to measures taken for the maintenance of public order. No further conditions are currently imposed on refugees.

Asylum Seekers

Mr. Lidington: To ask the Secretary of State for the Home Department if he will make a statement on his policy on the return to Zimbabwe of asylum seekers from that country whose claims have been turned down. [190674]

Mr. Browne: I refer the hon. Member to the reply my right hon. Friend, the Member for Stretford and Urmston (Beverley Hughes) gave to the hon. Member for Woking (Mr. Malins) on 23 February 2004, *Official Report*, column 263W. The policy remains in place but as previously stated it is being kept under continuous review.

Mr. Prosser: To ask the Secretary of State for the Home Department what assessment he has made of the impact recent changes in legislation have had on asylum applications. [191202]

Mr. Browne: Since October 2002 the Government have reduced asylum applications by 70 per cent. and the reduction in asylum intake was verified by the NAO.

This reduction has been achieved through a range of measures such as moving our border controls to the continent, creating new and more effective asylum processes, and introducing new technology to detect clandestine entrants and to identifying visa holders, as well as making new legislation. We are continuing to build on our success with the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004.

The Government's approach was supported by the two recent NAO reports, which stated that measures introduced by this Government have contributed to the reduction in asylum applications.

Mrs. Helen Clark: To ask the Secretary of State for the Home Department if he will make a statement on recent Government action to provide services for asylum seekers in Peterborough. [191210]

Mr. Browne: The Government have recently invested just over £1.5 million in a £2.2 million programme of nine projects in Peterborough which seek to join statutory and voluntary agencies to provide more cost-effective services to the benefit of asylum seekers, refugees and the wider local community. The projects will not only realise considerable savings in the cost of delivering public services but will also improve integration and community cohesion in the city. The Home Office has also provided £20,000 for an Interactor Project in Peterborough for both asylum seekers and refugees. The project aims to raise awareness within refugee and asylum seeker communities of major health issues facing them and promoting awareness of services that exist to deal with them.

Mr Battle: To ask the Secretary of State for the Home Department (1) how many failed asylum seekers receiving section 4 support have received a warning for failing to participate in activities for the benefit of the community; [189928]

(2) what kinds of activity for the benefit of the community failed asylum seekers receiving section 4 support are engaged in; and if he will make a statement; [189929]

(3) how many failed asylum seekers receiving section 4 support are engaged in activities for the benefit of the community; and if he will make a statement. [189930]

Mr. Browne: Section 10 of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 enables the Secretary of State to make regulations which require the provision of accommodation, or the continuation of the provision of accommodation, under section 4 to be conditional upon the performance of, or participation in, community activities. The provisions have not yet been brought into force. The regulations themselves, on which we will be consulting in due course, will be subject to the affirmative resolution procedure.

Correspondence

David Winnick: To ask the Secretary of State for the Home Department when he will reply to the letter from the hon. Member for Walsall, North of 7 September 2004 regarding a constituent, reference PO10001/4. [190647]

Mr. Browne *[holding answer 14 October 2004]:* I replied to my hon. Friend on 12 October 2004.

Cyprus

Andrew Mackinlay: To ask the Secretary of State for the Home Department (1) whether citizens of Cyprus whose only passport or documentation is that issued by the Turkish Republic of Northern Cyprus are afforded full status within the UK as European Union citizens in relation to the free mobility of labour provisions of the acquis communautaire; and if he will make a statement; [190474]

(2) how the Home Office distinguishes between persons who are de jure citizens of Cyprus and non-EU Turkish citizens who reside in the occupied Northern Cyprus, for the purpose of permitting entry to the UK; and if he will make a statement. [190475]

Mr. Browne: Following the entry of the Republic of Cyprus to the European Union on 1 May 2004, Cypriot nationals like all other EEA nationals may exercise free movement rights in the UK including the right to enter the UK on production of a valid passport or identity card. This right of movement includes the right of movement as a worker. To exercise these rights they must be in possession of a passport or identity card issued by the Republic of Cyprus.

The EU acquis remains suspended in the north of Cyprus.

Documentation that has been issued by the so called "Turkish Republic of Northern Cyprus" ("TRNC") would not be accepted as evidence that the individual has the right of free movement as an EEA national or for travel to the UK. The holder of a "TRNC" document would need to obtain a visa if coming to the UK and that visa would be endorsed on a declaration of identity issued to them by the British visa issuing post. The declaration of identity is valid for travel to the UK.

Turkish Cypriots are EU citizens. They can apply for Republic of Cyprus passports and travel freely within the freedom to work on documentation in the same way as other Cypriot nationals. The suspension of the acquis in the north of Cyprus does not affect that right.

Entry Clearance

Peter Bottomley: To ask the Secretary of State for the Home Department how many times the Government have *(a)* reimbursed the travel costs and *(b)* paid for the next visit of a traveller denied entry to the United Kingdom. [190182]

Mr. Browne: The information is as follows:

(a) Since 1 April 2004 there has been only one instance of a passenger who was refused entry to the United Kingdom receiving reimbursement of their original travel costs.

(b) None. Any reimbursement by the Immigration Service will only cover original travel costs together with other reasonable incidental expenses—it will not extend to payment of the next visit.

Human Trafficking

Mr. Hancock: To ask the Secretary of State for the Home Department if he will make it his policy to press for a European Convention which improves international standards to protect the human rights of victims of trafficking; and if he will make a statement. [190484]

Mr. Browne: The United Kingdom supports the development and implementation of effective international instruments which provide protection and support for victims of trafficking alongside proactive measures to prevent and disrupt trafficking activities. The UK was one of the first countries to sign the optional protocol to the United Nations Convention on Transnational Organised Crime (UNTOC), which deals with trafficking in human beings and is fully committed to its implementation. We are participating fully in the development of the draft Council of Europe Convention on Action Against Trafficking in Human Beings, which has a clear victim focus and will build upon existing instruments.

Immigration

Keith Vaz: To ask the Secretary of State for the Home Department how many people from EU accession countries arrived at UK *(a)* airports and *(b)* bus stations between 1 May and 1 August. [190791]

Mr. Timms: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Keith Vaz, dated 18 October 2004:

As National Statistician, I have been asked to reply to your recent Parliamentary Question asking about the number of people from the EU Accession Countries who have arrived in the UK at *(a)* airports and *(b)* bus stations between 1 May 2004 and 1 August 2004. (190791)

Visits to the UK by overseas residents are estimated from data collected on the International Passenger Survey (IPS). The survey is conducted at major airports, and on major sea and tunnel routes, and the data collected is weighted up to national passenger figures provided by CAA and BAA, Department for Transport, Eurotunnel and Eurostar.

It is estimated that 399 thousand nationals from the EU Accession Countries arrived in the UK during the three months May to July 2004, of which 211 thousand arrived at airports. We are unable to provide estimates of the numbers arriving at bus stations as the IPS is not conducted at these. The IPS does collect information on the method of transport used when arriving in the country at sea ports or via the tunnel (for example coach, lorry, car, on foot), but the sample number of nationals from EU Accession Countries who arrived by each of these methods between 1 May and 1 August 2004 are too small to provide reliable estimates.

More information on EU Accession Country nationals can be found on the National Statistics website at: http://www.statistics.gov.uk/statbase/Product.asp?vlnk = 12222&More = n

The IPS is a continuous survey carried out throughout the year. Approximately 1 in 500 passengers passing through airports, seaports and the tunnel are sampled and both overseas residents and UK residents are interviewed. The survey measures the numbers of visits to the UK by overseas residents and overseas by UK residents and how much is spent on each of these visits. As it measures visits, any one person travelling a number of times will be counted each time they travel.

Managed Migration Directorate

Keith Vaz: To ask the Secretary of State for the Home Department what steps are being taken to improve the service provided by the Managed Migration Directorate. [189935]

Mr. Browne: Managed Migration Directorate's (MMD) Nationality Directorate is streamlining its document handling processes for completion by November 2004. New accommodation and additional staff have reduced the number of progress inquiries and the waiting times (from 11 months in April 2003 to seven and a half months currently). Also, the successful introduction of citizenship ceremonies has enhanced the significance of becoming British and contributed towards better community cohesion.

MMD's General Group has an appointment system in its public inquiry offices which has reduced waiting times as a result of 50 per cent. of callers making advance appointments. General Group's secure handling processes have resulted in a greatly reduced risk of passports and documents going missing.

The correspondence tracking system (CTS) implemented across the Immigration and Nationality Directorate (IND) at the end of September is enabling all MPs' letters to IND (which includes MMD) to receive a speedier reply. Also, a programme of work launched in June within IND is improving its service to MPs by securing closer working relationships.

MMD's work permits (UK) is recruiting more staff across all workstreams to ensure that priority work areas are adequately resourced. Also, an open dialogue with frequent users is being maintained to respond to customer needs, especially with regard to urgent cases.

Keith Vaz: To ask the Secretary of State for the Home Department what the backlog of correspondence at the Managed Migration Directorate is. [189936]

Mr. Browne: My hon. Friend's question has been taken as relating to correspondence from MPs.

In the week ending 30 June 2004, the Managed Migration Directorate had 233 MPs' letters awaiting drafting of a reply. In the quarter ending 30 June, the most recent quarter for which information is currently available, 62 per cent. of MPs' letters for Managed Migration were answered within the 20-day Public Service Agreement target.

Police

Mr. Cameron: To ask the Secretary of State for the Home Department what recent representations he has received about police paperwork; and if he will make a statement. [191205]

Caroline Flint: The Department receives representations on police paperwork from a wide range of people, including right hon. and hon. Members. We are working closely with key stakeholders to reduce bureaucracy in police stations, on the streets and in court.

Prisons

Mrs. Gillan: To ask the Secretary of State for the Home Department what measures he is taking to deal with *(a)* overcrowding and *(b)* poor conditions in prisons. [147368]

Paul Goggins: Providing modern and effective prisons is central to the Government's objective of reducing re-offending and protecting the public. The Government continue to investigate options to address overcrowding and increase capacity as part of their prison modernisation strategy. Building on this strategy the Home Secretary announced on 29 September that in 2005–06 we will begin a £100 million programme to create 1,300 new prison places. This is in addition to 2,400 new places already planned for development over the next 18 months. We are also tackling overcrowding by putting in place robust community sentences, which the courts can use instead of short-term imprisonment for non-dangerous, less serious offenders.

Stateless People

Bob Spink: To ask the Secretary of State for the Home Department on what grounds a stateless person can be removed from this country. [189557]

Mr. Browne: A stateless person who does not qualify for leave to enter or remain in the United Kingdom—or is liable to removal because they are subject to deportation, illegal entry or administrative removal proceedings—can be removed, either through one of the United Nations' Conventions relating to stateless persons or by the acceptance of another country. A person who is stateless will be removable to a country or territory in which he has obtained a passport or other document of identity, from which he embarked for the United Kingdom, or to which there is reason to believe he will be admitted.

UK Entry Applications (Marriages)

Mr. Hancock: To ask the Secretary of State for the Home Department what plans he has to change the age limit for *(a)* sponsors and *(b)* applicants for entry to the UK from outside the EU for the purpose of marriage; and if he will make a statement. [189114]

Mr. Browne: We raised the age limit for sponsors from 16 to 18 years on 1 April 2003. This was because we felt that 18-year-olds would be better able to withstand pressure from their families to enter into a marriage against their wishes.

We are currently considering whether or not to raise the age for marriage entry clearance to bring it in line with the sponsorship age.

HEALTH

Anaphylaxis Campaign

Mr. John Taylor: To ask the Secretary of State for Health if he will make a statement on *(a)* the case for the (i) application of more resources and training and (ii) formulation of a national action programme for allergy services advanced by the anaphylaxis campaign and *(b)* the solutions proposed by the Royal College of Physicians in 2003. [190629]

Dr. Ladyman: The national health service improvement programme, "Putting People at the Heart of Public Services" sets out the commitment that the NHS will build a responsive service tailored to the needs of people living with long-term conditions, including allergies. There are already a number of initiatives in place, which will improve outcomes and the quality of life of patients with long-term conditions. These include:

The development of standards for better health

The expert patient programme

The chronic disease management programme

Food Standards Agency work on food allergy

The new general practitioner contract

We welcomed the publication of the Royal College of Physicians' report and believe it is a useful contribution to the continuing debate on how to improve NHS allergy services. It is the role of primary care trusts, in partnership with local stakeholders, to decide service provision for their populations, including those with allergies, as they are best placed to understand local health care needs and commission services accordingly.

Ashford Hospital (Middlesex)

Mr. Wilshire: To ask the Secretary of State for Health if he will make a statement on the negotiations between his officials, the North Surrey Primary Care Trust, the Ashford and St. Peter's Hospitals NHS Trust and Capio on the establishment of a privately run treatment centre at Ashford Hospital (Middlesex). [192297]

Mr. Hutton: Discussions between the national health service sponsors, the Department and Capio continue and, subject to a satisfactory outcome to those discussions, it is envisaged that heads of agreement will be signed shortly, with the expectation that contracts will be signed by the end of the year.

Bed Blocking (Buckinghamshire)

Mr. Bercow: To ask the Secretary of State for Health what recent assessment he has made of bed blocking in hospitals located in the Buckinghamshire Health Authority. [191042]

Ms Rosie Winterton: According to latest figures (June 2004), there were 83 delayed transfers in the Thames Valley Strategic Health Authority area, which includes the old Buckinghamshire Health Authority area (2.2 per cent. of patients occupying an acute bed).

Blood Donation (Buckinghamshire)

Mr. Bercow: To ask the Secretary of State for Health how many people gave blood in Buckinghamshire in each financial year since 2002–03. [191082]

Ms Rosie Winterton: The information requested is not collected centrally. However, figures provided by the National Blood Service are shown in the table.

Blood donors and donations in Buckinghamshire

Financial year	*Number of donors*[1]	*Donations collected*
2001–02	25,970	31,361
2002–03	25,963	30,258
2003–04	24,111	33,565

[1] Donor numbers taken at mid-year point.

Chiropody (Buckinghamshire)

Mr. Bercow: To ask the Secretary of State for Health what recent assessment he has made of chiropody services in Buckinghamshire. [191086]

Ms Rosie Winterton: In line with our policy of "Shifting the Balance of Power", it is now for primary care trusts, (PCTs) in partnership with strategic health authorities (SHAs) and other local stakeholders to plan, develop and improve services for local people. We recognise that health services are better when management is devolved to the frontline. Within the framework set out in the NHS Plan and other policy documents, PCTs, with their specialised knowledge of the local community, are able to effectively manage and improve local services.

Information about initial contacts (new episodes of care) and about first contacts (different persons receiving care) provided by trusts in Buckinghamshire is published in table 5 of "NHS Chiropody Services, summary information for 2003–04, England", a copy of which is available in the Library and also at http:www.publications.doh.gov.uk/public/kt230304.

Chorley and South Ribble Hospital

Mr. Hoyle: To ask the Secretary of State for Health how many medical beds there were at Chorley and South Ribble hospital in each of the last two years; and how many are planned for each of the next three years. [190803]

Dr. Ladyman: Information is gathered on a trust basis. The Lancashire Teaching Hospitals Trust was formed in 2002 from the merger of the Chorley and South Ribble National Health Service Trust and the Preston Acute NHS Trust.

Data is shown in the table for the Lancashire Teaching Hospitals NHS Trust for 2002–03 and 2003–04.

Information is not available centrally on plans for bed levels.

Average daily number of available beds, by sector, Lancashire Teaching Hospitals NHS Trust, 2002–03 to 2003–04

	All specialties (excluding day only)	General and acute	Acute	Geriatric	Mental illness	Learning disability	Maternity	Day only
2002–03	1,1561	1,073	929	144	—	—	84	45
2003–04	1,172	1,085	950	135	—	—	87	46

Notes:
Department of Health form KH03.

Dentistry (Buckinghamshire)

Mr. Bercow: To ask the Secretary of State for Health how many NHS registered dentists there were in the Buckinghamshire health authority area in each year since 2002. [191080]

Ms Rosie Winterton: The number of general and personal dental service dentists in the Buckinghamshire area by primary care trust (PCT) at 30 September in each year since 2002 is shown in the table.

National health service: Number of dentists in the Buckinghamshire area by PCT, at 30 September 2002 to 2004

PCT	2002	2003	2004
Milton Keynes	100	107	104
Vale of Aylesbury	79	81	82
Chiltern and South Bucks	86	90	84
Wycombe	77	78	82

Source:
Dental Practice Board

Dentists are counted in each PCT in which they practise.

Mr. Bercow: To ask the Secretary of State for Health how many dental practices in the Buckingham constituency *(a)* closed and *(b)* opened in each year since 2002. [191081]

Ms Rosie Winterton: Information on the number of general dental and personal dental service practices which have closed or opened in the Buckinghamshire area, by primary care trust, is shown in the table. Dental practices are counted as closed if they were not open on 30 September, but were open on 30 September in the previous year. Dental practices are counted as opened if they were open on 30 September but were not open on the 30 September in the previous year.

Number of general dental and personal dental service practices in the Buckinghamshire area by Primary Care Trust, which have closed or opened at 30 September each year

PCT	2002	2003	2004
Dental practices closed			
Milton Keynes PCT	—	0	3
Vale of Aylesbury PCT		0	2
Chiltern and South Bucks PCT	—	0	2
Wycombe PCT	—	0	0
		0	7
Dental practices opened			
Milton Keynes PCT	—	3	1
Vale of Aylesbury PCT	—	1	1
Chiltern and South Bucks PCT	—	0	0
Wycombe PCT	—	0	0
		4	2
Buckinghamshire area: Total number of dental practices	140	144	139

Source:
Dental Practice Board.

Departmental Grants

Dr. Stoate: To ask the Secretary of State for Health if he will list the grants available to *(a)* charities and *(b)* public sector organisations from his Department; and what the (i) criteria and (ii) eligibility factors are for each. [187029]

Dr. Ladyman: The Department's main funding stream to the voluntary and community sector is through grants awarded under section 64 of the Health Services and Public Health Services Act 1968 and through the Opportunities for Volunteering scheme.

Applications for the section 64 general scheme are invited for innovative proposals of national significance that will complement statutory services and help secure and promote high quality health and social care in England. Organisations eligible to apply for section 64 grants must be registered charities or formally constituted not-for-profit organisations that meet the legal requirements of the 1968 Act; have an equal opportunities policy; work in England; and carry out activities of national significance.

Applications for the Opportunities for Volunteering scheme are invited for projects that enable or encourage people to undertake voluntary work in the field of health or personal social services in England; that benefit the health and well-being of project users and/or volunteers and/or the local community; and that reflect the needs of a multi-cultural society in all aspects of the proposed activities. Organisations eligible to apply for grants must be registered charities or formally constituted not-for-profit organisations; have an equal opportunities policy; and carry out activities of local significance.

Derriford Hospital (Plymouth)

Mr. Streeter: To ask the Secretary of State for Health (1) whether Derriford Hospital, Plymouth has maximum staffing levels for *(a)* doctors and *(b)* nurses; [191937]

(2) health what proportion of nurses at Derriford Hospital, Plymouth are agency nurses. [191938]

Ms Rosie Winterton: It is the responsibility of individual trusts to determine appropriate staffing levels, based on the needs of their local populations. Staffing levels at Plymouth Hospitals National Health Service Trust for the years 1997 and 2003 are shown in the table. As at March 2004, the trust had vacancy rates of 0 per cent. for nurses and 2.8 per cent. for consultants.

The number of agency staff is not collected centrally.

Andrew Mackinlay: To ask the Deputy Prime Minister what the cause for the delay in announcing the Chief Executive of the Thurrock Urban Development Corporation is; and when an announcement can be expected. [190417]

Keith Hill: There has been no delay in the announcement of the arrival of the Chief Executive, which will be made imminently.

Andrew Mackinlay: To ask the Deputy Prime Minister when he expects to lay before Parliament the draft Statutory Instrument vesting planning powers in Thurrock Urban Development Corporation; and if he will make a statement. [190418]

Keith Hill: Thurrock Urban Development Corporation (UDC) has appointed consultants to assist in defining and establishing the Corporation's planning functions. The final report is due to go to the UDC's Board in November.

The precise timing of the Planning Order will depend upon the UDC having the necessary agency agreements with Thurrock Council in place and its own qualified staff to operate the powers.

Town Centre Regeneration

Mr. Rosindell: To ask the Deputy Prime Minister whether *(a)* Age Concern and *(b)* Victim Support are consulted on regeneration plans. [189236]

Phil Hope: The term 'regeneration plan' could refer to a wide spectrum of arrangements developed at a national, regional, sub-regional or local level. Consultation with stakeholders is integral to sustainable regeneration. The Office of the Deputy Prime Minister does not issue a definitive list of organisations that must be consulted about regeneration. Guidance recommends that consultation should normally include the voluntary and community sector as well as representatives of local communities. Decisions about who to involve in particular cases are left to the partnership or agency which is leading on any regeneration scheme.

TRADE AND INDUSTRY

Early Growth

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry how many small businesses Early Growth invested in between its inception and March 2003; and if she will make a statement. [189806]

Nigel Griffiths: The first of the seven Early Growth Funds, London Seed Capital, launched in October 2002 and made one investment in the period to March 2003. Other Early Growth Funds launched during 2003–04. In the period to September 2004 over £4 million had been invested into 39 SMEs.

One objective of the Early Growth Funds is for them to demonstrate to future private investors that it was possible for commercial returns to be made by investing modest amounts into SMEs. The funds themselves will invest over a five to seven year period and performance to date has been within expectations.

Renewable Energy

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry what progress has been made in implementing recommendations made by the Environment, Transport and Regional Affairs Committee in March 2001 that incineration and other waste-to-energy technologies should not be regarded as renewable energy sources. [187068]

Mr. Mike O'Brien: The EU directive on the promotion of renewable energy sources in the internal electricity market (2001/77/EC) defines the biodegradable fraction of energy from waste as renewable.

The Government carried out significant consultation on the support available to energy from waste through the Renewables Obligation—the main driver for the development of renewable energy in Great Britain—before deciding that the incineration of mixed waste should not be eligible for the Renewables Obligation.

The Government are however keen to stimulate the development of potentially cleaner and more efficient energy from waste technologies such as pyrolysis, gasification and anaerobic digestion. The proportion of energy, generated by these advanced conversion technologies, derived from the biodegradable fraction of waste, is eligible for support under the Renewables Obligation.

The Government have recently published the draft terms of reference for the 2005–06 Review of the Renewables Obligation. The Government do not propose to extend ROC eligibility to electricity generated from existing waste management projects which utilise conventional "mass burn" incineration technology. However the review will consider whether other options for waste management have emerged in the market which meet the goals of securing energy from wastes in efficient and environmentally beneficial ways and are consistent with the Government's wider waste management goals of increasing recycling and reducing the quantity of biodegradable MSW sent to landfill, as required by the EU landfill directive.

Mr. Battle: To ask the Secretary of State for Trade and Industry what Government aid and assistance is available to producers of each kind of renewable energy source. [189924]

Mr. Mike O'Brien: The Government's main support mechanism for renewable energy is the Renewables Obligation. It provides the same level of support for the following sources: onshore wind; offshore wind; wave; tidal; geothermal; solar PV; all new hydro and refurbished older hydro of up to 20MW declared net capacity; landfill gas; sewage gas; electricity generation from biomass such as energy crops or forestry residues; co-firing of biomass with fossil fuels; and energy from mixed waste—however, only the non-fossil derived component is eligible and advanced conversion techniques such as pyrolysis, gasification or anaerobic digestion must be used.

£500 million of funding has also been allocated between 2002 and 2008 for emerging renewable technologies. It has been provided in the form of capital grants and funding for RD&D. Some examples of money already allocated include £117 million for round

1 offshore wind projects; around £66 million for biomass projects; £31 million for solar PV; £50 million for the Marine Renewables Development Fund, and approximately £19 million per year for industry lead RD&D.

£12.5 million of this has been allocated for the Clear-Skies programme, which has recently been extended to run for an extra year to 2006. This provides grants for domestic, community and not-for-profit schemes for the following renewable sources: small-scale wind, small-scale hydro, wood-fuelled boiler and heating systems, and solar thermal systems.

Solar thermal systems are also eligible for support, for commercial companies, under the Enhanced Capital Allowance scheme.

Renewable electricity is also exempt from the climate change levy. All renewable sources eligible under the RO are also eligible for this exemption with the following exceptions: only hydro-power up to 10MW in size rather than 20MW, and energy from municipal and industrial waste incineration without the need for advanced conversion techniques—but only for the proportion of waste that is biodegradable.

Renewable energy will also benefit indirectly from the introduction of the EU Emissions Trading Scheme in 2005.

Bank Holidays

Mr. Flook: To ask the Secretary of State for Trade and Industry what assessment she has made of the cost to businesses of *(a)* extra staffing costs incurred by working on bank holidays and *(b)* additional costs incurred through closing on bank holidays. [188827]

Mr. Sutcliffe: Unfortunately, we are unable to assess the cost to businesses for extra staffing costs incurred by bank holidays, and the additional costs for closing on bank holidays. This information will depend on the individual business and may be held by the businesses themselves.

Beer Prices

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what research her Department has carried out into the impact on the retail price of beer resulting from the market position of large pub companies. [186336]

Mr. Sutcliffe: The aim of the Office of Fair Trading (OFT) is to make markets work well for consumers and it is for the OFT to investigate if there is reason to believe that the market position of pub companies is harming competition. The DTI has not carried out research into the retail price of beer.

Bioenergy

Richard Younger-Ross: To ask the Secretary of State for Trade and Industry if she will make a statement on the progress of schemes which have been awarded under her Department's Bioenergy Capital Grants scheme. [187584]

Mr. Mike O'Brien: The scheme is divided into priority sections each supporting a sector of the industry. £66 million was allocated to projects under the Bioenergy Capital Grants Scheme. This includes clusters of small heating boilers, Combined Heat and Power (CHP) and power generation.

Under priority areas la/lb/2 of the scheme, eleven power generation/CHP projects were offered grants with two having met the conditions for acceptance and now under construction. The remaining nine are all actively working toward fulfilling their grant conditions, with five having received planning permission and are in various stages of agreement on fuel supplies and power purchase agreements.

As of June 30, boilers had been installed under priorities 3a/3b representing over 5MW of capacity.

Renewable Power Stations

Nick Harvey: To ask the Secretary of State for Trade and Industry whether she intends to give smaller local power stations help towards construction. [185845]

Mr. Mike O'Brien: The Government have no plans to give help towards the construction of small power stations but are providing support in a number of other ways.

The Renewables Obligation (RO) offers support to operators of renewable power stations (many of which are relatively small) by giving a premium value to generation from eligible renewable sources. The RO rules were amended in April 2004 to allow small generating stations with a capacity of 50kw Declared Net Capacity or less to accumulate output and be awarded Renewable Energy Certificates (ROCs) on the basis of their annual, rather than monthly, output, and we are proposing some additional flexibility in our current consultation paper on the Renewables Obligation Order 2005, published on 8 September.

The DTI-funded Clear Skies (www.clear-skies.org) initiative enables not-for-profit community organisations, including housing corporation, local authorities and schools to receive up to £100,000 for grants towards installing renewable technologies, which can include small renewable generating stations. Such projects give local communities a direct stake in renewables. An extension of this initiative for a further year was announced in September.

In addition, the Government are committed, under the Energy Act 2004, to developing a strategy within 18 months or so for the promotion of micro generation in the UK. Work has already started on the strategy, which will look specifically at promoting microgeneration from energy sources that help to reduce greenhouse gas emissions, including biomass.

Business Advisory Bodies (Funding)

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what identifiable results have been achieved as a result of funding from her Department for *(a)* the Manufacturing Advisory Service and *(b)* Corporate Venturing UK. [186346]

Jacqui Smith: The information is as follows:

(a) The Manufacturing Advisory Service has consistently met or exceeded its original performance targets and by the end of June 2004 the value added to companies through its interventions had reached £66.8 million. Almost 8,000 diagnostic visits had been made, followed by more than 1,800 in-depth assignments, while average productivity improvements are running at 30 per cent.

(b) The Corporate Venturing UK (CVUK) provides customer access to a confidential web based "shop window" that companies looking for corporate venturing opportunities can access to locate partners matching their requirements. Registered users promote opportunities and post details of the attributes they can offer and what they seek in a partner. CVUK has made good progress in promoting the concept of corporate venturing—through, among other things, conferences and setting up a marketplace for potential corporate venturing partners.

British Nuclear Fuels

Llew Smith: To ask the Secretary of State for Trade and Industry whether her Department has made available resources to British Nuclear Fuels to provide loan guarantees to the company's Westinghouse subsidiary to work on new reactor designs in the United States. [187603]

Mr. Mike O'Brien: The Department has not made available resources to BNFL's subsidiary Westinghouse to provide loan guarantees for reactor design work in the US.

Citizens Advice Bureau

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry what projections her Department has made for funding Citizens Advice Bureau in the UK. [189158]

Mr. Sutcliffe *[holding answer 16 September 2004]:* None. The DTI does not fund individual Citizens Advice Bureau anywhere in the UK. It funds the umbrella organisations for England, Wales and Scotland, but not Northern Ireland.

These charitable bodies set standards for advice giving, provide training, support and co-ordinate social policy work on behalf of the individual bureaux. Individual bureaux are each independent charities that raise funds from a number of sources including local authorities.

Civil Service Relocation

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry how many of the reductions in core civil service posts in her Department by 2007–08 proposed in Sir Peter Gershon's review of public sector efficiency will be relocated to sponsored agencies in the regions. [189808]

Ms Hewitt: I refer the hon. Member to the answer I gave him on 21 July 2004, *Official Report*, columns 290–91W.

Correspondence

Sir Michael Spicer: To ask the Secretary of State for Trade and Industry when the hon. Member for West Worcestershire will receive a reply to his letters to the Minister for Employment Relations, Competition and Consumers, of 17 June. [188012]

Mr. Sutcliffe: The Department of Trade and Industry has no record of having received the letter of 17 June 2004. The Department received a copy of this letter on 22 September 2004 and will respond within 15 days of that date.

Council of Ministers

Sue Doughty: To ask the Secretary of State for Trade and Industry (1) if she will provide a Written Ministerial Statement outlining the key points on the agenda for each of the Council of Ministers' meetings at which her Department is represented in advance of each meeting; [188204]

(2) if she will provide a Written Ministerial Statement outlining for each meeting of the Council of Ministers at which her Department is represented as soon as is practicable following that meeting *(a)* the key items of discussion, *(b)* the positions of the Government on those items, *(c)* the key positions taken by other member states that Ministers consider should be noted by hon. Members and *(d)* any preliminary discussion on the timing and the agenda of the following meeting. [188205]

Mr. Alexander: I refer the hon. Member to the answer given to her question by my right hon. Friend, the Foreign Secretary, on 13 September 2004, *Official Report*, column 1451W.

Departmental Staff Survey

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry if she will place in the Library a copy of the Department's Staff Survey 2003. [189807]

Ms Hewitt: I have today placed copies in the Libraries of the House.

Development Funding (Lancashire)

Geraldine Smith: To ask the Secretary of State for Trade and Industry (1) how much Government funding has been allocated for the Luneside East development in Lancaster; [189509]

(2) if she will breakdown funding for the Lancaster District Economic Development Zone by location; [189510]

(3) how much funding has been allocated to the Luneside East Economic Development Zone by *(a)* English Partnerships and *(b)* the North West Regional Development Agency; [189512]

(4) what progress has been made regarding the Luneside East Economic Development Zone; and if she will make a statement. [189513]

Jacqui Smith: The regeneration of Luneside East is being part funded through the £8 million European Regional Development Fund (ERDF) resources available to the Lancaster Economic Development

Zone. In addition to the £2.315 million ERDF, Luneside East has been allocated £4.56 million from English Partnerships and £3.01 million from the North West Development Agency.

Lancaster City Council is the key delivery organisation for Luneside East, and is currently in the process of engaging a lead developer to take this scheme forward.

Projects approved by the Lancaster Economic Development Zone partnership to date include:

	ERDF (£)
Heysham Industrial Access Improvements	460,000
Port of Heysham	350,000
4/5 Dalton Square, Lancaster	1,048,000
Luneside East, Lancaster	2,315,000
Storey Institute (Phase 1), Lancaster	65,000

A further £861,000 ERDF has been invested in a series of public transport and employment access activities across the EDZ area.

Geraldine Smith: To ask the Secretary of State for Trade and Industry what assessment the North West Regional Development Agency has made of economic development at the Lancaster West site in Heysham. [189511]

Jacqui Smith: The Northwest Regional Development Agency is aware of the Lancaster West site in Heysham, which has recently changed ownership. The RDA has invited the Lancaster Vision Board to submit proposals for economic development activities within its area and, if the Lancaster West site is nominated by the Vision Board, the RDA will undertake an assessment of its potential.

Geraldine Smith: To ask the Secretary of State for Trade and Industry what the preferred route is of the North West Regional Development Agency for the proposed Heysham Port/M6 Link. [189514]

Jacqui Smith: The Agency recognises that both the Heysham-M6 route options offer economic benefits to the region in that they will improve access to the strategic Port of Heysham, will help in the regeneration of Morecambe and will have measurable benefits on traffic levels in Lancaster city centre. The Agency is currently reviewing the recommendations of a number of economic and environmental studies on the two route options and will reach an informed view on the preferred option shortly, taking this work into account.

The selection of a preferred route for the proposed scheme is a matter for Lancashire county council.

Dinorwic Power Station

Mr. Wiggin: To ask the Secretary of State for Trade and Industry how much *(a)* energy and *(b)* carbon credit the operation at Dinorwic has saved in each of the last three years. [188943]

Mr. Mike O'Brien: The last study to look into this was commissioned in 1999. The operation of Dinorwic pumped storage scheme has not changed since then.

The Primary Energy Savings:

From 1330 GHh per annum to 1590 GHh per annum—as reserve generation

From 534 GHh per annum to 668 GHh per annum—as TV pick-up

From -3811 GHh per annum to -1773 GHh per annum—as Peak Lopping

Carbon savings:

In the reserve generation role, Dinorwic can remove 140,000 tons of CO_2 per year

Discrimination

Keith Vaz: To ask the Secretary of State for Trade and Industry what plans she has to propose extending anti-discrimination laws for gay men and lesbians to cover the provision of goods and services. [187134]

Jacqui Smith: The Government are aware of concerns about current imbalances in legislative provision for the different groups protected by discrimination legislation, which includes gay men and lesbians. One of the first tasks of the proposed Commission for Equality and Human Rights will be to review the legislative framework to ensure that it meets the needs of a modern Britain.

The Government are committed to improving equality and human rights for all in our society. This underpins our vision of a modern, fairer and more prosperous Britain. The creation of the Commission for Equality and Human Rights Commission will help create a more equal and cohesive society.

ECGD

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry under what circumstances the decision to convert the Export Credits Guarantee Department to a capitalised Trading Fund would be reversed; and if she will make a statement. [187093]

Mr. Alexander: In my statement to the House of 1 July 2004 on the future of ECGD I set out my objectives in establishing the framework for the ECGD Trading Fund, specifically that it should:

provide a structure for managing ECGD's business consistent with the current risk-reward balance and business domain;

help to improve risk management; and

additionally that there should be transparent arrangements for reporting and accounting the economic costs to Government associated with ECGD's business.

The period of operating the Pilot Trading Fund from April 2005 will provide the opportunity to test the Trading Fund framework against these objectives and inform Ministers' decision on the move to the Statutory Trading Fund in 2007–08. That decision will be informed also by a consultation with customers on whether the pilot achieved its objectives.

Mr. Arbuthnot: To ask the Secretary of State for Trade and Industry whether her plans for restructuring the Export Credits Guarantee Department include job cuts in *(a)* 2005, *(b)* 2006 and *(c)* 2007. [189374]

Mr. Alexander: ECGD's recently appointed Chief Executive is currently assessing all areas of the business in which cost reductions can be achieved including, among other factors, necessary staffing levels. Such cost reductions will be needed to deliver lower premium rates to exporters, in line with my right. hon. Friend the Secretary of State for Trade and Industry's announcement of 1 July, *Official Report*, column 22WS.

UK Trade and Investment

Mr. Arbuthnot: To ask the Secretary of State for Trade and Industry whether the definition of a registered customer for the UK Trade and Investment website services includes an individual or company that *(a)* has derived measurable benefit from this service and *(b)* has supplied registration details only on the website. [189371]

Mr. Alexander: UK Trade and Investment's definition of a registered customer for our website, www.uktradeinvest.gov.uk, is an individual who has supplied registration details. They will usually be associated with a UK business. Customers of the website are not required to report their business improvement position as a result of using the service.

Mr. Arbuthnot: To ask the Secretary of State for Trade and Industry how many of the UK Trade and Investment website's registered customers have reported a measurable increase in business improvement through their use of UKT&I services; and whether UKT&I is on track to increase the number of registered customers by 50 per cent. by 2006. [189372]

Mr. Alexander: UK Trade and Investment is on track to increase the number of registered customers by 50 per cent. by 2005. Customers of the website are not required to report their business improvement position as a result of using the service.

Mr. Arbuthnot: To ask the Secretary of State for Trade and Industry how many new exporters were developed with the assistance of UK Trade and Investment in *(a)* 2003 and *(b)* 2004 to date; and how many were small and medium enterprises in each case. [189373]

Mr. Alexander: During 2003–04 UK Trade and Investment assisted in the development of 1,912 successful new exporters (against a target of 1,908) all of which were small and medium enterprises. During the first quarter of 2004–05 the figure was 348 (against an annual target of 2,088 and against the results of the first quarter of 2003–04 which were 338).

Ford Car Production

Mr. Geoffrey Robinson: To ask the Secretary of State for Trade and Industry if she will make a statement on discussions her Department has had with Ford Motor Company regarding Ford's future commitment to production in the West Midlands. [189443]

Jacqui Smith: Ministers and officials are in regular contact with the management of Ford Motor Company, as with other major manufacturers in the UK.

Jaguar's announcement on Friday 17 September, covering their plans for the Browns Lane site, is obviously disappointing, particularly given the efforts of the workforce to improve quality and productivity at Browns Lane. However, given the company's financial performance, tough decisions had to be taken. My right hon. Friend the Secretary of State has encouraged Jaguar's management to ensure that their workforce and trade unions remain informed and consulted, and that they discuss what steps might be taken to mitigate further job losses. It is important to note that no compulsory redundancies have been announced.

I am pleased that the company has taken the decision not to close Browns Lane Jaguar's Headquarters and administrative centre will remain in Coventry, as will the company's historic Wood Veneer Manufacturing Centre. And I am encouraged that the world leading R and D Centre at Whitely is being retained and welcome the employment opportunities for Browns Lane workers created by the growth and success at Aston Martin.

I hope that last Friday's announcement will help enable Jaguar to address its financial difficulties thereby securing a sustainable long-term future for the company, its products and its workforce here in the UK.

Mr. John Taylor: To ask the Secretary of State for Trade and Industry if she will make a statement on *(a)* the future of the Land Rover plant at Lode Lane, Solihull and *(b)* the future of the Jaguar plant at Browns Lane, Coventry. [189703]

Jacqui Smith: I welcome the news that the 'road map' for the Land Rover plant at Solihull has been agreed, and now ratified. I hope that all parties will now work together to achieve world-class productivity at the plant, and that it will have a successful future.

The decision to halt trim and assembly operations at Browns Lane has been a heavy blow to the workforce, their families and the surrounding region. It also broke the agreement the Company had with trade unions.

My right hon. Friend the Prime Minister and Chancellor of the Exchequer have committed to raise the matter with senior Ford executives in the US. In addition, my right hon. Friend the Secretary of State for Trade and Industry has also written to the company to encourage them to further engage with all the stakeholders, and particularly the workforce through their trade unions and the local MPs.

Gas Prices

Mr. Watts: To ask the Secretary of State for Trade and Industry what assessment she has made of the impact of the recent increase in the wholesale price of gas on large industrial users; and if she will make a statement. [189657]

Mr. Mike O'Brien: While the cost of gas to industry has been rising recently, this should be seen in the context of historical trends. In real terms gas prices for industrial users in 2003 were nearly 30 per cent. below their level in 1990 and well below their average over the last 30 years.

The Department is monitoring closely developments in the UK gas market and the recent increase in the wholesale price of gas. OFGEM has now announced its conclusions on its investigation into gas price increases in 2003 and 2004. It has concluded that the main causes of rising UK gas prices are record oil prices feeding into gas prices and declining UK gas supplies.

OFGEM is taking two courses of action. It is asking the European Commission to put more resources into making gas competition work, and is continuing to examine why some UK gas supplies did not reach the market.

Horse Racing (OFT Investigation)

Mr. Page: To ask the Secretary of State for Trade and Industry what her latest estimate is of the cost of the investigation by the Office of Fair Trading into British horseracing. [189816]

Mr. Sutcliffe: This is a matter for the Office of Fair Trading, which is the authority responsible for the enforcement of competition and consumer protection legislation in the UK, and I have asked its Chairman to respond to the hon. Member.

Insolvency

Sir Michael Spicer: To ask the Secretary of State for Trade and Industry what the cost has been of the review of insolvency practitioners regulations. [189154]

Mr. Sutcliffe: [*pursuant to the reply, 16 September 2004, c 1725–26W*], I am afraid that because of an administrative error the information given in the reply was incorrect.

The cost to date is estimated to be £61,965.

Insolvency Service (Staff Numbers)

Mr. Arbuthnot: To ask the Secretary of State for Trade and Industry, what the evidential basis was for the forecast increase in staff numbers at the Insolvency Service *(a)* to 1,600 in 2003–04 and *(b)* to 1,625 in 2004–05. [189785]

Mr. Sutcliffe: As from 1 April 2004 the Insolvency Service is operating under a new, net-running cost regime with fee income from insolvency cases covering the cost of administering those cases. Where case numbers rise the additional income produced enables additional staff resources to be engaged to deal with the increase.

Manufacturing Industry (London)

Linda Perham: To ask the Secretary of State for Trade and Industry what assistance her Department gives to the manufacturing industry in London. [189140]

Jacqui Smith: The DTI recognises the contribution the manufacturing sector makes to both the regional and national economies. London manufacturers are able to access mainstream DTI business support products, which encourage increased competitiveness, productivity, investment and innovation. In addition, the London Development Agency, which is primarily funded by the DTI, is responsible for direct assistance to the London business community, including manufacturers.

In July 2004 we published a progress report on the Government's Manufacturing Strategy—the first such Strategy for 30 years—which highlighted the achievements made so far, including: establishing the Manufacturing Advisory Service, introducing the Research and Development tax credit, and providing substantial investment in the science base to promote innovation. We are working closely with industry, trade unions, and other stakeholders, in key areas of the Strategy to build a highly skilled and highly productive manufacturing sector.

The London Manufacturing Advisory Service (MAS) is a DTI initiative to help manufacturers to improve productivity and performance. Since April 2003, MAS have visited 389 London manufacturers. Those businesses that have reported back to MAS have shown average business savings of £157,800 and seen turnover increase by an average of £578,900.

Business Link for London, which is currently contracted by the DTI to deliver business support, helps manufacturers and other businesses by providing impartial, expert and practical advice to London's small and medium-sized companies.

Marine Aggregates

Adam Price: To ask the Secretary of State for Trade and Industry if she will make a statement on the estimated amount in cubic metres of marine aggregates needed for domestic British construction purposes in each of the next 10 years. [188479]

Nigel Griffiths: The DTI does not produce forecasts separating marine-dredged from land-won or domestic from commercial.

Responsibility for consenting to the dredging of minerals from the English seabed rests with the Office of the Deputy Prime Minister.

Marine Development Fund

Mr. Drew: To ask the Secretary of State for Trade and Industry if she will give a breakdown of the beneficiaries of the recently announced marine development fund for renewable generation. [189910]

Mr. Mike O'Brien: The new £50 million Marine Renewables Development Fund announced on 2 August, will be primarily focused on helping wave and tidal stream projects move forward from early demonstration towards commercialisation.

The Department is currently looking at possible mechanisms for administering the new funding and has not yet allocated any funds to individual beneficiaries.

Miners' Pension Rights

Mr Wilson: To ask the Secretary of State for Trade and Industry how many miners dismissed during the 1984–85 miners' strike applied for restoration of pension rights under the scheme launched in 2002–03; how many applications were successful *(a)* in the first instance and *(b)* on appeal; and how many cases are still under consideration. [190151]

Nigel Griffiths: I refer my right hon. Friend to the reply given on 29 June, *Official Report*, columns 194–95W.

Mobile Phone Warranties

Mr. Drew: To ask the Secretary of State for Trade and Industry if she will carry out an investigation into the reliability of warranties for mobile telephones. [188605]

Mr. Sutcliffe: I have no plans to carry out an investigation into the reliability of warranties for mobile phones.

Under the Enterprise Act 2002, the Office of Fair Trading is responsible for investigating markets to see whether they work well for consumers.

National Assembly for Wales

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry what discussions she has held with the National Assembly for Wales Government on the proposals in its Technical Advice Note 8 consultation. [189212]

Mr. Mike O'Brien *[holding answer 16 September 2004]:* My officials have discussed the proposals in TANS with their counterparts in the National Assembly for Wales. Further discussions are planned.

The National Assembly for Wales is a member of the Sustainable Energy Policy Network taking forward the Energy White Paper. This provides a conduit for regular discussion on this and other issues around energy policy.

National Minimum Wage

Siobhain McDonagh: To ask the Secretary of State for Trade and Industry what assessment she has made of the impact of the national minimum wage on employment in Mitcham and Morden. [189337]

Mr. Sutcliffe: In their last report (spring 2004) the Low Pay Commission stated that the evidence showed that the minimum wage had benefited many low paid workers, with negligible adverse effects on employment and inflation. Information on employment specific to Mitcham and Morden is not available.

Newsagents

Mr. Peter Duncan: To ask the Secretary of State for Trade and Industry what assessment has been made of the number of independent newsagents that have closed during the last 12 months. [188453]

Mr. Sutcliffe: Data on the number of independent newsagents that have closed during the last 12 months are not available from official sources.

Nuclear Decommissioning Authority

Mr. Peter Ainsworth: To ask the Secretary of State for Trade and Industry if she will make a statement on the status of the EU Commission examination, in relation to State Aid issues, of the provisions relating to the establishment of the Nuclear Decommissioning Authority contained in the Energy Act 2004. [188776]

Mr. Mike O'Brien *[holding answer 15 September 2004]:* I refer the hon. Member for East Surrey to the answer I gave to my hon. Friend the Member for Blanaeu Gwent (Llew Smith) on 14 September 2004, *Official Report*, column 1537W.

Nuclear Industry

Norman Baker: To ask the Secretary of State for Trade and Industry who authorised the public comments made by Adrian Gault on nuclear power; and whether they represent the policy of her Department. [189524]

Mr. Mike O'Brien: My right hon. Friend the Secretary of State authorised the release on the DTI website of a large quantity of analytical work underpinning the Energy White Paper in February 2003. This included around 25 scenarios. There are different patterns of fuel use for electricity generation up to 2050 across these scenarios, which would all be consistent with a 60 per cent. CO_2 reduction. The Government's views on nuclear power remain as set out in the White Paper.

Nuclear Waste

Mr. Hancock: To ask the Secretary of State for Trade and Industry (1) what estimate she has made of the amount of *(a)* processed and *(b)* unprocessed nuclear waste that will be stored in the UK in (i) one year, (ii) three years' and (iii) five years' time; and if she will make a statement; [187736]

(2) how much *(a)* processed and *(b)* unprocessed nuclear waste is being stored in the UK; at which locations it is being stored; and from where the waste originated. [187738]

Mr. Morley: I have been asked to reply.

An inventory of the radioactive waste currently held, and forecast to be held in the future, in the UK is compiled periodically (normally every three years) by my department and United Kingdom Nirex Limited (Nirex). This inventory statement, known as the UK Radioactive Waste Inventory, is a published document and it gives details of the waste in terms of volume, physical characteristics and chemical composition. It also provides information on the amounts of waste which are currently held in conditioned and unconditioned form, who is responsible for its management, and where it is stored.

There are over 30 sites at which waste is stored in the UK, the major site being Sellafield. Details of where waste originated from is not contained in the Inventory, and could only be obtained at disproportionate cost. In general the waste currently held on sites is that which has arisen at the site, but there have been movements between sites over the years.

The last fully compiled Inventory, published in October 2002, is for a stock date (i.e data collection date) of 1 April 2001. Work to compile the next Inventory for a stock date of 1 April 2004 is currently ongoing, and the results will be published in 2005.

Figures for the stocks of UK radioactive waste given in the 2001 UK Radioactive Waste Inventory are:

	Stocks (m^3)		
	HLW	*ILW*	*LLW*[1]
Not yet conditioned	1,619	64,227	14,425
Already conditioned	342	11,186	303

[1] Most LLW is usually promptly disposed of to the Drigg disposal facility.

Approximate estimates of future arisings derived from the 2001 Inventory, in terms of fully conditioned volumes, are:

	Estimated conditioned volume of waste (m^3)		
	HLW	*ILW*	*LLW*

	Estimated conditioned volume of waste (m^3)		
	HLW	*ILW*	*LLW*
1 April 2001	764	74,500	15,900
1 April 2004[1]	964	84,900	54,200
1 April 2007[1]	1,160	96,000	87,000
1 April 2009[1]	1,270	103,000	107,000

[1] Approximate estimates derived from 2001 Inventory figures.

Definitive 2004 figures will be provided by the 2004 Inventory results.

Mr. Hancock: To ask the Secretary of State for Trade and Industry what plans she has to *(a)* recycle, *(b)* repatriate and *(c)* bury nuclear waste currently being stored in the UK. [187737]

Mr. Morley: I have been asked to reply.

UK radioactive waste owners are responsible for the future management of their waste, subject to securing the necessary regulatory approval from the Health and Safety Executive (HSE) and the environment agencies.

The Government's position on the future of reprocessing of spent fuel was set out in the July 2002 White Paper "Managing the Nuclear Legacy" (Cmd.5552). Magnox fuel is reprocessed for reasons given in the White Paper, and this should finish by around 2012. BNFL expects to complete their existing order book for THORP reprocessing by around 2010. Before making a decision on any proposal for new THORP contracts the Government would review it against the criteria set out in the White Paper and would consult publicly.

Government policy for the return of wastes from the reprocessing of foreign spent fuel is set out in the July 1995 White Paper "Review of Radioactive Waste Management Policy: Final Conclusions" (Cmd.2919). It is that the wastes arising from such reprocessing should be returned to the country of origin, and the high level radioactive waste (HLW) should be returned as soon as practicable after vitrification. The White Paper accepted that in appropriate circumstances this return policy can be implemented by waste substitution arrangements which ensure broad environmental neutrality for the UK. Substitution of HLW for low level radioactive waste (LLW) was permitted because of the availability of the LLW disposal facility at Drigg in Cumbria. Intermediate level radioactive waste (ILW) substitution was the subject of a Department of Trade and Industry consultation paper issued in January 2004, and the responses to this are currently being considered. All reprocessing contracts signed by BNFL since 1976 have included return of waste provisions, and these has been reinforced by exchange of intergovernmental letters. The programme of return of overseas reprocessing wastes is planned to begin in 2007–8.

The Drigg facility caters for the long-term management of LLW. Options for the long-term management of higher activity waste are currently the subject of consideration and evaluation by the independent Committee on Radioactive Waste Management (CoRWM). The long-term management policy for these higher activity wastes will be decided by UK Government and the devolved administrations in light of CoRWM's recommendations, due to be delivered in summer 2006. In the meantime the waste is stored safely under the regulatory surveillance of the HSE and environment agencies.

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry pursuant to the Answer of 11 February, *Official Report*, column 1478W, on nuclear waste, how much foreign spent nuclear fuel imported from abroad is stored at *(a)* Drigg, Cumbria and *(b)* elsewhere in the United Kingdom; what plans there are to send this spent fuel back to the countries of origin; and if she will make a statement. [189150]

Nigel Griffiths *[holding answer 16 September 2004]*: No overseas spent fuel received in the UK for reprocessing at Sellafield is stored at the Low Level Waste disposal facility near Drigg.

To date, approximately 10,000 meters cubed of Low Level Waste arising from the reprocessing of overseas spent fuel has been emplaced at Drigg.

The forecast volumes of conditioned High and Intermediate Level Waste at Sellafield to be returned to BNFL's overseas customers are approximately 305 metres cubed and 3,238 metres cubed respectively. The programme to return overseas high level reprocessing wastes is planned to begin in 2007–08.

Separately, the United Kingdom Atomic Energy Authority (UKAEA) has a very small amount of overseas Intermediate and Low Level Waste associated with its Research and Material test reactor, stored at Dounreay, Caithness for return to overseas customers.

Paper Industry

Jonathan Shaw: To ask the Secretary of State for Trade and Industry what assessment she has made of the impact of energy price rises on the paper industry. [189483]

Jacqui Smith: While the DTI has not at present made any detailed assessment of the impact of higher energy prices on the UK paper industry, the Government are very much aware of the concerns of Britain's energy-intensive manufacturing industries in particular and are monitoring the situation. More generally, in July 2004 the DTI published a "Review of the Manufacturing Strategy: Competing in the Global Economy" (http://www.dti.gov.uk/manufacturing/strategy_review.pdf), which sets out a framework and action plan for Government and industry stakeholders to create the right conditions for manufacturing success.

Parental Leave

Mr. Dhanda: To ask the Secretary of State for Trade and Industry if she will reduce the length of time a parent must have been employed by a company before he or she becomes entitled to parental leave. [189739]

Mr. Sutcliffe: The Government are committed not to make any changes to the laws for working parents before 2006, after the impact of the existing legislation has been reviewed.

As part of its programme of work exploring what additional support could be provided to working parents while also meeting business needs, the DTI will examine a range of options.

Postal Scams

Jim Knight: To ask the Secretary of State for Trade and Industry what measures are being taken to ensure that vulnerable people do not become victims of postal scams. [189955]

Mr. Sutcliffe: DTI and the Office of Fair Trading (OFT) are working to raise consumer awareness of postal scams.

Most postal scams operate from outside the UK. The OFT works with the network of enforcement agencies called ICPEN (International Consumer Protection Enforcement Network) to investigate and take action against cross-border scams.

The OFT have taken a lead within Europe in taking action against scam mail under the powers provided by the Injunctions Directive and the Enterprise Act 2002 ('Stop Now Orders').

Regional Assemblies

Mr. Bellingham: To ask the Secretary of State for Trade and Industry if she will make a statement on the proposed relationship between the regional development agencies and the regional assemblies in terms of control of public funding used to support businesses. [186349]

Jacqui Smith: The Government set up regional development agencies (RDAs) in the English regions in 1999 to co-ordinate the economic development and regeneration of the regions. The RDAs are the strategic drivers of regional economic development, working with regional and local partners and stakeholders to improve the performance of the regional economies. The RDA's activities include promoting business efficiency, investment and competitiveness in various ways. Details of these and other activities to further economic development and regeneration, skills and employment, are set out in their corporate plans, which are approved by Ministers.

As part of their policy for decentralising power and strengthening the English regions, the Government are providing for the establishment of elected assemblies in regions that want to take greater responsibility for the decisions that affect them. The Government published the draft Regional Assemblies Bill and accompanying policy statement on 22 July. As set out in the draft Bill, in a region where an elected regional assembly is created, the RDA will become a functional body of the assembly. The assembly will fund the RDA from its block grant, and the RDA will be accountable to the assembly, rather than to central Government, including for the public funding it uses for business support. It will be up to each assembly to decide the precise arrangements it puts in place for its working relationship with the RDA.

The RDA's business support activities will, as now, support the regional economic strategy, which the RDA will prepare for adoption by the assembly, subject to any modifications the assembly may wish to make.

Both the RDA and the assembly will be required to publish reports on their activities and expenditure.

Regional Development Grants

Mr. Rosindell: To ask the Secretary of State for Trade and Industry what criteria are used to assess areas for regional development grants. [189230]

Jacqui Smith: The current Assisted Areas map was agreed with the European Commission in 2000, in accordance with the Regional Aid Guidelines and remains in force until 2006. It cannot be amended during that period without the agreement of the Commission.

The map identifies areas of acute labour market need and business opportunity, according to broad criteria established by the Commission. The UK map agreed in 2000 was constructed from electoral wards identified on the basis of four separate criteria: 'residence-based' (International Labour Office—ILO) and 'workplace-based' (Claimant Count) unemployment rates; manufacturing share of employment; and employment rates. These indicators were calculated from a series of ward—level information drawn from the 1991 Census, and the 1998 Labour Force Survey, Annual Survey of Employment and Claimant Count unemployment.

Regional Venture Capital Funds

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry whether all regional venture capital funds are operational; and on what dates they were launched. [189812]

Nigel Griffiths: All nine Regional Venture Capital Funds (RVCF) are operational, one in each English region.

East Midlands RVCF was launched in January 2002

North East RVCF was launched in January 2002

North West RVCF was launched in March 2002

Yorkshire and the Humber RVCF was launched in June 2002

London RVCF was launched in June 2002

South West RVCF was launched in October 2002

South East RVCF was launched in October 2002

West Midlands RVCF was launched in January 2003

East of England RVCF was launched in July 2003.

Renewable Obligation Certificates

Mr. Drew: To ask the Secretary of State for Trade and Industry what plans she has to encourage greater use of renewable obligation certificates; and if she will make a statement on how the changes introduced in the Energy Act 2004 will work in practice in relation to the new mutualisation power. [189911]

Mr. Mike O'Brien: The Renewables Obligation provides suppliers with a strong incentive to acquire Renewables Obligation Certificates (ROCs) as suppliers who do not have enough certificates to meet their share of the Renewables Obligation have to pay the buy-out price for the remainder. The proceeds of the buy-out fund are then recycled to suppliers who hold ROCs, so that those suppliers paying into the buy-out fund are effectively subsidising those who use ROCs.

The Government's current consultation paper on a number of limited changes to the Renewables Obligation, which was published on 8 September, includes a proposal to increase the level of the Obligation from 10.4 per cent. to 15.4 per cent. over the period from

2010–11 to 2015–16. This measure is in response to calls from the renewable industry to give additional confidence for the period beyond 2010 and should encourage the development of renewables and therefore the use of ROCs. In addition, the forthcoming review of the Renewables Obligation in 2005–06 will include, among other things, an assessment of the effectiveness of the Renewables Obligation, including the extent to which the Obligation has led to new renewables projects coming forward.

The current consultation paper also sets out the Government's plans to give effect to the changes introduced in the Energy Act 2004 in respect of mutualisation. Where there is a shortfall in the Renewables Obligation buy-out fund, mutualisation will work by requiring each licensed supplier with a renewables obligation (excluding the defaulting supplier) to contribute an additional sum to make up the shortfall. These sums will form a separate "mutualisation fund" which will be redistributed to suppliers holding ROCs in the same way as the existing buy-out fund.

Mr. Drew: To ask the Secretary of State for Trade and Industry if she will break down how shortfalls in the Renewable Obligation Certificates Fund were made up in *(a)* 2003 and *(b)* 2004. [189912]

Mr. Mike O'Brien: In 2002–03, there were shortfalls in the Renewables Obligation buy-out fund totalling £23.6 million. This was the result of the failure of two companies—TXU (UK) Ltd. (which lead to a shortfall of £23.1 million) and Maverick Energy Ltd. (a shortfall of £0.5million). I understand that the administrators of TXU expect to make an interim payment to the affected suppliers very shortly.

It is too early to give precise figures for shortfalls in 2003–04, although I understand that two companies—Atlantic Electric and Gas Limited and Maverick Energy Limited—both of which are in administrative receivership will not have any funds available to comply with the Renewables Obligation. The resulting shortfall from Atlantic will be around £8.5 million and from Maverick some £0.7 million.

Sunday Trading

Mr. Jenkins: To ask the Secretary of State for Trade and Industry what plans the Department has for evaluating the effect of Sunday trading on the family life of employees. [189578]

Mr. Sutcliffe: None. The Employment Rights Act 1996 provides an opt-out option for shop workers who do not wish to work on Sundays.

Tidal Renewable Energy

Paul Flynn: To ask the Secretary of State for Trade and Industry how much public money has been invested in renewable energy tidal sources in the current financial year. [189209]

Mr. Mike O'Brien: The Government provide support for research and development in tidal stream technologies under the Department of Trade and Industry's Technology Programme. So far this financial year, £444,148 has been spent and a further £566,727 committed to this area under the programme.

Additionally, on 2 August Government announced a new £50 million Marine Renewables Development Fund. The new fund will be committed over the next three years and will support the further development of both tidal and wave technologies.

Trade Statistics

Mr. Rosindell: To ask the Secretary of State for Trade and Industry what the main *(a)* goods and *(b)* services traded between the UK and (i) Finland, (ii) Sweden, (iii) Norway, (iv) Denmark and (v) Iceland were in the last period for which figures are available. [189243]

Mr. Alexander: Information on the UK's trade in goods with the Nordic countries is given in the following table.

A breakdown of the UK's trade in services with these countries is not available.

UK—Nordic countries trade in goods 2003

Main commodities traded	*£ million*
Top 3 UK exports to Denmark	
Telecoms and sound recording and reproducing apparatus and equipment	446
Office machines and ADP machines	184
Electrical machinery, apparatus and appliances and electrical parts thereof	154
Top 3 UK imports from Denmark	
Meat and meat preparations	505
Dairy products and birds' eggs	278
General industrial machinery and equipment and machine parts	197
Top 3 UK exports to Finland	
Road vehicles (including air cushion vehicles)	226
Office machines and ADP machines	170
Electrical machinery, apparatus and appliances and electrical parts thereof	125
Top 3 UK imports from Finland	
Paper, paperboard and manufactures thereof	903
Telecoms and sound recording and reproducing apparatus and equipment	584
Cork and wood	222
Top 3 UK exports to Iceland	
Road vehicles (including air cushion vehicles)	12
Other transport equipment (not road vehicles)	11

UK—Nordic countries trade in goods 2003

Main commodities traded	*£ million*
Machinery specialized for particular industries	10
Top 3 UK imports from Iceland	
Fish, crustaceans, molluscs and aquatic invertebrates and preparations thereof	218
Other transport equipment (not road vehicles)	22
Feeding stuff for animals (not incl. unmilled cereals)	22
Top 3 UK exports to Norway	
General industrial machinery and equipment and machine parts	184
Machinery specialized for particular industries	159
Office machines and ADP machines	141
Top 3 UK imports from Norway	
Petroleum, petroleum products and related materials	4,820
Non-ferrous metals	232
Professional, scientific and controlling instruments and apparatus	193
Top 3 UK exports to Sweden	
Road vehicles (including air cushion vehicles)	415
Iron and steel	332
Petroleum, petroleum products and related materials	327
Top 3 UK imports from Sweden	
Road vehicles (including air cushion vehicles)	840
Paper, paperboard and manufactures thereof	657
Iron and steel	440

Source:
Compiled by DTI from HM Customs and Excise data

HEALTH

New Variant CJD

Mr. Wiggin: To ask the Secretary of State for Health how many cases of new variant CJD have been identified in each year since 1999 [189624]

Miss Melanie Johnson: The information requested is shown in the table.

	Deaths of definite and probable vCJD
1999	15
2000	28
2001	20
2002	17
2003	18
2004[1]	4
	[2]4

[1] As of 6 September 2004

[2] Number of probable vCJD cases still alive

Cancer Services

Bob Spink: To ask the Secretary of State for Health what the average cost is of an operation for breast cancer in the NHS. [189553]

Mr. Hutton: Data are collected on the average cost of a number of procedures on the breast but are not broken down into categories allowing the identification of those procedures specific to cancer.

Mr. Drew: To ask the Secretary of State for Health what plans the Government have to expand preventative policies to combat cancer, with particular reference to reducing liability to environmental hazards by tighter regulations and better application of the precautionary principle. [188392]

Miss Melanie Johnson: With reference to reducing liability to environmental hazards through regulation, the regulatory roles lie with the Department for Environment, Food and Rural Affairs (Defra) and the Department of Trade and Industry. The role of the Department of Health is to advise these other Government Departments on the risk of adverse human health effects from chemicals in the environment. The regulations are developed to prevent adverse effects, including cancer, in humans.

Bob Russell: To ask the Secretary of State for Health what advice he has given to the Mid-Anglia Cancer Network to publish an overall plan for the provision of cancer services and specialist treatments based in hospitals at Chelmsford, Colchester and Ipswich; and if he will make a statement. [190042]

Dr. Ladyman: The Department has not issued any advice to the Mid Anglia Cancer Network (MACN) to publish an overall plan for the provision of cancer services. In line with our policy of "Shifting the Balance of Power", the configuration of local health services is a matter for the local national health service, working in partnership with its local community. It is for local NHS organisations, with their knowledge and expertise, to plan and develop services, based on that knowledge. I understand that the MACN will make a final decision about the future configuration of cancer services at its next board meeting in November.

Care Homes (Funding)

Mr. Rosindell: To ask the Secretary of State for Health how much funding his Department made available for care homes in *(a)* the London borough of Havering, *(b)* each other London borough and *(c)* each strategic health authority in each of the last five years. [189248]

Dr. Ladyman: Neither councils nor strategic health authorities are allocated funding to be spent on care homes in particular. It is for councils and strategic health authorities to decide in the light of local circumstances and priorities how much of the general funding that they receive should be spent on care homes.

The Government have provided additional resources for social services. Between 1996–97 and 2002–03 the Government have increased funding by about 20 per cent. in real terms, an average of 3 per cent. per annum and will continue to increase resources until 2005–06 by an average of about 6 per cent. per annum in real terms.

The Government have also made additional revenue resources available to the national health service. Since 1999–2000, the first year of unified allocations, funding has grown from some £31 billion to over £49 billion for 2004–05. From 2003, as part of shifting the balance of power, three-year allocations have been made direct to primary care trusts (PCTs) for the first time. PCTs received average increases of 30.83 per cent. in funding for the period covering 2003–04 to 2005–06.

Mr. Rosindell: To ask the Secretary of State for Health what representations he has received from the London borough of Havering on funding for care homes; and what his response was. [189250]

Dr. Ladyman: We have had no representations from the London borough of Havering on funding for care homes.

Carers

Mr. Battle: To ask the Secretary of State for Health what plans his Department has to improve practical support to carers of family members at home; and if he will make a statement. [189920]

Dr. Ladyman: This Government are the first ever to recognise the contribution and concerns of carers. They developed the national carers strategy in 1999 with carers and the organisations that represent them.

The Carers Grant was introduced in 1999 to support councils in providing breaks and services for carers in England. The grant has been increased annually and has provided an extra £325 million over the last five years. It is worth £125 million this year and will continue at least until 2005–06, by which time it will be £185 million.

The Carers (Equal Opportunities) Act received Royal Assent on 22 July 2004. The Act will ensure that carers are able to take up opportunities which those without caring responsibilities take for granted.

The office of the Deputy Prime Minister launched the Beacon council scheme on 7 July 2004. Supporting carers is one of the themes for the forthcoming round.

To support carers' access to information, the Department is funding Carers UK to provide advice and information in a variety of formats.

CHCs

Mr. Prisk: To ask the Secretary of State for Health how many premises are owned or leased by community health councils; and how many are *(a)* occupied and *(b)* unoccupied. [187755]

Ms Rosie Winterton: Following the abolition of community health councils on 1 December 2003, the responsibility for community health council premises transferred to NHS Estates, therefore no premises are owned or leased by community health councils. 115 premises are awaiting assignment to national health service organisations, other tenants or are awaiting sale. None of these premises is currently occupied.

Mr. Prisk: To ask the Secretary of State for Health what community health council buildings have been disposed of since 1997. [187756]

Ms Rosie Winterton: The following community health council offices have been disposed of since 1997:

Blackburn
Bolton
Burnley
Bury
Chester
Chorley
Central Cheshire
Halton
Liverpool Central
Liverpool South
Liverpool Eastern
Macclesfield
Oldham
Preston
Rochdale
Salford
South Cumbria
South Sefton
Southport
St. Helens
Stockport
South Derbyshire
South Lincolnshire
South Northampton
Bath and District
Cornwall
Exeter and District
Isle of Scilly
North Devon
Plymouth and District

Swindon and District
Torbay and District
Southampton and South West Hampshire
Coventry
Dudley
East Birmingham
Herefordshire
Kidderminster
Mid Staffordshire
North Birmingham
North East Warwickshire
North Staffordshire
Tameside
Trafford
West Lancashire
Wigan
Wirral
Airedale
Barnsley
Bradford
Calderdale
Darlington and Teesdale
Dewsbury
Doncaster
East Cumbria
Gateshead
Harrogate
Hartlepool and South Easington
Huddersfield
Hull
Leeds
Newcastle
North East Lincolnshire
North Tyneside
Northallerton
North West Lincolnshire
Pontefract
Scarborough and North East Yorkshire
South Durham and Weardale
South Tees
South Tyneside
Sunderland
West Cumbria
York
Central Nottingham
Leicester
North Derbyshire
North Northampton
Nottingham
Sandwell
South East Staffordshire
Walsall
West Birmingham
Wolverhampton
West Berkshire
Dartford and Gravesend
Worcester
Barking, Dagenham and Havering
Croydon
Harrow
Kingston
Southwark
Chichester
South Buckingham
Reading
South West Surrey
Mid Downs
Mid Surrey
North West Surrey
Milton Keynes
Huntingdon
North Hertfordshire
Great Yarmouth and Waveney
Cambridge
East Suffolk
North West Anglia
Norwich
South Bedfordshire
South West Hertfordshire
Winchester and Central Hampshire
West Surrey and North East Hampshire
Wandsworth
Aylesbury Vale
Basingstoke and North Hampshire
Northumberland

Mr. Prisk: To ask the Secretary of State for Health what estimate he has made of the total amount of *(a)* rent and *(b)* other costs being paid by community health councils since their abolition. [187757]

Ms Rosie Winterton: The estimated costs of rent on former community health council premises is £1.142 million. This is mainly due to outstanding leases. It is expected that the remaining 69 properties will be disposed of by the end of this financial year.

Mr. Prisk: To ask the Secretary of State for Health if he will list the locations of former community health council offices where rent is still payable. [187761]

Ms Rosie Winterton: Rent is still payable on the following former community health council offices:

Blackpool, Manchester South, Manchester Central, Manchester North, Halton, Warrington, East Yorkshire, North Durham, Rotherham, Sunderland, Bassetlaw, Central Lincolnshire, Bristol, East Dorset, Gloucestershire, Salisbury and District, Somerset, Isle of Wight, Portsmouth, Bromsgrove and Redditch, Shropshire, Solihull, South Birmingham, South Warwickshire, Barnet, Bexley, Brent, Bromley, Camden, City and Hackney, Ealing, Enfield, Greenwich, Hammersmith and Fulham, Haringey, Hillingdon, Hounslow, Islington, Kensington, Chelsea and Westminster, Lambeth, Lewisham, Merton and Sutton, Newham, Redbridge, Richmond, Twickenham and Roehampton, Tower Hamlets, Waltham Forest, Hove, Canterbury, Gravesend, East Berkshire, Eastbourne, East Surrey, Maidstone, Hastings, Medway, Oxfordshire, South East Kent, Tunbridge Wells, Worthing, North Bedfordshire, North West Hertfordshire, North East Essex, Southend and District, West Essex, Mid Essex, Basildon and Thurrock, West Suffolk and East Hertfordshire.

This is mainly due to outstanding leases. It is expected that the remaining properties will be disposed of by the end of this financial year.

Continuing Care

Mr. Burstow: To ask the Secretary of State for Health if he will reassess his estimate of the cost of providing free personal care with reference to *(a)* the latest Laing and Buisson survey for March 2003, *(b)* the current review of eligibility for NHS continuing care and *(c)* changes to the amount of funding for free nursing care since January 2004. [187861]

Dr. Ladyman: No, the estimate of the cost of providing free personal care will not be reassessed. None of these changes would materially affect our estimate of providing free personal care.

Mr. Burstow: To ask the Secretary of State for Health if he will estimate the cost in each year until 2009–10 of providing NHS continuing care for those people previously denied it until the review of eligibility criteria this year. [187862]

Dr. Ladyman: My written statement of 22 June 2004 specified that the National Health Service expects to pay a total of over £180 million in restitution payments to those previously wrongly denied NHS continuing care, and that this amount has been added to NHS budgets. No data are held centrally on the proportion of these cases which relate to people living today, nor what the likely life expectancy might be of those who remain alive today. In the absence of this information, no meaningful estimate of costs can be made.

Mr. Burstow: To ask the Secretary of State for Health what amount his Department has allocated to strategic health authorities *(a)* to cover the costs of reviewing their eligibility criteria for NHS continuing care and *(b)* for compensating those people who were wrongly denied continuing care over the past seven years. [187863]

Dr. Ladyman: My written statement of 22 June 2004 specified that the National Health Service expects to pay a total of over £180 million in restitution payments and that this amount has been added to NHS budgets. The review of eligibility criteria is part of the NHS' management of services and was managed within NHS budgets.

Contraceptive Services

Mr. Laurence Robertson: To ask the Secretary of State for Health what the rules are for the prescribing of contraceptives services for people under the age of 16; and if he will make a statement. [188907]

Miss Melanie Johnson: I refer the hon. Member to the reply I gave to the hon. Member for Witney (Mr. Cameron) on 4 October 2004, *Official Report*, column 1947W.

Dementia

Mrs. Iris Robinson: To ask the Secretary of State for Health if he will estimate the annual cost of providing nursing and personal care for dementia sufferers in England. [187798]

Dr. Ladyman: Since April 2003, everyone who requires care from a registered nurse will have received free of charge either direct national health service nursing care from the community nursing service or NHS funded nursing care.

The estimated cost of providing free personal care in England for those with dementia would be in the region of £1 billion. The estimated cost of providing free personal care in England for everyone with a need for personal care would be about £1.5 billion. The total gross expenditure on means tested social services for all adults in 2002–03 was £9.5 billion; net expenditure (after deducting fees and charges) was £7.5 billion.

Dentistry

Mr. Brady: To ask the Secretary of State for Health whether it is his policy that dentists from other European Economic Area countries should be required to undertake a vocational training year in the same way as UK dentists before being permitted to practise in the UK. [188035]

Ms Rosie Winterton: Yes, and we take every opportunity to advocate the benefits of vocational training in our contacts with the European Commission and the health departments of those Member States which do not have schemes. The need arises because the Dentists Directive 78/686/EEC entitles holders of qualifications meeting the standards set out in the Directive to automatic recognition throughout the European Economic Area. Member States cannot impose additional training requirements.

We are currently recruiting additional dentists to improve access to National Health Service dentistry. Where they are to appoint overseas dentists, Primary care trusts offer induction training which covers key items within the vocational training curriculum.

Sue Doughty: To ask the Secretary of State for Health what the total cost to the NHS of dental services was for each primary care trust in the Surrey and Sussex strategic health authority in each year since 1997. [188174]

Ms Rosie Winterton: The cost to the national health service of general dental services (CDS) in Surrey and Sussex strategic health authority area is shown in the table. This covers payments to GDS dentists less patient charge contribution.

Cost[1] to the NHS of general service dentistry

£ million

PCT	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Adur, Arun and Worthing	3.440	3.543	3.701	3.825	4.366	4.728	4.881
Bexhill and Rother	1.217	1.299	1.274	1.273	1.335	1.367	1.618
Brighton and Hove City	5.693	5.846	5.889	5.931	6.340	6.810	7.492
Crawley	1.575	1.863	2.273	2.093	2.174	2.215	2.600
East Elmbridge and Mid Surrey	3.676	3.911	3.958	4.059	4.746	4.851	5.187
East Surrey	2.570	2.716	2.568	2.627	2.892	3.021	3.216
Eastbourne Downs	2.626	2.883	2.879	2.996	3.425	3.621	3.572
Guildford and Waverley	3.638	3.789	3.820	3.932	4.372	4.513	5.065

Cost[1] to the NHS of general service dentistry

£ million

PCT	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Hastings and St Leonards	1.873	1.961	1.948	2.131	2.186	2.240	2.472
Horsham and Chanctonbury	1.590	1.624	1.662	1.773	2.037	2.179	2.503
Mid-Sussex	3.323	3.572	3.498	3.572	3.880	3.782	4.021
North Surrey	2.916	3.087	3.205	3.284	3.562	3.619	3.914
Sussex Downs and Weald	2.264	2.327	2.393	2.713	2.986	3.128	3.500
Western Sussex	2.979	3.109	3.371	3.556	3.800	3.781	4.081
Woking Area	3.262	3.494	3.562	3.608	4.227	4.295	4.598
SSSHA totals[2]	43.780	46.418	47.667	48.865	54.058	57.247	60.587

[1] CDS fee payments only for 1997–98 to 2000–01. For 2001–02, 2002–03 and 2003–04 some other GDS costs are included. The other costs comprise: seniority payment; maternity, paternity, adoptive pay; long-term sick pay; continuing professional development allowance (CPDA); CPDA travel hours; business rates; training grant; clinical audit convenor; clinical audit secretarial support; clinical audit travel expenses; clinical audit payment; and vocational dental practitioner salary and national insurance contributions.

[2] SSSHA totals include some other GDS costs, which are not available at primary care trust level.

Source:
Dental Practice Board.

This expenditure does not include personal dental services expenditure.

Sue Doughty: To ask the Secretary of State for Health how much was paid by NHS patients towards dental services in each primary care trust in the Surrey and Sussex strategic health authority in each year since 1997. [188175]

Ms Rosie Winterton: Patient charges in the general dental services and personal dental services by primary care trust in the Surrey and Sussex strategic health authority area are shown in the table.

General dental service and personal dental service patient charges in Sussex and Surrey

Strategic health authority *£000*

PCT	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Adur, Arun and Worthing	2,045.8	2,165.4	2,147.8	2,275.2	2,345.5	2,414.7	2,472.2
Bexhill and Rother	793.1	811.2	787.1	797.2	750.4	757.5	888.7
Brighton and Hove City	2,114.6	2,316.2	2,357.2	2,625.9	2,617.1	2,828.3	3,053.5
Crawley	651.4	810.4	922.7	928.0	910.4	711.0	720.0
East Elmbridge and Mid Surrey	2,200.5	2,391.4	2,357.6	2,290.6	2,364.9	2,204.7	2,129.6
East Surrey	1,444.6	1,631.9	1,519.3	1,654.6	1,738.8	1,754.0	1,760.1
Eastbourne Downs	1,716.1	1,927.6	1,923.7	1,962.9	2,064.9	2,155.5	1,974.6
Guildford and Waverley	1,858.4	1,922.3	1,919.6	1,893.5	1,921.9	1,951.9	2,034.2
Hastings and St. Leonards	798.3	840.0	867.5	965.3	995.5	1,030.7	1,161.3
Horsham and Chanctonbury	864.7	877.2	832.8	946.5	1,030.8	1,090.8	1,135.8
Mid-Sussex	1,453.9	1,505.0	1,602.8	1,670.3	1,656.5	1,618.8	1,748.2
North Surrey	1,663.0	1,797.4	1,934.2	1,935.8	1,946.2	1,952.9	1,857.3
Sussex Downs and Weald	1,535.4	1,553.7	1,605.8	1,845.2	1,918.7	1,999.2	2,109.3
Western Sussex	1,862.1	2,022.3	2,234.3	2,384.4	2,330.7	2,292.1	2,382.4
Woking	1,805.6	1,875.2	1,861.9	1,902.8	1,994.5	1,901.8	1,863.9
Total	22,807.3	24,447.3	24,874.3	26,078.2	26,587.0	26,664.0	27,291.0

Source:
Dental Practice Board

Personal dental services patient charges were introduced in October 1998. The first PDS patient charges in this area occurred in 1999–2000.

Departmental Satellite and Cable

Mr. Lansley: To ask the Secretary of State for Health (1) what the cost to the taxpayer was of satellite and cable subscriptions in his Department's buildings; [185862]

(2) if he will list the premium channels that his Department subscribes to. [185863]

Ms Rosie Winterton: The Department's building at 79 Whitehall (Richmond House) is connected by cable link to the parliamentary annunciator system from the Palace of Westminster. This link was in place when Richmond House opened in 1988, having first been established in 1969 in a previous headquarters building. The purpose of this is to provide Ministers, their Private Offices and other staff access to debates in the House of Commons and the House of Lords. Currently, this system is free of charge and comes in the form of a package of 24 audio and visual channels, which provide access to a range of broadcast services in addition to the parliamentary channels. Of these, Sky Sports is the only service which would be categorised as a premium channel. Separate from this, the Central Office of Information also provides a link for viewing the parliamentary committee broadcasts, at a current annual cost to the Department of £27,739.40, including VAT.

In her reply to a similar question from the hon. Member for South Suffolk (Mr. Yeo) on 23 April 2002, *Official Report*, column 241W, my hon. Friend the Member for Salford (Ms Blears) attributed this separate charge to the provision of the annunciator system.

This was based on wrong advice, arising from a misunderstanding at the time about the operation of the system. I have written to the hon. Member apologising for the mistake and drawing his attention to this reply. A copy of that letter has been placed in the Library.

Domiciliary Care

Andrew Rosindell: To ask the Secretary of State for Health if he will make a statement on the availability of domiciliary care. [189207]

Dr. Ladyman: Since 1997, the number of contact hours of domiciliary care have increased from 2.6 million to 3.1 million in 2003. More people are being kept out of residential care through the provision of intensive care packages in their own home. The number of households receiving intensive support at home has increased from 60,700 at September 1998 to 87,000 at September 2003.

In 2004–05, total social services resources for adults increased to £10.3 billion, or £775 million more than 2003–04, an increase of 8.2 per cent. in cash terms or about 6 per cent. in real terms. It is for local councils to decide how much of this funding is spent on domiciliary care.

Eating Disorders

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 14 September 2004, *Official Report*, column 1498W, on eating disorders, what information he collates on waiting times for in-patient and out-patient treatment for eating disorders. [189841]

Ms Rosie Winterton: Information on waiting times, which is available at http://www.performance.doh.gov.uk/waitingtimes/, for in-patient and out-patient treatment in England is collected by consultant specialty rather than for specific conditions. This means that the information is not available in the format requested. However, we are aware that waiting times for treatment for eating disorders are sometimes too long and this is why we asked the National Institute for Clinical Excellence to develop a guideline on the effective treatments and why the national director for mental health is developing guidance for commissioners of specialised services.

Female Doctors

Tim Loughton: To ask the Secretary of State for Health how many female doctors are employed in the NHS; and at what level *(a)* in real terms, *(b)* as whole time equivalent and *(c)* as a percentage of all doctors. [189397]

Mr. Hutton: The information requested is shown in the following table.

Hospital, public health medicine and community health services (HCHS) doctors and general medical practitioners
Female doctors by grade/type/number (headcount) and percentage

	All doctors				*Of which: Female*			
	Headcount	*Percentage*	*Wte*	*Percentage*	*Headcount*	*Percentage*	*Wte*	*Percentage*
All doctors	109,964	100	102,344	100.0	41,371	37.6	36,284	35.5
HCHS Doctors[1]	76,400	100	42,260	100.0	27,826	36.4	25,474	35.3
Of which:								
Consultant	28,750	100	26,341	100.0	7,162	24.9	6,261	23.8
Staff Grade	5,255	100	4,828	100.0	1,982	37.7	1,654	34.3
Associate Specialist	2,001	100	1,780	100.0	751	37.5	602	33.8
Registrar Group	14,619	100	13,989	100.0	5,738	39.3	5,289	37.8
Senior House Officer	18,698	100	18,419	100.0	8,231	44.0	8,048	43.7
House Officer	4,003	100	3,994	100.0	2,110	52.7	2,104	52.7
Senior Dental Officer	492	100	383	100.0	295	60.0	218	57.0
Dental officer	766	100	521	100.0	535	69.8	353	67.7
Hospital Practitioner[1]	72	100	221	100.0	20	27.8	55	24.9
Clinical Assistant[1]	461	100	1,068	100.0	146	31.7	446	41.8
Other CHS	1,283	100	715	100.0	856	66.7	443	61.9
General Medical Practitioners[2]	33,564	100	30,084	100.0	13,545	40.4	10,810	35.9
Of which:								
Unrestricted Principals and Equivalents (UPEs)	28,568	100	26,311	100.0	10,144	35.5	8,467	32.2
Assistants	456	100	329	100.0	288	63.2	202	61.5
Flexible Career Schemes	175	100	52	100.0	145	82.9	43	82.9
GP Registrars	2,235	100	2,153	100.0	1,339	59.9	1,268	58.9
GP Retainers	971	100	307	100.0	955	98.4	302	98.2
GP Returners	62	100	60	100.0	42	67.7	40	67.7
PMS others	914	100	710	100.0	531	58.1	401	56.4
Restricted Principals	78	100	71	100.0	38	48.7	35	48.7
Salaried Doctors (Para 52 SFA)	105	100	91	100.0	63	60.0	52	57.4

[1] Excludes hospital medical hospital practitioners and hospital medical clinical assistants, most of whom are GPs working part-time in hospitals.

[2] All practitioners include GMS unrestricted principals, PMS contracted GPs, PMS salaried GPs, restricted principals, assistants, GP registrars, salaried doctors (Para 52 SFA), PMS other, GP retainers, flexible career scheme GPs and GP returners.

Sources:

Department of Health general and personal medical services statistics.

Department of Health medical and dental workforce census.

General Practitioners

Mr. Burstow: To ask the Secretary of State for Health if he will estimate the average list size of general practitioners in *(a)* England, *(b)* each strategic health authority and *(c)* each primary care trust for each year since 1997. [187865]

Mr. Hutton: The average general practitioner list sizes in England for each year from 1997 to 2003 by strategic health authorities and primary care trusts have been placed in the Library.

Mr. Burstow: To ask the Secretary of State for Health what the average general practitioner list size is in *(a)* Hartlepool Primary Care Trust and *(b)* England. [189264]

Miss Melanie Johnson *[holding answer 16 September 2004]*: The table shows the average general practitioner list size in Hartlepool Primary Care Trust and England.

Average list size of Unrestricted Principals and Equivalents (UPEs)[1] *for England and Hartlepool Primary Care Trust*

As at 30 September 2003 *Numbers (headcount)*

	UPEs	*Patients of UPEs*	*Average list size*
England	28,568	52,713,780	1,845
of which			
5D9 Hartlepool PCT	45	93,550	2,079

[1] UPEs include GMS Unrestricted Principals, PMS Contracted GPs and PMS Salaried GPs. Patient data has been revised from previously published figures

Source:

Department of Health General and Personal Medical Services Statistics

Mr. Burstow: To ask the Secretary of State for Health (1) if he will list the 10 primary care trusts with the lowest number of general practitioners per 100,000 population; [189262]

(2) how many general practitioners per 100,000 population there are in *(a)* Hartlepool Primary Care Trust and *(b)* England. [189265]

Miss Melanie Johnson *[holding answer 16 September 2004]*: As at March 2004, there were 52.6 general practitioners (GP) (excluding retainers, registrars and locums) per 100,000 weighted population in Hartlepool Primary Care Trust (PCT) compared to 63.6 GPs (excluding retainers, registrars and locums) per 100,000 weighted population in England.

The 10 PCTs with the lowest number of GPs (excluding retainers, registrars and locums) per 100,000 weighted population as at March 2004 are as follows:

Doncaster, West
Thurrock
Eastern Hull
Easington
Barking and Dagenham
Walsall
Barnsley
Oldham
North Stoke
Ashton, Leigh and Wigan

All figures are based on headcount.

GP Surgeries (Disabled Access)

Mr. Damian Green: To ask the Secretary of State for Health what plans he has to provide funds to improve access to general practitioner surgeries for disabled people; and if he will make a statement. [189996]

Miss Melanie Johnson: The Department recently announced an additional £108 million over two years for improving general practitioner premises. This money can be used to meet the requirements of the Disability Discrimination Act 1995, including the new access provisions commencing 1 October 2004. The use of this money will however be subject to local decision-making and prioritisation.

The Department and the Disability Rights Commission last month issued joint guidance for the primary care sector aimed at raising awareness of the duties under the Disability Discrimination Act 1995 and improving disabled people's experience of primary care services.

Head Injuries

Dr. Richard Taylor: To ask the Secretary of State for Health what proportion of district general hospitals accepting patients with head injuries have a consultant who has undergone higher surgical training in the management of head injuries. [189453]

Mr. Hutton: Information on the staffing profile of district general hospitals and the training undergone by individual consultants employed in them is not held centrally. Central monitoring and reporting is limited to that concentrated on the information needed to demonstrate progress against the targets set out in "National Standards, Local Action: Health and Social Care Standards and Planning Framework 2005–06 to 2007–08"—published by the Department on 21 July 2004; and for contractual purposes. Additional monitoring is kept to a minimum in favour of local performance management systems, exception reporting and independent inspections.

All doctors are expected to comply with the guidelines of the General Medical Council about providing care. They must recognise and work within the limits of their own professional competence and refer a patient to another practitioner, when appropriate.

Hepatitis C

Mr. Page: To ask the Secretary of State for Health what steps his Department is taking to verify the accuracy of estimates of the percentage of the population with hepatitis C. [189817]

Miss Melanie Johnson: As part of the "Hepatitis C Action Plan for England", the Health Protection Agency is strengthening epidemiological surveillance of hepatitis C infection to provide better estimates of its prevalence and incidence in the general population and injecting drug users.

Hernia Operations

Bob Spink: To ask the Secretary of State for Health what the average cost of a hernia operation is on the NHS. [189549]

Mr. Hutton: The national average unit cost (per operation) for all national health service trusts in England for inguinal, umbilical or femoral hernia repairs, where the operation is undertaken electively (that is not as an emergency) is as follows:

As an in-patient:

For patients who are more than 69 years old or with complications or co-morbidities—£1,247

For patients who are less than 70 years old without complication or co-morbidities—£1,066

As a day case procedure:

For patients who are more than 69 years old or with complications or co-morbidities—£701

For patients who are less than 70 years old without complication or co-morbidities—£729

The data source is the reference costs 2003 collection, relating to the financial year 2002–03. This is the most current data available and is accessible on the Department's website at: http://www.dh.gov.uk/PublicationsAndStatistics/Publications/PublicationsPolicyAndGuidance/PublicationsPolicyAndGuidanceArticle/fs/en?CONTENT_ID = 4070195&chk = UzhHA3

Calculation of the costs provided are based on all activity and costs associated with each procedure, regardless of the speciality in which the activity is recorded.

Bob Spink: To ask the Secretary of State for Health how many inguinal hernia operations were carried out by the NHS in each of the last three years. [189550]

Mr. Hutton: The number of finished consultant episodes for the years 2000–01 to 2002–03 for Office of Population Censuses and Surveys 4 codes T19 to T21 (hernia operations) is as follows:

	Number
2000–01	84,003
2001–02	80,000
2002–03	82,879

Note:

Finished Consultant Episode: Finished consultant episode (FCE) is defined as a period of admitted patient care under one consultant within one health care provider. The figures do not represent the number of patients as a person may have more than one episode of care within the year.

All operations count of episodes: These figures represent a count of all FCEs where the procedure was mentioned in any of the 12 (four prior to 2002–03) operation fields in a Hospital episode statistics record. A record is only included once in each count, even if an operation is mentioned in more than one operation field of the record.

Grossing: Figures are grossed for both coverage and missing/invalid clinical data, except for 2002–03 which are not yet adjusted for shortfalls.

Source:

Hospital Episode Statistics (HES), Department of Health

Maternity Services

Mrs. Helen Clark: To ask the Secretary of State for Health what steps is he taking *(a)* to maintain the number of midwives and *(b)* to maintain the number of those available (i) for home births, (ii) to fill existing vacancies and (iii) to cover those unable to attend work. [187558]

Mr. Hutton: The Government are implementing a range of measures to recruit and retain midwives. These include improving pay and conditions, encouraging the national health service to become a better, more flexible and diverse employer, increasing training, investing in child care and continuing professional development, attracting back returners and running national and international recruitment campaigns.

In September 2003, there were 1,556 more midwives employed in the NHS than there were in 1997 and the number of students entering training to become a midwife each year has increased by 574 or 34 per cent. since 1996–97.

In line with the Government's policy to devolve decision making to those at the front line of NHS service provision, it is for individual units and trusts to make arrangements for covering home births and to cover for staff absences.

Lynne Jones: To ask the Secretary of State for Health if he will list, for each NHS organisation providing maternity services, the latest available figures for *(a)* vacancies for midwifery grades (i) in numerical terms and (ii) expressed as a percentage of total number of posts at those grades and *(b)* numbers of (i) home births and (ii) caesarean sections performed, expressed in each case (A) in numerical terms and (B) as percentages of total births. [188905]

Dr. Ladyman: The information available on vacancies for midwifery grades has been placed in the Library.

Information on the numbers of home births and caesarean sections performed is not available in the format requested. Hospital episode statistics data show that, in 2002–03, there were an estimated 12,100 home deliveries (2.16 per cent. of total deliveries) and 117,800 caesarean deliveries (21 per cent. of total deliveries) in England. Percentages for caesarean sections compared to total hospital deliveries are available by hospital in Table 33 of the NHS Maternity Statistics, England, 20O2–03 bulletin. A copy of the bulletin is available in the Library.

Kidney Dialysis

Mr. Wood: To ask the Secretary of State for Health whether Saudi Arabia is among those countries with which the UK has reciprocal arrangements for providing kidney dialysis for patients travelling abroad. [189527]

Mr. Hutton: The United Kingdom has reciprocal treatment arrangements with a number of countries outside of the European Economic Area. There is currently no reciprocal arrangement with Saudi Arabia.

Meat Consumption

Sue Doughty: To ask the Secretary of State for Health what plans he has to reduce the amount of *(a)* red meat and *(b)* white meat consumed; and if he will make a statement. [188082]

Miss Melanie Johnson: The Government recognise the contribution meat can make to a healthy balanced diet and have no plans to take specific action to reduce meat consumption. They are however, taking a number of steps to encourage people to eat a healthier diet, which includes advising moderate consumption of meat and encouraging people to choose leaner cuts and remove visible fat and poultry skin.

Mental Health

Tim Loughton: To ask the Secretary of State for Health how many incidents of *(a)* sexual assault on and *(b)* sexual harassment of mental health in-patients have been reported in each of the past 10 years; and how many of these incidents resulted in criminal or civil proceedings. [188861]

Ms Rosie Winterton: This information is not centrally available.

National health service trusts need to ensure that all patients are protected from physical, psychological or sexual harm while they are being treated in mental health facilities. As set out in Safety, Privacy and Dignity in Mental Health Units (2000), an officer at a senior level within the trust should be appointed to have responsibility for women's safety, privacy and dignity. Speedy and robust arrangements must be in place to deal effectively with staff or patients who sexually abuse or harass patients, staff and visitors. Whether there is a complaint or not, all incidents of women patients being threatened, pestered or harassed should be investigated, recorded and reported to the responsible officer for monitoring purposes.

Tim Loughton: To ask the Secretary of State for Health if he will list the types of bodies through which mental health service users are able to influence the development and delivery of mental health services; and in which trusts such bodies operate. [188862]

Ms Rosie Winterton: The Government established patients' forums for all primary care trusts and national health service trusts, including mental health trusts. Forums comprise volunteer members of the public, and include patients of the trusts for which the forums are established. Forums feed the views and experiences of patients and the public into the operation and management of services. Patients' forums make reports and recommendations to the boards of the trusts and can also refer matters of concern to the healthcare commission, local authority overview and scrutiny committees, strategic health authorities, or any other body they deem appropriate.

"Mental health policy implementation guide on adult acute inpatient care" (2002), which is available in the Library, recommends the establishment of acute care forums with involvement of service users and carers to agree and regularly review the operation and co-ordination of the range of acute care services.

Tim Loughton: To ask the Secretary of State for Health what assessment he has made of Mind's Ward Watch report; and if he will make a statement. [188864]

Ms Rosie Winterton: The Department is committed to ensuring patients' safety, privacy and dignity in all inpatient settings and understands that some people in psychiatric wards may not always feel that ward environments are conducive to their recovery.

We value every opportunity to study and take into account any new evidence and welcome working in close collaboration with Mind on this issue.

The Department has given a strong public commitment to protect patients' privacy and dignity and to achieve single sex hospital accommodation in all national health service hospitals. By December 2003, 99 per cent. of NHS trusts provided single sex sleeping accommodation for planned admissions and had robust operational policies in place to protect patients' privacy and dignity; 99 per cent. of them met the additional criteria to ensure the safety, privacy and dignity of people who are mentally ill; and 97 per cent. provided properly segregated bathroom and toilet facilities for men and women.

Tim Loughton: To ask the Secretary of State for Health what the cost was of the report commissioned by the Surrey and Sussex Strategic Health Authority into the death of Sarah Lawson in Worthing; and what the cost of legal advice to the Surrey and Sussex Strategic Health Authority in respect of the report was. [189444]

Ms Rosie Winterton: The Department does not have the requested information.

Tim Loughton: To ask the Secretary of State for Health (1) how he plans to monitor the progress of recommendations made in the report into the death of Sarah Lawson on improvement of mental health services in West Sussex; [189445]

(2) what action he plans to take to implement in England the recommendations of the report on the death of Sarah Lawson in respect of mental health services. [189446]

Ms Rosie Winterton: The report on the death of Sarah Lawson was commissioned by the former West Sussex health authority, and carried forward by the Surrey and Sussex strategic health authority. It is therefore the responsibility of the Surrey and Sussex strategic health authority to ensure that local recommendations are fully considered, and acted upon.

However, the Department will consider and respond to any national recommendations.

Mr. Battle: To ask the Secretary of State for Health whether epilepsy is included in the definition of mental disorder in the Draft Mental Health Bill; and if he will make a statement. [190007]

Ms Rosie Winterton: Under the Bill, mental disorder means

> "an impairment of or a disturbance in the functioning of the mind or brain resulting from any disability or disorder of the mind or brain".

Having a condition which falls within this definition cannot, on its own, lead to a person being detained or treated under compulsory powers. The powers in the Bill can only be used where the carefully drawn conditions are all satisfied. The conditions require that the patient is suffering from a mental disorder which is serious enough to warrant specialist treatment under the care of a senior mental health practitioner; the risk to self or others justifies use of compulsory powers and appropriate treatment is available for the individual patient taking into account all the circumstances of the case.

Mr. Wilshire: To ask the Secretary of State for Health (1) if he will make it his policy to provide further funding to the North West Surrey Mental Health Partnership NHS Trust to support the retention of respite care beds at Kingscroft, Staines; [189776]

(2) if he will make it his policy to block the proposals of the North West Surrey Mental Health Partnership NHS Trust to close respite care beds for sufferers with learning difficulties and mental health problems at Kingscroft, Staines. [189777]

Ms Rosie Winterton: Following the Department's "Shifting the balance of power" initiative, funding is allocated to primary care trusts (PCTs) on the basis of the relative needs of their populations. It is for PCTs, in partnership with strategic health authorities and other local stakeholders to determine how best to use their funds to meet national and local priorities for improving health, tackling health inequalities and modernising services.

The configuration of local health services including the provision of respite care beds is a matter for the local National Health Service, working in partnership with its stakeholders and the local community. It is for NHS organisations to plan and develop services based on their specific local knowledge and expertise.

Myasthenia Gravis

Mr. Martin Caton: To ask the Secretary of State for Health (1) if he will make a statement on Government support provided to those diagnosed with myasthenia gravis; [188628]

(2) what plans his Department has to increase awareness of the condition myasthenia gravis amongst the medical profession; [188632]

(3) if he will make a statement on support provided by Government to the families of people who are diagnosed with myasthenia gravis. [188743]

Dr. Ladyman: Although there is no cure for myasthenia gravis there are a number of treatments available to help control it. These include medication, surgery, and palliation. It is for strategic health authorities in partnership with other local stakeholders to determine how best to use their funds to provide health services for their populations, including those with myasthenia gravis, with independent inspection to ensure that patients have access to appropriate services.

The national service framework for long-term conditions will focus on improving services for people with neurological conditions. While the framework will not cover myasthentia gravis specifically, it will recommend improvements in standards, care and support that will benefit everyone with a neurological condition. We are committed to publishing the framework as soon as possible.

We have no specific plans to raise awareness of the condition among the medical profession. The Department is not responsible for setting curricula for health professional training; that is the responsibility of the statutory and professional bodies. However we do share a commitment with those bodies that all health professionals are trained so that they have the skills and knowledge to deliver a high quality health service to all groups of the population with whom they deal.

Mr. Best: To ask the Secretary of State for Health what plans the Government have to increase awareness about myasthenia gravis amongst members of the medical professions. [189133]

Dr. Ladyman: We have no specific plans to raise awareness of the condition among the medical profession. The Department is not responsible for setting curricula for health professional training; that is the responsibility of the statutory and professional bodies. However we do share a commitment with those bodies that all health professionals are trained so that they have the skills and knowledge to deliver a high quality health service to all groups of the population with whom they deal.

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NHS Direct

Mr. Gordon Prentice: To ask the Secretary of State for Health how many and what percentage of calls to each NHS Direct call centre in England in the last 12 months related to dental problems. [188566]

Ms Rosie Winterton: Information on the total number and percentage of calls to each call centre in England relating to dental problems is not collected centrally.

NHS Psychiatry

Tim Loughton: To ask the Secretary of State for Health how many *(a)* psychiatrists and *(b)* community psychiatric nurses were (i) recruited to and (ii) left the NHS in each of the last three years. [189418]

Mr. Hutton: Work force data are collected through the annual non-medical work force census. The census is a snapshot of data on a specific day in the appropriate year. The information shown in the table shows the net difference each year in the number of consultants within the psychiatry group and the number of qualified nurses working in community psychiatry between September 2000 and September 2003. Data on numbers of leavers and joiners in the national health service is not available.

Hospital, public health medicine and community health services and NHS hospital and community health services: consultants within the psychiatry group and qualified community psychiatric nurses in England

Headcount

	Psychiatrist	*Qualified community psychiatric nurses*
2000	2,904	11,080
2001	2,959	12,224
Difference 2000–01	55	1,144
2002	2,979	12,292
Difference 2001–02	20	68
2003	3,229	13,173
Difference 2002–03	250	881

Source:

Department of Health medical and dental workforce census

Department of Health non-medical workforce census

Tim Loughton: To ask the Secretary of State for Health what the vacancy rates are for *(a)* psychiatrists and *(b)* community psychiatric nurses in the NHS. [189425]

Mr. Hutton: As at March 2004 the three month vacancy rate was 9.6 per cent. for psychiatrists and 1.9 per cent. for qualified nurses working in community psychiatric nursing services.

NHS Staff (York)

Hugh Bayley: To ask the Secretary of State for Health how many full-time equivalent NHS *(a)* general practitioners, *(b)* nurses in general practitioner practices, *(c)* other NHS community nurses and *(d)* community-based NHS staff in each of the other professions allied to medicine there were in the greater York area in (i) 1994 and (ii) each year since then. [189761]

Miss Melanie Johnson: The information requested is shown in the table.

General medical practitioners (excluding retainers) [1]*, practice nurses employed by unrestricted principals and equivalents (UPEs)* [2] *and National Health Service hospital and community health services qualified community nursing*[1] *for North and East Yorkshire and Northern Lincolnshire Strategic Health Authority and specified organisations*

Whole-time equivalents (wte)

	1994	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*
North and East Yorkshire and Northern Lincolnshire										
General medical practitioners (excluding retainers)[1]	923	933	927	944	934	951	959	968	989	1,037
Practice nurses employed by UPEs[2]	323	286	303	312	325	342	357	367	406	430
Qualified community nursing[3]	n/a	1,263	1,313	1,373	1,350	1,234	1,132	1,551	1,596	1,727
Of which:										
Selby Primary Care Group (PCG)										
General medical practitioners (excluding retainers)[1]	n/a	n/a	n/a	n/a	n/a	41	42	n/a	n/a	n/a
Practice nurses employed by UPEs[2]	n/a	n/a	n/a	n/a	n/a	14	13	n/a	n/a	n/a
Qualified community nursing[3]										
York PCG										
General medical practitioners (excluding retainers)[1]	n/a	n/a	n/a	n/a	n/a	128	131	n/a	n/a	n/a
Practice nurses employed by UPEs[2]	n/a	n/a	n/a	n/a	n/a	44	39	n/a	n/a	n/a
Qualified community nursing[3]										
York and Selby Primary Care Trust										
General medical practitioners (excluding retainers)[1]	n/a	n/a	n/a	n/a	n/a	n/a	n/a	171	184	189
Practice nurses employed by UPEs[2]	n/a	n/a	n/a	n/a	n/a	n/a	n/a	45	59	62
Qualified community nursing[3]	—	—	—	—	—	—	—	183	234	246
York Health Services NHS Trust										
General medical practitioners (excluding retainers)[1]	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Practice nurses employed by UPEs[2]	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Qualified community nursing[3]	n/a	196	193	193	161	200	240	50	24	24

n/a = not available.

[1] All practitioners (excluding retainers) include UPEs, restricted principals, assistants, general practitioner registrars, salaried doctors (Para 52 SFA), personal medical service (PMS) other, flexible career scheme GPs and GP returners.

[2] UPEs include general medical service (GMS) unrestricted principals, PMS contracted GPs and PMS salaried GPs.

[3] Community nursing includes the nursing levels; health visitors and district nurses, and the areas of work; community psychiatry, community learning disabilities and community services.

Notes:

1. GP retainers were first collected in 1999 and have been omitted for comparability purposes.
2. GP wte data has been estimated using the results from the 1992–93 GMP Workload Survey; full-time = 1.00 wte; three quarter time = 0.69 wte; job share = 0.65 wte; half time = 0.60 wte.
3. Data as at 30 September every year except GP data as at 1 October 1994–99.

Sources:

Department of Health general and personal medical services statistics.

Department of Health non-medical workforce census.

NHS Treatment Centres

Dr. Richard Taylor: To ask the Secretary of State for Health if he will ensure that any spare capacity in NHS treatment centres is used before involving independent sector treatment centres at a higher cost to the NHS. [189456]

Mr. Hutton: Both national health service treatment centres and independent sector treatment centres are intended to build capacity to treat NHS patients as safely, quickly and cost effectively as possible. Currently, it is a matter for primary care trusts (PCTs) to commission providers to meet the needs of their local populations. There is no extra cost to a PCT of using independent sector providers. In future, the decision whether or not patients are referred to a NHS provider or an independent sector provider will be down to the choice of individual patients.

Occupational Asthma

Stephen Hesford: To ask the Secretary of State for Health what his Department's policy is on encouraging businesses to invest in occupational health services for employees who develop occupational asthma; and if he will make a statement. [189869]

Ms Rosie Winterton: The Department's policy is to encourage responsible employers and businesses, large, medium and small, to invest in occupational health services for all their employees. To that end, NHS Plus was launched by the Department in November 2001. NHS Plus is now a network of over 100 occupational health departments that sell occupational health (OH) services to the private sector. These services include access to treatment for occupational asthma.

In the NHS Improvement Plan we said that building on the work of NHS Plus, the national health service can play an increasingly vital role in ensuring that employees are able to return to work as soon as possible following illness or injury. The Department will work with the Health and Safety Executive and the Department for Work and Pensions to ensure that a wider occupational health approach is supported by the NHS.

Out-of-hours GP Cover

Mr. Simon: To ask the Secretary of State for Health whether the *(a)* NHS litigation authority and *(b)* the primary care trust which has made arrangements for out-of-hours general practitioner cover will be liable in cases of clinical negligence where the negligent treatment was provided by an out-of-hours service commissioned by a primary care trust. [187371]

Mr. Hutton: If an out-of-hours service is commissioned by a primary care trust (PCT), the provider of the service will be expected to obtain their own insurance cover. The national health service litigation authority is not liable for claims as it administers the clinical negligence scheme for trusts on behalf of trusts, who retain the legal liability for clinical negligence claims.

If the PCT provides out-of-hours services itself, then any negligent act would be covered by the PCT.

Patient and Public Involvement Forums

Glenda Jackson: To ask the Secretary of State for Health what the average time between application, interview and recruitment of members to Patient and Public Involvement Forums has been in *(a)* Greater London and *(b)* England. [189704]

Ms Rosie Winterton: The average time between application and formal acceptance for members of patients' forums is 29 days for both England and London[1]. In cases where there is greater urgency, for example when a forum has fewer than seven members, the recruitment process can be accelerated to achieve completion in seven days.

[1] *Source*:
Commission for Patient and Public Involvement in Health.

Glenda Jackson: To ask the Secretary of State for Health who will be responsible for recruiting members to Patient and Public Involvement Forums when the Commission for Patient and Public Involvement in Health is abolished. [189705]

Ms Rosie Winterton: The intention is that the National Health Service Appointments Commission will become responsible for recruiting and appointing members to patients' forums.

Glenda Jackson: To ask the Secretary of State for Health how many patient and public involvement forums have had fewer than seven members for *(a)* three months, *(b)* six months and *(c)* 12 months in (i) Greater London and (ii) England. [189720]

Ms Rosie Winterton: At the end of March 2004, England had 13 patients' forums, out of a total of 572, with fewer than seven members, and London had none, out of a total of 74. At the end of June 2004, those figures were 52 and eight respectively[1]. Patients' forums did not exist a year ago.

[1] *Source*:
Commission for Patient and Public Involvement in Health.

Glenda Jackson: To ask the Secretary of State for Health what percentage of members of patient and public involvement forums are from ethnic minority communities in *(a)* Greater London and *(b)* England. [189735]

Ms Rosie Winterton: Equal opportunities information completed by patients' forum members on recruitment show that 10 per cent, are from minority ethnic communities. The figures are not yet available for London, but the Commission for Patient and Public Involvement in Health is carrying out diversity surveys in each of its nine regions, which will provide information on minority ethnic and other diverse communities.

Glenda Jackson: To ask the Secretary of State for Health how many patient and public involvement forums have the minimum number of seven members in *(a)* Greater London and *(b)* England. [189736]

Ms Rosie Winterton: At 4 October 2004, England had 486 patients' forums with at least seven members and London had 58.

Reproductive Health

Bob Russell: To ask the Secretary of State for Health (1) whether the national health service will fund intracytoplasmic sperm injection (ICSI) treatment as part of the availability of IVF; [188931]

(2) what guidance he has given to primary care trusts on access to IVF treatment; [188935]

(3) when universal availability of IVF treatment will be introduced; whether a limit will be placed on the number of cycles of treatment available; and if he will make a statement. [188936]

Miss Melanie Johnson: I refer the hon. Member to the reply I gave to my right hon. Friend the Member for Rother Valley (Mr. Barron) on 4 October 2004, *Official Report*, columns 1977–79W. The clinical guideline issued to the national health service by the National Institute for Clinical Excellence in February 2004 gives guidance on the use of intracytoplasmic sperm injection

(ICSI) in the treatment of infertility. It makes clear that ICSI should be considered as the appropriate treatment where certain clinical conditions occur.

Ritalin

Mr. Battle: To ask the Secretary of State for Health what his Department's latest estimate is of the number of children under 11 receiving the medication Ritalin; and if he will make a statement. [189982]

Dr. Ladyman: Information is not available in the form requested. Data are not held on the number of people who receive a particular medication. However, the figures in the following table show the total number of prescription items of Methylphenidate Hydrochloride dispensed in the community in England in the last six years. In 2003, Ritalin accounted for 40 per cent. of the prescription items of Methylphenidate Hydrochloride. Other brands of Methylphenidate, Concerta and Equasym, accounted for 43 per cent. and 17 per cent. respectively of the total prescriptions issued.

Number of prescription items of Methylphenidate Hydrochloride dispensed in the community in England—1998 to 2003

thousands

	Total
1998	126.6
1999	158.0
2000	186.2
2001	208.5
2002	254.0
2003	314.5

Source:

Prescription Cost Analysis data from the Prescription Pricing Authority.

In 2003, it is estimated that around 90 per cent. of the 314,500 prescription items dispensed in the community were to children (children under 16 and young people aged 16 to 18 in full time education). This proportion has been similar over recent years.

Road Traffic Accidents

Mr. Battle: To ask the Secretary of State for Health how many serious brain injuries caused by road traffic accidents were recorded in *(a)* 1975, *(b)* 1980, *(c)* 1990, *(d)* 2000 and *(e)* 2003. [189931]

Dr. Ladyman: Data are only available from 1990–91 onwards due to changes in the way data were collected. Before then data for the hospitals in-patients inquiry were collected on death and discharges on a 10 per cent. sample basis. For the hospital episode statistics system we use now, data are based on a 100 per cent. sample of finished consultant episodes.

Primary diagnosis—head injury caused by road traffic accidents in national health service hospitals in England 1990–91, 2000–01 and 2002–03

	Finished admissions
1990–91	13,078
2000–01	15,405
2002–03	14,072

Sexual Health Services

Tim Loughton: To ask the Secretary of State for Health what the average waiting times for sexual health services in the NHS are. [189421]

Miss Melanie Johnson: The average genito-urinary medicine access time is not available. However the Department is currently working with the Health Protection Agency and the Healthcare Commission to develop primary care trust level waiting time information. The Healthcare Commission is considering how best this developing information source can be used in its assessments of the performance of healthcare organisations.

Mr. Rosindell: To ask the Secretary of State for Health what steps his Department is taking to deal with sexually transmitted diseases, with particular reference to young people; and if he will make a statement. [189779]

Miss Melanie Johnson: The Government's steps for dealing with sexually transmitted diseases are set out in the national strategy for sexual health and HIV, the teenage pregnancy strategy, the national strategy for sexual health and HIV implementation action plan and the Government response to the Health Select Committee's third report of session 2002–03 on sexual health. Copies of these documents are available in the Library.

Both the sexual health and teenage pregnancy strategies recognise young people as being disproportionately affected by poor sexual and reproductive health and implementation of the strategies includes specific action to address this. The National service framework for children, young people and maternity services, published on 15 September, also includes sexual and reproductive health and provides specific standards and markers of good practice to drive up the quality of services at local level.

Mr. Rosindell: To ask the Secretary of State for Health how many sexually transmitted diseases were recorded in the Redbridge, Havering and Barking NHS Trust area in *(a)* 1999, *(b)* 2000, *(c)* 2001 and *(d)* 2002. [189780]

Miss Melanie Johnson: The numbers of sexually transmitted diseases diagnosed in genito-urinary medicine clinics in the Redbridge, Havering and Barking national health service trust area from 1999 to 2002 inclusive, are shown in the table:

Number of diagnoses of sexually transmitted diseases by sex, Redbridge, Havering and Barking NHS Trust: 1999–2002

Sex	*1999*	*2000*	*2001*	*2002*
Male	662	643	576	686
Female	1,171	1,135	1,154	1,175
Total	1,833	1,778	1,730	1,861

Smoke-free Workplaces

Mr. Frank Dobson: To ask the Secretary of State for Health (1) what research he has commissioned to evaluate the economic effects on businesses of making workplaces smoke-free; [189823]

(2) what evidence is held by the Government on the economic effects on the hospitality trade of making their premises smoke-free; [189824]

(3) what advice he has received on the effects of smoke-free workplaces on *(a)* productivity, *(b)* absenteeism and *(c)* fire damage. [189825]

Miss Melanie Johnson: The annual report of the Chief Medical Officer on the state of the public health presented an economic assessment of the effects of banning smoking in the workplace and public places. A copy is available in the Library.

Speech Therapists

Bob Spink: To ask the Secretary of State for Health how many speech therapists entered training in each of the last five years. [189359]

Mr. Hutton: Information on the number of speech and language therapists entering training in each of the last five years is shown in the table.

	Speech and language therapists
1999–2000	457
2000–01	558
2001–02	553
2002–03	597
2003–04	630

Bob Spink: To ask the Secretary of State for Health how many full-time equivalent speech therapists were employed in the NHS in each of the last five years; and if he will make a statement. [189360]

Mr. Hutton: The information requested is shown in the table.

National health service hospital and community health services: total qualified speech and language therapists in England, in each of the last five years

Whole time equivalent

	England
1999	3,939
2000	4,066
2001	4,207
2002	4,365
2003	4,707

Source:
Department of Health non-medical workforce census

Between September 1997 and 2003, the number of speech and language therapists employed in the NHS has increased by 1,372 or 28 per cent. We expect that there will be further increases in the NHS speech and language therapy workforce as a result of the Delivering the NHS Plan forecast for 30,000 more therapists and scientists in the NHS by 2008 over a 2001 baseline.

The number of training places for speech and language therapy is also increasing. In 2003–04, 630 students entered training to become a speech therapist, a 38 per cent. increase since 1998–99.

Terminally Ill Patients

Mr. Wiggin: To ask the Secretary of State for Health what research his Department has commissioned regarding the provision of support for terminally ill patients who wish to die in their homes; what NHS resources are available to such patients; and what plans he has to increase the level of such support. [186671]

Miss Melanie Johnson: The Department has not commissioned any research into the provision of support for terminally ill patients who wish to die in their homes. Cancer Networks have, however, been asked to conduct a population based palliative care needs assessment in response to the recommendations of the supportive and palliative care guidance produced by the National Institute for Clinical Excellence. This assessment will map currently available palliative care services and inform the range and volume of services required in each network.

The National Cancer Research Institute has recently announced that funds of up to £5 million will be released over the next five years to improve the way cancer care research is carried out in the United Kingdom. The Department will be committing £500,000 per annum to this initiative, and Macmillan Cancer Relief, Marie Curie Cancer Care, the Medical Research Council and Cancer Research UK will also be contributing. It is hoped that proposals to stimulate and develop new research on care from diagnosis to end-of-life will be submitted in response to this initiative, in addition to proposals on bereavement for carers.

I would also refer the hon. Member to the reply given to the hon. Member for Billericay (Mr. Baron) on 25 May 2004, *Official Report*, column 1606W.

Tuberculosis

Mr. Burstow: To ask the Secretary of State for Health (1) how many vacancies there were and what the vacancy rates were for consultants specialising in TB in *(a)* England and *(b)* each strategic health authority in each year since 1996; [187883]

(2) how many consultants were specialising in TB in *(a)* England and *(b)* each strategic health authority, in (i) headcount and (ii) whole time equivalent terms in each year since 1996. [187884]

Mr. Hutton: Information about specialists working in tuberculosis since 1996 has been placed in the Library. Vacancy information for 2002 to 2004 has also been placed in the Library. Prior to 2002 vacancy information was aggregated and it is not possible to identify TB specialists separately.

Venous Thrombosis

Dr. Richard Taylor: To ask the Secretary of State for Health what proportion of NHS hospitals undertaking joint replacement surgery have a consultant haematologist or orthopaedic surgeon with special training or interest in venous thrombosis. [189454]

Mr. Hutton: The information requested is not collected centrally.

All hospitals undertaking joint replacement or any other form of surgery are expected to have the appropriate clinical skill mix to ensure that procedures are performed safely and to a high standard.

The number of consultant haematologists and trauma and orthopaedic surgeons in England has increased by 144 (29.5 per cent.) and 462 (43.8 per cent.) respectively between September 1997 and June 2004. Individual doctors' special interests are not collected by the Department.

Hospital, public health medicine and community health services, medical Consultants within haematology and trauma and orthopaedic surgery specialties

	Number (headcount)		
England	*September 1997*	*June 2004*	*Percentage change*
Haematology	488	632	29.5
Trauma and orthopaedic surgery	1,056	1,518	43.8

Source:

Department of Health medical and dental workforce census

Vulnerable Citizens (Doorstep Selling)

Mr. Truswell: To ask the Secretary of State for Health what assessment he has made of the potential role of health and social care workers in promoting awareness among vulnerable citizens of the threats associated with doorstep cold calling. [189731]

Dr. Ladyman: The Department is represented on the cross-departmental Ministerial group, which has been established to encourage a more joined approach amongst agencies in addressing the problems of crime associated with doorstep selling. The group will consider what actions to take to improve consumer protection against doorstep selling.

Waiting Times

Ian Lucas: To ask the Secretary of State for Health what guidance he has issued to NHS trusts in England concerning targets for waiting times for patients from Wales. [182445]

Mr. Hutton: English national health service trusts treat many Welsh patients living close to the border between Wales and England. As health and the NHS are a devolved matter, it is for the National Assembly for Wales to agree waiting time targets for Welsh residents, irrespective of where they are treated. The Department's current advice to NHS trusts in England is that, as a matter of good practice, they should treat patients registered with general practitioners in Wales within the waiting time standards that apply for England.

Mr. Ruffley: To ask the Secretary of State for Health what the waiting times were for *(a)* heart surgery, *(b)* orthopaedics, *(c)* ophthalmology and *(d)* cancer treatment in the West Suffolk Hospitals NHS Trust in each year since 1997. [187196]

Dr. Ladyman: The elective waiting times for heart surgery, orthopaedics, ophthalmology and cancer treatment at West Suffolk Hospitals National Health Service trust are shown in the table.

Median and mean waiting times (days) for West Suffolk Hospital NHS Trust (RGR) for elective admissions (waiting time and booked) with main operation heart surgery, orthopaedics and ophthalmology, and for primary care diagnosis cancer treatment in each year since 1997–98 to 2002–03

	1997–98	*1988–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Heart surgery: Office of Population Censuses and Surveys (OPCS) K01-K71						
Median	17	15	1	1	1	1
Mean	16	55	3	12	2	4
Orthopaedics: OPCS V01-V54 and W01-W92						
Median	138	158	240	217	183	266
Mean	162	179	235	239	223	253
Ophthalmology: OPCS C01-C86						
Median	232	211	172	129	204	303
Mean	201	181	150	168	217	251
Cancer treatment: international classification of diseases (ICD)10 C00-D48						
Median	27	27	21	20	10	12
Mean	54	49	49	51	36	45

Notes:

Diagnosis (Primary Diagnosis)

The primary diagnosis is the first of up to 14 (seven prior to 2002–03) diagnosis fields in the HES data set and provides the main reason why the patient was in hospital.

Main operation

The main operation is the first recorded operation in the HES data set and is usually the most resource-intensive procedure performed during the episode. It is appropriate to use main operation when looking at admission details, for example, time waited, but the figures for "all operations count of episodes" give a more complete count of episodes with an operation.

Grossing

Figures are grossed for both coverage and missing/invalid clinical data, except for 2002–03, which are not yet adjusted for shortfalls.

Time Waited

Time waited statistics from HES are not the same as the published waiting list statistics. HES provides counts and time waited for all patients admitted to hospital within a given period whereas the published waiting list statistics count those waiting for treatment on a specific date and how long they have been on the waiting list. Also, HES calculates the time waited as the difference between the admission and decision to admit dates. Unlike published waiting list statistics, this is not adjusted for self-deferrals or periods of medical/social suspension.

Source:

Hospital episode statistics (HES) Department of Health.

Wheelchair Services

Mr. Oaten: To ask the Secretary of State for Health when he plans to make a statement on the future of wheelchair services and equipment loan stores. [R] [190037]

Dr. Ladyman: A statement is planned for the autumn on modernising wheelchair services. This will help local primary care trust commissioners shape the future of wheelchair services. The integration of health and social services' equipment loan stores, generally known since 2001 as community equipment services, is underway.

HOME DEPARTMENT

Fines

Mr. Gerrard: To ask the Secretary of State for the Home Department (1) how many people were fined following criminal convictions in each of the last 15 years; [190047]

(2) what percentage of fines imposed after a criminal conviction were fully paid in each of the last two financial years; [190048]

(3) what the total amount was of fines imposed after criminal conviction outstanding in each of the last five financial years in England and Wales; [190049]

(4) how many people in England and Wales who were fined following a criminal conviction have fines arrears *(a)* in excess of £1,000, *(b)* in excess of £2,000, *(c)* in excess of £3,000, *(d)* in excess of £4,000, *(e)* in excess of £5,000 and *(f)* in excess of £10,000. [190050]

Paul Goggins: The number of persons fined in England and Wales for offences of all types is as follows:

	Number of persons fined
1988	1,228,029
1989	1,205,958
1990	1,172,725
1991	1,147,845
1992	1,166,347
1993	1,078,246
1994	1,043,639
1995	986,033
1996	1,061,493
1997	987,985
1998	1,049,115
1999	982,679
2000	1,003,555
2001	920,474
2002	963,977

Principal offence basis

Fines are collected by the magistrates courts. Information obtained from the Department for Constitutional Affairs states that the information on the percentage of fines which are fully paid and the total amount of fines outstanding in a financial year is not collected by the legacy systems used by the Magistrates Courts Committees. Similarly, information is not collected in terms of the numbers of people who have fines arrears in excess of a specific sum.

Animal Experimentation

Norman Baker: To ask the Secretary of State for the Home Department if he will make a statement on the increase in the number of procedures involving animals compiled under the Animals (Scientific Procedures) Act 1986. [188098]

Caroline Flint: The latest available data on the number of licensed scientific procedures involving animals are in the publication Statistics of Scientific Procedures on Living Animals in Great Britain (Command 6,291—copies are in the Library).

This shows that 2.79 million procedures, regulated under the Animals (Scientific Procedures) Act 1986, were started in 2003. This is an increase of 2.2 per cent. from the previous year, but this is within the limits of what are regarded as minor variations between years. It does not necessarily signal an established upward trend in animal use.

The pattern of species use is similar to that recorded in previous years. Rats, mice and other rodents were used in 85 per cent. of the procedures. A further 10 per cent. involved use of fish and birds.

The species afforded special protection under the 1986 Act—cats, dogs, primates and equidae—were used in less than 1 per cent. of the total. Though within this relatively small percentage there was an increase in procedures using primates, the number of such animals used for the first time fell slightly. This is because some animals can be reused in certain mild procedures, such as blood sampling.

The trend over recent years, whereby the overall balance of use has gradually tipped more towards genetically modified animals, has continued. Such animals—mainly mice—were used in 2003 in 27 per cent. of all procedures, which is only 1 per cent. up on 2002, but compares with 8 per cent. in 1995. Most regulated procedures concerning these animals relate to breeding and the maintenance of colonies.

The total number of procedures in 2003 is considerably less than those recorded annually in the 1970s and 1980s, though the general downward trend since then has levelled out over the last decade.

It is impossible to predict the number of procedures likely to be undertaken in future years, as many factors are involved over which the Government have no direct control. These include strategic decisions by funding bodies, global economic trends and developments as a result of scientific innovation and endeavour.

But further increases as part of a longer term upward trend are likely, as use of genetically altered animals opens up new avenues of medical research, as more drugs and medicines are developed, and as new regulatory safety and testing requirements come into effect.

The numbers used will, however, be minimised in each programme of work, through rigorous application by the Home Office of the licensing controls in the 1986 Act.

Norman Baker: To ask the Secretary of State for the Home Department what steps he is taking to achieve his policy to reduce the number of animals involved in experimentations. [188099]

Caroline Flint: The Government's responsibilities are to seek to reduce the animals used by minimising the number in particular projects, rather than through a reduction in the overall total, which in a demand-led area such as scientific research would not be practicable.

The use of animals can be licensed only under the Animals (Scientific Procedures) Act 1986 where there is no non-animal alternative, and then only when both the number of animals to be used and any resulting suffering is minimised. This reflects application of the 3Rs (replacement, reduction and refinement). Every step is taken in assessing licence applications, both at the establishments concerned and within the Home Office, to ensure that no 3R alternative is overlooked, and that licence authorities maintain that position.

The Home Office has previously funded work to the value of approximately £250,000 a year for projects to promote and deliver reduction and refinements. We also co-sponsored the 4th World Congress on Alternatives and Animal Use in the Life Sciences, and are a co-sponsor of the 5th World Congress due to take place later this year.

Earlier this year we announced the setting up of the National Centre for the 3Rs, which will act as a focal point for research in this important area. This implements a recommendation of the House of Lords Select Committee on Animals in Scientific Procedures. Responsibility for the National Centre rests with the Office of Science and Technology.

The Home Office continues to lead in running the Inter-Departmental Group on the 3Rs, a cross-Government body which considers many alternatives issues and keeps under review the Inter-Departmental Data Sharing Concordat.

We also support related efforts at the international level, including contributions to the European Centre for the Validation of Alternative Methods (ECVAM), on which there is a Home Office representative.

The main gains in the 3Rs have come from the scientific community itself, and any future progress is likely to come in the main from its own continuing efforts to develop, validate and adopt alternatives.

Antisocial Behaviour Orders

Siobhain McDonagh: To ask the Secretary of State for the Home Department how many *(a)* acceptable behaviour contracts, *(b)* interim anti-social behaviour orders and *(c)* full anti-social behaviour orders have been issued in Mitcham and Morden. [189354]

Ms Blears: Data are not collected centrally on numbers of acceptable behaviour contracts agreed.

No notification of interim anti-social behaviour orders (ASBOs) issued within the London borough of Merton (in which Mitcham and Morden are located) have been reported to the Home Office.

The number of notifications received, up to 31 March 2004 (latest available), of full ASBOs issued, where restrictions imposed are specific to the London borough of Merton, is six.

Mr. Battle: To ask the Secretary of State for the Home Department how many anti-social behaviour orders have been served in the Leeds city council area since they were introduced. [189942]

Ms Blears: The number of notifications received by the Home Office, up to 31 March 2004 (latest available), of Anti-Social Behaviour Orders issued, where restrictions imposed are specific to the Leeds city council area, is 122.

Breathalyser Tests

Mr. Bercow: To ask the Secretary of State for the Home Department how many breathalyser tests were carried out in the Buckingham constituency in each year since 2000; and what percentage resulted in convictions. [189858]

Ms Blears: Available information collected centrally on breath tests is at police force area level only. Buckingham constituency falls within the Thames Valley police force area. The table shows the number of breathalyser tests undertaken in Thames Valley in each year between 2000 and 2002 and the percentage resulting in a positive test or a refusal.

Thames Valley

Positive/refused	*Number of screening breath tests*	*Percentage*
2000	30,800	17
2001	26,200	18
2002	25,300	30

Central Casualty Bureau

Patrick Mercer: To ask the Secretary of State for the Home Department whether the Central Casualty Bureau is funded by central Government. [184597]

Ms Blears: There is no specific ring-fenced budget to meet the costs of running the Central Casualty Bureau when it has been opened. Funding is derived from the central Government police grant, as are all other police activity costs.

If the Central Casualty Bureau has been opened on behalf of a number of counties, forces may make a retrospective contribution following the incident.

Chechnya

Bob Russell: To ask the Secretary of State for the Home Department if he will halt the deportation to the Russian Federation of citizens from the Chechnya region until such time as their safety can be guaranteed; and if he will make a statement. [187979]

Mr. Browne: At the present time country information does not indicate that there are any reasons to halt the return to the Russian Federation of individuals from Chechnya, including those whose claims for asylum have been rejected, who no longer have a right to stay in the United Kingdom.

All asylum and human rights claims are considered on their individual merits in accordance with our obligations under the 1951 UN Refugee Convention and the European Convention on Human Rights (ECHR). This consideration takes into account up to date information on the situation in the country of origin.

Child Abductions

Tim Loughton: To ask the Secretary of State for the Home Department what progress has been made by the Police Information Technology Organisation on developing new systems for alerting the public about child abductions. [189428]

Caroline Flint: The Police Information Technology Organisation (PITO) has tested the alert messaging capabilities of the Police Portal. The Portal can provide any force with a means to alert public subscribers, for example by text message to mobile phones, to inform them of child abductions. Planned co-operation with local media to quickly broadcast child alerts has proved itself the most reliable means for informing and engaging public support.

The Association of Chief Police Officers has decided to progress the Portal's alert capability in the first instance for emergency messaging to those in the public and private sectors who have responsibility for public safety. This is being taken forward by a PITO Service

Implementation Group, with representatives from the Metropolitan police, London Resilience within the Government Office for London, the Home Office and Cabinet Office.

Community Sentences

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what assessment has been made of the impact of community sentencing on re-offending rates. [182288]

Paul Goggins: There was a 3.1 per cent. reduction in reconviction rates for those commencing community penalties in 1999, compared to 1997. The methodology is explained in Home Office On-line Report 16/02.

Community Support Officers

Mr. Rosindell: To ask the Secretary of State for the Home Department how long it takes to train a community support officer. [186907]

Ms Blears: The length of training given to Community Support Officers is a matter for individual chief officers to determine. In most forces training lasts from three to six weeks and combines classroom training with supervised patrol.

Corrections Bill

Mr. Hopkins: To ask the Secretary of State for the Home Department what plans he has to bring forward a Corrections Bill; and if he will make a statement. [189088]

Paul Goggins *[holding answer 16 September 2004]*: We intend to introduce legislation at the next available opportunity to implement a number of reforms which follow Lord Carter's review of the Correctional Services.

Correspondence

Sir Gerald Kaufman: To ask the Secretary of State for the Home Department (1) when he intends to reply to the letter to him dated 8 June from the right hon. Member for Manchester, Gorton with regards to Mr. and Mrs. T. Mahmoud; [188872]

(2) when he will reply to the letter to him dated 8 June from the right hon. Member for Manchester, Gorton with regard to Mr. T. Mahmoud. [189706]

Mr. Blunkett: Home Office officials have sent to my right hon. Friend a copy of the reply I sent to him on 12 July. I am sorry it did not reach him. Mr. and Mrs. Mahmoud do appear to qualify for consideration under the one-off exercise announced in October 2003, which allows a number of people who have claimed asylum and who have children in the UK to remain here indefinitely. Their case is now being considered.

Mr. Sanders: To ask the Secretary of State for the Home Department when he will reply to the letter from the hon. Member for Torbay of 26 August regarding NHS work permits. [189649]

Mr. Browne: The Under-Secretary, my hon. Friend the Member for Slough (Fiona Mactaggart) replied to the hon. Member on 21 September.

Keith Vaz: To ask the Secretary of State for the Home Department if he will make a statement on the reasons for the delay in responding to the hon. Member for Leicester East's letter of 17 May. [189933]

Mr. Browne: The Managed Migration Directorate (MM) of the Immigration and Nationality Directorate replied to my hon. Friend on 8 September 2004.

MM apologised for the delay in replying, which was due to an administrative error. MM now have systems in place to minimise such delays in replying to official correspondence.

Departmental Expenditure

David Davis: To ask the Secretary of State for the Home Department how much was spent by his Department on *(a)* advertising and *(b)* public relations consultants in each of the past eight years. [184805]

Mr. Blunkett: The Home Office uses advertising and public relations consultants in support of public information and communication campaigns. Since 1996–97 spending has been as follows:

1996–97

£5.23 million on advertising costs as part of total spend of £8.328 million. Communication spend represents 0.13 per cent. of total Home Office public expenditure of £6,416 million.

Campaigns included car crime, recruitment of special constables, fire safety and electoral registration.

1997–98

£1.4million on advertising costs as part of total spend of £3.372 million on total communications. Communication spend represented 0.05 per cent. of total Home Office public expenditure of £6,747 million.

Campaigns included recruitment of special constables, fire safety, absent voting and electoral registration.

1998–99

£1.8 million on advertising costs as part of total spend of £4.194 million on total communications. Communication spend represents 0.06 per cent. of total Home Office public expenditure of £7,608.2 million.

Campaigns included smoke alarms, recruitment of special constables, crime partnerships and electoral registration.

1999–2000

£5.65 million on advertising costs as part of total spend of £10.08 million on total communications. Communication spend represents 0.13 per cent. of total Home Office public expenditure of £7,996.2 million.

Campaigns included chip pan safety, fire safety, recruitment of special constables, European Parliament elections and electoral registration.

2000–01

£28.36 million on advertising costs as part of total spend of £35.637 million on total communication. Communication spend represents 0.39 per cent. of total Home office public expenditure of £9,068.7million.

Campaigns included fire safety, vehicle crime and recruitment of police officers.

2001–02

£14.4 million on advertising costs as part of total spend of £25.1 million on total communications. Communication spend represented 0.23 per cent. of total Home Office expenditure of £10,820.8 million.

Campaigns included fire safety (smoke alarms), vehicle crime, internet child protection, drugs, recruitment of police officers and special constables and postal voting.

2002–03

£9.9 million on advertising costs as part of total spend of £18.3 million on total communications. 0.14 per cent. of total Home Office public expenditure of £13,493.1 million.

Campaigns included vehicle crime, internet child protection, drugs, firearms amnesty and recruitment of police officers.

2003–04

£12.487 million on advertising costs as part of total spend of £22.083 million on total communications. Communication spend represents 0.18 per cent. of total Home Office expenditure of £12,605.5million.

Campaigns included vehicle crime, internet child protection, drugs, recruitment of police officers and domestic.

Figures up to 1997–98 are on a cash basis; after that they reflect the introduction of full Resource Accounting and Budgeting.

Dr. Bassam Odeh

Clare Short: To ask the Secretary of State for the Home Department when a decision will be made on the status of Dr. Bassam Odeh (Home Office reference A574053) following his successful appeal on 29 January. [189142]

Mr. Browne: A decision has been made to grant Dr. Odeh refugee status in the United Kingdom. The Immigration and Nationality Directorate is currently in the process of issuing the necessary status papers.

Drug Treatment

Mr. Drew: To ask the Secretary of State for the Home Department (1) if he will make a statement on the tender document for drug rehabilitation services in the Prison Service reference ST04589/659/1; and for what reason it was changed; [188607]

(2) what consultation he has undertaken with those who have provided drugs services in prisons on the new tender process. [188608]

Paul Goggins: The tender documents set out the basis for delivery of drug treatment in prisons. Changes have been made to reflect developments in drug treatment policy and to bring greater clarity around service delivery standards, pricing and performance.

There has been extensive consultation on the new tender process with those who currently provide drug treatment services in prisons. This has included two national conferences for providers and a number of one-to-one discussions.

English Language Tests

Mr. Boswell: To ask the Secretary of State for the Home Department if he will report progress in *(a)* developing criteria for English language tests for new entrants, *(b)* delivering English language tests and *(c)* exemption from tests of entrants from traditionally English-speaking countries. [188232]

Mr. Browne: From 28 July 2004, the standard of knowledge of English required of naturalisation applicants has been defined as English for Speakers of Other Languages (ESOL) Entry 3. Applicants can demonstrate this by submitting with their application an ESOL certificate, an alternative qualification for learners of English of an equivalent or higher level, or an educational qualification that could have been obtained only by someone with good English.

Naturalisation applicants from traditionally English-speaking countries are not exempted from this requirement. They should either produce an appropriate educational qualification—one which could have been obtained only by someone with good English—or seek certification from a "designated person" that they have a knowledge of English to the level reasonably to be expected of a person of full age and capacity whose native language is English. At present, only Notaries are designated but further groups are being considered.

European Borders Agency

Mr. Ancram: To ask the Secretary of State for the Home Department if he will make a statement on the decision of the United Kingdom to accept limited participation in the European Borders Agency, without Gibraltar; and for what reason the United Kingdom's full participation was rejected by the EU. [188482]

Mr. Browne *[holding answer 14 September 2004]:* Operational co-operation in the Agency is important to the UK, as an effectively managed external border is in the interests of all Member States. We therefore took an active role in negotiations to ensure that provision was made for involving the UK in the Agency's activities.

The UK is not participating in the adoption of the Border Agency Regulation because the Council took the view that the UK could not opt in under the Title IV Protocol, because the regulation builds on the external border provisions of the Schengen acquis, in which the UK does not participate. Accordingly the UK has no vote on adoption. The UK disagrees with this interpretation and with the express exclusion of Gibraltar.

The UK does not participate in the external border provisions of the Schengen acquis, because we believe it necessary to retain the right to carry out our own frontier controls.

Excessive Drinking

Mr. Best: To ask the Secretary of State for the Home Department what recent assessment he has made of the impact of initiatives by the licensed trade to curb excessive drinking. [189129]

Ms Blears: The Interim Analytical Report, which led to the publication of the Alcohol Harm Reduction Strategy for England in March this year highlighted some good initiatives undertaken by the alcohol industry collectively and individually but found that good practice was sporadic and unco-ordinated. One of the recommendations in the Strategy was for Government to develop a social responsibility scheme together with the industry. We are working closely with industry representatives to take this recommendation forward.

The Alcohol Misuse Enforcement Campaign that has been running this summer saw concerted activity by police and partners to tackle alcohol related violence and disorder and target under age and binge drinking. The results of the campaign highlight the need for more to be done on the part of the industry.

Mr. Best: To ask the Secretary of State for the Home Department what estimate he has made of the costs involved in policing alcohol-related anti-social behaviour in *(a)* England and Wales, *(b)* West Yorkshire and *(c)* Leeds in the last year for which figures are available. [189130]

Ms Blears: Police authority accounts are not kept in a form which would make it possible to identify the costs of policing alcohol related anti-social behaviour, and there is no specific grant made available to forces to deal directly with the problems associated with excessive drinking. It is for individual police forces to decide how they allocate their resources to tackle their crime and disorder priorities.

The Alcohol Harm Reduction Strategy for England, published on March 15 this year estimates that alcohol-related crime and disorder costs taxpayers up to £7.3 billion a year.

False Passports

Mr. Oaten: To ask the Secretary of State for the Home Department how many bogus passports were recovered in police operations in the last year for which figures are available. [187061]

Mr. Browne: The information requested is not available as the number of bogus passports recovered is not collated centrally.

Identity Cards

Mr. Cousins: To ask the Secretary of State for the Home Department if he will place in the Library the performance milestones in the contract for the design and structure of an identity card. [188704]

Mr. Browne: No contracts have been let for the design and structure of the identity card.

Immigration and Asylum Events

Keith Vaz: To ask the Secretary of State for the Home Department how many events the Home Office has organised for public organisations on immigration and asylum since 2003. [189978]

Mr. Browne: The Home Office organises a range of events concerning asylum and immigration, which involve other organisations from outside Government and within. However, details of these are not held centrally and can be provided only at disproportionate cost.

Managed Migration Department

Keith Vaz: To ask the Secretary of State for the Home Department how many people work at the Managed Migration Department. [189932]

Mr. Browne: As of 30 June 2004, there were 2,286 permanent staff employed in the Managed Migration Directorate (2,096.9 full-time equivalent).

National Offender Management Scheme

Mr. Drew: To ask the Secretary of State for the Home Department what discussions he has held with *(a)* county probation officers and *(b)* criminal justice boards on the National Offender Management Scheme. [168308]

Paul Goggins: All probation staff have been given the opportunity to comment on both written consultation documents issued since January 2004. Additionally the chief executive of the National Offender Management Service has conducted 10 regional meetings involving over 3,000 staff from the probation and prison service.

Local criminal justice boards have also been offered opportunities to comment on the written consultation documents and their responses made up just under 10 per cent. of those received to the second exercise.

Mrs. Gillan: To ask the Secretary of State for the Home Department how long stakeholders have been given to respond to the paper on the structure of the National Offender Management Service. [176675]

Paul Goggins: There have been two formal written consultation documents issued since January 2004. "Reducing Crime—Changing Lives" was published in January 2004 with a deadline for response of 4 March. The consultation paper on the organisational design was issued in May with a deadline of 30 June for response. In both instances submissions were received and accepted beyond these dates and included in the analysis of responses. In accordance with the Cabinet Office Code of Practice on Consultation a summary analysis and response is being prepared and will be issued by the Government shortly.

Mrs. Gillan: To ask the Secretary of State for the Home Department what consultations he has had with the major providers of drugs services to jails in England and Wales concerning the introduction of the National Offender Management Service. [181827]

Paul Goggins: There have been two formal written consultations on the introduction of the National Offender Management Service (NOMS) and a number of the major providers of drug services have taken the opportunity to contribute. These responses have been analysed and used as the basis for informing policy developments. The providers of drugs services are important partners within NOMS and the National Offender Manager met representatives of drug service agencies in September. A new unit reporting to the National Offender Manager has been established to oversee relationships with the voluntary sector.

Mr. Hopkins: To ask the Secretary of State for the Home Department in what way the creation of regional offender managers within the National Offender Management Service will contribute towards reducing the prison population. [189090]

Paul Goggins *[holding answer 16 September 2004]*: The Regional Offender Managers will play a pivotal role in reforming the delivery of correctional services, the principal aim of which is to reduce re-offending. Key features of these reforms are the development of end-to-end management of offenders and a greater use of effective community sentences in place of short-term imprisonment.

Mrs. Gillan: To ask the Secretary of State for the Home Department how regional offender managers in the National Offender Management Service structure will hold probation areas to account for their performance. [190115]

Paul Goggins: The Regional Offender Managers (ROMS) will hold probation areas to account through service level agreements, which will be based on existing standards and key performance targets.

Mrs. Gillan: To ask the Secretary of State for the Home Department what budgets regional offender managers will have for *(a)* 2004–05 and *(b)* 2005–06. [190116]

Paul Goggins: The budgets for Regional Offender Manager in full for 2005–06 will be determined in light of the development of the National Offender Management Service (NOMS) and the overall budget for NOMS in 2005–06.

Mr. Dismore: To ask the Secretary of State for the Home Department what the timetable is for the introduction of market testing of prison establishments under the National Offender Management Service. [168425]

Paul Goggins: An announcement about the Market Testing of prison establishments will be made in due course.

Alan Simpson: To ask the Secretary of State for the Home Department (1) whether each Governor will be responsible for setting charges for prisoner places for their own establishment under the new structure for the National Offender Management Service; [168833]

(2) who will be responsible for setting the cost to regional offender managers for places in *(a)* public and *(b)* privately run prisons under the new National Offender Management Service structure. [168834]

Paul Goggins: A pricing and charging mechanism for prisoner places is currently being considered as part of the National Offender Management Service (NOMS) Change Programme. Any mechanism will be agreed by the Chief Executive of NOMS and approved by my right hon. Friend the Home Secretary.

Mr. Gerrard: To ask the Secretary of State for the Home Department whether he plans to *(a)* privatise and *(b)* open to contestability a (i) probation area and (ii) National Offender Management Service region. [188538]

Paul Goggins: There are no plans to privatise any part of the National Offender Management Service, or its regions or probation areas.

We are considering how we might open up probation services to contestability but no decisions have yet been made on the scope or extent of this.

Mr. Gerrard: To ask the Secretary of State for the Home Department how he expects contestability in the National Offender Management Service to achieve more effective service delivery. [188539]

Paul Goggins: In the report "Managing Offenders-Reducing Crime" Lord Carter emphasised that service delivery can be further improved through greater use of competition from private and voluntary sectors. We accept this advice and said so in our response "Reducing Crime—Changing Lives".

We want the most cost effective custodial and community sentences no matter who delivers them. Contestability ensures value for money, with the optimum combination of cost, quality and effectiveness delivered through competition and partnership arrangements between and within the public, private and voluntary sectors.

Mr. Gerrard: To ask the Secretary of State for the Home Department how probation boards under the National Offender Management Service structure will extend their commissioning functions. [188540]

Paul Goggins: Under existing legislation, Probation Boards have the power to commission all the services of their probation area.

Mr. Gerrard: To ask the Secretary of State for the Home Department how regional offender managers with the National Offender Management Service will achieve greater innovation within the prison and probation services. [188541]

Paul Goggins: Regional Offender Managers will play a key role in reforming the delivery of correctional services and implementing the new sentencing framework.

The Regional Offender Managers will steer the development of the core offender management function and contestability. These changes require effective working between the prison and probation services, and wider co-ordination above Probation Board level in order to ensure nation-wide consistency and accountability in our approach to reducing re-offending.

Mrs. Ann Cryer: To ask the Secretary of State for the Home Department who will have the authority to move a prisoner to another prison once a place has been purchased by a regional offender manager under the new structure for the National Offender Management Service. [168784]

Paul Goggins: Prisoners move between establishments for a variety of different reasons. Decisions to transfer prisoners will be a matter for the Regional Offender Manager, advised by the Offender Manager, Population Management Unit and others.

Mrs. Ann Cryer: To ask the Secretary of State for the Home Department whether it will be the responsibility of the Chief Executive of the National Offender Management Service to set the cost that can be charged for a prison place at each establishment. [168786]

Paul Goggins: A pricing and charging mechanism for prisoner places is currently being considered as part of the National Offender Management Service (NOMS)

Change Programme. Any mechanism will be agreed by the Chief Executive of NOMS and approved by my right hon. Friend the Home Secretary.

Nuclear Installations (Threat Assessments)

Llew Smith: To ask the Secretary of State for the Home Department how many threat assessments to nuclear installations and nuclear materials in transit have been conducted by the Joint Terrorism Analysis Centre since 11 September 2001. [187308]

Mr. Blunkett: The Joint Terrorism Analysis Centre (JTAC) analytical effort devoted specifically to threats to nuclear installations and nuclear materials in transit is proportionate—and varies over time in response—to the number and credibility of those threats.

Paula Higson

Keith Vaz: To ask the Secretary of State for the Home Department what the appointment date was of Paula Higson; and what her current civil service grade is. [189934]

Mr. Browne: Paula Higson took up her appointment as Senior Director for Managed Migration on 15 September 2003. Ms Higson is a member of the Senior Civil Service.

Police

Mr. Flook: To ask the Secretary of State for the Home Department in what circumstances police community safety officers are *(a)* issued with batons and *(b)* allowed to use them. [189828]

Ms Blears: The equipment issued to Community Support Officers (CSOs) is at the discretion of individual chief officers, taking into account all the relevant health and safety considerations. I am not aware of any chief having authorised the issue of batons to CSOs.

Mr. Flook: To ask the Secretary of State for the Home Department how many police Community Safety Officers were issued with batons in Parliament Square on the afternoon of 15 September. [189829]

Ms Blears: The Commissioner of Police for the Metropolis has confirmed that his Community Support Officers are not issued with batons and none was issued with batons on 15 September.

Hugh Bayley: To ask the Secretary of State for the Home Department how many *(a)* police officers and *(b)* community support officers were employed in North Yorkshire in (i) May 1979 and (ii) each May since then. [188949]

Ms Blears: Information for police personnel strength in North Yorkshire is set out in the table. Since 1995 the frequency of the collection of police personnel data was reduced and is currently collected quarterly. To provide continuity the information in the table is for 31 March of each year from 1979.

North Yorkshire Police

Year (as at 31 March)	*Police officers*[1]	*Community Support Officers*	*Police (Support) staff*[2]
1979	1,342	—	—
1980	1,352	—	—
1981	1,355	—	—
1982	1,354	—	—
1983	1,366	—	—
1984	1,359	—	—
1985	1,332	—	—
1986	1,361	—	334
1987	1,353	—	329
1988	1,372	—	357
1989	1,370	—	420
1990	1,379	—	432
1991	1,387	—	448
1992	1,398	—	445
1993	1,393	—	452
1994	1,318	—	438
1995	1,300	—	507
1996	1,324	—	520
1997	1,338	—	520
1998	1,367	—	543
1999	1,337	—	541
2000	1,283	—	492
2001	1,305	—	591
2002	1,417	—	743
2003	1,444	—	723
2004	1,529	[3]52	864
2004 (31 August)	1,535	49	Not available

[1] Police staff strength not available before 1986.

[2] Data prior to 1996 were collected by the Police Resources Unit of the Crime Reduction and Community Safety Group of the Home Office. 1996 to March 2004 is collected by the Home Office Research, Development and Statistics Directorate (RDS). August 2004 was collected separately outside of the normal data collection arrangements and has not been subject to the same validation as RDS data.

[3] The first CSOs were appointed in May 2003 to the North Yorkshire Constabulary.

Mr. Cameron: To ask the Secretary of State for the Home Department how many *(a)* violent and *(b)* drug-related offences there were in the Thames Valley in (i) 1997, (ii) 2001 and (iii) the latest year for which figures are available. [186004]

Ms Blears *[holding answer 22 July 2004]*: Police recorded violent crime comprises violence against the person, sexual offences and robbery. The available statistics for violent crime in Thames Valley are given in the table.

Violent crime offences recorded by the police in Thames Valley

Period	*Number of offences*
1997	8,589
2001–02	29,201
2003–04	32,492

Note:

Numbers of recorded crimes are affected by changes in reporting and recording practice. In particular, changes to the counting rules in 1998 and the introduction of the National Crime Recording Standard in April 2002 led to an increase in the number of crimes recorded by the police.

In 2001–02, 25 per cent. of all violent crime recorded in Thames Valley were common assaults resulting in no injury to the victim. The equivalent figure for 2003–04 was 24 per cent.

It is not possible to identify drug-related crime from the recorded crime statistics. The figure for 1997 relates to offences of trafficking only in 1997. Possession and other drug offences were added to recorded crime series in 1998–99. The available information is given in the table.

Drug offences recorded by the police in Thames Valley

Period	*Number of offences*
1997[1]	566
2001–02[2]	4,903
2003–04[2]	5,404

[1] Drug trafficking only

[2] Drug trafficking, possession and other drug offences.

Note:

Numbers of recorded crimes are affected by changes in reporting and recording practice. In particular, changes to the counting rules in 1998 and the introduction of the National Crime Recording Standard in April 2002 led to an increase in the number of crimes recorded by the police.

The British Crime Survey (BCS) also provides data on the level of violent crime in England and Wales. However, due to the variability of specific offence figures at police force area level regional figures only are available. Data at regional level have been published as a rate per 10,000 adults since the 2001–02 BCS and are presented for the relevant region below.

Total BSC violence rate per 10,000 adults for the South East Region

2001–02	895
2002–03	826
2003–04	704

Source:

2001–02, 2002–03, 2003–04 BCS Interviews

The difference in the above rates between 2001–02 and 2003–04 is not statistically significant, therefore the level of violent crime in the region has remained stable according to the BCS.

In the 2003–04 BCS, 55 per cent. of all violent crime in the South East resulted in no injury to the victim. Figures for previous years are not available.

The BCS does not have data published on the number of drug-related offences.

Prisons

David Taylor: To ask the Secretary of State for the Home Department if he will place in the Library the findings of the IG16 report into a smoking policy for prisons from 1996. [185641]

Paul Goggins *[holding answer 22 July 2004]*: The review of prisoner smoking indicated in Instruction to Governors 16 of 1996 did not result in the production of a report.

However in 2003 the Department of Health and the Prison Service published "AQUITTED: Best practice guidance for developing smoking cessation services in prisons". Extra funding of £500,000 has been made available for each of the three years up to 2006. The launch of "AQUITTED" was supported by a programme of training seminars for staff of prisons and their local primary care trusts. The effectiveness of the initiative is being evaluated and a report is expected in 2005.

Mrs. Gillan: To ask the Secretary of State for the Home Department how many cases involving equal pay claims against the Prison Service have been taken to an employment tribunal since 1997. [189863]

Paul Goggins: The number of claims for each year are:

	Number of claims
1997	0
1998	0
1999	998
2000	310
2001	5
2002	359
2003	12
2004	87

Mrs. Gillan: To ask the Secretary of State for the Home Department how many employment tribunals have found against the Prison Service in equal pay claims in each of the last five years; and what the financial implications of those decisions have been. [189865]

Paul Goggins: There have been findings against the Prison Service in eight equal pay claims since 1997. As these findings are currently subject to appeal by the Prison Service it is not possible to provide an estimate of the financial implications.

Mrs. Gillan: To ask the Secretary of State for the Home Department what appeals the Prison Service has made against decisions of employment tribunals in equal pay cases in 2004; and what the cost of those appeals has been. [189866]

Paul Goggins: The Prison Service lodged an appeal in the case of Bailey and Others *v.* Home Office on 26 August 2004. No date has been fixed for the hearing, and it is consequently not possible to estimate its cost.

Mrs. Gillan: To ask the Secretary of State for the Home Department what conclusions and recommendations have been made in the final report of the Prison Service's Safer Locals research project being conducted by Alison Liebling from Cambridge University; if he will make a statement; and if he will place a copy of the report in the Library. [190112]

Paul Goggins: Alison Liebling's final report of the Prison Service's Safer Locals research project is awaited.

Mrs. Gillan: To ask the Secretary of State for the Home Department in which prisons prisoners can undertake *(a)* vocational training courses and *(b)* construction industry training courses. [190119]

Paul Goggins: Improving the skills of offenders and our performance in placing them in sustainable employment is central to our strategy for reducing re-offending.

Although we do not collect this information centrally, by bringing together funding for education and vocational training into one ring fenced budget we have given the Prison Service more flexibility to decide locally how best to use their funds to support local work-based learning initiatives.

Recent capital investment to upgrade facilities in prison workshops, the introduction of prisoner training programmes with employer involvement, and greater joint working with sector skills councils—including with the Construction Industry Training Board—will further ensure that prisoners can achieve skills and qualifications in areas and at levels needed by industry.

Mrs. Gillan: To ask the Secretary of State for the Home Department how many prisoners, on average, attended the prison chapel in each prison per week in the past 12 months. [190120]

Paul Goggins: This information is not routinely collated and could be done so only at disproportionate cost.

Prolific Priority Offender

Mr. Oaten: To ask the Secretary of State for the Home Department what his definition is of a prolific priority offender. [190062]

Paul Goggins: The prolific and other priority offender (PPO) strategy has been designed to allow local areas to tackle those offenders who are causing the most harm to their communities and have been identified locally through police intelligence.

We have issued guidance on the criteria which should be used in selecting prolific and other priority offenders. This recommends that selection should be based upon the nature and volume of the crimes an individual is committing; the nature and volume of other harm they are causing (e.g. as a result of their gang leadership or antisocial behaviour); and other local criteria, based on the impact of the individuals concerned on their local communities.

Public Relations/Marketing

Bob Spink: To ask the Secretary of State for the Home Department how much each police force spent on public relations and marketing consultants in the last year for which figures are available. [189306]

Ms Blears: This information is not held centrally and could be obtained only at disproportionate cost.

Racially Motivated Crime

Sue Doughty: To ask the Secretary of State for the Home Department how many racially motivated violent crimes have *(a)* been recorded and *(b)* resulted in successful prosecutions in each year since 1997, broken down by police force. [188065]

Ms Blears: Racially aggravated offences are now categorised with religiously aggravated offences. The two tables give available data for recorded offences, prosecutions and convictions.

Table 1—Number of racially aggravated recorded crimes in England and Wales, 1999–2000 to 2003–04

Financial year	*Racially aggravated common assault*	*Racially aggravated other wounding*	*Racially aggravated harassment*
1999–2000	4,275	2,687	10,758
2000–01	4,711	3,176	12,468
2001–02[1]	5,164	3,463	14,975
2002–03[1,2]	4,491	4,352	16,696
2003–04[1,2]	4,017	4,840	20,584

[1] The introduction of the National Crime Recording Standard on 1 April 2002 may have impacted on the figures. There may be some effect in 2001–02 from forces adopting the principles of the NCRS early.

[2] The figures include religiously aggravated offences from 2002–03.

Table 2—Number of persons proceeded against at magistrates courts and found guilty at all courts for racially aggravated offences

	1999		*2000*		*2001*		*2002*	
Region/police force area	*Proceeded against*	*Found guilty*	*Proceeded against*	*Found guilty*	*Proceeded against*	*Found guilty*	*Proceeded against*	*Found guilty*
East								
Cambridgeshire	49	24	93	49	91	49	95	48
Norfolk	34	16	51	26	65	24	66	29
Suffolk	35	16	39	9	74	23	64	30
Bedfordshire	17	4	36	15	58	13	67	17
Hertfordshire	40	10	100	27	116	31	130	50
Essex	55	19	89	27	163	30	120	26
East Midlands								
Derbyshire	43	13	93	44	93	53	112	58
Nottinghamshire	165	56	261	122	251	111	276	104
Lincolnshire	7	1	30	9	34	13	29	16
Leicestershire	97	34	201	104	235	119	253	111
Northamptonshire	40	19	36	10	8	11	22	8
London								
Metropolitan Police	1,512	425	2,039	672	1,646	550	1,666	607
London, City of	11	6	34	14	11	7	18	4
North East								
Northumbria	66	14	126	46	245	94	302	115
Durham	23	8	47	22	56	33	86	42
Cleveland	20	12	23	10	24	10	31	10

Table 2—Number of persons proceeded against at magistrates courts and found guilty at all courts for racially aggravated offences

	1999		2000		2001		2002	
Region/police force area	*Proceeded against*	*Found guilty*	*Proceeded against*	*Found guilty*	*Proceeded against*	*Found guilty*	*Proceeded against*	*Found guilty*
North West								
Cumbria	9	5	19	10	17	10	48	17
Lancashire	90	40	180	80	299	102	358	156
Merseyside	54	25	123	43	205	70	134	60
Greater Manchester	253	80	482	177	797	308	679	253
Cheshire	45	11	115	44	106	42	104	41
South East								
Thames Valley	80	23	132	53	172	71	149	68
Hampshire	81	40	246	87	237	98	270	121
Surrey	5	6	12	6	13	11	16	15
Kent	39	10	71	39	67	29	41	14
Sussex	43	8	97	40	113	52	127	42
South West								
Devon and Cornwall	30	5	117	44	120	42	98	44
Avon and Somerset	63	27	127	40	173	61	191	75
Gloucestershire	18	8	79	27	60	23	60	30
Wiltshire	25	11	29	12	39	21	42	24
Dorset	17	3	50	14	62	23	51	22
West Midlands								
West Midlands	198	57	706	228	1,038	318	997	322
Staffordshire	23	5	123	76	188	68	178	81
West Mercia	20	7	104	45	175	99	154	79
Warwickshire	7	5	21	7	43	19	63	45
Yorkshire and the Humber								
North Yorkshire	7	5	46	25	43	18	50	17
West Yorkshire	152	42	297	91	427	115	327	129
South Yorkshire	46	16	69	33	117	67	139	75
Humberside	24	13	44	19	67	37	117	48
Welsh								
Dyfed Powys	21	7	41	17	43	24	55	35
Gwent	43	21	116	37	105	51	82	46
North Wales	7	2	43	15	54	19	44	14
South Wales	201	65	270	101	338	113	243	92
England and Wales	3,815	1,224	7,057	2,616	8,288	3,082	8,154	3,240

Note:
These data are on the all offence basis.

Sentencing

Mr. Cousins: To ask the Secretary of State for the Home Department what the recommendations were of the Sentencing Advisory Panel set out in spring 2003; and what his proposals are regarding implementation of each recommendation. [188707]

Paul Goggins: In February 2003, the Sentencing Advisory Panel issued advice to the Court of Appeal proposing a new sentencing guideline for the offence of causing death by dangerous driving. The advice is available on the Panel's website.

On 3 April 2003, the Court of Appeal issued sentencing guidelines based on the proposals from the Panel.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department whether the sentencing guidelines will assist victims' representatives to understand the basis of sentences. [187241]

Paul Goggins: Yes. The Sentencing Guidelines Council will, in due course, provide guidelines that indicate a sentence of a particular kind, or within a particular range for each criminal offence. Under the Criminal Justice Act 2003, the court has a duty to state in open court, in ordinary language and in general terms, its reasons for deciding on the sentence passed. As part of this duty, where the court departs from guidelines relevant to the sentence it must state its reasons for doing so. The aim of these provisions is to enable the offender, victims and other interested parties better to understand why a particular sentence was imposed.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what the reasons are for the changes in the *(a)* frequency and *(b)* number of sentences of imprisonment over the past 10 years. [187242]

Paul Goggins: The foremost reason for the increase in frequency and number of prison sentences is increased severity of sentencing. In 1993 the custody rate for persons sentenced at all courts in England and Wales was 4.2 per cent.; this had risen to 7.9 per cent. in 2002 (latest data available).

The new Sentencing Guidelines Council established by the Criminal Justice Act 2003 (CJA) will in due course create and revise a comprehensive set of Guidelines for all offences, so as to promote consistent and just sentencing by the courts within the framework provided by Parliament. In every individual case, judges and magistrates will continue to make their own decision as to the appropriate sentence, but will be required to operate within the council's guidelines or explain why they have gone outside them in that particular case.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department whether the Sentencing Guidelines Council will have a role in analyzing recent trends in magistrates' sentences. [187244]

Paul Goggins: The Sentencing Guidelines Council will be analysing sentencing data from all courts in taking forward its work.

Terrorism Offences

Bob Spink: To ask the Secretary of State for the Home Department (1) how many people have been *(a)* arrested and *(b)* charged with an offence under the Anti-Terrorism Act 2000 in each year for which records are available; [187595]

(2) how many convictions have been secured for each category of offence under the Anti-Terrorism Act 2000 in each year for which records are available. [187596]

Mr. Blunkett: The figures requested are not routinely collected centrally by the police in the form requested. However, their records show that, cumulatively from 11 September 2001 until 30 June 2004, 609 people were arrested under the Terrorism Act 2000. 61 of these were charged under the Act and 38 under both the Terrorism Act and other legislation. The remainder were either released without charge, bailed to return, cautioned, charged under other legislation (such as that for murder, grievous bodily harm and use of firearms or explosives), or dealt with under immigration or mental health legislation. Of the 99 individuals charged under the Terrorism Act, 15 have been convicted.

The above figures now appear on the Home Office website and will be updated every six months.

Home Office Research Development and Statistics publish an annual Command Paper and supplementary volumes of criminal statistics. A breakdown of prosecutions and convictions under the Terrorism Act 2000 for 2001 and 2002 is in the accompanying table. Figures for 2003 will not be available until later in the year.

We are currently undertaking further work on the numbers of those arrested under the Terrorism Act 2000 and subsequently charged under other legislation. We will publish these figures once they are available. Previous estimates, which are likely to under-estimate those charged in this way, had suggested up to January 2004. Of the 530 people then arrested under the Terrorism Act, 263 are known to have been released without further sanction. Of the remaining 267, 165 had been charged (94 under the Act and 71 under other legislation). Others were released to immigration service detention, sectioned under the Mental Health Act, bailed, cautioned or at that point still not dealt with.

Number of defendants proceeded against at magistrates courts and found guilty at all courts for offences under the Terrorism Act 2000, England and Wales 2001 and 2002[1]

		2001		*2002*	
Offence description	*Statute*	*Proceeded against*	*Found guilty*	*Proceeded against*	*Found guilty*
Relating to membership of proscribed organisations	Terrorism Act 2000, sec. 11	3	—	1	1
Wearing any item of dress in support of a proscribed organisation	Terrorism Act 2000, sec. 13a	—	—	—	—
Wears, carries or displays any article in support of a proscribed organisation	Terrorism Act 2000, sec. 13b	—	—	1	1
Contributions towards acts of terrorism	Terrorism Act 2000, secs. 15–18 and 22	1	—	8	1
Failure to disclose knowledge or suspicion of acts of terrorism	Terrorism Act 2000, sec. 19	—	—	—	—
Failure to leave a cordoned area immediately when ordered to do so by a constable in uniform	Terrorism Act 2000, sec. 36(1)*(a)*	—	—	1	—
Failure to leave premises, which abut or are wholly or partially within a cordoned area, immediately if ordered to do so by a constable in uniform	Terrorism Act 2000 sec. 36(1)*(b)*	—	—	1	—
Failure of driver or person in charge of a vehicle which is in a cordoned area to immediately move the vehicle if ordered to do so by a constable in uniform	Terrorism Act 2000 sec. 36*(c)(d)(e)*	—	—	—	—
Contravention or a prohibition or restriction order made by a constable in uniform to a cordoned area	Terrorism Act 2000 sec. 36*(f)*	—	—	—	—
Making any disclosure likely to prejudice an investigation about acts of terrorism or failing to disclose information about acts of terrorism	Terrorism Act 2000 sec. 39	—	—	—	—
Failure to stop (Power to stop and search vehicles and pedestrians)	Terrorism Act 2000, secs. 43, 44 and 47(1)*(a)(b)*(2)	1	—	1	—
Wilful obstruction (Power to stop and search vehicles and pedestrians)	Terrorism Act 2000, secs. 43, 44 and 47(1)*(c)* and (2)	—	—	—	—
Failure to move vehicle when ordered to do so by a constable in uniform (vehicle had been permitted to remain at rest in contravention of any prohibition or restriction)	Terrorism Act 2000, secs. 48 and 51(2)	—	—	—	—
Leaves a vehicle or permits a vehicle to remain at rest, on a road in contravention of a prohibition or restriction	Terrorism Act 2000, secs. 48 and 51(1)	—	—	—	—

Number of defendants proceeded against at magistrates courts and found guilty at all courts for offences under the Terrorism Act 2000, England and Wales 2001 and 2002[1]

		2001		2002	
Offence description	*Statute*	*Proceeded against*	*Found guilty*	*Proceeded against*	*Found guilty*
Provides instruction; invites another to receive instruction in weapon training	Terrorism Act 2000, sec. 54	1	—	1	—
Directing terrorist training	Terrorism Act 2000, sec. 56	—	—	1	—
Collect, record or possession of information or articles likely to be of use to terrorists	Terrorism Act 2000, sec. 57 and 58	—	—	3	1
Failure to furnish information when required by examining officer	Terrorism Act 2000, sch. 7(5)(*a*) and (18)	—	—	1	—
Failing to produce either a valid passport or identifying document when required by examining officer	Terrorism Act 2000, sch. 7(5)(*b*)and(18)	—	—	—	—
Failing to declare or produce any relevant documents when required by examining officer	Terrorism Act 2000, sch. 7(5)(*c*)(*d*)and(18)	—	—	—	—
Failing to submit to search by examining officer or person acting on his/her behalf	Terrorism Act 2000, sch. 7(7)(8)and(18)	—	—	—	—
Failing to complete and produce an embarkation card when required to by examining officer	Terrorism Act 2000, sch. 7(16) and (18)	—	—	1	—
Wilfully obstructing a constable in the execution of his duty in a cordoned area	Terrorism Act 2000, sch. 5, sec. 36(1)(2)	—	—	—	—
Wilfully obstructing or seeking to frustrate the object of a search in a cordoned area	Terrorism Act 2000, sch.(1–3)	—	—	—	—
Total		6	—	20	4

[1] These data are on the principal offence basis.

TimeBank and Do-It

Mrs. Lait: To ask the Secretary of State for the Home Department when he plans to publish the research commissioned by his Department into *(a)* TimeBank and *(b)* Do-it. [186687]

Fiona Mactaggart: The Home Office research into the work of TimeBank and the do-it website was commissioned for internal Home Office use and it is not intended that it should be published in full, as it contains commercially sensitive information. However summaries of the main findings of this research are:

TimeBank

TimeBank's performance does not compare unfavourably with that of other Government funded programmes.

TimeBank has managed to attract people into volunteering who have never volunteered before and has managed to broaden the base from which volunteers are recruited to some extent by attracting significant numbers of young people and people from black and minority ethnic communities.

Perhaps its biggest success has been its targeted campaigns which have been extremely well received by the Campaign Partners, but less so by TimePartners.

There are ongoing difficulties with the TimePartner system and the link-up with the do-it database.

The functions of TimeBank and other key, strategic volunteering agencies such as do-it, the Community Channel and the National Centre for Volunteering overlap.

do-it

do-it has made a good start. In October 2001 it reported 9,000 page impressions per week, and by January 2002 it was up to 17,000. In March 2003 do-it was receiving 100,000 unique users per month. Opportunities cover a broad spectrum of service areas and skill levels.

There are gaps in the evaluation that need to be addressed. There are currently no systematic data to indicate how many people have started to volunteer as a result of their contact with do-it, or indeed any feedback from users on the services that do-it provides.

In the absence of user feedback, feedback from organisations was mixed. Three quarters of organisations that responded said they had received volunteers through do-it (average of 22 in the last year per organisation). Three in five organisations felt that do-it had been an effective recruitment tool.

The capital modernisation scheme was felt to have been a great success, both by recipient organisations and representatives from the wider voluntary sector.

These issues are currently being addressed by both organisations.

Victim Support

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what his Department's future funding plans are for Victim Support Services. [188487]

Paul Goggins *[holding answer 14 September 2004]*: In recent years the Home Office grant to victim support has more than doubled, from £11.7 million at the start of the financial year 1997–98 to £30 million in 2004–05. We anticipate that the level of Home Office funding for victim support will continue to be in the region of £30 million for 2005–06 and 2006–07.

Volunteers

Tim Loughton: To ask the Secretary of State for the Home Department what estimate he has made of the number of *(a)* adults and *(b)* children who volunteer in the UK. [189398]

Fiona Mactaggart: According to the Home Office Citizenship Survey 2003, which covered England and Wales, 42 per cent. of people aged 16 and over (17.9 million people) volunteered formally[1] at least once in the 12 months before interview; and 28 per cent. (11.8 million people), at least once a month in the 12 months before interview. 62 per cent. of people aged 16 and over (26.4 million people) volunteered informally[2] at least once in the 12 months before interview; 37 per cent. (15.6 million people), at least once a month in the 12 months before interview.[3]

According to the Young People's Boost to the Home Office Citizenship Survey 2003, 63 per cent. of young people aged between 11 and 15 volunteered formally at least once in the 12 months before interview. For technical reasons it has not been possible to estimate the number of young people in England and Wales who volunteered formally.

There is no comparable information available for formal and informal volunteering in the UK. The main report of findings from the Home Office Citizenship Survey 2003 will be published shortly by the Home Office. The report of findings from the Young People's Boost will be published shortly by the Department for Education and Skills.

Reports of findings from the Home Office Citizenship Survey 2001 and 2003 have been placed in the House of Commons Library.

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[1] Formal volunteering is defined as giving help unpaid through groups, clubs or organisations to benefit other people or the environment.

[2] Informal volunteering is defined as giving help unpaid as individuals to others who were not members of their families.

[3] Estimates of the numbers of people volunteering formally and informally were based on 2002-based projections of population for 2003 provided by the Government Actuary's Department.

Work Permits (Care Homes)

Bob Spink: To ask the Secretary of State for the Home Department how many work permit applications were received in respect of the residential care home sector in each of the last three years for which figures are available. [189308]

Mr. Browne: It is not possible to identify the number of work permit applications received in respect of the residential care home sector without incurring disproportionate cost.

Young Offenders

Mr. Oaten: To ask the Secretary of State for the Home Department how many young offenders aged 18 to 21 have been moved between prisons on overcrowding drafts *(a)* this year and *(b)* in each of the last five years. [187230]

Paul Goggins: This information on overcrowding drafts is not available, as the reasons for transfers are not recorded centrally.

Altogether there were around 13,000 inter-prison transfers of young prisoners (aged 18 to 20) in 2003–04. As this figure refers to all movements in this period, it may include some young prisoners who were transferred more than once during this period. It is not possible to identify how many of these transfers were on overcrowding drafts, although the considerable majority will have been the result of normal sentence planning procedures.

Information on inter-prison transfers of young prisoners in previous years was not centrally recorded and is not available.

Mr. Bercow: To ask the Secretary of State for the Home Department how many youths under the age of 18 from the Buckingham constituency have been held in young offenders rehabilitation centres in each year since 2001. [189859]

Paul Goggins: The number of young people under 18 remanded in or sentenced to custody by Buckinghamshire courts since 2001 is shown in the table, together with the types of establishment they were held in. We do not have separate information for the Buckingham constituency.

	Remanded[1]			*Sentenced*		
	STC	*LASCH*	*YOI*	*STC*	*LASCH*	*YOI*
2001	0	0	4	1	1	15
2002	0	3	4	1	1	23
2003	0	1	0	1	2	7
2004	1	1	0	2	0	9

[1] to avoid double counting, young people remanded in custody who were later given a custodial sentence are shown in the remanded column only.

STCs are Secure Training Centres; LASCHs are Local Authority Secure Children's Homes (the data on both these come from the Youth Justice Board) and YOIs are Prison Service Young Offender Institutions (the data on these come from the Prison Service).

Written Answers to Questions

Tuesday 12 October 2004

CULTURE, MEDIA AND SPORT

Public Swimming Pools

Kate Hoey: To ask the Secretary of State for Culture, Media and Sport (1) what action she has taken to ensure that access to public swimming pools in London increases; [186923]

(2) what action she *(a)* can and *(b)* will take to increase the number of swimming pools in London. [186924]

Mr. Caborn *[pursuant to his reply, 7 September 2004, Official Report, c. 1226W]:* The Amateur Swimming Association (ASA) is one of the 12 National Governing Bodies (NGB) able to bid for Community Club Development Programme funding from a budget of £20 million. £1.66 million has been earmarked for each NGB's ability to propose and deliver projects that meet the criteria of the programme.

I regret that in my previous answer I intimated that the ASA would receive £1.6 million from the Community Club Development Programme without first having to meet the set criteria for the Programme.

Television Licences

Anne Picking: To ask the Secretary of State for Culture, Media and Sport how many care homes in the UK are *(a)* eligible for and *(b)* in receipt of block television reception licences for sheltered housing. [190149]

Estelle Morris: The Accommodation for Residential Care concessionary scheme is open to nursing and residential homes and sheltered housing schemes which meet the qualifying criteria set out in the television licence fee regulations. 28,028 such establishments held concessionary licences at the end of August 2004, as recorded by TV Licensing. Entitlement to the concession can be determined only on receipt of an application; no information is therefore available on the eligibility of establishments which have not applied.

Tom Cox: To ask the Secretary of State for Culture, Media and Sport how many people are in receipt of a free television licence in the United Kingdom over the age of 75 years. [190259]

Estelle Morris: At the end of August 2004, approximately 3.5 million people aged 75 or over were in receipt of a free television licence. In addition, just under 400,000 over-75s living in housing covered by Accommodation for Residential Care group licences had their £5 fee waived under the free licence scheme.

DEFENCE

Departmental Spending

Mr. Breed: To ask the Secretary of State for Defence how much *(a)* his Department and *(b)* agencies of the Department have spent on electricity use in each year since 1997. [181373]

Mr. Caplin: The amounts spent by the Ministry of Defence in the UK on the purchase of electricity are:

	£ million
1997–98	112.0
1998–99	110.0
1999–2000	101.7
2000–01	96.1

These figures are VAT exclusive at current prices. Comparable figures are not available after 2000–01 as the Ministry of Defence moved to reporting of aggregated utilities (gas, electricity and water supply) expenditure in the Departmental Resources and Accounts. However details of expenditure on utilities is published in the National Statistics Publication: UK Defence Statistics 2003: Table 1.8 Defence Expenditure Outturn in the UK by Industry Group. A copy is available in the Library of the House.

Freedom of Information Act

Mr. Arbuthnot: To ask the Secretary of State for Defence whether his Department is implementing the full terms of the Freedom of Information Act 2000. [189788]

Mr. Caplin: With the exception of the Special Forces and any military unit assisting GCHQ, the Ministry of Defence and the armed forces are subject to the Freedom of Information Act 2000. As such, we will comply with the duties which the Act places on all public authorities. In accordance with the timetable announced in November 2001, the first phase of implementation was achieved in November 2002 when MOD's Publication Scheme was made available. The general right of access to information will be implemented from 1 January 2005.

Military Aircraft

Mr. Gerald Howarth: To ask the Secretary of State for Defence what the average annual operating cost is per *(a)* Tornado GR, *(b)* Jaguar GR1/A/3/3A, *(c)* Jaguar T2A/T4 and *(d)* Tornado F3; and what the estimated average operating cost is per Eurofighter. [190056]

Mr. Ingram: The average annual operating cost per aircraft is as follows:

	£ million
Tornado GR4	10.4
Jaguar GR1/3	5.6
Jaguar T2/4	5.5
Tornado F3	9.1

The estimated cost for the Eurofighter Typhoon is £4.7 million for 2004–05. This annual average will increase over time as the number of hours flown by each aircraft increases.

The figures in the table are based on the Actual Operating Fleet (average annual number of aircraft available to the RAF).

Mr. Gerald Howarth: To ask the Secretary of State for Defence what the average annual support cost is per *(a)* Tornado GR, *(b)* Jaguar GR1/A/3/3A, *(c)* Jaguar T2A/T4 and *(d)* Tornado F3; and what the estimated average support cost is per Eurofighter. [190057]

Mr. Ingram: The average annual cost incurred by the Defence Logistics Organisation (at 2004–05 prices) to support a Tornado aircraft is £1.6 million and £1.5 million for the Jaguar. As many of the spares and much of the equipment used to support an aircraft fleet is common across all variants, it is not possible to accurately attribute costs to individual marks of aircraft.

Based on through-life support estimates it is expected that the total, Defence-wide, annual average support cost (at 2004–05 prices) for a Eurofighter aircraft will be £2.2 million.

As part of our drive to transform logistics we are working with industry to reduce the costs of supporting in-service aircraft, including the future fast-jet fleet.

Provigil

Mr. Hancock: To ask the Secretary of State for Defence what quantities of Provigil and similar drugs have been purchased by his Department in each of the last five years; and at what cost. [187495]

Mr. Caplin: The quantity and cost of Provigil purchased by the MOD in the last five years is as follows:

Financial Year (1 April to 31 March)	*Volume of purchase (30 × 100mg pack)*	*Average price per pack excluding VAT (£)*	*Total (£)*
1999	141	52.21	7,361.61
2000	52	53.85	2,800.20
2001	175	53.85	9,423.75
2002	146	53.85	7,862.10
2003	89	53.85	4,792.65
2004 (to date)	117	53.85	6,300.45
Total	[1]720	—	38,540.76

[1] 720 packs x 30 tablets = 21,600 tablets.

Renewable Energy (Departmental Use)

Mr. Breed: To ask the Secretary of State for Defence what proportion of electricity used by buildings in *(a)* his Department and *(b)* its agencies has come from renewable sources in each year since 1997. [181291]

Mr. Caplin: The Ministry of Defence and its agencies did not purchase any electricity from climate change levy exempt sources until 2002–03 when 2.8 per cent. was acquired from such sources. The estimate for 2003–04 is 5 per cent. based on the minimum percentage specified in electricity supply contracts. Actual figures for 2003–04 are not yet available.

Territorial Army

Mr. Soames: To ask the Secretary of State for Defence what *(a)* the total strength of the Territorial Army, *(b)* the number of mobilised reservists and *(c)* the current Territorial Army deployment figures are. [189804]

Mr. Caplin: The information is as follows:

As at 1 September 2004:

(a) the total strength of Territorial Army was 35,480;

(b) the number of Army mobilised Regular Reservists was 100;

(c) the number of mobilised TA personnel was 2,200.

Iraq

Harry Cohen: To ask the Secretary of State for Defence pursuant to his oral statement of 10 May 2004, *Official Report,* columns 21–39, on Iraq, whether the routine hooding of prisoners in UK facilities in Iraq was contrary to instructions; on what basis the routine hooding was authorised, and by whom; whether hooding continues of Iraqis by UK forces outside UK facilities; whether hooding by UK forces outside facilities is contrary to instructions; and if he will make a statement. [173024]

Mr. Hoon: Prisoners held in UK detention facilities in Iraq have not, at any time, been routinely hooded.

Hooding was discontinued in Iraq when there was no longer a military justification for continuing the practice. Hooding during arrest and transit is acceptable when there is a strong military reason to do it, for example to offer security to our own forces and locations or to protect the detainee (by preventing identification by other detainees).

Welsh Regiments

Mr. Wiggin: To ask the Secretary of State for Defence how many regiments will be based in Wales following the review of the infantry. [189710]

Mr. Ingram: Details of the new infantry structure and the associated implications for the Army's basing strategy are currently being worked through by the Army and the hon. Member will understand that I cannot pre-empt this work. Further announcements will be made before the end of this year.

DEPUTY PRIME MINISTER

English Heritage

Mr. Sheerman: To ask the Deputy Prime Minister if he will evaluate the quality of the advice given to his Department by English Heritage. [190165]

Keith Hill: English Heritage provides the Office of the Deputy Prime Minister with advice on a range of matters. These include the review of the planning system, and characterisation of growth areas. The Government are satisfied with the advice provided, and does not see the need for a more formal evaluation.

EDUCATION AND SKILLS

Disabled People (Departmental Initiatives)

Mr. Drew: To ask the Secretary of State for Education and Skills if he will list the major initiatives his Department has undertaken since 1997 in relation to disabled people. [188152]

Mr. Charles Clarke: I would refer my hon. Friend to the answer from my right hon. Friend the Secretary of State for Work and Pensions on 16 September 2004, *Official Report*, column 1738W. In addition to the Government initiatives that he has already outlined, I would like to set out in more detail some of the work my Department is delivering in this important area.

The Green Paper "Every Child Matters" set out a vision for children's services, which included proposals to provide education, health, and social care around the needs of the child rather than the needs of professionals. It proposed that new Children's Director posts be established in each local authority with responsibility for education and social care and the development of Children's Trusts to commission multi-agency services including health, education and social care. A number of Children Trust Pilots were set up to test how this could work. This has included eight Children's Trusts who are focusing on services for disabled children.

Proposals in the Green Paper for a common assessment framework, improving information sharing and providing lead professionals for children with complex needs, will particularly benefit disabled children and their families. The Green Paper has also set out some specific commitments on disabled children around improving early intervention, family support, education and transition services.

The National Service Framework for children was published last month. This is a joint DH/DfES publication. The national standards in the NSF provide a coherent and integrated approach to services for disabled children. They will help ensure better access and smoother progression in the provision of services for children, from initial contact with the NHS, via a GP surgery or NHS hospital, through to social services support and education.

We have provided ring-fenced Sure Start funding to local authorities for disabled children in early years settings, and ensured such settings pay due regard to the SEN code of practice. This includes the introduction of Special Needs Coordinators, (SENCOs), for early years provision. The Disability Discrimination Act was also amended to include Government funded nursery education and child-care provision within its duties, along with general education.

As a result of the Special Education Needs and Disability Act (SENDA) 2001, schools are under a duty not to discriminate against disabled pupils for a reason relating to their disability. They must:

not treat disabled pupils less favourably, without justification, than pupils and students who are not disabled; and

make reasonable adjustments to ensure that disabled pupils and students are not put at a substantial disadvantage in comparison to those who are not disabled.

Schools and local education authorities (LEAs) are also under a duty to plan strategically to increase access to schools for disabled pupils and must publish accessibility plans (schools) and accessibility strategies (LEAs). The duty covers improvements to physical access, access to the curriculum, and access to information in alternative formats.

"Removing Barriers to Achievement", published this year, set out a long term vision for SEN and a programme of action to improve outcomes for children with SEN and disabilities. It included the development of a strategy to improve childcare for families with disabled children and practical tools to support schools in carrying out their statutory duties towards disabled pupils.

New duties were also placed on those bodies responsible for Further and Higher Education Institutions, Adult and Community Learning and Statutory Youth Services by SENDA. These duties include:

it being unlawful to discriminate against disabled students by treating them less favourably than others;

making provision for reasonable adjustments, including the accessibility of course materials, where disabled students might otherwise be substantially disadvantaged;

from 2005, the need to adapt the physical features of premises.

In addition, Section 13 of the Learning and Skills Act 2000 requires the Learning and Skills Council (LSC) to pay particular regard to the needs of young people and adults with learning difficulties and disabilities (LDD) when exercising its functions. Section 14 requires the LSC to have due regard to the promotion of equality of opportunity between people with a disability and people without.

From 1 October 2004 the Disability Discrimination Act has been extended to provide protection to people undertaking vocational qualifications. Organisations which award qualifications will be prohibited from discriminating against disabled people, must make reasonable adjustments in the assessment of candidates and must be able to demonstrate that competency standards represent a proportionate way of achieving a legitimate aim and do not unnecessarily discriminate. This provides a link between the employment provisions in Part II and those covering vocational training provided by Part IV and SENDA so that the legislation extends across all aspects of work and vocational training.

Since 1997, the number of Disabled Students Allowance (DSA) awards—grants to help pay for the extra course-related costs which students in higher education may incur because of a disability or specific learning difficulty—has increased from 8,123 (expenditure £10.4 million) in 1996–97 to 47,523 (expenditure £54.9 million) in 2002–03. DSAs are not income-assessed and are paid in addition to the package of support for living costs available to other students. From 2005–06 DSAs are to be extended for the first time to full-time undergraduate students undertaking distance-learning courses.

Further details of all of these initiatives can be found in the DfES Departmental Reports on the DfES website http://www.dfes.gov.uk/

Education Maintenance Allowance

Mr. Drew: To ask the Secretary of State for Education and Skills if he will make a statement on the age bar for children who are not 16 in the requisite time period for the eligibility for education maintenance allowance; what leniency in determining awards is allowed; and what plans he has to change existing arrangements. [190211]

Mr. Ivan Lewis: We took the decision to phase in EMA from September 2004 to successive 16-year-old age groups rather than immediately offer the award to all young people in Further Education. There were good reasons for doing so. The main purpose of EMA is to encourage students to stay on in learning when otherwise they would have dropped out, and the older students already in education have already made that choice. The main exception is that young people who received EMA under the pilot arrangements are eligible to apply for EMA under the national scheme. We are keeping the EMA scheme arrangements under review but do not envisage any significant changes to the eligibility criteria for 2005–06.

Mr. Drew: To ask the Secretary of State for Education and Skills why educational maintenance allowance eligibility is based on the previous tax year; and if he will make a statement. [190212]

Mr. Ivan Lewis: Assessing EMA entitlement on the household income for the previous financial year provides the most complete and secure assessment of household income. If the household income decreases significantly within the year then the young person can apply for assistance under the Learner Support Fund.

David Taylor: To ask the Secretary of State for Education and Skills (1) which variant of the education maintenance allowances pilot schemes was selected for implementation in England; [190371]

(2) what financial assistance is available to students in sixth form education whose birth date falls before 1 September 1987. [190419]

Mr. Ivan Lewis: We tested eight different variants of EMA in 56 LEA pilot areas. The national EMA scheme draws on the evidence from the pilots but is not based on any single variant. Students who are resident within one of the 56 pilot areas and whose date of birth falls before 1 September 1987 may be entitled to EMA. Those young people whose date of birth falls before 1 September 1987 and who are not resident within a pilot area are entitled to apply for Learner Support funds.

FE Colleges

Chris Grayling: To ask the Secretary of State for Education and Skills what assessment he has made of *(a)* the cost of the strategic area reviews of further education colleges and *(b)* the effect of the five-year plan on the progress of the reviews. [190079]

Mr. Ivan Lewis: The Learning and Skills Council (LSC) was established in 2001 to plan and fund post-16 education and training. LSC led strategic area reviews (StARs) were introduced in April 2003 and are an integral part of this planning role. No extra funding was allocated to carry out these reviews and it is therefore not possible to disaggregate their specific cost from the overall cost of the wide range of planning activities carried out by local LSCs.

The DfES's five-year strategy published in July sets out our vision for an education and skills system to meet the needs of the 21st century. The StAR process supports this vision by mapping local provision and identifying the balance of provision there needs to be in a locality. The progress of the StAR process has not been affected in anyway by the five-year strategy and is still expected to complete in spring 2005 as originally planned.

Plumbing

Mr. Drew: To ask the Secretary of State for Education and Skills (1) whether providers of NVQ2 in plumbing are able to supply sufficient numbers of qualified assessors for students to be able to continue with their qualifications; and if he will make a statement on the requirement for workplace assessment; [190013]

(2) what the ratio is of qualified assessors to students with regard to the NVQ2 in plumbing, broken down by each institution that offers this qualification; [190014]

(3) how many providers are no longer able to offer NVQ2 for plumbing in the current academic year due to not being able to meet its required rates of qualified assessors to students. [190016]

Mr. Ivan Lewis: The information on the ratio of qualified assessors to learners is not available within the Department.

The organisation of assessment arrangements is for the awarding bodies in conjunction with the centres which they have approved to deliver their qualifications, which in the case of the NVQ2 in plumbing is City and Guilds.

The assessment strategies that must be implemented in NVQs are specified by the appropriate Sector Skills Council or sector body and approved by the regulatory authorities.

Pupil Exclusions

Mr. Bercow: To ask the Secretary of State for Education and Skills how many decisions taken by schools in Buckinghamshire permanently to exclude pupils were reversed by independent appeals panels in each year since 2000–01. [189842]

Mr. Ivan Lewis: The requested information is given in the following table.

Figures for 2003–04 are not yet available. In January 2003 we reformed the legislation governing exclusion appeal panels to strike a better balance between the interests of the individual pupil and those of the school community as a whole. We changed the composition of independent appeal panels to include more members with experience of school life. Our guidance is that panels should not normally reinstate excluded pupils for a range of offences, including threatened or actual violence.

Maintained primary, secondary and special schools[1]*: summary of exclusion appeals 2000–01 to 2002–03*

	Buckinghamshire LEA Appeals against exclusion from a school		
	2000–01	*2001–02*	*2002–03*
Number of appeals lodged	16	16	7
Number of appeals heard	13	16	6
Percentage of appeals heard[2]	81.3	100.0	85.7
Number of appeals determined in favour of parent/pupil	6	7	0
Percentage of appeals determined in favour of parent/pupil[3]	46.2	43.8	0.0

[1] Excludes non-maintained special schools.

[2] Shown as a percentage of appeals lodged.

[3] Shown as a percentage of appeals heard.

Source:

School Exclusion Appeals Survey

Sustainable Development Action Plan

Ms Walley: To ask the Secretary of State for Education and Skills when he expects to fill the post of coordinator for the Sustainable Development Action Plan; and if he will make a statement. [190220]

Mr. Charles Clarke: An appointment is in the process of being made and will be confirmed shortly.

HOME DEPARTMENT

ASBOs (Buckingham)

Mr. Bercow: To ask the Secretary of State for the Home Department how many *(a)* antisocial behaviour orders and *(b)* curfew orders have been made in the Buckingham constituency since the commencement of the schemes. [189857]

Ms Blears: The information is as follows.

(a) Antisocial behaviour orders (ASBOs) have been available to the courts since 1 April 1999. From commencement, up to 31 March 2004 (latest available), the Home Office has been notified of three ASBOs issued where restrictions imposed are specific to Aylesbury Vale district council area of which the Buckingham constituency forms a part.

(b) The table shows the number of curfew orders with and without electronic monitoring made at courts in the County of Buckinghamshire from 1996 to 2002. Court proceedings data for2003 will be available in November. It is not possible from the data available centrally to identify those made in the Buckingham constituency.

Number of persons given curfew orders[1] *in Buckinghamshire, 1996–2002*

	Adults	*Juveniles*
1996	—	—
1997	—	—
1998	—	—
1999	—	1
2000	10	9
2001	21	25
2002	38	25
Total	69	60

[1] Electronic and non-electronic orders.

No applications have yet been received to establish a local child curfew scheme under section 14 of the Crime and Disorder Act 1998. Some local authorities and police forces have considered the possibility but concluded that other measures should be taken to tackle relevant local problems.

Contestability

Julie Morgan: To ask the Secretary of State for the Home Department how contestability differs from *(a)* market testing and *(b)* privatisation. [168393]

Paul Goggins: Contestability means obtaining the best value for money and the most effective supervision, punishment and care of offenders by opening up the prison and probation service to competition. We aim to engage the public, private, voluntary and 'not for profit' sectors, both in prison and the community, so that we can enhance public protection and deliver the most effective and efficient management of offenders. Market Testing, which has already been used successfully in the Prison Service and has demonstrated that public services can compete effectively with the private sector, is only one of a number of ways of achieving that aim.

Privatisation, which means selling a publicly provided service to the private sector, is not being considered.

CS Gas

Mr. Wood: To ask the Secretary of State for the Home Department (1) how many reported injuries have resulted from police use of CS gas spray in each of the last five years; and how many of those injured were police officers; [189505]

(2) how many complaints have been received in connection with the use of CS gas spray by police officers in England and Wales in each of the last five years; and what the outcome of each complaint was. [189506]

Ms Blears: Information about the number and outcome of police complaints received relating to specific situations is not held centrally by the Home Office. It could therefore be obtained only at disproportionate cost.

Similarly, information about the number of injuries caused by police use of CS spray is not centrally held, and could again be obtained only at disproportionate cost.

Dangerous Driving

David Taylor: To ask the Secretary of State for the Home Department what plans there are to review the status of witnesses in cases of dangerous driving. [187387]

Caroline Flint: The Association of Chief Police Officer's Road Death Investigation Manual aims to achieve consistent professional investigation of incidents. In the early stages of investigation, one of the most important sources of evidence may be the identification of witnesses. The manual provides guidance to practitioners on how to gather evidence and secure the accounts of witnesses.

The 'No Witness No Justice Project' aims to deliver a more customer-focused service to victims and witnesses to enable more witnesses to give evidence and increase victims and witness satisfaction.

Different approaches to support services for incidents that lead to death or serious injury are being piloted. The pilots are subject to independent evaluation and will inform national standards of care for people affected by road death and serious injury.

Departmental Recycling

Bob Spink: To ask the Secretary of State for the Home Department what the latest available 12 month figures are for the proportion of the Department's redundant documentation, waste paper and card that is recycled; and if he will make a statement on the Department's recycling policy. [188689]

Fiona Mactaggart: The information requested is not held centrally and could be obtained only at disproportionate cost. All areas of the Department participate in recycling but the way in which it is carried out and the types of materials recycled varies. For the central London estate the waste is sorted by specialist contractors after collection and waste paper and card, among other materials, are extracted for recycling. The overall recycling rate is around 25 per cent. Confidential waste paper is collected separately, shredded and then recycled.

We are currently developing a strategy in response to the waste targets recently published under the Framework for Sustainable Development on the Government Estate. This strategy will cover how we will centrally collect waste data. A summary of the strategy will be published on the Home Office website by the end of October.

Journalists

Mr. Austin Mitchell: To ask the Secretary of State for the Home Department what plans the Government have to ensure journalists are able to protect their sources. [186756]

Estelle Morris *[holding answer 13 September 2004]:* I have been asked to reply.

Section 10 of the Contempt of Court Act protects people, including journalists, from revealing their sources. In addition, the industry's voluntary Code of Practice, administered by the Press Complaints Commission, recognises that journalists have a moral obligation to protect confidential sources of information. The Government have no plans for further legislation in this area.

Name that Tag Campaign

Mr. Oaten: To ask the Secretary of State for the Home Department how many people have called Crimestoppers in connection with the Name that Tag campaign; what the duration of the campaign was; how many tags were published over the course of the campaign; how many police investigations are under way as a result; and what the total cost of the campaign was. [190046]

Ms Blears: In addition to approximately 130 calls to Crime Watch UK when name that tag was first publicised, 35 actionable calls have been made to Crimestoppers in connection with the Name that Tag campaign.

The campaign, with posters displaying 12 tags, initially ran for three months beginning in November 2003 but it has been left open-ended as the posters have generated more information and they are in fact still on display. Since my hon. Friend Paul Goggins' answer to the hon. Member on 7 September 2004, *Official Report*, column 813W two people have been arrested as a result of the campaign. A further nine people are at various stages of investigation relating to the published tags, and a further seven prolific taggers are also under police investigation. The initiative cost to the Home Office was £3,000.

Police

David Burnside: To ask the Secretary of State for the Home Department how many people are employed *(a)* directly and *(b)* indirectly, by (i) the Police Complaints Commission for England and Wales and (ii) HM Inspectorate of Constabulary for England and Wales. [189664]

Ms Blears *[holding answer 11 October 2004]:* It is assumed that the Police Complaints Commission for England and Wales referred to is the Independent Police Complaints Commission (IPCC) which was established under the Police Reform Act 2002 and commenced operations on 1 April 2004. This body replaced the Police Complaints Authority (PCA) which ceased operations on 31 March 2004.

The information requested is as follows:

	Indirectly employed (secondees and public appointees)	*Directly employed (all other staff)*
IPCC	30	239
HMIC	63	66

Brian Cotter: To ask the Secretary of State for the Home Department how many police stations have *(a)* opened and *(b)* closed in Avon and Somerset in each year since 1979. [188667]

Ms Blears: The management of the police estate and allocation of resources are matters for each Police Authority and the Chief Officer.

The Chief Constable for Avon and Somerset Police informs me that reliable information, available only from 1992–93, is as follows:

Financial Year	*Opened*	*Closed*
1992–93	0	1
1993–94	0	13
1994–95	0	6
1995–96	0	14
1996–97	0	13
1997–98	2	1
1998–99	3	0
1999–2000	0	0
2000–01	2	0

Financial Year	Opened	Closed
2001–02	2	0
2002–03	1	1
2003–04	0	0

Notes:

1. A police station is defined as an operational police facility with a public enquiry counter open during the day.

2. In March 2004, there were 43 police stations in Avon and Somerset.

In addition to the station openings above, Avon and Somerset have recently introduced six mobile police stations.

The closure of police stations in the early 1990s was part of a force modernisation programme. Divisional boundaries were reviewed, assets were streamlined, and a number of local beat stations were closed. Sale proceeds increased the police capital programme, including further enhancement of district stations to improve service.

Between 2000–01 and 2003–04 Avon and Somerset Police Authority invested over £11 million directly in Land and Buildings[1].

Avon and Somerset also provide public access through Beat Surgeries in public buildings such as libraries and community centres and in busy shopping centres.

[1] *Source*:
The Chartered Institute of Public Finance and Accountancy (CIPFA) Police Statistics.

Mr. Ivan Henderson: To ask the Secretary of State for the Home Department what the changes in police officer numbers in Essex has been since 1997. [186317]

Ms Blears *[holding answer 7 September 2004]:* On 31 May 2004 Essex police had 3,130 police officers, a record number and 169 more than in March 1997. The table shows strength for each year since March 1997.

Essex police: strength March 1997 to May 2004

As at 31 March)	Police number[1]	Change in strength	Percentage
1997	2,961	—	—
1998	2,928	-33	(-1.1)
1999	2,891	-37	(-1.3)
2000	2,806	-85	(-2.9)
2001	[2]2,887	+81	(+2.9)
2002	2,946	+59	(+2)
2003	[3]2,989	+43	(+1.6)
2004	3,098	+109	(+3.6)
2004 (31 August)	3,106	+8	(+0.26)

[1] Source for 1997 to March 2004 is the Home Office Research, Development and Statistics Directorate (RDS). August 2004 was collected separately outside of the normal data collection arrangements and has not been subject to the same validation as RDS data.

[2] Boundary changes with the Metropolitan police on 1 April 2000 contributed to the increase in police officer strength during 2000–01.

[3] This corrects information provided in the *Official Report*, column 876, where "all officers" for 31 March 2003 had been provided in error, rather than "all officers (excl. career brakes and maternity leave)".

Prisons

Ross Cranston: To ask the Secretary of State for the Home Department how many equal pay cases have been taken against the Prison Service in England and Wales in each year since 1997. [187958]

Paul Goggins: The number of claims for each year are:

	Number
1997	0
1998	0
1999	998
2000	310
2001	5
2002	359
2003	12
2004	87

Mr. Greg Knight: To ask the Secretary of State for the Home Department what rationale underlay the decision to permit prisoners serving life sentences to buy national lottery tickets; and if he will make a statement. [188575]

Paul Goggins: No one, including those serving a life sentence is permitted to buy national lottery tickets while they are in prison. The ticket purchased recently by a life sentence prisoner who won the Lotto (the National Lottery) was purchased while that individual was released from prison on temporary licence.

Temporary licences are granted as part of the resettlement process for those prisoners who are reaching the end of their sentence and are preparing for release. Under the terms of a temporary licence, a prisoner is bound by certain conditions aimed at preventing further offending and any antisocial behaviour. If these conditions are broken, they are recalled to prison immediately. The purchase of lottery tickets is not prohibited by the licence conditions.

Mrs. Gillan: To ask the Secretary of State for the Home Department what the pay scales are for *(a)* administrative officers in the Prison Service and *(b)* prison officers; and what job evaluation exercises have been carried out by the Prison Service in respect of administrative posts in the past five years. [189867]

Paul Goggins: The pay scale for Administrative Officers in the Prison Service is £12,502-£15,415. That for Prison Officers is £16,896-£24,868, with Long Service Increments rising to £25,788.

The Prison Service introduced Phase 1 of its review of pay and grading in July 2000. This affected 2,500 middle and senior managers, including those in administrative and operational disciplines, and replaced more than 150 existing grades with a seven-payband common.

Development of Phase 2 of the review, which would have included administrative posts, was halted in April 2002, with the project work subsumed within pay modernisation.

To date, the Prison Service has carried out 507 individual job evaluations. The system evaluates the job and not the individual job-holder, so it is not possible to identify how many of these jobs were held by administrative grades without incurring disproportionate cost.

Mr. Hancock: To ask the Secretary of State for the Home Department pursuant to the answer of 22 July 2004, *Official Report*, columns 610–11W, on prisons, if he will make it mandatory that prison staff who wish to become prison healthcare officers obtain the relevant qualifications before taking up the posts; and if he will make a statement. [187477]

Paul Goggins: There are no present plans to do so. However, the Prison Service continues to discuss with stakeholders the future options for healthcare officers, including training.

Special Constables

Mr. Bercow: To ask the Secretary of State for the Home Department what changes have been made to the *(a)* management, *(b)* welfare and *(c)* deployment of special constables in the Thames Valley area since January 2002. [189972]

Ms Blears: Chief Officers have responsibility for the management, welfare and deployment of their Special Constabularies.

Stop and Search (West Yorkshire)

Mr. Wood: To ask the Secretary of State for the Home Department how many people were stopped and searched by West Yorkshire Police during 2002–03, broken down by *(a)* age, *(b)* ethnicity and *(c)* sex. [189503]

Ms Blears: During 2002–03 the total number of persons stopped and searched by West Yorkshire Police under Section 5 of the Police and Criminal Evidence Act 1984 was 46,707. Of these, 37,255 had their visual appearance recorded as white, 2,901 as black, 5,830 as Asian, and 721 as of 'other' ethnicity.

In the same period, a further 1,155 persons were stopped and searched under Section 60 of the Criminal Justice and Public Order Act 1994. Of these, 607 were white, 82 black, 435 Asian, and 31 of 'other' ethnicity.

Stops and searches under the provisions of Section 44 of the Terrorism Act 2000 during 2002–03 totalled 18, 13 of white individuals, two of Asians, and three of persons of 'Other' ethnicity.

No information is recorded centrally on the age and sex of those stopped and searched.

Young Offenders

Mr. Oaten: To ask the Secretary of State for the Home Department pursuant to his answer 187060 of 7 September 2004, *Official Report*, column 965W, how many *(a)* female and *(b)* male young offenders aged 18 to 21 years were held (i) over 50 miles and (ii) over 100 miles from their committal court town. [190061]

Paul Goggins: As at 7 July 2004, from the information available, the distance that young offenders aged 18 to 21 years, male and female, were held from their committal court towns is set out in the table.

Distance	*Total young offender population*	*Male young offender population*	*Female young offender population*
Under 50 miles			
Total number of prisoners	5,184	4,976	208
Percentage	65	66	51
50–100 miles			
Total number of prisoners	1,828	1,732	96
Percentage	23	23	23
100 plus miles			
Total number of prisoners	944	837	107
Percentage	12	11	26
Total	7,956	7,545	411

Note:

An individual prisoner's court details are recorded to show *first* court appearance, committal, remand, conviction or sentencing courts. Information specifically on committal court details is not available for all prisoners and could be obtained only at disproportionate cost. Where a prisoner's committal court data is unavailable, the prisoner's remand court or convicting and sentencing court is used.

HOUSE OF COMMONS COMMISSION

Summer Works Programme

Sir John Butterfill: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what assessment he has made of the health and safety implications for *(a)* Members, *(b)* Members' staff, *(c)* staff of the House and *(d)* the general public of allowing access to areas in which work was continuing as part of the summer works programme, with particular reference to risks arising from storage of timber and flammable liquids in the Committee Corridor. [189983]

Sir Archy Kirkwood: The Head of the Parliamentary Occupational Health, Safety and Welfare Services has carried out an investigation into the health and safety arrangements relevant to works projects during the summer recess 2004. In summary, his findings were that:

> The health and safety arrangements in connection with construction projects were generally to acceptable standards.
>
> Health and safety in construction projects undertaken on the Parliamentary Estate has significantly improved over recent years.
>
> The stairs leading to the Members' Tea Room, though unsightly, were found to be in a safe condition for use.
>
> There have been no reported accidents related to non construction staff during the summer recess period; and no significant incidents at all, which overall is a good record.
>
> There are a number of learning points where improvements can be made for future construction projects, in particular better cordoning off and signage for construction related areas.

At the time of the investigation, there were no flammable liquids or timber stored in the Committee Corridor. However, observation by others during the peak period of the works projects confirms that flammable liquids were securely stored in line with good practice and timber was stored temporarily in cordoned off areas for short periods prior to use.

The full report is lodged in the House of Commons Library and copies have been sent to Mr Speaker and to the Chairman of the Accommodation and Works Committee.

Sir John Butterfill: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission pursuant to his answer of 9 September 2004, *Official Report*, column 1330W, on September sittings, if he will estimate the cost of the summer works programme had the September sitting of the House not taken place; and what the actual cost will be. [189984]

Sir Archy Kirkwood: The estimated cost of the summer works programme for 2004 is some £5.7 million against a figure of around £5.6 million if the House had not sat in September.

INTERNATIONAL DEVELOPMENT

Caucasus (Oil Pipelines)

Mr. Drew: To ask the Secretary of State for International Development if he will make a statement on the status of the Baku-Tblisi-Ceyhan pipeline; and what diplomatic discussions he has had with those countries involved on the likely outcome of this project. [190213]

Mr. Gareth Thomas: The pipeline is a matter for routine discussion between UK Government Ministers and officials with interlocutors in Azerbaijan, Georgia and Turkey. The pipeline, which is currently under construction, will be the first to transport oil from the Caspian direct to the Mediterranean, thus reducing the amount of fuel, which would otherwise be passing through the congested and environmentally hazardous Bosphorus. The pipeline and its route is a commercial matter between BTC Pipeline Company and the host countries.

More broadly, the UK Government have been actively involved in discussions between companies, civil society and the Government of Azerbaijan on Azerbaijan's involvement in the Extractive Industries Transparency Initiative, a UK-led international initiative to ensure transparency over revenues from the oil, gas and mining sectors.

Mr. Drew: To ask the Secretary of State for International Development what funding the Government has made available to the Baku-Tblisi-Ceyhan pipeline. [190214]

Mr. Gareth Thomas: The British Government are not providing direct funding for the Baku-Tbilisi-Ceyhan (BTC) project.

The UK Government are a shareholder of International Finance Corporation (IFC) and European Bank for Reconstruction and Development (EBRD). Both organisations are providing commercial loans of US$250 million.

The Export Credits Guarantee Department (ECGD) has provided cover for a US$106 million line of credit to finance UK contractors involved in the BTC project. This does not involve direct lending from ECGD, but an ECGD guarantee of commercial bank lending to the project.

Mr. Drew: To ask the Secretary of State for International Development which countries have expressed opposition to the Baku-T'blisi-Ceyhan pipe line; what discussions he has had with the *(a)* World Bank and *(b)* European Bank for Reconstruction and Development on the British position regarding the pipe line; and if he will make a statement. [190215]

Mr. Gareth Thomas: The Governments of the countries concerned (Azerbaijan, Georgia and Turkey) have all signed agreements governing the building and operation of the pipeline. DFID has not received any representations from any governments expressing opposition to the pipeline.

DFID Ministers approved the International Finance Corporation (IFC) and European Bank for Reconstruction and Development (EBRD) UK Executive Directors support for the project at the Executive Board meetings in November 2003. There is ongoing dialogue with the IFC and EBRD to ensure lessons learnt from this project inform future policies and projects funded by the Banks.

Hurricane Ivan

Mr. Foulkes: To ask the Secretary of State for International Development what assistance is being provided by the UK Government for the consequences of Hurricane Ivan in the Cayman Islands. [190275]

Mr. Gareth Thomas: Following the impact of the hurricane, HMS Richmond and the Royal Fleet Auxiliary Wave Ruler began helping the relief effort at the earliest opportunity. DFID also responded to an urgent request from the Government of the Cayman Islands by providing urgent relief items, including plastic sheeting. DFID has since sent flights containing potable water, hygiene materials and other requested items. The cost of this direct assistance is about £200,000. DFID has also contributed £500,000 to the International Federation of the Red Cross regional appeal, for the provision of emergency food, shelter needs, water and sanitation and various non-food items. The Regional Appeal includes support to 1,000 affected families in Cayman Islands for six months.

The British Government are providing £100,000 towards the costs associated with the deployment of a contingent from the Bermuda Regiment who are currently helping with the continuing clean up on the Islands. We have also provided advisory support including a Law Enforcement Adviser, a Disaster Preparedness Adviser and reinforced the Governor's office.

Mr. Foulkes: To ask the Secretary of State for International Development how much additional resources have been made available to *(a)* Grenada, *(b)* the Cayman Islands and *(c)* the Caribbean region as a result of Hurricane Ivan. [190276]

Mr. Gareth Thomas: To date, DFID has committed around £3.4 million of assistance to the Caribbean region including our share of European Community commitments, following the impact of Hurricane Ivan on affected countries. Of this approximately £840,000 and £300,000 have been provided in direct support to relief needs in Grenada and Cayman Islands respectively. In addition to this assistance, HMS Richmond and RFA Wave Ruler were deployed to both islands to offer and provide immediate humanitarian support. We are considering further support to affected countries through United Nation agencies, the International Federation of the Red Cross and non-governmental organisations.

The European Community has announced it is mobilising £4.65 million in emergency relief and post emergency rehabilitation to help Grenada focusing on the provision of emergency shelter, food, water and other key supplies for 5,000 homeless families. It includes funds to be mobilized under the ninth European Development Fund, that are expected to be utilised primarily for school rehabilitation. The United Kingdom's share of this European Community assistance is about £700,000. The European Commission has also pledged £830,000 to Jamaica through its Humanitarian Aid Office, focusing on reducing the number of persons in temporary shelters and providing alternative accommodation for those currently housed in schools. The United Kingdom's share of this support is about £150,000. The European Community has announced a contribution of £1 million towards emergency relief in Haiti. The United Kingdom share of this humanitarian assistance is approximately £180,000.

The World Bank is providing £5.55 million to Grenada from its contingency facility for regional disaster management. The Caribbean Development Bank (CDB) has provided a £55,475 grant and £277,360 soft loan to Grenada for short-term disaster recovery. The Inter-American Development Bank has provided a £111,000 grant through the Caribbean Development Bank. The Inter-American Development Bank is providing a £111,000 technical assistance grant for Jamaica.

The Caribbean Development Bank has offered up to £277,360 in concessional lending to each of the affected member countries in the region, along with a £55,475 assessment grant via the Caribbean Disaster Emergency Response Agency for each country.

Latin America

Julie Morgan: To ask the Secretary of State for International Development if he will make a statement on the Department's aims, objectives and activities in Latin America. [190304]

Mr. Gareth Thomas: DFID recently finalised its Regional Assistance Plan for Latin America 2004–2007, which lays out our strategy for DFID's bilateral programme in the region. Its goal is to reduce poverty and inequality in the region, by enhancing the impact of international community support for poverty reduction, focusing on the Inter-American Development Bank (IDB) and the World Bank.

DFID will work to improve the effectiveness of the contributions the IDB and World Bank make in creating economic opportunities for poor people and in making public services and political systems accountable and responsible to poor people. We will do so through a combination of direct support for the IDB and World Bank and working with other organisations in the region.

In addition, DFID will help to improve the coherence of donor support for governments' poverty reduction strategies and will also contribute to lesson sharing on key global policy issues,-particularly trade policies that better reflect the impact of trade on poverty and inequality, and improved quality and effectiveness of HIV/AIDS prevention, treatment and care.

DFID will retain a bilateral programme in Nicaragua to reflect its low-income status and vulnerability. British non-governmental organisations (NGOs) will be important partners in achieving our goal. An additional £7 million a year will be provided to NGOs with Partnership Programme Agreements with DFID for their work in Latin America and the Caribbean.

The Regional Assistance Plan will be formally launched later this month.

US Agencies (Sole-sourced Contracts)

Harry Cohen: To ask the Secretary of State for International Development whether the reports on audits of sole-sourced contracts that have already been undertaken by various US agencies requested by the International Advisory and Monitoring Board have been handed over; and if he will make a statement. [190231]

Hilary Benn: The International Advisory and Monitoring Board (IAMB) has requested copies of reports issued by the US Defence Contract Audit Agency on its audits of contracts for work in Iraq that included funding from the Development Fund for Iraq as well as US appropriated funds. I understand that, because the reports contain proprietary contractor commercial or financial information, including pricing data, the US Government are barred by US law from releasing this information without the permission of the company involved. I also understand that the US Government are working to resolve this issue.

SCOTLAND

Civil Service (Job Losses)

Bob Spink: To ask the Secretary of State for Scotland which services within his Department will be *(a)* affected by and *(b)* subject to job losses consequent on the cuts in the civil service announced in the Spending Review. [189637]

Mrs. McGuire: I refer the hon. Member to the answer given by my right hon. Friend, the Chief Secretary to the Treasury, on 16 September 2004, *Official Report*, column 1659W.

Departmental Recycling

Bob Spink: To ask the Secretary of State for Scotland what the latest available 12 month figures are for the proportion of the Department's redundant documentation, waste paper and card that is recycled; and if he will make a statement on the Department's recycling policy. [188691]

Mrs. McGuire: The Scotland Office is committed to the recycling policy and targets set out in the Framework for Sustainable Development on the Government Estate. The precise information requested is not available; but a large majority of the waste paper and card produced by the Scotland Office is already consigned to re-cycling.

TRADE AND INDUSTRY

Export Credits Guarantee Department

Mr. Arbuthnot: To ask the Secretary of State for Trade and Industry what assessment her Department has made of the impact of the change of the Export Credits Guarantee Department to a statutory trading fund. [189786]

Mr. Alexander: The establishment of the Trading Fund, preceded by the pilot next year, should enable ECGD to take a more expansive approach to cover and an improved service to customers. There will be a parallel commitment to reduce premiums by up to £5 million per annum on cases where ECGD is currently charging above the internationally agreed minimum benchmark.

Mr. Arbuthnot: To ask the Secretary of State for Trade and Industry what estimate her Department has made of the likely volume of new business from the establishment of the Export Credits Guarantee Department *(a)* Pilot Trading Fund in April 2005 and *(b)* Statutory Trading Fund in April 2007. [189787]

Mr. Alexander: ECGD's new business in the last two financial years amounted to £3.5 billion (2002–03) and £2.99 billion (2003–04). When making her statement of 1 July 2004, *Official Report*, column 22WS, my right hon. Friend the Secretary of State for Trade and Industry confirmed her commitment to the introduction of a Trading Fund with a capital framework designed to accommodate both business growth and risk volatility. The Chief Executive is analysing possible future business volumes.

Information and Communication Specialists

Mr. Jenkins: To ask the Secretary of State for Trade and Industry how many information and communication technology specialists are in full-time employment in the Department. [189595]

Mr. Mike O'Brien: The Department of Trade and Industry currently employs 69 (full-time equivalent) ICT specialists.

TRANSPORT

Humber Bridge Toll

Mr. Greg Knight: To ask the Secretary of State for Transport what estimate he has made of the cost of converting the toll system on the Humber Bridge so that tolls can be mainly collected automatically without the need for employing attendants. [189783]

Mr. Jamieson: The Secretary of State has made no such estimate. The Humber Bridge is not part of the trunk road network and is, therefore, not the direct responsibility of the Secretary of State. The financing and operation of the Bridge is primarily a matter for the board of local authorities who manage the bridge, the Humber Bridge Board.

Mr. Greg Knight: To ask the Secretary of State for Transport what the cost was of employing persons to collect toll money on the Humber Bridge in each of the past four years for which figures are available. [189784]

Mr. Jamieson: The Department for Transport does not hold such information centrally. The Humber Bridge is not part of the trunk road network and is, therefore, not the direct responsibility of the Secretary of State. The financing and operation of the bridge is primarily a matter for the Humber Bridge Board.

Road Traffic Accidents

Mr. Battle: To ask the Secretary of State for Transport how many deaths in road traffic accidents there were in *(a)* 1975, *(b)* 1980, *(c)* 1990, *(d)* 2000 and *(e)* 2003. [189939]

Mr. Jamieson: The numbers of deaths in road traffic accidents are shown in the following table.

	Number killed
1975	6,366
1980	6,010
1990	5,217
2000	3,409
2003	3,508

FOREIGN AND COMMONWEALTH AFFAIRS

European Union Presidency

15. **Mr. David:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether the Lisbon Agenda will be one of the priorities of the British presidency of the EU. [190330]

Mr. MacShane: Yes it will be. Our overriding presidency priority will be to take forward the EU policy agenda in an efficient, effective and impartial way, with a strong emphasis on the agenda we inherit from preceding presidencies.

Delivering sustainable, long-term improvements to Europe's growth and employment is of course a major task for the EU and a priority for our presidency and the new Commission.

North Korea

16. **Mr. Gordon Prentice:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the impact on relations between the UK and North Korea of establishing diplomatic missions in the capitals of each country. [190331]

Mr. Rammell: The establishment of embassies in London and Pyongyang has provided an effective and regular channel of communication between our respective governments. This, together with my own visit to Pyongyang last month, has enabled us to make clear our views on issues of international concern, such as North Korea's nuclear programmes and human rights record. We will continue to encourage the North Koreans to engage fully on these issues.

23. **Paddy Tipping:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with North Korea on nuclear policy. [190338]

Mr. Rammell: I visited North Korea from 11 to 14 September. North Korea's nuclear policy was one of the issues which I raised during my visit.

I made a written statement to the House on my discussions in North Korea on 16 September 2004, *Official Report*, columns 186–88WS.

Ross Cranston: To ask the Secretary of State for Foreign and Commonwealth Affairs what his assessment is of North Korea's nuclear weapons programme. [190326]

Mr. Rammell: The Government assesses that North Korea has sufficient fissile material for a small number of nuclear weapons, and the technical capability to produce them. North Korea has also confirmed that it has completed the reprocessing of some 8,000 spent fuel rods, something about which we, and the international community, are very concerned.

Afghanistan

18. **Mr. Connarty:** To ask the Secretary of State for Foreign and Commonwealth Affairs what arrangements he has made to *(a)* monitor and *(b)* assess the presidential elections in Afghanistan. [190333]

Mr. Rammell: The UK provided four UK nationals to the OSCE Election Support Team, plus funding of £140,000. We contributed £50,000 to the "Free and Fair Elections Foundation of Afghanistan", which fielded some (1,700) local Afghan monitors; and £25,000 to the "Asia Network for Free Elections" to monitor voting by Afghan refugees in Iran. British embassy staff observed in Afghanistan, Pakistan and Iran.

We shall assess the results with our international partners.

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on women's rights and dowry payments in Afghanistan. [189884]

Mr. Rammell: Women's rights have improved dramatically since the fall of the Taliban, with access to education, healthcare and employment opportunities that would have been unthinkable under the Taliban regime. Just under 2 million girls have returned to school and one-third of Afghanistan's 70,000 teachers are now women. Women's rights are protected by the new constitution, which also reserves a proportion of seats in Parliament for women candidates. Women have registered in large numbers to vote for the upcoming elections: over 40 per cent. of the 10.5 million Afghans registered.

Despite these improvements many challenges still remain. Women suffer disproportionately from violence in Afghan society. Women's ability to exercise their rights also remains heavily constrained in some areas, particularly rural areas in the south and south-east. The UK is committed to working with the Afghan Government and their international partners to improve women's ability to exercise their rights. The Foreign and Commonwealth Office and the Department for International Development have agreed a comprehensive Gender Strategy for 2004–05, a copy of which is available in the Library of the House.

Dowry payments are a traditional part of Afghan marriage ceremonies, as in many other countries.

St. Helena

19. **Mrs. Gillan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to visit St. Helena to discuss its economy. [190334]

Mr. Rammell: My right hon. Friend the Foreign Secretary has no current plans to visit St. Helena.

However, Ministers take every opportunity to meet with councillors from St. Helena when they visit the UK, during which we discuss a whole range of issues. My most recent meeting with councillors was last month in the margins of the Overseas Territories Consultative Council.

Darfur

20. **Rev. Martin Smyth:** To ask the Secretary of State for Foreign and Commonwealth Affairs what his assessment is of the situation in Darfur. [190335]

Mr. Mullin: I refer the hon. Member to the answer I gave earlier today to the hon. Member for Meirionnydd Nant Conwy.

We remain very concerned about the situation in Darfur. Despite some progress on the humanitarian side, ceasefire violations by rebel and government forces continue. My right hon. Friend the Prime Minister discussed these issues last week with the Sudanese President, who agreed to a five-point action plan. The Sudanese will be judged not by their words, but by their actions over the coming weeks.

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his Answer of 14 September 2004, *Official Report*, columns 1551–52W, what evidence the Government would need in order to determine that the atrocities carried out in Darfur constituted genocide; and if he will set out the direct consequences of defining a situation as genocide. [189796]

Mr. Mullin: As called for in Security Council Resolution 1564, the Secretary-General has established an International Commission of Inquiry to determine whether or not acts of genocide have occurred and to identify the perpetrators. He has asked the Commission to report within three months. Article II of the 1948 Genocide Convention defines genocide as the "intent to destroy, in whole or in part, a national, ethnical, racial or religious group". Under this convention, the State Parties undertake to prevent and to punish the crime of genocide.

Middle East

21. **Norman Baker:** To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the number of Palestinians who have been separated from *(a)* their farmland and *(b)* their place of work by the Israel Wall impinging into Palestinian territory. [190336]

Mr. Rammell: We estimate that approximately 240,000 Palestinians (including 220,000 in east Jerusalem) live on the Israeli side of the barrier constructed so far, and so are potentially cut off from their places of work, schools and families. About 94,000 more may have been separated from their farmland.[1]

As a result of the 30 June Israeli High Court ruling, the Israeli Government is revising the route of the barrier.

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[1] These figures are based on recent Palestinian Negotiations Affairs Department and OCHA (United Nations Office for the Co-ordination of Humanitarian Affairs) reports.

Kashmir

22. **Mr. Goodman:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Government of *(a)* India and *(b)* Pakistan on Kashmir. [190337]

Mr. Alexander: My right hon. Friends the Prime Minister and the Foreign Secretary discussed India-Pakistan relations with their Indian counterparts during Prime Minister Singh's visit to London on 20 September. The Foreign Secretary met his Pakistan counterpart on 23 September during the UN General Assembly. We conveyed to both Governments our warm support for the current dialogue process, and urged them to continue to press forward to resolve all their outstanding differences, including over Kashmir.

Brazil

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department has engaged in with the Government of Brazil regarding computer hacking. [189883]

Mr. Rammell: We are in close contact with the Brazilian Government on a number of organised crime issues including hacking and other hi-tech crime. In mid-September, the head of the UK's National Hi-Tech Crime Unit (NHTCU), and representatives from the British embassy attended the first International Conference on Cyber Crime Investigations in Brasilia. We hope that the Brazilian Federal Police will also attend the NHTCU's E-crime Congress to be held in the UK in April 2005.

Butler Report

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 13 September 2004, *Official Report*, column 1450W, if he will specify the year of the dates given; which Government Ministers were informed; what communications there were between the Foreign Office and the Prime Minister's Office; and when these communications took place. [190073]

Mr. Straw: The year referred to was 2004. The Ministers referred to were my right hon. Friend the Prime Minister and me. The communications between our respective offices took place in June 2004. Information relating to internal discussion and advice is exempt from disclosure under exemption 2 of Part 2 the Code of Practice on Access to Government Information.

Chagos Islands

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to consult Chagos Islanders on compensation for loss of livelihood. [190332]

Mr. Rammell: As the hon. Member for Islington, North knows, the High Court judgment of 9 October 2003 established that the Government have no legal obligation to pay any further compensation beyond what has already been provided. This was confirmed by the Court of Appeal on 22 July 2004. Consequently, while I have made it clear that I am prepared to meet Chagossian representatives, I have no plans to consult them on compensation.

Global Warming

Joan Ruddock: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations the Government are making to the United States Administration to encourage its engagement with international efforts to combat global warming. [190325]

Mr. Rammell: I refer my hon. Friend to the answer my right hon. Friend the Foreign Secretary gave earlier today to my hon. Friend the Member for Brighton, Kemptown (Dr. Turner).

Hurricane Ivan

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the impact of Hurricane Ivan on *(a)* Grenada, *(b)* Jamaica and *(c)* Cuba giving (i) the estimated number of (A) fatalities and (B) serious injuries and (ii) the levels of homelessness in each case; and what help was forthcoming in each case. [189905]

Mr. Rammell: Sadly, Hurricane Ivan has had a devastating effect on Grenada. The latest figures we have for deaths and injuries are 39 dead and 353 treated for injuries. Royal Navy medical staff were on the ground at the general hospital on the morning after the hurricane. It is estimated that some 90 per cent. of the housing stock was damaged.

For UK assistance to Grenada I refer my hon. Friend to the statement my right hon. Friend the Secretary of State for International Development (Hilary Benn) made to the House on 14 September 2004, *Official Report*, columns 1125–27, which was updated on 16 September 2004, *Official Report*, columns 169–72WS. A further written statement, updating the House on UK assistance following Hurricanes Ivan and Jeanne was issued today.

My right hon. Friend the Foreign Secretary has appointed my noble Friend the Baroness Howells of St. David's as his personal envoy to Grenada. She travelled to Barbados and Grenada from 21 to

24 September with representatives of the Department for International Development (DFID) and the British High Commissioner to Barbados and the Eastern Caribbean to see the situation at first hand.

In Jamaica the impact was, fortunately, not as severe as first feared, although tragically 17 people have reportedly lost their lives. We do not have any details of serious injuries but the number of people directly and significantly affected by the hurricane is thought to be around 25,000 people. It is believed some 5,000 were made homeless. The Jamaica Red Cross estimates that approximately 25,000 people have suffered enough damage to their homes to require external assistance to start their own recovery. DFID have allocated £600,000 to the Jamaican humanitarian response.

The impact from Hurricane Ivan on Cuba was far less than originally feared as the eye of the storm missed the mainland. There were no reported fatalities, but according to the UN 8,000 people were left homeless. Reports are still being gathered from the affected areas, and once these are completed we will consider what support is needed.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports of looting and lawlessness were reported in *(a)* Grenada, *(b)* Jamaica and *(c)* Cuba in the aftermath of Hurricane Ivan. [189906]

Mr. Rammell: In the days following Hurricane Ivan there were reports of looting in and around the capital of Grenada, St. George's. Troops from other Caribbean countries were sent to Grenada to help re-establish control and enforce a curfew. They arrived the second day after the hurricane. The Government of Grenada says the situation is now generally calm.

As the storm approached Jamaica, the Prime Minister, P J Patterson declared a state of public emergency. This can last up to a maximum of 30 days unless Parliament extends it. The stated reason was prior knowledge of planned looting. Several people were apparently arrested. There were reports of looting in various inner city areas and two police officers were shot and wounded. The Jamaican Security forces were on duty throughout and kept the situation generally under control.

Fortunately the eye of the storm missed the Cuban mainland and there was far less damage than expected. There were no reports of looting or lawlessness.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the ability of the High Commission in Grenada to respond to the level of need in the aftermath of Hurricane Ivan for *(a)* British citizens, *(b)* Grenadian nationals and *(c)* others. [189907]

Mr. Rammell: At the time of the hurricane there was one UK-based member of staff in Grenada and two locally-engaged staff. Royal Navy personnel were on hand to assist as soon as the hurricane passed and we reinforced the office as soon as was possible with four staff from Bridgetown. The office opened as soon as it was possible for staff to reach it. Two staff were also sent from London to assist.

In the immediate aftermath of the hurricane there was no telephone service and many roads were blocked. High Commission staff moved from hotel to hotel to make contact with tour operators and British and EU tourists and helped make arrangements for them to leave the island. Staff took messages for relatives of a number of British, Grenadian and other foreign nationals in the UK and elsewhere.

Over the weekend following the hurricane we helped over 400 British, EU and Commonwealth nationals leave Grenada on a variety of unscheduled flights including one we chartered.

Our consular responsibility was to British nationals, including dual nationals and EU nationals in the first instance. Inquiring Grenadian nationals were given advice on travel and immigration regulations in the UK.

Western Sahara

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent reports he has received of remarks by the UN Secretary-General's former personal envoy to the Western Sahara on the policy of Morocco regarding a settlement in Western Sahara; and if he will make a statement on the Government's policy on progress towards a settlement. [190003]

Mr. Rammell: James Baker the former personal envoy to Western Sahara of the UN Secretary-General, gave an extensive interview regarding the Western Sahara on American television on 19 August. A transcript can be found on the internet at http://www.pbs.org/wnet/wideangle/shows/sahara/transcript.html. The Polisario have quoted from this interview in a memorandum circulated to United Nations member States.

The United Kingdom continues to seek a just, lasting and mutually acceptable solution to the Western Sahara dispute which provides the people of the Western Sahara with an opportunity to exercise their right to self-determination. We believe UN efforts to find a solution to the dispute should be maintained and we will continue to support those.

Iraq

Sir Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on border traffic between Turkey and Iraq. [189369]

Mr. Straw *[holding answer of 11 October 2004]*: There have been severe delays to traffic crossing the Habur gate between Turkey and Iraq. I discussed this with both Turkish and Iraqi governments when I visited last week and encouraged them to find a solution. Discussions are continuing, including consideration of a possible second border crossing point. Tailbacks on the Turkish side of the Habur crossing are 40–50km long. It can take two weeks for a truck to get through.

Joan Ruddock: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to the answer of 14 September 2004, *Official Report*, column 1548W, how the money is to be spent. [190232]

Mr. Rammell *[holding answer of 11 October 2004]*: The Department for International Development's (DFID) Political Participation Fund for Iraq; administered by the British Council is a £5 million programme over two years, designed to increase opportunities for political representation and participation by all Iraqi citizens, particularly women. Since early September. £145,000 has been allocated to provide support to Iraqi national women's organisations. This will help them to prepare for the elections by delivering civic education and information to women voters, working with potential candidates and monitoring women's participation in the political process. DFID and the British Council, responsible for managing the Fund, are looking at further opportunities to support women's participation in the political process, both before and after the forthcoming elections.

NORTHERN IRELAND

Ards and Down Area Plan

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland when the public inquiry into the Draft Ards and Down Area Plan will begin. [190175]

Angela Smith: The Planning Appeals Commission sets the date for the commencement of the Public Inquiry. A start date has not been set at present.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what efforts the Department of Environment has made to resolve the objections received in response to the publication of the Draft Ards and Down Area Plan; and how many of those objections were resolved by the Department. [190176]

Angela Smith: The Department of the Environment received 2369 objections to the draft Ards and Down Area Plan. A number of the objections received relate to multiple issues. Full consideration has been given to all objections and work is now nearing completion on the preparation of the Department's rebuttal statements.

While the Department may see merit in all or part of an issue raised in a number of the objections, it is not possible to resolve objections at this stage. All objections have been put on public display and can be subject to a counter objection up to the date of the public inquiry. The rebuttal statements, which set out the Department's view on each individual objection, will be presented at the public inquiry which provides the mechanism for the issues to be fully considered.

It is therefore not possible to confirm at this stage the number of objections that may be resolved.

Asbestosis

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will extend the scope of asbestos industrial injury benefit to include family members of asbestosis sufferers. [189678]

Mr. Spellar: The statutory provisions of the Industrial Injuries Scheme provide benefit to employed earners due to an illness or injury due to their occupation. There are no plans to extend the scope of the Industrial Injuries Scheme to family members of asbestosis sufferers.

Business Education Partnership

Mr. Beggs: To ask the Secretary of State for Northern Ireland what costs were incurred by each of the three departments involved in establishing the Northern Ireland Business Education Partnership. [189674]

Mr. Gardiner: NIBEP was established by the Training and Employment Agency (now the Department for Employment and Learning) and the Department of Education jointly in 1995, in the form of an unincorporated association within Business in the Community. In June 2000 it was incorporated as a company limited by guarantee and moved to its own premises. Any costs incurred in respect of this move were offset by moneys transferred from Business in the Community to NIBEP at the point where responsibility transferred from one to the other. The staffing of NIBEP when it was established in 1995 consisted of one secondment from the business sector (ie at no cost to the public purse). The Department of Enterprise, Trade and Industry has incurred no costs in respect of NIBEP at any time.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what the cost of running the Northern Ireland Business Education Partnership was in each of the last three years; and what the estimated cost of closing it is. [189675]

Mr. Gardiner: The information requested is as follows:

	Running costs (£)
2001–02	284,223
2002–03	244,999
2003–04	202,516
2004–05[1]	147,899

[1] 1 April 2004 to 31 August 2004 only.

Note:

These do not include direct programme expenditure.

Estimated cost of closing NIBEP

£18,000 + expenses (but will be subject to issues arising during the course of the liquidation).

Mr. Beggs: To ask the Secretary of State for Northern Ireland which *(a)* Department and *(b)* organisation will be responsible for carrying out the work of the Northern Ireland Business Education Partnership. [189700]

Mr. Gardiner: Future arrangements for business-education activities in support of education for employability in the curriculum are under consideration jointly by the Departments of Education, Employment and Learning and Enterprise, Trade and Investment.

As an interim measure the major bodies providing business-education activities and programmes that are currently funded through NIBEP will continue to be funded for the remainder of the 2004–05 financial year until substantive arrangements are put in place for the future. This is to be administered by the three Departments with Department of Education in the lead.

Cancer Patients

Mr. Dodds: To ask the Secretary of State for Northern Ireland what resources are provided to support cancer patients making the choice to die at home. [189966]

Angela Smith: Patients with a cancer diagnosis making the choice to die at home are facilitated through primary, community and acute services. Specific services developed within the boards in the last number of years include provision of palliative care drug boxes for out of hours use by GPs and other primary health care professionals, developing the district nursing twilight services, provision of night nursing services in partnership with Marie Curie Cancer Care and complementary and counselling therapies.

A Regional Cancer Services Framework is currently being developed to make recommendations for the future delivery of cancer services in Northern Ireland over the next 20 years. As part of its work, the framework will be considering the future development of palliative care services in the home. The framework is expected to be completed by 31 December 2004.

Castlereagh (Industrial Development)

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what discussions the Department of Enterprise, Trade and Investment has had with Castlereagh College on training requirements for future industrial development in the Castlereagh area. [189659]

Mr. Gardiner: Neither the Department of Enterprise Trade and Investment, nor Invest NI, have had any direct discussions with Castlereagh College. Invest NTs Accelerating Entrepreneurship Strategy (AES) seeks to actively embed entrepreneurship throughout Northern Ireland's education and training systems. Aspects of AES are undertaken in close liaison with the Association of Northern Ireland Colleges, which represents the sixteen Further Education colleges in NI, including Castlereagh.

Through its Business Improvement Services function, Invest NI also provides specific company based training and development programmes linked directly to the needs of local companies. These programmes can be delivered using internal or external trainers as appropriate, with each client company being responsible for the selection of any external providers. Such training is entirely tailored to the needs of the company thus offering a specific focus on the local economic development needs of the area in which it is based.

Churches (Signing)

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland when the Department of Regional Development's review of its policy on signing of churches will be carried out; and if he will make a statement. [189661]

Mr. Spellar: The Chief Executive of Roads Service (Dr. Malcolm McKibbin) has been asked to write to the hon. Lady in response to this Question.

Letter from Dr. Malcolm McKibbin to Mrs. Iris Robinson, dated 22 September 2004:

You recently asked the Secretary of State for Northern Ireland a Parliamentary Question about the review of direction signing to churches. I have been asked to reply as the issue raised falls within my responsibility as Chief Executive of Roads Service.

I can confirm that the work on the policy review of the signing of churches and other privately operated premises is on-going and it is expected to be complete by the end of November 2004.

Civil Servants (Private Sector Work)

Mr. Carmichael: To ask the Secretary of State for Northern Ireland how many divisional planning managers within the Department of the Environment have been granted permission to become private sector planning consultants in the last five years. [189881]

Angela Smith: No current Divisional Planning Manager has been given permission to become a private sector planning consultant.

Civil Service Industrial Action

Mr. Lidington: To ask the Secretary of State for Northern Ireland how many staff days have been lost as a result of industrial action in each Department, agency and non-departmental public body in Northern Ireland since the start of the current industrial action by civil servants. [188248]

Mr. Pearson: Since the start of the current industrial action by civil servants up to 3 September 2004, 54,737 staff days have been lost in Departments, agencies and non-departmental public bodies in Northern Ireland. A breakdown of the figures for each Department, agency and non-departmental public body is as follows.

Department	*Core/agency/NDPB*	*Staff hours lost*	*Staff days lost*
Agriculture and Rural Development	Department Core	61,188.9	8,268
	Rivers Agency	1,369	185
	Forest Service	733	99
	Agricultural Research Institute for NI	33	4
Culture, Arts and Leisure	Department Core	962.7	130
	Ordnance Survey NI	1890.87	256
	Public Record Office NI	717.8	97
Education	Department Core	24,048.38	3,250
Employment and Learning	Department Core	43,139	5,830
	Labour Relations Agency	1,876	254
Enterprise, Trade and Investment	Department Core	2,970	401
	Health and Safety Executive NI	104	14
	Invest NI	682	92
	General Consumer Council	111	15
	NI Tourist Board	565.5	76
Finance and Personnel	Department Core	8,296.6	1,121
	Valuation and Lands Agency	1,978.4	267

Department	*Core/agency/NDPB*	*Staff hours lost*	*Staff days lost*
	Business Development Service	1,505.2	203
	Rate Collection Agency	7,676.2	1,037
	Land Registers of NI	1,650.4	223
Health, Social Services and Public Safety	Department Core	7,610.08	1,028
	Health Estates Agency	1,073.37	145
Environment	Department Core	1,647.1	223
	Driver and Vehicle Licensing NI	8,872	1,199
	Driver and Vehicle Testing Agency	48,067.65	6,496
	Environment and Heritage Service	2,095	283
	Planning Service	23,492	3,175
Regional Development	Department Core	16,505	2,230
Social Development	Department Core	2,117	286
	Social Security Agency	111,257	15,035
	Child Support Agency	18,993	2,567
Northern Ireland Office	Department Core	158.96	21
	Compensation Agency	55.41	7
	Forensic Science Agency	42.11	6
	Youth Justice Agency	1	0.1
	NI Prison Service	764	103
Office of the First Minister and Deputy First Minister	Department Core	823.25	111
Total	—	405,071.88	54,737

Mr. Lidington: To ask the Secretary of State for Northern Ireland if he will make a statement on the action that he has taken since the beginning of the parliamentary summer recess to bring an end to industrial action by civil servants in Northern Ireland. [188249]

Mr. Pearson: Intensive negotiations took place in July between officials from the Department of Finance and Personnel and trade union representatives. At these meetings officials emphasised that the 3.67 per cent. pay deal for 2003 had now been paid and was final, but that they were willing to explore all reasonable means of resolving the dispute. The trade union also met with the Secretary of State and myself on 23 July to discuss the situation. On 3 August management tabled two offers for 2004 to the trade union a 12-month offer worth 3.49 per cent. and a 16-month offer worth 4.65 per cent. Both offers were quickly rejected and further negotiations took place on 4, 11 and 13 August. As a result of these further negotiations, management restructured the 4.65 per cent. 16-month offer and this was formally put to trade union side on 16 August. The revised offer included an increase in rates of pay of 2 per cent. plus a non-consolidated payment of £150 for all staff.

On 13 September the trade union accepted the 16-month pay offer worth 4.65 per cent. and agreed to suspend the current industrial action. It is hoped that public services can return to normal as a matter of urgency.

Staff in the Northern Ireland Office are subject to separate pay negotiations involving NIPSA in respect of Northern Ireland civil servants and PCS and PDA in respect of home civil servants. All three unions remain in dispute in relation to the 2003 pay award, although only NIPSA has taken industrial action. Formal negotiations in relation to 2004 pay are ongoing.

Mr. Lidington: To ask the Secretary of State for Northern Ireland what assessment he has made of the impact of industrial action by civil servants in Northern Ireland on *(a)* members of the public and *(b)* businesses. [188250]

Mr. Pearson: The industrial action by civil servants, which commenced on 11 December 2003, ended on 13 September. Selective strike action taken by some members of the Northern Ireland Public Service Alliance, did impact on services to members of the public and business. While contingency plans were in place to minimise disruption, strike action by staff in the Driver and Vehicle Testing Agency resulted in a significant backlog of both vehicle and driver tests. There were also delays in payment of agricultural grants and subsidies, delays in processing planning applications and postponement of Industrial and Fair Employment Tribunal hearings. Precise information on the impact of industrial action on businesses is not available and could be obtained only at disproportionate cost.

Deaths (Drink and Drugs)

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many deaths there were in Northern Ireland in 2003 from *(a)* suicide, *(b)* drowning, *(c)* house fires, *(d)* other domestic accidents, *(e)* road traffic accidents, *(f)* murder and *(g)* manslaughter; and what percentage were (i) alcohol and (ii) drug-related in each case. [188531]

Mr. Pearson: The following tables give the total number of deaths/offences in Northern Ireland in 2003 due to suicide and undetermined injury, drowning, domestic accidents (other than fires in a dwelling or drowning), fires in a dwelling, road traffic collisions, murder and manslaughter. Where possible, the percentage of these deaths/offences, which were alcohol and drug-related is provided.

Table 1: Number of registered deaths in Northern Ireland in 2003 from suicide and undetermined injury, drowning and domestic accidents (other than fires in a dwelling or drowning)

2003[1] *deaths*	*Number of deaths*	*Alcohol related percentage*	*Drug-related percentage*
Suicide and undetermined injury[2]	144	0	16
Suicide	132	0	13
Undetermined injury	12	0	50
Drowning[3]	25	n/a	n/a
Domestic accidents (other than fires in a dwelling or drowning)[3]	70	n/a	n/a

[1] Data for 2003 are provisional and are derived from the civil death registration system.

[2] In the UK, in considering suicide events it is conventional to include cases where the cause of death is classified as both "suicide and self-inflicted injury" and "undetermined injury". Figures for the percentage of suicides and undetermined injury that are drug-related may include prescription and/or illegal drugs and includes deaths where a combination of alcohol and prescription/illegal drugs were involved, but not intentional or undetermined alcohol poisoning alone.

[3] For these causes of death, there is no information collected on a death certificate about whether the death was alcohol or drug related.

Note:

N/a data not available.

Table 2: Number of deaths in Northern Ireland in 2003 from fires in a dwelling

2003 Deaths[1]	*Number of deaths*	*Alcohol related*	*Drug-related*
Fires in a dwelling	11	n/a	n/a

[1] Data supplied by the Fire Service of Northern Ireland. No information is available on whether the death due to a fire in a dwelling was alcohol or drug related.

Note:

N/a data not available.

Table 3: Number of deaths/offences in Northern Ireland in 2003 from road traffic collisions, murder and manslaughter

2003 Deaths/offences[1]	*Number*	*Alcohol or drug related percentage*
Road traffic collision deaths	150	30
Murder offences	35	n/a
Manslaughter offences	6	n/a

[1] Data supplied by the Police Service of Northern Ireland. The breakdown of deaths due to a road traffic collision which are alcohol or drug-related, includes deaths which are alcohol and/or prescription/illegal drug related. No information is available on whether the recorded murder or manslaughter offence was alcohol or drug related.

Note:

N/a data not available.

Demographics

Mr. Flook: To ask the Secretary of State for Northern Ireland what the population was of *(a)* Moira, *(b)* Aghalee, *(c)* Magheralin, *(d)* Dollingstown, *(e)* Donaghacloney, *(f)* Waringstown, *(g)* Maghaberry and *(h)* Aghagallon in (i) 1981, (ii) 1991 and (iii) 2001. [187996]

Mr. Pearson: Commonly agreed definitions of the geographical areas covered by settlements are not available over the period in question. In the 1981 and 1991 censuses, the settlement areas were approximated at those times by Irish Grid Squares while the 2001 census used settlement development limits as defined by the Department of the Environment. Given the different boundaries used over time, and changes in census methodology, changes in the population figures provided as follows cannot be wholly attributed to population growth or decline.

	1981	*1991*	*2001*
Moira	1,453	2,772	3,669
Aghalee	735	480	111
Magheralin	911	1,075	1,134
Dollingstown	604	877	1,830
Donaghacloney	650	755	963
Waringstown	1,167	1,831	2,523
Maghaberry	n/a	1,009	1,692
Aghagallon	n/a	655	819

Note:

n/a refers to figures for which area boundaries are unavailable.

Domiciliary Care

Mr. McGrady: To ask the Secretary of State for Northern Ireland what the contractual hourly rate paid to domiciliary care providers in Northern Ireland is, broken down by health trust area. [190019]

Angela Smith: The details are set out in the table:

Trust	*Type of care*	*Hourly rate (£)*
Armagh and Dungannon HSS Trust	Personal Care	9.50
	Practical Support	7.56
	Day Sitting	6.45
	Night Sitting	6.45
Causeway HSS Trust	All	9.90
Craigavon and Banbridge Community Trust	Personal Care	9.50
	Practical Support	7.56
	Day Sitting	6.45
	Night Sitting	6.45
Down Lisburn HSS Trust	All	10.50–11.75
Foyle Community Trust	All	7.22–9.50
Homefirst Community Trust	All	10.14
Newry and Mourne HSS Trust	Personal Care	9.50
	Practical Support	7.56
	Night Wake	7.20
	Day Sitting	6.45
	Night Sitting	6.45
North and West Belfast	All	11.00
South and East Belfast	All	11.00
Sperrin Lakeland Trust	Day rate	7.40
	Evening/twilight/weekend	7.50
	8 hours per night	50.00
Ulster Community and Hospitals Trust	All	8.21–12.98

Mr. McGrady: To ask the Secretary of State for Northern Ireland what the average contractual hourly rate paid to domiciliary carers in Northern Ireland is by health trust area. [190020]

Angela Smith: The details are set out in the following table:

Trust	*Average hourly rate (£)*
Armagh and Dungannon HSS Trust	6.06
Causeway HSS Trust	5.70
Craigavon and Banbridge Community Trust	5.98
Down Lisburn HSS Trust	5.88

Trust	Average hourly rate (£)
Foyle Community Trust	6.13
Homefirst Community Trust	6.06
Newry and Mourne HSS Trust	5.81
North and West Belfast Community Trust	6.07
South and East Belfast Community Trust	6.07
Sperrin Lakeland Trust	6.06
Ulster Community and Hospitals Trust	6.35

Euro/European Constitution

Mr. Dodds: To ask the Secretary of State for Northern Ireland how much money has been spent in Northern Ireland since 2001 on preparations for *(a)* the introduction of the euro and *(b)* a referendum on the European Constitution. [190103]

Mr. Pearson: On *(a)* I refer the hon. Member to the response given by my hon. Friend the Financial Secretary to the Treasury (Ms Kelly), on 14 October 2003, *Official Report*, column 142W. On *(b)*, since 2001 no money has been spent on the referendum on the European Constitution in Northern Ireland.

GM Crops

Mr. McGrady: To ask the Secretary of State for Northern Ireland whether it is Government policy not to allow the growing of GM crops in Northern Ireland. [190022]

Angela Smith: It is not the Government's policy to prevent the growing of GM crops in Northern Ireland. On 9 March 2004 the Secretary of State for the Environment, Food and Rural Affairs made a statement in the House setting out the Government's policy on GM issues [Column 1381]. Similar statements were made on the same day in the Welsh Assembly and the Scottish Parliament. In addition, I issued a press release on 12 March 2004 setting out the position in respect of Northern Ireland. A copy has been placed in the Library.

The essence of our policy is that GM crops will be considered on a case-by-case basis, and consumers will have choice through mandatory labelling of GM products. The primary concern will continue to be to safeguard human health and the environment. The Government will ensure that GM products are safe and provide consumer choice through labelling, but ultimately it will be for farmers and consumers to decide whether they want GM crops and food.

Hearing Aids

Mr. Dodds: To ask the Secretary of State for Northern Ireland what the average waiting time is for people in Northern Ireland to be supplied with a hearing aid in Northern Ireland hospitals. [190065]

Angela Smith: Information on average waiting times for supply of hearing aids is not collected. However, provisional information for the quarter ending June 2004 indicates that the median waiting time (the middle value of all waiting times) from the hospital receiving a referral to the supply of a digital hearing aid is between three and six months.

Mr. Dodds: To ask the Secretary of State for Northern Ireland what the waiting list is for the supply of hearing aids to patients in each Northern Ireland hospital. [190066]

Angela Smith: This information requested is not available.

Heart Disease

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland if he will replicate the framework for heart diseases in England in Northern Ireland. [190311]

Angela Smith: While the health service for Northern Ireland is not included in the National Service Framework for Coronary Heart Disease, the main features were taken fully into account as best practice guidelines in the Review of Cardiology Services in 1999 and a subsequent Review of Cardiac Surgery Services in 2000. The recommendations from these reviews are currently being implemented through a Joint Action Plan, but the ability to fully implement all aspects of the service framework would be dependent on additional resources.

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland what plans he has to introduce measures of outcomes in the treatment of heart disease. [190312]

Angela Smith: Health and Social Services Trusts already have measures in place to monitor the outcomes of cardiology and cardiac surgery treatments on an ongoing basis. These include the use of clinical audit and contributions to national databases. For example, the Royal Victoria Hospital contributes to the national database for cardiac surgery outcomes, as well as participating in European and international trials aimed at improving treatments of heart disease.

Home Care

Mr. Dodds: To ask the Secretary of State for Northern Ireland what measures are in place to facilitate joint working between service providers of home care in Northern Ireland. [189967]

Angela Smith: The promotion of a flourishing independent sector in social care provision is a key objective of the 'People First' policy. Health and Personal Social Services bodies engage with a wide range of private and voluntary sector agencies in the planning and delivery of domiciliary care. Arrangements also exist for the joint consideration of important issues such as recruitment and training.

Housing (Fraud)

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many cases were recorded of people on housing benefits attempting to defraud the Housing Executive when purchasing houses from it in each of the last three years, with particular reference to *(a)* organised criminal gangs and *(b)* paramilitary organisations. [189676]

Mr. Spellar: The information requested is not readily available. However the Housing Executive estimates that over the last three years there were around 73 cases of suspected housing benefit fraud where a house sale was also involved.

The vast majority of these would have been referred to the Benefit Investigation Unit of the Social Security Agency in the 2003–04 financial year for investigation. Of the original 73 cases referred, in one case a substantial overpayment is being raised, in 19 cases investigations are continuing and so evidence of fraudulent activity was found in the remainder.

All allegations of fraud are taken seriously and investigated thoroughly so that those involved can be prosecuted where there is evidence of fraud. The proposed revisions to the House Sales Scheme, which will apply to applications made from 18 May 2004 contain a range of measures aimed at retaining houses in the social rented sector and will strengthen existing procedures to help reduce the potential for fraud.

Housing Executive

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will list schemes the Housing Executive has approved for the next 12 months which grant funding to housing associations for new build locations, broken down by amount of funding involved; and if he will make a statement on applications from housing associations for new build locations which have been refused because the Housing Executive disagreed with the needs assessment carried out by a housing association. [189677]

Mr. Spellar: The role of the Housing Executive is to identify housing need and to prioritise bids from housing associations to meet that need. The Department then agrees the programme and allocates funding accordingly.

The following table lists all schemes that have Housing Executive support to start on site in the 2004–05 financial year. It is not possible to provide information in respect of the next 12 months as requested, as schemes for the next financial year have not been finalised.

The Department does not maintain a record of applications where there has been a dispute between housing associations and the Housing Executive on needs assessment. In cases where a housing association feels that need has not been fully identified, the Housing Executive welcomes evidence to support the contrary view and is content to enter into discussions to resolve and make adjustments if required.

Housing association planned starts: 2004–05

Council	*Location*	*Units*	*NB RH*	*Total cost (£000)*
Antrim	Main Street, Toome	7	NB	437
Antrim	Crumlin, Antrim	12	RH	559
Antrim	Cavalier Court, Antrim	8	NB	652
Ards	33 Robert Street, Newtownards	1	RH	82
Armagh	Eglish, Armagh	6	NB	460
Armagh	Granemore Road, Ph3, Keady	17	NB	1,521
Ballymena	Fernisky Road, Kells	1	NB	287
Ballymoney	Market Street, Phi, Ballymoney	6	RH	542
Ballymoney	4 Ballywindyland Road, Macfin, Ballymoney	1	RH	160
Banbridge	Hospital Site, Ph1, Banbridge	24	NB	2,361
Banbridge	Kinallen, Ph1 , Banbridge	6	NB	550
Belfast	Ardgowan, Ph3, Belfast	10	NB	1,288
Belfast	Gainsborough, Ph1, Belfast	26	NB	3,023
Belfast	Beechmount, Ph5, Belfast	41	NB	4,663
Belfast	Owenvale, Ph2, Belfast	2	NB	232
Belfast	Malcolmson Street, Belfast	50	NB	4,351
Belfast	42–56 Ballysillan Road, Belfast	8	NB	881
Belfast	19–21 Knock Road, Belfast (Belmont Road)	10	NB	810
Belfast	Antrim Road Phld, Belfast (37 Atlantic Ave)	1	RH	166
Belfast	Antrim Road Ph1c, Belfast (79 Kansas Ave)	1	RH	138
Belfast	North Rugby Club, Ph1, Belfast	79	NB	10,560
Belfast	North Belfast	5	RH	562
Belfast	Parkgate, Belfast	20	RH	416
Belfast	51 Connsbrook Avenue, Belfast	3	RH	205
Belfast	177–187 Newtownards Road, Belfast	9	NB	778
Belfast	Old School House Site, Tamar Street, Belfast	10	NB	1,106
Belfast	16 and 17 Lewis Square, Belfast	2	NB	0
Belfast	Tudor, Ph3, Belfast	40	NB	3,321
Belfast	422–424 Antrim Road, Belfast (Rosemount House)	20	RH	2,468
Belfast	Woodland Avenue, Belfast	13	NB	1,237
Belfast	Ardoyne Acquisitions Ph 3c	2	RH	166
Belfast	Ardoyne Acquisitions, Ph4A, Belfast	1	RH	85
Belfast	Ardoyne Acquisitions, Ph4B, Belfast	3	RH	248
Belfast	Ardoyne Acqusitions, Ph4C, Belfast	2	RH	170
Belfast	Ardoyne Acquisitions Ph4D, Belfast	2	RH	170
Belfast	Springfield Road, Ph1, Belfast	71	NB	8,137
Belfast	Roden/Beit/Roosevelt, Belfast	26	NB	2,871
Belfast	Morning Star, 125 Divis Street, Belfast	19	NB	2,277
Belfast	Ardkeen House, Marlborough Park, Belfast	13	RH	1,229

Housing association planned starts: 2004–05

Council	*Location*	*Units*	*NB RH*	*Total cost (£000)*
Belfast	Servia Street, Belfast	4	NB	443
Belfast	Gate Lodge, Ormeau Road, Belfast	1	RH	138
Belfast	298 Antrim Road, Belfast (Mater Dei)	13	NB	1,752
Belfast	Newington Acquisitions, Ph4, Belfast (Deer Park)	9	NB	1,118
Belfast	Rossnareen, Belfast	18	NB	2,071
Belfast	Travellers Site, Monagh Road, Belfast	16	NB	2,591
Belfast	32 Springfield Road, Belfast	13	NB	1,410
Belfast	Cliftonpark Avenue (BT Site), Belfast	2	NB	229
Belfast	Henderson Avenue, Belfast	12	NB	1,109
Belfast	Ainsworth Avenue, Belfast	32	NB	3,565
Belfast	Milk Marketing Board, Antrim Road, Belfast	83	NB/RH	7,968
Belfast	St. Gall's Site, Ph1, Belfast	32	NB	3,794
Belfast	65–67 Falls Road, Belfast	9	NB	734
Belfast	Upper Springfield Road, Belfast	24	NB	2,289
Belfast	Carlisle House, Henry Place Ph2, Belfast	9	NB	890
Belfast	Horn Drive, Lenadoon, Belfast	8	NB	1,020
Belfast	Belmont Avenue West, Ballyhackamore, Belfast	6	NB	502
Belfast	2 Brookhill Avenue, Belfast	9	NB	896
Belfast	Willowfield Avenue, Belfast	7	NB	813
Belfast	L'Arche Ph2 (Rosetta), Belfast	6	RH	467
Belfast	140 University Avenue, Belfast	14	NB	1,150
Belfast	Beechfield Street, Belfast	11	NB	1,053
Belfast	24 Clandeboye Drive, Belfast	1	RH	91
Belfast	Ph5b, South and East Belfast	4	RH	203
Belfast	Devonshire Tradas, Ph1, Belfast	17	NB	2,100
Belfast	Warehouse Site, Cambrai Street, Belfast	12	NB	1,400
Belfast	75 Woodvale Road, Belfast	1	RH	120
Carrick	Bridewell, Carrickfergus	14	NB	1,140
Carrick	Railway Cottages, Taylor's Avenue, Carrick	30	NB	3,097
Castlereagh	Bennan Park, Ballybeen	24	NB	2,579
Castlereagh	Rurals, Comber/Ballygowan/C'Reagh, Ph1	4	NB	630
Castlereagh	Dunseverick Avenue, Castlereagh	12	NB	1,151
Coleraine	Millburn Road, Coleraine	3	NB	343
Coleraine	Lever Road, Portstewart	8	NB	705
Craigavon	Castle Lane, Lurgan	18	NB	1,321
Derry	Francis Street, Londonderry	10	NB	788
Derry	West Bank, Ph1, Londonderry	10	RH	883
Derry	Abercorn Road, Londonderry	11	NB	1,027
Derry	Springtown Road, Ph2, Londonderry	34	NB	3,647
Derry	City Side, Ph2, Londonderry	4	RH	331
Derry	Belmont Cottages, Londonderry	5	NB	358
Derry	Belmont Cottages, Londonderry (RI)	12	RH	467
Derry	West Bank, Ph12A, Londonderry	5	RH	402
Derry	West Bank, Ph12B, Londonderry	5	RH	450
Derry	West Bank, Ph12C, Londonderry	5	RH	454
Derry	West Bank, Ph12D, Londonderry	5	RH	454
Derry	Donal Casey Court, Ph2, Londonderry	6	NB	406
Derry	Bonds Hill, Londonderry	15	RH	1,404
Down	Todd's Hill, Saintfield	10	NB	920
Down	The Square, Strangford	7	NB	896
Down	Central Promenade PI, Newcastle	9	NB	543
Dungannon	Old Mill Place Orlits, Dungannon	5	NB	492
Dungannon	12 Thomas Street, Dungannon	5	RH	314
Fermanagh	Castle Hill House, Lisnaskea	5	RH	366
Fermanagh	Castlederg Road, Ederney	10	NB	833
Fermanagh	2–4 Pump Lane, Ederney(Ardvarney)	2	NB	178
Fermanagh	Drumclay, Enniskillen	20	NB	1,554
Larne	Gardenmore Place, Larne	14	NB	1,081
Limavady	49 Nedd Road, Ballykelly	1	NB	105
Lisburn	Lagmore, Ph6, Lisburn	75	NB	8,070
Lisburn	98/100 Queensway, Dunmurry	8	NB	926
Lisburn	Wallace Park (Magheralave), Lisburn	1	RH	73
Lisburn	12 Pembrook Manor, Poleglass	1	RH	97
Lisburn	Ballymacoss, Central, Lisburn	50	NB	5,153
Magherafelt	Moykeeran Crescent, Draperstown	8	NB	646
Magherafelt	Kilrea Rd, Upperlands, Maghera	3	NB	244
Newry and Mourne	Main Street, Ph2, Forkhill	8	NB	748
Newry and Mourne	High Street, Derramore, Bessbrook	14	NB	1,037
Newry and Mourne	Ph3, Newtowncloghogue	8	NB	630
Newry and Mourne	Patrick Street, Newry	7	NB	538
Newry and Mourne	Bridal Loanan, Ph4, Warrenpoint	32	NB	2,721
Newtownabbey	Carn Way, New Mossley	5	NB	632

Housing association planned starts: 2004–05

Council	*Location*	*Units*	*NB RH*	*Total cost (£000)*
North Down	Abbey Place, Holywood	29	NB	2,932
Omagh	41 Segully Road, Drumquin, Omagh	1	RH	122
Strabane	Cottages, Ph6, Strabane	10	NB	998
	Totals	1,539		

Notes:

NB—New build

RH—Properties purchased from the private market and rehabilitated to current standards

Total cost—Total scheme cost, including land purchase

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland how many homes were sold to tenants by the Northern Ireland Housing Executive in each of the five years to the end of 2003. [189733]

Mr. Spellar: For each of the last five financial years up to 31 March 2003 the figures requested are as follows:

	Number sold to sitting tenants
2003–04	5,583
2002–03	5,991
2001–02	4,985
2000–01	5,509
1999–2000	4,449

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland how many homes were in the ownership of the Northern Ireland Housing Executive at the end of 2003. [189734]

Mr. Spellar: At the end of the financial year 1 April 2003 to 31 March 2004 the number was 102,850.

Industrial Tribunals

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what the average waiting time to hear an industrial tribunal case in Northern Ireland was in the last year for which figures are available. [189696]

Mr. Gardiner: In 2003 the average time from application to hearing for Industrial Tribunal discriminatory complaints was two years six months and for non-discriminatory complaints five months.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many industrial tribunal cases in Northern Ireland are waiting to be heard; and what action he is taking to reduce waiting times. [189697]

Mr. Gardiner: On 23 August 2004 there were 12,967 cases awaiting determination by the Industrial Tribunals. Almost 2,000 of these were discrimination cases and the remainder were non-discrimination cases. Some 6,300 cases relate to a common complaint against one respondent under working time regulations and a further 1,936 cases relate to 10 large multiple applications. A case may involve more than one complaint.

A series of measures has already been taken to improve the operation of the tribunals and reduce waiting times, including:

appointment of three additional full-time Chairmen;

updating the Tribunal rules of procedure;

provision of additional administrative staff;

provision of additional Tribunal accommodation, and;

introduction of a new IT system.

Further improvements will include:

the imminent appointment of additional part-time chairmen;

enhancements to the Tribunals IT system;

testing the use of digital audio recording systems to speed up lengthy cases;

improved case management; and

promoting alternative methods of resolving workplace disputes.

In addition, new regulations due to come into effect in April 2005 will introduce statutory minimum dispute resolution procedures in every workplace in Northern Ireland. The outcome of this legislation should be a reduction in the number of applications being made to the Tribunals, which in time should reduce waiting times overall.

Inward Investment

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland what plans Invest Northern Ireland has to ensure that more potential inward investors have opportunities to visit the East Londonderry constituency in 2005. [189610]

Mr. Gardiner: In the context of a highly competitive marketplace for mobile international investment, the priority is to maximise investment for the Northern Ireland economy as a whole.

Internationally, Invest Northern Ireland will continue to focus its sales and marketing efforts on aggressively promoting Northern Ireland as an attractive and viable location for new inward investment opportunities. Invest Northern Ireland has a target of securing 150 inward visits by potential investors during the financial year 2004–05. While efforts are made to take visitors to as many potential locations as possible in Northern Ireland, each visit programme is dictated by investor requirements. Invest Northern Ireland's local offices have been working with local stakeholders to ensure that up to date and detailed information on sub-regions is available to potential investors when required.

Lagan Doc Service

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland when the recording of telephone conversations between the general public and staff at Lagan Doc Service commenced at Down, Lisburn Trust as a matter of course; and if he will make a statement. [190152]

Angela Smith: Lagan Doc Out-of-Hours Service has been recording all incoming calls from the public from 6 August 2004. The primary reason for doing so is to help improve the quality of service provided and additionally for staff training and security purposes. Callers are advised at the outset, by a pre-recorded message, that the call is being recorded and of the reasons for doing so.

Londonderry Railway Station

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland how much has been spent on *(a)* maintenance and *(b)* improvements to the rail station in Londonderry in each of the past five years. [189604]

Mr. Spellar: The following figures detail how much has been spent on maintenance to the rail station in Londonderry in each of the past five years. There were no capital costs for improvements or additions.

Maintenance	
	£
1999–2000	30,445
2000–01	31,387
2001–02	33,039
2002–03	34,416
2003–04	41,930

Manufacturing Industry

Mr. Trimble: To ask the Secretary of State for Northern Ireland how many people were employed in manufacturing in Northern Ireland in each of the last five years; and how many people he estimates will be employed in manufacturing in each of the next five years. [153833]

Mr. Gardiner: The NI labour market is performing well; the latest employee jobs figure of 683,050 is the highest figure on record. However, over the last 30 years a trend of declining manufacturing employment has been a feature of advanced economies including NI. As illustrated in the following table, over the last five years the number of manufacturing employee jobs in NI decreased by over 15 per cent. (the comparable figure for the UK is 17 per cent.).

Employee jobs in manufacturing (seasonally adjusted)

Year (June)	*Manufacturing employee jobs in NI*
1999	105,430
2000	103,830
2001	101,930
2002 (R)	97,510
2003 (R)	92,840
2004 (P)	89,080

Notes:
1. Figures are rounded to the nearest 10
2. Figures are seasonally adjusted

Source:
DETI, Northern Ireland Labour Market Statistics

The Department does not provide forecasts of labour market trends. However, DETI is aware of the challenges facing manufacturing and has recently commissioned research which will inform the development of NI policy for this important sector.

Mental Health

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what the cost to public funds in the Province was in each of the last five years of *(a)* care provision, *(b)* absence from work, *(c)* legal actions against employers and *(d)* premature deaths, in relation to mental health. [188543]

Angela Smith: Details of total HSS Trust expenditure on the Mental Health Programme of Care in Northern Ireland for each of the last five years available are listed in the following table:

Year ended March	*Total Expenditure (£ millions)*
1999	114.8
2000	124.0
2001	133.2
2002	139.3
2003	150.8

The information required to answer parts *(b)*, *(c)* and *(d)* is not available.

Ministers

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland how many days each Northern Ireland Minister was on duty in the Province in each of the last six months. [188734]

Mr. Paul Murphy: The number of days that each Northern Ireland Office Minister was on duty in Northern Ireland in each of the last six months was as follows:

	March	*April*	*May*	*June*	*July*	*August*
Secretary of State	10	16	13	13	10	8
John Spellar	10	5	8	10	5	1
Ian Pearson	12	9	10	10	12	7
Angela Smith	14	9	10	5	9	9
Barry Gardiner	—	9	7	11	6	6

Post Offices (Deprived Areas)

David Burnside: To ask the Secretary of State for Northern Ireland what progress has been made in implementing the Fund to Develop Post Offices in Deprived Urban Areas. [190380]

Mr. Spellar: This Deprived Urban Post Office Scheme opened for applications in April of this year. The first application was received in May from a Belfast post master and the second application was received in June from a Lurgan post master. Both of these applications are at an advanced stage of processing. Two further applications to the scheme were received in September from post masters in Craigavon and Newry.

Officials from the Department for Social Development have met with representatives from Post Office Ltd. regarding the scheme. At these discussions the post office confirmed that further applications will be submitted to the Department in the near future.

Public Services

Mr. Barnes: To ask the Secretary of State for Northern Ireland if he will estimate the cost of the duplication of public services in Northern Ireland provided separately for Catholics and Protestants. [190026]

Mr. Spellar: The Government continues to work to provide services that are focused on delivering the outcomes that all of the citizens in Northern Ireland need and expect.

The Government acknowledges that Northern Ireland remains deeply divided, despite earnest progress, particularly at local level, to build trust and confidence within and between communities. It recognises that division, and the tensions and conflict that it causes, almost certainly may have reduced the cost effectiveness of public service provision.

The causes of division are complex and the understanding of these causes and their associated costs will be an important dimension of the work that will flow from the new strategic framework and policy on good relations that we propose to bring forward later this year.

PWS Ireland

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how much money has been paid to the company PWS Ireland in each year since January 2001 in return for work completed in fulfilling government tender work in relation to the provision of road traffic signs and associated equipment, including the hire of equipment; how much money has been paid in total in each year since January 2001 in return for the completion of government tenders in relation to the provision of road traffic signs and associated equipment; and if he will make a statement. [190132]

Mr. Spellar: The Chief Executive of Roads Service (Dr. Malcolm McKibbin) has been asked to write to the hon. Lady in response to this question.

Letter from Dr. Malcolm McKibbin to Mrs. Iris Robinson, dated 8 October 2004:

You recently asked the Secretary of State for Northern Ireland a Parliamentary Question about how much money has been paid to the company PWS Ireland in each year since January 2001, and how much money has been paid in total each year since January 2001 for the completion of government tenders for the provision of road traffic signs and associated equipment. I have been asked to reply as the issue raised falls within my responsibility as Chief Executive of Roads Service.

Under normal circumstances, in accordance with part 2, para. 13 of the Code of Practice on Access to Government Information (Third Party's Commercial Confidences), it would be inappropriate to provide the information, which you have requested. I have however confirmed with PWS Ireland that they are content that the information, which you have requested, can be provided in this instance and I am therefore able to make this available to you.

The sums paid to PWS Ireland in each year since January 2001, and sums paid in total each year since January 2001 for the completion of government tenders for the provision of road traffic signs and associated equipment, are shown in the following table.

£

	Paid to PWS Ireland	*Total sums paid*
2001	649,893	793,675
2002	610,253	834,628
2003	440,129	857,765
2004	499,039	727,522

Renewable Energy Targets

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland what progress is being made in reaching the renewable energy targets set for Northern Ireland over the next five years. [189605]

Mr. Gardiner: Northern Ireland's single renewable energy target is that, by 2012, 12 per cent. of electricity supplied to Northern Ireland consumers will come from indigenous renewable generation. Annual targets have not been set.

An estimate of the electricity supplied in Northern Ireland, originating from renewable energy sources during 2004–05, together with actual levels supplied for the past three years, is shown in the following table:

	Total renewables (excluding imports) GWh	*Total electricity supply GWh*	*Percentage renewables (excluding imports) percentage*
2001–02	128	8,317	1.5
2002–03	136	8,551	1.6
2003–04	238	8,671	2.7
2004–05 (est)	305	8,800	3.5

Residential Care (Teenagers)

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many teenagers who require some form of specialist residential care and treatment are in unsuitable accommodation; and what steps the health and social service boards are taking to provide suitable residential provision for such children. [188468]

Angela Smith: The four Heath and Social Services Boards indicate that there are 28 young people requiring some form of specialist residential care and treatment who are currently in residential accommodation not designed to meet their needs. Despite this, the Boards report that all of the young people involved are receiving a high standard of care.

The four Health and Social Services Boards are represented on the Children Matter Task Force, and there is continuing progress in the development of a range of residential care options for looked after children. This includes the development of a regional facility for children with social, emotional and psychological needs, and the expansion of the range of facilities capable of catering for children and young people with learning disabilities. There are also plans to redevelop existing Intensive Support Units, some of which will focus on addiction/substance misuse and behavioural problems.

Royal Hospital Trust

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland when he expects the Royal Hospital Trust to achieve the target of cardiac surgical operations set in 1992. [190313]

Angela Smith: A target level of 1,100 procedures per annum was set in 1992, and this was exceeded in 1994–95 when 1,128 procedures were carried out at the Royal Group of Hospitals. Since then, new therapies and interventions have been introduced that have reduced the overall demand for cardiac surgery and the case mix of patients requiring these has intensified. As a result, the Royal assesses current demand for cardiac surgery at around 900 cases per annum.

The Department of Health, Social Services and Public Safety, in conjunction with Boards and Trusts, is presently examining the cardiology and cardiac surgery service with a view to further development. This will include the reconsideration of demand and capacity issues. The waiting list for cardiac surgery at the Royal was reduced by 50 per cent. in 2003–04.

Salt Boxes

Mr. Dodds: To ask the Secretary of State for Northern Ireland (1) what criteria determine whether salt boxes are provided on streets and roads in Northern Ireland; [189902]

(2) how many salt boxes have been provided for the use of residents in *(a)* North Belfast and *(b)* Northern Ireland in each year since 2001; [189903]

(3) what the cost of the provision of salt boxes on streets and roads in Northern Ireland has been in each year since 2001; [189904]

(4) if he will provide a salt box for the use of residents in the Northwood Drive area of North Belfast. [190064]

Mr. Spellar: The Chief Executive of Roads Service (Dr. Malcolm McKibbin) has been asked to write to the hon. Gentleman in response to these questions.

Letter from Dr. Malcolm McKibbin to Mr. Nigel Dodds, dated 23 September 2004:

You recently asked the Secretary of State for Northern Ireland four Parliamentary Questions in relation salt box provision and costs in Northern Ireland. I have been asked to reply as the issues raised fall within my responsibility as Chief Executive of Roads Service.

You asked what criteria is used to determine whether a salt box should be provided. Roads Service receives many requests for the provision of salt boxes, and the demand outstrips our capacity to provide them all and replenish them, particularly in times of snow when boxes need frequent refilling.

Accordingly, salt boxes may be provided on public roads which are not included in the salting schedule, in accordance with the following procedure:

Sites qualify for detailed consideration if the gradient exceeds 5 per cent. and there is no reasonable alternative salted route;

Sites meeting that criterion are considered in more detail using a points system which takes account of factors such as, road gradient, road geometry, residential and commercial usage and community facilities (schools, hospitals, etc);

A salt box is provided if a site exceeds a certain points threshold.

You also asked how many salt boxes had been provided for the use of residents in North Belfast and Northern Ireland since 2001. While Roads Service does not maintain details of the number of salt boxes provided on a parliamentary constituency basis, the table below details the approximate number and estimated costs of providing and maintaining salt boxes across Northern Ireland's streets and roads in financial years 2001–02 to 2003–04. Generally salt boxes are collected at the end of the winter season, checked for serviceability, returned to site, and refilled before the next winter season.

Salt boxes provided in each of the last three years

	Number of boxes	*Cost*
2001–02	2,820	[1]137,689
2002–03	2,810	[1]141,153
2003–04	2,917	[1]148,420

[1] Costs include initial purchase/replacement costs attributable to these years, and the labour, plant and material cost of refilling the boxes.

With regard to provision of a salt box for the use of residents in the Northwood Drive area, there is little I can add to the recent responses you have received from Mr. Joe Drew, Eastern Divisional Roads Manager and myself on this matter.

In my letter of 21 July 2004, I explained again the above criteria used to determine whether salt boxes can be provided and, that following an assessment it has been concluded that Northwood Drive does not meet the minimum threshold for the provision of a salt box.

I have reviewed all previous correspondence on this issue, and have concluded that officials have conducted the assessment of the need for a salt box thoroughly, correctly, and in accordance with established policy, and I regret that we cannot provide a salt box at Northwood Drive.

I trust you will appreciate that there are many roads in Northern Ireland where local residents have similar concerns and, given the many other demands on our finite resources, many of them safety related, it is simply not possible for us to accede to all requests.

School Transport

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland what progress has been made in implementing the recommendation of the Northern Ireland Assembly regarding *(a)* seats and *(b)* seatbelts for all school children travelling to and from school in buses. [189611]

Mr. Gardiner: In 2003 the Department of the Environment commissioned transportation consultants to carry out an initial cost benefit assessment and draw up Terms of Reference for a full Regulatory Impact Assessment (RIA) of the Environment Committee's seating and seatbelt recommendations.

This research confirmed that these recommendations have very large capital and operating cost implications set against a small safety benefit. The consultants advised that, in order to complete a robust RIA, more data on travel demand, bus operations and school pupil casualty rates were needed. The Department is currently collating and collecting this information.

The Department of Education has no plans to amend the existing arrangements until the results of the RIA are known. All new Education and Library Board buses have seat belts fitted as standard. It will, however, take some time to replace the existing fleet which consists of almost 700 buses at present. Board buses are maintained to a higher standard than is required under current legislation.

School Travel Plan Pilot

Mr. Beggs: To ask the Secretary of State for Northern Ireland what assessment the Government have made of the operation of the School Travel Plan Pilot; and what plans there are to extend its scope. [189671]

Mr. Spellar: The Chief Executive of Roads Service (Dr. Malcolm McKibbin) has been asked to write to the hon. Gentleman in response to this question.

Letter from Dr. Malcolm McKibbin to Mr. Roy Beggs, dated 27 September 2004:

You recently asked the Secretary of State for Northern Ireland a Parliamentary Question about what assessment the Government has made of the operation of the School Travel Plan Pilot; and what plans there are to extend its scope. I have been asked to reply as this issue falls within my responsibility as Chief Executive of Roads Service.

You will be aware that, as proposed by the Regional Transportation Strategy 2002–12, Roads Service has been working to address the issue of the 'school run', given its impact on morning traffic congestion, through the Travelwise "Safer Routes to Schools" initiative. The overall aim of this initiative is to encourage more children to walk, cycle and use public transport for their journey to school.

The Department of Education, the Department of the Environment Road Safety Team and other agencies are working alongside Roads Service in this project.

The following six schools are currently participating in the initiative:

St. Joseph's College, Belfast;

Oakwood Integrated Primary School, Dunmurry;

Wallace High School, Lisburn;

St. Anthony's Primary School, Craigavon;

Parkhall College, Antrim; and

St. Brigid's College, Londonderry

This is the first time a schools initiative to promote sustainable modes of transport has been undertaken in Northern Ireland. Measures at the six schools are mainly exploratory and at different stages of development. The overall aim is to assist each school in developing a travel plan, which sets out a package of measures for reducing the number of car trips made to school. Where appropriate, Roads Service will subsequently introduce improvements to the roadway, such as installing pedestrian facilities and traffic calming measures, to facilitate children who may want to walk, cycle or use public transport. Additionally, other measures such as cycle shelters and lockers are provided by the Department of Education inside the schools premises.

To get the school travel initiative started, Roads Service and its partners have spent nearly £85,000 over the last three years to investigate existing infrastructure and facilities at the schools, examine accident data, undertake surveys to establish baseline school travel information, and pay for the training of a Travel Plan Co-ordinator who was appointed to champion the initiative in the schools. No specific funding has been allocated as yet for the further development of travel plans, as resources are being concentrated for the time being on the pilot group of six schools. However, it is intended, as part of the next stage of the initiative, to develop a practical support package that encourages other schools to engage in the travel plan process.

The improvements to the infrastructure and facilities at each of the pilot schools will be completed early in 2005. While we will undertake a preliminary assessment of how successful these measures have been during the latter part of 2005, initial work including installation of cycle shelters at the schools has had very positive results and generated an increase in cycling among pupils. It is anticipated that the planned infrastructure work to the road network adjacent to the schools should have equal effect in facilitating and encouraging more children to use sustainable modes of transport.

Self-employment

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland how many self-employed people there were in Northern Ireland by the *(a)* end of 1998 and *(b)* end of 2003. [189609]

Mr. Gardiner: The Labour Force Survey (LFS) estimates that there were 95,000 self-employed people in Northern Ireland at winter 1998–99 and 111,000 self-employed people at winter 2003–04.

Sickness Absence

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what assessment has been made of alternative methods for verifying absence from work through sickness. [188527]

Mr. Spellar: Following UK-wide consultation, as announced in "Pathways to work: Helping people into employment: the Government's response and action plan" [CM 5830], the Government have undertaken research to explore the potential for extending statutory certification to nonmedical health care professionals.

Sports Facilities

Mr. Beggs: To ask the Secretary of State for Northern Ireland what provision is being made to increase sports facilities in Northern Ireland prior to 2012. [189747]

Angela Smith: The Sports Council for Northern Ireland is presently planning a number of schemes which will include provision to increase sports facilities where required in advance of 2012. These include a new Sports Grounds Development Programme, Soccer Strategy programme and community based and performance focused Lottery capital programmes. The Sports Council is also currently developing a sports facilities strategy to help determine levels of sports facilities likely to be needed in Northern Ireland in the future, including prior to 2012. In addition to this, I am presently giving consideration to the possibility of a multi-sports stadium for Northern Ireland. The Department of Social Development (DSD), through its Regional Development Offices, and with assistance from the EU Peace 2 Programme, is contributing to and providing funding for the development of a wide range of multi-sports facilities in Northern Ireland. Moreover, in implementing the Neighbourhood Renewal Strategy over the next 7–10 years, DSD will continue to support regeneration proposals that incorporate sport as part of the comprehensive regeneration of disadvantaged areas.

Teachers (Sick Leave)

Mr. Beggs: To ask the Secretary of State for Northern Ireland pursuant to his answer of 20 May, *Official Report*, column 1216W, on teachers' sick leave, when he intends to write to the hon. Member for East Antrim. [189695]

Mr. Gardiner: I wrote to the hon. Member for East Antrim on 1 October indicating that the number of teachers who took sick leave of 20 days or more during each of the last five academic years is as follows:

	Number of teachers with 20 or more days sick leave
1999–2000	1573
2000–2001	1765
2001–2002	1765
2002–2003	1809
2003–2004	1359

I have arranged for a copy of the letter to be placed in the Library.

TK-ECC Site

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what steps are being taken by the Department of Enterprise, Trade and Investment to encourage maximum use of the former TK-ECC site in Dundonald, following its recent sale. [189660]

Mr. Gardiner: As the factory and its associated site are privately owned, Invest NI has no direct role in encouraging its use to be maximised.

However, Invest NI stands ready, if requested, to work with the owners and their agents to market the property in line with the existing employment/industrial use for which it is currently zoned.

Tunes Plateau Windfarm

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland if he will make a statement on the latest position on the proposed offshore windfarm at Tunes Plateau. [189766]

Mr. Gardiner: The development consortium continues to undertake feasibility studies within the area which could potentially accommodate a wind farm. It has not as yet made an application for the development of a wind farm at Tunes Plateau. Should such an application be received it will be subject to full public consultation.

Universities

Mr. Beggs: To ask the Secretary of State for Northern Ireland what arrangements are in place to monitor the financial position of Northern Ireland's universities. [189672]

Mr. Gardiner: The Department for Employment and Learning engages the services of the Higher Education Funding Council for England (HEFCE) to monitor the financial position of the two Northern Ireland universities through the examination of various annual financial returns. HEFCE is a non-departmental public body of the Department for Education and Skills. In addition, HEFCE assesses annual reports from each university's Audit Committee, internal auditors and external auditors, as well as carrying out periodic review visits to Queen's University and the University of Ulster. The books and records of the universities are also audited and certified annually by the universities' external auditors. These are also open to inspection by the Department's internal auditors, HEFCE's Audit Service and the Northern Ireland Audit Office.

TREASURY

Employment

Tom Cox: To ask the Chancellor of the Exchequer how many *(a)* part-time and *(b)* full-time workers are in employment in the Greater London area. [190260]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Tom Cox, dated 12 October 2004:

As National Statistician, I have been asked to reply to your Parliamentary Question about employment in the Greater London area. (190260)

There were 2,836,000 people in full-time employment and 736,000 in part-time employment with usual residence in the Greater London area in the three month period ending May 2004, the latest date for which information is available. These estimates are not seasonally adjusted.

As with any sample survey, estimates from the Labour Force Survey (LFS) are subject to sampling variability.

Anne Picking: To ask the Chancellor of the Exchequer how many jobs have been created in East Lothian constituency since 1997. [190145]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Ms Anne Picking, dated 12 October 2004:

As National Statistician, I have been asked to reply to your Parliamentary Question about jobs created in East Lothian Parliamentary Constituency. (190145)

While statistics of new jobs created are not available explicitly, statistics from surveys enable comparisons to be made of net changes in numbers of jobs from year-to-year.

The attached table shows the information requested, relating to employee jobs in East Lothian for 1997 and 2002, which is the latest year available.

Number of employees[1] with workplace in East Lothian parliamentary constituency: 1997 and 2002

	Number total
1997	18,300
2002	19,800
Change from 1997 to 2002[2]	1,500

[1] Employee jobs only, not self-employed jobs.

[2] The 1997 to 2002 change has been rounded to the nearest hundred separately from rounded levels for 1997 and 2002.

Source:

1997; Annual Employment Survey, rescaled. 2002; Annual Business Inquiry.

Lorry Road User Charging

Mr. Yeo: To ask the Chancellor of the Exchequer how many people are employed working on the project to introduce lorry road user charging; and what their budget is. [190173]

John Healey: The Chancellor of the Exchequer made clear in the 2004 Spending Review (Cm 6237), that the Government remain committed to ensuring that all hauliers, regardless of their nationality, pay an amount related to the distance they travel on UK roads. It will be revenue neutral overall to hauliers who already contribute through UK fuel duty.

In 2003–04, the last complete year for which figures are available, around 70 people were employed by the Lorry Road-user charging (LRUC) programme.

HM Customs and Excise's most recent resource allocations and accounts were published in their Annual Report and Accounts 2002–03 (HC 52) and Spring Report 2004 (Cm 6224) and updated in the 2004 Spending Review. The allocated budget for LRUC in 2004–05 is £30 million. It would be inappropriate to disclose estimates for future years: exemption 7 (Effective management and operations of the public service) of the Code of Practice on Access to Government Information applies.

National Insurance Contributions Office

Mr. Pickthall: To ask the Chancellor of the Exchequer how many citizens in this financial year to date have been sent a letter by the National Insurance Contributions Office announcing a shortfall in contributions to state pensions; how many of those letters have been shown to be wrong; and how much of this is due to lost records. [189699]

Dawn Primarolo: I gave written statements to the House, on 16 May and 18 June 2003, that Inland Revenue was to resume the issue of letters telling people about shortfalls in their national insurance contributions records. That exercise has now been successfully completed. As stated in my answer of 5 February 2004, *Official Report*, columns 1350–351W, Inland Revenue sent out over 10 million letters between October 2003 and September 2004. These show any gaps in the recipient's contribution record for the years 1996–97 to 2001–02 and invite them to inform the Inland Revenue if the information shown is incomplete or incorrect, so that records can be corrected. Corrections to national insurance records may be necessary for a number of reasons but it is not possible to identify separately those resulting from lost records.

Tax Credits

Mr. Andrew Turner: To ask the Chancellor of the Exchequer how many adjustments have been made to payments in respect of tax credit claim 2004/08 001519 as a result of errors in his Department; and if he will list the stages in determining payment under this claim, showing the calculations at each stage. [190282]

Dawn Primarolo: The Inland Revenue may need to adjust payments during the year as a result of a change of circumstances, for example to avoid paying too much tax credits over the year as a whole. They will also adjust payments to recover an overpayment of tax credits from a previous year. Their approach to payment adjustments and the recovery of overpayments is explained in the Code of Practice 26 'What happens if we have paid you too much tax credit?' and a copy has been placed in the Commons Library.

It would not be appropriate for me to discuss publicly the cases of individual customers. However, the Inland Revenue wrote to the hon. Member on 9 September 2004 and the Tax Credit Office are speaking regularly with the constituent concerned about their tax credits claim and payments.

John Thurso: To ask the Chancellor of the Exchequer how many overpayments of tax credits have been made in Scotland in this financial year; what the value of those overpayments is; and how many of these overpayments are subject to recovery. [190163]

Dawn Primarolo: Overpayments of 2004–05 awards will normally be recognised after the end of the year when incomes for the year are known and final decisions taken on entitlement.

Awards are also adjusted during the year to take account of changes of circumstance or income. Where the amount payable is reduced, payments are adjusted so as to pay out the right amount for the year as a whole. This is part of the normal operation of the tax credit system, and no count of such occurrences is maintained.

WORK AND PENSIONS

Pension Credit Entitlement

Mr. Pickthall: To ask the Secretary of State for Work and Pensions what decisions he has reached on extending the period for which pension credit customers are allowed to go abroad without it affecting their entitlement. [189698]

Malcolm Wicks: No decision has yet been made. Officials are researching a range of options for potentially extending the period for which pension credit can continue to be paid for customers who go abroad for less than 52 weeks.

Pensioners (Mitcham and Morden)

Siobhain McDonagh: To ask the Secretary of State for Work and Pensions if he will set out, with statistical evidence relating as closely as possible to the Mitcham and Morden constituency, the effects of changes in departmental policy since 1997 on the income of pensioners in the constituency. [189339]

Malcolm Wicks: The available information is set out as follows:

Nationally, the average pensioner household will be £1,350 per year, or £26 per week, better off in 2004–05 because of measures the Government have introduced, including pension credit, than they would have been under the 1997 system. The poorest third of pensioner households will be £1,750 per year, or £33 per week, better off. Figures for the average gains in Mitcham and Morden are not available. Figures available for the Mitcham and Morden constituency are as follows:

As at 30 September 2003 there were 12,700 pensioners in the Mitcham and Morden constituency in receipt of basic state pension[1]. These pensioners have benefited from the 7 per cent. above inflation increase that has been made to the basic state pension since 1997.

As at 31 August 2004 there were 3,365 pensioner households in receipt of pension credit in the parliamentary constituency of Mitcham and Morden. The average weekly pension credit payment was £51.86[2].

In October 2002, the upper age limit on claims for carer's allowance was abolished. This change means that carers aged 65 and over can now claim and gain entitlement to the allowance and to carer's additional amount in pension credit. As at May 2004, there were 140 people aged 65 and over entitled to carer's allowance in the parliamentary constituency of Mitcham and Morden[2].

The winter fuel payment and 80+ annual payment also make a positive contribution to the incomes of pensioners in the constituency. The one-off 70+ payment for households including someone aged 70 or over will help pensioners with their living expenses, including council tax bills. For data on these payments, I refer my hon. Friend to the answer given to her on 16 September 2004, *Official Report*, column 1747W.

Sources:

[1] DWP administrative data, 5 per cent. sample. Figures rounded to nearest 100.

[2] DWP administrative data, 100 per cent. sample. Figures rounded to nearest 5.

HEALTH

Commission for Patient and Public Involvement in Health

Mr. Jim Cunningham: To ask the Secretary of State for Health how much has been spent to date on setting up the Commission for Patient and Public Involvement in Health. [189668]

Ms Rosie Winterton: By the end of 2004–05, the total running and set up costs of the Commission for Patient and Public Involvement in Health (CPPIH) to date will be £66.76 million. This includes all costs associated with patients' forums. It also includes CPPIH set up costs in 2002–03 of around £2.5 million.

Colorectal Cancer

Mr. Jim Cunningham: To ask the Secretary of State for Health how many people suffering from colorectal cancer are receiving treatment. [189667]

Miss Melanie Johnson: The Department does not hold the information requested. However, data on finished admission episodes for of cancers of the colon and/or rectum is collected. This is shown in the table. These figures relate to 2002–03.

Primary diagnosis code	*Total episodes*
C18 (malignant neoplasm of colon)	87,884
C19 (malignant neoplasm of rectosigmoid junction)	14,840
C20 (malignant neoplasm of rectum)	46,759
C21 (malignant neoplasm of anus and anal canal)	2,521

Notes:

1. A finished admission episode is the first period of in-patient care under one consultant within one healthcare provider. Please note that admissions do not represent the number of in-patients, as a person may have more than one admission within a year.
2. The primary diagnosis is the first of up to 14 (7 prior to 2002–03) diagnosis fields in the hospital episode statistics (HES) data set and provides the main reason why the patient was in hospital.
3. Figures have not been adjusted for shortfalls in data (i.e. the data are ungrossed).

Source:

HES—Department of Health

Continuing Care

Mr. Burstow: To ask the Secretary of State for Health if he will list the consultancy work he has commissioned in the last 12 months concerning NHS continuing care; what the remit of the work was; when it was completed; and when he plans to publish it. [187860]

Dr. Ladyman: The only consultancy work commissioned centrally in the last 12 months has been the independent review of continuing care in nine strategic health authorities. The remit was to examine the review of criteria, progress with restitution and current processes. The work was commissioned in autumn 2003 and reported in June 2004. We will publish it in due course.

Dentistry

Sue Doughty: To ask the Secretary of State for Health how many patients were registered with a NHS dentist in each primary care trust of the Surrey and Sussex Strategic Health Authority in each year since 1997. [188173]

Ms Rosie Winterton: The general dental service dental registration numbers for June each year since 1997 for primary care trusts (PCTs) in the Surrey and Sussex Strategic Health Authority are shown in the following table:

Primary care trust	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*	*2004*
Bexhill and Rother	47,408	42,418	39,153	39,514	38,000	35,639	36,974	37,689
Brighton and Hove City	145,078	129,598	122,853	123,499	124,841	121,730	126,566	134,371
Crawley	41,770	42,236	44,827	47,250	43,746	40,264	38,127	36,941
Eastbourne Downs	87,307	65,421	81,918	83,559	83,238	81,021	79,117	76,504
Sussex Downs and Weald	81,774	77,645	73,975	77,679	76,169	77,444	80,304	78,589
North Surrey	99,302	69,949	88,437	87,201	88,423	88,265	87,311	83,797
Woking	105,698	99,312	93,386	94,920	93,786	91,592	89,833	79,144

Primary care trust	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*	*2004*
Adur, Arun and Worthing	126,674	113,321	108,242	107,023	106,832	105,724	103,331	105,900
Western Sussex	106,370	98,357	97,461	103,154	100,105	97,960	97,592	98,183
Guildford and Waverley	111,896	102,347	98,949	98,910	94,894	101,361	96,344	94,402
East Elmbridge and Mid Surrey	120,955	112,567	110,221	107,777	104,635	100,445	97,838	98,483
East Surrey	84,202	78,077	73,414	72,512	73,010	72,776	74,741	74,070
Hastings and St Leonards	53,885	48,672	47,856	49,059	51,939	49,821	50,589	51,173
Horsham and Chanctonbury	55,384	43,870	48,642	46,942	48,671	49,261	50,631	50,405
Mid-Sussex	79,010	73,469	70,629	69,585	71,042	68,999	71,800	73,300

Notes:

1. Changes in the registration periods for registrations starting after 31 August 1996 means that registration numbers for June 1997 and June 1998 are not on the same basis as later figures. Before that date, the registration period for adults was 24 months whilst children's registrations lasted until the end of the following calendar year. From 1 September 1996, registrations have lasted for 15 months from the end of the month of registration. The figures for some PCT areas will also be affected by the introduction in October 1998 and subsequent growth of the personal dental service.
2. Patients may access national health service dental treatment without being registered with a general dental service dentist, for example as a patient of a dental access centre.

General Practitioners

Mr. Spring: To ask the Secretary of State for Health, how many general practitioners there are per head of population in each of the primary care trusts within the Norfolk, Suffolk and Cambridgeshire Strategic Health Authority. [163032]

Dr. Ladyman *[Pursuant to his reply, 24 March 2004, c. 918W]:* I regret that the figures provide in my previous response were incorrect, dut to an error in the published figures. The correct figures are shown in the table.

Unrestricted Principals are Equivalents[1] (UPEs) per 100,000 patients for Norfolk, Suffolk and Cambridgeshire Strategic Health Authority by Primary Care Trust as at 30 September 2003

Number (headcount)

		UPEs	*UPE Patients*	*UPEs per 100,000 patients*
Norfolk, Suffolk and Cambridgeshire	—	1,341	2,253,423	60
Of which	Bradland	73	118,958	61
	Cambridge City	87	145,033	60
	Central Suffolk	63	100,162	63
	East Cambridgeshire and Fenland	81	146,197	55
	Great Yarmouth	47	95,988	49
	Huntingdonshire	94	150,093	63
	Ipswich	88	148,987	59
	North Norfolk	60	100,943	59
	North Peterborough	58	113,661	51
	Norwich	91	136,799	67
	South Cambridgeshire	64	103,357	62
	South Peterborough	58	95,172	59
	South Norfolk	114	202,729	56
	Souffolk Coastal	63	99,524	63
	Souffolk West	137	225,026	61
	Waveney	76	125,969	60
	West Norfolk	89	144,824	61

Unrestricted Principals are Equivalents[1] (UPEs) per 100,000 patients for Norfolk, Suffolk and Cambridgeshire Strategic Health Authority by Primary Care Trust as at 30 September 2003

Number (headcount)

[1] UPEs include GMS Unrestricted Principals, PMS contracted GPs and PMS Salaried GPs. Patient data has been revised from previously published figures.

Sources:

Department of Health General and Personal Medical Services Statistics

Mr. Yeo: To ask the Secretary of State for Health, how many general practitioners there were per head of population in *(a)* England and *(b)* each Strategic Health Authority in each year since 1997. [166653]

Mr. Hutton *[pursuant to his reply, 22 April 2004, Official Report, c. 620W]:* I regret my previous response was incorrect, due to an error in the published figures. The correct figures are shown in the table.

All General Medical Practitioners[1] (excluding GP retainers) per 100,000 of the population by Strategic Health Authority: 1997–2003

Number (headcount)

		1997		*1998*		*1999*	
		All practitioners (excl. Ret)	*All practitioners (excl. Ret) per 1000,000 population*	*All Practitioners (excl. Ret)*	*All Practitioners (excl. Ret) per 100,000 population*	*All Practitioners (excl. Ret)*	*All Practitioners (excl. Ret) per 1000,000 population*
England Total		29,389	60	29,697	61	29,987	61
North East Total		1,485	58	1,506	59	1,520	60
County Durham and Tees Valley	010	649	57	650	57	656	58
Northumberland, Tyne and Wear	009	836	59	856	61	864	62
North West Total		4,040	59	4,044	60	4,124	61
Cheshire and Merseyside	015	1,421	60	1,413	60	1,456	62
Cumbria and Lancashire	013	1,134	60	1,147	60	1,158	61
Greater Manchester	014	1,485	59	1,484	59	1,510	60

All General Medical Practitioners[1] *(excluding GP retainers) per 100,000 of the population by Strategic Health Authority: 1997–2003*

Number (headcount)

		1997		*1998*		*1999*	
		All practitioners (excl. Ret)	*All practitioners (excl. Ret) per 1000,000 population*	*All Practitioners (excl. Ret)*	*All Practitioners (excl. Ret) per 100,000 population*	*All Practitioners (excl. Ret)*	*All Practitioners (excl. Ret) per 1000,000 population*
Yorkshire and the Humber Total		3,021	61	3,028	61	3,092	63
North and East Yorkshire and Northern Lincolnshire	011	999	62	991	62	1,011	63
South Yorkshire	Q23	758	59	758	59	772	61
West Yorkshire	Q12	1,264	61	1,279	62	1,309	63
East Midlands Total		2,338	57	2,361	58	2,369	58
Leicestershire, Northamptonshire and Rutland	Q25	908	60	902	59	898	58
Trent	Q24	1,430	56	1,459	57	1,471	57
West Midlands Total		3,026	58	3,057	58	3,093	59
Birmingham and the Black Country	027	1,327	58	1,343	59	1,357	60
Shropshire and Staffordshire	026	792	54	813	55	830	56
West Midlands South	028	907	60	901	60	906	60
East of England Total		3,080	58	3,141	59	3,156	59
Bedford and Hertfordshire	002	915	59	944	60	948	60
Essex	003	849	54	862	54	860	54
Norfolk, Suffolk and Cambridgeshire	001	1,316	62	1,335	62	1,348	62
London Total		4,532	65	4,515	65	4,496	64
North Central London	005	788	69	802	70	786	68
North East London	006	888	62	896	62	894	61
North West London	004	1,209	73	1,188	71	1,134	67
South East London	Q07	868	60	862	59	901	61
South West London	008	779	62	767	61	781	62
South East Total		4,682	60	4,788	61	4,830	61
Hampshire and Isle of Wight	017	1,060	61	1,070	61	1,089	62
Kent and Medway	018	904	58	916	59	918	59
Surrey and Sussex	Q19	1,486	59	1,518	60	1,522	60
Thames Valley	016	1,232	60	1,284	62	1,301	63
South West Total		3,185	66	3,257	67	3,307	68
Avon, Gloucestershire and Wiltshire	020	1,325	63	1,374	65	1,404	65
Somerset and Dorset	022	794	68	820	70	843	72
South West Peninsula	Q21	1,066	69	1,063	69	1,060	68

Number (headcount)

		2000	*2001*	*2002*			
		All practitioners (excl. Ret)	*All practitioners (excl. Ret) per 1000,000 population*	*All Practitioners (excl. Ret)*	*All Practitioners (excl. Ret) per 100,000 population*	*All Practitioners (excl. Ret)*	*All Practitioners (excl. Ret) per 1000,000 population*
England Total		30,252	62	30,685	62	31,182	63
North East Total		1,536	61	1,603	64	1,645	65
County Durham and Tees Valley	010	661	58	696	61	701	62
Northumberland, Tyne and Wear	009	875	63	907	65	944	68
North West Total		4,134	61	4,174	62	4,247	63
Cheshire and Merseyside	015	1,459	62	1,481	63	1,536	65
Cumbria and Lancashire	013	1,152	61	1,174	62	1,200	63
Greater Manchester	014	1,523	60	1,519	60	1,511	60
Yorkshire and the Humber Total		3,123	63	3,192	64	3,253	65
North and East Yorkshire and Northern Lincolnshire	011	1,021	63	1,039	64	1,065	65
South Yorkshire	Q23	778	61	794	63	808	64
West Yorkshire	Q12	1,324	64	1,359	65	1,380	66
East Midlands Total		2,384	58	2,437	58	2,466	58
Leicestershire, Northamptonshire and Rutland	Q25	877	57	894	57	910	58
Trent	Q24	1,507	58	1,543	59	1,556	59
West Midlands Total		3,142	60	3,157	60	3,255	61
Birmingham and the Black Country	027	1,380	61	1,391	61	1,428	63
Shropshire and Staffordshire	026	838	56	825	55	861	58
West Midlands South	028	924	61	941	62	966	63
East of England Total		3,183	59	3,204	59	3,223	59
Bedford and Hertfordshire	002	955	60	965	60	976	61

Number (headcount)

		2000	*2001*	*2002*			
		All practitioners (excl. Ret)	*All practitioners (excl. Ret) per 1000,000 population*	*All Practitioners (excl. Ret)*	*All Practitioners (excl. Ret) per 100,000 population*	*All Practitioners (excl. Ret)*	*All Practitioners (excl. Ret) per 1000,000 population*
Essex	003	857	53	851	53	846	52
Norfolk, Suffolk and Cambridgeshire	001	1,371	63	1,388	64	1,401	64
London Total		4,548	64	4,545	62	4,609	63
North Central London	005	819	70	804	67	806	66
North East London	006	925	62	899	59	945	61
North West London	004	1,125	66	1,150	65	1,139	64
South East London	Q07	886	60	904	60	902	60
South West London	008	793	62	788	61	817	63
South East Total		4,839	61	4,943	62	5,017	62
Hampshire and Isle of Wight	017	1,099	62	1,122	63	1,112	62
Kent and Medway	018	901	57	915	58	911	57
Surrey and Sussex	Q19	1,531	60	1,571	61	1,587	62
Thames Valley	016	1,308	63	1,335	64	1,407	67
South West Total		3,363	69	3,430	69	3,467	70
Avon, Gloucestershire and Wiltshire	020	1,424	66	1,442	67	1,460	67
Somerset and Dorset	022	846	71	867	73	895	75
South West Peninsula	Q21	1,093	70	1,121	71	1,112	70

Number (headcount)

			2003
		All Practitioners (excl. Ret)	*All Practitioners (excl. Ret) per 1000,000 population*
England Total		32,593	66
North East Total		1741	n/a
County Durham and Tees Valley	010	758	n/a
Northumberland, Tyne and Wear	009	983	n/a
North West Total		4,400	n/a
Cheshire and Merseyside	015	1,593	n/a
Cumbria and Lancashire	013	1,226	n/a
Greater Manchester	014	1,581	n/a
Yorkshire and the Humber Total		3,424	n/a
North and East Yorkshire and Northern Lincolnshire	011	1,115	n/a
South Yorkshire	Q23	847	n/a
West Yorkshire	Q12	1,462	n/a
East Midlands Total		2,598	n/a
Leicestershire, Northamptonshire and Rutland	Q25	974	n/a
Trent	Q24	1,624	n/a
West Midlands Total		3,391	n/a
Birmingham and the Black Country	027	1,491	n/a
Shropshire and Staffordshire	026	897	n/a
West Midlands South	028	1,003	n/a
East of England Total		3,398	n/a
Bedford and Hertfordshire	002	1,014	n/a
Essex	003	907	n/a
Norfolk, Suffolk and Cambridgeshire	001	1,477	n/a
London Total		4,879	n/a
North Central London	005	850	n/a
North East London	006	986	n/a
North West London	004	1,176	n/a
South East London	Q07	979	n/a
South West London	008	888	n/a
South East Total		5,175	n/a
Hampshire and Isle of Wight	017	1,187	n/a
Kent and Medway	018	931	n/a
Surrey and Sussex	Q19	1,631	n/a
Thames Valley	016	1,426	n/a
South West Total		3,587	n/a
Avon, Gloucestershire and Wiltshire	020	1,524	n/a
Somerset and Dorset	022	913	n/a
South West Peninsula	Q21	1,150	n/a

n/a = Not available.

[1] All Practitioners (excluding GP Retainers) includes GMS Unrestricted Principals, PMS Contracted GPs, PMS Salaried GPs, Restricted Principals, Assistants, GP Registrars, Salaried Doctors (Para 52 SFA), PMS Other, Flexible Career Schemes and GP Returners.

Notes:

1. Strategic Health Authority population figures are derived from the 1992–2000 first revised sub-national population estimates published by ONS 27 February 2003 and so are not consistent with the interim revised national population estimates for 1992–2002 published by ONS 23 October 2003.
2. Data has been converted to match Strategic Health Authority structures for 2002.
3. Data as at 1 October 1997–1999, 30 September 2000–2003.

Sources:

Department of Health General and Personal Medical Services Statistics.

2001 ONS Population Census.

General Practitioners

Mr. Burstow: To ask the Secretary of State for Health how many whole-time equivalent NHS plan group general practitioners per 100,000 population there were in *(a)* each region, *(b)* each strategic health authority and *(c)* each primary care trust in (i) 2002 and (ii) 2003. [167424]

Mr. Hutton *[pursuant to his reply, 28 April 2004, Official Report, c. 1090W]:* I regret my previous response was incorrect, due to an error in the published figures. The correct figures have now been placed in the Library.

Sarah Teather: To ask the Secretary of State for Health how many general practitioners there are per head in each primary care trust in England. [172828]

Mr. Hutton *[pursuant to his reply, 19 May 2004, Official Report, c. 1012W]:* I regret that the figures provided in my previous response were incorrect, due to an error in the published figures. Correct figures have now been placed in the Library.

Sarah Teather: To ask the Secretary of State for Health how many general practitioners there have been per head in Brent, East in each year since 1997. [172822]

Mr. Hutton *[pursuant to his reply on 19 May 2004 columns 1012–15W]:* I regret my previous response was incorrect, due to an error in the published figures. The correct figures are shown in the table.

All Practitioners (excluding GP Retainers but including GP Registrars)[1] *per 100,000 patients of Unrestricted Principals and Equivalents (UPEs*[2] *for North West London SHA and specified organisations, 1997–2003*

Numbers (headcount)

			1997			*1998*	
		All practitioners (excluding GP Retainers)	*Patients of UPEs*	*Practitioners per 100,000 UPE patients*	*All practitioners (excluding GP Retainers)*	*Patients of UPEs*	*Practitioners per 100,000 UPE patients*
Q04	North West London	1,209	2,031,706	60	1,188	2,011,394	59
	of which:						
4JC46	Brent Central	—	—	—	—	—	—
4XW97	Brent North	—	—	—	—	—	—
4EF26	Brent South	—	—	—	—	—	—
5K5	Brent PCT	—	—	—	—	—	—
5HX	Ealing PCT	—	—	—	—	—	—
5H1	Hammersmith and Fulham	—	—	—	—	—	—
5K6	Harrow PCT	—	—	—	—	—	—
5AT	Hillingdon PCT	—	—	—	—	—	—
5HY	Hounslow PCT	—	—	—	—	—	—
5LA	Kensington and Chelsea PCT	—	—	—	—	—	—
5LC	Westminster PCT	—	—	—	—	—	—

			1999			*2000*	
		All practitioners (excluding GP Retainers)	*Patients of UPEs*	*Practitioners per 100,000 UPE patients*	*All practitioners (excluding GP Retainers)*	*Patients of UPEs*	*Practitioners per 100,000 UPE patients*
Q04	North West London	1,134	1,881,696	60	1,125	2,004,915	56
:	*of which*						
4JC46	Brent Central	47	93,074	50	50	95,790	52
4XW97	Brent North	65	108,692	60	64	113,029	57
4EF26	Brent South	63	79,638	79	57	98,801	58
5K5	Brent PCT	—	—	—	—	—	—
5HX	Ealing PCT	—	—	—	—	—	—
5H1	Hammersmith and Fulham	—	—	—	—	—	—
5K6	Harrow PCT	—	—	—	—	—	—
5AT	Hillingdon PCT	—	—	—	—	—	—
5HY	Hounslow PCT	—	—	—	—	—	—
5LA	Kensington and Chelsea PCT	—	—	—	—	—	—
5LC	Westminster PCT	—	—	—	—	—	—

			2001			*2002*	
		All practitioners (excluding GP Retainers)	*Patients of UPEs*	*Practitioners per 100,000 UPE patients*	*All practitioners (excluding GP Retainers)*	*Patients of UPEs*	*Practitioners per 100,000 UPE patients*
Q04	North West London	1,150	2,026,480	57	1,139	2,040,719	56
:	*of which*						
4JC46	Brent Central	—	—	—	—	—	—
4XW97	Brent North	—	—	—	—	—	—
4EF26	Brent South	—	—	—	—	—	—
5K5	Brent PCT	184	320,649	57	197	347,890	57
5HX	Ealing PCT	198	360,064	55	195	352,583	55
5H1	Hammersmith and Fulham	105	180,949	58	106	186,741	57
5K6	Harrow PCT	142	259,168	55	121	221,675	55
5AT	Hillingdon PCT	138	254,204	54	137	253,087	54
5HY	Hounslow PCT	123	240,173	51	118	248,171	48
5LA	Kensington and Chelsea PCT	124	178,455	69	132	189,307	70
5LC	Westminster PCT	136	232,818	58	133	241,265	55

		2003		
		All practitioners (excluding GP Retainers)	*Patients of UPEs*	*Practitioners per 100,000 UPE patients*
Q04	North West London	1,176	2,083,156	56
	of which			
4JC46	Brent Central	—	—	—
4XW97	Brent North	—	—	—
4EF26	Brent South	—	—	—
5K5	Brent PCT	205	352,148	58
5HX	Ealing PCT	194	361,069	54
5H1	Hammersmith and Fulham	96	188,199	51
5K6	Harrow PCT	146	222,615	66
5AT	Hillingdon PCT	139	258,940	54
5HY	Hounslow PCT	133	253,558	52
5LA	Kensington and Chelsea PCT	120	195,743	61
5LC	Westminster PCT	143	250,884	57

[1] All Practitioners (excluding GP Retainers) include GMS Unrestricted Principals, PMS Contracted GPs, PMS Salaried GPs, Restricted Principals, Assistants, GP Registrars, Salaried Doctors (Para 52 SFA). PMS Other, GP Retainers. Flexible Career Scheme GPs and GP Returners

[2] UPEs include GMS Unrestricted Principals, PMS Contracted GPs and PMS Salaried GPs.

Note:

Data as at 1 October 1997–99, 30 September 2000–03

Source:

Department of Health General and Personal Medical Services Statistics

All practitioners (excluding GP Retainers)[1] *per 100,000 patients of Unrestricted Principals and Equivalents (UPEs)*[2] *for Brent and Harrow HA: 1997–2003*

	Numbers (headcount)
Brent and Harrow HA	
1997	
All practitioners (excluding GP Retainers)	324
Patients of UPEs	554,018
Practitioners per 100,000 UPE patients	58
1998	
All practitioners (excluding GP Retainers)	333
Patients of UPEs	561,395
Practitioners per 100,000 UPE patients	59
1999	
All practitioners (excluding GP Retainers)	311
Patients of UPEs	516,923
Practitioners per 100,000 UPE patients	60
2000	
All practitioners (excluding GP Retainers)	306
Patients of UPEs	560,208
Practitioners per 100,000 UPE patients	55
2001	
All practitioners (excluding GP Retainers)	326
Patients of UPEs	579,817
Practitioners per 100,000 UPE patients	56

[1] All Practitioners (excluding GP Retainers) include GMS Unrestricted Principals, PMS Contracted GPs, PMS Salaried GPs, Restricted Principals, Assistants, GP Registrars, Salaried Doctors (Para 52 SFA). PMS Other. GP Retainers. Flexible Career Scheme GPs and GP Returners

[2] UPEs include GMS Unrestricted Principals. PMS Contracted GPs and PMS Salaried GPs.

Note:

Data as at 1 October 1997–99

Source:

Department of Health General and Personal Medical Services Statistics

Mr. Watson: To ask the Secretary of State for Health what the average general practitioner list size was in *(a)* Birmingham and *(b)* the Black Country in each of the last 10 years. [165804]

Dr. Ladyman *[Pursuant to his reply, 1 April 2004, c. 260W]:* I regret my previous response was incorrect, due to an error in the published figures. The correct figures are shown in the tables.

Unrestricted Principals and Equivalents[1] *(UPEs) Average List Size for Birmingham and the Black Country Stategic Health Authority, by Primary Care Trust, 2001–2003*

	Number (headcount)		
Birmingham			
South Birmingham PCT	1,716	1,659	1,711
North Birmingham PCT	1,886	1,942	1,941
Heart of Birmingham PCT	2,203	2,299	2,385
East Birmingham PCT	1,991	2,024	2,100
Black Country			
Dudley South PCT	1,927	1,855	1,880
Dudley Beacon and Castle PCT	2,075	2,082	2,018
Walsall PCT	2,063	2,002	2,139
Oldbury and Smethwick PCT	1,884	1,867	1,893
Rowley, Regis and Tipton PCT	2,022	2,041	1,916
Wednesbury and West Bromwich PCT	2,063	1,960	2,035
Wolverhampton City PCT	1,959	1,930	1,992
Other			
Solihull PCT	1,786	1,795	1,898

[1] UPEs include GMS Unrestricted Principals, PMS Contracted GPs and PMS Salaried GPs. 2003 Patient data has been revised from previously published figures All data as at 30 September

Source:

Department of Health General and Personal Medical Services Statistics

Unrestricted Principals and Equivalents[1] *(UPEs) Average List Size for Birmingham and the Black Country Strategic Health Authority 1993–2003*

	Average list size
1993	1,993
1994	1,972
1995	1,955
1996	1,945
1997	1,941
1998	1,930
1999	1,967
2000	1,927
2001	1,943
2002	1,928
2003	1,983

[1] UPEs include GMS Unrestricted Principals, PMS Contracted GPs and PMS Salaried GPs. 2003 patient data has been revised from previously published figures Data as at 1 October 1993–99 and 30 September 2000–03.

Source:

Department of Health General and Personal Medical Services Statistics

Mr. Hepburn: To ask the Secretary of State for Health how many general practitioners per head of population there were in *(a)* the Jarrow constituency, *(b)* South Tyneside, *(c)* Tyne and Wear, *(d)* the North East and *(e)* England in each year since 1997. [162917]

Mr. Hutton *[Pursuant to his reply, 1 April 2004, Official Report c.1664W]:* I regret my previous response was incorrect, due to an error in the published figures. The correct figures are shown in the table.

Unrestricted Principals and Equivalents[1] (UPEs) per 100,000 patients for England, South Tyneside PCG/PCT, Tyne and Wear and the North East Government Office Region 1997–2003

Numbers (headcount)

North East	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*
England	53	54	54	54	54	54	54
South Tyneside PC	[2]—	[2]—	51	51	[2]—	[2]—	[2]—
South Tyneside PC	[2]—	[2]—	[2]—	[2]—	52	52	51
Tyne and Wear	53	53	54	55	57	59	58
North East	53	53	54	55	56	57	57

[1] UPEs include GMS Unrestricted Principals, PMS Contracted GPs and PMS Salaried GPs. Figures for South Tyneside PCG appear comparable to South Tyneside PCT but this is unable to be confirmed Data as at 1 October 1997–1999 and 30 September 2000–2003

[2] Denotes not available 2003 patient data has been revised from previously published figures

Source:

Department of Health General and Personal Medical Services Statistics

NHS Staff (York)

Hugh Bayley: To ask the Secretary of State for Health how many full-time equivalent NHS *(a)* consultants and *(b)* other hospital doctors there were in each specialty in hospitals in the greater York area in (i) 1994 and (ii) each year since then. [189759]

Miss Melanie Johnson: The information requested is shown in the table.

Hospital. Public Health Medicine and Community Health Services (HCHS) medical and dental staff: within the Greater York area by specialty

As at 30 September 2003 *Whole-time equivalents*

		1994	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*
	Total for specified trusts	186	232	215	261	274	283	281	268	267	324
	Selby and York PCT	—	—	—	—	—	—	—	10	30	30
5E2	Accident and emergency	—	—	—	—	—	—	—	3	2	2
	Child and adolescent psychiatry	—	—	—	—	—	—	—	—	3	2
	Dental public health	—	—	—	—	—	—	—	5	—	—
	Forensic psychiatry	—	—	—	—	—	—	—	—	—	—
	General Psychiatry	—	—	—	—	—	—	—	—	12	12
	Geriatric medicine	—	—	—	—	—	—	—	—	0	1
	Learning disabilities	—	—	—	—	—	—	—	2	2	2
	Old age psychiatry	—	—	—	—	—	—	—	—	10	10
	Palliative medicine	—	—	—	—	—	—	—	1	1	1
	Other	—	—	—	—	—	—	—	—	0	0
	York Health Services NHS Trust	186	232	215	261	274	283	281	258	237	294
RGB	Accident and emergency	9	16	18	17	16	17	14	10	10	14
	Anaesthetics (inc. Intensive Care)	20	23	24	29	29	31	29	33	30	45
	Cardiology	2	2	3	3	2	4	7	6	5	4
	Chemical pathology	1	0		1	1	1	1	1	1	1
	Child and adolescent psychiatry	2	—	1	1	1	1	2	—	1	2
	Clinical neurophysiology	1	0	0	—	0	0	0	0	1	1
	Clinical radiology	6	6	8	11	11	13	11	9	10	10
	Dental public health	—	—	—	—	4	4	4	—	—	—
	Dermatology	2	3	3	5	3	3	4	4	4	4
	Endocrinology and diabetes melitus	2	3	4	2	2	2	3	3	4	4
	Forensic psychiatry	—	—	—	—	1	—	1	1	—	—
	Gastroenterology	2	2	2	3	3	2	3	3	4	3
	General Psychiatry	20	21	26	26	28	21	23	16	1	3
	General surgery	11	12	9	18	16	19	21	21	26	30
	Genito-urinary medicine	1	1	1	2	2	1	3	2	4	4
	Geriatric medicine	9	12	10	12	13	14	14	14	13	18
	Haematology	2	3	2	2	2	2	2	2	2	1
	Histopathology	2	3	2	5	5	5	5	6	8	7
	Infectious diseases	—	—	—	—	—	—	—	—	1	—
	Learning disabilities	2	2	2	1	2	1	1	—	1	—
	Medical microbiology and virology	1	1	1	1	1	1	1	1	2	2
	Neurology	1	3	5	6	5	8	6	6	4	4
	Obstetrics and gynaecology	14	17	14	20	19	20	19	18	16	23
	Occupational health	—	1	—	—	—	—	—	1	1	1
	Old age psychiatry	1	9	8	11	11	12	11	12	1	1
	Ophthalmology	7	9	8	7	8	9	9	8	10	12
	Oral and maxillo facial surgery	6	9	7	10	10	12	11	9	6	9
	Orthodontics	2	1	1	1	1	2	1	3	3	4
	Otolaryngology	4	5	5	6	7	7	9	8	8	8
	Paediatrics	9	15	13	18	17	13	15	15	17	23
	Palliative medicine	—	—	—	—	0	0	1	—	—	—
	Public health medicine	—	7	7	—	4	5	4	—	—	—

Hospital. Public Health Medicine and Community Health Services (HCHS) medical and dental staff: within the Greater York area by specialty

As at 30 September 2003

Whole-time equivalents

		1994	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*
	Renal medicine	1	1		1	1	3	4	4	4	4
	Respiratory medicine	1	2	2	3	4	3	3	2	3	3
	Rheumatology	1	1	1	2	1	2	1	2	2	2
	Trauma and orthopaedic surgery	12	14	13	14	16	18	18	17	16	22
	Urology	5	10	8	7	7	8	8	7	7	6
	Other	24	20	7	17	21	17	14	15	13	18

Whole-time equivalents

						Of which: Consultant						
		1994	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*	*June 2004*
	Total for specified trusts	82	87	72	102	98	110	109	121	127	134	143
	Selby and York PCT	—	—	—	—	—	—	—	1	14	15	18
5E2	Accident and emergency	—	—	—	—	—	—	—	—	—	—	—
	Child and adolescent psychiatry	—	—	—	—	—	—	—	—	2	2	3
	Dental public health	—	—	—	—	—	—	—	—	—	—	—
	Forensic psychiatry	—	—	—	—	—	—	—	—	—	—	1
	General Psychiatry	—	—	—	—	—	—	—	—	—	—	7
	Geriatric medicine	—	—	—	—	—	—	—	—	—	1	—
	Learning disabilities	—	—	—	—	—	—	—	0	1	1	2
	Old age psychiatry	—	—	—	—	—	—	—	—	10	10	4
	Palliative medicine	—	—	—	—	—	—	—	1	1	1	1
	Other	—	—	—	—	—	—	—	—	—	—	—
	York Health Services NHS Trust	82	87	72	102	98	110	109	120	113	119	126
RGB	Accident and emergency	2	2	2	2	2	2	2	3	3	4	4
	Anaesthetics (inc. Intensive Care)	12	13	11	14	15	18	17	20	21	21	23
	Cardiology	2	2	2	2	2	2	4	4	4	4	4
	Chemical pathology	1	0	—	1	1	1	1	1	1	1	1
	Child and adolescent psychiatry	2	—	—	—	—	—	—	—	—	—	—
	Clinical neurophysiology	1	—	—	—	—	—	—	—	1	1	1
	Clinical radiology	6	5	7	8	9	10	8	8	9	9	10
	Dental public health	—	—	—	—	—	—	—	—	—	—	—
	Dermatology	1	3	3	5	3	3	4	4	4	4	4
	Endocrinology and diabetes melitus	2	2	2	2	1	1	2	2	2	3	3
	Forensic psychiatry	—	—	—	—	—	—	—	—	—	—	—
	Gastroenterology	2	2	2	2	2	2	2	3	3	3	3
	General Psychiatry	7	—	—	—	—	—	1	1	—	—	—
	General surgery	4	5	4	6	3	6	6	8	8	9	9
	Genito-urinary medicine	1	1	1	2	2	1	2	2	2	2	3
	Geriatric medicine	4	4	2	4	4	4	5	5	5	6	7
	Haematology	2	3	2	2	2	2	2	2	2	1	2
	Histopathology	2	3	2	4	4	4	4	5	5	5	5
	Infectious diseases	—	—	—	—	—	—	—	—	—	—	—
	Learning disabilities	1	1	—	0	0	0	0	—	—	—	—
	Medical microbiology and virology	1	1	1	1	1	1	1	1	2	2	2
	Neurology	1	3	3	3	3	4	4	4	3	3	3
	Obstetrics and gynaecology	4	4	4	6	6	6	6	6	6	6	6
	Occupational health	—	—	—	—	—	—	—	—	—	—	—
	Old age psychiatry	1	9	8	10	10	11	8	10	—	—	—
	Ophthalmology	3	5	5	2	2	3	4	4	4	5	5
	Oral and maxillo facial surgery	3	5	3	5	5	6	5	3	3	3	3
	Orthodontics	2	—	—	—	—	1	—	2	2	2	2
	Otolaryngology	2	1	2	2	3	3	3	3	5	4	4
	Paediatrics	4	5	3	7	5	5	5	5	5	6	5
	Palliative medicine	—	—	—	—	0	0	1	—	—	—	—
	Public health medicine	—	—	—	—	—	—	—	—	—	—	—
	Renal medicine	1	1	—	1	1	2	2	3	3	3	4
	Respiratory medicine	1	1	1	2	2	2	2	2	2	2	2
	Rheumatology	1	1	—	1	1	1	1	1	1	1	1
	Trauma and orthopaedic surgery	4	4	3	4	5	6	6	6	6	8	8
	Urology	2	3	1	3	3	3	3	3	3	3	3
	Other	1	—	—	1	—	—	—	—	—	—	—

Notes:

'—' denotes zero.

'0' denotes less than one more than zero.

Source:

Department of Health medical and dental workforce census.

Patient Statistics (Wandsworth)

Tom Cox: To ask the Secretary of State for Health how many patients there were per general practitioner within the London borough of Wandsworth at the most recent recorded date. [174494]

Mr. Hutton *[pursuant to his reply, 24 May 2004, Official Report, c. 1389W]:* I regret my previous response was incorrect, due to an error in the published figures. The correct figures are shown in the table.

Patients of Unrestricted Principals and Equivalents (UPEs)[1] *for Wandsworth PCT*

Number (headcount)

	Wandsworth PCT
UPEs	174
Patients of UPEs	309,365
Average list size	1,778

[1] UPEs include GMS unrestricted principals, PMS contracted general practitioners and PMS salaried GPs.

Data as at 30 September 2003.

Patient data have been revised from previously published figures.

Source:

Department of Health general and personal medical services statistics.

Post-Laryngectomy Equipment

Mrs. Helen Clark: To ask the Secretary of State for Health what assessment he has made of the difficulties in communication faced by people who have had laryngectomies. [188889]

Dr. Ladyman: No assessment has been carried out centrally.

Teriparatide

Mr. Edwards: To ask the Secretary of State for Health (1) what assessment he has made of teriparatide for the treatment of osteoporosis; [189045]

(2) what guidance is given to local health trusts and local health boards about the availability of teriparatide on the NHS. [189046]

Dr. Ladyman: Teriparatide is being considered as part of the National Institute for Clinical Excellence's (NICE's) appraisal of the clinical effectiveness and cost effectiveness of technologies for the secondary prevention of osteoporotic fractures in postmenopausal women. NICE has developed guidance in consultation with a number of stakeholders. Final guidance was due to be published in October 2004, covering both England and Wales, but an appeal has been received against the final appraisal determination and guidance on this technology. NICE has arranged for the appeal panel to convene on 22 October 2004 to hear oral representations from the appellant. Full details are available on the NICE website at www.nice.org.uk.

In August 1999, the Department issued Health Service Circular 1999/176, which asks national health service bodies to continue with local arrangements for the managed introduction of new technologies where guidance from NICE is not available at the time the technology first became available. These arrangements should involve an assessment of all the available evidence. The circular applies to England only.

Written Answers to Questions

Wednesday 13 October 2004

HOUSE OF COMMONS

Bellamy's Cafeteria (Contractors)

Tom Cox: To ask the Chairman of the Accommodation and Works Committee what requirements were stipulated to contractors working on the refurbishment of Bellamy's cafeteria with respect to *(a)* hours of work, *(b)* noise levels of works and *(c)* dust levels; and if he will make a statement on when the work will be finished. [189525]

Derek Conway: The contractor is required to comply with the Control of Noise (Code of Practice for Construction and Open Sites) Order 1984 Regulations and BS 5228, the Code of Practice for Noise Control on Construction and Demolition Sites. The contractor is further required to comply with any local authority restrictions. Construction methodology and timing of work are reviewed with the contractor on a regular basis.

The control of dust is covered by conditions in the contract relating to nuisance under which the contractor is required to take all reasonable precautions to prevent such nuisance. The contractor also has responsibilities under health and safety legislation.

One of the project's stipulations is that the work to refurbish Bellamy's Kitchen must be completed within the summer months when the House is in recess, including the two week September return; a period of some 10 weeks. Given the significant amount of work involved maximum flexibility has been afforded: 24 hours per day, seven days a week working is available.

The works were forecast to be completed by the return of the House.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Fallen Stock

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what progress her Department has made in establishing a national fallen stock collection scheme; how many and what proportion of livestock farms have registered; and what plans she has for its future development. [190128]

Mr. Bradshaw: The Board of the National Fallen Stock Company, in partnership with Government and the livestock industry, remain on target to launch the scheme this autumn. We will not know how many farmers will register until the scheme begins. Future development of the scheme is a matter for the Board but the Government are committed to providing £20 million over three years to help establish it on a firm footing.

INTERNATIONAL DEVELOPMENT

Iraq

7. **Linda Gilroy:** To ask the Secretary of State for International Development what effects instability in Iraq is having on his Department's work on reconstruction. [190361]

Hilary Benn: Present levels of instability in Iraq have slowed the pace of reconstruction. However, DFID's programmes are designed to be flexible and responsive to the current difficult security environment. Extensive measures are in place to safeguard the well-being of DFID employees and contractors working in Iraq. In southern Iraq, we are about to complete a substantial programme of infrastructure rehabilitation; and capacity-building and employment generation projects are well under way. Capacity-building support to key Iraqi ministries in Baghdad, and support for civil society, the judiciary and independent media, are also continuing.

Mr. Dalyell: To ask the Secretary of State for International Development how much from departmental sources was spent in Iraq from June to September. [190354]

Hilary Benn: In the four months June to September this year, DFID disbursed a total of £15.95 million on Iraq. £15.5 million of this was programme funds, and £0.45 million was administrative costs.

In the three months between the handover of power to the Iraqi Interim Government on 28 June and the end of September, DFID disbursed a total of £11.7 million, of which £11.35 million was programme funds and £0.36 million was administrative costs.

Ethiopia

8. **Mr. Laurence Robertson:** To ask the Secretary of State for International Development what assistance his Department is giving to Ethiopia; and if he will make a statement. [190362]

Hilary Benn: UK development assistance to Ethiopia is increasing rapidly from £44 million in 2003–04 to £85 million in 2005–06. Half of our support is direct support to the Government of Ethiopia's budget to enable them to increase their pro-poor spending with additional cooperation focusing on food security, capacity building and education plus support to tackle HIV/AIDS.

Caribbean (Extreme Weather)

9. **Michael Fabricant:** To ask the Secretary of State for International Development what assistance his Department has given to British dependencies and Commonwealth countries in *(a)* the Caribbean and *(b)* Central America affected by extreme weather conditions in the last year; and if he will make a statement. [190363]

Mr. Gareth Thomas: Details of DFID's disaster relief to Caribbean countries that have been seriously affected by recent Hurricanes Ivan and Jeanne were provided to the House in the oral statement of 14 September 2004 and written statement of 16 September 2004 by the

Secretary of State for International Development. A further written statement, updating the House, was provided on 12 October 2004.

In addition to the responses to the recent hurricanes, DFID also provided some £420,000 of humanitarian assistance to Haiti, in May 2004, following severe flooding. This humanitarian assistance supported the flood relief and recovery programmes of Action Aid, Save the Children Fund and the World Food Programme for the provision of basic services, food, and water and sanitation interventions.

Aid Projects

10. **Mrs. Gillan:** To ask the Secretary of State, Department for International Development, what recent assessment he has made of co-operation between his Department and the EU on aid projects. [190384]

Mr. Gareth Thomas: DFID continually monitors and assesses cooperation with the European Union on aid projects. At a political level, the Secretary of State and I regularly meet with counterparts from other EU Member States and the European Commission. There is similar contact at an official level both at headquarters and field levels.

Nigeria

11. **Brian White:** To ask the Secretary of State, Department for International Development if he will make a statement on the outcome of his recent visit to Nigeria. [190385]

Hilary Benn: 80–90 million Nigerian's live in poverty; only India and China have more poor.

Whether Africa attains the Millennium Development Goals (MDGs) depends on Nigeria. Reforms are underway in Nigeria and there is an opportunity for change. The Government have launched their poverty reduction strategy and restored macroeconomic stability.

Donor and creditor support is critical to maintain the momentum of reform. DFID has doubled its aid to £70 million next year.

The UK is also committed to helping Nigeria to reach a sustainable solution to its debt problems through the Paris Club's Evian Approach.

Agriculture Strategy

12. **Sue Doughty:** To ask the Secretary of State, Department for International Development, if he will make a statement on his Department's agriculture strategy. [190387]

Hilary Benn: Following the launch of the 2003 Agriculture Policy Paper "Agriculture and poverty reduction: unlocking the potential", the Department for International Development has engaged in a consultative process seeking the views of others on ways to improve the effectiveness of our assistance to agriculture which will culminate in a new Agriculture Strategy Paper. This process has included an electronic forum that engaged over 550 participants and the development of 14 working papers providing material for the strategy. The first working papers are now available on our consultation website, and the remainder will be released shortly. DFID acknowledges the valuable input of NGOs, notably members of the UK Food Group, in this process. A summary draft of the strategy is being prepared, and we anticipate releasing this very shortly for wider consultation.

Millennium Development Goals

13. **Bob Spink:** To ask the Secretary of State, Department for International Development, if he will make a statement on the effectiveness of aid given *(a)* through the EU and *(b)* bilaterally in achieving the Millennium Development Goals. [190388]

Mr. Gareth Thomas: All EU member states, as well as the European Commission, are currently drawing up detailed reports on the contribution towards reaching the Millennium Development Goals. These are being prepared to a common format, agreed in advance, in order to allow comparisons to be drawn between the approaches and successes of each Member State, as well as the European Commission, in their respective development programmes.

The reports are due to be published later this year. There is no recent comparative analysis available at present which can match the thoroughness or comprehensiveness of these forthcoming reports.

Afghanistan

Mr Battle: To ask the Secretary of State for International Development if he will make a statement on his Department's support programmes for alternative livelihoods in Afghanistan. [189941]

Mr. Gareth Thomas: DFID's Alternative Livelihoods programme is an essential part of our overall strategy to reduce and eventually eliminate poverty in Afghanistan. It is also a key component of the fight against drugs. In 2003/04 DFID provided £6 million to our alternative livelihoods programme. We have budgeted for an additional £20 million over the next two years.

DFID is working with the Afghan Government to build the capacity of the key agricultural ministries (£2.1 million over three years) and have helped establish the Alternative Livelihoods working group, which acts as a forum for the Afghan Government, donors, UN Agencies and non-governmental organisations to co-ordinate activities and develop a strategic framework for the creation of sustainable alternative livelihoods.

DFID is funding pilot programmes in Badakshan (£1 million over two years) and Eastern Hazarajat (£3.7 million over four years) to develop agricultural and non-farm alternatives to poppy cultivation. These projects are being supported by a microfinance programme targeted at the rural poor (£3 million over two years) and a fund for practical research into alternative livelihoods (£3 million over three years).

DFID is also working with village development councils through the National Solidarity Programme (£13 million over three years) to help communities address their own development priorities. To date 5,947 village development councils have been elected, 3,258 projects have been approved and $29 million in block grants has been disbursed to fund community projects including the construction of roads, water supply systems, irrigation canals, hydro-power for electricity, public baths, schools and weaving facilities.

Forests (Africa)

Norman Baker: To ask the Secretary of State for International Development what action he is taking to try to prevent the loss of forest cover in Africa. [190386]

Mr. Gareth Thomas: DFID supports developing countries in Africa to make forest resources contribute more effectively to poverty reduction. DFID's work aims to improve the livelihoods of poor people and to maintain—and increase where possible—the national and global public goods provided by forests. DFID is helping to develop forest policy, implement reforms, and strengthen forest governance in Ghana, Cameroon, Malawi, Kenya and South Africa.

DFID supports the Africa Forest Law Enforcement and Governance process to help raise awareness of the problems of illegal logging and the commitment to tackle them. In addition DFID invests about £29 million a year in the Global Environment Facility, a significant share of which is spent on forest conservation.

CULTURE, MEDIA AND SPORT

Aboriginal Artefacts

Mr. Greg Knight: To ask the Secretary of State for Culture, Media and Sport what discussions she has had with the lenders on securing the return of two bark etchings and an Aboriginal ceremonial headdress on loan to the Museum Victoria in Melbourne, Australia; why such items have not been returned; and if she will make a statement. [189148]

Estelle Morris *[pursuant to her reply, 16 September 2004, Official Report, c. 1699–1700W]:* In my previous reply I stated that the current Emergency Declarations were due to expire on 18 September. This was incorrect. The Declarations in question expired on 14 September, and further Declarations were imposed on 15 September.

Computer Misuse

Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport how many cases of computer misuse there were in *(a)* her Department and *(b)* Ofcom this year to date; how many of those cases resulted in disciplinary action; and what measures are in place to (i) discourage and (ii) monitor computer misuse. [190262]

Mr. Caborn: *(a)* There have been no cases of computer misuse in the Department to date this year.

All staff in the Department must sign our Acceptable Use Policy before e-mail or internet access is provided. The policy has to be signed off on an annual basis thereafter.

All use of departmental IT systems is monitored and filtering systems are in place to prevent access to unacceptable material.

(b) With respect to Ofcom, the matter raised is the responsibility of the Office of Communications (Ofcom) as independent regulator. Accordingly, my officials have asked the Chief Executive of Ofcom to respond directly to the hon. Member. Copies of the Chief Executive's letter will be placed in the Libraries of both Houses.

TRANSPORT

Information and Communication Specialists

Mr. Jenkins: To ask the Secretary of State for Transport how many information and communication technology specialists are in full-time employment in the Department. [189596]

Charlotte Atkins: 401 information and communication technology specialists are in full-time employment in the Department for Transport.

Rural Bus Subsidy

Mr. Anthony D. Wright: To ask the Secretary of State for Transport what *(a)* the allocation of the Rural Bus Subsidy Grant to each local authority has been to date and *(b)* the percentage level each local authority has set for the revenue cost of an individual bus service to be met by the farebox before the subsidy is allocated to it. [190045]

Charlotte Atkins: The following table shows the Rural Bus Subsidy Grant allocations since its introduction in 1998. A table indicating the Rural Bus Subsidy Grant allocations awarded to authorities in each year since 1998–99 has been placed in the Libraries of the House.

It is for each authority to determine its own criteria for deciding whether particular services should be supported by the grant allocated to them, taking account of local needs and priorities and value for money. Information is not collected centrally on the criteria adopted by individual authorities. The percentage of cost met from the farebox is just one of the options available to authorities in this respect.

1998–99 to 2004–05

	Total (£)
Bath and North East Somerset	1,229,047
Bedfordshire	3,883,929
Blackburn with Darwen	342,174
Bracknell Forest	351,047
Brighton and Hove	24,367
Bristol	57,184
Buckinghamshire	4,944,798
Cambridgeshire	7,031,115
Cheshire	5,378,991
Cornwall	10,706,136
Cumbria	8,394,196
Darlington	444,227
Derbyshire	6,302,441
Devon	12,354,072
Dorset	5,093,498
Durham	5,300,250
East Riding	4,685,122
East Sussex	4,918,057
Essex	9,288,720
Gloucestershire	6,962,408
Greater Manchester	1,243,651
Halton	126,229
Hampshire	7,842,559
Hartlepool	147,930

1998–99 to 2004–05

	Total (£)
Herefordshire	4,580,866
Hertfordshire	3,890,417
Isle of Wight	1,396,463
Kent	11,415,764
Lancashire	6,671,496
Leicestershire	4,876,351
Lincolnshire	10,472,185
Medway	799,229
Merseyside	731,887
Middlesbrough	101,198
Milton Keynes	629,730
North East Lincolnshire	382,201
Norfolk	13,978,903
North Lincolnshire	2,257,283
North Somerset	1,164,853
North Yorkshire	12,101,786
Northamptonshire	6,109,129
Northumberland	4,213,196
Nottinghamshire	4,587,545
Oxfordshire	8,126,970
Peterborough	765,885
Plymouth	85,539
Poole	65,065
Redcar and Cleveland	495,357
Rutland	942,711
Shropshire	5,526,846
Somerset	8,968,127
South Gloucestershire	1,678,298
South Yorkshire	2,970,265
Staffordshire	7,094,494
Stockton-on-Tees	298,316
Stoke-on-Trent	47,549
Suffolk	10,535,383
Surrey	5,385,904
Swindon	489,008
Telford and The Wrekin	666,778
Thurrock	334,721
Torbay	75,728
Tyne and Wear	721,908
Warrington	539,147
Warwickshire	5,245,725
West Berkshire	2,039,524
West Midlands	770,575
West Sussex	5,079,425
West Yorkshire	4,999,197
Wiltshire	6,911,485
Windsor and Maidenhead	461,573
Wokingham	690,691
Worcestershire	5,922,724
York	652,750

Transport Schemes

Mr. Brady: To ask the Secretary of State for Transport if he will publish the cost to benefit ratios of all the transport schemes which he has approved in principle within the last three years, including those agreed for implementation by Transport for London. [188031]

Mr. McNulty: The Benefit Cost Ratio (BCR) is one input into a decision about whether or not a project should go ahead. It shows those impacts that have established monetary valuations. There are often other significant impacts to which a monetary value cannot easily be attached, but which are accounted for when assessing overall value for money (vfm). Environmental and regeneration impacts for example could be very large and could alter the assessment of vfm from that implied by looking at the BCR alone. In some cases, where the other impacts of the scheme are sufficiently negative, a high BCR may not mean a scheme offers good vfm. Conversely, in other cases, where the positive impacts are sufficiently large a low BCR may not mean that the scheme offers poor vfm.

In addition to the value for money assessment, there are other considerations that affect whether a project should go ahead, including:

Practicality

Deliverability

Public acceptability

Distributional and equity impacts

Affordability and finance sustainability

The achievement of central government, local and regional objectives

The amelioration of identified problems

The following table reports the latest estimates available of the BCR of the transport schemes, which the Department for Transport has approved in principle or provisionally approved within the last three years.

For local schemes the local authority does a value for money appraisal of the scheme using the New Approach to Appraisal (NATA)—launched in 1998—and submits that to the Department for independent scrutiny. The appraisal is assessed by the Department, and the BCRs listed are the Department's own best estimate, using the evidence presented in the promoter's appraisal and the information uncovered during the Department's own assessment process.

The schemes were appraised in different years and due to changes in the Government's appraisal methodology during this period, the BCRs reported have not all been calculated on the same basis, so they are not directly comparable between schemes.

The list does not include those schemes agreed for implementation by Transport for London, since the decision to approve such schemes is the responsibility of the Mayor. The exception has been the Thames Gateway Bridge, where the Department have offered to provide some Private Finance Initiative (PFI) credits, and borough streetlighting PFIs. These are included in the table.

Mode/Scheme	*Benefit cost ratio*
Heavy Rail	
Crossrail	c.2
West Coast Route Modernisation (enhancement element)	>2
Thameslink Upgrade	1.7
Strategic Roads (Motorway and Trunk Roads)	
A1 Adderstone to Belford Dualling	2.4
A1 Bramham—Wetherby (including Wetherby Bypass)	6.1
A1 Dishforth—Leeming	1.5
A1 Leeming to Barton	1.5
A1 Kippings Cross to Lamberhurst Bypass	2.5
A1 Morpeth to Felton Dualling	2.2
A1 Stannington Junction	6.3
A1/A19/A1068 Seaton Burn Junction Improvement	2.4
A14 Ellington—Fen Ditton Improvement	1.8
A19/A184 Testos Junction Improvement	5.6
A21 Tonbridge to Pembury	1.6
A23 Handcross to Warninglid Widening	4.4
A27 Southerham to Beddingham Improvement	7.7
A30 Garland Cross to Chiverton Cross	2.6
A30 Temple to Higher Carblake Improvement	1.2
A30/A382 Merrymeet Junction	2.5

Mode/Scheme	*Benefit cost ratio*
A419 Blunsdon	3.3
A419 Commonhead Junction	3.9
A421 Bedford to M1 Junction 13	4.2
A428 Caxton Common to Hardwick Improvement	3
A45/A46 Tollbar End Improvement	3
A453 Widening (MI J24 to A52 Nottingham)	1.5
A47 Blofield to North Burlingham Dualling	7.1
A505 Dunstable Northern Bypass (A5 to MI Link)	4.3
A5117/A550 Deeside Park Junctions Improvement	3
A57/A628 Mottram in Longdendale, Hollingworth and Tintwistle Bypass	9
A590 High and Low Newton Bypass	3
A64 Colton Lane Grade Separated Junction	1.2
A64 Rillington Bypass	1.3
A66 Carkin Moor to Scotch Corner Improvement	5.8
A66 Greta Bridge to Stephen Bank Improvement	6.9
A66 Long Newton Junction	1.4
A66 Temple Sowerby and Improvement at Winderwath	1.4
A69 Haydon Bridge Bypass	1.4
M1 J19 Improvement	1.8
M1 J21–30	2.6
M1 Junction 10 to 13 Widening	4.3
M1 Junction 6a to 10 Widening	2.1
M20 Junction 10A	4.2
M25 J16–23 Widening	5.5
M25 J1b-3 Widening	9.9
M25 J23–27 Widening	2.2
M25 J27–30 Widening	2.4
M25 J5–7 Widening	4.6
M4 Junction 18 Eastbound Diverge	2.6
M40 Junction 15 (Longbridge)	6
M40/A404 Handy Cross Junction Improvement	3.7
M5 Junctions 17–18 Northbound Climbing Lane	7.5
M5 Junctions 19–20 Northbound Climbing Lane	2.3
M5 Junctions 19–20 Southbound Climbing Lane	3.1
Local Major Roads (£5 million plus)	
Rugeley Eastern Bypass Stage 2	3.6
Burntwood Bypass Phase 3	8.1
Biddulph Inner Bypass	1.8
Tunstall Northern Bypass	8.9
Hanley-Bentilee Link Road	2.2
Nar Ouse Regeneration Road	1.5
East Luton Corridor (South)	1.9
A142 Fordham Bypass	1.8
A505 Baldock Bypass	2.4
A1198 Papworth Everard Bypass	1.5
Selly Oak Relief Road	3.6
Cradley Heath Relief Road	4.5
Brierley Hill Access Road	3.3
Darlaston SDA	1.4
Scotswood Road Dualling (Newcastle)	6.2
Sedgefield-Wynyard Improvement (Durham)	1.5
Sunderland Southern Radial Route (Sunderland)	3.1
Chilton Bypass (Durham)	4
North Middlesbrough Accessibility Improvement	3.2
Sunderland Central Route	1.9
Pegswood Bypass (Northumberland)	2.7
Northern Gateway (North Tyneside)	2.3
A391 St. Austell to A30 Link Road	1.2
Weymouth Relief Road	4.2
A350 Semington-Melksham Diversion	3.5
A228 Ropers Lane Phase 1	1.9
East Kent Access Phase 1	2.9
A228 Leybourne and West Mailing Corridor Improvement	2
Kiln Lane Link, Epsom	1.9
A24 Ashington to Southwater	10
A24 Horsham—Capel Improvement	4
Stoke Hammond/Linslade Western Bypass	2.9
Bletchley Link	3
M4 Junction 11 and Mereoak Roundabout	3.3
A34 Alderley Edge Bypass	1.3
A57 Cadishead Way	4.3
A58 Blackbrook Diversion	2.4
Ashton Northern Bypass Stage 2	1.9
Wigan Inner Relief Road	2.9
Sheffield Northern Inner Relief Road Stage 2&3	1.4
A612 Gedling Transport Improvement Scheme	6.1
Mansfield Ashfield Regeneration Route	2.5
A43 Corby LinkRoad	3.4
A509 Isham Bypass	3.8
Ilkeston-Awsworth Link Road	0.8
Markham Employment Growth Zone	-3.5
Rearsby Bypass	9.2
Upperton Road Viaduct Major Maint. Scheme	2
Oakham Bypass	2.1
A158/C541 Coastal Access Improvement (Partney)	3.6
Major Maintenance Schemes	
Walton Bridge, Surrey	1.5
Undercliff Drive, Isle of Wight	2.9
Freckleton Street Bridge, Blackburn	2.1
Upperton Road Viaduct, Leicester	2.2
Local Transport Schemes—Transport Interchange	
Four Lanes Ends	1.2
Barnsley Interchange	1.8
Sheffield station—Improved pedestrian access	1.8
Wolverhampton	1.7
Ryde Interchange	0.4
Coleshill Interchange	1.6
Norwich City Centre Interchange	1.4
North Manchester Business Park	1.1
Liverpool South Parkway	1.8
Local Transport—Bus	
A638 Great North Road Quality Bus	5.7
Leeds A65 (Kirkstall Road)	1.5
South East Manchester (SEMMMS)	7.7
Manchester Northern Oribital Scheme	2.6
Hampshire A3 Bus Priority Corridor	1.8
Luton Dunstable Translink	1.5
Cambridge to Huntingdon Rapid Transit	2.4
JETTS Quality Bus Corridor	2.6
Getting Northampton to Work	1.7
Coventry Quality Bus Network	1
Milton Keynes Quality Bus Network	1.5
West Yorks Yellow School Bus	3
Local Transport Schemes—Integrated Transport	
Masshouse Circus	3.4
Walsall Town Centre Package	6.7
Luton Town Centre	1.8
Local Transport Schemes—Smartcard	
YORCARD	1.1
Light Rail	
Leeds Supertram	1.3
South Hampshire Rapid Transport	1.6
Merseytram	1.1
London	
Thames Gateway Bridge	9
Ealing PFI streetlighting project	5.5
Lambeth PFI streetlighting project	8.4
Enfield PFI streetlighting project	4.8
Barnet PFI streetlighting projects	3.5

Notes:

1. Markham Employment Growth Zone: BCR -3.54

The Markham Employment Growth Zone originated as a response to the Coalfield Task Force's Report "Making the Difference—A New Start for England's Coalfield Communities". It is principally a regeneration scheme for the former colliery and surrounding land. The method of calculating the BCR does not capture the wider economic benefits that the scheme will deliver.

2. Ilkeston-Awsworth Link Road: BCR 0.81

Ilkeston-Awsworth Link Road is justified largely on environmental grounds. The method of calculating the BCR does not capture the environmental benefits that the scheme will deliver.

3. Ryde Esplanade Transport Interchange: BCR 0.36

Ryde Esplanade Interchange is the main entry point to the Isle of Wight. It is primarily aimed at improving the quality of facilities, increasing security and encouraging tourism, which accounts for 24 per cent. of the island's economy. The method of calculating the BCR does not capture these wider benefits the scheme will deliver.

4. Merseytram: BCR 1.1

The scheme has significant benefits that are not included in the monetised BCR. These include significant regeneration and social inclusion benefits, as well as beneficial impacts on air quality and greenhouse gases.

Underground Schemes

Mr. Battle: To ask the Secretary of State for Transport what his Department's policy is on new urban underground schemes as a practical solution to future transport management. [189921]

Charlotte Atkins: It would be for local transport authorities, including Passenger Transport Authorities and the Mayor for London, to propose new urban underground schemes as part of their plans. Each scheme would need to be considered on the basis of its value for money, including its wider benefits, and affordability. The cost of such schemes means it is unlikely they would be justified except on corridors with the highest level of demand.

DEPUTY PRIME MINISTER

Chagos Islanders

Peter Bottomley: To ask the Deputy Prime Minister which departmental Ministers have responsibility for discussions with West Sussex county council about the costs of looking after Chagos Islanders arriving at Gatwick. [190153]

Phil Hope: Officials from the Office of the Deputy Prime Minister, Government Office for the South East, Foreign and Commonwealth Office, Department of Health, Department for Work and Pensions, and the Prime Minister's Office met West Sussex county council on Thursday 30 September to discuss support for Chagos Islanders arriving at Gatwick airport.

Corporation of London (Planning Policy)

Mr. Sheerman: To ask the Deputy Prime Minister if he will initiate an inquiry into the planning policies and procedures of the Corporation of London. [190161]

Keith Hill: My right hon. Friend the Deputy Prime Minister has no plans to initiate an inquiry into the planning policies and procedures of the Corporation of London. As local authorities are elected autonomous bodies, the Government do not routinely comment on or investigate their day-to-day administration of the planning system. Local authorities are accountable to their electorate, their Auditor, and ultimately to the Courts.

Historic Areas (New Buildings)

Mr. Sheerman: To ask the Deputy Prime Minister if he will meet the Royal Institute of British Architects to discuss the standards and quality of new buildings in historic areas, with particular reference to the City of London. [190157]

Keith Hill: My right hon. Friend the Deputy Prime Minister has no plans to discuss these issues with the Royal Institute of British Architects.

Mr. Sheerman: To ask the Deputy Prime Minister if he will meet representatives of the construction industry to discuss their responsibilities for quality building in historic areas, with particular reference to the City of London. [190158]

Keith Hill: My right hon. Friend the Deputy Prime Minister has no plans to discuss these issues with the construction industry.

Traveller Sites (Buckinghamshire)

Mr. Bercow: To ask the Deputy Prime Minister how many *(a)* local authority and *(b)* private traveller sites there were in the Buckingham constituency in each year since 2002. [191071]

Keith Hill: The Gypsy and Traveller Count collects data by local authority area rather than by constituency. However, the following data collected from Aylesbury Vale district council are available:

	Number of local authority sites	*Number of private sites*
2002	1	4
2003	2	4
2004	2	6

Mr. Bercow: To ask the Deputy Prime Minister how many traveller *(a)* caravans and *(b)* families were on (i) authorised and (ii) unauthorised sites in the Buckingham constituency in each of the last three years. [191072]

Keith Hill: The Gypsy and Traveller Count collects data by local authority area rather than by constituency. However, the following data collected from Aylesbury Vale district council are available:

	Authorised caravans	*Unauthorised caravans*
January 2002	19	11
July 2002	19	10
January 2003	32	45
July 2003	26	18
January 2004	21	10

Note:

Information relating to the Count carried out in July 2004 will be published shortly.

HOUSE OF COMMONS COMMISSION

Parliamentary Resource Unit

Mr. Salter: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission to what grade of parliamentary pass staff working for the Parliamentary Resource Unit are entitled. [189275]

Sir Archy Kirkwood: The staff working for the Parliamentary Resource Unit have a Members' Research Assistant photo-identity pass, either a 9B (permanent) or a 9D (temporary).

Recycling

Mr. Hancock: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what quantity of *(a)* glass, *(b)* paper, *(c)* cardboard, *(d)* plastic, *(e)* metal and *(f)* other materials have been (i) recovered and (ii) recycled from the waste stream of the parliamentary estate in each of the last three years; what percentage this represents of total waste in each case; what plans there are to increase the amount recycled; and if he will make a statement. [189755]

Sir Archy Kirkwood: In the last three financial years the quantities of waste recycled were as follows:

	2002–03	*2003–04*	*2004–05 (4 months)*
Glass (tonnes)	256	173	61
Paper and cardboard (tonnes)	263	379	121
Metal (tonnes)	46	50	[1]—
Oil (tonnes)	7	4	3
In addition, fluorescent tubes and toner cartridges were recycled.			
Percentage of total waste recycled	25	26	28
Percentage of waste recovered	100	100	100

[1] Extracted at incinerator. Not separately weighed.

Recycling means that an item is reused. Recovery means that the waste is utilised in some way, for example incineration to generate electricity. Percentages of waste recycled and recovered exceed Government targets, which are to recycle 25 per cent. and recover 40 per cent.

The Waste Recycling Steering Group meets regularly and works closely with its contractors to maximise the amount of waste which is recycled from the parliamentary estate.

Summer Works Programme

Mr. Gale: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what estimate he has made of the cost of the summer works programme in 2004; and what estimate he has made of what the cost would have been had the House not been sitting in September. [190008]

Sir Archy Kirkwood: I refer the hon. Gentleman to the answer given to the hon. Member for Bournemouth, West (Sir John Butterfill) on 12 October 2004, *Official Report*, column 203W.

Mr. Gale: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what the cost of the summer works programme in 2003 was; and what estimate he has made of what the cost would have been had the House not sat in September 2003. [190009]

Sir Archy Kirkwood: The estimated cost of the summer works programme for 2003 was some £4.5 million and the estimate of the cost if the House had not sat in September was around £4.4 million.

WALES

Welsh Grand Committee

Mr. Dodds: To ask the Secretary of State for Wales how many meetings of the Welsh Grand Committee there have been in each year since 1997; where the meetings were held; and what the subject matter of debate for each Committee meeting was. [189916]

Mr. Touhig: There have been 27 meetings of the Welsh Grand Committee, of which, all except five have taken place in Westminster.

The meeting on 30 June 1997 took place in Mold; 5 May 1998 in Carmarthen; 13 July 1998 in Merthyr Tydfil; 22 February 1999 in Aberaeron; and 12 March 2001 took place in Cwmbran.

The following list gives the dates and subject matter:

30 June 1997—The Government's Programme for Wales

18 November 1997—North Wales and The Government's Proposals for a Welsh Assembly

16 December 1997—Government Expenditure in Wales 1998–99

5 May 1998—The Rural Economy in Wales

13 July 1998—New Economic Agenda in Wales

16 December Government Expenditure in Wales 1999–2000 and 2001–02

22 February 1999—Transport Policy in Wales

14 December 1999—Government's Legislative Programme

4 April 2000—Budget Statement

16 May 2000—Welsh Economy

20 June 2000—Social Exclusion in Wales

19 July 2000—Comprehensive Spending Review

11 December 2000—Queens Speech and the Chancellor's Pre-Budget Statement

13 February 2001—Building Safer Communities

12 March 2001—Budget Statement

3 July 2001—Government's Legislative Programme

28 November 2001—Pre-Budget Statement

24 April 2002—Budget Statement

16 July 2002—Draft National Health Service (Wales) Bill

21 November 2002—Government's Legislative Programme

5 December 2002—Pre-Budget Statement

24 June 2003—Economy in Wales

15 July 2003—Draft Public Audit (Wales) Bill

16 December 2003—Government's Legislative Programme and Public Expenditure in Wales

24 March 2004—Budget Statement

6 July 2004—Richard Commission

20 July 2004—Draft Transport (Wales) Bill.

HOME DEPARTMENT

Asylum Seekers (Peterborough)

Tony Baldry: To ask the Secretary of State for the Home Department if he will place in the Library his Department's report on the impact on Peterborough of asylum seekers. [187954]

Mr. Browne: So far as can be ascertained, no such report exists. Recent press references to such a report appear to relate in fact to a Peterborough council funding application which extracted comments from the city's own Community Safety Audit of 2003. In this application, asylum seeking was listed as one of a combination of factors affecting service provision.

Drug Offences

Mr. Bercow: To ask the Secretary of State for the Home Department how many people in the Thames Valley area were convicted of or cautioned for drug offences in *(a)* 2000, *(b)* 2001 and *(c)* 2002; and what proportion this represented of persons convicted of or cautioned for all indictable offences in the Thames Valley in each year. [189977]

Caroline Flint: Figures for the number of persons cautioned and found guilty for drug offences for Thames valley area for 2000 to 2002 are set out in the following table.

Number of persons cautioned or found guilty of drug offences and the proportion this represents of indictable offences, Thames Valley police force area, 2000 to 2002[1]

	Drug offences			*Indictable offences*			*Persons cautioned or found guilty for drug offences as a percentage of persons cautioned or found guilty for indictable offences*
	Cautioned	*Found guilty*	*Total*	*Cautioned*	*Found guilty*	*Total*	
2000	951	1,112	2,063	4,673	7,852	12,525	16
2001	717	1,206	1,923	3,460	8,199	11,659	16
2002	1,037	1,292	2,329	3,948	8,727	12,675	18

[1] These data are on the principal offence basis.

Mr. Bercow: To ask the Secretary of State for the Home Department how many people in the Thames Valley Police Force home area were dealt with for supply offences involving Class A drugs in *(a)* 2000, *(b)* 2001 and *(c)* 2002. [189969]

Caroline Flint: Figures for the number of persons cautioned and found guilty for Class A drug supply offences in the Thames valley area for 2000 to 2002 are set out in the table.

The information is taken from the Home Office Court Proceedings and Cautions Database and relates to persons cautioned and found guilty for drug offences.

Table 1: Number of persons cautioned or found guilty for supply[1] *of Class A drug offences, Thames Valley Police Force area, 2000–02*

	Cautioned	*Found guilty*	*Total*
2000	1	331	332
2001	2	384	386
2002	1	344	345

[1] Supply offences include possession with intent to supply.

Forensic Science Service

Adam Price: To ask the Secretary of State for the Home Department if he will publish the Government's outline business case for the future working of the Forensic Science Service. [188474]

Caroline Flint: It is not intended to publish the outline business case because of the need to maintain strict commercial confidentiality. However, a detailed summary will be submitted in evidence to the Science and Technology Select Committee, which has announced an inquiry into the Government's plans for the Forensic Science Service.

Juveniles (Detention)

Mr. Boswell: To ask the Secretary of State for the Home Department what action he is taking to improve the *(a)* accuracy, *(b)* quality and *(c)* legal integrity of warrants for detention of juveniles. [188235]

Paul Goggins: I will write to the hon. Member.

Mobile Phones

Mr. Battle: To ask the Secretary of State for the Home Department how many people have been charged with using mobile telephones while driving since the law was introduced; and if he will make a statement. [189997]

Ms Blears: Data on the numbers of people charged by the police are not collected centrally.

Data on police action (written warnings, fixed penalty notices and court proceedings) for 2003 on the new offence of driving while using a hand held mobile telephone will not be available until early 2005. Use of a hands free mobile phone is not part of the new specific offence.

2004 data will be published in autumn 2005.

National Offender Management Service

Mr. Gerrard: To ask the Secretary of State for the Home Department when he will publish a business case for the National Offender Management Service. [175827]

Paul Goggins: The case for the establishment of the National Offender Management Service (NOMS) is outlined in Patrick Carter's independent report "Managing Offenders—Reducing Crime" published along with the Government response "Reducing Crime—Changing Lives" on 6 January 2004. The draft detailed business case will be presented to the NOMS Programme Board on 22 November for discussion.

Mrs. Gillan: To ask the Secretary of State for the Home Department what the role will be of the regional offender managers in the National Offender Management Service structure. [190114]

Paul Goggins: The Regional Offender Managers (ROMS) will have the critical task of implementing end-to-end offender management across prisons and probation. They will hold the budgets for prison and probation and commission services from both sectors, using contracts and service level agreements to manage performance. They will be developing further contestability across prisons and probation. In addition, they will develop and implement the regional reducing re-offending action plans and regional resettlement strategies.

Police Searches

Bob Spink: To ask the Secretary of State for the Home Department if he will issue guidance to *(a)* the police and *(b)* the Crown Prosecution Service on the appropriate time limit within which police officers should search premises, after a suspect has emerged, in relation to section 32 of the Police and Criminal Evidence Act 1984. [187969]

Ms Blears: As indicated in my earlier response to the hon. Member on 1 September 2004, *Official Report*, column 867W, paragraph 4.2. of Code of Practice B of the Police and Criminal Evidence Act (PACE) 1984 sets out instruction on the use of powers under section 32 of PACE. That section provides that a constable may enter and search any premises in which a suspect was when arrested or immediately before they were arrested for evidence. Code B does not provide guidance of the meaning of "immediate" but we will consult on the need to expand on this when we next review the PACE Codes in summer 2005.

Prison Sentences

Mr. Oaten: To ask the Secretary of State for the Home Department what *(a)* the average time served in prison under sentence, *(b)* the average time served in prison on remand, *(c)* the total time served in prison and *(d)* the average sentence length of receptions into prison under sentence for young offenders aged 18 to 21 was in each of the last five years. [187233]

Paul Goggins: Information on the average time served in prison by young offenders aged 18 to 21 discharged is readily available only for those under sentence as provided in the tables.

Average time served in prison under sentence by young offenders aged 18 to 20[1] discharged from determinate sentences on completion of sentence or on licence, England and Wales

	Average time served under sentence (months)	
	Including remand time	Excluding remand time
1999	6.6	5.0
2000	6.2	4.8
2001	5.9	4.7
2002	5.9	4.8
2003	5.9	4.8

[1] Also includes 21-year-olds classified as young offenders on discharge.

Average sentence length of receptions into prison of young offenders aged 18 to 20 under determinate sentences, England and Wales

	Average sentence length (months)
1999	11.5
2000	11.4
2001	12.0
2002	12.8
2003	13.0

Prisons

Mrs. Gillan: To ask the Secretary of State for the Home Department how many prisoners declared themselves to be of a particular religion when they entered prison in the last 12 months; and which religions these were. [190121]

Paul Goggins: The religious affiliation recorded on the prison establishments IT system for prisoners first received into prison between July 2003 and June 2004 is shown in the table.

First receptions to prison establishments, by religion—England and Wales, July 2003 to June 2004

Total	136,999
All Christian	71,613
Anglican	44,315
Free Church	1,507
Roman Catholic	22,486
Other Christian	3,305
Buddhist	523
Hindu	670
Jewish	211
Muslim	10,098
Sikh	960
Other non-Christian	482
Non-recognised	338
No religion	52,102
Not recorded	2

Bob Spink: To ask the Secretary of State for the Home Department how many incidents of *(a)* attempted supply of illegal drugs and *(b)* use of illegal drugs were recorded in each prison in England in each of the last three years. [186525]

Paul Goggins: The following table provides details on attempts to supply drugs into prisons in the last three years.

Data are collated on a national basis. Information relating to individual prisons is not held centrally and I shall write to the hon. Member when it is available and place a copy in the Library.

	Number of incidents in visits	Number of visitors involved	Number of prisoners found guilty of drug smuggling through visits	Number of prisoners found guilty of supplying drugs within prison
2001–02	3,262	3,904	1,169	39
2002–03	2,762	3,502	1,030	18
2003–04	2,691	3,598	997	22

Information on the use of illegal drugs in prisons is provided by the Mandatory Drug Testing programme. The following table sets out the total number of samples which tested positive in each of the last three financial years. Only random samples provide a comparative measure of performance.

Establishment	2001–02	2002–03	2003–04
Altcourse	192	221	193
Askham Grange	24	12	6
Acklington	1,177	114	158
Albany	3	1	11
Ashfield	148	103	98
Ashwell	75	118	145
Aylesbury	36	94	52
Belmarsh	186	174	117
Buckley Hall	120	32	41

Establishment	*2001–02*	*2002–03*	*2003–04*
Blundeston	56	35	15
Bedford	112	73	89
Blantyre House	7	11	5
Brockhill	28	39	55
Bristol	111	78	98
Birmingham	162	59	272
Bullingdon	147	52	134
Brinsford	107	77	74
Blakenhurst	356	635	405
Bullwood Hall	38	50	8
Brixton	1,517	125	120
Chelmsford	125	132	119
Cardiff	171	160	206
Camp Hill	100	38	36
Cookham Wood	15	23	5
Coldingley	72	79	99
Castington	38	36	67
Channings Wood	112	49	32
Canterbury	115	109	99
Dartmoor	60	75	91
Dovegate	93	125	204
Drake Hall	55	37	32
Durham	235	151	140
Doncaster	424	365	441
Dorchester	67	53	66
Deerbolt	66	66	53
Dover	63	0	0
Downview	13	49	43
Erlestoke	83	51	88
Standford Hill	126	154	104
Eastwood Park	24	38	82
East Sutton Park	21	2	12
Everthorpe	182	74	63
Exeter	110	46	71
Elmley	272	189	131
Forest Bank	413	439	625
Ford	99	127	193
Foston Hall	45	5	20
Frankland	94	53	78
Feltham	117	112	93
Full Sutton	81	41	38
Featherstone	99	68	39
Garth	103	39	47
Gloucester	51	59	52
Guys Marsh	102	103	122
Grendon	9	13	26
Glen Parva	247	158	106
Gartree	21	18	28
Hollesley	53	69	58
Huntercombe	63	67	64
Moorland Open	69	51	57
Hewell Grange	28	27	55
Holme House	203	181	247
Hindley	100	134	148
Hull	84	75	91
High Down	155	133	166
Highpoint	126	165	199
Haslar	2	0	0
Haverigg	1,113	134	116
Holloway	131	69	75
Kirkham	105	141	249
Kirklevington	11	7	15
Lancaster	123	170	27
Leicester	120	57	48
Leeds	207	245	335
Lancaster Farms	49	83	92
Lowdham Grange	93	49	65
Lindholme	85	119	61
Lincoln	102	46	113
Long Lartin	140	119	85
Latchmere House	4	6	13
Low Newton	85	74	51
Liverpool	336	385	576
Littlehey	49	30	37
Lewes	216	75	160
Leyhill	198	214	260
Moorland	71	52	66
Morton Hall	215	19	15
Manchester	410	550	525
Maidstone	46	50	61
Mount	93	131	139
Edmonds Hill	—	—	97
New Hall	47	50	35
Nottingham	137	132	126
Northallerton	48	24	9
North Sea Camp	56	47	135
Norwich	160	100	83
Onley	20	46	50
Pare	76	91	177
Portland	29	31	19
Parkhurst	42	57	50
Preston	114	71	100
Kingston	25	35	42
Pentonville	370	201	251
Rochester	39	73	77
Reading	341	28	21
Rye Hill	98	51	63
Ranby	166	158	112
Risley	349	521	650
Send	29	14	19
Stafford	180	135	110
Stoke Heath	20	27	22
Stocken	101	29	33
Swaleside	165	56	108
Shepton Mallet	37	27	6
Swinfen Hall	20	23	19
Spring Hill	30	27	52
Styal	101	65	89
Sudbury	192	234	269
Swansea	90	153	98
Shrewsbury	119	143	164
Thorn Cross	57	78	113
Usk/Prescoed	25	31	63
Verne	43	48	69
Weare	108	34	59
Wellingborough	122	54	45
Winchester	127	66	129
Wakefield	9	15	16
Wealstun	134	163	116
Woodhill	90	29	74
Warren Hill	—	—	12
Wayland	82	67	35
Wymott	82	57	142
Werrington	9	10	8
Wolds	51	29	36
Whitemoor	112	61	33
Wormwood Scrubs	93	118	186
Whatton	8	2	2
Wandsworth	232	177	287
Wetherby	32	28	17
Total	14,370	12,882	14,644

Seat Belts

Mr. Barnes: To ask the Secretary of State for the Home Department how many *(a)* fixed penalty notices, *(b)* proceedings at magistrates courts and *(c)* written warnings for not wearing seat belts there were in England and Wales in 2003 and for each of the previous three years. [190025]

Ms Blears: Available information on police action for the motoring offence of driving or riding in a motor vehicle while not wearing a seat belt for the calendar years 2000 to 2002 is given in the table.

2003 data will not be available until early 2005.

Fixed penalty notices, prosecutions and written warnings of driving or riding in a motor vehicle while not wearing a seat belt[1], England and Wales, 2000–02

	2000	*2001*	*2002*
Fixed penalty notices	155,300	144,400	126,400
Prosecutions	5,700	5,200	4,700
Written warnings	6,200	4,700	2,900

[1] Offences under s.14(3) and 15(2) and (4) of the Road Traffic Act 1988.

Speed Cameras

Sandra Gidley: To ask the Secretary of State for the Home Department what assessment he has made of the possible effects of *(a)* forward facing and *(b)* rear facing speed camera flash on a driver driving at night. [190098]

Caroline Flint: No forward or rear-facing speed camera is type approved until it has undergone rigorous testing against set specifications that ensures its reliability and safety. The peak intensity and duration of the flash are less than levels which are commonly encountered from other sources when driving at night.

Sandra Gidley: To ask the Secretary of State for the Home Department what assessment has been made of the health and safety implications of speed cameras. [190099]

Caroline Flint: No speed enforcement equipment is type approved for use until it has undergone rigorous testing against set specifications by the Home Office Police Scientific Development Branch. This includes an assessment of health and safety factors to ensure that neither any operator nor any road user is put at risk by the operation of the equipment.

Violent Crime (Leicester)

Mr. Gill: To ask the Secretary of State for the Home Department what the level of violent crime in Leicester was in each year since 1997. [186262]

Ms Blears: Leicester is a Crime and Disorder Reduction Partnership (CDRP) area. Recorded crime data at CDRP level has only been published from 1999–2000 onwards. Violent crime comprises violence against the person, sexual offences and robbery. In 2003–04, at least 52 per cent. of all recorded violence against the person involved no injury.

The available information is given in the table.

Violent crime recorded by the police in Leicester

	Number of offences
1999–2000	6,851
2000–01	6,889
2001–02	7,544
2002–03	10,347
2003–04	11,430

Note:

Numbers of recorded crimes are affected by changes in reporting and recording practice. In particular, changes to the counting rules in 1998 and the introduction of the National Crime Recording Standard in April 2002 led to an increase in the number of crimes recorded by the police.

The British Crime Survey (BCS) also provides data on the level of violent crime in England and Wales. However, due to the variability of specific offence figures at police force area level regional figures only are available. Data at regional level have been published as a rate per 10,000 adults since the 2001–02 BCS and are presented for the relevant region in the table.

	Total BCS violence rate per 10,000 adults for the East Midlands Region
2001–02	621
2002–03	578
2003–04	600

Note:

The apparent difference between rates in 2002–03 and in 2003–04 is not statistically significant.

Source:

2001–02, 2002–03, 2003–04 BCS interviews.

Half of all violent incidents reported to the BCS during 2003–04 did not result in injury to the victim. However, this does not mean that public concern about violent crime is unjustified or that the ordeal of victims is not traumatic, even if injury has not occurred.

HEALTH

Adverse Drug Reactions

Mr. Burstow: To ask the Secretary of State for Health for what reasons only a proportion of adverse incident reports are investigated by the Medicines and Healthcare Products Regulatory Agency as stated in its Annual Report and Accounts 2003–04. [189259]

Ms Rosie Winterton: All reports of adverse incidents involving medical devices received by the Medicines and Healthcare products Regulatory Agency (MHRA) are categorised according to the level of risk associated with the event.

Only the most serious of these incidents, involving actual, or the potential for, death or serious injury to patients or user, become the subject of in-depth investigations by medical device specialists within the MHRA. These are listed as "adverse incident reports—number investigated" in the MHRA's annual report.

Typically, it is these investigations that often lead to the publication of advice to the health service.

The majority of incident reports are subject to a standard investigation, led by the device manufacturer and supervised by the MHRA.

Minor incidents that do not require immediate action are recorded on the MHRA's surveillance database for "information only" and, along with all other reported incidents, are subject to a continuous process of trend identification and analysis.

Further details of medical device adverse incident reporting and investigation processes are published by the MHRA in Device Bulletin DB2004(01)—Adverse Incident Reports 2003. This contains more detailed figures for the calendar year 2003. A copy of this publication has been placed in the Library.

Air Ambulance Services

David Taylor: To ask the Secretary of State for Health how air ambulance services used by the NHS are funded in *(a)* the East Midlands and *(b)* England; and if he will make a statement. [190244]

Ms Rosie Winterton: Since 1 April 2002, the cost of clinical staff on air ambulances has been met by the national health service on a continuing basis.

Departmental Recycling

Bob Spink: To ask the Secretary of State for Health what the latest available 2 month figures are for the proportion of the Department's redundant documentation, waste paper and card that is recycled; and if he will make a statement on the Department's recycling policy. [188692]

Ms Rosie Winterton: The Department's administrative estate has a cleaning contract, which encompasses waste management. Within this all-redundant documentation, paper and card is collected and processed for recycling.

The Department has an active sustainable development policy based upon the requirements of the framework for sustainable development on the Government estate.

Food/Advertising Industries

Ms Shipley: To ask the Secretary of State for Health if he will list the meetings he held with representatives of *(a)* the food industry and *(b)* the advertising industry between 1 February and 1 May. [189687]

Ms Rosie Winterton: No such meetings have taken place in the period specified.

Health Public Bodies

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 13 September 2004, *Official Report*, columns 1470–71W, on health public bodies, when decisions will be taken on how the savings from the Departmental review of arm's length bodies will be spent. [189890]

Ms Rosie Winterton: The resources freed up for frontline investment as a result of the review of arm's length bodies (ALBs) will be part of the normal budget allocation process in the light of the 2004 spending review settlement.

Planning for the implementation of the ALB review is underway and will involve ALBs, the devolved administrations and other interests. Implementation will be completed by 2007–08.

Health Services

Mr. Jim Cunningham: To ask the Secretary of State for Health what strategies his Department uses to involve members of the public in decision making in local health services. [189669]

Ms Rosie Winterton *[holding answer 12 October 2004]*: We have established patients' forums to get the views of members of the public about health services and feed these back to national health service trusts. Primary care trust (PCT) patients' forums have a specific role to promote public involvement in local decision-making processes that affect their health.

There is also a statutory duty on NHS trusts, PCTs, NHS foundation trusts and strategic health authorities to involve the public in decision making in local health services. It is then up to local bodies to implement this duty in ways that best meet local needs. In addition, democratically elected councillors who are members of overview and scrutiny committees have the function of scrutinising all matters relating to the planning, provision and operation of health services in the area of the local authority.

Information and Communication Technology

Mr. Jenkins: To ask the Secretary of State for Health how many information and communication technology specialists are in full-time employment in the Department. [189586]

Ms Rosie Winterton: There are 120 information and communication technology specialists in full-time employment in the Department.

Mysthenia Gravis

Mr. Laws: To ask the Secretary of State for Health what provision the Government is making to finance research projects into the *(a)* causes of, *(b)* consequences of and *(c)* treatments for mysthenia gravis. [189529]

Ms Rosie Winterton: I refer the hon. Member to the reply I gave to my hon. Friend the Member for West Lancashire (Mr. Pickthall) on 4 October 2004, *Official Report*, column 1987W.

Packaging Regulations (Medicines)

Dr. Pugh: To ask the Secretary of State for Health what plans his Department has to amend regulations relating to the packaging of prescription drugs and proprietary medicines, with particular reference to issues of child safety. [189302]

Ms Rosie Winterton: New legislation requiring the use of child resistant packaging was introduced in October 2003. Certain aspirin, paracetamol and iron-containing medicines must now be supplied in child resistant packaging. Medicines newly authorised must comply with the requirement now and for products already authorised, compliance must be achieved by October 2005. The Government will continue to keep the issue of child safety under review and if particular medicines are considered to pose a problem, the legal requirements may be revised.

Post-Laryngectomy Equipment

Mrs. Helen Clark: To ask the Secretary of State for Health what plans he has to make available to people who have had laryngectomies on prescription the base plate for the hands free valve. [188888]

Ms Rosie Winterton: A number of base plates are currently listed in part IX of the Drug Tariff and therefore may be prescribed through the national health service. Some of these are compatible for use with the hands free valve for people who have had laryngectomies. It is for appliance manufacturers to apply for their products to be listed as an appliance in part IX of the Drug Tariff to enable them to be prescribed under the NHS. A NHS trust or foundation trust may provide base plates free of charge where appropriate.

Prostate Cancer

Ross Cranston: To ask the Secretary of State for Health what plans he has to regulate the sale of do-it-yourself PSA tests. [189569]

Ms Rosie Winterton: Prostate specific antigen test kits are in vitro diagnostic medical devices and as such they are regulated by the Medical Devices Regulations 2002.

Public Relations

Dr. Cable: To ask the Secretary of State for Health what the salary costs to the Department were for employees working in public relations and publicity in each year since 1997. [183852]

Ms Rosie Winterton: Information on staff working in the Department's communications directorate in public relations and publicity in each year since 1997 to 2002–03 can be provided only at disproportionate cost.

The total expenditure on communications directorate staff in 2003–04 was £4.07 million.

WORK AND PENSIONS

Benefits

Mr. Cousins: To ask the Secretary of State for Work and Pensions what the *(a)* capital limits and *(b)* earnings disregards are for each income related benefit; and on what date each of the limits and disregards was first set. [188720]

Mr. Pond: The requested information has been placed in the Library.

Child Support Agency

Chris Ruane: To ask the Secretary of State for Work and Pensions how many Child Support Agency enforcement cases against self employed non-resident parents there have been in the last three years; and what percentage have been successful in recovering payment. [190270]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member with the information requested.

Letter from Doug Smith to Mr. Chris Ruane, dated 13 October 2004:

In reply to your recent Parliamentary Question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked the Secretary of State for Work and Pensions, how many Child Support Agency enforcement cases against self employed non-resident parents there have been in the last three years; and what percentage have been successful in recovering payment.

We are unable to provide these figures as we do not record employment status on the relevant information system. However, I can tell you that the last 3 years:

	Number
Liability orders were granted by the court	7,814
Third party debt orders lodged were lodged at court	608
Charging orders were lodged at court	718
Committal files have been referred to solicitors	328

Chris Ruane: To ask the Secretary of State for Work and Pensions what the total amount is of maintenance arrears outstanding in respect of self-employed non-resident parents who are subject to or awaiting CSA enforcement action. [190271]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member with the information requested.

Letter from Doug Smith to Mr. Chris Ruane, dated 13 October 2004:

You asked the Secretary of State for Work and Pensions, what the total amount is of maintenance arrears outstanding in respect of self-employed non-resident parents who are subject to or awaiting Child Support Agency enforcement action.

We are unable to provide the information as we do not separately identify those cases whose main source of income is from self-employment.

Chris Ruane: To ask the Secretary of State for Work and Pensions how many Child Support Agency enforcement cases in respect of self-employed non-resident parents are outstanding. [190453]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member with the information requested.

Letter from Doug Smith to Mr. Chris Ruane, dated 13 October 2004:

In reply to your recent Parliamentary Question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked the Secretary of State for Work and Pensions, how many Child Support Agency enforcement cases in respect of self-employed non-resident parents are outstanding.

There are currently 14,856 cases with our specialist enforcement teams. I am unable to say how many of these derive their main source of income from self-employment.

Chris Ruane: To ask the Secretary of State for Work and Pensions how many requests for traces the Child Support Agency have made to the Driver and Vehicle Licensing Agency in the last three years under the Service Level Agreement. [190454]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member with the information requested.

Letter from Doug Smith to Mr. Chris Ruane, dated 13 October 2004:

In reply to your recent Parliamentary Question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked the Secretary of State for Work and Pensions, how many requests for traces the Child Support Agency have made to the Driver and Vehicle Licensing Agency in the last three years under the Service Level Agreement.

In the period 1 April 2002 to 31 August 2004 a total of 1,319 referrals were made for information to the Driver and Vehicle Licensing Agency.

Chris Ruane: To ask the Secretary of State for Work and Pensions what percentage of the Driver and Vehicle Licensing Agency traces carried out for the Child Support Agency were successful; and how many led to further enforcement action. [190455]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member with the information requested.

Letter from Doug Smith to Mr. Chris Ruane, dated 13 October 2004:

In reply to your recent Parliamentary Question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked the Secretary of State for Work and Pensions, what percentage of the Driver and Vehicle Licensing Agency traces carried out for the Child Support Agency were successful; and how many led to further enforcement action.

In the period 1 April 2002 to 31 August 2004 we made 1,319 referrals for information to the Driver and Vehicle Licensing Agency. Of these 393 were successful in gaining the information sought. Our records do not show how many then led to enforcement action.

Pension/Benefit Payments

Mr. Rosindell: To ask the Secretary of State for Work and Pensions what deadlines have been set regarding the conversion to direct payment; and if he will make a statement on the progress made so far. [190154]

Mr. Pond: The Department is on course to meet the Public Service Agreement target to pay 85 per cent. of our customers by direct payment by 2005.

Research has shown that nine out of 10 of our customers who have chosen to receive their pension or benefit into an account have found it a more flexible, convenient and safer method of getting their money.

Key figures on the progress of conversion to direct payment are available in the House of Commons Library updated every four weeks.

Chris Ruane: To ask the Secretary of State for Work and Pensions what assistance his Department has given to pensioners with *(a)* mental and *(b)* physical health problems in choosing how they wish to have their pension paid. [190283]

Mr. Pond: We have liaised with customer representative groups (including CAB, Help the Aged, Age Concern, MIND) to ensure there is a shared understanding of the needs of our customers.

All customers including pensioners are being provided with all the information they need on all of their "account options", including which accounts can be used at post office branches. It will be up to the customers themselves to decide which type of account they wish to have their money paid into. Customers will need to look at all of the features of the different options and choose an account to suit their individual needs and circumstances.

Cheque payments will be available from later this month for those customers who are unable to open or manage an account.

Chris Ruane: To ask the Secretary of State for Work and Pensions what procedures he has put in place to *(a)* detect and *(b)* monitor fraud in relation to chip and pin numbers for cards for withdrawal of pensions and benefits. [190284]

Mr. Pond: Card fraud is entirely a matter for the banks, and for Post Office Ltd. in respect of the post office card account. The banking industry takes plastic card fraud seriously and is extremely active in managing it. Once conversion to chip and pin is complete cards should be even more secure from fraudulent activities.

Direct Payment is far more secure than order books. We used to lose around £50 million a year on order book fraud and about 100 pensioners a week had their order books stolen. We will monitor Direct Payment closely and will take action as necessary to deal with fraud.

Chris Ruane: To ask the Secretary of State for Work and Pensions what recent estimate his Department has made of how many pensioners do not have a bank account. [190287]

Mr. Pond: In the UK, 91 per cent. of pensioners have a bank or building society account which is suitable to receive Direct Payments.

It is evident that Direct Payment is becoming increasingly popular, particularly with pensioners. Around 80 per cent.[1] of pensioner new claims are being paid by Direct Payment.

[1] This figure was taken from the Family Resources survey 2002–03. DWP are the managers of this survey which is currently conducted by the Office of National Statistics and the National Centre for Social Research.

Note:

This information is from August 2004 data—GMS GB source, based on 100 per cent. of new claim records.

Chris Ruane: To ask the Secretary of State for Work and Pensions what guidelines his Department has issued to call-centre operatives to ensure objective information is provided to pensioners on whether to opt for a bank account or a post office account; and if he will make a statement. [190456]

Mr. Pond: All Department for Work and Pensions staff including call centre operatives have been provided with information on all of the account options available to the customer. The role of our staff is to provide factual information on the features of the different account options available to the customer. The customer can then decide which type of account they choose to have their money paid into based on their individual needs and circumstances.

Independent research commissioned by DWP shows 93 per cent. of customers found that the information they received was clear and 93 per cent. were happy once they had transferred to Direct Payment.

Chris Ruane: To ask the Secretary of State for Work and Pensions how many pension and benefit recipients failed to respond to direct payment form requests and are being paid through weekly Giro payments. [190458]

Mr. Pond: Key figures on the progress of conversion to Direct Payment are available in the Library updated every four weeks.

We are continuing to contact existing customers to invite them to provide account details. Those customers who have not yet provided their account details will be contacted again to discuss their account options, unless they have already advised the Department that they genuinely cannot open or manage an account.

Chris Ruane: To ask the Secretary of State for Work and Pensions what estimate he has made of the cost to the Department of transferring all pension and benefit accounts to direct payments. [190459]

Mr. Pond: The total DWP one-off cost of the Payment Modernisation Programme over the full 10-year investment period 1999–2000 to 2009–10 is approximately £412 million.

However, significant savings are expected from both administration costs of around £440 million per annum and a reduction in fraud of around £50 million per annum.

EDUCATION AND SKILLS

A-Level Results

Mr. Bercow: To ask the Secretary of State for Education and Skills what proportion of students achieved *(a)* 1 and *(b)* 1–3 A-E grades at A Level (i) in England and (ii) at schools and colleges based in the Buckingham constituency in each year since 2001–02; and if he will provide breakdowns of those figures between (A) independent schools and colleges and (B) state schools and colleges. [189851]

Mr. Miliband: The percentage of students achieving *(a)* one and *(b)* one to three A-E grades at GCE/VCE A Level in independent schools and in maintained schools and FE Sector colleges in both England and the Buckingham constituency in 2001–02 and 2002–03:

		One GCE/VCE A level (or equivalent) pass		*One to three GCE/VCE A level (or equivalent) passes*	
		England	*Buckingham constituency*	*England*	*Buckingham constituency*
2001/02	Independent schools	9.1	6.1	76.1	94.5
	Maintained schools and FE sector colleges	16.6	7.7	75.1	85.3
	All institutions	15.6	7.1	75.2	88.8
2002/03	Independent schools	9.0	5.6	77.4	93.2
	Maintained schools and FE sector colleges	16.8	8.5-	76.5	81.5
	All institutions	15.9	7.5	76.6	85.3

AQA

Chris Grayling: To ask the Secretary of State for Education and Skills if he will make a statement on the errors made by AQA in marking key stage 2 English SATS tests at St. Martin's Junior School in Epsom; how many other schools have experienced similar levels of errors in marking; what steps he is taking to ensure that AQA improves its processes; and what steps he is taking to ensure that AQA compensate schools for additional administrative costs incurred as a result of the errors in marking. [190376]

Mr. Miliband: I understand from the National Assessment Agency (NAA) that St. Martin's Junior School had 11 overall level changes for Key Stage 2 English.

It is not possible to break down the number of schools experiencing similar levels of error in marking. I shall write to the hon. Member with overall national figures for 2004 level changes in Key Stage 2 English when they become available and also place a copy in the Library.

The NAA, who are responsible, on behalf of the Qualifications and Curriculum Authority (QCA), for test administration, has awarded the 2005 contract for marking of the National Curriculum tests to Pearson Assessment and Testing. The Assessment and Qualifications Alliance (AQA) is working closely with Pearson to ensure that all lessons learnt from 2004 will be fed in to improving test delivery in 2005.

There is no provision for compensating schools for costs incurred by staff in checking pupils' scripts and preparing the application for review. However, where the outcome of the review shows that the quality of marking has not been to the expected standard, all review charges are refunded.

Education Funding Report

Dr. Pugh: To ask the Secretary of State for Education and Skills what assessment he has made of the Audit Commission's findings at paragraphs 28, 29 and 30 on page 11 of its report Education Funding 2004. [189749]

Mr. Miliband: The system of floors and ceilings referred to by the Audit Commission is in place to ensure that all councils receive an increase in funding each year and that there is stability in the funding of authorities. In setting the levels of floors and ceilings, Ministers are mindful of the need to make progression to the allocations implied by the formula in order to deliver the fairer distribution of funding which the formula review produced. We therefore agree with the Audit Commission that there is a balance to be struck in setting the level of the floors and ceilings.

The minimum funding guarantee that was introduced in 2004–05 has brought stability and certainty to schools budgets. It was considered appropriate to put in place such stability given the funding difficulties experienced by some schools in 2003–04. As a result of the introduction of the minimum funding guarantee two thirds of schools nationally received an increase above the level of the minimum guarantee while the remaining third of schools received a per pupil increase in funding in line with the guarantee.

Changes to a local education authority's funding formulae are matters for local discretion provided that they operate within the framework of the regulations. While the Audit Commission reports that some councils have suspended proposed changes to their funding formula, the survey was based on a sample of LEAs and was carried out before the start of the financial year 2004–05. Evidence from other authorities shows that there is no inherent need to suspend changes to formulae as a result of the minimum funding guarantee. Some authorities, in fact, have used the guarantee to provide transitional protection to ensure that such changes are phased in appropriately to ensure stability in school budgets.

Higher Education Act

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills what discussions his Department has had with representatives of students in relation to the Higher Education Act 2004. [189658]

Dr. Howells *[holding answer 11 October 2004]:* We have regular discussions at ministerial and official level with student representative bodies including the National Union of Students.

Key Stage 2 Results

Mr. Bercow: To ask the Secretary of State for Education and Skills what proportion of school pupils achieved level 4 at key stage 2 in *(a)* English and *(b)* Maths (i) in England and (ii) from schools based in the Buckingham constituency in (A) 2002 and (B) 2003. [189850]

Mr. Miliband: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) on 10 May 2004, *Official Report*, column 34W.

Ofsted Reports

Bob Russell: To ask the Secretary of State for Education and Skills what procedures are open to an individual teacher to seek independent re-examination of an Ofsted report; and if he will make a statement. [190031]

Mr. Miliband: This is a matter for the Ofsted. David Bell the HM Chief Inspector of Schools will write to the hon. Member and a copy of his reply will be placed in the Library.

School Admissions

Mr. Dobson: To ask the Secretary of State for Education and Skills what advice his Department has issued to *(a)* local education authorities and *(b)* schools on the weight to be given to the separate addresses of divorced parents seeking access to a school on the basis of geographical proximity. [190420]

Mr. Miliband *[holding answer 11 October 2004]:* Admission authorities must have regard to the School Admissions Code of Practice which gives advice on admission issues. In the case of children who live with parents with shared responsibility, the Code of Practice recommends that admission authorities ensure that their oversubscription criteria make clear how the 'home' address will be decided in a fair and considered and consistent way. It is therefore for admission authorities themselves to set out the basis on which they will consider the geographical proximity aspect for applications for children with parents who are divorced.

School Closures

Mr. Dhanda: To ask the Secretary of State for Education and Skills what procedures must be followed by a local education authority before it can close a non-selective single sex school where no similar alternative schools exist nearby; and what opportunities are available to parents of pupils at such a school who wish to make representations against proposed closure. [189738]

Mr. Miliband: The procedures for closing a non-selective single sex school are the same as those for closing any other maintained school. There are no special arrangements where there is no similar school nearby.

Those making proposals to close a school must first consult interested parties, ensuring that there is sufficient opportunity for interested parties to express their views. If they wish to proceed, they must then publish a notice in the local newspaper, at the entrance of the school and in a conspicuous place within the area (e.g. the local library). Following publication, there is a six-week representation period (or four weeks if the school is failing) during which anyone can make representations about the proposals. The proposals are normally then referred to the local School Organisation Committee (SOC). If the SOC cannot reach a unanimous decision, the proposals are referred to the schools adjudicator. The SOC and the adjudicator both have the power to approve the proposals, reject them or approve them with modifications.

In making their decision the SOC and schools adjudicator must have regard to guidance issued by the Secretary of State. This sets out a range of factors that must be considered. These include the views of interested parties, the impact of what is proposed on local standards and equal opportunities issues including, for proposals of this nature, access to single sex schooling for both boys and girls where there is parental demand.

In making their decision the SOC and schools adjudicator must have regard to guidance issued by the Secretary of State. This sets out a range of factors that must be considered. These include the views of interested parties, the impact of what is proposed on local standards and equal opportunities issues including, for proposals of this nature, access to single sex schooling for both boys and girls where there is parental demand.

School Provision

Mr. Nigel Jones: To ask the Secretary of State for Education and Skills what guidelines are in place to assist local education authorities plan future schools provision to take account of housing targets. [189540]

Mr. Miliband: It is the responsibility of each local education authority to plan school provision in its area taking account of changes in local population. The Department does not issue specific guidance on planning school provision to meet increases in housing, but does provide other guidance on the statutory processes for making changes to local school organisation and separate guidance on capital.

Proposals to provide new primary schools, or enlarge any existing schools, to meet population growth, must be subject to local consultation before being published. The final decision on the proposals will generally be taken by the local School Organisation Committee or, if they cannot agree unanimously, an independent adjudicator. Where an LEA proposes to establish a new secondary school it must publish details of the need for the school, inviting other promoters to submit proposals, and the Secretary of State will decide which of the proposals submitted should be approved.

The Department provides capital support for local authorities and schools to invest in school infrastructure, including for the provision of new pupil places. The Department allocates much of its capital resources to local authorities and schools by needs-related formulae, as they can best decide how to target their highest priority needs, in accordance with their asset management planning processes. Local authorities can also negotiate contributions from developers for new school provision, under section 106 of the Town and Country Planning Act 1990 (as substituted by the Planning and Compensation Act 1991). The Office of the Deputy Prime Minister provides guidance to local authorities about such agreements in its Circular 1/97.

Special Educational Needs

Mr. Bercow: To ask the Secretary of State for Education and Skills how much funding has been made available to schools in Buckinghamshire from the special educational needs standard fund in *(a)* 2002–03, *(b)* 2003–04 and *(c)* 2004–05. [189844]

Mr. Miliband: Buckinghamshire local education authority was allocated £638,603 in 2002–03, and £640,468 in 2003–04, through the Standards Fund for Special Educational Needs. This included Government grant of 50 per cent. and local authority contribution of 50 per cent. From 2004–05, the special educational needs grant was merged into a single School Development Grant. The grant was allocated to schools for use for any purpose to promote school improvement, including special educational needs. Buckinghamshire's allocation for School Development grant of £5.9 million included £666,087 notionally for special educational needs. The amount of grant allocated to Buckinghamshire's schools will depend on local decisions. In 2002–03 and 2003–04, local education authorities were permitted to use half of their special educational needs allocation for central provision. In 2004–05, authorities were allowed to retain the same cash amount from the School Development Grant as they had retained from the special educational needs grant in 2003–04.

Student Finances

Chris Grayling: To ask the Secretary of State for Education and Skills what proportion of students who received *(a)* maximum student loans and *(b)* student grants from the Government were from families where the parents are divorced in the last year for which figures are available. [190084]

Dr. Howells: Data relating to the marital status of students' parents are not currently available centrally.

Chris Grayling: To ask the Secretary of State for Education and Skills what estimate he has made of the amount raised by higher education institutions from fees paid by part-time students in the last year for which figures are available. [190085]

Dr. Howells: The available information is taken from the Higher Education Statistics Agency (HESA) Finance Record. In 2002/03, English HE institutions raised £385.6 million income from HE fees paid by part time UK and EU domiciled students. Of this, £181.7 million of income came from undergraduate fees and £203.9 million came from postgraduate fees. Figures for part time overseas domiciled students are not indicated separately.

Chris Grayling: To ask the Secretary of State for Education and Skills what estimate he has made of the amount contributed to further education colleges by fee-paying students in the last year for which figures are available. [190086]

Dr. Howells: Information from the Learning and Skills Council, for the latest year available 2002–03 shows that tuition fee income collected by further education institutions from council funded adult students, their employers or other sources, was £155 million.

Surplus Places

Dr. Pugh: To ask the Secretary of State for Education and Skills whether permission for local authorities to amend their formulae for distributing funds to schools will depend on the progress they are able to make in reducing surplus places following the abolition of the surplus places rules. [189750]

Mr. Miliband: Local education authorities do not need permission to amend their formulae for distributing funds to schools. They are required to consult their schools and schools forum over any amendments they propose to make to the funding formula prior to the financial year in which such changes are introduced.

LEAs are responsible for planning school places in their area and have a duty to ensure that there are sufficient places and that high quality education is provided in a cost effective way. We expect LEAs to take parental preferences into account in the planning.

Teacher Substitution

Mr. Bercow: To ask the Secretary of State for Education and Skills how many teaching posts were *(a)* vacant and *(b)* filled by supply, temporary and agency teachers in (i) primary and (ii) secondary schools in the Buckinghamshire local education authority in January (A) 2002, (B) 2003 and (C) 2004. [189849]

Mr. Miliband: The table gives the total number of full-time vacancies and occasional teachers in service in maintained nursery, primary and secondary schools in Buckinghamshire local education authority in January 2002, 2003 and 2004.

	2002	*2003*	*2004*
Nursery and primary schools			
Vacancies	16	5	2
Occasional teachers	50	30	30
Secondary schools			
Vacancies	32	34	28
Occasional teachers	50	50	60

Source:
Form 618g survey.

Vacancies include all advertised posts of at least one term's duration excluding those covered by a teacher with a contract of a term of more.

Teachers in occasional service are all those in supply service or with a contract of less than one month, including those employed through an agency, who were employed for the whole of the survey date.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the security situation in Herat in Afghanistan following the recent violence directed towards UN buildings and staff. [189887]

Mr. Rammell: President Karzai removed Ismail Khan as Governor of Herat on 11 September. Ismail Khan was offered a ministerial post with the Afghan transitional administration in Kabul but has declined it, and currently remains in Herat as a private citizen. The announcement of his removal was followed by some local unrest in Herat, during which seven people reportedly died. UN buildings were targeted and some UN and NGO staff withdrew temporarily from the city. They have since returned. The new Governor has taken office, the Afghan National Army and police force are keeping order, and there have been no reports of further serious violent incidents.

Tom Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place with warlords in Afghanistan to establish their views on holding elections in Afghanistan. [190247]

Mr. Rammell: Arrangements for elections in Afghanistan have been agreed by the Afghan Transitional Administration in consultation with the UN. We are not aware of any consultations being held directly with warlords on this issue.

Tom Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the intention is that the parliamentary elections in Afghanistan will take place in all parts of the country; and if he will make a statement. [190248]

Mr. Rammell: The Afghan Government's expressed intention is to hold nationwide parliamentary elections in spring 2005. No further details have yet been announced.

Tom Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate has been made of the number of warlords who control areas of Afghanistan; what discussions are taking place with these people; and if he will make a statement. [190249]

Mr. Rammell: Afghanistan is governed by the Afghan Transitional Administration. President Karzai has acted on a number of occasions to remove regional governors who were ineffective or who were not loyal to central Government. Regional military commanders or warlords are involved in the UN-led process to demobilise and disarm militias. Latest UN figures show that this largely consensual process has succeeded in disarming more than 20,000 militia personnel (which is around a third of the total) and removing around 60 per cent. of heavy weapons from militia control. Kabul was declared free of heavy weapons on 1 September.

Azerbaijan

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's policy is on the situation concerning Nagorno-Karabakh in the Republic of Azerbaijan; what recent representations he has made regarding the presence of Russian forces; what plans there are for *(a)* mediation and *(b)* the provision of (i) observers and (ii) peacekeeping forces by international organisations; and if he will make a statement. [189873]

Mr. Rammell: We will support any mechanism for the resolution of the Nagorno Karabakh dispute which both parties can accept and which has a realistic chance of delivering a lasting political settlement. The framework for discussing such mechanisms is the OSCE Minsk Group, co-chaired by Russia, the US and France. While the UK is not a member of the Minsk Group, we support its work and remain in close touch through the UK Special Representative to the South Caucasus, Sir Brian Fall.

The Personal Representative of the OSCE Chairman in Office arranges for periodic observation of the line of control from both the Armenian and Azerbaijani sides. There are no Russian forces in Nagorno Karabakh that we are aware of. At its summit in 1994, the OSCE agreed in principle to the deployment of a multi-national peacekeeping operation, following the conclusion of a political agreement on the cessation of the armed conflict, and established a High Level Planning Group (HLPG) to work on details of an operation. This point has not been reached but high level governmental contacts between Armenia and Azerbaijan continue on a regular basis with and without the facilitation of the Minsk Group.

Bakassi Peninsula

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Governments of *(a)* Nigeria and *(b)* Cameroon on the handover of the Bakassi peninsula. [189680]

Mr. Mullin: My right hon. Friend the Secretary of State for International Development (Hilary Benn) discussed this issue with President Obasanjo in Nigeria on 7 September, and I did likewise with the Cameroonian High Commissioner in London on 20 September. We made clear our support for the International Court of Justice ruling, and that we look to Nigeria and Cameroon to negotiate the detail of its implementation with the support of the United Nations.

British Tourists (Murders)

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British tourists were murdered in each year since 1995, broken down by country. [189886]

Mr. Mullin: The number of British nationals murdered overseas since 1996 of whose deaths we have been notified is provided in the table below. We have no figures for 1995. We are unable to differentiate between tourists, business or other travellers.

We are in the process of transferring our consular records to a new system. Consequently there may be some inconsistencies in the data we are currently able to present.

Country	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*Financial Year 2002*	*2003–04*
Afghanistan	0	0	0	0	0	1	0	0
Angola	1	0	3	1	0	0	0	0
Antigua and Barbuda	0	1	1	0	1	0	1	0
Argentina	0	0	0	0	1	0	0	0
Australia	5	3	2	1	0	0	2	2
Austria	1	0	0	0	0	1	0	0
Bahamas	0	2	1	0	0	0	0	0
Bahrain	0	1	0	0	0	0	0	0
Bangladesh	1	0	0	0	2	0	0	0
Belgium	2	0	0	0	0	0	0	1
Belize	1	0	1	0	1	0	0	0
Botswana	1	0	0	0	0	0	0	0
Brazil	1	0	0	0	0	0	0	0
Cambodia	1	0	0	0	0	0	0	0
Canada	0	1	0	1	1	0	0	0
Chile	0	0	0	0	0	0	1	0
China	1	1	1	0	0	0	0	1
Colombia	0	0	3	0	0	0	0	0
Comoros	7	0	0	0	0	0	0	0
Congo	0	1	0	0	0	0	0	0
Cyprus	0	0	0	0	2	0	0	2
Czech Republic	0	1	0	0	0	1	0	0
Denmark	1	0	0	0	1	0	1	0
Dominican Republic	0	0	0	0	0	0	1	0
Egypt	0	7	0	0	0	0	0	0
Eritea	0	0	0	0	0	0	0	1
Fiji	0	0	0	0	0	0	1	0
France	1	1	1	4	1	3	5	3
Germany	1	0	0	2	2	1	0	1
Ghana	0	0	0	0	0	0	2	0
Gibraltar	1	0	0	0	0	0	0	0
Greece	1	0	3	0	0	0	0	0
Guatemala	0	1	0	0	0	0	0	0
Guyana	1	0	0	0	0	0	0	1
Honduras	1	0	0	0	0	0	0	0
India	2	1	1	1	2	2	2	2
Indonesia	0	0	1	0	0	0	26	0
Iraq	0	1	0	0	0	0	0	2
Israel	0	1	0	0	0	0	0	0
Italy	0	0	1	0	1	1	0	1
Jamaica	1	0	2	2	3	2	1	4
Kazakhstan	0	0	0	0	0	1	0	0
Kenya	2	0	3	0	0	2	0	1
Kuwait	0	1	0	0	0	0	0	0
Madagascar	0	0	0	1	0	0	0	0
Malawi	0	1	0	0	0	0	0	0
Malaysia	0	0	1	1	0	1	0	0
Mexico	0	2	1	0	0	0	0	0
Mongolia	0	1	0	0	0	0	0	1
Mozambique	0	2	0	0	0	0	0	0
Nepal	0	0	0	0	1	0	0	0
Netherlands	1	3	2	0	1	1	1	0
New Zealand	0	0	0	1	0	0	0	0

Hospital, public health medicine and community health services (HCHS): qualified nursing, midwifery and health visiting staff and medical and Dental staff within Plymouth Hospitals NHS Trust

	Numbers (headcount) and increase		
As at 30 September	*1997*	*2003*	*increase 1997 to 2003*
Medical and dental staff	434	641	207
Nursing, midwifery and health visiting staff	1,508	1,989	481

Sources:
Department of Health medical and dental workforce census.
Department of Health non-medical workforce census.

Devon NHS Partnership Trust

Mrs. Browning: To ask the Secretary of State for Health what guidance has been given to the Devon NHS Partnership Trust in identifying core and non-core services. [191757]

Ms Rosie Winterton *[holding answer 15 October 2004]*: The Department has not issued any guidance specifically to the Devon National Health Service Partnership Trust in identifying core and non-core services. In line with our policy of Shifting the Balance of Power, decisions about the services made available in local areas are prioritised and led by primary care trusts (PCTs). It is for PCTs, in conjunction with strategic health authorities, to plan and develop services according to the needs of their local communities.

Eye Health Services

Mr. Baron: To ask the Secretary of State for Health what steps he is taking to raise awareness of *(a)* macular degeneration and *(b)* visual disease in general among (i) the public and (ii) health professionals. [190911]

Ms Rosie Winterton *[holding answer 14 October 2004]:* From 1 April 1999, we restored free sight tests under the national health service to those aged 60 and over and free sight tests continue to be available through the NHS to large parts of the population, including children, those aged 16–18 in full-time education, people on benefits, those people at particular risk of developing eye disease and people who are registered blind and partially sighted or who have a complex spectacle prescription. Sight tests provide the ideal opportunity to review all aspects of eye health, including investigations for signs of disease. Those at risk of specific eye disease, for example, diabetic retinopathy, may be asked to attend regular screening.

Information about the extensive arrangements for providing help with NHS optical services and other health costs are publicised in the widely available leaflet, HC11—"Are you entitled to help with health costs?"

The eye care services steering group was set up in December 2002 to develop proposals for the modernisation of NHS eye care services. The group has developed model care pathways for glaucoma, age-related macular degeneration, low vision and cataract. We have made available £4 million to fund eight pilot sites to test the new pathways. My right hon. friend, the Minister of State for Health (Mr. Mutton), launched the report of the group and the model pathways on 11 May 2004. A copy of the report was sent as commissioning guidance to all primary care trusts and NHS trusts.

We have also invested an additional £73 million to deliver shorter waiting times for cataract patients so that no patient will wait more than three months by December 2004. In addition, the national service framework (NSF) for diabetes includes a target that by 2006, a minimum of 80 per cent. of people with diabetes are to be offered screening for the early detection and treatment, if needed, of diabetic retinopathy, rising to 100 per cent., coverage by the end of 2007. This includes investment of £27 million for the purchase of capital equipment to support the screening programme, including the purchase of digital cameras.

The NSF for older people recognises visual impairment as a risk factor for falls. The importance of identifying those with sight problems who may require a full eye examination is highlighted within the single assessment process.

General Practitioners (Buckinghamshire)

Mr. Bercow: To ask the Secretary of State for Health how many general practitioners there were in the Buckinghamshire Health Authority area in *(a)* 2002–03 and *(b)* 2003–04. [191050]

Ms Rosie Winterton: The number of general practitioners in the Thames Valley Strategic Health Authority area, which includes the old Buckinghamshire Health Authority, area is shown in the table.

General medical practitioners (excluding registrars, retainers and locums)[1] for Thames Valley Strategic Health Authority by primary care trust (PCT)

		Number (headcount)		
		2002	*2003*	*June 2004*
Thames Valley		1,313	1,320	1,319
Of which:				
Bracknell Forest PCT	5G2	53	53	51
Cherwell Vale PCT	5DV	73	73	75
Chiltern and South Bucks PCT	5G4	97	98	101
Milton Keynes PCT	5CQ	123	121	124
Newbury and Community PCT	5DK	59	59	60
North East Oxfordshire PCT	5DT	41	45	44
Oxford City PCT	5DW	124	125	117
Reading PCT	5DL	132	132	124
Slough PCT	5DM	64	63	67
South East Oxfordshire PCT	5DX	55	56	56
South West Oxfordshire PCT	5DY	116	121	119
Vale of Aylesbury PCT	5DP	113	118	119
Windsor, Ascot and Maidenhead PCT	5G3	91	89	94
Wokingham PCT	5DN	88	86	87
Wycombe PCT	5G5	84	81	81

[1] All practitioners (excluding retainers, registrars and locums) include general medical service (GMS) practitioners and personal medical service (PMS) practitioners.

Note:
Data as at 30 September 2002–03 and 30 June 2004.
Source:
Department of Health GMS and PMS statistics.

Epilepsy

Mr. Drew: To ask the Secretary of State for Health if he will increase funding for healthcare for children suffering from epilepsy. [192159]

Dr. Ladyman: In England, primary care trusts (PCTs) are responsible for deciding which health services the local population requires and ensuring the provision of these services. It is for individual PCTs to decide the level of funding they allocate to services for children with epilepsy.

Medical Staff (Southend and Basildon)

Bob Spink: To ask the Secretary of State for Health how many full-time equivalent *(a)* doctors and consultants and *(b)* nursing, midwifery and health visiting staff there were at (i) Southend and (ii) Basildon hospitals in each year since 1996. [190970]

Dr. Ladyman: The information requested is collected by national health service trust. Figures for Basildon and Thurrock University Hospital NHS Foundation Trust and Southend Hospitals NHS Trust are shown in the table.

All doctors, consultants and nursing, midwifery and health visiting staff within Essex strategic health authority (SHA) and selected organisations

Whole-time equivalents (WTEs)

	September								*June*
	1996	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*	*2004*
All Doctors[1]									
Essex SHA total	1,979	2,115	2,143	2,202	2,160	2,162	2,318	2,395	[2]—
Basildon and Thurrock University Hospital NHS Trust	188	203	209	216	199	224	237	251	[2]—
Southend Healthcare NHS Trust	228	251	262	267	219	270	279	305	[2]—
Consultants									
Essex SHA total	412	453	463	471	484	499	559	582	632
Basildon and Thurrock University Hospital NHS Trust	63	64	65	60	57	75	89	93	101
Southend Hospital NHS Trust	80	89	87	90	99	95	104	111	116
Qualified nursing, midwifery and health visiting staff									
Essex SHA total	5,828	6,010	5,937	6,018	6,096	6,326	6,767	6,858	[2]—
Basildon and Thurrock University Hospital NHS Trust	655	678	610	626	599	646	831	834	[2]—
Southend Hospital NHS Trust	701	711	711	751	824	793	887	931	[2]—

[1] Figures calculated using hospital and community health services (HCHS) medical and dental data and general practitioners data.

[2] Denotes not available. This is due to data being taken from the medical and dental mini census which collected consultants only.

Notes:

1. General practitioners include general medical service (GMS) practitioners (excluding retainers), personal medical service (PMS) practitioners and GPs.
2. Registrars WTE data has been estimated using the results from the 1992–93 general medical practitioner workload survey; full time equals 1.00 wte; three quarter time equals 0.69 wte; job share equals 0.65 wte; half time equals 0.60 wte.
3. Figures are rounded to the nearest whole-number.

Sources:

Department of Health general and personal medical services statistics, data as at 30 September 2000–03 and 1 October previous years.

Department of Health medical and dental workforce census, data as at 30 September each year, except 2004 which is at 30 June.

Department of Health non-medical workforce census, data as at 30 September each year.

Mental Health

Paul Flynn: To ask the Secretary of State for Health what assessment he has made of online self-management treatments for *(a)* depression and *(b)* other mental health problems. [190227]

Ms Rosie Winterton: The Department has made no assessment of online self-management treatments for depression or other mental health problems.

Mrs. Browning: To ask the Secretary of State for Health how many full-time equivalent *(a)* psychiatrists and *(b)* community psychiatric nurses are employed in each of the primary care trust areas in Devon. [192260]

Ms Rosie Winterton: Information is not collected by primary care trust area, but instead by strategic health authority (SHA) area. The table shows the latest data available for the South West Peninsula SHA by organisation.

Hospital, public health medicine and community health services (HCHS): Qualified community psychiatric nurses and consultants within the psychiatry group by organisation within South West Peninsula SHA: As at 30 September 2003

Whole-time equivalents

		Consultants	*Qualified nurses*
South West Peninsula	Q21	80	509
Of which:			
Cornwall Health Care National Health Service Trust	RJ8	27	209
Mid Devon PCT	5FV	[1]—	3
North and East Devon Partnerships NHS Trust	RWV	37	189
Plymouth Hospitals NHS Trust	RK9	3	1
Plymouth PCT	5F1	11	107
South Devon Healthcare NHS Trust	RA9	2	—[1]

Note:

[1] Denotes zero

Sources:

Department of Health medical and dental workforce census.

Department of Health non-medical workforce census

MRI Scanners (Southend Hospital)

Bob Spink: To ask the Secretary of State for Health if he will make a statement on the provision of MRI scanners for Southend hospital. [190969]

Dr. Ladyman: Southend Healthcare National Health Service Trust currently provides a magnetic resonance imaging (MRI) scanning service using a machine installed in 1996. The Department has committed capital funding for two new MRI scanners at the trust. One of these will replace the existing machine and be installed later this year. The second scanner is to be installed next year and is expected to increase MRI scanning capability at the trust. The Department is promising £350,000 towards installation costs of both machines.

Multiple Sclerosis (Aimspro)

Bob Spink: To ask the Secretary of State for Health if he will make a statement on the progress of the trials of the drug Aimspro for the treatment of MS; what side effects have been discovered; what benefits have been found for MS sufferers; and when he expects that this drug may be generally available. [190748]

Dr. Ladyman: The Government are committed to ensuring that all new treatments, including medicines, are introduced into the national health service as quickly as possible where they represent a genuine therapeutic advance and are cost effective.

However, as with other medicinal products, the Medicines and Healthcare products Regulatory Agency will only grant a licence once appropriate standards of quality, safety and efficacy have been met. The applicant would need to submit results of clinical trails in the population for which the company is seeking a licence, showing that the benefits outweigh any risk, as well as being able to demonstrate that they are able to consistently manufacture the medicinal product to appropriate standards. To date, only very limited data are available on Aimspro and no licence has been granted.

NHS Trusts (Staff)

Mr. Baron: To ask the Secretary of State for Health how much has been spent by national health service trusts in England on external contract staffing and consultancy in each year since 1997. [191752]

Ms Rosie Winterton *[holding answer 15 October 2004]:* The table shows expenditure by National Health Service trusts on total external contract staffing and consultancy services. We are unable to separately identify just consultancy services.

	NHS trust expenditure (£)
1996–97	107,151,978
1997–98	110,721,581
1998–99	93,071,801
1999–2000	93,304,298
2000–01	105,853,073
2001–02	125,947,596
2002–03	149,437,568

2002–03 are the latest figures available.

Nurses (Buckinghamshire)

Mr. Bercow: To ask the Secretary of State for Health (1) how many nursing vacancies there are in the Buckinghamshire Health Authority area; [191038]

(2) how many nurses are employed in each of the hospitals located in Buckinghamshire Health Authority. [191039]

Ms Rosie Winterton: The number of nursing vacancies and the number of nurses employed in the Thames Valley Strategic Health Authority area, which includes the old Buckinghamshire Health Authority are shown in the table.

Department of Health vacancies survey, March 2004—NHS three month vacancies in England by specified Government office region, strategic health authority area and organisation, for qualified nursing, midwifery and health visiting staff—three month vacancy rates, numbers and staff in post

		All qualified nursing, midwifery and health visiting staff			
		March 2004		*September 2003*	
		Three month vacancy rate (percentage)	*Three month vacancy (number)*	*Staff in post (whole-time equivalent)*	*Staff in post (headcount)*
England		2.6	7,508	291,925	364,692
Of which:					
South East Government office region		3.5	1,368	40,283	53,100
Of which:					
Q16 Thames Valley SHA		2.9	295	10,621	13,975
Berkshire Healthcare NHS Trust	RWX	4.5	21	522	575
Bracknell Forest PCT	5G2	10.9	7	56	87
Buckinghamshire Mental Health NHS Trust	RWT	4.5	14	291	325
Buckinghamshire Hospitals NHS Trust	RXQ	0.4	5	1,231	1,766
Cherwell Vale PCT	5DV	2.3	2	82	120
Chiltern and South Bucks PCT	5G4	0.0	—	142	228
Heatherwood and Wexham Park Hospitals NHS Trust	RD7	4.1	39	978	1,247
Milton Keynes General Hospital NHS Trust	RD8	0.0	—	642	824
Milton Keynes PCT	5CQ	6.0	19	308	380
Newbury and Community PCT	5DK	3.5	4	121	184
North East Oxfordshire PCT	5DT	0.5	0	48	77
Nuffield Orthopaedic NHS Trust	RBF	1.6	4	233	294
Oxford City PCT	5DW	2.3	4	162	277
Oxford Radcliffe Hospital NHS Trust	RTH	1.8	43	2,797	3,713

Department of Health vacancies survey, March 2004—NHS three month vacancies in England by specified Government office region, strategic health authority area and organisation, for qualified nursing, midwifery and health visiting staff—three month vacancy rates, numbers and staff in post

		All qualified nursing, midwifery and health visiting staff			
		March 2004		*September 2003*	
		Three month vacancy rate (percentage)	*Three month vacancy (number)*	*Staff in post (whole-time equivalent)*	*Staff in post (headcount)*
Oxfordshire Ambulance NHS Trust	RNY	—	—	—	—
Oxfordshire Learning Disability NHS Trust	RHX	1.4	1	77	85
Oxfordshire Mental Healthcare NHS Trust	RNU	17.3	90	434	506
Reading PCT	5DL	7.6	14	190	288
Royal Berkshire Ambulance Service NHS Trust	RH1	—	—	—	—
Royal Berkshire and Battle Hospitals NHS Trust	RHW	0.5	6	1,239	1,498
Slough PCT	5DM	1.8	3	154	195
South East Oxfordshire PCT	5DX	0.0	—	95	132
South West Oxfordshire PCT	5DY	2.1	4	199	275
Thames Valley SHA	Q16	[1]—	—	—	—
Two Shires Ambulance NHS Trust	RHY	0.0	—	51	67
Vale Of Aylesbury PCT	5DP	3.3	6	227	320
Windsor, Ascot and Maidenhead PCT	5G3	3.3	4	134	200
Wokingham PCT	5DN	1.2	1	108	162
Wycombe PCT	5G5	2.0	2	99	150

[1] Figures where sum of staff in post (as at 30 March 2004) and vacancies is less than 10.

Notes:

1. Three month vacancy information is as at 31 March 2003.
2. Three month vacancies are vacancies which trusts are actively trying to fill, which had lasted for three months or more (whole time equivalents.)
3. Three month vacancy rates are three month vacancies expressed as a percentage of three month vacancies plus staff in post.
4. Three month vacancy rates for non-medical staff are calculated using staff in post from the vacancy survey, March 2003.
5. Percentages are rounded to one decimal place.
6. '—' = zero.
7. Staff in post data is from the non-medical workforce census, September 2002.
8. Vacancy and staff in post numbers are rounded to the nearest whole number.
9. Calculating the vacancy rates using the above data may not equal the actual vacancy rates.
10. Due to rounding, totals may not equal the sum of component parts.

Sources:

Department of Health vacancies survey, March 2003.

Department of Health non-medical workforce census, September 2002.

PFI Health Contracts

Mr. Burstow: To ask the Secretary of State for Health what the annual revenue liabilities are of all private finance initiative health contracts. [189840]

Mr. Hutton: The information requested has been placed in the Library.

Pharmacies

Nick Harvey: To ask the Secretary of State for Health if he will amend the relevant legislation to place registered pharmacies in the absence of the pharmacist on the same basis as other retail outlets in relation to the sale of General Sales List items. [191644]

Ms Rosie Winterton: "A Vision for Pharmacy in the New NHS", published in July 2003, said that we would consult on possible changes to legislation regarding the arrangements for the dispensing and sale of medicines. That remains our intention.

Mr. Bercow: To ask the Secretary of State for Health how many community pharmacies in the Buckingham constituency *(a)* closed and *(b)* opened in each year since 2001–02. [191074]

Ms Rosie Winterton: Information about the number of community pharmacies by constituency is not collected. The tables show the number of community pharmacies opening and closing in 2001–02 and 2002–03 in Buckinghamshire Health Authority (HA) and the four primary care trusts (PCTs) covering the old Buckinghamshire HA.

	2001–02	
HA	*Open*	*Closed*
Buckinghamshire	2	2
Total	2	2

	2002–03	
PCT	*Open*	*Closed*
Chiltern and South Buckinghamshire	1	0
Wycombe	0	0
Vale of Aylesbury	2	1
Milton Keynes	0	0
Total	3	1

Primary Care Trusts (Essex)

Mr. Francois: To ask the Secretary of State for Health what plans he has for the merger of two or more primary care trusts in Essex; and if he will make a statement. [191940]

Dr. Ladyman: The Essex Strategic Health Authority (SHA) has responsibility for strategic planning of primary care trusts (PCTs) in Essex. All PCTs in Essex are currently reviewing a number of functions with the aim of maximising resources through joint arrangements. This work is ongoing and will form the basis of any future plans.

Waiting Lists/Times (Buckinghamshire)

Mr. Bercow: To ask the Secretary of State for Health how many patients in the Buckinghamshire health authority area referred urgently with suspected breast cancer waited for more than two weeks for an out-patient appointment in each reporting period since January 2002. [191075]

Ms Rosie Winterton: The number of patients in the Buckinghamshire area referred urgently with suspected breast cancer who waited for more than two weeks for an out-patient appointment since 2002 is shown in the table.

Waiting times for patients urgently referred by their general practitioner with suspected breast cancer

	Quarter	*National Health Service Trust*	*Patients waiting over two weeks*	*Percentage waiting over two weeks*
2001–02	4	Milton Keynes General	1	1.2
		South Buckinghamshire	0	0.0
		Stoke Mandeville Hospital	0	0.0
2002–03	1	Milton Keynes General	6	6.5
		South Buckinghamshire	5	4.9
		Stoke Mandeville Hospital	0	0.0
2002–03	2	Milton Keynes General	3	3.8
		South Buckinghamshire	0	0.0
		Stoke Mandeville Hospital	0	0.0
2002–03	3	Milton Keynes General	3	3.2
		South Buckinghamshire	0	0.0
		Stoke Mandeville Hospital	0	0.0
2002–03	4	Milton Keynes General	0	0.0
		South Buckinghamshire	2	1.6
		Stoke Mandeville Hospital	0	0.0
2003–04	1	Milton Keynes General	0	0.0
		Buckinghamshire Hospital	1	0.4
2003–04	2	Milton Keynes General	0	0.0
		Buckinghamshire Hospital	2	0.8
2003–04	3	Milton Keynes General	0	0.0
		Buckinghamshire Hospital	0	0.0
2003–04	4	Milton Keynes General	0	0.0
		Buckinghamshire Hospital	0	0.0
2004–05	1	Milton Keynes General	0	0.0
		Buckinghamshire Hospital	4	1.4

Sources:

Department of Health forms QMCW and CWTDB.

CABINET OFFICE

Departmental Responsibilities

Dr. Julian Lewis: To ask the Minister for the Cabinet Office pursuant to the answer of 11 October 2004, *Official Report*, column 59W, on departmental responsibilities, (1) if she will provide the page references in the departmental report, autumn performance report and the annual report and resource accounts where the substantive information requested is contained; [192262]

(2) if she will list the paragraphs of the public service agreements which set out additions to the functions for the Cabinet Office for *(a)* 2004–05 and *(b)* 2003–04. [192263]

Ruth Kelly: The internal performance monitoring and reporting arrangements in the Cabinet Office provide regular assessments of performance across the range of Cabinet Office activity and provide assurance that processes are in place to keep the Department on track against its key objectives. We fulfil our external reporting obligations through the annual publications, which are placed in the Library.

Section 2 of the 2004 Departmental Report (Cm 6226) describes how the work of management units within the Cabinet Office contributes to the achievement of our objectives. Departmental Reports since 2001 (Cm 5926, Cm 5429) have contained accounts of the work of these units.

The public service agreement provides the context for all Cabinet Office functions. No major additional functions have been added since the end of 2003–04.

Document Thefts

Mr. Chope: To ask the Minister for the Cabinet Office what the employment status is of the secretary in her Office recently arrested on suspicion of the theft of documents; and if she will make a statement. [192265]

Ruth Kelly: The person in question was provided to the Cabinet Office by an agency, which provides temporary staff to the Cabinet Office. Following the incident her assignment was terminated.

CONSTITUTIONAL AFFAIRS

Crown Court

David Davis: To ask the Parliamentary Secretary, Department for Constitutional Affairs what the average length of Crown court trials was in each year since 1995. [190889]

Mr. Leslie: The average length of Crown court trials for each year since 1995 is presented in the following table.

England and Wales average hearing times

	Not Guilty pleas		*Guilty pleas*	
	Total cases	*Average time (hours)*	*Total cases*	*Average time (hours)*
1995	28,256	8.6	49,893	1.0
1996	25,686	9.8	48,634	1.0
1997	26,695	9.8	53,472	0.9
1998	27,167	9.4	41,872	1.1
1999	26,541	9.8	37,883	1.1
2000	26,637	9.5	37,022	0.9
2001	28,453	9.4	36,655	1.0
2002	30,312	9.7	40,187	1.2
2003	30,587	9.6	41,855	1.2

Note:

Hearing times exclude luncheon adjournments.

1911 Census Information

Adam Price: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many requests his Department has received from individuals in Carmarthen, East and Dinefwr who are over the age of 93 years who do not want family historians to know their personal details as stated in the 1911 census forms. [190668]

Mr. Leslie: The National Archives has not received any requests of this kind from individuals in Carmarthen, East and Dinefwr who are over the age of 93 years.

Correspondence

Mr. Keetch: To ask the Parliamentary Secretary, Department for Constitutional Affairs when the Land Registrar at HM Land Registry will send a full reply to the letter of 12 August from the hon. Member for Hereford; and if he will make a statement. [190593]

Mr. Lammy: Following the interim letters sent on 7 and 17 September 2004, Land Registry sent a full reply to the hon. Member for Hereford on 14 October. The Land Registrar, on behalf of the Department, has apologised to the hon. Member for the delay that occurred in sending the full reply.

Data Protection Act

Mr. Gray: To ask the Parliamentary Under-Secretary, Department for Constitutional Affairs pursuant to his answer of 11 October to Question 190101, what Commissioner Bolkestein's view was on whether the Data Protection Act 1988 was consistent with the European Data Protection Directive. [190783]

Mr. Leslie: Commissioner Bolkestein's letter identifies a number of areas where the European Commission has concerns about the way in which the UK data protection regime gives effect to the European Directive on Data Protection. The Government are considering the points made, and will be replying in due course.

Departmental Spending

Mr. Alan Duncan: To ask the Parliamentary Secretary, Department for Constitutional Affairs what the total cost of refurbishment to the fabric of buildings owned by his Department has been since 1997. [185555]

Mr. Leslie: A total of £81.2 million has been spent since 1997 on refurbishment (including the cost of major maintenance projects) to buildings owned by the Department.

District Judges

Mr. Brazier: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many district judges sitting in a county court are presiding over appeals against High Court orders. [192257]

Mr. Leslie: District judges sitting in the county court do not have jurisdiction to preside over appeals against High Court orders. Appeals will be determined by the Court of Appeal (Civil Division).

"Effective Enforcement"

Ross Cranston: To ask the Parliamentary Secretary, Department for Constitutional Affairs what steps he is taking to implement the White Paper "Effective Enforcement"; and if he will make a statement. [190638]

Mr. Lammy: The reforms proposed in the "Effective Enforcement" White Paper will require legislation. The Government will introduce legislation when parliamentary time allows.

Estate Executors

Mr. Drew: To ask the Parliamentary Secretary, Department for Constitutional Affairs what progress has been made in the review of beneficiaries of an estate being appointed as sole executors. [190844]

Mr. Lammy: My Department has not undertaken a review of beneficiaries of an estate being appointed as sole executors, nor does it plan to do so. The current law relating to the powers of sole executors who are also beneficiaries under the will, is clear and appears to be working well. Executors are under a statutory duty to administer the deceased's estate according to law, and under a statutory duty of care to exercise reasonable care and skill in administering the estate. A beneficiary may seek legal redress should an executor breach any such duty. In addition, measures exist which allow beneficiaries under a will to check that a sole executor is administering the estate properly. When the grant of probate is made to the executor, the will becomes a public document and is available for inspection by anyone at the Principal Registry in London, or the relevant District Probate Registry. Any person interested in the deceased's estate may also apply to the court for an order requiring the executor to produce a full inventory of the estate as well as an account of the administration of the estate.

Possession Orders

Mr. Drew: To ask the Parliamentary Secretary, Department for Constitutional Affairs what the average time was in each of the last three years for landlords to get repossession of property through the use of *(a)* a possession order and *(b)* an accelerated possession order. [190947]

Mr. Lammy: The information required to answer this question is not separately recorded and could be provided only at a disproportionate cost to the Department.

Mr. Drew: To ask the Parliamentary Secretary, Department for Constitutional Affairs in what percentage of cases in 2003 a possession order was granted *(a)* with and *(b)* without a hearing following the issue of a notice for an accelerated possession order under section 21 of the Housing Act 1988; and what the average time is that a landlord had to wait for possession if a hearing has been granted. [190948]

Mr. Lammy: The number of orders made under accelerated possession proceedings during 2003 was 6660. Separate information about proceedings under section 21 of the Housing Act 1988 is not maintained. Information about waiting times and about possession orders made after a hearing would not be available without incurring disproportionate costs to the department.

Mr. Drew: To ask the Parliamentary Secretary, Department for Constitutional Affairs whether a judge is obliged to make a possession order after the issue of a notice under section 8 of the Housing Act 1988 citing non-payment of rent for greater than eight weeks; and how often this resulted in the landlord gaining early possession in each of the last three years. [190949]

Keith Hill: I have been asked to reply.

These provisions apply to assured tenancies in the social and private rented sector. The court must make an order for possession where a notice is correctly served under section 8 of the Housing Act 1988, provided the requirements laid down by legislation are met, i.e., the proceedings for possession should have been brought within the time limit specified in the notice; nothing in the terms of the assured tenancy prevents it from being brought to an end on ground 8 of Part 1 of Schedule 2; and, both at the date of the service of notice under section 8 relating to the proceedings for possession and at the date of the hearing, rent which is payable weekly or fortnightly, has been unpaid for at least eight weeks.

The Office of the Deputy Prime Minster does not collect data on cases where possession has been gained on these grounds. The Department of Constitutional Affairs collects figures relating to the number of possession orders issued each year, broken down by social landlords and private landlords, but the number of actual possessions will be much less than these. Moreover the figures for social landlords do not distinguish between local authorities and housing associations and the reasons for these are not recorded.

The number of possession orders made, for each of the last three years, by social landlords and private landlords (i.e. all landlords except local authorities and housing associations) are:

	Social landlords	*Private landlords*
2001	28,543	7,928
2002	28,218	7,974
2003	27,355	8,176

Refurbishment Costs

Mr. Alan Duncan: To ask the Parliamentary Secretary, Department for Constitutional Affairs what costs were incurred by the Department and its predecessors in refurbishing the departmental estate in each financial year since 1996–97. [180318]

Mr. Leslie *[pursuant to the reply, 29 June 2004, Official Report, c. 183W]:* The table previously submitted with the answer included erroneous information. The table below provides corrected information on the Department for Constitutional Affairs' departmental estate only:

Financial year	*Cost of refurbishment and maintenance (£ million)*
1996–97	24.8
1997–98	25.5
1998–99	16.8
1999–2000	14.8
2000–01	14.2
2001–02	18.8
2002–03	19.1
2003–04	26.5

Small Claims (Court Fees)

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs who is consulted prior to increases in court fees in the small claims track. [191021]

Mr. Leslie: Section 92(5) of the Courts Act 2003 states that before making an order the Lord Chancellor must consult with the:

Lord Chief Justice

Master of the Rolls

President of the Family Division

Vice Chancellor, The Head of Civil Justice

Deputy Heads of Judiciary, Civil Justice Council (in relation to civil proceedings)

My Department will also consult with the newly created Family Justice Council. Section 92(7) of the Act also states that 'the Lord Chancellor must take steps as are reasonably practicable to bring information about fees to the attention of persons likely to have to pay them'.

In addition to the Act it has always been my Department's policy to consult when making any changes to court fees. A copy of the consultation paper, setting out the reasons for changes in court fees, is posted on my Department's website on the same day that a press notice is issued announcing the start of the consultation process. Hard copies are also sent out to any one who has expressed an interest as well as key advisory agencies and bodies, legal representatives and judiciary.

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs what fees are charged to winning parties for recovering moneys adjudged due by the small claims track but unpaid. [191028]

Mr. Leslie: Where a successful party (the claimant), decides to enforce non-payment of money due from the losing party (the defendant), the claimant will instruct the court on the form of enforcement they wish to pursue. This is based on their knowledge of the assets of the individual. There are several types of enforcement, the main ones being a warrant of execution, a charging order against property or land, an attachment of earnings order. The process most commonly used is a warrant of execution.

These types of enforcement attract a fee as follows:

A warrant of execution—where the amount for which the warrant issues is less that £125—the fee is £30. Where the amount exceeds £125 the fee is £50.

A charging order, the fee is £50.00

To apply for an attachment of earnings order—£60.

Solicitors Firms

Mr. Llwyd: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many solicitor firms in England and Wales offered publicly funded *(a)* criminal and *(b)* civil legal advice, assistance and representation in 1994; and how many offered each service at the latest date for which figures are available. [192212]

Mr. Lammy: My Department can provide figures for the number of solicitors' offices but not the figures for solicitors firms as many firms operate from more than one office.

In 1994 publicly funded legal advice was not split by criminal and civil work. However, it is estimated that in 1993–94 there were 8,989 solicitors' offices receiving payment for civil advice and 6,555 offices receiving payment for criminal advice and representation in the magistrates courts. The total number of offices receiving payments were 11,271; and some offices practised in more than one area of legal aid. In total there were 4,975 offices, which accounted for 92 per cent. of all legal aid.

As at 1 October 2004 a total of 4,417 offices held General Civil Contracts: 3,985 solicitors' offices and 432 Not for Profit agencies. A total of 2,582 offices were operating under Criminal Defence Service (CDS) contracts as at 1 October 2004. All suppliers with contracts must hold the Specialist Quality Mark, the Commission's major external quality assurance standard.

Unpaid Fines

Mrs. Cheryl Gillan: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many fine enforcement staff were employed by *(a)* courts in England and Wales and *(b)* the private sector at the latest date available. [191802]

Mr. Leslie: The latest estimates are that there are approximately 1,900 magistrates courts staff working on criminal enforcement. Data on numbers of enforcement staff employed by the private sector is not available, although 14 of the 42 Magistrates' Courts Committees (MCCs) use Approved Enforcement Agencies (AEAs) to undertake some or all enforcement work.

Mrs. Gillan: To ask the Parliamentary Secretary, Department for Constitutional Affairs what the cost was of collecting each £1 of unpaid fines following the use of enforcement procedures at the latest date available. [191803]

Mr. Leslie: The report commissioned by the DCA's Criminal Enforcement Programme in 2003, "Review of Magistrates Courts Enforcement Strategies", recorded the average cost of administration and enforcement of financial penalties (which include, but are not limited to, fines) as 19p per £ collected.

NORTHERN IRELAND

Army Vehicles (Thefts)

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will make a statement on the theft of equipment from army vehicles during violence on 12 July in Ardoyne, Belfast. [187753]

Mr. Pearson: During the unrest in the Ardoyne on 12 July 2004, some items of military equipment were stolen. I condemn the actions of those responsible for the theft and would like to commend the restraint of the soldiers when under attack.

Care Homes

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many citizens of the Irish Republic are placed at care homes in Northern Ireland. [190585]

Angela Smith: The information requested is not available.

Crime (Elderly People)

Mr. Beggs: To ask the Secretary of State for Northern Ireland what steps are being taken by *(a)* each Government Department and *(b)* the Police Service of Northern Ireland to reduce the number of attacks on the elderly; and if he will make a statement. [178381]

Mr. Paul Murphy: There are three Government Departments, along with the Police Service of Northern Ireland that are currently taking action directly relevant to the safety of older people within Northern Ireland.

The Office of the First Minister Deputy First Minister has, on 21 June 2004, launched a consultative document on "Ageing in an Inclusive Society". Within a broad range of objectives, the safety of older people is highlighted, with a number of recommendations made to improve their personal security and address the fear of crime being experienced by them.

The Northern Ireland Office, through its Community Safety Unit, has implemented a wide range of initiatives specifically to address crime and the fear of crime experienced by older people.

Major programmes of work such as the Stay Safe Stay Secure Campaign will spend £2.58 million over the next few years through a range of initiatives including providing home security measures in more than 10,000 older persons homes through the Lock Out Crime Scheme. It will also raise safety awareness among older people through innovative media and communication initiatives.

The provision of significant funding to 20 local community-based projects aimed at addressing the community safety of older people and vulnerable adults, the recent launch of the Neighbourhood Watch NI Programme, the putting in place of Community Safety Partnerships in each council area and their development of local community safety strategies, the forthcoming release of a consultative document on the Community Safety of Older People, and the imminent introduction of Anti-Social Behaviour Order legislation, will have major impacts on the safety of older people including countering the attacks on older people which all right minded people acknowledge is so abhorrent in a civilised society.

The Department for Social Development has, through the Northern Ireland Housing Executive's delivery of the Lock Out Crime Scheme, on behalf of the Northern Ireland Office, and the 10 Estates Project, also contributed to Government's efforts in relation to the safety of older people.

Finally, the Police Service of Northern Ireland has, in addition to dealing with crimes of assault and robbery of older people, more than 70 local initiatives aimed at providing crime prevention advice and measures to older people across Northern Ireland.

The Police Service held a major conference in Belfast this year, the second day of which was specifically aimed at addressing the concerns of older people. It has also set up an Older Persons Independent Advisory Forum with which to discuss policy matters specific to them including the Policing Strategy for Older People currently being drafted.

I believe that the breadth and extent of the actions being taken by Government Departments and the Police Service in relation to the safety and security of older people will have major and positive outcomes in relation to the quality of life experienced by them. In particular, they will help prevent those mercifully few but totally unacceptable attacks on older people, which we hear and see in the media.

Crime Statistics

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many *(a)* burglaries, *(b)* assaults, *(c)* armed robberies and *(d)* car thefts were notified to police in (i) Northern Ireland and (ii) North Belfast in each year since 2001. [189964]

Mr. Pearson: The information requested is set out in the tables.

Table 1: Northern Ireland

Offence type	*2001–02*	*2002–03*	*2003–04*
Burglary	17,143	18,659	16,389
Assault	26,104	28,455	28,982
Armed robberies	1,191	1,375	1,042
Theft/unauthorised taking of motor vehicles	11,635	8,410	5,369
Comprised of			
Substantive offences	9,005	8,317	5,294
Attempted offences	2,630	93	75

Table 2: North Belfast District Command Unit

Offence type	*2001–02*	*2002–03*	*2003–04*
Burglary	1,025	997	915
Assault	1,814	1,661	1,695
Armed robberies	154	223	133
Theft/unauthorised taking of motor vehicles	1,248	882	568
Comprised of			
Substantive offences	1,003	559	561
Attempted offences	245	23	7

Departmental Spending

Mr. Lidington: To ask the Secretary of State for Northern Ireland what the total cost has been of refurbishments to the fabric of Northern Ireland office owned buildings since May 1997. [188767]

Mr. Pearson: Some records for the 1997–99 period could be analysed only at disproportionate cost.

Where information is available, the total cost for refurbishments to Northern Ireland Office owned buildings since May 1997 is £92,699.11.

Mr. Lidington: To ask the Secretary of State for Northern Ireland what the total cost was of printing departmental headed notepaper in *(a)* 1996–97 and *(b)* the latest year for which figures are available. [188768]

Mr. Pearson: This is a partial response as the records for 1996–07 are held in a format that could only be utilised at a disproportionate cost to the department.

The latest year for which figures are available is 2003–04 when £5,835.83 was spent by the Northern Ireland Office on printing departmental headed notepaper.

Mr. Lidington: To ask the Secretary of State for Northern Ireland what the cost of running the Northern Ireland Office's canteen facilities was in *(a)* 1996–97 and *(b)* the latest year for which figures are available. [188769]

Mr. Pearson: The Department provides canteen facilities for use by its staff and makes a contribution towards the running cost of such provision in buildings which it shares with other departments. Information is not available for the period 1996–97. The latest year for which an overall figure is available is 2003–04 and the total was £83,155.78.

Director of Public Prosecutions

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many posts have been advertised by the office of the Director of Public Prosecutions in each of the last five years; how many were reserved, broken down by grade; how many of the reserved posts fell within the remit of the Northern Ireland Civil Service Commissioners; and how many of the grade equivalent in the Northern Ireland civil service were advertised; and how many of these were reserved. [185362]

Mr. Pearson: In response to the first part of the question relating to the DPP I refer the hon. Gentleman to the answer I gave on 30 June 2004, *Official Report*, column 319W, (see Table A).

In response to the second part of the question the Northern Ireland civil service has advertised the following posts in grade equivalent to those advertised by the DPP in each of the last five years (see Table B).

Table A

	Posts advertised	*Appointments*
1999	SCS	1
2000	SCS	1
2001	SCS	1
	SCS	2
	Grade A[1]	6
	Grade B1	8
2002	Grade A	1
	Grade A—Not reserved	1
	Grade B1	0
	Grade A	8
	Grade B1	12
2003	Grade B1	9
2004	SCS	1
	Grade B1	Competition ongoing
	Grade A	Competition ongoing
	Grade A	Competition ongoing
	Grade B1	Competition ongoing
	Grade B1	Competition ongoing

[1] Since giving the answer on 30 June 2004 it has been realised that this post was not advertised but filled by means of an internal promotion board and should not therefore have been included in the original figures given.

Table B

	Grades of posts advertised by DPP	*Equivalent NICS appointments*	
		Reserved	*Non-reserved*
1999	SCS	2	7
2000	SCS	5	5
2001	SCS	4	12
	Grade A	0	1
	Grade B1	4	6
2002	Grade A	1	3
	Grade B1	7	14
2003	Grade B1	8	26
2004	SCS	5	8
	Grade A	12	1
	Grade B1	19	0

Dyspraxia

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what steps are being taken to improve *(a)* awareness of and *(b)* training in dyspraxia for health professionals in the Province. [190596]

Angela Smith: The main professions involved in the assessment and treatment of dyspraxia are speech and language therapy, occupational therapy and physiotherapy. Therapists working in this area undertake additional specialist training. The provision of such training is a matter for individual trusts based on the identified need within their area.

Family Doctor Practices (Superannuation)

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland who funds superannuation payments for staff in local family doctor practices in Northern Ireland. [190598]

Angela Smith: Practices are responsible for paying the employers superannuation contribution in respect of the staff they employ. An element of funding in respect of such costs is included in practice global sums.

Festivals

Mr. Dodds: To ask the Secretary of State for Northern Ireland how much was allocated by Northern Ireland Departments to fund festivals in Northern Ireland in each year since 1997; and how much was allocated in each year to groups from *(a)* a Nationalist background and *(b)* a Unionist background. [188913]

Angela Smith: The funding allocated by NI Departments and their sponsored bodies to the funding of festivals for each year since 1997 is contained in the table below. The majority of NI Departments do not record or hold information in respect of the community background of recipients of this funding.

	Government funding (£000)
1997–98[1]	404,168
1998–99	601,601
1999–2000	746,130
2000–01	786,667
2001–02	1,869,202
2002–03	1,123,153
2003–04	1,434,483
Total	6,965,404

[1] One Department's data are not readily available and would incur disproportionate cost to collate.

In addition EU funding was allocated by NI Departments as follows:

	European funding (£ million)
1997–98	252,814
1998–99	33,085
1999–2000	181,706
2000–01	13,854
2001–02	1,751
2002–03	291,634
2003–04	380,718
Total	1,155,562

General Practitioner Contract/Services

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what funding has been provided to assist in the implementation of the new general practitioner contract in Northern Ireland. [190595]

Angela Smith: The initial funding secured to fund the new General Medical Services contract was £146 million in 2003–04, £159 million in 2004–05 and £174 million in 2005–06. Subsequently, a further £14 million recurrent funding has been secured to support the implementation of the contract.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what representations he has received on the implementation of the new general practitioner contract. [190604]

Angela Smith: To date some 13 representations have been received. These have been in the form of parliamentary questions and other correspondence.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will make a statement on how enhanced services defined in the general practitioner contract will be funded in the Province. [190605]

Angela Smith: Resources for the commissioning of enhanced services by health and social services boards have been provided as part of the overall financial envelope for implementation of the general practitioner contract in Northern Ireland. These resources have already been allocated to the boards.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will make a statement on plans for general practitioner out-of-hours services from 1 January 2005. [190600]

Angela Smith: From 1 January 2005 statutory responsibility for the provision of general practitioner out-of-hours services will transfer to health and social services boards. At present, the boards are developing detailed plans for the future delivery of out-of-hours services to ensure a smooth transition from current arrangements.

Housing Executive

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland how many homes were in the ownership of the Northern Ireland Housing Executive at the end of 1998. [192150]

Mr. Spellar: At the end of the financial year 1998 to 31 March 1999 the number was 134,288.

Illegal Drugs

Mr. Dodds: To ask the Secretary of State for Northern Ireland what the total amount of illegal drugs seized by the authorities in Northern Ireland was in each year since 2001; and what the estimated street value was. [189965]

Mr. Pearson: The amounts and estimated street values of illicit drugs seized by the Police Service of Northern Ireland and Her Majesty's Customs and Excise are detailed in the following tables. The quantity of drugs seized by the Northern Ireland Prison Service are also outlined however the value of drugs seized within Northern Ireland Prison establishments is not calculated.

Customs efforts to protect Northern Ireland from drugs cannot be measured solely on results in Northern Ireland itself. In the years 2001–02 and 2002–03, Customs took out 20,556 kilos of class A drugs and 126,095 of cannabis, targeted on the UK, some of which would have been destined for Northern Ireland.

Seizures by Police Service of Northern Ireland

Drugs Seized		*2001–02*	*2002–03*	*2003–04*
Cocaine	Powder (gms)	3,399.9	3,023.87	11,470.91
	Wraps	4	12	6
Crack cocaine	(gms)	66.5	50	9.2
Ecstasy	Tablets	127,368	605,188	222,888
	Powder (gms)	232.81	1.1	72.1
	Capsules	2	25	20
LSD	Doses	122	4	0
	Microdots	0	1	6
Opiates	Powder (gms)	102.1	346	189.9
	Tablets	51	41	3
	Ampoules	4	1	20
	Mls	366	428.5	163.6
	Wraps	69	1	2
Cannabis	Resin (kgs)	417.2	709.5	2,204.2
	Herbal (kgs)	49	27.7	32.8
	Plants	141	202	1,173
	Joints	273	169	212
Amphetamine	Powder (kgs)	8.8	27.6	17.3
	Wraps	26	24	35
	Tablets	118	11	58
Street value of drugs seized		6,559,700	11,082,910	15,108,410

Seizures by Her Majesty's Customs and Excise

Drugs seized		*2001–02*	*2002–03*
Cocaine	Grams	0	1,690
Heroin	Grams	0	0
Ecstasy tablets	—	0	6
Cannabis	Grams	13,000	20,186
Street value of drugs seized		130,000	337,120

Seizures by Northern Ireland Prison Service

		March to February		
		2001–02	*2002–03*	*2003–04*
Cocaine	Grams	7.2	0.5	1
	Tablets	7	0	0
Heroin	Grams	0	0.3	2.8
	Wraps	8	0	0
Ecstasy tablets	—	38.5	15	176
Cannabis	Grams	432.5	645.98	952
Amphetamine	Grams	40.1	10.4	1
	Mls	80	0	0
	Tablets	41	105	455
Barbiturates	Grams	0	1.8	5.2
	Tablets	1	20	15

Parades

Mr. McGrady: To ask the Secretary of State for Northern Ireland what the total policing cost of parades was from 1 April to 14 August; and what the figure was for the same period last year. [187889]

Mr. Pearson: The information requested by the hon. Gentleman is taking some time to collate. I will respond in due course when the information is available.

Mr. McNamara: To ask the Secretary of State for Northern Ireland pursuant to the answer of 7 September 2004, *Official Report*, column 1135W, on parades, what the police estimate is from written reports and CCTV records of the number of additional bands participating in the 1 July Parade organised by the Ballymacarrett Loyal Orange Lodge District No 6; and what steps were made by the police to verify this list. [189094]

Mr. Pearson: PSNI have confirmed that two bands, additional to those included on the notification, participated in the parade.

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many meetings of the Parades Commission were held between 7 and 13 July; who was in attendance; and how long the meetings lasted. [189901]

Mr. Pearson: During the period from 7 July to 13 July 2004, members of the Parades Commission were extensively involved in Commission business on an on-going basis. The Parades Commission held a formal meeting on 8 July 2004 at which six Commissioners were present, supported by staff from the Commission Secretariat. One Commissioner was absent for personal reasons but was fully consulted about Commission business during the course of the meeting. The meeting lasted for approximately five hours.

Police Ombudsman

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland what steps are being taken to increase the confidence of members of the Police Service of Northern Ireland in the systems in operation at the office of the Police Ombudsman for Northern Ireland. [186487]

Mr. Spellar: The Ombudsman advises that her office and the staff associations have set up a joint committee to address all issues of concern highlighted in the recent police officers attitude survey and she has agreed to undertake a range of information sharing events across the Police Service of Northern Ireland (the PSNI) with officers at all grades. Other confidence building measures include:

regular meetings with all staff associations, and special police committees;

seminars with district commanders;

continued involvement in police training;

extensive work on protocols on communication and understanding;

a significant agreement on the publication of reports; and

distribution of leaflets throughout the PSNI explaining the work of the Ombudsman.

Lady Hermon: To ask the Secretary of State for Northern Ireland how many arrests of *(a)* police officers and *(b)* civilians have been made in response to investigations carried out by the office of the Police Ombudsman for Northern Ireland in each year since its creation. [188641]

Mr. Pearson: The Police Ombudsman has advised the following information in relation to arrests of *(a)* police officers and *(b)* civilians in each year in response to investigations by that office:

	Police	*Civilians*
2001	3	1
2002	6	0
2003	5	0
2004	2	0

Lady Hermon: To ask the Secretary of State for Northern Ireland what the total cost of the office of the Police Ombudsman for Northern Ireland has been in each year since its establishment. [188645]

Mr. Pearson: The Police Ombudsman has advised that the total cost of the office in each year since its establishment is as follows:

	£
6 November 2000 to 31 March 2002	[1]7,821,378
1 April 2002 to 31 March 2003	6,848,512
1 April 2003 to 31 March 2004	6,822,381

[1] Covering 17-month period.

Lady Hermon: To ask the Secretary of State for Northern Ireland how many staff are employed *(a)* part-time and *(b)* full-time in the office of the Police Ombudsman for Northern Ireland. [188646]

Mr. Pearson: The Police Ombudsman has advised that there are 116 full-time and two part-time staff employed in her office (as at 31 August 2004).

Lady Hermon: To ask the Secretary of State for Northern Ireland what the total cost of *(a)* salaries and *(b)* travel expenses for those employed in the office of the Police Ombudsman for Northern Ireland has been in each year since its establishment. [188647]

Mr. Pearson: The Police Ombudsman has advised that the total costs of *(a)* salaries and *(b)* travel expenses for each year since its establishment are as follows:

(a) Salaries

	£
6 November 2000 to 31 March 2002	[1]4,275,716
1 April 2002 to 31 March 2003	3,966,011
1 April 2003 to 31 March 2004	4,104,370

(b) Travel costs

	£
6 November 2000 to 31 March 2002	[1]388,071.27
1 April 2002 to 31 March 2003	338,230.37
1 April 2003 to 31 March 2004	297,709.35

[1] Covering 17-month period.

Lady Hermon: To ask the Secretary of State for Northern Ireland how many *(a)* complaints have been received and *(b)* investigations have been carried out by the Office of the Police Ombudsman for Northern Ireland since its establishment. [188648]

Mr. Pearson: The Police Ombudsman has advised that since the establishment of the Office *(a)* a total of 12,723 complaints have been received and *(b)* a total of 8,365 investigations have been carried out by the Office.

David Burnside: To ask the Secretary of State for Northern Ireland how many people are employed *(a)* directly and *(b)* indirectly by the Police Ombudsman's office

Mr. Pearson: The Police Ombudsman's office has advised that of the 118 staff employed at 1 August 2004, *(a)* 101 are recruited directly and *(b)* 17 are recruited indirectly.

David Burnside: To ask the Secretary of State for Northern Ireland what the religious breakdown is of staff employed *(a)* directly and *(b)* indirectly by the police

Mr. Pearson: The Police Ombudsman has advised the following religious breakdown of staff employed directly and indirectly in her office:

Percentage

	(a) Directly employed	*(b) Indirectly employed*
Protestant	47	55
Catholic	37	42
Non-determined	16	3

Police Service of Northern Ireland

Lady Hermon: To ask the Secretary of State for Northern Ireland which Government Department is responsible for the funding of *(a)* building, *(b)* maintenance and *(c)* refurbishment of Police Service of Northern Ireland property. [189771]

Mr. Pearson: Under section 6 of the Police (Northern Ireland) Act 2000 the Northern Ireland Policing Board is empowered to provide and maintain buildings and equipment for police purposes. The Chief Constable exercises these powers on behalf of the Policing Board. Each financial year the Secretary of State makes a grant available to the Policing Board for police purposes.

Police

David Burnside: To ask the Secretary of State for Northern Ireland how many and what percentage of police stations' security is carried out by *(a)* independent security firms and *(b)* police service of Northern Ireland full-time reserve members in the Province; and what the cost was in each case in each month of the last year for which figures are available. [188140]

Mr. Pearson: There are currently 155 police stations, of which 114 are externally guarded. Of these, 76 are guarded by FTR officers (67 per cent.), six are guarded by independent security firms (5 per cent.) and the remaining 32 (28 per cent.) by a combination of independent security firms and FTR officers.

The total cost of FTR officers employed on police station security for the financial year 2003–04 was £25.9 million.

The total cost of civilian guards employed on police station security for the financial year 2003–04 was £3.42 million.

David Burnside: To ask the Secretary of State for Northern Ireland how many police stations are externally guarded by unarmed independent security firms in the Province. [188141]

Mr. Pearson: There are six police stations externally guarded by unarmed independent security firms.

Lady Hermon: To ask the Secretary of State for Northern Ireland what the funding provision for the maintenance and upgrading of Police Service of Northern Ireland police stations is for 2004–05. [189773]

Mr. Pearson: The funding available for the maintenance and upgrading of the police estate for 2004–05 is £8 million.

David Burnside: To ask the Secretary of State for Northern Ireland what the cost was of policing and security for the visit of former President Clinton to the Province in August. [188143]

Mr. Pearson: The cost for policing and security for the visit of former President Clinton in August 2004 was £31,469.00.

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many meetings of the Northern Ireland Policing Board have taken place in each year since its formation. [190067]

Mr. Pearson: The Northern Ireland Policing Board was established on 4 November 2001. It held its first meeting on 7 November 2001. The 35th meeting was held on 9 September 2004.

Listed as follows are meetings that have taken place since the formation of the board. This information was supplied by the Northern Ireland Policing Board.

	Number of meetings
2001	3
2002	13
2003	10
2004 (to 21 September)	9
Total	35

Mr. Dodds: To ask the Secretary of State for Northern Ireland what the attendance record is of each member of the Northern Ireland Policing Board at full board meetings in each year since the board's formation. [190068]

Mr. Pearson: The Northern Ireland Policing Board was established on 4 November 2001. It held its first meeting on 7 November 2001. The 35th meeting was held on 9 September 2004.

Two Ulster Unionist Party political members, Mr. Ivan Davis and Mr. James Leslie left the board on 19 February 2002 and were replaced by Mr. Sam Foster and Mr. Alan McFarland on 20 February 2002.

The total number of board meetings that it would have been possible for each member to attend is shown in brackets.

Listed as follows is a record of each member's attendance since the board's formation (attendance at part of a meeting is counted as full attendance).

This information was supplied by the Northern Ireland Policing Board.

					Total	
Member	*2001*	*2002*	*2003*	*2004 (to 21 September)*	*Attendance*	*(Possible)*
Mr. Alex Attwood	3	13	9	8	33	(35)
Mr. Denis Bradley (Vice Chairman)	3	13	10	7	33	(35)
Viscount Brookeborough	2	12	8	8	30	(35)
Mr. Joe Byrne	3	12	9	8	32	(35)
Mr. Fred Cobain	3	13	10	7	33	(35)
Mr. Ivan Davis	3	2	—	—	5	(5)
Mr. Brian Dougherty	3	12	9	6	30	(35)
Mr. Sam Foster	—	10	10	9	29	(30)
Mr. Barry Gilligan	3	12	10	8	33	(35)
Mr. William Hay	3	13	7	8	31	(35)

Member	2001	2002	2003	2004 (to 21 September)	Total Attendance	Total (Possible)
Mr. Tom Kelly	3	9	6	5	23	(35)
Lord Kilclooney	2	9	5	4	20	(35)
Mr. James Leslie	2	2	—	—	4	(5)
Mrs. Pauline McCabe	3	12	10	9	34	(35)
Mr. Alan McFarland	—	11	10	9	30	(30)
Mr. Eddie McGrady	3	10	6	5	24	(35)
Mrs. Rosaleen Moore	3	12	7	6	28	(35)
Mr. Ian Paisley (Jnr.)	3	13	8	9	33	(35)
Professor Desmond Rea (Chairman)	3	13	10	9	35	(35)
Mr. Suneil Sharma	3	7	8	6	24	(35)
Mr. Sammy Wilson	3	13	10	9	35	(35)

Prison Service

Mr. McGrady: To ask the Secretary of State for Northern Ireland when, on the basis of current recruitment levels, he expects the composition of the Prison Service of Northern Ireland will reflect the wider population of Northern Ireland. [186370]

Mr. Pearson: Over recent years the Northern Ireland Prison Service has gone through a period of reduction in staffing levels as a result of the closure of HMP Belfast and HMP Maze. As a result there have been no major recruitment campaigns which could significantly affect the composition of the service.

However, the Northern Ireland Prison Service has recently held two recruitment competitions namely, for night patrol officer and prison custody officer. In an attempt to encourage under-represented groups to join the Northern Ireland Prison Service, the welcome statements in the job advertisements specifically encouraged Roman Catholics and women to apply.

Given the small number of staff currently being recruited it is impossible to determine when the composition of the Northern Ireland Prison Service will reflect the wider population of Northern Ireland.

Public Administration

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland what assessment he has made of the likely effects of the proposed Review of Public Administration in Northern Ireland on the local government elections scheduled to be held in May 2005. [189767]

Mr. Pearson: There are no plans to alter the scheduling of next year's Northern Ireland Local Government Elections as a result of the Review of Public Administration.

Public Order

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many people have been convicted of public order offences arising out of disturbances in North Belfast on *(a)* 12 July 2003 and *(b)* 12 July 2004. [189665]

Mr. Pearson: Statistics for prosecution and sentencing are currently only available up to the year 2002. The statistics for 2003 will be available within the next few months.

Queen's University Belfast

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many *(a)* full-time and *(b)* part-time employees of Queen's University Belfast Students' Union are (i) Protestants and (ii) Roman Catholics. [191275]

Mr. Gardiner: The Department of Employment and Learning does not hold information on the break down of the community background of staff employed by Queen's University Student's Union.

Radiography Training

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what incentives are in place to encourage radiographer helpers in the Province to train to become assistant practitioners. [190577]

Angela Smith: The Department of Health, Social Services and Public Safety supports the training of Radiographer Helpers by funding the provision of training to obtain a National Vocational Qualification (NVQ) level 3. Participation in such training and any further training is a matter for individual HSS employers, based on the identified need within their area. Additional pay points are available for Radiographer Helpers with the relevant NVQ.

Road Accidents

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what percentage of drivers involved in accidents in the Province in each of the last 10 years were under the influence of *(a)* drugs and *(b)* alcohol. [187434]

Mr. Pearson: The Police Service of Northern Ireland do not collate figures for the number of drivers involved in road traffic collisions who were under the influence of either drugs or alcohol. However, the table provides details of the number of injury road traffic collisions in which drugs or alcohol were perceived to be the primary cause.

	Road traffic injury collisions due to driver/ rider under influence of alcohol or drugs	*Percentage of total road traffic collisions*	*Total injury road traffic collisions*
1994	306	5	6,783
1995	290	4	6,792
1996	304	4	7,093
1997	361	5	7,192
1998	389	5	7,487
1999	393	5	7,562
2000	466	6	8,388
2001	400	5	7,447
2002	385	6	6,784
2003	370	6	6,049

Road Usage

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland (1) what the average number of vehicles per day using the A2 through the village of Dungiven, County Londonderry was in each of the last five years; [191884]

(2) what the average number of vehicles per day using the A6 through the village of Ballykelly, County Londonderry, was in each of the last five years. [191885]

Mr. Spellar: The Chief Executive of Roads Service (Dr. Malcolm McKibbin) has been asked to write to the hon. Gentleman in response to these questions.

Letter from Dr. Malcolm McKibbin to Mr. Gregory Campbell, dated 18 October 2004:

You recently asked the Secretary of State for Northern Ireland two parliamentary questions about the average number of vehicles per day using the A6 through Dungiven, and the A2 through Ballykelly, in each of the last five years. I have been asked to reply as the issues raised fall within my responsibility as Chief Executive of Roads Service.

The available data on the average volume of vehicles per day recorded in each of the last five years on the A6 through Dungiven, and on the A2 through Ballykelly, are shown in the following table:

	A6 Dungiven to Londonderry, east of B74	*A2 Limavady to Londonderry at Greysteel*
1999	11,400	13,130
2000	12,370	13,600
2001	13,020	13,870
2002	13,630	14,130
2003	13,820	14,290

Scheduled Offences

Mr. Lidington: To ask the Secretary of State for Northern Ireland how many people have been *(a)* charged with and *(b)* convicted of scheduled offences in Northern Ireland in each of the past six years. [188764]

Mr. Pearson: The following tables provide details of the number of persons charged after being detained under the Terrorism Acts and the number of persons convicted of scheduled offences for each year since 1998.

Table 1: Persons charged after being detained in Northern Ireland under the Prevention of terrorism Act 1989

	Number of persons charged
1998	135
1999	105
2000	88
January to 18 February 2001	10

Table 2: Persons charged after being detained in Northern Ireland under section 41 of the Terrorism Act 2000

	Number of persons charged
19 February to 31 December 2001	50
2002	80
2003	121

Note:

The figures do not include persons detained in Northern Ireland under separate legislation and later charged with offences under provisions of the Terrorism Act 2000.

Sources:

Research and Statistical Bullet 1/2000: Statistics on the Operation of the Prevention of Terrorism and Statistical Bulletin 6/2001: Statistics on the Operation of the Prevention of Terrorism Acts Northern Ireland 2000

Research and Statistical Bulletin 3/2004: Northern Ireland Statistics on the Operation of the Terrorism Act 2000: Annual Statistics 2003

Table 3: Number of persons convicted for scheduled offences in Northern Ireland in each of the past six years.

	Number of persons convicted of scheduled offences
1998	159
1999	74
2000	63
2001	44
2002	80
2003	59
2004 (up to 27 August)	19

Note:

The figures include persons detained in Northern Ireland under separate legislation and later charged with offences under provisions of the Terrorism Act 2000.

Security Installations

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland how many attacks there have been on *(a)* army and *(b)* police installations in Northern Ireland over the last five years. [188731]

Mr. Pearson: The following tables show the number of attacks on army premises and police stations in each of the last five years.

Security Situation Statistics

(a) Number of Attacks on army premises 1999–2004[1]

	Total
1999	11
2000	8
2001	64
2002	18
2003	30
2004[2]	29
Total	160

[1] Attacks include missiles thrown, petrol and paint bomb incidents, shooting and bombing incidents, etc.

[2] As at 10 September 2004

Note:

2004 statistics are provisional and may be subject to minor amendment.

Number of bomb attacks on Army bases

	Total
1999	0
2000	4
2001	4
2002	2
2003	1
2004[1]	1
Total	12

[1] Attacks include missiles thrown, petrol and paint bomb incidents, shooting and bombing incidents, etc.

Note:

2004 statistics are provisional and may be subject to minor amendment.

(b) Number of attacks on police stations 1999–2004[1]

	Total
1999	20
2000	8
2001	20
2002	55
2003	49
2004[2]	29
Total	181

[1] Attacks include missiles thrown, petrol and paint bomb incidents, shooting and bombing incidents, etc.

[2] As at 31 August 2004

Note:

2004 statistics are provisional and may be subject to minor amendment.

Number of bomb attacks and shooting incidents on police stations 1999–2004

	Shooting incidents	*Bombing incidents*
1999	2	1
2000	0	5
2001	1	9
2002	1	10
2003	0	9
2004[1]	0	0
Total	4	34

[1] As at 31 August 2004

Note:

2004 statistics are provisional and may be subject to minor amendment.

SEN Pupils

Lady Hermon: To ask the Secretary of State for Northern Ireland how many special educational needs pupils there are in each education and library board area in Northern Ireland; how many of these are educated in mainstream schools; and if he will make a statement. [191832]

Mr. Gardiner: The information for 2004–05 is not yet available. For 2003–04 the information requested is as follows.

Education and Library Board

	Belfast	*Western*	*North Eastern*	*South Eastern*	*Southern*
Mainstream schools	9,450	9,415	7,897	9,574	9,282
Special schools	1,359	800	1,000	1,289	386
All schools	10,809	10,215	8,897	10,863	9,668

The figures represent children at all stages (1–5) of the Code of Practice on the Identification and Assessment of Special Educational Needs. The number of children who have Statements of Special Educational Needs (Stage 5 of the Code of Practice) is 10,985.

Sexual Offences Act

Mr. Dodds: To ask the Secretary of State for Northern Ireland what steps he is taking to bring legislation in Northern Ireland into line with sections 1 to 14 of the Sexual Offences Act 2003; and what the timetable is for bringing forward such legislation. [191363]

Mr. Spellar: I have instructed officials to consider legislative measures to address concerns expressed about the law, particularly in relation to offences against children and vulnerable people. I plan to have draft legislation published for consultation next year and brought forward when the parliamentary timetable permits.

Speeding

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many fixed penalty notices for speeding have been issued in each district command unit area in Northern Ireland in each year since 2001. [189963]

Mr. Pearson: The information requested is as follows.

Urban region

DCU area	*2001*	*2002*	*2003*	*2004*[1]	*Total*
Antrim	939	493	697	545	2,674
East Belfast	1,041	598	2,055	2,255	5,949
North Belfast	356	362	919	1,220	2,857
South Belfast	205	268	879	479	1,831
West Belfast	67	258	250	614	1,189
Carrickfergus	438	534	496	140	1,608
Castlereagh	1,019	1,423	5,142	2,804	10,388
Larne	388	387	276	132	1,183
Lisburn	1,429	960	643	384	3,416
Newtownabbey	543	693	558	230	2,024
Newtownards	1,098	1,242	897	216	3,453
North Down	1,070	1,135	1,048	1,424	4,677
DCU area unknown	0	8	0	0	8
Yearly total	8,593	8,361	13,860	10,443	41,257

[1] To 31 August 2004.

Rural region

DCU area	*2001*	*2002*	*2003*	*2004*[1]	*Total*
Armagh	1,077	770	1,371	146	3,364
Ballymena	1,650	2,234	1,759	594	6,237
Ballymoney	732	1,090	615	136	2,573
Banbridge	1,772	2,097	1895	913	6,677
Coleraine	769	864	639	466	2,738
Cookstown	336	267	279	168	1,050
Craigavon	2,049	2,841	1,164	808	6,862

Rural region

DCU area	*2001*	*2002*	*2003*	*2004*[1]	*Total*
Down	904	1,113	705	485	3,207
Dungannon	525	571	443	283	1,822
Fermanagh	1,690	1,986	873	188	4,737
Foyle	1.024	1,019	1.011	786	3,840
Limavady	742	607	512	268	2,129
Magherafelt	587	712	690	436	2,425
Moyle	0	186	200	41	427
Newry and Mourne	1,019	806	1,135	1.140	4,100
Omagh	762	936	566	350	2,614
Strabane	328	417	288	78	1.111
Unknown DCU area	113	12	0	0	125
Yearly total	16,079	18,528	14.145	7.286	56,038

[1] To 31 August 2004.

Titanic Quarter

Lady Hermon: To ask the Secretary of State for Northern Ireland whether a business plan for the proposal to establish a museum for sea and sky at Titanic Quarter; has been drawn-up; and what the estimated costs are for planned developments. [182603]

Angela Smith: I refer the hon. Lady to the answer given to the hon. Member for East Antrim on 28 June 2004, *Official Report*, column 56W. The estimated cost of a new build museum with a floor area/display space of 10,000 square metres is approximately £60 million.

Travellers

Mr. Dodds: To ask the Secretary of State for Northern Ireland what plans he has to review the law on trespass to tackle the occupation of business and residential property by large groups of travellers. [191364]

Mr. Spellar: On 11 October legislative proposals that provide for the removal of trespassers who intend residing on land were published for consultation. The draft Unauthorised Encampments (NI) Order 2004 gives the police the power to direct people who camp illegally to leave land and remove their vehicles and other property in certain circumstances. It also creates an offence and a power of seizure for non-compliance with a direction.

Subject to the outcome of consultation, new legislation should be laid before Parliament early next year.

Trevor Kells

Mr. Dodds: To ask the Secretary of State for Northern Ireland if he will make a statement on the murder of Trevor Kells in December 2000 in north Belfast. [186193]

Mr. Pearson: The murder of Trevor Kells is still an ongoing investigation. Persons have been arrested but released without charge due to lack of evidence. The police will continue to seek any new opportunity to help develop and progress the investigation into this horrific murder.

EDUCATION AND SKILLS

Admissions

Mr. Hoban: To ask the Secretary of State for Education and Skills if he will list the local education authorities where the Secretary of State has had to determine whether a ranked or equal preference co-ordinated admissions scheme should be used. [191943]

Mr. Miliband: It is a requirement of all co-ordinated admissions schemes that parents must rank their preferences on a common application form, but there are generally two types of scheme. Under an 'equal preference' scheme. details of all applications are forwarded to admission authorities at the same time, regardless of ranking, to be considered together; whereas under a 'first preference first' scheme all first preference applicants are considered before second or third or lower preference applicants.

The Secretary of State has imposed co-ordinated admissions schemes on the following areas:

Bromley
Calderdale
Cumbria
Dorset
Kent
Lancashire
Milton Keynes

These were equal preference schemes.

Mr. Hoban: To ask the Secretary of State for Education and Skills if he will list the local education authorities that have adopted a ranked preference scheme for co-ordinated admissions policies. [191944]

Mr. Miliband: The following local education authorities have adopted co-ordinated admissions schemes that consider first preference applications before second, third or lower ranked preferences:

Blackpool
Bolton
Brighton and Hove
Bristol
Cheshire
Cornwall
East Sussex
Gateshead
Hartlepool
Isle of Wight
North Lincolnshire
Oldham
Peterborough
Poole
Portsmouth
Stockton-on-Tees
Swindon
Tameside
Warrington
Warwickshire
Wigan

Child Care

Hugh Bayley: To ask the Secretary of State for Education and Skills how many child care places there have been in *(a)* City of York and *(b)* Yorkshire and the Humber in each year since 1997. [188946]

Margaret Hodge: The information is not available in the form requested.

Figures for 1997–2001 are shown in Table 1.

Table 1: Number of day care places[1,2] by type of provider 1997–2001

position at 31 March each year

	1997	*1998*	*1999*	*2000*	*2001*
City of York local education authority area					
Day nurseries	840	840	930	980	1,000
Playgroups and pre-schools	1,400	1,300	1,300	1,300	1,300
Childminders	2,200	1,900	1,800	1,700	1,700
Out of school clubs	410	380	400	510	950
Holiday schemes[3]	560	410	[4]420	[5]1,900	3,200
Yorkshire and the Humber government office region					
Day nurseries	17,500	15,600	25,000	24,800	25,300
Playgroups and pre-schools	31,200	25,500	28,500	26,100	25,500
Childminders	31,600	29,700	29,100	30,000	29,500
Out of school clubs	6,500	8,300	11,000	12,900	14,300
Holiday schemes[3]	19,000	14,600	56,000	[5]52,900	58,500

[1] The figures have been rounded.

[2] Data Source: Children's Day Care Facilities Survey.

[3] From 1999, places were counted once for each school holiday. Before 1999, places were counted once each year.

[4] Places may have been counted once rather than once for each school holiday; see footnote 3.

[5] Includes schemes that were exempt from registration.

Figures for 2003 and 2004 are shown in Table 2.

Table 2: Number of day care places[1,2] by type of provider 2003 and 2004

position at 31 March each year

	2003	*2004*
City of York local education authority area		
Full day care	1,600	1,700
Sessional day care	1,000	1,000
Childminders	1,400	1,300
Out of school day care	1,200	1,200
Crèche day care	200	100
Yorkshire and the Humber government office region		
Full day care	35,100	42,600
Sessional day care	21,400	20,900
Childminders	30,500	32,100
Out of school day care	21,700	24,600
Crèche day care	2,900	3,520

[1] The figures have been rounded.

[2] Data Source: Ofsted

British Exhibition Contractors Association

Mr. Bellingham: To ask the Secretary of State for Education and Skills when the requirement for exhibition contractors to be registered with the Construction Industry Training Board was last reviewed; and if he will make a statement. [187471]

Mr. Ivan Lewis: I have made it clear that I am prepared to review the position of exhibition contractors if the sector requests it. Advice has been given to the British Exhibition Contractors Association on the process but so far no formal request has been received.

Mr. Bellingham: To ask the Secretary of State for Education and Skills what recent discussion he and his officials have held with the British Exhibition Contractors Association on the requirements by their members to be registered with the Construction Industry Training Board; and if he will make a statement. [187472]

Mr. Ivan Lewis: Neither I nor my officials have had any recent discussion with the British Exhibition Contractors Association (BECA) on this issue. In March 2003 officials received an e-mail from the BECA advising of its intention to seek the removal of exhibition contracting from the scope of the Construction Industry Training Board. In response, officials outlined the process and the kind of information that would need to be provided to enable me to make a decision. We have heard nothing further from the association but my officials would be very happy to meet them if that would be helpful.

Cam Hopton School

Mr. Drew: To ask the Secretary of State for Education and Skills if he will make a statement on the application by Cam Hopton School, in Stroud, for a boiler repair; and for what reason it is being asked to make a contribution. [191748]

Mr. Miliband *[holding answer 15 October 2004]:* Cam Hopton, a Voluntary Aided school, applied to the Department to proceed with a boiler replacement project. The work was approved at a cost of £35,853, with the school using some of its Devolved Formula Capital grant. Although the replacement of items such as boilers was previously the responsibility of the local education authority, the package of reforms introduced in April 2002 to the capital funding of Voluntary Aided schools transferred this responsibility to the governing bodies of those schools.

These changes were introduced with the widespread support of the Voluntary Aided sector, and approved by Parliament through this Department's first Regulatory Reform Order. To ensure that the changes were cost neutral overall, the statutory contribution, which is required by the governing bodies of Voluntary Aided schools towards the cost of any capital work, was reduced from 15 per cent. to 10 per cent.

Class Sizes

Mr. Willis: To ask the Secretary of State for Education and Skills, what the average class size was in *(a)* 2003 and *(b)* 2004 for (i) primary, (ii) secondary and (iii) specialist schools, broken down by constituency. [187402]

Mr. Miliband: The information requested has been placed in the House of Commons Library.

Mr. Martlew: To ask the Secretary of State for Education and Skills how many children in Carlisle were taught in classes of more than 30 on the latest date for which figures are available. [191354]

Mr. Miliband *[holding answer 15 October 2004]:* The data requested is shown in the table.

Maintained primary and secondary schools[1]: number of pupils in classes of 31 or more pupils taught by one teacher[2]: January 2004—Carlisle parliamentary constituency

		Number of pupils in classes of 31 or more	
	Total pupils in all classes	*Number of pupils*	*Percentage of pupils pupils[3]*
Maintained primary	5,980	490	8.3
Maintained secondary	5,640	900	16.0

[1] Includes middle schools as deemed.

[2] Figures have been rounded to the nearest 10.

[3] Percentage of pupils in those classes expressed as a percentage of pupils in all classes taught by one teacher.

Bob Spink: To ask the Secretary of State for Education and Skills what the average *(a)* primary school and *(b)* secondary school class size in Castle Point was in (i) 1996–97 and (ii) 2003–04. [190977]

Mr. Miliband: The information requested is shown in the table.

Maintained primary and secondary schools[1]: average size of classes taught by one teacher[2]—Position as at January each year—Castle Point parliamentary constituency[3]

	1997	*2004*
Primary		
Number of pupils	7,340	7,160
Number of classes	260	260
Average class size	27.8	27.4

Maintained primary and secondary schools[1]: average size of classes taught by one teacher[2]—Position as at January each year—Castle Point parliamentary constituency[3]

	1997	2004
Secondary		
Number of pupils	5,820	6,440
Number of classes	250	280
Average class size	23.6	23.2

[1] Includes middle schools as deemed.

[2] Classes as taught during the one selected period in each school on the day of the census in January.

[3] Figures have been rounded to the nearest 10.

Catering Facilities (Schools)

Mr. Austin Mitchell: To ask the Secretary of State for Education and Skills how many schools in England have catering facilities run by private companies. [187295]

Mr. Stephen Twigg: This Department does not collect this information.

Class Sizes (Coventry, South)

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills what the average class size in Coventry, South for *(a)* primary and *(b)* secondary schools was in each year since 1997. [187298]

Mr. Miliband: The requested information is given in the table.

Maintained primary and secondary schools[1]: Average size of classes taught by one teacher[2]—Position in January each year: 1997 to 2004 (provisional)

	Coventry, South parliamentary constituency					
	Primary			*Secondary*		
	Number of pupils	*Number of classes*	*Average class size*	*Number of pupils*	*Number of classes*	*Average class size*
1997	8,220	300	27.4	5,590	250	22.5
1998	8,120	300	27.4	5,800	270	21.9
1999	8,110	310	26.5	6,050	270	22.2
2000	8,050	300	26.5	6,220	290	21.6
2001	7,860	310	25.6	6,460	280	22.8
2002	7,740	310	24.7	6,700	310	21.9
2003	7,300	290	25.0	6,820	310	22.1
2004[3]	7,210	290	25.3	6,830	320	21.1

[1] Includes middle schools as deemed.

[2] Classes as taught during the one selected period in each school on the day of the census in January.

[3] Provisional

Note:

Figures have been rounded to the nearest 10.

Source:

Annual Schools' Census.

Construction Industry Training Board

Mr. Bellingham: To ask the Secretary of State for Education and Skills, what the cost of the Construction Industry Training Board Levy was to *(a)* exhibition constructing companies and *(b)* subcontracting companies in the last year for which figures are available; and if he will make a statement. [187468]

Mr. Ivan Lewis: The 2002 levy assessments—payable in 2003—amounted to £50,384 in total. The assessments were based on based on employers' 2001–02 PAYE payments of just under £3 million and payments for subcontracted labour amounting to just under £600,000. However a significant proportion of these assessments were estimated as the board has not received levy returns from the employers in question. A large number of the assessments are also currently unpaid and the value of paid assessments to date is £23,555.

The value of grants, training allowances and college fees paid to those companies in 2003 was £13,541.

Mr. Bellingham: To ask the Secretary of State for Education and Skills, in what year the order establishing the Construction Industry Training Board Levy was amended to include activities in connection with the erection and dismantling of exhibition stands. [187469]

Mr. Ivan Lewis: The erection and dismantling of exhibition stands has been included in the definition of the construction industry as set out in the Construction Industry Training Board's governing legislation since the board was established in 1964. The relevant statutory instrument at the time was The Industrial Training (Construction Board) Order 1964 No. 1079.

Correspondence

Mr. Maples: To ask the Secretary of State for Education and Skills when he will reply to the letter from the hon. Member for Stratford-on-Avon, dated 14 July, concerning the funding of grammar schools. [192381]

Mr. Miliband: A response has been issued today.

Departmental Expenditure

Mr. Hoban: To ask the Secretary of State for Education and Skills, how much his Department spent on replacing light bulbs in the last year for which figures are available. [186679]

Mr. Stephen Twigg: During 2003–04 my Department spent approximately £19,000 on lighting expenditure including contractors fees, the cost of replacement bulbs and the cost of bulbs used in the installation of new lighting systems.

Disabled People

Mr. Goodman: To ask the Secretary of State for Education and Skills, what arrangements he has in place for monitoring statistics concerning the *(a)* numbers and *(b)* needs of disabled people and if he will make a statement. [182881]

Mr. Stephen Twigg: My Department remains fully committed to the work we are all taking forward across Government to improve the rights of disabled people. Clearly education plays an important part in removing the barriers to participation in society and we will continue to ensure that it does so.

As part of the performance management arrangements on children's social services departments, DfES have this year introduced a revised performance indicator on disabled children. The new definition from April 2004 is:

> "The number of disabled children receiving services in the census week which support them either in their families or to live independently, as a percentage of the estimated total population of disabled children in the council area."

The number of disabled children receiving a service is taken from the Children in Need Census returns, while the population of disabled children in the council area is estimated from the 2001 Census data on children with a limiting long standing illness or disability.

The numbers of pupils with Special Educational Needs (SEN) are collected through the Pupil Level Annual Schools Census (PLASC). All maintained schools and non-maintained special schools, City Technology Colleges and Academies are asked to record pupils with statements of SEN, pupils at School Action and those at School Action Plus. In January 2004 data on type of need was collected for the first time for pupils at School Action Plus and those with statements of SEN. Schools were asked to use one of 11 categories, plus other, to record pupils' greatest or primary need and also their secondary need. Guidance was issued to all schools describing each type of need. Data is published on the DfES website and in the annual statistics bulletin for Special Educational Needs.

Connexions Partnerships are required to undertake a comprehensive assessment of needs for all young people in their area.

Statistics on the numbers of learners with disabilities in post-16 education and training are collected by the Learning and Skills Council through the individualised learner record and other data collections, the latter covers both schools data and data on specialist colleges. The LSC has commissioned mapping of provision for learners with disabilities at both a national and a local level as part of its remit for planning effective post-16 learning provision to meet the needs of this group.

Information on HE students who are disabled is collected annually from all HE institutions in the UK by the Higher Education Statistics Agency (HESA). The statistics collected are based on the number of students who consider themselves as disabled (based on self reporting) and the number who receive Disabled Student Allowance (DSA).

Exhibition Construction Companies

Mr. Bellingham: To ask the Secretary of State for Education and Skills, how many exhibition construction companies have appealed to industrial tribunals seeking exemption from the Construction Industry Training Board Levy; and what the results were. [187470]

Mr. Ivan Lewis: Between 1965 and 1998 three exhibition construction companies appealed to a tribunal. In two cases the appeals were successful as the tribunals decided that the employers' main activity was not the erection or dismantling of exhibition stands. The third case concerned the amount of the levy assessment and the appeal was lost because the employer failed to show why a lower assessment should have been made.

Since 1999 a small number of employers initiated appeals but they were withdrawn before a hearing began.

Formula Spending Share

Chris Grayling: To ask the Secretary of State for Education and Skills, how much his Department will spend per school pupil in each local education authority area this year. [183442]

Mr. Miliband: The table sets out the level of Government allocation through the Education Formula Spending system, based on number of pupils and additional needs, plus Government funding through grants relevant to pupils aged 3–15.

LEA Name	*2004–2005 Funding £000*
Camden	5,850
Greenwich	5,260
Hackney	6,010
Hammersmith and Fulham	5,730
Islington	5,810
Kensington and Chelsea	5,920
Lambeth	5,890
Lewisham	5,440
Southwark	5,560
Tower Hamlets	6,130
Wandsworth	5,090
Westminster	5,560
Barking and Dagenham	4,430
Barnet	4,220
Bexley	3,900
Brent	4,900
Bromley	3,910
Croydon	4,240
Ealing	4,660
Enfield	4,400
Haringey	5,150
Harrow	4,240
Havering	3,890
Hillingdon	4,120
Hounslow	4,570
Kingston upon Thames	3,920
Merton	4,240
Newham	5,010
Redbridge	4,070
Richmond upon Thames	3,880
Sutton	4,010
Waltham Forest	4,760
Birmingham	4,240
Coventry	3,920
Dudley	3,570
Sandwell	4,020
Solihull	3,570
Walsall	3,780
Wolverhampton	4,070
Knowsley	4,400
Liverpool	4,340
St. Helens	3,900
Sefton	3,810
Wirral	3,900
Bolton	3,750
Bury	3,670
Manchester	4,550

LEA Name	*2004–2005 Funding £000*
Oldham	4,000
Rochdale	4,060
Salford	4,080
Stockport	3,540
Tameside	3,800
Trafford	3,610
Wigan	3,670
Barnsley	3,860
Doncaster	3,900
Rotherham	3,870
Sheffield	3,900
Bradford	4,060
Calderdale	3,770
Kirklees	3,870
Leeds	3,840
Wakefield	3,650
Gateshead	3,950
Newcastle upon Tyne	4,110
North Tyneside	3,780
South Tyneside	4,060
Sunderland	3,940
Bath and North East Somerset	3,520
Bristol, City of	3,950
North Somerset	3,570
South Gloucestershire	3,430
Hartlepool	3,990
Middlesbrough	4,320
Redcar and Cleveland	3,970
Stockton-on-Tees	3,940
Kingston Upon Hull, City of	4,060
East Riding of Yorkshire	3,540
North East Lincolnshire	3,850
North Lincolnshire	3,770
North Yorkshire	3,620
York	3,490
Bedfordshire	3,730
Luton	4,200
Buckinghamshire	3,780
Milton Keynes	3,940
Derbyshire	3,550
Derby	3,860
Dorset	3,540
Poole	3,460
Bournemouth	3,580
Durham	3,780
Darlington	3,740
East Sussex	3,860
Brighton and Hove	4,000
Hampshire	3,630
Portsmouth	3,970
Southampton	4,030
Leicestershire	3,400
Leicester	4,170
Rutland	3,640
Staffordshire	3,460
Stoke-on-Trent	4,000
Wiltshire	3,600
Swindon	3,610
Bracknell Forest	3,800
Windsor and Maidenhead	3,880
West Berkshire	3,780
Reading	4,150
Slough	4,590
Wokingham	3,640
Cambridgeshire	3,650
Peterborough	4,000
Cheshire	3,530
Halton	4,130
Warrington	3,450
Devon	3,620
Plymouth	3,670
Torbay	3,630
Essex	3,820
Southend-on-Sea	3,900
Thurrock	4,120
Herefordshire	3,780
Worcestershire	3,470
Kent	3,840
Medway	3,730
Lancashire	3,690
Blackburn with Darwen	4,200
Blackpool	3,880
Nottinghamshire	3,540
Nottingham	4,320
Shropshire	3,700
Telford and Wrekin	3,760
Cornwall	3,680
Cumbria	3,730
Gloucestershire	3,560
Hertfordshire	3,760
Isle of Wight	3,920
Lincolnshire	3,700
Norfolk	3,730
Northamptonshire	3,620
Northumberland	3,710
Oxfordshire	3,780
Somerset	3,640
Suffolk	3,570
Surrey	3,720
Warwickshire	3,600
West Sussex	3,690

Notes:

1. 2004–05 figures are provisional as some grants have not yet been finalised/audited. Updates will be available in the Autumn.
2. Figures reflect the Education Formula Spending settlement (all sub-blocks), plus all revenue grants in DfES Departmental Expenditure Limits relevant to EFS pupils aged 3–15.
3. Figures exclude Education Maintenance Allowance and grants not allocated at LEA level and the pensions transfer to EFS and Learning and Skills Council for 2004–05.
4. The pupil numbers used are those underlying the SSA/EFS settlement calculations plus PLASC 3 year olds maintained pupils and estimated 3–4 year olds funded through state support in maintained and other educational institutions where these are not included in the SSA pupil numbers.
5. Per pupil figures are rounded to the nearest 10 and are provided in cash terms.

Source:
The Unit Funding Model 2004–05

Gypsies and Travellers

Mr. Woodward: To ask the Secretary of State for Education and Skills what estimate the Government have made of the number of Gypsy and Traveller children in each year since 1997 *(a)* broken down by region and *(b)* in St. Helens. [187368]

Mr. Stephen Twigg: The requested information is not available prior to 2003. Final 2003 and provisional 2004 figures of Gypsy/Roma pupils and Travellers of Irish Heritage enrolled in schools for each region and local education authority in England have been placed in the House of Commons Library.

Home Tuition and Hospital Teaching Service

Mr. Bercow: To ask the Secretary of State for Education and Skills how many people are employed in the Home Tuition and Hospital Teaching Service. [191077]

Margaret Hodge: The Department does not collect this information. Local Education Authorities have a duty to provide suitable education for children of compulsory school age who cannot attend school because of their medical needs. Education for these children can be provided in a variety of ways, for example through the provision of a hospital school or hospital teaching service; home teaching; or an integrated hospital/home teaching service. It is for individual Local Education Authorities to decide, in the light of the statutory guidance "Access to Education for children and young people with Medical needs", on the most appropriate education arrangements for children with medical needs within their areas and the staffing levels necessary to support those arrangements.

Homelessness (Children)

Ms Keeble: To ask the Secretary of State for Education and Skills, what assessment he has made of the effect of homelessness on children, during preparation of the Children Bill. [187000]

Margaret Hodge: Suitable and stable accommodation is one of the most important influences on the lives of children, particularly the most disadvantaged. The provisions in the Children Bill followed the consultation on the Every Child Matters Green Paper, which itself outlined the steps the Government has been taking in the wake of the Homelessness Act 2002. As that consultation acknowledged, it is important that planning and decisions on housing and accommodation are influenced by the wider needs of children across an area, whether the responsibility sits with the top tier authority or not. That is why the Government has included in the Children Bill powers to make district councils one of the statutory partners in local children's service co-operation arrangements. The Bill also places them under a duty to have regard to the need to safeguard and promote the welfare of children in carrying out their functions, including housing. The Bill allows for the remit of the Director of Children's Service to be extended to cover any housing duties the authority has, where the makes sense locally.

Key Stage 3

Mr. Bercow: To ask the Secretary of State for Education and Skills what proportion of pupils achieved Level 5 or above at key stage 3 *(a)* in England and *(b)* at schools based in the Buckingham constituency in each year since 2002. [191078]

Mr. Miliband: The information requested is as follows:

	Percentage of pupils achieving Level 5 or above at key stage 3	
	Buckingham	*England*
English		
2002	78	67
2003	78	69
2004	—	—
Maths		
2002	77	67
2003	81	71
2004	—	73
Science		
2002	78	67
2003	78	68
2004	—	66

Figures for England for maths and science in 2004 are provisional and are currently unavailable at parliamentary constituency level. National figures for English in 2004 are also unavailable until the impact of the extended review process for key stage 3 English is clearer.

Mature Students

Mr. Sheerman: To ask the Secretary of State for Education and Skills what action his Department is taking to encourage mature students to study at university. [190293]

Dr. Howells: The Government are firmly committed to increasing the opportunities for people of all ages to access higher education (HE).

Of all full-time undergraduate enrolments in English HE and FE institutions, 43 per cent. were people aged 21 and over.

Many older people enter HE through Access to Higher Education courses. These are designed to prepare for HE those mature students who have few, if any, formal qualifications. The Quality Assurance Agency (QAA) presented proposals to the Department in March 2004 for modernising the criteria for Access Courses, so that they are sufficiently flexible and attractive to meet the needs of today's adult learners. The Department has agreed a programme of work to take forward a number of the proposals, and to consider further the strategic role that Access courses play in enabling participation in HE.

Aimhigher is the national outreach programme that aims to widen participation in higher education through raising attainment and aspirations, and improving progression to HE. Activities to improve progression for vocational learners are likely to particularly benefit mature students.

We are committed to introducing legislation to combat discrimination on the grounds of age in employment and vocational training, and we have recently concluded a public consultation. New regulations will come into effect in October 2006. These will further help mature students to access higher education.

Mobile Phones

Mr. Hoban: To ask the Secretary of State for Education and Skills, what the *(a)* capital and *(b)* running costs of mobile phones in his Department has been in each year since 2001. [186678]

Mr. Stephen Twigg: In my Department the running costs for mobile phones since 2001 are as follows:

	£
2001–02	286,863
2002–03	266,505
2003–04	270,547

During this period there have been no capital costs.

Pre-school Education

Mr. Jenkins: To ask the Secretary of State for Education and Skills what action the Department is taking to improve staff retention within the pre-school education sector, with particular reference to *(a)* training and *(b)* career structure. [188121]

Margaret Hodge: For the two year period, 2004–06, we have given local authorities £129.9 million to help recruit, train and develop their early years' work force. We have also encouraged them to work closely with their local Learning and Skills Councils to put in place shared targets for training new and existing workers to Level 2 and 3. We do though recognise the crucial role that leaders can play in motivating and developing staff, and improving outcomes for children, within early years' settings. To this end, we have developed a national programme, leading to a professional qualification, to meet the needs of leaders within integrated centres. We are also now consulting on the key elements of effective early years practice to inform future training and so equip practitioners with the key skills and the confidence necessary to support all children to reach their full potential. We believe these developments will help to improve staff retention and, in turn, raise the quality of provision within the sector.

We recognise that a clear career structure is important if we are to improve retention rates among the early years' work force. This is one of the things our pay and work force strategy for the children's work force, due to be published this autumn, will address. The strategy will contain action to make working with children, including those under five, a more attractive career option. This will include developing flexible career and training pathways, developing a common core of skills and knowledge that promotes professionals in different sectors working together, and establishing a Children, Young People and Families Workforce Council which will represent the interests of the sector.

Primary School Hours

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills (1) how many primary schools remained open from 8am to 6pm *(a)* in 1997 and *(b)* at the most recent date for which information is available; [190522]

(2) what the average additional gross cost is of *(a)* a primary school and *(b)* all primary schools remaining open from 8am to 6pm; [190523]

(3) what discussions he has had with *(a)* local education authorities and *(b)* organisations representing school governors about primary schools remaining open from 8am to 6pm; whether (i) head teachers and (ii) governors would be responsible for schools during those extended opening times. [190524]

Margaret Hodge *[holding answer 13 October 2004]*: We do not hold data on how many primary schools were open from 8am to 6pm in 1997. More recently, a sample survey by four children carried out earlier this year, part funded by the Department, showed that 47 per cent. of schools have a breakfast club, 24 per cent. an after schools club, 38 per cent. a holiday play scheme, 100 per cent. offer study support and 50 per cent. were interested in developing extended services. We are currently considering how we might collect data on a more comprehensive basis and monitor progress.

The cost of this service will vary from school-to-school, depending on local circumstances and charges made. We are working with local authorities and schools to consider the range of any additional costs, including capital costs, schools might face. Parents will be expected to pay towards the child care, provided in this way, but will be able to draw on the child care element of working tax credits where appropriate.

We have had discussions on numerous occasions with local education authorities and organisations representing school governors and others during the course of developing extended schools policy. As we further develop the childcare strategy we will consult and discuss with local education authorities and governors as well as other key stakeholders.

The school's governing body has responsibility for controlling the use of school premises both during and outside school hours. They can pass this responsibility onto a third party using a transfer of control agreement if they decide to do so. Such agreements might be a useful tool for schools, particularly when working with the voluntary and community and private sectors who we envisage will have a key role in working with schools to deliver this offer.

Keith Vaz: To ask the Secretary of State for Education and Skills what action he is taking to implement the before and after school care in primary schools programme; and what assessment has been made of the effectiveness of the programme. [190755]

Margaret Hodge: We are making funding available to support the development of extended schools and childcare which includes the development of before and after school childcare provided in primary schools. We are further developing the childcare strategy and will discuss our proposals with key stakeholders in doing so. We are also providing advice, guidance and other support to schools and local authorities on setting up childcare and other extended services.

Evaluation of extended schools, commissioned by the Department in 2003–04, has shown that the provision of extended services in schools, including childcare, after school clubs and out of schools activities had a positive impact on pupils, families and communities, particularly in return to pupil behaviour, attendance and attainment. We are continuing to assess the impact of extended services in schools, including childcare, on a range of outcomes.

Resources for Children and Learners

Chris Grayling: To ask the Secretary of State for Education and Skills pursuant to the written ministerial statement of 16 September 2004, *Official Report*, columns 153–54WS, on Resources for Children and Learners what extra funding will be provided to the Increased Flexibility Programme in *(a)* 2005–06, *(b)* 2006–07 and *(c)* 2007–08; and if he will make a statement. [191815]

Mr. Miliband: No decision has been taken by Ministers at this stage, but the question is currently under consideration.

Road Vehicle Safety

Mr. Kidney: To ask the Secretary of State for Education and Skills, how many road vehicles are operated by the Department and its agencies; how many personal injury accidents involving road vehicles operated by the Department have occurred within each of the last five years; and what the Department's policy is for managing work-related road safety. [185917]

Mr. Miliband: My Department currently has a fleet of 54 vehicles. Over the last five years from 1999 to 2003, four accidents involving personal injury to five people have been reported. The Department has a long established policy involving risk assessment procedures for all aspects of vehicle and personal usage. The Minister for the Cabinet Office will provide similar information for vehicles and drivers provided to my Department by the Government Car and Despatch Agency.

School Funding

Mr. Bercow: To ask the Secretary of State for Education and Skills what applications his Department has received from Buckinghamshire Local Education Authority for capital funding for school places in *(a)* 2003–04 and *(b)* 2004–05. [191043]

Mr. Miliband: In 2003–04 Buckinghamshire local education authority (LEA) bid for a total of 1,137 new pupil places (89 primary, 888 secondary and 160 post 16). Under the former bidding criteria, in that round, the authority received capital support for 951 places.

From 2004–05, authorities no longer have to bid for new pupil places funding. Funding is now allocated mainly on a formulaic basis, based on the actual numbers of school pupils in each authority and their forecast growth in pupil numbers.

Mr. Drew: To ask the Secretary of State for Education and Skills if he will make a statement on the differences in funding regimes for *(a)* local authority and *(b)* voluntary aided schools; and what plans he has to try to reduce funding differences. [191747]

Mr. Miliband *[holding answer 15 October 2004]:* Local authority (community) schools and voluntary aided (VA) schools receive revenue funding via their delegated budget share. This budget share is governed by the Financing of Maintained Schools Regulations.

Local education authorities are responsible for developing a local funding formula within the context of these regulations. The regulations do not allow for the formula to differentiate between categories of schools except in so far as this is justified by differences in functions.

Schools, whether VA or community, also receive a number of grant allocations from the Department, many of which are passed directly to schools. No distinction is made in these grants between community and voluntary aided schools.

Capital funding for VA schools is delivered directly to schools by the Department whereas capital funding for other schools is usually allocated via local authorities. Funding from local authorities can include capital funding that is supported though prudential borrowing.

The capital funding available for investment in all Voluntary Aided (VA) schools is a fair share of the total capital budget for school buildings. Capital grant payable to individual VA schools is at the rate of 90 per cent. of the total expenditure, although the Secretary of State has the power to pay more in exceptional circumstances. Governing bodies must contribute the remaining 10 per cent. The level of grant is also increased to meet VAT costs where appropriate.

There are no plans to change these principles. However, we are discussing with representatives of the VA sector whether the associated administrative processes can be simplified and improved.

Special Needs

Mr. Dhanda: To ask the Secretary of State for Education and Skills (1) what plans his Department has in place to ensure that the progress of special educational needs pupils in mainstream schools is monitored effectively; and by what criteria success will be measured; [189725]

(2) if he will monitor the *(a)* academic progress, *(b)* development of social and life skills and *(c)* development of self-confidence and self-esteem of special educational needs pupils in mainstream schools. [189730]

Margaret Hodge: Schools have a duty to monitor the progress of pupils with special educational needs whether the pupil is at School Action, School Action Plus or has a statement of special educational need (SEN). All schools are required to set targets for their pupils including those with SEN. Targets relate to progress in the core national curriculum subjects and are set for pupils working at all levels including, where appropriate, P-levels. Targets are not required in respect of pupils' social and life skills or their self-confidence and self-esteem, nor currently is there an accepted way of assessing progress in these capabilities, though schools may report on them informally to parents.

Her Majesty's Chief Inspector of Schools and the Office for Standards in Education monitor the quality of education provided by schools for their pupils, including how well mainstream schools enable pupils with special educational needs to learn, develop and achieve.

Mr. Dhanda: To ask the Secretary of State for Education and Skills whether teachers and support staff will be trained to a nationally agreed level to ensure that special educational needs pupils in mainstream schools receive a similar level of expertise in assessment and teaching to that which they would receive in a special school setting with specialist staff. [189728]

Margaret Hodge: New Standards for Qualified Teacher Status (QTS) came into effect in September 2002 and new Induction Standards, for Newly Qualified Teachers (NQTs), also came into force in 2003.

In order to be awarded QTS, trainee teachers must demonstrate that they understand their responsibilities under the statutory SEN Code of Practice, know how to seek advice from specialists on less common types of SEN, can differentiate their teaching to meet the needs of individual pupils, including those with SEN, and can identify and support pupils who experience behavioural, emotional and social difficulties.

The Standards for the Induction Support Programme for those awarded QTS require that NQTs can demonstrate that they can plan effectively to meet the needs of pupils in their classes with SEN, with or without a statement, and in consultation with the SEN Co-ordinator, contribute to the preparation and implementation of individual education plans or the equivalent. Once fully qualified, all teachers are expected to continue to develop their knowledge and skills according to their personal needs and the needs of those they teach. The only specific SEN qualification required by regulation is the mandatory qualification required for teachers employed by schools to teach classes of children who have either visual impairment, hearing impairment or multi-sensory impairment.

Our recently published SEN Strategy, "Removing Barriers to Achievement" encourages mainstream and special schools to share their skills and expertise so that all pupils with SEN share an inclusive and effective educational experience regardless of where they are educated. Breaking down the divide between mainstream and special schools will entail a greater outreach role for special schools and movement of staff across sectors to share expertise and experience of working with more complex or severe levels of SEN.

Mr. Dhanda: To ask the Secretary of State for Education and Skills how his Department will ensure that other agencies are able to deliver their services to special educational needs pupils across a range of mainstream schools in a cost-and-time-effective manner, with particular reference to health and social services. [189729]

Margaret Hodge: The Government's strategy for special educational needs Removing Barriers to Achievement, published in February, set out our commitment to improving the availability of health and social services for children and organising services around the needs of children and their families.

The Children's National Service Framework published on 15 September set new national standards for children's health and social care including disabled children. It highlighted the need for multi-agency provision of services for disabled children, in particular in schools. Implementation of the Children's NSF Standards will be an important component of inspection judgements made about children's health and social care services. Through the implementation of Every Child Matters the Government is also advocating a shift to more co-located services for example, schools and primary healthcare working together from single locations. Schools are being encouraged to become "extended schools", which can provide health, social care and other services for children and families as part of the community. The Children Bill—currently being considered by both Houses of Parliament—has a wide remit which includes encouraging integrated planning, commissioning and delivery of services.

Mr. Bercow: To ask the Secretary of State for Education and Skills how many cases concerning schools in Buckinghamshire were heard by the Special Educational Needs Tribunal in each year since 2001–02, indicating in how many cases the tribunal ruled that additional support should be provided for children with special needs. [189845]

Margaret Hodge: The Special Educational Needs and Disability Tribunal (SENDIST) has heard the following appeals against Buckinghamshire local authority since 2001–02.

Six appeals were heard in 2001–02. In five of these cases SENDIST ordered changes to be made to the provision in the children's statements. In three cases it also ordered changes to the schools named.

Four appeals were heard in 2002–03. In three of these SENDIST ordered changes to the schools named.

Three appeals were heard in 2003–04. In all three cases SENDIST ordered changes to be made to the provision in the children's statements and in one case it also ordered a change to the school named.

Bob Spink: To ask the Secretary of State for Education and Skills if he will make it his policy to *(a)* collect and *(b)* publish statistics on the time taken to complete statements of educational needs. [190737]

Mr. Miliband: Data on the percentage of statements of special educational needs (SEN) completed within 18 weeks (with and without exceptions) are already collected and published annually by the Audit Commission. The statistics underpin two Best Value Performance Indicators that form part of the Comprehensive Performance Assessment for each local authority.

18 weeks is the maximum time allowed in the DfES SEN Code of Practice and the Department has provided the Audit Commission with guidance for this data collection.

Student Loans

Mr. Drew: To ask the Secretary of State for Education and Skills whether current arrangements will continue for teachers of shortage subjects to have their student loans paid off if they remain in teaching. [191104]

Mr. Miliband: We are currently considering whether the Repayment of the Teachers' Loans Scheme should continue beyond the pilot which ends on 30 June 2005, and will announce a decision as soon as possible.

Teaching Qualifications

Peter Bottomley: To ask the Secretary of State for Education and Skills (1) if he will make it his policy that Mr. Tristan Jones-Parry should be authorised to be a recognised mathematics teacher; [R] [190944]

(2) what assessment he has made of possible obstacles to competent, experienced teachers in shortage subjects being offered employment as qualified staff. [R] [190945]

Mr. Miliband: The Government have introduced a wide range of training routes to allow anyone who can meet the required standards, whatever their age or background, to qualify as a teacher. For experienced teachers who do not yet hold Qualified Teacher Status, like Mr. Jones-Parry, both the Graduate Teacher Programme and flexible Postgraduate Certificate in Education courses can offer accelerated routes to qualification. For candidates with the right experience, the accelerated routes can be as swift as a few weeks or even a matter of days. The Teacher Training Agency employs professional consultants to offer individual advice and guidance to anyone considering a career in teaching.

Youth Clubs (Campaign Posters)

Dr. Tonge: To ask the Secretary of State for Education and Skills what representations he has received from the London borough of Richmond-upon-Thames on its ban on Sexwise posters from its youth clubs; and if he will make a statement. [187105]

Mr. Stephen Twigg: I have not received any representations from the London borough of Richmond-upon-Thames about the display of 'Sexwise' campaign posters from its youth clubs. The national advertising campaign that supports the Government's teenage pregnancy strategy has three key messages: encouraging young people to resist peer pressure to have sex early; encouraging young people who are sexually active to use contraception, in particular condoms, to avoid the risks of sexually transmitted infections (STIs) and unplanned pregnancies; and informing young people that they can access confidential advice and support on sex and relationship issues. The 'Sexwise' telephone helpline number and RUThinking website address are included on all campaign materials, so that young people can seek further information and advice, where necessary.

Campaign materials were developed following extensive consultation with young people and parents and the Government believe they are suitable for use in a range of informal youth settings. The campaign materials are being used widely to support the delivery of local strategies and it is therefore regrettable that the London borough of Richmond has deemed them unsuitable for display in its youth clubs.

TREASURY

Red Diesel

Mr. Carmichael: To ask the Chancellor of the Exchequer (1) when the Government will decide whether they will seek an extension to the derogation from the European Energy Products Directive that enables private pleasure craft users to purchase red diesel; [190634]

(2) what estimate his Department has made of the number of private pleasure crafts using red diesel. [190686]

John Healey: The derogation is due to expire at the end of 2006. Discussions will be conducted with other member states closer to that date, in the light of the views of stakeholders, including boat owners.

The Government do not hold any figures for numbers of private pleasure craft, but the British Marine Federation has estimated that there are approximately 451,000 private pleasure boats in the UK, although this figure includes all types of boats, not just those using red diesel.

Unemployment (Glasgow)

Mr. David Marshall: To ask the Chancellor of the Exchequer (1) how many *(a)* young males and *(b)* young females are unemployed in the City of Glasgow; [190984]

(2) how many *(a)* males and *(b)* females living in the City of Glasgow are classified as long-term unemployed; and what percentage of the working population of the city these figures represent. [191006]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. David Marshall, dated 18 October 2004:

As National Statistician, I have been asked to reply to your Parliamentary Questions about Unemployment in the city of Glasgow. (190984,191006).

The attached table provides the information requested in the city of Glasgow for the twelve months ending in August 2004.

As with any sample survey, estimates from the Labour Force Survey (LFS) are subject to sampling variability.

Unemployment: City of Glasgow
Twelve months ending August 2004

	Total unemployment		Unemployed people aged 16–24	Long-term unemployment[1]	
	Level (000)	Rate (Percentage)[2]	Level (000)	Level (000)	Rate (Percentage)[3]
Total	20	7.6	8	6	2.2
Male	14	10.2	5	4	3.2
Female	6	4.9	2	2	1.3

[1] People unemployed for over 12 months.

[2] Unemployed people as percentage of economically active population (i.e. employed plus unemployed).

[3] Long term unemployment as percentage of economically active.

Note:

Estimates are based on small sample sizes and are therefore subject to a higher than usual degree of sampling variability. They should therefore be treated with caution.

Source:

ONS: Labour Force Survey

Civil Service Relocation

Chris Ruane: To ask the Chancellor of the Exchequer if he will ask the Lyons Committee to reconvene to consider the impact on proposals to relocate civil service staff of job losses in the civil service due to the restructuring of the Department of Work and Pensions. [190847]

Mr. Boateng: There are no plans to reconvene the Lyons Review. All Departments, including the Department for Work and Pensions, are committed to delivering both the relocation and civil service work force reduction targets that were announced in the 2004 Spending Review and are making progress towards these targets.

Coal Mine Methane

Ms Walley: To ask the Chancellor of the Exchequer if he will introduce fiscal incentives to encourage the use of energy from coal mine methane; and if he will make a statement. [190751]

John Healey: Supplies of electricity generated from coal mine methane became exempt from the climate change levy from November 2003.

Earnings (Buckingham)

Mr. Bercow: To ask the Chancellor of the Exchequer what the average earnings of full-time employees in the Buckingham constituency were in *(a)* April 2001, *(b)* April 2002, *(c)* April 2003 and *(d)* April 2004. [191065]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. John Bercow, dated 18 October 2004:

As National Statistician, I have been asked to reply to your recent Parliamentary Question asking what the average earnings for full time employees in the Buckingham constituency were in *(a)* April 2001 *(b)* April 2002 *(c)* April 2003 and *(d)* April 2004. (191065)

Average earnings are estimated from the Annual Survey of Hours and Earnings (ASHE) and are provided for full-time employees on adult rates of pay whose pay was unaffected by absence during the pay period, by their place of work. This is the standard definition used for ASHE tables. The ASHE does not collect data on the self employed and people who do unpaid work.

I attach a table showing the average gross weekly wage for full time employees in the Buckingham constituency for 2001 to 2003. Data for 2004 will not be available until the 28 October 2004.

The ASHE, carried out in April of each year, is the most comprehensive source of earnings information in the United Kingdom. It is a 1 per cent. sample of all employees who are members of pay-as-you-earn (PAYE) schemes, but because of its sampling frame, it has difficulty capturing data on people with very low pay. It is therefore likely to under-represent relatively low paid staff earning below the tax threshold.

The Annual Survey of Hours and Earnings publication criteria ensures that all estimates are undisclosive. A number of estimates have been removed from the published tables for these reasons.

Average gross weekly earnings for Buckingham

2001–03

	Mean (£)	*CV per cent.*
2001	452.1[1]	7.1
2002	494.5[1]	6.4
2003	575.6[2]	11.0

[1] Reasonably precise : CV > 5 per cent. and ≤ 10 per cent.

[2] Acceptable : CV > 10 per cent. and ≤ 20 per cent.

Data for 2004 will not be available until 28 October 2004.

The table provides data, on the average gross weekly earnings for, full-time employees on adult rates of pay whose pay for the pay period was unaffected by absence, who worked in Buckingham, for the years 2001 to 2003.

The Annual Survey of Hours and Earnings, (ASHE), carried out in April of each year, is the most comprehensive source of earnings information in the United Kingdom. It is a 1 per cent. sample of all employees who are members of pay-as-you-earn (PAYE) schemes.

The ASHE replaces the New Earnings Survey (NES) from October 2004. The main difference between the ASHE and NES being that estimates are weighted to population totals from the Labour Force Survey. Average gross weekly earnings for Adult Full-Time Employees whose pay for the survey period was not affected by absence.

Data Source:

Annual Survey of Hours and Earnings, ONS

Economic Statistics (Yorkshire)

Hugh Bayley: To ask the Chancellor of the Exchequer how much the Gross Domestic Product for *(a)* Yorkshire and the Humber and *(b)* City of York was in (i) 1997 and (ii) the latest year for which figures are available. [191228]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Hugh Bayley, dated 18 October 2004:

As National Statistician I have been asked to reply to your recent question on Gross Domestic Product (GDP) for *(a)* Yorkshire and the Humber and *(b)* City of York. (191228)

The latest available data on Gross Value Added (GVA) for Yorkshire and Humber were published by the Office for National Statistics (ONS) in April 2004 and relate to the period up to 2002 and the area of Yorkshire and Humber on the "NUTS1" area classification.

ONS published estimates of Gross Value Added (GVA) for the smaller "NUTS3" area of York for the period of 1995–2001 in December 2003.

Both sets of estimates are shown in the table below:

GVA in York, and GVA in Yorkshire and Humber, at current basic prices

£ million

	GVA in York (NUTS3 area)	*GVA in Yorkshire and Humber (NUTS1 area)*
1997	2,453	53,564
1998	2,639	56,219
1999	2,774	58,037
2000	2,919	59,978
2001	3,052	62,610
2002	—	65,698

Notes:

1. All estimates are provisional.
2. Estimates of workplace based GVA allocate income to the region in which commuters work.
3. GVA estimates are calculated using a five-period moving average.
4. Note that GDP = GVA + taxes on products—subsidies on products.

Estimates of NUTS1 GVA for the period 1989–2003 and NUTS3 GVA for the period 1995–2002 are planned for publication by ONS in December 2004.

Employment

Mr. Martlew: To ask the Chancellor of the Exchequer what the level of unemployment was in Carlisle in each year since 1996. [191353]

Mr. Timms *[holding answer 15 October 2004]:* The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Eric Martlew, dated 18 October 2004:

As National Statistician, I have been asked to reply to your Parliamentary Question about unemployment. (191353)

The attached table gives the estimates of the number of people unemployed and resident in the Carlisle Parliamentary Constituency for the 12 months ending in February each year from 1997 to 2003, the latest date for which information is available.

As with any sample survey, estimates from the Labour Force Survey (LFS) art subject to sampling variability.

Unemployment in the Carlisle parliamentary constituency 12 month period ending February each year from 1997 to 2003

	Level (000)	*Rate (per cent.)*[1]
1997	3	7.2
1998	2	4.5
1999	2	4.9
2000	2	5.7
2001	1	3.9
2002	2	5.0
2003	2	6.3

[1] People unemployed as a percentage of all economically active (i.e. employed plus unemployed).

Note:

Estimates are based on small sample sizes and are therefore subject to a higher than usual degree of sampling variability. Changes for year-to-year, in particular, should therefore be treated with caution.

Source:

ONS Labour Force Survey

Mr. Wiggin: To ask the Chancellor of the Exchequer how many people are employed in Preseli Pembrokeshire; and how many were employed there in May 1997. [190898]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who been asked to reply.

Letter from Len Cook to Mr. Bill Wiggin, dated 18 October 2004:

As National Statistician, I have been asked to reply to your Parliamentary Question about employment. (190898)

In the twelve month period ending February 2003, the latest date for which information is available, there were an estimated 29,000 employed people resident in the Preseli Parliamentary Constituency area. The corresponding figure for the twelve months ending February 1997 was 30,000.

The data supplied are taken from the Labour Force Survey (LFS) and as with any sample survey, estimates from the LFS are subject to sampling variability.

Mr. Gregory Campbell: To ask the Chancellor of the Exchequer how many self employed people there were in *(a)* Wales and *(b)* Scotland on (i) 31 December 1998 and (ii) 31 December 2003. [192151]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Mr. Len Cook to Mr. Gregory Campbell, dated 18 October 2004:

As National Statistician, I have been asked to reply to your Parliamentary Question about employment. (192151)

The attached table gives the available estimates of the number of self-employed people resident in Wales and Scotland for the three months ending in February 1999 and 2004.

As with any sample survey, estimates from the Labour Force Survey (LFS) are subject to sampling variability.

Self-employed[1] *people in Wales and Scotland*

Three months ending in February 1999 and 2004 not seasonally adjusted *Thousand*

	Wales	*Scotland*
1999	141	232
2004	168	236

[1] The definition of self-employed is based on respondents' own assessment of their employment status.

Source:

ONS Labour Force Survey

EU Regulation (Competitiveness Test)

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer (1) what recent discussions he has had with other EU Finance Ministers on the proposed Competitiveness Test for EU regulation; [191605]

(2) what recent discussions he has had with other EU Finance Ministers on the retrospective usage of the proposed EU Competitiveness Test; [191606]

(3) what recent discussions he has had with other EU Finance Ministers on whether *(a)* benefits must outweigh costs or *(b)* benefits must justify costs under the proposed Competitiveness Test. [191607]

Mr. Timms: As mandated by the Spring European Council, the Competitiveness Council is working to develop competitiveness testing for proposed EU legislation. The work has been noted as part of discussions in ECOFIN on regulatory reform, which the Chancellor has attended. The Government believes that priority should be accorded to competitiveness testing of new regulatory proposals. Further details of the proposed new process, including the use of cost-benefit analysis, remain to be finalised.

Euro Preparations

Mr. Laws: To ask the Chancellor of the Exchequer what his estimate is of total government spending on preparations for the euro in *(a)* 1999–2000, *(b)* 2000–01, *(c)* 2001–02, *(d)* 2002–03, *(e)* 2003–04 and *(f)* 2004–05; and if he will make a statement. [192144]

Mr. Timms: Government spending on preparations for possible entry to the single currency is set out in the Third Outline National Changeover Plan, published in June 2003. Copies of the document are in the Library of the House.

Female Employees

Mr. Berry: To ask the Chancellor of the Exchequer what percentage of women in their *(a)* 20s, *(b)* 30s, *(c)* 40s and *(d)* 50s were in paid work in each year since 1995. [190902]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Berry, dated 18 October 2004:

As National Statistician, I have been asked to reply to your Parliamentary Question about employment. (190902)

The attached table gives the percentages of women in employment in the relevant age groups in the United Kingdom covering the twelve months ending in August each year from 1995 to 2004.

As with any sample survey, estimates from the Labour Force Survey (LFS) are subject to sampling variability.

Percentage of women in employment by age groups: United Kingdom

Percentage[1]

Twelve months ending in August of each year	*Age group* *20–29*	*30–39*	*40–49*	*50–59*
1995	65.1	67.5	74.1	60.4
1996	66.2	68.1	75.2	60.4
1997	67.3	69.5	75.2	60.5
1998	67.9	69.8	75.8	61.8
1999	68.9	70.9	76.3	62.8
2000	69.0	71.6	76.6	63.8
2001	69.3	72.1	76.6	64.5
2002	69.6	71.9	76.8	65.1
2003	69.0	72.2	76.7	66.6
2004	69.3	72.2	76.9	66.9

[1] This refers to women in employment as a percentage of all women in the relevant age group.

Source:

Labour Force Survey

Fuel Duty Escalator

Mr. Drew: To ask the Chancellor of the Exchequer how much tax revenue has been forgone, in each financial year since the introduction of the fuel duty escalator; and what the estimate is for this tax year. [191118]

John Healey: The fuel duty escalator introduced by the previous Government in 1993 was abolished by the Chancellor in 1999 when he announced that, in future, decisions on fuel duties would be made on a Budget-by-Budget basis taking account of relevant economic, social and environmental factors. Details of fuel duty rate changes and revenue forecasts are listed in tables A1 and C7 of the annual Financial Statement and Budget report.

Index of Multiple Deprivation

Ms Buck: To ask the Chancellor of the Exchequer which funding streams have been allocated by his Department using a funding formula which includes rankings or scores on the Index of Multiple Deprivation 2000; and if he will list the amount of funding allocated in such a way *(a)* nationally by the Department and *(b)* to all Government sponsored bodies reporting to the Department. [191534]

Mr. Timms: The Chancellor's departments do not directly allocate funds using the Index of Multiple Deprivation but it has formed part of the evidence base underpinning Spending Review outcomes that have taken place since the publication of the index.

Inflation/Interest Rates

Hugh Bayley: To ask the Chancellor of the Exchequer what the average *(a)* rate of inflation, *(b)* Bank of England base interest rate and *(c)* mortgage interest rate was (i) between 1979 and 1997 and (ii) since 1997. [191229]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Hugh Bayley, dated 18 October 2004:

As National Statistician, I have been asked to reply to your recent Parliamentary Question on what the average *(a)* rate of inflation, *(b)* Bank of England base interest rate and *(c)* mortgage interest rate was (i) between 1979 and 1997, and (ii) since 1997. (191229)

The averages over the periods requested are as follows:

	Rates
(a) annualised average inflation rate[1]	(i) 1979 to 1997 = 5.8% (ii) 1997 to 2003 = 2.4%
(b) annual average Bank of England base interest rate	(i) 1979 to 1997 = 10.3% (ii) 1997 to 2003 = 5.4%
(c) annual average mortgage interest rate[2]	(i) 1985 to 1997 = 10.7% (ii) 1997 to 2003 = 6.7%

[1] The inflation rate is calculated from the All Items Retail Prices Index (RPI).

[2] Comprehensive data not available prior to 1985.

These averages are based on the data in the attached table, which also provides further notes on the calculations.

Annual Average Rates

	Retail Prices Index (RPI)[1]	*Bank of England Base Interest Rate*[2]	*Mortgage Interest Rate*[2,3]
1978	197.1	—	—
1979	223.5	13.75	—
1980	263.7	16.30	—
1981	295.0	13.18	—
1982	320.4	11.93	—
1983	335.1	9.86	—
1984	351.8	9.68	—
1985	373.2	12.04	13.16
1986	385.9	10.74	11.84
1987	402.0	9.60	11.50
1988	421.7	9.96	11.17
1989	454.5	13.67	13.92
1990	497.5	14.64	15.21
1991	526.7	11.56	12.92
1992	546.4	9.42	10.71
1993	555.1	5.88	8.08
1994	568.5	5.33	7.84
1995	588.2	6.57	8.22
1996	602.4	5.88	7.22
1997	621.3	6.55	7.85
1998	642.6	7.23	8.73
1999	652.5	5.34	6.82
2000	671.8	5.97	7.09
2001	683.7	5.12	6.44
2002	695.1	4.00	5.39
2003	715.2	3.69	4.96

[1] The annualised average inflation rate for RPI was calculated using the following equation:

$$\text{Annual average inflation rate} = \left(\left(\frac{I_2}{I_1} \right)^{\frac{1}{y}} - 1 \right)$$

where:

I_2 = RPI or other index in later year

I_1 = RPI or other index in earlier year

y = number of years in the period in question

For example:

$$\left(\left(\frac{1997\ \text{index}}{1979\ \text{index}}\right)^{\frac{1}{1997-1979}}-1\right)\times 100\% =$$

$$\left(\left(\frac{621.3}{223.5}\right)^{\frac{1}{18}}-1\right)\times 100\% = 5.8\%$$

[2] The annual average Bank of England base interest rate and the annual average mortgage interest rate given in the letter were calculated using a simple average of the corresponding annual rates for the years covered by the period in the question.

[3] Comprehensive data not available prior to 1985. For 1985 to 1994 the rate is a simple average of retail banks' end of month variable rate mortgage—unweighted series. For 1995 to 1998 the rate is a weighted average interest rate for the standard variable rate mortgage from retail banks and building societies. For 1999 to 2003 the rate is a weighted average interest rate loan secured, from retail banks, on dwellings.

Source:

ONS (RPI) and Bank of England (interest rates)

Inheritance Tax

Ms Buck: To ask the Chancellor of the Exchequer if he will estimate the annual revenue from inheritance tax if the rates for levying the tax were as follows, showing the revenue separately for each band, *(a)* 20 per cent. on estates valued at £100,000 and above, *(b)* 40 per cent. on estates valued at £200,000 and above, *(c)* 60 per cent. on estates valued at £750,000 and above, *(d)* 20 per cent. on estates valued at £150,000 and above, *(e)* 30 per cent. on estates valued at £200,000 and above, *(f)* 40 per cent. on estates valued at £250,000 and above, *(g)* 50 per cent. on estates valued at £750,000 and above, *(h)* 60 per cent. on estates valued at £1,250,000 and above, *(i)* 20 per cent. on estates valued at £75,000 and above, *(j)* 30 per cent. on estates valued at £150,000 and above, *(k)* 40 per cent. on estates valued at £300,000 and above and *(l)* 50 per cent. on estates valued at £600,000 and above. [191510]

Mr. Timms: At Budget 2004, the published forecast for inheritance tax receipts in 2004–05 was £2.8 billion based on a threshold of £263,000. Taking each of the regimes *(a)* to *(l)* as a separate and independent system applying from April 2004, then I estimate that the receipts would have been those that appear in the table. The figures exclude possible behavioural effects and will understate the full impact of changing the regime because 2004–05 receipts also reflect payments for liabilities incurred in 2003–04 and earlier.

Inheritance tax receipts (£ billion) by IHT threshold and rate for 2004–05—rounded to nearest £100 million

Rates applied from April 2004	*Tax rate (%)*				
IHT threshold (£)	*20*	*30*	*40*	*50*	*60*
75,000	3.6	—	—	—	—
100,000	3.2	—	—	—	—
150,000	2.6	3.5	—	—	—
200,000	—	2.9	3.5	—	—
250,000	—	—	2.9	—	—
300,000	—	—	2.6	—	—
600,000	—	—	—	1.9	—
750,000	—	—	—	1.7	1.8
1,250,000	—	—	—	—	1.5

Note:

The figures in each cell are estimates of inheritance tax receipts for each individual combination of rates and thresholds, and they are all independent of each other.

Jones and Garnet Case

Mr. Flight: To ask the Chancellor of the Exchequer if he will make a statement on the application of the decision of the Special Commissioners of Income Tax in the Jones and Garnet case to *(a)* circumstances where one director only has the power to declare dividends and *(b)* other husband and wife-owned businesses. [191132]

Dawn Primarolo: The Special Commissioners' decision in this case is still being considered. However the decision supports guidance published by the Inland Revenue in Tax Bulletins of April 2003 and February 2004 on the application of the legislation in Sections 660A-660G of the Income and Corporation Taxes Acts 1988. Whether the legislation applies in any particular case will depend on the detailed facts of that case and the arrangements between the parties involved.

Population (London Boroughs)

Mr. Rosindell: To ask the Chancellor of the Exchequer what the population is of each London Borough. [191695]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Mr. Len Cook to Mr Andrew Rosindell, dated 18 Ocotber 2004:

As National Statistician I, have been asked to reply to your recent Parliamentary Question concerning the population of each London Borough. (191695)

Attached is a table showing mid-2003 population estimates for all London Boroughs.

Population for London Boroughs, Mid-year 2003

London borough	*Mid-2003 population estimate*
City of London	8,000
Barking and Dagenham	165,900
Bamet	324,400
Bexley	219,100
Brent	267,800
Bromley	298,300
Camden	210,700
Croydon	336,700
Baling	305,000
Enfield	280,300
Greenwich	223,700
Hackney	208,400
Hammersmith and Fulham	174,200
Haringey	224,700
Harrow	210,700
Hayering	224,600
Hillingdon,	247,600
Hounslow	212,900
Islington	180,100
Kensington and Chelsea	174,400
Kingston Upon Thames	150,400
Lambeth	268,500
Lewisham	248,300
Merton	191,400
Newham	250,600
Redbridge	245,100
Richmond Upon Thames	179,200
Southwark	253,800

Population for London Boroughs, Mid-year 2003

London borough	*Mid-2003 population estimate*
Sutton	178,500
Tower Hamlets	206,600
Waltham Forest	221,600
Wandsworth	274,100
Westminster	222,000

Source:

Office for National Statistics

Taxation Regime (Transport)

Mr. Drew: To ask the Chancellor of the Exchequer what his policy is on a taxation regime which mitigates the increase in the use of private cars; and what research he has commissioned on the effects of hypothecation of moneys into public transport through local authority transport plans. [191119]

John Healey: The Government have introduced initiatives to encourage alternatives to car use, such as green travel plans for journeys to and from work, and for business travel. The Chancellor considers relevant economic, social and environmental factors when deciding taxation policy.

The Department for Transport oversees local transport plans, and evaluates the impact of such plans and their development in the long-term.

University Teaching Infrastructure

Mrs. Humble: To ask the Chancellor of the Exchequer what representations he has received on the funding of improvements to teaching infrastructure in the university sector. [192506]

Mr. Timms: The Treasury frequently receives representations from the higher education sector and discusses a wide range of issues with universities including the funding of teaching infrastructure.

Written Answers to Questions

Tuesday 19 October 2004

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Animal By-Products Regulation

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs whether the Hove district council vehicles, which removed the carcases from the recent Labour Party Conference, met the vehicle specifications laid down in the Animal By-Products Regulation. [190794]

Mr. Bradshaw: It is the Department's understanding that the vehicles used met with the vehicle specifications laid down in the Animal By-Products Regulations. This was achieved through the use of tarpaulins to cover and contain the carcases and the use of absorbent granules to soak up any leakage.

Animal Welfare

Mr Battle: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has made to other EU member states concerning animal welfare standards in live animal transport; and if she will make a statement. [190005]

Mr. Bradshaw: The Government will raise specific issues with EU member states and candidate member states whenever necessary. The UK's concern for high enforcement standards was made very clear earlier this year during discussion of proposals for a new regulation on animal welfare during transport. We welcome the news that the Dutch Presidency has brought the EU proposals on welfare on transport back to member states for discussion.

Archaeological Sites

Mr. Flook: To ask the Secretary of State for Environment, Food and Rural Affairs what protection is afforded to sites of archaeological interest from being *(a)* built on and *(b)* farmed inappropriately. [191150]

Mr. Caborn: I have been asked to reply.

Protection for such activities is afforded under the Ancient Monuments and Archaeological Areas Act 1979. In addition potential developers are required to follow guidelines issued in the Planning Policy Guidance Note 16.

The Department for Culture, Media and Sport is currently reviewing its legislation for Heritage Protection.

Broiler Chickens

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to bring forward legislation to improve the welfare of broiler chickens, with particular regard to *(a)* lower stocking densities, *(b)* longer periods of darkness to allow for rest and *(c)* environmental enrichment to allow for natural behaviour; and if she will make a statement. [190485]

Mr. Bradshaw: General standards for the welfare of all farm animals are laid down on an EU basis and apply to broiler chickens. Additional standards of best practice are set out in the Code of Recommendations for Meat Chickens. Any legislation setting standards for the welfare of meat chickens should be applied on an EU basis to ensure a level playing field. The European Commission expects to issue proposals for such standards in the near future.

Drainage Regulations

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs what definition her Department uses of the phrase floors laid to facilitate the drainage of liquids, used in Regulation 1774/2002 and SI 2003 No.1482. [190724]

Mr. Bradshaw: To comply with this requirement, we would expect floors to be constructed from an impervious material with proper falls to drains to ensure that washing water and effluent do not form puddles in the area.

Fallen Stock

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the Animal By-Products Regulation with respect to the collection of fallen stock. [190721]

Mr. Bradshaw: In all cases, animal by-products (including fallen stock) must be collected/transported in accordance with Annex II of Regulation (EC) No. 1774/2002, the 'Animal By-Products Regulation'. This requires animal by-products to be transported either in sealed, new packaging or in covered, leak-proof containers or vehicles. The vehicle, container or packaging must also be labelled in accordance with Annex II and accompanied by the required documentation.

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs how many establishments, which previously received and processed fallen stock, are no longer able to do so because of her Department's enforcement of the EU Animal By-Products Regulation. [190723]

Mr. Bradshaw: Although information regarding the location of fallen stock collection and processing premises is available, this is not kept in a format which would allow their relationship to previous approvals to be ascertained.

As of 15 October 2004, 1,735 establishments have sought approval under the Regulation, 54 have been rejected, 1,393 have been approved and 288 are awaiting assessment by the State Veterinary Service as to whether or not an approval can be issued.

Note:

Not all of the animal by-product premises referred to receive and/or process fallen stock.

Farm Retail Prices

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what and how many organisations her Department *(a)* approached and *(b)* tendered to undertake the study investigation of the determinants of farm retail price spread, published in July. [190126]

Alun Michael: Defra invited six organisations with relevant expertise in economic research to tender for the contract to undertake the study.

Three of the invited organisations submitted written tender documents to Defra.

Hunting Bill

Lady Hermon: To ask the Secretary of State for Environment, Food and Rural Affairs what financial or other assistance will be offered by the Government to the owners of greyhounds affected by an immediate ban on hare coursing in England and Wales under the Hunting Bill. [189748]

Alun Michael: The Government is not providing financial compensation to accompany this Bill because nobody is being deprived of their property as a result of it. Dogs and other property currently used for hare coursing events can continue to be used for other legal purposes. However, the Government recognises that the Bill will affect the owners of dogs that currently engage in hunting and coursing and is ready to explore ways in which they might be assisted to avoid the unnecessary destruction of healthy animals. The Government is very grateful for the RSPCA's offer to help re-home dogs no longer wanted as a result of this Bill. The RSPCA has considerable previous experience in successfully re-homing retired racing greyhounds.

Ministerial Meetings

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs when she will next meet Commissioner Byrne. [190710]

Margaret Beckett: I meet Commissioner Byrne and other Commissioners whose portfolios cover Defra responsibilities on a regular basis.

Organic Farming

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs why she has sought a derogation from the EU directive on the size of flocks for the production of organic chicken and eggs. [191096]

Mr. Bradshaw: The derogation to which you are referring to is the provision within Council Regulation (EEC) No 2092/91 which permits stocking densities and flock sizes higher than normally permitted, in respect of livestock producing holdings, for buildings constructed before 24 August 1999, until 31 December 2010.

The Compendium of UK Standards, however, only permitted the derogation until 25 August 2005, which would mean UK poultry producers would be disadvantaged compared with their counterparts in other member states. My Department reviewed the effect of maintaining the date at 2005 for the UK and sought the views of the organic sector, retailers and ACOS, Defra's Advisory Committee on Organic Standards.

After careful consideration of all the representations received and taking account of the interests of the organic poultry sector as a whole, I decided that organic poultry producers should be allowed to continue to benefit from the derogation until 31 December 2010, which puts UK producers on an even footing with those in the rest of the European Union.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of *(a)* future demand for organic food in the UK and *(b)* the capacity of UK organic farms to supply that demand. [190087]

Mr. Bradshaw: The following assessments, provided in connection with the publication of the "Action plan to develop organic food and farming in England" are particularly relevant:

England's Organic Sector Prospects for Growth (Stopes, July 2002) which can be viewed at http://www.defra.gov.uk/farm/organic/actionplan/prospects.htm

And

Economic Evaluation of the Organic Farming Scheme (Centre for Rural Economics Research, University of Cambridge, May 2002) which can be viewed at http://www.defra.gov.uk/farm/Organic/actionplan/eco-evaluation.htm

These documents consider the UK as well as England.

Also relevant is:

Evidence Assessment to Inform the Review of the Organic farming Scheme (ADAS Consulting Limited and the University of Reading, September 2003) which can be viewed at http://statistics.defra.gov.uk/esg/evaluation/ofs/default.asp

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of *(a)* the potential of the organic farming industry in the UK and *(b)* the support needed from Government to fulfil its potential. [190088]

Mr. Bradshaw: The report "Action plan to develop organic food and farming in England—Two Years On, which I launched on 2 August this year, contains an analysis of the market for organic food. The document expects continued growth in sales of organic food. It notes that the area farmed organically in the UK has grown from 30,000 ha in 1993 to 696,000 in 2004. This is an expansion of over 23 times.

The level of UK demand for organic food met by UK producers has increased over the last two years from 30 per cent. to 44 per cent., but the report recognises a target of 70 per cent. to be met from UK production by 2010. Our support for organic farming includes enhancements introduced last year to the English Organic Farming scheme to allow farmers who have completed organic conversion to receive payments in return for observing environmental conditions and a new rate of aid for conversion for organic top fruit production (apples, pears etc). For the longer term support for organic farming will be through a specific strand in the Agri—Environment Scheme.

Our review of the Organic Farming Scheme was based on a substantial evidence exercise "Evidence Assessment to Inform the Review of the Organic farming Scheme" (ADAS Consulting Limited and the University of Reading, September 2003). This report can be viewed at http://statistics.defra.gov.uk/esg/evaluation/ofs/default.asp

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how much her Department has spent on the promotion of organic crops and foods in the United Kingdom in each of the past 10 years. [190089]

Mr. Bradshaw: We do not have a budget specifically for the generic promotion of organic food and crops. However, the Rural Enterprise Scheme, which forms part of the England Rural Development Programme, can provide assistance towards good value and sustainable projects that help market organic and other quality agricultural products. Since the launch of the scheme in October 2000, the scheme's marketing measure has provided the funding for promoting organic produce as shown in the following table.

Calendar Year	*The Rural Enterprise Scheme—approximate value of projects involving the marketing of organic products (£000)*
2002	144
2003	258
2004	447

In addition, Defra approved and supported an application by the Soil Association for EU funds to promote the organic sector. The application was successful and the Soil Association has secured EU funding of £296,060 under the EC Regulations for the Promotion of Agricultural Products (EC) 2826/2000. The Soil Association have joined with the Italian body AIAB to deliver the promotion campaign, which will run for three years from January 2004.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how much her Department has spent on independent research into organic crops and food in each year since 1994. [190090]

Mr. Bradshaw: The total committed by Defra to its Organic Farming research projects since the start of the Organic Farming R and D Programme in 1991 is £19,059,000. The committed spending from this budget on independent research into organic crops and food per financial year since 1994 amounts to £17,242,000 as follows:

	£
1994–95	867,000
1995–96	931,000
1996–97	1,116,000
1997–98	908,000
1998–99	1,481,000
1999–2000	2,039,000
2000–01	2,087,000
2001–02	2,127,000
2002–03	1,809,000
2003–04	1,927,000
2004–05	[1]1,950,000

[1] provisional figure

Defra funds research worth about £40 million per year to support sustainable development of the farming and food sector. In addition to research specific to organic farming, much of this general farm research has direct relevance to the organic sector.

Organophosphate Victims

Mr. Tyler: To ask the Secretary of State for Environment, Food and Rural Affairs when she expects to publish the report of the epidemiological study of organophosphate victims by the London School of Hygiene and Tropical Medicine commissioned by her Department; and if she will make a statement. [191318]

Mr. Bradshaw *[holding answer 18 October 2004]:* The hon. Member for North Cornwall is aware that the London School for Hygiene and Tropical Medicine was contracted to carry out this study and to submit its draft final report for this work in August 2003. As described in my answer to the hon. Member's previous question, given on 20 July 2004, *Official Report*, column 124W, we received a preliminary draft report of the findings from this study on 13 July 2004. As is usual before publication of any scientific report, this was submitted to a panel of independent experts for peer review.

Comments received from this panel were forwarded to the London School of Hygiene and Tropical Medicine (LSHTM) on 21 September 2004. The LSHTM has been invited to consider and respond to the issues raised and to address them in its final report. We hope that this process will be complete by the end of October.

Once we are in receipt of this final report, and are satisfied that it adequately addresses the issues raised by the independent peer reviewers, we will publish it without delay.

Separate to the peer review process, we understand that Professor Kerry Mills from King's College Hospital has recently met with the contractors to begin his assessment of the validity of the clinical phase of the study. We will be guided by Professor Mills' advice on whether the clinical study should be fully audited before it is published. However, depending on the time scale of this process, we may need to publish the clinical study separately.

Plant and Animal Disease Diagnostics

Mr. Soames: To ask the Secretary of State for Environment, Food and Rural Affairs what research she has evaluated on onsite polymerase chain reaction real time technology for diagnosis of animal and plant disease. [191755]

Mr. Bradshaw *[holding answer 15 October 2004]:* Defra receives a considerable amount of information about developments in real time polymerase chain reaction (PCR) technology from a variety of sources and work is continuing at the Institute for Animal Health on the development of novel assays for early, rapid and pen-side ('on-site') testing for foot and mouth disease. The Defence Science and Technology Laboratory has also launched a joint venture with industry to develop the technology's wider potential to provide reliable diagnostic tests for animal diseases.

PCR is used routinely for the diagnosis of plant diseases within the laboratory and it has been further developed for use 'on-site' for the diagnosis of two plant diseases "Phytophthora ramorum" (known as Sudden Oak Death in the USA) and the recently discovered disease, "Phytophthora" taxon C. The technology is currently being evaluated in the field alongside the Plant Health and Seeds Inspectorate (PHSI) at disease outbreak sites. A large EU and Defra funded project is underway to develop the capability of the PHSI to conduct real time PCR for the detection of a range of plant quarantine diseases at ports and points of inspection. We regard this technology as a significant tool for improving the speed and accuracy for detecting key plant diseases.

INTERNATIONAL DEVELOPMENT

Consultancy Firms

Tom Brake: To ask the Secretary of State for International Development if he will list the top 20 consultancy firms by contract value used by the Department in each of the last five years. [190907]

Hilary Benn: The information requested is set out in the following tables:

Number	*Consultant*	*Award value of new contracts issued during 1999–2000 (£)*
1	Natural Resources International Ltd.	27,524,200
2	The British Council	23,743,248
3	HLSP Consulting Ltd. IHSD	14,074,557
4	Options Consultancy Services Ltd.	11,371,111
5	HTS Consultants	10,869,938
6	Fountain Renewable Resources Ltd.	8,743,763
7	Nicare	8,589,627
8	(Well) London School of Hygiene and Tropical Medicine (University of London)	7,675,822
9	The Crown Agents for Overseas Governments and Administrations Ltd.	7,320,040
10	Pricewaterhousecoopers	6,030,092
11	Scott Wilson Kirkpatrick and Company Ltd.	5,775,450
12	Newcastle University	5,742,865
13	ATOS KPMG Consulting Ltd.	5,623,726
14	CFBT Education Services (Centre for British Teachers)	5,573,801
15	WSP International Ltd.	5,168,597
16	Ernst & Young PVT Ltd.	5,108,082
17	Adam Smith International Ltd.	4,893,502
18	Helm Corporation Ltd.	4,864,982
19	ENTEC UK	4,602,693
20	KPMG	4,444,649

Number	*Consultant*	*Award value of new contracts issued during 2000–01 (£)*
1	HTS Consultants	21,897,323
2	The British Council	16,771,471
3	Pricewaterhousecoopers LLP	12,278,083
4	The Crown Agents for Overseas Governments and Administrations Ltd.	7,352,493
5	WSP International Ltd.	7,085,500
6	Deloitte & Touche Emerging Markets	5,625,378
7	Landell Mills Ltd.	5,462,878
8	Oxford Policy Management Ltd.	4,286,365
9	Agricultural Development and Advisory Service (ADAS International)	4,240,868
10	GHK International Ltd.	4,198,156
11	Institute for Health Sector Development (IHSD) Ltd./HLSP	4,000,325
12	Centre for International Development and Training, University of Wolverhampton	3,934,613
13	Scott Wilson Kirkpatrick and Company Ltd.	3,778,996
14	Enterplan International	3,688,415
15	ATOS KPMG Consulting Ltd.	3,353,547
16	(Well) London School of Hygiene and Tropical Medicine (University of London)	3,232,404
17	Birks Sinclair and Associates	3,208,928
18	Centre for Development Studies (Wales)	3,119,713
19	Bannock Consulting	3,097,315
20	Liverpool Associates in Tropical Health Ltd.	3,084,909

Number	*Consultant*	*Award value of new contracts issued during 2001–02 (£)*
1	Population Services International	52,800,000
2	Natural Resources International Ltd.	39,857,244
3	Arcadis BMB	12,774,113
4	WSP International Ltd.	11,478,383
5	The British Council	10,198,523
6	HTS Consultants	9,298,476
7	IMC Consulting Ltd.	7,547,287
8	Agricultural Development and Advisory Service (ADAS International)	6,991,816
9	HLSP Consulting Ltd./IHSD	6,120,046
10	Environmental Resources Management	5,728,933
11	University of Edinburgh (CTVM)	5,534,000
12	University College of North Wales	5,100,000
13	Liverpool Associates in Tropical Health Ltd.	4,600,113
14	Birks Sinclair and Associates	4,444,674
15	Water Engineering and Development Centre (WEDC)	4,306,960
16	Carl Bro International	3,574,483
17	WS Atkins International Ltd.	3,357,401
18	Oxford Policy Management Ltd. (OPM)	3,160,651
19	Centre for International Development and Training, University of Wolverhampton	2,924,658
20	University of Stirling	2,840,000

Number	*Consultant*	*Award value of new contracts issued during 2002–03 (£)*
1	ATOS KPMG Consulting Ltd.	35,535,185
2	The British Council	19,903,242
3	HTS Consultants	16,069,402
4	HLSP Consulting Ltd./IHSD	15,588,359
5	Charles Kendall & Partners Ltd.	12,979,117
6	Maxwell Stamp plc	12,308,085
7	Deloitte & Touche South Africa	9,683,316
8	Enterplan International	8,795,163
9	Adam Smith International Ltd.	7,724,264
10	Pricewaterhousecoopers	7,670,068
11	The Crown Agents for Overseas Governments and Administrations Ltd.	7,539,558
12	Oxford Policy Management Ltd.	7,522,799
13	John Snow International (JSI) Research and Training (UK)	5,714,909
14	Nicare	5,454,180
15	Population Services International	5,035,208
16	SNC Lavalin International Inc	3,630,824
17	Birks Sinclair and Associates	3,351,740
18	PMTC International	3,340,733
19	Emerging Market Economics Ltd.	3,028,109
20	Fountain Renewable Resources Ltd.	2,817,910

Number	*Consultant*	*Award value of new contracts issued during 2003–04 (£)*
1	Maxwell Stamp plc	49,719,072
2	WSP International Ltd.	14,465,029
3	Futures Group Europe Ltd.	13,870,550
4	Deloitte & Touche South Africa	13,100,000
5	The British Council	12,293,273
6	Oxford Policy Management Ltd. (OPM)	11,130,562
7	IHSD Ltd./HLSP	10,659,795
8	Cambridge Education Consultants	9,269,620
9	ATOS KPMG Consulting Ltd.	9,093,262
10	Options Consultancy Services Ltd.	6,972,137
11	Pricewaterhousecoopers	3,343,781
12	KPMG Consulting Private Ltd. (India)	3,098,409
13	The Crown Agents for Overseas Governments and Administrations Ltd.	3,073,021
14	Cardiff and Vale Enterprise International	2,700,000
15	International Alert	2,611,896
16	Adam Smith International Ltd.	2,585,570
17	Enterprise plc	2,495,570
18	Roughton International	2,359,986
19	Arcadis BMB	2,284,511
20	GRM International Ltd.	2,073,360

Deforestation

Mr. Simmonds: To ask the Secretary of State for International Development what steps his Department is taking to discourage deforestation in poor countries prone to flooding; and if he will make a statement. [192054]

Hilary Benn: DFID's support to forestry in poor countries aims to help them manage and conserve their forests to provide the goods and services that people need. Protection of watersheds is one of these services. DFID spends about £20 million a year on forestry through country programmes and centrally funded research. DFID currently supports forestry work in Brazil, Cameroon, Ghana, India, Indonesia, Nepal, South Africa and Uganda.

In addition, DFID invests about £29 million a year in the Global Environment Facility (GEF), a significant share of which is spent on forest conservation. To date the GEF has invested $770 million in 150 forestry projects.

DFID also contributes funds to a number of international organisations that have significant programmes of support to forestry, such as the World Bank, the UN's Food and Agriculture Organisation (FAO) and the European Commission.

Know How Fund

Mr. Llwyd: To ask the Secretary of State for International Development if he will list projects financed through the Know How Fund in the past 12 months, broken down by type of project. [192218]

Hilary Benn: Assistance provided through the Know How Fund concluded in 1997. DFID's work in the Accession Countries, Bulgaria, Romania, Russia, Ukraine and the Western Balkans since 1997 is set out in Country and Regional Strategy Papers. A review of DFID/ODA's programmes in the Accession Countries (Evaluation Report EV650) is available on DFID's website. www.dfid.gov.uk

Sudan

Miss McIntosh: To ask the Secretary of State for International Development what representations he has received on the delivery of humanitarian aid to Darfur. [191548]

Hilary Benn: I am gravely concerned about the situation in Darfur, Sudan. The UN estimates that 2 million are people are in need of assistance in Darfur, including 1.45 million displaced. The World Food Programme estimated that in September over 1.3 million received food aid.

However, delivery of assistance is still inadequate. The World Health Organisation estimates that between 6,000–10,000 people are dying each month in Darfur. Insecurity and logistical difficulties continue to hamper the delivery of assistance. DFID is pressing all parties to the conflict to abide by the ceasefire and improve security. In addition, we have provided over £4 million to the World Food Programme for their logistical operations in Darfur and over £1 million to the UN for security operations. The UK is the second biggest bilateral donor to Darfur, committing £62.5 million since September 2003.

HOUSE OF COMMONS COMMISSION

Commission Responsibilities

Dame Marion Roe: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission if he will make a statement on progress made by the House of Commons Commission in considering matters within its responsibility. [193008]

Sir Archy Kirkwood: At its meeting on 18 October, the House of Commons Commission considered the report on security on the parliamentary estate commissioned, together with the House of Lords authorities, from the Metropolitan Police and security service. This report has already been subject to detailed consideration by the informal joint committee on security which advises the presiding officers of both Houses.

The Commission does not propose to publish any details of the proposals in the report, which is for obvious reasons a classified document. Some recent enhancements of security arrangements have already been announced to Members. Work is already under way in a number of other areas, including planning for the permanent screen to be erected in the Chamber in 2005. The Commission has also agreed in principle to the appointment of a Parliamentary Security Co-ordinator. Many of the proposals will of course also require the agreement of the authorities in the House of Lords.

SOLICITOR-GENERAL

Linda Watson

Andrew Mackinlay: To ask the Solicitor-General what the result was of the internal complaints procedure investigation into the conduct by the Crown Prosecution Service of its decision to prosecute Linda Watson for the murder of her husband; and if she will make a statement. [190588]

The Solicitor-General: There has been no internal complaints procedure investigation. The Crown Prosecution Service staff who dealt with the case are not aware of any complaint having been made in relation to the conduct of the case, either at the time or subsequently.

DEPUTY PRIME MINISTER

Building Standards

David Taylor: To ask the Deputy Prime Minister what recent submissions he has received on the effect on building standards of the introduction of competition into building control; and if he will make a statement. [192289]

Phil Hope: Private sector competition in building control is regulated through the Approved Inspectors (AIs) Regulations 2000. Building owners have the option of employing AIs as an alternative to traditional local authority building control services. The Office of the Deputy Prime Minister has designated the Construction Industry Council (CIC) as the vetting authority for AIs. Any submission concerning a reduction in building standards involving AIs would be dealt with seriously by the Office of the Deputy Prime Minister in conjunction with the CIC. There are no recent examples of such an occurrence.

Devolved Government

Mr. Rosindell: To ask the Deputy Prime Minister what progress he has made towards providing for effective devolved decision-making within a framework of national targets and policies. [191265]

Mr. Raynsford: The Government's approach to devolving decision-making was set out in the Devolved Decision Making Review, issued alongside Budget 2004.

At regional level the White Paper "Your Region, Your Choice" set out proposals for directly elected regional assemblies in those regions that wish to have them. On 4 November 2004, regional and local referendums will take place to decide whether an elected assembly is established in the North East.

The Government is working with the RDAs to develop a new framework for setting their objectives. This will simplify and strengthen the current arrangements and make sure performance is measured against real regional and national priorities. In the Spending Review 2004 the Government announced:

> Increased Regional Development Agency (RDA) funding from £1.85 billion in 2004–05 to £2.3 billion by 2007–08. Since 2002, each RDA's funding has been in a single pot, giving them substantial flexibility to use their resources to respond to regional priorities;
>
> RDAs will take on responsibility for the delivery of Business Link services, R and D grants and promoting enterprise in disadvantaged areas from April 2005;
>
> In those regions where the RDA and Learning and Skills Council (LSC) want it, the Government will consider favourably a 'dual key' approach to the management of adult skills budgets operated by the RDA Chief Executive and the Regional LSC Director;
>
> RDAs will have an enhanced role in supporting business-university collaboration, as part of the response to the Lambert Review;
>
> The Government is examining new ways to integrate regional economic strategies with regional transport and spatial development strategies, within a framework of indicative long term funding guidelines. The first guideline budgets for the English regions will be published alongside the Chancellor's 2005 Budget statement.

At local level, the Government published 'The future of local government: Developing a 10 year vision', which sets out how the Government is taking the Devolving Decision Making review forward in the context of a longer term strategy for local government.

As part of this work, the Government recently announced proposals to pilot Local Area Agreements (LAAs) in 21 local authorities. LAAs are intended to simplify funding streams, join up public services and give councils and other local delivery partners more flexibility. They will build on the package of freedoms and flexibilities already given to local authorities.

Energy Efficiency (York)

Hugh Bayley: To ask the Deputy Prime Minister how much public money has been invested in energy efficiency measures in *(a)* council, *(b)* housing association and *(c)* private homes in York in each year since 1997. [191247]

Keith Hill: The information requested where available is given in three tables below. This information is not currently available for housing association homes.

Local Authority Housing Investment

	Investment (£million)
1997–98	1,534000
1998–99	1,625000
1999–2000	1,267000
2000–01	1,349000
2001–02	1,944000
2002–03	1,529000
2003–04	Figures unavailable

These figures cover, double-glazing, cavity wall insulation, loft insulation and heating improvements. This work has been completed by the local authority as part of an overall modernisation programme for housing.

Local Authority Investment in Private Sector Housing

	Investment £000
1997–8	157,000
1998–9	680,000

No further information available.

Energy Partnership Project for Private Sector Homes funded by Energy Saving Trust, initiated by York Council and managed by Energy Efficiency Advice Centre.

	Number of households helped	*Total spent £000*
1998–99	44	13,126.00
1999–2000	389	137,315.29
2000–01	515	191,528.79
2001–02	295	264,577.60
2002–03	112	112,096.89
2003–04	129	38,346.91

This investment covers cavity wall insulation, loft insulation, heating systems and boiler replacement.

Housing (Somerset)

Mr. Laws: To ask the Deputy Prime Minister what plans he has to increase the supply of affordable homes in Somerset; and if he will make a statement. [192068]

Keith Hill: Through the Housing Corporation's Approved Development Programme (ADP) the South West Housing Body has allocated the following amounts to deliver 324 Affordable Homes in South Somerset from 2003 until 2006:

	£
2003–04	1,518,626
2004–05	1,300,629
2005–06	4,007,790

Local Government

Mr. Rosindell: To ask the Deputy Prime Minister what the total cost of administering local government has been in each year since 1990. [191248]

Mr. Raynsford: The total revenue expenditure by all local authorities on all services since 1990–91 is listed in the following table.

	(£ million)
1990–91	35,851
1991–92	39,472
1992–93	42,020
1993–94	41,506
1994–95	43,602
1995–96	44,827
1996–97	46,532
1997–98	47,256
1998–99	50,189
1999–2000	53,651
2000–01	57,329
2001–02	61,952
2002–03	65,906
2003–04	72,473
2004–05	79,447

Source:

Local Government Financial Statistics—England: various years

The data show actual outturn figures for all years except 2003–04 and 2004–05 which budget estimates.

The figures show local government expenditure financed from Revenue Support Grant, specific grants within Aggregate External Finance, special grants, non-domestic rates, community charges (1990–91 to 1992–93) council taxes (1993–94 onwards) and balances. The figures also include spending met by community charge grant (1991–92), additional grant for teachers pay (1992–93), SSA reduction grant (1994–95 to 2001–02), police grant (1995–96 onwards), Central Support Protection Grant (1990–2000 to 2001–02) and General Greater London Authority Grant (2000–01 onwards).

Mr. Rosindell: To ask the Deputy Prime Minister when the Evaluation of Community Strategies and Plan Rationalisation will be implemented; how far implementation will extend; and what the cost of implementation will be to public funds. [191260]

Mr. Raynsford: The formative evaluation of Community Strategies and the Plan Rationalisation process commenced in early 2004 and is due to complete by early 2007.

The evaluation is producing a series of guidance materials to support local, regional and central stakeholders. Outputs will be produced on an incremental basis throughout the three years.

In order to make cost savings and reduce the research burden on local agencies, research on these two closely related policies have been combined through shared research instruments. Thus the total contract cost is estimated at £572,535. The evaluation is also linked to supporting other key aspects of local government policy, notably Local Strategic Partnerships and developing Local Area Agreements.

Mr. Rosindell: To ask the Deputy Prime Minister when the Overarching Evaluation of the Local Government Modernisation Agenda will be implemented; how far implementation will extend; and what the cost of implementation will be to public funds. [191261]

Mr. Raynsford: The Overarching Evaluation of the Local Government Modernisation Agenda (LGMA) commenced in January 2002 and is due to be completed in December 2007.

The evaluation aims to draw together the lessons learned from evaluations of the 20 or more individual policy elements of the LGMA, such as the Best Value Regime, Local Public Service Agreements, New Council Constitutions and Local Strategic Partnerships. It seeks to provide an overview of the impacts of the LGMA as a whole in the key areas of service improvement, accountability, community leadership, stakeholder engagement and public confidence. It also seeks to provide an understanding of how these policies interact and key drivers of change to inform current delivery of policies and future policy development.

The evaluation is designed to produce a series of annual reports, conference presentations, seminars, and specific thematic and policy papers throughout the lifetime of the study. This approach is to ensure flexible and timely use of research findings by a range of policy and practitioner audiences. The project is overseen by a Steering Group, administered and chaired by the Office of the Deputy Prime Minister with the Audit Commission, IDeA, LGA, Employers Organisation and SOLACE as members. The Steering Group has developed a dissemination strategy, drawing on the resources available to each organisation, to ensure the lessons learned from this work reach local government as effectively as possible. The total contract cost of this programme of work over its entire five years is £1,817,328.

Diana Organ: To ask the Deputy Prime Minister when he plans to issue the advice from the Standards Board for England in relation to declarations of prejudicial interests for local authority councillors. [191934]

Phil Hope: The Standards Board for England is an independent body, established by Parliament. One of the Board's functions is to issue guidance to local authorities relating to the conduct of members. The Board has recently prepared new guidance relating to potential conflicts of interest arising from membership of lobby groups and where members sit on more than one relevant authority and other public bodies. The guidance, entitled 'Lobby groups, dual-hatted members and the Code of Conduct', was published on the Board's website on 29 September. The Board plans to distribute copies of the guidance to all authorities by the end of October.

Mr. Laws: To ask the Deputy Prime Minister what his estimate is of the change in the local authority grant to Somerset county council which would result in 2005–06 if the 2001 Census data were used; and if he will make a statement. [192073]

Mr. Raynsford: The provisional amount of grant for each local authority in 2005–06 will be announced to Parliament later this year. An announcement has already been made that we will not be using the 2001

Census data in the 2005–06 settlement on 21 July 2004, *Official Report*, column 30WS. This is because it would have been technically incorrect to have simply introduced the data without first amending the statistical models underlying the Formula Spending Share formulae. Changing the formulae in this way would have broken the formula freeze that the Office of the Deputy Prime Minister has introduced to provide funding stability for authorities. Further research is being undertaken on the formula changes needed to incorporate the 2001 Census data into the Formula Spending Share formulae.

It is not therefore possible to estimate what amount of grant any authority would receive if the 2001 Census data were to be incorporated. The Office of the Deputy Prime Minister will be consulting local authorities during the summer of 2005 on the formulae for the 2006–07 settlement incorporating the 2001 Census data.

Mr. Rosindell: To ask the Deputy Prime Minister when corporate capital strategies and asset management plans will be implemented; how far implementation will extend; and what the cost of implementation will be to public funds. [191257]

Mr. Raynsford: Local authorities have been producing capital strategies and asset management plans since 2000. Most now have good quality plans in place and authorities are no longer required to submit them to central Government. There should be no net cost to public funds since these processes are essential elements of effective corporate planning and the costs should be far outweighed by the resulting efficiency gains and service improvements.

Bob Spink: To ask the Deputy Prime Minister for what reasons his Department will not use the 2001 Census data for the calculation of the local government finance settlement; and if he will make a statement. [192345]

Alistair Burt: To ask the Deputy Prime Minister if he will use 2001 Census figures in relation to the local government financial settlement for Bedfordshire from 2005–06; and if he will make a statement. [192682]

Mr. Raynsford: The provisional amount of grant for each local authority in 2005–06 will be announced to Parliament later this year. An announcement has already been made that we will not be using the 2001 Census data in the 2005–06 settlement on 21 July 2004, *Official Report*, column 30WS. This is because it would have been technically incorrect to have simply introduced the data without first amending the statistical models underlying the Formula Spending Share formulae. Changing the formulae in this way would have broken the formula freeze that the Office of the Deputy Prime Minister has introduced to provide funding stability for authorities. Further research is being undertaken on the formula changes needed to incorporate the 2001 Census data into the Formula Spending Share formulae.

It is not therefore possible to estimate what amount of grant any authority would receive if the 2001 Census data were to be incorporated. The Office of the Deputy Prime Minister will be consulting local authorities during the summer of 2005 on the formulae for the 2006–07 settlement incorporating the 2001 Census data.

Mr. Rosindell: To ask the Deputy Prime Minister how much central government funding was given to each borough council in London in each of the last 10 years. [191253]

Mr. Raynsford: The requested information has been tabled as follows.

Central government funding to London boroughs—1995–96 to 2004–05

Figures shown in £000

	1995–96	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
Greater London Authority					
City of London	96,339	95,218	96,827	85,052	86,929
Camden	187,947	187,092	194,222	200,121	208,994
Greenwich	200,794	198,573	196,638	207,230	225,508
Hackney	243,744	242,301	245,175	246,385	258,648
Hammersmith and Fulham	150,676	147,347	145,387	148,850	159,107
Islington	192,560	189,503	190,019	201,697	224,987
Kensington and Chelsea	116,026	115,371	117,946	120,870	127,582
Lambeth	266,047	261,144	258,401	266,091	284,441
Lewisham	213,826	214,967	219,953	234,615	249,200
Southwark	244,138	236,301	238,281	252,635	279,265
Tower Hamlets	246,929	246,061	249,471	269,788	289,204
Wandsworth	220,014	212,517	209,511	208,076	218,592
Westminster	202,928	200,166	208,944	205,743	214,927
Barking and Dagenham	113,106	116,061	118,656	136,439	153,355
Barnet	174,312	178,183	181,321	197,653	206,389
Bexley	121,616	126,384	127,211	138,397	150,293
Brent	216,203	218,666	215,229	228,112	237,213
Bromley	138,673	145,124	148,817	158,935	170,679
Croydon	190,830	196,251	198,743	213,961	223,053
Ealing	208,220	208,611	204,892	219,684	231,883
Enfield	176,613	181,993	185,874	202,007	219,856
Haringey	195,928	198,961	198,379	217,479	236,886
Harrow	114,946	117,095	116,256	124,974	131,021
Havering	119,414	122,202	120,663	129,039	137,320
Hillingdon	139,846	145,547	146,479	156,474	173,676
Hounslow	149,747	154,632	156,701	164,042	175,518

Central government funding to London boroughs—1995–96 to 2004–05

Figures shown in £000

	1995–96	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
Kingston-upon-Thames	71,293	72,605	72,051	75,483	80,037
Merton	97,346	98,720	99,184	107,148	116,318
Newham	247,061	251,196	257,090	286,302	308,655
Redbridge	143,488	150,824	153,034	167,213	183,073
Richmond-upon-Thames	67,491	69,692	71,097	75,758	81,937
Sutton	96,406	99,840	99,803	106,006	114,785
Waltham Forest	176,434	179,196	179,071	192,707	210,339
London total	5,540,941	5,578,344	5,621,326	5,944,966	6,369,670

	2000–01	*2001–02*	*2002–03*	*2003–04*	*2004–05*
Greater London Authority	2,057,037	2,557,745	2,880,372	3,322,134	4,443,162
City of London	88,806	92,503	101,051	114,686	118,138
Camden	218,845	237,742	248,752	287,458	307,631
Greenwich	246,101	264,300	276,789	296,794	324,118
Hackney	272,945	288,231	338,591	339,689	400,429
Hammersmith and Fulham	168,927	180,845	190,898	191,775	219,885
Islington	243,470	257,123	272,635	299,696	288,636
Kensington and Chelsea	136,376	142,022	152,609	173,460	176,760
Lambeth	297,079	315,585	339,190	370,308	393,112
Lewisham	271,900	283,458	293,515	326,711	355,875
Southwark	313,860	326,016	351,218	371,584	406,544
Tower Hamlets	310,219	335,064	359,807	386,475	430,373
Wandsworth	229,475	240,694	248,308	268,124	282,588
Westminster	223,983	234,166	248,985	274,489	280,944
Barking and Dagenham	168,827	181,277	193,347	208,130	227,969
Barnet	222,831	240,316	241,925	265,156	276,287
Bexley	161,768	174,242	183,207	191,128	203,650
Brent	250,397	269,426	276,662	314,888	333,664
Bromley	184,021	198,772	199,956	211,995	229,316
Croydon	243,635	266,718	288,307	296,725	333,921
Ealing	248,310	268,568	277,684	282,222	309,671
Enfield	240,111	264,089	275,061	290,542	305,520
Haringey	270,816	296,350	301,816	323,742	324,119
Harrow	140,587	151,243	160,383	170,315	185,440
Havering	148,095	160,585	166,805	177,105	184,712
Hillingdon	171,976	209,693	214,850	219,710	261,358
Hounslow	185,410	198,506	205,749	212,975	235,712
Kingston-upon-Thames	86,752	94,245	96,829	105,524	112,258
Merton	123,479	128,796	132,213	143,605	154,857
Newham	335,547	362,671	391,428	420,178	447,495
Redbridge	202,581	219,850	212,881	225,355	244,289
Richmond-upon-Thames	94,629	100,260	106,081	106,602	114,979
Sutton	124,048	132,822	135,718	149,863	163,103
Waltham Forest	229,063	248,061	263,757	264,014	293,244
London total	8,911,906	9,921,984	10,627,379	11,603,157	13,369,759

Note:
The data are taken from the RS (outturn) forms for all years except 2003–04 and 2004–05 when the data are taken from the RA (budget) form.

Parks

Mr. Rosindell: To ask the Deputy Prime Minister what assessment he has made of the case for central Government funding for local parks. [191454]

Mr. Raynsford: Central Government provides funding for local parks through the Environment, Protective and Cultural Services (EPCS) Block of the local government finance settlement. Following the recent Spending Review, the EPCS budget is due to increase by £888 million, or 8 per cent. between 2004–05 and 2007–08.

In addition to this mainstream local government funding, local authorities are able to draw on other specific grants from central Government, and from the national lottery distributors.

As with other local public services and facilities, it is appropriate for public parks to remain the responsibility of local authorities. They are best placed to determine local needs and priorities and to deal with day to day management and maintenance issues.

Rough Sleepers (York)

Hugh Bayley: To ask the Deputy Prime Minister how much has been spent on assisting rough sleepers in York in each year since 1997; and how many rough sleepers this has *(a)* helped and *(b)* moved on to permanent accommodation. [191238]

Phil Hope: The information requested is tabled in the form of three tables.

Table 1: Funding for rough sleepers from 1997–2004

£

	Rough sleeper fund	*Homeless strategy—money used directly for rough sleepers*	*Homeless strategy—other ODPM money used for HL prevention and implementation of strategy*
1997–98	—	—	—
1998–99	[1]—	[1]—	[1]—
1999–2000	[1]—	[1]—	[1]—
2000–01	—	—	—
2001–02	—	—	—
2002–03	[2]233,625	—	—
2003–04	—	[2]288,401	116,599
2004–05	—	[3]250,000	—

[1] Funding from Rough Sleepers Unit paid directly to projects and not via LA.

[2] Actual.

[3] Awarded.

Table 2

	Rough sleeper counts (actuals)
May 1997	23
November 1999	24
July 2000	6
December 2000	4
May 2001	0
November 2001	8
February 2002	3
July 2003	3
January 2004	5
March 2004	5
July 2004	4
October 2004	1

Table 3: Number of rough sleepers moving into alternative accommodation (estimated figures based on sparse actuals)

	Supported housing (drinkers hostels, shared housing and supported tenancies)	*CYC permanent*	*Other (Private rented Sector, RSLs)*
1997–98	—	Estimated that approximately 30 people pa moved into CYC tenancy	Estimated that approximately 10 people pa moved into PRS
1998–99	—		
1999–2000	—		
2000–01	—		
2001–02	—		
2002–03	50	25	Estimate 20
2003–04[1]	58	42	40
2004–05[2]	5	7	6
2004–05[3]	50	40	25

[1] Estimates off two comprehensive statistics.

[2] To date.

[3] Annual predictions.

Social Housing

Mr. Laws: To ask the Deputy Prime Minister how many social housing *(a)* starts and *(b)* completions there were in (i) England and (ii) each local authority area in England in each year from 1984; and if he will make a statement. [191279]

Keith Hill: Information for England is tabled based on reported building inspections by local authorities and the National House-Building Council. Information for individual local authorities for 1999–2000 to 2002–03 is available on the Office of the Deputy Prime Minister's web site (www.odpm.gov.uk) in the housing statistics section (live table 253 and publications, local housing statistics).

The Sustainable Communities action plan set out the Office of the Deputy Prime Minister's views on delivery of more affordable housing. Since 1997, funding for affordable housing has been doubled and the creation of 230,000 new affordable homes supported and over 9,000 key workers helped into home ownership in areas of high demand. The funding provided in the Spending Review will, along with efficiency improvements, produce 75,000 social rented homes and 40,000 homes for essential public sector workers and low cost home ownership over the three years to 2007–08.

Social Housing[1,2]

	(a) Starts	*(b) Completions*
1984–85	31,442	42,125
1985–86	28,921	32,875
1986–87	27,901	29,57[illegible]
1987–88	25,135	27,421
1988–89	24,884	26,917
1989–90	23,488	25,698
1990–91	19,668	27,533
1991–92	22,397	23,087
1992–93	31,983	26,548
1993–94	34,144	31,664
1994–95	31,743	32,228
1995–96	24,835	30,983
1996–97	23,295	25,081
1997–98	19,888	21,720
1998–99	17,764	19,114
1999–2000	16,186	17,188
2000–01	13,132	16,669
2001–02	11,228	13,234
2002–03	11,178	13,441
2003–04	12,663	13,823

[1] Local Authority and Registered Social Landlord(RSI) dwellings for rent

[2] RSL dwellings tend to be undercounted by building inspectors as the correct tenure is not always known.

Mr. Laws: To ask the Deputy Prime Minister if he will list the 10 local authorities in the South West of England which have the highest waiting lists for social housing; and if he will make a statement. [191282]

Keith Hill: Local authorities in England report the numbers of households on their housing waiting list (excluding tenants awaiting a transfer) as at 1 April in their annual Housing Investment programme return. Local authorities sometimes maintain the waiting list jointly with the Housing Association in their district. However, information is not held centrally where a Housing Association maintains a separate waiting list to the local authority.

The latest information, for 2004, is listed in the following table for the ten local authorities in the South West of England with the highest number of households on the waiting list.

Local authority	*Households on the housing waiting list at 1 April 2004*
Bristol	11,632
Plymouth	9,069
Swindon	5,478
South Gloucestershire	4,961
Restormel	4,769

Local authority	Households on the housing waiting list at 1 April 2004
Gloucester	3,934
East Devon	3,930
North Somerset	3,728
Cheltenham	3,620
Sedgemoor	3,495

Source:
ODPM's Housing Investment Programme

Travellers

Mr. Lansley: To ask the Deputy Prime Minister whether his Department has conducted a survey of the needs of travellers. [192766]

Keith Hill: Research commissioned by the Office of the Deputy Prime Minister was carried out by Birmingham university and published in July 2003 which identified the level of need for further Gypsy and Traveller site provision. Amendments to the Housing Bill have also been tabled for debate at Report stage in the Other Place which will require local authorities to incorporate the needs of Gypsies and Travellers into their Housing Needs Assessment process.

TREASURY

Airport Duty

Mr. Challen: To ask the Chancellor of the Exchequer how much income the airport duty tax has raised in each year since it was introduced; and what its anticipated income will be in financial years *(a)* 2004–05, *(b)* 2005–06 and *(c)* 2006–07. [191141]

John Healey: Historic Air Passenger Duty revenue figures can be found in table 2.1 D of Financial Statistics published by the Office for National Statistics, a copy of which is available in the Library of the House.

Revenue estimates of all taxes and duties can be found in Table C8 of this year's Financial Statement and Budget Report.

Child Care

Ms Buck: To ask the Chancellor of the Exchequer (1) whether his Department's 10-year child care funding strategy will take into account the higher costs of providing child care in certain parts of the country; [192094]

(2) whether his Department's 10-year child care funding strategy will ensure ongoing revenue funding for child care; [192095]

(3) if he will amend the child care component of the working tax credit to take account of higher housing and child care costs in London. [192116]

Dawn Primarolo: The Government announced in the 2004 Spending Review its intention to publish a 10-year strategy for child care. The strategy, to be published alongside the pre-Budget report later this year, will consider a range of issues, including the child care element of working tax credit, variations in the cost of child care provision across the country and revenue funding.

Child Tax Credit (Carlisle)

Mr. Martlew: To ask the Chancellor of the Exchequer how many families in Carlisle have received child tax credit. [191350]

Dawn Primarolo *[holding answer 15 October 2004]:* I refer my hon. Friend to my reply to my hon. Friend the Member for Wansdyke (Dan Norris) on 12 July 2004, *Official Report,* columns 922–23W.

Condoms

Sandra Gidley: To ask the Chancellor of the Exchequer how much revenue was generated from the VAT levy on condoms in the last year for which figures are available. [192367]

Dawn Primarolo: Customs do not collect data on VAT from individual goods and services.

Economic Activity (Yeovil)

Mr. Laws: To ask the Chancellor of the Exchequer what the economic activity rate was in Yeovil constituency in each year from 1985–86 to 2004–05. [192065]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. David Laws, dated 19 October 2004:

As National Statistician, I have been asked to reply to your Parliamentary Question about economic activity rates in Yeovil. (192065)

The attached table gives the estimates of the economic activity rates in the Yeovil Parliamentary Constituency for the twelve months ending February each year from 1997 to 2003. Estimates for earlier periods are not available.

As with any sample survey, estimates from the Labour Force Survey (LFS) are subject to sampling variability.

Economic activity for working age[1] people resident in the Yeovil parliamentary constituency 12 months ending February each year from 1997 to 2003

	Rate (percentage)[2]
1997	81.0
1998	82.1
1999	85.8
2000	86.8
2001	84.3
2002	82.5
2003	84.5

[1] Men aged 16 to 64 and women aged 16 to 59.

[2] Working age economically active (i.e. employed plus unemployed) as a percentage of all persons of working age.

Source:
ONS Labour Force Survey

Economic Statistics (Yorkshire)

Hugh Bayley: To ask the Chancellor of the Exchequer how many children in *(a)* Yorkshire and Humber and *(b)* the City of York received child benefit (i) in 1997 and (ii) at the latest date for which figures are available; and what the weekly value of child benefit was in (A) 1997 and (B) October. [191220]

Dawn Primarolo: I understand from the Department for Work and Pensions that the earliest date for which figures below country level are available for the number of children for whom child benefit was paid is August 1999. At that date there were 1,130 thousand such children in Yorkshire and Humberside and 21,000 in the City of York constituency. The latest available figures, for November 2003, appear on the Inland Revenue website, at http://www.inlandrevenue.gov.uk/stats/child_benefit/menu.htm

When comparing these figures, note that between each August and November, the number of such children drops by around 2 per cent. This is because from early September each year awards no longer cover young people aged 16 to 18 unless they remain in full-time non-advanced education.

In 1997–98 the weekly rate of child benefit was £11.05 for the first child and £9.00 for the second and subsequent children. The current rates are £16.50, and £11.05, respectively.

Emissions Trade Schemes

Miss McIntosh: To ask the Chancellor of the Exchequer what assessment he has made of the revenue implications for the Government of *(a)* the EU and *(b)* UK emissions trade schemes. [191542]

John Healey: The Government have yet to take final decisions on the implementation of the EU Emissions Trading Scheme (ETS) and therefore it is too early to say what the impact would be in terms of revenue to the Exchequer.

In the year 2003–04, the UK ETS cost the Government £43 million in direct payments to the market participants.

Gangmaster Licensing Authority

Jim Sheridan: To ask the Chancellor of the Exchequer whether the data collated from the 46 ACU forms that are returned to the Inland Revenue Agricultural Compliance Unit by those using the services of a gangmaster or employment agency will be made available to the Gangmasters Licensing Authority that is to be established under the provisions of the Gangmasters (Licensing) Act 2004. [192582]

Dawn Primarolo: The Inland Revenue can only release information to another Government Department where there is appropriate legal authority (a gateway) for it to do so. The Gangmaster Licensing Act contains such a gateway, which will allow the Inland Revenue to pass to the Gangmaster Licensing Authority information that relates to the operations of a person acting as a gangmaster.

Gas Prices

Mr. Laurence Robertson: To ask the Chancellor of the Exchequer what estimate he has made of the extra revenue the Exchequer will receive as a result of rising gas prices; and if he will make a statement. [192456]

John Healey: Updated forecasts of the public finances incorporating the impact of higher gas prices will be published in the pre-Budget report later this year.

Hospices (VAT Relief)

Lady Hermon: To ask the Chancellor of the Exchequer what plans he has to exempt *(a)* adult and *(b)* child hospices from the payment of VAT. [192343]

John Healey: The Government recognises the valuable contribution of hospices in providing high quality palliative care. The care services of a hospice are not chargeable with VAT and, in addition, charitable hospices benefit from a number of specific VAT zero rates on their purchases. However under our long-standing formal agreements with our European partners, we are permitted to keep our existing zero rates but may not extend them or introduce new ones.

Household Income (Tax Take)

Hugh Bayley: To ask the Chancellor of the Exchequer what percentage of household income was paid in national taxes by a household on average income where the household was a *(a)* single person of working age, *(b)* single pensioner, *(c)* childless couple of working age, *(d)* pensioner couple, *(e)* single parent with (i) one and (ii) two or more children and *(f)* couple with (A) one and (B) two or more children in (1) 1997 and (2) 2003–04. [191239]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Hugh Bayley, dated 19 October 2004:

As National Statistician, I have been asked to reply to your recent question asking what percentage of household income was paid in national taxes by a household on average income where the household was a *(a)* single person of working age, *(b)* single pensioner, *(c)* childless couple of working age, *(d)* pensioner couple, *(e)* single parent with (i) one and (ii) two or more children and *(f)* couple with (A) one and (B) two or more children in (1) 1997 and (2) 2003–04 (191239).

The proportion of household income that was paid in taxes in 1997–98 by household type can be obtained from Table 8 of "The effects of taxes and benefits on household income 1997–1998", published in Economic Trends (ONS), April 1999 and available on the National Statistics website at: http://www.statistics.gov.uk/articles/economic_trends/taxes&%20benefits_effects_on household_income_97–98.pdf.

Similar information for 2002–03 (the latest year for which data are available) can be obtained from Table 23 of "The effects of taxes and benefits on household income, 2002–03", published on the National Statistics website on 6 May 2004 at: http://www.statistics.gov.uk/taxesbenefits and in Economic Trends (ONS), June 2004. The analyses include measures of income inequality for households in the United Kingdom as a whole based on data from the Expenditure and Food Survey (the Family and Expenditure Survey in 1997–98). This is a sample survey covering about 6,000 to 7,000 households in the UK and sample sizes for sub groups of households are only sufficient to give approximate estimates.

Table 8 (Appendix 1): Summary of the effects of taxes and benefits, by household type[1], 1997–98

Average per household (£ per year)

	Retired households				*Non-Retired households*		
	1 adult Men	*1 adult Women*	*All 1 adult*	*2 or more adults*	*1 adult Men*	*1 adult Women*	*All 1 adult*
Original income	5,006	2,568	3,219	9,693	15,030	11,662	13,793
plus Cash benefits	4,690	4,992	4,911	6,656	1,695	2,015	1,812
Gross income	9,696	7,560	8,130	16,349	16,725	13,677	15,605
less Direct taxes and employees' NIC	1,349	870	998	2,249	3,731	2,890	3,422
Disposable income	8,347	6,690	7,132	14,100	12,993	10,787	12,183
Equivalised disposable income	13,684	10,953	11,682	13,618	21,301	17,683	19,972
less Indirect taxes	1,640	1,093	1,239	3,065	2,603	2,073	2,408
Post-tax income	6,707	5,596	5,893	11,035	10,390	8,714	9,775
plus Benefits in kind	1,930	2,363	2,247	3,240	762	831	787
Final income	8,637	7,959	8,140	14,275	11,152	9,545	10,562

Average per household (£ per year)

	Non-Retired households							
	2 adults	*3 or more adults*	*1 adult with children*	*2 adults with 1 child*	*2 adults with 2 children*	*2 adults with 3 or more children*	*3 or more adults with children*	*All households*
Original income	27,241	35,439	4,943	26,337	30,047	24,437	31,721	19,680
plus Cash benefits	1,868	2,758	5,515	1,982	2,018	4,058	3,724	3,304
Gross income	29,109	38,198	10,457	30,319	32,064	28,495	35,445	22,985
less Direct taxes and employees' NIC	6,410	7,570	1,049	6,674	7,130	5,487	6,842	4,583
Disposable income	22,699	30,628	9,408	23,646	24,934	23,007	28,604	18,402
Equivalised disposable income	22,179	19,981	9,578	19,383	17,295	13,255	15,343	17,196
less Indirect taxes	4,429	6,414	2,243	4 657	4,714	4,599	6,883	3,717
Post-tax income	18,270	24,214	7,164	18,989	20,219	18,409	21,721	14,685
plus Benefits in kind	1,414	3,501	4,981	3,362	5,240	8,592	6,829	3,015
Final income	19,684	27,715	12,145	22,351	25,459	27,001	28,550	17,700

[1] See Appendix 3 for definitions of retired households, adults and children.

Table 23 (Appendix 1): Summary of the effects of taxes and benefits, by household type[1], 2002–03

Average per household (£ per year)

	Retired households				*Non-Retired households*		
	1 adult Men	*1 adult Women*	*All 1 adult*	*2 or more adults*	*1 adult Men*	*1 adult Women*	*All 1 adult*
Original income	5,811	3,693	4,211	10,900	19,411	16,552	18,259
plus Cash benefits	5,797	6,403	6,255	8,432	1,729	2,259	1,942
Gross income	11,609	10,096	10,466	19,332	21,140	18,811	20,201
less Direct taxes and employees' NIC	1,329	939	1,034	2,400	4,599	3,961	4,342
Disposable income	10,280	9,157	9,432	16,932	16,541	14,849	15,859
Equivalised disposable income	16,811	15,005	15,447	16,287	27,117	24,343	25,998
less Indirect taxes	1,792	1,457	1,539	3,457	3,085	2,725	2,940
Post-tax income	8,488	7,701	7,893	13,476	13,457	12,124	12,919
plus Benefits in kind	3,092	3,526	3,420	4,983	897	1,062	963
Final income	11,580	11,227	11,313	18,458	14,353	13,186	13,883

Average per household (£ per year)

	Non-Retired households							
	2 adults	*3 or more adults*	*1 adult with children*	*2 adults with 1 child*	*2 adults with 2 children*	*2 adults with 3 or more children*	*3 or more adults with children*	*All house-holds*
Original income	34,549	44,258	8,924	38,090	38,868	33,769	37,618	25,271
plus Cash benefits	1,814	2,545	6,930	2,222	2,448	5,677	4,362	3,958
Gross income	36,363	46,803	15,853	40,312	41,316	39,446	41,980	29,229
less Direct taxes and employees' NIC	8,053	9,475	1,418	9,139	8,959	7,967	7,542	5,746
Disposable income	28,310	37,327	14,435	31,172	32,356	31,478	34,438	23,483
Equivalised disposable income	27,613	24,060	14,478	25,589	22,344	18,025	17,782	21,899
less Indirect taxes	5,303	7,397	3,034	5,911	5,983	6,128	6,961	4,481
Post-tax income	23,007	29,931	11,402	25,261	26,374	25,350	27,477	19,002
plus Benefits in kind	1,948	4,587	7,114	5,099	8,087	13,261	9,987	4,413
Final income	24,955	34,517	18,516	30,360	34,461	38,612	37,464	23,415

[1] See Appendix 2 for definitions of retired households, adults and children.

Inheritance Tax

Mr. Laws: To ask the Chancellor of the Exchequer (1) what his estimate is of the number of estates on which inheritance tax was paid which were valued at *(a)* £250,000 to £300,000, *(b)* £300,000 to £400,000, *(c)* £400,000 to £500,000, *(d)* £500,000 to £750,000, *(e)* £750,000 to £1 million, *(f)* £1 million to £2 million, *(g)* £2 million to £5 million and *(h)* more than £5 million in each of the last three years; [192136]

(2) what his estimate is of the total number of estates *(a)* paying inheritance tax and *(b)* not paying inheritance tax in each year from 1984–85 to 2004–05; and if he will make a statement. [192137]

Dawn Primarolo: The available information relating to estates notified for probate for deaths in 1998–99 to 2001–02 is published in Table 12.3 on the Inland Revenue website at: www.inlandrevenue.gov.uk/stats/inheritance tax/table 12–3.xls

These estates represent about 40 per cent. of all UK estates. Data for earlier years is published in table 12.4 of Inland Revenue Statistics 2000 and earlier editions, copies of which are in the House of Commons Library.

Mr. Laws: To ask the Chancellor of the Exchequer what his estimate is of the total cost of raising the inheritance tax-exempt threshold to *(a)* £500,000 and *(b)* £1 million; and if he will make a statement. [192138]

Dawn Primarolo: The full year cost of raising the threshold to *(a)* £500,000 and *(b)* £1 million would be £1.6 billion and £2.5 billion respectively in 2004–05 terms.

Inland Revenue Office (Preston)

David Winnick: To ask the Chancellor of the Exchequer whether letters from hon. Members on behalf of constituents on tax credit matters should be addressed to the Inland Revenue in Preston; what procedures are involved in the Preston office dealing with such correspondence; and whether it is the practice to acknowledge such correspondence once received. [192625]

Dawn Primarolo: If hon. Members have a query about tax credits they may phone the Tax Credit Office's MP's Hotline—the numbers have been circulated to hon. Members—or write to the Customer Relations Team at Tax Credit Office, Preston, PR1 OSB.

The Tax Credit Office will acknowledge receipt of Members' letters and aim to reply in full to 80 per cent. of letters within 15 working days.

Insolvency Act

Mr. Brazier: To ask the Chancellor of the Exchequer how many *(a)* statutory demands, *(b)* bankruptcy petitions and *(c)* winding-up petitions raised in accordance with the provisions of the Insolvency Act 1986 by the Inland Revenue or HM Customs and Excise, which include estimated assessments contrary to section 267 of the Act, have been issued since 1986. [192256]

Dawn Primarolo: Customs and Excise and Inland Revenue do not consider there to be any conflict between section 267 of the Insolvency Act 1986 and the use of estimated assessments, either wholly or in part, as the basis of a petition debt. The Revenue Departments take the view that none of the petitions so raised are contrary to section 267 of the Act. Neither of the Revenue Departments maintain statistics regarding the component parts of a petition debt.

Manufacturing (Shrewsbury and Atcham)

Mr. Paul Marsden: To ask the Chancellor of the Exchequer what the change in the number of people employed in manufacturing industry in Shrewsbury and Atcham has been since 1997. [192292]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Paul Marsden, dated 19 October 2004:

As National Statistician, I have been asked to reply to your Parliamentary Question about numbers employed in the manufacturing industry in Shrewsbury and Atcham. (192292)

The attached table shows the information requested, relating to jobs in Shrewsbury and Atcham, for 1997 and the latest year available, 2002.

Numbers of employees[1] working in the manufacturing sector with workplace in Shrewsbury and Atcham parliamentary constituency: 1997 and 2002

	Numbers of employees
1997	4,500
2002	4,600
Change from 1997 to 2002[2]	100

[1] Employee jobs only, not self-employed jobs.

[2] The 1997 to 2002 change has been rounded to the nearest hundred separately from rounded levels for 1997 and 2002.

Sources:

1997; Annual Employment Survey, rescaled.

2002; Annual Business Inquiry

National Savings

Mr. Waterson: To ask the Chancellor of the Exchequer what amounts of National Savings remained unclaimed in each of the last five years. [192276]

Mr. Timms: "Unclaimed monies" in the National Savings and Investments Product Accounts refer to monies where: the product has been redeemed by the Treasury; monthly interest or prizes are due; or to un-cashed savings stamps; and where the sums are transferable to the Commissioners for the Reduction of the National Debt. The totals unclaimed at 31 March in each of the last five years are as follows:

	(£ million)
2000	21.6
2001	28.9
2002	30.2
2003	31.9
2004	(unaudited) 33.6

Oil (Tax Yield)

Mr. Wiggin: To ask the Chancellor of the Exchequer how much tax oil generates at *(a)* \$30, *(b)* \$40, *(c)* \$45, *(d)* \$50 and *(e)* \$55 US dollars per barrel. [192451]

John Healey: I refer the hon. Gentleman to the answer I gave my hon. Friend the Member for Waveney (Mr. Blizzard) on 21 June 2004, *Official Report*, column 1205W.

Updated forecasts of the public finances incorporating the impact of higher oil prices will be published in the pre-Budget report later this year.

Oil Prices (Revenue Projections)

Sir George Young: To ask the Chancellor of the Exchequer what difference he expects in his projection of revenue received by the Treasury in this financial year as a consequence of the rise in oil prices. [191372]

John Healey: Updated forecasts of the public finances incorporating the impact of higher oil prices will be published in the pre-Budget report later this year.

Organic Imports

Mr. Llwyd: To ask the Chancellor of the Exchequer how many people were prosecuted in the last 12 months for offences relating to the import through airports of banned organic materials. [192200]

Dawn Primarolo: Since October 2003 HM Customs and Excise prosecutions in relation to animals, plants or their products imported through airports (but excluding cases involving illegal drugs or any counterfeit organic materials) have involved:

four people prosecuted under the products of animal origin regulations, and

one person prosecuted under endangered species regulations.

All were convicted.

Personal Allowances

Mr. Goodman: To ask the Chancellor of the Exchequer what the cost in 2004–05 would have been of giving couples the option of transferring to a partner any unused part of the basic personal allowance of £4,745 if relief were restricted to a maximum of 22 per cent. and the option was restricted to *(a)* married couples with a child aged four years or under, *(b)* married couples with a child aged 14 years or under, *(c)* married or cohabiting couples, living together as husband and wife, with a child aged four years or under and *(d)* married or cohabiting couples, living together as husband and wife, with a child aged 14 years and under. [191716]

Dawn Primarolo: The cost in 2004–05 through lower income tax of giving couples the option of transferring to a partner the full basic personal allowance of £4,745 if relief were restricted to a maximum of 22 per cent. for the four options are listed.

Cost in 2004–05 per annum

Option	*£ million*
(a) Married couples with a child aged four years or under	260
(b) Married couples with a child aged 14 years or under	660
(c) Married or cohabiting couples, living together as husband and wife, with a child aged four years or under	320
(d) Married or cohabiting couples, living together as husband and wife, with a child aged 14 years and under	740

Note:

Figures rounded to the nearest £10 million. They exclude any estimate of behavioural response to the tax change.

Private Medical Insurance

Mr. Bercow: To ask the Chancellor of the Exchequer what estimate he has made of the percentage of people in the South East Government Office region who have private medical insurance cover. [191044]

Mr. Hutton: I have been asked to reply.

No estimate has been made of the percentage of people in the South East who have private medical insurance cover.

Tax Credits/Overpayments

Mr. Drew: To ask the Chancellor of the Exchequer whether arrangements in place for avoiding hardship in recovering tax credit overpayments dating back two years or more will continue. [192184]

Dawn Primarolo: The Inland Revenue's Code of Practice 26 "What happens if we have paid you too much tax credit?" sets out the Inland Revenue's approach to tax credits overpayments and the maximum amounts by which current year payments will be reduced to recover overpaid tax credits from one or more previous years. Where payments are not continuing, overpaid tax credits may be repaid over 12 months.

Mr. Sanders: To ask the Chancellor of the Exchequer what measures he is taking to deal with the backlog in working tax credit overpayment referrals; and if he will make a statement. [191297]

Dawn Primarolo: The Tax Credit Office examines each case where an overpayment has been consistent with code of Practice 26, "What Happens if We Have Paid You Too Much Tax Credit?". Code of Practice 26 can be found on the Inland Revenue website. The Tax Credit Office continually reviews its procedures with a view to minimizing turnaround times.

Mr. Sanders: To ask the Chancellor of the Exchequer if he will make it his policy to improve the working tax credit administrative system to reduce the number of overpayments. [191298]

Dawn Primarolo: The tax credits system is designed to be flexible: claimants' payments can be adjusted in year if their circumstances or income change.

The Inland Revenue's Code of Practice 26, "What Happens if We Have Paid You Too Much Tax Credit?", sets out the Inland Revenue's approach to tax credits overpayments.

Mr. Laws: To ask the Chancellor of the Exchequer how many people are receiving tax credits in Yeovil constituency; and if he will make a statement. [191782]

Mrs. May: To ask the Chancellor of the Exchequer how many families living in the Maidenhead constituency are *(a)* eligible for and *(b)* in receipt of (i) working tax credit, (ii) the child care element of working tax credit and (iii) child tax credit. [191338]

Dawn Primarolo: I refer the hon. Members to my reply to my hon. Friend the Member for Wansdyke (Dan Norris) on 12 July 2004, *Official Report*, columns 922–23W.

No estimates of the numbers benefiting from the child care element are available at local authority level.

Mr. Laws: To ask the Chancellor of the Exchequer (1) what his estimate is of the numbers of families who were entitled to the child tax credit but did not receive it in *(a)* 2002–03 and *(b)* 2003–04; and if he will make a statement; [191783]

(2) how many households received *(a)* working tax credit and *(b)* child tax credit in (i) 2002, (ii) 2003 and (iii) 2004. [191804]

Dawn Primarolo: The child and working tax credits have been available from 2003–04. Estimates of the number of recipients are shown in the various issues of "Child and Working Tax Credits. Quarterly Statistics", which can be found on the Inland Revenue website at: www.inlandrevenue.gov.uk/stats/personal-tax-credits/menu.htm

No estimate of the number of families eligible for but not claiming child tax credit will be available until household survey data for 2003–04 have been analysed.

Mr. Laws: To ask the Chancellor of the Exchequer what his estimate is of the number of overpayments of tax credits exceeding *(a)* £250 per year, *(b)* £500 per year, *(c)* £1,000 per year, *(d)* £2,000 per year and *(e)* £5,000 per year for (i) 2002–03 and (ii) 2003–04; and if he will make a statement. [191785]

Dawn Primarolo: I refer the hon. Member to my answer to the hon. Member for Isle of Wight (Mr. Turner) on 11 October 2004, *Official Report*, columns 81–82W.

Mr. Laws: To ask the Chancellor of the Exchequer what his assessment is of the reasons for the overpayment of tax credits in 2003–04; and if he will make a statement. [191786]

Dawn Primarolo: The Inland Revenue's Code of Practice 26, "What Happens if We Have Paid You Too Much Tax Credit?", sets out the Inland Revenue's approach to tax credits overpayments.

Mr. Laws: To ask the Chancellor of the Exchequer for what reasons the tax credit system provides for no minimum protected level of tax credit payment, where overpayments from previous years have to be recovered; and if he will make a statement. [191787]

Dawn Primarolo: The Inland Revenue's Code of Practice 26, "What Happens if We Have Paid You Too Much Tax Credit?", sets out the Inland Revenue's approach to tax credits overpayments and the maximum amounts by which current year payments will be reduced, depending on the size of the award, to recover overpaid tax credits from the previous year.

Mr. Laws: To ask the Chancellor of the Exchequer (1) what his estimate is of the number of tax credit awards made since 2002 which have contained errors due to the misreading of the completed claims forms by Inland Revenue computers; and if he will make a statement; [191788]

(2) what his estimate is of the number of Inland Revenue errors leading to inaccurate tax credit awards for 2003–04; and if he will make a statement; [191789]

(3) what his estimate is of the error rate for tax credit awards for *(a)* 2002–03, *(b)* 2003–04 and *(c)* 2004–05; and if he will make a statement. [191790]

Dawn Primarolo: I refer the hon. Member to my reply to the hon. Member for North Norfolk (Norman Lamb) on 22 March 2004, *Official Report*, column 666W.

Mr. Laws: To ask the Chancellor of the Exchequer what plans he has to waive the first £1,000 of overpayments of tax credits for 2003–04 and 2004–05; and if he will make a statement. [191791]

Dawn Primarolo: The Inland Revenue's Code of Practice 26, "What Happens if We Have Paid You Too Much Tax Credit?", sets out the Inland Revenue's approach to tax credits overpayments.

Mr. Laws: To ask the Chancellor of the Exchequer how many tax credit claim forms TC846 have been *(a)* printed and *(b)* distributed in (i) 2003–04 and (ii) 2004–05 to date; whether shortages of these forms have arisen; and if he will make a statement. [191805]

Dawn Primarolo: Tax credit claimants can download this form from the Inland Revenue's website, or request it from the Tax Credits Helpline. Information on the number of forms printed or distributed is not readily available. However, there have been no shortages of these forms.

Tax Policy Staff

Mr. Prisk: To ask the Chancellor of the Exchequer (1) what the total number of staff is with responsibility for tax policy, development and maintenance in Her Majesty's Treasury; [191490]

(2) what the total administration cost was for the development and maintenance of tax policy in Her Majesty's Treasury in 2003–04; [191491]

(3) what the total employment costs were for personnel involved in the development and maintenance of tax policy in Her Majesty's Treasury in 2003–04. [191492]

Dawn Primarolo: I refer the hon. Gentleman to my statement on 11 October 2004, *Official Report*, column 1WS, and to Schedule 5 of the HM Treasury Resource Accounts 2003–04 (HC 920), a copy of which can be found in the Library.

Ms Buck: To ask the Chancellor of the Exchequer what percentage of parents in *(a)* London and *(b)* the UK are (i) eligible for and (ii) receiving the child care element of the working tax credit. [192091]

Mrs. Humble: To ask the Chancellor of the Exchequer what percentage of parents in Blackpool, North and Fleetwood are *(a)* eligible for and *(b)* receiving the child care element of the working tax credit. [192508]

Dawn Primarolo: For each region, the latest number of families receiving child benefit is shown in "Child Benefit Statistics. Geographical analyses. November 2003"; and the number benefiting from the child care element is shown in "Child and Working Tax Credits. Quarterly Statistics" for each quarter up to April 2004. These documents appear on the Inland Revenue website, www.inlandrevenue.gov.uk/stats at the pages/personal-tax-credits/menu.htm and /child_benefit/menu.htm, respectively.

No estimates are available of these numbers below the regional level, nor of the number of families eligible to benefit from the child care element.

Mr. Challen: To ask the Chancellor of the Exchequer how many people classed as disabled have claimed working tax credit in *(a)* Morley and Rothwell and *(b)* England; and what the average claim was in each case. [192515]

Dawn Primarolo: The number of families in England benefiting from the disabled worker element of working tax credit is shown at Table 8.3 in the various issues of "Child and Working Tax Credits Quarterly Statistics". These can be found on the Inland Revenue website at www.inlandrevenue.gov.uk/stats/personal-tax-credits/menu.htm.

The number of cases in the sample used to compile these figures is insufficient to provide reliable estimates for each constituency.

The value of the element was £2,040 per disabled worker in 2003–04 and is £2,100 in 2004–05. Most benefiting families will benefit from the element by the full amount for the period for which it satisfies the qualifying conditions for the element.

Unemployment Benefit

Tom Cox: To ask the Chancellor of the Exchequer how many people are claiming benefit relating to unemployment in the Greater London area. [192679]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Tom Cox, dated 19 October 2004:

As National Statistician, I have been asked to reply to your Parliamentary Question on the number of people claiming benefit relating to unemployment in the Greater London area. (192679)

In September 2004 there were 160,300 people resident in the Greater London region claiming jobseeker's allowance (JSA) benefits. The data are seasonal adjusted.

DEFENCE

Al Yamamah

Mr. Hancock: To ask the Secretary of State for Defence if he will make it his policy to make the 1992 National Audit Office Report into Al Yamamah publicly available; and if he will make a statement. [191166]

Mr. Ingram: I refer the hon. Member to the answer I gave on 12 February 2003, *Official Report*, column 735W, to the hon. Member for Mid-Dorset and North Poole (Mrs. Brooke).

Gibraltar

Mr. Rosindell: To ask the Secretary of State for Defence how many Royal Navy vessels have used the Gibraltar station in each of the last three years; and what repairs were carried out on them. [191446]

Mr. Ingram: For the calendar year 2001, there were 47 visits by Royal Navy (RN) and Royal Fleet Auxiliary (RFA) vessels to Gibraltar. During 2002 there were 53 visits while 52 visits were undertaken during 2003. To date this year (up until 15 October) there have been 27 visits to Gibraltar by RN and RFA vessels. Ships often undertake periods of routine maintenance when in port and Gibraltar is no exception. Usually this is undertaken by the ship's engineering staff but where more extensive maintenance is required, or where urgent defects need to be rectified, a team of in-house specialists may be deployed from the United Kingdom or the work may be contracted out. The repair to the pintle weld in HMS Tireless alongside in Gibraltar during 2000–01 is a well publicised example. Records of routine repairs carried out in Gibraltar are, however, not held centrally and could be provided only at disproportionate cost.

Battle of Trafalgar

Mr. Rosindell: To ask the Secretary of State for Defence what plans there are for the national celebration of the bicentenary of the Battle of Trafalgar in 2005. [191646]

Estelle Morris: I have been asked to reply.

SeaBritain 2005 is taking the bicentenary of the Battle of Trafalgar as its inspiration to celebrate Britain's relationship with the sea. In partnership with the National Maritime Museum, VisitBritain, the Official Nelson Commemorations Committee, the Royal Navy, the Department for Culture, Media and Sport and other national and local organisations, SeaBritain's Trafalgar Festival will celebrate the bicentenary with events and activities in the summer and autumn of 2005. As part of this, the Royal Navy's Trafalgar 200 programme will feature an International Fleet Review at Spithead, the International Festival of the Sea at Portsmouth and, on the anniversary day of 21 October 2005, a commemorative dinner in HMS Victory. A service of remembrance at St. Paul's Cathedral and celebrations in Trafalgar Square will follow on 23 October. The Trafalgar Festival will also include recreations of the delivery of Vice-Admiral Collingwood's Trafalgar Dispatch to London and Nelson's waterborne funeral procession from Greenwich to Whitehall, commemorative tree-plantings for schools in Great Britain and Northern Ireland, concerts, services, regattas, and exhibitions. SeaBritain 2005 encourages all to take part in the Festival or to develop their own events under its umbrella, with the aim of leaving a legacy that will stimulate interest in the sea and inland waters. Full details of all events planned as part of SeaBritain 2005, including the Trafalgar Festival, can be found on the SeaBritain web-site at www.SeaBritain2005.com

Bowman Radios

Mr. Gerald Howarth: To ask the Secretary of State for Defence if he will make a statement on the progress of the field trials of the Bowman Radio; whether problems have been experienced; and when he expects the trials to be complete. [191020]

Mr. Ingram: The reason we invest heavily in rigorous test and trials programmes is to ensure the Armed Forces get equipment that is fit for purpose and is as safe to use as is reasonably possible. The aim of subjecting a piece of equipment to a test and trials programme is to identify any weaknesses in a non-operational environment and to determine what cost-effective modifications might be required before it is taken into service.

We continue to make good progress in introducing the Bowman tactical communications system to all three Armed Services as planned over the next three years. The programme is delivering its full operational capability incrementally and each stage is subject to a comprehensive test and trials programme. Trials completed so far have been successful in their aim of identifying what works well, and what requires further attention. We expect the trials programme to continue until full operational capability is delivered to support land, amphibious and air manoeuvre warfare.

Cut and Sew Tender

Mr. Hoyle: To ask the Secretary of State for Defence what estimate he made of the cost to his Department of *(a)* granting to Cookson and Clegg Category One of the contract for the Cut and Sew Tender DC4 BESL/1002 and granting the other four categories to E Walters and *(b)* placing the contract with Cooneen Watts and Stone. [191588]

Mr. Ingram: The selected contractor was assessed as having the best overall ranking against the published award criteria. They also offered the best price. There was, therefore, no need to estimate the difference in cost to the Ministry of Defence of the split award suggested.

Mr. Hoyle: To ask the Secretary of State for Defence whether his Department has *(a)* seen and *(b)* tested camouflage fabric intended to be produced under the Cut and Sew DC4 BESL/1002 contract; and what assessment he has made of the ability of the Chinese company concerned to supply fabric to the correct specification. [191589]

Mr. Ingram: The Ministry of Defence has not yet seen or tested the final fabric that the prime contractor intends to use to produce the items required against this contract.

The Chinese sub-contractor has not been directly assessed by the MOD in respect of its ability to supply fabric to the correct specification. This is the responsibility of our prime contractor with whom we maintain a close dialogue.

Deepcut Barracks

Mr. McNamara: To ask the Secretary of State for Defence what estimate he has made of the cost of commissioning polling questions to determine public attitudes towards deaths in army barracks; how many and what proportion of questions refer to Deepcut barracks; and if he will place *(a)* the text of these questions and *(b)* the results of the polling when available in the Library. [176326]

Mr. Ingram: A corporate level survey on public perceptions of the Ministry of Defence and Armed Forces undertaken in December 2003 included one question (Q52) relating to the deaths at Deepcut. The results of this survey were placed in the Library of the House following a written statement by my hon. Friend the Under-Secretary of State (Mr. Caplin) on 30 April 2004 *Official Report*, columns 65–66WS.We are not aware of any specific polling questions on public attitudes towards deaths in Army barracks. However, two surveys commissioned by the Army have asked members of the public questions relating to the Deepcut issue and copies of the results of these are being placed in the Library of the House today.

The cost of these surveys is withheld under Exemption 13 of the Code of Practice on Access to Government Information (commercial confidences).

Former Service Personnel (Employment)

Mr. McNamara: To ask the Secretary of State for Defence what records he maintains of job placements obtained by the Army for former service personnel. [183386]

Mr. Ingram: None. The Army provides resettlement advice to service personnel but does not obtain job placements for them. Service personnel have responsibility for finding their own employment.

Future Rapid Effects System

Mr. Gerald Howarth: To ask the Secretary of State for Defence whether the Future Rapid Effects System requirement includes a requirement for a multi-feed processing system and a real time intelligence capability similar to that envisaged as part of the US FCS programme. [190059]

Mr. Ingram: The Future Rapid Effect System requirement is for a family of fighting platforms (including a range of Ground Manoeuvre Reconnaissance roles), which only when integrated with a variety of other capabilities produces a complete system of systems. It will seek to make full use of any intelligence-gathering capabilities that are, or become, available. However, the project is still in the early stages of its Assessment Phase and therefore the precise nature of the interface with other capabilities is not yet determined. The Assessment Phase will consider any relevant comparisons with the US PCS programme, along with other similar programmes.

Mr. Gerald Howarth: To ask the Secretary of State for Defence what consultation the Government has had with European Governments about the Future Rapid Effects System requirement and about the possibility of collaboration to meet this requirement. [190074]

Mr. Ingram: We are already exploring areas of common interest for co-operative activities with Sweden on its SEP concept, and sharing information on studies carried out to date. Detailed studies during the Future Rapid Effect System (FRES) initial Assessment Phase will investigate whether international collaboration offers a potential solution for FRES.

Helicopter Procurement

Mr. Drew: To ask the Secretary of State for Defence if he will make a statement on future helicopter procurement; and what the estimated cost of the replacement for *(a)* Lynx, *(b)* Puma and *(c)* Gazelle is. [191107]

Mr. Ingram: As we announced in the July Supplement to the Defence White Paper "Delivering Security in a Changing World: Future Capabilities", we are reviewing thoroughly our overall helicopter capability requirements and our forward plans. We expect to have a clearer way forward by summer next year. Over the next ten years, we plan to invest some £3 billion in helicopter platforms to replace and enhance our existing capability. This substantial investment offers an opportunity to maximise efficiencies and coherence across our future helicopter fleet in the key capability areas of lift, reconnaissance and attack, which will be central to future expeditionary operations.

HMCS Chicoutimi

Mr. Robathan: To ask the Secretary of State for Defence if he will make a statement on the circumstances surrounding the *(a)* sale, *(b)* refit and *(c)* recent accident involving HMCS Chicoutimi. [190782]

Mr. Ingram: In 1993 the then Government decided, as part of its Strategic Defence Review, to withdraw the four Upholder Submarines from service. The vessels were actively marketed to overseas Governments and in 1998 the United Kingdom agreed a lease-to-buy arrangement with the Canadian Government.

The submarines were refurbished to meet all Royal Navy operational standards before handover to the Canadians. The submarines also received minor equipment updates and modifications to meet Canadian requirements.

The fourth submarine, HMS Upholder, was accepted by, and handed over to Canada on 2 October 2004, when she became HMCS Chicoutimi. She began her transit to Halifax, Nova Scotia from the Faslane Submarine Base in Scotland on 4 October. A fire broke out onboard HMCS Chicoutimi when she was some 120 miles west of the Irish coast. A full rescue and recovery was initiated and coordinated by the UKMOD's Fleet Operations at Northwood. HMS Montrose, who sailed from Faslane, was the first maritime unit on the scene. There were nine casualties from smoke inhalation. Three of these gave cause for concern and were evacuated to Sligo Hospital; sadly one of the casualties, Lt(N) Chris Saunders, died while the evacuation was under way.

Despite extremely difficult weather conditions, HMCS Chicoutimi was taken under tow and arrived in Faslane on 10 October. The Canadian Authorities are now assessing the damage to the submarine and have convened a Board of Inquiry to determine the cause of the accident.

Medical Downgrading

Mr. Keetch: To ask the Secretary of State for Defence how many *(a)* officers and *(b)* other ranks in each service were medically downgraded as unfit for front-line duties at 1 April in each of the last five years; in how many cases (i) the downgrading was attributable to service and (ii) the injuries were (A) temporary and (B) permanent; and if he will make a statement. [183346]

Mr. Caplin: Information on medical downgradings is set out in the table.

Information on whether medical downgradings have been attributable to Service could be provided only at disproportionate cost.

UK regular forces medically downgraded[1]

	July 2001			April 2002		
	Total	*Permanent*	*Temporary*	*Total*	*Permanent*	*Temporary*
Officers						
RN[2]	n/a	n/a	n/a	n/a	n/a	n/a
RM[2]	n/a	n/a	n/a	n/a	n/a	n/a
Army[3,4]	n/a	n/a	n/a	n/a	n/a	n/a
RAF[5]	580	230	320	580	230	340
Other ranks						
RN[2]	n/a	n/a	n/a	n/a	n/a	n/a
RM[2]	n/a	n/a	n/a	n/a	n/a	n/a
Army[3,4]	9,650	n/a	n/a	10,210	n/a	n/a
RAF[5]	3,360	690	2,660	3,390	740	2,650

UK regular forces medically downgraded[1]

	April 2003			April 2004		
	Total	*Permanent*	*Temporary*	*Total*	*Permanent*	*Temporary*
Officers						
RN[2]	280	30	250	290	40	250
RM[2]	20	[6]—	10	20	[6]—	20
Army[3,4]	n/a	n/a	n/a	n/a	n/a	n/a
RAF[5]	610	220	390	630	230	400
Other ranks						
RN[2]	2,190	260	1,930	2,480	300	2,180
RM[2]	560	200	360	720	200	520
Army[3,4]	11,990	n/a	n/a	12,530	n/a	n/a
RAF[5]	3,610	900	2,710	3,840	910	2,930

[1] Data for medically downgraded personnel within the Royal Navy and Royal Marines is not available before April 2003.

[2] Army Officer data is not available from April 2001 due to a coding error. This error has now been rectified and new data should be available from August 2004 (1 July position).

[3] The Army does not categorise medical downgrading as either permanent or temporary.

[4] RAF totals include Officers and Other Ranks classed as "other".

[6] Denotes zero or rounded to zero.

Note:

N/a denotes not available.

Nuclear Submarine Bases

Llew Smith: To ask the Secretary of State for Defence if he will list fires that have occurred at the nuclear submarine bases at *(a)* Faslane and *(b)* Coulport since 1 January 2003; and if he will make a statement on the dangers posed to these bases from fires. [190683]

Mr. Ingram: Since January 2003, there have been nine minor fires at HM Naval Base Clyde's sites at Faslane and Coulport. All were extinguished promptly and posed no threat to personnel, equipment or facilities, including ships and submarines. The details are as follows:

Faslane

Date	*Incident*
September 2003	Timber frame onboard a vessel set alight by an electrical welding heating blanket
January 2004	Small electrical fire in auxiliary machinery space onboard a vessel.
March 2004	Small fire caused by sparks from grinding equipment onboard a vessel
July 2004	Small switchboard fire onboard a vessel

Coulport

Date	*Incident*
September 2003	Small fire in staff restaurant
December 2003	Small fire in the engine compartment of a vehicle caused by faulty wiring
December 2003	Fire in a waste bin outside a building
February 2004	Leaves ignited by welding equipment
March 2004	Small fire in cigarette disposal bin

In addition, there were 13 minor incidents (four at Faslane and nine at Coulport) involving overheating, smoke or the smell of burning from equipment, which required the deployment of fire prevention equipment or the isolation of the equipment to prevent further overheating. All were promptly dealt with before a fire developed.

As well as being the homeport of the Vanguard and Swiftsure Class submarines, HM Naval Base Clyde is also a large industrial site and home to a large number of service personnel. As such, it is operated to the highest safety standards, which includes a regime of continuing safety improvements. It benefits from its own Defence Fire Service, and extensive and sensitive fire detection systems. These ensure that all incidents are responded to promptly and minimise the risk to personnel, equipment and facilities.

Overseas Postings (Armed Services)

Bob Russell: To ask the Secretary of State for Defence in which overseas countries members of HM Services have served at any time during 2004. [192447]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Private Charlie Sellar

Mr. McNamara: To ask the Secretary of State for Defence what the result was of the investigation into the circumstances of the death of Private Charlie Sellar of the 1st Battalion Duke of Wellington Regiment in Germany in February. [175199]

Mr. Ingram: Private Sellar was struck by a train on the Eversburg-Osnabruck railway line on 31 January 2004. A coroner's inquest is awaited.

RAF Lyneham

Mr. Gray: To ask the Secretary of State for Defence what discussions he has had with Virgin Atlantic about further usage of RAF Lyneham. [192173]

Margaret Beckett: I have been asked to reply.

None.

SFOR

Ann Winterton: To ask the Secretary of State for Defence whether UK military personnel will be participating in the SFOR mission in Bosnia-Herzegovina at the end of 2004 under an EU operation; and if he will make a statement on the composition of the UK contribution. [191872]

Mr. Ingram: NATO has agreed that the SFOR mission in Bosnia-Herzegovina will terminate in December 2004. The EU will then launch its mission in Bosnia, named Operation Althea, under the Berlin Plus arrangements. This EU mission will work alongside the continuing but limited NATO role in Bosnia—NATO HQ Sarajevo. The EU will have responsibility for the main peace stabilisation role in Bosnia, with NATO focussing on defence outreach and some operational tasks, including support of the International Criminal Tribunal for the Former Yugoslavia.

The UK contribution to Althea will be approximately 1,000. The UK is taking the first lead of Althea, providing the EU Force Commander, Major General David Leakey. There are six UK personnel planned to be in the NATO HQ Sarajevo.

HOME DEPARTMENT

Antisocial Behaviour

Mrs Curtis-Thomas: To ask the Secretary of State for the Home Department if he will make a statement on the Antisocial Behaviour Plan. [146264]

Ms Blears: The Home Office published "Together: Tackling Antisocial Behaviour" the Government's Action Plan on 14 October 2003. The Action Plan sets out the priority areas for action for reducing antisocial behaviour over the next two-three years. Key areas for intervention include: Nuisance neighbours, environmental crime and begging. 10 areas of the country have been chosen as Trailblazers to develop best practice in these areas.

Through the TOGETHER campaign the Antisocial Behaviour Unit are working to improve performance across England and Wales by providing funding to every Crime and Disorder Reduction Partnership (CDRP), a TOGETHER Academy and a TOGETHER ActionLine, to offer advice and information on all antisocial behaviour related matters.

Asylum Seekers

David Davis: To ask the Secretary of State for the Home Department what the cost of asylum seekers was to each local authority in each year since 1997. [190933]

Mr. Raynsford: The information requested has been tabled as follows.

Local authority net current expenditure on asylum seekers—1998–99 to 2004–05

Figures shown in £000

	1998–99	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*	*2004–05*
Greater London Authority	—	—	0	0	0	0	0
City of London	383	1,016	2,260	2,063	2,088	1,923	1,241
Camden	8,957	9,917	11,039	9,588	7,860	7,172	5,715
Greenwich	0	5,225	8,729	8,789	10,193	8,181	8,824
Hackney	7,451	0	13,792	14,449	16,331	12,906	12,961

Local authority net current expenditure on asylum seekers—1998–99 to 2004–05

Figures shown in £000

	1998–99	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*	*2004–05*
Hammersmith and Fulham	9,942	0	16,073	16,089	15,571	11,484	11,445
Islington	12,694	0	26,808	22,718	19,515	22,580	6,048
Kensington and Chelsea	7,798	11,051	13,543	10,627	8,711	7,294	3,214
Lambeth	10,658	20,301	21,266	21,932	19,856	23,047	22,739
Lewisham	6,003	7,558	11,066	12,259	10,357	8,286	5,604
Southwark	11,430	17,782	26,374	23,080	16,629	16,567	17,862
Tower Hamlets	0	470	6,615	7,074	6,343	4,078	2,938
Wandsworth	4,150	5,309	6,943	6,031	5,991	5,656	2,789
Westminster	11,653	14,839	17,744	14,106	11,841	10,020	4,137
Barking and Dagenham	6,835	13,032	14,302	14,477	14,188	14,500	14,377
Barnet	5,193	6,686	7,410	8,396	7,144	8,863	6,488
Bexley	681	1,508	2,268	1,995	1,685	1,734	1,531
Brent	7,794	10,559	11,229	9,731	7,157	10,571	8,882
Bromley	1,665	1,648	3,693	2,879	2,245	2,603	2,664
Croydon	4,638	4,433	6,145	10,116	12,629	13,504	13,598
Ealing	4,527	325	8,505	7,207	5,965	2,000	567
Enfield	4,110	8,235	11,211	14,938	12,910	12,309	3,819
Haringey	10,723	20,818	34,576	40,391	32,057	26,809	17,030
Harrow	2,349	4,154	5,802	4,576	3,626	3,033	3,107
Havering	594	3,529	4,020	3,176	2,639	2,503	578
Hillingdon	4,673	11,903	0	11,697	15,617	16,350	17,819
Hounslow	1,087	5,847	5,751	4,613	4,315	4,066	4,117
Kingston-upon-Thames	1,140	1,522	1,953	2,228	2,352	2,481	2,730
Merton	2,327	4,165	5,480	5,343	3,717	4,030	1,670
Newham	12,901	21,260	24,438	23,249	20,866	18,332	18,348
Redbridge	2,359	7,318	12,954	10,591	8,514	5,954	5,136
Richmond-upon-Thames	0	0	0	10,993	7,785	5,268	4,640
Sutton	417	1,220	4,403	2,291	3,070	2,436	2,166
Waltham Forest	4,516	0	13,063	14,461	14,064	13,151	5,285
Barnsley	31	63	923	528	1,837	1,784	347
Birmingham	1,242	2,515	6,596	3,737	2,674	4,015	3,468
Bolton	13	0	168	139	172	0	60
Bradford	120	163	523	-451	-69	182	182
Bury	17	160	317	167	61	815	817
Calderdale	40	93	396	29	78	29	71
Coventry	0	347	966	1,475	2,502	2,555	1,987
Doncaster	16	1,053	556	-29	84	292	91
Dudley	0	94	226	193	138	1,869	1,617
Gateshead	18	50	333	831	345	147	118
Kirklees	71	276	936	1,427	-295	1,850	1,731
Knowsley	0	0	0	0	3	0	0
Leeds	0	343	-727	-1,554	478	1,141	26
Liverpool	133	411	300	38	174	2,067	2,306
Manchester	1,278	3,039	7,258	15,708	18,630	5,554	6,210
Newcastle-upon-Tyne	142	490	2,679	2,164	4,092	12,704	14,390
North Tyneside	0	32	741	1,063	1,672	1,526	1,835
Oldham	9	12	0	197	0	180	379
Rochdale	0	110	403	1,301	1,567	1,545	1,453
Rotherham	3	71	88	1,054	14	950	1,325
Salford	44	189	884	1,858	1,875	2,256	2,073
Sandwell	137	531	3,018	4,198	3,556	5,042	4,399
Sefton	46	39	306	282	206	234	92
Sheffield	1,008	2,570	5,915	4,468	3,717	3,430	1,954
Solihull	15	44	309	635	944	569	1,840
South Tyneside	22	37	140	72	36	8	32
St. Helens	0	0	13	5	9	9	3
Stockport	64	173	612	927	1,147	246	334
Sunderland	10	85	360	2,797	139	127	101
Tameside	0	47	251	155	142	147	127
Trafford	0	876	739	864	872	873	853
Wakefield	74	406	1,331	1,677	1,725	2,150	1,781
Walsall	0	99	243	95	1,671	179	1,870
Wigan	0	24	543	1,006	980	1,269	1,314
Wirral	1,178	0	0	18	12	0	25
Wolverhampton	0	76	488	-306	-394	-123	-194
Bath and North East Somerset UA	11	40	91	47	-828	10	26
Blackburn with Darwen UA	11	30	177	694	933	1,043	1,059
Blackpool UA	0	31	151	285	141	189	144
Bournemouth UA	40	277	1,260	1,362	1,439	1,279	657

Local authority net current expenditure on asylum seekers—1998–99 to 2004–05

Figures shown in £000

	1998–99	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*	*2004–05*
Bracknell Forest UA	20	12	56	84	106	67	76
Brighton and Hove UA	287	818	2,071	1,788	1,564	1,359	1,385
Bristol UA	496	1,183	2,269	1,663	1,648	2,025	2,087
City of Nottingham UA	65	298	1,073	1,105	956	1,111	943
Darlington UA	0	8	6	20	8	10	10
Derby City UA	16	203	1,345	1,123	906	950	588
East Riding of Yorkshire UA	7	787	159	60	46	50	50
Halton UA	0	0	29	17	10	0	0
Hartlepool UA	0	0	0	0	0	170	165
Herefordshire UA	14	21	31	15	10	0	0
Isle of Wight UA	0	0	16	19	24	7	5
Kingston upon Hull UA	85	525	896	524	785	461	494
Leicester City UA	297	1,106	2,959	1,380	1,484	1,100	1,086
Luton UA	273	1,837	4,746	4,715	3,940	4,227	3,133
Middlesbrough UA	0	139	933	1,245	1,048	393	1,005
Milton Keynes UA	292	279	565	1,324	1,187	1,016	784
North East Lincolnshire UA	16	477	976	702	456	641	485
North Lincolnshire UA	1	16	38	33	38	38	51
North Somerset UA	14	78	192	111	103	125	110
Peterborough UA	49	236	907	1,071	1,790	698	1,189
Plymouth UA	42	90	237	178	184	172	185
Poole UA	27	84	128	48	164	59	67
Portsmouth UA	80	617	2,266	1,425	1,124	1,545	517
Reading UA	7	1,353	3,768	3,784	3,115	2,481	2,708
Redcar and Cleveland UA	86	176	1,274	1,292	1,098	181	269
Rutland UA	23	47	53	54	35	60	60
Slough UA	1,628	6,417	11,716	6,572	4,856	3,304	2,243
South Gloucestershire UA	37	159	207	172	191	170	163
Southampton UA	32	534	3,323	3,824	4,377	914	4,613
Southend-on-Sea UA	258	0	2,602	2,675	2,321	2,927	2,094
Stockton-on-Tees UA	20	21	107	45	84	396	507
Stoke-on-Trent UA	64	97	438	1,231	1,287	1,383	1,551
Swindon UA	122	407	925	884	859	~~869~~	912
Telford and the Wrekin UA	0	47	136	138	131	117	118
The Medway Towns UA	196	0	426	174	135	0	0
Thurrock UA	87	1,567	2,623	2,869	3,655	2,694	2,944
Torbay UA	0	6	2	16	0	0	0
Warrington UA	13	88	102	98	80	9	30
West Berkshire UA	6	19	78	188	420	37	27
Windsor and Maidenhead UA	30	76	127	85	232	100	128
Wokingham UA	26	87	118	122	82	77	0
York UA	2	12	40	49	61	12	37
Isles of Scilly	0	0	0	0	0	0	0
Bedfordshire	204	1,243	2,327	2,167	1,211	914	501
Buckinghamshire	113	278	841	836	946	1,142	608
Cambridgeshire	251	989	2,026	2,285	1,493	960	1,283
Cheshire	1	540	217	237	262	215	0
Cornwall	6	4	14	0	5	0	10
Cumbria	0	1	15	170	71	151	42
Derbyshire	56	97	53	50	41	46	58
Devon	0	0	315	114	74	23	58
Dorset	8	19	357	304	263	218	178
Durham	0	0	0	33	37	27	0
East Sussex	208	454	1,589	1,688	1,206	1,452	1,488
Essex	219	1,836	2,429	2,090	2,050	2,297	1,566
Gloucestershire	54	362	1,218	1,262	1,179	1,042	1,402
Hampshire	63	338	666	531	674	461	544
Hertfordshire	391	-539	4,696	5,896	3,753	2,445	1,804
Kent	5,011	22,505	48,319	43,666	57,163	51,209	30,762
Lancashire	0	75	143	117	27	120	50
Leicestershire	176	499	634	528	434	482	299
Lincolnshire	207	257	853	830	839	1,067	1,133
Norfolk	224	539	1,256	1,286	1,149	1,270	1,267
North Yorkshire	0	19	251	108	87	30	51
Northamptonshire	1,563	8,313	11,706	6,540	4,474	9,410	8,650
Northumberland	11	6	2	0	0	0	0
Nottinghamshire	58	291	415	274	238	226	140
Oxfordshire	1,570	4,875	10,702	6,695	5,796	4,078	3,983
Shropshire	0	18	19	19	88	75	75
Somerset	0	65	105	37	54	30	20

Local authority net current expenditure on asylum seekers—1998–99 to 2004–05

Figures shown in £000

	1998–99	1999–2000	2000–01	2001–02	2002–03	2003–04	2004–05
Staffordshire	287	650	917	890	1,063	1,140	709
Suffolk	16	436	1,024	494	477	400	350
Surrey	303	1,270	3,113	3,050	123	2,500	2,800
Warwickshire	295	552	996	1,060	1,437	930	969
West Sussex	1,206	2,555	4,196	4,809	6,674	6,157	6,556
Wiltshire	70	0	199	0	191	35	42
Worcestershire	4	510	559	434	452	417	417
Brentwood	0	0	52	0	0	0	0
Derwentside	0	0	0	1	0	0	0
Huntingdonshire	0	0	2	1	1	0	0
Penwith	1	0	0	0	0	0	0
Total	192,735	305,510	551,157	552,742	520,942	490,757	397,606

Legal Proceedings (Official Comment)

Norman Baker: To ask the Secretary of State for the Home Department what mechanism his Department uses to regulate comments by *(a)* Ministers and *(b)* officials on cases subject to ongoing legal proceedings. [183215]

Paul Goggins *[holding answer 12 July 2004]:* All Ministers are bound by the Ministerial Code which sets out their overarching duty—and that of Departments—to comply with the law and to uphold the administration of justice. Ministers and officials are therefore well aware of the need to avoid any prejudice to legal proceedings.

Stephen Lawrence

Keith Vaz: To ask the Secretary of State for the Home Department what measures have been taken to correct the errors made by the Metropolitan police identified in the Macpherson Report; and what measures have been taken to achieve change needed to prevent similar incidents from occurring. [157529]

Ms Blears: The report of the Inquiry into the murder of Stephen Lawrence was published in February 1999 and made 70 recommendations, mainly relating to the police service.

At the time of publication the then Home Secretary gave a commitment to publish an action plan setting out how the recommendations of the report would be taken forward. This was published in March 1999 and annual updates have been published since, the latest being published in August 2004.

The Lawrence Steering Group (LSG) was established in 1999 to oversee progress on the implementation of the recommendations. The LSG is chaired by the Home Secretary and continues to meet on a regular basis.

The majority of the SLIR recommendations have been either partially or fully implemented and work remains ongoing to fully implement those that have not and to monitor the effect implementation has had.

Copies of the latest Annual Report on progress have been placed in the Library of the House. The report contains a summary of progress against the recommendations.

Peter Bottomley: To ask the Secretary of State for the Home Department when and how the transcripts of the Stephen Lawrence Inquiry of 1999 will be made available to *(a)* Sir William Macpherson, Bishop John Sentanu and Dr Richard Stone, *(b)* the National Archive and *(c)* the general public; and if he will make a statement. [184151]

Ms Blears: The papers emanating from the Stephen Lawrence Inquiry amount to more than 80,000 pages not all of which have so far been published as part of the official report. There is a comprehensive review exercise underway to prepare material for transfer to The National Archives (TNA). Where it is possible to make the transferred material open for public inspection that will be my preferred approach. However the Inquiry examined a wide range of contributions and evidence that may not all be suitable for immediate release. The review exercise is planned to be completed by the middle of next year. My intention will be to release as much of the Inquiry's papers as possible, at the soonest date, without creating any adverse impact on necessary further investigations. It is essential that all the material is thoroughly reviewed and subjected to a detailed sensitivity appraisal before being made available for public inspection.

CULTURE, MEDIA AND SPORT

Departmental Staff

Hugh Bayley: To ask the Secretary of State for Culture, Media and Sport how many full-time equivalent jobs *(a)* her Department and *(b)* its executive agencies had in (i) Yorkshire and the Humber and (ii) the City of York in (A) 1997 and (B) the latest year for which figures are available. [191840]

Mr. Caborn: The Department for Culture, Media and Sport and its executive agency (The Royal Parks Agency) are based in London therefore they have no full-time equivalent jobs in (i) Yorkshire and the Humber and (ii) the City of York.

Historic Buildings (Buckinghamshire)

Mr. Bercow: To ask the Secretary of State for Culture, Media and Sport if she will list the sites of historic interest in Buckinghamshire which have received grant aid since April 2001, broken down by *(a)* date and *(b)* amount awarded. [191057]

Mr. Caborn: Since April 2001, the following sites of historic interest Buckinghamshire have received grant aid:

Site	*Date of offer*	*Grant amount (£)*
Castlethorp Castle	13 June 2001	925
Stowe House—Phase I	9 July 2001	320,000
Whiteleaf Hill, Bucks—Restoration	30 November 2001	360,000
St. Mary's Church Hardwick	7 January 2002	125,200
All Saint's Church, Milton Keynes	7 January 2002	147,533
Stowe House Preservation Plan—Phase II	30 January 2002	5,528,000
All Saints Church, Buckland	11 June 2002	10,368
Save Common Wood Campaign	18 June 2003	549,000
Stowe House–Phase II	19 July 2002	195,000
Stowe Landscape Garden—Doric Arch	13 August 2002	32,000
Stowe Landscape Garden—Statue of King George I	13 August 2002	20,000
Hall Barn—Gothic Temple, Beaconsfield	2 September 2002	36,000
Butlers Manor	4 October 2002	2,453
Church of St. Mary Magalen, Willen	11 December 2002	40,881
Haddenham Methodist Church	12 December 2002	78,000
Church Loft Clock—Renovation	20 November 2002	12,110
Church of St. Peter and Paul, Ellesborough	8 January 2003	65,000
St. Mary's Church, Marsh Gibbon	8 January 2003	57,000
Church of St. Mary the Virgin, Radnage	8 January 2003	30,000
Former Church of St. Mary Magdalene, Boveney	13 January 2003	152,909
Church of St. Mary the Virgin, Stoke Mandeville	25 March 2003	101,000
Fusion, Milton Keynes	24 June 2003	50,000
Getting to Know Bernwood Forest	31 July 2003	45.529
Burnham, St. Peter's Church, (Reredos)	28 October 2003	19,550
Project Plan for Bradwell Abbey, Milton Keynes	9 December 2002	35,200
Church of St. Mary the Virgin, Great Brickhill	19 December 2003	64,000
Church of St. Michael and All Angels, Aston Clinton	19 December 2003	39,000
Church of St. Lawrence, West Wycombe	19 December 2003	25,000
Church of St. Mary the Virgin, Drayton Beauchamp	19 December 2003	65,000
Church of St. Mary the Virgin, North Marston	19 December 2003	253,000
St. Mary's Church, Marsh Gibbon	15 January 2004	48,000
St. Mary the Virgin, Radnage, High Wycombe	31 April 2004	23,000
Church of St. Peter and St. Paul, Aylesbury	2 April 2004	53,000
Fishponds at Medieval Hamlet of Littlecote (SAM)	19 May 2004	1,920
Shabbington Bells Restoration Project	24 May 2004	29,257
Church of St. Mary Magalen, Willen	13 July 2004	56,000
Marble Saloon Restoration	15 September 2004	484,500

Historic Environment Champions

Mr. Rosindell: To ask the Secretary of State for Culture, Media and Sport how many historic environment champions have been appointed. [192665]

Mr. Caborn: We understand that, to date, 85 local authorities have appointed elected Members as Historic Environment Champions and a further six have appointed senior officers as Champions.

Listed Buildings

Mr. Bercow: To ask the Secretary of State for Culture, Media and Sport if she will list the total value of grants which *(a)* English Heritage and *(b)* the Heritage Lottery Fund allocated to Buckinghamshire in (i) 2001–02, (ii) 2002–03 and (iii) 2003–04 for the conservation of listed buildings. [191041]

Mr. Caborn: The total value of grants English Heritage and Heritage Lottery Fund allocated to Buckinghamshire for the conservation of listed buildings is as follows.

(£)

	English Heritage	*Heritage Lottery fund*
2001–02	593,658	5,951,300
2002–03	524,730	182,200
2003–04	223,000	279,000

Ministers' Private Offices

Mr. Prisk: To ask the Secretary of State for Culture, Media and Sport what the running costs of Ministers' private offices in her Department have been in each year since 1997. [191381]

Mr. Caborn: I refer the hon. Member to the answer given on 10 July 2003, *Official Report*, columns 945–46W, to the hon. Member for Arundel and South Downs (Mr. Flight).

The figures for Ministerial Private Office running costs since 1998 are provided in the table. The information for 1997 is not available.

	Cost (£)
2003–04	1,989,822.19
2002–03	1,840,045.10
2001–02	1,667,182.44
2000–01	1,387,142.33
1999–2000	1,307,106.16
1998–99	1,561,546.86

Mobile Phones

Mr. Prisk: To ask the Secretary of State for Culture, Media and Sport how many mobile phones were used by *(a)* Ministers and special advisers and *(b)* officials in her Department in each year since 1997; how many were (i) lost and (ii) stolen; and what their cost was. [191432]

Mr. Caborn: The number of mobile phones used by Ministers, special advisers and officials in the Department is as follows:

		Mobile phones used by		
	Total handsets	*Officials*	*Ministers*	*Special advisers*
1998	30	27	3	—
1999	36	33	3	—
2000	39	36	3	—
2001	43	39	3	1
2002	50	46	3	1
2003	57	54	2	1
2004	68	65	2	1

It is not possible to provide figures for 1997.

Lost or stolen during same period:

	Number
1998	4
1999	0
2000	0
2001	0
2002	1
2003	0
2004	0

The cost to my Department of mobile phones supplied to ministers and officials was £25,500 in 2000–01, £21,000 in 2001–02, £29,000 in 2002–03 and £36,000 in 2003–04. It is not possible to provide figures prior to 2000 save at disproportionate cost.

New Opportunities Fund

Mr. Martlew: To ask the Secretary of State for Culture, Media and Sport how much money from the New Opportunities Fund has been allocated to Carlisle in each year since 1997. [191571]

Estelle Morris: The following amounts have been allocated by the New Opportunities Fund in Carlisle in each year since 1997:

	Amount (£)
1999	1,990,623
2000	377,381
2001	1,442,965
2002	1,318,532
2003	887,146
2004	[1]6,010

[1] To date

The information is freely available from the Department's searchable Lottery award database at www.lottery.culture.gsi.gov.uk, which uses information supplied by the Lottery distributors.

TRANSPORT

Nottingham Tram Extension

13. **Dr. Palmer:** To ask the Secretary of State for Transport when he will decide on funding for the proposed Nottingham tram extension. [192000]

Mr. McNulty: The Department has received a bid for the extensions, but is awaiting more detail on the procurement and financing aspects. A decision will then be made on whether to grant approval in principle.

Disabled Parking Bays

15. **Mr. Hepburn:** To ask the Secretary of State for Transport if he will make a statement on the provision of disabled parking bays. [192002]

Charlotte Atkins: Advice has been issued to local authorities about the provision of such parking bays.

Authorities also have powers to designate a space outside a disabled people's residence. In deciding whether to do so they will take account of local traffic management issues, as well as the needs of the person requesting the space.

Public Service Order Obligations (Air Services)

16. **Mr. Carmichael:** To ask the Secretary of State for Transport if he will make a statement regarding the provision of public service order obligations for regional air services. [192003]

Mr. Darling: The Department for Transport is currently consulting in relation to the implementation of Public Service Obligations. The consultation was due to run for three months but has been extended to end on 8 November.

A1 Roundabouts (East Midlands)

17. **John Mann:** To ask the Secretary of State for Transport when construction work will begin on replacing the roundabouts on the A1 in the east midlands. [192004]

Mr. Jamieson: Following the outcome of the recent Spending Review 2004, we are currently considering funding allocations across departmental programmes, including all schemes in the Targeted Programme of Trunk Road Improvements. I shall not be in a position to confirm when construction work on replacing the roundabouts on the Al in the east midlands will begin until this exercise has been completed. I will write to my hon. Friend when the position is clearer.

Ferry Safety

19. **Mr. Prosser:** To ask the Secretary of State for Transport what recent discussions he has had with the seafaring unions on *(a)* ship safety and *(b)* crewing levels on ferries. [192007]

Mr. Jamieson: None. However, officials in my Department and the Maritime and Coastguard Agency meet regularly with representatives of the seafaring unions through formal committees and day-to-day contact to discuss matters related to the safety of ships, their crews, passengers and cargoes.

A36

Mr. Key: To ask the Secretary of State for Transport for what reason the speed limit on the A36(T) between Salisbury and Wilton has been reduced to 40 mph. [191763]

Mr. Jamieson: The Highways Agency has a temporary speed restriction order in place on this section of the A36 between Salisbury and Wilton given that the new lighting columns are not protected by safety barriers.

The need for either speed restrictions or safety barriers has arisen from a recent change in the standards for provision of road restraint systems. The installation of safety barriers at this location is not feasible due to space constraints as there is a footpath between the road and the lighting columns.

The agency is investigating the feasibility of making the temporary Traffic Regulation Order permanent and is currently consulting other interested parties.

Mr. Key: To ask the Secretary of State for Transport for what reasons the 40 mph speed limit on the A36(T) west of the Wiltshire county boundary has not been extended in a similar way to the speed limit on the Hampshire side of the boundary. [191769]

Mr. Jamieson: The Highways Agency has undertaken a consultation with a number of statutory bodies regarding the reduction of the speed limit on the A36 from 50 to 40 mph on the Wiltshire side of the county boundary. The agency has, however, received objections from some consultees to the proposed reduced speed limit.

The agency is currently progressing a scheme to introduce a package of traffic calming measures on this section of the A36. These measures should address the issues raised in the objections.

It is anticipated that the safety measures will be introduced early next year. The Highways Agency will then be in a position to re-apply for the reduction of the speed limit from 50 mph to 40mph.

Birmingham North Relief Road

Mr. Jenkins: To ask the Secretary of State for Transport how much it cost per mile to build the Birmingham North Relief Road; and what the latest average cost per mile to build a motorway is under conventional procurement procedures. [189576]

Mr. Jamieson: The 27 mile M6 Toll (formerly known as the Birmingham Northern Relief Road) was privately financed by Midlands Expressway-Ltd. (MEL) under a 53 year concession agreement awarded by the Government in 1992. The construction costs awarded by MEL to its contractor at tender stage were £485.5 million. The overall costs are a matter for MEL but I understand that the development cost incurred is in the region of £900 million. This includes the cost of land, interest on loans, consultancy, management, and legal fees.

The cost of building a new dual 3-lane rural motorway, with hard shoulder, is currently estimated by the Highways Agency to be between £20 and £25 million per mile. However, there are many variables to be considered in arriving at a figure for the cost of creating a new length of motorway, including the difference between urban and rural areas. Factors such as quality of land, geology, drainage, environmental mitigation, traffic management and restricted access can all have a significant bearing on costs.

Commercial Cargoes

Mr. Sanders: To ask the Secretary of State for Transport what powers he can exercise to prevent the transportation of cargoes *(a)* in UK waters and *(b)* beyond the UK limit. [190626]

Mr. Jamieson: The United Nations Convention on the Law of the Sea, to which the UK acceded in 1997, gives rights of innocent passage through territorial waters and rights of navigation on the high seas. The Secretary of State has no powers to curtail such rights which benefit UK ships in particular and world trade in general. Other international Conventions allow the UK as a port state to inspect ships upon port entry and if necessary detain them if found defective.

Congestion Charging

Mr. Rosindell: To ask the Secretary of State for Transport what his policy is on congestion charging in cities other than London. [191457]

Charlotte Atkins: Local authorities have powers under the Transport Act 2000 to introduce congestion charging in their areas. The Government are committed to work alongside authorities, to help them put in place packages of measures that tackle local congestion problems. Resources from the new Transport Innovation Fund will be available to support packages that tackle congestion through measures such as congestion charging schemes and radically enhanced bus services.

Dartford Crossing

Bob Spink: To ask the Secretary of State for Transport what his policy is regarding *(a)* the accumulation and *(b)* uses of an operating surplus from the Dartford Crossing. [192351]

Mr. Jamieson: All income from charging at the Dartford Crossing is taken into account in the funding for the 10 year plan.

Driving Tests

Mr. Drew: To ask the Secretary of State for Transport how many advanced driving instructors are expected by the Driving Standards Authority to fail the Part 1 Hazard Perception Test when it becomes compulsory. [191025]

Mr. Jamieson: The Driving Standards Agency is confident that Approved Driving Instructors will meet the requirement to successfully complete the Hazard Perception Test by December 2006.

Mr. Drew: To ask the Secretary of State for Transport what charge he expects will be made for advance driving instructors taking Hazard Perception Test re-tests. [192174]

Mr. Jamieson: The re-test fee for the Approved Driving Instructor (ADI) Hazard Perception Test is currently being calculated. When it has been quantified, the Agency will advise ADIs of the level of the fee and the arrangements for taking the test.

London Underground

Mr. Rosindell: To ask the Secretary of State for Transport how much central government money will be invested in the London Underground over the next five years. [191486]

Mr. McNulty: The GLA transport grant over the next five years will include the following provision for London Underground that will support its investment programme:

	£ million
2005–06	1,161
2006–07	1,281
2007–08	1,340
2008–09	1,218
2009–10	1,308

In addition, the costs of work by London Underground in completing the current phase of the redevelopment of King's Cross LUL station will be met by the Department. Ministers are considering a detailed report on the case for proceeding with phase 2 of this project.

Mr. Rosindell: To ask the Secretary of State for Transport how much central Government money was invested in the London Underground in each year between 1999 and its transfer to the Mayor of London. [191551]

Mr. McNulty: London Underground's investment was funded from operational income and the Government grant paid to London Regional Transport. The following table shows the grant paid to London Transport and the levels of London Underground investment in 1999–2000 to 2003–04. Until July 2000, when Transport for London was established, the grant to London Transport also provided funding for Croydon Tramlink, bus and river services.

£ million

	London Regional Transport grant	*London Underground investment*
1999–00	816	907
2000–01	315	293
2001–02	484	418
2002–03	767	402
2003–04	[1]1,218	668

[1] Grant figure for the whole year, although after July 2003, it was paid as part of the Greater London Authority transport grant.

In addition since 1999, Department for Transport has paid £319 million to LU for the work at King's Cross LUL station in connection with the Channel Tunnel Rail Link.

Motorways

Mr. Kidney: To ask the Secretary of State for Transport what arrangements he has made for additional road traffic policing to enforce the greater lane discipline on motorways announced on 11 October. [192075]

Mr. Jamieson: No additional road traffic policing arrangements were made to enforce the message trials announced on the 11 October. The purpose of piloting lane discipline messages on the motorway message signs was to gauge their effectiveness in improving driver behaviour to reduce accidents and congestion on England's motorways. Lane occupancy is therefore being monitored by the Highways Agency, before, during and after the trial. The information obtained will be used to take forward the assessment of the potential of using variable message signs in this way.

Railways

Sir Teddy Taylor: To ask the Secretary of State for Transport what plans he has to re-organise the procedures for awarding rail service franchises; and whether he intends to change the number of companies with such franchises. [192006]

Mr. Darling: I refer the hon. Member to the written statement I have made to the House today.

Mr. Rosindell: To ask the Secretary of State for Transport if he will make a statement on the punctuality of railway service providers. [191462]

Mr. McNulty: The Strategic Rail Authority publishes performance figures and commentary in their quarterly *National Rail Trends* publication, copies of which are placed in the Library of the House. The latest figures show that 84.5 per cent. of services ran on time in the first quarter of 2004, up by 0.2 per cent. on the same period in 2003.

Mr. Key: To ask the Secretary of State for Transport when Broken Cross railway bridge on the Salisbury to Waterloo line at Ford, east of Salisbury, will be upgraded; and if he will make a statement. [191767]

Mr. McNulty: This is an operational matter for Network Rail. Network Rail will respond directly to the hon. Member.

Mr. Llwyd: To ask the Secretary of State for Transport how many rail freight miles were travelled in *(a)* 2001, *(b)* 2002 and *(c)* 2003. [192211]

Mr. McNulty: Information on rail freight miles is not available in calendar years. However, the following data is available in financial years:

Financial year	*Miles*
2001–02	30,315,798
2002–03	29,335,863
2003–04	29,340,524

John Thurso: To ask the Secretary of State for Transport how many incidents of people riding on the outside of moving trains were reported to the British Transport Police in *(a)* 2002 and *(b)* 2003; what measures are being taken to prevent train surfing; and if he will make a statement. [192226]

Mr. McNulty: The number of incidents of surfing recorded by the BTP's Command and Control system for the last two years (excluding Scotland) is as follows:

January to December	*Number*
(a) 2002	251
(b) 2003	472

The BTP are working with other parts of the industry to make young people aware of the dangers of trespass on the railway. This partnership approach is delivered through education, prevention, deterrence, detection, and community involvement. Local campaigns to combat route crime are run, particularly leading up to and in the summer holidays. However, care needs to be taken regarding the issue of surfing as publicity could lead to copycat offences.

Mr. Brian Jenkins: To ask the Secretary of State for Transport how much has been spent by the Government on capital works on the UK rail network since privatisation; and what the Department's estimate is of the amount to be spent by Government over the next 10 years. [189574]

Mr. McNulty: Between 1997–98 and 2003–04, the Government directly funded £3.52 billion of investment by Railtrack, Network Rail and London and Continental Railways. Total private rail investment during that period amounted to £19.12 billion, of which £3.34 billion was rolling stock investment.

Planned Government expenditure on rail for the next three years will be published in due course. Network Rail plans to invest around £14 billion in rail infrastructure over the next five years.

Roundabouts

Mr. Key: To ask the Secretary of State for Transport if he will place in the Library a copy of the regulations and criteria that must be followed by highway authorities when considering construction of roundabouts on A roads. [191766]

Mr. Jamieson: Roundabout design criteria can be found in standards and advice notes within the Design Manual for Roads and Bridges. The standards and advice notes of particular relevance are:

Volume 6, Section 2, Part 3: TD16/93 Geometric Design of Roundabouts

Volume 6, Section 2, Part 3: TA78/97 Design of Road Markings at Roundabouts

Volume 6, Section 2, Part 3: TD50/99 The Geometric Layout of Signal-Controlled Junctions and Signalised Roundabouts

Volume 6, Section 2, Part 7: TA23/81 Junctions and Accesses: Determination of Size of Roundabouts and Major/Minor Junctions

Volume 6, Section 2, Part 8: TA86/03 Layout of Large Signal Controlled Junctions

Volume 6, Section 3, Part 5: TD51/03 Segregated Left Turn Lanes and Subsidiary Deflection Islands at Roundabouts.

The use of these documents is mandatory for trunk roads. They are commended to other highways authorities but their use remains a matter for each local highway authority.

Copies of these documents have been placed in the Libraries of the House.

UK Ports

Dr. Whitehead: To ask the Secretary for Transport what plans he has to develop a strategy for UK ports. [192001]

Mr. Jamieson: We announced in the Future of Transport that we will be reviewing our port policy framework once decisions have been taken on outstanding proposals for major container port development. We expect these to have been taken by the autumn of 2005.

Uninsured Drivers

Nick Harvey: To ask the Secretary of State for Transport, what steps his Department *(a)* has taken and *(b)* plans to take to reduce the number of uninsured drivers on the road. [192005]

Mr. Jamieson: Uninsured drivers on our roads are a menace. We have taken a number of steps to bear down on uninsured driving including setting up a review of motor insurance arrangements in the UK by Professor David Greenaway. His report was published on 11 August and we are now taking urgent measures to implement the recommendations.

We are working closely with the insurance industry and we now plan to introduce legislation, further education and enforcement programmes to force uninsured drivers from our roads.

John Barrett: To ask the Secretary of State for Transport what initiatives have been undertaken to reduce the number of uninsured drivers on UK roads; and what funding has been allocated for this purpose. [190372]

Mr. Jamieson: The Government recognises that uninsured drivers causes considerable concern. Following publication, last August of the Greenaway report on uninsured driving we plan a further package of measures to address the problem.

The Government's tough new approach will target the estimated one million motorists on our roads driving without insurance.

We plan to:

Give the police the power to seize and, in appropriate cases, destroy vehicles that are being driven uninsured;

Link the DVLA's Vehicle Register and the Motor Insurance Databases, allowing police to know which vehicles on the road are uninsured;

Allow fixed penalties for people who ignore reminders that their insurance has expired.

We are also considering with relevant stakeholders:

Concerted action by insurance companies to continue to improve the Motor Insurance Database;

Simpler and clearer notification procedures so that no one is in any doubt when their insurance expires;

Automatic reminders sent out to those motorists who forget to insure on time.

We are considering what funding from Government will be needed.

CABINET OFFICE

Rural Policy

23. **Mr. Heath:** To ask the Chancellor for the Duchy of Lancaster what steps he has taken to co-ordinate Government policy between the Department for Environment, Food and Rural Affairs and other Government departments on rural areas. [192012]

Mr. Milburn: Rural Policy is co-ordinated by DEFRA across Whitehall. A series of meetings are held regularly between my right hon. Friend the Minister of State for Rural Affairs (Alun Michael) and ministerial colleagues from other Government Departments.

There is a Cabinet Committee on Rural Renewal, DA(RR).

Rural Proofing is a key mechanism by which Government takes its rural work forward. Through it a proper analysis of the benefits and disbenefits to rural areas is made. It is now formally part of the Regulatory Impact Assessment.

Fishing Industry

24. **Mr. Carmichael:** To ask the Chancellor for the Duchy of Lancaster if he will make a statement on the strategy unit's report on the future of the fishing industry. [192013]

Mr. Milburn: The report proposed a possible long-term strategy for improving the fortunes of the industry and the communities which depend on it. It calls for major reforms to the Common Fisheries Policy, whilst also saying that the fishing industry will gain more from the UK staying in the Common Fisheries Policy.

Responsibility for taking forward the reports' findings has now passed from the Strategy Unit to the fisheries departments of the UK, through an extensive process of consultation with the fishing industry and other stakeholders.

Lord Birt

25. **Mr. Gray:** To ask the Minister if she will make a statement on the role, responsibilities and status of Lord Birt. [192015]

Ruth Kelly: I refer the hon. Member to the answer my predecessor provided to the hon. Member for Lewes (Norman Baker) on Wednesday 21 Jul 2004, column 332W.

Departmental Responsibilities

Dr. Julian Lewis: To ask the Minister for the Cabinet Office if she will list the responses *(a)* made and *(b)* not yet made to reports on matters within her Department's responsibility by the Public Administration Committee since June 2001. [191935]

Ruth Kelly *[holding answer 18 October 2004]:* Information relating to responses made by the Government to reports of the Public Administration Select Committee is available in the Library of the House, or through the Committee's website at http://www.parliament.uk/parliamentary_committees/public_administration select_committee/public_administration_select_committee_reports_and_publications.cfm

A response to the Committee's Third Report of the 2003–04 session on "Ministerial Accountability and Parliamentary Questions" (HC 355) was sent to the Committee on 15 October, and will therefore not yet appear on the website.

A response to the Committee's Fifth Report of the 2003–04 session entitled "A Matter of Honour: Reforming the Honours System" (HC 212–1) is still outstanding, and the Committee has been advised that the Government aims to reply before the Christmas recess.

E-Government

Paul Flynn: To ask the Minister for the Cabinet Office which area of e-Government received the largest number of hits in the last period for which figures are available; and if she will make a statement. [192014]

Ruth Kelly: A regular independent survey of traffic to government websites shows that JobCentre Plus, the Inland Revenue, Met Office and DfES regularly attract the highest traffic across government.

Directgov, the single destination for all e-Government services, which was launched in April is now 8th most popular government site. Visits to the site are continually increasing, with visits rising from 419,916 in May to 758,149 in September.

EDUCATION AND SKILLS

Allergies

Mr. Drew: To ask the Secretary of State for Education and Skills what guidance he issues to *(a)* schools and *(b)* other educational facilities on contingency preparations to put in place where community use may conflict with pupils who have allergies, particularly allergies to peanuts. [191014]

Mr. Stephen Twigg: All educational institutions have health and safety responsibilities towards the children and young people in their care, which include making health and safety risk assessments. The responsibility of the employer is to make sure that safety measures cover the needs of all pupils, which may mean making special arrangements for individual pupils with medical needs. This is set out in the joint DfES/Department of Health Circular 14/96: "Supporting pupils with medical needs in school. The associated Supporting pupils with medical needs:" a good practice guide provides advice and information to schools on managing medication and pupils' health needs including anaphylaxis (e.g. peanut allergy). We have also issued advice to schools and local education authorities on community use and health and safety responsibilities in Extended Schools: "providing opportunities and services for all." It advises that when offering additional activities and services that may affect the health and safety of staff and others, new risk assessments should be carried out to assess the likely risk to staff, pupils, visitors and users of the premises.

Community Champions Funds

Mr. Bercow: To ask the Secretary of State for Education and Skills what awards have been made under the Community Champions Funds since May 2002 to projects in *(a)* Buckinghamshire and *(b)* England, broken down by (i) date of award, (ii) amount of award and (iii) type of project. [191058]

Mr. Ivan Lewis: Information is not recorded in the format requested. However, in Buckinghamshire the following awards were made:

Buckinghamshire

April to March	*Number of awards*	*Total expenditure on awards (£000)*
2002–03	10	34
2003–04	5	10

England

April to March	*Number of awards*	*Total Expenditure on awards (£000)*
2002–03	[1]1500	2,625
2003–04	[1]1757	[2]2,536

[1] During 2002–2004, the Scarman Trust delivered 1530 You and Your Community Awards. These were jointly supported by the Community Champions Fund and a Millennium Commission award.

[2] In 2003–04 the DfES funded a national evaluation of the Community Champions Fund.

In addition, the "Evaluation of the Community Champions Fund" June 2004 shows that the average award per Champion in England over the period was £1,250. Of the evaluation sample of 1596 awards, 910 were small grants of under £1,500; with 686 awards of over £1,500.

The Community Champions Fund supports a wide range of projects which support many different facets of community activity and cohesion. The evaluation showed that typical projects would cover for example, working with children; tackling inter—generational relationships; improving links between ethnic groups; providing services for others such as the homeless and people with HIV; renovating or supporting local resources such as skate parks, community centres; and increasing the capacity of community workers and volunteers. The full evaluation is available (reference RB550) on the DfES website: www.dfes.gov.uk/research/.

Consultants

Mr. Maples: To ask the Secretary of State for Education and Skills if he will list the contracts awarded by his Department to consultants in each of the last five years, stating in each case *(a)* the name of the consulting company, *(b)* the value of the contract and *(c)* the purpose for which the contract was awarded; and if he will make a statement. [191738]

Mr. Stephen Twigg: This information could be supplied only at disproportionate cost.

Departmental Job Losses

Alan Simpson: To ask the Secretary of State for Education and Skills what the anticipated total cost is of the arrangements for the voluntary early release of 350 staff from the Department; and if he will list the *(a)* grade and *(b)* geographic location of the staff who will be given voluntary early release. [191903]

Mr. Charles Clarke: Final decisions on the total numbers of people to be released have not yet been made. Overall cost will be dependant on the individual circumstances of those who are released including age, salary level and length of service, but it is likely to be approximately £17.5 million.

e2e

Mr. Drew: To ask the Secretary of State for Education and Skills what recent developments have occurred in the use of e2e with specific reference to access by those working with Young Mums To Be. [191105]

Mr. Ivan Lewis: The Learning and Skills Council has a statutory commitment to fund learning for all 16 to 18-year-olds, Within this commitment it is important that young mothers to be are not disenfranchised from learning. However The Young Mums To Be Award (YMTBA) does not provide the full curriculum range required of an Entry to Employment (E2E) programme. The LSC has therefore suggested that the YMTBA be further developed and submitted for inclusion in the National Qualification Framework. This will bring the programme into mainstream Further Education provision.

Education Costs (Isle of Wight)

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills what the *(a)* capital and *(b)* recurring cost is to public funds of (i) Cross Keys, (ii) Edutainment and (iii) the ICT Academy in Ryde, Isle of Wight; how many courses are provided by each at public expense; and what qualification each course leads to. [192330]

Mr. Charles Clarke *[holding answer 18 October2004]:* These three organisations are involved in the provision of adult learning, which is planned by and funded through the Learning and Skills Council (LSC). Details about the delivery and funding of post-16 learning relate to the operational responsibilities of the LSC and I have asked Mark Haysom, the LSC's Chief Executive, to write to the hon. Member with the information requested. A copy of Mr. Haysom's reply will be placed in the Library.

Education Funding (Southend)

Mr. Amess: To ask the Secretary of State for Education and Skills if he will list grants his Department has made for education provision in Southend in each of the last three years. [192279]

Mr. Miliband: The following revenue and capital grants for each year from 2002–03 have been provided by the Department:

2002–03

Revenue

Nursery Education Grant
Class Size Grant
Teacher's Pay Grants
School Standards Grant
Large Education Action Zones
Learning and Skills Council
Standards Funds

Capital

Basic L C Vap
Class Size Initiative
Condition
Devolved Formula
Modernisation VA
National Grid For Learning
School Security
Secondary Learning Support Units
Seed Challenge
Specialist Schools
Staff Workspace
Voluntary Aided School Grant

2003–04

Revenue

Teacher's Pay Grants
School Standards Grant
Large Education Action Zones
Learning and Skills Council
Standards Funds
Excellence In Cities
Additional Budget Support Grant

Capital

Basic L C Vap
Condition
Devolved Formula
Modernisation VA
Schools Access Initiative
Seed Challenge
Staff Workspace
Targeted Capital Funding-VA

2004–05

Revenue

Teacher's Pay Grants
School Standards Grant
Large Education Action Zones
Learning and Skills Council
Standards Funds
Excellence In Cities
Targeted Transitional Support Grant

Capital

Basic L C Vap
Devolved Formula
Modernisation (Primary)
Modernisation LEA
Seed Challenge
Sustainable Transport

The grants for each year are included in the total grant figures in the following table.

Total funding for Southend from 2002–03 to 2004–05

£ million

	EFS/SSA	*Revenue grants*	*Capital grants*	*Total*
2002–03	80.9	18.0	4.2	103.1
2003–04	84.6	18.0	5.2	107.8
2004–05	88.2	19.5	4.2	111.9

Notes:

1. Price Base: Real terms at 2003–04 prices, based on GDP deflators as at 30.06.04.
2. Figures reflect relevant sub-blocks of education Standard Spending Assessments/Education Formula Spending settlements and exclude the pensions transfer to EFS and LSC.
3. Total funding also includes all revenue grants in DfES Departmental Expenditure Limits relevant to pupils aged 3–19 and exclude EMAs and grants not allocated at LEA level.
4. Where responsibility for funding a school has transferred from an LEA, related funding no longer appears in the series.
5. Rounding: Figures are rounded to the nearest £0.1 million.
6. Status: 2003–04 and 2004–05 figures are provisional as some grants have not yet been finalised/audited.

Educational Psychologists

Mr. Heath: To ask the Secretary of State for Education and Skills when he will make an announcement on the future training and role of educational psychologists. [191630]

Margaret Hodge *[holding answer 15 October 2004]*: Decisions as to the role and deployment of educational psychologists (EPs) are matters for local authorities as employers to determine in the light of local circumstances and available resources.

As regards training, the hon. Member will recall from the debate he initiated on 8 June 2004 that that Department has facilitated discussions involving a range of partners, including representatives of the Local Government Association, on streamlining the entry route for EPs. Our position has not changed since then. We are considering the future role and training needs of EPs within the context of wider discussions on children's workforce issues.

Excellence in Cities

Ann Keen: To ask the Secretary of State for Education and Skills if he will make a statement on the impact of the Excellence in Cities programme since its introduction. [192589]

Mr. Miliband: The Excellence in Cities programme, which incorporates the Leadership Incentive Grant (LIG) and Behaviour Improvement Plans (BIP) in EiC areas, is continuing to narrow the attainment gap and improve attendance and behaviour.

In terms of five good GCSEs, last year, schools in EiC whole authority areas improved at more than twice the average of non-EiC schools. After two years of the BIP (2002–03 and 2003–04), targeted schools in the initial 34 LEAs have increased attendance from 88 per cent. to 89.8 per cent. at secondary level and from 92.4 per cent. to 93.3 per cent. at primary level. These increases are at twice the national rate of improvement over the period. Fixed term exclusions dropped by 11 per cent. over the first year of the BIP.

Between 2001 and 2003 the percentage of pupils gaining five A*-C in EiC areas increased by 4.7 percentage points, while in non EiC areas the percentage increased by 2.7 percentage points.

Five-Year Strategy

Mr. Chidgey: To ask the Secretary of State for Education and Skills what plans he has to allow colleges to expand under the Five-Year Strategy. [192026]

Mr. Miliband: Further Education Colleges are key partners in helping deliver the DfES Five-Year Strategy for Children and Learners. They are however independent autonomous bodies and are responsible for their own decisions on how they meet the local skill needs of both individuals and employers within available resources.

Head Teachers

Mr. Willis: To ask the Secretary of State for Education and Skills how many *(a)* primary schools and *(b)* secondary schools were without a permanent head teacher for any period in the past 12 months. [192119]

Mr. Miliband: Teacher vacancy information is collected annually and gives the position on the census date in January of each year. In January 2004 there were 440 vacant or temporary filled head teacher posts in nursery and primary schools in England and 80 in secondary schools.

Posts are regarded as vacant or temporarily filled, irrespective of whether the post had been advertised or an appointment made but not taken up, where: there is no incumbent who was expected to return; the post is either not covered or is being filled on a temporary basis by a teacher with no contract or a contract of less than a year.

Index of Multiple Deprivation

Ms Buck: To ask the Secretary of State for Education and Skills which funding streams have been allocated by his Department using a funding formula which includes rankings or scores on the Index of Multiple Deprivation 2000; and if he will list the amount of funding allocated in such a way *(a)* nationally by the Department or *(b)* to all Government sponsored bodies reporting to the Department. [191536]

Mr. Charles Clarke: The following funding streams were allocated by my Department in 2004–05 using the Index of Multiple Deprivation:

£ million

Programme	*Capital and revenue*
Sure Start Local programmes	524
Children's Centres	95
Neighbourhood Nurseries	95
New Childcare Places	31
Special Educational Needs and Inclusion	26
Sure Start Sustainability programme	15
Extended Schools	4
Parenting fund	2

In addition to the amounts listed above, the Learning and Skills Council uses the index as one component of its decision-making in some of its allocations. For example:

> *(a)* funding further education colleges and work-based learning in disadvantaged areas. The vast majority of this element of funding is based on the 15 per cent. most deprived wards.
>
> *(b)* as one of the pointers for allocating Learner Support Funds to students of 16–18 in further education and school sixth forms and funds to help local education authority led partnerships to provide services and financial support to 16 to 18-year-old learners for home to school and college transport.

The Department also used the index in selecting Educational Maintenance Allowance pilots, but makes allocations to particular areas based on numbers participating.

IT Funding (Hounslow)

Ann Keen: To ask the Secretary of State for Education and Skills how much funding has been given for the provision of new information technology facilities and equipment to schools in the London borough of Hounslow since 2001. [192587]

Mr. Miliband: I refer my hon. Friend to 'Funding for ICT in Schools in England', which is available in the House Library.

Key Stage 1

Mr. Bercow: To ask the Secretary of State for Education and Skills what proportion of pupils achieved level 2 or above at Key Stage 1 *(a)* in England and *(b)* at schools based in the Buckingham constituency in each year since 2002. [191079]

Mr. Miliband: The available information is shown in the table. Figures for Key Stage 1 attainment at level 2 or above by parliamentary constituency for 2004 are currently being compiled and will be placed in the Library in mid-November.

Percentage of pupils achieving level 2 or above at Key Stage 1 in reading, writing and mathematics in Buckingham parliamentary constituency and England—2002 to 2004

	2002[1]		2003[1]		2004	
	Buckingham	England	Buckingham	England	Buckingham	England (provisional)
Reading	91	84	91	84	[2]—	85
Writing	93	86	90	81	[2]—	82
Mathematics	95	90	95	90	[2]—	90

[1] Percentage of pupils achieving level 2 or above in task/tests.

[2] The figures will not be available until mid-November.

Note:

These results combine task/tests for non-trial schools and teacher assessments for trial schools. Trial schools in 34 LEAs only reported teacher assessment results.

The latest key stage 1 results were published in a Statistical First Release "National Curriculum Assessments for 7 year olds in England, 2004" on 24 August, which is available on the Department's website www.dfes.gov.uk/rsgateway.

Local Network Fund

Mr. Drew: To ask the Secretary of State for Education and Skills (1) what plans he has for the continuity of funding for small local voluntary schemes, when the local network fund ends in March 2006; and what the relationship with children's trusts will be; [192293]

(2) what role there will be for social strategic partnerships in any proposal for grant-giving to small local voluntary groups when the local network fund ends; [192294]

(3) what role there will be for community foundations in any proposal for grant giving to small local voluntary groups when the local network fund ceases to exist. [192295]

Margaret Hodge *[holding answer 18 October 2004]*: There are no plans for the Local Network Fund for Children and Young People to close. The Fund is now in its fourth year and has developed an effective national network of development and funding support for local voluntary organisations working with and for children and young people. The 2004 Budget committed to an extension of the Local Network Fund until March 2008.

Voluntary organisations, some of which are community foundations, have played a key role in establishing the Local Network Fund and in administering local funds across the country. They have a delivery contract with the Department to March 2006. We have established a steering group of Local Network Fund administrators to help plan the delivery arrangements for the Fund beyond 2006. The steering group will consider how the Local Network Fund should relate to Children's trusts arrangements locally, and how best to ensure that the successes achieved by local administrators in supporting community groups working with disadvantaged children and young people are maintained.

Non-qualification Programmes

Mr. Chidgey: To ask the Secretary of State for Education and Skills when he intends to identify a budget for non-qualification bearing programmes. [192027]

Mr. Ivan Lewis: I have already done so. The Government have agreed with the LSC a budget of £207.4 million in 2004–05 for adult education secured through Local Education Authorities, an increase of 43 per cent. compared with funding in 2000–01 of £145 million. In addition the LSC is currently consulting on reforming the planning and funding of non-qualification provision to meet our commitments to safeguard learning opportunities for personal and community development and to secure a coherent range of 'first steps' learning opportunities in every area.

Parenting Orders (Buckinghamshire)

Mr. Bercow: To ask the Secretary of State for Education and Skills how many parenting orders have been *(a)* sought by and *(b)* granted to schools in Buckinghamshire since June 2001. [191066]

Mr. Stephen Twigg: The information requested is not collected centrally. However, Buckinghamshire local education authority advises that local magistrates have granted parenting orders in nine of the truancy cases it has brought to prosecution since July 2001.

Plumbing Courses

Mr. Drew: To ask the Secretary of State for Education and Skills if he will make a statement on the level of Construction Industry Training Board support for plumbing courses; and how many colleges offered such courses in *(a)* 2003/04 and *(b)* 2004/05. [190845]

Mr. Ivan Lewis: The plumbing sector withdrew from the scope of the Construction Industry Training Board (CITB) in 1990 and set up its own training arrangements. Those arrangements are now the responsibility of SummitSkills—the licensed Sector Skills Council for the sector. The CITB does not therefore provide direct support for plumbing courses.

However, some plumbing trainees are employed by construction firms who are in scope to the CITB. Employers can claim grant support from the CITB for these trainees. Information provided by the Learning and Skills Council shows that in 2003/04 plumbing courses were offered by 238 training providers of which 136 were colleges with nearly 36,000 enrolments. It is too early in the 2004/05 academic year for similar data to be available.

Pupil:Teacher Ratio

Mr. Willis: To ask the Secretary of State for Education and Skills what the pupil teacher ratio figures were in each local education authority at *(a)* key stage 1, *(b)* key stage 2 and *(c)* key stage 3 at the latest date for which figures are available. [192120]

Mr. Miliband: Pupil teacher ratios figures are not available by key stage because the teacher numbers from which they are derived are collected by phase of education only. Many teachers will teach more than one key stage.

Pupil teacher ratios by phase of education, region and local education authority were published on the DfES research and statistics gateway website alongside the Statistics of Education Schools in England Volume, 2004 edition on 30 September, Table 7a (LEA). This may be downloaded from the following URL: www.dfes.gov.uk/rsgateway/DB/VOL/v000495/index.shtml.

Table 7a: Maintained nursery, primary and secondary schools: pupil:teacher ratios [1] by type of school—January 2004
By local education authority area, by Government Office region in England [2,3]

	Nursery schools			Primary Schools [4]		
	FTE pupils	*FTE teachers[5]*	*Pupil:teacher ratio*	*FTE pupils*	*FTE teachers[5]*	*Pupil:teacher ratio*
England	23,600	1,460	16.2	4,112,620	181,230	22.7
North-east	2,030	120	17.5	209,270	9,610	21.8
Darlington	250	10	19.2	8,680	350	24.6
Durham	550	30	18.3	41,230	1,960	21.0
Gateshead	30	—	14.3	16,030	760	21.0
Hartlepool	20	—	6.9	8,920	400	22.5
Middlesbrough	0	0	—	13,400	630	21.4
Newcastle upon Tyne	570	30	18.5	19,380	860	22.5
North Tyneside	60	—	16.4	15,770	690	22.8
Northumberland	40	—	38.5	18,720	840	22.3
Redcar and Cleveland	0	0	—	12,930	600	21.4
South Tyneside	130	10	15.6	12,940	620	20.9
Stockton-on-Tees	0	0	—	16,910	750	22.6
Sunderland	380	20	15.6	24,360	1,140	21.3
North-west	3,680	230	15.8	598,280	26,760	22.4
Blackburn with Darwen	370	20	19.1	14,600	660	22.0
Blackpool	0	0	—	11,950	550	21.7
Bolton	220	10	16.5	24,770	1,100	22.5
Bury	50	—	15.7	15,910	670	23.7
Cheshire	90	10	18.2	55,660	2,490	22.4
Cumbria	250	10	17.9	40,060	1,850	21.7
Halton	200	10	18.8	10,490	490	21.2
Knowsley	0	0	—	15,570	700	22.2
Lancashire	1,090	70	16.0	95,320	4,260	22.4
Liverpool	240	20	12.6	38,350	1,790	21.4
Manchester	90	10	10.3	40,720	1,840	22.1
Oldham	0	0	—	22,950	940	24.3
Rochdale	140	10	12.1	19,830	890	22.4
Salford	0	0	—	20,250	910	22.3
Sefton	150	10	18.6	23,500	1,070	22.1
St. Helens	70	10	13.7	15,650	670	23.4
Stockport	430	20	18.2	23,560	1,040	22.6
Tameside	20	—	10.1	19,680	890	22.2
Trafford	0	0	—	18,830	790	23.8
Warrington	30	—	12.9	17,530	770	22.6
Wigan	110	10	18.2	26,300	1,180	22.2
Wirral	140	10	10.9	26,820	1,210	22.2
Yorkshire and the	2,020	120	16.5	436,650	19,170	22.8
Humber	40	—	18.3	19,450	820	23.6
Barnsley	410	30	14.0	48,250	2,160	22.4
Bradford	0	0	—	18,780	830	22.6
Calderdale	0	0	—	26,590	1,150	23.1
Doncaster	240	10	21.3	26,050	1,110	23.5
East Riding of Yorkshire	210	10	21.9	22,320	1,010	22.1
Kingston upon Hull	140	10	11.3	34,970	1,560	22.4
Kirklees	0	0	—	60,270	2,660	22.6
Leeds	180	10	16.1	14,400	620	23.2
North East Lincolnshire	0	0	—	13,620	580	23.5
North Lincolnshire	120	10	17.6	45,020	2,080	21.6
North Yorkshire	230	10	18.4	23,650	1,030	23.0
Rotherham	240	20	15.4	42,200	1,790	23.5
Sheffield	170	10	16.7	27,810	1,180	23.6
Wakefield	50	—	28.1	13,250	590	22.7
York	53	2	27.6	13,756	624	22.0
East Midlands	1,480	100	15.4	357,620	15,490	23.1
Derby	290	20	13.0	20,980	930	22.6
Derbyshire	330	20	16.6	62,760	2,650	23.7
Leicester	20	—	7.5	27,370	1,210	22.6
Leicestershire	20	—	17.4	49,590	2,140	23.2

Table 7a: Maintained nursery, primary and secondary schools: pupil:teacher ratios [1] by type of school—January 2004
By local education authority area, by Government Office region in England[2,3]

	Nursery schools			Primary Schools [4]		
	FTE pupils	*FTE teachers[5]*	*Pupil:teacher ratio*	*FTE pupils*	*FTE teachers[5]*	*Pupil:teacher ratio*
Lincolnshire	280	20	18.6	53,580	2,290	23.4
Northamptonshire	330	20	16.6	55,740	2,450	22.7
Nottingham	120	10	13.5	22,800	1,090	20.8
Nottinghamshire	90	10	13.3	62,270	2,610	23.8
Rutland	0	0	—	2,540	120	21.5
West Midlands	3,420	170	19.7	463,870	20,500	22.6
Birmingham	1,520	80	18.8	100,110	4,660	21.5
Coventry	80	—	20.6	25,910	1,180	21.9
Dudley	50	—	12.3	28,000	1,270	22.0
Herefordshire	0	0	—	13,180	610	21.6
Sandwell	0	0	—	28,850	1,230	23.5
Shropshire	0	0	—	21,240	910	23.3
Solihull	0	0	—	19,630	880	22.4
Staffordshire	350	20	21.9	64,390	2,740	23.5
Stoke-on-Trent	340	20	22.3	21,340	870	24.4
Telford and Wrekin	70	—	15.7	15,140	630	23.9
Walsall	400	20	24.3	25,040	1,060	23.6
Warwickshire	300	20	16.8	40,820	1,800	22.7
Wolverhampton	290	10	22.5	22,280	970	22.9
Worcestershire	30	—	12.6	37,930	1,680	22.5
East of England	2,090	140	15.3	436,510	19,040	22.9
Bedfordshire	430	30	16.8	23,880	1,050	22.8
Cambridgeshire	270	20	13.2	43,950	1,860	23.6
Essex	150	10	14.8	107,540	4,630	23.2
Hertfordshire	640	40	17.3	89,950	3,910	23.0
Luton	350	20	14.6	18,310	780	23.5
Norfolk	130	10	12.2	65,350	2,930	22.3
Peterborough	80	10	11.4	15,400	660	23.2
Southend-on-Sea	0	0	—	14,150	620	22.8
Suffolk	50	—	23.2	44,460	2,050	21.7
Thurrock	0	0	—	13,510	540	24.9
London	5,300	350	15.3	601,650	25,960	23.2
Inner London	3,360	210	15.7	221,640	9,890	22.4
Camden	80	—	19.0	11,280	530	21.5
City of London	0	0	—	220	10	23.2
Hackney	90	10	12.6	17,350	760	22.9
Hammersmith and Fulham	260	20	17.2	9,510	410	23.2
Haringey	190	10	12.6	20,910	890	23.4
Islington	190	10	14.3	14,510	650	22.3
Kensington and Chelsea	220	10	15.1	7000	330	21.5
Lambeth	350	30	13.9	19,050	920	20.8
Lewisham	180	10	13.1	21,130	1,030	20.4
Newham	610	30	18.8	29,270	1,200	24.5
Southwark	430	30	17.0	22,750	1,030	22.2
Tower Hamlets	450	20	18.2	21,560	900	24.1
Wandsworth	160	10	17.9	16,620	780	21.4
Westminster	160	10	11.1	10,480	470	22.4
Outer London	1,950	130	14.6	380,010	16,080	23.6
Barking and Dagenham	0	0	—	17,440	710	24.6
Barnet	300	10	20.5	24,790	1,080	23.0
Bexley	0	0	—	20,600	830	24.7
Brent	200	10	15.5	22,140	920	24.2
Bromley	0	0	—	24,010	1,010	23.7
Croydon	300	20	17.6	29,130	1,260	23.0
Ealing	270	20	15.9	24,700	1,000	24.8
Enfield	0	0	—	25,850	1,150	22.6
Greenwich	450	30	13.9	19,430	870	22.3
Harrow	20	10	1.5	18,960	800	23.8
Havering	0	0	—	19,650	810	24.3
Hillingdon	60	10	10.8	22,720	900	25.2
Hounslow	0	0	—	17,920	780	23.0
Kingston upon Thames	50	—	12.4	10,480	480	22.0
Merton	0	0	—	13,440	580	23.2
Redbridge	0	0	—	22,440	970	23.3

Table 7a: Maintained nursery, primary and secondary schools: pupil:teacher ratios [1] by type of school—January 2004
By local education authority area, by Government Office region in England[2,3]

	Nursery schools			Primary Schools [4]		
	FTE pupils	FTE teachers[5]	Pupil:teacher ratio	FTE pupils	FTE teachers[5]	Pupil:teacher ratio
Richmond upon Thames	40	—	10.7	11,770	540	21.6
Sutton	80	10	12.7	14,440	600	24.1
Waltham Forest	190	10	18.9	20,110	800	25.2
South-east	2,270	150	14.9	624,940	27,720	22.5
Bracknell Forest	0	0	—	8,510	360	23.4
Brighton and Hove	90	10	17.5	16,450	760	21.6
Buckinghamshire	90	—	28.9	38,810	1,720	22.5
East Sussex	0	0	—	35,860	1,670	21.4
Hampshire	100	10	13.0	99,300	4,350	22.8
Isle of Wight	0	0	—	7,190	320	22.2
Kent	40	—	16.9	110,960	4,850	22.9
Medway	0	0	—	22,880	1,000	22.9
Milton Keynes	60	—	22.6	22,310	1,000	22.4
Oxfordshire	380	30	13.6	44,130	1,980	22.3
Portsmouth	40	—	11.6	14,430	660	21.9
Reading	300	20	15.3	9,620	430	22.1
Slough	320	20	15.2	10,720	440	24.6
Southampton	30	—	12.2	16,280	740	21.9
Surrey	240	20	13.0	76,950	3,370	22.9
West Berkshire	100	10	14.7	11,720	540	21.7
West Sussex	200	20	11.2	58,870	2,640	22.3
Windsor and Maidenhead	200	10	21.4	8,050	350	22.8
Wokingham	70	—	18.5	11,910	530	22.6
South-west	1,310	80	15.9	383,830	16,970	22.6
Bath and North East Somerset	0	0	—	12,380	540	22.7
Bournemouth	0	0	—	10,790	450	23.8
Bristol, City of	1,090	70	16.6	29,460	1,290	22.8
Cornwall	60	10	8.6	38,850	1,720	22.6
Devon	60	10	12.0	54,520	2,440	22.3
Dorset	0	0	—	24,580	1,120	21.9
Gloucestershire	0	0	—	44,810	2,060	21.7
Isles of Scilly	0	0	—	260	20	11.5
North Somerset	0	0	—	14,820	610	24.1
Plymouth	100	10	19.6	19,720	860	22.9
Poole	0	0	—	10,630	450	23.8
Somerset	0	0	—	37,590	1,690	22.2
South Gloucestershire	0	0	—	22,790	960	23.6
Swindon	0	0	—	16,970	700	24.1
Torbay	0	0	—	9,930	430	23.0
Wiltshire	0	0	—	35,740	1,590	22.5

	Secondary schools[4]		
	FTE pupils	FTE teachers[5]	Pupil:teacher ratio
England	3,324,700	195,240	17.0
North east	179,140	10,910	16.4
Darlington	6,350	360	17.5
Durham	33,000	1,950	16.9
Gateshead	12,020	760	15.7
Hartlepool	6,660	400	16.6
Middlesbrough	5,810	380	15.1
Newcastle-upon-Tyne	17,470	1,100	15.9
North Tyneside	13,820	870	16.0
Northumberland	30,560	1,730	17.7
Redcar and Cleveland	10,330	660	15.7
South Tyneside	10,260	650	15.9
Stockton-on-Tees	12,890	780	16.6
Sunderland	19,980	1,280	15.6
North-west	472,520	29,080	16.2
Blackburn with Darwen	9,610	600	16.0
Blackpool	8,740	530	16.5
Bolton	19,940	1,240	16.1
Bury	12,010	680	17.6
Cheshire	47,720	2,820	16.9
Cumbria	35,310	2,180	16.2
Halton	8,310	520	16.0
Knowsley	10,190	640	16.0

	Secondary schools[4]		
	FTE pupils	FTE teachers[5]	Pupil:teacher ratio
Lancashire	76,690	4,600	16.7
Liverpool	33,460	2,190	15.2
Manchester	23,670	1,490	15.9
Oldham	16,770	1,080	15.5
Rochdale	14,400	860	16.8
Salford	12,720	790	16.1
Sefton	21,220	1,340	15.8
St. Helens	12,210	770	15.9
Stockport	17,070	1,030	16.6
Tameside	15,970	960	16.6
Trafford	16,360	980	16.7
Warrington	14,150	880	16.1
Wigan	21,400	1,320	16.2
Wirral	24,620	1,580	15.5
Yorkshire and the	349,320	20,810	16.8
Humber	13,740	770	17.8
Barnsley	34,660	2,150	16.1
Bradford	15,440	930	16.6
Calderdale	21,890	1,360	16.2
Doncaster	23,490	1,330	17.7
East Riding of Yorkshire	16,220	830	19.6
Kingston upon Hull	26,780	1,560	17.1
Kirklees	48,080	2,910	16.5
Leeds	11,730	650	18.0

	Secondary schools[4]		
	FTE pupils	*FTE teachers*[5]	*Pupil:teacher ratio*
North East Lincolnshire	10,910	610	17.9
North Lincolnshire	41,530	2,570	16.1
North Yorkshire	20,430	1,330	15.4
Rotherham	31,560	1,880	16.8
Sheffield	22,390	1,280	17.4
Wakefield	10,490	650	16.0
York	10,099	631	16.0
East Midlands	297,210	17,370	17.1
Derby	15,540	960	16.2
Derbyshire	50,500	2,960	17.1
Leicester	18,260	1,070	17.0
Leicestershire	46,740	2,650	17.6
Lincolnshire	47,430	2,700	17.6
Northamptonshire	47,390	2,730	17.4
Nottingham	13,920	910	15.3
Nottinghamshire	55,070	3,230	17.0
Rutland	2,360	140	16.9
West Midlands	380,080	22,490	16.9
Birmingham	70,920	4,450	15.9
Coventry	21,480	1,250	17.2
Dudley	20,870	1,240	16.9
Herefordshire	10,480	620	16.9
Sandwell	19,990	1,140	17.5
Shropshire	18,330	1,070	17.1
Solihull	15,830	890	17.7
Staffordshire	62,380	3,610	17.3
Stoke-on-Trent	15,220	920	16.5
Telford and Wrekin	10,650	620	17.1
Walsall	21,480	1,330	16.2
Warwickshire	34,210	1,980	17.3
Wolverhampton	17,040	1,010	16.9
Worcestershire	41,220	2,360	17.5
East of England	386,870	21,860	17.7
Bedfordshire	37,740	2,060	18.4
Cambridgeshire	32,670	1,750	18.7
Essex	90,680	5,040	18.0
Hertfordshire	79,290	4,630	17.1
Luton	12,430	700	17.7
Norfolk	46,190	2,660	17.3
Peterborough	12,750	750	17.0
Southend-on-Sea	12,210	690	17.7
Suffolk	54,360	3,160	17.2
Thurrock	8,570	410	20.8
London	42,1750	24,720	17.1
Inner London	127,320	7,750	16.4
Camden	9,690	620	15.7
City of London	0	0	—
Hackney	7,350	420	17.5
Hammersmith and Fulham	7,210	410	17.7
Haringey	11,220	740	15.2
Islington	7,860	490	16.0
Kensington and Chelsea	3,500	220	15.6
Lambeth	7,750	460	16.7
Lewisham	11,640	750	15.5
Newham	18,120	1,090	16.6
Southwark	10,020	580	17.4
Tower Hamlets	14,310	850	16.9
Wandsworth	10,250	620	16.5
Westminster	8,410	500	16.7
Outer London	294,430	16,970	17.3
Barking and Dagenham	12,070	710	17.1
Barnet	21,130	1,310	16.1
Bexley	18,010	960	18.7
Brent	15,930	950	16.7
Bromley	22,230	1,260	17.6
Croydon	18,660	1,040	17.9
Ealing	14,940	840	17.7
Enfield	21,610	1,270	17.1
Greenwich	14,960	900	16.7
Harrow	9,050	530	17.2
Havering	16,520	930	17.7
Hillingdon	17,800	990	18.0
Hounslow	16,670	980	17.0
Kingston upon Thames	9,340	550	17.1
Merton	8,580	450	19.0
Redbridge	20,000	1,180	16.9
Richmond upon Thames	7,350	390	19.1
Sutton	15,720	910	17.4
Waltham Forest	13,850	830	16.6
South-east	511,580	29,180	17.5
Bracknell Forest	6,110	330	18.2
Brighton and Hove	12,390	760	16.2
Buckinghamshire	34,620	1,840	18.8
East Sussex	28,850	1,700	17.0
Hampshire	72,630	4,240	17.1
Isle of Wight	12,150	650	18.7
Kent	98,120	5,610	17.5
Medway	20,720	1,140	18.1
Milton Keynes	12,870	750	17.3
Oxfordshire	38,090	2,130	17.9
Portsmouth	10,090	540	18.7
Reading	6,170	390	16.0
Slough	8,440	460	18.5
Southampton	12,170	750	16.1
Surrey	59,450	3,230	18.4
West Berkshire	12,170	750	16.2
West Sussex	45,030	2,630	17.1
Windsor and Maidenhead	10,490	620	16.9
Wokingham	11,030	640	17.1
South-west	326,220	18,810	17.3
Bath and North East Somerset	12,430	730	17.0
Bournemouth	10,000	570	17.5
Bristol, City of	16,660	1,030	16.2
Cornwall	33,070	1,880	17.6
Devon	42,300	2,410	17.5
Dorset	30,570	1,720	17.8
Gloucestershire	40,320	2,410	16.8
Isles of Scilly	0	0	—
North Somerset	12,930	760	17.1
Plymouth	19030	1080	17.5
Poole	8570	490	17.3
Somerset	33,390	1,840	18.1
South Gloucestershire	16,950	1,010	16.8
Swindon	11,580	650	17.7
Torbay	9200	540	17.0
Wiltshire	29,220	1,680	17.4

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[1] See paragraph 29 of the explanatory notes.

[2] See paragraphs 45–47 of the explanatory notes.

[3] Rounding of components may cause discrepancies in totals.

[4] Includes middle schools as deemed.

[5] Includes full-time and the full-time equivalent of part-time qualified teachers.

Notes:

1. Includes qualified teachers (including those not in schools and teachers providing short-term cover) and teachers without Qualified Teachers Status employed in the maintained sector.

2. These are ratios over all maintained nursery, primary and secondary schools; they do not reflect the actual deployment of teachers among different schools, nor the size of classes as taught.

Resources for Children and Learners

Chris Grayling: To ask the Secretary of State for Education and Skills pursuant to his written ministerial statement of 16 September 2004, *Official Report*, columns 153–4WS, on Resources for Children and Learners, what funding has been set aside to close the per-pupil funding gap between 16 to 18 year olds in school sixth forms and further education colleges; and if he will make a statement. [191813]

Dr. Howells: On 16 September, the Secretary of State announced that total funding for the post-16 learning and skills sector, excluding Higher Education, will rise to £11 billion by 2007–08. We are doing further work in partnership with the Learning and Skills Council (LSC) on the details of our spending plans for the learning and skills sector. Details will be published at the time of release of the grant letter to the LSC.

School Exclusions (Somerset)

Mr. Flook: To ask the Secretary of State for Education and Skills how many pupils have been excluded from *(a)* primary and *(b)* secondary schools in Somerset in each year since 1997. [191159]

Mr. Stephen Twigg: The information requested is shown in the following table.

Maintained primary and secondary schools[1]: number and percentage of permanently excluded pupils 1997/98 to 2002/03

Somerset local education authority

	Primary		*Secondary*	
	Number of permanent exclusions	*Percentage of the school population[2]*	*Number of permanent exclusions*	*Percentage of the school population[2]*
1997/98	11	0.03	64	0.22
1998/99	6	0.02	55	0.19
1999/2000	12	0.03	49	0.16
2000/01	15	0.04	38	0.12
2001/02	16	0.04	43	0.13
2002/03	22	0.06	37	0.11

[1] Includes middle schools as deemed.

[2] The number of permanent exclusions expressed as a percentage of the number (headcount) of pupils, excluding dually registered pupils.

Schools Access Initiative (Buckingham)

Mr. Bercow: To ask the Secretary of State for Education and Skills which schools in the Buckingham constituency benefited from the Schools Access Initiative in *(a)* 2001–02, *(b)* 2002–03 and *(c)* 2003–04. [191068]

Margaret Hodge: The Schools Access Initiative (SAI) provides resources to help make schools accessible to disabled pupils. Over the period 2001–02 to 2003–04 we invested £220 million in the SAI.

The funding is allocated to Local Education Authorities and it is for each authority to decide its priorities for spending. The table lists the schools in the Buckingham area that we believe have received funding from the Schools Access Initiative in each of the years 2001–02 to 2003–04:

School name	*Total (£000)*
2001–02	
Gawcott Infant	15,000
Royal Latin	10,000
2002–03	
Buckingham Primary	19,000
Cottesloe School (Wing)	35,000
Royal Latin	97,000
Winslow CE Combined	13,000
2003–04	
North Marston Infant	2,000
Padbury Infant	12,000
Winslow CE Combined	10,500

Spelling

Mr. Chope: To ask the Secretary of State for Education and Skills what steps he is taking to promote spelling with imagery as a method for improving the teaching of spelling in schools. [191360]

Mr. Stephen Twigg: Developing good literacy skills, including the ability to spell with accuracy and confidence, is crucial to raising standards in English and other subjects, and for equipping pupils with the skills and knowledge they need for life beyond school.

The National Literacy Strategy's Framework for Teaching sets out detailed guidelines for what pupils should be taught in each year of primary school, including key principles and activities for the teaching and learning of spelling appropriate to individual year groups.

The Framework supports a balanced approach to teaching spelling which includes both the development of phonological awareness as well as the use of visual skills to support pupils in their learning. The use of visual skills might include recognising common letter strings and checking critical features of the word in terms of shape and length.

Through the Primary Strategy schools can access a wealth of materials to support the teaching of literacy. For example the Planning Exemplification and Spelling programme for years 2 and 3 provides teachers with a range of structured activities to support pupils' spelling. These include a variety of highly visual activities such as labelling pictures and diagrams or "spotting the difference" between pairs of similar words.

Suicide

Bob Spink: To ask the Secretary of State for Education and Skills how many school pupils have committed suicide where bullying was cited as a cause in each of the last five years. [190968]

Mr. Stephen Twigg: Data on the incidence of suicide where bullying was cited as a cause is not collected centrally and we do not hold this information.

The Department is deeply concerned about the distress bullying causes and the effect it has on lives and we are determined to help schools to tackle the problem. Our guidance pack 'Bullying: Don't Suffer in Silence' and the anti-bullying charter and the anti-bullying website www.dfes.gov.uk/bullying offer detailed advice on preventing and addressing bullying.

In November 2003 the Department launched our anti-bullying charter for schools at the first of a series of nine regional conferences. It is accompanied by a summary of effective practice to help schools review and enhance their anti-bullying policies. July 2004 saw the launch of the Anti-Bullying Alliance (ABA), a grouping of voluntary sector organisations, including Childline and the NSPCC. The Department has provided funding of £570,000 for the ABA to sustain the momentum for change. As part of this the ABA will launch the first ever national Anti Bullying week in November. A variety of events are planned, both nationally and locally, involving the Department, the ABA and schools. We shall continue to maintain our wholehearted commitment to combating bullying.

Sure Start

Alan Simpson: To ask the Secretary of State for Education and Skills what plans he has to extend the Sure Start programme by expanding the number of children's centres beyond the current provision for disadvantaged wards. [191904]

Margaret Hodge: Additional funding for Sure Start announced by the Chancellor in the Budget and the Spending Review is ensuring that we advance further and faster towards our goal of a children's centre for every community and every constituency of this country. We will establish 2,500 children's centres in all of the 20 per cent. most deprived wards in England by 2007–08 and in pockets of deprivation beyond those wards, making Sure Start type services available to the 56 per cent. of poor children who live in those disadvantaged areas.

We will publish in late this year a 10-year strategy for the early years, which will include details of the further roll out of children's centres beyond these disadvantaged areas.

Teaching Staff

Mr. Robathan: To ask the Secretary of State for Education and Skills how many teaching assistants there were in Leicestershire on 1 September *(a)* 2001, *(b)* 2002, *(c)* 2003 and *(d)* 2004. [192382]

Mr. Miliband: Information on teaching assistants is collected from the Annual School Census at January of each.

Information for each of the years requested was published in table 20 of the Statistical First Release 34/2004 on 23 September 2004. A copy of this has been placed in the House of Commons Library. The Statistical First Release can also be accessed from the following URL: http://www.dfes.gov.uk/rsgateway/DB/SFR/s000493/index.shtml

Hugh Bayley: To ask the Secretary of State for Education and Skills how many full-time equivalent *(a)* teachers and *(b)* non-teaching assistants there were in local education authority schools in (i) Yorkshire and Humber and (ii) City of York in (A) 1997 and (B) 2004. [191163]

Mr. Miliband: The following table gives the full-time equivalent number of regular teachers, teaching assistants and other support staff in maintained schools in Yorkshire and the Humber Government office region and the City of York local education authority in January 1997 and 2004.

	Regular teachers[1]	*Teaching assistants*[2]	*Support staff (excluding teaching assistants)*[2]
Yorkshire and the Humber			
1997	41,900	7,700	7,400
2004	44,200	15,500	11,400
City of York			
1997	1,290	140	180
2004	1,390	400	250

Sources:

[1] DfES annual survey of teachers in service (Form 618G)

[2] Annual School Census

Teaching assistants include special needs support staff and minority ethnic support staff. Support staff include administrative staff, technicians and other support staff.

WORK AND PENSIONS

Benefit Appointees

Mr. Boswell: To ask the Secretary of State for Work and Pensions pursuant to his answer of 16 September 2004, *Official Report*, column 1749W, on benefits, how many appointees for the receipt of benefits in each of the last five years *(a)* had their appointment revoked and *(b)* were subjected to further action by the Secretary of State. [190611]

Mr. Pond: The information is not collated centrally and can be provided only at disproportionate cost.

Benefits

Mr. Cousins: To ask the Secretary of State for Work and Pensions what the linking rules are for the return on unchanged terms to each category of benefit; and on what date those linking rules were introduced. [188721]

Mr. Pond: There are currently two main linking periods of eight weeks or twelve weeks allowing a customer to return to Income Support on unchanged terms after a break in claim. These periods are defined in regulation 3A of the Income Support (General) Regulations 1987 which came into force on 11 April 1988. (Specific linking periods exist for housing costs on Income Support. Housing Cost linking periods are defined in Schedule 3 of the Income Support (General) Regulations 1987 which was revised in October 1995 when major changes were introduced to the rules for the payment of housing costs by Income Support.)

The main linking periods are referred to in legislation as the "Permitted Period". A customer whose entitlement to Income Support ceases because he or his partner becomes engaged in remunerative work has a maximum "permitted period" of 12 weeks in which he can reclaim with no impact on certain elements of his Income Support. A customer whose entitlement to Income Support ceases because of any other reason has a maximum "permitted period" of eight weeks in which he can reclaim with no impact on certain elements of his Income Support.

It must be stressed that reclaiming within the eight week or 12 week period does not guarantee the customer will receive exactly the same amount of Income Support he was receiving previously. The "permitted period" is linked to specific elements of the Income Support and the overall total of Income Support will be affected by changes in the customer's circumstances that have occurred within the eight or 12 week period.

The elements of Income Support that are affected by the permitted periods are Applicable amounts, Mortgage interest, Protected sums and Earnings to be disregarded. There are no rules which allow Pension Credit to be reinstated on unchanged terms following a break in the claim. Currently, for example, where a Pension Credit customer's entitlement ends for any reason they will need to make another claim. There is no guarantee that the benefit will be reinstated at the same rate as before, as there could have been a change in circumstances since the previous award. This would happen if there was a break in entitlement for any reason. There would be no linking provision for a short break in the claim.

There is one linking rule in Pension Credit which allows the retention of an element of benefit. Pension Credit customers may be awarded a transitional extra amount if, on a previous Income Support or JSA (IB) award, they received a transitional addition. Where an award of Pension Credit, which included a transitional extra amount ends, and a repeat Pension Credit application is made within eight weeks of the earlier award, the applications "link", and the transitional extra amount from the previous application is retained. It must be stressed that reclaiming within eight weeks does not guarantee the customer exactly the same Pension Credit as previously, as changes in circumstances may have occurred within the eight week period.

There are no linking rules when a new claim is made that prescribe that the claim be treated in the same manner as a previous application. The general rule is that a claim is assessed with reference to the legislation that is in force at the time.

There is a "rapid reclaim" procedure which is a streamlined reclaiming process for those who reclaim IS/JSA and HB/CTB within 12 weeks of their previous entitlement ending. This is only an administrative easement.

Where a claimant is benefiting from transitional protection under the rent officer referral arrangements which existed prior to January 1996, there can be a break in entitlement of up to four weeks.

Linking rules may apply in the following circumstances:

> Claimants discharged and readmitted to hospital within 28 days. When a patient is discharged from hospital, and subsequently readmitted within 28 days, the total time spent in hospital is counted when calculating the day when benefit is to be downrated. If the break is 29 days or longer, a new period starts. This linking rule does not apply when working out whether the claimant has been absent from home for more than 52 weeks.
>
> Linking periods of incapacity: To qualify for the Disability Premium (DP) under the 364 day rule, the claimant must be sick and submitting evidence of incapacity for work. Periods of sickness link together if separated by 56 days or less, or 52 weeks for Welfare to Work beneficiaries (see point 3 below). Any period spent in hospital counts towards the 364 day qualifying period. If, after a claimant has qualified for DP, there is a break in incapacity of eight benefit weeks or less, the claimant does not have to meet the 364 day qualifying period again.
>
> Fifty two week benefit protection: This benefit protection period is a period of 52 weeks following return to work (or training for work) in which periods of incapacity can be linked, or during which the right to certain transitional protections may be preserved. A Jobseeker's Allowance customer may return to benefit at their pre-existing rate if they re-claim within a certain number of weeks of leaving. The standard period for JSA is 12 weeks.

The effect of this "linking rule" is that the two claims for JSA with a gap of less than 12 weeks between them are counted as one. This means that when the customer makes a further claim for JSA, for example after a spell of temporary work, they do not have to serve a further set of waiting days before JSA starts to be paid.

In addition, if they were previously receiving help with mortgage interest, they will not have to serve a further qualifying period before this help resumes. Their benefit position will be the same as when they moved off JSA. These rules have been in place since JSA was introduced in October 1996.

Anne Picking: To ask the Secretary of State for Work and Pensions what the average length of time is before gaining employment for which claimants were in receipt of jobseeker's allowance in *(a)* East Lothian constituency and *(b)* the rest of the UK in the latest period for which figures are available. [190150]

Jane Kennedy: The available information is in the tables.

Jobseeker's allowance (JSA) claims terminating between June 2003 and May 2004 in East Lothian parliamentary constituency area, by reason for termination and average (median) length of claim on termination

Reason JSA claim terminates	*Number of claims terminating (thousand)*	*Average (median) duration of terminated claims (days)*
All reasons	2.2	67
Found work	1.3	64
Other reasons	0.9	85

Jobseeker's allowance claims terminating between June 2003 and May 2004 in Great Britain (excluding East Lothian parliamentary constituency), by reason for termination and average (median) length of claim on termination

Reason JSA claim terminates	*Number of claims terminating (thousand)*	*Average (median) duration of terminated claims (days)*
All reasons	2,205.8	72
Found work	1,099.2	61
Other reasons	1,106.6	88

Notes:

1. 'Other reasons' categories include customers who have: deceased; gone abroad; claimed another benefit; entered full-time education; ceased to claim; failed to attend; reached retirement age; claimed incapacity benefit or income support; started training; started on an Employment Zone; had an unfavourable decision on their claim; gone to prison; attended court; started an Employment Zone work placement.
2. Figures are given for those who were previously receiving JSA, and therefore exclude claimants who were signing for national insurance credits only.
3. Figures are claim-based. If an individual claims then terminates a claim on more than one occasion in the period, then they will be counted more than once.
4. Parliamentary constituencies are assigned by matching postcodes against the relevant ONS postcode directory, and are based on constituency boundaries at May 1997.
5. The "found work" category includes claims terminating on finding work, working on average 16 hours or more a week, and New Deal Employers option.
6. Figures are based on a 5 per cent. sample and will be subject to a degree of sampling variation.
7. Numbers of claims are rounded to the nearest hundred and are expressed in thousands.
8. Average provided is the median claim length of claims that have terminated in the period. It is not possible to produce a mean duration for JSA claims, as reliable start dates are not available for all claims starting before 1992. A mean would therefore be biased upwards by a small number of long durations.

9. Data for part *(b)* of the question are given for the rest of Great Britain rather than the United Kingdom, as our sample only includes Great Britain cases.

Source:

IAD Information Centre, 5 per cent. samples.

New Deal for the Disabled

Mr. Challen: To ask the Secretary of State for Work and Pensions how many people in *(a)* Morley and Rothwell and *(b)* England have taken up the New Deal for the Disabled. [192514]

Jane Kennedy: 69,190 people have started the New Deal for Disabled People in England. The information is not available at constituency level.

Note:

1. Figures relate to registrations with a Job Broker from June 2001 when the programme was introduced nationally to June 2004 and are rounded to the nearest 10.

Pensions

Diana Organ: To ask the Secretary of State for Work and Pensions what his estimate is of the number of eligible pensioners in the Forest of Dean who have not taken up pension credit; and how many are women. [192029]

Malcolm Wicks: The information is not available in the form requested. However, we estimate that approximately 300,000 households in the South West Government Office Region (GOR), corresponding to approximately 400,000 individuals (rounded to the nearest 50,000), are likely to be eligible for Pension Credit in 2004–05. Information on the number of Pension Credit recipients in the South West GOR and in the Forest of Dean is given in the table.

Pension Credit recipients, 31 August 2004

	South West GOR	Forest of Dean
Household	216,360	3,825
Individual recipients	264,230	4,770
Female individual	177,270	3,175

Notes:

1. Figures are rounded to the nearest five
2. Individual recipients include a small number of partners under age 60.

Mr. Martlew: To ask the Secretary of State for Work and Pensions how many senior citizens in Carlisle have benefited from the winter fuel allowance since 1997. [191599]

Malcolm Wicks: The number of senior citizens in the Carlisle constituency who have benefited from the winter fuel allowance since 1999–2000 is in the table. Information relating to the 1997–98 and 1998–99 winters is not available.

	Payments made
1999–2000	15,080
2000–01	16,470
2001–02	16,610
2002–03	16,780
2003–04	16,810

Note:

Figures are rounded to the nearest 5.

Source:

IAD Information Centre, 100 per cent. sample.

Tom Cox: To ask the Secretary of State for Work and Pensions how many people living in the London Borough of Wandsworth are in receipt of a state retirement pension. [191962]

Malcolm Wicks: As at 31 March 2004, the number of people living in the London Borough of Wandsworth in receipt of state pension was 29,000. Of these 10,100 were male and 19,000 were female.

Notes:

1. State pension recipient figures relate to people getting any state pension (basic or additional) or graduated retirement benefit who reside in the London Borough of Wandsworth.
2. Figures are obtained from a 5 per cent. sample of cases and are therefore subject to a high degree of sampling variation.
3. Figures are rounded to the nearest hundred and totals may not sum due to rounding.
4. Local authorities are assigned by matching postcodes against the relevant Office for National Statistics, postcode directory.

Source:

IAD Information centre, 5 per cent. sample.

Steve Webb: To ask the Secretary of State for Work and Pensions what proportion of SERPs pension can be inherited by *(a)* a woman aged over state pension age and *(b)* a man aged over state pension age, if their spouse dies before reaching pension age; and what assessment has been made of the compatibility of this policy with the Human Rights Act 1998. [192562]

Malcolm Wicks: Subject to the entitlement rules, the maximum percentage of a state earnings-related pension scheme (SERPS) pension that may now be passed on to a surviving spouse depends on when the person who paid into SERPS reached or would have reached State Pension age. This applies equally to men and women.

Where the late spouse is under State Pension age when they die different rules on inheriting a SERPS pension apply to men and women. A widower in this situation can not currently inherit any of his late wife's SERPS pension whereas a widow can. From 6 April 2010, the rules will be equalised so that a man will be able to inherit a proportion of his late spouse's SERPS pension in the same way as a woman can.

Our assessment is that the changes over time for both the inheritance of SERPS and equalisation of State Pension age comply fully with both Community law and the European Convention on Human Rights.

Mr. Webb: To ask the Secretary of State for Work and Pensions what steps he will take to ensure that widows and widowers whose spouse opted out of SERPs inherit the same proportion of their spouse's pension as people of the same age who did not opt out. [192563]

Malcolm Wicks: Widows and widowers whose spouse was contracted-out of SERPS already inherit the same proportion of SERPS as those whose spouse did not. However, where the spouse had been contracted-out, the survivor also inherits a proportion of the contracted-out rights—the Guaranteed Minimum Pension. In order to avoid double provision from public funds the amount of SERPS paid to those whose spouse was contracted-out is reduced by the inherited Guaranteed Minimum Pension. In general this is intended to result in a widow or widower whose spouse had been contracted-out receiving the same amount as the widow or widower of an individual who did not.

SERPS

Mr. Denham: To ask the Secretary of State for Work and Pensions whether the state earnings related pension scheme element of the state pension is annually up-rated at the same rate as the basic element of the state pension; and if he will make a statement. [190309]

Malcolm Wicks: Section 150 of the Social Security Administration Act 1992 requires the Secretary of State to review the amount payable in respect of both the basic and the additional state pension annually and to increase them in line with the general level of prices. He is not required to increase them by the same rate. We have undertaken for this Parliament to increase the basic state pension each year by the higher of 2.5 per cent. or price inflation. Both the basic and the additional state pension were increased in April 2004 by 2.8 per cent., which represented the increase of the general level of prices for that year.

CONSTITUTIONAL AFFAIRS

EU Constitution Referendum

Mr. Rosindell: To ask the Parliamentary Secretary, Department for Constitutional Affairs what plans he has for a campaign to encourage people to turn out to vote in the referendum on the European Constitution. [191890]

Mr. Leslie: The Government has no plans to supplement the role already played by the Electoral Commission, who have responsibility for any initiatives related to encouraging turnout or participation in referendums.

FOI Act

Tony Wright: To ask the Parliamentary Secretary, Department for Constitutional Affairs which public authorities the Secretary of State intends to designate for the purpose of section 53(1) *(a)* (iii) of the Freedom of Information Act 2000; and which public authorities have been the subject of consultation under section 53(5) of that Act. [191947]

Mr. Leslie: No decisions have been taken about whether to introduce an order under section 53(1)*(a)*(iii) of the Freedom of Information Act. If a decision were taken to introduce an order under section 53 (1)*(a)*(iii), we would consult with the relevant public authorities as set out in section 53(5).

International Private Law

Mr. Boswell: To ask the Parliamentary Secretary, Department for Constitutional Affairs what action his Department is taking to strengthen its capacity to *(a)* monitor, *(b)* handle and *(c)* advise other Government Departments and agencies on developments in international private law. [191143]

Mr. Leslie: On 16 July this year, Lord Filkin, then Parliamentary Under-Secretary of State at the Department for Constitutional Affairs, announced that the Advisory Committee on Private International Law would have a greatly remit. The task of this Committee is to advise Ministers and officials on all significant issues which arise in this area, whether in the context of developments within the European Community, other international negotiations or in relation to our national law. The Committee is chaired by Sir Peter North QC and consists of eminent judges, practitioners and academics with particular expertise in this complex and important area of the law.

Judiciary (Equal Opportunities)

Mr. Rosindell: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will make a statement on his proposals to attract more *(a)* women, *(b)* ethnic minorities and *(c)* disabled people to the judiciary. [192706]

Mr. Leslie: I refer the hon. Gentleman to the answers I gave to the hon. Member for Redcar on 14 October 2004, *Official Report*, column 359W.

Lay Magistrates

Mr. Rosindell: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many lay magistrates have been recruited in *(a)* the London Borough of Havering, *(b)* Greater London and *(c)* England and Wales in each of the last 10 years. [192651]

Mr. Leslie: The numbers of magistrates recruited for each of the last 10 years in each area is:

Year end	*England and Wales*[1]	*Greater London*	*Havering*
31 March 2004	1,768	157	7
31 March 2003	1,685	141	6
31 March 2002	1,786	161	4
31 March 2001	1,618	194	3
31 March 2000	[2]—	175	6
31 December 1999	1,743	75	8
31 December 1998	1,609	71	3
31 December 1997	1,312	108	4
31 December 1996	1,682	134	6
31 December 1995	1,843	62	2

[1] Figures include the Duchy of Lancaster.

[2] Figures not available as the database was found to be inaccurate when the database was checked.

Lord Chancellor (Consultations)

Mr. Rosindell: To ask the Parliamentary Secretary, Department for Constitutional Affairs what consultations the Lord Chancellor has had with Her Majesty the Queen in each of the past 12 months. [192654]

Mr. Leslie: By long-standing convention, communications between Ministers and Her Majesty The Queen are confidential. Information about any such consultations is exempt under Exemption 3 of the Code of Practice on Access to Government Information (communications with the Royal Household).

Queen's Counsel

Mr. Llwyd: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many and what percentage of practising barristers are Queen's Counsel. [192201]

Mr. Leslie: There are 13,985 practising barristers in England and Wales. 1,239 of these barristers (approximately 9 per cent.) are Queen's Counsel.

Unpaid Fines

Mrs. Gillan: To ask the Parliamentary Secretary, Department for Constitutional Affairs (1) what percentage of fines were unpaid *(a)* fully and *(b)* partially in each of the last 15 years following a criminal conviction in England and Wales; [191799]

(2) how many fines were collected as a result of enforcement procedures in each of the last five years. [191801]

Mr. Leslie: Information on fines imposed and collected is provided by the 42 Magistrates Courts Committees (MCCs) in England and Wales. The following table shows the payment rate for the last five years—comparative data are not available for years prior to 1999–2000. Data regarding the proportion of fines that are unpaid *(a)* fully or *(b)* partially are not held centrally and could be made available only at disproportionate cost. However, data in the Home Office Research Paper, "Clearing the Debts: The Enforcement of Financial Penalties in Magistrates' Courts" (March 2003), indicate that 26 per cent. of fines are paid in full without the need for enforcement action, with the balance of the payment rate being the result of enforcement activity. The DCA's Enforcement Programme is working towards improving data collection for enforcement but this is reliant on the introduction of new IT systems, due from 2005.

Period	*Payment rate (percentage)*
1999–2000[1]	62
2000–01[1]	63
2001–02[1]	59
2002–03[1]	55
2003–04[1,2,3]	74
2004–05[3]	78

[1] *Payment rate (September 1999 to March 2003)*
The primary indicator was the payment rate defined as the amount paid into court as a percentage of new amounts owed.

[2] *Payment rate (April 2003 to-December 2003)*
The calculation for the payment rate between April 2003 and, December 2003 was:
Payment rate = amount paid divided by new amount owed
(new amount owed excludes legally cancelled + civil + confiscation orders).

[3] *Payment rate (January 2004 onwards)*
Payment rate = amount paid divided by new amount owed
(new amount owed excludes legally cancelled + administratively cancelled + civil + confiscation orders).

Note:
Payment rate = amount paid divided by new amount owed.
(new amount owed excludes legally cancelled + administratively cancelled + civil + confiscation orders).

As a result of the revisions in the method of calculating the payment rate, direct year-on-year comparisons cannot be made.

Mrs. Gillan: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many fines imposed following a criminal conviction were *(a)* fully and *(b)* partially written off in each of the last 15 years. [191800]

Mr. Leslie: One of the key points in the 7-point action plan I announced in June 2003 was that fines will no longer be written off. They will be chased until they are paid. The new policy to deliver this was introduced on 5 January and from that date fines can no longer be written off, though there are limited circumstances where they can be administratively cancelled, for example, where the defaulter is deceased, has been sent to a mental health institution for 12 months or more, has emigrated or is a limited company which has been wound up with no goods on which to levy distress. Figures relating to the number of fines imposed written off prior to 5 January 2004 are not held centrally and could be collected only at disproportionate cost.

PRIME MINISTER

Iraq Survey Group

Mr. Andrew Turner: To ask the Prime Minister pursuant to his oral answer to the hon. Member for the Isle of Wight, *Official Report*, 13 October 2004, column 284, what brief the Iraq Survey Group had in relation to securing weapons of mass destruction sites when it began its work in Iraq; and what arrangements were in place between the fall of the Saddam regime and the commencement of the group's work. [192725]

The Prime Minister: The Iraq Survey Group was formed on 1 June 2003 to begin a more systematic collection of evidence to build an understanding of Iraqi WMD programs. The physical security of sites was the responsibility of coalition forces from the end of the conflict until the establishment of the Iraq Interim Government.

TRADE AND INDUSTRY

Carbon Sequestration

Norman Baker: To ask the Secretary of State for Trade and Industry what assessment she has made of the practical possibilities offered by carbon sequestration, in terms of tackling climate change. [191183]

Mr. Mike O'Brien *[holding answer 15 October 2004]*: We have already published a report considering the Feasibility of Carbon Capture and Storage in the UK which can be found in the Libraries of the House or at http://www.dti.gov.uk/energy/coal/cfft/co2capture/review.pdf. The report concluded that Carbon Capture and Storage could be an effective means for reducing carbon emissions from fossil fuel power generation and could contribute to the Government's longer-term target of a 60 per cent. reduction by 2050, although there are a number of issues which need to be addressed in the meanwhile before it can become a reality.

A Carbon Abatement Technology Strategy is currently being developed by the DTI which will be published at the turn of the year, this will include in its scope Carbon Capture and Storage technologies.

Company Data Protection

John Robertson: To ask the Secretary of State for Trade and Industry what action her Department is taking to allay customer concerns about the adequacy of data protection by companies that have moved parts of their business offshore. [190886]

Mr. Alexander: UK companies who control data remain responsible, under the Data Protection Act, for how data is processed overseas on their behalf. They remain bound by the requirements of the Data Protection Act, in particular the Act's requirement for data to be kept secure. The method of transfer must include measures to ensure the security of the processing and security against breaches of the Act. Companies must also be open with individuals about how information they collect on them is intended to be used.

Consumer Codes Approval Scheme

Brian Cotter: To ask the Secretary of State for Trade and Industry on what date the Office of Fair Trading first invited industry bodies to apply under the Consumer Codes Approval Scheme; which sector bodies have applied to date; and at what stage each application is. [191631]

Mr. Sutcliffe *[holding answer 15 October 2004]:* The Office of Fair Trading is responsible for the Consumer Codes Approval Scheme. I will ask the Chairman to write to the hon. Member.

Consumer Safety

Malcolm Bruce: To ask the Secretary of State for Trade and Industry what *(a)* central and *(b)* local mechanisms are in place to ensure that (i) British manufactured and (ii) imported consumer products are legally safe. [192391]

Mr. Sutcliffe: The General Product Safety Regulations 1994 require that all consumer products placed on the market must be safe. In addition, there are a number of pieces of sector specific legislation which regulate the safety of particular products such as toys, cosmetics and furniture. The legislation relates to products placed on the market whether they are produced in the UK or imported. Enforcement of product safety is principally conducted by local authority trading standards departments in England, Wales and Scotland and by local authority environmental health officers in Northern Ireland.

Malcolm Bruce: To ask the Secretary of State for Trade and Industry what resources are available for the carrying out of test purchases of products on the market to ensure they satisfy consumer protection legislation. [192392]

Mr. Sutcliffe: Enforcement of product safety, including test purchases, is principally conducted by local authority trading standards Departments in England, Wales and Scotland and local authority environmental health officers in Northern Ireland. There are 202 such authorities in total. It is for the individual authorities to determine what resources they devote to test purchases.

Malcolm Bruce: To ask the Secretary of State for Trade and Industry if she will make a statement on the closure of the Consumer Safety Unit. [192393]

Mr. Sutcliffe: In order to better achieve our target of having among the best consumer protection and empowerment and competition regimes in the world, consumer safety has been integrated with the work of other units in the Department's Consumer and Competition Policy Directorate and Standards Policy Directorate. The UK is one of the safest places in Europe for consumers and we are working to maintain and improve that position.

Malcolm Bruce: To ask the Secretary of State for Trade and Industry how many consumer products have been checked under section 28 of the Consumer Protection Act 1987, broken down by *(a)* product type and *(b)* result. [192401]

Mr. Sutcliffe: Information on test purchases by local enforcement authorities is not collected centrally.

Malcolm Bruce: To ask the Secretary of State for Trade and Industry pursuant to the answer of 19 May 2004, *Official Report*, column 986W, on product safety, if she will make a statement on the *(a)* consultation on the draft regulations implementing the General Product Safety Directive and *(b)* the progress made towards implementing the regulations. [192550]

Mr. Sutcliffe: Transposition of the revised General Product Safety Directive 2001/95/EC continues to be a complex exercise. Officials are currently working with parliamentary counsel and Cabinet Office Legal Advisers to resolve a few last very detailed issues that have arisen out of the drafting process. This has led to some further delay but we hope to publish the second consultation on the basis of the draft regulations shortly.

Entrepreneurship Education

Chris Ruane: To ask the Secretary of State for Trade and Industry what action her Department has taken to promote enterprise among the over 50s; and if she will make a statement. [190839]

Mr. Sutcliffe: In addition to its support for enterprise promotion across all age ranges, the DTI supports projects targeted at people over 50. As part of its support for Community Finance Development Institutions (CDFIs) it provides support to The PRIME Initiative Ltd., a national organisation offering access to finance for people over 50 seeking to set up a new business, where other lending institutions are traditionally reluctant do so. The Department's Enterprise Promotion Fund (EPF) is sponsoring enterprise awareness projects for the over 50s in North Yorkshire and Northumberland. These projects aim to construct a more robust bridge to enterprise by first demonstrating the possibility of starting a business and then signposting to the most appropriate support agency.

EU Committees

Angus Robertson: To ask the Secretary of State for Trade and Industry how many times during the Greek presidency of the EU the Committee for the management of generalised preference met; when and where these meetings took place; what UK Government expert was present; and if she will make a statement. [191601]

Mr. Alexander: Further to the answer given by my right hon. Friend the Secretary of State for Trade and Industry on 19 November 2003, *Official Report*, columns 979–80W, the Generalised System of Preferences (GSP) Committee met in Brussels once during the Greek presidency on 25 March 2003. In addition, the GSP Working Party met on 27 February and 5 March 2003 to discuss changes to the GSP scheme. Both UK and Brussels-based staff attended these meetings.

Export Credits Guarantee Department

Malcolm Bruce: To ask the Secretary of State for Trade and Industry what the total outstanding debt owed to the Export Credits Guarantee Department by each country on guaranteed business since 1991 is; and what the *(a)* amounts at risk, *(b)* unrecovered claims and *(c)* the Moratorium Interest accrued on the unrecovered claim is for each country. [192449]

Mr. Alexander: As at 30 September 2004, ECGD's amounts at risk and unrecovered claims on business issued since 1 April 1991 were as detailed in the following table.

As at 30 September 2004, there were no markets with Moratorium Interest arrears relating to business issued since 1 April 1991, as all such interest accrued to date under rescheduling agreements has been paid by the debtors.

£ million

Market	*AAR*	*Claims*	*AAR + claims*
Abu Dhabi	51.5	—	51.5
Algeria	97.9	30.1	128
Argentina	2.2	—	2.2
Australia	87.7	8	95.7
Austria	20.8	—	20.8
Azerbaijan	91.6	—	91.6
Bahrain	256.2	—	256.2
Bangladesh	33	—	33
Barbados	3.6	—	3.6
Belgium	52.5	23.4	75.9
Brazil	215.4	2.2	217.5
Brunei	21.4	—	21.4
Canada	174.6	20.8	195.4
Chile	284.2	—	284.2
China	938.2	—	938.2
Colombia	8.1	1.3	9.4
Costa Rica	0.1	—	0.1
Ivory Coast	—	14.6	14.6
Croatia	29.6	—	29.6
Cyprus	11.7	—	11.7
Denmark	19.8	—	19.8
Dominica	5.3	1.4	6.6
Dominican Republic	37.7	—	37.7
Dubai	7.3	—	7.3
Egypt	114.3	—	114.3
El Salvador	37.9	—	37.9
Finland	17.5	—	17.5
France	210.7	—	210.7
Germany	4.7	—	4.7
Ghana	46.6	51.7	98.3
Greece	98.7	—	98.7
Hong Kong	242	—	242
Iceland	17.5	—	17.5
India	167	—	167
Indonesia	400	662.6	1,062.6
Iran	263.2	—	263.2
Israel	16.1	—	16.1
Italy	29.2	—	29.2
Jamaica	33.4	—	33.4
Japan	0.1	—	0.1
Jordan	9.3	—	9.3
Kazakhstan	33.7	—	33.7
Kenya	14.2	—	14.2
Kuwait	20.2	—	20.2
Lebanon	7	—	7
Lesotho	2.9	—	2.9
Lithuania	3.7	—	3.7
Luxembourg	59.9	—	59.9
Malaysia	758.5	—	758.5
Maldives	7.7	—	7.7
Malta	10.8	—	10.8
Mauritius	27	—	27
Mexico	154.7	1.3	156
Morocco	10.1	—	10.1
Netherlands	143.7	—	143.7
Nigeria	140.6	—	140.6
Norway	45.9	—	45.9
Oman	381.5	—	381.5
Pakistan	28.1	6.8	34.9
Panama	6.8	—	6.8
Papua New Guinea	33.3	—	33.3
Paraguay	0.3	—	0.3
Philippines	681.3	—	681.3
Portugal	26.9	—	26.9
Qatar	165.6	—	165.6
Romania	167.2	—	167.2
Russian Federation	205	—	205
Saint Kitts and Nevis	7.1	—	7.1
Saint Lucia	0.2	—	0.2
Saudi Arabia	762.1	—	762.1
Seychelles	0.5	1	1.5
Singapore	113.2	—	113.2
South Africa	952.8	—	952.8
South Korea C86	175.8	—	175.8
Sri Lanka	78.7	—	78.7
Sweden	290.5	—	290.5
Switzerland	117.6	27.5	145.1
Taiwan	132.9	—	132.9
Tanzania	1.1	—	1.1
Thailand	74.5	—	74.5
Tunisia	35.5	—	35.5
Turkey	436.5	1.9	438.4
Turkmenistan	5.3	—	5.3
United Arab Emirates	412.6	—	412.6
United Kingdom	32.6	—	32.6
United States	627	—	627
Uzbekistan	14.9	—	14.9
Venezuela	88.5	—	88.5
Vietnam	47.3	—	47.3
Zimbabwe	28.5	88.4	116.9
Grand Total	11,731	943	12,674

Malcolm Bruce: To ask the Secretary of State for Trade and Industry whether the Export Credits Guarantee Department has been approached for claims in relation to the Omkareshwar Dam Project in India. [192450]

Mr. Alexander: ECGD has not paid a claim or provided cover for a project of this description.

Gas Supplies

Mr. Lazarowicz: To ask the Secretary of State for Trade and Industry what assessment she has made of the reasons for the recent rise in the cost of wholesale gas. [R] [192240]

Mr. Mike O'Brien: Wholesale gas prices have risen recently due to a number of factors: high oil prices driving higher gas prices on the Continent, which feed into UK prices via the gas interconnector; the anticipated decline in gas production from fields on the UK Continental Shelf; and tighter gas markets as the UK moves towards becoming a net importer of gas. The recent Ofgem price probe also attributed these reasons for the current price movements, and the concurrent Financial Services Authority investigation into gas prices in October/November 2003 found no evidence of market abuse.

The Government are working to ensure that the right framework is in place to allow the market to deliver sufficient quantities of gas at competitive prices. This is already happening as major new import projects come forward, due to come onstream over the next three years. The Government are also encouraging the European Commission to ensure prompt and full implementation of the second EU liberalisation package, which will contribute to the development of more competitive markets across Europe.

Least Developed Countries

Mr. Battle: To ask the Secretary of State for Trade and Industry what the total value was of imports into the European Union from the least developed countries in each year from 2000 to 2003, broken down by type of import. [192632]

Mr. Alexander: Data on the European Union's imports from the Least Developed Countries are given in the following table.

EU15 imports of goods from the least developed countries 2000–03

£ million

	2000	*2001*	*2002*	*2003*
Animal products	550	619	653	656
Vegetable products	587	454	440	472
Animal or vegetable fats	56	58	54	39
Prepared foodstuffs, beverages	249	268	298	360
Mineral products	1,398	1,781	1,948	1,538
Chemicals, fertilisers, soap etc.	91	111	112	122
Plastics and rubber and their articles	13	23	21	28
Leather and articles	141	179	142	107
Wood, cork, straw and their articles	151	161	149	146
Pulp, paper, paper-board and articles	6	5	5	5
Textile and textile products	2,558	2,825	2,646	3,048
Footwear, headgear, umbrellas, articles of human hair	82	92	84	89
Articles of stone, plaster, ceramic, glass	11	14	12	14
Pearls, precious metals	1,360	1,242	1,342	1,008
Base metals and articles of base metal (iron, steel, etc.)	102	328	356	413
Machinery and mechanical appliances, electrical equip.	69	62	72	92
Vehicles, aircrafts, vessels	279	541	599	469
Optical, photo, medical instruments., clocks, etc.	17	17	21	21
Arms and ammunition	—	—	—	—
Miscellaneous manufactured articles like furniture, toys etc.	15	13	15	14
Works of art, collectors' pieces and antiques	3	3	3	2
Other products	10	10	9	12
Total	7,746	8,807	8,980	8,657

Source:
Eurostat Intra and Extra EU Trade.

Marine Development Fund

Nick Harvey: To ask the Secretary of State for Trade and Industry what criteria are being developed for the administration of the new Marine Development Fund. [191982]

Mr. Mike O'Brien: The Department is working closely with the Carbon Trust, Scottish Executive and other stakeholders to look at mechanisms for applying the new funding.

Any scheme will be subject to state aid approval and so it would be premature to define specific criteria at this stage.

Marine Energy Extraction

Nick Harvey: To ask the Secretary of State for Trade and Industry what assessment she has made of the suitability of sites in the Bristol Channel for the award of funding for the development of marine energy extraction projects. [191983]

Mr. Mike O'Brien: We now have the results of a study called 'ATLAS' which maps UK marine renewable sources of energy, including the Bristol Channel. The Atlas was commissioned to inform Government's decision-making process for the next stage of offshore renewable energy development. It will assist in planning strategic environmental assessment for the exploitation of marine renewables.

Funding for marine renewables development is provided to industry. The suitability of a particular site, including the Bristol Channel, for carrying out development activity is a matter for the developer, subject to obtaining the necessary permissions.

Mobile Phones

Mr. Prisk: To ask the Secretary of State for Trade and Industry how many mobile phones were used by *(a)* Ministers and special advisers and *(b)* officials in her Department in each year since 1997; how many were (i) lost and (ii) stolen; and what their cost was. [191434]

Ms Hewitt: Responsibility for the provision of mobile telephones for official purposes and for payment of associated call charges was devolved to individual directorates, agencies and NDPBs at the end of March 1993. Since August 1997, the DTI has increasingly made use of the central Mobile Telecommunications contract managed by the Office of Government Commerce. This contract allows DTI users access to mobile telephone services and products at advantageous prices ensuring that the Department obtains good value for money. Due to the devolved responsibility for mobile telephone management the only information that can be provided at non-disproportionate cost is the total expenditure with DTI's main suppliers of mobile telephones and the number of handsets supplied through the central OGC contract since 2002.

	£
1998	90,881
1999	263,123
2000	226,695
2001	342,964
2002	[1]342,881
2003	[2]410,372

[1] 549 mobile telephones on the central contract.

[2] 776 mobile telephones on the central contract.

Cost figures are not available for 1997 due to a change in the Department's accounting system over that period.

Offshoring

John Robertson: To ask the Secretary of State for Trade and Industry what assessment her Department has made of the impact on *(a)* the labour market and *(b)* pension provision of the loss of long-term skilled service sector jobs due to offshoring. [190887]

Mr. Alexander: The evidence so far of labour market trends is that 60 per cent. of workers who are displaced are about to find new work within three months, and 95 per cent. within a year. While we very much share the concerns of those who are affected by job losses, we do not at this stage see any medium-term adverse impact on labour markets or pension provision arising from offshoring.

Post Office

Mr. Paterson: To ask the Secretary of State for Trade and Industry how much has been spent on consultants involved in setting up the Post Office Card Account scheme. [192577]

Mr. Sutcliffe: These are commercial matters for Post Office Ltd.

Radio Frequency Identification Technology

Mr. Challen: To ask the Secretary of State for Trade and Industry what progress has been made in discussions between her Department and radio frequency identification technology suppliers and users. [190777]

Mr. Mike O'Brien: e.centre (The Association for Standards and Practices in Electronic Trade—BAN UK Ltd.) and relevant Trade Associations have formed a UK RFED Council. It is currently working with focus groups, retailers, manufacturers, officials and others to develop a code of practice for the use of radio frequency identification (RFID) technology in a retail environment.

Renewable Energy

Mr. Drew: To ask the Secretary of State for Trade and Industry if she will make a statement on the Government's policy towards renewable energy, with particular reference to how she intends to deliver her statement at Brighton that renewable energy will power the equivalent of every home in 10 major cities over the next five years. [191091]

Mr. Mike O'Brien: We have set a target of 10 per cent. of the UK's electricity supply to come from renewable sources by 2010 with the aspiration to increase that contribution to 20 per cent. by 2020.

The Government's main support mechanism for renewables is the Renewables Obligation. In addition to this, £500 million of funding has also been allocated between 2002 and 2008 for emerging renewable and low carbon technologies.

On the basis that 1 per cent. of electricity supplied from renewable energy sources will supply the equivalent of the power to some 700,000 households, supplying power to the 3.27 million households in the UK's 10 largest cities would require just under 5 per cent. of electricity generated from renewable energy sources. At present all renewable energy sources supply only 2.7 per cent. of our electricity but in the light of the new wind projects, both onshore and offshore coming forward, renewables should be able to contribute well over 5 per cent. of our electricity in five years time.

Statutory Dismissal Procedure

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what the cost of the recent reprinting by her Department of guidelines for businesses outlining the new statutory dismissal procedure was; and what the reason for the reprinting was. [191608]

Mr. Sutcliffe: The information was sent out to small businesses to draw their attention to the new regulations on dispute resolution and to direct them to further guidance on implementation, which has been available since May 2004 on the Department's website—www.dti.gov.uk/resolvingdidputes.

The reason for reprinting the material was that had the original version been read as a stand-alone document rather than, as intended, alongside the detailed guidance some of the information could have been misleading. The Government are determined that small businesses should have the clearest possible guidance on the new requirements, and I therefore decided that amended material should be produced.

The cost of reprinting was £202,965.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had on the security measures put in place ahead of the Afghan elections on 9 October. [189892]

Mr. Rammell: Detailed security arrangements for the Afghan Presidential elections held on 9 October were regularly discussed at official level. My right hon. Friend the Foreign Secretary attended the Istanbul Summit in June at which NATO outlined the increased security support it would provide during the election period. The promised forces were put in place, with Spain and Italy providing NATO with a battalion each in Afghanistan while an 'over the horizon' force remained on stand-by.

The UN, the NATO-led International Security Assistance Force (ISAF) and the Coalition worked closely with the Afghan Government on providing a stable and secure environment for the elections. The Afghan National Police (ANP) and Afghan National Army (ANA) were responsible for front-line election security. But ISAF and coalition forces (including British forces) were available to support and assist the ANA and ANP if required. Despite fears of disruption by Taliban, al-Qaeda and other insurgents, the day went remarkably smoothly, with little violence. This was a credit to the ANA and ANP, and also to ISAF and Coalition forces.

Brazil (IAEA Inspection)

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the decision by Brazil not to allow inspection by the International Atomic Energy Agency. [191125]

Mr. MacShane: Brazil's Comprehensive Safeguards Agreement with the International Atomic Energy Agency (IAEA) entered into force on 4 March 1994. The IAEA is now discussing with Brazil the adoption of an Additional Protocol given Brazilian concerns regarding access to its commercial uranium enrichment facility. We believe that the IAEA's inspection arrangements adequately protect commercial confidences and have urged Brazil to conclude an Additional Protocol at the earliest opportunity.

Burma

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on economic sanctions against the Government of Burma. [190568]

Mr. Alexander: We fully support the strengthening of restrictive measures in the EU Common Position on Burma, agreed by EU Foreign Ministers on 11 October, in response to the lack of progress Burma has made, including the continued detention of Daw Aung San Suu Kyi, the continued harassment of the National League for Democracy and the failure to allow a genuine open National Convention.

Under the new measures, EU registered companies or organisations will be prohibited from making financial loans, credits or equities available to named Burmese State-owned enterprises (SOEs) which have sought to monopolise new investment in recent years. The measure allows for limited exemptions for the execution of existing obligations. To ensure transparency, member states will need to notify each other and the Commission if they grant any derogation to allow the extension of participation (stockholding) in the named SOEs, if such an extension is mandatory under an existing contract.

We believe the strengthened EU Common Position sends a clear signal to the regime that all EU partners share grave concerns about the situation in Burma and that we will continue to press strongly for progress towards national reconciliation and respect for human rights.

Colombia

Paul Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Colombian Government regarding the safety of *(a)* human rights defenders and *(b)* other members of civil society since the discovery of Operation Dragon. [190195]

Mr. Rammell: We are very concerned about the discovery of the alleged plot known as Operation Dragon (a showy right-wing plot to murder specific trades unionists, human rights defenders, politicians and social leaders). We have raised our concerns with the Colombian Government through our Embassy in Bogota, most recently with the Vice-President on 11 October and with the Attorney-General's office on 14 October. We have asked the Colombians to provide more information on the alleged plot, and have sought reassurances that they are taking appropriate measures to investigate it. The Embassy has also spoken to several of those whose names appear on the list of people that Operation Dragon is said to target. The Colombian authorities are conducting a thorough investigation through the Attorney-General's office. We will continue to monitor the situation. We regularly urge the Colombian Government to ensure the safety of civil society groups, including human rights defenders and trades unionists, and to involve actively such groups in the challenge of addressing the very serious problems that Colombia faces. I made this very point publicly during my visit to Colombia in June this year with Rory Murphy of the TUC, and have reinforced it in subsequent discussions with senior Colombian officials.

Consultants

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the contracts awarded by his Department to consultants in each of the last five years, stating in each case *(a)* the name of the consulting company, *(b)* the value of the contract and *(c)* the purpose for which the contract was awarded; and if he will make a statement. [191730]

Mr. Rammell: Expenditure on external consultants in general is reported annually in the Foreign and Commonwealth Office's (FCO) departmental report, available in the Library of the House and on the FCO's website: www.fco.gov.uk. Expenditure on individual contracts could be provided only at disproportionate cost.

Overall expenditure on external consultants for the last five years is:

	£ million
1998–99	14.5
1999–2000	14.0
2000–01	17.9
2001–02	20.1
2002–03	23.7

Cyprus

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment the Government has made of the compatibility of the Annan V Plan provisions on property with obligations under the Fourth Geneva Convention of 1949; and if he will make a statement. [190434]

Mr. MacShane: We are content that the property component of the Annan Plan is compatible with the Fourth Geneva Convention of 1949.

Democratic Republic of Congo

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the failure of the UN to find sufficient troops to deploy in the Democratic Republic of Congo. [191126]

Mr. Mullin: Under its previous mandate the UN force in the Democratic Republic of Congo (MONUC) was authorised to deploy up to 10,800 military personnel. On 1 October 2004 the Security Council adopted Resolution 1565 which authorised the deployment of a further 5,900 military personnel. The first two battalions of this increase should be in country by December 2004; the remainder, who will form a Brigade force in the troubled eastern region of the country, should be deployed by March 2005. We believe that this increase will improve MONUC's capabilities and enable it to fulfil its priority tasks over the next six months. The UN is now undertaking an assessment of the force and we will review MONUC's mandate and capabilities in the light of their report.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the alleged violation of the arms embargo in the east of the Democratic Republic of Congo. [191127]

Mr. Mullin: The Group of Experts appointed by the United Nations Secretary-General to investigate and monitor the UN arms embargo imposed on the Democratic Republic of Congo (DRC) by Security Council resolution (UNSCR) 1493 (28 July 2003), submitted its first report in July 2004. Among other information, the report highlighted how porous the eastern border of the DRC is, and pointed to apparent breaches of the arms embargo. The Government supported the adoption of UNSCR 1552 (27 July 2004), which extended the arms embargo for one year and renewed the Group of Experts' mandate for six months. The Group has been tasked with providing further evidence of alleged breaches, so that the Security Council can decide upon the appropriate action to be taken.

Drug Trafficking

Mr. Jim Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the UK has taken to reduce international drug trafficking. [191808]

Mr. Rammell: The Government view the reduction of international drug trafficking as an integral part of its national drug strategy. Operational activity overseas includes the deployment of over 50 Drug Liaison Officers working closely with governments and law enforcement agencies. Between April 2002 and March 2003, HM Customs and Excise seized 9.3 tonnes of cocaine and 9.4 tonnes of heroin destined for the UK.

In addition to law enforcement co-operation overseas, the UK has an ongoing programme of bilateral and multilateral assistance to help increase counter-narcotics capacity and expertise. The Foreign and Commonwealth Office's Drugs and Crime Fund is one of the mechanisms for supporting overseas capacity building and is currently funding a wide range of projects in Latin America, the Caribbean, South Asia, Central Asia, Africa and Europe. The UK is also the lead international nation providing assistance to the Government of Afghanistan's effort to eradicate opium cultivation. The UK has committed £70 million over three years to assistance on counter narcotics in Afghanistan.

EU Arms Exports (Code of Conduct)

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the European Union Code of Conduct on Arms Exports. [190572]

Mr. MacShane: The European Union Code of Conduct on Arms Exports was agreed in June 1998, during the UK Presidency of the EU. It sets out common criteria by which all EU member states must assess licence applications for the export of military equipment.

The Code is recognised as the most effective regional standard in the area of strategic export controls. It has contributed significantly to the increase in the levels of transparency and responsibility in the arms export control policies of EU member states. In addition, a number of countries outside the EU have subscribed to the principles of the Code.

The Code of Conduct is currently undergoing a review, at the instigation of the United Kingdom. The Government would wish to see changes to the Code include its extension to cover brokering and intangible technology transfers, as well as considerations for the export of items to be used for the overseas licensed production of military equipment.

EU Enlargement

Miss McIntosh: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the impact on free movement within the European Union of the recent enlargement; and if he will make a statement. [191547]

Mr. MacShane: There are four freedoms associated with the EU: free movement of goods, services, capital and labour.

With regard to the free movement of goods, services and capital, the impact of enlarging the single market will be felt for many years to come; through increasing trade, job creation and economic growth. There has not been any in depth assessment made as yet. But based on previous enlargements, we expect prosperity to grow both in the new and old member states alike. When Spain and Sweden joined, our exports to them went up by a quarter. When Finland joined, they went up by a third. We estimate that this current enlargement will create 300,000 new jobs across the present EU and give UK GDP a boost of £1.75 billion.

With regard to free movement of labour, the initial monitoring results from the Workers Registration Scheme show a positive impact on the UK economy. As my right hon. Friend the Home Secretary made clear when addressing the House on 26 April, we kept the commitments we made during the passage of the Accession Bill, namely not to take up the derogation restricting the free movement of workers in the Accession Treaty, on the basis of previous enlargement experiences and a sound economic analysis of the needs of the UK economy. The last few months have suggested that this decision was right, with applicants to the Worker Registration Scheme meeting recruitment difficulties in agriculture, hospitality and catering as well as providing a range of much needed skills across many sectors. The Worker Registration Figures show that during May and June, 24,198 Central and Eastern European migrants applied to register; of these 14,422 were in the country before 1 May and 8,172 were new arrivals. Accession nationals who were working here illegally have been able to regularise their status, affording their rights better protection and generating tax revenue. We estimate that since 1 May, registered workers are contributing over £4 million a week to the UK economy and paying over £0.5 million a week in tax. There is no evidence that accession workers are exploiting the benefits system.

The UK's experience is similar to that of Sweden and Ireland who also opened their labour markets to accession state nationals. Both countries have not seen a dramatic increase in arrivals since 1 May. We are not aware of more general study of the impact of free movement of workers on those EU members who chose to take up the derogation.

EU Fisheries

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions the Minister for Europe has had with the EU Fisheries Commissioner. [191580]

Mr. MacShane: None.

Gibraltar

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions the Minister for Europe has had with the Chief Minister of Gibraltar. [191581]

Mr. MacShane: I met with the Chief Minister of Gibraltar on 26 May, 21 and 30 September 2004. My right hon. Friend the Foreign Secretary also met the Chief Minister on 26 May 2004.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the case for a hon. Member representing Gibraltar. [191373]

Mr. MacShane: Overseas Territories, including Gibraltar, are not part of the metropolitan UK. We therefore have no plans for a Member of Parliament to represent Gibraltar, or any other Overseas Territory.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he intends to continue negotiations with the Spanish Government concerning Gibraltar's sovereignty. [191447]

Mr. MacShane: I refer the hon. Member to the answer I gave to the hon. Member for East Worthing and Shoreham (Tim Loughton) on 16 December 2003 *Official Report*, column 1417.

Greenhouse Gases

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the European Environment Agency regarding greenhouse gas emissions. [191574]

Mr. Rammell: My right hon. Friend the Foreign Secretary has had no recent discussions with the European Environment Agency. The Department for Environment, Food and Rural Affairs maintains contacts between the Government and the European Environment Agency.

Iran

Mr. Jim Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions his Department has had with the Iranian Government on terrorism. [190653]

Mr. Rammell *[holding answer 18 October 2004]*: We regularly discuss with the Iranian Government their approach to terrorism and towards groups seeking to undermine the Middle East Peace Process through violence. The EU has made clear that its relations with Iran can make progress only if Iran takes action to address the EU's concerns, including in these areas. We continue to urge the Iranian authorities to ensure that groups engaged in terrorism and violence in Iraq, the Israel/Palestine region and elsewhere do not draw material or political support from inside Iran.

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he had on the Iranian Nuclear Programme at the EU Foreign Affairs Council on 11 October. [190758]

Mr. MacShane: There was a general discussion on the EU's policy towards Iran. It was agreed that the EU should maintain pressure on Iran to suspend its uranium enrichment-related and reprocessing activities, and to co-operate fully with the International Atomic Energy Agency as required by recent Resolutions of the Agency's Board of Governors.

Iraq

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the International Atomic Energy Agency's findings on *(a)* access to sites in Iraq and *(b)* the potential loss of nuclear materials from Iraq. [192269]

Mr. MacShane: I refer my hon. Friend to the reply my right hon. Friend the Foreign Secretary gave to the hon. Member for Orkney and Shetland (Mr. Carmichael) in the House on 12 October 2004, *Official Report*, columns 142–43.

Joan Ruddock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will provide a breakdown of the staff at the British embassy in Baghdad by *(a)* rank, *(b)* gender and *(c)* nationality. [189914]

Mr. Rammell *[holding answer 12 October 2004]*: There are currently 64 UK based members of staff serving at the British embassy in Baghdad, including representatives from the Department for International Development, the Ministry of Defence and the British Council. At the present time there are also 27 Locally Engaged Staff and 89 consultants.

The breakdown of UK based staff is Ambassador, Deputy Head of Mission, Defence Attaché, four Counsellors, 19 First Secretaries, 10 Second Secretaries, 8 Third Secretaries and administrative staff. DFID also has a team working from the embassy building.

Of the 64 UK based staff, 18 are female. Nine of the 27 Locally Engaged Staff are female, and 14 of the 89 consultants are female.

All UK based staff hold British Nationality. All Locally Engaged Staff hold Iraqi nationality. The consultants come from at least 18 different nations.

Staffing changes on a constant basis and is kept under review.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will make a statement on the level of attacks upon the Christian minority in Iraq; [190884]

(2) what protection is available for the Christian minority in Iraq. [190885]

Mr. Rammell: There is no specific protection available solely for Christians in Iraq, apart from arrangements they make for themselves. Like all Iraqis, Christians are protected by members of the Iraqi Security Forces. However, there have been worrying reports, that in certain parts of Iraq, Christians are suffering discrimination and sometimes violent attack. Our diplomatic missions in Iraq meet with representatives of the Christian community and we regularly raise their concerns with the Iraqi authorities.

Iraq Survey Group Report

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the Government have been provided with the full version of the Iraq Survey Group report, including the names of the United States oil companies and individuals that traded with Iraq. [190692]

Mr. MacShane: Yes. A full version of the report was passed, in confidence, to the Government. The version which the Iraq Survey Group subsequently published was redacted for legal and security reasons.

Ministers' Private Offices

Mr. Prisk: To ask the Secretary of State for Foreign and Commonwealth Affairs what the running costs of Ministers' private offices in his Department have been in each year since 1997. [191387]

Mr. Rammell: The cost in cash terms of running the ministerial private offices (five prior to financial year 2001–02 and six since) are laid out in the following table:

Financial year	*Costs (£)*
1997–98	1,920.246
1998–99	1,791.783
1999–2000	2,360.535
2000–01	2,341.747
2001–02	2,268.543
2002–03	2,333.481
2003–04	2,585.503

The budget (projected spend) for the 2004–05 financial year is £2,306,700.

Mr. Prisk: To ask the Secretary of State for Foreign and Commonwealth Affairs how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [191407]

Mr. Rammell: In the UK, the Foreign and Commonwealth Office maintains official residential accommodation for my right hon. Friend the Foreign Secretary at No. 1 Carlton Gardens. The spend each year on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs since 1997 is as follows.

£

	1997–98	1998–99	1999–2000	2000–01	2001–02	2002–03	2003–04
Maintenance	19,093	3,510	24,561	15,918	1,245	4,089	8,910
Renovation	3,354	15,246	0	0	0	0	0
Council tax	202	325	350	375	410	491	570
Running costs							
Rent	15,225	25,180	27,300	54,000	54,000	54,000	54,772
Utilities	6,637	8,048	1,620	4,723	5,251	3,971	2,150
Total	44,511	52,309	53,831	75,016	60,906	62,551	66,402

Mr. Najib Muhammed Tahir

Mr. Michael Foster: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will take immediate steps to enable Mr. Najib Muhammed Tahir to enter the UK following the representations made to him, reference GV100/91329/NMJ Post Ref 643719. [192259]

Mr. Mullin *[holding answer 18 October 2004]:* I will write to my hon. Friend.

Pakistan

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on recent changes in the level of *(a)* attacks and *(b)* human rights violations of Christians in Pakistan. [191113]

Mr. Alexander: The British Government are concerned by all reports of violent incidents involving the persecution of Christians in Pakistan. We have noted that this persecution continues but have not detected any significant changes. We continue to remind the Government and authorities in Pakistan of the importance we attach to respect for human rights.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Pakistani authorities on their interpretation of the blasphemy law and allied legislation. [191114]

Mr. Alexander: We have raised our concerns about blasphemy laws, bilaterally and with EU colleagues, with the Pakistani Government on a number of occasions. Most recently the Secretary of State for Defence discussed the blasphemy laws and other related legislation when he met President Musharraf in Islamabad on 6 October.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will intervene in the cases of *(a)* Pastor Yousaf, recently kidnapped in Hyderabad and *(b)* Asghar Masih, accused of blasphemy. [191115]

Mr. Alexander: We are aware of the cases of both Pastor Yousaf and Asghar Masih. We take a serious view of all cases of religious intolerance and discrimination in any form and condemn any instance in which individuals are persecuted because of their faith.

Our High Commission in Islamabad will be raising both these cases with the Pakistani Parliamentarians Commission for Human rights in Pakistan at their next meeting.

Palestinian Territory

Mr. Jim Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment he has made of the security situation in the Palestinian territory. [190656]

Mr. Rammell *[holding answer 18 October 2004]:* We remain extremely concerned by the situation in Gaza. My right hon. Friend the Foreign Secretary issued a statement on 4 October and expressed our concern to Israeli Foreign Minister Shalom the same day. My noble Friend the Baroness Symons of Vernham Dean also raised this with the Israeli ambassador on 6 October. On 13 October the Foreign Secretary issued a second statement reiterating his concerns, and the issue was again raised at official level with the Israeli ambassador. Copies of the Foreign Secretary's press releases are available on the Foreign and Commonwealth Office website: www.fco.gov.uk/policy/news/press-releases. British embassy officials in Tel Aviv have lobbied the Israeli Defence Force (IDF), and we continue to urge Israel to act proportionately, with restraint and in accordance with international law. We also have continuing concerns about closures and the IDF presence elsewhere in the Occupied Territories.

The Palestinian Authority also has a clear obligation to prevent terrorist attacks, including Qassam rocket attacks, emanating from the territories they control. We continue to support the Palestinian Authority in order to build up its effectiveness in delivering security.

Paul Cleasby

Mr. Collins: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the arrest of Paul Cleasby of Windermere, Cumbria on 27 September in Antalya, Turkey and his subsequent imprisonment; what representations he has made to the Turkish government on this matter; and what advice and support the Government will provide to Mr. Cleasby and his family. [192023]

Mr. Mullin *[holding answer 18 October 2004]:* Paul Cleasby was arrested on 27 September for attempting to smuggle antiquities out of Turkey. On 28 September the Turkish prosecutor reviewed the evidence and decided Mr. Cleasby should remain in custody while investigations continued. Consular staff in Antalya are in regular touch with Mr. Cleasby, and staff in the UK are in touch with his family. Mr. Cleasby's lawyer has raised an objection to his continued imprisonment with the Turkish prosecutor, and we understand that the next court hearing will take place on 8 November.

As the case proceeds we will continue to offer the appropriate consular assistance to Mr. Cleasby and his family.

Spain

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs when the Minister for Europe next plans to visit Spain. [191584]

Mr. MacShane: Foreign engagements for myself and other Ministers are kept under constant review. It is not our practice to announce such visits until they are firm. Because of the unpredictable nature of world events, final decisions on overseas visits are often not possible until very shortly before the day of travel and occasionally not until they are under way.

Ukraine

Mr. Soley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the conduct of the elections in the Ukraine. [191349]

Mr. Rammell: I refer my hon. Friend to the declaration on the conduct of the elections in Ukraine issued by the EU on 29 September and to the conclusions of the General Affairs and External Relations Council (GAERC) on 11 October. In the conclusions the GAERC called for Ukraine to

> "safeguard all necessary conditions for holding free, fair and transparent presidential elections this autumn".

The conclusions also reminded the Ukranians that

> "the conduct of the elections will be proof of Ukraine's commitment to the democratic values of the Council of Europe and the OSCE, and bears great significance for EU-Ukraine relations".

The full text of the EU declaration is available on the Presidency's website at http://www.eu2004.nl/default. asp7CMSJTEM-A19580D690DA410EAAE6EFC2 DAFE707X1X48135X75 and the conclusions of the GAERC at http://ue.eu. int/cms3_applications/ applications/newsRoom/loadBook.asp?BID = 71&LANG = l&cmsid = 349.

HEALTH

Age-related Macular Degeneration

Mr. Baron: To ask the Secretary of State for Health how many people with macular disease have been provided with low vision aids on the NHS; and if he will make a statement. [191751]

Ms Rosie Winterton *[holding answer 15 October 2004]*: Figures are not held centrally about low vision aids provided to people with macular disease.

Low vision aids are available free on loan, to any person requiring them. The hospital eye service and social services each have a role to play in providing low vision aids and aids to daily living. The provision of any such aid will be based on an assessment of an individual's needs.

Children's Epilepsy

Mr. Drew: To ask the Secretary of State for Health (1) how many specialist children's epilepsy nurses there are in each primary care trust area; [191022]

(2) how many consultants specialise in treating children with epilepsy, broken down by trust. [191023]

Mr. Hutton: Information on the number of consultants and nurses specialising in treating children with epilepsy is not collected centrally. Information on the number of consultants employed in the national health service with a specialty in paediatrics, by trust, has been placed in the Library.

Between September 1997 and June 2004, the number of paediatric consultants employed in the NHS has increased by 616, or 51 per cent., and between September 1997 and March 2004, the number of nurses overall employed in the NHS has increased by 77,503.

Eye Health Services

Mr. Baron: To ask the Secretary of State for Health what percentage of the population *(a)* over 75, *(b)* over 60 and *(c)* over 50 are affected by age-related macular degeneration. [190912]

Ms Rosie Winterton *[holding answer 14 October 2004]*: Information on the number of people with age related macular degeneration is not collected centrally. A study, sponsored by the Macular Disease Society in 2001, estimated that there were 182,000 people with age-related macular degeneration with a best eye visual acuity below that judged appropriate for certification as blind or partially sighted. A breakdown by age is not available.

Mr. Baron: To ask the Secretary of State for Health what percentage of the population suffering from age-related macular degeneration he estimates are in contact with health services. [190913]

Ms Rosie Winterton *[holding answer 14 October 2004]*: The vast majority of patients with age-related macular degeneration are treated as outpatients. Although aggregate outpatient data has been collected for sometime now, the central collection of detailed clinical information has not been mandated. However, processes are being put in place to enable the Department to collect and publish this information in the future.

Those diagnosed with macular disease and treated as inpatients are shown in the table. The table shows the number of hospital admissions[1] during 2002–03 to National Health Service hospitals in England for those diagnosed with degeneration of macular and posterior pole and hereditary retinal dystrophy.

Diagnosis	*All ages*
Degeneration of macula and posterior pole (ICD-10 diagnosis code H35.3)	3,411
Hereditary retinal dystrophy (ICD-10 diagnosis code H35.5)	78
Total	3,489

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[1] Admissions do not represent the number of in-patients, as a person may have more than one admission within the year. These figures have not (yet) been adjusted for shortfalls in data.

The National Institute for Clinical Excellence (NICE) published its final guidance on photodynamic therapy (PDT) as a treatment for age-related macular degeneration (AMD) on 24 September 2003. NICE recommended PDT as a treatment of wet AMD for individuals who have a confirmed diagnosis of classic with no occult subfoveal choroidal neovascularisaiton (CNV) and best corrected visual acuity of 6/60 or better. It also recommended that patients with predominantly classic CNV should only receive PDT as part of clinical trials.

All primary care trusts have put arrangements in place to fund treatment for patients who have either the wholly classic form of age-related macular degeneration or the predominantly classic form.

Mr. Baron: To ask the Secretary of State for Health what financial support the Government are providing to voluntary organisations to develop low-vision services. [190915]

Ms Rosie Winterton *[holding answer 14 October 2004]:* A report in 1999 by a consensus group of organisations on the future of low vision services recommended the establishment of local low vision committees for the purpose of ensuring that services in the United Kingdom are provided in accordance with best practice. The recommended low vision services committees are intended to bring together the national health service, social services, opticians and voluntary organisations to improve co-ordination in the commissioning and delivery of services for the blind and partially sighted.

This Department commended the report to the NHS and social services and contributed a grant of £120,000 over three years, 2000–01 to 2002–03, to fund an implementation officer from the Royal National Institute of the Blind (RNIB) to help in setting up these local committees. To date, 66 committees have been established across the country. Two more are soon to be established and there are currently expressions of interest for 30 more.

The RNIB is currently undertaking an evaluation of this work. The Department awarded the RNIB a grant of £27,811 for this in 2003–04.

The eye care services steering group was set up in December 2002 to develop proposals for the modernisation of NHS eye care services. The group has developed model care pathways for glaucoma, age-related macular degeneration, low vision and cataract. The pathways aim to encourage the development of integrated eye care services to ensure that patients receive a high quality service in a convenient setting without undue wait.

As part of the eye care services steering group's work, we have made available £4 million to fund eight pilot sites testing the new pathways. Of the eight pilot sites, three cover glaucoma, three low vision, one age-related macular degeneration, and the eighth covers all the pathways. The RNIB is an active partner in two of the low vision pilot sites, benefiting from Department funding for this work.

GP Lists

Mr. Burstow: To ask the Secretary of State for Health if he will list the average general practitioner list size for *(a)* each strategic health authority and *(b)* each primary care trust. [191477]

Mr. Hutton: Information showing the average general list size for each strategic health authority and each primary care trust in England, as at 30 September 2003, has been placed in the Library.

Health Services (York)

Hugh Bayley: To ask the Secretary of State for Health how many people in *(a)* England, *(b)* Yorkshire and Humber and *(c)* City of York have contacted NHS Direct in each year since it was established. [191156]

Ms Rosie Winterton: NHS Direct call data is not collected centrally on how many people have contacted NHS Direct in Yorkshire and Humber, and the City of York. The number of people that have used NHS Direct in England since it was established is shown in the table.

Financial year	*Total calls handled*	*Accumulative total calls*
1998–99	110,000	110,000
1999–2000	1,650,000	1,760,000
2000–01	3,420,000	5,180,000
2001–02	5,213,062	10,393,062
2002–03	6,318,844	16,711,906
2003–04	6,427,321	23,139,227
2004[1]	3,147,170	26,286,397

[1] To September.

Source:
NHS Direct health intelligence unit.

Lancashire Teaching Hospitals Trust

Mr. Hoyle: To ask the Secretary of State for Health (1) what the status of the *(a)* chairman and *(b)* chief executive of Lancashire Teaching Hospitals Trust will be if foundation status is approved; [190824]

(2) what the procedures are for appointing a new *(a)* chairman, *(b)* chief executive and *(c)* trust board under the foundation trust proposals. [190825]

Mr. Hutton: National health service foundation trusts are directly accountable to their local community through their board of governors, which includes governors elected from the membership community (local people, patients and staff) and people appointed from primary care trusts and local authorities. It is up to each NHS foundation trust to determine the detail of the arrangements for the membership and to decide on the size and shape of their board of governors in the light of their local circumstances and within certain minimum parameters set out in the Health and Social Care (Community Health and Standards) Act 2003. Each NHS foundation trust must make provision in its constitution for the conduct of elections to the board of governors, which must comply with any regulations in accordance with section 35 of the Act.

The board of governors appoints the chair and other non-executive directors of the NHS foundation trust in accordance with schedule 1 of the Act. The chief executive is appointed by the non-executive directors, subject to the approval of the board of governors.

The Act provides for different procedures to apply to the appointment of the chair, non-executive directors and chief executive when a NHS foundation trust that was a NHS trust is first authorised. These procedures are aimed at ensuring continuity of the organisation over the transition to the new governance arrangements. Under provisions in schedule 1 of the Act, the chief executive is appointed as chief executive and the chair and non-executive directors of the applicant NHS trust are appointed to the board of directors of the NHS foundation trust if, in each case, the person concerned wishes to appointed. The chair and non-executive directors are appointed for the remainder of their term on the NHS trust board or 12 months, whichever is the longer. Subject to minimum legal requirements, the size and shape of the board of directors is locally determined.

Mental Health

Mrs. Browning: To ask the Secretary of State for Health what the gross expenditure on mental health services by each primary care trust in Devon was in each year since 1997–98. [192266]

Ms Rosie Winterton *[holding answer 18 October 2004]:* The information requested is only available for 2000–01 to 2003–04. The table shows expenditure by each primary care trust (PCT) in Devon which was established in the relevant year.

Expenditure on the commissioning of mental illness services by PCTs in Devon

	Gross expenditure (£000)			
	2000–01	*2001–02*	*2002–03*	*2003–04*
East Devon PCT	n/a	61	8,293	8,863
Exeter PCT	n/a	1,307	9,438	9,694
Mid Devon PCT	n/a	492	12,932	14,496
North Devon PCT	n/a	32	10,384	11,798
Plymouth Teaching PCT	n/a	3,414	25,949	32,666
South Hams and West Devon PCT	3,283	6,809	4,904	6,539
Teignbridge PCT	n/a	6,837	11,311	7,014
Torbay PCT	4,360	8,984	7,960	9,628

Notes:

1. n/a indicates that the PCT had not been established.

2. Mental health expenditure is the expenditure of the PCTs on the commissioning of mental illness services. However, it relates only to the expenditure on secondary healthcare in this area; we have no figures for primary healthcare.

3. The figures are not comparable between PCTs and between years. There are a number of factors distorting the figures, including PCTs commissioning on behalf of others and devolution of mental illness budgets by health authorities and strategic health authorities.

4. All 2003–04 data is provisional.

Source:

Audited summarisation schedules of the above PCTs 2000–2001 to 2003–2004.

Mr. Dhanda: To ask the Secretary of State for Health what guidance his Department gives health authorities on the procedure that must be followed before an individual who has been committed to hospital under section 2 of the Mental Health Act 1983 can subsequently be released from that hospital; and what changes have been made to this guidance since 1996. [191369]

Ms Rosie Winterton: In January 1999, the Department published Effective care co-ordination in mental health services: modernising the care programme approach—A policy booklet. No changes have been made since 1999.

The guidance set out that people of working age who are in contact with specialist mental health and social care services have all aspects of their care and treatment, including aftercare, co-ordinated under the care programme approach.

National Institute for Clinical Excellence

Bob Spink: To ask the Secretary of State for Health if he will list the interests declared by *(a)* members of the Appraisal Committee of the National Institute for Clinical Excellence (NICE) and *(b)* special advisers appointed by NICE. [190981]

Ms Rosie Winterton: The Department does not hold information on the interests of members of the National Institute for Clinical Excellence (NICE) appraisal committee. Declarations of interests of members are recorded in the minutes of each meeting and details of members who have sent apologies due to a conflict of interest are noted.

Minutes of the meetings are published and can be found on the NICE website at http://www.nice.org.uk/page.aspx?o=202427.

There are no special advisers appointed by NICE.

National Programme for IT

Keith Vaz: To ask the Secretary of State for Health what the remit of the National Programme for IT for the NHS entails. [190168]

Mr. Hutton: The national programme for information technology (NPfIT) will procure, develop and implement modern, integrated IT infrastructure and systems for all national health service organisations in England by 2010. There are four key elements: electronic appointment booking, an integrated care records service, electronic prescribing and an underpinning IT infrastructure with sufficient connectivity and broadband capacity to support the critical national applications and local systems. The NPfIT will improve patient care by increasing the efficiency and effectiveness of clinicians and other NHS staff.

The NPfIT is an essential element in delivering the NHS Plan, focusing on the key developments that will make a significant difference to improving the patient experience and the delivery of care and services.

Keith Vaz: To ask the Secretary of State for Health what the cost is *(a)* nationally and *(b)* to individual general practitioner practices for implementing the national programme for IT. [190169]

Mr. Hutton: £2.3 billion has been earmarked from central funding for the national programme for information technology (NPfIT) over the three years 2003–04 to 2005–06. This will be complemented by national health service baseline spending on IT, already around £1 billion a year in the NHS as a whole. The roll-out of core national applications will continue to come from this earmarked sum. Individual general practitioner practices will receive funding to upgrade to NPfIT systems through their primary care trusts. Systems provided by NPfIT will be at no cost to GP practices. In addition, the NPfIT will cover the cost of suppliers developing training material, including e-training services and training the trainers in the use of new IT services. In all, over £6 billion worth of contracts are now in place covering the whole lifetime of the NPfIT.

NHS Professionals

Mr. Norman: To ask the Secretary of State for Health what the budget for NHS Professionals has been in each year since its inception. [190488]

Mr. Hutton: NHS Professionals was established as a special health authority on 1 April 2004. Department of Health funding for 2004–05 is £26.6 million, based on the business plan, copies of which are available in the Library.

NHS Staff (Childcare)

Ms Buck: To ask the Secretary of State for Health what plans there are to increase the provision of childcare places for NHS staff in London. [192096]

Mr. Hutton: The Government has no specific plans in place to increase the provision of childcare places for National Health Service staff in London. This is a matter for local decision.

All new NHS hospital plans are required to include childcare provision, so new nurseries should be built into future capital expenditure as part of any new capital scheme.

Primary Care Trusts

Sandra Gidley: To ask the Secretary of State for Health how much funding was given to each primary care trust in each of the last three years; and what the funding level was per capita. [191873]

Mr. Hutton *[holding answer 19 October 2004]*: Information on revenue allocations to primary care trusts for 2003–04, 2004–05 and 2005–06 has been placed in the Library. The figures shown are based on per head of unweighted population.

Sandra Gidley: To ask the Secretary of State for Health what the population attached to each primary care trust is. [191875]

Mr. Hutton *[holding answer 15 October 2004]*: Information on the population attached to each primary care trust is set out on the Department's website. The address is: www.publications.doh.gov.uk/stats/population/index.htm. The Office for National Statistics will be publishing updated information shortly.

Safety of Medicines

Paul Flynn: To ask the Secretary of State for Health (1) whether all general practitioners have been made aware of the warning issued by the European Medicines Agency in July regarding the safety of SSRI drugs; and on what dates such information was issued; [190279]

(2) whether the ban on prescribing the drug Seroxat to children under the age of 18 is being enforced and monitored; [190280]

(3) pursuant to the answer of 29 March 2004, *Official Report*, column 1218W, on the Medicines and Healthcare Products Regulatory Agency, whether a replacement lay member has been appointed to the Committee for the Safety of Medicines' investigation of selective serotonin reuptake inhibitors. [190295]

Ms Rosie Winterton: Seroxat (paroxetine), a selective serotonin reuptake inhibitor (SSRI) antidepressant, was contraindicated for the treatment of depressive illness in children and adolescents under the age of 18 in the United Kingdom in June 2003 because of an increased risk of the age of 18 in the United Kingdom in June 2003 because of an increased risk of suicidal behaviour and a lack of efficacy in this population. This advice was widely communicated to healthcare professionals and the public via a letter through the Chief Medical Officer's public health link, a press release and information on the website of the Medicines and Healthcare products Regulatory Agency (MHRA).

Analysis of a primary care database indicates that the prescribing of paroxetine to those under the age of 18 has dropped dramatically since that time. In the second quarter of 2004, there were no new patients under 18 years of age initiating treatment with paroxetine in the database. Doctors can prescribe a medicine outside the terms of a marketing authorisation if, having weighed the risks and benefits of the medicine in the individual case, they still consider it to be in the best interests of the patient.

A Europe-wide review of the risks and benefits of paroxetine, with United Kingdom in the lead, was completed in April 2004. On 22 April 2004, a summary of the opinion of the European Committee for Proprietary Medicinal Products (CPMP) was released on the website of the European Medicines Agency (www.emea.eu.int) and on the website of the MHRA (www.mhra.gov.uk) on the same day. This was referred to in answer to a question from my hon. Friend, the member for Rossendale and Darwen (Janet Anderson) on 22 July, *Official Report*, columns. 640–641W. An article in the forthcoming issue of the MHRA and Committee on Safety of Medicines' (CSM) drug safety bulletin, Current Problems in Pharmacovigilance, which is sent to all doctors and pharmacists in the United Kingdom, summarises the key prescribing advice on Seroxat. The product information for patients and prescribers will be updated when the final European Commission decision is issued.

A replacement lay member has been appointed to the CSM expert working group on SSRIs. Hilary Hawking, who works part-time as a clinical governance user representative for South West London and Saint George's Mental Health National Health Service Trust, has now joined the group.

Sarah Teather: To ask the Secretary of State for Health pursuant to the answer of 29 March 2004, *Official Report*, column. 1218W, on the Medicines and Healthcare Products Regulatory Agency, who has been appointed to the Medicines and Healthcare

Products Regulatory Agency's expert working group on selective serotonin reuptake inhibitors as a new lay member. [190301]

Ms Rosie Winterton: I refer the hon. Member to the answer I gave to my hon. Friend, the Member for Newport West (Mr. Flynn), today.

Scientific Committee on Tobacco and Health

David Taylor: To ask the Secretary of State for Health (1) what his policy is on the publication of advice to the Chief Medical Officer from the Scientific Committee on Tobacco and Health; [189362]

(2) when the next report of the Scientific Committee on Tobacco and Health on smoking and health will be published; [189363]

(3) when the latest annual statement from the Scientific Committee on Tobacco and Health will be published; [189364]

(4) whether the Scientific Committee on Tobacco and Health has issued recent advice to the Chief Medical Officer on the impact of passive smoking on health. [1893[illegible]8]

Miss Melanie Johnson: The Scientific Committee on Tobacco and Health (SCOTH), an independent committee that provides advice to UK chief medical officers on scientific matters concerning tobacco and health, issued a comprehensive report on second-hand tobacco smoke in 1998. The final version of the SCOTH report updating their review of research into the health effects of second-hand smoke since 1998 was submitted to UK Health Departments in July. This report is a summary of previously published scientific literature. It will be published with the forthcoming white paper on public health.

Sickness Absence

Mrs. Iris Robinson: To ask the Secretary of State for Health what assessment has been made of means other than family doctors for the verification of absence from work through sickness. [188655]

Jane Kennedy: I have been asked to reply.

As announced in 'Pathways to work: Helping people into employment: the Government's response and action plan' [CM 5830] the Government have undertaken research to explore the potential for extending statutory certification to non-medical health care professionals.

The findings are due to be published before the end of the year.

Thames Gateway (Primary Health Care)

Bob Spink: To ask the Secretary of State for Health how many additional primary health care centres he estimates will be required under the Government's plan for an additional 120,000 houses to be built between 2003 and 2016 in the Thames Gateway. [190941]

Mr. Hutton: The national health service is actively working with local partners to plan additional services, both primary and secondary, to meet the needs of population growth arising from new housing in the Thames Gateway.

The Department allocated an extra £8.75 million revenue to primary care trusts (PCTs) within the Thames Gateway for both 2004–05 and 2005–06 in recognition of the growth in housing that is already taking place. Future allocations to PCTs, from 2006–07 onwards, will factor in the impact on population of future increases in housing in the Thames Gateway as well as other growth areas across the south-east.

Transplantation

Dr. Evan Harris: To ask the Secretary of State for Health how many applications have been received by the Unrelated Live Transplant Regulatory Authority since its creation for *(a)* live unrelated altruistic donations and *(b)* live unrelated paired donations. [191715]

Ms Rosie Winterton: The Unrelated Live Transplant Regulatory Authority (ULTRA) has received no applications since its creation, but it discussed two theoretical applications; one for altruistic and one for paired donation, which, although not formally considered by an ULTRA panel, was used to inform thinking around this area.

Two Shires Ambulance NHS Trust

Mr. Bercow: To ask the Secretary of State for Health whether the Two Shires Ambulance NHS Trust met its performance target for responding to Category A calls in *(a)* 2001–02, *(b)* 2002–03 and *(c)* 2003–04. [191076]

Ms Rosie Winterton: The information is published in the statistical bulletin, "Ambulance services, England: 2003–04", a copy of which is available in the Library. It is also available on the Department's website at www.publications.doh.gov.uk/public/sb0411.htm.

NORTHERN IRELAND

Airline Services

Lady Hermon: To ask the Secretary of State for Northern Ireland what Government incentives are available to encourage airline route development in Northern Ireland; how much funding was allocated, and to what airlines, for this purpose in each of the past five years; and if he will make a statement. [191833]

Mr. Gardiner: The Department of Enterprise, Trade and Investment introduced a Route Development Fund in September 2003. £4 million was allocated to the fund and it is envisaged that the fund will operate for three years. To date the fund has contributed to the development of the following new routes:

Belfast to New York, to be operated by Continental Airlines;

Belfast to Paris, operated by Easy Jet;

Belfast to Nice, operated by Easy Jet;

Londonderry to Manchester, and Londonderry to Birmingham, operated by Aer Arann.

The fund operates by means of providing an incentive to local airports; Government does not directly aid the airline operator.

In line with part II, paragraph 13 (Third party's commercial confidences) of the Code of Practice on Access to Government Information, it would be inappropriate to disclose the individual amounts invested in each route, however the initial allocation of 4 million has not yet been exhausted.

The Government have commented on the successful operation of this fund in their submission to the Northern Ireland Affairs Committee, which is currently examining the matter.

Breast Cancer

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many women are being HER2 tested for breast cancer; how long they have to wait for test results; what guidelines are followed for this type of testing; and if he will make a statement. [192032]

Angela Smith: All women diagnosed with breast cancer in Northern Ireland are automatically tested for HER2.

Urgent test results are received within one week. Routine test results are available within one to four weeks. This time scale is sufficient as Herceptin is not a first line treatment and may not be necessary until several months or some years after diagnosis.

National guidelines are followed for HER2 testing. Practice in Northern Ireland takes into account the National Institute for Clinical Excellence (NICE) recommendation that Trastuzumab, more commonly called Herceptin, should be made available for women with HER2 positive advanced breast cancer.

Cardiac Treatment

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland when the Department of Health, Social Services and Public Safety expects the Royal Hospitals Trust to achieve the 1,100 target of cardiac surgical operations annually set in 1992. [192452]

Angela Smith: I refer the hon. Gentleman to the answer I gave on 12 October 2004, *Official Report*, column 237W.

Cod Conservation Scheme

Mr. Donaldson: To ask the Secretary of State for Northern Ireland how many of the fishing vessel owners who were awarded transitional aid under the 2004 Transitional Aid Cod Conservation Scheme lease away kilowatt days to other vessel owners to fish within the UK Cod Recovery Zone while being paid compensation to remain in port; and how many of the successful grant applications were for vessels owned exclusively by women. [192460]

Mr. Pearson: Of the number of vessels awarded transitional aid under the 2004 Temporary Cessation (Tie-up/transitional aid) Scheme, 10 also leased away days at sea to other vessel owners to fish within the UK Cod Recovery Zone while simultaneously being paid compensation to remain in port.

Of the total number of successful grant applications, one vessel was owned exclusively by a woman.

Delayed Discharges

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland what plans he has to use the independent sector to relieve the problem of delayed discharges. [192448]

Angela Smith: The Department of Health, Social Services and Public Safety recognises the importance of promoting the development of a flourishing independent sector, alongside good quality public services, and the positive impact this could have on the number of people awaiting discharge from hospital. This is being addressed as part of the second phase of the Community Care Review.

Intermediate Care has been accepted as a means of supporting timely discharge from hospital. In recognition of this, the Department has commissioned a report from the Independent Health and Care Providers to provide an accurate picture of the current level and type of intermediate care provision available in the independent sector in Northern Ireland. This will help to gauge the feasibility of expanding this type of provision, and inform policy in this area.

Erne/Tyrone County Hospitals

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many and what proportion of the deaths reported in hospitals within the Sperrin Lakeland Health and Social Care Trust in 2001–02 were in the *(a)* Erne hospital and *(b)* Tyrone County hospital. [192337]

Angela Smith: The information requested is as follows.

Recorded deaths in Sperrin Lakeland trust hospitals[1] in 2001–02 broken down by hospital

Hospital	*Number of deaths*	*Proportion of Sperrin Lakeland deaths in each hospital (percentage)*
Erne	273	55.4
Tyrone County	220	44.6
Sperrin Lakeland trust hospitals[1]	493	100.0

[1] The information shown is for Erne and Tyrone County hospitals only.

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many and what proportion of the clinical negligence cases which were pending within the Sperrin Lakeland Health and Social Care Trust in January 2004, were in the *(a)* Erne hospital and *(b)* Tyrone County hospital. [192338]

Angela Smith: I am advised that in January 2004, there were a total of 115 clinical negligence cases pending within Sperrin Lakeland Trust. The following table outlines the number and proportion of cases by hospital site.

	Total number of cases pending	*Number of cases pending as percentage of total*
Erne hospital	66	57
Tyrone County hospital	49	43
Total	115	100

I can assure you that all cases of alleged clinical negligence will be thoroughly investigated and acted upon as appropriate, to ensure that our hospitals continue to deliver high quality, safe and effective services.

Gastroenteritis and Salmonella

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many cases of *(a)* gastroenteritis and *(b)* salmonella were reported in each health board area in each month since 1 January. [190578]

Angela Smith: The information requested in respect of cases of gastroenteritis is not available.

The notifications of Salmonella from laboratories are shown in four week bands from the start of the year and are as follows:

	Board				
Weeks	*EHSSB*	*NHSSB*	*SHSSB*	*WHSSB*	*NI total*
1 to 4	1	2	0	0	3
5 to 8	4	2	0	0	6
9 to 12	3	1	1	0	5
13 to 16	3	1	3	0	7
17 to 20	3	0	3	2	8
21 to 24	4	1	3	0	8
25 to 28	93	3	1	3	100
29 to 32	51	10	n/a	2	63
33 to 36	32	10	n/a	7	49
37 to 40[1]	49	31	n/a	16	96

[1] Information is only available up to week 39.

Notes:

1. These numbers only relate to those who have sought medical attention.
2. There have been no reports from one of the laboratories in the SHSSB since week 28.
3. Figures are based on the location of the laboratory rather than board of residence of the patient, as this information is not available.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many cases of gastroenteritis were reported in each of the last 10 years in the Province. [190579]

Angela Smith: The information requested is not available.

Green Minister

Mr. Horam: To ask the Secretary of State for Northern Ireland how many meetings of the Ministerial Sub-Committee of Green Ministers were attended by the Department's Green Minister in *(a)* 2002–03 and *(b)* 2003–04. [190854]

Angela Smith: I am a member of the Ministerial Sub Committee of Green Ministers.

However, it has been established practice under successive Governments not to disclose information relating to the proceedings of Cabinet Committees. This practice is now formalised by Exemption 2 of Part II of the Code of Practice on Access to Government Information.

Hazardous Waste

Lady Hermon: To ask the Secretary of State for Northern Ireland how much hazardous waste was disposed of *(a)* illegally and *(b)* at landfill sites in Northern Ireland in each of the past five years. [191951]

Angela Smith: The movement of hazardous waste is controlled by the Special Waste Regulations (Northern Ireland) 1998 which provides a definition of 'special waste' rather than hazardous waste. There are no figures readily available for such waste prior to 2002. In 2002, nine tonnes of special waste were recorded as illegally disposed of in Northern Ireland. In 2003, this figure was 67 tonnes.

A total of 5,280 tonnes of special waste was landfilled in Northern Ireland in 2002. This figure decreased to 4,600 tonnes in 2003.

Hospital Hygiene

Lady Hermon: To ask the Secretary of State for Northern Ireland with what frequency hygiene inspections are carried out in hospitals in Northern Ireland; and what steps he is taking to improve hygiene in Northern Ireland's hospitals. [191976]

Angela Smith: The responsibility for inspection of hospital hygiene lies with each HPSS trust and information relating to frequency is not held centrally by the Department.

All trusts have a duty to ensure that high standards of hygiene in hospitals are being met and maintained. High standards of hygiene are particularly important and the key is to ensure that the highest possible standards are achieved. The Department is placing a renewed emphasis on environmental cleanliness with the planned establishment of standards for cleanliness against which HPSS performance will be measured.

Housing

Lady Hermon: To ask the Secretary of State for Northern Ireland what the uptake was of houses allocated through the Northern Ireland Housing Executive's integrated pilot scheme in Belfast, broken down by perceived religious affiliation in the last year for which figures are available; and if he will make a statement. [191827]

Mr. Spellar: The Housing Executive Board, at its meeting in September 2003, agreed that proposals should be brought forward for two integrated housing pilot projects which would enable the Housing Executive, and others, to test the policy and procedural implications of integrated housing.

The proposals, which reflect the Housing Executive's and other public bodies' responsibilities under section 75 of the Northern Ireland Act 1998 to deal with the promotion of equality of opportunity and good relations, are at an early stage and locations for the pilot projects have still to be identified. The out workings of the two pilot projects will be fully considered in the context of local lettings policies, sustainability of the schemes, plans to involve stakeholders and strategic/operational structures.

Applicants for social housing have a choice of where they wish to live and the Housing Executive will work to support people who choose to live in single identity or integrated neighbourhoods.

Macedon Children's Home

Mr. Dodds: To ask the Secretary of State for Northern Ireland what plans he has to initiate an inquiry into child abuse at the Macedon Children's Home in Newtownabbey; and if he will make a statement. [190427]

Angela Smith: I have no plans to initiate an inquiry into the incidents at the Macedon Children's Home. I have a great deal of sympathy for the victims in this case and recognise their bravery in coming forward to reveal details of the abuse which they suffered at the home. It is difficult to see what could be achieved in relation to the safeguarding of children by establishing an inquiry into events at Macedon, particularly given the lapse of time, the fact that the home no longer exists and the many changes to child protection arrangements which have occurred as a consequence of the Kincora Report, the legislative arrangements now in place through the Children Order and the work undertaken to ensure lessons emerging from other places have been applied in Northern Ireland. The circumstances surrounding events at this home have, moreover, been investigated by PSNI. In addition to the recent convictions obtained in respect of two former staff, I am also conscious that police inquiries are still on-going in respect of other former staff employed at Macedon.

Victim Memorials

Mr. Lidington: To ask the Secretary of State for Northern Ireland if he will make a statement on his policy on the public funding of memorials to victims of the Troubles. [190662]

Angela Smith: Government policy has been to prioritise funding for services and support for victims rather than for memorials. The subject of memorials is an emotive one. There are mixed views in the community regarding physical memorials; including deep feelings about sharing such memorials with other members of the community.

However, we recognise that Northern Ireland has to find a way of dealing with the past which acknowledges the pain, grief and anger that people feel. There are very different views about how we do this and those differences have to be taken into account. My right hon. Friend The Secretary of State for Northern Ireland is taking private soundings with a view to broadening the consultation later.

The hon. Member may be aware that a Government funded Committee under the Chairmanship of Mr. David Campbell is currently consulting on provision of a National Memorial in the UK to all members of the armed forces who served and lost their lives during the Northern Ireland Troubles. The Committee is expected to report in Spring 2005.

MRSA

Lady Hermon: To ask the Secretary of State for Northern Ireland what outbreaks of MRSA there have been in Northern Ireland's hospitals in each of the past five years; how many patients were affected in each case; and what steps he is taking to reduce outbreaks. [191823]

Angela Smith: An MRSA outbreak is defined as the occurrence of more cases by time and place than would normally be expected. There have been no MRSA outbreaks reported to the Communicable Disease Surveillance Centre (CDSC) in the last five years. CDSC has just reported on its website the figures by trust for patient episodes of MRSA bacteraemias for a third year, April 2003-March 2004. The number of such episodes rose from 218 to 307, an increase of 41 per cent. In the first year of such reporting the number was 228.

The Department of Health, Social Services and Public Safety has been undertaking a range of activities to reduce the incidence of MRSA and other healthcare-acquired infections which is a matter of great concern. It has most recently announced the development of an infection control strategy the key aim of which is the prevention and control of the spread of infection in hospitals and other healthcare settings.

NHS Dentistry

Lady Hermon: To ask the Secretary of State for Northern Ireland how many NHS dentists there were in Northern Ireland in each of the past five years; what the percentage change was in each year; and if he will make a statement. [191830]

Angela Smith: The information requested is as follows.

Number of NHS general dental practitioners registered in Northern Ireland each year since 2000

	Headcount	*Percentage increase on previous year*
1 April 2004	720	3.4
1 April 2003	696	1.0
1 April 2002	689	2.4
1 April 2001	673	1.8
1 April 2000	661	4.6

Northern Ireland enjoys the most favourable patient to dentist ratio of all the home countries.

Country	*Number of people per dentist*
England	2,673
Wales	2,860
Scotland	2,385
Northern Ireland	2,225

DHSSPS published a dental work force review in November 2002 and there is ongoing work in relation to work force planning for the dental sector on an annual basis.

Nurses

Lady Hermon: To ask the Secretary of State for Northern Ireland how many nurses left the NHS in Northern Ireland in each year since 1997. [191975]

Angela Smith: The information requested is as follows:

Nursing and midwifery staff[1] leavers from the health and personal social services in Northern Ireland: 1997–98—2002–03

	Full-time Headcount	Part-time Headcount	Part-time WTE	Total Headcount	Total WTE
1997–98	821	646	357.38	1467	1178.38
1998–99	699	589	350.52	1288	1049.52
1999–2000	818	541	338.76	1359	1156.76
2000–01	590	488	304.86	1078	894.86
2001–02	662	461	289.01	1123	951.01
2002–03	599	493	315.04	1092	914.04

[1] Figures include both qualified and unqualified Nursing and Midwifery Staff.

Source:

HRMS

Pupil Exclusions

Lady Hermon: To ask the Secretary of State for Northern Ireland how many pupils in each Education and Library Board area in Northern Ireland have been permanently excluded in each of the past five years. [191972]

Mr. Gardiner: The number of pupils in each education and library board area in Northern Ireland who have been permanently excluded in each of the past five years is as follows:

	BELB	WELB	NEELB	SEELB	SELB	Total
1998–99	6	18	29	6	14	73
1999–2000	19	25	20	3	16	83
2000–01	5	19	29	11	16	80
2001–02	7	16	18	12	23	76
2002–03	18	12	17	16	7	70

Renewable Energy

Lady Hermon: To ask the Secretary of State for Northern Ireland what steps he is taking to promote renewable energy in Northern Ireland. [191949]

Mr. Gardiner: The Department of Enterprise, Trade and Investment continues to promote the strategic development of the renewable energy industry in NI in the balanced interests of the economy, consumers and the environment. The Department's Strategic Energy Framework, published in June this year, includes a target that 12 per cent. of all electricity consumed will come from renewable sources by 2012.

The introduction of a NI Renewables Obligation (NIRO), effective from April 2005, will provide the necessary investor confidence to secure new generating capacity sufficient to meet the 12 per cent. target. The supply and utilisation of renewable energy is already developing well.

Action Renewables, the joint venture established by DETI and Viridian plc, is successfully continuing its renewable energy community outreach and awareness raising activities. To date over £1 million has been committed to this important area.

The Department of Agriculture and Rural Development's assessment of the economic potential of biomass for energy generation in NI is nearing completion and will result in the development of a bio-energy strategy for NI. Important combined heat and power projects using wood waste and landfill gas are due to complete next year.

DETI and its Republic of Ireland counterparts have recently committed around 7 million of European funding to facilitate the rapid deployment of renewable energy/energy efficiency technologies throughout the Interreg region.

Royal Victoria Maternity Hospital

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many women from *(a)* Africa and *(b)* Asia presented at the Royal Victoria Maternity Hospital for emergency obstetric care in the two years to 30 September. [192114]

Angela Smith: This information is not collected centrally.

School Playing Fields

Mr. Beggs: To ask the Secretary of State for Northern Ireland what plans he has to extend the new rules governing the sale of school playing fields in England to Northern Ireland. [191285]

Mr. Gardiner: Administrative arrangements in Northern Ireland are different from those in GB in that the Department of Education controls the disposal of school playing fields and therefore the current arrangements are considered to be adequate i.e.:

1. Under the provisions of Article 106 of the Education and Libraries (NI) Order 1986 the approval of the Department of Education is required to the disposal of any land (including school playing fields) which is declared surplus to requirements by an Education and Libraries Board.

2. In the voluntary schools sector, where schools and playing fields are owned by the Trustees of the school, the Department has to issue a deed of surrender before any playing fields vested for educational purposes can be sold.

3. The Sports Council for NI would be consulted on any planning proposals involving the discontinued use of school playing fields.

School Transport (Buses)

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland when he expects to publish the Regulatory Impact Assessment being carried out into the possible effects of a change in regulations regarding seating and seatbelts for children travelling to school in buses. [192149]

Angela Smith: The Department of the Environment is currently working with the Department for Regional Development and the Department of Education to collate and collect the information needed to carry out the Regulatory Impact Assessments. Due to the complexity of this exercise it is impossible to give a precise timetable, but it is expected that they will be completed during 2005.

Sexually Transmitted Diseases

Lady Hermon: To ask the Secretary of State for Northern Ireland what assessment he has made of the prevalence of sexually transmitted diseases in Northern Ireland. [191905

Angela Smith: Information is not currently available to assess the prevalence of sexually transmitted diseases in Northern Ireland. However, information from Genito-Urinary Medicine clinics throughout the UK is available on the number of new episodes of various sexually transmitted infections recorded in each calendar year.

This information is published by the Health Protection Agency and Northern Ireland figures can be obtained from Table 6 of the Supplementary Tables in "Renewing the Focus: HIV and other Sexually Transmitted Infections in the United Kingdom in 2002. An update: November 2003". A copy of this report has been placed in the House of Commons Library. The report and supplementary tables can also be downloaded from the following website: www.hpa.org.uk/infections/topics_az/hiv_and_sti/publications/annual2003/annual2003.htm.

Small Businesses

Lady Hermon: To ask the Secretary of State for Northern Ireland what steps he is taking to promote small business in Northern Ireland; and if he will make a statement. [191829]

Mr. Gardiner: Invest NI is actively engaged in encouraging the development of businesses of all sizes and has a broad range of measures which can be tailored to suit the needs of each individual business.

A range of interventions are available which are aimed at improving business competitiveness and Invest NI can provide both advice and financial support for small businesses to develop their capabilities in key areas such as research, product development, innovation, quality, marketing, improvements to operational processes and the development of people skills.

Innovative new support mechanisms such as a £20 million venture capital fund have also been introduced. This fund has been designed to address the current gap in the provision of equity capital in the £250,000 to £1.5 million range for companies in the manufacturing and tradable services sectors. Invest NI also actively encourages small businesses to become more directly involved in R and D activities and there are a wide range of programmes available to assist companies to engage in strategic research, product development and industrial design.

Another key priority for Invest NI is to encourage and assist small and medium sized companies in the manufacturing and internationally traded services sectors to pursue international market development. This support takes the form of market and product information, export capability development, market access visits and in-market support tailored to company needs.

In terms of new business starts, the Accelerating Entrepreneurship Strategy (AES) was introduced in 2003 as a direct attempt to address the low levels of entrepreneurial activity in Northern Ireland. During 2003–04 Invest NI supported 2,758 new business starts and in the last two years the rate of business starts has increased by 201 per cent.

Sure Start

Lady Hermon: To ask the Secretary of State for Northern Ireland what funding has been made available to the Sure Start programme since its introduction in Northern Ireland; and what plans he has to extend the Sure Start programme throughout Northern Ireland. [191844]

Angela Smith: When Sure Start was introduced in July 2000, investment stood at £4 million full-year cost (£2 million in-year cost). Investment across subsequent years is as follows:

	£ million
2001–02	5.8
2002–03	6.6
2003–04	8.5
2004–05	8.8

The current figure of £8.8 million represents the allocation of all of the funding available for Sure Start in Northern Ireland and there are no current plans for a further expansion of the programme.

University Students

Mr. Hume: To ask the Secretary of State for Northern Ireland how many full-time undergraduate university students normally domiciled in Northern Ireland he estimates will be at university in 2005–06. [192074]

Mr. Gardiner: In 2002–03, the latest year for which information is available, the number of NI domiciled full-time undergraduate students at universities in the UK and the Republic of Ireland stood at 39,009. It is estimated that by 2005–06 this will have increased to around 41,000.

Written Answers to Questions

Wednesday 20 October 2004

LEADER OF THE HOUSE

Parliamentary Questions (Agency Letters)

Paul Holmes: To ask the Leader of the House from which Government agencies letters in response to Parliamentary Questions are *(a)* published in *Hansard* and *(b)* placed in the Library; and what criteria are applied in deciding which answering mechanism should be used. [190581]

Mr. Hain: The responsibility for deciding answering mechanisms for all Parliamentary Questions rests with individual Ministers. Where a written Parliamentary Question is about a matter assigned to an Executive Agency under the terms of its Framework Documents, Ministers normally ask the Chief Executive to provide a substantive response to hon. Members. The text of the Chief Executive's letter is reproduced in the *Official Report* under the Minister's formal reply that he or she has commissioned such a response. Copies are also placed in the Library of the House.

Where a letter is confidential (for example, if it contains personal information about a constituent), or where it is excessive in length, the *Official Report* will make a decision on whether to print the letter or to place it in the Library of the House.

I would also like to refer the hon. Member to my Written Ministerial Statement of 21 July 2004, *Official Report,* column 35WS, on the new policy for handling "I will write" replies.

Select Committee Representation

Mr. Llwyd: To ask the Leader of the House what progress he has made in his assessment of options for representation of minority parties on departmental select committees; and if he will make a statement. [192219]

Mr. Hain: I am aware that the minority parties have concerns about their representation on the departmental Select Committees, but believe that it would be inappropriate to seek to address these at this stage in the Parliament. Meanwhile, the Government are ensuring that the interests of the minority parties are accommodated in the nomination of Standing Committees and ad hoc Joint Committees.

TRANSPORT

Signage/Street Furniture

Mr. Andrew Turner: To ask the Secretary of State for Transport what progress he has made in reducing the impact of traffic signs and street furniture in areas of high environmental value; and if he will make a statement. [191144]

Charlotte Atkins: The management of traffic signs and street furniture is mainly the responsibility of local authorities. The Department for Transport recognises that over-provision or poor design of signs can have an adverse effect on the street scene. Our published advice on the design and use of traffic signs is intended to help local authorities provide adequate information for road users while avoiding sign clutter and other adverse environmental impacts. In particular, Chapter 4 of the Traffic Signs Manual (TSM), published in June 2004, stresses the importance of using warning signs sparingly, not cluttering signposts with more information than drivers can assimilate, not using yellow backing boards unnecessarily, and removing signs when they are no longer needed. Chapter 7 of TSM gives advice on sign layouts to avoid wasted space and reduce the overall size of signs. The Design Manual for Roads and Bridges includes advice on limiting the number of destinations shown on directional signs to minimise environmental intrusion.

The Department is also working with English Heritage to develop regional street design manuals, primarily for conservation areas, which are expected to be published later this year.

Air Quality (Aircraft Cabins)

Mr. Tyler: To ask the Secretary of State for Transport what information the Aviation Health Unit has collated on symptoms from acute exposure to decomposition products in confined spaces. [192443]

Charlotte Atkins: None.

Air Safety (Boscombe Down)

Mr. Key: To ask the Secretary of State for Transport on how many occasions in the past year National Air Traffic Services and the Ministry of Defence Airfield at Boscombe Down communicated in respect of incidents relating to airspace under Boscombe Down surveillance; and if he will make a statement. [191771]

Charlotte Atkins: NATS has a close working relationship with the Ministry of Defence at Boscombe Down and the two organisations communicate on a daily basis. NATS is not aware of any incidents within airspace operated by Boscombe Down in the past year.

Air Traffic Organisers Licence Scheme

Mr. Bill O'Brien: To ask the Secretary of State for Transport (1) what steps he is taking to ensure British holiday-makers travelling abroad are covered by the Air Traffic Organisers Licence scheme; and if he will make a statement; [191557]

(2) what advice he offers to British holiday-makers who are stranded abroad when an airline fails and their holiday booking does not include Air Traffic Organisers Licence protection; and if he will make a statement; [191558]

(3) if he will give effect to the recommendations of the Civil Aviation Authority to ensure that the Air Traffic Organisers Licence scheme applies to cover direct purchase flights; and if he will make a statement; [191559]

(4) what estimate he has made of the number of British holiday-makers who will be protected by the Air Traffic Organisers Licence scheme in each of the next three years; and if he will make a statement. [191560]

Charlotte Atkins: The ATOL scheme protected 27.6 million people in 2003. The Civil Aviation Authority estimates that the number of people protected in the next three years will be as follows:

	Million
2004–05	27
2005–06	23–27
2006–07	18–28

The figures for 2005–06 and 2006–07 reflect different scenarios concerning the trend for customers to make their own travel arrangements rather than buy traditional package holidays. The Government are assessing the advice provided by the CAA on options for financial protection of air travellers. Officials are working closely with the CAA and the aviation industry to improve information on financial protection and advice on travel insurance to those booking flights via the internet and call centres. British embassies, high commissions and consulates are able to provide consular advice and assistance to UK citizens who find themselves in difficulties while abroad.

Aviation

Mr. Tyler: To ask the Secretary of State for Transport (1) if he will commission a study by the Civil Aviation Authority and the Health and Safety Executive into the prevalence of Organophosphorus Ester-Induced Chronic Neurotoxicity induced by low-level inhalation of organophosphates present in lubricating oils and hydraulic fluids in aircraft; [191552]

(2) pursuant to the answer of 27 April 2004, *Official Report*, column 888W, on aviation, whether he has received a report from the Aviation Health Unit on the presence of organophosphate fumes in aircraft cabins and their effect on passengers and crews. [191768]

Charlotte Atkins: As part of its research commissioning process, the Aviation Health Working Group has invited the British Air Line Pilots Association to give a presentation at its meeting on 27 October 2004. This will cover concerns on cabin air quality, including chronic neurotoxicity related to organophosphates. On the basis of this presentation, and with the advice of the Aviation Health Unit, the group will decide whether to commission further research into this issue.

Norman Baker: To ask the Secretary of State for Transport whether it is his policy to proceed with the introduction of market mechanisms to reflect the contribution of aviation to global warming if such measures are opposed by the United States. [192243]

Charlotte Atkins: The Government are committed to taking a lead in tackling the problem of climate change. We are pursuing vigorously our commitment in the "Future of Air Transport" White Paper to press for aviation joining the EU emissions trading scheme in 2008, or as soon as possible thereafter. We will make this a priority during the UK Presidency of the EU in 2005 and beyond. And we intend to pursue similar action at the global level.

We will continue to explore and discuss options for the use of other economic instruments, building on the work in the March 2003 report, "Aviation and the Environment: Using Economic Instruments". We reserve the right to act alone or bilaterally with like-minded partners if progress towards agreements at an international level proves too slow.

Buses

Hugh Bayley: To ask the Secretary of State for Transport how bus usage in *(a)* England, *(b)* Yorkshire and the Humber, *(c)* the City of York and *(d)* London has changed in percentage terms since 1997; and if he will make a statement. [192416]

Charlotte Atkins: Since 1997, local bus patronage has changed as follows: *(a)* England, a rise of 4 per cent.;

(b) Yorkshire and the Humber, a fall of 11 per cent.;

(c) City of York, a rise of 17 per cent. (since 2000–01 period, see the following) and;

(d) London, a rise of 24 per cent.

Information is available from DfT surveys of bus operators for 1996–97 to 2002–03 in at regional level. For the City of York, data are from York UA's Annual Performance Report to DfT for the period 2000–01 to 2002–03.

The information for England and the government office regions is published in Tables 10 and 13 in "A Bulletin of Public Transport Statistics GB: 2003 edition." A copy is in the Library of the House.

Ian Stewart: To ask the Secretary of State for Transport how much central government subsidy was paid directly to the five largest bus companies in Great Britain in the form of bus service operators grant in *(a)* 2002–03 and *(b)* 2003–04, broken down by area. [191708]

Charlotte Atkins: Bus service operators grant is usually claimed at operating subsidiary or depot level and payment records are not kept in the form requested.

However, we have estimated in the following table the total payments to the five largest bus operators (Arriva, First, GoAhead, Travel West Midlands, and Stagecoach) based on estimates of their share of total bus mileage in each region.

Estimated BSOG payments (m) to largest 5 operators by English region

£ million

Region	*2002–03*	*2003–04*
North West	38	39
North East	26	27
London	43	52
West Midlands	29	30
East Midlands	11	11
East of England	17	18
Yorkshire and Humber	27	28

Estimated BSOG payments (m) to largest 5 operators by English region

£ million

Region	*2002–03*	*2003–04*
South East	23	24
South west	15	16
Total	229	245
Total BSOG	317	341

John Thurso: To ask the Secretary of State for Transport how many rural bus services are supported by rural bus grants, broken down by local authority area. [192191]

Charlotte Atkins: The table that follows shows by local transport authority and region the number of bus services supported in 2003–04 by means of the Department's Rural Bus Subsidy Grant. This information has been supplied by the authorities concerned in the annual monitoring return of the grant's use.

Our Rural Bus Challenge scheme has also provided £110 million for 301 projects involving many new services for the communities involved. A list of these projects is in the Library of the House and on the Department's website.

Local Authority Region	*Authority/Bus Services*
Bedfordshire	17
Cambridgeshire	26
Essex	28
Hertfordshire	14
Norfolk	71
Peterborough	15
Suffolk	36
Thurrock	1
East	208
Derbyshire	66
Leicestershire	21
Lincolnshire	135
Northamptonshire	45
Nottinghamshire	29
Rutland	10
East Midlands	306
Darlington	4
Durham	50
Hartlepool	2
Middlesborough	1
Northumberland	61
Redcar and Cleveland	11
Stockton-on-Tees	2
NEXUS (Tyne and Wear)	4
North East	135
Blackburn and Darwen	3
Cheshire	33
Cumbria	84
Greater Manchester	8
Halton	2
Lancashire	51
Merseyside	3
Warrington	3
North West	187
Bracknell	2
Buckinghamshire	30
E Sussex	40
Hampshire	31
Isle of Wight	181
Kent	79
Medway	12
Milton Keynes	5
Oxfordshire	47
Surrey	24
W Berkshire	10
W Sussex	21
Windsor and Maidenhead	2
Wokingham	2
South East	486
Bath and NE Somerset	10
Bristol	3
Cornwall	86
Devon	51
Dorset	34
Gloucestershire	46
N Somerset	13
Plymouth	4
Poole	0
S Gloucestershire	20
Somerset	59
Swindon	7
Torbay	2
Wiltshire	66
South West	401
CENTRO (W Midlands)	6
Herefordshire	37
Shropshire	57
Staffordshire	58
Stoke on Trent	3
Telford	5
Warwickshire	52
Worcestershire	21
West Midlands	239
East Riding of Yorkshire	69
North Lincolnshire	27
North Lincolnshire	6
North Yorkshire	75
South Yorkshire	21
West Yorkshire	42
York	9
Yorkshire and Humberside	249
Totals	2,211

John Thurso: To ask the Secretary of State for Transport what the level of bus patronage has been in each year since 1997 *(a)* in total and *(b)* broken down by region. [192192]

Charlotte Atkins: Information on the number of local bus passenger boardings by Government Office Region is published in Table 13 of "A Bulletin of Public Transport Statistics GB: 2003 edition", a copy of which is in the Library of the House.

John Thurso: To ask the Secretary of State for Transport how many bus lanes have been created since 2000 *(a)* in total and *(b)* broken down by region; and what the total length was in each case. [192193]

Charlotte Atkins: Information on bus lanes implemented in each Government Office Region for the financial years 2001–02, 2002–03 and 2003–04 is shown in the following table.

	2001–02 Number	Kms	2002–03 Number	Kms	2003–04 Number	Kms	Total Number	Kms
North East	8	8	3	4	6	5	17	17
North West	10	9	23	24	7	12	40	45
Yorkshire and the Humber	4	7	6	11	5	5	15	23
East Midlands	2	2	4	2	3	3	9	7
West Midlands	3	2	3	1	17	8	23	10
East of England	1	1	7	6	6	7	14	14
South East	15	7	29	18	22	23	66	48
South West	10	4	10	8	10	7	30	19
London	77	19	134	30	51	10	262	59
Total	130	59	219	103	127	80	476	242

Container Report

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will make a statement on the report commissioned from Napier university on Container Transshipment and Demand for Container Terminal Capacity in Scotland. [189138]

Mr. Darling: This was a report commissioned by the Scottish Executive which addressed the potential benefits to the Scottish economy of specific port development proposals. The Scottish Minister for Transport has already commented on the report in publishing it on 19 August.

Cycle Lanes

Tom Cox: To ask the Secretary of State for Transport how many miles of cycle lanes there are in the Greater London area. [191959]

Charlotte Atkins: Transport for London estimates that within the London area there are approximately the following lengths of cycle routes:

300 km of on-road cycle lanes;

200 km of off-road, traffic free routes (fully segregated from traffic) and typically through parks and alongside waterways;

1,500 km of on-road, signed cycle routes, much of this on quiet residential roads.

Energy Efficiency

Mr. Damian Green: To ask the Secretary of State for Transport if he will make a statement on energy efficiency in his Department's buildings. [186402]

Charlotte Atkins: The Department for Transport estate comprises some 1,170 diverse properties of varying size, use and nature of occupation. The best available information on energy usage in the Department is shown in the following table although there is some estimation involved and not all Department for Transport properties are able to provide data.

	Total kWh		
	2002–03	2003–04	Percentage -/+
Great Minster House (DfT HQ)	7,724,512	8,019,719	3.8
Air Accidents Investigation Branch	619,420	591,322	-4.5
Marine Accident Investigation Branch	71,018	98,879	39.2
Driving Standards Agency	7,267,460	6,118,735	-15.8
Driver and Vehicle Licensing Agency	18,470,996	19,494,509	5.5
Highways Agency	6,853,863	6,171,823	-10.0
Maritime and Coastguard Agency	8,733,581	9,363,734	7.2
Vehicle Certification Agency	496,136	449,875	-9.3
Vehicle and Operators Services Agency	13,690,065	12,217,857	-10.8
Total	63,927,051	62,526,453	-2.2

Although there is some variation the overall trend is 2.2 per cent. down. The 3.8 per cent. increase in 2003–04 for energy use in the Department's headquarters building, Great Minster House, was primarily due to a rise in electricity consumption in the summer of 2003 for additional air conditioning to cope with the high temperatures during the period. It was necessary to provide comfortable working conditions for staff and protecting heat sensitive plant and equipment. Other increases were largely the result of better collection of data from additional sites (DVLA), the acquisition of additional accommodation (MAIB) and significant energy consuming refurbishment works outside normal working hours (MCA).

All the electricity used in Great Minster House was obtained from 100 per cent. renewable sources. Some of the agencies such as DSA, MCA, VOSA and DVLA also purchase green energy.

The Department and its agencies are currently considering what needs to be done to enable it to meet the energy targets set out under the Framework for Sustainable Development on the Government Estate.

Green Ministers

Mr. Horam: To ask the Secretary of State for Transport how many meetings of the Ministerial Sub-Committee of Green Ministers were attended by the Department's Green Minister in *(a)* 2002–03 and *(b)* 2003–04. [190856]

Charlotte Atkins: As my Department's Green Minister, I am a member of ENV(G) Committee.

It has been established practice under successive Governments not to disclose information relating to the proceedings of Cabinet Committees. This practice is now formalised by Exemption 2 of Part II of the Code of Practice on Access to Government Information.

Journeys (Alternative Transport)

Hugh Bayley: To ask the Secretary of State for Transport what percentage of journeys in *(a)* England, *(b)* Yorkshire and the Humber and *(c)* the City of York were taken by (i) walking, (ii) bicycle, (iii) private vehicle, (iv) bus, (v) other public road vehicle, (vi) rail and (vii) other means at the latest date for which figures are available. [192420]

Charlotte Atkins: The National Travel Survey provides the data requested for 2002–03 shown in the following table for the main method of transport used for residents of *(a)* England and *(b)* Yorkshire and the Humber. Data are not available for residents of York.

Percentage/trips

2002–03	*Yorkshire and the Humber*	*England*
Walk	25	24
Bicycle	1	2
Private vehicle	66	65
Local bus	6	6
Other public road vehicle	1	1
Rail	[1]—	1
Other means	[1]—	1
All modes	100	100

[1] Negligible (less than half the final digit shown).

Leeds Tram Network

Mr. Rosindell: To ask the Secretary of State for Transport if he will make a statement on the proposed tram network in Leeds. [191448]

Mr. McNulty: The Secretary of State announced on 20 July 2004 that the current proposal for the proposed tram system in Leeds can no longer be approved, on the basis of cost escalation. The scheme was originally approved for government funding in March 2001. The public sector contribution was capped at £355 million (present value), however the estimated costs increased to more than £500 million. The promoters are now developing revised options and the Department for Transport has been assisting them in that work.

M1

Mr. Greg Knight: To ask the Secretary of State for Transport for what reason all lanes on the northbound carriageway of the M1 motorway other than the hard shoulder were closed on the evening of 30 September between junctions 24 and 25; why such closure was allowed to take place before midnight; when he expects this stretch of motorway to be free of roadworks; and if he will make a statement. [192271]

Mr. Jamieson: On the 30 September 2004 the northbound carriageway of the M1, between Junctions 24A and 25, was closed and the hard shoulder opened to traffic to enable essential maintenance works to be carried out to the River Trent bridge. The work required was extensive and took place from 27 September for five nights between the hours of 2200 and 0500, in order to avoid peak periods and minimise disruption to road users.

This stretch of motorway is currently free from roadworks. Routine maintenance will be undertaken as required.

The closure was facilitated under the provisions of a temporary Traffic Regulation Order and there was advance publicity in local newspapers and on the Highways Agency's website.

Ministerial Expenses

Mr. Prisk: To ask the Secretary of State for Transport how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [191396]

Charlotte Atkins: The Department for Transport has no residential properties used by Ministers or officials.

Railways

John Thurso: To ask the Secretary of State for Transport how much has been spent by the Strategic Rail Authority on running the South Eastern franchise; and how much expenditure is projected for future years. [192229]

Mr. McNulty: In the period from taking over the South Eastern franchise in November 2003 until the end of September 2004 the cost of the franchise was £85.6 million and the estimated expenditure for the period October 2004 to the end of March 2005 is £41.4 million. The budget beyond that has not yet been formulated.

John Thurso: To ask the Secretary of State for Transport if he will list the rail passenger partnership schemes put forward to the Strategic Rail Authority *(a)* which have not been given funding approval and *(b)* in which construction has not taken place, broken down by (i) year of submission and (ii) cost of scheme. [192239]

Mr. McNulty: The information requested is not readily available in the form requested. The following table lists the Rail Passenger Partnership scheme proposals that have been rejected since 1999.

The bidding process is often iterative—involving detailed project development between the Strategic Rail Authority and the project sponsors—and it would therefore be difficult to be consistent about the exact date on which the submission of the scheme was formalised. Similarly it is difficult to provide final cost estimates for schemes as this would only be quantifiable when a project had reached the contractualisation stage.

Schemes might be rejected for a number of reasons including failure to meet the SRA's value for money and affordability criteria or failure to secure adequate third party sponsorship.

Rejected Rail Passenger Partnership Schemes

Transpennine to Redcar
Clyst Hayes Station
Robin Hood Line
STRP-Manchester-Clitheroe
Heart of Wales Winter Sundays
Provision of portable ramps on ATN train units.

Leeds-Windermere Sunday Services
Southminster Branch Line—Security Project
Poulton—Dedicated Bus Link
Wherry Line Station Improvement
Stourbridge—Trial of Parry People Mover System
Halesworth
Hastings, Early Bird Service
Ryde St. John's Park and Ride
Penistone Line Partnership
Stansted—Coachlink
Southminster (Additional Security)
Bedford Station Link
Bristol Temple Meads
Improvements to 5 stations in Plymouth area
Kings Cross Façade Renewal
Watlington Car Park
Cheshunt Interchange
Wembley Central
Diss Station Interchange
Coast to Coast Sleeper services-Penzance-Edinburgh
Additional Security Staff-Valley Line Wales
Burnley-Station Improvements
Plus Bus-Add on rail tickets for bus travel
Airdrie Bathgate Bus Link
Grazely Consortium-New Station
Markinch-Rail/bus Interchange
Taunton and Minehead
Stourbridge—Trial of Parry People Mover System (2)
Connex Stations—Improvements at four stations
Conwy
Bristol area frequency—Additional services
Warwick Parkway
Cheshunt Station (Bay Extension)
Larkhall to Milngavie—Re-open for passenger services
West Anglia—Customer Information Services at Stations
Alloa to Glasgow—New station and additional Services
Coleshill—Interchange
Wales and West—Mark 11 Trains for Special Events
Manchester airport
Weardale Railway
Wrexham to Bidston
Paddington
Windermere Branchline Upgrade
Braintree Branch Line
London Crosslink (Phases 1 and 2)
Keswick to Penrith
Sheffield Barnsley Leeds
Newcastle Interchange

Rural Bus Challenge

Mr. Bercow: To ask the Secretary of State for Transport how much money was allocated from the Rural Bus Challenge to Buckinghamshire in *(a)* 2001–02, *(b)* 2002–03, *(c)* 2003–04 and *(d)* 2004–05. [191064]

Charlotte Atkins: Buckinghamshire county council has been awarded funding for three Rural Bus Challenge projects and has received grant for these as follows:

Project	*Total award (£)*	*Year of award*	*Grant paid to date by financial year (£)*	
Winslow Community Minibus	100,500	1998	50,705	1998–99
			19,400	2000–01
			18,065	2001–02
			12,330	2002–03
Easybus Project	985,000	1999	429,825	2000–01
			154,500	2001–02
			142,709	2002–03
			197,590	2003–04
			60,376	2004–05
On Call Project	350,000	2002	151,255	2003–04

Rural Transport Partnership

Mr. Bercow: To ask the Secretary of State for Transport (1) how much money was allocated from the Rural Transport Partnership for *(a)* dial-a-ride services, *(b)* car sharing schemes and *(c)* an internet based alternative transport guide for socially excluded groups in Buckinghamshire in (i) 2002–03, (ii) 2003–04 and (iii) 2004–05; [191063]

(2) how much was allocated in *(a)* 2002–03, *(b)* 2003–04 and *(c)* 2004–05 for the Rural Transport Partnership in Buckinghamshire. [191087]

Charlotte Atkins: Buckinghamshire and Milton Keynes are served by a single Rural Transport Partnership. The funding allocated to the Partnership between 2002–03 and 2004–05 is set out in the following table.

£

	2002–03	*2003–04*	*2004–05*
Total RTP funding	57,039	75,638	68,799
Of which:			
Dial a Ride	4,381	12,013	10,500
Voluntary car schemes	8,023	14,506	[1]1,141
Alternative Transport Guide	373	373	[1]0

[1] Funding for these schemes ended in early 2004.

Salisbury (Transport)

Mr. Key: To ask the Secretary of State for Transport if he will make a statement on progress on the Salisbury Transportation Package. [191758]

Charlotte Atkins: In February 2004 the Government agreed to increase their contribution for this scheme by over £8 million, to £21.928 million, and currently there are two park and ride schemes under construction, at Wilton, due to be completed in February 2005, and Britford, due for completion by the end of March 2005.

In addition, the Real Time Passenger Transport Information System, which is partially funded through this package, is undergoing system trials and it is hoped to be fully operational by the end of the year. This system will embrace bus routes radiating out from Salisbury that go as far a field as Trowbridge.

Speed Cameras

Mr. Greg Knight: To ask the Secretary of State for Transport what guidance he has issued in respect of the trigger level for speed cameras in the past 12 months; and what changes have been made. [192628]

Mr. Jamieson: Enforcement of the law is the responsibility of individual Chief Constables, who determine the speed at which their forces enforce speed limits, including the level at which speed cameras are triggered. This is not a matter for my right hon. Friend the Secretary of State. The Association of Chief Police Officers has recommended a minimum enforcement speed of 10 per cent. plus 2 mph above the speed limit, in its "Speed enforcement guidelines" to forces. The Department for Transport's current "Handbook of rules and guidance for the operation of the national road safety camera programme for England and Wales October 2003" notes this, but emphasises that the decision is a matter for individual Chief Constables.

Trams

Mr. Rosindell: To ask the Secretary of State for Transport what plans the Government have to introduce tram networks in cities which have poor public transport systems. [191487]

Mr. McNulty: In London, the introduction of tram networks is a matter for the Mayor. Elsewhere, in England, it is for local transport authorities to consider where tram schemes provide the best option, in the context of their Local Transport Plans. They would submit a major scheme bid to the Department for Transport following discussion with the Department. Any scheme would be considered on the basis of its value for money, including its wider benefits, and affordability.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Beef Exports

Tom Cox: To ask the Secretary of State for Environment, Food and Rural Affairs what progress her Department is making in promoting British beef exports into the countries of the European Union; and if she will make a statement. [191960]

Mr. Bradshaw: British beef prepared under the Date-based Export Scheme is being exported to a number of EU countries. In the light of recent positive Opinions from the European Food Safety Authority, we will continue to work with the EU Commission to ensure that restrictions on UK beef exports are eased as quickly as possible. Promotion of beef exports is undertaken primarily by the Meat and Livestock Commission, as well as the beef industry itself.

Bird Predation

Sir Paul Beresford: To ask the Secretary of State for Environment, Food and Rural Affairs what account was taken of the Government research on bird predation published in 1999 when the amendments to the licensing system for the control of the cormorant population announced by the Parliamentary Secretary for Nature Conservation and Fisheries on 16 September were being drawn up. [191473]

Mr. Bradshaw *[holding answer 15 October 2004]:* Over £1.5 million has been spent on research and development relating to fish-eating birds since the mid 1990s, covering population estimates, bird movements, feeding behaviour, impact studies and management techniques.

The earlier research has contributed significantly to our understanding of the problem of fish-eating birds at inland fisheries and potential methods of resolving such conflicts. This research has demonstrated that cormorant conflicts at fisheries are site specific and this forms the basis for both the previous and new licensing strategies.

The Department is continuing to research the potential of fish refuges. However, like all management tools—refuges have some limitations and it is unlikely that they will be the answer to all cormorant predation problems.

CITES

John Mann: To ask the Secretary of State for Environment, Food and Rural Affairs what her policy is on the proposals at the 13th Conference of the Parties to the Convention on International Trade in Endangered Species from Namibia and South Africa to increase their export quotas of *(a)* black rhino and *(b)* leopard. [189217]

Mr. Morley: Proposals concerning export quotas for black rhinoceros and leopard were considered by the 13th Conference of Parties on 4 October. The UK Government's agreed common position, along with the other EU member states, was as follows:

> (a) Black rhinoceros—We supported the amended Namibian proposal on condition that only adult males could be exported and that all hunting trophies would be marked with the country of origin, species, quota number and year of export. Similarly, following South Africa's amendment of their proposal reducing the annual quota from 10 to 5 animals, we supported it on the same basis. The amended proposal and draft resolution were adopted.
>
> (b) Leopard—Namibia and South Africa—The EU supported these proposals which were adopted.

Commercial Woodland

Mr. Paice: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the total area of commercial woodland and forestry in England that is owned *(a)* by Forest Enterprise and *(b)* by private landowners and public limited companies. [190918]

Mr. Bradshaw *[holding answer 18 October 2004]:* Details of woodland ownership in England are collected as part of the National Inventory of Woodland and

Trees, which was last completed in 1999. Estimates for a range of ownership types are shown in the following table:

Area of woodland in England by ownership type[1]

Ownership type	*Hectare (thousand)*
Forestry Commission	223
Other public body (not FC)	27
Local authority	61
Private forestry or timber business	7
Other private business	147
Personal	481
Charity	68
Community ownership or common land	4
Unclassified	4
Total	1,022

[1] National Inventory of Woodland and Trees, Forestry Commission 2000.

Corals

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to protect ocean-bed corals, with particular reference to bottom-trawling. [191137]

Mr. Morley: The UK secured permanent protection for the Darwin Mounds cold water corals from bottom trawling through a Council Regulation agreed at the Agriculture and Fisheries Council in March 2004. This made permanent the emergency protection that was put in place from August 2003 under the revised Common Fisheries Policy.

At the meeting of the Conference of the Parties to the Convention on Biological Diversity in February, the UK and EU were instrumental in calling for urgent action to protect vulnerable marine biodiversity from destructive practices in areas beyond the limits of national jurisdiction. We are pressing for this year's United Nations General Assembly resolution on "Oceans and the law of the sea" to set out how this can best be achieved.

Cormorants

Sir Paul Beresford: To ask the Secretary of State for Environment, Food and Rural Affairs how many cormorants will be licensed to be killed each of the first five years under the amendments to the licensing system for the control of the cormorant population announced by the Parliamentary Secretary for Nature Conservation and Fisheries on 16 September; what procedure will be used to judge what alternatives are available to the culling of cormorants; and what evidence will be used to authorise the culling of cormorants where damage to fish stocks has not occurred but is likely to occur. [191472]

Mr. Bradshaw *[holding answer 15 October 2004]:* The number of cormorants licensed to be killed will depend on the number of applications received. The objective of the new licensing policy is not to reduce the cormorant population but to reduce damage caused by cormorants while protecting the conservation status of the cormorant population.

Reports available on the Defra website at: http://www.defra.gov.uk/wildlife-countryside/vertebrates/Reports.htm have explored the limits within which the licensing system may operate without risking the conservation status of the cormorant population. They do not recommend levels of population reduction.

These reports predict that restricting the maximum number of birds killed in the long-term to below 2,000 per annum would, at most, suppress the population to a level lower than currently observed, but that this would be stable and unlikely to lead to long-term declines. The full effects of such a policy would take around five years to be fully apparent. Raising this figure in the first two years of a new policy would have little effect on long-term cormorant numbers.

The intention is to review the maximum permissible number of licences on an annual basis, based on monitoring of licence numbers and the cormorant population. This will ensure that the maximum number of licences issued does not lead to unexpected or serious reductions in cormorant numbers beyond those predicted.

The licensed removal of cormorants will only be considered where the applicant can demonstrate that they have considered alternative management measures and, where appropriate, have tested them.

They will need to provide information on deterrents and measures currently being used to protect the stock (e.g. scaring devices, proofing) and methods tried and found to be ineffective or which are impracticable.

The applicant will also need to demonstrate that significant numbers of cormorants are present at a site, that these are actively feeding and not just loafing or roosting at a site and that the site contains a resource at risk of significant damage by them. If the applicant can demonstrate these points, the new licensing system will presume that serious damage is occurring or there is a risk of serious damage.

Where a site has recent past evidence that cormorant damage is likely to occur, for example, where they have previously been issued with a licence to remove cormorants to aid scaring under the previous system, their licence applications will be considered and assessed on the basis of protecting the site against the risk of cormorant numbers returning to the level that justified the previous licence.

Forest Enterprise

Mr. Paice: To ask the Secretary of State for Environment, Food and Rural Affairs what the *(a)* net deficit and *(b)* change in capital and reserves from Forest Enterprise was in (i) 2002–03 and (ii) 1998–99; and what the projected sums are for (A) 2003–04 and (B) 2004–05. [190916]

Mr. Bradshaw *[holding answer 18 October 2004]:* The net deficit and the change in capital reserves for Forest Enterprise across Great Britain are set out in the following table for 1998–99 and 2002–03 together with projections for 2003–04. The projected net deficit for 2004–05 is also shown.

£ million

	Net deficit	*Change in capital and reserves*
1998–99	82	-229
2002–03	138	-233
2003–04	[1]100	-13[1]
2004–05	[2]50	[3]—

[1] Figures are provisional estimates pending completion of audit procedures and will be included as part of the Annual Accounts laid before Parliament by the Commission.

[2] The figure for 2004–05 is the latest forecast and may be subject to revision should circumstances change.

[3] The change in capital and reserves is calculated after the end of each financial year when the revaluation of the Commission's estate has been completed. It is not therefore possible to provide a forecast for 2004–05.

Gangmasters

Jim Sheridan: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will break down the information submitted on the ACU1 forms returned to the Inland Revenue Agricultural Compliance Unit in each of the last three financial years by *(a)* the number of gangmasters and employment agencies engaged for the first time by those using the services of a gangmaster or an employment agency and *(b)* the company name of each gangmaster or employment agency engaged for the first time by those using the services of a gangmaster or employment agency; [192579]

(2) if she will break down the information submitted on the ACU2 forms returned to the Inland Revenue Agricultural Compliance Unit in each of the last three financial years by *(a)* the (i) number and (ii) company name of gangmasters and employment agencies engaged by those using the services of a gangmaster or employment agency and *(b)* the total number of workers for whom the details required by the ACU2 form were provided. [192580]

Dawn Primarolo: I have been asked to reply.

The information sought is not readily available and could be obtained only at disproportionate cost. The Inland Revenue is statutorily debarred from disclosing information relating to the tax affairs of individuals or public and private sector bodies and cannot divulge the details requested in section *(b)* of each question. Exemption 15 of the Code of Practice on Access on Government Information applies in this instance.

Green Ministers

Mr. Horam: To ask the Secretary of State for Environment, Food and Rural Affairs how many meetings of the Ministerial Sub-Committee of Green Ministers were attended by the Department's Green Minister in *(a)* 2002–03 and *(b)* 2003–04. [190874]

Mr. Morley: Lord Whitty is Defra's Green Minister and is a member of the Ministerial Sub-Committee of Green Ministers. However, it has been established practice under successive Governments not to disclose information relating to the proceedings of Cabinet Committees. This practice is now formalised by Exemption 2 of Part II of the Code of Practice on Access to Government Information. Consequently, I am unable to comment on meetings of the Sub-Committee.

Hunting

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs how many hunt kennels have applied for registration in each of her Department's regions; and how many have been licensed. [190713]

Mr. Bradshaw: Hunt Kennels, which are collecting and treating animal by products for the purpose of supplying other premises, will require authorisation as a 'collection centre' under EU "Animal By-Products Regulation" (Regulation (EC) No 1774/2002). Such premises will also need to be authorised as a 'final user' if they feed on the premises as well as supplying.

Those premises receiving feed obtained from a collection centre will require approval as a 'final user'.

Information specifically relating to 'hunt kennels' is unavailable. Nationally as of 15 October 2004, 597 collection centres and final users had sought approval under the Regulation, 18 have been rejected, 451 have been approved and 128 are awaiting assessment by the State Veterinary Service as to whether or not an approval can be issued.

Note:

Not all of the animal by-product premises referred to are hunt kennels.

The breakdown by the Department's Region's is as follows:

Annex 1

	Collection centres	*Final user*
North Region		
Applied	38	97
Approved	38	94
West Region		
Applied	33	40
Approved	36	54
East Region		
Applied	42	108
Approved	33	133

Note:

The information was obtained from the Animal By-Product Regulations Information System (ABPRIS), which is currently undergoing development. This information will be subject to change as/when the database has undergone a full and complete data cleansing exercise.

Intermediate Collection Centres

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs how many intermediate collection centres have so far been licensed under the Animal By-Products Regulation in each of her Department's regions; and how many have applied for registration. [190712]

Mr. Bradshaw: 87 intermediate plants have sought approval under the Regulation, three have been rejected, 76 have been approved and eight are awaiting assessment by the State Veterinary Service as to whether or not an approval can be issued. The breakdown by region is as follows:

Intermediate plants

	Applied	*Approved*	*Rejected*
North Region	42	40	1
West Region	15	14	1
East Region	30	22	1

Note:
The information contained in the table was obtained from the Animal By-Product Regulations Information System (ABPRIS), which is currently undergoing development. This information will be subject to change as/when the database has undergone a full and complete data cleansing exercise.

Water Framework Directive

Nick Harvey: To ask the Secretary of State for Environment, Food and Rural Affairs what steps the Government are taking to ensure that the UK complies with the European Commission's Water Framework Directive. [191806]

Mr. Morley: The Water Framework Directive sets out a staged timetable up to 2015 for member states to transpose it into national law and implement its requirements.

The Directive has been transposed throughout the UK, and notification of the UK competent authorities was sent to the European Commission on 22 June 2004.

The next key stage is the characterisation of river basin districts. The competent authorities must complete an analysis of the pressures and impacts of human activity on the water environment by 22 December 2004, and a report on each of the river basin districts must be sent to the European Commission by 22 March 2005. The Environment Agency, the competent authority for England and Wales, is working hard to ensure timely delivery of this analysis. They published initial characterisation results for public review on 1 September 2004.

Nick Harvey: To ask the Secretary of State for Environment, Food and Rural Affairs when the Government plans to transpose the EU's Water Framework Directive into UK law. [191807]

Mr. Morley: The Government laid the regulations to transpose the Water Framework Directive in England and Wales in December 2003 and they entered into force on 2 January 2004. Two further sets of regulations covering the two river basin districts which cross the Scottish border (Northumbria and the Solway Tweed) came into force on 10 February 2004. The directive has also been transposed by the relevant administrations in Scotland, Northern Ireland and most recently in Gibraltar.

TREASURY

Census (Household Facilities)

Ms Buck: To ask the Chancellor of the Exchequer (1) what percentage of all households in England were sharing the use of a WC according to the *(a)* 1981, *(b)* 1991 and *(c)* 2001 census; [192031]

(2) what percentage of all households in England were sharing the use of a bathroom according to the *(a)* 1981, *(b)* 1991 and *(c)* 2001 census; [192033]

(3) what percentage of all households in England were living at a density of *(a)* more than two persons per room, *(b)* one and a half persons per room and *(c)* one person per room according to the (i) 1981, (ii) 1991 and (iii) 2001 census; [192034]

(4) what percentage of all households in England were lacking the use of a bathroom according to the *(a)* 1981, *(b)* 1991 and *(c)* 2001 census; [192035]

(5) what percentage of all households in England had the use of central heating in their dwelling according to the *(a)* 1981, *(b)* 1991 and *(c)* 2001 census; [192036]

(6) what percentage of all households were lacking the use of a hot water supply according to the *(a)* 1981, *(b)* 1991 and *(c)* 2001 census. [192037]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Ms Karen Buck, dated 20 October 2004:

As National Statistician and Registrar General for England and Wales I have been asked to reply to your recent Parliamentary Questions asking:

1. what percentage of all households in England were sharing the use of a WC according to the *(a)* 1981, *(b)* 1991 and *(c)* 2001 census (192031)

2. what percentage of all households in England were sharing the use of a bathroom according to the *(a)* 1981, *(b)* 1991 and *(c)* 2001 census (192033)

3. what percentage of all households in England were living a density of *(a)* more than two persons per room *(b)* one and a half persons per room and *(c)* one person per room according to the (i) 1981, (ii) 1991 and (iii) 2001 census (192034)

4. what percentage of all households in England were lacking the use of a bathroom according to the *(a)* 1981, *(b)* 1991 and *(c)* 2001 census (192035)

5. what percentage of all households in England had the use of central heating in their dwelling according to the *(a)* 1981, *(b)* 1991 and *(c)* 2001 census (192036)

6. what percentage of all households were lacking the use of a hot water supply according to the *(a)* 1981, *(b)* 1991 and *(c)* 2001 census (192037)

Questions relating to household amenities vary between the Censuses. The percentages provided relate to the questions as asked at the time of each of the three Censuses. Where there are differences in definition the closest equivalent has been provided.

1. Shared use of WC—England

	Percentage of all households		
	1981	*1991*	*2001*
Shared inside WC	1.24	—	—
Lacking or sharing use of inside WC	—	1.07	—
Without sole use of bath/shower and toilet	—	—	0.49

Sources:

Table 7 Census 1981 Housing and households for England and Wales, Table 8 Census 1991 Household Composition for Great Britain and Table UV60 Census 2001 Census Area Statistics for England and Wales

2. Shared use of Bath—England

	Percentage of all households		
	1981	*1991*	*2001*
Shared bath	1.35	—	—
Lacking or sharing use of bath/shower	—	1.00	—
Without sole use of bath/shower and toilet	—	—	0.49

Sources:

Table 7 Census 1981 Housing and households for England and Wales, Table 8 Census 1991 Household Composition for Great Britain and Table UV60 Census 2001 Census Area Statistics for England and Wales

3. Number of people per room—England

	Percentage of all households		
	1981	*1991*	*2001*
Over 1.5 persons per room[1]	0.63	0.50	0.57
Over 1 and up to 1.5 persons per room	2.76	1.61	1.32
Up to 1 person per room	96.61	97.89	98.11

[1] Please note the census does not produce figures for over 2 persons per room.

Sources:

Table 5 Census 1981 Housing and households for England and Wales, Table 5 Census 1991 Household Composition for Great Britain and Table UV58 Census 2001 Census Area Statistics for England and Wales

4. Lacking the use of a Bath—England

	Percentage of all households		
	1981	*1991*	*2001*
No bath	1.78	—	—
Lacking or sharing use of bath/shower	—	1.00	—
Without sole use of bath/shower and toilet	—	—	0.49

Sources:

Table 7 Census 1981 Housing and households for England and Wales, Table 8 Census 1991 Household Composition for Great Britain and Table UV60 Census 2001 Census Area Statistics for England and Wales

5. Had the use of central heating—England

	1991	*2001*
Had the use of central heating[1]	81.47	91.47

[1] This question was first asked in 1991

Sources:

Table 8 Census 1991 Household Composition for Great Britain and Table UV60 Census 2001 Census Area Statistics for England and Wales

6. Lacking the use of a hot water supply

This question was not asked in any of the three Censuses and consequently no figures are available.

Fuel Duties

Hugh Bayley: To ask the Chancellor of the Exchequer what the duty is on a litre of *(a)* diesel, *(b)* leaded and *(c)* unleaded petrol; and how much it would have been if the fuel price escalator had not been abolished. [192418]

John Healey: The current duty rate on a litre of *(a)* ultra low sulphur diesel, *(b)* leaded petrol and *(c)* ultra low sulphur petrol is 47.10p per litre, 56.20p per litre and 47.10p per litre respectively.

If the fuel duty escalator had been applied at every Budget since 2000 then the current duty rate on *(a)* ultra low sulphur diesel, *(b)* leaded petrol and *(c)* ultra low sulphur petrol would be 70.96p per litre, 79.48p per litre and 70 96p per litre respectively.

Drug Misuse

Tom Cox: To ask the Chancellor of the Exchequer how many deaths have been caused in the Greater London area as a result of people using class A drugs in the last year for which figures are available. [192617]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Tom Cox, dated 20 October 2004:

As National Statistician I have been asked to reply to your question asking how many deaths have been caused in the Greater London area as a result of people using Class A drugs in the last year for which figures are available. (192617)

Figures are readily available from death certification on deaths due to drug poisoning. The most recent year for which figures are available is 2002.[1] In Greater London[2] in that year there were 160 deaths related to drug poisoning where a Class A drug was mentioned on the death certificate.[3]

Figures are not readily available where death was indirectly related to the use of Class A drugs as the direct cause is generally selected as the underlying cause of death (e.g. HIV infection).

[1] Data are for deaths occurring per calendar year

[2] Usual residence of the deceased.

[3] Defined using the following codes from the International Classification of Diseases, Tenth Revision for 2002: FII-FI6, X40-X44, X60-X64, Y10-Y14,X85,wherea Class A drug was also mentioned on the death certificate.

Economic Indices

Bob Spink: To ask the Chancellor of the Exchequer by how much the *(a)* housing cost and *(b)* general inflation indices changed in each of the last 10 years. [190974]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Robert Spink, dated 20 October 2004:

As National Statistician, I have been asked to reply to your question, by how much the *(a)* housing cost and *(b)* general inflation indices changed in each of the last 10 years. (190974)

The following table gives the annual average index numbers for housing costs and for the All Items Retail Prices Index (RPI) for the years 1994–2003, along with the corresponding annual percentage changes. The RPI provides the most appropriate basis for such comparisons because the Consumer Prices Index excludes most elements of owner-occupier housing costs. The figures for 2004 will become available with the release of the December figures on 18th January 2005.

	RPI (Housing)[1]		*RPI (All items)*	
	Index	*Percentage*	*Index*	*Percentage*
1994	156.0	3.3	144.1	2.4
1995	166.4	6.7	149.1	3.5
1996	168.6	1.3	152.7	2.4
1997	179.6	6.5	157.5	3.1
1998	195.4	8.8	162.9	3.4
1999	196.9	0.8	165.4	1.5
2000	214.4	8.9	170.3	3.0
2001	221.1	3.1	173.3	1.8
2002	226.9	2.6	176.2	1.7
2003	244.1	7.6	181.3	2.9

[1] Includes rent, mortgage interest payments, depreciation, council tax and rates, water and other charges, repairs and maintenance charges, do-it-yourself materials and dwellings insurance and ground rent.

European Structural Fund

Tom Cox: To ask the Chancellor of the Exchequer how much money was allocated to the London borough of Wandsworth from the European Structural Fund in each of the last three years. [192676]

Mr. Raynsford: I have been asked to reply.

The Office of the Deputy Prime Minister is responsible for the European Regional Development Fund (ERDF) in England. The London borough of Wandsworth has not received any support from this European Structural Fund. However, £2,701,448 has been committed since October 2001 to date under the Objective 3 European Social Fund (ESF) programme to 13 organisations for 18 projects based in the London borough of Wandsworth.

Green Ministers

Mr. Horam: To ask the Chancellor of the Exchequer how many meetings of the Ministerial Sub-Committee of Green Ministers were attended by the Department's Green Minister in *(a)* 2002–03 and *(b)* 2003–04. [190871]

John Healey: I am the Treasury's Green Minister and in this role I am a member of the Ministerial Sub-Committee of Green Ministers. It has been established practice under successive governments not to disclose information relating to the proceedings of Cabinet Committees. Exemption 2 of Part II of the Code of Practice on Access to Government Information applies.

Information and Communication Specialists

Mr. Jenkins: To ask the Chancellor of the Exchequer how much the Department spent on outside information technology and communication specialist consultants and engineers in the 2003–04 financial year. [191911]

Mr. Timms: In order to secure value for money for public spending, the Chancellor's Departments procure consultancy services through a range of centrally negotiated framework contracts.

During 2003–04, Inland Revenue had major contracts with two strategic technology partners, EDS and Accenture, to provide its IT systems and support, including development and maintenance services. £300-£400 million is spent annually through these contracts. Expenditure incurred with EDS specifically on IT consultancy could be provided only at disproportionate cost. No IT consultancy services were obtained through the Accenture contract (which is purely for operational services). During 2003–04, Inland Revenue obtained additional IT consultancy services through a number of contracts let by other Government Departments or agencies, including the Office of Government Commerce's S-Cat, and its own framework contract with Computacenter (for the supply of IT equipment, software and associated services). Expenditure through these contracts was in the region of £28 million.

HM Customs and Excise spend on IT consultancy in 2003–04 was in the region of £28 million. Information relating to HM Treasury could be provided only at disproportionate cost.

Mobile Phones

Mr. Prisk: To ask the Chancellor of the Exchequer how many mobile phones were used by *(a)* Ministers and special advisers and *(b)* officials in his Department in each year since 1997; how many were (i) lost and (ii) stolen; and what their cost was. [191444]

Mr. Timms: The information could be provided only at disproportionate cost.

ONS Neighbourhood Statistics

Mr. Goodman: To ask the Chancellor of the Exchequer what recent changes have been authorised in relation to the publication of statistics concerning marriage in the Office of National Statistics neighbourhood statistics; and if he will make a statement. [191714]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Paul Goodman, dated 20 October 2004:

As National Statistician, I have been asked to reply to your recent Parliamentary Question concerning what changes have been authorised in relation to the publication of statistics concerning marriage in the Office of National Statistics neighbourhood statistics recently. (191714)

There have been no recent changes in policy regarding the publication of marriage statistics through the Office for National Statistics Neighbourhood Statistics Service (NeSS). Census 2001 marital status statistics are already available through NeSS and registration service based marriage statistics would be made available if they could be produced at an appropriate geographic level and released in a non-disclosive manner. The issue is kept under regular review within the NeSS Programme.

Stamp Duty Exemptions

Mr. Laws: To ask the Chancellor of the Exchequer what his estimate is of the total number of residential property purchases in each year from 1990 to 2004; what his estimate is of the number of purchases in each year which were exempt from paying stamp duty as a consequence of the stamp duty threshold; and if he will make a statement. [192123]

Mr. Timms: The estimate of the total number of residential property purchases in England and Wales for each year from 1990 to 2003, along with the number of residential property purchases below the lowest stamp duty threshold, are given in the following table.

Thousand

	Residential property purchases below threshold[1]	*All residential property purchases*
1990	360	1,283
1991	270	1,224
1992	587	1,032
1993	630	1,114
1994	725	1,168
1995	659	1,047
1996	678	1,122
1997	726	1,296
1998	646	1,220
1999	642	1,368
2000	575	1,327
2001	479	1,343
2002	447	1,450
2003	286	1,204

[1] The lowest threshold of stamp duty was £30,000 from 13 March 1984, £250,000 from 20 December 1991, £30,000 from 20 August 1992 and £60,000 from 16 March 1993.

Tax Credits

Mr. Greg Knight: To ask the Chancellor of the Exchequer what assessment he has made of the effect on payments to working tax credit claimants of overtime working; and if he will make a statement. [192629]

Dawn Primarolo: The working tax credit was introduced in April 2003 and the deadline for finalising 2003–04 awards (except for the self-employed) was 30 September. As a result data on the effects on awards of changes in income are not yet available. The tax credits system disregards income rises from the previous tax year of up to £2,500, so tax credit recipients whose overtime increases their pay by up to this amount will not see any reduction in their current year's award.

EDUCATION AND SKILLS

GCSE (English and Maths)

Lynne Jones: To ask the Secretary of State for Education and Skills what proportion of pupils achieved GCSE grades A*-C in *(a)* English language and *(b)* mathematics in each of the last five years, broken down by local education authority area. [190784]

Mr. Miliband: The information requested has been placed in the House of Commons Libraries.

Language Assistants (Coventry)

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills how many language assistants are employed in primary schools in Coventry. [192155]

Mr. Miliband: This information is not collected centrally.

Student Loans

Chris Grayling: To ask the Secretary of State for Education and Skills how many students who applied for student loans *(a)* before and *(b)* after the deadline are waiting for (i) the loan to be finalised and (ii) the money to be issued. [192798]

Dr. Howells: Some 800,000 applications have been received to date, 521,000 of which were received on or before 2 July 2004 (which is the published deadline for new applications).

All applicants who submitted a fully and properly completed application form on or before 2 July should receive, shortly after their university or college confirms their attendance, either a fully assessed loan payment or an interim payment (under our contingency arrangements for continuing students). Some 12,000 interim payments have been made to date, and these students will receive full assessments and a further loan payment (if appropriate) within a few weeks. A further 1,000 interim payments are scheduled for release once confirmation of the relevant students' attendance is received from the appropriate institutions.

279,000 applications have been received since 2 July, of which fewer than 89,000 are still being processed. As is the case every year, a significant number of students have applied well after the published deadlines (some 94,000 applications have been received since early September). Local authorities and the Student Loans Company have never been able to guarantee payment at the start of term to late applicants. The Student Loans Company has paid over 530,000 loans to date, with a further 75,000 fully approved and scheduled for payment as soon as the students' attendance is confirmed by their institution.

As in previous years, the Department has written to higher education institutions asking them to be supportive of students who do not have loans in place at the start of term.

Work-based Training

Chris Ruane: To ask the Secretary of State for Education and Skills (1) what measures his Department is taking in conjunction with the Department of Trade and Industry to improve on-the-job training; [192022]

(2) what measures his Department is taking with other departments, to identify skill shortages and train up workers in those skills, with particular reference to *(a)* the Department of Trade and Industry and *(b)* the Home Office. [192018]

Mr. Ivan Lewis: The Skills Strategy White Paper "21st Century Skills—Realising Our Potential" sets out our programme to tackle the skills gap between the UK and its main economic competitors. It commits the Government and their key partners to a radical strategy of demand-led provision of skills steered by the needs of employers as expressed through a new Skills for Business Network and given a sharp regional focus through new Regional Skills Partnerships. The Government reported progress with delivering the strategy in their report published in July, "Skills Alliance: Skills Strategy Progress Report".

The Skills Strategy is a cross-Government strategy, and not just a DfES one. A national Skills Alliance has been formed, bringing together the key Government Departments (DfES, DTI, Department for Work and Pensions, HM Treasury) with employer and union representatives in a new partnership, and linking the key delivery agencies in a concerted drive to raise skills. My right hon. Friends the Secretary of State for Education and Skills and the Secretary of State for Trade and Industry jointly chair the Skills Alliance Social and Economic Partners Group which brings Government together with CBI, TUC and Small Business Council to drive forward delivery of the Skills Strategy. A key element of this delivery agenda is a joint strategy for engaging with industry sectors across DTI and DfES. This includes the joint sponsorship of the Skills for Business Network of Sector Skills Councils (SSCs), to ensure that the network is the vehicle for both Departments to use in pursuing the sector skills agenda together. It will give a coherent employer voice into government and a coherent response back out again. For the first time the Skills Alliance brings together these key partners in terms of the customers of the skills and training systems—employers and employees—and all the key delivery agents.

The Skills Strategy is about improving the technological and skills base of our industry, and thereby supporting business success, employment and prosperity. The growing network of UK-wide, employer-led SSCs has a key part to play in taking forward the national skills strategy. SSCs are experts on their sector, one of their key goals is to identify and address skills gaps and shortages. SSCs will work to increase opportunities to boost the skills and productivity of everyone in the sector's work force, including taking action on equal opportunities.

We are working to improve the support to the low-skilled through the New Deal for Skills (NDfS) by creating a new intensive skills guidance service, co-located with Jobcentre Plus where possible, and improving mechanisms of financial support for those for whom training provides a route back to work.

We recognise that there are variations in the skills base of different regions. This is being addressed by Regional Skills Partnerships (RSPs) which are being established in each region, co-ordinated by Regional Development Agencies (sponsored by DTI). RSPs involve LSC, Jobcentre Plus, Small Business Service and Skills for Business Network. They are bringing together skills and work force development with support for innovation and business development and labour market services in an integrated approach to deliver Regional Economic Strategies.

For example, the DTI have recently implemented what we believe to be an excellent tool for business—Benchmark Plus—which enables business to understand better the link between the skills of its workforce and its overall performance. We will be piloting the use of Benchmark Plus within the Employer Training Pilots in preparation for a national programme.

We are also working with the Home Office, Department of Trade and Industry and other Departments across government on ways by which selective and controlled migration can also help address skill shortages in the UK. This includes specific migration schemes such as the Highly Skilled Migration Programme as well as sector based schemes and developing new avenues for MBA graduates. We are developing a broader understanding of the role that migration has to play within the wider context of upskilling the UK work force as a whole.

DEFENCE

Consultants

Mr. Maples: To ask the Secretary of State for Defence if he will list the contracts awarded by his Department to consultants in each of the last five years, stating in each case *(a)* the name of the consulting company, *(b)* the value of the contract and *(c)* the purpose for which the contract was awarded; and if he will make a statement. [191739]

Mr. Ingram: Summaries of the Ministry of Defence Expenditure on External Assistance, of which management consultancy is a part, are available in the Libraries of the Houses for the years 1995–96 to 2003–04.

Specific expenditure information by company, value and contract for each of the last five years is not held centrally and could be provided only at disproportionate cost.

Deepcut Barracks

Mr. McNamara: To ask the Secretary of State for Defence (1) what recommendations were made by the Army Board of Inquiry held into the death of Cheryl James at Deepcut Barracks; [190197]

(2) how and when each recommendation made in the Board of Inquiry into the death of Cheryl James was implemented; what procedures and rules were altered as a result and what assessment the Army has made of each implementation; and if he will make a statement; [190198]

(3) what recommendations were made by the Army Board of Inquiry held into the death of Sean Benton at Deepcut Barracks; [190199]

(4) how and when each recommendation made in the Board of Inquiry into the death of Sean Benton was implemented; what procedures and rules were altered as a result; what assessment the Army has made of each implementation; and if he will make a statement. [190200]

Mr. Ingram: I will write to the hon. Member and place a copy of my letter in the Library of the House.

Mr. McNamara: To ask the Secretary of State for Defence what obstacles remain to the establishment of a board of inquiry into the death of Private Geoff Gray at Deepcut Barracks on 17 September 2001. [190265]

Mr. Ingram: The Boards of Inquiry into the deaths of Privates Geoff Gray and James Collinson, who died at Deepcut on 23 March 2002, will be convened and run concurrently. Both Boards are being delayed so that their Terms of Reference may be informed by the conclusion of HM Coroner's investigation into the death of Private Collinson.

Defence Bases (Scotland)

Angus Robertson: To ask the Secretary of State for Defence what quantities of *(a)* intermediate and *(b)* low level nuclear waste are stored at (i) HMNB Clyde Faslane and (ii) the Rosyth Royal Naval Base. [192713]

Mr. Ingram: Information about the stocks of intermediate and low level radioactive waste held in the UK, including that held at HMNB Clyde and the Rosyth Royal Dockyard, is regularly published in the United Kingdom Radioactive Waste Inventory. It provides periodic snapshots of waste stocks, including levels of waste, location and whether the waste is held in temporary or permanent storage. The latest edition was published in October 2002 and is available in the Library of the House. A new inventory is due to be published in 2005.

Departmental Vehicles

Mr. Kidney: To ask the Secretary of State for Defence how many road vehicles are operated by the Department and its agencies; how many personal injury accidents involving road vehicles operated by the Department have occurred within each of the last five years; and what the Department's policy is for managing work-related road safety. [185914]

Mr. Caplin: There are approximately 70,400 vehicles which use the road currently operated by the Ministry of Defence and its agencies. This includes both operational and non-armoured vehicles (B Vehicles) and the non-operational fleet (White Fleet). This figure does not however include vehicles that may have been purchased under local ad hoc arrangements and are consequently not managed by the Defence Logistics Organisation. The exact numbers could be provided only at disproportionate cost.

The following table shows the numbers of personal injury accidents involving road vehicles operated by the Department over the five year period from January 2000.

	Accidents
January to December 2000	628
January to December 2001	554
January to December 2002	525
January to December 2003	503
January to July 2004	194

The MOD's policy for managing work-related road safety is set out in detail in the Joint Service Publication (JSP)—341 Defence Road Transport Regulations, (chapter 16). I will place a copy of this in the Library of the House. In addition JSP 485—The Defence Annual Road Safety Report for 2003–2004 is expected to be available early next year.

I also refer my hon. Friend to the answer given by my hon. Friend the Minister for the Cabinet Office on 22 July 2004, *Official Report*, column 490W, and the letter from Mr. Nick Matheson of the Government Car and Despatch Agency.

English Regiments

Ann Winterton: To ask the Secretary of State for Defence which of the existing English regiments have never been amalgamated. [191870]

Mr. Caplin: The following English Regiments have never been amalgamated:

The Royal Tank Regiment
Grenadier Guards
Coldstream Guards
The Green Howards
The Cheshire Regiment
The Parachute Regiment
Special Air Service Regiment

Equipment Usage

Ann Winterton: To ask the Secretary of State for Defence what limitations there are on equipment usage for each type of operation. [188790]

Mr. Ingram: The level of equipment usage in any particular operation depends heavily on the specific demands of that operation, the nature of any United Kingdom military contribution and other concurrent commitments. Where extra equipment support costs are incurred due to increased usage on operations, the net additional costs of such activity are met from the Treasury's Reserve. Where capabilities are required in addition to those already in service with UK armed force, the Urgent Operational Requirements (UOR) process can be used, for example, to advance equipment acquisition plans or to modify in-service equipment. The financial arrangements governing UORs are agreed with the Treasury for each operation.

Eurocorps

Ann Winterton: To ask the Secretary of State for Defence what *(a)* manpower and *(b)* financial commitment has been assigned to Eurocorps. [191861]

Mr. Ingram: Until March 2004, the United Kingdom's contribution to Eurocorps consisted of one Army Colonel and one Warrant Officer, 2nd Class, who were liaison officers within the Headquarters. In Financial Year 2003–04 the total cost of this contribution was £156,271.

Following the recent review of UK representation in NATO, the contribution was withdrawn. There are no current plans to renew the contribution.

Firearms Rules

Mr. McNamara: To ask the Secretary of State for Defence what rules govern officers and soldiers being in possession of non-authorised personal firearm and ammunition *(a)* within barracks and *(b)* on patrol or otherwise on duty in (i) Great Britain, (ii) Northern Ireland, (iii) Germany, (iv) Afghanistan, (v) Bosnia and (vi) Iraq. [176024]

Mr. Ingram: Only authorised Service firearms and ammunition may be issued to personnel on security duties in situations other than operations (within barracks and on patrol or otherwise on duty in Great Britain and Germany). On operations (Northern

Ireland, Afghanistan, Bosnia and Iraq) the carriage of weapons and ammunition must be authorised by commanders in accordance with UK National Rules of Engagement. UK firearms legislation prohibits the possession and use, by servicemen, of unauthorised personal weapons and ammunition. UK law is applied to troops deployed on operations overseas.

Former Service Personnel (Employment)

Mr. McNamara: To ask the Secretary of State for Defence what guidance he has given Army Personnel Services on monitoring assistance given for the recruitment of former soldiers as *(a)* mercenaries and *(b)* operatives in private and personal security companies. [183387]

Mr. Ingram: None.

Gibraltar

Andrew Mackinlay: To ask the Secretary of State for Defence if he will place in the Library copies of the Whitley Committee Minutes of the Ministry of Defence Gibraltar Services Police for the past three years. [190364]

Mr. Ingram: Copies of the Gibraltar Service Police Whitley Committee Minutes for the last three years have been placed in the Library of the House Commons.

Andrew Mackinlay: To ask the Secretary of State for Defence what the establishment of the Ministry of Defence Gibraltar Services Police is at each rank. [190365]

Mr. Ingram: The Gibraltar Service Police Establishment is as follows:

	Number
Chief Superintendent	1
Chief Inspectors	2
Inspectors	6
Sergeants	15
Constables	103
Typist	1
El (part-time)	1
Receptionists	12
Storekeeper	1
Labourer	1

Andrew Mackinlay: To ask the Secretary of State for Defence what the governance and accountability mechanisms are for the Gibraltar Services Police; what arrangements allow for a statutory Police Federation; and if he will make a statement. [190366]

Mr. Ingram: The Gibraltar Services Police (GSP) is a statutory police force established under the Police Ordinance (Laws of Gibraltar). The Chief Police Officer GSP is the competent authority appointed by His Excellency the Governor of Gibraltar and is responsible to Commander British Forces Gibraltar, for the recruitment, training, supervision and general efficiency of the Force. The Gibraltar Trade Union Ordinance does not make provision for a statutory Police Federation but allows for the inscription of approved Unions and Associations. The Gibraltar Services Police Association is recognised by the Government as the representative body for Constables and Sergeants.

Andrew Mackinlay: To ask the Secretary of State for Defence if he will investigate the complaint made by Marrache and Co. Solicitors, on behalf of the representative body of constables and sergeants of the Gibraltar Services Police set out in their letter of 20 August to Northwood Headquarters; and if he will make a statement. [190367]

Mr. Ingram: The Whitley committee remains the correct forum to address the issues raised by the Gibraltar Service Police Staff Association and Marrache and Co. Solicitors in their letters of 20 August 2004. The Ministry of Defence remains committed to constructive dialogue with the Gibraltar Service Police Staff Association, and the MOD management team in Gibraltar will continue to address their members' concerns locally through the Whitley process.

Andrew Mackinlay: To ask the Secretary of State for Defence who is responsible for negotiating pay and conditions of service for the Gibraltar Services Police; and if he will make a statement. [190368]

Mr. Ingram: Following negotiations in 1979 between the Ministry of Defence and Gibraltar Service Police Staff Association, agreement was reached re-affirming their commitment to the analogue principle enunciated by Sir Jack Scamp in his report. The Gibraltar Services Police (GSP) analogue is the Ministry of Defence Police in the United Kingdom. Any pay conditions applicable to Ministry of Defence Police are automatically applied to GSP.

Green Ministers

Mr. Horam: To ask the Secretary of State for Defence how many meetings of the Ministerial Sub-Committee of Green Ministers were attended by the Department's Green Minister in *(a)* 2002–03 and *(b)* 2003–04. [190853]

Mr. Caplin: I represent the Ministry of Defence on ENV(G), the Ministerial Sub-Committee of Green Ministers. It has been established practice under successive Governments not to disclose information relating to the proceedings of Cabinet Committees. I am therefore withholding the information requested under Exemption 2 of the Code of Practice on Access to Government Information.

Helsinki Headline Goal

Ann Winterton: To ask the Secretary of State for Defence what the expected maximum percentage of troops offered by the UK under the Helsinki Headline Goal will be infantry. [191862]

Mr. Ingram: A member state's declaration to the Headline Goal indicates the range of forces that could be made available to support potential EU operations. It does not bind the member state to providing the forces declared for any specific mission.

The United Kingdom currently declares up to 12,500 troops towards the Helsinki Headline Goal, up to 35 per cent. of which are infantry troops.

Ann Winterton: To ask the Secretary of State for Defence which components of the UK's commitment to the Helsinki Headline Goal comprise an *(a)* armed mechanical brigade and *(b)* amphibious brigade. [191863]

Mr. Ingram: The United Kingdom currently offers:

Three brigades from the Army to HG2010. The three brigades offer a degree of flexibility that allows the UK to provide either an Armoured Brigade (based on Warrior Armoured Fighting Vehicles and Challenger 2 Main Battle Tanks), a Mechanised Brigade (based on Saxon Infantry Fighting Vehicles and Challenger 2 Main Battle Tanks) or an Air Assault Brigade consisting of lightly equipped infantry in the Air Manoeuvre role.

One amphibious brigade from the Royal Navy to HG2010.

A member state's declaration to the Headline Goal indicates the range of forces that could be made available to support potential EU operations. It does not bind the member state to providing the forces declared for any specific mission.

Infantry Battalions

Ann Winterton: To ask the Secretary of State for Defence pursuant to the answer of 4 October 2004, *Official Report*, column 1876W, on Infantry Battalions, what the expected financial savings will be in pounds sterling from the reduction of four infantry battalions. [191860]

Mr. Ingram: As I explained in my answer of 4 October 2004, *Official Report*, column 1876W, the manpower freed up from the reduction from 40 to 36 in infantry battalions will be reinvested elsewhere across the Army as part of the implementation of a new Army Structure. The driver behind this exercise, therefore, is not financial; rather it reflects the need to ensure that the Army of the future is properly configured to meet the priorities and challenges of the future, rather than the past.

Iraq

Bob Russell: To ask the Secretary of State for Defence how many members of HM Forces have been retired on medical grounds as a result of injuries sustained in Iraq. [187995]

Mr. Caplin: As of 1 September 2004 centrally held records show that six Service personnel have been medically discharged from the armed forces as a result of injuries sustained in Iraq while deployed on Operation Telic between 18 January 2003 and 30 June 2004.

Harry Cohen: To ask the Secretary of State for Defence whether a British soldier was killed as a result of a bomb attack on a military fuel truck on the al-Faw highway south of al-Basrah on 5 September; and if he will make a statement. [190990]

Mr. Ingram: No. UK armed forces in Iraq did not suffer any fatalities on 5 September 2004.

Mr. Llwyd: To ask the Secretary of State for Defence whether British forces in Iraq have cut off water supplies to civilians. [191480]

Adam Price: To ask the Secretary of State for Defence whether British forces have cut off water supplies to civilians *(a)* during the recent war and *(b)* since the end of the conflict in Iraq. [192086]

Mr. Ingram: No. It is possible that local temporary disruptions may have occurred at some time due to damage from combat with anti Iraqi forces, but we are not aware of any actual cases where this has happened.

Jeremy Corbyn: To ask the Secretary of State for Defence what studies are being undertaken into the effect of depleted uranium weapons on the population of Iraq. [192707]

Mr. Caplin: Studies to determine the effect, if any, of depleted uranium (DU) munitions on the Iraqi population are not a matter for Ministry of Defence. However, it is UK Government policy to assist the Iraqi Interim Government in matters concerning the well being of its local people and its environment.

The World Health Organisation (WHO) is currently seeking international funding for its proposals for

"population-based case-control studies on the association between the incidence of various cancers and exposure to DU and other environmental risk factors in Iraq."

In parallel with the WHO proposals, the United Nations Environment Programme's (UNEP) Post-Conflict Assessment Unit plans to examine DU levels in the environment as part of a wider study into how various contaminants from the conflict may impact the local population.

Land Disposals

Mr. Hancock: To ask the Secretary of State for Defence pursuant to the Comprehensive Spending Review, what the financial target for land disposals in his Department over the next three years is; how many of the sites involved are in Hampshire; and if he will make a statement. [185178]

Mr. Caplin: As part of the 2004 Spending Review, the Ministry of Defence agreed with HM Treasury a target of £560 million in respect of receipts from the disposal of surplus land (including buildings) for the period 1 April 2005 to 31 March 2008. So far, 12 sites have been identified in Hampshire, which are likely to be disposed of in that period. These are listed as follows, but sites could be withdrawn or added as our plans develop.

West Dean, DMC Dean Hill Main Site and adjacent land.

Andover, Site A, Monxton Road

Portsmouth, HMS Daedalus

Gosport, Property at frontage of DM Gosport in Fareham Road

Aldershot—Burger King Site

Farnborough—Queensgate site

Farnborough—Former Officers Mess

Farnborough—Civil enclave

Portsmouth, Eastney Sports Ground

Portsmouth, Fleet Photographic Unit

Church Crookham—Pumphouse Site

Farnborough—Air Accident Investigation Branch Site

Medical Testing

Lynne Jones: To ask the Secretary of State for Defence what facilities there are for medical testing of UK military personnel returning from Iraq; and whether results of such tests will be made public. [192281]

Mr. Caplin: If any member of the armed forces who has served in Iraq has concerns over their health, they are encouraged to report to their medical centre, or NHS GP in the case of reservists, in the first instance. If appropriate, they may be referred to the Gulf Veterans' Medical Assessment Programme (GVMAP) for further medical checks. There are currently no plans to release information on the health of Operation Telic veterans who have presented to the GVMAP.

In addition, all UK personnel who have served in the Iraq theatre of operations are able to request biological monitoring for depleted uranium if they are concerned about possible exposure. The Ministry of Defence's policy for biological monitoring for depleted uranium is published on MOD's internet site at: www.mod.uk/issues/depleted_uranium/du_biomonitoring.htm which also contains some information on the findings of the monitoring.

All reservists receive routine demobilisation medical screening on discharge from full-time service. The results of these tests are not released as this would breach medical confidentiality.

Military Operating Structures

Ann Winterton: To ask the Secretary of State for Defence pursuant to the answer of 4 October 2004, *Official Report*, column 1882W, on military operating structures, what differences exist between the operating structures of the *(a)* Queen's and Light Division and *(b)* Prince of Wales's and King's Division. [191869]

Mr. Caplin: The only significant difference in structure between the Queen's and Light Divisions and the Prince of Wales's and King's Divisions is that regiments within the Queen's and Light Divisions contain two battalions each, while regiments within the Prince of Wales's and King's Divisions contain one battalion each.

MOD Police and Guarding Agency

Norman Baker: To ask the Secretary of State for Defence if he will list the customers of the Ministry of Defence Police and Guarding Agency; and what the funded and agreed customer taskings set for the financial year 2004–05 are. [191669]

Mr. Caplin: For ease of visibility, the customers of the Ministry of Defence Police (MDP) and those of the Ministry of Defence Guard Service (MGS) are shown separately.

Internal MDP customers are as follows:

Top Level Budgets (TLBs)

Defence Logistics Organisation

Defence Procurement Agency

Commander-in-Chief Land Command (CinC Land)

Adjutant General

RAF including Strike Command and Personnel Training Command (STC and PTC)

Navy including 2nd Sea Lord and Commander-in-Chief Fleet (CinC Fleet)

Centre Top Level Budget (CTLB)

Trading Fund

Defence Science and Technology Laboratory (Dstl).

MDP External customers are as follows:

United States Visiting Forces (USVF)

Royal Mint

QinetiQ

Foreign and Commonwealth Office (FCO).

The tasking and funding agreements for MDP internal customers are laid out in Customer Supplier Agreements that both parties sign. External customer agreements are in the form of Memorandum of Understanding, Protocols, Contracts and Service Level Agreements.

The outputs of the MDP are the provision of Armed Security, Uniformed Policing and the Investigation of Serious Crime. Each negotiated agreement describes the degree and detail of the outputs required for each customer.

The following Customer Supplier Agreements/Protocol Documents have been signed:

	Cost (£ million)
DLO	60.379
CinCLAND	2.872
Adjutant General	1.236
RAF PTC	0.195
RAF STC	6.68
Navy 2nd Sea Lord and CinC Fleet	3.105
Centre TLB	6.979
Dstl	[1]—
Royal Mint	[1]—
FCO	[2]—

[1] Commercial in confidence

[2] Variable MDP costs that can be reclaimed

The following Customer Supplier Agreements/Memorandum of Understanding have not yet been signed—the value of each unsigned agreement is also indicated where appropriate:

	Value to MDP (£ million)
DLO	19.876
DPA	3.799
QinetiQ	[1]—
USVF	[2]—

[1] Commercial in confidence

[2] Subject of a Memorandum of Understanding in which actual monies are reclaimed

Please note that MDP service to the Atomic Weapons Establishment is not a repayment task to MDP. MDP is voted this money as part of its annual budget, the contractor does not pay this cost.

The Ministry of Defence Guard Service (MGS) provides unarmed guards to each of the Ministry of Defence's Top Level Budgets (TLBs) and Trading Funds (TFs). The customer's requirement and the MGS's commitment to provide the unarmed guarding task are agreed with each TLB and TF, and are set out in overarching Customer Supplier Agreements (CSAs), together with the agreed level of funding for the overall tasks. The detailed tasking for each site within each TLB and TF is contained in separate appendices to each CSA.

The description of the service provided by the MGS to its customers is common to all of its CSAs:

"The delivery of a professional unarmed guard service to [the customer] which meets the required level of output, quality, timeliness and cost."

The customers and the level of funding for FY 2004–05 are listed below:

TLBs	*Funding (£)*
Central TLB	10.33 million
Commander-in-Chief Fleet	2.245 million
2nd Sea Lord/Commander-in-Chief Naval Home Command	3.904 million
Commander-in-Chief Land Command	45.5 million
Adjutant General	1.101 million
Commander-in-Chief Strike Command	3.176 million
Commander-in-Chief Personnel and Training Command	2.682 million
Defence Logistics Organisation	19.424 million
Defence Procurement Agency	1.83 million
Chief of Joint Operations	953,000

Trading Funds	*Funding (£)*
Defence Aviation Repair Agency	3.183 million
Defence Science and Technology Laboratory	
UK Hydrographic Office	
Meteorological Office	

Other

RAF Menwith Hill—United States Visiting Forces. Subject of a CSA in which actual monies are reclaimed.

Operation Fresco Zulu 2

Mr. Rosindell: To ask the Secretary of State for Defence if he will make a statement on Operation Fresco Zulu 2. [191650]

Mr. Ingram: The armed forces began the implementation of Operation Fresco Zulu 2, the provision of national emergency fire cover, on 4 August 2004. Some 3,800 personnel from across the three Services had begun preparatory activities when the local authority employers and the Fire Brigades Union reached an agreement that ended their dispute. The armed forces were stood-down on 27 August.

Regimental Amalgamations

Mr. Wiggin: To ask the Secretary of State for Defence whether the Government takes account of a regiment's history when deciding which regiments to amalgamate. [189762]

Mr. Ingram: The infantry is to restructure as part of the wider plans to transform the armed forces as announced by my right hon. Friend the Defence Secretary on 21 July 2004, *Official Report*, column 343. This transformation reflects the need to ensure that the armed forces are structured, equipped and trained in order to meet the challenges of the 21st century. History and tradition are, of course important to the ethos and culture of the Army, and as such are being taken into account as part of the restructuring process.

Service Personnel (Asbestos-related Disease)

Bob Spink: To ask the Secretary of State for Defence how many current or former Service personnel have *(a)* been diagnosed with and *(b)* died from asbestos-related diseases related to their Service in the armed forces in each of the last five years. [190967]

Mr. Caplin: The Health and Safety Executive (HSE) lists four main diseases associated with the inhalation of asbestos fibres. These are: asbestosis, mesothelioma, asbestos-related lung cancer and diffuse pleural thickening.

Between 1 January 1999 and 31 December 2003, centrally held records in the Ministry of Defence indicate that no serving Service personnel have been diagnosed with, or died from, these diseases as a direct result of exposure to asbestos.

With the exception of ongoing MOD health studies being undertaken upon veterans of the 1990–91 Gulf Conflict by the Ministry of Defence, there is no health data routinely collected on former Service personnel. It is not possible therefore to provide a comprehensive answer on whether former Service personnel have subsequently been diagnosed with asbestos-related diseases.

SCOTLAND

Priority Homelessness

Mrs. Spelman: To ask the Secretary of State for Scotland what the level of priority homelessness in Scotland was in each year from 1993 to the establishment of the Scottish Parliament. [190613]

Mrs. McGuire: The level of priority homelessness in Scotland in each year from 1993 to 1999 was as shown in the following table:

Period	*All applications*	*Assessed as homeless and as in priority need*	*As percentage of all applications*
1992–93	42,822	19,800	46
1993–94	43,038	18,200	42
1994–95	41,495	17,500	42
1995–96	40,936	16,900	41
1996–97	40,989	16,800	41
1997–98	43,135	17,600	41
1998–99	45,723	18,400	40

Ministerial Expenses

Mr. Prisk: To ask the Secretary of State for Scotland how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [191397]

Mrs. McGuire: The Scotland Office was established in July 1999.

The Office has no residential properties used by Ministers or officials.

Wind Farms

Mr. Foulkes: To ask the Secretary of State for Scotland how many wind farms have received planning consent in Scotland in 2004. [190277]

Mrs. McGuire: My right hon. Friend will be aware that consents for wind farms in Scotland are a devolved function of Scottish Ministers and local planning authorities.

However, I understand that during 2004, three new wind farms have been approved by Scottish Ministers under the Electricity Act 1989. These wind farms have a generating capacity of about 355MW.

CABINET OFFICE

Civil Service Pensions/Sick Pay

Mr. Dhanda: To ask the Minister for the Cabinet Office if she will make a statement on *(a)* the implementation of the Government's proposal to raise the pension age in the civil service and *(b)* proposals for the future of sick pay in the civil service. [191356]

Ruth Kelly: The Government's Green Paper, "Simplicity, security and choice: working and saving for retirement" (Cm 5677), issued in December 2002, proposed that the rules of public service schemes should be changed to make an unreduced pension payable from age 65 rather than 60. Our intention to proceed with the proposal through reviews of public service schemes in consultation with employers and employee representatives was confirmed in our Action Plan, "Action on occupational pensions" (Cm 5835), issued in June 2003.

Notices were issued to all civil servants to inform them of the Government's intentions. These said that a pension age of 65 would apply to new entrants to the civil service by the end of 2006, and gave commitments that those existing staff aged over 50 at the time of the announcements would only be minimally affected.

More detailed proposals for the implementation of the increase in pension age are being worked up, and we expect further information to be provided to existing staff later this year.

Departments and agencies have delegated authority to determine the terms and conditions for payments to staff related to sickness absence. This is subject to the conditions set out in the Civil Service Management Code.

Access to sick pay during absence forms part of the agenda of the reviews of sickness absence in the civil service announced by my right hon. Friend the Chancellor of the Exchequer in the Spending Review. Both reviews are due to report back later in the autumn.

Consultants

Mr. Maples: To ask the Minister for the Cabinet Office if she will list the contracts awarded by her Department to consultants in each of the last five years, stating in each case *(a)* the name of the consulting company, *(b)* the value of the contract and *(c)* the purpose for which the contract was awarded; and if she will make a statement. [191726]

Ruth Kelly: I refer the hon. Member to the answer given to the hon. Member for North-East Hertfordshire (Mr. Heald) on 10 March 2004, *Official Report*, columns 562–63W.

The Cabinet Office and the Central Office of Communication have spent £16,328,478 during 2003–04 on consultancy.

Expenditure on consultancy during that period included improvements in the Information Technology (IT) and financial IT structures of the Cabinet Office, accommodation upgrade at the Emergency Planning College, restructuring of Management Units, procurement advice, business continuity plans, IT security certification and implementing an electronic documentation handling system.

Cabinet Office typically uses consultants to provide particular skills or expertise that are required to progress an initiative or project but are not available (or required long-term) within the Department.

Engagements

Mr. Garnier: To ask the Chancellor of the Duchy of Lancaster if he will list his official engagements since his appointment to his present Cabinet post. [191037]

Mr. Milburn: Since my appointment as Chancellor of the Duchy of Lancaster, I have had a range of official meetings including meetings with Cabinet colleagues relating to my cross-Government role in the co-ordination of Government policy; my responsibilities for the work of the Strategy Unit and the Policy Directorate; my Duchy of Lancaster role; and my membership of Cabinet.

Strategy and Delivery Units

Dr. Julian Lewis: To ask the Minister for the Cabinet Office who the members of *(a)* the Strategy Unit were for each year since June 2002 and *(b)* the Prime Minister's Delivery Unit were for each year since June 2001; what their (i) titles and (ii) salaries were in each case; and what the overall costs of each were in each year. [189988]

Mr. Milburn: Details of the Senior Management teams of both the Strategy Unit and the Delivery Unit are set out in the Civil Service Year Book. A copy of which is available in the Library.

Information about salaries of individual civil servants is not disclosed in order to protect their privacy under exemption 12 of the Code of Practice on Access to Government Information.

For information on the costs of both units I refer the hon. Member to the replies given by my hon. Friend the Member for Paisley, South (Mr. Alexander) on 1 April 2004, *Official Report*, column 1558W and 14 July 2004, *Official Report*, column 1196W.

Dr. Julian Lewis: To ask the Minister for the Cabinet Office if she will publish an executive summary of the output of *(a)* the Strategy Unit for each year since June 2002 and *(b)* the Prime Minister's Delivery Unit for each year since 2001. [189991]

Mr. Milburn: The work of the Prime Minister's Delivery Unit and that of the Strategy Unit are outlined in the Cabinet Office departmental report 2004.

Further information on the Strategy Unit and the Prime Minister's Delivery Unit can be found at www.strategy.gov.uk and via Professor Michael Barber's presentations to the Prime Minister's Press Conferences: http://www.number-10.gov.uk/output/Page6153.asp.

Departmental progress against the Government's Public Service Agreement (PSA) targets is available on the HM Treasury website: http://www.hm-treasury.gov.uk/performance/.

HOME DEPARTMENT

Animal Welfare

Mr. Hancock: To ask the Secretary of State for the Home Department if he will make it his policy to enable the disclosure of information about animal testing by the repeal of section 24 of the Animals (Scientific Procedures) Act 1986; and if he will make a statement. [192523]

Caroline Flint: I refer the hon. Member to my written statement to the House on 1 July 2004, *Official Report*, column 17WS, in which I announced that section 24 of the Animals (Scientific Procedures) Act 1986 is to be retained for the time being and will be reviewed again in two years' time. In that statement, I also announced plans to increase openness about the use of animals in scientific procedures by publishing anonymised information about projects licensed under the 1986 Act as part of the Home Office publication scheme under the Freedom of Information Act. This can be done without repealing section 24 and will entail the publication of abstracts of project licences on the Home Office website. We expect to publish the first such abstracts later this year. In addition, the Animals (Scientific Procedures) Inspectorate will also publish it's first annual report by the end of 2004.

ASBOs

Mr. Stinchcombe: To ask the Secretary of State for the Home Department how many *(a)* juveniles, *(b)* young offenders and *(c)* adults in England and Wales have been sentenced to immediate custody for breach of an antisocial behaviour order in each of the last 24 months. [190143]

Paul Goggins: The information requested, obtained from the Home Office Court Proceedings Database, for the years 2001 and 2002, is shown in the table.

Statistics for 2003 will be published in November.

Persons sentenced to immediate custody[1] for breaches of anti social behaviour orders, by month[2], England and Wales, 2001–02

Month and year	*Juveniles (aged 10 to 17)*	*Young offenders (aged 18 to 20)*	*Adults (aged 21 +)*	*Total*
2001				
January	5	—	6	11
February	2	—	1	3
March	5	1	3	9
April	3	1	2	6
May	5	—	10	15
June	1	1	4	6
July	6	1	2	9
August	3	5	6	14
September	3	—	6	9
October 2	4	1	3	8
November	6	4	2	12
December	7	2	3	12
Total	50	16	48	114
2002				
January	2	1	6	9
February	3	4	7	14
March	8	5	2	15
April	4	3	8	15
May	5	5	15	25
June	4	4	7	15
July	6	4	6	16
August	7	3	13	23
September	8	1	9	18
October	10	4	10	24
November	4	3	9	16
December	8	6	8	22
Total	69	43	100	212

[1] Includes unsuspended imprisonment, detention in a young offender institution and detention and training orders.

[2] A person may appear more than once in the table if sentenced to immediate custody for the breach of their ASBO on more than one occasion during the period.

Source:

Home Office Court Proceedings Database.

Community Sentences

Mr. Stinchcombe: To ask the Secretary of State for the Home Department how many *(a)* men and *(b)* women in England and Wales have been sentenced to immediate custody for breach of a community sentence in (i) each of the last 24 months and (ii) each year since 1992. [190142]

Paul Goggins: The information requested for the years 1992 to 2002, relating to persons of all ages, is contained in the following table.

Statistics for 2003 will be published in November.

Persons[1] sentenced to immediate custody[2] for breaches of community sentences,[3] England and Wales, 1992–2002

Month and year	*Male*	*Female*	*Total*
1992	2,361	51	2,412
1993	2,909	6.4	2,973
1994	5,291	228	5,519
1995	5,914	238	6,152
1996	6,265	323	6,588
1997	6,779	426	7,205
1998	5,928	473	6,401
1999	6,925	648	7,573
2000	7,583	740	8,323
2001	7,286	817	8,103
2002	8,151	936	9,087
January 2001	555	71	626
February 2001	692	65	757
March 2001	647	61	708
April 2001	587	59	646
May 2001	588	62	650
June 2001	599	78	677
July 2001	638	67	705
August 2001	608	74	682
September 2001	573	65	638
October 2001	694	79	773
November 2001	653	79	732
December 2001	452	57	509

Persons[1] sentenced to immediate custody[2] for breaches of community sentences,[3] England and Wales, 1992–2002

Month and year	*Male*	*Female*	*Total*
January 2002	684	64	748
February 2002	720	69	789
March 2002	666	71	737
April 2002	700	84	784
May 2002	793	107	900
June 2002	546	69	615
July 2002	673	83	756
August 2002	715	79	794
September 2002	699	93	792
October 2002	770	84	854
November 2002	672	75	747
December 2002	513	58	571

[1] Includes a person more than once if sentenced to immediate custody for a breach of more than one type of community sentence on the same day.

[2] Includes partly suspended sentences (to 1992), unsuspended imprisonment, secure training orders (1998 to 2000), detention in a young offender institution and detention and training orders (from 2000).

[3] Includes probation orders (community rehabilitation orders from April 2001), supervision orders, community service orders (community punishment orders from April 2001), attendance centre orders, combination orders (community punishment and rehabilitation orders from April 2001), curfew orders, reparation orders (from June 2000), action plan orders (from June 2000), drug treatment and testing orders (from October 2000) and referral orders (from April 2002).

Crime

Hugh Bayley: To ask the Secretary of State for the Home Department how many anti-social behaviour orders have been issued to people in York. [191232]

Ms Blears: Anti-social behaviour orders (ASBOs) have been available to the courts since 1 April 1999. Information held centrally up to 31 May 2000 is for the number of ASBOs issued within England and Wales by police force area only. From 1 June 2000, up to 31 March 2004 (latest available), the Home Office has been notified of 12 ASBOs issued where restrictions imposed are specific to the City of York council area.

Simon Hughes: To ask the Secretary of State for the Home Department how many violent offences were recorded in *(a)* Greater London and *(b)* each London borough in each of the last 10 years; and how many successful convictions there were for violent offences in each of the last 10 years. [177075]

Paul Goggins: The available statistics are given in the table.

Violent crimes recorded by the police[1]

Area	*1993*	*1994*	*1995*	*1996*	*1997*	*1998–99[2]*	*1999–2000*	*2000–01*	*2001–02*
Greater London	70,784	79,701	75,005	90,042	87,634	166,551	202,981	205,632	225,522
City of London	312	177	175	181	241	570	595	605	672
Metropolitan[3]	70,472	79,524	74,830	89,861	87,393	165,981	202,386	205,027	224,850
Barking and Dagenham	n/a	n/a	n/a	n/a	n/a	n/a	3,910	4,545	5,013
Barnet	n/a	n/a	n/a	n/a	n/a	n/a	5,364	5,835	6,422
Bexley	n/a	n/a	n/a	n/a	n/a	n/a	3,595	3,815	4,062
Brent	n/a	n/a	n/a	n/a	n/a	n/a	7,758	8,055	8,381
Bromley	n/a	n/a	n/a	n/a	n/a	n/a	3,908	4,671	4,992
Camden	n/a	n/a	n/a	n/a	n/a	n/a	7,282	7,551	8,328
City of Westminister	n/a	n/a	n/a	n/a	n/a	n/a	12,200	11,397	12,269
Croydon	n/a	n/a	n/a	n/a	n/a	n/a	7,276	8,287	8,685
Ealing	n/a	n/a	n/a	n/a	n/a	n/a	8,715	8,284	9,448
Enfield	n/a	n/a	n/a	n/a	n/a	n/a	5,274	6,217	6,665
Greenwich	n/a	n/a	n/a	n/a	n/a	n/a	7,054	7,120	7,368
Hackney	n/a	n/a	n/a	n/a	n/a	n/a	9,469	8,966	10,081
Hammersmith and Fulham	n/a	n/a	n/a	n/a	n/a	n/a	5,780	5,498	5,845
Haringey	n/a	n/a	n/a	n/a	n/a	n/a	7,313	7,973	8,206
Harrow	n/a	n/a	n/a	n/a	n/a	n/a	3,102	3,147	3,668
Havering	n/a	n/a	n/a	n/a	n/a	n/a	3,046	3,337	3,947
Hillingdon	n/a	n/a	n/a	n/a	n/a	n/a	4,338	4,773	5,679
Hounslow	n/a	n/a	n/a	n/a	n/a	n/a	6,060	6,398	7,119
Islington	n/a	n/a	n/a	n/a	n/a	n/a	7,350	7,218	7,673
Kensington and Chelsea	n/a	n/a	n/a	n/a	n/a	n/a	4,304	4,444	4,443
Kingston upon Thames	n/a	n/a	n/a	n/a	n/a	n/a	2,713	2,860	3,138
Lambeth	n/a	n/a	n/a	n/a	n/a	n/a	12,167	13,156	15,241
Lewisham	n/a	n/a	n/a	n/a	n/a	n/a	6,722	7,250	7,856
Merton	n/a	n/a	n/a	n/a	n/a	n/a	3,358	3,447	3,974
Newham	n/a	n/a	n/a	n/a	n/a	n/a	9,344	9,784	10,383
Redbridge	n/a	n/a	n/a	n/a	n/a	n/a	4,453	4,847	5,182
Richmond upon Thames	n/a	n/a	n/a	n/a	n/a	n/a	2,375	2,321	2,580
Southwark	n/a	n/a	n/a	n/a	n/a	n/a	9,943	10,048	11,284
Sutton	n/a	n/a	n/a	n/a	n/a	n/a	2,469	2,393	2,905
Tower Hamlets	n/a	n/a	n/a	n/a	n/a	n/a	7,292	8,105	8,854
Waltham Forest	n/a	n/a	n/a	n/a	n/a	n/a	5,755	6,332	7,424
Wandsworth	n/a	n/a	n/a	n/a	n/a	n/a	6,798	6,580	7,314

[1] The data in this table are prior to the introduction of the National Crime Recording Standard. These figures are not directly comparable with those for later years.

[2] Crimes recorded using the expanded offence coverage and revised counting rules which came into effect in April 1998.

[3] Figures include Heathrow and special operations.

n/a = not available.

Drug Treatment Places

Mr. Battle: To ask the Secretary of State for the Home Department how many of the extra 60,000 drug treatment places to be created in England by 2008 will be *(a)* residential, *(b)* community-based and *(c)* in Leeds. [186731]

Miss Melanie Johnson: I have been asked to reply.

We have no way of estimating how many of the additional drug treatment places will be either residential or community-based and situated in Leeds.

Forensic Science Service

Adam Price: To ask the Secretary of State for the Home Department if he will make a statement on Government discussions with trade unions concerning the future of the Forensic Science Service. [188473]

Caroline Flint: Ministers last met formally with the Forensic Science Service (FSS) trade union representatives on 20 October 2003. Since then, dialogue has continued at official level and has included a workshop with FSS trade union representatives to discuss the results of the Outline Business Case. More recently, I took the opportunity to meet with trade union and staff representatives during the course of a series of visits to FSS sites.

Indymedia

Mr. Allan: To ask the Secretary of State for the Home Department which UK law enforcement agencies were involved in the seizure of computer disks containing material published by Indymedia from the London offices of Rackspace. [192111]

Caroline Flint *[holding answer 18 October 2004]:* I can confirm that no UK law enforcement agencies were involved in the matter referred to in the question posed by the hon. Member.

Jeremy Corbyn: To ask the Secretary of State for the Home Department under what powers, and acting under what information, officials of his Department seized web services belonging to Indymedia; and if he will make a statement. [192814]

Caroline Flint: I can confirm that no UK law enforcement agencies were involved in the matter referred to in the question posed by my hon. Friend. In the circumstances I do not therefore believe that it is necessary for me to make a statement.

Information and Communication Specialists

Mr. Jenkins: To ask the Secretary of State for the Home Department how many information and communication technology specialists are in full-time employment in the Department. [189587]

Fiona Mactaggart: Within Information Management Technology Unit, which manages the provision of Information and Communication Technology services to the Home Office, on 1 September we had 73.5 full time equivalents Information and Communication Technology Specialists in full-time employment.

National Offender Management Service

Mr. Hopkins: To ask the Secretary of State for the Home Department what plans he has to consult stakeholders, with specific reference to trade unions, about further developments in the National Offender Management Service. [189089]

Paul Goggins *[holding answer 16 September 2004]:* I meet regularly with the Justice Unions Parliamentary Group and have made it clear that the Government is committed to ongoing consultation and wants the implementation of the National Offender Management Service (NOMS) to be an inclusive process. I have had a number of additional meetings with trade unions, during which NOMS has been discussed. I have also attended the annual conference of the Prison Officers Association and the National Association of Probation Officers.

While the trade unions will continue to negotiate and seek resolution to any dispute with their employing body, the Chief Executive of NOMS has indicated that he is happy to discuss with the recognised trade unions any NOMS related issues which fall outside existing arrangements.

Additionally, a Joint Consultative Council (JCC) has been proposed to the trade unions to enable them to meet Employers' side representatives together with senior NOMS officials to discuss matters of common interest which relate to NOMS. The JCC is not a vehicle for negotiation or collective bargaining and will not replace or supersede existing agreements or arrangements.

Mr. Gerrard: To ask the Secretary of State for the Home Department how many of the responses to the consultation document "Reducing Crime—Changing Lives" favoured a regional model for the National Offender Management Service. [188537]

Paul Goggins: Over 400 responses were received to the two written consultation exercises undertaken so far in respect of the National Offender Management Service (NOMS). Over 100 of these responses commented on the regional structure which was the subject of the second consultation exercise. The majority of responses from both exercises indicated support for the new service and the concept of end-to-end offender management. However, after consideration of the responses, which specifically refereed to the regional model, I announced to the House on 20 July 2004, *Official Report*, column 17WS, that I have decided that the option of moving immediately to create new regional boards is unlikely at this stage to deliver better management of offenders which is my main objective.

More detail of the helpful responses received to this and other issues can be read in our summary of responses to the two exercises, which will be published shortly and which will be placed in the Library of both Houses. At the same time it will be available to staff and other key stakeholders through the prisons, probation and Home Office websites.

Police

David Davis: To ask the Secretary of State for the Home Department how many police officers retired from service in each year since 1997, broken down by *(a)* length of service and *(b)* police force area. [190936]

Ms Blears: The available figures for police officers annually leaving the service are given in Home Office Statistical Bulletins.

Figures for 2003–04 are given in Table 6 of Home Office Statistical Bulletin (No. 13/04). These figures are broken down by force area and rank, but published figures are not available broken down by length of service or by different types of leavers.

Home Office Statistical Bulletins are available in the Library or on the internet site: http://www.homeoffice.gov.uk/rds/hosbpubs1.html.

Prison Service

Mr. Dismore: To ask the Secretary of State for the Home Department how many Prison Service personnel have taken to employment tribunal cases based on equal pay claims in each of the last five years; and what the cost to the Service of each claim has been. [188222]

Paul Goggins: The number of claims for each year are:

	Number
1999	998
2000	310
2001	5
2002	359
2003	12
2004	87

On the information available, there have been findings against the Prison Service in eight equal pay claims. These findings are currently subject to appeal by the Prison Service and it is therefore not possible to provide a realistic estimate of the cost to the Service of each claim.

Prison Suicides

Mrs. Gillan: To ask the Secretary of State for the Home Department (1) how many self-inflicted deaths there have been in each prison in England and Wales in each of the last five years; and if he will make a statement; [190110]

(2) how many suicides there have been in each month of 2004; and what the figures were each month in the last two years. [190111]

Paul Goggins: The number of apparently self-inflicted deaths in each prison in each of the last five financial years is shown in the following table:

Establishment	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Acklington	0	0	0	0	1
Albany	0	0	0	0	0
Altcourse	3	0	0	1	2
Ashford	0	0	0	0	0
Ashwell	0	0	0	0	0
Aylesbury	3	2	0	1	1
Bedford	1	1	0	3	1
Belmarsh	0	1	0	2	3
Birmingham	2	2	3	2	2
Blakenhurst	2	1	0	4	4
Blundeston	0	1	0	0	0
Brinsford	4	2	1	0	0
Bristol	1	1	1	4	1
Brixton	3	4	1	1	2
Brockhill	2	1	1	1	0
Buckley Hall	0	0	0	0	0
Bullingdon	0	1	1	3	0
Bullwood Hall	0	0	1	1	0
Camp Hill	0	0	0	0	1
Canterbury	0	0	1	0	1
Cardiff	1	3	1	1	0
Castington	2	0	0	2	0
Channings Wood	0	0	0	0	0
Chelmsford	1	1	1	1	0
Coldingley	0	0	0	0	0
Dartmoor	0	0	1	0	1
Deerbolt	0	0	0	0	0
Doncaster	2	3	0	3	0
Dorchester	0	2	1	2	0
Dovegate	0	0	1	3	0
Dover	0	0	0	0	0
Down view	0	0	0	0	1
Durham	3	0	0	7	4
Eastwood Park	0	3	1	2	0
Edmunds Hill	0	0	0	1	2
Elmley	1	0	0	1	1
Erlestoke	1	0	1	0	0
Everthorpe	0	0	1	0	0
Exeter	0	3	2	2	1
Featherstone	0	1	0	1	0
Feltham	0	1	1	0	0
Forest Bank	0	0	1	1	0
Frankland	0	0	0	1	0
Full Sutton	0	0	1	1	0
Garth	1	0	1	0	0
Gartree	0	0	0	0	0
Glen Parva	1	2	0	0	0
Gloucester	2	2	2	1	3
Grendon	0	0	0	0	0
Haslar	0	0	0	1	0
Haverigg	0	0	0	0	0
High Down	0	0	0	1	1
Highpoint	1	0	0	0	0
Hindley	1	0	0	1	0
Holloway	2	1	1	1	0
Holme House	2	1	1	4	1
Hull	0	1	1	4	2
Huntercombe	0	0	0	0	0
Kingston	0	1	0	1	0
Kirkham	0	0	0	0	0
Lancaster	0	0	0	1	0
Lancaster Farms	0	0	0	0	1
Latchmere House	0	0	0	0	0
Leeds	6	2	0	5	2
Leicester	4	2	3	1	2
Lewes	3	2	4	3	2
Lincoln	0	0	0	0	1
Lindholme	0	0	0	0	0
Littlehey	1	0	1	0	0
Liverpool	0	3	1	2	3
Long Lartin	0	0	1	0	1
Low Newton	0	0	0	0	0
Maidstone	0	0	1	0	0
Manchester	8	0	1	1	2
Moorland	0	1	0	1	0
Mount, The	0	0	0	0	0
New Hall	0	1	2	1	2
Northallerton	0	0	2	0	0
Norwich	2	1	2	2	3
Nottingham	2	2	3	3	5
Oxford	0	0	0	0	0
Parc	1	1	1	2	0
Parkhurst	1	0	0	0	1
PECS 2	0	0	0	0	0
PECS 3	2	0	1	0	0
PECS 4	0	0	0	0	0
PECS 6	1	0	0	0	0
PECS 8	0	0	0	0	1
Pentonville	1	2	2	1	0
Portland	0	0	1	0	1

Establishment	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Preston	2	2	2	2	4
Ranby	1	0	0	0	1
Reading	0	1	0	0	1
Risley	1	0	0	1	0
Rochester	0	0	0	0	0
Send	0	0	0	0	0
Shepton Mallet	0	0	0	0	1
Shrewsbury	0	1	0	0	2
Stafford	2	1	0	0	1
Standford Hill	0	0	0	0	0
Stocken	0	0	0	0	0
Stoke Heath	0	0	1	0	0
Styal	0	1	1	3	3
Swaleside	0	o.	2	0	0
Swansea	0	0	1	0	1
Swinfen Hall	0	0	0	0	1
Usk/Prescoed	0	0	0	0	0
Verne, The	0	0	0	0	1
Wakefield	2	0	0	1	1
Wandsworth	3	4	2	2	3
Wayland	0	0	1	0	0
Wealstun	0	0	0	2	0
Welling Borough	0	0	1	0	1
Wetherby	1	1	1	0	0
Whatton	0	1	0	0	0
Whitemoor	0	0	0	0	0
Winchester	2	3	3	2	3
Wolds	1	1	0	1	0
Woodhill	1	0	4	2	2
Wormwood Scrubs	1	1	1	1	1
Wymott	0	1	0	0	3

Note:

The numbers of deaths at an establishment are subject to significant random swings, and it is recommended that a period of at least ten is looked at in order to establish underlying trends.

As the hon. Member is aware from my previous answer (10 February 2004; *Official Report*, columns 1436–37W), reducing the rate of self-inflicted deaths in prison establishments is a key priority. The hon. Member is also aware that I made an announcement on 31 March 2004 regarding the Prison Service's developing suicide prevention strategy 27 May 2004; *Official Report*, column 518W. This will link existing programmes and planned investment in five broad areas of work:

Regime, activities and care-planning for all prisoners

Improved knowledge and outlooks of all staff at all levels

Meeting the special needs of the most vulnerable prisoners

Training and support for staff

Design solutions to minimise impulsive acts.

Secure Training Centres

Ms Keeble: To ask the Secretary of State for the Home Department how much has been paid out in compensation in respect of injuries sustained during staff training sessions in physical restraint techniques at each of the secure training centres in the last five years. [190223]

Paul Goggins: Secure Training Centres are operated by private companies under contracts managed by the Youth Justice Board. Consequently, neither the Home Office nor the Youth Justice Board has direct responsibility for dealing with compensation claims by staff members. The operating companies have told us that they have not paid any compensation in respect of injuries sustained in the course of training in physical restraint techniques over the last five years.

Ms Keeble: To ask the Secretary of State for the Home Department how many staff training sessions in physical restraint techniques have included training in distraction techniques in each of the secure training centres in each of the last five years. [190225]

Paul Goggins: All training in physical restraint techniques used in secure training centres includes training in distraction techniques. Guidance on the use of these techniques indicates that they are to be used only as a last resort and for as short a time as possible.

Sentencing Guidelines

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how he intends sentencing guidelines will help to reduce prison numbers. [187243]

Paul Goggins: One of the factors the Sentencing Guidelines Council has to take into account when producing guidelines is cost-effectiveness. This will apply to all courts, in respect of all criminal offences and will lead to greater consistency of sentencing. The Government have made it clear the prison should only be used for the most serious, dangerous and persistent offenders, and that most others are better punished in the community.

Speed Cameras

Sandra Gidley: To ask the Secretary of State for the Home Department pursuant to his answer of 13 October 2004, *Official Report*, column 283W, on speed cameras, where the specifications for speed camera reliability and safety are set out; and what the other sources of flash when driving at night are. [192555]

Caroline Flint: The specifications for reliability of speed cameras are set out in the Speedmeter Handbook, which is published by the Home Office Police Scientific Development Branch (PSDB). The requirements for safety, in terms of flash output, are assessed in each individual case by initially requiring the manufacturer to demonstrate that equipment submitted is safe for use at the roadside, by providing evidence, or that the flash output and filters used are similar to that which has been demonstrated as safe, as determined by independent University studies. After this is completed to PSDB's satisfaction, the police also give their view as to safety during testing at the roadside. Other sources of flash while driving at night include vehicle headlamps and the warning lights and beacons of various types of road vehicles.

UN Convention Against Corruption

Mr. Hancock: To ask the Secretary of State for the Home Department what legislative changes would be required, with regard to forfeiture of the instrumentalities of crime, to enable the UK to comply with Article 55 of the UN Convention Against Corruption. [190482]

Caroline Flint: An amendment will be required to section 9 of the Criminal Justice (International Co-operation) Act 1990 to enable an Order in Council to be made allowing the courts to give effect to the order of a foreign court for the forfeiture of the instrumentalities of crime.

CULTURE, MEDIA AND SPORT

Libraries

Mr. Rosindell: To ask the Secretary of State for Culture, Media and Sport (1) how much her Department plans to spend on modernisation of community libraries in each of the next 10 years; [192669]

(2) how much has been spent by her Department on the modernisation of community libraries in each year since 1997. [192670]

Estelle Morris: The Department does not fund public libraries directly. Public libraries are funded through a combination of the local authority settlement, locally raised taxation, and income that they generate for themselves. Public library funding is a matter of local discretion and it is for each library authority to decide how much to spend on their libraries.

However, we have funded the Museums, Libraries and Archives Council three year action plan which sets out a range of programmes to help libraries achieve the vision set out in "Framework for the Future". The Action Plan has been funded by a £5 million investment over the three-year period to 2005–06. The modernisation of public libraries has also been supported through a £120 million lottery funded People's Network programme which has linked all public libraries in the UK to the internet and provided training to library staff to enable them to facilitate access to the ICT for library users.

We cannot anticipate future spend on the modernisation of public libraries, except for the £5 million investment in the Action Plan, which takes us to the end of this spending review period.

National Museums (Yorkshire)

Hugh Bayley: To ask the Secretary of State for Culture, Media and Sport how much national museums in *(a)* Yorkshire and the Humber and *(b)* the City of York have received in Government grants in each year since 1997. [192435]

Estelle Morris: Grant in aid for the national museums which fall within *(a)* Yorkshire and Humber and *(b)* the City of York is as follows:

£000

Museum	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
National Coal Mining Museum England[1]	n/a	n/a	n/a	1,152	1,332
National Museum of Photography, Film and Television[2]	2,977	2,963	3,142	3,699	3,683
National Railway Museum[2]	3,315	3,350	3,650	3,922	4,608
Royal Armouries Leeds[3]	5,223	3,723	4,807	5,227	5,945
Total	11,515	10,036	11,599	14,000	15,568

£000

Museum	*2002–03*	*2003–04*	*2004–05*	*2005–06*
National Coal Mining Museum England[1]	2,073	2,408	2,445	2,426
National Museum of Photography, Film and Television[2]	4,180	4,347	4,252	4,515
National Railway Museum[2]	5,557	6,109	6,595	6,425
Royal Armouries Leeds[3]	6,157	6,286	6,887	7,113
Total	17,967	19,150	20,179	20,479

[1] The Government started providing grant funding to the National Coal Mining Museum England through the National Museum of Science and Industry in 2000–01.

[2] The Government provides grant-in-aid to the National Museum of Science and Industry (NMSI) of which the National Museum of Photography, Film and Television and the National Railway Museum are branch museums. Funding to its branch museums is allocated by the NMSI.

[3] This is the total allocation for Royal Armouries, which includes its Leeds, Fort Nelson and the Tower of London branches. Royal Armouries in Leeds is the Headquarter.

Hugh Bayley: To ask the Secretary of State for Culture, Media and Sport how many people visited each of the national museums in Yorkshire and the Humber in each year since 1997; and on what date charges were waived for each category of visitor at each museum. [192436]

Estelle Morris: Visitors for the national museums which fall within the Yorkshire and Humber region are in the following table:

Museum	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
National Coal Mining Museum England[1]	n/a	n/a	n/a	65,802	60,032	107,282	121,822
National Museum of Photography, Film and Television[2]	298,901	83,613	962,899	969,822	823,309	768,161	723,273
National Railway Museum	420,079	434,566	467,880	485,785	587,862	767,299	740,217
Royal Armouries Leeds	349,000	296,000	173,500	185,710	280,867	302,527	277,105
Total	1,067,980	814,179	1,604,279	1,707,119	1,752,070	1,945,269	1,862,417

[1] The Government started providing grant funding to the National Coal Mining Museum England through the National Museum of Science and Industry in 2000–01, and required them to collect their visitor data from this year onwards. Figures for earlier years are not available.

[2] The National Museum of Photography, Film and Television was partially closed in 1997–98 and 1998–99 for refurbishment.

Free admission for adult visitors was introduced to the National Coal Mining Museum for England on 8 April 2002. Children and people over 60 already received free admission.

Admission to the National Museum of Photography, Film and Television in Bradford has always been free.

The National Railway Museum in York introduced free access for children on 1 April 1999. Free admission for over 60s was introduced on 1 April 2000, with universal free admission introduced on 1 December 2001.

The Royal Armouries in Leeds introduced free admission for children and for over 60s on 1 April 2000, with universal free admission introduced on 1 December 2001.

All the museums charge for some temporary exhibitions.

Galleries (Liverpool)

Mr. Frank Field: To ask the Secretary of State for Culture, Media and Sport when she approved the change of the name of the National Galleries of Merseyside to the National Galleries of Liverpool. [192886]

Estelle Morris: National Museums Liverpool was adopted as the trading name of National Museums and Galleries on Merseyside (NMGM) in April 2003. As this change was purely for trading purposes, with no change to the statute establishing NMGM, there was no cause for the Secretary of State for Culture, Media and Sport to approve the change of name.

Licensing Transfer

Mr. Rosindell: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the transfer of licensing powers from the judiciary to local councils. [192649]

Mr. Caborn: With the implementation of the Licensing Act 2003, responsibility for liquor licensing in England and Wales will transfer from the licensing justices to licensing authorities, which are almost all local authorities. The transitional period will begin on 7 February 2005 and we expect it to be completed in November 2005. At this time, licensing justices will cease to have responsibility for issuing liquor licences. But the magistrates courts will become the body responsible for considering appeals against the decisions of the licensing authority.

Lottery Grants (City of York)

Hugh Bayley: To ask the Secretary of State for Culture, Media and Sport which organisations in the City of York have received lottery grants since 1997; and what the value was of each grant dispersed. [192433]

Estelle Morris: 726 organisations in York have received lottery money. A list giving their names and the value of each award received has been placed in the Libraries of both Houses.

This information is freely available from the Department's searchable lottery award database at www.lottery.culture.gsi.gov.uk, which uses information supplied by the lottery distributors.

Renaissance in the Regions

Mr. Lansley: To ask the Secretary of State for Culture, Media and Sport how much Phase Two Hub funding will be allocated to the East of England within the Renaissance in the Regions programme; and what the timetable for improvements is in the South Cambridgeshire constituency. [192738]

Estelle Morris: The 2004 Spending Review White Paper sets out the intention of the Department to extend Renaissance in the Regions to all nine regional hubs. We face a number of difficult choices and competing priorities in allocating funding from the spending review but will do all we can to take the Renaissance initiative forward.

The amount allocated to the East of England Hub for 2005–06 is £720,000. As part of the Renaissance programme, a total sum is allocated to each region and it is for each hub to determine the apportionment of funding between the hub partners.

Sports Investment

Hugh Bayley: To ask the Secretary of State for Culture, Media and Sport how much the Government has invested in sport in *(a)* Yorkshire and the Humber and *(b)* the City of York in each year since 1997. [192424]

Mr. Caborn: Sport England, the non-departmental public body which has responsibility for the distribution of public funds (Lottery and Exchequer) to promote community sport, has invested the following amounts in *(a)* Yorkshire and the Humberside and *(b)* the City of York in each year since 1997. The funds shown include community grants and, since 1999, Awards for All grants.

£

	Yorkshire and the Humberside (including City of York)	*City of York*
1997	13,129,801	65,228
1998	9,942,602	0
1999	11,735,364	292,390
2000	36,425,303	30,703
2001	30,373,527	5,813
2002	21,061,104	11,854
2003	15,718,980	29,478
2004 to date	6,161,519	19,666
Total	144,548,200	455,132

Supporters Direct

Hugh Bayley: To ask the Secretary of State for Culture, Media and Sport what assistance Supporters Direct gave to the creation of York City FC Supporters Trust. [192437]

Mr. Caborn: York City FC Supporters Trust (YCST) was formed with the assistance of Supporters Direct in 2002. The Trust has received 880 in reimbursed expenses, £120 for registering as a Trust and £500 (+ VAT) for legal fees associated with this registration.

Supporters Direct provided intensive assistance at the time of the Trust's creation. This was an unprecedented level of support and subsequently they have visited York City FC Supporters Trust on five occasions since to provide advice on a range of issues. The Trust was awarded "Trust of the Season" Award in earlier this year.

Tourism (Yorkshire)

Hugh Bayley: To ask the Secretary of State for Culture, Media and Sport what steps the Government has taken to enhance staff skills in the tourist industry; and how many tourism employees have been trained on courses receiving public funding in *(a)* York and *(b)* Yorkshire since 1997. [192427]

Mr. Caborn: The importance of improving skills in the tourism industry was highlighted in the strategy document "Tomorrow's Tourism Today", which my right hon. Friend the Secretary of State launched in July.

People 1st was appointed by the Government as the main Sector Skills Council covering the tourism sector in May. Sector Skills Councils are responsible for developing and leading the strategy for improving work force skills, as well as addressing issues of recruitment and retention. As one of its first tasks, People 1st is mapping regional skills shortages and existing training provision.

The full information requested about the number of tourism employees that have been trained on courses receiving public funding could be provided only at disproportionate cost.

Yorkshire Forward maintains attendance figures for Welcome Host courses, which equip staff with key hospitality skills, in York and across the county. These courses are partly funded by public sources.

(a) Welcome Host attendances in Yorkshire were:

	Number
1997	[1]5,000
1998	2,899
1999	[1]1,700
2000	[1]2,500
2001	[1]1,800
2002	1,473
2003	938
2004	[2]600

[1] At least.

[2] Up to October.

(b) Figures for York are held for 2002 and 2003 only, and were 63 and 78 respectively. These figures are included in *(a)*.

Some additional tourism-related courses were provided in Yorkshire by local authorities, and by Further and Higher Education establishments.

PRIME MINISTER

Iraq

Glenda Jackson: To ask the Prime Minister if he will request that the US Administration *(a)* furnish him with full details of how they intend to protect mass grave sites in Iraq from possible contamination of forensic evidence and *(b)* institute an inquiry into their failure to protect the site at Hatra. [192660]

The Prime Minister: We are in regular contact with the Iraqis, the US and others about the excavation of mass graves in Iraq. We remain committed to maintaining the highest standards for the excavation of mass graves and preserving the evidence taken from the graves, which may be used in future prosecutions.

Glenda Jackson: To ask the Prime Minister pursuant to his reply of 13 October 2004, *Official Report,* column 277, to the right hon. and learned Member for Folkstone and Hythe (Mr. Howard), if he will list *(a)* the information that has turned out to be wrong and *(b)* the dates when such errors were brought to his attention. [192661]

The Prime Minister: I have nothing further to add to the answer I gave the hon. Member on 18 October 2004, *Official Report,* columns 453–54W.

Glenda Jackson: To ask the Prime Minister pursuant to his reply to the hon. Member for Liverpool, West Derby (Mr. Wareing), of 13 October 2004, *Official Report,* column 283, when he first received the report to which he refers; and if he will place a copy in the Library. [192662]

The Prime Minister: This report was broadcast on television, radio and news websites on 13 October. A copy of the report to which I referred has been placed in the Libraries of the House.

Glenda Jackson: To ask the Prime Minister pursuant to his oral answer to the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) on 13 October 2004, *Official Report,* column 277, if he will commission an inquiry into why the intelligence information which he defined as wrong was *(a)* furnished to and *(b)* accepted by the Government. [192988]

The Prime Minister: I refer my hon. Friend to my statement on the Butler Report on 14 July 2004, *Official Report,* columns 1431–36.

Terrorism

Rev. Martin Smyth: To ask the Prime Minister what his assessment is of the terrorist threat in the UK. [192444]

The Prime Minister: As my right hon. Friend the Home Secretary made clear in his statement of 6 August 2004, which is available on the Home Office website, there is a continuing threat to the UK. This threat is under constant review, and the Government take the appropriate action.

INTERNATIONAL DEVELOPMENT

Africa

Mr. Laws: To ask the Secretary of State for International Development what his Department's development expenditure on each African country was in each year from 1990–91; what the estimate is for each year to 2007–08; and if he will make a statement. [191278]

Hilary Benn: DFID's expenditure on development assistance to Africa since 1990–91 is shown in the following table—the figures in the table relate only to bilateral expenditure:

DFID programme expenditure in Africa

	£
1990–91	421,711,207
1991–92	364,211,461
1992–93	389,100,211
1993–94	358,177,257
1994–95	386,983,312
1995–96	329,404,826
1996–97	322,364,297
1997–98	310,732,795
1998–99	425,517,437
1999–2000	471,973,047
2000–01	639,592,239
2001–02	576,457,779
2002–03	707,679,507
2003–04	705,582,347

The report, "Statistics on International Development (SID)", produced by DFID, contains country-by-country detail. The latest version of this is currently being printed. When the report is available, I will arrange for it to be deposited in the Libraries of the House.

DFID bi-lateral expenditure in Africa in 2004–05 is anticipated to be £864 million rising to £1,100 million in 2005–06. The Prime Minister has committed to bi-lateral expenditure in Africa of £1 billion in 2005–06 and the recent Spending Review settlement indicated expenditure of £1.25 billion for 2007–08. Further details on planned spending are available in the DFID Departmental Report (2004), which is already available in the Libraries of the House.

This increasing financial support to poor countries in Africa acknowledges that progress towards the internationally agreed Millennium Development Goals is too slow, and that additional finance is required. This must be spent (and carefully monitored) where it will be most effective in reducing poverty.

Financial development assistance is critical but not enough. For this reason, DFID actively works at the global level to promote appropriate debt relief, fairer international trade and the reduction of conflict. The UK is committed to making African development central to our Presidencies of the EU and G8 in 2005.

Angola

Mr. Simmonds: To ask the Secretary of State for International Development what discussions have taken place with the Government of Angola regarding food aid. [192053]

Hilary Benn: In Angola, food aid is discussed, primarily between the Ministry of Assistance and Social Reintegration (MINARS) and the World Food Programme (WFP). Donors are kept informed of progress through regular WFP and other UN coordination meetings.

Throughout 2004, the WFP has consistently reported that the Protracted Relief and Recovery Operation for Angola is severely under-funded. It is currently 35 per cent. resourced with confirmed contributions of US$88 million. The Government of Angola's decision in 2003 to stop imports of unmilled genetically modified organisms (GMO) has increased the cost of food commodities that WFP can bring in with their limited resources. The Government of Angola's delay in releasing their US$ 7 million contribution, promised last year, is also a factor. Another important reason is the decision by many donors to move away from emergency assistance and to focus support on reconstruction and sustainable development. In response to this situation, WFP has had to reprioritise and make substantial cuts to their operations in Angola.

In partnership with the WFP and the United High Commission for Refugees (UNHCR), DFID has funded landmine clearance programmes worth £611,325 in four provinces of Angola where the WFP delivers food aid to returning populations. DFID is also exploring the possibility of strengthening nutritional surveillance in Angola so that assistance can be better targeted to need.

Cayman Islands

Mr. Rosindell: To ask the Secretary of State for International Development what assessment he has made of coastal erosion on Grand Cayman. [192640]

Mr. Gareth Thomas: DFID has neither made nor been requested to make any such assessment.

Child Protection

Mr. Hancock: To ask the Secretary of State for International Development what recent support he has given to projects in the Russian Federation aimed at improving facilities for *(a)* street children, *(b)* orphans and *(c)* children with disabilities; what his plans are in this area; and if he will make a statement. [192526]

Mr. Gareth Thomas: DFID has provided support to the following projects in the Russian Federation aimed at improving facilities for street children, orphans and children with disabilities:

"Supporting Vulnerable Children in Ekaterinburg and Sverdlovsk Region". The project ran from 2000 to 2003 and addressed the problems of orphans and street children through provision of family-focused care, with a budget of £816,000.

"Health and Social Care Partnerships": From 2000 to 2004, DFID funded 17 small projects each with a budget of around £50,000. The projects addressed issues such as: programmes for street children, homelessness, foster care, drug and alcohol awareness among vulnerable children and programmes for children with various disabilities.

DFID is currently working in two regions of Russia through Oblast Partnership Programmes. These programmes include work on addressing the problems of street children, orphans and children with disabilities:

Families and Children at Risk—a component of Leningrad Oblast (region) partnership programme being implemented during 2004–07 with a budget of approximately £1,000,000.

Targeted Social Assistance—a component of Nizhny Novgorod partnership programme being implemented during 2003–06 with a budget of approximately £1,800,000.

Dalit People

Mr. Battle: To ask the Secretary of State for International Development what monitoring will take place to measure Dalit children's access to free schooling provided using his Department's recently announced grant to India. [192630]

Hilary Benn: DFID supports the Government of India's scheme to provide Universal Elementary Education (known as the Sarva Shiksha Abhiyan); this includes special focus on socially disadvantaged groups, including Dalits. Formal monitoring of the programme will be undertaken twice yearly as a joint exercise involving the Government of India, DFID, the World Bank and the European Commission.

All data pertaining to enrolment, retention, completion and performance are available at district level and are disaggregated by social class (Scheduled Caste and Scheduled Tribe) as well as by gender. The monitoring process also measures progress on special initiatives that target Dalit children, including distribution of free textbooks.

Hurricane Ivan

Mr. Drew: To ask the Secretary of State for International Development what expenditure is being made available to help with the aftermath of Hurricane Ivan to *(a)* Grenada, *(b)* Jamaica and *(c)* Cuba; and if he will break down the assistance including (i) immediate humanitarian help and (ii) grant aid given to start re-building and restoring basic service provision. [189894]

Mr. Gareth Thomas: To date, DFID has provided £1.6 million of humanitarian assistance to the Caribbean region following the impact of Hurricane Ivan on affected countries. Of this approximately £441,000 and 422,000 have gone to support relief needs in Grenada and Jamaica respectively. In addition to this assistance, HMS Richmond and RFA Wave Ruler were deployed to both islands to offer and provide immediate humanitarian support. We are considering further support through United Nation agencies, the International Federation of the Red Cross and non-governmental organisations.

The European Community has announced it is mobilising £4.65 million in emergency relief and post emergency rehabilitation to help Grenada to cope in the aftermath of Hurricane Ivan. This includes commitments of £2.01 million from the European Commission's Humanitarian Aid Office towards the country's emergency needs and to assist St. Vincent and the Grenadines. The UK share of this European Community assistance is about £700,000.

The impact of Hurricane Ivan on Cuba was minimised because of the path it took and the pre-impact evacuation efforts of the Cuban authorities. DFID has contributed £0.5 million to the regional appeal of the International Federation of the Red Cross. The appeal mainly focuses on the provision of emergency food, shelter needs, water and sanitation and various non-food items and includes six months support to 3,000 affected families in Cuba.

DFID is re-directing existing support to Grenada within its regional programme for the Caribbean, to meet post-hurricane needs. Some of this support will be available to help establish the National Agency for Reconstruction and Development, for education and for helping small businesses to recover.

DFID is currently reviewing its programme with Jamaican and international partners to ascertain whether any re-prioritisation of resources is required to assist the country with its reconstruction efforts.

Mr. Marshall-Andrews: To ask the Secretary of State for International Development what steps the Government propose to assist in the relief of *(a)* Grenada and *(b)* the Cayman Islands following the effects of Hurricane Ivan. [190191]

Mr. Gareth Thomas: Ever since the development of the first hurricane system to affect the region (Hurricane Frances) the Ministry of Defence, the Department for International Development (DFID) and the Foreign and Commonwealth Office were working closely together to ensure that HMS Richmond and Royal Fleet Auxiliary Wave Ruler were available, equipped and in position to provide immediate assistance.

With regard to Grenada, the UK Government provided an immediate contribution of £83,400 to the Pan American Health Organisation's appeal to support the mobilisation costs of emergency personnel with urgently needed medical supplies and the provision of disease surveillance and control measures. DFID also sent an aircraft to deliver 140 rolls of plastic sheeting for 1,400 families and 11,000 water containers the value of this support is around £56,000. DFID has also contributed £500,000 to the International Federation of the Red Cross Regional Appeal, for the provision of emergency food, shelter needs, water and sanitation and various non-food items. £300,000 of this support will go to assist effected families in Grenada. In addition, DFID is providing £200,000 to Christian Aid and £200,000 to Oxfam for their continuing relief and rehabilitation work in Grenada.

The United Nations launched a Flash Appeal for Grenada to respond over the next six months to urgent humanitarian need and to help establish the foundation for the rehabilitation of social services and economic recovery. DFID is consulting with United Nation agencies on the priority areas for providing support through the appeal.

The European Community has announced it is mobilising £4.65 million in emergency relief and post emergency rehabilitation to help Grenada focus on the provision of emergency shelter, food, water and other key supplies for 5,000 homeless families. It includes funds to be mobilized under the 9th European Development Fund, that are expected to be utilised primarily for school rehabilitation. The United Kingdom's share of this European Community assistance is about £700,000. The European Commission has also pledged £830,000 to Jamaica through its Humanitarian Aid Office, focusing on reducing the number of persons in temporary shelters and providing alternative accommodation for those currently housed in schools. The United Kingdom's share of this support is about £150,000.

DFID also responded to an urgent request from the Government of the Cayman Islands by providing urgent relief items, including plastic sheeting and have since sent flights containing potable water, hygiene materials and other requested items. The cost of this direct assistance is about £200,000. Our contribution to the

International Federation of the Red Cross regional appeal includes support to 1,000 affected families in Cayman Islands for six months.

The British Government are providing £100,000 towards the costs associated with the deployment of a contingent form the Bermuda Regiment who are currently helping with the continuing clean up on the Islands. DFID has also provided advisory support including a Law Enforcement Adviser, a Disaster Preparedness Adviser and reinforced the Governor's office.

International Finance Facility

Tom Brake: To ask the Secretary of State for International Development pursuant to the answer of 6 July 2004, *Official Report*, column 626W, from the Economic Secretary on the International Finance Facility (IFF), if he will list the 37 countries which have made statements of endorsement for the iFF. [190904]

Mr. Timms: I have been asked to reply.

The following 37 countries have made statements of endorsement for the IFF, either at the spring meetings of the World Bank and IMF or at the Paris Ministerial Forum on Financing for Development, both of which were held in April 2004:

Algeria
Angola
Argentina
Benin
Botswana
Brazil
China
Colombia
Congo Brazzaville
Cote D'Ivoire
DRC
Ethiopia
Egypt
Gabon
Gambia
Ghana
Guatemala
Kenya
India
Iran
Lebanon
Madagascar
Mali
Mexico
Mozambique
Nigeria
Pakistan
Peru
Philippines
Senegal
South Africa
Sri Lanka
Syria
Trinidad & Tobago
Rwanda
Uganda
Venezuela

In addition, France has been a firm supporter of the IFF among the G7 and all Nordic countries supported the IFF's potential role in providing additional finance for development.

Iraq

Llew Smith: To ask the Secretary of State for International Development what assistance is being provided to Iraq *(a)* to clean up areas of Iraq contaminated by used weapons and equipment deployed by coalition forces, *(b)* to clean up urban areas contaminated by depleted uranium shells used by coalition forces and *(c)* for training Iraqi scientists and engineers to decontaminate land despoiled by military activities; and what communications his Department has had with Iraq's environment Minister on environmental clean up in Iraq. [190759]

Hilary Benn: The Government are supporting the Iraqi Interim Government in the clearance of unexploded ordnance (UXO) as part of post-conflict reconstruction in Iraq. De-mining organisations part-funded by DFID (the UN Mine Action Service and the Mines Advisory Group) are working with local organisations and the UK military to plot the locations of UXO and carry out disposals. DFID is also contributing to mine risk education programmes through UNICEF, and DFID funding is available for de-mining activities through the United Nations trust fund for Iraq.

UK armed forces personnel have been carrying out ordnance disposal activities and removing surface-lying depleted uranium (DU) fragments from battlefield areas. They have also been exchanging information with humanitarian and commercial organisations involved in ordnance disposal work, and warning Iraqis through signs and leaflets that they should not go near or touch battlefield debris. The Ministry of Defence has offered advice to the UN Environment Programme (UNEP) Post Conflict Assessment Unit on carrying out risk assessments on DU within urban areas and on long-term monitoring of DU in the environment.

DFID is providing financial support to UNEP for post-conflict environmental assessment work in Iraq, which includes technical assistance and capacity building for the Iraqi Environment Ministry. UNEP is also receiving significant funding from other donors through the UN trust fund for Iraq. UNEP has worked with Iraqi institutions to develop a contaminated sites database and a plan for the remediation of environmental "hotspots". The sites include industrial facilities, landfills, and sewage treatment plants as well as battlefield areas. UNEP has provided training for approximately 300 Iraqi officials and scientists in areas including contaminated sites assessment, environmental inspections, laboratory analysis and environmental impact assessment. Two training programmes on depleted uranium are scheduled for the third and final quarters of this year.

Glenda Jackson: To ask the Secretary of State for International Development how many re-construction programmes there are in Iraq funded by *(a)* the UK and *(b)* the EU, broken down by type. [190999]

Hilary Benn: DFID has committed over £331 million for humanitarian and reconstruction assistance in Iraq since the conflict in 2003. This includes:

£84.8 million to UN agencies in response to 2003 emergency appeals;

£32 million to the Red Cross and Red Crescent movement;

£78.8 million for reconstruction and capacity-building projects in southern Iraq;

£19 million for advisory support to central Government, the justice sector, independent media, civil society and political participation;

£28 million for secondments and consultants for the Coalition Provisional Authority (up to June 2004) and related security costs;

£70 million to the World Bank and UN International Reconstruction Fund Facility for Iraq—IRFFI—trust funds;

£11.7 million through the IMF and the International Finance Corporation for economic governance support and small business development; and

£7.4 million through NGOs.

A full list of DFID-funded projects can be found at: http://www.dfid.gov.uk/news/files/dfidiraqprojectlistsep04.pdf

In 2003 and 2004, the European Community (EC) has provided €100 million in humanitarian assistance through UN agencies and NGOs, plus €202 million towards reconstruction as set out in the following table. The UK currently provides 19 per cent. of EC funding for Iraq.

Summary of European Community assistance to Iraq, 2003–04

	Sector	*Committed (€ million)*
2003		
UNDP Thematic Trust Fund for Crisis Prevention and Recovery	Education, health, water and sanitation, income generating activities	29
	Human rights, civil society, support to electoral process	3
	Mine action	2
United Nations Trust Fund	Political process, transitional justice	5
World Bank Trust Fund	Capacity building	3
Total 2003		42
2004		
United Nations Trust Fund	Education, health, water and sanitation, agriculture and environment, poverty reduction and human development, governance and civil society, and electoral support	80
World Bank Trust Fund	Education, community based regeneration projects and capacity building	80
Total 2004		160
Grand total		202

Most other EU member states are also providing assistance to Iraq individually. The following pledges were made for 2004–07 at the Madrid Conference in October 2003:

	US$ million
Austria	5.48
Belgium	5.89
Cyprus	0.12
Czech Republic	14.66
Denmark	26.95
Estonia	0.08
Finland	5.89
Greece	3.53
Hungary	1.24
Ireland	3.53
Italy	235.62
Luxembourg	2.36
Malta	0.27
Netherlands	9.42
Slovenia	0.42
Spain	220
Sweden	33

Mr. Rosindell: To ask the Secretary of State for International Development what recent discussions he has had with the European Commission regarding aid to Iraq. [191582]

Hilary Benn: DFID officials are in frequent contact with European Commission (EC) colleagues to discuss aid to Iraq. The EC has spent over €300 million on support to Iraq: €100 million for humanitarian activities in 2003, and a further €200 million for reconstruction through the United Nations and World Bank trust funds for Iraq. DFID is also working alongside other Government Departments to facilitate dialogue between European officials and Iraqi Ministers in order to help identify areas for future EU engagement with Iraq.

ITC Consultants

Mr. Jenkins: To ask the Secretary of State for International Development how much the Department spent on outside information technology and communication specialist consultants and engineers in the 2003–04 financial year. [191907]

Hilary Benn: DFID spent a total of £5,398,815 on outside information technology and communication specialist consultants and engineers in the 2003–04 financial years. This figure comprises:

£5,178,718 spent on consultants and engineers engaged to assist with the development and support of internal systems, including the Catalyst business change programme.

£220,097 spent on specialist consultants engaged to assist with the Information and Communication for Development programme who were funded directly from DFID running cost budgets. This figure does not include consultants engaged indirectly through DFID-funded international development activities, which were managed by third parties.

Ministerial Expenditure

Mr. Prisk: To ask the Secretary of State for International Development how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [191392]

Mr. Gareth Thomas: DFID does not own any residential properties in the UK and therefore has not spent any such money on maintenance, renovation, council tax or running costs.

Information on expenditure on maintenance and running costs of residential properties overseas is not centrally available and could not be obtained without incurring disproportionate cost.

Theft and Fraud

Mr. Prisk: To ask the Secretary of State for International Development what his estimate is of the cost of theft and fraud to *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in each year since 1997. [191417]

Mr. Gareth Thomas: The estimated cost of fraud and theft to DFID each year since 1997, including the number of cases, is illustrated in the following table. While many of the cases are relatively small in financial terms (the total loss due to fraud in recent years is 0.006 per cent. of DFID's total spending), DFID remains committed to minimising such losses. This year DFID has reviewed and updated its policy and response to fraud and theft, with advice from anti-fraud specialists.

	Fraud		*Thefts*[1]	
	£	*Number of cases*	*£*	*Number of cases*
1996–97	0	—	8,273	3
1997–98	0	—	48,365	4
1998–99	96,925	9	0	—
1999–2000	79,813	5	11,220	4
2000–01	4,800	3	13,439	8
2001–02	70,787	6	12,778	6
2002–03	102,984	17	2,684	3
2003–04	[2]232,917	17	2,192	2

[1] Does not include items with a zero net book value.

[2] This is the current estimate since investigations are ongoing for some cases in 2003–04.

Uzbekistan

Mr. Pope: To ask the Secretary of State for International Development what assessment he has made of progress in meeting his Department's goals of achieving economic and political reform through constructive engagement with the Republic of Uzbekistan. [192169]

Mr. Gareth Thomas: DFID continues to have dialogue with the Government of Uzbekistan on economic and political reform, in concert with the international financial institutions and other donors. In particular, the Department works with the European Bank for Reconstruction and Development in support of the economic and political benchmarks set out in EBRD's country strategy for Uzbekistan. An EBRD review of the benchmarks earlier this year concluded that, overall, limited progress had been made. With EBRD and others, DFID continues to monitor developments in Uzbekistan in relation to the strategy benchmarks.

FOREIGN AND COMMONWEALTH AFFAIRS

Brazil

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place with the Government of Brazil on the effects of inflation rates in the country on *(a)* economic recovery and *(b)* political stability. [192059]

Mr. Rammell: The UK-Brazil Economic Talks took place on 10 September 2004 in London. They were the latest in a regular series of talks, the last of which was hosted by Brazil in May 2003. The UK delegation included senior officials from the Foreign and Commonwealth Office, HM Treasury, Bank of England, the Department for Trade and Industry, the Department for International Development and the Department for Environment, Food and Rural Affairs. The talks included discussion of economic developments in Brazil (embracing prospects for inflation and growth) and the process of economic reform. A range of international economic, financial and trade issues were also covered.

British Council

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs how much Government funding was provided to the British Council in each year since 1997. [192048]

Mr. Mullin: Since 1997 the Foreign and Commonwealth has provided the British Council with grant in aid at the levels set out in the following table. The difference between the allocation up until 1998–99 and that of 1999–2000 and subsequent years is explained by a machinery of Government transfer from the Department for International Development (DfID), when the Foreign and Commonwealth Office took over DFID's grant in aid responsibility to the British Council. The British Council also receives grants amounting to £4.4 million (2003–04 figures) from the Department for Education and Skills, Education Northern Ireland, Scottish Executive Education Department and the National Assembly Training and Education Department of Wales.

The council runs development contracts on behalf of a number of Government Departments, notably DFID. and the EU. It also generates income through charging for education services (English language training and examinations). Its total turnover in 2003–04 was £455 million.

FCO grant in aid to the British Council:

	£000
	Grant in aid British Council
1997–98	97,884
1998–99	97,448
1999–2000	133,248
2000–01	137,720
2001–02	144,985
2002–03	151,455
2003–04	165,474
2004–05	173,600

British Overseas Territories (Public Holidays)

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs which days of the year in *(a)* the Turks and Caicos Islands, *(b)* Anguilla, *(c)* Bermuda, *(d)* the British Indian Ocean Territory, *(e)* the Caymen Islands, *(f)* the Falkland Islands, *(g)* Guernsey, *(h)* Gibraltar, *(i)* the Isle of Man, *(j)* Montserrat, *(k)* Pitcairn Island, *(l)* British Antarctic Territory, *(m)* St Helena, Tristan da Cunha and Ascension Island, *(n)* the Akrotiri and Dhekelia Sovereign Base Areas in Cyprus, *(o)* Jersey and *(p)* South Georgia and South Sandwich Islands are designated (i) public holidays, (ii) national days and (iii) ceremonial days; and what representation from the UK there is at ceremonies held to mark each such day. [191266]

Mr. Rammell: It is not usual for dates in the calendars of the Overseas Territories or Crown Dependencies to be specifically designated as "ceremonial days". However, occasions such as HM the Queen's Birthday and Remembrance Sunday are usually marked ceremonially, and the Governor (or equivalent) would normally attend.

While, strictly speaking, it is inaccurate to speak of a "National Day", the term is sometimes used to denote an annual celebration of the particular identity of an Overseas Territory or Crown Dependency.

The details for the Overseas Territories mentioned in the question are as follows:

Akrotiri and Dhekelia Sovereign Base Areas in Cyprus

The UK is represented at some Greek Cypriot religious holidays and other celebrations by the administrator or other appropriate Sovereign base area administration representative. Turkish Cypriot holidays are observed, but not celebrated in the Sovereign base areas.

Anguilla

The following are public holidays in Anguilla in 2004: new year's day (1 January); Good Friday (9 April); Easter Monday (12 April); Labour day (3 May); Whit Monday (31 May); Anguilla day (1 June); HM the Queen's Birthday (14 June); August Monday (2 August); August Thursday (5 August); Constitution day (6 August); Separation day (17 December); Christmas day (27 December, in lieu); Boxing day (28 December, in lieu).

The Governor attends the Anguilla day parade (and other celebrations, if invited). HM the Queen's Birthday celebrations (held on Monday after the HM The Queen's official birthday in June) comprise: official, uniformed organised parade in the main public park, at which the Governor takes the salute and inspects the Royal Anguilla Police Force, and a reception at Government House, hosted by the Governor.

Bermuda

The following are public holidays in Bermuda: new year's day; Good Friday; Bermuda day (24 May); HM the Queen's Birthday (June); Emancipation day (end of July); Somers day (end of July); Labor day (first Monday in September); Remembrance day (11 November); Christmas day; Boxing day.

The Governor of Bermuda participates in HM the Queen's birthday parade as well as the Remembrance day ceremony.

British Antarctic Territory

The Territory does not have a settled population.

British Indian Ocean Territory

The Territory does not have a settled population.

Cayman Islands

The following are public holidays in the Cayman Islands: new year's day; national heroes day (fourth Monday in January); Ash Wednesday; Good Friday; Easter Monday; Discovery day (third Monday in May); HM the Queen's Birthday (celebrated locally on the Monday following the Saturday designated in the UK); Constitution day (first Monday in July); Remembrance day (the Monday after Remembrance Sunday); Elections day (once every four years); Christmas day; Boxing day.

Falkland Islands

The following are public holidays in the Falkland Islands: new years day; Good Friday; Christmas day; Boxing day; HM the Queen's Birthday (21 April), when a reception is held at Government House); Liberation day (14 June), when a procession is held in Stanley by the military, including a fly-past (weather permitting) and a reception at Government House; spring holiday (first Monday in October), also called Peat Cutting day; Battle day (8 December); Government holiday between Christmas and new year (30 and 31 December this year).

Gibraltar

The following are bank and public holidays in Gibraltar in 2005: new year's day (substitute for 1 January: Monday 3 January); Commonwealth day (Monday 14 March); Good Friday; Easter Monday; May day (substitute for 1 May: Monday 2 May); spring bank holiday (Monday 30 May): HM the Queen's Birthday (Monday 13 June); summer bank holiday (Monday 29 August); Gibraltar national day (substitute for 10 September: Monday 12 September); Christmas day (substitute for 25 December: Tuesday 27 December); Boxing day (Monday 26 December).

Montserrat

The following are public holidays in the Montserrat: new year's day; St. Patrick's day; Good Friday; Easter Monday; Labour day; Whit Monday; Queen's Birthday; Emancipation day (First Monday in August); Christmas day; Boxing day; Festival day (31 December).

Pitcairn Islands

The following are public holidays on Pitcairn: Christmas day; new year's day; Bounty day (23 January). The Governor's Representative attends the celebrations on Bounty day.

St. Helena and her Dependencies of Ascension Island and Tristan da Cunha

The following are public holidays in St. Helena: new year's day; Good Friday: Easter Monday; St. Helena day (21 May); HM the Queen's Official Birthday; Whitsun;

August bank holiday; Christmas day; Boxing day

The following are public holidays in Ascension Island: new year's day; Good Friday; Easter Monday; Ascension day (May); HM the Queen's Official Birthday; Whitsun; August bank holiday; Christmas day; Boxing day.

The following are public holidays in Tristan da Cunha: new year's day; Epiphany; Good Friday; Easter Monday; HM the Queen's Official Birthday; Ratting day (local holiday—mid April); Ascension day (May); Whit Monday (May); Anniversary day (14 August); Christmas day; Boxing day.

South Georgia and South Sandwich Islands

The Territory does not have a settled population.

Possession day (17 January) celebrates the day in 1775 when Captain Cook took possession of South Georgia for the Crown. This is marked by a reception by the Commissioner of the Territory (who is also Governor of the Falkland Islands) at Government House in Stanley.

Turks and Caicos Islands

The following are public holidays in the Turks and Caicos Islands: new year's day; commonwealth day (8 March); Good Friday: Easter Monday; national heroes day (31 May); HM the Queen's Official Birthday; Emancipation day (1 August); national youth day (24 September); columbus day (11 October); international human rights day (24 October); Christmas day; Boxing day.

My noble Friend the Secretary of State for Constitutional Affairs and Lord Chancellor is the Privy Counsellor with special responsibility for the Crown Dependencies. The following information has been provided by the Department for Constitutional Affairs:

Guernsey

The following are public holidays in Guernsey: new year's day; Good Friday; Easter Monday; first Monday in May; 9 May (Liberation day); last Monday in May; last Monday in August; Christmas day; Boxing day.

His Excellency the Lieutenant-Governor is Her Majesty the Queen's personal representative on the Island. As such, he attends many functions to mark public holidays and Liberation day.

Her Majesty's Government are generally not represented on such occasions. However, on the occasion of the swearing in of a new Lieutenant-Governor or Bailiff it is usual for a senior official from the Department for Constitutional Affairs to attend the ceremonies.

Isle of Man

The following are public holidays in 2005 on the Isle of Man: new year's day (3 January); Good Friday (25 March); Easter Monday (28 March); early May bank holiday (2 May); late May bank holiday (30 May); T.T. bank holiday (10 June); Tynwald day (5 July); summer bank holiday (29 August); Boxing day (26 December); Christmas day (27 December, in lieu).

Tynwald day is the Isle of Man's National Day. Members of the Royal Family may preside on Tynwald Hill at St. Johns during the Tynwald, however the Governor usually presides as the Queen's Representative. The armed forces are also usually represented at the Tynwald Ceremony.

Jersey

Jersey adopts the same public holidays as England. In addition, 9 May is a public holiday to mark the Island's Liberation. A formal ceremony also takes place to mark Remembrance Sunday. On both days (Liberation day and Remembrance day) His Excellency the Lieutenant-Governor, HM the Queen's personal representative in Jersey, participates.

Burma

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations were made by the Government at the fifth Asia-Europe summit in Hanoi on the Government of Burma's record of human rights abuses. [192051]

Mr. Alexander: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Wirral, South (Mr. Chapman) on 18 October 2004, *Official Report*, columns 465–66W.

Cambodia

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place with the Government of Cambodia regarding King Sihanouk's abdication. [192057]

Mr. Alexander: We have not held any discussions with the Government of Cambodia regarding King Sihanouk's abdication.

Chad

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place with the Government of Chad on the influx of Sudanese refugees fleeing Janjaweed militia. [192060]

Mr. Mullin: Officials from the Department for International Development and the British embassy in Cameroon, which covers Chad, have held discussions with the Government of Chad about the influx of Sudanese refugees fleeing violence in Darfur. We have also provided £6.75 million to UN agencies in Chad, and we are currently agreeing commitments for over £2 million to NGOs working there, to assist the refugees and Chadian host communities.

China

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place on the lifting of the arms embargo on China with the Governments of *(a)* France, *(b)* the USA, *(c)* the EU and *(d)* China; and what assessment has been made of the likely impact on the security situation in the South China seas. [192050]

Mr. Rammell: The review of the EU arms embargo was announced by the European Council on 12 December 2003. The issue was last discussed by EU Foreign Ministers at the 11 October 2004 General Affairs and External Relations Council (GAERC), and will revert to a future GAERC. In recent contacts with my right hon. Friend the Foreign Secretary, US and Chinese Ministers have expressed an interest in the review of the embargo.

However, the review and any decisions arising from it are to be undertaken by the EU only. The EU will take all relevant factors into account in the review. The Government does not wish to pre-empt the conclusion of the review.

The Government continues to implement the arms embargo as set out by the then Minister of State at the Foreign and Commonwealth Office, the late Derek Fatchett, in his reply to my hon. Friend the Member for Reading, East (Jane Griffiths) on 3 June 1998, *Official Report*, columns 246–47.

Mr. Pope: To ask the Secretary of State for Foreign and Commonwealth Affairs to how many further cases of concern since the publication of the FCO Human Rights Report 2003 raised by the Government with the Government of the People's Republic of China the Chinese Government have responded. [192172]

Mr. Rammell: Since the Foreign and Commonwealth Office Human Rights Report was published in 2003 the Chinese Government have responded to 68 cases. Of these 29 are new cases raised for the first time.

Consul-General's Residence (New York)

Mr. Pope: To ask the Secretary of State for Foreign and Commonwealth Affairs on what dates the contracts were exchanged for *(a)* the sale of the Consul-General's former residence in New York and *(b)* the purchase of the new residence in New York. [192170]

Mr. Rammell: Contracts were exchanged for the sale of the Consul-General's former residence in New York on 9 December 2003 and the purchase of the Consul-General's new residence in New York on 1 November 2001.

Correspondence

Sir Michael Spicer: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will reply to the letter of 14 July from the hon. Member for West Worcestershire to the Minister of State. [192115]

Mr. Rammell *[holding answer 18 October 2004]*: My noble Friend the Minister of State at the Foreign and Commonwealth Office (Baroness Symons of Vernham Dean) would like to apologise to the hon. Member for the delay in replying to his letter of 14 July. She replied today.

Cyprus

Tom Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the Turkish government officially to recognise the state of the Republic of Cyprus; and if he will make a statement. [191966]

Mr. MacShane: My right hon. Friend the Foreign Secretary and I have a regular dialogue with the Turkish Government on a range of issues relating to Cyprus. Turkish recognition of the Republic of Cyprus is one of them.

Tom Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the issues that involve the whole island of Cyprus on which he expects co-operation from the Turkish government; and if he will make a statement. [191967]

Mr. MacShane: The principal issue involving the whole of Cyprus on which the co-operation of the Turkish government is required is efforts to find a comprehensive settlement to the Cyprus Problem.

Democratic Republic of the Congo

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place with the Governments of *(a)* Rwanda and *(b)* Uganda on the political situation in the Democratic Republic of Congo; and what steps have been taken by the Government to foster security and stability in the Democratic Republic of Congo and its neighbouring countries. [192049]

Mr. Mullin: I have visited the Great Lakes region twice this year. On both occasions I discussed security and stability with the Governments of Rwanda, Uganda and DRC. My right hon. Friends the Foreign Secretary and the International Development Secretary also regularly raise this with regional Governments.

The UK supported UN Security Council Resolution 1565 (2004), which authorised the deployment of a further 5,900 military personnel to the UN Mission in DRC (MONUC). We believe that this will help to improve MONUC's effectiveness, particularly in Eastern DRC. We also support the forthcoming International Conference on the Great Lakes Region.

Eritrea

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place with the Government of Eritrea following the expulsion of BBC correspondent, Jonah Fisher. [192043]

Mr. Mullin: Our Ambassador in Asmara has asked the authorities for information on this case and plans to meet the Government as soon as possible to make clear our concern.

EU Committees

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs how many times during the Greek presidency of the EU the Committee on financial and technical co-operation between the Community and Mediterranean non-member countries met; when and where these meetings took place; which UK Government expert was present at each meeting; what *(a)* technical and *(b)* financial issues were raised by the UK Government expert at each meeting; what recommendations the Committee produced during that period; what actions were (i) proposed and (ii) taken by the EU as a result of the Committee's recommendations; and if he will make a statement. [192495]

Mr. MacShane: We are not aware that any such meetings took place during the Greek presidency.

EU Legislation

Mr. David: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of UK legislation emanated from the European Union *(a)* between 1992 and 1997 and *(b)* since 1997. [190051]

Mr. MacShane: Information relating to the total proportion of legislation agreed by the UK and other EU member states in the Council of Ministers, which has effect or is implemented in the UK, is not recorded centrally and could be provided only at disproportionate cost. Departments record individually the primary and secondary legislation introduced to implement EU requirements. Only a small proportion of Foreign and Commonwealth Office legislation is introduced to implement EU requirements.

EU-Israel Association Agreement

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to the answer of 11 October 2004, *Official Report*, column 31W, on the EU-Israel Association Agreement, what the reasons are for his decision. [192282]

Mr. MacShane: The Government believe that, as a friend of Israel and the Palestinians, we can best exert influence and encourage both sides to take the steps needed for progress through close engagement. However, both sides have so far failed to meet their Roadmap obligations. We do not believe that sanctions against one of the Parties, such as suspension of the EU-Israel Association Agreement, would help bring Israel and the Palestinians nearer to a just and lasting negotiated settlement. We do not therefore intend to call for the suspension of the EU-Israel Association Agreement in response to the International Court of Justice ruling of 6 July.

We recognise Israeli security concerns and Israel's right to defend itself, within the law, against terrorists. We consider the building of the barrier on occupied land to be illegal, and continue to call on the Israeli Government to re-route it. On 20 July we, along with the rest of our EU partners, voted in favour of UN General Assembly resolution ES-10/15 on the legal consequences of building the barrier on occupied land.

European Constitution Referendum

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has made for the eventuality of a no vote in the proposed referendum on the European Constitution. [191893]

Mr. MacShane: Her Majesty's Government are confident the British people will approve the new Treaty following a debate in which the facts are made clear and the myths and misconceptions about it are laid to rest. The EU Constitutional Treaty cannot come into force unless it is approved by all member states. If the UK, or any other member state, were unable to ratify the Treaty, member states would need to meet to discuss a way forward.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects to announce the timetable for a referendum on the European Constitution. [191894]

Mr. MacShane: No decision has yet been taken on the detailed timetable for the referendum on the EU Constitutional Treaty. As the hon. Member is aware, it will take place only after Parliament has had the opportunity to examine the Treaty in detail.

Former Soviet Republics

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place with the governments of *(a)* Turkmenistan, *(b)* Tajikistan and *(c)* Uzbekistan on the smuggling of opium across its borders with Afghanistan; and what steps the Government have taken to assist these countries in securing their borders with Afghanistan. [192056]

Mr. Rammell: The UK maintains an ongoing dialogue with Turkmenistan, Tajikistan and Uzbekistan concerning the flow of opiates from Afghanistan.

In addition to bilateral contacts, the UK has supported the Afghan Government in securing agreement to a Good Neighbourly Relations Declaration (GNRD) on counter narcotics through which Afghanistan and her six neighbours have agreed to co-operate and take joint action to stop the flow of opiates from Afghanistan. The UK is also a leading figure in the "Paris Pact" which is a mechanism for co-ordinating activity by all countries affected by drug trafficking from Afghanistan. An HMCE Drug Liaison Officer is based in Tajikistan, with a regional remit, to facilitate improved co-operation on counter narcotics issues.

The UK has an ongoing programme of bilateral and regional assistance for counter narcotics capacity-building with Uzbekistan, Turkmenistan and Tajikistan. Examples of UK assistance include equipment and facilities to secure their borders with Afghanistan, training of law enforcement officials, assistance to develop regional intelligence sharing and co-operation to stop the flow of pre-cursor chemicals into Afghanistan.

Green Ministers

Mr. Horam: To ask the Secretary of State for Foreign and Commonwealth Affairs how many meetings of the

Ministerial Sub-Committee of Green Ministers were attended by the Department's Green Minister in *(a)* 2002–03 and *(b)* 2003–04. [190872]

Mr. Rammell: I am a member of ENV(G). It has been established practice under successive Governments not to disclose information relating to the proceedings of Cabinet Committees. This practice is now formalised by Exemption 2 of Part 2 of the Code of Practice on Access to Government Information.

Guinea-Bissau

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place with the Interim Government in Guinea-Bissau on the security situation. [192042]

Mr. Mullin: We have been working through our partners in the EU and the UN to help secure stability in Guinea-Bissau. The EU normalised relations with the Government of Guinea-Bissau in July in recognition of progress made towards constitutional order. Following the army mutiny of 6 October, the UN took part in mediation talks with the Government of Guinea-Bissau and mutinous soldiers. A Memorandum of Understanding was agreed and Guinea-Bissau is now calm. The EU has subsequently commissioned a report to assess the security situation in Guinea-Bissau.

Information and Communication Specialists

Mr. Jenkins: To ask the Secretary of State for Foreign and Commonwealth Affairs how much the Department spent on outside Information Technology and Communication specialist consultants and engineers in the 2003–04 financial year. [191913]

Mr. Rammell: Expenditure by the Foreign and Commonwealth Office on specialist Information Technology and Communication consultants during the 2003–04 Financial Year breaks down as follows:

Administration costs: £11,501,689

Capitalised costs: £11,609,668 (including £9,096,502 in respect of the Department's PRISM management information system project)

These figures do not take account of consultants engaged by individual Posts overseas and paid for from Posts' delegated budgets. Details of such consultancies are not held centrally and could be obtained only at disproportionate cost.

Iraq

Adam Price: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 1 September 2004, *Official Report*, column 683W, on Iraq, with which British officials Abdel Basit Turki raised aspects of coalition detention practices; and what specific action was taken as a result. [189891]

Mr. MacShane: The former Iraqi Human Rights Minister, Abdul Basit Turki, raised some general concerns about coalition operations in Iraq in his statement to the UN Commission on Human Rights (CHR) on 16 March 2004. When our Permanent Representative to the UN in Geneva met Mr. Turki on 23 March 2004, he did not raise any specific concerns regarding human rights abuses in detention facilities.

Separately, Mr. Turki had told British officials in Baghdad in September 2003 that he was concerned about detention management and conditions. He raised these concerns with the coalition provisional authority and with Ambassador Bremer in December 2003, but we are not aware of the details of these discussions.

On his return to Iraq following the CHR, British officials suggested that Mr. Turki raise his concerns in more detail with US Ambassador Jones (Ambassador Bremer's deputy). A British official was present at this meeting. Mr. Turki's concerns centred on the coalition's failure to control looting after the initial military operation, the negative impact of the US operation in Falluja and allegations of abuse of detainees by US forces. In reply, US officials confirmed that an investigation was underway into allegations of abuse at Abu Ghraib. They asked Mr. Turki to bring any information on abuses to their attention. Mr. Turki was told that the US would not hesitate in bringing those responsible to justice, if allegations of abuse were substantiated.

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his oral answer of 28 January 2004, *Official Report*, column 304, if he will publish the intelligence which has not yet been made public pending the completion of the Iraq Survey Group's work. [192637]

Mr. Straw: My right hon. Friend the Prime Minister's answer on 28 January referred to the material that was being assembled by the Iraq Survey Group. The ISG Report has now been published. It acknowledged the support given to it by the UK Government. These matters have also been examined during the course of the Butler Review and other inquiries. All relevant information has been placed in the public domain insofar as that could be done without prejudicing national security.

Kenneth Bigley

Mr. Paul Marsden: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on whether the Government was involved in Mr. Kenneth Bigley's attempted escape in Iraq. [190799]

Mr. MacShane: We are aware of reports of an attempted escape by Ken Bigley before his brutal murder. We cannot corroborate these reports but can confirm that the Government was not involved. However, as my right hon. Friend the Foreign Secretary has said on several occasions, the Government did consider all possible means to secure the safe release of Mr. Bigley.

Niger

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the implications of violence in the Niger Delta for the security of British nationals working for British oil companies there. [192063]

Mr. Mullin: We have made clear our concern at the security situation in the Niger Delta, and the implications for British citizens in the region, to the Nigerian Federal and State authorities. I authorised a strengthening of Foreign and Commonwealth Office

(FCO) travel advice on 30 September in response to an increase in fighting in Rivers State, to warn against all travel by boat and road to riverine areas of Rivers and Bayelsa States. In addition, the FCO Travel Advice, available on the FCO website: www.fco.gov.uk, warns against non-essential travel to the riverine areas in Delta State.

A ceasefire agreement was signed on 1 October between the Federal Government and the armed gangs involved in the violence in Rivers State. We welcome this and hope it will provide a basis for a sustainable and peaceful solution.

We continue to monitor events closely and are in close touch with British companies operating in the Niger Delta.

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place with the Government of Niger on Islamic militants. [192064]

Mr. Mullin: We have not had discussions with the Government of Niger on Islamic militants. The EU, however, has a regular dialogue with the Government of Niger on a range of issues, including internal developments.

Solomon Islands/Fiji

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the security situation in *(a)* the Solomon Islands and *(b)* Fiji. [192045]

Mr. Rammell: Following the unrest caused by ethnic tension between 1998 and 2003, the Solomon Islands is now a relatively stable and peaceful country. There is still the potential for minor disturbances but most of the weapons used during the unrest have been given up.

Fiji has also been a predominately peaceful and stable country since the elections in 2001.

South Georgia/South Sandwich Islands

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions have taken place with the Governor of the Falkland Islands regarding the administration of South Georgia and the South Sandwich Islands. [192041]

Mr. Rammell: The Governor of the Falkland Islands acts concurrently as Commissioner for South Georgia and the South Sandwich Islands, administering the Territory with his team from Government House, Stanley. The Foreign and Commonwealth Office works closely with Government House on matters relating to the administration of the Territory, and discussions therefore take place on a regular, and ongoing, basis.

Sudan

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place with the Government of Sudan regarding the possibility of regional autonomy for the south of the country. [192052]

Mr. Mullin: The UK is involved, through its observer status, at the Intergovernmental Authority for Development-sponsored peace talks between the Government of Sudan and the Sudan Peoples' Liberation Movement, which began in 2002. The two parties have agreed that the people of South Sudan have the right to control and govern affairs in their region, and to participate equitably in the National Government. They have also agreed a detailed framework for the operation of the Government of southern Sudan, and for state Governments across Sudan. Final outstanding issues are currently being addressed in Karen, Kenya, with a view to concluding a Comprehensive Peace Agreement in the coming months. The Government stands ready to support the two parties in implementing this agreement.

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the UN resolution on possible oil sanctions against Sudan; and whether he expects a timetable to be set for the Sudanese Government to comply with demands outlined in the resolution. [192062]

Mr. Mullin: UN Resolution 1564, which we co-sponsored, introduces the specific threat of oil sanctions against the Government of Sudan if they fail to meet their obligations to resolve the situation in Darfur. The Security Council will determine what action should be taken, on the basis of the UN Secretary General's monthly reports.

Surinam/Guyana

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the border dispute between Surinam and Guyana. [192044]

Mr. Rammell: The Government have remained neutral. We have offered no legal or political support to Guyana. But we have offered to make our public records available to both countries. We have encouraged both sides to seek an amicable solution to the border dispute.

Turkey

Mr. Pope: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will support the according to Turkey of EU applicant status at the next EU summit; and if he will make a statement. [192171]

Mr. MacShane: The UK Government fully supports Turkey's EU candidate status, as agreed at the Helsinki European Council in 1999. Following the recent Commission recommendation that Turkey has fulfilled the Copenhagen political criteria, the UK Government believes that the European Council in December should agree to open accession negotiations without delay.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Turkish government about the local authority in Seljuk taking planning action against the Ephesus Protestant Church there. [192175]

Mr. MacShane: The British Government regularly raises individual cases relating to freedom of religion in dialogue with the Turkish government, most recently in our annual Human Rights Dialogue on 15 July. We support the European Commission's recommendation of 6 October that called on the Turkish government to adopt legislation to address concerns about property rights of non-Muslim religious communities. I have asked officials at the British Embassy in Ankara to look into the case of the Ephesus Protestant Church in Seljuk.

TRADE AND INDUSTRY

Broadband

Janet Anderson: To ask the Secretary of State for Trade and Industry what the level of broadband access is in the Rossendale Valley area covered by Rossendale borough council. [192519]

Mr. Mike O'Brien: We are unable to collect connectivity data at this level of detail.

However, when BT announced the removal of distance restrictions from 6 September 2004, they said that recent "trial data indicates that where the exchange is upgraded for broadband, an average of 99.8 per cent. of lines should be able to get a 512kb/sec ADSL broadband service". This will apply to most exchanges by the end of 2005.

Business Start-ups

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what assessment she has made of the number of days required to start a business in the UK in each year since 1994. [189998]

Nigel Griffiths: I regularly review the length of time it takes to start up a business here and in the EU.

In 1994 it took seven days to incorporate a company. In 2001 it took three days. Today the majority of registrations are completed, electronically within a day.

Figures for each year can be obtained only at disproportionate cost.

Business Volunteers

Mr. Bercow: To ask the Secretary of State for Trade and Industry how many volunteers *(a)* in total and *(b)* from the Buckingham constituency have signed up to the Business Volunteer Mentoring Association in each year since 2002; and how much funding her Department has provided to the Association since 2002. [191056]

Nigel Griffiths: Since 2002 the Business Volunteer Mentoring scheme (BVM) has recruited a total of over 1,200 volunteers of whom approximately 1,000 are currently active, some six or seven mentors have been recruited yearly from the Buckingham constituency of whom seven are currently active. The DTI through the Small Business Service has provided over £4 million since 2002 for the scheme.

Mr. Bercow: To ask the Secretary of State for Trade and Industry how many businesses *(a)* from the Buckingham constituency and *(b)* in total have received inventory support from the Business Volunteer Mentoring Association since 2002. [191062]

Nigel Griffiths: The number of businesses assisted in the Buckingham constituency since 2002 totals approximately 1,000.

In total over 16,000 businesses have received support since the Business Volunteer Mentoring scheme started in 2002.

Chemicals Industry

Sir Nicholas Winterton: To ask the Secretary of State for Trade and Industry (1) what assessment she has made of the implications for the UK chemicals industry of the EU Commission's Draft Regulation on Chemicals Policy; and if she will make a statement; [191561]

(2) what assessment she has made of the effect the EU Commission's Draft Regulation on Chemicals Policy will have on the competitiveness of the UK chemicals industry. [191563]

Jacqui Smith: The Government commissioned a partial regulatory impact assessment earlier this year which estimated the direct costs to UK industry of the proposed Registration, Evaluation and Authorisation of Chemicals (REACH) regulation to be £515 million over the 11 year implementation period. That impact assessment was included in consultations with stakeholders during March-June this year, which invited views on all aspects of REACH, including the impact on competitiveness. Further work is under way to assess the indirect costs to downstream users of chemicals.

Maintaining the competitiveness of the UK chemicals industry is a key Government objective in negotiating REACH. We are therefore continuing to press for further improvements to REACH to achieve its objective of enhancing protection of human health and the environment while also maintaining the competitiveness of the chemicals industry and downstream users.

Sir Nicholas Winterton: To ask the Secretary of State for Trade and Industry what representations she has received about the EU Commission's Draft Regulation on Chemicals Policy. [191562]

Jacqui Smith: The Government have proactively engaged in discussions with all interested stakeholders on the proposed REACH regulation (Registration, Evaluation and Authorisation of Chemicals). This has included seminars, conferences, workshops and meetings between Ministers, officials and various stakeholder groups. A public consultation on the proposed REACH regulation took place in March-June this year, which attracted a large number of responses from manufacturers of chemicals, downstream users, trade associations, retailers, non-government organisations, academia and others. Defra will be publishing a summary of the responses later this year.

Discussions with interested stakeholders will continue throughout the period of negotiations on REACH to ensure that the Government are kept well informed about their views, and we remain open to considering proposals for amendments to improve the regulation.

Civil Partnerships

Mr. Chope: To ask the Secretary of State for Trade and Industry if she will place in the Library the response by the Deputy Minister for Women and Equality to the report by the Joint Committee on Human Rights referred to on 12 October 2004, *Official Report*, column 179. [192261]

Ms Hewitt *[holding answer 18 October 2004]:* I have now placed a copy of the letter in the Libraries of the House.

Civil Servants (Yorkshire)

Hugh Bayley: To ask the Secretary of State for Trade and Industry how many full-time equivalent jobs *(a)* her Department and *(b)* its executive agencies had in (i) Yorkshire and the Humber and (ii) the City of York in (A) 1997 and (B) the latest year for which figures are available. [191843]

Jacqui Smith: The full-time equivalent staff in post in the DTI and its executive agencies is set out in the table.

The earliest figures readily available from the DTI HR database are as at 1 June 1998; retrieving 1997 data would involve disproportionate cost.

	1 June 1998		*15 October 2004*	
Organisation	*Yorkshire and Humberside*	*City of York*	*Yorkshire and Humberside*	*City of York*
DTI[1]	74.54	0	2.00	0
Employment Tribunals Service	64.55	0	68.55	0
The Insolvency Service	92.68	0	117.34	0
Small Business Service (SBS)	0	0	110.48	0
Radiocommunications Agency (RA)[2]	11.59	0	0	0
Total	243.36	0	298.37	0

[1] Change in DTI figures reflect the establishment of the SBS on 1 April 2000.

[2] The change in RA figures reflect the establishment of Ofcom on 29 December 2003.

Consultants

Mr. Maples: To ask the Secretary of State for Trade and Industry if she will list the contracts awarded by her Department to consultants in each of the last five years, stating in each case *(a)* the name of the consulting company, *(b)* the value of the contract and *(c)* the purpose for which the contract was awarded; and if she will make a statement. [191725]

Nigel Griffiths: This information is not held centrally and can be provided only at disproportionate cost.

Earnings (Yorkshire)

Hugh Bayley: To ask the Secretary of State for Trade and Industry what average gross *(a)* male and *(b)* female average earnings were (i) in May 1997 and (ii) at the most recent date available in (A) City of York local authority and (B) Yorkshire and the Humber. [191339]

Jacqui Smith: Data from the New Earnings Survey are annualised, with no data available for individual months; 2003 is the latest data available. 1997 and 2003 figures for median gross weekly earnings (£) are as follows:

	Median gross weekly earnings (£)
City of York	
1997	
Male	
All	351.7
Full-time	373.1
Part-time	[1]—
Female	
All	171.5
Full-time	240.0
Part-time	93.2
2003	
Male	
All	447.6
Full-time	475.1
Part-time	117.0
Female	
All	230.8
Full-time	329.0
Part-time	126.7
Yorkshire and the Humber	
1997	
Male	
All	310.0
Full-time	322.6
Part-time	85.1
Female	
All	168.4
Full-time	233.0
Part-time	89.9
2003	
Male	
All	385.6
Full-time	400.9
Part-time	117.0
Female	
All	226.9
Full-time	313.3
Part-time	123.1

[1] Data unreliable so not given.

Source:

New Earning Survey, ONS—based on average gross weekly earnings for adult employees whose pay for the survey period was not effected by absence.

Electricity Generation

Mr. Wiggin: To ask the Secretary of State for Trade and Industry what structures exists within the Elan Valley that could be adapted for hydroelectric generation and storage. [188942]

Mr. Mike O'Brien: If by structures the hon. Member means dams, then all those within Elan Valley are now equipped for hydroelectric generation. There are plans to replace some of the older machinery, which will also improve the generation capability.

Within Elan Valley itself, 3.12 MW can be generated at present. Two new dams could be included in the valley but there are no plans to build these at the moment.

Employment (York)

Hugh Bayley: To ask the Secretary of State for Trade and Industry how many *(a)* full-time and *(b)* part-time workers there were in the City of York (i) in 1997 and (ii) at the latest date for which figures are available. [191172]

Jacqui Smith: The information is as follows:

(a) (i) Full-time workers in York in 1997—57,000 (73.7 per cent. of all in employment aged 16 +).

(ii) Full-time workers in York in the latest data available (four quarter average September 2003 to August 2004)—60,000 (67.1 per cent. of all in employment aged 16 +).

(b)(i) Part-time workers in York in 1997—20,000 (26.3 per cent. of all in employment aged 16 +).

(ii) Part-time workers in York in the latest data available (four quarter average September 2003 to August 2004)—30,000 (32.9 per cent. of all in employment aged 16 +).

Source:

Labour Force Survey—taken from Nomis Website at http://www.nomisweb.co.uk

Entrepreneurship

Chris Ruane: To ask the Secretary of State for Trade and Industry what measures are being taken to encourage better partnership between the public, private and voluntary sectors in relation to promoting entrepreneurship. [190830]

Nigel Griffiths: DTI provides support for a number of initiatives that encourage people and organisations from the public, private and voluntary sectors to work together. In particular, Enterprise Week, running from 15 to 21 November, is part of a national campaign to inspire and mobilise young people to be enterprising and catalyse a culture of enterprise in the UK. Public, private and voluntary sector organisations are all providing or contributing to Enterprise Week events, and all are being encouraged to remain involved after Enterprise Week.

In addition, many DTI sponsored schemes make use of private sector resources. For example, the Business Volunteer mentor (BVM) Scheme run by the National Federation of Enterprise Agencies provides mentoring support for new businesses from a team of mentors from the private sector. Young Enterprise—an organisation which gives young people personal experience of business and which receives financial support from DTI, has sponsorship and supporters from the public and private sectors.

The Small Business Service is developing a strategy to encourage more engagement between social enterprise and private sector companies. It has commissioned research on the outcomes of existing partnerships and aims to develop new practical guidance on commercial collaboration.

Chris Ruane: To ask the Secretary of State for Trade and Industry what action her Department has taken to promote entrepreneurship in the community. [190838]

Nigel Griffiths: In January 2004, the Small Business Service published a cross department Government action plan for small business, setting out actions to support small businesses and promote enterprise awareness and entrepreneurial activity across all sectors of the community. The action plan includes specific actions to build an enterprise culture, encourage a dynamic start up market, build capacity for small business growth, and to encourage more enterprise in disadvantaged communities and under represented groups.

Specific actions to promote entrepreneurship across all sectors of the community include: continued funding for the Phoenix Fund, which promotes enterprise in disadvantaged communities, focusing on innovative business support and providing access to finance; a strategy for promoting women's enterprise; and a number of measures to encourage entrepreneurship within ethnic minority communities.

Chris Ruane: To ask the Secretary of State for Trade and Industry what action her Department has taken to highlight and showcase successful new business. [190840]

Nigel Griffiths: The DTI supports a number of initiatives and awards that showcase successful new businesses and entrepreneurs. For example it provides support for the Business Volunteer mentor (BVM) Scheme run by the National Federation of Enterprise Agencies (NFEA), which provides mentoring support for new businesses, and showcases successful business people on the NFEA and BVM websites.

DTI also supports Enterprise Insight, which is co-ordinating the "Make Your Mark" Enterprise Week. This will include events featuring young entrepreneurs including the final of the Enterprising Young Brits competition.

The Department also supports a number of awards for entrepreneurs such as Shell LiveWIRE, Everywoman Awards, the Black Enterprise Awards, the Pearl Awards, and the Asian Jewel Awards.

EU Committees

Angus Robertson: To ask the Secretary of State for Trade and Industry how many times during the Greek Presidency of the EU the Co-ordinating Group for the community regime for the control of exports of dual-use goods met; when and where these meetings took place; what UK Government expert was present; and if she will make a statement. [191603]

Nigel Griffiths: The Coordinating Group, met twice in Brussels during the Greek Presidency, on 4 February 2003 and 31 March 2003. A DTI representative was present at both meetings.

Foreign Investment (Yorkshire)

Hugh Bayley: To ask the Secretary of State for Trade and Industry how much foreign investment was received in *(a)* Yorkshire and the Humber and *(b)* the City of York in each year since 1997; and what estimate she has made of the number of jobs generated from it. [191169]

Jacqui Smith: The information requested is as follows:

	New jobs	Investment
1997		
Yorkshire and the Humber	987	Not recorded
York	310	Not recorded
1998		
Yorkshire and the Humber	3,590	Not recorded
York	75	Not recorded
1999		
Yorkshire and the Humber	3,926	Not recorded
York	100	Not recorded
2000		
Yorkshire and the Humber	1,889	Not recorded
York	335	Not recorded
2001		
Yorkshire and the Humber	2,210	Not recorded
York	110	Not recorded
2002		
Yorkshire and the Humber	712	Not recorded
York	4	Not recorded
2003		
Yorkshire and the Humber	638	£10 million
York	50	Not recorded
2004 (To date)		
Yorkshire and the Humber	918	£60.58 million recorded
York	6	Not recorded

Note:
Investment values were only captured from April 2004 and are incomplete. Job figures exclude safeguarded jobs.

Fuel Poverty

Chris Ruane: To ask the Secretary of State for Trade and Industry how many people in the UK have suffered fuel poverty in each of the last 20 years; and what assessment the Department has made of the impact of the recent increase in energy prices on people living in fuel poverty. [190846]

Mr. Lazarowicz: To ask the Secretary of State for Trade and Industry what estimate she has made of the impact of recent price increases in domestic gas and electricity upon the incidence of fuel poverty. [R][190987]

Mr. Mike O'Brien: The data are not available for all the years requested.

In 1996, 4 million households were estimated as "vulnerable fuel poor". In 2002 this had fallen to an estimated 1.75 million households.

Work is under way on estimating the possible impact of rising fuel prices on the number of households in fuel poverty.

Green Ministers

Mr. Horam: To ask the Secretary of State for Trade and Industry how many meetings of the Ministerial Sub-Committee of Green Ministers were attended by the Department's Green Minister in *(a)* 2002–03 and *(b)* 2003–04. [190851]

Mr. Mike O'Brien: It has been established practice under successive Governments not to disclose information relating to the proceedings of Cabinet Committees. Exemption 2 Internal Advice and Discussion of Part II of the Code of Practice on Access to Government Information.

Inward Investment

Mr. Rendel: To ask the Secretary of State for Trade and Industry how much inward investment into the UK there was from European Union member states in real terms in each year since 2001 *(a)* in total and *(b)* broken down by English region. [192267]

Mr. Alexander *[holding answer 18 October 2004]:* The total amounts of stock for inward investment into the UK from the European Union member states for 2001 and 2002 are given as follows. Figures for 2003 are not published by Office of National Statistics Monitor Annual number 4 until December 2004.

£ billion

	2001	2002
Austria	0.4	1.0
Belgium and Luxembourg (Blue)	4.5	6.7
Belgium	2.2	1.8
Luxembourg	2.3	4.9
Denmark	4.0	3.4
Finland	1.1	1.6
France	35.2	37.2
Germany	29.7	37.9
Greece	0.1	0.1
Irish Republic	4.2	4.5
Italy	6.5	5.8
Netherlands	60.9	60.6
Portugal	0.1	0.1
Spain	0.6	2.3
Sweden	3.6	3.7
Total	151.0	164.5

Unfortunately, stock figures are not available broken down by English region However, I can provide you with the figures of inward investment projects by English regions as announced by UKTI annually.

	Number of projects		
	2001–2002	2002–2003	2003–04
East	54	42	56
East Midlands	17	32	30
London	176	155	170
North East	56	62	61
North West	33	59	63
South East	126	118	134
South West	30	33	39
West Midlands	98	52	61
Yorkshire and Humberside	40	35	25
Total	630	588	639

The numbers are based on information provided by companies at the time of the announcement of the decision to invest in the UK. The figures take no account of subsequent developments. There is no requirement to notify UKTI and so the figures include only those projects where UKTI's Inward Investment Group and its regional partners were involved or which have come to their notice.

Mortgage Provision (Health Checks)

Dr. Palmer: To ask the Secretary of State for Trade and Industry what action she will take to discourage discriminatory health check requirements by mortgage providers on same-sex couples. [190208]

Jacqui Smith: The Government are aware of concerns about current imbalances in provisions for the different groups protected by discrimination legislation. Some of these imbalances affect lesbians, gay men and bisexual people adversely. One of the first tasks of the proposed Commission for Equality and Human Rights will be to review the legislative framework to ensure that it meets the needs of a modern Britain.

The Government are committed to improving equality and human rights for all in our society. The Civil Partnership Bill that allows same-sex couples to gain formal legal recognition of their relationship is one such important step forward.

National Business Debtline

Mr. Bercow: To ask the Secretary of State for Trade and Industry how many calls the National Business Debtline has received *(a)* in total and *(b)* from businesses based in Buckinghamshire in each year since April 2002; and what the cost of the debtline was in each year. [191061]

Nigel Griffiths: The National Business Debtline received 6,170 telephone inquiries in the period from April 2002 to March 2003 and 8,340 calls in the period from April 2003 to March 2004.

77 calls were received from businesses in Buckinghamshire from 1 January 2003 to 30 September 2004. Information on calls received before this date is not available.

The Debtline has received a total of £387,500 in funding over the financial years April 2002 to March 2003 and April 2003 to March 2004. A breakdown of funding is set out in the following table.

£

Financial Year	*Banks*	*DTI/SBS*	*Total*
April 2002 to March 2003	102,000	80,000	182,000
April 2003 to March 2004	125,500	80,000	205,500

PIN Pads (Post Offices)

Sandra Gidley: To ask the Secretary of State for Trade and Industry (1) what costs have been associated with *(a)* replacing and *(b)* adapting the original PIN pads installed in post offices; [192813]

(2) what the initial cost was of installing PIN pads in post offices. [192812]

Mr. Sutcliffe: This is a commercial matter for Post Office Ltd.

R and D Clusters

Chris Ruane: To ask the Secretary of State for Trade and Industry what measures her Department has taken to develop research and development clusters into world class industries. [190833]

Mr. Mike O'Brien: This Government have demonstrated their commitment to translating the fruits of the UK's R&D into world-class business successes by:

significantly increasing investment in science and knowledge transfer. This funding will improve the sustainability of the science research effort; increase the volume of research universities are able to undertake and stimulate the commercialisation of science research;

encouraging links between the science base and industry;

introducing R&D tax credits to encourage businesses to invest in innovation;

introducing a National Technology Strategy to focus support on innovation. The strategy will be underpinned by £150 million—including £90 million allocated for nanotechnology; and

launching two new business support products, Collaborative R&D and Knowledge Transfer Networks, to assist businesses both within and between industry sectors.

The Regional Development Agencies, in England, and the devolved Administrations play a pivotal role in helping clusters to flourish. To assist them, DTI published, alongside the Innovation Report, a practitioners guide to cluster development in April 2004. This guide brings together the critical success factors to help clusters to flourish.

Regional Government

Mr. Wilshire: To ask the Secretary of State for Trade and Industry how regional development agencies will be accountable to elected regional assemblies in England. [192296]

Jacqui Smith *[holding answer 18 October 2004]:* In regions with an elected regional assembly, the regional development agency (RDA) would become directly accountable to the relevant elected regional assembly. In practical terms this would mean that:

An RDA would become a functional body of the assembly, rather than being sponsored by central Government. The agency would retain its day-to-day operational independence and its board would continue to be directly responsible for ensuring that it fulfils its statutory role and delivers on its corporate plan.

The RDA would continue to be responsible for developing the regional economic strategy which would then be published by the assembly subject to any modifications its directs the RDA to make.

The elected assembly would appoint the chair and board members of its RDA.

The assembly would set its RDA's budget and provide funding for its RDA.

It would be up to each assembly to decide the precise arrangements it puts in place for its working relationship with its RDA.

This was set out in the Government's White Paper "Your Region, Your Choice" (Cm 5511).

SMEs

Chris Ruane: To ask the Secretary of State for Trade and Industry what measures are being taken to improve the competitiveness of small and medium-sized enterprises. [190831]

Nigel Griffiths: The Government have put in place a wide range of measures to improve the competitiveness of small and medium-sized enterprises. These include:

High quality advice and support available to start up and growth businesses from Business Links, and the business support organizations in the devolved Administrations. Since 2001–02 Business Link market penetration has increased from 18 per cent. to 33 per cent., and customer satisfaction from 81 per cent. to 89 per cent.

A tailored range of business support products available from the DTI aimed at improving competitiveness by encouraging innovation, enterprise, best practice and investment. They include the Grant for R&D, Support to implement best practice, and the Small Firms Loan Guarantee.

The launch of the www.businesslink.gov.uk web portal in May. The site joins up national e-government services for the UK's small and medium-sized businesses, providing easy access to government regulatory and business support information, and to skills and training support. Usage of the site has exceeded targets since its launch. It is currently handling more than 400,000 user sessions each month.

UK Trade and Investment advises businesses, particularly small and medium-sized businesses about the best ways of internationalizing their activities to enable them to compete in overseas markets. The Passport programme, for example, available through Business Link provides developmental support and training for novice exporters.

Further measures to support encourage enterprise, support small businesses and to improve their competitiveness are set out in the Government Action Plan for Small Business published on 8 January 2004, and in the various economic development strategies of the devolved Administrations.

Small businesses are thriving under this Government. Since the start of 2002, the number of SMEs has increased by 200,000 to four million; around 500 new businesses are being created every day; the number of small businesses in the UK is showing the fastest rate of growth since 1995; and for three successive years now, small firms productivity growth has exceeded all firms growth.

Chris Ruane: To ask the Secretary of State for Trade and Industry what measures her Department has taken to increase the capacity of small and medium sized enterprises to tender for Government contracts. [190836]

Nigel Griffiths: The Small Business Service, an executive agency of DTI, together with the Office of Government Commerce launched a national web portal, <http://www.supplyinggovernment.gov.uk> last year. The site provides advice and guidance for SME suppliers. A major enhancement, expected by summer 2005, will provide the ability to browse for contract opportunities and for suppliers to lodge standard information needed for pre-qualification. SBS and OGC have also run two training pilots for SMEs in the West Midlands and Haringey aimed at improving their success in tendering for contracts.

In addition, we abolished the requirement to provide three years accounts when tendering for Government contracts.

Social Economy

Chris Ruane: To ask the Secretary of State for Trade and Industry what action her Department has taken to promote the social economy. [190841]

Nigel Griffiths: The term social economy is generally accepted as including co-operatives, social enterprises, and the voluntary and community sector. DTI leads within Government on social enterprise (HM Treasury leads on co-operatives and the Home Office leads on the voluntary and community sector). In July 2002, the Government published "Social Enterprise: a strategy for success", a three year strategy to promote and sustain social enterprise activity. "A progress report on Social enterprise: a strategy for success" was published in October 2003. Bulletins setting out more recent progress are available on the DTI website at www.dti.gov.uk/socialenterprise/news.

Achievements to date include: introducing legislation on a new legal form, the Community Interest Company, for social enterprises; publishing a public procurement toolkit for social enterprises; supporting the development of specialist training and business support; publication of a report by the Bank of England on the financing of social enterprises, and working with partners to address its recommendations; supporting the establishment of the Social Enterprise Coalition; undertaking research into the size of the sector; and raising awareness of social enterprise, including through sponsoring the national social enterprise awards.

University Spin-out Companies

Mr. Bercow: To ask the Secretary of State for Trade and Industry how many companies were spun out by universities in *(a)* Buckinghamshire and *(b)* England in each year since August 2000. [191060]

Nigel Griffiths: UK Government have provided significant support to promote commercialisation of ideas from our excellent research base. This is bearing fruit in start-up companies, licensing agreements and other important interactions between the science base and business. The latest data for spin-out companies are:

2000–01: 374

2001–02: 428

Information on funding in Buckinghamshire is not available, as these data are not collected on a county basis.

Yorkshire Forward

Hugh Bayley: To ask the Secretary of State for Trade and Industry how much investment Yorkshire Forward has received; and how many jobs it has created in *(a)* Yorkshire and the Humber and *(b)* the City of York. [191168]

Jacqui Smith: I have been advised by Yorkshire Forward that in 2003–04 Yorkshire Forward has:

created and safeguarded 16,500 jobs;

encouraged the start up of 730 businesses;

attracted £275.8 million private sector finance;

supported 47,000 learning opportunities.

CONSTITUTIONAL AFFAIRS

Antisocial Behaviour Orders

Mr. Lepper: To ask the Parliamentary Secretary, Department for Constitutional Affairs (1) what training is provided for magistrates in dealing with breaches of antisocial behaviour orders; [192386]

(2) what guidelines are issued to magistrates in relation to dealing with breaches of antisocial behaviour orders. [192388]

Mr. Leslie: Statutory responsibility for the training of magistrates currently rests with the 42 independent Magistrates' Courts' Committees (MCCs). The Judicial Studies Board (JSB) has provided training materials to MCCs on ASBOs, which encourage through case studies, discussion of the issues arising in sentencing on the breach of orders, including those in the Youth court.

In February 2004, the JSB advised MCCs that it expected every magistrate to receive a minimum of two hours face to face training on ASBOs by the end of this financial year. It is anticipated that any such training will cover issues on breaches of orders.

The Home Office issued detailed guidance on ASBOs to magistrates courts in November 2002. Preliminary Home Office guidance on the new Anti-social Behaviour Act 2003 was issued to all magistrates courts in January 2004.

The current Magistrates Court Sentencing Guidelines include a guideline in respect of breach of antisocial behaviour orders (ASBO). All magistrates have been provided with these guidelines in the Adult Court Bench Book issued by The Judicial Studies Board (JSB) in 2003. The Criminal Justice Act 2003 has now established the Sentencing Guidelines Council, and it will fall to them to determine in due course, whether new sentencing guidelines should be provided in respect of breaches of ASBOs.

In court lay magistrates sit with their Justices' Clerk or a legal adviser. The Justices' Clerk has a statutory duty to provide advice to the magistrates on questions of law, practice and procedure. This will include advice on applying any case law and relevant Court of Appeal judgments when making decisions on sentence.

Channel Islands

Andrew Rosindell: To ask the Parliamentary Secretary, Department for Constitutional Affairs what discussions the Lord Chancellor has had with the Channel Islands in his official capacity in the last 12 months. [192700]

Mr. Lammy: In the last twelve months the Lord Chancellor has held discussions with representatives of Jersey and Guernsey, jointly, on 3 March.

The Lord Chancellor made an official visit to Jersey on the 9 and 10 May. During his visit he held discussions with Jersey's Crown Officers including His Excellency the Lieutenant Governor, the Bailiff and the Attorney General. He also held discussions with the President of the Policy and Resources Committee, the Chief Executive of Policy and Resources and the Director-General of the Jersey Financial Services Commission. Among the topics discussed were relations between Jersey and the UK, progress in changes to Jersey's system of government, international treaties and agreements, maintaining the high standard of financial services regulation, international communications and other shared economic and policy objectives.

District Judges' Salaries

Mr. Rosindell: To ask the Parliamentary Secretary, Department for Constitutional Affairs what the total expenditure was on District Judges' salaries and expenses in each of the last 10 years. [192687]

Mr. Leslie: From the information available to my Department, the total expenditure on District Judges' salaries in the last six years is:

	£
1998–99	46,626,845.00
1999–2000	53,747,583.00
2000–01	60,841,891.00
2001–02	66,009,217.00
2002–03	72,311,129.00
2003–04	88,286,003.00

Note:

Actual expenditure prior to 1998–99 is not available.

My Department possess only a single figure on judicial expenses which includes all the judiciary and therefore it has not been possible to provide information separately on District Judges' expenses.

European Convention on Human Rights

Hugh Bayley: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many human rights cases have been pursued in UK courts since the European Convention on Human Rights was incorporated into UK law. [192407]

Mr. Lammy: The information requested is not collected centrally and could be provided only at disproportionate cost.

Isle of Man

Mr. Rosindell: To ask the Parliamentary Secretary, Department for Constitutional Affairs what discussions the Lord Chancellor has had with the Isle of Man in his official capacity in the last 12 months. [192650]

Mr. Lammy: The Lord Chancellor has held discussions with representatives of the Isle of Man on three occasions in the last twelve months. Discussions on 4 December, 10 December and 3 March covered a range of business and policy topics including trade, international treaties and agreements, fiscal regulation and other shared economic and policy objectives. The Lord Chancellor and Chief Minister also spoke at the British Irish Summit in Cardiff on 28 November 2003.

Lay Magistrates

Mr. Llwyd: how many sitting lay magistrates there were in *(a)* 1997 and *(b)* 2003. [192199]

Mr. Leslie: The number of sitting lay magistrates in 1997 and 2003 in England and Wales were:

Year end[1]	[2]England and Wales
31 December 1997	30,361
31 March 2003	28,344

[1] Figures include the Duchy of Lancaster.

[2] Note: record-keeping changed to financial years in 2000–01.

Lord Chancellor

Mr. Rosindell: To ask the Parliamentary Secretary, Department for Constitutional Affairs what Government policy is on the position of Lord Chancellor; and what the timetable is for proposals for change. [192696]

Mr. Leslie: The Constitutional Reform Bill is being considered in the Other Place and will then be brought to this House. We will proceed with implementation once Royal Assent has been received.

Lord Chancellor (Consultations)

Mr. Rosindell: To ask the Parliamentary Secretary, Department for Constitutional Affairs (1) what consultations the Secretary of State has had with the Secretary of State for the Home Department in each of the past 12 months; [192655]

(2) what discussions he has had with the Secretary of State for the Home Department with regard to effective sentencing procedures for youth courts. [192695]

Mr. Leslie: I have meetings and discussions with a wide range of organisations and individuals. As with previous Administrations it is not the Government's practice to provide details of all such meetings under Exemption 2 of the Code of Practice on Access to Government Information (internal advice and discussion) on the grounds that it would harm the frankness and candour of internal discussion.

Magistrates (Expenses)

Mr. Rosindell: To ask the Parliamentary Secretary, Department for Constitutional Affairs what the total amount paid in expenses to magistrates was in each of the last 10 years. [192688]

Mr. Leslie: From the information available to my Department, the total amount paid in expenses to magistrates in the last seven years is:

	£
1996–97	11,764,279
1997–98	12,412,420
1998–99	12,451,135
1999–2000	12,459,786
2000–01	13,052,640
2001–02	14,125,733
2002–03	13,874,885
2003–04	[1]15,104,885
Total	119,364,465

[1] Estimated outturn.

Note:

Information for years prior to 1996–97 is not available.

Magistrates Court Closures

Mr. Llwyd: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many appeals against closures of magistrates courts were lodged in each of the last five years; how many of those were successful; and what percentage this was of appeals in each year. [192220]

Mr. Leslie: I refer the hon. Member to the answer I gave on 31 March 2004, *Official Report*, column 1419W. Since I gave that answer, I have dismissed one further appeal against the closure of Stourbridge Magistrates Court.

The provision of magistrates courthouses is a matter for the 42 Magistrates Courts Committees (MCCs) and as such my Department does not collect, centrally, information on all determinations from each of the MCCs. Therefore, the exact percentage of appeals in each year cannot be accurately calculated.

Ministerial Expenses

Mr. Prisk: To ask the Parliamentary Secretary, Department for Constitutional Affairs how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [191394]

Mr. Lammy: Between 1997 and 2004, my Department has had no residential properties used by Ministers or officials.

Mobile Phones

Mr. Prisk: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many mobile phones were used by *(a)* Ministers and special advisers and *(b)* officials in his Department in each year since 1997; how many were (i) lost and (ii) stolen; and what their cost was. [191435]

Mr. Lammy: My Department has provided the following number of mobile phones to *(a)* Ministers and special advisers and *(b)* officials in the Department since 1997:

	(a) Ministers and special advisers	*(b) Officials*
1997–98	n/a	n/a
1998–99	n/a	n/a
1999–2000	n/a	n/a
2000–01	n/a	n/a
2001–02	9	139
2002–03	9	154
2003–04	10	173
2004 to September 2005	10	192

Notes:

1. Figures from 1997 to March 2001 cannot be obtained without incurring disproportionate costs.
2. During the period 2001 to 2004, four phones have been reported lost and one phone reported stolen. The only cost to the Department has been for the replacement handsets and this equates to £250.00 in total.

Ministerial Visits

Mr. Rosindell: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many official visits he has made to magistrates courts in the last 12 months. [192694]

Mr. Leslie: I visited eight magistrates courts in the last 12 months. They were Leicester, Liverpool, Manchester, Sheffield, Salford, Birmingham, Camberwell and Horseferry Road.

Queen's Counsel

Mr. Rosindell: To ask the Parliamentary Secretary, Department for Constitutional Affairs what plans he has for the retention of the Queen's Counsel distinction for barristers. [192697]

Mr. Leslie: My written Parliamentary Statement of 26 May 2004 sets out our policy for the reform of the rank of Queen's Counsel. The legal professional bodies, with the help of my Department, are at present designing the interim scheme.

Theft and Fraud

Mr. Prisk: To ask the Parliamentary Secretary, Department for Constitutional Affairs what his estimate is of the cost of theft and fraud to *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in each year since 1997. [191419]

Mr. Lammy: It is not possible to distinguish between the Department and its agencies. Available figures for the cost of theft and fraud since 1997 are:

£

	Department and agencies	*NDPBs*
1997–98	21,721.52	—
1998–99	79,923.02	—
1999–2000	21,558.40	—
2000–01	8,338.16	—
2001–02	48,801.47	13,137
2002–03	158,388.00	31,911
2003–04	14,048.25	—

Figures for the current financial year are not yet available. These figures do not include those for the Legal Service Commission who will be answering separately.

DEPUTY PRIME MINISTER

Disabled Facilities Grant

7. **David Taylor:** To ask the Deputy Prime Minister what progress has been made towards abolishing the system of means testing applicants for the disabled facilities grant in England. [192482]

Mr. Raynsford: In response to a Parliamentary Question in another place on 5 January 2004, my right hon. Friend Lord Rooker announced a review of the disabled facilities grant programme.

This review is now under way. Its terms of reference are to review the operation and outcomes of the disabled facilities grant programme and to make proposals to improve its efficiency and fairness. This will include a review of the DFG means test.

The review group will report to Ministers in May 2005.

Single Regeneration Budget

8. **Mr. Andrew Turner:** To ask the Deputy Prime Minister what arrangements are in place for *(a)* meeting and *(b)* monitoring the running costs of capital projects paid for by the single regeneration budget since 1997. [192483]

Phil Hope: During the lifetime of all single regeneration budget schemes, funding costs, including the running costs relating to delivery of specific capital projects, are met and monitored by the relevant SRB partnership. Partnerships are encouraged to secure the regeneration benefits achieved through SRB support by building into their forward (or exit) strategy the means to sustain the scheme's objectives after funding has completed.

Telecommunications Masts

9. **Dr. Cable:** To ask the Deputy Prime Minister if he will issue fresh planning guidance to local authorities in respect of telecommunications masts to be sited close to schools. [192484]

Keith Hill: Current planning guidance on telecommunications is set out in the revised Planning Policy Guidance Note 8: Telecommunications. The Government have no plans to revise PPG8 at the current time.

Council Tax

10. **Sir Nicholas Winterton:** To ask the Deputy Prime Minister if he will make a statement on the future of council tax. [192485]

Mr. Raynsford: The Office of the Deputy Prime Minister has accepted the Balance of Funding Review's conclusion that council tax should be retained but reformed. We now look to Sir Michael Lyons' Independent Inquiry to make recommendations on any changes that are necessary and how to implement them.

Mr. Rosindell: To ask the Deputy Prime Minister (1) what the rates of council tax were for each band in each London borough in each year since 1990; [191251]

(2) by how much the level of council tax charged by each London borough changed in each of the last three years. [191476]

Mr. Raynsford: Figures for council tax rates in each Band in each London borough since its introduction on 1 April 1993, and for changes in the level of council tax charged by each London borough in each of the last three financial years, are available in the Library of the House.

Housing Development Trusts

11. **Dr. Whitehead:** To ask the Deputy Prime Minister what plans he has to support housing development trusts. [192486]

Keith Hill: The Office of the Deputy Prime Minister has no specific plans to support housing development trusts.

However, as announced by my right hon. Friend the Deputy Prime Minister on 26 September, the Office of the Deputy Prime Minister is developing an initiative to help more first time buyers onto the first rung of an affordable housing ladder. The aim is to achieve better value for money and more housing options by making smarter use of public sector-owned land and by driving down construction costs. Further information will be set out in the Office of the Deputy Prime Minister's strategic plan to be published later this year.

Devolution

12. **Mr. Lazarowicz:** To ask the Deputy Prime Minister what steps he is taking to link the work of the core cities working group with the Government's wider devolution agenda. [192487]

Mr. Raynsford: The final report of the Core Cities Working Group, "Our Cities Are Back," will be launched next month. It will highlight the key role major cities can play in creating prosperous regions in all parts of the UK, and contain an action plan to enhance their links with regional partners and strengthen their contribution to regional economic performance.

Housing

13. **Mr. Blizzard:** To ask the Deputy Prime Minister if he will provide capital funding for council housing where tenants indicate that they wish to remain under direct local authority management. [192488]

Keith Hill: The housing finance system already provides some capital funding for authorities through the Major Repairs Allowance and mainstream capital allocations. Authorities requiring additional funds to deliver decent homes have three options for doing so. There is no fourth option that delivers additional resources.

Sustainable Communities

14. **Lynne Jones:** To ask the Deputy Prime Minister what definition he uses of a sustainable community. [192489]

Phil Hope: The Office of the Deputy Prime Minister does not have a standard definition—communities are diverse, and we do not want to be prescriptive. But for a community to be sustainable, it must be a place where people will want to live and work, now and in the future.

Regional Assemblies

15. **Miss McIntosh:** To ask the Deputy Prime Minister if he will make a statement on his plans for scrutiny by his Department of proposals from regional assemblies. [192490]

Mr. Raynsford: Elected assemblies will be democratically accountable to their voters, not to central Government.

The Office of the Deputy Prime Minister will of course work closely with them and consider carefully any proposals they make to us.

Canvey Island (Development)

Bob Spink: To ask the Deputy Prime Minister what assessment he has made of the decisions of *(a)* the East of England Development Agency and *(b)* the Thames Gateway, in respect of further industrial and residential development on Canvey Island. [192348]

Keith Hill: There remain on-going discussions between the East of England Development Agency, Castle Point borough council, the Thames Gateway South Essex Partnership and the Office of the Deputy Prime Minister on the regeneration and growth potential of Canvey Island in the context of the Thames Gateway programme. No decisions have yet been made in this regard.

Firefighters (Diabetes)

Mr. Sanders: To ask the Deputy Prime Minister what measures have been put in place by the Fire Service to medically assess people with diabetes individually who apply to become firefighters. [R] [190562]

Mr. Raynsford: To assist the fire and rescue service in meeting its new statutory responsibilities under the Disability Discrimination (Amendment) Act (2003), the Office of the Deputy Prime Minister has produced and issued an advisory document, "Medical and Occupational Evidence for Recruitment and Retention in the Fire and Rescue Service". The document incorporates current available evidence on a number of the most prevalent medical conditions, including diabetes, which may previously have precluded applicants from joining the fire and rescue service. The document is designed to help fire and rescue service medical advisers and managers to assess each individual and reach informed, evidence-based judgments about the person's ability to perform the firefighter role, taking into account any reasonable adjustment that may be necessary.

Fire and rescue service managers have also been reminded that it is unlawful to exclude an individual from employment purely on the basis of a medical condition or disability, whether or not this would previously have caused their rejection at the point of entry or their medical discharge from the service.

Government Office for London

Mrs. Spelman: To ask the Deputy Prime Minister whether the Government Office for London is accountable to *(a)* the London Assembly and *(b)* the London Mayor. [190617]

Phil Hope: No. The Government Office for London (GOL) is part of central Government. GOL works closely with the Greater London Authority, its functional bodies and many other partners in the capital.

Green Ministers

Mr. Horam: To ask the Deputy Prime Minister how many meetings of the Ministerial Sub-Committee of Green Ministers were attended by the Department's Green Minister in *(a)* 2002–03 and *(b)* 2003–04. [190870]

Phil Hope: I am the Office of the Deputy Prime Minister's Green Minister and am a member of the Sub-Committee of Green Ministers, ENV(G). It has been established practice under successive Governments not to disclose information relating to the proceedings of

Cabinet Committees. This practice is now formalised by Exemption 2 of Part II of the Code of Practice on Access to Government Information.

Gypsy/Traveller Sites

Mr. Luff: To ask the Deputy Prime Minister what evidential basis there is for a national need for gypsy sites; and what plans the Government have to produce national data on the need for gypsy site provision. [193113]

Keith Hill: The need for additional gypsy and traveller sites was quantified in the 2003 Office of the Deputy Prime Minister's report, "Local Authority Gypsy/Traveller Sites in England". The bi-annual count of gypsy and traveller caravans will continue to provide valuable information on the level of unauthorised camping in England. In keeping with mainstream housing, the primary responsibility for assessing gypsy and traveller accommodation needs rests with local authorities.

Mr. Luff: To ask the Deputy Prime Minister what guidance he plans to offer local authorities on assessing the need for gypsy sites in local development plans. [193116]

Keith Hill: The assessment of need for gypsy and traveller sites will be incorporated into the Local Housing Needs Assessment process. Guidance is currently being revised, and will set out a number of core issues which should be taken into account when considering the needs of the gypsy and traveller community. This will be published and distributed to local authorities in the near future.

Mr. Luff: To ask the Deputy Prime Minister what guidance he plans to offer local authorities on the methodology for carrying out needs assessments for the travelling community. [193117]

Keith Hill: Guidance on the appropriate methodological approach for determining the needs of gypsies and travellers under the Local Housing Needs Assessment process is currently being drafted. This will be published in the near future.

Mr. Luff: To ask the Deputy Prime Minister on what basis he determined in relation to the gypsy encampment case at Wyre Piddle dated 4 October that need was unmet; and how he reached this conclusion. [193119]

Keith Hill: The reasons for the First Secretary of State, my right hon. Friend the Deputy Prime Minister's decision, including the basis for his decision on need, are set out in his decision letter of 4 October 2004, a copy of which was sent to the hon. Gentleman on that day.

Mr. Gray: To ask the Deputy Prime Minister how many travellers' caravans are illegally parked in England; how many are parked on local authority traveller sites; and how many are on the road on the latest date for which figures are available. [190743]

Keith Hill: As at January 2004, the latest date for which published figures are available, there were 5,901 caravans on local authority sites and 3,571 caravans on unauthorised encampments or unauthorised developments of land without planning permission.

Havering Borough Council

Mr. Rosindell: To ask the Deputy Prime Minister if he will make a statement on the performance of the London borough of Havering. [191553]

Mr. Raynsford: Havering LBC was assessed as "weak" by the Audit Commission in the first round of Comprehensive Performance Assessments in 2002.

Officials in the Office of the Deputy Prime Minister have been working with the council, and resources from the Capacity Building Programme have been allocated to support long-term improvement programmes. I met the leader, chief executive and leaders of the council's political groups on Thursday 14 October and, while welcoming their commitment to improvement, emphasised the need for sustained progress on many fronts. The Office of the Deputy Prime Minister looks forward to seeing the delivery of this commitment in terms of a measurable and sustainable improvement in performance across the London borough of Havering.

Housing (Southend)

Mr. Amess: To ask the Deputy Prime Minister if he will list grants his Department has made for housing in Southend in each of the past three years. [192277]

Keith Hill: The readily available information on the funding (£ million) provided by central Government to Southend-on-Sea borough council for housing investment is in the following table. Spend on homelessness is also funded from general revenue support grant and the authority's own resources.

£ million

	2001-02	*2002-03*	*2003-04*	*2004-05*[1]
Central Government support[2]	6.627	6.784	6.369	6.488
Approved development programme	0.577	1.310	1.420	3.549
Homelessness	0.0	0.189	0.183	0.183

[1] Provisional figures

[2] Includes an element assumed to be funded from the authority's capital receipts.

Housing above Shops

Ms Oona King: To ask the Deputy Prime Minister what his Department's latest estimate is of the number of residential units available for conversion from unused commercial space above shops to residential properties. [192771]

Keith Hill: The Office of the Deputy Prime Minister estimates that there is potential to create up to 300,000 dwellings for residential accommodation by converting unused commercial space above shops.

Ms Oona King: To ask the Deputy Prime Minister if he will make a statement on the work of the Housing Above Shops Task Force. [192772]

Keith Hill: The Housing Above Shops Task Force was established by the British Property Federation and Living Over The Shop Project at the instigation of the Office of the Deputy Prime Minister in December 2002. The Task Force was asked to advise on measures to overcome perceived barriers preventing more unoccupied space above retail premises from being converted for housing use.

The report of the Task Force highlighted a number of barriers and made a number of recommendations to overcome them, including the provision of a new advisory and scheme assembly service. The recommendation is being taken forward in a feasibility study being undertaken by the Housing Partnership, which is due to report its findings in the near future.

The Office of the Deputy Prime Minister is, in addition, funding the activities of the Living Over The Shop Project on an interim basis pending the outcome of the feasibility study.

Local Authority Websites

Mrs. Spelman: To ask the Deputy Prime Minister pursuant to the answer of 7 September 2004, *Official Report*, column 1163W, on local authority websites, whether it is permissible for local authority websites to include an external link to a councillor's personal or political website. [190700]

Mr. Raynsford: There are no legislative provisions prohibiting or otherwise regulating links from a local authority site to a councillor's personal or political external website.

Local Government Finance

Mr. Rosindell: To ask the Deputy Prime Minister what initiatives he has promoted to local authorities to reduce wastage of financial resources. [191254]

Mr. Raynsford: The Office of the Deputy Prime Minister is taking forward this issue in a number of respects: through effective auditing arrangements, through intervention in cases of poor performance, through our on-going work to build up capacity, through the use of capping powers to prevent unreasonable increases in council tax and through implementation of the recommendations of the Efficiency Review on local government.

Mr. Rosindell: To ask the Deputy Prime Minister when the Capital Finance-Prudential Regime evaluation will be implemented; how far implementation will extend; and what the cost of implementation will be to public funds. [191258]

Mr. Raynsford: The Prudential capital finance system was fully implemented on 1 April 2004 for all local authorities in England. Authorities may borrow without Government consent, provided that they can afford to service the debt without extra Government support. The new system costs no more to run than the old one and should prove more cost-effective, since it is simpler and better integrated with standard accounting practice. It further promotes efficiency by encouraging authorities to pursue projects which generate savings or revenues to cover their borrowing costs. The Office of the Deputy Prime Minister monitors the system and plans to do a full evaluation when authorities have had longer to explore its potential.

Mr. Rosindell: To ask the Deputy Prime Minister what measures the Government has in place to ensure that local authorities spend the money allocated to them by central government in an appropriate way. [191488]

Mr. Raynsford: Local authorities are independent autonomous bodies responsible for decisions on spending priorities taking into account their statutory responsibilities and the wishes of their electorate. The Government are committed to ensuring that authorities have greater freedoms and flexibilities and to ensuring that ring-fencing is only introduced where it is appropriate to do so.

Local authorities must protect and be accountable for the funds that they handle. Thus it is essential that their accounts are audited annually by an independent auditor.

Part of the auditor's statutory duties are to be satisfied that proper arrangements have been made for securing economy, efficiency and effectiveness in the use of resources. In the case of local authorities, auditors may give electors the opportunity to raise questions about the accounts, and to consider and decide upon objections received in relation to the accounts. Also the auditor may consider applying to the Courts if an item of account is unlawful.

Mr. Rosindell: To ask the Deputy Prime Minister (1) if he will make a statement on the funding of local government; [191555]

(2) how much central Government money each London borough will receive in each of the next three years. [191693]

Mr. Raynsford: A statement on formula grant allocations for 2005–06 will be made in due course.

Local Government Finance (York)

Hugh Bayley: To ask the Deputy Prime Minister how much City of York council received in Government grant in *(a)* cash and *(b)* real terms in each year since it was established as a unitary council; and by how much in real terms its Government grant changed in each of those years. [191235]

Mr. Raynsford: The amount of Government grant City of York council has received in *(a)* cash and *(b)* real terms each year since 1996–97 and the real terms percentage change is tabled as follows:

	Cash (£000)	*Real terms (£000)*	*Real terms percentage change*
1996–97	81,884	99,557	—
1997–98	81,176	96,226	-3.3
1998–99	84,654	97,538	1.4
1999–2000	90,658	102,227	4.8
2000–01	98,955	110,302	7.9
2001–02	105,374	114,541	3.8
2002–03	112,222	118,014	3.0
2003–04	116,580	119,271	1.1
2004–05	130,936	130,936	9.8

Source:

Local Government Financial Statistics—England: various years.

The data show actual outturn figures for all years except 2003–04 and 2004–05 which budget estimates.

Government grants are defined here in terms of Revenue Support Grant, specific and special grants within Aggregate External Finance (AEF) and distributable amount from non-domestic pool.

The figures have been re-valued for previous years at 2004–05 prices using the latest GDP deflators.

London Assembly

Mr. Rosindell: To ask the Deputy Prime Minister how much central Government money was given to the Greater London Assembly in this financial year. [191550]

Mr. Raynsford: The Government this year are giving the following block funding to the Greater London Authority and its four functional bodies (Transport for London, Metropolitan Police Authority, London Fire and Emergency Planning Authority and London Development Agency):

Grant	*£ million*
GLA general grant	36.3
GLA transport grant (for TfL)	2,224.5
Police grant (for MPA)	1,123.1
Revenue support grant (for MPA and LFEPA)	796.5
Non-domestic rates (for MPA and LFEPA)	171.3
LDA grant	316.1
Total	4,667.8

Mr. Rosindell: To ask the Deputy Prime Minister how much central Government money will be given to the Greater London Assembly in each of the next five years. [191554]

Mr. Raynsford: The Department for Transport announced in July the following settlement for the Greater London Authority Transport Grant (for TfL) over the next five years:

	£ million
2005–06	2,161
2006–07	2,383
2007–08	2,544
2008–09	2,528
2009–10	2,651

Government funding to the GLA and its other functional bodies for 2005–06 and beyond has not yet been announced.

Park Homes

Bob Spink: To ask the Deputy Prime Minister on what basis he proposes using general inflation to determine the annual increase in the maximum pitch fee for park homes. [192350]

Keith Hill: The standard written agreement, as used and endorsed by the main industry bodies, uses general inflation in calculating the pitch fee increase. This agreement is used by the majority of park home site owners in the country and after consideration it was felt unnecessary to change from this measure of inflation.

Regional Government

Mr. Rosindell: To ask the Deputy Prime Minister how many times he has visited each of the regional assemblies over the last three years. [191262]

Mr. Raynsford: The information requested can be provided only at disproportionate cost. My right hon. Friend the Deputy Prime Minister meets regularly with Regional Chamber Chairs, members, and officers during his regional visits.

Mr. Rosindell: To ask the Deputy Prime Minister (1) if he will make a statement regarding the financing of regional assemblies, with specific reference to capital building programmes; [191263]

(2) what proportion of tax collected in 2002–03 was spent on regional assemblies. [191249]

Mr. Raynsford: The existing voluntary Regional Chambers (who style themselves Regional Assemblies) each receive an annual grant from the Office of the Deputy Prime Minister. Grant conditions in the funding agreement letters determine permitted expenditure. These do not include capital building programmes.

In 2002–03 the Office of the Deputy Prime Minister made grants totalling £5 million to the Regional Chambers.

Rescue Control Centres

Diana Organ: To ask the Deputy Prime Minister what weight he will give to local knowledge of location and geography in delivering good response times in rescue services when deciding whether rescue control centres in the South West are merged into one regional centre. [192187]

Mr. Raynsford: The location of a fire and rescue control centre does not impact on response times. Service standards for the new regional control centres will at a minimum be equal to present best practice. Local knowledge has not been relied upon in fire service control rooms since the introduction of computerised gazetteers in the 1980s. The new centres will employ state-of-the-art technology which, along with comprehensive training, will provide effective support to control room staff for resource and incident management.

Diana Organ: To ask the Deputy Prime Minister if he will ensure that each of the fire authorities of the South West will continue to set and maintain standards and service if the rescue control centres are merged into one regional control centre. [192188]

Mr. Raynsford: Each regional control centre will be accountable to its constituent authorities. There will be a consistent national standard established for the time taken to answer calls and mobilise to incidents. Proposals for a national standard for mobilisation, developed by the Chief Fire Officers Association, are currently being reviewed by fire and rescue authorities. As part of the Integrated Risk Management Plan, each Fire and Rescue Authority will set its own response standards based on risk to the local communities.

Revenue Support Grant

Mr. Salter: To ask the Deputy Prime Minister if he will list the amount of revenue support grant awarded to *(a)* district councils, *(b)* metropolitan councils, *(c)* unitary authorities and *(d)* county councils in each year since 2001. [192299]

Mr. Raynsford: The following table provides the amount of revenue support grant (RSG) and redistributed business rates (NNDR) for each year since 2001–02, that has been allocated to:

(a) district councils in 2-tier shire areas;

(b) metropolitan district councils;

(c) shire unitary authorities; and

(d) county councils in 2-tier shire areas.

The sum of RSG plus NNDR is known as formula grant. In order to look at comparisons of the amount of grant provided year-on-year it is important to consider formula grant rather than RSG. The amount of RSG allocated each year depends on the amount of NNDR.

It is not possible to directly compare the data year-on-year due to changes in funding and function. Therefore also provided in the table is the adjusted formula grant to enable a like-for-like comparison year-on-year. The increases year-on-year have also been provided for convenience.

	Revenue support grant (£ million)	*Redistributed business rates (£ million)*	*Formula grant (£ million)*	*Year-on-year change (£ million)*	*Year-on year percentage change*
Shire districts					
2001–02	633.063	864.867	1,497.930	—	—
2001–02 adjusted	578.971	894.303	1,473.274	—	—
2002–03	569.044	973.748	1,542.792	69.518	4.7
2002–03 adjusted	529.857	973.748	1,503.606	—	—
2003–04	814.738	802.100	1,616.837	113.232	7.5
2003–04 adjusted	629.519	802.100	1,431.618	—	—
2004–05	859.097	629.352	1,488.449	56.830	4.0
Metropolitan districts					
2001–02	5,344.186	3,026.190	8,370.376	—	—
2001–02 adjusted	5,055.078	3,019.415	8,074.493	—	—
2002–03	5,152.774	3,307.286	8,460.061	385.568	4.8
2002–03 adjusted	5,391.988	3,307.286	8,699.274	—	—
2003–04	6,166.724	3,168.304	9,335.028	635.753	7.3
2003–04 adjusted	6,156.201	3,168.304	9,324.505	—	—
2004–05	6.811.468	3,039.384	9,850.852	526.347	5.6
Shire unitary authorities					
2001–02	3,207.264	2,333.455	5,540.719	—	—
2001–02 adjusted	3,007.441	2,331.183	5,338.624	—	—
2002–03	3,053.562	2,559.144	5,612.706	274.082	5.1
2002–03 adjusted	3,246.126	2,559.144	5,805.270	—	—
2003–04	3,699.087	2,478.129	6,177.216	371.947	6.4
2003–04 adjusted	3,588.316	2,396.441	5,984.758	—	—
2004–05	4,034.018	2,297.257	6,331.275	346.517	5.8
Shire counties					
2001–02	5,908.980	5,614.625	11,523.605	—	—
2001–02 adjusted	5,266.636	5,578.881	10,845.517	—	—
2002–03	5,358.952	6,152.949	11.511.901	666.384	6.1
2002–03 adjusted	5,951.906	6,152.949	12,104.854	—	—
2003–04	6,631.993	6,161.584	12,793.577	688.723	5.7
2003–04 adjusted	6,557.891	6,020.256	12,578.147	—	—
2004–05	7,488.462	5,913.293	13,401.755	823.608	6.5

Theft and Fraud

Mr. Prisk: To ask the Deputy Prime Minister what his estimate is of the cost of theft and fraud to *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in each year since 1997. [191415]

Phil Hope: I refer the hon. Member to the answers given to the hon. Member for Meriden (Mrs. Spelman) on 1 September 2004, *Official Report*, column 751W and 11 October 2004, *Official Report*, column 105W. Detailed information in respect of fraud and theft in non-departmental public bodies (NDPBs) is not held centrally and could be provided only at disproportionate cost.

Yorkshire Regional Assembly

Mr. Greenway: To ask the Deputy Prime Minister if he will list the sources of funding for the Yorkshire Regional Assembly. [191286]

Mr. Raynsford: The Yorkshire and Humber Assembly receives an annual grant from the Office of the Deputy Prime Minister. This grant supports the Assembly in the performance of its designated functions to scrutinise the work of its Regional Development Agency, Yorkshire Forward; fulfil its regional planning responsibilities; and for the development of its strategic regional role.

In 2003–04, the total Government grant paid to the Assembly was £1,655,000.

The Assembly is encouraged to also seek financial support from bodies within the region. This is entirely a matter for the Assembly itself.

HEALTH

Autopsies (BSE)

Mr. Godsiff: To ask the Secretary of State for Health if he will introduce measures routinely to permit autopsies of people who die before the age of 45 years to include tests that would establish whether they were unknowingly carrying the human form of BSE. [191335]

Miss Melanie Johnson: We have no plans to introduce such measures. The Human Tissue Bill, currently before Parliament, covers the regulation of activities involving human tissue, including provisions as to consent requirements.

Cannabinoids

Paul Flynn: To ask the Secretary of State for Health what recent assessment has been made of the merits of using cannabinoids for the relief of *(a)* pain and *(b)* symptoms of multiple sclerosis and nausea. [190526]

Ms Rosie Winterton: The Department supports scientific research into the therapeutic use of cannabinoids, the unique ingredients of cannabis. This research may produce longer-term solutions to relieving the symptoms of multiple sclerosis and other clinical conditions.

A Medical Research Council (MRC) supported clinical trial to attempt to measure the therapeutic effects of cannabis extract in persons with multiple sclerosis was published in November 2003. The MRC supported it with a grant to Dr. John Zajicek, a consultant neurologist at Derriford Hospital in Plymouth, to undertake a three-year study. Current details about Dr. Zajicek's clinical trial including the author's summary of the findings may be found at the trial website at http://www.cannabis-trial.plymouth.ac.uk/.

In addition, a programme to develop a medicine derived from cannabis for pain relief and associated conditions for multiple sclerosis patients is also under way. The work is led by Dr. Guy of GW Pharmaceuticals Ltd. Current details about the clinical trials being sponsored by GW Pharmaceuticals Ltd. may be obtained from the company's website at http://www.gwpharm.com/rese_clin_index.html

As a result of these trials, a marketing authorisation application for Sativex, cannabis extract containing tetrahydrocannabinol and cannabidiol, was received by the Medicines and Healthcare products Regulatory Agency (MHRA) from GW Pharmaceuticals in 2003.

This application is currently under assessment by the MHRA. The MHRA will grant a marketing authorisation when it is satisfied that the appropriate standards of quality, safety and efficacy of Sativex have been met.

With regard to the merit of using cannabinoids for the relief of symptoms of nausea, a marketing authorisation exists for Nabilone, a synthetic cannabinoid with anti-emetic properties. Nabilone is indicated for the control of nausea and vomiting, caused by chemotherapeutic agents used in the treatment of cancer, in patients who have failed to respond adequately to conventional anti-emetic treatments.

Chlamydia

Mr. Baron: To ask the Secretary of State for Health what steps he is taking to reduce the prevalence of chlamydia in younger people. [191753]

Miss Melanie Johnson *[holding answer 15 October 2004]:* As part of the implementation of the Government's national strategy for sexual health and HIV, the Department is rolling out a chlamydia screening programme across the country. Already the programme covers more than a quarter of primary care trusts in England, covering an estimated 30 per cent. of all young people aged 15 to 24 in England.

We have also invested £8 million to enable laboratories to switch to the more reliable and non-invasive type of chlamydia test. We are also raising awareness of chlamydia and other sexually transmitted infections, through national media campaigns targeting young people. Further details of the action being taken to reduce sexually transmitted national strategy for sexual health and HIV is available in the Library and on the Department's website at: www.dh.gov.uk

Lynne Jones: To ask the Secretary of State for Health whether the national Chlamydia screening programme covers the South Birmingham area. [191846]

Miss Melanie Johnson: Under phase 2 of the national Chlamydia screening programme, a consortium of primary care trusts in the Birmingham area, including South Birmingham, were awarded funding of £530,000 for the years 2003–04 to 2004–05 to participate in the programme.

Chorley and South Ribble Hospital

Mr. Hoyle: To ask the Secretary of State for Health (1) how many hours a day on average the operating theatre at Chorley and South Ribble Hospital was available for use in each of the last three years; and what the proposed availability is for the next three years; [190797]

(2) how many emergency medical patients have been transferred for operations from Chorley to Preston in each of the last three years; [190800]

(3) how many trauma patients were taken to the Royal Preston hospital from the Chorley and South Ribble catchment area in the last 12 months; [190802]

(4) how many patients are expected to be treated at *(a)* Preston and *(b)* Chorley hospital under the proposed new arrangements for emergency medical surgery and gynaecology; [190822]

(5) if he will list the services which are proposed for transfer from Chorley and South Ribble hospital to Royal Preston hospital. [190823]

Miss Melanie Johnson: This information is not collected centrally.

Mr. Hoyle: To ask the Secretary of State for Health how many doctors were working at Chorley and South Ribble Accident and Emergency in each of the last three years; and how many are planned for each of the next three years. [190804]

Miss Melanie Johnson: Information is gathered on a trust basis. The Lancashire Teaching Hospitals Trust was formed in 2002 from the merger of the Chorley and South Ribble National Health Service Trust and the Preston Acute NHS Trust.

Data are shown in the table for the Chorley and South Ribble NHS Trust and the Preston Acute NHS Trust for 2001 and the Lancashire Teaching Hospitals NHS Trust for 2002 and 2003.

Information is not available centrally on plans for staffing levels.

As at 30 September *Number (headcount)*

	2001	*2002*	*2003*
Chorley and South Ribble NHS Trust			
All staff	20	n/a	n/a
Consultant	3	n/a	n/a
Preston Acute Hospitals NHS Trust			
All staff	23	n/a	n/a
Consultant	5	n/a	n/a
Lancashire Teaching Hospitals NHS Trust			
All staff	n/a	38	37
Consultant	n/a	7	7

n/a = Not applicable

Source:

Department of Health medical and dental workforce census

Departmental Grants

Dr. Stoate: To ask the Secretary of State for Health how much his Department has awarded in each of the last three years in grants to the charitable and public sectors. [187031]

Dr. Ladyman: The Department's main funding stream to the voluntary and community sector is through grants awarded under section 64 of the Health Services and Public Health Services Act 1968 and the opportunities for volunteering scheme. The amounts available in the last three years are shown in the table.

£ million

Grant	*2002–03*	*2003–04*	*2004–05*
Section 64 general scheme	22.1	21.4	[1]17.8
Section 64 specific schemes:			
Tobacco initiative	—	1.6	1.6
Carers initiative	—	0.3	0.3
Doctor patient partnership	—	0.5	0.5
Direct payments development	—	3.0	3.0
Family fund	21.8	21.8	[2]—
Social care institute for excellence	3.2	4.4	4.4
Women's aid federation	0.05	—	—
Promoting independence	0.15	0.18	0.15
Families with children	0.9	0.9	0.9
Opportunities for volunteering	6.9	6.9	6.9

[1] An additional £4.2 million transferred to the Department for Education and Skills (DfES) for projects relating to children's social care policy following reorganisation of departmental responsibilities for children social services.

[2] Scheme transferred to DfES.

Drug Rehabilitation Places

Bob Spink: To ask the Secretary of State for Health how many drug rehabilitation places were available in *(a)* the Castle Point and Rochford Primary Care Trust area and *(b)* Essex in 2003–04. [190976]

Dr. Ladyman: The information requested is not collected centrally.

Epilepsy

Bob Spink: To ask the Secretary of State for Health how many surgical operations have been carried out to treat epilepsy in each of the last five years in England. [190980]

Miss Melanie Johnson: Counts of finished consultant episodes for 1998–99 to 2002–03 for patients diagnosed with epilepsy and requiring an operation are shown in the table.

Primary diagnosis (ICD-10 diagnosis codes G40, G41)—epilepsy. Count of finished consultant episodes (FCEs) with an operation. National health service hospitals, England 1998–99 to 2002–03

	FCEs
1998–99	4,851
1999–2000	4,682
2000–01	4,541
2001–02	3,979
2002–03	3,987

Notes:

1. The primary diagnosis is the first of up to 14 (seven prior to 2002–03) diagnosis fields in the hospital episode statistics (HES) data set and provides the main reason why the patient was in hospital.
2. An FCE is defined as a period of admitted patient care under one consultant within one healthcare provider. Please note that the figures do not represent the number of patients, as a person may have more than one episode of care within the year.
3. Figures are grossed for both coverage and missing/invalid clinical data, except for 2002–03, which are not yet adjusted for shortfalls.

Source:

HES, Department of Health.

Foot Operations

Mr. Baron: To ask the Secretary of State for Health what the reasons are for the differences between the system of monitoring foot operations carried out by orthopaedic surgeons and that for monitoring operations carried out by podiatric surgeons; and what plans he has to standardise such monitoring systems. [188665]

Miss Melanie Johnson *[holding answer 13 September 2004]:* Minor procedures to the feet are generally performed on an out-patient basis, that is, without admitting the patient. There is currently no mandated collection of data on out-patient procedures, regardless of which type of professional is responsible for the work. Any data collected locally are outside of departmental requirements and the decision to collect and monitor such information rests with the front line organisations.

Gender Dysphoria

Lynne Jones: To ask the Secretary of State for Health if he will list the average waiting times for a first appointment at each gender identity clinic for people suffering from gender dysphoria. [187240]

Mr. Hutton: This information is not collected centrally.

Grapefruit Consumption

Dr. Stoate: To ask the Secretary of State for Health what assessment *(a)* his Department and *(b)* the NHS have made of the possible health benefits to individuals of the regular consumption of grapefruits and grapefruit juice. [190017]

Miss Melanie Johnson: We are not aware of any studies that focus specifically on the potential health benefits of consuming grapefruit or grapefruit juice. However, there is clear and growing evidence for the protective effects of eating fruit and vegetables against chronic diseases such as heart disease, stroke and cancer. Eating at least five portions of a variety of fruit and vegetables a day on average could lead to estimated reductions of up to 20 per cent., in overall deaths from such diseases.

GPs (Greater London)

Simon Hughes: To ask the Secretary of State for Health what the average general practitioner list size was in Greater London, broken down by national health service trust, in each of the last 10 years. [170506]

Mr. Hutton *[pursuant to his reply, 11 May 2004, Official Report, c. 313W]:* I regret that the figures provided in my previous response were incorrect, due to an error in the published figures. Correct figures have now been placed in the Library.

Health Services

Hugh Bayley: To ask the Secretary of State for Health what new clinical services have been provided at York District Hospital since 1997; and if he will make a statement. [191154]

Miss Melanie Johnson: The information requested is shown in the table.

	New clinical services
2003–04	Ear, nose and throat: voice and balance clinics, disphonia service. Ophthalmology: photo dynamic therapy Haematology: Dd-Dimer testing Histopathology: automated immunocytochemistry stainers. Sexual health: chlamydia screening
2002–03	General surgery and urology: nurse enhanced unit Orthopaedics: Community based rehabilitation Respiratory medicine: chronic obstructive pulmonary disease service Chemical pathology: Troponin T testing
2001–02	Cardiology: thrombolysis service
2000–01	Renal medicine: satellite dialysis unit
1999–2000	Orthopaedics: ERP physiotherapy triage of orthopaedic referrals. Ophthalmology: glaucoma service
1998–99	Anaesthetics: intensive pre-operative care with high risk patients. General medicine: medical admissions ward Renal medicine : York renal dialysis unit Gastroenterology: open access endoscopy
1997–98	Clinical haematology: anti coagulation clinic Diabetology: retinal screening service. Ear, nose and throat: bone anchored hearing aid service

Source:
York Hospitals National Health Service Trust

Hugh Bayley: To ask the Secretary of State for Health how many nurses have completed *(a)* basic and *(b)* advanced training courses at York nursing school in each year since 1997. [191158]

Miss Melanie Johnson: Information is not collected centrally on the number of nurses completing training recruited into the national health service or still working in the NHS. The Nursing and Midwifery Council (NMC) holds information on the number of nurses and midwifes initially entering the register, a pre-requisite for employment in the NHS and other sectors in the United Kingdom. This information can be found on the NMC website at www.nmc-uk.org.

Hugh Bayley: To ask the Secretary of State for Health what the average NHS expenditure per household in *(a)* England, *(b)* Yorkshire and the Humber and *(c)* York was (i) in cash terms and (ii) at current prices in (A) 1997 and (B) the latest year for which figures are available. [191179]

Mr. Hutton: The information is not collected centrally in the format requested.

The tables show expenditure per weighted head of population in England, and in the Yorkshire and Humberside Region, in cash terms and at 2003–04 prices, by strategic health authority area, for 1997–98 and 2003–04, which is the latest year for which figures are available.

Expenditure per head, in cash terms (£)

Strategic health authority area	*1997–98*	*2003–04*
North and East Yorkshire and Northern Lincolnshire	616.66	1,112.53
West Yorkshire	626.14	1,135.64
South Yorkshire	644.95	1,200.84
England	607.85	1,115.25

Expenditure per head, at 2003–04 prices (£)

Strategic health authority area	*1997–98*	*2003–04*
North and East Yorkshire and Northern Lincolnshire	714.50	1,112.53
West Yorkshire	725.48	1,135.64
South Yorkshire	747.27	1,200.84
England	704.29	1,115.25

Notes:

1. Expenditure is taken from audited health authority accounts and primary care trust summarisation schedules, which are prepared on a resource basis and therefore differ from cash allocations in the year. The expenditure is the total expenditure by the relevant health authorities for both years, and the commissioner costs of the primary care trusts for 2003–04.

2. The total NHS expenditure cannot be identified by health authority area because the majority of general dental services expenditure is not included in the individual health authority accounts or primary care trust summarisation schedules and is separately accounted for by the Dental Practice Board., The

majority of pharmaceutical services expenditure is accounted for by the Prescription Pricing Authority and not by health authorities or primary care trusts.

3. Figures for 1997–98 have been prepared using gross expenditure figures. Figures for 2003–04 based on strategic health authority areas have been adjusted to eliminate expenditure, which would be double counted where an authority acts as a lead in commissioning healthcare or other services.

Sources:

Audited accounts of the health authorities 1997–98.

Audited summarisation forms of the strategic health authorities 2003–04.

Audited summarisation schedules of primary care trusts within the health authority areas 2003–04

Weighted population figures Her Majesty's Treasury Gross Domestic Product deflator.

Healthy Living

Mr. Don Foster: To ask the Secretary of State for Health how many times his Department has consulted members of the academic community with regard to health consequences of *(a)* smoking, *(b)* alcohol and *(c)* physical inactivity since January; and if he will make a statement. [188746]

Miss Melanie Johnson: The Department consults on the health consequences of smoking on a quarterly basis through the independent scientific committee on tobacco and health. On alcohol, the alcohol harm reduction strategy for England 2004 was subject to four consultation events in London, Newcastle, Bristol and Manchester, which included the academic community. On physical inactivity, the Department is in regular contact with a wide range of academics in this field of research.

Hospital Trusts

Sandra Gidley: To ask the Secretary of State for Health how much funding was allocated to each hospital trust in each of the last three years. [191876]

Mr. Hutton *[holding answer 15 October 2004]*: National health service trusts do not normally receive funding direct from the Department, but receive income for service provision largely from primary care trusts. Information showing the total income, including all income from activities and all other operating income, for all English NHS trusts which were in existence in the years 2001–02 to 2003–04, has been placed in the Library.

Human Genetics Commission

Mr. Sarwar: To ask the Secretary of State for Health if he will make a statement on the membership of the Human Genetics Commission. [190571]

Miss Melanie Johnson: The Human Genetics Commission (HGC) advises Government on current and potential developments in human genetics and the likely impact on human health and healthcare as well as the social, ethical, legal and economic implications. It has 24 members, including experts in clinical and research genetics, consumer affairs, ethics, law, media, primary care, and those with experience in genetic conditions.

A full list of members is available on the HGC's website at http://www.hgc.gov.uk/about_members.htm.

Infection Control

Judy Mallaber: To ask the Secretary of State for Health (1) what quality criteria will be required for the use of microfibre products for cleaning hospitals in order to maintain the highest standards of hygiene; [190609]

(2) what evaluation has been made by his Department of the use of microfibre materials for cleaning in hospitals. [190610]

Mr. Hutton: NHS Estates commissioned the association of domestic managers to review the operational components of microfibre technology and provide their professional and technical advice. We are also aware of the outcome of the scientific study into microfibre technology undertaken at Whipps Cross hospital. Both of these reports are currently being considered to determine any further steps which need to be taken prior to providing advice and guidance to the national health service.

Decisions on the use of specific cleaning products and systems are for local determination and should be taken in full consultation with the director of infection prevention and control. However, we would expect as a minimum that use of microfibre products and technology ensures standards at least as good as the best conventional alternatives available.

Lancashire Teaching Hospitals Trust

Mr. Hoyle: To ask the Secretary of State for Health (1) if he will make a statement on the financial situation of Lancashire Teaching Hospitals Trust; [190770]

(2) if he will make a statement on the financial position of Lancashire Teaching Hospitals Trust on the latest date for which figures are available. [192459]

Miss Melanie Johnson *[holding answer 19 October 2004]*: I understand that in August 2004, the Lancashire Teaching Hospitals National Health Service Trust reported a deficit of £1.8 million.

I am advised that Cumbria and Lancashire strategic health authority is confident that the financial problems faced by the trust can be overcome without detriment to patient care and that financial balance can be achieved by 31 March 2005.

For the financial year 2003–04, the Lancashire Teaching Hospitals NHS Trust reported a retained surplus of £4,000.

Mr. Hoyle: To ask the Secretary of State for Health (1) what role the Lancashire Teaching Hospitals Trust plays in consulting *(a)* other bodies and *(b)* members of the public when services are being reconfigured; and which organisations it is required to consult; [190771]

(2) what role strategic health authorities play in moving services between hospitals within a trust; [190773]

(3) what consultation process he requires to be followed when services are moved between hospitals under one hospital trust; [192283]

(4) how a decision is made on what constitutes substantial change in hospital services; and who makes this decision. [192287]

Miss Melanie Johnson: National health service organisations are required to consult when reconfiguring services. These duties are set out in sections 7 and 11 of the Health and Social Care Act 2001. Section 7 of the Act requires that if an NHS organisation is proposing to develop or vary services substantially, it must consult the overview and scrutiny committees of those local authorities whose residents are affected by the proposed changes. Section 11 requires NHS bodies to consult patients, the public and their representatives on changes to the operation of services irrespective of whether they are substantial changes.

NHS organisations will need to discuss any proposals for service change with the relevant overview and scrutiny committees at an early stage, in order to agree whether or not the proposal is considered to be substantial. It is the decision of the overview and scrutiny committees to decide whether the proposal impacts substantially on their local residents.

Any NHS trust which plans to make changes to the operation of services for which it is responsible, must consult patients, the public and their representatives. If those proposals represent substantial changes, then the overview and scrutiny committees of those local authority areas that are affected by the proposed changes must also be considered.

Strategic health authorities are responsible for ensuring strong, clinically robust services are in place, taking account of access, clinical viability, value for money and external views of best clinical practice. The primary care trusts and NHS trusts make the judgements about the shape and delivery of services to their local area.

Mr. Hoyle: To ask the Secretary of State for Health (1) what his policy is on the transmission to hon. Members by the trust concerned of reports by the Royal College of Surgeons on the future of services at their local hospital; [191587]

(2) if he will place in the Library the minutes of meetings between the Royal College of Surgeons and the Chief Executive and Chair of Lancashire Teaching Hospitals Trust; [191656]

(3) if he will place in the Library copies of the letters sent from Lancashire Teaching Hospitals Trust to the local district and town and parish councils; [191657]

(4) how many hon. Members were consulted over changes in provision of services at Chorley and South Ribble District Hospital; [191658]

(5) if he will make available the minutes of meetings held between the Royal College of Surgeons and Lancashire Teaching Hospitals Trust over the decision to move emergency medical surgery to Royal Preston Hospital. [192458]

Miss Melanie Johnson *[holding answer 19 October 2004]:* These are matters for the Lancashire Teaching Hospitals National Health Service Trust.

Maternity/Children's Services

Mr. Goodman: To ask the Secretary of State for Health how many proposals for the reconfiguration of maternity and children's services were withdrawn after consultation with the public in *(a)* 2001, *(b)* 2002 and *(c)* 2003. [191717]

Dr. Ladyman: Reconfiguration of local services is a matter for local decision. We therefore do not collect information on this centrally.

Medicines and Healthcare Products Regulatory Agency

Paul Flynn: To ask the Secretary of State for Health what assessment he has made of the Medicines and Healthcare Products Regulatory Agency's advice not to use risperidone and olanzapine to treat behavioural problems in older patients with dementia; and when new guidelines will be published in managing dementia. [190489]

Dr. Ladyman: In March 2004, the Government's independent scientific advisory committee, the Committee on Safety of Medicines (CSM) advised that risperidone and olanzapine should not be used in the treatment of behavioural symptoms of dementia because of an increased risk of stroke. The high absolute risk of stroke associated with these products was considered to outweigh any benefits in treatment of behavioural symptoms of dementia. The advice was issued after careful consideration of all available data, possible clinical implications and advice from an expert working group, which included expertise in the management of behavioural problems in older patients with dementia. The CSM considered it important that risperidone remained an option for the short term treatment of acute psychoses in patients with dementia.

Comprehensive treatment guidelines on the management of dementia developed in collaboration with the Royal College of Psychiatrists, British Geriatric Society, Royal College of Nurses, Alzheimer's Society and National Care Standards Commission were published to coincide with the CSM advice, together with an information sheet for patients and carers.

The National Institute for Clinical Excellence is currently developing a guideline on the management of dementia, including use of antipsychotic medication in older people in collaboration with the Social Care Institute for Excellence. The expected date of issue of this guideline is February 2007.

Mental Health (Human Rights)

Lynne Jones: To ask the Secretary of State for Health for what reasons the UK is reserving the right not to implement Council of Europe Recommendation No. Rec (2004) 10 concerning the protection of the human rights and dignity of persons with mental disorder; and which sections of the Recommendation it objects to. [191847]

Ms Rosie Winterton: The Government fully supports the majority of the Recommendation, including the principle that involuntary placement of persons with mental disorder should include a therapeutic purpose. We had no wish to oppose its adoption. However, because we are in the process of revising important aspects of legislation in England and Wales on mental health and mental capacity, we were not in a position to identify definitively whether there were specific points in the Recommendation on which we might wish to reserve our right not to comply. We therefore said that, at this stage, the United Kingdom wished to reserve its right not to comply with the provisions of the Recommendation generally.

MMR Vaccine

Mr. Burstow: To ask the Secretary of State for Health whether the NHS has sufficient stocks of the MMR vaccine to cope with additional demand in the event of an outbreak of measles or mumps; and if he will make a statement. [191498]

Miss Melanie Johnson: Sufficient stocks of the measles, mumps and rubella vaccine are held and will be made available should an outbreak of measles or mumps (or rubella) occur. This should not cause any disruption to the childhood programme.

National IT Programme

Mr. Bacon: To ask the Secretary of State for Health what the financing arrangements are for the National Programme for IT in the national health service; and what steps the Government are taking to secure the buy-in of clinicians to the programme. [190820]

Mr. Hutton: £2.3 billion has been earmarked from central funding for the national programme for information technology (NPfIT) over the three years 2003–04 to 2005–06. This will be complemented by national health service baseline spending on IT, already around £1 billion a year in the NHS as a whole. The roll-out of core national applications will continue to come from this earmarked sum. Individual general practitioner practices will receive funding to upgrade to NPfIT systems through their primary care trusts (PCTs). In addition, the NPfIT will cover the cost of suppliers developing training material, including e-training services, and training the trainers in the use of new IT services. In all, over £6 billion worth of contracts are now in place covering the whole lifetime of the NPfIT.

Consultation and dialogue with clinical and other professional representative groups has been central to the NPfIT at all stages. As well as the national professional bodies and groups, the NPfIT team has also engaged closely with individual expert primary care practitioners, including practising GPs. This consultation helped to inform the user requirement which was published in the NPfIT's output-based specification. Clinicians and users were also involved in evaluating the proof of solution demonstrators developed by suppliers, and in evaluating the supplier bid. In the procurement and delivery process, particularly in the development and testing phases, representative stakeholders are being consulted to ensure that their requirements and concerns are taken into account and that a proper focus on delivering benefits is maintained through all phases of the NPfIT.

In addition, the care record development board, whose establishment we announced in July, has its membership drawn from clinicians as well as representatives of patients and social care. Each of the component projects of the NPfIT also has a clinical lead.

Keith Vaz: To ask the Secretary of State for Health what investigation has been made into the case of the process for transferring data from the current primary care computer system to the National Programme for IT. [190170]

Mr. Hutton: The National Programme for Information Technology (NPfIT) aims to ensure that new systems integrate and interoperate with existing systems, and is providing the testing environment for existing systems suppliers to achieve compliance and integration with NPfIT systems. In most cases, existing electronic patient records will be able to interface with NPfIT systems and the nationally available national health service care records service.

The migration of data is not a novel process and occurs at local level every time there is a refresh or upgrade of existing systems. Standard IT protocols allow for data to be recovered if problems are encountered during transfer to ensure that data is not lost, and the NPfITs contracts with its suppliers require data back-ups to be taken regularly.

Keith Vaz: To ask the Secretary of State for Health what advantages the National Programme for IT has that the current system is not providing. [190171]

Mr. Hutton: Prior to the National Programme for Information Technology (NPfIT), individual general practitioner practices or primary care trusts were able to procure IT support to their own specification and contractual arrangements This has resulted in a fragmented and disparate approach to specification, standards, interoperability, system availability and performance. A number of general practice surgeries and hospitals have some form of electronic patient record, some of which can share information within the practice or hospital. However, because of the wide variety of systems in use, information cannot easily be shared outside the location in which it originates. This inhibits the sharing of patient information and the development and implementation of care pathways. But many organisations are still largely paper-based, which creates a serious obstacle to the modernisation of care, including delivery of national service frameworks. The NPfIT will address this by creating a nationwide electronic system, allowing the transfer of patient records and images, electronic prescribing and the online booking of hospital appointments.

The NPfIT is providing powerful IT solutions to improve capacity and performance and deliver key national health service priorities. There are four key deliverables: electronic appointment booking, an integrated care records service, electronic prescribing and an underpinning IT infrastructure with sufficient connectivity and broadband capacity to support the critical national applications and local systems. Additional functions will include GP to GP messaging, which will cut the time needed to find essential information, notes and test results, instantaneous digital picture archiving, and clinical decision support tools. The result will be to relieve doctors of unnecessary administrative burdens, and free up their time to do what they do best—deliver better, faster and safer care to more patients.

However, the key focus of benefits from implementing NPfIT is on patients. For example, electronic booking of hospital appointments will bring patient choice and convenience as well as reducing non-attendance, which costs the NHS millions of pounds each year. Electronic storage and transmission of patient images will reduce the need for repeat X-rays and will reduce diagnostic waiting times. As a result, patients will experience a modern, IT-enabled NHS when they come into contact with the service.

Keith Vaz: To ask the Secretary of State for Health whether the National Programme for IT has been subject to testing and user feedback to ensure that it will work as efficiently as the current system. [190172]

Mr. Hutton: Many of the components which the National Programme for Information Technology (NPfIT) will deliver across the national health service are already in use at a local level and many of the technologies are already well proven. There have also been a number of pilot projects to examine the operation of electronic booking which has been in existence in England in this form since 2002. These have demonstrated that where patients participate in the booking of their appointments and admissions, they are far more likely to attend. Electronic patient records and electronic prescribing are examples of existing systems already in use at a local level and the NPfIT has received feedback on the advantages of these systems from clinicians, managers and administrators.

Consultation and dialogue with clinical and other professional representative groups has been central to the NPfIT at all stages. As well as the national professional bodies and groups, the NPfIT team has also engaged closely with individual expert primary care practitioners, including practising general practitioners. This consultation helped to inform the user requirement which was published in the NPfIT's output-based specification. Clinicians and users were also involved in evaluating the proof of solution demonstrators developed by suppliers, and in evaluating the supplier bid. In the procurement and delivery process, particularly in the development and testing phases, representative stakeholders are being consulted to ensure that their requirements and concerns are taken into account and that a proper focus on delivering benefits is maintained through all phases of the NPfIT.

Non-NICE Appraised Treatments

Andy King: To ask the Secretary of State for Health what arrangements are in place for the period to 2008 to allow patients to be treated with non-National Institute for Clinical Excellence appraised treatments if it is their choice and their clinicians concur, in *(a)* hospital and *(b)* primary care. [187116]

Mr. Hutton: The national health service is expected to take full account of the National Institute for Clinical Excellence (NICE) guidance. Clinicians have to make an independent clinical judgment, taking due account of NICE's advice and the strength of evidence which lies behind it. They may depart from the advice if, in their view, the circumstances of the individual patient justify doing so. But they will be held accountable, through clinical governance arrangements, for their clinical decisions.

When considering the funding of any treatment currently being appraised by NICE, or where no appraisal has been commissioned, funding authorities are expected to use their existing local arrangements and consider the evidence available to them on the clinical effectiveness of the treatment.

The Department has made it clear to health authorities and primary care trust that funding for treatments should not be withheld simply because guidance from NICE is unavailable or not yet published and we are happy to reiterate that via the strategic health authorities.

Orthotic Footwear

John Mann: To ask the Secretary of State for Health how many contracts the NHS has for orthotic footwear. [190895]

Mr. Hutton: The national health service has no contracts for orthotic footwear, but rather two national framework agreements. This allows the NHS the flexibility to purchase the best orthotic footwear without guarantees to any one supplier.

The two agreements for orthotic footwear are:

for custom made orthoses, which covers made to measure footwear.

for stock and modular footwear, which covers a range of manufacturers and designs for off-the-shelf shoes.

In addition, trusts may have their own local agreements for stock and modular footwear. However, the majority of the English NHS trusts have adopted the schedule numbers for custom-made orthotic footwear.

John Mann: To ask the Secretary of State for Health when the NHS design specification for orthotic footwear was last updated. [190896]

Mr. Hutton: The basic national health service design specification has been in place for a number of years and initially gave suppliers guidelines on the manufacture of patient appliances, including orthotic footwear. These guidelines were accompanied by generic schedule numbers/codes for each part of the manufacturing process and provided a standard structure for manufacture and costing.

The principle behind these schedule numbers still remains for the national framework agreement for orthoses but, over the years, the NHS Purchasing and Supply Agency has worked in partnership with industry, clinicians and trusts to update these codes to ensure they reflect current practise.

Due to advances in technology the range of stock and modular footwear has improved dramatically so that only patients with really complex needs require custom made footwear.

Paramedic Ambulances (Chorley)

Mr. Hoyle: To ask the Secretary of State for Health how many paramedic ambulances are available in the Chorley constituency. [190801]

Miss Melanie Johnson: This information is not collected centrally.

Petrol Filling Stations

Norman Baker: To ask the Secretary of State for Health what assessment has been made of whether there is a risk to children of illness due to living close to petrol filling stations. [192320]

Miss Melanie Johnson: The Department has not undertaken a specific assessment of the risks to children of illness due to living close to petrol stations.

The Department's committee on the carcinogenicity of chemicals in food, consumer products and the environment will start a review of childhood cancer and its possible associations with environmental chemicals (including benzene) at its November meeting.

Primary Care Centres

Mr. Burstow: To ask the Secretary of State for Health pursuant to the answer of 21 September 2004, *Official Report*, column 1995W, on primary care centres, what the timetable is for each centre in development, including the expected opening date. [191772]

Mr. Hutton: Only the national total of completed primary care centres is collated centrally. Primary care trusts are responsible for individual schemes and their completion.

Royal Preston Hospital

Mr. Hoyle: To ask the Secretary of State for Health (1) how many trauma cases which would previously have been treated at Chorley and South Ribble District hospital went directly to Royal Preston hospital in each of the last three years; and how many went to Preston via Chorley; [191590]

(2) if he will list the public meetings held by Lancashire Teaching Hospitals Trust and primary care trusts regarding the proposed transfer of emergency medical surgery to Royal Preston hospital. [192285]

Miss Melanie Johnson: This is a matter for the Lancashire Teaching Hospitals National Health Service Trust, and the Chorley and South Ribble Primary Care Trust and the Preston PCT.

Mr. Hoyle: To ask the Secretary of State for Health (1) what ambulance cover is available when ambulances are taking trauma patients from Chorley constituency to Preston; [191591]

(2) how much extra ambulance time has been taken transporting patients from Chorley to Preston for trauma cases who would have previously been treated at Chorley and South Ribble hospital; [194647]

(3) what estimate he has made of how many extra ambulance hours per month will be used transferring patients previously treated at Chorley from Chorley and South Ribble to Preston under proposals to treat emergency medical operations at Preston; [194648]

(4) what extra ambulance cover will operate in the Chorley and South Ribble catchment area under plans to treat emergency medical surgery at Preston. [194649]

Miss Melanie Johnson: This is a matter for the Lancashire Ambulance Service National Health Service Trust and the primary care trusts serving the Preston and Chorley and South Ribble areas.

Mr. Hoyle: To ask the Secretary of State for Health (1) what agreements have been reached between the Ambulance Service and the NHS Trust concerned on plans to treat all emergency medical surgery at Preston; and what funding arrangements are in place; [191655]

(2) what meetings have taken place between ambulance services and Lancashire Teaching Hospitals Trust on the proposed shift in emergency medical surgery to the Royal Preston hospital. [192284]

Miss Melanie Johnson: This is a matter for the Lancashire Teaching Hospitals National Health Service Trust, the Lancashire Ambulance Service NHS Trust, and the local primary care trusts serving the Preston and Chorley and South Ribble areas.

Staff Numbers (York)

Hugh Bayley: To ask the Secretary of State for Health how many full-time equivalent NHS *(a)* nurses and *(b)* staff in each of the other professions allied to medicine were working in hospitals in the greater York area in (i) 1994 and (ii) each year since then. [189760]

Miss Melanie Johnson: Data for 1994 were collected at local level and therefore cannot be accurately compared with later years.

The information from 1995 is shown in the table.

National health service hospital and community health services: qualified nursing, midwifery and health visiting staff and qualified allied health professionals in the North and East Yorkshire and Northern Lincolnshire strategic health authority (SHA) area and each specified organisation as at 30 September each specified year

hole-time equivalent

	1995	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*
Qualified nursing, midwifery and health visiting staff									
North and East Yorkshire and Northern Lincolnshire SHA	7,057	7,083	6,961	6,903	6,605	6,816	6,884	7,688	7,951
Of which:									
Total specified organisations	1,513	1,310	1,361	1,235	1,268	1,375	1,394	1,407	1,477
Selby and York primary care trust (PCT)	n/a	n/a	n/a	n/a	n/a	n/a	262	492	529
York health services NHS trust	1,513	1,310	1,361	1,235	1,268	1,375	1,132	915	948
Qualified allied health professionals									
North and East Yorkshire and Northern Lincolnshire SHA	879	942	977	999	996	987	1,013	1,213	1,326
Of which:									
Total specified organisations	191	207	213	227	230	241	244	276	306
Selby and York PCT	n/a	n/a	n/a	n/a	n/a	n/a	91	107	120
York health services NHS trust	191	207	213	227	230	241	153	169	186

n/a—not applicable.

Notes: Figures are rounded to the nearest whole number. 1995–2001 figures are based on 2002 organisational structure.

Source: Department of Health non-medical workforce census.

Voluntary Hospices (VAT Relief)

Lady Hermon: To ask the Secretary of State for Health what the outcome was of the report from HM Customs and Excise to his Department regarding relief from VAT for all voluntary hospices. [192344]

Miss Melanie Johnson *[holding answer 19 October 2004]:* The discussions between officials from the Department and Her Majesty's Customs and Excise in 2002 regarding value added tax addressed concerns raised by Macmillan Cancer Relief about the VAT payable on some of their capital building projects for the national health service.

The Government were able to give a commitment that the NHS will meet the VAT consequentials of projects that are deemed to be priorities by cancer networks. The national partnership group for palliative care—which set the criteria for the use of the additional £50 million for specialist palliative care provided under the NHS cancer plan from 2003–04—agreed to recommend the approach already proposed by several cancer networks that Macmillan's VAT costs should be met from the first year slippage from the relevant network's allocation from the £50 million. This special arrangement for Macmillan was a transitional arrangement for 2003–04 only.

HOUSE OF COMMONS COMMISSION

Parliamentary Estate (Heating)

Norman Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what the total cost of heating the buildings on the parliamentary estate has been for each year since 1990. [192249]

Sir Archy Kirkwood: The following table gives the total cost of heating buildings on the parliamentary estate, including House of Lords buildings, since 1996–97 which is as far back as invoices are retained. For comparison purposes, costs have been adjusted to 2004 prices.

Total cost of heating the buildings on the parliamentary estate

	Yearly heating cost (£)
1996–97	241,761
1997–98	184,604
1998–99	239,855
1999–2000	259,715
2000–01	266,852
2001–02	248,060
2002–03	255,118
2003–04	248,324

Norman Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what steps the House has taken to cut heat loss in buildings on the parliamentary estate; and if he will make a statement. [192250]

Sir Archy Kirkwood: The House is committed to continuous improvement in its efficient use of energy. Much has already been achieved and the work will continue. The current energy conservation strategy includes investing in energy saving schemes, such as insulation and draught-proofing, offering pay-back periods of up to seven years; sub-metering to give better information on where energy is consumed; improved efficiency of plant and encouraging nominated 'energy savers' in the departments of the House to make savings.

Norman Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what the estimated amount of heat lost in each building on the parliamentary estate was in each year since 1990. [192251]

Sir Archy Kirkwood: The following table gives the figures for total energy consumption attributable to heating for House of Commons buildings and for the Palace of Westminster, which is shared with the House of Lords. Portcullis House was designed to be an exceptionally energy efficient building; the Palace of Westminster is intrinsically less so.

kWH per year

Annual heating gas consumptions kWH

	POW	*2 The Abbey Garden*	*1 Canon Row*	*Norman Shaw South*[1]	*7 Millbank*	*Portcullis House*	*3 Deans Yard*
1995–96	[2]—	10,249,599	75,045,883	209,078,091	[2]—	[2]—	45,098,872
1996–97	1,793,327,589	10,147,868	168,719,359	200,592,673	13,246,183	[2]—	52,065,939
1997–98	1,136,811,232	7,778,347	155,617,488	159,291,878	216,945,944	[2]—	353,58,374
1998–99	1,692,250,382	8,726,155	133,947,431	1,612,519,131	190,410,713	[2]—	36,748,611
1999–2000	1,827,963,510	9,326,434	182,497,332	166,775,791	186,379,132	[2]—	35,886,664
2000–01	1,778,739,375	10,684,959	227,331,825	1,850,441,911	226,742,144	29,113,661	42,063,953
2001–02	1,912,482,770	11,569,580	17,035,717	127,308,496	189,499,505	32,797,255	8,329,284
2002–03	1,833,131,114	11,616,971	20,738,046	272,729,226	181,705,679	32,117,989	[2]—
2003–04	1,750,246,800	10,868,202	[3]—	308,645,742	182,873,633	33,787,043	[2]—

[1] Norman Shaw North is serviced by the Norman Shaw South boiler house and therefore does not appear separately in this list.

[2] Indicate that there was no data for that year or that the building was not part of the estate.

[3] The heating system for 1 Canon Row was removed in 2002 which is why no data appears after this date. Heating for 1 Canon Row is now serviced by the Norman Shaw South boiler house.

Norman Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what steps he takes to ensure that buildings on the parliamentary estate are heated according to occupancy and climatic conditions rather than a standard date and time. [192252]

Sir Archy Kirkwood: Each building on the estate has a computerised building energy management system with controls to ensure that the optimum start of the heating system is calculated on the basis of the need for heating rather than on a standard time and date basis. This follows normal good practice in the industry.

WORK AND PENSIONS

Benefit Processing Centres (Wales)

Mr. Llwyd: To ask the Secretary of State for Work and Pensions when he intends to consult the PCS union in Wales on the proposed closure of benefit processing centres in Wales; and if he will make a statement. [192208]

Jane Kennedy: Following national consultation with the Jobcentre Plus Trade Unions in July and September 2004, the Director for Jobcentre Plus Wales, Sheelagh Keyse, met with PCS (Wales) on 29 September 2004. During the consultation, PCS were informed of the reasons for and the full impact of the Jobcentre Plus Rollout Programme and the centralisation of benefit processing in Wales.

Child Support Agency

Chris Ruane: To ask the Secretary of State for Work and Pensions what recent changes have been made in the protocol for the Child Support Agency in dealing with calls from hon. Members' offices. [190827]

Mr. Pond: The administration of the Child Support Agency is a matter for the chief executive, Mr. Doug Smith. He will write to the hon. Member with the information requested.

Letter from Doug Smith to Mr. Chris Ruane, dated 20 October 2004:

You asked the Secretary of State for Work and Pensions, what recent changes have been made in the protocol for the Child Support Agency in dealing with calls from honourable Members' offices.

There have been no changes in the protocol for the Child Support Agency in dealing with calls from honourable members offices. Members of Parliament and their staff can phone the Agency's "MP Hotlines" which have been established covering each of the Agency's main business units.

If you have had experience of a call being incorrectly dealt with and can provide me with the details I will be pleased to have one of my senior managers investigate further and reply to you as soon as possible.

Chris Ruane: To ask the Secretary of State for Work and Pensions what the timescale is for the phasing in of old Child Support Agency cases migrating from the old to the new system; and what proportion of the migrating cases will be dealt with under the *(a)* old and *(b)* new criteria. [190828]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member with the information requested.

Letter from Doug Smith to Mr. Chris Ruane, dated 20 October 2004:

In reply to your recent Parliamentary Question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked the Secretary of State for Work and Pensions, if he will outline the timescale for the phasing in of old Child Support Agency cases migrating from the old to the new system; and what proportion of the migrating cases will be dealt with under the *(a)* old and *(b)* new criteria.

We have not yet finalised with EDS the timetable for migrating cases from the old to the new system. Our intention is that when cases are migrated between the systems, those appropriate for conversion to the new arrangements will do so as soon as possible.

Endometriosis

Mr. Damian Green: To ask the Secretary of State for Work and Pensions what plans he has to add endometriosis to the list of conditions taken into account when considering eligibility for disability living allowance; and if he will make a statement. [192178]

Maria Eagle: Entitlement to disability living allowance is not linked to particular disabling conditions, but on the extent to which a severely disabled person has personal care needs and/or walking difficulties as a result of their disability. People with endometriosis can qualify for the allowance if they satisfy the rules which govern entitlement.

Green Ministers

Mr. Horam: To ask the Secretary of State for Work and Pensions how many meetings of the Ministerial Sub-Committee of Green Ministers were attended by the Department's Green Minister in *(a)* 2002–03 and *(b)* 2003–04. [190852]

Mr. Pond: My noble Friend Baroness Hollis of Heigham is the Green Minister for the Department for Work and Pensions. It has been established practice under successive Governments not to disclose information relating to the proceedings of Cabinet Committees. This practice is now in line with Exemption 2 of Part II of the Code of Practice on Access to Government Information.

Pension Credit

Mr. Jim Cunningham: To ask the Secretary of State for Work and Pensions if he will make a statement on the level of take-up of pension credit. [192154]

Malcolm Wicks: I refer my hon. Friend to the written statement that I made on 16 September 2004, *Official Report*, column 185WS. At 31 August, there were 4,580 pension credit households in Coventry, South, comprising 5,430 individuals (figures rounded the nearest five).

Poverty (Yeovil)

Mr. Laws: To ask the Secretary of State for Work and Pensions how many *(a)* children and *(b)* pensioners were estimated to be living in poverty in Yeovil constituency in each year from 1995–96; and if he will make a statement. [192067]

Mr. Pond: Poverty is about more than low income; it also impacts on the way people live—their health, housing and the quality of their environment. The sixth annual 'Opportunity for All' report (Cm 6239) sets out the Government's strategy for tackling poverty and social exclusion and presents information on the indicators used to measure progress against this strategy. The sixth annual "Opportunity for All" report was published on 13 September 2004.

Specific information regarding low income for Great Britain and the United Kingdom for children and pensioners is available in "Households Below Average Income 1994–95—2002–03". Data are not available below regional level.

"Measuring Child Poverty", published in December 2003, outlines the Government's measure of UK child poverty for the long term. This new measure will begin from 2004–05.

All publications listed are available in the Library.

Service Delivery Arrangements

Chris Ruane: To ask the Secretary of State for Work and Pensions what measures have been put in place of service delivery during the period of change caused by restructuring. [190883]

Jane Kennedy: The Department for Work and Pensions has a Public Service Agreement (PSA) target to improve the delivery of services of each of its businesses by setting published annual targets addressing accuracy, unit costs and customer service. The annual targets are announced in Parliament via a written statement and in the Agencies Business Plan, as well as being published on the Department's website. Progress against the Department's PSA targets and the annual Agencies targets are monitored by the Department and published in the Department's Annual Report.

Unclaimed Benefits

Bob Spink: To ask the Secretary of State for Work and Pensions what assessment he has made of the level of each unclaimed benefit in *(a)* England, *(b)* Essex and *(c)* Castle Point. [190965]

Mr. Pond: The information is not available in the format requested.

Latest estimates of the amount of benefits unclaimed are available on a national basis only and relate to the minimum income guarantee, income support for non-pensioners, housing benefit, council tax benefit and income-based jobseeker's allowance. Statistics for 2001–02—the latest year for which information is available—are published in the DWP report, "Income Related Benefits Estimates of Take-Up in 2001/2002". Copies of the publication can be found in the Library.

NORTHERN IRELAND

Child Support Agency

Mr. Dodds: To ask the Secretary of State for Northern Ireland when the new computer system for the Child Support Agency in Northern Ireland was installed; and what the cost was. [192378]

Mr. Spellar: The new computer system for the Northern Ireland Child Support Agency began to process new child support applications on 3 March 2003.

The Northern Ireland Child Support Agency has pa
£3 million to date towards the new computer systen
running costs.

Mr. Dodds: To ask the Secretary of State for Northe
Ireland what the current backlog of cases bei
processed by the Child Support Agency in Northe
Ireland is. [19237

Mr. Spellar: The Northern Ireland Child Suppo
Agency considers 3,670 applications as a viable a
accepted level of work in progress on applications und
the new child support scheme. There are currently 5,6
applications for child maintenance at various stages
the assessment process.

The difference between the acceptable level of work
be progressed and the actual can be attributed to th
many applications under the reformed rules that hav
become unprogressible because of defects with the ne
computer system.

The cases that are unprogressible because of syste
defects are being addressed as part of the recovery pla
which the service provider, Electronic Data System
Limited (EDS), has implemented.

Mr. Dodds: To ask the Secretary of State for Norther
Ireland how many cases have been processed manuall
by the special group set up within the Child Suppor
Agency in Northern Ireland to deal with the curren
backlog. [192380

Mr. Spellar: A total of 53 cases are currently being managed clerically due to defects with the new computer system.

Closed Circuit Television

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many towns and cities in Northern Ireland have CCTV schemes in operation; and how many cameras are deployed in each scheme. [192548]

Mr. Spellar: At present there are seventeen town centre CCTV systems operating in Northern Ireland, which have received assistance from public funds, as listed. We do not maintain records centrally in relation to the number of cameras at each location, but we estimate that approximately 200 cameras are in operation across these sites:

Armagh
Ballymena
Ballynahinch
Banbridge
Belfast
Coleraine
Craigavon
Dungannon
Dunmurry
Fivemiletown
Hillsborough
Lisburn
Londonderry
Moira
Moy
Omagh
Portadown

Assistance from public funds has also been given to two further systems in Maghera and Magherafelt, which are expected to become operational shortly. Finally, I have recently agreed to provide funding to Newtownabbey borough council to assist with the establishment of a new CCTV system in Glengormley town centre.

There may be other town centres which have had CCTV cameras installed, without assistance from central Government and we would not be aware of the full extent of such systems.

On 14 June 2004, I announced that Government had made available a further £2 million to assist with the development of CCTV in Northern Ireland, including funding for the development of new town centre systems as well as the expansion and enhancement of current systems. Officials have now gathered 32 Expressions of Interest from across Northern Ireland for further support of town centre CCTV systems.

Equal Opportunities Commission

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland (1) how many claims brought to the Equal Opportunities Commission have been settled by the accused employer paying a token sum to the plaintiff in the last two years; [192113]

(2) how many cases brought by the Equal Opportunities Commission have been overturned by the courts in the last two years; and what the resulting cost to public funding was in each case. [192112]

Mr. Spellar: Under the Northern Ireland Act 1998, the Equality Commission for Northern Ireland took over responsibility for the functions previously exercised by the Equal Opportunities Commission. I have asked the Chief Executive of the Equality Commission to write to the hon. Gentleman. A copy of the letter will be placed in the Library.

Hazardous Waste

Lady Hermon: To ask the Secretary of State for Northern Ireland if he will list the landfill sites in Northern Ireland; and which of them are able to accept hazardous waste. [191953]

Angela Smith: There are currently 47 licensed landfill sites, in Northern Ireland, authorised to accept waste for disposal. A list of these sites follows. There are currently no landfill sites or 'permitted' facilities in Northern Ireland authorised to accept special (hazardous) waste.

Current Licensed Landfill Sites in Northern Ireland:

91 Hillsborough Road, Carryduff, Belfast
1 Cranfield Road, Kilkeel, Newry
Adjacent to 88 Greencastle Road, Kilkeel, Newry
Aughrim Quarry, 141 Colinglen Road, Ballycolin, Belfast
Lisbane Quarry, Aughlish Road, Tandragee
Dargan Road, Belfast
Land at Gilnahirk Road/Gilnahirk Road West, Belfast
Culmore Landfill Site, Coney Road, Culmore, Londonderry
Maydown Works, Electra Road, Coolkeeragh, Londonderry
Campsie, Mobuoy Road, Campsite, Londonderry
Drumillar, Jerretspass
Ballyclare Road Landfill Site, Green Road Quarry, 64 Green Road, Ballyclare
Crosshill Quarry, Crumlin
Craigance Quarry, Ballyskeagh High, Ballybarnes Road, Newtownards
159a Movilla Road, Newtownards
Carrowdore Road, Greyabbey, Newtownards
Rockmount Quarry, 124a Movilla Road, Newtownards
Annareagh Road, Richhill, Armagh
Blackmountain Quarries, Upper Springfield Road, Belfast
Wolfhill, Ligoneil, Belfast
Kilroot Power Station, Larne Road, Carrickfergus
Craigahulliar Landfill Site, 45 Craigahulliar Road, Portrush
Ballyhome Road, Portrush
Magheraglass, Knockaleery Road
52 Hunters Hill Road, Gilford, Armagh
Ballyfodrin, Drumneven, Moy Road, Portadown
Clooney Road, Maydown, Londonderry
Woodside Road, Newbuildings, Londonderry
Drumnakelly, Demense Road, Seaforde, County Down
Tullyvar Landfill Site, 130 Tuilyvar Road, Ballygawley, Dungannon
Rumbling Hole, Glenside Road, Hannahstown, Dunmurry
21 Mullaghglass Road, Lisburn
Aughrim Quarry, Flobog Road, Ballycolin, Belfast
37 Colinglen Road, Dunmurry, Belfast
Boomers Hill, Aughrim Hill, Mullaghglass Road, Lisburn
New Line Landfill, Hannahstown, Dunmurry, Belfast
Glenside Road, Dunmurry, Belfast
West of Hannahstown Road, Lisburn
Ballymacombs, Bellaghy
Aughnagun, Chapel Hill Road, Mayobridge, Newry
Ballyduff Quarry, Ballyduff Road, Newtownabbey
39 Groganstown Road, Dunmurry, Belfast
Glassmullagh Landfill Site, Derrygonnelly Road, Enniskillen
Ballymacvea Landfill Site, Island Road, Shanksbridge, Ballymena
Carnmoney Road, Maydown, Londonderry
23 Mullaghcarton Road, Lisburn
141 Glen Road, Gransha, Castlereagh, Belfast

Housing (Blackstaff Ward)

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland what housing needs assessments have been conducted in the Blackstaff ward of south Belfast. [192439]

Mr. Spellar: An area appraisal of 1,000 homes was undertaken in 1994–95 and in 1999–2000 a condition survey of 1,300 properties was carried out. In 2002 consultants produced a wide-ranging report for future regeneration of the area and the options are currently being developed and costed with a view to consulting the community in January 2005. A further Urban Renewal Area assessment of 1,377 properties was carried out in 2002.

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland what assessment he has made of the extent to which lead piping is being used in *(a)* private and *(b)* Housing Executive housing in the Blackstaff ward. [192440]

Mr. Spellar: A survey has been carried out in the Blackstaff ward to assess the extent to which lead piping is still being used. The results of the survey will be available very shortly and I will write to the hon. Member with the information.

Lead piping is no longer used in any new work. In addition, the executive replaces all such piping during work to its own stock and there is a requirement to replace it in private sector grant aided work.

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland whether the Housing Executive sold any of its empty houses in the Blackstaff ward to private purchases. [192441]

Mr. Spellar: The most recent figures readily available show that over the last seven years the Housing Executive has sold 70 properties on the open market in this ward to private purchasers.

Housing Executive

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland what comparative data he has collated on the findings of inspections of the quality of contractors' work in each of the Housing Executive areas in Belfast. [192442]

Mr. Spellar: The Housing Executive is progressively implementing Egan contract arrangements, which provide for performance assessment and where necessary action to be taken to ensure the quality of the work. Comparative data on the quality of contractor's work is not collated by the Housing Executive.

Irish Language

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will encourage local government departments to terminate their Irish language policies. [191276]

Angela Smith: The Government has no plans to change its policy in the manner requested.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what costs have arisen from adopting an Irish language policy in each of the Government departments since April 1998. [190594]

Angela Smith: I refer the hon. Lady to the answer I gave on 13 October 2004, *Official Report* column 312W.

Magilligan-Greencastle Ferry

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will make a statement on how the Magilligan-Greencastle ferry service has been funded since its introduction. [190599]

Mr. Spellar: Since being introduced funding for the ferry service has been provided jointly by Limavady borough council and Donegal county council.

NIBEP

Mr. Mallon: To ask the Secretary of State for Northern Ireland what action has been taken to ensure that *(a)* pupils' work placements in Northern Ireland and *(b)* the network of local Business Education Partnerships do not suffer as a result of the closure of Northern Ireland Business Education Partnerships (NIBEP); and what steps have been taken to ensure that the knowledge and information system developed by NIBEP as a basis for planning in this area are not lost. [190658]

Mr. Gardiner: As an interim measure and to minimise inconvenience where Charter Work Experience (NIBEP's work placement programme) is the mechanism used to make arrangements for placements, my Department has approved arrangements made by NIBEP with Business in the Community for Charter's staff to continue to work up to the end of May 2005. This will facilitate placements which are currently in the pipeline.

The local Business Education Partnerships had in recent months set up a Network which NIBEP was supporting. The Departments consider the Network to be of value and have indicated to it that while they could not support it by providing staff, they would be prepared to consider a proposal for modest funding as an interim measure.

At the time of, or shortly before, NIBEP's closure arrangements are to be made to uplift all of NIBEP's relevant information sources to the Department of Education, including NIBEP's Programme Management database.

Northern Ireland Grand Committee

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many meetings of the Northern Ireland Grand Committee have been held in each year since 1997; where the meetings were held; and what the subject matter of debate at each committee meeting was. [190102]

Mr. Paul Murphy. The information sought by the hon. Gentleman is as follows:

Northern Ireland grand committee debates: 2003–04

	Subject matter	*Date of debate*
1.	Draft Budget (No.2) (Northern Ireland) Order 2004	8 July 2004
2.	Community Relations Policy	17 June 2004
3.	Proposal for a Draft Special Educational Needs and Disability (Northern Ireland) Order 2004	20 May 2004
4.	Social Economy in Northern Ireland	29 April 2004
5.	Draft Budget (Northern Ireland) Order 2004	26 February 2004
6.	Proposal for a Draft Rates (Amendment) (Northern Ireland) Order 2004	15 January 2004

2002–03

	Subject matter	*Date of debate*
1.	Draft Employment (Northern Ireland) Order 2003	8 July 2003
2.	Draft Budget (No.2) (Northern Ireland) Order 2003	3 July 2003
3.	Reinvestment and Reform Initiative	9 June 2003
4.	Draft Budget (Northern Ireland) Order 2003	6 February 2003
5.	Draft Strategic Investment and Regeneration of Sites (Northern Ireland) Order 2003	4 February 2003

2001–02

	Subject matter	*Date of debate*
1.	Access to Justice (Northern Ireland)	24 October 2002
2.	Scope for a Bill of Rights	27 June 2002
3.	Draft Criminal Injuries Compensation (Northern Ireland) Order	13 December 2001

1999–2000

	Subject Matter	*Date of Debate*
1.	Juvenile Justice Centre Estate	29 November 2000
2.	Devolution in Northern Ireland	5 July 2000
3.	State of Northern Ireland Agriculture	13 April 2000
4.	Draft Appropriation (Northern Ireland) Order 2000	9 March 2000

1998–99

	Subject Matter	*Date of Debate*
1.	Review of the Criminal Justice System	8 July 1999
2.	"Lifelong Learning—A new Learning Culture for All": Consultation Document	24 June 1999
3.	Economic Development Strategy Review	25 March 1999
4.	Draft Appropriation (Northern Ireland) Order 1999	25 February 1999
5.	Hospital Services	28 January 1999
6.	Comprehensive Spending Review in Northern Ireland	10 December 1998

1997–98

	Subject Matter	*Date of Debate*
1.	Draft Appropriation (No.2) (Northern Ireland) Order 1998	2 July 1998
2.	Regional Strategic Framework for Northern Ireland	4 June 1998
3.	The Northern Ireland Economy	26 March 1998
4.	Draft Appropriation (Northern Ireland) Order 1998	26 February 1998
5.	Education Priorities in Northern Ireland	29 January 1998
6.	Public Expenditure in Northern Ireland in 1998–99	11 December 1997

All of the above sittings were held at Westminster.

Parking Restrictions

Mr. Beggs: To ask the Secretary of State for Northern Ireland what plans he has to introduce residential-only parking areas in Northern Ireland. [192545]

Mr. Spellar: The Chief Executive of Roads Service (Dr. Malcolm McKibbin) has been asked to write to the hon. Gentleman in response to this question.

Letter from Dr. Malcolm McKibbin to Mr. Roy Beggs, dated 20 October 2004:

You recently asked the Secretary of State for Northern Ireland a Parliamentary Question about what plans he has to introduce residents' only parking areas in Northern Ireland. I have been asked to reply as these issues fall within my responsibility as Chief Executive of Roads Service.

As you may be aware, the Department took the necessary primary legislative power in the Road Traffic Regulation (NI) Order 1997 to enable it to introduce residents' parking controls. A considerable amount of exploratory work was undertaken at that time in conjunction with the police in the expectation that a small number of pilot schemes would be introduced in Ballymena and Belfast. I am sure you will appreciate that, in order to be effective, such measures require meaningful enforcement. Regrettably, in March 2002 the PSNI wrote formally to Roads Service and advised that it would be unable to accept this responsibility and as such, we were not able to proceed with our proposals at that time.

Subsequently, Roads Service initiated a process to introduce the necessary primary legislative power to decriminalise on-street parking offences and assume responsibility for enforcement of parking restrictions. I must point out however, that the introduction of Decriminalised Parking Enforcement (DPE) is a complex procedure. It is anticipated that the new primary legislation will be in place in 2005 and that the new enforcement arrangements will be fully operational by mid-2006, thus permitting the opportunity to introduce and enforce residents' parking schemes. More recently, following the intervention of John Spellar MP, the Chief Constable, Hugh Orde, wrote to Roads Service confirming that he had asked that District Commanders give consideration to assisting with the enforcement of residents' parking schemes where it would fit in with policing priorities at a local level.

My staff are currently liaising with PSNI to determine how best a small number of pilot schemes might be introduced and adequately enforced so as to fully inform the development of policy and from which to learn how best the concept might be rolled out in appropriate places. In parallel with this, we are liaising with Local Authorities in Great Britain to gather best practice to help inform this development of policy.

I can assure you that we are progressing this matter as expeditiously as possible however, the introduction of any pilot schemes at this time will depend on the PSNI ability to enforce. Should this enforcement not be forthcoming, it is unlikely that residents' parking schemes will become an on-the- ground reality before parking offences are decriminalised in mid-2006, and responsibility for the enforcement of on-street waiting restrictions is transferred to this Department.

Public Prosecution Service

Lady Hermon: To ask the Secretary of State for Northern Ireland what he expects the *(a)* set-up and *(b)* running costs of the Public Prosecution Service for Northern Ireland to be. [192564]

Mr. Spellar: The set-up and running costs of the Public Prosecution Service for Northern Ireland are as follows:

	Set-up costs (£ million)
2001–02	[1]0.4
2002–03	[1]2.1
2003–04	[1]8.6
2004–05	[2]11.4
2005–06	[2]15.8
2006–07	[2]20.9
2007–08	[2]19.2
Total	78.4

[1] Actual costs

[2] Budget

The projected total running costs for the PPS in 2007–08 are £32 million pa.

Lady Hermon: To ask the Secretary of State for Northern Ireland what steps are being taken to ensure there is no public confusion between the roles of the Public Prosecution Service of Northern Ireland and the Police Service of Northern Ireland. [192566]

Mr. Spellar: Over the course of the last two years the Director of Public Prosecutions has held two major public information events, one in Belfast and one in Tyrone, and has recently provided a briefing to Parliamentarians. Additionally briefings have been given to key stakeholders in the criminal justice system and others including the legal profession, the PSNI, the Policing Board and the District Policing Partnerships, political parties, church leaders, ethnic minority and women's representative groups. All of these events are aimed at making the key stakeholders and the general public fully aware of the changing roles of the Director of Public Prosecutions and the new Public Prosecution Service for Northern Ireland in relation to the Police

Service of Northern Ireland. These events will continue not only during the implementation phase of the project but on an on-going basis for the new Service.

Lady Hermon: To ask the Secretary of State for Northern Ireland what assessment has been made of whether the co-location of police officers in the regional offices of the Public Prosecution Service will lead to closures of police stations; and what research has been undertaken into the effects of such co-location on public perception of the independence of the Public Prosecution Service. [192567]

Mr. Spellar: The number of police officers actually co-located within PPS facilities is relatively small and will not cause the closure of any police stations. The decision to co-locate in this manner is based on research completed by DPP implementation staff and an external report by the Management Consultants specifically aimed at maintaining the public perception of the independence of the Public Prosecution Service. The police liaison staff act as a conduit to exchange information between the PSNI and PPS. It is in the interests of efficiency to all parties that such staff are co-located.

Rail Stations

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland how much has been spent on *(a)* maintenance and *(b)* improvements to each rail station in the Belfast area in each of the last five years. [192148]

Mr. Spellar: The following was spent on maintenance to each rail station in the Belfast area in each of the last five years.

£

Station	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Central	42,200	45,400	48,800	81,100	14,700
Botanic	14,100	15,200	16,400	2,100	33,100
City Hospital	3,700	4,000	4,300	400	3,500
Great Victoria Street	36,800	39,600	42,600	21,300	13,100
Adelaide	5,500	5,800	6,200	6,600	7,000
Balmoral	5,900	6,200	6,600	7,100	7,500
Finaghy	8,600	9,100	9,700	10,300	11,000
Sydenham	3,500	3,700	4,000	17,100	8,700
Bridge End	4,600	5,000	5,400	3,900	7,200
Yorkgate	13,600	14,700	15,800	12,200	14,000
Whiteabbey	7,000	7,500	8,100	3,600	2,900
Jordanstown	4,700	5,000	5,400	2,300	11,900
Greenisland	5,000	5,400	5,800	5,000	7,200

The following was spent on improvements to each rail station in the Belfast area in each of the last five years.

£

Station	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Central	1.5 million	2 million	2 million	1.2 million	100,000
Botanic	0	0	0	800	4,500
City Hospital	0	0	0	11,800	7,800
Great Victoria Street	0	0	100,000	13,500	6,500
Adelaide	0	0	0	11,000	8,000
Balmoral	0	0	0	7,700	8,000
Finaghy	0	0	0	11,900	8,000
Sydenham	0	0	0	8,500	6,800
Bridge End	0	0	0	8,900	6,700
Yorkgate	0	0	0	13,700	17,700
Whiteabbey	0	0	0	18,000	9,000
Jordanstown	0	0	0	8,000	0
Greenisland	0	0	0	12,000	18,000

Rural White Paper

Mr. McGrady: To ask the Secretary of State for Northern Ireland what further progress has been made towards the *(a)* preparation, *(b)* development and *(c)* publication of a Rural White Paper; and if he will make a statement. [191864]

Mr. Pearson: A review of rural development policy being undertaken by the Department of Agriculture and Rural Development, in consultation with the Rural Stakeholder Forum, will be completed in early 2005. A major study by consultants PricewaterhouseCoopers to inform this review will be completed very shortly. A decision on whether or not to produce a rural White Paper will be considered in the light of the conclusions of the review.

Water Charging

Lady Hermon: To ask the Secretary of State for Northern Ireland what progress is being made in relation to the introduction of water charging in Northern Ireland. [191973]

Mr. Spellar: The 2003 water reform consultation document was underpinned by the proposal to move water and sewerage services in Northern Ireland to a self-financing basis. These self-financing arrangements required the introduction of domestic water charging and my announcement of 13 September 2004 gave details of the preferred options for both domestic and non-domestic charges.

It is proposed that only those households connected to mains water and/or the public sewer will pay charges for the services they receive. These charges will consist of a standing charge plus an element based on property value. The standing charge will broadly reflect costs associated with maintaining connections to the public water and sewerage networks. Charges will be phased in with customers paying one-third of the annual charge in the first year, and two-thirds of the annual charge in the second year following the commencement of these charges. The total charges payable by a domestic customer will be capped at around £750 per annum.

In response to views expressed in the 2003 public consultation on water reform I decided that provision should be made for household metering when water charges are fully phased in. However, I also indicated that further consideration had to be given to how best to implement this arrangement and to consider the implications for other customers.

A central aspect of the new charging arrangements is that there will also be an assistance scheme for those households on low-income. A special hardship relief scheme, to provide temporary assistance for those householders who find themselves unable to meet the cost of their water or sewerage charges as a result of exceptional circumstances, will also be provided.

Under the new arrangements, all non-domestic customers will be required to pay water and sewerage charges, and where appropriate, trade effluent charges. Water metering will continue to be the preferred basis for charging the non-domestic sector and the scope of metering will continue to be extended throughout this customer group. A larger number of non-domestic customers will move to metered charges or assessed charges but an unmeasured regime will be introduced for the many small businesses and voluntary groups which have low water usage. This unmeasured regime will entail standing charges for water and sewerage services and a variable charge based on the rateable value of the business premises. The domestic allowance for water will be phased out over a three-year period with the result that all water consumed will be paid for. The total charges payable by any customer without a meter will be capped at around £1,500 per annum. Existing non-domestic customers who currently have meters and who are also connected to the public sewer will incur a sewerage standing charge and a volumetric sewerage charge in addition to their existing metered water charges. Trade effluent charges will be calculated on the same basis as elsewhere in the UK, and the charging regime will apply to all businesses with a discharge consent.

The proposed domestic charging regime has been the subject of an Equality Impact Assessment and the non-domestic regime has been the subject of a Regulatory Impact Assessment. These assessments will form a major part of an Integrated Impact Assessment which will be the subject of a 12-week consultation on the impacts arising from the bases of charging and other water reform proposals. This consultation will commence later in the autumn. Responses on the Integrated Impact Assessment will be considered before draft legislation on water reform is issued for public consultation during the first half of 2005.

Despite the considerable amount of work to be done it is hoped to introduce the new charging arrangements in 2006–07 or as soon as practicable thereafter.

Written Answers to Questions

Thursday 21 October 2004

LEADER OF THE HOUSE

Ministerial Travel

Mr. Jenkin: To ask the Leader of the House what the total cost was of his journey to and from the North East on 11 October. [192973]

Mr. Hain: None.

WALES

Priority Homelessness

Mrs. Spelman: To ask the Secretary of State for Wales what the level of priority homelessness in Wales was in each year from 1993 to the establishment of the Welsh Assembly. [190614]

Mr. Touhig: Priority homelessness in Wales between 1993 and 1999 was as follows:

Households accepted as eligible unintentionally homelessness and in priority need

	Number
1993	7,757
1994	6,956
1995	5,811
1996	5,648
1997	4,297
1998	4,371
1999	3,695

Source:
Welsh Office/Welsh Assembly WHO12 returns.

HOUSE OF COMMONS COMMISSION

Waste

Norman Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what *(a)* weight and *(b)* volume of waste has been collected for each year since 1990; and what percentage has been (i) recycled, (ii) landfilled, (iii) incinerated and (iv) otherwise disposed of. [193102]

Sir Archy Kirkwood: I refer the hon. Member to my answer to the hon. Member for Portsmouth, South (Mr. Hancock) on 13 October 2004, *Official Report*, columns 274–75W

Waste from the parliamentary estate is recorded by weight, not volume. Since 1998 all our waste has been either recycled, or recovered by incineration to generate electricity. Statistics were not kept before April 2002.

CULTURE, MEDIA AND SPORT

Arts Funding

Hugh Bayley: To ask the Secretary of State for Culture, Media and Sport how much the arts in *(a)* Yorkshire and the Humber and *(b)* the City of York have received in Government grants in each year since 1997. [192434]

Estelle Morris: The Department for Culture, Media and Sport does not fund the arts directly, but through Arts Council England, who are responsible for distributing public money from Government.

The following table supplied by Arts Council England provides a breakdown of the information requested.

£

	Yorkshire and the Humber		*York*	
	Grant in aid	*Lottery*	*Grant in aid*	*Lottery*
1997–98	13,352,100	13,933,000	806,072	86,000
1998–99	13,561,600	7,889,000	772,144	119,000
1999–2000	15,387,400	11,814,000	857,587	327,000
2000–01	17,859,200	5,203,000	[1]1,032,613	104,000
2001–02	20,181,100	4,381,000	[1]1,066,277	210,000
2002–03	21,110,438	12,425,000	686,136	65,000
2003–04	25,151,582	5,739,000	990,994	510,000

[1] Due to restructuring grant in aid allocated by the former Arts Council of England was not broken down by local authority in these years. Regional grants (i.e. to Yorkshire and the Humber) were apportioned across local authorities according to population.

British Grand Prix

Hugh Robertson: To ask the Secretary of State for Culture, Media and Sport what discussions she has had with Mr. Bernie Ecclestone over the future of the British Grand Prix. [192995]

Mr. Caborn: My right hon. Friend the Secretary of State has had no discussions with Bernie Ecclestone concerning the recent negotiations over the future of the British Grand Prix.

The East Midlands Development Agency (EMDA) are currently leading discussions about the future of the British Grand Prix for the Government.

Hugh Robertson: To ask the Secretary of State for Culture, Media and Sport what discussions she has had with the consortium headed by Mr. Nigel Mansell on the future of the British Grand Prix. [192996]

Mr. Caborn: My right hon. Friend the Secretary of State has had no discussions with the consortium headed by Nigel Mansell over the future of the British Grand Prix.

The ongoing negotiations over the future of the British Grand Prix are a matter between the British Racing Drivers Club (BRDC) and the Formula One Management (FOM).

Hugh Robertson: To ask the Secretary of State for Culture, Media and Sport what guarantees were obtained by the Government over the future of the British Grand Prix from the organisers of Formula One when improvements to transport links were made in 2002. [192997]

Mr. Caborn: The improvements made to the transport links in 2002 were part of a long-term transport planning strategy of benefit to a range of events at Silverstone. Events that have benefited include the Walter Hayes Trophy, the 500 Summer Races and the Historic Sportscar Championships—all run by the British Racing Drivers Club (BRDC).

In order to support the retention of the British Grand Prix at Silverstone, the Department for Transport provided additional funding of £8 million to speed up improvements to the A43 Silverstone bypass to allow better road access in time for the July 2002 British Grand Prix.

At the time, it would have been inappropriate for the Government to obtain any guarantees over the future of the British Grand Prix at Silverstone. This was a commercial matter between the (BRDC), Octagon (the race organisers at the time) and Formula One Management.

The above-mentioned events held at Silverstone continue to benefit from the transport improvements made in 2002.

Children's Play

Mr. Dhanda: To ask the Secretary of State for Culture, Media and Sport (1) when she expects to respond to the report Getting Serious about Play: A Review of Children's Play published by the committee chaired by the right hon. Member for Holborn and St. Pancras (Mr. Dobson); [191333]

(2) what plans her Department has made for distribution of the £200 million of national lottery funding earmarked for new and improved children's play facilities. [191355]

Estelle Morris: My right hon. Friend the Secretary of State expects to be in a position to respond to the "Getting serious about play" review in the near future.

Culture (Definition)

Mr. Rosindell: To ask the Secretary of State for Culture, Media and Sport what definition her Department uses of British culture. [192615]

Estelle Morris: What encompasses British culture is diverse and constantly developing and is not something that can easily be put in a simple definition. However the cultural work of DCMS encompasses architecture and the historic environment, the Royal Parks and Royal Palaces, the performing and visual arts, museums, galleries, libraries and archives, creative industries and tourism.

I agree with the definition of the foundations of Britishness suggested by my right hon. Friend the Chancellor of the Exchequer in this year's British Council Annual Lecture. He described them as

> 'a passion for liberty anchored in a sense of duty and an intrinsic commitment to tolerance and fair play'.

Departmental Consultants

Mr. Jenkins: To ask the Secretary of State for Culture, Media and Sport how much the Department spent on outside information technology and communication specialists, consultants and engineers in the 2003–04 financial year. [192761]

Mr. Caborn: DCMS outsources all its IT provision, IT consultancy and engineering work.

In 2003–04 SchlumbergerSema (Atos Origin from January 2004) provided a full IT service for DCMS including IT specialists, software and hardware, consultancy and procurement. The costs for each are not separated out for accounting purposes. The total cost for IT provision, services, consultancy and procurement by SchlumbergerSema /Atos Origin was £3,576,737.

In addition IT security consultancy provided by Syntegra was £102,681.

The cost of engineers, JC Communications, was £19,211.

Historic Sites (England)

Mr. Rosindell: To ask the Secretary of State for Culture, Media and Sport what the cost to public funds has been of overseas education programmes at historic sites in England in each of the last five years. [192614]

Mr. Caborn: There is no cost to public funds of overseas education programmes at historic sights in England. English Heritage and Historic Royal Palaces offer a wide range of educational activities and facilities, which are available to all. They will, if requested, make special arrangements for overseas groups but have no dedicated programmes for overseas students.

Tourism (Yorkshire)

Hugh Bayley: To ask the Secretary of State for Culture, Media and Sport how many *(a)* visitors from abroad and *(b)* UK tourists visited (i) York and (ii) Yorkshire and the Humber in each year since 1997; and how much they spent. [192426]

Mr. Caborn: The available statistics on visits to and expenditure in Yorkshire and the Humber since 1997 are shown in the table. Statistics are only available on visits that included a stay of at least one night.

	Visitors from abroad		*UK tourists*[1]	
	Visits (thousand)	*Expenditure (£ million)*	*Visits (thousand)*	*Expenditure (£ million)*
1997	947	304	n/a	n/a
1998	925	286	n/a	n/a
1999	874	240	n/a	n/a
2000	918	259	13,100	1,691
2001	803	262	11,000	1,452
2002	8[illegible]2	303	12,200	1,595
2003	916	294	13,100	1,930

[1] Regional data from the UK Tourism Survey is only available back to the start of 2000 due to a significant change in the survey methodology in 1999.

Sources:

International Passenger Survey, UK Tourism Survey.

Statistics on visits to and expenditure in York are only available for visitors from abroad and are shown in the table.

Visitors from abroad

	Visits (thousand)	*Expenditure (£ million)*
1997	328	56
1998	314	56
1999	274	50
2000	308	57
2001	242	71
2002	230	62
2003	214	51

Source:
International Passenger Survey.

Hugh Bayley: To ask the Secretary of State for Culture, Media and Sport how much Government funding the Yorkshire Tourism Bureau received in each year since 1994. [192428]

Mr. Caborn: The York Tourism Bureau is a non-profit making organisation funded by the private sector.

In 2003–04, funding of approximately £710,000 passed from the Regional Development Agency, Yorkshire Forward, to Yorkshire Tourist Board (YTB). Prior to this, the Department for Culture, Media and Sport provided grant in aid to the English Tourism Council (ETC) between 1994–95 and 2002–03. Grant in aid was paid by the ETC to the Yorkshire Tourist Board as shown in the following table. Unfortunately, figures for 1994–95 are not available:

	Grant in aid (£)
1995–96	431
1996–97	766
1997–98	506
1998–99	513
1999–2000	469
2000–01	563
2001–02	730
2002–03	655

HOME DEPARTMENT

Domestic Violence

Mr. Drew: To ask the Secretary of State for the Home Department what research he has commissioned into the links between attention deficit hyperactivity disorder and domestic violence. [192254]

Dr. Ladyman: I have been asked to reply.

No such specific research has been commissioned.

Fixed Penalty Fines

Mr. Beggs: To ask the Secretary of State for the Home Department if he will arrange for British citizens living in Northern Ireland, holding a driving licence issued in Northern Ireland, to be able to pay fixed penalty fines for driving offences occurring in Great Britain without having to appear in court in Great Britain for prosecution. [192533]

Mr. Jamieson: I have been asked to reply.

On 11 October the necessary legislation to provide for fixed penalty fines issued in Great Britain to Northern Ireland licence holders was commenced. This was part of a package of legislation that also provides for the recognition of driving disqualifications between Great Britain and Northern Ireland and the ability to revoke Northern Ireland licences in Great Britain on medical grounds. The provisions match those commenced in Northern Ireland on 11 October.

MOT Certificates

Tom Cox: To ask the Secretary of State for the Home Department how many prosecutions there were of drivers within the Greater London area who did not have a current MOT certificate for the motor vehicle they were driving in each of the last three years. [192674]

Caroline Flint: The Home Office Court Proceedings Database cannot separately identify the specific offence of driving a vehicle without a valid MOT certificate. The table shows total proceedings for all vehicle test offences. Data for 2003 are expected to be published in early 2005.

Proceedings at magistrates courts for vehicle test offences[1] within Greater London[2], 2000–02

	Total proceedings
2000	20,105
2001	19,623
2002	21,508

[1] Offences aiding, abetting, causing or permitting vehicle test offences (except fraud) under the Road Traffic Act 1988 ss. 47(1), 51(2), 53(1)—(3), 63(1), 63(2), 67(9), 76(8), 165(3) and175; Road Traffic (Foreign Vehicles Act 1972 s.3(1) *(c)*; Road Vehicles (Construction and Use) Regulations 1986 Regs. 70 and 73.

[2] The Metropolitan and City of London police combined.

Secure Training Centres

Ms Keeble: To ask the Secretary of State for the Home Department how many staff injuries sustained during training in physical restraint techniques at secure training centres have been recorded in the last five years. [190224]

Paul Goggins: Secure training centre operators record that there have been 17 staff injuries during training.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Emissions

2. **Mr. Illsley:** To ask the Secretary of State for Environment, Food and Rural Affairs if she will undertake an assessment of the proposed emission levels at the Quinn Glass factory in Ince, Cheshire. [192819]

Margaret Beckett: An application has been made by the Quinn Glass factory for a permit under the Pollution Prevention and Control Act 1999. The local authority, Chester city council, is determining it in the usual way and if it grants a permit it will include conditions which represent the Best Available Techniques, including any appropriate emission levels.

Village Halls

15. **Matthew Taylor:** To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the availability of capital funding for major repairs to village halls. [192834]

Alun Michael: Financial help for village halls from national sources has been high in recent years. Since 1995 the Community Fund has awarded over £130 million to around 3,400 village hall projects. Consultation is under way on the priorities for the new Big Lottery Fund.

Global Warming

18. **Tony Lloyd:** To ask the Secretary of State for Environment, Food and Rural Affairs what proposals she has for increasing public awareness of the *(a)* causes and *(b)* effects of global warming. [192837]

Mr. Morley: Tackling climate change is at the heart of Government policy and raising awareness of the links between climate change and the choices and behaviour of every individual, business and public sector organisation will be vital for the UK to deliver a low carbon economy. Government are considering ways to communicate better about climate change at every level and have, as part of this, commissioned independent consultants to report by November on an evidence-based climate change communications strategy.

Sewage Pollution

22. **Dr. Cable:** To ask the Secretary of State for Environment, Food and Rural Affairs what action she is taking to ensure that water companies take action to reduce sewage pollution. [192842]

Mr. Morley: The Government attach a high priority to reducing sewage pollution not least because of the distress caused by flooding due to the capacity and general condition of existing sewer systems. We are working closely with water companies and the regulators in order to deliver an holistic approach to all sources of flooding.

Aquariums

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs what recent research she has *(a)* commissioned and *(b)* evaluated into the welfare of fish and other aquatic animals in public aquariums; and if she will make a statement. [192164]

Mr. Morley: My Department has not recently undertaken any research into the welfare of fish and other aquatic animals in public aquariums. However, I am aware of a recent report by an animal welfare campaign organisation, the Captive Animal Protection Society, alleging poor welfare standards in such establishments.

Aquariums which open to the public are regulated under the Zoo Licensing Act 1981 and are subject to a comprehensive licensing and inspection regime. The aims of the regime include maintaining appropriate standards of animal welfare and my Department publishes overarching general guidance on the required standards (covering issues such as provision of food and water, suitable environment, animal health care, opportunity to express most normal behaviour and protection from fear and distress). The inspection and licensing regime is operated at local authority level, with support from expert zoo inspectors nominated by my Department.

We have circulated the Captive Animal Protection Society's report to zoo inspectors and local authorities in England so that they are aware of it and, if appropriate, can take the issues raised into account in the inspection and licensing cycle. Local authorities are able to take action to address shortcomings in individual establishments if they consider it necessary to do so. The report has also been circulated to the Zoos Forum, the Government's independent advisers on zoos, for consideration.

Archaeological Sites

Mr. Flook: To ask the Secretary of State for Environment, Food and Rural Affairs what *(a)* financial and *(b)* other incentives are available to farmers to protect sites of archaeological interest. [191149]

Alun Michael: It is a requirement of Defra's agri-environment schemes that any historic features or archaeological sites are protected. Grants of up to 100 per cent. are available to assist in this process eg for fencing or scrub clearance. In addition farmers may apply for payments for specific management options such as reversion of arable land to grassland or maintenance of high water levels, that are designed to protect archaeological features.

As part of the Good Agricultural and Environmental Condition requirements for the Single Payment, farmers will be required, without lawful excuse, not to damage any protected monument on their farmland.

Free advice on how to protect sites of archaeological interest is available from Defra's Rural Development Service.

In addition, English Heritage provides payments to farmers for management agreements for the maintenance of Scheduled Monuments on their land.

Bird Populations

Mr. Llwyd: To ask the Secretary of State for Environment, Food and Rural Affairs when the last survey of the population of *(a)* stone curlews, *(b)* curlews and *(c)* lapwings in England and Wales was published; and when it is intended to undertake a further survey. [192206]

Mr. Bradshaw: The number of breeding stone curlews is monitored annually as part of the joint recovery programme run by RSPB and English Nature. In 2003, 261 pairs were proved to breed, all in England; the figures for 2004 are still being collated but a small increase is expected.

There has been no national survey of breeding curlews in England or Wales, although those birds breeding on lowland wet meadows were surveyed in 2002; 435 pairs of curlew were recorded by the survey in England (407 pairs) and Wales (28 pairs), a decline of 40 per cent. since the previous survey in 1982. In addition, several breeding wader surveys in particular parts of the English uplands have recorded curlews. There are no plans for a national survey of curlews in the near future.

The latest survey of breeding lapwings in England and Wales took place in 1998. The lapwing population was estimated at around 63,000 pairs of which around 1,700 pairs were in Wales—these figures represent a decline of 49 per cent. since the previous survey in 1987. There are no plans to repeat this survey in the near future.

Botany

Mr. Win Griffiths: To ask the Secretary of State for Environment, Food and Rural Affairs what funding she has provided in the last three years to *(a)* Kew Gardens and *(b)* other botanical institutions. [192829]

Mr. Bradshaw: In the last three financial years, to 2003–04, we have provided £19.7 million, £16.6 million and £24.8 million, respectively, as grant-in-aid to the Royal Botanic Gardens. We do not fund other botanical institutions.

Bovine Support Schemes

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what the timetable is for the ending of bovine support schemes. [189917]

Alun Michael: 2004 is the final year that the Bovine Schemes (Beef Special Premium Scheme, Extensification Payment Scheme, Suckler Cow Premium Scheme and Slaughter Premium Scheme) will operate. From 1 January 2005 the Single Payment Scheme will be introduced and will replace most existing crop and livestock schemes including those above.

The payment window for making advance bovine payments opens on 16 October. The Rural Payments Agency has announced that it expects to start making payments on 18 October—the first working day of the payment window.

British Cattle Movement Service

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the new rules issued by the British Cattle Movement Service regarding replacement passports. [191110]

Alun Michael: The British Cattle Movement Service (BCMS) has not issued new rules regarding replacement cattle passports, but it will no longer charge for a replacement passport where the original sent by the BCMS has been lost in the post and the loss is not reported within four weeks. Previously keepers who reported the loss after this time were charged a £50 replacement fee.

This action reflects BCMS's response to the current performance of the Royal Mail service and recognises that in sending documents out from the site, the Royal Mail is acting as the agent for the BCMS. The £50 replacement fee remains applicable if cattle passports become lost, stolen or destroyed in other circumstances, after they have reached the farmer.

British Potato Council

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has for the British Potato Council, with particular reference to the cost effectiveness of levy collections. [191095]

Alun Michael: A statutory review of the British Potato Council (BPC), as required by the Industrial Organisation and Development Act 1947, is currently underway. Representative industry organisations are being consulted. All aspects of BPC operations, including levy collection, are covered by the review.

Following completion of the review, GB Ministers will decide whether and how the functions of the BPC should be undertaken in future and on any changes that need to be made to the Council's remit. A decision will be announced early in 2005.

In addition, in response to Recommendation 20 of Lords Haskins' recent report on modernisation and rural delivery, we have announced our intention to commission a wider independent review of all the agriculture and horticulture levy-funded organisations in 2005. This review will no doubt consider the question of levies and how they are collected.

British Waterways

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to expand *(a)* revenue and *(b)* capital aid to users of inland waterways for the movement of freight; and what additional financial assistance will be made available to British Waterways to facilitate these developments. [191089]

Alun Michael: The Government currently expect to spend about £7.93 million from their Freight Facilities Grant programme in 2004–05 towards expenditure incurred by capital projects designed to assist the movement of freight by water. Assistance for revenue expenditure projects is not currently available.

The Government will continue to provide grant in aid to help British Waterways meet its freight and other objectives. The Government have no plans to provide British Waterways with additional grant in aid to facilitate the use of its waterways for freight transport. However British Waterways is eligible for grants from the Freight Facilities Grant programme towards infrastructure investments that will lead to identifiable transfer of lorry movements from roads.

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list ports which remain within British Waterways' ownership; what the status is of each; and what the budget for their maintenance is in this financial year. [191090]

Alun Michael: British Waterways is the harbour authority for a number of ports and docks which are, or have been, used for freight purposes. These include Sharpness Docks, the Port of Howden, the London Docks (the former West India and Millwall Docks), Gloucester Docks, Regents Canal Dock (Limehouse Basin), Liverpool South Docks, Ellesmere Port Docks and Weston Point Docks. Of these only Sharpness

Docks and the Port of Howden are currently in use for regular freight shipping traffic and both are operated by private companies. Most of the other docks are now used for recreational purposes and are incapable of being reactivated as freight docks.

The cost of maintaining British Waterways' freight ports falls to the private companies which operate them. British Waterways is responsible only for dredging the navigational channel and repairing any wall or lock infrastructure. It would be misleading to quote British Waterways' annual costs because it carries out works at irregular intervals and one year's costs are not comparable with another.

In addition to its ports and docks, British Waterways owns a number of wharves on its inland waterway system.

Climate Change Conference

Chris Bryant: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the forthcoming climate change negotiations in Buenos Aires in December. [192833]

Margaret Beckett: The UK welcomes the hospitality shown by the Government of Argentina in hosting the Tenth Conference of the Parties to the UN Framework Convention on Climate Change. The ministerial segment of the conference will focus on accomplishments and future challenges for the convention on its 10th anniversary; impacts of climate change, adaptation measures and sustainable development; technology; and mitigation policies.

Common Agricultural Policy

Mr. Kidney: To ask the Secretary of State for Environment, Food and Rural Affairs what responses she has received from farmers about her proposals for using the common agricultural policy to reform measures to promote sustainable farming. [192841]

Alun Michael: Following agreement of the common agricultural policy reforms in June, we have received a considerable amount of responses from farmers, their representatives and others on all aspects of the proposals as well as responses to the public consultation exercise conducted over the last 18 months.

Conservation Areas

Mr. Dhanda: To ask the Secretary of State for Environment, Food and Rural Affairs whether she intends to designate *(a)* Bolton Fell Moss and *(b)* Solway Moss as candidate special areas of conservation; and what the results were of the public consultation on this matter. [191357]

Mr. Bradshaw: Bolton Fell and Solway Moss are being considered for designation as Special Areas of Conservation (SAC). Scientific consultations on these two sites are ongoing in the light of scientific objections raised about their candidature. Once this process has been concluded, and if the sites meet the selection criteria for SAC protection, they will be designated

Both sites were the subject of Public Consultations in August 2002

Of 147 consultees for the Solway Moss pSAC, including other parts of the South Solway Moss, three objections remain unsolved. Two of the objections are both socio-economic and scientific, and the third objection is based on scientific reasons only.

The consultation on the Bolton Fell, was sent to 92 consultees, of which nine still have unresolved objections on scientific ground and three have objections on socio-economic grounds.

Consultants

Mr. Maples: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the contracts awarded by her Department to consultants in each of the last five years, stating in each case *(a)* the name of the consulting company, *(b)* the value of the contract and *(c)* the purpose for which the contract was awarded; and if she will make a statement. [191737]

Alun Michael: Defra was created in June 2001. The information requested is not held centrally and could only be provided at disproportionate cost.

Convention on International Trade in Endangered Species

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs whether the Government supported the proposal at the Convention on the International Trade in Endangered Species meeting in Bangkok to allow Nambia and South Africa to resume trade in black rhino products. [191136]

Mr. Morley: Following expert advice the Government, along with the other EU member states, voted in support of the amended Namibian proposal. This provided that only adult males could be exported and that all hunting trophies would be marked with the country of origin, species, quota number and year of export. South Africa's proposal was also supported following their amendment reducing the annual quota from 10 to five animals. These amended proposals were subsequently adopted in plenary.

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will support Kenya's proposal at the thirteenth conference of the parties to the Convention on International Trade in Endangered Species to ensure that the conditions of the one-off ivory stockpile sales from Botswana, Namibia and South Africa are strictly defined to prevent any detrimental impact on elephants before any trade in ivory resumes. [190192]

Mr. Morley: The Government of Kenya have withdrawn their proposal in relation to the one-off ivory stockpile sales from Botswana, Namibia and South Africa. The Government are happy with this outcome that will allow the parties to CITES to move forward on the agreement made at the 12th Conference of Parties in Santiago. We believe the Santiago agreement strikes the right balance between meeting the legitimate expectations of the southern African states that they should be able to engage in sustainable utilisation of their natural resources, while establishing strict controls to secure the conservation of wider elephant populations.

Countryside Code

Mr. Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs what steps the Government are taking to promote the new Countryside Code. [192838]

Alun Michael: I launched the new Countryside Code on 12 July this year, and it is being promoted through cartoon broadcasts on television channels across England and Wales and at selected cinemas and outdoor venues. The Code is free of charge and is being promoted through Tourist Information Centres and through the Countryside Agency website: www.countrysideaccess.gov.uk Educational materials for teachers and youth leaders will be available from January 2005.

Dairy Industry

Mr. Edwards: To ask the Secretary of State for Environment, Food and Rural Affairs when she plans to meet the Minister for Rural Regeneration at the National Assembly for Wales to discuss the dairy sector. [192823]

Alun Michael: I shall be meeting Carwyn Jones, who is Minister for Environment Planning and Countryside in the Welsh Assembly on Monday and our agenda for the meeting will include the dairy sector.

Departmental Audits

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs what audit is carried out of her Department by European Union institutions; and when the next such audit is to be carried out. [190711]

Alun Michael: The EU carries out financial audits of Defra and its agencies in relation to the discharging of EU funds through the Common Agricultural Policy (CAP) and Structural Funds programmes.

These audits are carried out on a sample basis throughout the year, as well as on an annual, year-end basis.

In addition, the Commission will from time-to-time seek to satisfy itself that the UK has properly transposed Community legal obligations into UK law or is acting in conformity with other, non-financial, obligations, and will report on these in an ad hoc fashion.

More widely, many EU Directives and Regulations covering areas on which Defra leads within Government require all member states to monitor, record and transmit information, and to compile and transmit reports, to the European Commission on a regular basis for compliance monitoring purposes.

Departmental IT Contract

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the decision to outsource the contract for her Department's IT resources to International Business Machines United Kingdom Ltd.; what budget was originally set to pay for the scheme; what the cost and duration will be; and which agencies in her Department it will apply to. [190127]

Alun Michael: I have taken an active interest in this procurement and discussed progress with the programme director at regular intervals. Evaluation of proposals within the Department showed that award of contract to IBM was the most economically advantageous option, and a business case showed that this was better than continuing with the previous in-house service. For evaluation purposes and to determine whether the outsource was affordable, the business case was evaluated on the basis of actual cost of service required rather than historical budget allocation. The final contract has a potential cost of £509 million over 10 years though the applications development component is non-exclusive. The initial contract is for seven years with options to extend and it applies to core Defra, and the Rural Payments Agency. Other Defra Executive agencies, any NDPB currently sponsored by Defra, and Covent Garden Market Authority are included in this procurement with the right but no obligation to opt into the contract.

Drinking Water (Sustainability)

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the net sustainability percentage for the ability in each local authority area to provide drinking water for the local population. [192335]

Mr. Morley *[holding answer 18 October 2004]:* The Environment Agency is the statutory body with a duty to manage water resources in England and Wales and as part of its role produces national and regional water resource strategies. The Government expect water companies to take a twin track approach of managing demand and developing sustainable resources where needed. The resource strategies are complemented by water companies' 25 year water resource plans, which set out how they plan to achieve a sustainable balance between supply and demand for water. This process ensures that there is sufficient drinking water to supply the local populations served by water companies.

Fisheries

Mr. Carmichael: To ask the Secretary of State for Environment, Food and Rural Affairs what role the Government intends regional advisory councils to have in the management of fisheries; and what steps they are taking. [190635]

Mr. Bradshaw: The Common Fisheries Policy (CFP) needs better stakeholder engagement and a more regional focus, and Regional Advisory Councils (RACs) are a key part of the reforms agreed in 2002. They are international stakeholder-led organisations that will advise the Commission and the Member States on sustainable fisheries management.

The Government are taking a leading role to facilitate the establishment of RACs (the North Sea RAC will be the first) and will continue to support them as they become functioning advisory bodies. We have worked closely with the Commission and other Member States as well as the Scottish Executive, provided funding for stakeholder meetings and secured a three year contribution to the running costs of the North Sea RAC from Member States. As the RACs become functioning advisory bodies, we will continue to work with the Commission and other Member States as well as the Scottish Executive and provide practical assistance.

If successful, RACs will lead to improved decision-making under the CFP. We see them as a potential first step towards regional management—a principle we will develop in our response to "Net Benefits", the Prime Minister's Strategy Unit Report on fisheries management.

Fallen Stock

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs when she expects the National Fallen Stock Company to be operational. [190720]

Mr. Bradshaw: The National Fallen Stock Scheme Company Limited began work on developing a national scheme in December 2003. The Scheme is due to start collecting fallen stock later this autumn.

Farm Business Advice Service

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs how many farmers in the Business Link region of Milton Keynes, Buckinghamshire and Oxfordshire have received free consultancy advice from the Farm Business Advice Service. [189855]

Alun Michael: By 31 August 2004, a total of 369 farmers in the Business Link region of Milton Keynes, Buckinghamshire and Oxfordshire have received free consultancy advice under the Farm Business Advice Service since it began in October 2000. In addition, 41 of these farmers are in the process of receiving the service for a second time because their circumstances have changed significantly since first receiving the advice. This results in a total of 410 cases either completed or underway in these areas.

Flooding

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with the insurance industry on the new Environment Agency maps of zones susceptible to flooding. [191097]

Mr. Morley: My department has discussed the latest flood risk maps with both the Association of British Insurers (ABI) and the Environment Agency and I welcome their production.

Defra, Environment Agency and ABI officials meet regularly to discuss progress against the ABI's Statement of Principles, which includes improved flood risk mapping. I am planning to meet the ABI later this year and this will provide an opportunity to discuss this issue further.

Free Fruit (Primary Schools)

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the rural proofing by her Department of the Government's scheme to provide free fruit to children in primary schools. [190664]

Alun Michael: The National Free Fruit Scheme was launched in November 2000 and has been expanded upon since then. The scheme pre-dates the introduction of rural proofing, which was launched in the Rural White Paper, also of November 2000. It was not initially subject to rural proofing, but all new policy is subject to Regulatory Impact Assessment, which includes an element of rural proofing. This would normally be done by the Department introducing the policy, in this case, the Department of Health. Clearly, the policy applies to both rural and urban schools and as well as providing health benefits it uses produce from rural areas and promotes consumption which is likely to help the rural economy in the long term.

GM Crops

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has made to the European Commission about the GM maize Monsanto 810. [190091]

Mr. Morley: The Department for Environment, Food and Rural Affairs has made no representations to the European Commission about GM maize line MON 810.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how much her Department has spent on independent research into genetically-modified crops in each year since 1994; and what proportion has been spent on research into crops specifically aimed to be grown in developing countries. [190093]

Mr. Morley: The following table shows spending by Defra since its formation in 2001 on independent research on genetically modified crops. None of this has been spent on crops specifically aimed to be grown in developing countries.

	£000
2001–02	3,633
2002–03	3,844
2003–04	1,950

GM Food and Feed Regulation

Alan Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list public bodies who will be responsible for enforcing the GM Food and Feed Regulation (EC) No.1830/2003 in the UK; and what estimate has been made of the cost to each body of the enforcement role. [192233]

Mr. Morley: Local authorities are responsible for monitoring and enforcing food labelling requirements. They are responsible for inspection and control measures to ensure compliance with Regulation (EC) 1830/2003, concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms, and Regulation (EC)1829/2003, on genetically modified food and feed. Depending on the authority the responsibility may be passed to Port Health Authorities and/or Trading Standards Officers.

Local authorities in England estimate that in 2004–05 they will spend £120-£150 million on food law enforcement in total, of which these regulations form part. Each authority manages its budget according to local needs and priorities, and no estimate has been made to date of the overall cost of enforcing these regulations. Nevertheless local authorities are being encouraged to collate information on the cost of enforcing these regulations, which will be used to contribute towards the European Commission's review of these regulations in November 2005.

Grain Harvest

Paul Flynn: To ask the Secretary of State for Environment, Food and Rural Affairs what her estimate is of the percentage of the grain harvest that is likely to be successfully harvested this year. [190525]

Alun Michael: Defra figures published on 14 October estimate that the total UK cereals harvest was some 4 per cent. higher than last year, including an increase of around 10 per cent. for wheat, reflecting higher planted areas and a higher overall yield. Very few crops have been reported as unharvestable, but in a number of areas quality has been significantly affected by the very difficult weather conditions in the second half of July and in August.

Bob Spink: To ask the Secretary of State for Environment, Food and Rural Affairs what measures she will take to alleviate the problems of *(a)* crop failure and *(b)* low value crops caused by the weather conditions during harvest this year; and if she will make a statement. [190745]

Alun Michael: Defra figures published on 14 October show that this year's UK cereals production is estimated to be some 4 per cent. higher than in 2003, despite the serious delays and difficulties experienced in parts of the country during the harvesting period. Very few crops have been reported as totally lost, though in many areas quality would appear to have been significantly affected by the poor weather conditions.

Following consultations with farming organisations, we announced on 22 September that we had concluded that the most effective action we could take would be to give priority to farmers in the worst affected counties so that they receive their EU arable area aid at the start of the normal payment window on 16 November, rather than attempting to make partial advances which would have to be topped-up in a separate operation later on.

We are continuing to work closely with farming organisations to ensure the most effective targeting of these efforts and to explore other ways in which existing schemes and resources can be used to help to mitigate the marketing problems which we accept many arable farmers are facing.

Greenhouse Gases

Hugh Bayley: To ask the Secretary of State for Environment, Food and Rural Affairs what the reduction in greenhouse gas emissions has been in percentage terms in *(a)* Yorkshire and the Humber and *(b)* City of York since 1997. [191299]

Mr. Morley: Data for industrial processes regulated by the Environment Agency are published in the Environment Agency's Pollution Inventory for years since 1998. This information shows that greenhouse gas emissions from major industry and power generation in Yorkshire and the Humber increased by about 1.7 per cent. between 1998 and 2003, mainly because of an increase in emissions from power generation in 2003. The Pollution Inventory does not include emissions from transport, the residential sector, small-scale business or the public sector. A previous study conducted for Yorkshire Forward by Cambridge Econometrics suggests that between 1995 and 2001, greenhouse gas emissions from all sources in Yorkshire and the Humber fell by 2.4 per cent.

The Pollution Inventory records data only for one plant within York itself. Greenhouse gas emissions from this plant increased by about 121 per cent. between 1998 and 2003, but this will not be representative of the total emissions from the city.

The National Environmental Technology Centre has, on behalf of Defra, prepared estimates for carbon dioxide only which suggest that in 2002, Yorkshire and the Humber, and the City of York, accounted respectively for about 10.6 per cent. and 0.15 per cent. of the UK total. Similarly disaggregated estimates will be prepared on an annual basis in future, which will improve the basis for estimating trends at the local level.

Mr. Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the change in the level of greenhouse gas emissions from the European Union in 2001. [191597]

Mr. Morley: In 2001 the EU had reduced its overall emissions by 2.3 per cent. below base-year levels. In 2002, the most recent year for which data are available, emissions had fallen to 2.9 per cent. below base-year levels. The base-year is 1990 for carbon dioxide, methane and nitrous oxide, and 1995 for fluorinated compounds.

The EU is committed under the Kyoto Protocol to reducing emissions of greenhouse gases by 8 per cent. by 2008–12. Analysis indicates that, with planned new national measures within member states and with the use of flexibility mechanisms (including emissions trading), the EU should meet its Kyoto target.

Hazardous Waste Recycling

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs how many hazardous waste recycling sites were *(a)* licensed and *(b)* operating in the United Kingdom on 11 October (i) 2003 and (ii) 2004. [190375]

Mr. Morley: The Environment Agency are responsible for licensing hazardous waste recycling sites in England and Wales. Their current data for the relevant periods is shown in the following table and relates to those handling special waste as defined in the Special Waste Regulations. The sites listed as "all status" include permitted sites that are closed, expired, issued, modified, partially revoked, revoked, surrendered, suspended and transferred. "Issued only" refers to sites currently in operation.

Description	Current quarter to 11 October 2003 All status	Current quarter to 11 October 2003 Issued only	Quarter ending 2 July 2004 All status	Quarter ending 2 July 2004 Issued only
Special Waste Transfer Station	582	425	596	439
Clinical Waste Transfer Station	189	127	192	130
Transfer Station taking non-biodegradable	284	199	287	202
Physico-Chemical Treatment Facility	105	84	110	89
Chemical Treatment Facility	41	34	41	34
Biological Treatment Facility	104	91	108	95

Note:

This information is updated quarterly. Data for the entire current quarter will be available from 18 October.

Hedges

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs what incentives are available to farmers *(a)* to plant new hedges, *(b)* to improve dilapidated hedges and *(c)* not to grub up hedges. [190716]

Mr. Morley: Grants are available through our agri-environment schemes for planting new hedges or improving dilapidated hedges, for example by hedge-laying. The current rates for both are £5/metre.

There are no incentives for not grubbing up hedges, but such activity is governed by the Hedgerows Regulations 1997. Compliance with these regulations is a condition of the agri-environment schemes and from 1 January 2005 will also be a condition for receiving payment under the Single Payment Scheme. Any breach of the requirements may lead to a financial sanction.

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with the National Farmers Union on the two metre strip along each hedge which will be a pre-condition for the single farm payment. [190717]

Alun Michael: Defra's Ministers and officials have held a continuing dialogue with the National Farmers Union and other key stakeholders over the development and implementation of cross compliance requirements.

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs what definition her Department uses of the term hedge. [190718]

Mr. Morley: The term hedge is not separately defined in the Hedgerows Regulations 1997 nor in section 97 of the Environment Act 1995.

A hedge may broadly be considered as a row of low bushes or trees. The detailed interpretation given to the term by this Department depends on the particular circumstances in which it is being used.

Under cross compliance scheme rules, the definition used will be: a more or less continuous boundary line of woody vegetation maintained in a linear shape by cutting or another traditional method of management e.g. coppicing, laying, pollarding.

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs whether the two metre stretch on either side of a hedge may be grazed for the purposes of the single farm payment. [190719]

Alun Michael: Yes.

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs what conditions under the entry level scheme will prevent farmers from grubbing up all but their perimeter hedges in order to avoid the two metre border requirement. [190726]

Mr. Morley: Farmers who wish to join Entry Level Stewardship must record all their hedges and agree to retain them throughout their 5-year agreement. The scheme includes hedgerow management options which provide an incentive to maintain their hedgerows in good environmental condition.

Legislative protection is provided by the Hedgerows Regulations 1997 which prevent the removal of most countryside hedges in England and Wales without seeking permission from the local planning authority.

Hydrofluorocarbons

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what comparison she has made between measures taken to reduce hydrofluorocarbon emissions in the UK and those taken by other EU member states; and if she will make a statement. [190864]

Mr. Morley *[holding answer 14 October 2004]:* Extensive information about measures to reduce hydrofluorocarbon emissions was collected by the European Commission. This included a report (2001) by the Fluorinated Gas Working Group which included representatives from all relevant industrial sectors, environmental non-governmental organisations and Member States. In addition, a further consultancy report (2003) for the Commission included an analysis of government policies on fluorinated gases in then fifteen Member States of the EU.

This material was used in the preparation of the Commission proposal of August 2003 for a Regulation on certain fluorinated greenhouse gases.

Incineration

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what the level of incineration in the UK was in *(a)* 2000, *(b)* 2001, *(c)* 2002 and *(d)* 2003. [190531]

Mr. Morley: Waste Management is a devolved responsibility. The Municipal Waste Management Survey of English local authorities, which is conducted annually by Defra, shows the amount of municipal waste incinerated has remained largely constant at just under 9 per cent. throughout the period 2000–03.

Figures for the amount of commercial and industrial waste incinerated are not collected annually. However the Environment Agency's National Waste Production Survey of a sample of 20,000 businesses, conducted in 1998–99, estimated that slightly more than 2 per cent. of commercial and industrial waste was incinerated that year.

Noise/Pollution

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs how many *(a)* noise and *(b)* nuisance complaints were investigated by Aylesbury Vale district council in (i) 2002–03 and (ii) 2003–04; what proportion of reported complaints this represented; how many abatement notices were issued in each year; and how many fines were levied for non-compliance. [191046]

Alun Michael: In 2002–03, Aylesbury Vale district council investigated 575 complaints of noise nuisance, with three abatement notices served. Of these three notices, two were followed by further action for non-compliance. In the same period the council investigated 276 complaints of other statutory nuisance such as smoke, dust and odour nuisance, with no abatement notices served.

In 2003–04, 688 complaints of noise nuisance were investigated, with six abatement notices served. Four of these abatement notices were not complied with, requiring the local authority to take further action. 348 complaints of other statutory nuisance were investigated, resulting in two abatement notices being served.

Detailed statistics of the level of fines imposed for non-compliance to abatement notices are not available.

It is a requirement under section 79 of the Environmental Protection Act 1990 to take such steps as is reasonably practicable to investigate a complaint of noise or other statutory nuisance.

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs how many successful prosecutions have been undertaken by the Environment Agency concerning pollution in Buckinghamshire in *(a)* 2002–03 and *(b)* 2003–04; and what the average level of fine imposed was. [191047]

Mr. Morley: The Environment Agency undertook four fully successful prosecutions in 2002–03 for offences in Buckinghamshire concerning pollution, the average fine for which was £3,625.

In 2003–04 the Environment Agency undertook 11 fully successful prosecutions for offences in Buckinghamshire concerning pollution, the average fine for which was £3,480. There was also one partially successful prosecution relating to pollution offences, the fine for which was £1,500.

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs how many complaints were received by the Environment Agency concerning pollution in the Aylesbury Vale district council area in *(a)* 2002–03 and *(b)* 2003–04. [191048]

Mr. Morley: In 2002–03, 348 possible pollution incidents within the Aylesbury Vale district council boundary were reported to the Environment Agency. In 2003–04 the figure was 288.

Red Squirrels

Diana Organ: To ask the Secretary of State for Environment, Food and Rural Affairs whether the Joint Nature Conservancy Council has produced recommendations for *(a)* the protection and *(b)* the re-establishment of the red squirrel. [192511]

Mr. Bradshaw: The red squirrel is currently protected in the UK by the Wildlife and Countryside Act 1981 (and The Wildlife and Countryside (Northern Ireland) Order 1982), amended, most recently, by the Countryside and Rights of Way Act 2000 (CRoW) for England and Wales and the Nature Conservation (Scotland) Act 2004. It is included in both Schedules 5 and 6 making it an offence to kill or injure a red squirrel or disturb its place of rest. In addition to this the red squirrel was identified as a priority species for conservation action by the UK Biodiversity Action Plan process. The Joint Nature Conservation Committee, as a member of the UK Red Squirrel Group (UKRSG), has undertaken research into the conservation issues of the red squirrel, and has set out recommended actions and targets in the red squirrel Species Action Plan.

The UKRSG has largely focused conservation action for the red squirrel in key woodland sites where they are still present. A prioritisation exercise has identified those sites with suitable red squirrel habitat that can be managed to ensure their continued survival and reduce the influence of factors that may be causing their decline, such as habitat loss and loss of habitat condition, grey squirrel incursion and disease.

With regards to the re-establishment of the red squirrel in the UK, there are several issues to be addressed, including the amelioration of the reasons for their decline at different sites. JNCC, and the UKRSG, have produced best practice guidelines on the release of red squirrels, but do not recommend the re-introduction of red squirrels without careful consideration of the site to ensure that it is of suitable habitat to support a red squirrel population and that it can be protected from the above factors.

Diana Organ: To ask the Secretary of State for Environment, Food and Rural Affairs what action her Department intends to take to control the grey squirrel. [192512]

Mr. Bradshaw: Grey squirrels are difficult animals to control, particularly on a wide scale. Landowners can take positive action to control grey squirrels locally to protect isolated populations of red squirrels and woodlands. I refer the hon. Member to the answers given on 12 July and 11 October, *Official Report*, columns 895W and WA43.

Reed Bed Technology

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what encouragement the Department is giving to local authorities to develop use of reed bed technology in *(a)* urban and *(b)* rural areas. [192336]

Mr. Morley *[holding answer 18 October 2004]:* The Department is part of the National Sustainable Drainage Systems (SUDS) Working Group which published an Interim Code of Practice for Sustainable Drainage Systems (http://www.ciria.org/suds/icop.htm) in July this year. This document aims to facilitate the implementation of Sustainable drainage options (such as reed bed technology) in developments in England and Wales by providing model maintenance agreements and advice on their use. It provides a set of agreements between those public organisations with statutory or regulatory responsibilities relating to SUDS, including local authorities.

Rights of Way

Ross Cranston: To ask the Secretary of State for Environment, Food and Rural Affairs how many requests she received in *(a)* 2003 and *(b)* 2004 under section 118 of the Highways Act 1980 to close rights of way; how many rights of way were closed as a result of designation orders in (i) 2003 and (ii) 2004; and if she will make a statement. [192329]

Alun Michael: Requests to make orders to close rights of way under section 118 (and section 118B) of the Highways Act 1980 are made to local authorities, and the role of the Secretary of State is to designate areas within which the powers under section 118B may be used by local highway authorities in response to the local authority applications. We have received 23 applications to designate such areas since the legislation came into force in February 2002; 14 were received in 2003 and nine in 2004. 20 have been approved, covering 72 areas in England.

Within the 72 areas that were designated, eighteen orders to close rights of way have been made by local authorities. Two of these have resulted in rights of way being closed in 2004. The remaining sixteen orders are awaiting confirmation by the local highway authority or Secretary of State.

School Milk

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what support her Department is giving to School Milk Week. [191112]

Alun Michael: The School Milk Week promotional campaign, which is taking place during this year's National School Milk Week, is funded by the EU with match-funding from the dairy processing trade and the Milk Development Council, a Defra-sponsored NDPB.

The Government make a considerable continuing contribution to the promotion of school milk. Expenditure on the EU school milk subsidy scheme, which in Great Britain amounted to over £9 million in 2003–04, is, in practice, funded largely by the taxpayer. In addition, Defra, along with DfES and the DoH, co-funds a national top-up to the subsidy of up to £1.5 million annually in England.

Sites of Special Scientific Interest

Mr. Sarwar: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the impact of Network Rail's permitted development rights on sites of special scientific interest. [192825]

Mr. Bradshaw: No specific assessment has been made. Network Rail must seek consent from English Nature if they wish to undertake a potentially damaging operation on an SSSI in England in their ownership. The position is slightly different in Scotland. When the Nature Conservation (Scotland) Act 2004 comes into force there will be a similar requirement to seek consent from Scottish Natural Heritage in Scotland.

Southend Environment

Mr. Amess: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list grants her Department has made to improve the environment in Southend in each of the last three years. [192280]

Alun Michael: Payments have been made to Southend-on-Sea borough council to support the following projects to reduce risk from flooding and coastal erosion:

£

	2001–02	*2002–03*	*2003–04*
Two Tree Island Preliminary Study	—	35,813	—
Improvements—Pier to Lynton Road	765,179	1,984,447	—
Beach Management—Pier to Lynton Road	—	—	99,990

In addition, in 2002–03 there was payment of £268,565 to the Essex Partnership—which includes Southend—for a campaign for raising awareness of recycling.

SPS Forms

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the delay in sending out SPS forms by the Rural Payments Agency; and whether these delays will affect the deadline date by which farmers have to submit their returns. [191092]

Alun Michael: The Rural Payments Agency (RPA) has sent over 89,000 Information Statements in the past four months, and is on target to issue the remainder, fewer than 500, by the end of October.

The Information Statements contain data that the RPA has determined will be used to calculate the historic element of a producer's Single Payment. Producers have been asked to provide any amendments to the data within 28 days of receipt of their statement. This timescale will also apply to producers who have yet to receive their statements.

Tree Planting

Mr. Llwyd: To ask the Secretary of State for Environment, Food and Rural Affairs what financial incentives are available to farmers who wish to plant trees; and if she will make a statement. [192202]

Mr. Bradshaw: The Forestry Commission's Woodland Grant Scheme is the main source of incentives available to farmers who wish to plant trees. This may be combined with Defra's Farm Woodland Premium Scheme which provides annual payments, based on income forgone, for areas of new farm woodlands. The Woodland Grant Scheme provides incentives to plant areas of trees of 0.25 hectares and above; support for smaller areas of tree planting is available under Defra's Countryside Stewardship Scheme.

In England, the Woodland Grant Scheme is currently closed to new applications and will be replaced by the new English Woodland Grant Scheme, which will open for applications in 2005. The new scheme will combine the incentives available under the separate Forestry Commission (WGS) and Defra (FWPS) schemes into one application process for farmers. Defra's Environmental Stewardship Scheme, to be introduced in 2005, will also provide incentives for small-scale tree planting.

Urban Landscapes

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she is having with house builders on the provision of better environmental landscapes for urban developments; and what evidence she has collated that good practice is evolving. [192333]

Alun Michael: My right hon. Friend the Secretary of State has many meetings with many different organisations whose interests lie with the protection and enhancement of the environment. Such meetings follow on from, and inform, the development of departmental policy.

Defra is working with ODPM on long-term planning policy for urban areas, particularly in respect of the four growth areas identified under the Sustainable Communities Plan. A key element of this work is to ensure that creative approaches to the provision of greenspace are built into development plans from the outset. As an example of what we are aiming to achieve we published "Creating sustainable communities: Greening the Gateway" on 14 January 2004. It sets out a joint vision for the landscape of the Thames Gateway region over the next 25–30 years.

At a very practical level these policies feed into the work of the Defra agencies—the Countryside Agency, English Nature, and the Forestry Commission. Benefits for Gloucestershire residents have been provided through the Cotswolds AONB Design Guide for local authorities and practitioners (guidance on locally appropriate design) funded for Defra by the Countryside Agency.

The booklet "Biodiversity by Design: A Guide for Sustainable Communities" was launched on 17 September 2004 following from the work English Nature undertook with the Town and Country Planning Association (TPCA). It is the first in a series of good practice guides setting out practical design led solutions, showing the attention which my Department, and the agencies, pay to the detailed needs of planning practitioners. The guide sets out solutions on how to maximise opportunities for biodiversity in development. In addition, it contains international case studies from European cities such as Berlin demonstrating new approaches with possible applications for the UK.

Waste Management

Richard Ottaway: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to the answer of 4 October 2004, *Official Report*, column 1946W, on waste management, if the Minister will set out a timetable for achieving his proposals. [190671]

Mr. Morley: Following the Gershon review to identify areas where improved efficiency can be delivered, Defra will facilitate efficiency gains on waste services of £30/105/164 million for the financial years 2005–06, 2006–07 and 2007–08.

Significant progress is already being made through the extension of Defra's existing Waste Implementation Programme. This was launched in May 2003 to help local authorities to improve the effectiveness and efficiency of their waste services and to meet targets for more sustainable waste management.

Recent achievements include delivery of: direct consultancy support for local authorities to improve operational effectiveness; specialist procurement and project management consultancy to major local authority partnership projects; an online procurement support sign-posting brochure; a waste-specific PFI procurement toolkit; and, an online new technologies data centre. A standard waste contract documentation toolkit will also be available to local authorities online.

Further milestones for the programme include: commencement of a programme of action to identify/tackle barriers to new entrants to the waste market from September 2004; consultation on revised planning policy guidance on waste and on new guidance on municipal waste management strategies, by end-December 2004; implementation of a three year strategy to deliver better waste data from April 2005; and delivery of 10 new technology pilot schemes by end March 2008.

Water Savings Trust

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on plans to launch a water savings trust; and with whom she has discussed the plans. [191111]

Mr. Morley: During the passage of the Water Act 2003 the option of establishing a water savings trust was discussed and I confirmed that I would request the Environment Agency to consider this option as one of a number of possible steps that could be taken to promote and secure water efficiency. The Environment Agency has commissioned consultants to undertake a feasibility study and they are engaged in reviewing existing water efficiency activity and developing possible models for a water savings trust. As part of this process they have held a consultation workshop to obtain views from a wide range of relevant stakeholders. The Environment Agency will report the output of the feasibility study to Defra by the end of January.

Wildlife Protection

Mr. Sarwar: To ask the Secretary of State for Environment, Food and Rural Affairs what steps are being taken to *(a)* protect and *(b)* enhance the natural wildlife habitat around the UK rail network. [190630]

Mr. Bradshaw: English Nature work regularly with Network Rail at national, regional and local levels to take the steps necessary to protect and enhance wildlife habitat around the UK rail network. Network Rail's vision for the environment is to ensure that protected heritage features and habitats under its care make a positive contribution to the quality of life in the UK. It has a safety and environment plan for 2004–05 which includes a commitment to address conservation issues and in particular to work with English Nature, Scottish Natural Heritage and the Countryside Council for Wales to agree site management statements for 80 per cent. of the SSSIs on its land. It also includes an objective to implement a rolling programme to update its Biodiversity Action Plan.

EDUCATION AND SKILLS

Teenage Pregnancy (Greater London)

Mrs. May: To ask the Secretary of State for Education and Skills what the teenage pregnancy rate in each local authority in the Greater London area was in *(a)* 1997 and *(b)* 2003–04. [192527]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mrs. Theresa May, dated 21 October 2004:

As National Statistician, I have been asked to reply to your recent question asking what the teenage pregnancy rate in each local authority in the Greater London area was in *(a)* 1997 and *(b)* 2003–04. (192527)

The most recent year for which conceptions statistics are available is 2002. The available figures are provisional estimates and are given in the attached table for the areas requested.

Conceptions to women aged under 18—number and rate: London 1997 and 2002[1]

	1997		*2002[1]*	
	Number of conceptions	*Rate per 1,000 women aged 15–17*	*Number of conceptions*	*Rate per 1,000 women aged 15–17*
London	5,975	50.6	6,512	52.0
Inner London	2,758	65.2	3,010	66.9
Camden	144	52.4	135	49.3
Hackney and City of London	279	79.6	303	75.3
Hammersmith and Fulham	126	61.0	137	62.0
Haringey	234	65.3	313	79.3
Islington	169	61.6	173	62.6
Kensington and Chelsea	75	42.3	81	42.8
Lambeth	352	85.7	406	99.6
Lewisham	302	79.0	328	75.2
Newham	295	62.2	333	57.9
Southwark	284	78.6	335	81.2
Tower Hamlets	185	49.3	187	46.5
Wandsworth	219	66.5	184	64.4
Westminster City of	94	36.4	95	43.2
Outer London				
Barking and Dagenham	193	69.0	236	73.3
Barnet	171	30.2	192	33.6
Bexley	140	37.0	172	40.1
Brent	206	44.7	253	51.4
Bromley	142	29.3	179	35.1
Croydon	320	53.5	367	58.1
Ealing	200	38.9	185	34.8
Enfield	206	45.7	292	55.6
Greenwich	274	67.4	248	61.9
Harrow	120	30.8	115	28.0
Havering	162	38.7	150	36.7
Hillingdon	221	53.0	210	46.8
Hounslow	164	44.0	158	40.0
Kingston upon Thames	66	28.6	68	27.5
Merton	109	41.5	118	40.5
Redbridge	150	35.2	155	33.5
Richmond upon Thames	66	25.2	63	26.6
Sutton	106	36.9	110	34.9
Waltham Forest	201	54.4	231	58.0

[1] Provisional figures.

Education Finance

Mr. Hoban: To ask the Secretary of State for Education and Skills what projected expenditure under the *(a)* Targeted Capital Fund and *(b)* locally co-ordinated voluntary aided programme is for (i) 2004–05, (ii) 2005–06 and (iii) 2006–07; and what spending was in 2003–04. [193057]

Mr. Miliband: I have placed two tables of information in the Library of the House. Table A shows details of spending against Targeted Capital projects and the Local Education Authority Co-ordinated Voluntary Aided Programme for 2004–05. Table B shows the projected programme for 2004–05. I am not yet able to confirm all of the programmes for 2005–06 and 2006–07 but will be announcing the details in the next month or so.

Mr. Hoban: To ask the Secretary of State for Education and Skills if he will make a statement on the availability of capital funding to local education authorities not in Phase 1 of Building Schools for the Future. [193058]

Mr. Miliband: I aim to announce in the next month or so details of capital funding available for all local authorities and schools over the 2004 Spending Review period.

Mr. Hoban: To ask the Secretary of State for Education and Skills what representations he has received on the future of the *(a)* locally co-ordinated voluntary aided programme and *(b)* Targeted Capital Fund; and if he will make a statement. [193059]

Mr. Miliband: I can confirm that these popular programmes will continue. The Department works with the Voluntary Aided Capital Working Group on schools capital issues. The Secretary of State has previously announced increases in the Department's total schools capital budget, and I will announce more details early next month, including some developments in the Targeted Capital Fund programme.

Mathematics (A-level)

Peter Bottomley: To ask the Secretary of State for Education and Skills if he will make a statement on the number and rate for the relevant pupil population of mathematics A grades at A level *(a)* at Westminster School and *(b)* in schools in (i) inner London, (ii) Birmingham, (iii) Manchester and (iv) Leeds. [R] [190943]

Mr. Miliband: The information requested given in Table 1 is for academic year 2002/03. Figures for 2003/04 will be available for local education authorities from October 21 and for schools after the School and College Achievement and Attainment Tables are published in January.

Table 1: Grade A achievement at mathematics by students aged 16 to 18 in 2002/03

	Number of A grades at A level mathematics	*As a percentage of A level mathematics entries (percentage)*
Westminster School	105	91
Birmingham LEA	256	34
Leeds LEA	134	31
Manchester LEA	59	31
Inner London LEAs	242	23

Note:

It is DfES policy that Local Education Authority statistics include both maintained schools (mainstream and special) and Further Education Sector Institutions, but exclude independent schools.

Teachers' Pay

Hugh Bayley: To ask the Secretary of State for Education and Skills what the average full-time equivalent gross pay of teachers in York schools was in each year since 1997 *(a)* in cash terms and *(b)* at current prices. [192438]

Mr. Miliband: The following table gives the actual gross average salary in cash terms and 2002–03 prices. The information is for full-time regular qualified teachers at all grades in the maintained schools sector in the City of York local education authority in each year from 1997. The latest information is for 2003.

	Average salary[1]	*Current prices*[2]
1997	22,550	26,070
1998	23,200	26,150
1999	24,060	26,370
2000	24,930	26,740
2001	26,920	28,530
2002	27,840	28,770
2003	29,670	29,670

Sources:

Database of Teachers' Records

[1] Includes all allowances. Data as at March each year.

[2] The actual salaries have been adjusted using the current GDP price deflator, for which the value for year 2002–03 has been set to 100.

INTERNATIONAL DEVELOPMENT

Angola

Mike Gapes: To ask the Secretary of State for International Development what support his Department is giving to development projects in Angola. [R] [192604]

Hilary Benn: DFID has set out its proposed support for Angola for the period 2003 to 2006 in its Country Engagement Plan, which complements the UK's overall Angola policy framework. DFID's assistance in 2004–05 will be almost £9 million. £3 million of this has been allocated to humanitarian programmes. Working closely with international partners like the World Bank and the United Nations, DFID is tightly focusing our development efforts on three main areas:

Consolidation of Peace

DFID is supporting media and civil society activities worth £1.13 million aimed at building peace and preventing further conflict. In addition, Angola benefits from an Africa Conflict Prevention Pool contribution of US$ 25 million over five years to the World Bank's Multi-Country Demobilisation and Reintegration Programme (MDRP) for the Africa Great Lakes region.

Democratisation

DFID is helping prepare civil society and other stakeholders for the national elections scheduled for September 2006. The total cost of this programme over two years is expected to exceed £0.5 million.

Economic Reform and Transparency

DFID is working closely with the World Bank and the International Monetary Fund to assist the Government of Angola to introduce economic reforms aimed at improved financial management and greater transparency. This includes setting up a Trust Fund to help Angola sign up to and implement the Extractive Industries Transparency Initiative. DFID has also been supporting the Angolan national response to combat HIV/AIDS; the process to develop and implement a Poverty Reduction Strategy Paper and land reform. All of the above programmes are worth £1.64 million. And finally, we are contributing £8.9 million over three years to alleviate urban poverty through our Luanda Urban Poverty Programme.

Blindness

Paul Flynn: To ask the Secretary of State for International Development what discussions he has had with the governments of developing countries on education for blind children; and what measures his Department is planning to tackle preventable diseases that lead to blindness in least developed countries. [192710]

Mr. Gareth Thomas: The Department for International Development (DFID) is committed to working with the governments of developing countries towards the education of all children, including those with limited vision and blindness. Poor vision has a detrimental impact on access to education and literacy. DFID is therefore engaged in ongoing discussions with developing countries governments to help find ways to improve the vision of children and adults. For example, in Ghana, DFID will be providing £150,000 to support Adaptive Eyecare—a project designed to provide easy and affordable vision correction for the poor.

DFID also supports the work of ministries of health in developing countries to tackle preventable diseases that lead to blindness. This includes a range of programmes that work towards the prevention and treatment of blindness. In addition, DFID also support the Onchocerciasis Control Programme—a global initiative to protect a total population of £30 million people in 11 countries from river blindness.

Cayman Islands

Mr. Rosindell: To ask the Secretary of State for International Development what the percentage change in gross domestic product per capita of the Cayman Islands has been in each of the last 10 years. [192612]

Mr. Gareth Thomas: The figures in the following table, which are based on data published by the Cayman Islands' Government, give the information requested. The Cayman authorities changed the method used to calculate Gross Domestic Product in 1998, which is reflected in the figures by a jump in the 1998 growth rate. The figures after that date, therefore, are not strictly comparable with the earlier percentages.

	Percentage change in GDP per capita
1994	3.9
1995	3.7
1996	3.2
1997	4.2
1998	26.2
1999	5.7
2000	1.4
2001	-0.3
2002	1.7
2003	0.8

Mr. Rosindell: To ask the Secretary of State for International Development if he will make a statement on the socio-economic effects of Hurricane Ivan on the Cayman Islands. [192624]

Mr. Gareth Thomas: The Government of the Cayman Islands has commissioned an assessment of these effects. It will be for the Government of the Cayman Islands to decide whether these results are made public when they are finalised.

Consultants

Mr. Alan Duncan: To ask the Secretary of State for International Development if he will list the contracts awarded by his Department to consultants in each of the last five years, broken down by *(a)* the name of the consulting company, *(b)* the value of the contract and *(c)* the purpose for which the contract was awarded; and if he will make a statement. [190753]

Hilary Benn *[holding answer 18 October 2004]:* DFID uses consultants to help development partners manage a wide range of aid programmes on the ground. For example, in Uganda, DFID-funded consultants have helped the Government manage the HIV/AIDS crisis. In Bangladesh, consultants have helped the Government strengthen management of health services, saving administration costs and improving service delivery at local level. In Grenada, a DFID funded consultant is helping the Prime Minister's Office plan for reconstruction and development following the hurricane.

Spending on consultants and other contracted experts as a proportion of the total aid budget has fallen since 1997 from 16 per cent. to 10 per cent. Details of new contracts awarded by DFID have been published on the DFID website since 2003. All contracts worth more than £100,000 are subject to international competition. I am arranging for a list of contracts issued by DFID in the last 5 years entitled "DFID Contracts issued from 1 April 1999 to 31 March 2004" to be placed in the Libraries of the House very shortly. This does not include lower value contracts issued by DFID's overseas offices, details of which are not held centrally and could be provided only by incurring a disproportionate cost.

Dalit People

Tom Brake: To ask the Secretary of State for International Development whether his Department funds Dalit *(a)* development and *(b)* empowerment programmes in South Asia. [192592]

Mr. Gareth Thomas: Tackling social exclusion, of which caste discrimination is an important element, is a key issue for reducing poverty in South Asia. DFID funds a range of programmes in South Asia that directly empower and benefit socially excluded groups. Some of these, such as the Dalit NGO Federation's Dalit Empowerment and Inclusion Project in Nepal, are explicitly designed to support Dalit organisations.

Departmental Staff

Tom Brake: To ask the Secretary of State for International Development what records his Department keeps of staff members' caste origins; and whether caste inequalities are monitored. [192590]

Mr. Gareth Thomas: DFID monitors, records and has targets for gender, ethnicity and disability. DFID does not currently have any formal systems in place for monitoring caste in its own, or in partner, organisations.

Tom Brake: To ask the Secretary of State for International Development which castes his South Asian members of departmental and agency staff, employed in South Asia belong to. [192591]

Mr. Gareth Thomas: DFID monitors and has targets for gender, ethnicity and disability. DFID does not currently have any formal systems in place for monitoring caste in its own, or in partner, organisations.

Ethiopia

Mr. Sarwar: To ask the Secretary of State for International Development if he will make a statement on the food shortage in the northern Tigray region of Ethiopia. [190566]

Hilary Benn: The Tigray region of Ethiopia is dependent upon both the short (March to May) and main rainy seasons (June to September). The short rainy season was poor resulting in reduced or failed staple crop production and loss of pasture and water. Preliminary assessments of the main rainy season have also indicated that harvests are likely to be poor.

The Government of Ethiopia's Disaster Prevention and Preparedness Commission early warning report issued in August 2004 indicated that 1.2 million people need assistance until the end of the year. This need translates to 62,982 metric tonnes of assorted food; this need is currently fully covered.

The Department for International Development continues to monitor the situation closely and will respond to humanitarian needs accordingly.

Mr. Laws: To ask the Secretary of State for International Development if he will make a statement on his Department's progress in helping Ethiopia to improve *(a)* access to clean water, *(b)* access to food resources and *(c)* access to primary education; and if he will make a statement. [191281]

Hilary Benn: The Department for International Development's (DFID) engagement in Ethiopia as described in our Country Assistance Plan (CAP) was developed around the Government of Ethiopia's (GoE) Poverty Reduction Strategy known as the Sustainable Development and Poverty Reduction Programme (SDPRP). DFID's support will be based mainly on Direct Budget Support (DBS), with technical co-operation focusing on food security, capacity building and education, plus support to tackle HIV/AIDS.

In the water sector, DFID is working with the United Nations Children's Fund (UNICEF) to support the supply of clean water and sanitation to the drought affected population of Oromia and southern Ethiopia regions.

DFID is actively working in partnership with a number of donors to support the Government of Ethiopia's Food Security Programme. Specifically, DFID is seeking to provide £80 million over the next three years, to the Productive Safety Net Component of the Food Security Programme. This component seeks to lift 5.1 million of the most food insecure people in Ethiopia out of the need for emergency food assistance.

Through DBS, DFID supports the GoEs Education Sector Development Plan, which emphasises primary education. DFID works closely with the Ministry of Education and development partners to improve sector dialogue, policies and strategies in education. DFID is also working in partnership with other bilateral donors to increase teacher supply and quality and access to education for girls, and improve education about HIV/AIDS.

Iraq

Glenda Jackson: To ask the Secretary of State for International Development how many Iraqi nationals are employed in reconstruction programmes funded by *(a)* UK and *(b)* EU aid. [191002]

Hilary Benn: DFID's reconstruction programme in the south has employed a number of Iraqi nationals. For example the Emergency Infrastructure Programme employed 3,000 workers to carry out the manual excavation of trenches for 120 kilometres of water mains in Basra city. DFID's Southern Iraq Employment and Services Programme (SIESP) aims to generate up to 1.75 million days of employment in Iraq's southern governorates by February 2005. DFID also finances the work of a number of non-governmental organisations (NGO's), which employ Iraqis.

The EU has provided its contribution to Iraq through mechanisms such as the International Reconstruction Fund Facility for Iraq and NGOs. DFID does not have information on how many Iraqis have been employed as a result of these contributions.

Land Mines

Tom Cox: To ask the Secretary of State for International Development what assistance his Department provides to countries seeking to clear land mines within their borders; and in which countries de-mining programmes financially supported by his Department are operating. [192675]

Hilary Benn: DFID's support to international humanitarian mine action is focused on:

Support to mine action in poor countries
Improving the international response to mine pollution
Developing new technologies to improve mine clearance
Promoting the globalisation of the Mine Ban Convention

In Financial Years 2002–03 and 2003–04 the following countries received bilateral support from the UK for mine action: Angola, Afghanistan, Cambodia, Georgia, Iraq, Northern Caucasus, Nicaragua, Sri Lanka and Sudan. In addition we are also providing support to international mine action through the United Nations Mine Action Service (UNMAS) the United Nations Development Programme (UNMAS) and the United Nations Children's Fund (UNICEF).

DFID's total spend on humanitarian mine action, including research and other knowledge provision projects, was £14,124,712 in 2002–03 and £13,734,582 in 2003–04.

PRIME MINISTER

Information and Communication Specialists

Mr. Jenkins: To ask the Prime Minister how many information and communication technology specialists are in full-time employment in his office. [189593]

The Prime Minister: For these purposes my office is part of the Cabinet Office. I refer my hon. Friend to the answer my hon. Friend the Minister for the Cabinet Office gave today at column 895W.

DEPUTY PRIME MINISTER

Council Tax

Mr. Laws: To ask the Deputy Prime Minister if he will rank the counties of England by level of council tax rises, for the periods *(a)* 1997–2001, *(b)* 2001–05, *(c)* 1997–2005; and if he will make a statement.

[192072]

Mr. Raynsford: Tabled as follows are ranked percentage increases in the average area B and D council tax for county areas between *(a)* 1997–98 and 2001–02; *(b)* 2001–02 and 2004–05; and *(c)* 1997–98 and 2004–05.

For those county areas that were affected by local government reorganisation on 1 April 1998, the figures used for each year relate to the current county area. For example, the figures used for Essex for each year cover only the area currently covered by Essex county council, and not the areas of Southend-on-Sea and Thurrock, where there are now unitary authorities.

1997–2001

	Percentage increase in average area Band D council tax
Cambridgeshire	43.9
Norfolk	43.3
Worcestershire	43.2
Devon	41.6
Oxfordshire	41.0
Gloucestershire	40.3
Essex	40.1
Wiltshire	39.9
Staffordshire	39.4
North Yorkshire	37.9
Kent	37.5
Northumberland	37.3
Cheshire	37.2
Nottinghamshire	37.0
East Sussex	36.7
Shropshire	36.7
Hertfordshire	36.5
Buckinghamshire	35.9
Surrey	35.2
Derbyshire	34.6
Suffolk	34.1
Lincolnshire	33.5
Cornwall	33.4
Somerset	33.3
Lancashire	32.1
Dorset	32.0
Hampshire	31.3
West Sussex	30.7
Northamptonshire	30.5
Leicestershire	29.7
Warwickshire	29.4
Bedfordshire	28.4
Cumbria	27.0
Durham	25.7

2001–05

	Percentage increase in average area Band D council tax
Surrey	39.9
North Yorkshire	39.4
Suffolk	39.3
West Sussex	38.4
Devon	38.0
Shropshire	37.2
Hertfordshire	36.6
Norfolk	35.7
Dorset	35.5
East Sussex	35.3
Buckinghamshire	35.1
Oxfordshire	34.6
Somerset	34.4
Cambridgeshire	34.3
Gloucestershire	34.1
Essex	33.9
Worcestershire	33.2
Hampshire	32.8
Kent	32.5
Northamptonshire	32.5
Staffordshire	31.9
Durham	31.5
Bedfordshire	31.1
Warwickshire	30.7
Cornwall	30.6
Wiltshire	30.1
Leicestershire	29.5
Cumbria	28.4
Nottinghamshire	27.7
Lincolnshire	27.2
Lancashire	24.8
Northumberland	24.7
Derbyshire	24.6
Cheshire	22.4

1997–2005

	Percentage increase in average area Band D council tax
Devon	95.5
Norfolk	94.5
Cambridgeshire	93.4
North Yorkshire	92.2
Worcestershire	90.8
Oxfordshire	89.7
Surrey	89.2
Gloucestershire	88.1
Essex	87.6
Shropshire	87.5
Suffolk	86.8
Hertfordshire	86.4
East Sussex	84.9
Staffordshire	83.8
Buckinghamshire	83.6
Kent	82.2
Wiltshire	82.0
West Sussex	80.8
Somerset	79.2
Dorset	78.9
Nottinghamshire	74.8
Hampshire	74.3
Cornwall	74.2
Northamptonshire	72.9
Northumberland	71.2
Lincolnshire	69.7
Warwickshire	69.2
Bedfordshire	68.4
Leicestershire	68.0
Cheshire	67.9
Derbyshire	67.8

1997–2005

	Percentage increase in average area Band D council tax
Durham	65.4
Lancashire	64.9
Cumbria	63.1

Equi Save Project

Andrew Mackinlay: To ask the Deputy Prime Minister (1) what information his Department has received about the EU's Interreg Equi Save Atlantic Area Project; and if he will make a statement; [190925]

(2) what discussions he has had with agriculture Ministers in *(a)* Scotland, *(b)* Wales and *(c)* Northern Ireland on eligibility of breeders of rare equine species for the EU's Interreg Equi Save Project; and if he will make a statement; [190927]

(3) what steps have been taken to consult breeders of rare equine species in the United Kingdom about the EU's Interreg Equi Save Project; and if he will make a statement. [190929]

Keith Hill: The Office of the Deputy Prime Minister, which helps to co-ordinate UK interests in the European-funded Interreg initiative, received a copy of an application for European Regional Development Fund (ERDF) support under the Interreg IIIB Atlantic Area Programme from the French lead partner, Les Haras Nationaux (French public sector body charged with promoting and developing equine interests at regional level).

The application indicated that there were no UK partners who would derive any financial support. There were two English associate partners with minor engagement (Exmoor Pony Society and Exmoor Ponies in Conservation).

It is normal practice for the Office of the Deputy Prime Minister to liaise at official level with the Devolved Administrations over any such applications which have partners in either Scotland, Wales or Northern Ireland and, where appropriate, with Government Offices and other Government Departments. In the case of the Equi Save project, there were no ERDF beneficiaries in any of the UK countries. The project has now been approved by the programme.

The Office of the Deputy Prime Minister sought clarification on the eligibility of rare equine species from the programme authorities who confirmed that they are eligible.

Breeders of rare horses in the United Kingdom were not consulted as there were no UK ERDF beneficiaries.

Gypsies (Housing Provision)

Mr. Luff: To ask the Deputy Prime Minister whether *(a)* he and *(b)* planning inspectors will require applicants for Gypsy site provision to demonstrate (i) local need, (ii) local connections with the area and (iii) both (i) and (ii) to overturn a decision against them by a local planning authority. [193121]

Keith Hill: Both the Secretary of State, my right hon. Friend the Deputy Prime Minister and planning inspectors will consider appeals from Gypsies on a case by case basis taking account of material considerations such as the local assessment of the need for sites in the area and policies in the local development framework. Local connections are a lesser consideration because of changing work patterns. Local planning authorities should consider applications on the same basis and grant planning permission if appropriate.

Mr. Luff: To ask the Deputy Prime Minister whether it is his policy that a local authority's record in making provision for Gypsies should be taken into account when considering the need to make further provision. [193136]

Keith Hill: Where needs have been identified in a particular area through the Local Housing Needs Assessment process, local authorities will be required to formulate a strategy on how that need may be met, whether or not they have already made provision for Gypsies and Travellers in the past.

Mr. Luff: To ask the Deputy Prime Minister whether it is his policy that local authorities which have made little or no provision for Gypsies should be required to make significant provision in the future. [193137]

Keith Hill: The need for Gypsy and Traveller sites in a particular area will be determined through the Local Housing Needs Assessment process and, where a need has been identified, local authorities will be required to formulate a strategy which will set out how those needs will be met. Provision should be related to need, not necessarily levels of past provision.

Mr. Luff: To ask the Deputy Prime Minister (1) what the time scale is for publication of a replacement for Circular 1/94; [193111]

(2) whether the replacement for Circular 1/94 will put a duty on local authorities to make adequate provision for gypsy sites; [193112]

(3) whether the replacement for Circular 1/94 will require all local authorities *(a)* to have policies relating to Gypsies in their development plans and *(b)* to ensure that they each make provision for Gypsies. [193114]

Keith Hill: The Office of the Deputy Prime Minister will consult on a revised circular later this year. We will then meet stakeholders to discuss the responses received. The Office of the Deputy Prime Minister aims to bring the new circular into force in April 2005. The circular will require each local planning authority to have policies relating to Gypsies in their development plans and will also reflect changes that are being introduced as part of the Housing Bill. These place a duty on local authorities to assess the accommodation needs of Gypsies and Travellers in their area and to produce a strategy setting out how those needs will be met.

Housing (East Midlands)

Paddy Tipping: To ask the Deputy Prime Minister how many empty homes there are in each local authority area in the East Midlands. [192354]

Keith Hill: The latest information on empty properties in each local authority in the East Midlands is shown in the following table. These data have been provided from the Office of the Deputy Prime Minister's annual Housing Investment Programme returns and Housing Corporation's annual Regulatory Statistical returns, as reported by local authorities and registered social landlords respectively.

Total vacant dwellings at 1 April 2004 in local authorities in the East Midlands

Local authority name	*Number*
Amber Valley	1,760
Ashfield	1,580
Bassetlaw	1,660
Blaby	1,040
Bolsover	1,480
Boston	930
Broxtowe	1,010
Charnwood	1,870
Chesterfield	1,590
Corby	680
Daventry	990
Derby	3,640
Derbyshire Dales	1,970
East Lindsey	1,880
East Northamptonshire	1,020
Erewash	990
Gedling	1,390
Harborough	980
High Peak	900
Hinckley and Bosworth	1,630
Kettering	1,200
Leicester	[1]—
Lincoln	970
Mansfield	2,230
Melton	380
Newark and Sherwood	790
North East Derbyshire	1,160
North Kesteven	830
North West Leicestershire	1,200
Northampton	2,660
Nottingham City	4,700
Oadby and Wigston	460
Rushcliffe	760
Rutland	540
South Derbyshire	640
South Holland	1,260
South Kesteven	1,380
South Northamptonshire	[1]—
Wellingborough	970
West Lindsey	1,850
Total East Midlands	58,730

[1] Indicates that information is unavailable.

Note:

Figures have been rounded to the nearest 10.

Source:

ODPM's Housing Investment Programme returns and Housing Corporations Regulatory Statistical returns.

Housing Act

Ms Oona King: To ask the Deputy Prime Minister when he intends the provisions in part 6, chapter 1 of the Housing Act 2004 to be brought into effect. [192773]

Keith Hill: Commencement of the Right to Buy measures in part 6 of the Housing Bill is provided for in clause 253 of the Bill, as follows:

clauses 171 and 173–180 and schedule 9 will come into effect two months after Royal Assent

clause 181 will come into effect immediately on Royal Assent, so that the Rent to Mortgage scheme will end eight months after Royal Assent

clauses 170, 172, and 182–185 will come into effect in England on a day to be appointed by the Secretary of State, my right hon. Friend the Deputy Prime Minister.

Jobs and Enterprise (Deprived Areas)

Mr. Sarwar: To ask the Deputy Prime Minister if he will make a statement on the Social Exclusion Unit's report on Jobs and Enterprise in Deprived Areas. [190633]

Phil Hope: The Social Exclusion Unit's report on Jobs and Enterprise in Deprived Areas was published on 21 September. The report contains new evidence about very local pockets of unemployment and economic inactivity that exist across the country—right down to the level of individual streets. It explains where these places are, who lives in them and why they happen.

It sets out what more the Government will do to make sure the benefits of full employment are felt in every neighbourhood in England. This will build on the great deal of progress already made in recent years in helping people into work, regenerating deprived areas and supporting businesses.

Although the Social Exclusion Unit has a remit for England only, the concentrations of worklessness that the report explores are also found in Scotland and Wales. The Social Exclusion Unit has worked closely with colleagues from both whilst preparing the report. This work included a visit to the 'Childcare Works' project in Glasgow, which the report highlights as a good example of how to draw together the welfare to work agenda with the National Childcare Strategy.

Copies of the summary and main report have been placed in the Libraries and Vote Office of the House. Further copies can be obtained from the Office of the Deputy Prime Minister's publications on 0870 1226 236 or from the Social Exclusion Unit's website: www.socialexclusion.gov.uk.

Local Government

Janet Anderson: To ask the Deputy Prime Minister what guidance his Department gives to local authorities about the participation of elected members of local authorities in decisions on *(a)* asset management and *(b)* staff redeployment. [192520]

Phil Hope: The Office of the Deputy Prime Minister gives no specific guidance in relation to the participation of elected members of local authorities in decisions on asset management and staff redeployment.

Ministerial Travel

Mr. Jenkin: To ask the Deputy Prime Minister what the total cost was of his journey to and from the North East on 12 October. [192974]

Phil Hope: My right hon. Friend the Deputy Prime Minister's visit to the North East was not made in an official capacity. Travel was conducted in accordance with Travel by Ministers.

Mobile Network Development

Mr. Spring: To ask the Deputy Prime Minister whether his Department plans to commission a study to assess the impact of the Code of Best Practice on Mobile Network Development, with specific reference to how it is perceived by local authorities and the public; and if he will make a statement. [192906]

Keith Hill: The Office of the Deputy Prime Minister has commissioned a study to assess the impact that the code has had more widely since its introduction; how local authorities have implemented the code; and how the public perceives its operation. A steering group consisting of representatives of local planning authorities, the industry and a national action group is over seeing this work. We will publish the report of this study when it is completed which will be during March 2005.

Regional Government

Mr. Rosindell: To ask the Deputy Prime Minister what assessment he has made of the need for regional government in England. [191250]

Mr. Raynsford: The Government believe that elected regional assemblies will offer great benefits and democratic accountability for people in regions that establish them. However, we are offering a policy of choice, and no region will have an assembly forced on them.

The Office of the Deputy Prime Minister laid out the advantages in the White Paper, "Your Region, Your Choice", in May 2002, and the people of the North East will shortly have the opportunity to have their say.

Runwell Hospital

Mr. Francois: To ask the Deputy Prime Minister pursuant to the answer of 18 October 2004, *Official Report*, columns 460–61W, on Runwell hospital, by what date he expects the transfer of the site to his Department to be effected. [193004]

Keith Hill *[pursuant to the answer, 18 October 2004, Official Report, c. 460–1W]:* The Office of the Deputy Prime Minister is seeking to reach an agreement with the Department of Health on the terms of the transfer of the land portfolio as soon as possible. The transfer of individual sites will then follow. Sites will be transferred as and when they become vacant. Precise timing is still to be determined.

Social Housing

Mr. Laws: To ask the Deputy Prime Minister how many people were *(a)* homeless and *(b)* on the waiting list for social housing in (i) England and (ii) each local authority in England in each year from 1994; and if he will make a statement. [191280]

Keith Hill: The information is as follows:

(a) and *(b)* Information collected about local authorities' actions under homelessness legislation and the number on the waiting list for social housing is in respect of households, rather than persons. Local authorities sometimes maintain the waiting list jointly with Housing Associations in their district. However, information is not held centrally where a Housing Association maintains a separate waiting list to the local authority.

Current and recent years' data on Homelessness at national and regional level are published in a quarterly Statistical Release, "Statutory Homelessness: England". The Release also contains a supplementary table containing reported data at local authority level. The latest Release, published on 13 September, covers statistics up to and including the second quarter of 2004. Statistics for the third quarter of 2004 will be published on 13 December.

(i) Estimates of the number of households accepted as eligible for assistance, unintentionally homeless and in priority need as well as the number of households on the local authorities' waiting list, in England since 1994, are as follows:

England

	Households accepted as homeless [1]	*Number of households on the waiting list at 1 April* [2]
1994	118,490	1,122,000
1995	117,490	1,087,000
1996	113,590	1,062,000
1997	102,000	1,021,000
1998	104,630	1,020,000
1999	105,370	1,039,000
2000	111,340	1,039,000
2001	118,610	1,039,000
2002	125,330	1,093,000
2003	137,440	1,264,000
2004[3]	—	1,427,000

[1] Households eligible under homelessness legislation and found to be unintentionally homeless and in a priority need category.

[2] Excludes tenants awaiting a transfer.

[3] Provisional figure for 2004.

Source:

Office of the Deputy Prime Minister's PIE homelessness (quarterly) and annual Housing Investment Programme returns

(ii) Homeless information and housing waiting list for each local authority in England for each year since 1994 has been made available in the library of the House.

South West Regional Rescue Control

Diana Organ: To ask the Deputy Prime Minister whether he plans to shortlist only private bidders for the proposed South West regional rescue control centre; when he will announce the shortlist; and on what criteria he will base his decision as to who will gain a place on the shortlist. [192028]

Mr. Raynsford: The Office of the Deputy Prime Minister is currently running a competitive procurement for fire and rescue regional control centres under the EU Restricted Services Directive. Tenders have been invited from both public and private sector. Submitted sites have been evaluated against criteria such as accessibility (to both people and services), demographics, vulnerability to threats such as flooding, and suitability for development. During the procurement process we are unable to release any information on the tenderers and their proposals to anyone who is not directly involved in the procurement process.

Emergency Services (Thames Gateway)

Bob Spink: To ask the Deputy Prime Minister how many additional *(a)* fire stations and *(b)* firemen and women will be required under the Government's current growth plan for an additional 120,000 houses to be built between 2003 and 2016 in the Thames Gateway. [191518]

Keith Hill: The information requested is not held centrally, and could be provided only at disproportionate cost. The Government introduced a new system of integrated risk management planning by fire and rescue authorities in April this year. Under Integrated Risk Management Planning, London, Kent and Essex Fire and Rescue Authorities will be responsible for determining their own policies and standards for prevention and intervention in the light of the risks identified. It will be for these authorities to take into account the planned development and to assess and manage the risks accordingly in light of the Government agenda for the Thames Gateway.

The Office of the Deputy Prime Minister has supplied all Fire and Rescue Authorities (FRAs) with computer software which enables them to identify the risks in their area, to plan responses and allocate resources to fire stations to minimise these risks. This software makes use of the National Census data, the road network and details of shops, offices factories etc.

SCOTLAND

Ministers' Private Offices

Mr. Prisk: To ask the Secretary of State for Scotland what the running costs of Ministers' private offices in his Department have been in each year since 1997. [191374]

Mrs. McGuire: The Scotland Office was established on 1 July 1999.

In the period 1 July 1999 to 31 March 2000, the costs of running the ministerial private offices were not recorded separately. The costs of running the ministerial private offices of the Scotland Office and Office of the Advocate General after March 2000 were:

	£
2000–01	522,721
2001–02	614,146
2002–03	591,886
2003–04 est	514,813

The figures do not include accommodation costs and other overheads.

Parliamentary Constituencies

Mr. David Marshall: To ask the Secretary of State for Scotland when he expects to lay the conclusions on the new Scottish parliamentary constituency boundaries before Parliament; and if he will make a statement. [191334]

Mr. Darling: I am required by the Parliamentary Constituencies Act 1986, as soon as may be after the Boundary Commission for Scotland has submitted its report to me, to lay that report before Parliament together with a draft Order in Council for giving effect, with or without modifications, to the report's recommendations.

The Boundary Commission has not yet submitted its report. The timing is a matter for the Commission.

Theft and Fraud

Mr. Prisk: To ask the Secretary of State for Scotland what his estimate is of the cost of theft and fraud to *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in each year since 1997. [191422]

Mrs. McGuire: The Scotland Office was established on 1 July 1999.

The cost of theft to the office in 1999–2000 was estimated at £2,200. Since then, no cases of theft or fraud have been reported to the office.

TRANSPORT

Air Safety

Mr. Gale: To ask the Secretary of State for Transport what measures his Department takes to guarantee the airworthiness and safety of aircraft operated by foreign airlines and freight companies into the United Kingdom; and if he will make a statement. [192803]

Charlotte Atkins: International civil aviation is governed by the Chicago Convention. Under the Convention, the International Civil Aviation Organisation (ICAO) is responsible for establishing minimum safety standards which contracting states are required to implement. States are required to recognise the certificates issued by other contracting states unless they have reason to believe that they have not been issued in accordance with ICAO standards. ICAO also audits contracting states' aviation authorities to help identify and address any deficiencies in the implementation of international standards. The reports of these audits are made available to all contracting states.

If we have doubts about whether an aircraft or airline complies with international safety standards we will arrange for the aircraft to be inspected by the Civil Aviation Authority. Such inspections are carried out in a format established under the European Civil Aviation Conference's (ECAC) Safety Assessment of Foreign Aircraft (SAPA) programme. Reports of all ramp inspections conducted under the SAFA programme are held on a central database and are available to all ECAC states. ECAC is also finalising a system to ensure that all member states are alerted when a significant safety issue with a foreign airline is identified.

Any airline from outside the EU, Iceland, Norway or Switzerland which wishes to pick up or put down passengers or cargo in the UK requires a permit from the Secretary of State for Transport. It is a condition of the permit that the airline should be operated in accordance with international safety standards established by ICAO. Permits may be refused, and existing permits suspended or revoked by the Secretary of State. This may occur where there is a breach of a permit condition, which would include non-compliance with international safety standards; however action can also be taken for reasons other than safety. Permit decisions will be reviewed in the light of new information or changed circumstances.

Air Travel Services

Mr. Bill O'Brien: To ask the Secretary of State for Transport what assessment he has made of *(a)* levels of passenger numbers and *(b)* volume of freight carriage required to sustain the airports servicing the Yorkshire and Humber region following the opening of the Robin Hood airport in South Yorkshire; and if he will make a statement. [192504]

Charlotte Atkins: The Air Transport White Paper, published in December 2003, did not contain forecasts for the growth of Robin Hood Airport Doncaster Sheffield, as such issues were examined in detail at the public local inquiry into its development as a civil airport. An assessment of the impact of passenger abstraction on other airports in the region has subsequently been made to inform consideration of the application for Objective 1 funding to support its development.

Norman Baker: To ask the Secretary of State for Transport if he will estimate the percentage change in real terms in the costs of *(a)* internal and *(b)* international air flights for each year from 1975 to date, taking the 1975 cost to be 100. [193099]

Charlotte Atkins: Data are not available for UK internal flights or for more than the recent past for international flights. However, the historical global trend has been of an annual average decline of 3 per cent. in real terms since 1975. Taking 1975 as 100, this would imply a current index value of about 45. More recently, the average annual decline in real terms in the average fare to EU countries since 1994 has averaged 4.5 per cent. per annum.

Aircraft Emissions

Norman Baker: To ask the Secretary of State for Transport what maximum percentage decrease he expects to be achieved in aircraft emissions by 2020 from technological advances. [193100]

Charlotte Atkins: I refer the hon. Member to the answer given on 22 June 2004, *Official Report*, columns 1314–1315W.

Attention Deficit Hyperactivity Disorder

Mr. Drew: To ask the Secretary of State for Transport if he will take action against those drivers who suffer from attention deficit hyperactivity disorder who do not take medicine which alleviates the symptoms. [192664]

Mr. Jamieson: Attention Deficit "Hyperactivity Disorder (ADHD) is a condition that should be reported to DVLA and is mentioned in the "At a Glance Guide to the Current Medical Standards of Fitness to Drive" in the Behaviour Disorders section. Due to the variability in the severity of the condition, each case is considered on its merits. If DVLA are not satisfied that any symptoms likely to endanger driving are controlled satisfactorily, a licence is refused or revoked. When drivers with mental health conditions are licensed, both the driver and the GP are sent information letters pointing out the need to notify DVLA of any deterioration in the condition during the currency of the licence.

Mr. Drew: To ask the Secretary of State for Transport if he will make a statement on the research being undertaken by Lancashire Police on the impact of attention deficit hyperactivity disorder on driving standards. [192273]

Mr. Jamieson: I welcome any research relevant to road safety. Officials are discussing details of the proposed research with Lancashire Police and considering its eligibility for Department for Transport funding and its priority against other proposals. The results of any research will be considered by the Honorary Medical Advisory Panel on Psychiatric Disorders and Driving.

Benfleet/Fenchurch Street Rail Service

Bob Spink: To ask the Secretary of State for Transport what assessment he has made of the change in the average time for the journey by train from Benfleet Station to Fenchurch Street. [192352]

Mr. McNulty: The Government do not collect statistics on average journey times from particular stations. However, the performance of c2c for the year to 30 June 2004 was 87.6 per cent. of services arriving on time, up from 85.9 per cent. for the year to 30 March 2004.

Buses

John Thurso: To ask the Secretary of State for Transport how many new bus services have been created using funding from the bus service operators grant in each year since 2000; and how many of these ceased to operate in each of these years *(a)* in total, *(b)* broken down by region and *(c)* broken down by local authority area. [192194]

Charlotte Atkins: This information is not collected. Bus Service Operators Grant takes the form of a rebate of fuel duty paid in operating a local bus service. Payment of the grant is not dependent on whether the service is a new or an existing one, hence no data is collated which would enable us to differentiate. In addition, the grant is only a contribution to operating costs and, while significant, does not provide the main source of funding for services.

Information on the number of local bus routes registered with the Traffic Commissioners, and the number of registrations withdrawn each year, is published in the Commissioners' Annual Reports.

Disability Discrimination Act

Mr. Greg Knight: To ask the Secretary of State for Transport what assessment he has made of the impact of the Disability Discrimination Act 1995 on *(a)* bus, *(b)* coach and *(c)* rail services in England; and if he will make a statement. [192264]

Charlotte Atkins *[holding answer 18 October 2004]*: There has been significant progress in making public transport accessible to disabled people through regulations made under the Disability Discrimination Act. This has been widely welcomed by disabled people and our forthcoming Disability Discrimination Bill will further strengthen legislation in this area.

As a result of the accessibility regulations we have made, many more disabled people including wheelchair users, are now able to use public transport. Already around one third of the bus fleet used on scheduled services nationwide is accessible, rising to 90 per cent. in London, and almost 1,900 new rail vehicles have entered service which meet the Rail Vehicle Accessibility Regulations and there will be over 700 more within the next 18 months. New coaches used on scheduled services will have to provide wheelchair access from 1 January 2005.

Drink Driving

John Thurso: To ask the Secretary of State for Transport (1) how many road traffic accidents were caused by drink driving in each year since 1997 *(a)* in total and *(b)* broken down by local authority area; [192189]

(2) how many *(a)* car drivers and *(b)* passengers died in drink driving related accidents in (i) December and (ii) January of each year since 1997 (A) in total and (B) broken down by local authority area. [192190]

Mr. Jamieson: Estimated numbers of drink drive accidents in Great Britain are calculated on a national basis and shown in the following table for years since 1997. Estimates are not made for the number of drink drive accidents in individual local authorities, nor are estimates available for drink drive casualties among different types of road user by month of the year.

Estimates of accidents involving illegal alcohol levels (Great Britain)

	Number
2003[1]	12,400
2002	13,150
2001	12,270
2000	11,800
1999	11,050
1998	10,100
1997	10,710

[1] Provisional.

Source:

Road Casualties Great Britain: 2003 Annual Report.

GNER

Hugh Bayley: To ask the Secretary of State for Transport how much GNER has invested in York station in each year since its franchise began. [192411]

Mr. McNulty: The information is not held centrally. However, I have asked GNER to write my hon. Friend with the information.

Government Grants

Ms Buck: To ask the Secretary of State for Transport which funding streams have been allocated by his Department using a funding formula which includes rankings or scores on the Index of Multiple Deprivation 2000; and if he will list the amount of funding allocated in such a way *(a)* nationally by the Department and *(b)* to all Government sponsored bodies reporting to the Department. [191535]

Charlotte Atkins: The Department for Transport used the Index of Multiple Deprivation to inform allocations in three different programmes:

> The Index was used to select 15 authorities that were targeted for funding to improve road safety in their disadvantaged areas. The 15 authorities all have wards in the 10 per cent. most deprived wards nationally. The funds for the DfT's Neighbourhood Road Safety Initiative are for a limited period of three years (2003–04, 2004–05 and 2005–06).
>
> In May 2001 the Government announced that they would spend £9 million on Kerbcraft, a phased national pilot programme of child pedestrian training schemes for children aged 5–7 years old. The money is being made available to English local authorities demonstrating deprivation and a child casualty problem. The grants have been awarded in three tranches, each tranche running for a total of three years, with the final tranche ending in 2007. 103 schemes in 64 English local authorities have been selected.
>
> The Index of Multiple Deprivation was one of the factors taken into account in assessing bids to the three annual Urban Bus Challenge competitions held in the period 2001–03. A total of £53 million was awarded to local authorities as a result of these competitions.

No Government sponsored bodies reporting to the Department for Transport have reported the use of the Index in determining the allocation of funding.

King's Cross

John Thurso: To ask the Secretary of State for Transport if he will make a statement on progress with his review of the Northern Ticket Hall phase of the redevelopment project at King's Cross. [192196]

Mr. McNulty: The review by the Department's advisers, Mott Parsons Gibb, has been completed and Ministers are currently considering the final report.

London Transport (Olympic Bid)

Mr. Rosindell: To ask the Secretary of State for Transport what plans there are to ensure that London is able to cope with the increased transport needs that a 2012 Olympics would bring. [192671]

Mr. McNulty: London 2012 will submit the bid for the 2012 Olympic and Paralympic Games to the International Olympic Committee by 15 November. The bid will set out how transport will be provided, making the most of the 10 railway lines which will serve the site of the proposed Olympic Park, planned investment in London's transport network and additional measures to increase capacity for the Games.

Milford Haven (Liquefied Gas Storage)

Lembit Öpik: To ask the Secretary of State fo Transport (1) what discussions his Department has had with the Milford Haven Port Authority in respect of the proposed development by Petroplus of a liquefied natural gas storage facility; and if he will make a statement; [191645

(2) what discussions his officials have had with Milford Haven Port Authority in respect to the drawing up of a risk assessment for the proposed Petroplus liquefied natural gas storage facility; and if he will make a statement; [191651]

(3) what discussions his Department has had with the International Maritime Organisation in respect to the proposed Petroplus liquefied natural gas storage facility; and if he will make a statement; [191652]

(4) what assessment his Department has made of the offshore risks posed by the proposed Petroplus liquefied natural gas storage facility; and if he will make a statement; [191653]

(5) what plans he has to raise the proposed Petroplus liquefied natural gas storage facility with *(a)* the Health and Safety Executive, *(b)* the Environment Agency, *(c)* the Countryside Council for Wales and *(d)* TRANSEC; and if he will make a statement. [191654]

Mr. Jamieson: The Milford Haven Port Authority is an independent statutory undertaker and the Department does not have a role in the decision-making process in respect of the Petroplus development. Our only contact with the Authority has been to obtain information, given parliamentary interest in the development.

We understand that risk assessments have been undertaken for the project by the Port Authority and the developer and have been accepted by others involved. The Department has not been involved in these assessments. Milford Haven Port Authority has an oil spill contingency plan approved by the Maritime and Coastguard Agency after appropriate consultation with other statutory bodies. The plan will need to be reviewed in the light of the new development.

The Department has had no contact with the International Maritime Organisation. The existing Port Facility Security Plan will need to be reviewed and approved by the Department's Transport Security team.

The Petroplus project has had to obtain consents, not just from the planning authority but also from the Health and Safety Executive, Environment Agency, Countryside Council for Wales and to the Port Authority's knowledge has satisfied them in all respects.

MOT

Mr. Greg Knight: To ask the Secretary of State for Transport how many MOT testing stations in the UK are trialling a new computer system; which stations are involved; what reports he has received about delays being caused by the new equipment; and if he will make a statement. [191187]

Mr. Jamieson *[holding answer 15 October 2004]*: 43 MOT testing stations including five operated by the Vehicle and Operator Services Agency are trialling a new computerised service for administering the MOT testing scheme. The trials involve volunteer testing stations recording data on MOT tests both electronically and manually as well as testing other important aspects of the computerised service. Some testing stations have also experienced difficulties operating the new system, resulting in longer test times.

Further trials are programmed within a wider group of testing stations later this year. These will test changes to software to address issues found during the initial trials and the computerised system's conformity with contracted service levels designed to ensure MOT tests are not delayed.

Motorways

Mr. Kidney: To ask the Secretary of State for Transport what average daily volume of traffic passed *(a)* between junctions 11 and 20 of the M6 motorway, *(b)* along similar lengths of the M6 motorway either side of junctions 11 to 20 and *(c)* along other comparable parts of the motorway network in the last period for which figures are available. [192076]

Mr. Jamieson: The figures in the following table provided by the Highways Agency show two-way flows (Average Annual Daily Traffic-AADT-for 2003 unless otherwise indicated) along the section of motorway as indicated.

(a) M6 between junctions 11 and 20

Junctions	*Flow AADT*
J12-J13	104400
J13-J14	105800
J14-J15	99000
J15-J16	107700
J16-J17	119200
J17-J18	122000
J18-J19	121400
J19-J20	103200

(b) along lengths of the M6 motorway either side of junctions 11 to 20
M6 from M1 Junction 11

Junctions	*Flow AADT*
M1-J1	69100
J1-J2	76300
J2-J3	106600
J3-J4	102800
J4-J4A	98100
J4A-J5	142900
J5-J6	118400
J6-J7	132600
J7-J8 (East)	121100
J8 East-J8 West	97200
J8 West-J9	159200
J9-J10	150100
J10-J10A	140000
J10A-J11	99500

M6 Junction 19–31

Junctions	*Flow AADT*
J19-J20	103200
J20-J21	[1]148300
J21-J21A	129900
J21A-J22	99100
J22-J23	101000
J23-J24	98100
J24-J25	119900
J25-J6	93000
J27-J28S of Services	85200
J28-J29	90500
J29-J30	76200
J30-J31	139600

[1] Year 2002 as figures not available for 2003

(c) Other comparable parts of the motorway network.

It is not easy to indentify other parts of the motorway network which might be comparable without a specified set of criteria for comparison.

Mr. Kidney: To ask the Secretary of State for Transport what arrangements he has put in place to collect data on the overall time gained or lost by motorists passing through the West Midlands as a result of the operation of the M6 Toll road. [192077]

Mr. Jamieson: The Highways Agency, together with local authority partners and Midlands Expressway Ltd., have set up a programme of collecting and reporting information on traffic flows on the M6 Toll road and the adjacent road network since the road opened in December 2003. Assessment of before and after impacts will be reported after three months, 12 months and five years of opening.

Mr. Kidney: To ask the Secretary of State for Transport what estimate he has made of the effects on time costs for motorists travelling *(a)* on the M42 between junctions 3 and 9, *(b)* on the M6 in Warwickshire between the M1 and the M6 toll road and *(c)* on the M6 in Staffordshire between junctions 11A and 13 as a result of the changes in traffic levels arising from the opening of the M6 toll road. [192078]

Mr. Jamieson: The Highways Agency's three month report identifying the impacts of M6 Toll indicates that the M6 Toll has removed a significant level of traffic from the existing M6 which has improved operating conditions and journey times. A full breakdown of time savings can be found in the Report (M6 Toll Traffic Monitoring Study—three month Traffic Impact Study Report) which is in the House of Commons Library and on the Highways Agency's website. However, these time savings have not been converted into 'time costs'.

Mr. Kidney: To ask the Secretary of State for Transport what assessment he has made of the suitability of the operating contract for the M6 Toll road as a model for future toll road operations. [192080]

Mr. Jamieson: If the Government were to proceed with any future toll road proposal, it would determine what delivery arrangements were most appropriate.

Mr. Kidney: To ask the Secretary of State for Transport if he will publish his updated assessment of the operation of the M6 Toll road and its effects on traffic volumes on the M6 motorway. [192082]

Mr. Jamieson: In June this year the Highways Agency published a report covering the first three months impacts of the M6 Toll road. The Highways Agency and other interested parties including Midland Expressway Limited continue to monitor the M6 Toll and its effects on the surrounding road network. It is the intention to publish a second report, approximately 12 months after the opening of the M6 Toll, in December 2003. This will provide a more detailed evaluation of the before and after situation.

Railways

Mr. Drew: To ask the Secretary of State for Transport how many points failures there were between Swindon and Paddington in each month of the last two years for which figures are available. [192944]

Mr. McNulty: This is an operational matter for Network Rail. Network Rail will respond directly to my hon. Friend.

Norman Baker: To ask the Secretary of State for Transport what his policy is in respect of the future level of rail fares relative to the overall inflation rate within the economy. [193098]

Mr. McNulty: In the Secretary of State's statement to the House on 19 June 2003 following the outcome of the Strategic Rail Authority's Fares Review, he stated that the SRA had concluded that regulated fares should continue, but they should rise by RPI plus 1 per cent. from January 2004. Rises in unregulated fares are a commercial matter for the train operating companies.

Mr. Gale: To ask the Secretary of State for Transport (1) when he expects to announce a decision in relation to the future of the Integrated Kent Rail Franchise; [192801]

(2) if he will provide support for the development of a fast rail link between East Kent and London, including Manston Airport. [192802]

Mr. McNulty: The Strategic Rail Authority wrote to stakeholders in July letting them know that the Invitation to Tender and Stakeholder Briefing Document would be issued in the autumn.

With regard to the provision of services to Manston Airport, the SRA has not as yet received any proposals for a new station in the vicinity of Manston Airport and any such proposals will need to be the subject of detailed analysis as set out in the SRA New Stations document published in September. Funding for such a station will also need to be considered from the outset.

Mr. Rosindell: To ask the Secretary of State for Transport (1) how much money the Government have invested in the rail network since 1 May 1997; [191460]

(2) how much money the Government expect to spend in improvements to the rail network over the next five years; [191464]

(3) how much the Government plan to invest in improving the safety of railways over the next five years; [191469]

(4) how much it will cost to maintain the current standard of safety on railways over the next five years. [191470]

Mr. McNulty: I refer the hon. Member to my answer given to my hon. Friend the Member for Tamworth on 19 October 2004, *Official Report*, column 611W.

Mr. Goodman: To ask the Secretary of State for Transport what plans there are to refurbish *(a)* High Wycombe station and *(b)* Marlow station; and if he will make a statement. [193002]

Mr. McNulty: High Wycombe station is managed on a day-to-day basis by Chiltern Railways, and Marlow station by First Great Western Link. As part of their franchise agreements these train operating companies are required to maintain a minimum standard of facilities at stations in terms of waiting, accommodation, the provision of information, and cleaning and maintenance.

At High Wycombe station, platform extension works to allow for seven car trains are being finalised. Work to replace the existing station subway with a new footbridge and lifts is due for completion in 2005. Further station redevelopment proposals (including a new booking hall and increased car-parking facilities) are being developed in conjunction with the local authority.

There are no plans to refurbish Marlow station.

John Thurso: To ask the Secretary of State for Transport what the total subsidy was from the Strategic Rail Authority to Connex for the South Eastern franchise in each year of operation. [192228]

Mr. McNulty: The Connex South Eastern rail franchise commenced on 13 October 1996 and was terminated on 8 November 2003. The net franchise payments for each year are set out in Appendix 3 of the Strategic Rail Authority's Annual Report, a copy of which is in the Library of the House.

Mr. Jenkins: To ask the Secretary of State for Transport how many miles of track in the rail network have been *(a)* modernised and *(b)* replaced since privatisation. [189577]

Mr. McNulty: Network Rail advises that for each year between 1996–97 and 2003–04 the total length of track where re-railing has been carried out is as follows:

	Total track re-laid in miles
1996–97	244
1997–98	283
1998–99	247
1999–2000	321
2000–01	661
2001–02	611
2002–03	628
2003–04	871

South West Trains

Mr. Hancock: To ask the Secretary of State for Transport (1) what representations he has received concerning the proposed changes to the South West Trains timetables from 12 December; [190481]

(2) what amendments the Strategic Rail Authority has granted to the South West Trains Public Service Requirement to allow them to operate a new timetable from 12 December; [190490]

(3) how many departures from the terms of the South West Trains (SWT) Public Service Requirement will take place when the proposed new SWT timetable commences on 12 December; [190491]

(4) what consultation South West Trains has undertaken with *(a)* the Strategic Rail Authority and *(b)* his Department concerning the proposed departures from the Public Service Requirement; [190492]

(5) what his policy is on allowing train operating companies to *(a)* depart from obligations contained within the Passenger Service Requirement (PSR), *(b)* depart from the PSR obligation without prior approval from the Strategic Rail Authority (SRA) and *(c)* depart from the PSR obligations prior to the SRA being able to undertake a full stakeholder and public consultation process; and if he will make a statement; [190493]

(6) what discussions he *(a)* has recently had and *(b)* intends to have with the Strategic Rail Authority about future compliance by South West Trains with its public service requirement; [190509]

(7) what powers the Strategic Rail Authority has to issue a derogation to extend maximum journey times specified within a public service requirement without consultation with *(a)* stakeholders and *(b)* the general public; [190510]

(8) what plans the Strategic Rail Authority has to *(a)* consult (i) stakeholders and (ii) the general public about amendments or derogations to the South West Trains' public service requirement and *(b)* publish proposed changes to South West Trains' public service requirement; [190511]

(9) which bodies the Strategic Rail Authority recently consulted about the changes required to public service requirements (PSR) in order to allow the proposed new South West Trains timetable to conform to the terms of the PSR. [190512]

Mr. McNulty: The Secretary of State has no contractual relationship with Train Operating Companies (TOCs). The Strategic Rail Authority (SRA) has responsibility for managing franchise agreements with TOCs under Directions and Guidance from the Secretary of State, copies of which are in the Libraries of the House.

TOCs cannot depart from the Passenger Service Requirement (PSR) without SRA approval. The SRA has powers to grant derogations from PSRs. It is not specifically obliged to consult on these but is expected generally to consult to an appropriate level those affected by the exercise of its functions and normally does so.

The SRA requires TOCs to demonstrate that they have consulted those affected by proposed timetable changes. South West Trains (SWT) has consulted widely with local authorities and rail user groups about the proposed timetable as well as consulting the SRA about associated proposed departures from the PSR. It has not been necessary for SWT to consult the Department.

The Secretary of State has general discussions periodically with the SRA about a range of issues. The Secretary of State has received no representations about the proposed changes to the SWT timetables from 12 December 2004. The SRA has consulted affected local authorities and Rail Passenger Committees which represent passengers about proposed PSR changes. The consultees are listed in the table.

The SRA is considering a request from SWT, to grant temporary derogations to allow implementation of the 12 December 2004 timetable. A summary of these requests for derogations was sent to the affected MPs, including the hon. Member, in a letter from the SRA dated 17 September 2004. A copy of the summary has been placed in the Library of the House.

Bodies consulted by the SRA

Councils

Arun district council
Basingstoke and Deane borough council
Bath and North East Somerset council
Bournemouth borough council
Bracknell Forest council
Brighton and Hove city council
Bristol city council

Chichester district council
Christchurch borough council
Devon county council
Dorset county council
East Devon district council
East Dorset district council
East Hampshire district council
Eastleigh borough council
Elmbridge borough council
Epsom and Ewell borough council
Exeter city council
Fareham borough council

Gosport borough council
Hart district council
Hampshire county council
Havant borough council
London borough of Hounslow
London borough of Lambeth
London borough of Merton
London borough of Richmond
London Borough of Sutton
Hampshire county council
Plymouth city council
Poole borough council
Portsmouth city council
Purbeck district council
Reading borough council
Royal borough of Kingston upon Thames
Runnymede borough council
Salisbury district council
Somerset county council
South Hams district council
South Somerset district council
Southampton city council
Spelthorne district council
Surrey county council
Surrey Valley district council
Teignbridge district council
Test Valley borough council
The Royal borough of Windsor and Maidenhead
Torbay borough council
Wandsworth council
Waverley borough council
West Dorset district council
West Sussex county council
Weymouth and Portland council
Wiltshire county council
Winchester city council
Woking borough council

Bodies consulted by the SRA

Councils

Mole Valley district council
New Forest district council
North Dorset district council
Wokingham district council
Worthing borough council

Other bodies

Joint Strategic Planning Unit (for the six Unitary Authorities in the former administrative County of Berkshire)
London Transport Users Committee
Rail Passengers Committee for Southern England
Rail Passengers Committee for Western England
Transport for London

Transport Services

Mr. Amess: To ask the Secretary of State for Transport if he will list grants his Department has made for transport services in Southend in each of the last three years. [192278]

Charlotte Atkins: Grant has been paid by the Department to Southend-on-Sea borough council for half the costs of its major transport scheme included in its Local Transport Plan. The figures are as follows:

Financial year	*Amount (£000)*
2001–02	250
2002–03	1000
2003–04	2000

In addition, the Department has given support to borrowing for the balance of these costs and for integrated transport schemes and block maintenance of highways in Southend-on-Sea. The total figures for these are:

Financial year	*Amount (£000)*
2001–02	4608
2002–03	4742
2003–04	4680

Hugh Bayley: To ask the Secretary of State for Transport how much Government grant the City of York has received for transport schemes in each year since the unitary authority was established. [192410]

Charlotte Atkins: The table as follows shows the total amount of Government grant City of York council has received for all transport related issues in each year since the formation of the unitary authority in April 1996.

£ million

	Transport Policies and Programme/Local Transport Plan Capital Funding					
	Grant	*Non-grant*	*Rural Bus Subsidy grant*	*Rural Bus Challenge*	*Countryside Agency*	*Strategic Rail Authority*
1996–97	1.284	2.056	0	0	0	0
1997–98	0.706	1.506	0	0	0	0
1998–99	0.168	0.959	0.073	0.180	0	0
1999–2000	0.338	1.645	0.073	0	0	0
2000–01	0	2.262	0.073	0.236	0	0
2001–02	0	5.995	0.093	0	0	0
2002–03	0	6.155	0.107	0	0.007	0

£ million

	Transport Policies and Programme/Local Transport Plan Capital Funding					
	Grant	*Non-grant*	*Rural Bus Subsidy grant*	*Rural Bus Challenge*	*Countryside Agency*	*Strategic Rail Authority*
2003–04	0	7.881	0.109	0	0.044	0
2004–05	0	6.302	0.123	0	0.041	1.600
Total	2.496	34.761	0.651	0.416	0.092	1.600

Notes:

1. The Transport Policies and Programme/Local Transport Capital funding to local authorities covers all aspects of transport (e.g. maintenance, road safety and public transport). Historically this funding has been allocated partly in the form of grant (Transport Supplementary Grant or TSG) and partly by means of borrowing approval (Supplementary Credit Approvals or SCA and Annual Capital Guideline or ACG). Since the introduction of the Prudential system of finance in the 2004–05 financial year, borrowing approval is now in the form of Supported Capital Expenditure (SCE).

It is for the local authority to set priorities and allocate funds accordingly for transport from its Single Capital Pot budget.

2. In addition, the local authority receives Revenue Support Grant (RSG) from the Government each year. This is a block allocation for all council services, which includes support for transport schemes; however, it is not possible to identify specific allocations for transport schemes from within the RSG allocation.

Transport and Works Act

John Thurso: To ask the Secretary of State for Transport whether he plans to bring forward proposals to amend the Transport and Works Act 1992. [192237]

Mr. Jamieson: We are changing some of the secondary legislation made under the Act, in order to streamline and modernise the system for obtaining Orders authorising guided transport systems. New inquiries procedure rules took effect in August, and we are currently preparing new procedure rules for making applications and objections.

Travel Statistics

Norman Baker: To ask the Secretary of State for Transport how far the average person living in an English *(a)* urban and *(b)* rural area travelled each year in (i) 1979, (ii) 1997 and (iii) 2003. [193101]

Charlotte Atkins: The National Travel Survey provides the data requested, shown in the following table.

Miles

England	*1978–79*	*1996–98*	*2002–03*
Distance per person per year:			
Urban	4,653	6,393	6,564
Rural	6,411	9,430	9,628
All areas	4,899	6,716	6,844

Urban areas are those with settlements of 3,000 or more people. Rural areas are the remainder.

Two-way Radios

Mr. Djanogly: To ask the Secretary of State for Transport what estimate he has made of the number of road traffic accidents involving a driver using a hand-held two-way radio that have occurred in each of the last three years. [192765]

Mr. Jamieson: The information requested is not available.

Mr. Djanogly: To ask the Secretary of State for Transport for what reasons the use of two-way radios is not included in the legislation banning the use of hand-held mobile phones whilst driving. [192768]

Mr. Jamieson: The Department reported in June 2003 on the public consultation on mobile phones and driving. Responses to the consultation pointed out that the use of such radios over many years had not resulted in road safety concerns. We accepted that the use of a 'press-to-talk' two-way radio was likely to have a lower risk than a hand-held mobile phone because it permits a one-way conversation only while a button is pressed, keeping messages short.

The consultation document and decision letter are available on-line at http://www.dft.gov.uk/stellent/groups/dft_control/documents/contentservertemplate/dft_index.hcst?n = 10199&1 = 2

Vehicle Excise Duty

Hugh Bayley: To ask the Secretary of State for Transport on how many vehicles in York reduced vehicle excise duty is paid because they have smaller engines; and how many are exempt from VED because they are old vehicles. [192419]

Mr. Jamieson: The information requested is as follows:

York Unitary Authority

	Full rate VED	*Reduced rate VED*	*VED age exempt*
Cars	32,877	20,719	—
Motorcycles and motor tricycles	1,696	3,417	—
Total	34,573	24,136	842

Weapons Grade Plutonium (Transportation)

Mr. Sanders: To ask the Secretary of State for Transport (1) what his policy is on the transportation of weapons grade plutonium by *(a)* road, *(b)* rail, *(c)* air, *(d)* inland waterway and *(e)* sea; and if he will make a statement; [190622]

(2) if he will make it his policy to ban the seaborne transportation of weapons grade plutonium from United Kingdom waters; [190623]

(3) if he will make it his policy to seek international agreement to ban the transportation of weapons grade plutonium in international waters for commercial purposes; [190624]

(4) what risk assessment is undertaken by his Department for the transportation of weapons grade plutonium in United Kingdom registered cargo vessels. [190625]

Mr. Jamieson: Transport by all modes of all radioactive material for civil use, including plutonium, is permitted subject, inter alia, to national and international regulation based upon the International Atomic Energy Agency's publication "Regulations for the Safe Transport of Radioactive Material (TS-R-1)" which is intended to establish standards of safety which provide an acceptable level of control of the radiation, criticality and thermal hazards to persons, property and the environment that are associated with the transport of radioactive material.

The transport of radioactive material in UK registered ships is subject to the safety requirements of the International Maritime Dangerous Goods Code (the "EMDG Code") of the International Maritime Organization (IMO) and, where applicable, the IMO's International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on Board Ships (the "INF Code").

Security, as distinct from safety, in the transport of nuclear material is a matter for my right hon. Friend the Secretary of State for Trade and Industry, who is advised by the Office for Civil Nuclear Security, which is responsible for the assessment of the potential threats posed to any shipment of nuclear material on any UK registered vessel and must be satisfied that adequate precautions are taken to prevent theft or sabotage.

TRADE AND INDUSTRY

Coal-related Respiratory Diseases

Adam Price: To ask the Secretary of State for Trade and Industry what the average administrative transaction cost incurred by the Government is for settling each case relating to compensation for coal-related respiratory diseases. [190666]

Nigel Griffiths: The average Unit costs per claim for Iron Mountain (£39), ATOS Origin COPD (£758), ATOS Origin Spirometry (£85) and Business Healthcare (£5), and adding to solicitors fees for COPD per offer made (£1,427) and IRISC costs apportioned by number of staff dedicated to working on COPD and then calculated over offers made (£393).

Fuel Generation (Research and Development)

Llew Smith: To ask the Secretary of State for Trade and Industry how much was spent on research and development in *(a)* nuclear energy and *(b)* wave power in each year since 1974; and what the subsidy provided to (i) operational nuclear power plants and (ii) wave energy power generators was in each year. [189342]

Mr. Mike O'Brien: Between 1976 to 1983 around £17 million was spent on wave energy research and development under the UK Department of Energy's Wave Energy Programme.

Since 1999 the UK has supported research into wave energy under the DTI's Technology Programme. The table gives levels of expenditure on wave energy research and development since 1999:

Spend on Wave research by financial year from 1998-99

	£000
1998–99	91
1999–2000	11
2000–01	331
2001–02	662
2002–03	748
2003–04	3104
Total	4,947

The main form of support for all renewable technologies is the Renewables Obligation (RO), which provides a stable and long term market for renewable electricity. Electricity generation from wave technologies is eligible for the RO.

On 2 August the Secretary of State for Trade and Industry announced a new £50 million Marine Renewables Deployment Fund. The new funding will be primarily focused on supporting marine renewables developers through the pre-commercial demonstration phase.

Expenditure by the Engineering and Physical Science Research Council (EPSRC) on wave and tidal technology research is given in the table:

Financial Year	*£000*
1998–99	0
1999–2000	0
2000–01	184,599
2001–02	490,693
2002–03	471,694
2003–04	806,226

Expenditure by the EPSRC on nuclear research is given in the table:

Nuclear Research

	£000
1998–99	81,000
1999–2000	62,000
2000–01	127,562
2001–02	324,879
2002–03	307,195
2003–04	212,239

Note:

Figures from EPSRC dating back to 1974 could not be provided without disproportionate cost.

Figures for direct Government expenditure (but not including spending by the Research Councils) on nuclear fission are given in the table.

Nuclear Fission

	£ million
1991–92	73.5
1992–93	69.2
1993–94	60.9
1994–95	12.5
1995–96	6
1996–97	9.3
1997–98	1
1998–99	1.6
1999–2000	2.5
2000–01	0
2001–02	2
2002–03	2.1

Notes:

1. Expenditure in support of Meteorological Office emergency response arrangements currently accounts for approximately £2.1 million. Figures dating back to 1974 could not be supplied without disproportionate cost.

2. The Government concluded in 1992 that the continued funding of R and D for the UK's fast breeder reactor programme would not be a priority beyond 1993. This decision is reflected in the reducing R and D figures.

Figures for nuclear fusion R&D dating back to 1974 are given in the table:

UK Government expenditure on Fusion[1]

	£ million
1974–75	4.3
1975–76	5.7
1976–77	6.6
1977–78	7.3
1978–79	8.3
1979–80	10.5
1980–81	11.4
1981–82	17.3
1982–83	12.5
1983–84	14.1
1984–85	18.9
1985–86	21.1
1986–87	23.1
1987–88	22
1988–89	24.1
1989–90	24.1
1990–91	21.9
1991–92	20.1
1992–93	16.3
1993–94	16.0
1994–95	15.9
1995–96	15.7
1996–97	12.1
1997–98	16.6
1998–99	12.6
1999–2000	14.3
2000–01	17.0
2001–02	14.4
2002–03	14.6
2003–04	15.6

[1] Figures up to 1985–86 are from UKAEA's annual report and may not necessarily be the same as UK Government expenditure on fusion—for example, the rise in 1981–82 is due at least in part to fusion's share of the writing off of capital assets across UKAEA.

Notes:

1. Figures from 1996–97 to 2001–02 are from the Fusion Programme Letter funded by DTI and for 2002–03 and 2003–04 are the allocations from OST and EPSRC.

2. The dip and peak in 1996–97 and 2000–01 were due to changes in invoicing arrangements. The peak and dip in 1997–98 and 1998–99 were due to expenditure being brought forward across the end of the Financial Year at DTI's request.

3. UK Government funding for Fusion provides *(a)* the UK contribution to the UK's domestic fusion programme (in addition Euratom fund the programme at typically 25 per cent. of the gross cost, though the rate has changed over the years) and *(b)* the UK's financial contribution to JET. The JET project formally started in 1978 (though there had been a European design team at Culham before this).

4. The UK's indirect contribution to the European fusion programme, via central European Union funding for the Euratom Framework Programme, is excluded.

There is funding for nuclear related research through the EC. The UK proportion of the moneys contributed from the EC budget to nuclear research could not be separated. EC funding in nuclear research is detailed in the table:

Payment appropriations from EC Budget to Euratom and to the European Commission's joint research centre 1991–2003

Million euros	*JRC*	*Euratom*
1991	261	—
1992	257	—
1993	257	—
1994	269	—
1995	240	156
1996	234	235
1997	232	261
1998	236	176
1999	243	426
2000	259	173
2001	249	187
2002	250	200
2003	266	219
2004	337	172

Notes:

1. EC budget payments to Euratom began in 1995.

2. Euratom figures are payment appropriations taken from EC budget documentation and cover spending on the specific programme (Euratom) for research and training in the field of nuclear energy under policy area 8 (research) of the budget. 2004 figure is the budgeted amount. Figures for previous years are outturns.

3. JRC figures are payment appropriations taken from EC budget documentation and cover spending on the specific programme (Euratom) for research and training in the field of nuclear energy under policy area 10 (direct research) of the budget. 2004 figure is the budgeted amount. Figures for previous years are outturns. Currently nuclear expenditure accounts for approximately 28 of the JRC's budget.

4. RC figures dating back to 1974 could not be provided without disproportionate cost.

Nuclear subsidies

Available figures for nuclear subsidies are given in the table. Figures are based on the premium received by Nuclear Electric plc over and above the market price for electricity in the period 1990–96. Figures dating back to 1974 could not be obtained without disproportionate cost.

No Government investment or subsidy has been paid in years since 1997 toward the production of nuclear power or to the development, planning or construction of nuclear power stations.

	£ million
1990–91	1,265
1991–92	798
1992–93	864
1993–94	895
1994–95	892

	£ million
1995–96	699
1996–97	0
1998–99	0
1999–00	0
2000–01	0
2001–02	0
2002–03	0

The Government are supporting the restructuring of British Energy on the terms set out in my right hon. Friend the Secretary of State's announcement of 28 November 2002, although no further drawings can be made on the Government's loan facility to British Energy following the European Commission's decision on 22 September 2004 to approve the restructuring aid to British Energy.

R and D Clusters

Chris Ruane: To ask the Secretary of State for Trade and Industry how many research and development clusters or techiums were established in each of the last 10 years, broken down by type; and how many are proposed for the next three years, broken down by type. [190834]

Mr. Mike O'Brien: We do not classify clusters in this way so do not hold this information. Research and development activities to support a strong innovation base, are just one element of a successful cluster.

Microgeneration

Mr. Battle: To ask the Secretary of State for Trade and Industry what practical support the Government gives to the microgeneration of energy; and if she will make a statement. [189925]

Mr. Mike O'Brien: The Government are committed to publishing a strategy for the promotion of microgeneration by April 2006 under the Energy Act 2004. We will be working closely with interested parties to develop a suitable strategy before putting it to a full public consultation.

The Government already helps the microgeneration industry in a variety of different ways:

£25 million of grants provided under the Major PV demonstration programme with a further £10 million provided to support large scale and domestic field trials. The Major PV demonstration programme is to be extended for another year with the provision of an additional £6 million worth of funding.

£10 million of support given to support household and community renewables under the Clear Skies initiative, with an extra £2.5 million recently announced to fund a one-year extension of the scheme.

In budget 2004 the Chancellor committed to a reduction in VAT on microCHP generators to 5 per cent., provided that field trials being carried out by the Carbon Trust are successful. The same budget introduced a reduced VAT rate of 5 per cent. for ground source heat pumps.

The DTI's New and Renewable Energy R&D programme has an annual budget of £19 million that helps to support the development of a variety of technologies Government and industry are working together under the auspices of the Distributed Generation Co-ordination Group to look at removing institutional and regulatory barriers to the introduction of microgeneration in Great Britain.

Warrington

Helen Jones: To ask the Secretary of State for Trade and Industry how much has been spent by her Department and its agencies in Warrington since 1997. [193060]

Ms Hewitt: The Department does not collect expenditure information at this level and such data could only be provided at disproportionate cost.

The Public Expenditure Statistical Analyses (PES A) published each year by HM Treasury presents public expenditure outturn by country and region. The latest PESA (Cm6201) was published in April 2004 and includes data for 2002–03, including an analysis of the Department's spend by region. Similar data for 2003/04 should be available in 2005.

Women Workers

Chris Ruane: To ask the Secretary of State for Trade and Industry what measures her Department is taking in conjunction with other Departments to encourage more women to return to work, with particular reference to those over 50 years old; and if she will make a statement. [192019]

Jacqui Smith: We recognise the barriers women face in returning to work and consequently we have introduced a raft of measures to help ease this transition. These include New Deal for Partners, Lone Parents and 50+, new rights for working parents, a national childcare strategy and tax credits and financial support as part of the Lifelong Learning programme.

Women returners will be helped by reforms in the government's Skills Strategy, including the new learner entitlement for those without qualifications, better learner support, and better Information Advice and Guidance. Steps have already been taken to improve services for adults such as the University for Industry (Ufi)/learndirect national advice service. DTI is also taking forward a strategy to improve women's representation in science, engineering and technology, including a resource centre with a specific women returners project.

The Government are keen to ensure that everybody can access learning and qualifications and this is why the Access to Learning funds prioritise groups of students, like mature students who may have existing financial commitments, when allocating the funding. Other forms of financial support available are Career Development Loans.

NORTHERN IRELAND

Tomlinson Report

Lady Hermon: To ask the Secretary of State for Northern Ireland what assessment he has made of the implications of the Tomlinson Report for Northern Ireland. [193343]

Mr. Gardiner: The Tomlinson Report applies only to England. However, the proposals touch on a range of issues that are already being addressed in Northern Ireland through the revised curriculum and the new post-primary arrangements.

The Department of Education, and the Department for Education and Learning, will be working very closely with the Northern Ireland Council for Curriculum, Examinations and Assessment (CCEA) to assess, in due course, the implications of the Tomlinson Report and what actions may be appropriate in local circumstances.

Equi Save

Andrew Mackinlay: To ask the Secretary of State for Northern Ireland what information his Department has received about the EU's Interreg Equi Save Atlantic Area Project; and if he will make a statement. [190926]

Mr. Pearson: The Department of Finance and Personnel in Northern Ireland has received the following information on the Equi Save Atlantic Area project from the Office of the Deputy Prime Minister.

The project was successful in securing ERDF support at the Interreg IIIB Atlantic Area Programme Steering Committee held on 14 and 15 October 2004. The project's lead partner is a French public sector body (Les Haras Nationnaux). There are no UK partners with a financial input to this project.

Andrew Mackinlay: To ask the Secretary of State for Northern Ireland if he will institute discussions with his opposite number in the Irish Republic on possible benefits to breeders in Northern Ireland and the Irish Republic of the Kerry Bug Pony, and other rare breeds of horses, of attracting funds under the EU's Interreg Equi Save Atlantic Area Project; and if he will make a statement. [190928]

Mr. Pearson: The Equi Save Atlantic Area project received approval for ERDF support under the Interreg IIIB Atlantic Area Community Initiative, at the Atlantic Area Programme Steering Committee held on 14 and 15 October 2004. One of the project partners is from the Republic of Ireland and therefore the Republic of Ireland will benefit financially from this Programme. However, Northern Ireland is not involved in the project at partner level and as a result, project funds will not be made available to Northern Ireland. As a result, I do not intend initiating contact with my Irish counterpart on the subject of this project.

TREASURY

Teenage Pregnancy

Mr. Frank Field: To ask the Chancellor of the Exchequer what the rate of pregnancies per thousand population in girls aged *(a)* 14, *(b)* 15 and *(c)* 16 years was in the last period for which figures are available. [192769]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply

Letter from Len Cook to Mr. Frank Field, dated 21 October 2004

As National Statistician, I have been asked to reply to your recent question asking what the rate of pregnancies per thousand population in girls aged *(a)* 14 *(b)* 15 and *(c)* 16 years is in the last period for which figures are available. (192769)

The most recent year for which conception statistics for individual years of age are available is 2001.

Figures requested are given in the table below.

Conceptions at ages 14, 15 and 16, England and Wales, 2001

Age	*Number*	*Rate*[1]
14	1,890	5.8
15	5,613	17.4
16	13,103	40.4

[1] Rates per 1,000 female population of the same age.

EU Committees

Angus Robertson: To ask the Chancellor of the Exchequer how many times during the Greek presidency of the EU the Economic Policy Committee: working party on reduced compositions met; when and where these meetings took place; which UK Government expert was present at each meeting; what *(a)* technical and *(b)* financial issues were raised by the UK Government expert at each meeting; what recommendations the Committee produced during that period; what actions were (i) proposed and (ii) taken by (A) the EU and (B) the UK Government as a result of the Committee's recommendations; and if he will make a statement. [193023]

Mr. Timms: The Economic Policy Committee (EPC) met formally six times in Brussels during the Greek Presidency of the EU and discussed a wide range of economic and structural reform issues, including, inter alia, setting the new Broad Economic Policy Guidelines to provide the overarching framework for economic policy coordination in the EU for 2003–05; the key structural challenges facing the then acceding countries. The UK Government were represented on each occasion by a Treasury official.

The above mentioned and other reports adopted by the EPC are available on the Committee's website at:

http://europa.eu.int/comm/economy_finance/epc/epc_en.htm.

In addition, where relevant, the results of the Committee's work in preparing the ECOFIN Council are reported in the Council's Conclusions and press releases.

EU Economic Reform

Keith Vaz: To ask the Chancellor of the Exchequer what the United Kingdom is doing to promote the Lisbon Agenda. [193075]

Mr. Timms: The Government are committed to economic reform at home and in Europe, and my recent answer of 4 October 2004, *Official Report*, columns 1790-1791W summarised the measures the Government are taking to increase employment and productivity in the UK. These issues were also debated on the Floor of the House on 13 September 2004.

As set out during that debate, the UK Government remain a strong advocate of economic reform in Europe, and continue to work closely with other member states and the European Commission to promote structural reform, including by taking forward the January 2004 Four Presidencies initiative on regulatory reform and the principle recommendations contained in the spring 2004 joint statements with France and Germany on promoting enterprise and innovation. The Government's priorities were set out in their February 2004 Progress Report on economic reform and in their recently published submission to Wim Kok's high-level group providing a mid-term review of the Lisbon strategy.

Gangmaster Licensing Authority

Jim Sheridan: To ask the Chancellor of the Exchequer what was *(a)* the total number of 46ACU forms returned to the Inland Revenue Agricultural Compliance Unit during the last three financial years, *(b)* the total number of ACU2 forms returned to the Inland Revenue Agricultural Compliance Unit during the last three full financial years, *(c)* the total amount of payments made to gangmasters and employment agencies as declared by the users of gang labour and employment agency labour on their returned 46ACU forms for each of the last three financial years and *(d)* the (i) estimated amount of tax and national insurance contributions that should have been paid and (ii) the actual amount of tax and national insurance contributions paid by the gangmasters and employment agencies detailed in the 46ACU forms and the ACU2 forms returned to the Inland Revenue Agricultural Compliance Unit during the last three financial years. [192583]

Dawn Primarolo: The information requested is as follows:

(a) In the year ended 5 April 2004, approximately 800 completed forms 46ACU were returned to the Inland Revenue. Details are not immediately available for earlier years and it would be disproportionately costly to obtain this information.

(b) The completion and return of forms ACU2 is voluntary. The Inland Revenue do not have a record of the total number of forms returned for the year ended 5 April 2004, but as they are sent with forms 46ACU they estimate it to be at least 800. Details are not immediately available for earlier years and it would be disproportionately costly to obtain this information.

(c) The totals of payments shown on forms 46ACU were £184.2 million for 2002–03 and £243.8 million for 2003–04. Details are not available for 2001–02.

(d) It would be disproportionately costly to provide this information.

Inheritance Tax

Sir John Butterfill: To ask the Chancellor of the Exchequer if he will estimate the cost of raising the upper limit of the inheritance tax nil rate band to *(a)* £500,000, *(b)* £526,000 and *(c)* £1,000,000. [192568]

Dawn Primarolo: The full year cost of raising the inheritance tax nil rate band threshold to *(a)* £500,000, *(b)* £526,000 and *(c)* £1 million would be £1.6 billion, £1.7 billion and £2.5 billion respectively in 2004–05 terms.

Marine Stewardship

Mr. Carmichael: To ask the Chancellor of the Exchequer what future levels of expenditure the Crown Estate plans to spend on marine stewardship programmes. [192711]

Mr. Timms: Future levels of Crown Estate expenditure are a matter for the Crown Estate Commissioners. I am however informed by the Chief Executive that the Crown Estate has allocated around £800,000 for the Marine Stewardship Fund this year (2004–05), which does not include £300,000 per annum earmarked for this year and next to support salmon farming in Scotland.

Ministerial Travel

Mr. Jenkin: To ask the Chancellor of the Exchequer what the total cost was of his journey to and from the North East on 12 October. [192975]

Mr. Gordon Brown: My visit to the North East was not made in an official capacity. There was no cost to the public purse.

DEFENCE

Allan Sharples

Mr. McNamara: To ask the Secretary of State for Defence what obstacles remain to the establishment of a board of inquiry into the death of Private Allan Sharples at Catterick Barracks on 30 April 2000. [190266]

Mr. Ingram: A Board of Inquiry is convened into all unnatural deaths in the services unless there are particular reasons why this might not be necessary. The Director of Personal Services (Army) granted authority to dispense with a Board of Inquiry into the death of Private Allan Sharples as it was determined that, following the Coroner's inquest, no further information would be learned through its convening. There are no plans to convene a Board of Inquiry into this case.

Angola

Mike Gapes: To ask the Secretary of State for Defence what plans he has to provide assistance for the training of the Angolan armed forces. [R] [192608]

Mr. Ingram: The United Kingdom provides a small amount of training annually to the Angolan armed forces. This training is targeted at military education designed to increase national capacity to conduct peace support operations. The Ministry of Defence is currently examining proposals for 2005–06.

Astute Class Attack Submarines

Mr. Rosindell: To ask the Secretary of State for Defence if he will make a statement on the proposed Astute Class attack submarines. [191744]

Mr. Ingram: There are three Astute Class Submarines currently on contract with BAE Systems. Further orders for the Astute Class Submarine are being considered and an announcement will be made at the appropriate time.

Bowman Radios

Mr. Gerald Howarth: To ask the Secretary of State for Defence what changes *(a)* have been made and *(b)* are planned to (i) the Warrior, (ii) the Challenger II main battle tank and (iii) the Land Rover to allow them to be fitted with the Bowman Radio; and what estimate he has made of the cost in each case. [191016]

Mr. Ingram: The aim of the Bowman programme is to install this battle winning tactical communications capability in a wide range of military platforms at minimal disruption to their current configuration. The work necessary to achieve this is contained within the contracted firm price secured through competition and cannot be separately identified.

Mr. Gerald Howarth: To ask the Secretary of State for Defence how many incidents of minor radiofrequency burns have been reported by servicemen and women involved in the trials of the Bowman Radio. [191017]

Mr. Ingram: From our experience with the Clansman PRC320 man-portable radio we were already aware of the possibility of radio frequency burns inherent in all high frequency radios. A combination of minor modifications and acceptable operating limitations has reduced the risk within the Bowman man-portable radio to a negligible level. Although reports from early trials mention that a few soldiers have received minor burns, none states that medical treatment was required.

Mr. Gerald Howarth: To ask the Secretary of State for Defence whether operation of the Challenger II main battle tank has been impaired by noise interference to tank crews as a result of installing Bowman radios. [191018]

Mr. Ingram: Following well-established incident reporting procedures, Challenger 2 tank crews have reported intermittent failures of the internal intercom since installation of the Bowman communications system. The system's designers are working to establish the cause conclusively and to determine a cost-effective solution. Until this is resolved, we have issued an advisory safety instruction that, with immediate effect, Challenger 2 tank crews are to exercise extreme caution when safe operations would be compromised by even a brief loss of commander or driver communications.

Mr. Gerald Howarth: To ask the Secretary of State for Defence what problems have been experienced with the software included in the Bowman Radio Communications Programme; and what he estimates the cost of correcting these problems to be. [191019]

Mr. Ingram: Bowman is a software intensive programme that contains over 10 million lines of bespoke source code. With a system of this complexity, it is typical for errors to be encountered following the integration of sub-systems, especially as it is often operated in a manner not predicted in its original design. The programme is continuing within its approved schedule, cost and performance, and the costs of software development cannot be separately identified within the contract firm price secured through competition.

Canadian Submarines

Mr. Gerald Howarth: To ask the Secretary of State for Defence how much it has cost to *(a)* maintain and *(b)* refurbish each of the four submarines sold to the Canadian Government since they were taken out of Royal Navy service; and how much the Canadian Government paid for the submarines. [192432]

Mr. Ingram: The cost of maintaining the submarines before their refurbishment and the cost of the refurbishment of the Upholder Class submarines are commercially sensitive, and I am withholding details in accordance with Exemption 13 of the Code of Practice on Access to Government Information.

The value of the lease-to-buy arrangement reached with Canada, which includes the four Upholder Class submarines, training and initial spares, is some 610 million Canadian dollars (currently around £265 million pounds Sterling).

Defence Bases (Scotland)

Angus Robertson: To ask the Secretary of State for Defence what the operating cost of each defence base in Scotland was in each year since 1997; and if he will make a statement. [192445]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Departmental Staff

Hugh Bayley: To ask the Secretary of State for Defence how many full-time equivalent jobs *(a)* his Department and *(b)* its executive agencies had in (i) Yorkshire and the Humber and (ii) the City of York in (A) 1997 and (B) the latest year for which figures are available. [191848]

Mr. Caplin: Data about the number of jobs within the Ministry of Defence is not held centrally, only staff numbers. Reliable data is not available below Government office region level.

(a) The total number of full-time equivalent civilian staff working for the Ministry of Defence in the Yorkshire and the Humber Government office region was 3,430 as at 1 July 1997 and 3,910 as at 1 April 2004.

Of this, the numbers of full-time equivalent civilian staff working for agencies and Trading Funds in Yorkshire and the Humber as at 1 July 1997 are as follows:

	Number
Army Base Storage and Distribution Agency[1]	30
Army Personnel Centre	20
Army Training and Recruitment Agency	730
British Forces Post Office	[2]—
Defence Estates	60
Defence Intelligence and Security Centre	[2]—
Defence Vetting Agency	[2]—
Ministry of Defence Police	130

	Number
RAF Training Group Defence Agency	220
Specialist Procurement Services[3]	10
Army Base Repair Organisation	160
Defence Evaluation and Research Agency	[2]—
Meteorological Office	50

[1] This agency became part of the Defence Storage and Distribution Agency in April 1999.

[2] Less than five staff.

[3] This agency became part of the Defence Procurement Agency in April 1999.

Note:

All figures are rounded to the nearest 10; as a result totals may not always equal the sum of the parts.

And similarly the numbers of full-time equivalent civilian staff working for agencies and Trading Funds in Yorkshire and the Humber as at 1 April 2004 are as follows:

	Number
Army Training and Recruitment Agency	970
British Forces Post Office	[1]—
Defence Communications Services Agency	10
Defence Dental Agency	20
Defence Estates	130
Defence Medical Education and Training Agency	10
Defence Procurement Agency	10
Defence Storage and Distribution Agency	40
Defence Vetting Agency	340
Medical Supplies Agency	[1]—
Ministry of Defence Police and Guarding Agency[2]	500
Naval Recruiting and Training Agency	[1]—
RAF Training Group Defence Agency	200
Veterans Agency	10
Army Base Repair Organisation	120
Meteorological Office	30

[1] Less than five staff.

[2] Formed on 1 April 2004 when Ministry of Defence Guard Service merged with Ministry of Defence Police.

Note:

All figures are rounded to the nearest 10; as a result totals may not always equal the sum of the parts.

Eurofighter

Mr. Laws: To ask the Secretary of State for Defence what his latest estimate is of the cost to the UK of the third tranche of Eurofighter aircraft; and if he will make a statement. [191315]

Mr. Ingram: We expect shortly to commit to four-nation contracts for the second tranche of aircraft. We do not expect to invite industry to provide a quotation for the third tranche of aircraft before 2007. I am withholding the estimate of the cost to the UK for the third tranche under Exemption 7of the Code of Practice on Access to Government Information.

Gibraltar

Andrew Mackinlay: To ask the Secretary of State for Defence when a Minister last met the representative body of the Ministry of Defence Gibraltar Police constables and sergeants; and if he will make a statement on when he next intends to meet them. [190369]

Mr. Ingram: I last met the Gibraltar Service Police Staff Association (GSPSA) during my visit to Gibraltar in November 2002. There are currently no plans for a further meeting.

Missile Defence

Llew Smith: To ask the Secretary of State for Defence pursuant to his written statement on missile defence, of 12 October 2004, *Official Report*, columns 9–10WS, for what reasons the copy of the agreement to which he referred was not placed in the Library when the statement was made. [192937]

Mr. Hoon: As explained in the statement made on 12 October, parts of the text of the Research Development Test and Evaluation Annex have been withheld at the request of the US. At the time the statement was made a redacted text, based on the final agreement signed that day, had not been produced. Copies of the agreement were placed in the House of Commons Library on October 19.

Naval Supply Ships

Mr. Hancock: To ask the Secretary of State for Defence what plans he has to replace the *(a)* Rover, *(b)* Leaf, *(c)* Fort Grange and *(d)* Fort Victoria classes of tankers and replenishment vessels; and if he will make a statement. [190188]

Mr. Ingram: In the long-term the Military Afloat Reach and Sustainability (MARS) project will provide the capability currently delivered by Fort Rosalie (formerly Fort Grange), Fort Victoria and the Rover and Leaf classes of vessels. The MARS programme has been established to investigate a wide range of solutions to meet the logistic support requirements of the future Royal Navy and provide sea-based support to deployed forces. Currently the MARS project is in the process of transitioning from the Concept Phase to the Assessment Phase. During the Assessment Phase a number of solutions will be examined further.

In the medium term, options are also being considered to provide an interim replacement to the Leaf and Rover classes of vessels prior to MARS vessels coming into service. This interim capability may, or may not, provide part of the long-term solution.

RAF Fylingdales (Radar Installations)

Mr. Greenway: To ask the Secretary of State for Defence if he will ask the Health Protection Agency to provide continuing monitoring of health risks arising from radar installations at RAF Fylingdales early warning station. [192108]

Mr. Hoon: The safety of surrounding communities is a paramount consideration in the operation of all defence facilities. In the case of early warning radar installations at RAF Fylingdales, the Ministry of Defence takes all necessary steps to ensure that its activities remain within the health guidelines established by the National Radiological Protection Board (now part of the Health Protection Agency). After the upgrade of the radar is complete, the MOD will continue to monitor radar emissions to ensure that it remains within health guidelines, and will provide the data to local authorities and the Health Protection

Agency. The Scarborough Whitby and Ryedale NHS Primary Care Trust published in November 2003 an independent 'Descriptive Study of Cancer Occurrence Around RAF Fylingdales', which showed no evidence of a link between RAF Fylingdales and the number of local cancer registrations, and they plan to issue further updated reports roughly every three years. In the light of these circumstances, the MOD is not currently considering asking the Health Protection Agency to provide continuing monitoring of alleged health risks arising from RAF Fylingdales. Were the HPA to decide to carry out additional monitoring the MOD would cooperate as fully as possible.

Warships

Mr. Hancock: To ask the Secretary of State for Defence what plans he has to replace *(a)* HMS Diligence when she is decommissioned in 2006 and *(b)* HMS Sir Belvedere in 2011. [190187]

Mr. Ingram: FA Diligence is currently programmed to remain in service until around the end of the decade. Studies are underway to look at options for maintaining the capability provided by RFA Diligence, but no decisions have been taken on a replacement. The capability provided by RFA Sir Bedivere will be met largely by the introduction of the Landing Ships Dock (Auxiliary); however, the need to replace some aspects of its capability is still under review, and no decisions have been made.

CONSTITUTIONAL AFFAIRS

Antisocial Behaviour Orders

Mr. Lepper: To ask the Parliamentary Secretary, Department for Constitutional Affairs what monitoring takes place of the penalties imposed in respect of breaches of antisocial behaviour orders. [192387]

Mr. Leslie: The antisocial Behaviour Unit at the Home Office receives information annually on breach of antisocial behaviour orders (ASBOs) and disposals. Breach and disposal data up to December 2003 are anticipated to be available by the end of November.

On receipt of this data, the antisocial behaviour unit will analyse it in order to better understand how ASBOs are working and the types of disposals being issued. In undertaking this exercise the antisocial behaviour unit will have regard to wider Home Office priorities, such as prevention, sentencing and prisons.

Mr. Lepper: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many cases of breaches of antisocial behaviour orders have been heard by *(a)* Brighton and *(b)* Hove magistrates courts in each month since January 2003. [192389]

Mr. Leslie: Brighton and Hove magistrates courts have been amalgamated and operate as a single court.

Antisocial behaviour order (ASBO) breach data are compiled through a manual matching process (primarily using names and dates of birth) between those ASBOs reported to have been issued since 1 June 2000 and breaches reported on the Home Office Court Proceedings Database. (Prior to 1 June 2000 only data on numbers of ASBOs issued and refused were collected from police forces).

Since it takes several months for court proceedings data to be received by the Home Office, and then validated and corrected, the Research, Development and Statistics Directorate at the Home Office will be publishing statistics on breaches on an annual basis. Breach data for 2003 will be available in the late autumn.

Mr. Lepper: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many antisocial behaviour orders were issued in the Brighton and Hove city council area in each month since January 2003. [192390]

Mr. Leslie: The number of notifications reported to the Home Office of antisocial behaviour orders (ASBOs) issued by all courts, where restrictions imposed are specific to the Brighton and Hove city council area, from January 2003 to 31 March 2004, are set out in the following table. (No notifications of antisocial behaviour orders issued, where restrictions were imposed within the Brighton and Hove city council area, were received in the months of January, February, March, June and August 2003).

	Number
2003	
April	1
May	3
July	3
September	1
October	2
November	4
December	1
2004	
January	1
February	1
March	1

District Judges

Mr. Llwyd: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many Welsh-speaking criminal district judges there are on the Wales and Chester circuit. [192213]

Mr. Leslie: There are seven full-time district judges (magistrates courts) who sit in the area covered by the Wales and Chester circuit. Of these, two are able to hear cases in the Welsh language.

Court users in Wales have a statutory right to use Welsh in any legal proceedings in Wales. Appointments to all judicial offices are made on merit. My Department welcomes, however, applications from eligible Welsh-speaking lawyers for any judicial positions in Wales.

Freedom of Information Act

Hugh Bayley: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many disclosures of information he estimates have been made under the Freedom of Information Act 2000. [192408]

Mr. Leslie: The Government remain fully committed to the Freedom of Information Act 2000. The Act is due to come into force on 1 January 2005, 11 months earlier than required. This means, however, that at this time no requests have yet been made under the Act.

Currently requests for information fall under the Open Government Code of Practice that the Freedom of Information Act 2000 will replace. The Monitoring Report for the Code of Practice in 2003 will be published in November of this year, while that of 2004 will be published in autumn 2005. These will set out the volume of requests that have been made under this regime over the last two years.

The handling of information requests under the Freedom of Information Act by central Government Departments will be monitored by the Department for Constitutional Affairs. We intend to publish an interim monitoring report on central Government's operation of the Freedom of Information Act in late 2005 and an annual monitoring report in 2006.

House of Lords Reform

Mr. Rosindell: To ask the Parliamentary Secretary, Department for Constitutional Affairs what Government policy is on reform of the House of Lords; and what the timescale is for its reform. [192709]

Mr. Leslie: The Government are determined to proceed with further reform of the House of Lords. It is important to consider its proper role and functions then to look at questions of composition. Policy will be developed in the context of the Labour party manifesto.

Ministerial Visits

Mr. Rosindell: To ask the Parliamentary Secretary, Department for Constitutional Affairs what official meetings the Lord Chancellor has had with the Lord Chief Justice during the past six months. [192698]

Mr. Leslie: The Lord Chancellor has meetings and discussions with a wide range of organisations and individuals. As with previous Administrations, it is not the Government's practice to provide details of all such meetings under Exemption 2 of the Code of Practice on Access to Government Information (internal advice and discussion) on the grounds that it would harm the frankness and candour of internal discussion.

Supreme Court

Mr. Rosindell: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many letters he has received from members of the judiciary opposing plans for a Supreme Court; and if he will make a statement. [192652]

Mr. Leslie: Seventeen members of the judiciary, including a number retired from judicial office, indicated via their written responses to the Government's Consultation paper, "Constitutional Reform: a Supreme Court for the United Kingdom", that they opposed plans for a Supreme Court.

Eighteen members of the judiciary, including the Senior Law Lord, indicated that they supported or were not opposed to the proposals. A collective response in favour of the Supreme Court was also received from the Judges Council. All of the responses to the consultation paper can be viewed on the Department for Constitutional Affairs' website.

CABINET OFFICE

Civil Servants

Dr. Julian Lewis: To ask the Minister for the Cabinet Office how many civil servants her Department has employed in each main grade for each year since 1997. [189717]

Ruth Kelly: The number of staff employed in each grade in my Department for each year since 1997 is shown in the table. Numbers quoted are on a full-time equivalent basis as at 1 April each year. Detailed statistics are available from www.civil-service.gov.uk/statistics.

Cabinet Office staffing by grade responsibility including agencies

Full-time equivalent, as at 1 April

Grade responsibility	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*	*2004*
Non-Industrial Staff:								
SCS Level	100	130	120	150	150	200	180	190
Grade 6	60	60	180	0	50	0	0	0
Grade 7	250	230	150	300	340	420	410	380
SEO Level	200	220	120	0	50	90	80	70
HEO Level	270	240	300	310	300	470	430	420
EO Level	400	410	410	350	380	420	380	360
AO Level	450	480	470	370	400	390	380	350
AA Level	250	180	200	160	160	110	120	110
Unreported	0	0	0	70	0	0	0	0
Total Non-Industrial Staff	1,980	1,950	1,950	1,710	1,840	2,100	1,980	1,880
Industrial	580	530	570	280	260	210	210	210
All Staff	2,570	2,480	2,510	1,980	2,100	2,300	2,190	2,090

Civil Service Pension

Nick Harvey: To ask the Minister for the Cabinet Office if she will estimate the total cost of amending the civil service pension regulations so as to provide full widows' pensions to all widows and widowers who married the scheme member post-retirement. [192122]

Ruth Kelly: The civil service pension scheme rules reflect the requirements of social security legislation. The estimated additional cost of extending the civil service pension scheme rules to provide full widows/widowers' pensions to all widows and widowers who married the scheme member post-retirement is £170 million.

Departmental Responsibilities

Dr. Julian Lewis: To ask the Chancellor of the Duchy of Lancaster what percentage of his time he has spent on his duties as Chancellor of the Duchy of Lancaster in each working week since 9 September. [193141]

Mr. Milburn: I refer the hon. Member to the answer I provided to the right hon. Member for Bromley and Chislehurst (Mr. Forth) on 11 October 2004, *Official Report*, column 39W.

Information and Communications Specialists

Mr. Jenkins: To ask the Minister for the Cabinet Office how many information and communication technology specialists there are in full-time employment in the Office. [189579]

Ruth Kelly: This information is not held centrally and could be obtained only at disproportionate costs.

Ministerial Salaries

Dr. Julian Lewis: To ask the Minister for the Cabinet Office what the ministerial salary total for her Department was in the financial year 2003–04; and what it is expected to be in the financial year 2004–05. [189701]

Ruth Kelly: Details of salaries payable to Ministers are available on the Cabinet Office website at: www.civilservice.gov.uk/management_information/parliamentary/parliamentary_pay/

I have also placed a copy of this information in the Library.

Party Conferences

Mr. Clappison: To ask the Minister for the Cabinet Office what guidelines are in place regarding the attendance of *(a)* civil servants and *(b)* special advisers at political party conferences in the course of their employment; whether payment is made from public funds to political parties for the attendance of special advisers at party conferences; how many special advisers attended the 2004 Labour Party conference; and what the cost was to public funds of their attendance. [191504]

Ruth Kelly: Guidance on the attendance of civil servants and special advisers at party political conferences is set out in the "Civil Service Management Code", the "Code of Conduct for Special Advisers", the "Ministerial Code" and the "Directory of Civil Service Guidance (Volume 2)". Information on the numbers of special advisers who attended the 2004 Labour Party conference is not a matter for Government. The cost of special advisers attending party conferences is not met from public funds.

FOREIGN AND COMMONWEALTH AFFAIRS

Brazil (IAEA Inspection)

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place with the Government of Brazil on its dispute with the International Atomic Energy Agency over inspections of uranium enrichment facilities. [192058]

Mr. MacShane: The Government regularly discuss a wide range of counter-proliferation issues with Brazilian interlocutors including Brazil's current discussions with the International Atomic Energy Agency (IAEA). These concern the adoption of an Additional Protocol to Brazil's Comprehensive Safeguards Agreement, given Brazilian concerns regarding access to its commercial uranium enrichment facility. We believe that the IAEA's inspection arrangements adequately protect commercial confidence and have urged Brazil to conclude an Additional Protocol at the earliest opportunity.

Craig Murray

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what directions he gave concerning disciplinary charges laid against Mr. Craig Murray; and if he will make a statement. [192968]

Mr. Alexander: None.

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he took the decision to recall HM ambassador to Uzbekistan. [192969]

Mr. Alexander: No.

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs when he was first made aware that disciplinary charges were to be laid against Mr. Craig Murray; and if he will make a statement. [192970]

Mr. Alexander: My right hon. Friend the Foreign Secretary was briefed at the end of August 2003.

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the disciplinary charges laid against Mr. Craig Murray in August 2003; which of them were subsequently dropped; for what reason they were dropped; and if he will make a statement. [192971]

Mr. Alexander: We do not comment on the detail of individual cases. I am therefore withholding this information under Exemptions 8*(a)* and 12 of Part 2 of the Code of Practice on Access to Government Information.

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what directions he gave concerning Mr. Craig Murray's withdrawal as HM ambassador to Uzbekistan; and if he will make a statement. [192972]

Mr. Alexander: None.

EU Applicant Countries

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Governments of the EU applicant countries regarding their accession to the European Union. [191583]

Mr. MacShane: Macedonia is currently the only applicant country. My right hon. Friend the Foreign Secretary met Macedonian Foreign Minister Ilinka Mitreva in March. I met Deputy Prime Minister Xhaferri in January, and Foreign Minister Mitreva and European Integration Minister Sekerinska (among others) during a visit to Skopje in April and since at meetings elsewhere in Europe. EU accession and related issues were discussed at all these meetings.

The Foreign Secretary and I have regular accession-related discussions with Ministers from the four candidate countries, Bulgaria, Romania, Croatia and Turkey.

European Constitution Treaty

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs whether public funds will be made available for appeals on the grounds of disproportionate severity of sentence, as defined on page 32 of the proposed European Constitutional Treaty, Cm 6289. [190660]

Mr. MacShane: It is already possible in the UK to appeal against sentences on the grounds that they are disproportionate. Incorporation of the Charter into the EU Constitutional Treat) will have no effect on this.

Gibraltar

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his Spanish counterparts concerning the actions of Spanish border guards in respect of the carriage of tobacco products from Gibraltar to Spain. [192561]

Mr. MacShane: My right hon. Friend the Foreign Secretary has had no specific discussions with his Spanish counterparts on this issue.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the potential *(a)* military and *(b)* economic strategic nature of Gibraltar. [192575]

Mr. MacShane: I refer the hon. Member to the answer my right hon. Friend the Minister for the armed forces (Mr. Ingram) gave him on 12 July 2004, *Official Report*, column 991W.

Questions regarding Gibraltar's economy should be directed to the Gibraltar Government.

Iraq

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what discussions *(a)* he, *(b)* members of his Department and *(c)* UK representatives in Vienna have had with officials of the International Atomic Energy Agency concerning the alleged removal of dual use material and equipment from Iraq; when these discussions took place; and if he will make a statement; [191575]

(2) what discussions *(a)* he, *(b)* members of his Department and *(c)* UK representatives in Washington DC have had with officials of the US Administration concerning the removal of dual use material and equipment from Iraq; and if he will make a statement; [191576]

(3) what discussions *(a)* he, *(b)* members of his Department and *(c)* UK representatives in Baghdad have had with officials of the Iraqi Administration concerning the removal of dual use material and equipment from Iraq; and if he will make a statement. [191578]

Mr. MacShane: To date there have been no formal discussions of this issue with the US Administration, the Iraq Interim Government or the International Atomic Energy Agency.

My right hon. Friend the Foreign Secretary said in reply to the hon. Member for Orkney and Shetland (Mr. Carmichael) on 12 October 2004, *Official Report*, columns 142–43, that he would seek further details concerning the reports of the removal of dual-use goods and equipment from Iraq. Discussions with a range of interlocutors will form a part of that investigation.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what the process of authorisation is for the removal of dual use material and equipment from Iraq; what communication with the *(a)* UK Government and *(b)* US Administration this process requires; and if he will make a statement. [191577]

Mr. MacShane: The issue of removal of dual-use equipment and materials is a matter for the Iraqi Interim Government.

Following recent revelations of the discovery of dual-use goods and missile parts at scrap-yards in Europe and elsewhere, the Iraqi Interim Government have introduced strict controls on the export of scrap materials.

Alan Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Iraqi Interim Administration regarding materials that could be used to make nuclear weapons that have disappeared from Iraq. [192701]

Mr. MacShane: I refer my hon. Friend to the reply I gave to the hon. Member for Moray (Angus Robertson) today.

Israel

Mr. Breed: To ask the Secretary of State for Foreign and Commonwealth Affairs on how many occasions he has requested the Israeli Government to dismantle the separation barrier where it has been built in occupied territory. [192383]

Mr. MacShane: The Government regularly raise our concerns over the route and the humanitarian consequences of the barrier with the Israeli Government. My right hon. Friends the Prime Minister and Foreign Secretary, my noble Friend the Baroness Symons of Vernham Dean, and I as well as our Embassy in Tel Aviv, continue to urge the Israeli Government to re-route the barrier away from Occupied Territory. To list the total number of occasions on which this issue has been raised could be provided only at disproportionate cost.

Mr. Breed: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the ruling of the International Court of Justice of 9 July, concerning Israel's separation barrier. [192384]

Mr. MacShane: The International Court of Justice (ICJ) Advisory Opinion of 9 July stated their view that the barrier being built on occupied land is illegal. This echoes the consistently held position of the UK, the EU and the UN. The UK voted in favour of United Nations General Assembly ES-10/15 acknowledging the receipt of the Advisory Opinion and making clear that both Israel and the Palestinian Authority must abide by international law.

While agreeing with the broad conclusion, the Government do not agree with the legal reasoning of some of the ICJ Advisory Opinion, in particular the very limited recognition of Israel's legitimate right to defend itself. We recognise Israel's right to protect its citizens from terrorist attack, but it must act in accordance with international law.

The UK will continue to urge Israel to route the barrier away from Occupied Territory, in order to comply with international law.

Libya

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of Italy's proposals to lift the EU arms embargo on Libya. [192047]

Mr. MacShane: Libya's dismantlement of its declared weapons of mass destruction programmes and formal acceptance of responsibility for the Lockerbie bombing are welcome developments.

The Government supported the European Union (EU) Presidency's proposed conclusions on Libya, that were adopted by the Council on 11 October, on lifting the EU arms embargo and repealing remaining EU sanctions.

The Government believe lifting the embargo sends an important signal to Libya, and other states, that there is a route back into the international community, and will open the way for the further development of EU-Libya relations.

Mauritania

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions have taken place with the Government of Mauritania on the alleged coup to overthrow President Maaouiya Sid'Ahmed Ould Taya. [192046]

Mr. MacShane: UK Officials regularly meet with their Mauritanian counterparts. Recent discussions have included the alleged coup attempts. We continue to monitor the situation in Mauritania from the British embassy in Rabat, Morocco.

Mutual Defence Agreement

Alan Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the renewal negotiations concerning the 1958 UK/USA Mutual Defence Agreement. [192705]

Mr. MacShane: Negotiations were concluded and amendments to the 1958 UK-US Mutual Defence Agreement were signed by empowered UK and US representatives on 14 June. These amendments were then laid before Parliament with an Explanatory Memorandum for 21 days in accordance with the normal procedure. The 21 days ended on 20 July. The amendments have also been laid before the US Congress, where they must lie for 60 days in accordance with US procedures. Entry into force can then be completed by an exchange of notes.

Nuclear Disarmament

Alan Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs what instructions he has given to the British officials attending the current session of the United Nations General Assembly regarding the draft resolution entitled, "Towards a nuclear-weapon-free world: Accelerating the implementation of nuclear disarmament commitments". [192703]

Mr. MacShane: The draft New Agenda Coalition (NAC) resolution. "Towards a nuclear free world: Accelerating the implementation of nuclear disarmament commitments", contains a number of points that we support, but also a number that we do not. For example, we do not agree that the Nuclear Weapon States (NWS) are failing to implement their disarmament obligations under the Nuclear Non-Proliferation Treaty (NPT). Officials have discussed these points with NAC and other delegations but no decision has yet been taken on our voting intentions.

Pakistan Missile Testing

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions *(a)* he, *(b)* members of his Department and *(c)* UK representatives in Pakistan have had with officials of the Pakistan Government, concerning the reported testing of a Hatf-V type Ghauri missile on 12 October; and if he will make a statement. [191610]

Mr. MacShane: We take every opportunity in our bilateral and multilateral contacts to encourage India and Pakistan to practise restraint in testing long-range missiles. However, we have not in this instance spoken with the Pakistani Government over the test firing of a Hatf-V Ghauri missile on 12 October.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions *(a)* he, *(b)* members of his Department and *(c)* UK representatives in India have had with officials of the Indian Government, concerning the reported testing by Pakistan of a Hatf-V type Ghauri missile on 12 October; and if he will make a statement. [191611]

Mr. MacShane: We take every opportunity in our bilateral and multilateral contacts to encourage India and Pakistan to practise restraint in testing long-range missiles. However, we have not in this instance spoken with the Indian Government over the test firing of a Hatf-V Ghauri missile on 12 October.

Post-war Reconstruction

Hugh Bayley: To ask the Secretary of State for Foreign and Commonwealth Affairs which countries have provided *(a)* military, *(b)* political or diplomatic and *(c)* logistical support to the occupation and post-war reconstruction of (i) Kosovo, (ii) Afghanistan and (iii) Iraq. [192404]

Mr. MacShane: The information requested is as follows:

Kosovo

There are no grounds to refer to the NATO intervention in Kosovo in 1999 as an occupation. NATO intervened in Kosovo to avert an immediate and overwhelming humanitarian disaster. The NATO website provides a list of those countries contributing to the NATO-led Kosovo Force (KFOR): http://www.nato.int/kfor/

The combined diplomatic efforts of the European Union, Russia and the United States made possible the resolution of the crisis within the framework of the United Nations Security Council Resolution 1244: http://www.unmikonline.org/press/reports/N9917289.pdf. UNSCR 1244 set up the United Nations Interim Administration in Kosovo (UNMIK) whose mandate includes promoting the establishment, pending a final settlement, of substantial autonomy and self-government in Kosovo. The UNMIK website http://www.unmikonline.org provides further information about its role.

The six-nation Contact Group (US, UK, Russia, Germany, France and Italy) supports the rebuilding of Kosovo through UNMIK and the UN authorised NATO-led Kosovo Force (KFOR).

The UN Secretary-General's report on Kosovo dated 30 July provides a full list of countries supporting UNMIK http://www.un.org/Docs/sc/sgrep04.html. The number of contributors and the nature of their contribution is constantly changing.

Afghanistan

There are no grounds to refer to military operations in Afghanistan as occupation. These operations are being carried out with the consent of President Karzai and the Afghan Transitional Administration and increasingly involve units of the new Afghan National Army. The following countries have supplied support to Coalition missions in Afghanistan under Operation Enduring Freedom, the UN-authorised International Security Assistance Force (ISAF), or both:

Afghanistan, Albania, Australia, Austria, Azerbaijan, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Egypt, Eritrea, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lithuania, Luxembourg, Former Yugoslav Republic of Macedonia, Netherlands, New Zealand, Norway, Pakistan, Poland, Portugal, Republic of Korea, Romania, Russia, Saudi Arabia, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Thailand, Turkey, Ukraine, United Arab Emirates, United Kingdom, United States of America, Uzbekistan.

The number of contributors and the nature of their contribution is constantly changing. The NATO website (http://www.nato.int/issues/afghanistan/index.html) and the Coalition website (http://www.centcom.mil/Operations/Coalition/joint.html) detail many of these contributions.

At the Berlin Conference on Afghanistan in March 2004 the following countries pledged to support Afghanistan's reconstruction and development with pledges of support and development funding:

Australia, Austria, Belgium, Canada, China, Denmark, Finland, France, Germany, Greece, India, Iran, Ireland, Italy, Japan, Republic of Korea, Kuwait, Luxembourg, Netherlands, New Zealand, Norway, Oman, Pakistan, Poland, Portugal, Qatar, Russian Federation, Saudi Arabia, Spain, Sweden, Switzerland, Turkey, United Arab Emirates, United Kingdom, United States of America.

The World Bank, the Asian Development Bank, the European Union and the Aga Khan Development Network also made pledges.

Iraq

More than 40 countries provided political, or logistical support to military action against Iraq. Subsequently UNSCR 1483 agreed by the UN Security Council on 22 May 2003 recognised the status under international law of the occupying powers under unified command and called on member states to provide humanitarian support in Iraq. 37 individual states, the European Union, World Bank and IMF have consequently committed considerable funds to the reconstruction of Iraq.

In addition UNSCR 1511, which was unanimously adopted by the UN Security Council, authorised a multinational force (MNF) under unified command. The following states have formed part of the multinational force in addition to the United Kingdom and United States forces: Italy, Netherlands, Denmark, Portugal, Lithuania, Czech Republic, Romania, Japan, Bulgaria, Hungary, Mongolia, Poland, Slovakia, Ukraine, Albania, Kazakhstan, Georgia, Macedonia, Azerbaijan, Moldova, Estonia, Latvia, El Salvador, South Korea, Australia and Tonga

Direct reconstruction support is also provided though each of these contingents.

Some states provided a valuable contribution to the MNF during 2003–04 but have since withdrawn, including Spain, Honduras, Dominican Republic, Thailand, Philippines and New Zealand.

On 28 June 2004 the Iraqi Interim Government (IIG) came into power and the Occupation ended. The MNF is now operating in Iraq in support of the IIG. The current MNF was re-authorised by UNSCR 1546 on 8 June 2004.

Theft and Fraud

Mr. Prisk: To ask the Secretary of State for Foreign and Commonwealth Affairs what his estimate is of the cost of theft and fraud to *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in each year since 1997. [191424]

Mr. Rammell: The information is as follows:

£

April to March	*Fraud*	*Sum recovered*	*Net loss*
1997–98	114,385	4,396	109,989
1998–99	102,202	6,705	95,497
1999–2000	11,183	11,183	0
2000–01	16,326	15,553	773
2001–02	41,459	4,481	36,978
2002–03	171,798	152,429	19,369
2003–04	172,976	180,826	0

Note:

HM Treasury fraud reporting requirements changed with effect from 2002–03, at which time Departments were required to report attempted frauds as well, not just instances of actual fraud.

In February 1998, the Public Accounts Committee (PAC) heard evidence about a £110,000 fraud in Amman. It involved false and inflated utility bills that were presented for duplicate cash payment. The criminal case has recently found the fraudster guilty and he has been ordered by the courts to repay the full sum to the Foreign and Commonwealth Office.

A further PAC Hearing in February 2000 heard evidence of a £82,000 fraud at our offices in Calcutta. The criminal trial for this fraud is set to begin very soon. The civil trial to pursue restitution of the defrauded sum has just started.

Nuclear Non-Proliferation Treaty

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment he has made of the effectiveness of the treaty on the Non-Proliferation of Nuclear Weapons. [192061]

Mr. MacShane: The Nuclear Non-Proliferation Treaty (NPT) is the cornerstone of the nuclear non-proliferation regime and receives the support of the UK and the vast majority of the international community. It has the largest membership of any arms control treaty. The NPT creates an international norm for the non-proliferation of nuclear weapons. The large increase in the number of states with nuclear weapons, as feared by some in the 1960s has not taken place. However, there have been a small number of instances where the International Atomic Energy Agency (IAEA), in its prescribed role under the treaty, has raised concerns about the compliance of Non Nuclear Weapon States with their obligations under the NPT. The UK shares those concerns and also supports the six party talks intended to resolve the worrying case of North Korea's nuclear programmes. It is within that context that we emphasise the case for stronger and more effective counter-proliferation measures and the importance of compliance with the treaty and with the IAEA's efforts in this regard.

The NPT has survived many challenges in its 34-year history and it remains a strong treaty. The UK looks forward to participating fully in the Review Conference in May 2005.

Tsar Appointments

Mr. Goodman: To ask the Secretary of State for Foreign and Commonwealth Affairs how many tsars have been appointed with responsibilities which cover part of the work of his Department; and if he will make a statement. [191916]

Mr. Alexander: None.

WORK AND PENSIONS

Jobseeker's Allowance

Mr. Rosindell: To ask the Secretary of State for Work and Pensions how many people who have successfully claimed asylum claimed jobseeker's allowance in each of the last three years. [191256]

Jane Kennedy: The information requested is not available. The Department is unable to identify successful asylum applicants from jobseeker's allowance (JSA) data as, once in receipt of this benefit, these customers are subject to the same benefit rules as all our JSA recipients.

Winter Fuel Allowance

Sir Teddy Taylor: To ask the Secretary of State for Work and Pensions why British residents in *(a)* Guadeloupe, *(b)* Martinique and *(c)* the Azores receive the winter fuel allowance; what the annual cost has been since 2002 of such payments; and what assessment the Government have made of temperature levels in these areas. [190641]

Malcolm Wicks: Guadeloupe and Martinique are overseas 'Départements' of France and the Azores is a Portuguese island. As such all are treated as constituents of the European Union. Eligible people living in these regions can continue to receive a winter fuel payment if they satisfy the qualifying criteria. We are not able to provide the annual cost of these payments as data are held on a national basis. For winter 2003–04 there were 3,797 payments made to eligible people living in France at a cost of £603,500 and 257 to eligible people living in Portugal at a cost of £42,500. No assessment has been made of temperature levels in these areas.

Asbestos

Mr. Salter: To ask the Secretary of State for Work and Pensions what plans the Government have to extend asbestos industrial injury benefit to sufferers who have come into contact with asbestos via a family member working in an industrial environment; and if he will make a statement. [191795]

Jane Kennedy: The statutory provisions of the Industrial Injuries scheme provide benefits to employed earners only where an illness or injury is due to their occupation. There are no plans to extend the scope of the Industrial Injuries scheme to the family members of those diagnosed with asbestosis or to people who have been exposed to asbestos outside of their work.

Benefits

Mr. Pickthall: To ask the Secretary of State for Work and Pensions if he will re-examine the proposals to remove *(a)* benefit processing and *(b)* drop-in services from Skelmersdale. [192799]

Jane Kennedy: Jobcentre Plus is changing the way it processes benefits across the county, and the changes for Skelmersdale are part of this plan to achieve greater efficiency and effectiveness. The benefit processing work currently undertaken in Skelmersdale will move to either Blackpool or Preston. We have now started detailed planning and expect to complete these changes by 2007–08 at the latest. These plans are still subject to change during the planning phase.

I am pleased to confirm that the Jobcentre Plus office at Whelmar House, Skelmersdale will continue to deliver the full range of services to customers.

John Thurso: To ask the Secretary of State for Work and Pensions how many reconsiderations for disability living allowance and attendance allowance there were in each year since 2000 in *(a)* the UK and *(b)* Scotland; and how many reconsiderations resulted in a change to the initial decision [192161]

Maria Eagle: The available information is in the table.

Reconsiderations of disability living allowance (DLA) and attendance allowance (AA) that resulted in a change to the initial decision in Great Britain[1]

	Financial year				
	1999–2000	*2000–01*	*2001–02*	*2002–03*	*2003–04*
DLA					
Reconsiderations[2]	277,940	304,350	253,105	271,165	259,955
DLA changed	76,850	86,875	67,400	75,550	74,155
AA					
Reconsiderations[2]	90,605	103,690	84,600	86,985	83,775
AA changed	36,375	55,530	45,940	47,080	46,915

[1] All figures are for Great Britain. It is not possible to provide figures separately for Scotland. The Secretary of State for Northern Ireland is responsible for social security matters within Northern Ireland.

[2] The reconsiderations figure includes withdrawn decisions, lapsed decisions and defective decisions.

Notes:

1. Figures taken from the AA/DLA 100 per cent. MIS System.
2. Figures are rounded to the nearest 5.

Source:

DWP IAD Information Centre.

Child Support Agency

Mr. Drew: To ask the Secretary of State for Work and Pensions in what percentage of CSA cases which have been migrated to the new system manual intervention has been required in order to make payments to the parent with care; and if he will make a statement. [190946]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to my hon. Friend with the information requested.

Letter from Mr. Doug Smith to Mr. David Drew dated, 21 October 2004:

In reply to your recent Parliamentary Question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked the Secretary of State for Work and Pensions, in what percentage of Child Support Agency cases which have been migrated to the new system manual intervention has been required in order to make payments to the parent with care; and if he will make a statement.

I am unable to provide the number of migrated cases on which manual payments have been made to a parent with care as we do not capture this information. I can however indicate the total number of manual payments that have been made. Since March 2004 approximately 2,450,000 payments have been made and, of these, around 18,500 have required manual intervention. The vast majority of these will refer to payments to parents with care in respect of cases that have been migrated to the new system.

Bob Spink: To ask the Secretary of State for Work and Pensions how many Child Support Agency compensation payments were made to *(a)* parents with residence and *(b)* absent parents in each financial range in each of the last three years; and if he will make a statement. [190979]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member with the information requested.

Letter from Mr. Doug Smith to Mr. Bob Spink dated 21 October 2004:

In reply to your recent Parliamentary Question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked the Secretary of State for Work and Pensions, how many Child Support Agency compensation payments were made to *(a)* parents with residence and *(b)* absent parents in each financial range over each of the last three years; and if he will make a statement.

The Agency does not record an analysis of payments on a basis that permits me to split the total between parents with care and non-resident parents. I can however indicate the total number of payments of redress for financial loss attributable to maladministration arising from the Agency's caseload of 1.3 million. This is:

	Number
2001–2002	6,325
2002–2003	5,863
2003–2004	4,897

Mr. Frank Field: To ask the Secretary of State for Work and Pensions whether Child Support Agency cases are being calculated manually; and if he will make a statement. [192912]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr Doug Smith. He will write to my right hon. Friend with the information requested.

Letter from Doug Smith to Mr. Frank Field, dated 21 October 2004:

In reply to your recent Parliamentary question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked the Secretary of State for Work and Pensions, whether any Child Support Agency cases are being calculated manually; and if he will make a statement.

The Agency commenced applying new arrangements for child support from March 2003. Between that date and 30 June 2004 the Agency made around 117,000 calculations of maintenance under the new arrangements, of these around 1,100 were calculated manually.

Mr. Frank Field: To ask the Secretary of State for Work and Pensions on what date the new IT system for the Child Support Agency was to come into force; how many new claims have been successfully processed; and how much money has been paid to the parent with care in each month. [192913]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr Doug Smith. He will write to my right hon. Friend with the information requested.

Letter from Doug Smith to Mr. Frank Field, dated 21 October 2004:

In reply to your recent Parliamentary question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked the Secretary of State for Work and Pensions, on what date the new IT system for the Child Support Agency was to come into force; and *(a)* how many new claims have been successfully processed and *(b)* how much money has been paid over to the parent with care in each month.

We have been using EDS' new computer service for new applications from 3 March 2003. Between that date and 30 June 2004 around 197,500 cases were successfully processed. In that period around £35 million was paid to parents with care in respect of applications made under the new arrangements. I am unable to provide the figures on a monthly basis.

Mr. Frank Field: To ask the Secretary of State for Work and Pensions by what date existing cases will be transferred to the new Child Support Agency IT system. [192914]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to my right hon. Friend with the information requested.

Letter from Doug Smith to Mr. Frank Field, dated 21October 2004:

In reply to your recent Parliamentary question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked the Secretary of State for Work and Pensions, by what date the existing cases will be transferred to the new Child Support Agency IT system.

We do not intend to transfer existing cases to EDS' new computer service until we are satisfied that it is working well for new applications and those cases linked in some way to those applications. No date has yet been set.

Incapacity Benefit

Mr. Goodman: To ask the Secretary of State for Work and Pensions what proportion of *(a)* incapacity benefit and *(b)* severe disablement allowance beneficiaries have also been in receipt of at least one of (i) occupational pension, (ii) personal pension and (iii) permanent health insurance from their employer in each year since 1997. [192994]

Maria Eagle: The information is not available.

Mr. Goodman: To ask the Secretary of State for Work and Pensions how many people claimed both incapacity benefit and income support in each year since 1995. [193003]

Mr. Pond: The information is in the table.

Working age claimants of Incapacity Benefit (IB), Severe Disablement Allowance (SDA) or National Insurance credits only, and Income Support

	Thousands
May 1995	880.2
May 1996	956.9
May 1997	1,030.8
May 1998	1,071.5
May 1999	1,110.7
May 2000	1,157.5
May-01	1,224.7
May-02	1,237.7
May-03	1,273.8
May-04	1,269.5

Notes:

1. Figures are rounded to the nearest hundred.
2. Working age claimants are men aged 16–64 and women aged 16–59.
3. Numbers are taken from a 5 per cent. sample and are subject to a degree of sampling error.
4. Working age client group dataset excludes a small number of IB claimants who are over State Pension Age (SPA), plus Income Support claimants above SPA (whether or not they have a partner under SPA)
5. Figures cover individuals claiming both IB/SDA and IS. There will be some additional cases where a person claims IB/SDA with their partner claiming IS on behalf of the benefit unit; the number of such cases is unknown.

Source:

IAD Information Centre, 5 per cent. samples

Incapacity/Severe Disablement Benefit

Mr. Goodman: To ask the Secretary of State for Work and Pensions what the average length of time was before new incapacity benefit claimants saw doctors employed by or contracted to the Department for a medical assessment in relation to the receipt of incapacity benefit or severe disablement allowance in each year since 1997. [191694]

Maria Eagle: Information about medical referrals in individual cases is not recorded centrally and could be obtained only at disproportionate cost.

Depending on a claimant's condition, initial referrals for personal capability assessments are made from between three and 10 weeks from the date of claim. Upon receipt of a referral from Jobcentre plus, Medical Services have an actual average clearance time target of 32 working days to complete their part of the examination process. This will include a doctor carrying out a medical assessment where appropriate.

Mr. Goodman: To ask the Secretary of State for Work and Pensions how many and what percentage of those going on to incapacity benefit in each year since 1997 had a claim for incapacity benefit or severe disablement allowance rejected in the previous two years, broken down by *(a)* age and *(b)* region. [191697]

Maria Eagle: The information is not available.

Mr. Goodman: To ask the Secretary of State for Work and Pensions what the cost was of *(a)* incapacity benefit and *(b)* severe disablement allowance in each year since 1997. [191698]

Maria Eagle: The information is in the table.

Cost of incapacity benefit and severe disablement allowance 1997–98 to 2003–04

Nominal terms (£ million)[1]

	Incapacity benefit	*Severe disablement allowance*
1997–98	7,412	999
1998–99	7,251	984
1999–2000	6,790	1006
2000–01	6,766	1014
2001–02	6,749	1040
2002–03	6,764	959
2003–04[2]	6,715	932

[1] Consistent with Spending Review 2004 figures, published in Table 3 of the Benefit Expenditure Tables on the DWP website.

[2] Estimated outturn figures provided for 2003–04

Source:

Departmental Accounts, various years, and Spending Review 2004 estimates.

Industrial Injuries Benefits

Tom Cox: To ask the Secretary of State for Work and Pensions how many *(a)* men and *(b)* women have been awarded industrial injuries benefits as a result of contracting asbestos-related diseases in each of the last 10 years; and if he will make a statement. [190258]

Jane Kennedy: The available information on the number of men and women awarded industrial injures benefits as a result of contracting asbestos-related diseases is in the table.

Number of men and women awarded industrial injuries benefits as a result of contracting asbestos-related diseases

	Men	*Women*
1994	1,175	25
1995	1,285	40
1996	1,295	20
1997	1,040	20
1998	1,105	35
1999	1,245	35
2000	1,355	30
2001	1,475	50
2002	1,865	75
2003[1]	2,145	100

[1] Provisional data

Note:

Figures are first diagnosed assessments and are a 100 per cent. count rounded to the nearest 5 to ensure anonymity.

Job Vacancies (York)

Hugh Bayley: To ask the Secretary of State for Work and Pensions how many unfilled job vacancies there are at York Jobcentre; and how many there were at the same date in each year since 1996. [191219]

Jane Kennedy: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to my hon. Friend.

Letter from David Anderson to Mr. Hugh Bayley, dated 21 October 2004:

The Secretary of State has asked me to reply to your question concerning the number of unfilled job vacancies at York Jobcentre. This is something which falls within the responsibilities delegated to me as Chief Executive of Jobcentre Plus.

According to Jobcentre Plus administrative records, the numbers of unfilled vacancies at York Jobcentre between 1996 and 2000 are set out in the table below. This represents only a proportion of all the vacancies available, as not all vacancies are notified to Jobcentres.

Unfilled vacancies recorded at York Jobcentre between 1996 and 2000

	Number
1996	960
1997	1,020
1998	1,430
1999	1,120
2000	1,390

Source:

NOMIS National Statistics.

From 2001, the publication of Jobcentre Plus vacancy statistics was deferred due to distortions in the data. These arose partly from difficulties with a new computer system and partly from the introduction of innovative vacancy-taking procedures, such as the creation of Employer Direct Contact Centres, which made it difficult to interpret changes in the figures. Published data on the number of unfilled Jobcentre Plus vacancies remains suspended and at present is not suitable for use as a labour market indicator. We are currently reviewing the derivation and composition of the data. We are working closely with colleagues in the Office for National Statistics (ONS) to reinstate data that will be suitable for public use.

The figures in the table below show management information on numbers of unfilled vacancies at the now Jobcentre Plus office from August 2001 to August 2004. Figures are not comparable to the National Statistics series shown above and should not be interpreted as reflecting changes to labour market conditions over the period from 1996. These figures may also be higher, as the catchment area for vacancy recording has widened reflecting broader travel to work patterns.

Unfilled vacancies recorded at the Jobcentre Plus office after 2001

	Number
2001	2,750
2002	3,620
2003	4,300
2004	5,140

Source:
DWP Vacancy Database, Management Information.

I hope this is helpful.

Pathways to Work Pilots

Mr. Jim Cunningham: To ask the Secretary of State for Work and Pensions if he will make a statement on the progress of the Pathways to Work pilots. [192153]

Jane Kennedy *[holding answer 20 October 2004]:* I refer my hon. Friend to the oral answer my right hon. Friend the Secretary of State gave my hon. Friend the Member for Leeds, North-West (Mr. Best) on 11 October 2004, *Official Report*, columns 1–5.

Pension Credit

Sir Archy Kirkwood: To ask the Secretary of State for Work and Pensions what estimate he has made of the cost of increasing the allowable period of absence for pension credit claimants who leave the country to 13 weeks. [192967]

Malcolm Wicks: Officials are still researching a range of options for potentially extending the period for which pension credit can continue to be paid for customers who go abroad for less than 52 weeks. However, we estimate that the cost of extending the period to 13 weeks would be an additional £5 million per year.

Mrs. May: To ask the Secretary of State for Work and Pensions how many people living in the Maidenhead constituency are *(a)* eligible for and *(b)* in receipt of pension credit. [191337]

Malcolm Wicks: Information on the number of people likely to be eligible for pension credit is not available at constituency level. However, we estimate that approximately 400,000 households in the South East Government Office Region (GOR), corresponding to approximately 500,000 individuals (rounded to the nearest 50,000), are likely to be eligible for pension credit in 2004–05. Information on the number of pension credit recipients in the South East GOR and in Maidenhead is given in the table.

Pension credit recipients—31 August 2004

	Households	Individuals
South East GOR	268,365	321,530
Maidenhead	2,190	2,630

[1] Figures are rounded to the nearest five

[2] Individual recipients include a small number of partners under age 60

Pension Service

Chris Ruane: To ask the Secretary of State for Work and Pensions how many pensioners have attended local Pension Service outreach surgeries in each year since their inception; and if he will make a statement. [190878]

Malcolm Wicks: Information is not available in the format requested. However, figures can be provided from April 2003 to September 2004 and are provided in the following table:

Local Service Surgeries

	Number of customers seen
April 2003 to March 2004	301,043
April 2004 to September 2004	173,379

The term "information points" will be now be used instead of "surgeries" to better describe the outreach services for our customers as local service moves towards supporting partners in running these activities.

Details of local service information points can be obtained by telephoning the single "lo call" access number for The Pension Service (0845 60 60 265) or by visiting The Pension Service website: www.thepensionservice.gsi.gov.uk Locally, details of local service information points are often available in libraries, GP surgeries, and advertised in the local press and radio.

Pensioners

Hugh Bayley: To ask the Secretary of State for Work and Pensions how many households in *(a)* Yorkshire and Humber and *(b)* City of York received (i) winter fuel payments and (ii) free television licences in 2003–04. [191240]

Malcolm Wicks: In winter 2003–04 there were 720,940 households in Yorkshire and Humber and 14,565 households in the City of York that received the winter fuel payment.

The number of households with at least one resident aged 75 or over in *(a)* Yorkshire and Humber is 292,095 and *(b)* City of York is 6,525. Each of these households would therefore be eligible for a free TV licence.

Notes:

1. Number is rounded to the nearest 5.
2. Any residence found to have four or more occupants is not included in these figures as it is assumed to be a residential care or nursing home.
3. Parliamentary constituencies have been allocated using the relevant ONS postcode directory.

Source:

IAD Information Centre, WFP data winter 2003–04 100 per cent. sample.

Mr. Laws: To ask the Secretary of State for Work and Pensions how many pensioners in Yeovil constituency had an annual income of less than £5,000 in 2003–04; and if he will make a statement. [191314]

Malcolm Wicks: The information requested is not available.

Mr. David Marshall: To ask the Secretary of State for Work and Pensions (1) how many *(a)* men and *(b)* women living in the city of Glasgow are in receipt of state retirement pension; and what percentage of the city's population these figures represent; [191005]

(2) how many pensioners living in the city of Glasgow are in receipt of the additional payments made to pensioners over the age of 80 years. [191003]

Malcolm Wicks: The number of men and women living in the city of Glasgow who were in receipt of state pension as at 31 March 2004 and the percentage of the city's population these figures represent is in the table:

	Recipients of state pension in city of Glasgow	*Percentage of the city of Glasgow population*
All	107,600	18.6
Men	36,300	6.3
Women	71,300	12.4

Notes:

1. State pension recipient figures relate to people getting any state pension (basic or additional) or graduated retirement benefit who reside in the city of Glasgow unitary authority.
2. Population figures are taken from mid-2003.
3. Population data sources are Office for National Statistics (ONS) and General Register Office, Scotland.
4. Figures for state pension recipients and age addition are from a 5 per cent. sample and are rounded to the nearest hundred.
5. The additional winter fuel payment figure represents a 100 per cent. sample rounded to the nearest 5.
6. Figures for state pension recipients and age addition payments are obtained from a 5 per cent. sample of cases and are therefore subject to a high degree of sampling variation.
7. Local authorities are assigned by matching postcodes against the relevant Office for National Statistics postcode directory.

Source:

1. IAD information Centre, 5 per cent. sample for state pension and age addition figures.
2. IAD Information Centre, 100 per cent. sample for winter fuel payment figure.

As at 31 March 2004 there were 19,000 State Pension recipients in the city of Glasgow over the age of 80 in receipt of the age addition to state pension.

In winter 2003–04 the total number of pensioners in the city of Glasgow who received the additional winter fuel payment for those aged 80 or over was 19,575.

Pensions (Indexation)

Miss McIntosh: To ask the Secretary of State for Work and Pensions what assessment he has made of the impact of reductions in the limited price indexation of pensions on incentives to provide for retirement. [191546]

Malcolm Wicks: The Green Paper on pensions made it clear that we would not introduce any change to mandatory indexation unless we had good reason to believe that it would result in increased coverage of occupational pensions. The decision to reduce the Limited Price Indexation cap for defined benefit pensions was made in the context of our proposal to introduce a Pension Protection Fund. In order to ease the financial burden that the PPF would impose on employers, we took steps to balance the costs by reducing the LPI cap from 5 per cent. to 2.5 per cent. The PPF will improve incentives to save by providing essential security for scheme members and will thus increase confidence in, and coverage of, occupational pensions.

Work-related Injury/Illness

Mr. Bercow: To ask the Secretary of State for Work and Pensions how many people in *(a)* the UK and *(b)* Buckinghamshire left the work force following injury or illness caused at work in each year since 2002. [191040]

Jane Kennedy: Statistical sources on work place injury and illness do not provide a basis for reliable estimates of the data requested. However, since 1999 there has been a Eurostat module on employment in the Spring Labour Force Survey (LFS) covering special topics. In 2002 this covered employment of disabled people and indicated that in the United Kingdom an estimated 29,000[1] people gave up work in the previous 12 months as a result of a work-related accident or injury (including work-related road traffic accidents) or work-related diseases and illnesses. The module cannot provide reliable estimates at county level.

Note:

[1] The statistical 95 per cent. confidence interval around this estimate runs from 22,000 to 37,000 people.

HEALTH

Food Labelling

Alan Simpson: To ask the Secretary of State for Health (1) what allocation of funds has been made for enforcing GM labelling requirements in the Food Labelling (Amendment) Regulations 1999 to each of the public bodies involved in the current financial year; [192234]

(2) if he will list the public bodies responsible for enforcement of the GM labelling requirements under the Food Labelling (Amendment) Regulations 1999. [192235]

Miss Melanie Johnson: Enforcement of genetically modified (GM) labelling requirements for food is now provided by the Genetically Modified Food (England) Regulations 2004. Previous legislation laying down rules for the labelling of GM food ingredients has been revoked.

Local authorities are responsible for enforcement of the GM labelling requirement. Depending on the authority, the responsibility may be passed to port health authorities and/or trading standards.

Mr. Gale: To ask the Secretary of State for Health what steps his Department has taken to ensure the correct and clear labelling of food products *(a)* sold by retail outlets and *(b)* used in processing food in restaurants; and if he will make a statement. [192805]

Miss Melanie Johnson: The Food Standards Agency (FSA) has responsibility for food labelling. Labelling legislation requires that the labelling on food sold at retail and to catering establishments is easy to understand, clearly legible, indelible, clearly visible and not misleading to the consumer. The FSA produces a range of non-statutory guidance on food labelling legislation, including that on clear labelling. Enforcement of food labelling law is the responsibility of local authorities.

School Fruit

Mr. Lidington: To ask the Secretary of State for Health what steps he has taken to ensure that his

Department's scheme to provide fresh fruit to children in primary school benefits local and regional fruit growers in England. [190672]

Miss Melanie Johnson: Procurement for the school fruit and vegetable scheme is undertaken under European Union guidance. EU trading rules are designed to ensure fair and open competition within the EU and specifying the country of origin within the EU is prohibited.

The scheme has been rolled out across successive regions of the country over a two year period. In each region our aim is to reach as wide a range of suppliers and distributors as possible, and we have held open briefing meetings to advise local suppliers how to be involved with the scheme. There has also been regular dialogue with the National Farmers Union, English Apples and Pears and the Fresh Produce Consortium.

Last season, English grown fruit accounted for 50 per cent. of the apples and pears bought by the school fruit and vegetable scheme for consumption during the United Kingdom season. Over the same period, an average of 35–40 per cent. of apples and pears bought by supermarkets were English grown.

Spanish Eggs (Salmonella)

Mr. Paterson: To ask the Secretary of State for Health what action is being taken following the announcement by the Health Protection Agency and Food Standards Agency that there continue to be significant numbers of salmonella outbreaks linked to imported Spanish eggs used in the catering trade. [192578]

Miss Melanie Johnson: The Food Standards Agency (FSA) has advised me that it is taking two courses of action to try to reduce the number of outbreaks of salmonella food poisoning. It is working with the Spanish authorities to try to reduce the number of contaminated eggs entering the United Kingdom to a minimum and will be meeting the Spanish authorities in Madrid later this week to discuss their action plan. It has also re-issued its advice to caterers that eggs are a raw product and should be treated carefully and properly cooked. This information was given in a joint FSA/ Health Protection Agency press release on 14 October.

Antidepressant Drugs

Ann Clwyd: To ask the Secretary of State for Health what assessment he has made of the time taken by the Medicines and Health Care Products Regulatory Agency to identify the suicide risk posed by the selective serotonin reuptake inhibitor antidepressant drugs; and if he will make a statement. [190826]

Ms Rosie Winterton: The Committee on Safety of Medicines (CSM) has kept the safety of selective serotonin reuptake inhibitor (SSRI) antidepressants under review since the time of licensing and has issued timely advice when new information has become available. Depressive illness is a debilitating condition, in which there is an increased risk of suicide and suicidal behaviour. The SSRI antidepressants are effective treatments that have benefited millions. They are increasingly being used for first-line treatment of depressive illness, particularly as they are more easily complied with.

It is general clinical experience that symptoms of depression, including suicidal behaviour, may increase in early treatment with any antidepressant and the patient information leaflets reflect this advice.

The question of a possible link between SSRIs and an increased risk of suicidal behaviour was first identified in the early 1990's following publication of case series involving fluoxetine by Teicher et al (1990) which stimulated scientific debate and intense media interest. The CSM reviewed the available data and concluded that there was little evidence to support the suggestion that fluoxetine induces suicidal or aggressive behaviour. This issue has been kept under close continuous review by the Medicines and Health Care products Regulatory Agency (MHRA) and the CSM and all new data has been carefully scrutinised as and when it becomes available.

The CSM conducted a further comprehensive review of the available study data in 2000 and concluded that these data do not suggest an increased risk of suicidal behaviour associated with in adults but an effect in a small sub-population could not be ruled out. This issue was also considered at a European level in 2000 and all EU member states endorsed the conclusions of the United Kingdom assessment.

The CSM considered this issue again in December 2001. This review confirmed the previous advice that the evidence was not sufficient to confirm a causal association between SSRIs and suicidal behaviour, although an effect in a small high-risk population could not be ruled out.

In June 2003, the MHRA and CSM published advice not to use paroxetine in patients under the age of 18 years with major depressive disorder because of clinical trial data which showed a lack of efficacy in this population and an increased risk of suicidal thoughts and behaviour. The advice was published within two weeks of the data being made available to the MHRA. Comprehensive advice on the safety and efficacy in children and adolescents of the remaining medicines included in the review of the expert working group was published in December 2003.

The possible association between SSRIs and suicidal behaviour in adults is being further reviewed by the CSM expert working group on SSRIs, which is expected to report later this year.

Bed Provision (Essex)

Bob Spink: To ask the Secretary of State for Health if he will take steps to block further cuts in beds in *(a)* Basildon and *(b)* Southend hospitals. [192346]

Dr. Ladyman: The provision of acute services, including beds, is a matter for the local national health service, working in partnership with its stakeholders and the local community. It is for NHS organisations to plan and develop services based on their specific local knowledge and expertise.

Care Plans

Mr. Burstow: To ask the Secretary of State for Health pursuant to the answer of 23 September 2004, *Official Report*, column 1983W, on carers, what monitoring has been undertaken on the implementation of standard six of the national service framework on mental health to ensure that all carers are receiving care plans. [191777]

Ms Rosie Winterton: Implementation of the national service framework for mental health standard six is being monitored through the annual autumn self assessment of mental health services.

Trusts' performance in meeting the target to put in place 700 more staff to support carers of people with mental illness are being monitored through local delivery plan returns produced by strategic health authorities.

Carers

Hugh Bayley: To ask the Secretary of State for Health how many *(a)* carers and *(b)* young carers of school age there are in the City of York; what support is given to carers and young carers of school age; and if he will make a statement. [192402]

Dr. Ladyman: The number of carers of all ages in the City of York as recorded in the 2001 Census are shown in the table.

Number of carers of all ages in the City of York

	Total	*Provides no care*	*Provides care: 1 to 19 hours*	*Provides care: 20 to 49 hours*	*Provides care: 50 or more hours*
All people	174,888	158,055	1 2,334	1,508	2,991
0 to 4	9,341	9,341	—	—	—
5 to 7	5,750	5,735	12	3	—
8 to 9	4,020	4,000	14	—	6
10 to 11	4,278	4,237	38	—	3
12 to 14	6,211	6,096	105	7	3
15	2,002	1,948	48	6	-
16 to 17	3,990	3,850	127	7	6
18to 19	4,201	4,071	112	11	7
20 to 24	12,571	12,141	346	42	42
25 to 34	25,315	23,845	1,057	146	267
35 to 44	25,845	23,092	2,077	245	431
45 to 49	11,031	9,131	1,547	156	197
50 to 54	12,530	10,029	1,995	220	286
55 to 59	9,888	7,766	1,637	200	285
60 to 64	8,846	7,194	1,218	136	298
65 to 74	15,621	13,358	1,450	191	622
75 to 84	10,536	9,468	500	120	448
85 to 89	2,072	1,943	36	12	81
90 and over	840	810	15	6	9

Source:
2001 census (Office for National Statistics)
Table S025—Sex and age by general health and provision of unpaid care.
Table population : All people in households
Geographical level: York Unitary Authority

This Government is the first ever to recognise the contribution and concerns of carers formally and has introduced a range of support initiatives.

It developed the national carers strategy in 1999 with carers and the organisations that represent them. The carers grant was also introduced in 1999 to support councils in providing breaks and services for carers in England. The grant has been increased annually and has provided an extra £325 million over the past five years. It is worth £125 million this year, 2004–05, and will continue at least until 20O5–06, by which time it will be £185 million.

The Carers (Equal Opportunities) Act received Royal Assent on 22 July 2004. The Act will ensure that carers are able to take up opportunities which those without caring responsibilities take for granted.

The Department for Education and Skills supports the young carers initiative through a grant to the Children's Society. The initiative supports over 250 projects or groups working with young carers, which are funded through a range of sources including statutory agencies, the voluntary sector and lottery funds. Each project in turn supports between thirty and fifty young carers. In addition, the young carers initiative supports an annual festival, which attracted approximately 1,350 young people in 2004.

Consultants

Mr. Maples: To ask the Secretary of State for Health if he will list the contracts awarded by his Department to consultants in each of the last five years, stating in each case *(a)* the name of the consulting company, *(b)* the value of the contract and *(c)* the purpose for which the contract was awarded; and if he will make a statement. [191733]

Ms Rosie Winterton: The Department does not hold centrally a record of the information requested and it could be obtained only at disproportionate cost.

Dentistry

Mr. Liddell-Grainger: To ask the Secretary of State for Health when he plans to publish the dental workforce review; and if he will make a statement. [186514]

Ms Rosie Winterton: My right hon. Friend, the Secretary of State for Health made a written ministerial statement on the report of the primary care dental workforce review on 22 July 2004. The report is available in the Library and at http://www.dh.gov.uk/PublicationsAndStatistics/Publications/PublicationsPolicyAndGuidance/PublicationsPolicyAndGuidanceArticle/fs/en?CONTENT ID = 4086050&chk = C2Hjh P.

Mr. Cameron: To ask the Secretary of State for Health what steps he will take to ensure that all patients in West Oxfordshire have the choice of treatment by an NHS dentist. [191931]

Ms Rosie Winterton: We are undertaking the most far reaching reforms to national health service dentistry since the service began in 1948. By October 2005, we will have recruited the equivalent of 1,000 additional dentists to the NHS, funded 170 additional training places for dental undergraduates and introduced new contractual arrangements which will delegate to primary care trusts (PCTs) responsibility for contracting with general dental practitioners for their local population's oral health needs. We are investing an extra £368 million in dentistry to fund these reforms.

In anticipation of the contractual changes, PCTs in West Oxfordshire are already working with dental practices to discuss how they can maintain and improve current service levels. I understand they are also exploring the provision of a new practice in west Oxfordshire, although no final decision has yet been made.

Mr. Etherington: To ask the Secretary of State for Health how many NHS dental practices operated in Sunderland in each year since 1999; what percentage of Sunderland *(a)* adults and *(b)* children were registered with NHS dental practices in each year, and how many community and school dental services sessions were held in the city in each year. [192274]

Miss Melanie Johnson: Figures for the number of general dental service (GDS) practices and the proportion of adults and children registered with a GDS dentist are shown in table 1 for Sunderland Health Authority (HA) for 1999 to 2002 and Sunderland primary care trust (PCT) for 2003 and 2004. Table 2 shows the number of patients screened by community and school dental services in Sunderland HA for years 1999–2000 to 2001–02 and for City Hospitals Sunderland for the year 2002–03. Data for community and school dental service screenings for the year 2003–04 are not yet available.

Table 1

	Number of GDS practices (August)	*Adult registrations as a percentage of adult population (September)*	*Child registrations as a percentage of child population (September)*
1999	35	46.6	63.7
2000	35	47.3	63.9
2001	36	48.6	63.7
2002	36	49.5	63.0
2003	36	51.4	65.6
2004 (August)	36	51.7	65.3

Table 2: Community and school dental services

	Number screened	*Dental services*
1999–2000	24,495	Sunderland HA
2000–01	15,021	Sunderland HA
2001–02	16,399	Sunderland HA
2002–03	24,890	City Hospitals Sunderland

Source:
Department of Health dental statistics.

Mr. Hinchliffe: To ask the Secretary of State for Health if he will take steps to ensure that additional funds for primary care dentistry will be channelled towards dentists who have continued to maintain NHS care provision in preference to those who have reduced their commitment to the NHS. [189833]

Ms Rosie Winterton: The base contract values under our proposed new contractual arrangements will be based on the dentists' previous national health service earnings, which will directly relate to the amount of NHS work they provided. Primary care trusts will monitor the NHS dental service provision by dentists to ensure that they maintain their NHS commitment.

We also intend that some funding should be available to dentists in mixed practices who wish to increase their NHS commitment because they prefer the new contractual and remuneration system to the present arrangements.

Mr. Hinchliffe: To ask the Secretary of State for Health (1) what estimate he has made of the cost to the NHS of the additional dentists to be working in the primary dental services by 2011 as anticipated in the Primary Care Dental Workforce Review; [189834]

(2) what estimate he has made of expenditure on dental nurses to assist the additional dentists needed by 2011 in the primary dental services sector, as anticipated in the Primary Care Dental Workforce Review; [189836]

(3) what estimate he has made of the cost of additional *(a)* dental equipment and *(b)* surgeries required to support the projected increase in NHS dentists; and what mechanisms will be used to ensure that such resources will be allocated to those areas in greatest need. [189837]

Ms Rosie Winterton: Our expansion of the dental workforce is already underway with the recruitment of 1,000 additional dentists to the national health service by October 2005. In addition, by 2011, the first cohort of students to fill the additional 170 training places for dental undergraduates, that we are funding from October 2005, will be entering the workforce. We estimate that the cost to the NHS, net of the income contributed through patients' charges, but including remuneration for premises, equipment and ancillary staff, would be £130 million at current prices. In 2005–06 we are allocating an extra £250 million to NHS dentistry, an increase of 19.3 per cent., compared to spending in 2003–04.

Mr. Hinchliffe: To ask the Secretary of State for Health what estimate he has made of the cost to Government departments of providing training places for the additional dentists anticipated in the Primary Care Dental Workforce Review. [189835]

Ms Rosie Winterton: In our announcement of 16 July, we undertook to fund 170 extra undergraduate training places in England from October 2005. By 2010–11, there will be an additional 850 dental students undergoing training. We estimate that the total cost to the Higher Education Funding Council for England and the Department of their academic and clinical training will have risen to some £40 million recurring, supported by total capital investment of £95 million over the period 2005–06 to 2009–10.

Mr. Hinchliffe: To ask the Secretary of State for Health what account was taken in the Primary Care Dental Workforce Review, when estimating the number of additional dentists required by 2011, of the views of the National Institute for Clinical Excellence on appropriate dental recall intervals. [189838]

Ms Rosie Winterton: The model on which the review was based was constructed in 2002, before the National Institute for Clinical Excellence had published draft guidance proposing that the recommended interval between oral health reviews should be determined specifically for each patient based on disease levels and risk of dental disease. This contrasts with current practice of recalling patients at six monthly intervals. We took account of the implications of the draft guidance for the workload of dentists in announcing plans to recruit the equivalent of 1,000 additional dentists and will be checking our progress next year.

Mr. Hinchliffe: To ask the Secretary of State for Health what steps will be taken to ensure that dentists to be recruited from *(a)* Poland, *(b)* Spain and *(c)* India by primary care trusts are retained in the NHS. [189839]

Ms Rosie Winterton: Many of these dentists will be recruited to posts within the personal dental services where a national health service commitment is specified. More generally, the changes we are making to dentists' contractual and remuneration arrangements are intended to make NHS dentistry more attractive to dentists.

Mr. Pope: To ask the Secretary of State for Health how many NHS dental registrations he expects to be available within two years in *(a)* Hyndburn and Ribble Valley Primary Care Trust area and *(b)* East Lancashire. [192163]

Miss Melanie Johnson: The Department does not make forecasts of National Health Service dental registration figures.

A new dental contract is due for introduction in October 2005. Under this, patients may access NHS dentistry without being registered. Registrations lapse if the patient does not attend the dentist within the last 15 months.

Mr. Laws: To ask the Secretary of State for Health what proportion of the population of *(a)* Somerset, *(b)* South Somerset and *(c)* Yeovil constituency was registered with an NHS dentist in each year from 1988–89 to 2004–05; and if he will make a statement. [192131]

Ms Rosie Winterton: The information requested is not available for the time frame specified. The following tables show the estimated proportions of adults and children registered with a general dental service (GDS) dentist from 1993 to 2002 for Somerset health authority (HA) area and for 2003 and 2004 for the four primary care trusts (PCTs) in Somerset.

Dental registration rates in Somerset HA area

At September each year	*Proportion of adults registered*	*Proportion of children registered*
1993[1]	66.9	73.6
1994[1]	65.2	72.7
1995[1]	59.2	70.7
1996[1]	55.6	71.4
1997[1]	56.1	73.5
1998	49.1	69.5
1999	46.3	67.3
2000	48.6	69.8
2001	46.4	67.7
2002	48.1	66.4

[1] Population figures used to calculate the rates are for September 1998. The registration rates for September 1997 and earlier are on a different basis from the later figures because of changes in the registration period—adult period fell from 24 months to 15 months.

Dental registration rates in Somerset PCTs

	2003 (August)		*2004 (August)*	
PCTs	*Adults*	*Children*	*Adults*	*Children*
Mendip	34.9	60.3	37.3	62.1
Taunton Deane	62.8	80.3	55.7	73.5
Somerset Coast	44.3	59.7	39.7	53.8
South Somerset	54.3	74.2	51.7	74.5

Patients may access national health service dental services without being registered, for example in the personal dental service.

DXA Scan

Mr. Spring: To ask the Secretary of State for Health which hospitals in the Norfolk, Suffolk and Cambridgeshire Strategic Health Authority area have the equipment that can carry out a duel energy X-ray absorptiometry (DXA) scan; and which hospitals in the area have machines which can measure the density of the wrist or heel. [191175]

Dr. Ladyman: The following hospitals have bone densitometers which can be used for part or whole body scans:

Cambridge University Hospitals National Health Service Foundation Trust (Addenbrooke's)

Ipswich Hospital NHS Trust

Norfolk and Norwich University Hospitals NHS Trust (NNUH)

Peterborough and Stamford Hospitals NHS Foundation Trust (P&S).

In addition James Paget Hospital NHS Trust carry out this type of bone examination on their computerised tomography (CT) scanner with a dedicated X-ray absorptiometry (DXA) scanner coming into clinical operation by early December.

The following hospitals have additional equipment that can measure the density of the wrist or heel, only:

Cambridge University Hospitals NHS Foundation Trust (Addenbrooke's)

Ipswich Hospital NHS Trust

Norfolk and Norwich University Hospitals NHS Trust (NNUH).

Foundation Hospitals (Electorate)

Mr. Alan Williams: To ask the Secretary of State for Health (1) who determines the categories of voters to be included in elections relating to foundation hospitals; [191302]

(2) whether prospective patients on a foundation hospital's waiting list are automatically included in its electorate; [191303]

(3) whether prospective patients referred to a foundation hospital by a general practitioner but not yet on the appointment list for a doctor at that hospital are automatically included in the electorate for that hospital; [191304]

(4) what role the Department plays in ensuring consistency between foundation hospitals in compiling the categories that make up their electorates; [191305]

(5) what monitoring takes place and by whom to ensure consistency between foundation hospitals in compiling the categories that make up their electorates. [191306]

Mr. Hutton: National health service foundation trusts are directly accountable to their local community through their board of governors, which includes governors elected from the membership community of the trust (local people, patients and staff) and people appointed from primary care trusts, local authorities and other stakeholders.

It is up to each applicant NHS trust to determine the detail of the arrangements for membership and to decide on the size and shape of the board of governors for the prospective organisation. A NHS foundation trust's membership is made up of a number of constituencies, including as a minimum; one or more public constituencies —consisting of people living in a geographical area or areas defined in terms of local government electoral areas and a staff constituency—consisting of all staff members. It is for each trust to determine whether it should have a patients constituency, consisting of patients of the trust and carers, and which may include patients who live outside the area served by the trust. The Department has issued advice to applicant NHS foundation trusts about the options for creating constituencies making up their electorates and that advice needs to be tailored to each trust's particular local circumstances. It follows that we expect diverse approaches to developing constituencies. This advice, "NHS Foundation Trusts: a Guide to Governance arrangements" is available in the Library.

All members of a NHS foundation trust have the right to vote for the governor or governors that are elected from their constituency, or class within a constituency, to the board of governors.

Free Eye Tests

Hugh Bayley: To ask the Secretary of State for Health how many pensioners in York have had free eye tests since they were reintroduced. [192431]

Miss Melanie Johnson: Figures for the number of sight tests by constituency or pensioners are not collected centrally. The table shows the number of national health service sight tests paid by North Yorkshire Health Authority (HA) for the years ending 31 March 2000 to 2003 and the four primary care trusts (PCTs) covering the old North Yorkshire HA for the year ending 31 March 2004.

General ophthalmic services: number of sight tests paid by North Yorkshire HA for patients aged 60 and over for the years ending 31 March 2000 to 2004

	HA/PCT name	*Number of sight tests for aged 60 and over (£000)*
1999–2000	North Yorkshire HA	52.1
2000–01	North Yorkshire HA	61.8
2001–02	North Yorkshire HA	68.9
2002–03	North Yorkshire HA	70.3
2003–04:		
Craven, Harrogate and Rural District PCT		21.4
Hambleton and Richmondshire PCT		10.2
Scarborough, Whitby and Ryedale PCT		17.5
Selby and York PCT		26.3
Total	North Yorkshire HA	75.4

Source:
Department of Health.

Electro-convulsive Therapy

Mr. Paul Marsden: To ask the Secretary of State for Health how many patients in each year since 1997 have received electro-convulsive therapy treatment without having given their agreement. [192290]

Ms Rosie Winterton: Information on electro-convulsive therapy (ECT) is published by the Department in the statistical bulletin "Electro Convulsive Therapy: Survey covering the period from January 2002 to March 2002, England". It includes information on the total number of administrations of ECT in the national health service and independent sector care settings and nursing homes, broken down by sex, age, ethnicity, legal status and method of consent.

The 2002 survey confirmed the continuing downward trend in the number of administrations of ECT It showed that of 2,272 patients who received ECT from January to March 2002, 370 did not consent to treatment but were treated after a second opinion was obtained. A further 102 patients received ECT treatment as an emergency.

Copies of the 2002 Survey and the earlier 1999 Survey can be found on the Department's website at http://www.publications.doh.gov.uk/public/work_health_care.htm#menthealth

Health Services (York)

Hugh Bayley: To ask the Secretary of State for Health how many *(a)* hip replacements, *(b)* cataract removals, *(c)* heart bypass operations and *(d)* cancer operations were carried out in (i) Yorkshire and Humber and (ii) York in (A) 1997 and (B) 2003. [191157]

Miss Melanie Johnson: The information requested is shown in the table.

Selected groups of procedures
All operations count of finished consultant episodes by provider of treatment
Yorkshire and Humberside national health service hospitals, 1997–98 and 2002–03

	Hip operations		*Cataract operations*		*Coronary artery bypass grafts*		*Cancer operations*	
	1997–98	*2002–03*	*1997–98*	*2002–03*	*1997–98*	*2002–03*	*1997–98*	*2002–03*
Yorkshire and Humberside	7,389	7,558	17,211	29,994	2,152	2,888	71,701	99,436
of which:								
York Hospitals NHS Trust	366	457	1,014	1,220			3,528	2,870

Notes:

Finished Consultant Episode (FCE)

An FCE is defined as a period of admitted patient care under one consultant within one health care provider.

Please note that the figures do not represent the number of patients, as a person may have more than one episode of care within the year.

Grossing

Figures are grossed for both coverage and missing/invalid clinical data, except for 2002–03, which are not yet adjusted for shortfalls.

All Operations count of Episodes

These figures represent a count of all FCE's where the procedure was mentioned in any of the 12 (4 prior to 2002–03) operation fields in a HES record. A record is only included once in each count, even if an operation is mentioned in more than one operation field of the record.

OPCS-4 procedure Codes Used

Hip Operations W37 to W39, W46 to W48

Cataract Operations C71, C72, C74, C75

Heart Bypass (Coronary Artery Bypass Grafts) K40 to K44

Cancer C00—C79 (diagnosis Code), any operation recorded

Low Numbers

Due to reasons of confidentiality, figures between 1 and 5 have been suppressed and replaced with "*" (an asterisk).

Source:

Hospital Episode Statistics (HES), Department of Health

Hugh Bayley: To ask the Secretary of State for Health how many and what percentage of pensioners in *(a)* Yorkshire and the Humber and *(b)* City of York received (i) free NHS flu inoculation and (ii) health checks in (A) 1997 and (B) the latest year for which figures are available. [191176]

Miss Melanie Johnson: Data on influenza immunisation is published in the national statistics, statistical bulletin—national health service immunisation statistics, England: 2003–04 at www.publications.doh.gov.uk/public/sbQ416.htm. A copy of this is available in the Library.

Influenza immunisations for people aged over 65 were introduced in 2000. In Yorkshire and the Humber region in 2003–04, 72.4 per cent., of people aged over 65 were immunised against influenza. In the Selby and York Primary Care trust area, 75.3 per cent., of people aged over 65 were immunised against influenza.

Data on the number of people aged over 65 receiving health checks are not collected.

Hugh Bayley: To ask the Secretary of State for Health how many people on average were on NHS waiting lists for treatment at York District hospital *(a)* in 1997 and *(b)* the latest year for which figures are available; and what the (i) maximum and (ii) average waiting time was in each case. [191177]

Miss Melanie Johnson: The information requested is shown in the following table.

Patients waiting for elective inpatient admission: York Hospitals NHS Trust

		Patients waiting for admission by months waiting				
Month end	*Total number of patients waiting for admission*	*Less than three months*	*Three to five months*	*Six to eight months*	*Nine to 11 months*	*Average (median) waiting time in months*
March 1997	6,846	3,708	1,821	876	441	3.65
August 2004	5,388	3,116	1,631	641	0	3.12

Source:

Department of Health form KH07 and monthly monitoring.

Leeds Teaching Hospital Trust

Mr. Mudie: To ask the Secretary of State for Health if he will list the members of the Leeds Teaching Hospital Trust who reside in the Leeds Metropolitan District. [192255]

Miss Melanie Johnson: The NHS Appointments Commission is responsible for the appointment of chairs and non-executive members of National Health Service trusts. The information requested is available from the Commission's Chair, Sir William Wells.

Long-term Care

Mr. Burstow: To ask the Secretary of State for Health if he will estimate the average number of years older people who need long-term care are in receipt of such care. [191482]

Dr. Ladyman: A study conducted by the Personal Social Services Research Unit at the University of Kent in the mid to late 1990s estimated that the average length of stay of older people admitted with local authority support to residential care and nursing homes is around 30 months. We are not aware of any comparable published figures relating to people who receive long term care in their own home.

Mental Health Services

Mrs. Browning: To ask the Secretary of State for Health if he will list the minimum requirements for out-of-hours mental health services to be provided by NHS trusts delivering mental health services; and if he will make a statement. [191756]

Ms Rosie Winterton *[holding answer 15 October 2004]:* Decisions about the configuration of services to support people out of hours who present with mental health problems in crisis are a local responsibility.

We have issued guidance to strategic health authorities to help them support local services to integrate the components of round-the-clock provision. The components may include crisis resolution teams, duty psychiatric teams, accident and emergency liaison teams and, in some cases, emergency drop-in clinics. It is important that national health service arrangements dovetail with emergency services provided by local authority social services departments.

Under the care programme approach, people with mental health problems should be given a copy of their written care plan which contains information on how they can access services 24 hours a day.

Ministerial Visits

Tim Loughton: To ask the Secretary of State for Health what the *(a)* cost and *(b)* purpose was of the recent trip to South Africa by the right hon. Member for Barrow and Furness; what his official itinerary was; and which officials accompanied him. [189419]

Ms Rosie Winterton: My right hon. Friend, the Member for Barrow and Furness (Mr. Hutton), the Minister of State for Health, attended the United Kingdom-South Africa bilateral forum in Cape Town from 25 to 26 August, along with the Foreign Secretary and other Ministers, at the invitation of the Government of South Africa.

The itinerary included bilateral meetings with the South African health minister, to discuss, inter alia, the memorandum of understanding on the reciprocal educational exchange of healthcare concepts and personnel; meetings with the health trade unions and public health experts; and a number of visits to health centres in Cape Town.

My right hon. Friend was accompanied by Sally Warren, his private secretary, Sian Jarvis, the Department's director of communications and Anna Maslin, the Department's international officer for nursing and midwifery. The cost of the four return flights was £13,444; other costs, including accommodation, were paid for by the Government of South Africa.

Since 1999, the Government have published an annual list of all overseas visits undertaken by Cabinet Ministers, costing £500 or more, dating back to 1997. The Government have also published on an annual basis the total cost of all Ministers' visits overseas. Copies of the lists are available in the Library. All ministerial and civil service travel is undertaken in accordance with the rules set out in the Ministerial Code and Travel by Ministers, copies of which are also available in the Library.

Ministers' Private Offices

Mr. Prisk: To ask the Secretary of State for Health how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [191405]

Ms Rosie Winterton: The Department and its Executive agencies has no residential properties on its estate.

MRSA

Mr. Goodman: To ask the Secretary of State for Health if he will list the incidence rate of MRSA in hospitals in the Thames Valley Strategic Health Authority area in each year since 2001. [192627]

Ms Rosie Winterton *[holding answer 19 October 2004]:* The table shows the methicillin-resistant *Staphylococcus aureus* (MRSA) incidence rate (per 1,000 bed days) for each of the five acute trusts in the Thames Valley Strategic Health Authority for 2000–02, 2002–03 and 2003–04.

	MRSA cases per 1,000 bed days[1]		
Hospital trust	*2001–02*	*2002–03*	*2002–03*
Buckinghamshire Hospital National Health Service Trust	0.125	0.138	0.159
Heatherwood and Wexham Park Hospitals NHS Trust	0.187	0.132	0.187
Milton Keynes General Hospital NHS Trust	0.076	0.109	0.055
Oxford Radcliffe Hospitals NHS Trust	0.23	0.286	0.302
Royal Berkshire and Battle Hospitals NHS Trust	0.139	0.17	0.147

[1] Numbers of MRSA bacteraemia (blood stream infections) collected by the Health Protection Agency Communicable Disease Surveillance Centre for the Department of Health. Mandatory surveillance data have been collected since April 2001. The latest data (for the year 2003–04 were published in July 2004).

More details are available at http://www.dh.gov.uk/PublicationsAndStatistics/Publications/PublicationsStatistics/PublicationsStatisticsArticle/fs/en?CONTENT_ID = 4085951&chk = HBt2QD

NHS Spending (Somerset)

Mr. Laws: To ask the Secretary of State for Health what his estimate is of *(a)* total NHS spending and *(b)* total NHS capital spending in (i) Somerset and (ii) South Somerset in each year from 1990–91 to 2004–05, in real terms; and if he will make a statement. [192130]

Ms Rosie Winterton: It is not possible to give data in the format requested throughout the period, because the areas, specifically South Somerset, requested do not correspond to existing national health service body areas. It is also not possible to give comparable information prior to 1996–97.

Figures in the tables for earlier years are given for expenditure by the Somerset health authority (HA), and primary care trusts and NHS trusts (for capital expenditure only) within that HA area. However, for 2002–03 and 2003–04 it is only possible to give figures for NHS bodies within the current Dorset and Somerset strategic health authority area and therefore the data is not strictly comparable.

Table 1: Total expenditure, at 2003–04 prices, by health authority area

£000

	Somerset health authority area	*Dorset and Somerset strategic health authority area*
1996–97	330,803	n/a
1997–98	321,176	n/a
1998–99	331,998	n/a
1999–2000	363,481	n/a
2000–01	414,692	n/a
2001–02	508,640	n/a
2002–03	n/a	993,383
2003–04	n/a	1,055,589

Notes:

1. Expenditure is taken from audited health authority summarisation forms and primary care trust summarisation schedules which are prepared on a resource basis and therefore differ from cash allocations in the year. The expenditure is the total expenditure by the relevant health authorities, and the commissioner costs of the primary care trusts. Figures are given in cash terms.

2. Allocations per weighted head of population provide a much more reliable measure to identify differences between funding of health authorities and primary care trusts.

3. The figures do not represent the total NHS spend as some elements are not accounted for at the health authority or primary care trust level e.g. the majority of general dental services expenditure is not included in the individual health authority accounts or primary care trust summarisation schedules and is separately accounted for by the Dental Practice Board. An element of pharmaceutical services expenditure is accounted for by the Prescription Pricing Authority and not by health authorities or primary care trusts.

4. Figures for 2000–01 and 2001–02 have been prepared using gross expenditure figures. This is to ensure consistency between years. Figures for 2002–03 and 2003–04 based on strategic health authority areas have been adjusted to eliminate expenditure which would be double counted where an authority acts as a lead in commissioning healthcare or other services.

5. In many health authorities there are factors which distort the expenditure per head.

These include:

the health authority acting in a lead capacity to commission healthcare or fund training on behalf of other health bodies; and

asset revaluations in NHS Trusts being funded through health authorities or primary care trusts.

For these reasons expenditure per head cannot be compared reliably between health authorities or between different years.

6. All 2003–04 data is provisional.

Sources:

Audited accounts of the health authority 1996–97 to 1997–98

Audited summarisation forms of the health authority 1998–99 to 2001–02.

Audited summarisation forms of the strategic health authority 2002–03 to 2003–04

Audited summarisation schedules of primary care trusts within the health authority and strategic health authority area 2000–01 to 2003–04.

Table 2: Capital expenditure, at 2003–04 prices, by health authority area, incorporating expenditure by NHS bodies within that area

£000

	Health authorities	*Primary care trusts*	*NHS trusts*	*Total*
Somerset health authority area				
1996–97	140		4,718	4,858
1997–98	1.5		5,441	5,456
1998–99	83		6,692	6,775
1999–2000	17		6,689	6,706
2000–01	39		12,972	13,011
2001–02	44	22,608	10,240	32,892
Dorset and Somerset strategic health authority area				
2002–03	173	14,400	31,491	46,064
2003–04	48	8,407	36,821	45,276

Notes:

1. Capital spending has been taken to include health authority, primary care trust and NHS trust expenditure on fixed assets within the relevant year.

2. The figures in the table do not include Private Finance Initiative (PR) expenditure where PR costs are revenue expenditure in the books of NHS bodies.

3. All 2003–04 data is provisional.

Sources:

Audited accounts of the health authority 1996–97 to 1997–98

Audited summarisation forms of the health authority 1998–99 to 2001–02.

Audited summarisation forms of the strategic health authority 2002–03 to 2003–04

Audited summarisation schedules of primary care trusts within the health authority and strategic health authority area 2000–01 to 2003–04.

Audited summarisation schedules of NHS Trusts within the health authority and the strategic health authority area 1996–97 to 2003–04. (for capital expenditure only)

Paramedics (Diabetes)

Mr. Sanders: To ask the Secretary of State for Health what measures have been put in place by NHS ambulance trusts to medically assess people with diabetes individually who apply to become paramedics. [R] [190564]

Ms Rosie Winterton: The Department does mot collect information centrally on the measures used by ambulance trusts for medical assessments. The guidance issued in February 2003 to ambulance trusts in England, which stated that following a change to legislation relating to category C1 vehicles, personnel with good diabetic control and who have no significant complications are now to be treated as—exceptional cases' and allowed to apply for a C1 licence, subject to medical assessment.

The guidance states each applicant should now be assessed individually by a specialist occupational physician, who should consider the applicant's diabetic status, the job to be done and any relevant information about other aspects of his/her health that may have an impact on his/her suitability.

Podiatry

Sandra Gidley: To ask the Secretary of State for Health (1) what recent assessment he has made of the interval between podiatry appointments; and what the average interval was in each of the last four years; [192361]

(2) what assessment he has made of the waiting lists for podiatry services; [192362]

(3) what assessment he has made of the number of patients accessing podiatry services provided by the private sector in the last 12 months. [192364]

Dr. Ladyman: No assessment has been carried out centrally.

Sandra Gidley: To ask the Secretary of State for Health (1) what proportion of the over 60s have accessed podiatry services in England in each of the last six years; [192363]

(2) how many patients in England received podiatry services in each of the last six years; [192365]

(3) how many patients in each primary care trust received podiatry treatment in each of the last three years. [192366]

Dr. Ladyman: The available information is published in "NHS Chiropody Services, Summary Information for 2003–04, England", at http://www.publications.doh.gov.uk/public/kt230304. It is also available in the Library.

Strategic Health Authority (Lancashire)

Mr. Hoyle: To ask the Secretary of State for Health if he will list the members of the Overview and Scrutiny Committee of the Strategic Health Authority in Lancashire. [192286]

Miss Melanie Johnson: This information is not collected centrally and can be obtained from Lancashire County Council.

Tattoos

Mr. Gordon Prentice: To ask the Secretary of State for Health how many surgical procedures to remove unwanted tattoos on *(a)* women and *(b)* men have been carried out by the NHS in each year since 2000. [191762]

Miss Melanie Johnson: This information is not collected centrally. Information on finished consultant episodes in national health service hospitals in England for the treatment of disorders relating to tattoo pigmentation and skin lesions from 2000–01 to 2002–03 is shown in the following table.

	Sex		
	Female	*Male*	*Total*
2000–01	78	70	148
2001–02	73	70	143
2002–03	71	61	132

Source:

Hospital episode statistics, Department of Health.

Treatment Costs

Mr. Burstow: To ask the Secretary of State for Health what his latest estimate is of the cost to the NHS of *(a)* a consultation with a general practitioner and *(b)* attendance at an accident and emergency department; and if he will make a statement. [192748]

Mr. Hutton: The average cost of a general practitioner consultation is published in the Department's Departmental Report. In 2002–03, the average cost of a GP consultation was £17.

The average cost an accident and emergency attendance can be calculated from data published in the National Schedule of Reference costs. In 2002–03, the average cost of an accident and emergency attendance was £77.

Tsar Appointments

Mr. Goodman: To ask the Secretary of State for Health how many tsars have been appointed with responsibilities which cover part of the work of his Department; and if he will make a statement. [191923]

Ms Rosie Winterton: Eleven appointments have been made to the post of National Clinical Director or its equivalent. Their purpose is to bring front-line leadership to our programmes of service improvement. They have been very successful in contributing to the implementation of national service frameworks and similar national policy initiatives, which have helped to produce significant reductions in deaths from cancer and coronary heart disease.

Waiting Lists/Times

Sandra Gidley: To ask the Secretary of State for Health if he will list, by primary care trust, the percentage of patients waiting more than six months for elective surgery; and what the national average is. [192038]

Mr. Hutton: The national average for patients waiting more than six months for elective surgery is 8.5 per cent. The information requested has been placed in the Library.

Mr. Bercow: To ask the Secretary of State for Health how many patients in the Buckinghamshire Health Authority area waited more than *(a)* three months, *(b)* six months, *(c)* nine months, *(d)* 12 months, *(e)* 15 months, *(f)* 18 months and *(g)* 24 months for (i) heart operations, (ii) cancer treatment and (iii) hip replacements in each year since 2001–02. [191073]

Ms Rosie Winterton: Information on waiting times for coronary heart disease (CHD) is collected on a provider basis. The data show that no patients are waiting for CHD treatment at providers in the Buckinghamshire areas. Patients may be waiting at providers outside the Buckinghamshire area.

Information is not held centrally on hip replacements.

Data are not held centrally on waiting times for all cancer patients. The national health service cancer plan sets out our strategy to reduce waiting times for cancer patients. Targets were introduced in 2001 of a maximum one month wait from urgent referral to treatment for testicular cancer, acute leukaemia and children's cancers and a maximum one month wait from diagnosis to treatment for breast cancer.

By 2005, all cancer patients will wait a maximum of one month from diagnosis to treatment and two months from urgent referral for suspected cancer to treatment except for a good clinical reason or through patient choice. Data on achievement of NHS cancer plan waiting times targets are published on the Department's website for strategic health authorities and trusts, at: http://www.performance.doh.gov.uk/cancerwaits/.

Mr. Laws: To ask the Secretary of State for Health (1) how many people were waiting over 13 weeks for an out-patient appointment in *(a)* Somerset, *(b)* South Somerset and *(c)* Yeovil constituency in each reporting period from 1995 to 2004; [192129]

(2) how many people were waiting more than *(a)* three months and *(b)* six months for in-patient appointments in (i) Somerset, (ii) South Somerset and (iii) Yeovil constituency for each reporting period from 1995 to 2004. [192132]

Ms Rosie Winterton: The information requested is not available in the format requested. Information for the Dorset and Somerset Strategic Health Authority area, which includes the South Somerset and Yeovil constituency areas, is shown in the tables.

Out-patient waiting times: Provider based

Quarter		*Organisations*	*Patients waiting over 13 weeks*
Q4 1995–96	RA4	East Somerset NHS Trust	930
	RBA	Taunton and Somerset NHS Trust	929
	RH5	Somerset Partnership and Social Care NHS Trust	1
Q4 1996–97	RA4	East Somerset NHS Trust	559
	RBA	Taunton and Somerset NHS Trust	1,268
	RH5	Somerset Partnership and Social Care NHS Trust	1
Q4 1997–98	RA4	East Somerset NHS Trust	843
	RBA	Taunton and Somerset NHS Trust	1,216
	RH5	Somerset Partnership and Social Care NHS Trust	1
Q4 1998–99	RA4	East Somerset NHS Trust	896
	RBA	Taunton and Somerset NHS Trust	1,978
	RH5	Somerset Partnership and Social Care NHS Trust	13
Q4 1999–2000	RA4	East Somerset NHS Trust	1,020
	RBA	Taunton and Somerset NHS Trust	2,128
	RH5	Somerset Partnership and Social Care NHS Trust	0
04 2000–01	RA4	East Somerset NHS Trust	466
	RBA	Taunton and Somerset NHS Trust	1,384
	RH5	Somerset Partnership and Social Care NHS Trust	10
04 2001–02	5FX	Mendip PCT	78
	RA4	East Somerset NHS Trust	235
	RBA	Taunton and Somerset NHS Trust	971
	RH5	Somerset Partnership and Social Care NHS Trust	10
04 2002–03	5FX	Mendip PCT	0
	RA4	East Somerset NHS Trust	0
	RBA	Taunton and Somerset NHS Trust	2
	RH5	Somerset Partnership and Social Care NHS Trust	1
Q4 2003–04	5FW	Somerset Coast PCT	0
	5FX	Mendip PCT	0
	5K1	South Somerset PCT	0
	5K2	Taunton Deane PCT	0
	RA4	East Somerset NHS Trust	0
	RBA	Taunton and Somerset NHS Trust	0
	RH5	Somerset Partnership and Social Care NHS Trust	0
Q1 2004–05	5FW	Somerset Coast PCT	64
	5FX	Mendip PCT	0
	5K1	South Somerset PCT	8
	5K2	Taunton Deane PCT	0
	RA4	East Somerset NHS Trust	0
	RBA	Taunton and Somerset NHS Trust	348
	RH5	Somerset Partnership and Social Care NHS Trust	0

Source:

Department of Health form QM08.

Patients waiting for elective admission: Position at month end: Provider based

Month end	*Organisation*	*Total patients waiting*	*Patients waiting over 3 months*	*Patients waiting over 6 months*
March 1995	East Somerset NHS Trust	1,423	381	138
	Taunton and Somerset NHS Trust	4,993	1,884	609
March 1996	East Somerset NHS Trust	1,634	421	111
	Taunton and Somerset NHS Trust	4,899	1,507	292
March 1997	East Somerset NHS Trust	2,662	1,025	435
	Taunton and Somerset NHS Trust	6,282	3,001	1,070
March 1998	East Somerset NHS Trust	2,845	1,251	521
	Taunton and Somerset NHS Trust	7,523	3,788	1,691
March 1999	East Somerset NHS Trust	2,489	850	382
	Taunton and Somerset NHS Trust	7,440	3,679	1,759
March 2000	East Somerset NHS Trust	2,061	803	377
	Taunton and Somerset NHS Trust	7,027	3,794	1,793
March 2001	East Somerset NHS Trust	1,943	854	316
	Taunton and Somerset NHS Trust	6,838	3,438	1,399

Patients waiting for elective admission: Position at month end: Provider based

Month end	*Organisation*	*Total patients waiting*	*Patients waiting over 3 months*	*Patients waiting over 6 months*
March 2002	Mendip PCT	25	18	3
	East Somerset NHS Trust	1,915	854	406
	Taunton and Somerset NHS Trust	6,838	3,753	1,702
March 2003	Mendip PCT	3	0	0
	East Somerset NHS Trust	1,549	441	0
	Taunton and Somerset NHS Trust	5,159	1,897	388
March 2004	Somerset Coast PCT	22	3	0
	Mendip PCT	6	0	0
	East Somerset NHS Trust	1,389	308	0
	Taunton and Somerset NHS Trust	5,059	1,731	297
August 2004	Somerset Coast PCT	20	0	0
	Mendip PCT	11	2	0
	East Somerset NHS Trust	1,225	194	1
	Taunton and Somerset NHS Trust	4,732	1,504	272

Source:

Department of Health + A14 form KH07 and monthly monitoring.

Written Answers to Questions

Monday 25 October 2004

SOLICITOR-GENERAL

Bona Vacantia

Mr. Kidney: To ask the Solicitor-General how much fell due to the state bona vacantia in the last year for which figures are available; how much of this was released under her discretionary powers; what plans she has to reform the law and practice relating to the application of bona vacantia; and if she will make a statement. [192083]

The Solicitor-General: The Treasury Solicitor's Department collected £19,106,467 from bona vacantia, after deducting expenses, in the financial year 2003–04.

The Treasury Solicitor made discretionary payments of £2,697,827 in the same year.

The Government has no plans to reform the law relating to the application of bona vacantia. However, the Treasury Solicitor has recently reviewed the policy on making discretionary payments from the assets of dissolved companies and is discussing with HM Treasury what changes, if any, to make to the current practice.

TRANSPORT

Drink-drive Limits

Bob Spink: To ask the Secretary of State for Transport whether he supports the proposals to harmonise drink-drive limits in EU countries; and if he will make a statement. [192349]

Mr. Jamieson: Whilst the Government agree with the European Commission about the desirability of concerted action by member states to combat drink driving, we have made it clear that our priority for reducing drink-related crashes and casualties is through effective enforcement of existing controls. There are therefore no plans at present to reduce the legal alcohol limit for drivers to bring it into line with a number of other EU states.

Motorways

Mr. Kidney: To ask the Secretary of State for Transport what assessment he has made of competition in the provision of operating services for toll roads in the UK. [192079]

Mr. Jamieson: There has been no formal assessment. However, we are confident from past experience that there has been sufficient competition to ensure value for money.

Child Pedestrian Deaths

Mrs. Iris Robinson: To ask the Secretary of State for Transport how many child pedestrian deaths there were in each of the last 10 years. [192874]

Mr. Jamieson: The information requested is shown in the table.

Child Pedestrian Fatalities: Great Britain 1994—2003

	Number
1994	160
1995	132
1996	131
1997	138
1998	103
1999	107
2000	107
2001	107
2002	79
2003	74

Source:
Road Casualties Great Britain: 2003 Annual Report

Navigational Aids

John Thurso: To ask the Secretary of State for Transport pursuant to his Answer of 19 April 2004, *Official Report,* column 311W, on navigational aids, what further progress has been made on ensuring that the Irish Government meets the full cost of navigational aids in territorial waters; and if he will list the *(a)* meetings he has had and *(b)* representations he has received on the subsidy for Irish navigation since April. [192197]

Mr. Jamieson: My officials working with the Foreign and Commonwealth Office, are maintaining an active dialogue with officials of the Irish Government Department of Communications, Marine and Natural Resources (DCMNR) to identify ways of addressing the imbalance of light dues revenue between the UK and Ireland, in the context of the provision of integrated GLA services for the British Isles.

Since April my Department has received one representation on this issue from the Independent Light Dues Forum.

Private Transport Projects

John Thurso: To ask the Secretary of State for Transport against what criteria proposals for private transport infrastructure projects are assessed by his Department. [192236]

Mr. McNulty: Any private transport infrastructure project which comes before this Department for approval is considered on its individual merits, in the light of all material considerations.

Railways

Mr. Drew: To ask the Secretary of State for Transport if he will make a statement on the decision to permit First Great Western to increase the number of intercity trains stopping at Slough; and what plans he has to assess the impact of this decision. [192943]

Mr. McNulty: The minimum service level for the franchise is set out in the Passenger Service Requirement which can only be changed by the Strategic Rail Authority. I understand First Great Western consulted extensively on its new timetable, which will take effect from 12 December.

Mr. Michael Foster: To ask the Secretary of State for Transport what guidance his Department gives train operating companies on the appropriateness of discharging effluent onto the track. [193096]

Mr. McNulty: All new trains built since 1988 discharge into retention tanks which are emptied at depots rather than directly onto the track. This has since been made a requirement of Railway Group Standards. There is no requirement to convert existing direct discharge vehicles but their numbers will reduce as older trains are withdrawn from service and new ones take their place.

Mr. Luff: To ask the Secretary of State for Transport if he will investigate possible health and safety implications for commuters between Droitwich Spa and Birmingham of serious overcrowding on rail services. [192917]

Mr. McNulty: Trains are designed and built to function safely even when full of passengers. The responsibility for the day-to-day safety, welfare and convenience of passengers using the railway rests with the train operating companies.

I have been informed by the SRA that 'short-formation' two-car carriages have sometimes replaced three car services on a certain morning peak time service between Droitwich Spa and Birmingham New Street. However, I understand that over the next three months the proportion of three-car units used on the service will increase.

Bob Spink: To ask the Secretary of State for Transport what assessment he has made of the length of time a commuter should regularly have to stand on a train. [192353]

Mr. McNulty: The Department has not undertaken any assessment of the length of time rail passengers may be required to stand throughout their journey. The Rail Safety and Standards Board is currently carrying out research into the health and safety effects on rail passengers of crowding on trains, where passengers may be required to stand while travelling. They are expected to report on their findings later this year.

John McDonnell: To ask the Secretary of State for Transport how much public subsidy has been paid to Arriva Trains Northern in the current financial year; and what the projected level of public subsidy that will be paid to Arriva for the provision of Northern Rail passenger services will be after 17 October. [191641]

Mr. McNulty: The net franchise payments for each year of the Arriva Trains Northern franchise are set out in Appendix 3 of the Strategic Rail Authority's Annual Report a copy of which is in the Library of the House. The new Northern Franchise has been signed and will commence on 12 December 2004. Subsidy payments for Arriva for the period from 17 October until the commencement of the new franchise have not yet been formulated.

John McDonnell: To ask the Secretary of State for Transport how much public subsidy has been paid to First North Western in the current financial year; and what the projected level of public subsidy that will be paid to the First Group for the provision of Northern Rail passenger services will be after 17 October. [191642]

Mr. McNulty: The net franchise payments for each year of the First North Western franchise are set out in Appendix 3 of the Strategic Rail Authority's Annual Report a copy of which is in the Library of the House. The new Northern Franchise has been signed and will commence on 12 December 2004. Subsidy payments for First Group for the period from 17 October until the commencement of the new franchise have not yet been formulated.

Mr. Gordon Prentice: To ask the Secretary of State for Transport what the financial implications are of transferring more responsibility for railways in Scotland to the Scottish Executive; and if he will make a statement. [191900]

Mr. McNulty: The department is working with the Scottish Executive, the Office of Rail Regulation and Network Rail to identify an appropriate resource transfer from the UK Government to the Scottish Executive to reflect the new responsibilities for railways that "The Future of Rail" proposed should transfer to the Scottish Ministers. The changes outlined in the White Paper remain subject to agreement on such a transfer of resources.

John Thurso: To ask the Secretary of State for Transport if he will make a statement on the future of the *(a)* rail passenger partnership, *(b)* rail performance fund, *(c)* incremental output statement, *(d)* rail freight grant and *(e)* freight small schemes fund. [192238]

Mr. McNulty: In January 2003 all discretionary schemes previously managed by the Strategic Rail Authority were suspended. This included the Rail Passenger Partnership scheme (RPP), the Rail Performance Fund (RPF), the Incremental Output Statement (IOS) and the Freight Facilities Grant (FFG). FFG continues to be available in Wales and Scotland through funding from the Welsh Assembly Government and the Scottish Executive. The Company Neutral Revenue Support programme is providing significant support for rail freight.

Roads

Sue Doughty: To ask the Secretary of State for Transport which roads have been subject to noise attenuation measures during each of the last three years; and what the average noise level experienced in gardens adjacent to those sites was. [193076]

Mr. Jamieson: The following locations on the trunk road network, which were among those listed as meriting consideration for treatment in the 11 November 1999, *Official Report*, column 681, have received noise attenuation measures in the past three years.

2002-03	*2003-04*	*2004-05*
A1 Long Bennington	M1 J10–11 Luton (2)	A1(M) Doncaster Bypass
A46 Kenilworth (1)	M1 J28, Pinxton	M6 J34–35, Carnforth
M1 J10–11 Luton (1)	M4 J6–7 Chalvey/Lake End	M1 J11–12 Luton
M1 near J25, Sandiacre	M50 Bromsberrow Heath	A40 Whitchurch
M3 Dummer, Hampshire	M60 J13–14 Swinton	A46 Sherbourne
M3 J4–4A Farnborough/Hawley	M61 J5–6 Lostock	A46 Kenilworth (2)
M4 J7–8/9 Holyport—Dorney Reach		A52 Clifton (2)
M5 Upton St. Leonards		
M6 Ash Green		
A52 Clifton (1)		

Note:
Bracketed figures indicate a phased treatment has been applied at a location in different financial years.

In all cases, attenuation measures were designed to reduce noise levels at the facades of adjacent domestic residential properties by at least 3 dB and additionally to reduce the average noise level to 68 dB if practicable. Actual noise levels depend on the distance and screening between individual properties and the road. Information about the noise level in gardens is not available.

Mr. Laws: To ask the Secretary of State for Transport what his estimate is of total spending on highways repair and maintenance in Somerset from 1988–89 to 2004–05, in real terms; and if he will make a statement. [192127]

Mr. Jamieson: Reported out-turn spending on all aspects of highways repair and maintenance from Somerset county council, which is the highways authority for Somerset, are available on a consistent basis from 1993–94. In 2003 prices they are:

	£
1993–94	31,090,000
1994–95	35,056,000
1995–96	34,659,000
1996–97	32,379,000
1997–98	25,015,000
1998–99	25,415,000
1999–2000	29,139,000
2000–01	26,712,000
2001–02	35,694,000
2002–03	43,941,000

For 2003–04, Somerset county council were given indicative road maintenance budgets of £35,688,000, and for the current financial year £38,624,000 (cash prices).

Mr. Keetch: To ask the Secretary of State for Transport what assessment he has made of the impact on the viability of the Rotherwas Industrial Estate if the proposed access road is built; and if he will make a statement. [191366]

Mr. Jamieson: The proposal for a Rotherwas access road was re-submitted to the Department for Transport in July of this year by Herefordshire Council. The submission included an economic impact study undertaken by consultants. This concluded that the construction of the proposed road would facilitate an increase in employment at the Rotherwas Industrial Estate of between 690–1,030 jobs through the expansion of existing businesses and inward investment.

The information on jobs and the overall viability of the Rotherwas Industrial Estate is being carefully considered, along with other factors, as part of the Department for Transport's appraisal of the scheme. The Secretary of State for Transport will make an announcement later this year as part of the Local Transport Settlement.

Speeding Offences

Mr. Lazarowicz: To ask the Secretary of State for Transport (1) what factors underlay the proposal to introduce a system of graduated fixed penalties for speeding offences; and upon what research the proposal is based; [190991]

(2) what analysis has been made of the potential effect on the casualty rate should speeding penalties be altered in 30 mph areas. [190992]

Mr. Jamieson: Research evidence suggests that lower speeds result in fewer collisions of lesser severity, and that excessive speed exacerbates the severity of accidents (TRL Project Report 58 (1994) and TRL Report 421 (2000), and international research such as Transportation Research Board, Washington, Special Report 254 (1998)). The Government are seeking to introduce flexibility into the fixed penalty system for speeding offences to address this link by ensuring that the more extreme the speed, the greater the penalty that applies. My right hon. Friend the Secretary of State announced on 15 June that the Government take the view that greater flexibility in the fixed penalty system would be fairer and better, and plan to take legislative powers, when the opportunity arises, to introduce graduated fixed penalties, subject to detailed parliamentary scrutiny of proposed penalties. Our aim is to address the risks that arise from inappropriate speeds wherever they occur—in 30 mph limits and elsewhere. We are currently consulting on the general principles of how a graduated structure could operate, so as to inform our policy approach.

Strategic Rail Authority

John Thurso: To ask the Secretary of State for Transport (1) how many staff *(a)* have transferred and *(b)* will be transferring from the Strategic Rail Authority to the Department for Transport railway divisions; [192598]

(2) how much he expects to save annually through the proposed abolition of the Strategic Rail Authority; [192599]

(3) whether his Department is undertaking work which had previously been conducted by the Strategic Rail Authority. [192602]

Mr. McNulty: No staff have transferred from the Strategic Rail Authority to the Department for Transport. It is not yet possible to say how many staff will be transferring in the future, or what the cost implications are. The Department for Transport has not yet taken over work from the Strategic Rail Authority. My right hon. Friend will keep the House informed.

DEFENCE

Bosnia

16. **Mr. Joyce:** To ask the Secretary of State for Defence, what progress is being made in transferring command in Bosnia from NATO to EUFOR. [193219]

Mr. Hoon: Planning and preparation for the EUFOR mission, which commences on 2 December, is going well, with key documents such as the Concept of Operations and the Operation Plan agreed in the EU. The Commander of EUFOR designate, Major General David Leakey, and the NATO Senior Military Representative in NATO Headquarters Sarajevo are working closely together to ensure a smooth handover.

Afghanistan

18. **Kevin Brennan:** To ask the Secretary of State for Defence, if he will make a statement on the role of British forces during the recent elections in Afghanistan. [193221]

Mr. Hoon: Afghanistan's first presidential elections mark an important milestone in the country's political development. While security for the elections was primarily an Afghan responsibility, British forces also played their part. Our troops in the International Security Assistance Force, for example, increased the number of patrols during the election period; and our Harrier GR7s provided an appropriate air presence.

20. **Tony Cunningham:** To ask the Secretary of State for Defence what assistance the Department is providing to counter-narcotics efforts in Afghanistan. [193223]

Mr. Hoon: The Government are committed to assisting the Afghans in ending the trade in opium. The deployment of British forces with the International Security Assistance Force and our training of local security forces, taken together with efforts to provide alternative livelihoods for poppy farmers and to develop a functioning judicial system, help to create the conditions in which the Afghans themselves can combat the drugs trade.

United States Administration

23. **Norman Baker:** To ask the Secretary of State for Defence when he last refused a request from the United States Administration; and what the circumstances were. [193226]

Mr. Hoon: We have a comprehensive and continuous dialogue with the United States at all levels on the entire spectrum of our defence relationship. We have never and will not provide a running commentary on this. When appropriate, we announce the outcome of our discussions to Parliament.

Overseas Deployments

24. **Mr. Liddell-Grainger:** To ask the Secretary of State for Defence what further facilities will be made available to British forces, deployed on operations, to keep in touch with their families. [193227]

Mr. Ingram: The vast majority of personnel on operational deployments overseas receive the existing standard Operational Welfare Package (OWP) which caters for communication with families. Where it is not practicable to offer the OWP, personnel are given a cost of living allowance which assists them to meet any additional costs of communicating with their families at home.

Territorial Army

25. **Mr. Brazier:** To ask the Secretary of State for Defence what plans he has to increase the size of the Territorial Army. [193228]

Mr. Caplin: The Government are aware and grateful for the significant commitment of the Territorial Army including their families and employers. The TA have done a first class job in the Balkans, Afghanistan and Iraq.

We are, however, continually reviewing the long-term structure of the Territorial Army.

Aircraft Carriers

Mr. Neil Turner: To ask the Secretary of State for Defence if he will make a statement on the progress of the CVF programme to design and build two new aircraft carriers for the Royal Navy. [193222]

Mr. Ingram: I refer my hon. Friend to the answer I gave earlier today to my hon. Friend the Member for Plymouth, Sutton (Linda Gilroy).

Armed Forces (Memorials)

Mr. Lidington: To ask the Secretary of State for Defence if he will make a statement on his policy on the public funding of memorials to members of the armed forces who have been killed on active duty. [190661]

Mr. Caplin: It has been a long standing policy of successive Governments that the cost of erecting memorials and associated projects are not usually met from public funds, but from private donations or public subscription. The MOD receives many requests from individuals, ex-Servicemen's groups and charitable organisations seeking assistance with various projects. The vast majority have worthy goals and can make an equally compelling case for support. It would be divisive and open to criticism from unsuccessful applicants, if the Government were to pick and choose which projects to support.

Ballistic Missile Interceptors

Llew Smith: To ask the Secretary of State for Defence what discussions he has had with his United

States counterpart in respect of the deployment on United Kingdom territories of ballistic missile interceptors. [192956]

Mr. Hoon: I refer my hon. Friend to the answer I gave to the hon. Member for Nottingham, South (Alan Simpson) on 25 May 2004, *Official Report*, column 1616W.

Former Service Personnel (Employment)

Mr. McNamara: To ask the Secretary of State for Defence what co-operation he provides for companies seeking to employ former soldiers overseas; and which companies have been assisted since 20 March 2003. [183385]

Mr. Ingram: None.

Gulf War Syndrome

Mr. Tyler: To ask the Secretary of State for Defence whether he has examined the report of the US Research Advisory Committee on Gulf War veterans' illness to establish its relevance to the health problems of British troops who served in the 1991 hostilities; and if he will make a statement. [193053]

Mr. Caplin *[holding answer 21 October 2004]*: The report by the United States Research Advisory Committee has not yet been published. When it is, we will want to study its conclusions carefully. Research to date has shown that there is insufficient evidence to support the existence of a "syndrome" in relation to the ill-health suffered by Veterans of 1990–91 Gulf Conflict.

Terrorism

Mr. Tynan: To ask the Secretary of State for Defence if he will make a statement on the role of the armed forces in combating international terrorism. [193224]

Mr. Hoon: The New Chapter to the Strategic Defence Review and the two Defence White Papers, "Delivering security in a changing world" and "Future capabilities", set out the significant contributions which the armed forces can make to the Government's responses to international terrorism. These include the role of stabilisation operations and Defence diplomacy in tackling the conditions which promote terrorism, as well as large-scale combat operations such as those in Afghanistan which destroyed al Qaeda's training camps and disrupted its leadership. They also include assisting other nations in building their capacity to tackle terrorism.

Iraq

Paul Flynn: To ask the Secretary of State for Defence how many *(a)* deaths and *(b)* serious injuries have been suffered by service personnel in Iraq since the start of hostilities. [193225]

Mr. Hoon: To date, since the start of decisive combat operations against the former regime on 19 March 2003, 68 members of the United Kingdom Armed Forces have lost their lives whilst on operations in Iraq. 45 fatalities were the result of combat with anti-Iraqi forces and 23 were accidental or from natural causes.

In the same period about 2,750 UK military personnel have been medically evacuated from Iraq. We do not hold centrally details of the causes of medical evacuations so I am unable to say how many had injuries, and how many were ill.

Mr. Llwyd: To ask the Secretary of State for Defence what efforts the UK is making to persuade the US forces in Iraq not to impede water supplies to civilians. [191479]

Adam Price: To ask the Secretary of State for Defence (1) what discussions UK defence personnel had with coalition partners before the decision to cut off water supplies in the Iraqi city of Tall Ajar in September; [192090]

(2) what discussions UK defence personnel have had with coalition partners on cutting off civilian water supplies in Iraq; [192089]

(3) what discussions he has had with the US Administration on cutting off civilian water supplies in Iraq. [192087]

Mr. Ingram: We are not aware that the United States forces have taken any such action.

Jeremy Corbyn: To ask the Secretary of State for Defence when he expects British military personnel to be withdrawn from Iraq. [192708]

Mr. Ingram: United Kingdom troops are in Iraq at the invitation of the Iraqi Interim Government in line with UN Security Council Resolution 1546, which was unanimously adopted on 8 June 2004. We are committed to supporting them in developing a stable country where Iraqis themselves are able to take full responsibility for their own security. We will stay in Iraq for as long as we are invited to do so.

Mr. Robert Jackson: To ask the Secretary of State for Defence how many trained Arabic speakers serve in the British armed forces stationed in Iraq. [192890]

Mr. Ingram: There are 30 UK personnel deployed to Iraq as trained Arabic speakers in support of British forces, 13 of whom are military.

Mr. Gordon Prentice: To ask the Secretary of State for Defence whether he plans to deploy the Queen's Lancashire Regiment to Iraq; and if he will make a statement. [193325]

Mr. Hoon: I have no plans to deploy the Queen's Lancashire Regiment to Iraq.

Light Infantry

Ann Winterton: To ask the Secretary of State for Defence what the present interval between tours of overseas duty is for the light infantry. [191871]

Mr. Ingram: The Army defines tour intervals for the infantry as the time between battalion level operational deployments, and includes unaccompanied tours in Northern Ireland. Tour intervals for light infantry battalions can be found in the following table. Where no tour interval is shown, it is because the unit concerned did not have an operational tour between January 2000 and its most recent deployment.

Regiment	*Operational tour*	*Tour interval (months)*	*Operational tour*	*Time since last operational tour (months)*
1st Battalion The Grenadier Guards	Northern Ireland November 2001-May 2002	28	Bosnia September 2004 to date	—
1st Battalion The Irish Guards	Iraq February-June 2003	5	Northern Ireland December 2003-March 2004	7
1st Battalion The Welsh Guards	Bosnia April-September 2002	—	—	25
1 Battalion The Royal Scots (The Royal Regiment)	Bosnia October 2002-March 2003	7	Iraq November 2003- April 2004	6
1 Battalion The Royal Highland Fusiliers (Princess Margaret's Own Glasgow and Ayrshire Regiment)	Iraq March-September 2004	—	—	1
1st Battalion The Kings Own Scottish Borderers	Northern Ireland September 2001-March 2002	16	Iraq July- October 2003	12
1st Battalion The Argyle and Sutherland Highlanders (Princess Louise's)	Iraq January-July 2004	—	—	3
2nd Battalion The Princess of Wales's Royal Regiment (Queen's and Royal Hampshires)	Bosnia November 2000-April 2001	26	Northern Ireland June-November 2003	11
2nd Battalion The Royal Regiment of Fusiliers	Northern Ireland December 2001-June 2002	10	Northern Ireland April-August 2003	14
2nd Battalion The Royal Anglian Regiment	Northern Ireland June-December 2002	3	Afghanistan March-October 2003	12
1st Battalion The Kings Own Royal Border Regiment	Bosnia April-October 2000	44	Northern Ireland June 2004 to date	—
1st Battalion The Green Howards (Alexandra, Princess of Wales's Own Yorkshire Regiment)	Afghanistan April 2004 - October 2004	—	—	—
1st Battalion The Queens Lancashire Regiment	Northern Ireland March - September 2001	21	Iraq July-October 2003	12
1st Battalion The Royal Gloucestershire, Berkshire and Wiltshire Regiment	Northern Ireland December 2002-May 2003	—	—	17
1st Battalion The Worcestershire and Sherwood Foresters Regiment (29th/45th Foot)	Northern Ireland May-December 2003	—	—	10
2nd Battalion The Light Infantry	Iraq September-November 2003	10	Northern Ireland September 2004 to date	—
1st Battalion The Royal Green Jackets	Iraq September- December 2003	3	Northern Ireland March-September 2004	1
2nd Battalion The Royal Green Jackets	Kosovo August 1999-February 2000	15	Bosnia May-November 2001	35
1st Battalion The Royal Ghurkha Rifles	Sierra Leone January-June 2002	14	Bosnia October 2003-April 2004	6
2nd Battalion The Royal Ghurkha Rifles	Bosnia November 2001 -May 2002	17	Afghanistan October 2003-April 2004	6
1st Battalion The Parachute Regiment	Northern Ireland December-June 2001	19	Iraq January-June 2003	16
2nd Battalion The Parachute Regiment	Northern Ireland September 2002-March 2003	8	Iraq December 2003- April 2004	6
3rd Battalion The Parachute Regiment	Iraq January-June 2003	11	Northern Ireland May 2004 to date	—

Intervals have been rounded where deployment began other than at the start or end of the month

Listed Buildings

Mr. Soames: To ask the Secretary of State for Defence if he will list his Department's *(a)* Grade I listed buildings, *(b)* Grade II* listed buildings, *(c)* Grade II listed buildings and *(d)* scheduled monuments; and under which top level budget they fall. [191743]

Mr. Caplin: Our records currently show that there are *(a)* 27 Grade I, *(b)* 222 Grade II* and *(c)* 516 Grade II listed buildings (or their equivalent in the Devolved Government areas) and 881 scheduled monuments under the care of the MOD. As the records have been held regionally until recently, a data validation process is being undertaken.

A consolidated list reflecting current information is being compiled and will be placed in the Library of the House. Details of Top Level Budget Holders, under which the listed buildings fall, will be included on the list. This will be provided by the end of October.

Regimental Strength

Chris McCafferty: To ask the Secretary of State for Defence what the strength of the *(a)* Duke of Wellington's Regiment, *(b)* 3 Parachute Regiment and *(c)* Prince of Wales Royal Regiment was in each of the last nine years. [192270]

Mr. Caplin *[holding answer 20 October 2004]*: The information in the following table relates to the strength of trained Regular Army personnel in the selected regiments, regardless of whether they serve away from the main body of the Regiment. It does not include members of other regiments and arms/services attached to these regiments.

Figures for both The Princess of Wales's Royal Regiment (Queen's and Royal Hampshires) and The Prince of Wales's Own Regiment of Yorkshire are included for completeness.

It is not possible to accurately single out '3 Parachute Regiment' and so figures quoted are the total for The Parachute Regiment.

Trained Regular Army strength of selected regiments

As at 1 April	*The Duke of Wellington's Regiment (West Riding)*	*The Parachute Regiment*	*Princess of Wales's Royal Regiment (Queen's and Royal Hampshires)*	*Prince of Wales's Own Regiment of Yorkshire*
1996	675	1,875	1,295	665
1997	690	1,915	1,250	670
1998	705	1,965	1,175	650
1999	680	1,945	1,110	635
2000	700	2,115	1,160	585
2001	695	2,280	1,225	570
2002	725	2,310	1,310	590
2003	725	2,285	1,365	620
2004	715	2,255	1,415	670

Notes:

1. Figures do not include Full-Time Reserve Service (FTRS) or Gurkhas.
2. Data have been rounded to the nearest multiple of five.

Royal Marines

Mr. Weir: To ask the Secretary of State for Defence, when he will make a statement on the future of *(a)* RM Condor and *(b)* other bases in Scotland. [193212]

Mr. Ingram: As announced in March this year, the Ministry of Defence is looking at consolidating the defence estate. The aim is a smaller number of more densely utilised locations in order to achieve the optimum use of land and facilities. Consequently, we are conducting a number of reviews which cover defence establishments across the UK. RM Condor is included in a review of the Royal Marines Estate. Other bases in Scotland are included in other reviews, for example that examining defence airfields. These reviews will consider a range of options and should be completed during 2005.

Russia (Chemical Weapons)

Mr. Bercow: To ask the Secretary of State for Defence what discussions he has had with the Russian Federation on accelerating the destruction of its chemical weapons stocks. [188335]

Mr. Hoon: I and my right hon. Friend the Minister of State for the Armed Forces (Mr. Ingram) have on a number of occasions met senior Russian officials with responsibility for the Russian programme to destroy its chemical weapon stocks. Ministry of Defence officials maintain regular contact with Russian officials on issues relating to Russia's chemical weapon destruction programme. These discussions include the UK's continuing programme of assistance, which we aim to implement as quickly and effectively as possible.

Service Pensions

Mr. Rosindell: To ask the Secretary of State for Defence if he will make a statement on the Combined Armed Forces Federation UK's pension claims for Service personnel who were demobbed before 1975. [191650]

Mr. Caplin: Payment of a pension is governed by the rules of the scheme at the time an individual leaves the scheme. Prior to April 1975, there was no legal requirement for any pension scheme to preserve pension rights for those who left Service before qualifying for a pension.

Seyntex

Mr. Hoyle: To ask the Secretary of State for Defence pursuant to his Answer of 30 June 2004, *Official Report*, column 357W, on Seyntex, for what reason Seyntex was awarded the contract. [193792]

Mr. Ingram: The contract for General Service Tents was awarded to Seyntex NV in 2001 following a competition run by the Defence Logistics Organisation. Seyntex's tender was technically compliant and offered best value for money.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Noise Disturbance (Merseyside)

Mrs. Curtis-Thomas: To ask the Secretary of State for Environment, Food and Rural Affairs on how many occasions Merseyside local authorities have issued a fixed penalty notice for noise disturbance since June. [191325]

Alun Michael: No fixed penalty notices for noise disturbance have been issued by Merseyside local authorities since June 2004.

Battery Disposal

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list facilities capable of recycling batteries other than vehicle batteries, broken down by *(a)* location and *(b)* battery type. [192311]

Mr. Morley: Currently, there is little recycling of general-purpose batteries within the UK, although G&P Batteries are opening a recycling plant for portable primary batteries in 2005 to be based in the West Midlands. AEA Technology, an innovation company, is working on a facility to recycle lithium-ion (Li-ion) batteries. This is under development in Golspie, North East Scotland.

The majority of waste industrial lead acid batteries in the UK are recycled at H. J. Enthoven and Sons in Derbyshire.

There are no UK facilities for recycling Nickel Cadmium (NiCd) batteries, so NiCd batteries are separated for recycling in the UK are exported to the SNAM facility in France for reprocessing.

The principal UK mercury reprocessing facility that accepts button cells for treatment is Odin Technology based in Berkshire. Mercury Recycling in Manchester also processes spent button cells. The majority of spent silver oxide batteries are reprocessed by Engelhard Ltd.

In Europe, over 20 plants accept spent batteries to recover components, including lead, cadmium, steel and plastics. Some plants are specialised battery recycling units, while others accept batteries as one component of their feedstock for example into steel works.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what proportion of batteries other than vehicle batteries have been recycled in the UK in each year since 1997. [192312]

Mr. Morley: We have no data on this and currently the UK has no recyclers to deal with household and rechargeable batteries (Lithium, Nickel-Cadmium and Nickel Metal Hydride) although there are plans to set up a recycling plant for portable primary batteries in 2005

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what proportion of batteries other than vehicle batteries have been sent to other countries for recycling in each year since 1997, broken down by *(a)* country and *(b)* battery type. [192313]

Mr. Morley: We have no data on this.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how many lithium batteries were incinerated in the UK in each year since 1997. [192314]

Mr. Morley: We do not know how many Lithium-Ion batteries were incinerated in the UK during this period.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the impediments which preclude the provision of battery collection points in *(a)* schools and *(b)* retail locations. [192315]

Mr. Morley: There are currently no requirements that will preclude schools and retailers from providing battery collection points.

Calf Passport Scheme

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what the consequences will be for farmers who fail to submit details to the calf passport scheme by the specified deadline; and approximately how many cattle have been excluded. [191093]

Alun Michael: A farmer must apply for a calf passport within 27 days of the animal's birth. An application received after this time will be refused. However, a farmer has the right to appeal against the decision to refuse a passport if he thinks there are special or extenuating circumstances. A successful appeal would lead to the issue of a passport.

An animal refused a passport is still registered onto the national cattle database and may live out its life on the farm it is on. If it is female and has calves, these can be registered in the usual way. If the animal is a dairy cow, its milk may be sold as normal. However, the animal may not be moved to other premises and it may not enter the food chain at the end of its life. If the keeper does not wish to keep the calf, it may be moved under licence to a knackers yard or hunt kennel for destruction.

Since the new rules came into effect at the end of November last year, 2,678,308 new animals have been registered onto the national cattle database. Of these, 29,142 were registered after the deadline. So far 5,924 of these have received passports after successful appeals.

Chief Scientific Adviser

Mr. Soames: To ask the Secretary of State for Environment, Food and Rural Affairs when the Chief Scientific Adviser to her Department last met his counterpart at the Department of Defense in Washington DC; and what was discussed. [191746]

Alun Michael: It is difficult to understand what is meant by "counterpart" in this question. If the question is meant to refer to possible contacts between Defra's Chief Scientific Adviser, Professor Howard Dalton FRS, and his counterpart at the US Department of Defense, I can confirm that no meeting has taken place in Washington DC or elsewhere.

Combined Heat and Power

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what measures her Department has taken in 2004 to encourage take-up of combined heat and power. [190378]

Mr. Morley: The UK strategy for Combined Heat and Power, published in April, brought together the full range of support measures Government has introduced. We made a commitment during the passage of the Energy Bill to consider how CHP is treated in the context of the renewables obligation, during the obligation review in 2005–06. In August the revised guidance for power station developers was published for public consultation by ourselves and DTI. Ministers and industry are currently engaged in dialogue concerning the implementation of the CHP Strategy.

Countryside and Rights of Way Act

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will make a statement on progress on the mapping exercise under the Countryside and Rights of Way Act 2000 in *(a)* Gloucestershire and *(b)* England; [189654]

(2) what the procedures are under the Countryside and Rights of Way Act 2000 for the operation of the mapping exercise in relation to *(a)* the original maps, *(b)* subsequent recommendations on access by members of the public and *(c)* appeals against such recommendations by landowners, with particular reference to (i) access to information and (ii) timescales; [189655]

(3) what the reasons were for allowing recommendations made by members of the general public to the original mapping exercise undertaken under the Countryside and Rights of Way Act 2000 to be submitted anonymously; and what the arrangements were for landowners to respond to these. [189656]

Alun Michael: The Act requires the Countryside Agency to produce maps in three stages: first by draft map, second the provisional map and finally the conclusive map of open country (mountain, moor, heath and down) and registered common land in England. Following the issue of a draft map a period of three months is allowed for anyone to make representations to the agency if they think land was incorrectly mapped, or wrongly left off. The agency take all valid representations into consideration before issuing the provisional map. After the issue of a provisional map there is a three-month period during which anyone with a legal interest in land can exercise a formal right of appeal to the Planning Inspectorate, which determines appeals on behalf of the Secretary of State. Once appeals have been determined, the agency publishes a conclusive map.

The Countryside Agency undertook an extensive programme to inform the public and landowners about the mapping process. Notices were placed in regional papers to inform the public of the issue of the draft and provisional maps. Press releases were issued to national and regional newspapers. A series of road-show events took place throughout each mapping region following the issue of the draft maps. The draft and provisional maps were sent to an office of every local authority (county, district, unitary, and the National Park Authority where appropriate) and selected libraries. All parish councils were supplied with both a draft and a provisional map covering their parish. Both local authority offices and parish councils were contacted about their functions under the Act, and were provided with a range of leaflets and distribution material for the purposes of the consultation.

The representations to the Countryside Agency on draft maps had to be made either on a paper or electronic version of a comments form provided by the agency, or in a written form which included all the elements of the comment form that had to be completed. This included the name and address of the person submitting the comment. The agency did not accept anonymous representations. Details of those who had commented on a specific parcel of land were provided to landowners who submitted an appeal to the Planning Inspectorate.

For the purposes of the mapping exercise under the Countryside and Rights of Way Act 2000, South Gloucestershire falls into area 3 (Central Southern) for which the conclusive map was published on 28 September. The rest of Gloucestershire falls into area 7 (West) for which the provisional map was issued on 20 May and the conclusive map will be issued in due course.

The current status of the mapping process in England is:

Area	*Status*
Area 1—South East	Conclusive map published 4 May 2004
Area 2—Lower North West	Conclusive map published 2 June 2004
Area 3—Central Southern	Conclusive map published 28 September 2004
Area 4—Upper North West	Provisional map published 19 August 2003
Area 5—North East	Provisional map published 20 November 2003
Area 6—South West	Provisional map published 4 March 2004
Area 7—West	Provisional map published 20 May 2004
Area 8—East	Provisional map published 7 June 2004

Fisheries

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the *(a)* number, *(b)* frequency and *(c)* extent of non-UK fishing activity within the UK 12 mile zone during each year since satellite transponder or other tracking and recording methods were introduced. [189526]

Mr. Bradshaw *[holding answer 11 October 2004]*: Fishing activity within six miles of the UK coastline is restricted to UK vessels only. From six to 12 miles, access by foreign vessels is based on historical fishing rights of the individual Member State, subject to quota and other controls.

Since the introduction in 2000 of satellite monitoring of vessels over 24 metres no special assessment has been made of non-UK fishing activity within the 0 to 12 mile limit. This area is, of course, the subject of day to day monitoring by the relevant enforcement authorities in England and Wales, Scotland and Northern Ireland for their respective interests.

Mr. Carmichael: To ask the Secretary of State for Environment, Food and Rural Affairs when the Government will provide a full response to the Strategy Unit report on the future of the United Kingdom's fishing industry. [190628]

Mr. Bradshaw: The Government are aiming to respond to the Prime Minister's Strategy Unit report, "Net Benefits", in spring 2005. The fisheries departments in the UK are currently conducting an extensive engagement with stakeholders on the way forward, and this will influence the nature of the responses.

Egg Imports

Mr. Gale: To ask the Secretary of State for Environment, Food and Rural Affairs what steps have been taken by her Department and its agencies over the last three years to ensure that eggs imported into the United Kingdom from *(a)* Spain and *(b)* other EU countries are free from salmonella. [192804]

Alun Michael: Eggs are a raw product and are not required to be Salmonella free. Although the levels of contamination of UK produced eggs are now very low, occasional eggs may still be contaminated with salmonella, but, evidence from the testing of eggs associated with premises where outbreaks have occurred, suggests that levels of contamination of Spanish eggs in the UK are greater than those in UK produced eggs, and that this is resulting in outbreaks of Salmonella. Food Standards Agency officials have been in regular contact with Spanish and Commission colleagues on this issue since 2002.

Those outbreaks where a direct link has been made between Salmonella in cases and in eggs supplied to the caterer have been notified to the European Commission via the Rapid Alert System for Food and Feed (RASFF) system. This enables the Spanish authorities to instigate follow-up investigations and take control measures on the farms supplying those eggs. Because eggs have often been used up before outbreaks are identified and investigated, it has not been possible to provide this type of information for many of the outbreaks where Spanish eggs are suspected to be the source.

In order to minimise Salmonella contamination of eggs, it is necessary both to control Salmonella in laying flocks and ensure that eggs are subsequently handled appropriately. The new EU Zoonoses Directive requires member states to introduce Salmonella control programmes for laying flocks. The Spanish authorities have drawn up a control programme which FSA and Defra officials will be discussing with them on 21 October 2004.

As part of the Directive, a one year EU wide baseline study of the prevalence of Salmonella in laying hens will be undertaken, beginning in October 2004. Targets for reduction will then be introduced which all member states will have to comply with. This survey will also enable us to compare UK flock contamination levels with those in other member states.

Emissions (Fallen Stock)

Nick Harvey: To ask the Secretary of State for Environment, Food and Rural Affairs what advice she has sought from scientific bodies regarding toxic emissions from the incineration of fallen stock. [192503]

Mr. Bradshaw: Defra commissioned an independent report, which was published in August 2002, to measure and review atmospheric emissions and environmental impacts of animal carcase incinerators in the UK. This is available on the Defra website at: http://www2.defra.gov.uk/research/project_data/Default.asp under Project Code WA0806.

Environmental Health Complaints

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what information she collects regarding complaints received by environmental health officers relating to *(a)* domestic premises, *(b)* road works and construction, *(c)* industrial and commercial premises, *(d)* road traffic and *(e)* aircraft. [192307]

Alun Michael: Defra does not collate statistics on complaints received by environmental health officers on a routine basis. Annual statistics on complaints of noise nuisance in England and Wales are collected by the Chartered Institute of Environmental Health, the latest figures being for 2002–03. 77 per cent. of local authorities in England and Wales responded to the survey in this period.

In 2002–03, local authorities received 224,504 complaints of noise from domestic premises, 12,957 complaints of noise from construction sites, 11,991 complaints of noise from industrial premises, 40,602 complaints of noise from commercial premises, 1,247 complaints of noise from road traffic and 3,743 complaints of aircraft noise. Road works falls under the category of Vehicles, Machinery, and Equipment in Streets, of which there were 15,038 complaints in 2002–03.

Drinking Water Inspectorate

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how many prosecutions brought by the Drinking Water Inspectorate resulted in *(a)* convictions and *(b)* custodial sentences in each year since 1995; and what the average fines were where custodial sentences were awarded (i) in total and (ii) broken down by region. [192319]

Mr. Morley: The Drinking Water Inspectorate has brought 35 prosecutions to court since 1995, 34 of which resulted in successful convictions. None resulted in custodial sentences. The number of cases and associated fines are summarised in the table, in total and broken down by region.

	Total number of cases brought to court	*Total fines (£)*	*By Region*	*Fines (£)*
1995	2	46,000	Wales	1,000
			West Midlands	45,000
1996	1	80,000	London	80,000
1997	4 (3 successful; 1 not guilty)	19,500	Wales	18,000
			West Midlands	1,500
1998	9	98,500	Yorkshire and the Humber	12,000
			Wales	55,500
			North East	6,000
			South East	14,000
			West Midlands	8,000
			North West	3,000
1999	9	83,000	East of England	25,000
			South West	15,000
			East Midlands	10,000
			South East	24,000
			North West	9,000
2000	5	165,500 reduced to 126,500 on appeal	South East	12,000
			North West	34,500
			Yorkshire and the Humber	119,000 reduced to 80,000 on appeal
2001	3	45,000	South East	12,000
			Wales	12,000
			East of England	21,000
2002	1	15,000	Yorkshire and the Humber	15,000
2003	0			
2004	1	3,750	East of England	3,750

EU Legislation

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the EU legislation her Department has had responsibility for implementing since its inception; and what the *(a)* EU deadline for implementation and *(b)* date of final UK implementation was in each case. [192305]

Alun Michael: Defra plays a leading role in the UK's EU policy on the environment, agriculture, fisheries, animal and plant health. Between 8 June 2001 and 30 September 2004, 115 EU Directives for which Defra has responsibility for implementation were adopted.

I am placing in the Library of the House a list which itemises the Directives adopted together with:

(a) the EU deadline for transposition into domestic legislation; and

(b) where appropriate, the final United Kingdom transposition date.

Details of all Directives in force can be found on the Eur-Lex database available on the European Union's website at: http://europa.eu.int/eur-lex/

Single Payment Scheme

Mr. Paice: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the cash flow implications for farmers of the change in payment date between integrated administration and control system payments and the single farm payment. [191475]

Alun Michael: The introduction of the Single Payment Scheme (SPS) may have an impact on the cash flow of an individual farmer in a number of respects. The eligibility criteria and conditions attached to the SPS differ from those of existing schemes and this will affect the sums that a farmer is able to claim. The timing of payments may be different as a result of a slightly later opening of the payment window, though this may be off-set for some farmers as the entire sum will be paid as one payment as opposed to an advance in October/November followed by a balance payment the following April. In each case, the fact that the payment window was agreed in September 2003, over two years before the opening of the first Single Payment Scheme payment window, will have allowed farmers to plan their business well ahead.

The SPS is a decoupled scheme which will allow farmers to adjust their production to the needs of the market. The impact this will have on the volume and timing of individuals' expenditure on inputs and market returns may well have a more significant impact on cash flow than on the amount and timing of subsidy payments.

Mr. Paice: To ask the Secretary of State for Environment, Food and Rural Affairs what guidance regarding entitlement to the single farm payment she will give to farmers and growers who lease land *(a)* to and *(b)* from other farmers for growing a specific crop for a fixed sum of money for which some husbandry is provided. [191639]

Alun Michael: To establish an entitlement for the new single payment in 2005, the applicant will have to show that any eligible land supporting a claim forms part of his holding. A lease would constitute acceptable evidence.

To claim payment against an entitlement so established, the claimant will have to show that the land in question has been "at his disposal" for a 10-month period. This period may start at any time from 1 October this year to 30 April next year. The definition of "at the farmer's disposal"is discussed at some length in a booklet that was sent to all farmers in England in August and which is available on Defra's website.

If the claim relates to land that is supporting a so-called negative list crop, the entitlement that has been established must have attached to it a special authorisation to claim against such crops. These authorisations will be attached to payment entitlements as they are established at the request of growers according to the level of their production of such crops in specified years (within regional ceilings).

For growers who find that the introduction of the new scheme affects their ability to rent land in 2005, some guidance on possible contractual solutions is also available on Defra's website.

Farm Subsidies

Mr. Wills: To ask the Secretary of State for Environment, Food and Rural Affairs if she will publish farm-level data on Common Agricultural Policy subsidy receipts along the lines recently announced by the Danish Government. [187734]

Alun Michael: The Government does not at present publish farm-level data on subsidy receipts. However, we are considering the legal and other implications of publication in the context of the recent CAP reforms and the Freedom of Information Act 2000, which comes fully into force on 1 January 2005.

The Data Protection Act puts certain restrictions on the release of what the Act defines as 'personal data'. The publication of farm-level data showing the names and amounts of Common Agriculture Policy subsidy payments generally come within this definition. In some cases payment information relating to public or private limited companies may not fall within the definition of personal data. However, releasing information about only certain recipients would not give a representative picture of the distribution of subsidy generally.

Flies

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what steps are being taken to *(a)* reduce the UK fly population and *(b)* prevent increases predicted to take place from the impact of future climate change scenarios. [192306]

Mr. Bradshaw: There are over 6,750 different species of flies (Diptera) in Britain, many of which are beneficial insects, being natural enemies of pests, pollinators of plants and decomposers of organic material, thereby playing an essential role in the functioning of ecosystems. Many flies are also important as food for other animals (fish, birds and mammals etc.). There are few fly species that cause problems for people, as agricultural pests or vectors of disease, and for these species there are established preventive or control measures that can be taken. It would be both impossible and undesirable to take steps to reduce the UK abundance of flies overall.

Scenarios of climate change published by the UK Climate Impacts Programme indicate that the UK is likely to experience warmer, wetter winters, and hotter, probably drier, summers, with extreme high temperatures and rainfall events likely to occur more often. A Defra-funded research project (MONARCH) used these climate change scenarios to investigate impacts on the UK's flora and fauna. It is unlikely that flies will become more abundant overall under possible climate change scenarios. Some species may increase while others will decline, according to their temperature and humidity preferences etc.

Gangmasters

Jim Sheridan: To ask the Secretary of State for Environment, Food and Rural Affairs whether the data collated from the ACU 1 and ACU 2 forms returned to the Inland Revenue Agricultural Compliance Unit by those using the services of a gangmaster or employment agency will be made available to the Gangmasters Licensing Authority to be established under the provisions of the Gangmasters (Licensing) Act 2004. [192581]

Alun Michael: The Gangmasters (Licensing) Act 2004 provides for information held by Government Departments to be shared with the Gangmasters Licensing Authority, and this will include information collected on the Agricultural Compliance Unit (ACU) forms. Specific information-sharing arrangements will be finalised when the Gangmasters Licensing Authority has been established and determined the conditions to be attached to a licence.

GM Crops

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of Monsanto GM maize 810 in terms of its impact on *(a)* human health, *(b)* the environment and *(c)* agronomics; and what plans she has to place it on the UK seed list. [190092]

Mr. Morley: Monsanto's GM insect resistant maize MON 810 received approval under both directive 90/220/EC[1] on the deliberate release in to the environment of genetically modified organisms and under regulation (EC) No. 258/97 of the European Parliament and of the Council concerning novel foods and food ingredients in 1998. Both consents were issued after an EU-wide evaluation process. Member States (including the UK) were satisfied that Mon 810 complied with the requirements of regulation 258/97 and directive 90/220 with regard to impact on human health and the environment (including the agri-environment). In the UK the respective advisory committees assessed scientific evidence for the impacts on the environment and on human health.

With regard to what plans the Secretary of State has to place maize varieties containing MON810 on the UK national list, the Secretary of State has no such plans. At the present time there are no UK national list applications for any varieties containing this transformation. However, 17 such varieties have recently been added to the European common catalogue and can be marketed in any Member State. These varieties are bred for the south of Europe, are late maturing and therefore unsuitable for cultivation in the UK where they are unlikely to ripen.

Greenhouse Gases

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what research published in EU member states on links between fluoridised greenhouse gases and climate protection her Department has *(a)* received and *(b)* studied; and what conclusions she has drawn for UK greenhouse gas policy. [190863]

Mr. Morley *[holding answer given 14 October 2004]*: The Government monitors European research on the contribution of fluorinated (fluoridised) greenhouse gases to climate change. Research in this area tends to show that the contribution of fluorinated greenhouse gases to radiative forcing over the next century is small in comparison to some other greenhouse gases, and in particular CO_2, which is expected to be responsible for approximately three quarters of the global warming experienced over this century. However, due to the persistence of fluorinated greenhouse gases in the atmosphere their contribution to climate change will extend well beyond this century.

In light of this the UK has welcomed the European Commission proposal for a Regulation on certain fluorinated greenhouse gases as an important step in meeting the challenge of climate change.

Operation Noah

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has held with representatives of the churches over their launch of Operation Noah to draw attention to the threat posed by climate change. [191108]

Mr. Morley: Officials from the Department were contacted by members of the Operation Noah team with regards to their launch. Unfortunately, diary commitments prevented the Secretary of State from attending the launch event.

The Government welcome all initiatives that aim to draw public attention to the issue of climate change.

Organic Farming

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs how many organic farmers there were in each county in England in each of the last three years. [191067]

Alun Michael: The following tables give a breakdown of organic holdings in each county in England for the years 2003 and 2004.

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[1] Directive 90/220/EEC was replaced by Directive 2001/18/EC

The figures broken down by county are not available for the year 2002. The total number of farmers and growers for England was 2,608 as at the end of December 2002.

Organic holdings by county at March 2003

County	Total holdings
Devon	344
Somerset	160
Cornwall	138
Sussex	131
Yorkshire	129
Wiltshire	125
Herefordshire	120
Gloucestershire	116
Dorset	113
Lincolnshire	92
Shropshire	91
Kent	85
Norfolk	80
Derbyshire	66
Oxfordshire	64
Cumbria	61
Suffolk	59
Cheshire	57
Worcestershire	54
Hampshire	52
Lancashire	47
Northumberland	46
Essex	45
Cambridgeshire	40
Berkshire	36
Leicestershire	31
Staffordshire	31
Avon	29
Warwickshire	27
Surrey	21
Buckinghamshire	15
Durham	15
Northamptonshire	15
Nottinghamshire	15
Bedfordshire	12
Hertfordshire	12
Tyne and Wear	7
West Midlands	7
Other [1]	34
Grand total	2,622

[1] Data has been treated to avoid disclosure of information relating to individual holdings

Organic holdings by county at March 2003

County	Total holdings
Devon	330
Somerset	162
Cornwall	134
Sussex	132
Wiltshire	125
Yorkshire	123
Dorset	113
Herefordshire	111
Gloucestershire	108
Lincolnshire	92
Shropshire	91
Kent	80
Norfolk	75
Oxfordshire	66
Derbyshire	65
Suffolk	60
Cumbria	59
Cheshire	56
Worcestershire	52
Essex	48
Northumberland	48
Hampshire	47
Lancashire	42
Cambridgeshire	41
Berkshire	37
Leicestershire	31
Staffordshire	31
Warwickshire	26
Avon	24
Surrey	19
Buckinghamshire	16
Nottinghamshire	15
Bedfordshire	12
County Durham	12
Northamptonshire	12
Hertfordshire	9
West Midlands	9
Cleveland	6
Isle of Wight	6
Merseyside	6
North Somerset	6
Other [1]	33
Grand total	2,570

[1] Data has been treated to avoid disclosure of information relating to individual holdings

Recycling

Hugh Bayley: To ask the Secretary of State for Environment, Food and Rural Affairs how much government money has been provided to City of York council since 1997 to help pay for waste recycling. [191301]

Mr. Morley: The main source of funding for York City Council's waste management services, as for all local authorities, is through the Environmental, Protective and Cultural Services (EPCS) block of annual Government grant. It is for the local authority to decide what proportion of the block is invested in waste management, including recycling, services.

York City Council has also been allocated the following additional funding and support:

£350,000 in capital through the National Waste Minimisation and Recycling Fund in 2004–05 for a project to relocate the Foss Islands Road household waste site in York to a larger purpose built facility, with the aim of significantly improving facilities, increasing the percentage of waste recycled and composted to 65 per cent. and also improving operational capabilities;

£50,700 from Defra to relieve spending pressures on waste in 2004–05;

£33,200 in consultancy support in 2004–05, as a partner with the councils in North Yorkshire, through Defra's Waste Implementation Programme, to further develop the partnership and facilitate the procurement of services and facilities from the private sector; and

£18,500 in funding, as a partner with the councils in North Yorkshire, through the Waste and Resources Action Programme, to raise public awareness of recycling over the period 2004–06.

Mr Battle: To ask the Secretary of State for Environment, Food and Rural Affairs what her Department's latest estimate is of the future capacity of waste recycling facilities in Leeds; and if she will make a statement. [189953]

Mr. Morley: The Department does not collect this information. Decisions on waste management services and the provision of waste facilities are a matter for each local authority. Government encourages local authorities to consider future capacity needs as part of the preparation of a municipal waste management strategy.

Leeds city council has been awarded approximately £20,000 to undertake a review of potential scenarios for Leeds future waste management and to produce the basis of a future action plan to enable Leeds to meet its longer term recycling and landfill diversion targets.

Mr. Battle: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the waste disposal and waste recycling sites in Leeds by *(a)* address, *(b)* type and *(c)* capacity. [189954]

Mr. Morley: The data below are taken from the Environment Agency's waste management licensing database. The information provided relates only to licensed sites and does not include any of the numerous exempt facilities (circa. 500) at which recycling/recovery is carried out.

Address	*Type*	*Capacity (in Ktn/yr)*
Skelton Grange, Pontefract Lane, Rothwell, Leeds, LS159AD	Household, commercial and industrial landfill	500
Woodkirk, Moreley, West Yorkshire	Non-biodegradable waste landfill	5
Kings Road, Brahope, Leeds LS16 8BG	Non-biodegradable waste landfill	75
Blue Hill Lane, Wortley Moor Road, Leeds, LS12	Non-biodegradable waste landfill	[1]—
Swillington Quarries, Wakefield Road Swillington, Leeds LS26 8BI	Industrial waste landfill	25
Land northwest of Woodlesford Lock, Woodlesford, Leeds	Industrial waste landfill	25–75
Construction and Maintenance (CMS) Depot, Westland Rd, Leeds, LS11 5LD	Special waste transfer station	<5
Evanston Ave, Leeds, LS4 2HR	Special waste transfer station	<5
Belgrave Electrical Works, Stannington, Pudsey, LS28 6HB	Special waste transfer station	<5
Unit 1, Foundary Industrial Estate, Richardshaw Lane, Pudsey, LS28 6BN	Special waste transfer station	<5
Richmond Works, Selby Road, Garforth, Leeds, LS25 1MB	Special waste transfer station	25–75
Weaver Street, Leeds, LS24 2AU	Special waste transfer station	<5
Beza Road, Hunslet, Leeds, LS10 2BR	Special waste transfer station	5–25
Ingham Works, Wortley Moor Road, Leeds, LS124NF	Household, commercial and industrial waste transfer station	25–75
Spring End Farm, Gidersome, Leeds, LS27 7NG	Household, commercial and industrial waste transfer station	5–25
Carr Crofts, Armley, Leeds, LS12 3HB	Household, commercial and industrial waste transfer station	25–75
Scotch Park Trading Estate, Forge Lane, Armley, Leeds, LS12 2PX	Household, commercial and industrial waste transfer station	<5
334a Tong Road, Leeds, LS12 3TN	Household, commercial and industrial waste transfer station	<5
Aireborough Miniskips, Milner Rd, Yeadon, Leeds	Household, commercial and industrial waste transfer station	<5
Bell Hill Industrial Estate, Rothwell, Leeds, LS26 2AE	Household, commercial and industrial waste transfer station	25–75
Unit 13 Pennine Industrial Estate, Carr Crofts, Armley, Leeds, LS12 9ZZ	Household, commercial and industrial waste transfer station Transfer Station	>75
Aireborough Waste Traders, Hallam Street, Guiseley, Leeds, LS20 SAG	Household, commercial and industrial waste transfer station	5–25
Far Royd Industrial Estate, Whitehall Road, Lower Worley, Leeds, LS12 6ER	Household, commercial and industrial waste transfer station	25–75
Nirvanna Farm, Tyersal Avenue, Bradford, BD4 8HL	Household, commercial and industrial waste transfer station	<5
The Sidings, Copley Hill, Wortley, Leeds, LS1 21 HY	Household, commercial and industrial waste transfer station	5–25
Limewood Road, Seacroft, Leeds, LS14 2AR	Household, commercial and industrial waste transfer station	>75
Evanston Avenue, Kirkstall, Leeds, LS24 2HR	Household, commercial and industrial waste transfer station	>75
Far Royd Industrial Estate, Whitehall Rd, Lower Worley, Leeds, LS12 6ER	Household, commercial and industrial waste transfer station	25–75
Whitehall Industrial Estate, Unit 14 Whitehall Road, Leeds, LS12 5JB	Household, commercial and industrial waste transfer station	5–25
Westland Square, Westland Road, Leeds, LS115SS	Clinical waste transfer station	<5
Chartists Way, Morley, Leeds, LS27 9EG	Clinical waste transfer station	<5
Hoknewell Road, Leeds	Household waste amenity site	5–25
Stanley Road, Harehills, Leeds	Household waste amenity site	5–25
Calverley Lane, Calverley, Leeds	Household waste amenity site	5–25
Limewood Road, Leeds, LS14 2AR	Household waste amenity site	5–25
Newsam Green Road, Leeds, LS26 SAG	Household waste amenity site	5–25
Grangefield Road Industrial Estate, Pudsey, Leeds,	Household waste amenity site	5–25
Evanston Avenue, Leeds, LS24 2HR	Household waste amenity site	5–25
Meanwood Road, Meanwood, Leeds	Household waste amenity site	5–25
Milner Road, Yeadon	Household waste amenity site	5–25
11 Bradford Road, Gildersome, Leeds, LS27 7HW	Transfer station taking non-biodegradable wastes	25–75
Land adjacent Aire and Calder Navigations, Thwaite Gate, Leeds	Transfer station taking non-biodegradable wastes	5–25
Holmwell Road, off Ring Road, Middleton, Leeds, LS109ZZ	Transfer station taking non-biodegradable wastes	<5

Address	*Type*	*Capacity (in Ktn/yr)*
Kirkstall Road Depot, Kirkstall Road, Leeds, LS141NG	Transfer station taking non-biodegradable wastes	5–25
Seacroft Depot, Seacroft, Leeds, LS9 ONP	Transfer station taking non-biodegradable wastes	5–25
Newton Lane, Allerton Bywater, Castleford, WF102AL	Material recycling treatment facility	5–25
Site 46, Knowsthorpe Way, Cross Green Industrial Estate, Leeds, LS9 OSW	Material recycling treatment facility	>75
Valley Road, Morley, Leeds, LS27 8ES	Physical treatment facility	25–75
Land off Haigh Park Road, Pontefract Road, Stourton, Leeds	Physical treatment facility	>75
Coal Road, Seacroft, Leeds, LS14 2AR	Physical treatment facility	<5
Waste Transfer Station, Knowsthorpe Road, Cross Green Industrial Estate, Leeds, LS9 OBW	Physical Treatment Facility	>75
Cross Green Industrial Estate, Leeds, LS9 OSJ	Physical treatment facility	<5
Ravell Cooperage, Gelderd Road, Leeds, LS126DL	Physico-chemical treatment facility	<5
Knowsthorpe Lane, Leeds, LS9 OPJ	Physico-chemical treatment facility	>75
Brancepeth Place, Armley Road, Leeds, LS122EH	Physico-chemical treatment facility	<5
Ingram Road, Hunslet, Leeds, LS11 9RD	Physico-chemical treatment facility	<5
McGregors Yard, Mill Lane, East Ardsley, Wakefield, WF3 2BB	Metal recycling site (vehicle dismantler)	<5
Long Chimney, 83 Thorpe Lane, Middleton, Leeds, LS104EP	Metal recycling site (vehicle dismantler)	<5
Thorpe Lane, Middleton, Leeds, LS10 4ED	Metal recycling site (vehicle dismantler)	<5
Thorpe Lane, Middleton, Leeds, LS10 4EP	Metal recycling site (vehicle dismantler)	<5
Redhill Works, Dewsbury Road, Morley, Leeds, LS27 8PP	Metal recycling site (vehicle dismantler)	5–25
14a Whitehall Road, Dringhlington, Leeds, BD11 1NE	Metal recycling site (vehicle dismantler)	[2]—
Off Half Mile Lane, Stanningley, Leeds, LS131BW	Metal recycling site (vehicle dismantler)	[2]—
Cross Myrtle Street, off Leathley Road, Leeds, LS101BG	Metal recycling site (vehicle dismantler)	[2]—
Water Lane, Holback, Leeds, LS11 5PP	Metal recycling site (vehicle dismantler)	<5
245 Whitehall Road, Leeds, LS12 6ER	Metal recycling site (vehicle dismantler)	<5
Barras Street, Leeds, LS12 4JS	ELV facility	<2.5
Dixons Car Dismantlers Ltd., Wakefield Road, Rothwell Haigh, Leeds, LS26 OSB	ELV facility	<2.5
Bell Hill Industrial Estate, Wood Lane, Rothwell, Leeds, LS26 ORS	ELV facility	<2.5
119 Jack Lane, Hunslet, Leeds, LS10 1BS	ELV facility	<2.5
39 Knowsthorpe Lane, Cross Green Industrial Estate, Leeds, LS9 ODF	ELV facility	<2.5
39/41 Crosby Road, Holbeck, Leeds, LS11 OAN	ELV facility	<2.5
29a Knowesthorpe Way, Leeds, LS9 OSW	ELV facility	<2.5
Kaystan Ironworks, Albert Road, Morley, Leeds, LS27 8RU	Metal recycling site (mixed MRSs)	25–75
Treefield Industrial Estate, Gelderd Road, Gildersome, Leeds	Metal recycling site (mixed MRSs)	<5
124 Garnet Road, Leeds, LS11 5HP	Metal recycling site (mixed MRSs)	>75
Pepper Road, Hunslet, Leeds, LS10 2NL	Metal recycling site (mixed MRSs)	5–25
25 Knowsthorpe Way, Cross Green Industrial Estate, Leeds, LS9	Metal recycling site (mixed MRSs)	>75
Moor Road, Hunslet, Leeds, LS10 9ZZ	Metal recycling site (mixed MRSs)	5–25
Viaduct Street, Stanningley, Pudsey, Leeds, LS28 6AT	Metal recycling site (mixed MRSs)	<5
160/162 Upper Wortley Road, Leeds	Metal recycling site (mixed MRSs)	5–25
Vickersdale, off Arthur Street, Stanningley, Leeds, LS28 6JF	Metal recycling site (mixed MRSs)	5–25

[1] Not available

[2] Closing

The capacities indicated are based on the annual charge bands therefore only give an indication of the actual capacity.

Red Squirrel

Diana Organ: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to ensure that the red squirrel will be included in Annex IV of the EU Habitats Directive. [192518]

Mr. Bradshaw: Annex IV of the Habitats Directive lists the species for which member states must ensure a system of strict protection, including prohibiting taking, killing and trade in such species. This system of strict protection is applied in the UK by means of the Conservation (Natural Habitats, etc.) Regulations 1994. Although the red squirrel is not listed in Annex IV of the Directive, it is strictly protected in the UK under the Wildlife and Countryside Act 1981 and the Wildlife (Northern Ireland) Order 1985. It is also a priority species in the UK Biodiversity Action Plan.

The Department has recently begun reconsidering the scientific and technical information available on the conservation status of the red squirrel in other member states, and the best means of addressing the threats which it may face in the UK and elsewhere in the EU. As part of this process we shall explore the possibility of including red squirrels in Annex IV of the Habitats Directive.

Refrigerator Dumping

Tom Cox: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the number of refrigerators that have been dumped in each of the last three years. [192677]

Mr. Morley: No data are currently available for these statistics. The Environment Agency does not collect data on the number of fridges that may have been dumped. Individual local authorities may collect some data, but these data are not currently collated on a national basis.

The Government have been working with the Environment Agency and the Local Government Association to develop the Flycapture database, which will allow better national data to be collected in future on levels of fly tipping. The database will record levels of white goods that have been dumped. Data should be available within the next few months.

Registered Agricultural Buildings

Mr. Llwyd: To ask the Secretary of State for Environment, Food and Rural Affairs how many registered agricultural buildings there were on 10 October *(a)* 2003 and *(b)* 2004. [192204]

Alun Michael: The Department does not hold data on the number of agricultural buildings on holdings.

Sea Fishing Boats

Mr. Llwyd: To ask the Secretary of State for Environment, Food and Rural Affairs how many sea fishing boats were registered in England and Wales *(a)* in 1992 and *(b)* at the latest date for which figures are available. [192205]

Mr. Bradshaw: Based on the number of vessels administered by the Department, there were 7,912 UK registered fishing vessels administered in England and Wales as at 1 January 1992. The corresponding figure as at 1 January 2004 was 4,097 vessels.

Set-aside

Mr. Beith: To ask the Secretary of State for Environment, Food and Rural Affairs what species are covered by the term herbaceous forage in defining categories for set-aside. [192225]

Alun Michael: The EU Regulations governing the CAP Single Payment Scheme refer to "other herbaceous forage" in the definition of "permanent pasture." We believe the intention behind these words was to clarify that those species which are commonly grazed alongside grasses should be regarded as permanent pasture. We do not believe that fodder crops such as maize are meant to be similarly regarded. However, we cannot be more definitive at this stage as the European Commission is considering the position with a view to inserting an amendment to the relevant EU Regulation which would provide a legal definition of "other herbaceous forage." We will provide additional advice to interested parties as soon as the outcome of those considerations is known.

Small Petrol Engine Emissions

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the emissions of *(a)* carbon dioxide, *(b)* nitrogen oxide, *(c)* sulphur dioxide and *(d)* particulates produced by (i) lawnmowers, (ii) chainsaws, (iii) strimmers and (iv) other small petrol engines in each of the last five years. [192309]

Alun Michael: Defra compiles and publishes information on annual emissions to the atmosphere of carbon dioxide (CO_2), nitrogen oxides (NO_X) sulphur dioxide (SO_2) and particulate matter (PM), in the National Atmospheric Emissions Inventory (NAEI). An aggregated version of the information shown in the following table is available at: http://www.naei.org.uk The table provides information broken down between various classes of small petrol engines, both 2 and 4 stroke engines, on the estimated emissions for each pollutant requested. Information is not available to allow trends in the emissions between 1997 and 2002 to be complied.

Emissions of the requested pollutants from small petrol engines

Tonne

	CO_2	NO_x	SO_2	*PM*
Trimmers/edgers/bush cutters	772	0.44	0.020	0.324
Lawnmowers	38,146	53.34	0.987	24.946
Leaf blowers/vacuums	3,008	6.48	0.078	2.616
Ride on (domestic)	28,417	91.16	0.735	32.152
Chain saws < 4 bhp	102	0.07	0.003	0.043
Shredders < 5 bhp	67	0.05	0.002	0.028
Tillers < 5 bhp	282	0.19	0.007	0.118
Lawn and garden tractors	144,354	193.89	3.734	93.298
Wood splitters	102	0.07	0.003	0.043
Snowblowers	170	0.10	0.004	0.071
Wood chippers/ tree stump grinders	1,413	0.99	0.037	0.593
Other lawn and garden equipment	34	0.02	0.001	0.014
All machinery	216,867	346.81	5.61	154.25

Somerset Farms

Mr. Laws: To ask the Secretary of State for Environment, Food and Rural Affairs what her estimate is of the total *(a)* number of farms and *(b)* area of farmland in (i) Somerset, (ii) South Somerset and (iii) Yeovil constituency; and if she will make a statement. [192124]

Alun Michael: The figures below show total holdings and total farmed area at June 2003. Data for North and North East Somerset which were formerly part of Avon are also shown.

	Total registered holdings June 2003	*Total farmed area (hectares) June 2003*
(a) Somerset	8,212	269,827
(b) Bath and North East Somerset	812	23,366
(c) North Somerset	964	21,970
(d) South Somerset	2,463	77,555
(e) Yeovil constituency	1,038	31,087

Notes:

Total holdings includes those which were not active on the survey day.

Source:

June Agricultural Census 2003

Tenancy Reform

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the outcome of the proceedings from the Tenancy Reform Industry Group; and for what reasons the Code of Practice is to be voluntary. [191103]

Alun Michael: The Tenancy Reform Industry Group reported to Ministers with recommendations for tenancy reform in June 2003. The recommendations included proposals for amendments to agricultural tenancy legislation, and a voluntary code of practice to assist landlords and tenants to reach agreement on proposals for diversification and participation in agri-environment schemes.

The Government accepted all the group's recommendations for legislative change, and, accordingly, issued a consultation document on proposals for amendment of the Agricultural Holdings Act 1986 and the Agricultural Tenancies Act 1995 in September this year.

The Tenancy Reform Industry Group considered whether statutory measures should be taken to enable tenants to diversify, but felt that there would be problems in implementing legislative change and had concern that there was a lack of clear evidence of the nature and extent of the problem. It preferred the non-legislative route of a code of practice to facilitate agreements between landlords and tenants on terms for diversification and agri-environment projects.

The "Code of Good Practice for Agri-environment Schemes and Diversification Projects within Agricultural Tenancies" was published by the Tenancy Reform Industry Group and Defra at the end of September this year. The code will be backed up by an adjudication scheme, funded by Government for its first four years, to consider disputes where landlords and tenants are unable to agree.

Thames Barrier

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs how many times the Thames Barrier has been closed in each year since its construction. [192334]

Mr. Morley *[holding answer 18 October 2004]:* The Thames Barrier has been closed as following since it was first used in February 1983:

	Tidal	*Fluvially dominated*	*Total*
1983	1	0	1
1984	0	0	0
1985	0	1	1
1986	0	0	0
1987	1	0	1
1988	1	0	1
1989	0	0	0
1990	3	3	6
1991	0	0	0
1992	1	0	1
1993	5	4	9
1994	1	0	1
1995	3	2	5
1996	4	0	4
1997	0	0	0
1998	3	0	3
1999	3	3	6
2000	6	4	10
2001	11	4	15
2002	2	2	4
2003	8	11	19
2004	1	0	1
Total	54	34	88

Actual closure dates are available on the Environment Agency's website, www.environment-agency.gov.uk.

The reference to "tidal" closures are where the barrier was closed to prevent flooding or overtopping of the defences upstream of the barrier.

The "fluvially dominated" closures refer to occasions where closing the barrier has stopped the tide and allowed unhindered fluvial/rainfall flow to continue over Teddington Weir, which has thereby reduced the risk of flooding just upstream of the weir.

Theft and Fraud

Mr. Prisk: To ask the Secretary of State for Environment, Food and Rural Affairs what her estimate is of the cost of theft and fraud to *(a)* her Department, *(b)* its agencies and *(c)* non-departmental public bodies in each year since 1997. [191420]

Alun Michael: The Department came into existence in June 2001. Information covering earlier periods could only be reconstructed at disproportionate cost. Annual reports, which Treasury prepares on fraud, covering returns from both the former MAFF and DETR, are deposited in the House of Commons Library.

Annual returns of fraud submitted by Defra, to HM Treasury for the financial years 2001–02, 2002–03 and 2003–04, show the estimated total cost of theft and fraud to the Department to be as shown in the table:

Information on NDPBs could be obtained only at disproportionate cost.

			£
		Fraud	*Theft*
2001–02	Core-Defra	61,066	38,678
	Agencies	—	226,111
2002–03	Core-Defra	16,749	96,236
	Agencies	—	—
2003–04	Core-Defra	20,750	1,000
	Agencies	171	—

Vegetable Oil

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to reclassify used vegetable oil so that it is not considered as a waste product. [193028]

Mr. Morley: The definition of waste in force in the United Kingdom is the definition in Article 1*(a)* of the Waste Framework Directive (as amended). It provides that waste means, " . . . any substance or object . . . which the holder discards or intends or is required to discard." Whether or not a substance, such as used vegetable oil, is discarded as waste is a matter which must be determined on the facts of the case and the interpretation of the law is a matter for the courts. The European Court of Justice (ECJ) has issued several judgments on the interpretation of the definition of waste and the meaning of "discard". ECJ judgments are binding on member states and their "competent authorities".

It is not within the power of the Government to exclude any particular substance, including waste vegetable oil, from the definition of waste. It rests in the first place with the producer of a substance to decide whether it is being discarded as waste. The Environment Agency is designated as a competent authority for the purposes of the directive and is responsible for the application of its controls to substances discarded as waste.

Voluntary Shops

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs how many voluntary shops are operating, broken down by local authority area; and what financial or other help the Department has provided in each case. [192339]

Alun Michael: There is no accepted definition of what constitutes a 'voluntary' shop. Furthermore, there is no one definitive source of information on how many voluntary shops are operating nationally, or therefore broken down by local authority area.

The Plunkett Foundation estimates that there are 200 'community owned' rural village shops nationally. This includes 150 that have received support from the Village Retail Services Association over the past 10 years.

The Vital Villages programme, which the Countryside Agency ran between April 2001 and April 2004, contained a Community Services Grant. During the programme, £314,020 was granted to a total of 19 projects which involved retail services or facilities and which were owned by non-for-profit organisations, charitable trusts or voluntary groups. This information is broken down in Annex A.

The Community Services Grant also funded retail applicants to benefit from retail consultants, who provided business support and advice for these projects.

The Rural Enterprise Scheme, which forms part of the England Rural Development Programme, is wide-ranging in its support for projects and offers funding towards the set up costs of community shops. Since the scheme came into force in October 2000 it has assisted eight community shops, amounting to £419,170 grant (a detailed breakdown is at Annex B).

Annex A: Retail projects funded by Community Services Grant 2001–04

Region/Applicant	*Project name*	*Parish*	*District*	*Amount (£)*
East Midlands				
Voluntary group	Witham St. Hugh's Community Hall project	Witham St. Hugh's	North Kesteven	23,688
Charitable trust	Palterton Welfare Shop	Scarcliff	Bolsover	1,971
East of England				
Voluntary group	Itteringham Community Shop	Itteringham	North Norfolk	19,754
Not for profit organisation	Monks Eleigh Community Shop Development	Monks Eleigh	Babergh	23,751
Not for profit organisation	Langham and Boxted community shop	Boxted	Colchester	17,189
Charitable trust	Pakenham New shop and Post Office in Village hall	Pakenham	St. Edmundsbury	25,000
North East				
Charitable trust	Kielder Petrol station	Kielder	Tynedale	25,000
South East				
Voluntary group	St. Mary Bourne village shop	St. Mary Bourne	Basingstoke and Deane	24,772
Not for profit organisation	Winchelsea Little shop Association	Icklesham	Rother	18,443
Not for profit organisation	Buriton Village shop and post office	Buriton	East Hampshire	14,620
Not for profit organisation	The Old village store—Slinford	Slinford	Horsham	25,000
Not for profit organisation	Ascott-under-Wychwood village shop	Ascott-under-Wychwood	West Oxfordshire	10,000
Charitable trust	Tackley Community shop	Tackley	West Oxfordshire	25,000
South West				
Voluntary group	Blisland Amenity centre shop	Blisland	North Cornwall	25,000
Voluntary group	Exbourne and Jacobstowe community enterprise	Exbourne	West Devon	10,844
Not for profit organisation	Coaley Shop and post office association	Coaley	Stroud	10,126
West Midlands				
Voluntary group	Hinstock Village stores and post office	Hinstock	North Shropshire	3,862
Voluntary group	Bretforton post office and stores	Bretforton	Wychavon	10,000
Total number of projects: 19			314,020	

Annex B: A detailed breakdown of how the Rural Enterprise Scheme has assisted eight community shops

What it is	*Where*	*How much RES funding (£)*
Village Shop and Post Office	Melmsby and Fellside, Penrith	22,248
Ditto	Longtown	61,763
Village Post Office	Milnthorpe	31,350
Village Store/Cafe/Post Office	Brockwier and Hewelsfield, Chepstow	230,384
Village shop adjoining Community Hall	Newsham, Richmond	37,441
Post Office and village Community Shop	Midgely, Halifax	20,587
Village Store	Whittlesford	10,216
Post Office	East Hendred	5,176
Total		419,165

Note:

As at 19 October 2004

Waste Disposal (Buckinghamshire)

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list for Buckinghamshire by *(a)* tonnage and *(b)* percentage the amount of waste disposal by (i) landfill, (ii) recycling and (iii) incineration in (A) 2002–03 and (B) 2003–04. [191049]

Mr. Morley: Results from the Defra Municipal Waste Management Survey 2002–03 show the following municipal waste disposal routes for Buckinghamshire Waste Disposal Authority and Milton Keynes Unitary Authority.

Tonnes (percentages)

	Landfill	*Recycled and composted*	*Incineration*	*Total*
Buckinghamshire WDA	199,747 (74)	69,066 (26)	123 (<0)	268,936 (100)
Milton Keynes UA	91.516 (82)	19,694 (18)	49 (<0)	111,259 (100)
Total	291,263 (77)	88,760 (23)	172 (<0)	380,195 (100)

Note:

Results from the 2003–04 Defra Municipal Waste Management Survey will be available in early 2005.

Carbon Dioxide Emissions

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs by how much she estimates carbon dioxide emissions have increased this year; what assessment she has made of the impact on the environment of this increase; what steps her Department is implementing to reverse this trend; and to what factors she attributes the increase. [191484]

Mr. Morley: Recent reports in the media have drawn attention to the anomalously high increase in atmospheric carbon dioxide concentrations in 2003. This is the second year for which the increase has been unusually high.

Following consultation with scientists working in the Hadley Centre for Climate Prediction and Research and elsewhere, we attribute the increases to three factors. These are greater emissions from forest fires, higher emissions from soils in areas where the climate was affected by the El Nino phenomenon in 2002, and acceleration in fossil fuel combustion in both years. In 2003 these factors together increased global emissions by an estimated 1 billion tonnes of carbon, or around 13 per cent. of the annual emissions in 2001.

Although the increases do not necessarily indicate a departure from the long term trend, they will add to the cumulative economic and environmental risks associated with climate change, which include increased risk of flooding, health impacts, impacts on water availability, and loss of ecosystems and biological species.The Government is taking action nationally and internationally to reverse the increase of carbon dioxide in the atmosphere including the ambitious goals set out in the Climate Change Programme and the Energy White Paper, and the identification by the Prime Minister of climate change as one of two priorities for the UK's Presidency of the G8.

EDUCATION AND SKILLS

Child Care

Ms Buck: To ask the Secretary of State for Education and Skills what estimate he has made of the average cost of setting up a nursery in *(a)* London and *(b)* England. [192097]

Margaret Hodge: My Department has not made any estimate of the average cost of setting up a nursery. A range of factors give rise to considerable variation in costs including size of nursery, its location and size of the nursery provider. Under the neighbourhood nurseries initiative, £243 million of revenue funding from the Sure Start Unit has been made available to local authorities to support the development and delivery of 45,000 new, affordable childcare places in the 20 per cent. most disadvantaged wards. This will help to create new places in approximately 1,380 nurseries. Revenue funding of up to £5,400 for each new childcare place created is awarded from when the nursery opens and paid on a sliding scale over a rolling three year period. This means that a new 50-place nursery would receive a maximum of £270,000 set up costs over three years.

In addition, £128 million from the Big Lottery Fund (formerly the New Opportunities Fund) and the Sure Start Unit has also been made available for the capital costs of setting up these neighbourhood nurseries. £22.5 million of this capital has been made available to local authorities in London which will help to create 8,223 places in 237 nurseries ranging in size from six new places in an existing nursery up to 104 places in a new build project. Some of these projects involve building or refurbishing premises while other projects aim to create places in existing nursery settings. In many cases, neighbourhood nursery projects have also been able to take advantage of significant additional sources of capital funding from regeneration initiatives and other programmes. The capital costs incurred in setting up different neighbourhood nursery projects will therefore often vary widely.

Ms Buck: To ask the Secretary of State for Education and Skills how many new full day care places he expects will be created in children's centres in London by *(a)* April 2005 and *(b)* April 2006. [192099]

Margaret Hodge: We do not hold information for the number of new full day care places that will be created by April 2005; this is currently being collected and we expect these figures to be available early in the new year. The number of new full day care places that will be available by April 2006 is 3,554.

Ms Buck: To ask the Secretary of State for Education and Skills what steps his Department is taking to monitor local authority funding of nursery education; and whether he plans to collate and publish that information. [192100]

Margaret Hodge: From April 2003, local authorities (LAs) receive funding for nursery education through the under-fives sub-block of the Education Formula

Spending Share (EFSS)—their main education budget. It is for individual LAs in consultation with local partners to determine how overall resources should be used.

All LAs received sufficient funding to enable them to meet their statutory responsibilities to provide free nursery education for three and four-year-olds. The overall EFSS under-fives sub-block in 2004–05 is worth some £2.6 billion.

Ms Buck: To ask the Secretary of State for Education and Skills what steps his Department is taking to improve career progression for child care workers. [192103]

Margaret Hodge: We recognise the importance of a clear progression structure for child care workers and this is being addressed both in the 10-year child care strategy and in the wider pay and workforce strategy we are developing over the whole children's workforce. The strategy will contain action to make working with children a more attractive career option. Some of the issues covered will be the development of flexible career and training pathways, the development of a common core of skills and knowledge that promotes professionalism in different sectors and the establishment of a Children, Young People and Families Workforce Council which will represent the interests of the sector.

Dr. Francis: To ask the Secretary of State for Education and Skills what *(a)* financial and *(b)* other support is available to private child care providers. [193078]

Margaret Hodge: Sure Start funding of £1.2 billion has been made available to local authorities throughout England for 2004–06 to support early years services and create and sustain child care places. The money also funds business advice, guidance and support. Funding and other support is made available to maintained, private and voluntary sector providers. The amount of support going to the private sector is not recorded separately by central Government.

Mr. Martlew: To ask the Secretary of State for Education and Skills how many child care places have been created in Carlisle since 1997. [191572]

Margaret Hodge: The Department is unable to provide details of child care places for Carlisle. However, between April 1999 to December 2003, my Department estimates that Cumbria local authority created 11,500 new child care places helping some 20,400 children. This shows an increase in stock child care places, taking into account turnover, of 8,000 helping some 14,400 children.

Class Sizes

Mr. Laws: To ask the Secretary of State for Education and Skills what his estimate is of class sizes in *(a)* primary and *(b)* secondary schools in (i) Somerset, (ii) Yeovil constituency and (iii) England in 1992–93 to 2004–05; and if he will make a statement. [192134]

Mr. Miliband: The information requested is shown in the table. Figures for 1993 to 1996 are not available at parliamentary constituency level.

Maintained primary and secondary schools[1]
Average size of classes taught by one teacher[2]
Position as at January each year
England, Somerset local education authority and Yeovil parliamentary constituency

	Primary			*Secondary*		
	England	*Somerset local education authority*	*Yeovil parliamentary constituency*	*England*	*Somerset local education authority*	*Yeovil parliamentary constituency*
1993	26.6	27.0	[3]—	20.9	21.5	[3]—
1994	26.9	26.9	[3]—	21.4	22.1	[3]—
1995	27.1	27.0	[3]—	21.5	22.5	[3]—
1996	27.3	27.3	[3]—	21.7	23.2	[3]—
1997	27.5	27.6	27.0	21.7	23.2	23.2
1998	27.7	27.8	27.6	21.8	23.9	24.2
1999	27.5	28.0	27.8	21.9	23.9	24.1
2000	27.1	27.6	27.7	22.0	23.6	24.8
2001	26.7	26.9	27.0	22.0	23.9	24.1
2002	26.3	26.0	25.9	21.9	23.5	23.1
2003	26.3	26.2	26.3	21.9	23.5	23.2
2004	26.2	26.1	25.8	21.8	23.6	24.4

[1] Includes middle schools as deemed.
[2] Classes as taught during the one selected period in each school on the day of the census in January . . . .
[3] Not available. Data by parliamentary constituency area is not available prior to 1997.

Contact Centres

Mrs. May: To ask the Secretary of State for Education and Skills what funds will be available to open supervised contact centres for the rest of this financial year. [192528]

Margaret Hodge: Funding has been made available to establish 14 new supervised contact centres. This funding was announced in March 2004, just before the start of the current financial year.

Disadvantaged Areas

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills pursuant to the answer of 14 June 2004, *Official Report*, column 769W, if he will list the most disadvantaged areas in which the scheme will commence; and on what basis the levels of disadvantage were determined in each case. [192723]

Margaret Hodge *[holding answer 19 October 2004]:* Children's centres funding is currently focused on the

20 per cent. most disadvantaged wards in England, defined by the Indices of Deprivation 2000 at the time of notifying local authorities of their funding in February 2003. This ward classification is available on the Office of the Deputy Prime Minister's website at: www.odpm.gov.uk Within these areas, local authorities and their strategic partners are responsible for deciding how and where children's centres will be developed, based both on local need and the national policy aim to develop good quality existing early years provision wherever possible. Local authorities also have the flexibility to locate centres in pockets of deprivation outside of the 20 per cent. most disadvantaged wards.

Early Intervention Pilots

Mr. Frank Field: To ask the Secretary of State for Education and Skills if he will make a statement on the progress of the early intervention pilots to ensure that children have access to both parents. [193052]

Margaret Hodge *[holding answer 21 October 2004]:* The Family Resolutions Pilot Project is running in three areas—Brighton, Sunderland and the Inner London Family Proceedings Court—from September 2004 to September 2005. The Family Resolutions Pilot Project is described in the recent Green Paper, "Parental Separation: Children's Needs and Parents' Responsibilities", published on 21 July 2004. It aims to assist parents to avoid litigation in disputed cases of contact and residence. The pilots are based on the Government's policy that children benefit from maintaining a worthwhile relationship with both parents following divorce or separation, where it is safe to do so.

In two group sessions parties will, with the support of qualified group work facilitators, focus on listening to the views of children and developing their conflict management skills. Following these session, parties will work together with the aid of a CAFCASS family court adviser to develop a mutually agreed set of arrangements, drawing on the Government's Parenting Plan materials for guidance.

The use of the Parenting Plans will help parties to draw up a structured approach about their future co-operation. The plans give advice and guidance on how to draw up an agreement, copies of which parties can sign off and exchange. They contain detailed checklists identifying the types of issues parties need to cover, such as living arrangements; who the child may want to stay in contact with across the wider family; dealing with holiday arrangements; handling issues about religion; school and out-of-school activities; keeping everyone informed about health issues; and coping with changes such as the child growing up and needing more independence. Once agreed, plans can be taken back to the court for approval through a consent order.

As made clears in the Parental Separation Green Paper, we are undertaking work to develop the existing Parenting Plans, to include examples of how contact arrangements can work in a variety of family circumstances.

Further Education Funding

Paul Holmes: To ask the Secretary of State for Education and Skills what guidance his Department has given to the Learning and Skills Council on the allocation of the extra funding provided for further education in June. [190573]

Mr. Ivan Lewis: Over the last year the further education (FE) sector and other providers have exceeded expectations in participation, retention and attainment and this success has created pressures on funding for this year. We announced on 14 June that we will add £130 million extra to the Learning and Skills Council's (LSC's) budget. We agreed with the LSC that this important extra investment would enable FE funding allocations for 2004/05 to be kept in line with earlier indicative budgets for all colleges that are performing to target.

Internet Access (Hounslow)

Ann Keen: To ask the Secretary of State for Education and Skills what percentage of the £58 million announced in 2000 as part of the Excellence in Cities programme has been used to enhance pupils' access to the internet in the London Borough of Hounslow. [192584]

Mr. Miliband: The Department does not hold centrally figures for individual authority spending on enhancing pupils' access to the internet but the local authority informs us that all Hounslow schools now have access. For details of grants allocated specifically for ICT I refer my hon. Friend to "Funding for ICT in Schools in England" which is available in the House Library.

The main planks of Excellence in Cities ICT spending have been to establish and support a network of 105 City Learning Centres serving groups of schools in each EiC authority. Hounslow has two City Learning Centres that opened within the last year at a cost of £1.2 million each.

Lifelong Learning

Mr. Kidney: To ask the Secretary of State for Education and Skills what strategic role he intends *(a)* the Open University and *(b)* adult residential colleges to perform in the delivery of lifelong learning. [191971]

Mr. Ivan Lewis: The Open University will continue to make a significant contribution to the lifelong learning agenda. The Open University with its open access policy has enabled, and will continue to enable, people to develop their education at all levels. It has always been innovative in its teaching and learning delivery and through this has contributed to widening adult participation in learning.

Adult residential colleges which are members of the Adult Residential Colleges Association (ARCA) provide valuable learning opportunities for adults especially for older people seeking to learn for personal development. The role and contribution of individual ARCA colleges has to be planned and set in the local context through the LSC's mechanisms for planning provision and agreeing the role of individual providers. The LSC is currently consulting on the reform of the planning and funding of first steps and personal and community development learning. As part of this, discussions are taking place between ARCA and the LSC on the future position of these colleges.

Male Teachers

Mr. Willis: To ask the Secretary of State for Education and Skills how many male primary school teachers there are in *(a)* England, *(b)* each region and *(c)* each local education authority; and how many of those are head teachers with no scheduled classroom time. [192118]

Mr. Miliband: The information requested has been placed in the Libraries.

Ministerial Expenses

Mr. Prisk: To ask the Secretary of State for Education and Skills how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [191406]

Mr. Ivan Lewis: My Department has not had any costs relating to Government owned official residences since 1997.

Nursery Education (York)

Hugh Bayley: To ask the Secretary of State for Education and Skills how many *(a)* three and *(b)* four year olds in York attended nursery classes in (i) 1997 and (ii) 2003. [191162]

Margaret Hodge: The information requested is shown in the following table.

Children aged 3 and 4[1,2] *in nursery classes in maintained primary schools in the City of York local education authority area. 1997 and 2003*

	Position in January each year	
	3 year olds	*4 year olds*
1997	610	380
2003	560	330

[1] Headcount of children aged three and four at 31 December in the previous calendar year.

[2] Figures are rounded to the nearest 10 pupils.

Source:

Annual Schools' Census

The latest figures on provision for three and four year olds in England were published on 27 May in a Statistical Release 'Provision for children under five years of age in England—January 2004', a copy of which is available on the Department's website www.dfes.gov.uk/rsgateway/. Final figures for 2004 are scheduled to be published in a Statistical First Release on 28 October.

Out-of-school Clubs

Mr. Spring: To ask the Secretary of State for Education and Skills which schools in the West Suffolk constituency run out of school clubs as part of the 4Children scheme. [191174]

Margaret Hodge: I am informed by 4Children that none of the schools in the West Suffolk constituency is running Make Space clubs.

Parenting

Mr. Goodman: To ask the Secretary of State for Education and Skills what research he has recently *(a)* published and *(b)* commissioned on the effects of parenting on life chances for children. [193595]

Margaret Hodge: The Department has recently published the following research reports and reviews which investigate how parenting can affect outcomes for children. These can be viewed on the DfES website: www.dfes.gov.uk/research.

The Early Years Transitions and Special Educational Needs (EYTSEN) Project (research report 431).

The Impact of Parental Involvement, Parental Support and Family Education on Pupil Achievement and Adjustment: A Literature Review (research report 433).

Support from the Start (research report 524).

What works in Parenting Support? A review of the International Evidence (research report 574).

The DfES has also commissioned research which has been published by the researchers themselves.

Measuring the Impact of Pre-School on Children's Social/Behavioural Development over the Pre-School Period. Technical Paper 8b (Institute of Education, University of London). (www.surestart.gov.uk/ensuringquality/research/earlyyears/eppe)

A Model of Inter-generational Transmission of Educational Success (Centre for Research on the Wider Benefits of Learning). This is available from the DfES website.

A report on improving children's behaviour and attendance through the use of parenting classes will be published in November 2004.

In collaboration with the Department of Health the DfES has published Supporting Parents: Messages from Research. This is a review of fourteen Government funded research studies on this topic.

The DfES has recently commissioned the Centre for Research for the Wider Benefits of Learning to undertake several research studies using longitudinal data to look at issues such as the effect of parenting on child development. Additional research projects in this area are likely to be commissioned by the Department in the next year.

Plumbing

Mr. Drew: To ask the Secretary of State for Education and Skills what plans he has to increase the number of qualified assessors in plumbing. [190015]

Mr. Ivan Lewis: The Government have set up the Sector Skills Councils (SSCs) with responsibility to monitor shortages, including those of assessors, in a sector and anticipate future needs. I expect SummitSkills, the SSC for the building services engineering sector and therefore the plumbing industry, to be addressing the issue of assessor shortages as part of their Strategic Plan.

Free Tuition

Chris Grayling: To ask the Secretary of State for Education and Skills (1) how many people in *(a)* the North East and *(b)* the South East have taken up the entitlement of free tuition for a first Level 2 qualification in 2003–04; what each figure is as a proportion of the eligible population; what qualifications have been achieved; and into what age range successful applicants fall; [191814]

(2) what preparations are being made, and what funding will be provided, to give every adult skills up to Level 2 free of charge as announced by the Prime Minister in his speech of 28 September 2004; and if he will make a statement. [191818]

Mr. Ivan Lewis: The Skills Strategy White Paper, published in July 2003, made a commitment to give low skilled adults more support to help them achieve a platform of skills for employability. It said that we will create a new guarantee of free tuition for any adult without the good foundation of employability skills represented by a full level 2 qualification, to get the training they need to achieve such a qualification.

In September 2004 the Learning and Skills Council (LSC) North East and South East regions introduced this Level 2 Entitlement as part of linked trials of key components of the Skills Strategy, including the extension of the new Adult Learning Grant (ALG) and Employer Training Pilots (ETPs). It is still too early to gauge the level of take up of the entitlement. Data will be gathered on progress with and impact of the trials.

Romania (Adoptions)

Mr. Donaldson: To ask the Secretary of State for Education and Skills whether the Government have reached an agreement with the Romanian Government to re-enable intercountry adoptions between the two countries; and if he will make a statement. [192457]

Margaret Hodge: The Government have not made any agreement with the Romanian Government to re-enable intercountry adoptions between the United Kingdom and Romania. The Department for Education and Skills, which acts as the lead central authority for the United Kingdom for the purposes of the 1993 Hague Convention of Protection of Children and Co-operation in respect of intercountry adoption, has not received any communication from the Romanian Central Authority regarding any change to their policy regarding intercountry adoption.

Sector Skills Development Agency

Mr. Boswell: To ask the Secretary of State for Education and Skills how much grant he has made to the Sector Skills Development Agency from its inception to date; and what proportion has been *(a)* spent, *(b)* retained and *(c)* returned to the Department. [193644]

Mr. Ivan Lewis: The Sector Skills Development Agency (SSDA) was established in June 2002.

The Department's Grants to SSDA since then have been as follows:

	£ million
2002–03	22.5
2003–04	49.5

In 2002–03 SSDA expended £16.8 million, returned £2.6 million to the Department and was permitted to carry forward the balance of £3.1million of unexpended resource into 2003–04 (included in the £49.5 million shown in the table).

In 2003–04 SSDA expended £34.0 million returned £3.0 million to the Department and was permitted to carry forward £4.5 million of unexpended resource into 2004–05. The balance of £8 million will be expended in the years 2005–06, 2006–07 and 2007–08.

Separated Fathers

Keith Vaz: To ask the Secretary of State for Education and Skills whether the Government are planning action to give separated fathers greater access to their children. [192634]

Margaret Hodge: The Government believe that both parents should continue a meaningful relationship with their children after separation, so long as it is safe to do so.

In July this year, the Government launched the Green Paper, "Parental Separation: Children's Needs and Parent's Responsibilities". The proposals in the Green Paper focus on what children need and how both parents can be better assisted to meet those needs when their relationship breaks down. The measures outlined in the Green Paper are intended to support mothers and fathers in minimising conflict and enabling them to reach agreements, leading to the best possible outcome for their children, preferably without recourse to the courts.

Skill Training

Mr. David Marshall: To ask the Secretary of State for Education and Skills what plans he has *(a)* to improve the skills of low-skilled workers and *(b)* to provide opportunities for unskilled workers to obtain skills in areas of higher than average unemployment. [190983]

Mr. Ivan Lewis: The Skills Strategy White Paper (published July 2003) introduced a range of policies to meet shortfalls in skills—especially at level 2, and in some sector-specific areas at level 3. These include mechanisms to identify and address sectoral and regional skill priorities, to engage employers better in training and enable providers to be more responsive to employers.

The strategy set out our intention to introduce a new entitlement for any adult in the labour force to have access to free tuition for their first full level 2 qualification. We started trialling the entitlement in the north east and south east regions in September 2004, and will start further roll-out from next year.

In September 2003, we started piloting the new Adult Learning Grant (ALG), offering up to £30 per week to adults on low incomes studying full time for a first full level 2 qualification, and for first level 3 qualifications for those under 30. We have now extended the ALG trials from 10 pilot regions into the SE and NE regions as part of linked trials of key initiatives announced in the Skills Strategy.

18 Employer Training Pilots (ETPs) are testing new financial support measures to improve access to training and enable employees to attain basic and level 2 skills. As of 4 August, 11,787 employers and 82,539 learners had registered for ETP. 20,086 employees had successfully completed their training.

Trade unions and their Union Learning Representatives (ULRs) are making a major contribution to the Skills Strategy. After seven years of the Union Learning Fund, a further 46 new projects in 27 unions have been approved to start from April this year. These projects are in both small and large unions and in both public and private sectors. They will provide new learning opportunities for thousands of workers. In the last year alone, the fund helped to encourage over 25,000 workers back into learning.

For the economically inactive, we will improve the support to the low-skilled through the New Deal for Skills (NDfS) by creating a new intensive skills guidance service, co-located with JobCentre Plus where possible, and improving mechanisms of financial support for those for whom training provides a route back to work.

Skills for Life, the national strategy for improving adult literacy, language and numeracy skills, was launched in March 2001. It aims to help create a society where adults have the basic skills they need to find and keep work and participate fully in society, thereby increasing the economic performance and social cohesion of the country. So far we estimate that 550,000 adults achieved a qualification in literacy, language or numeracy and current projections show that we are on track to meet the target of 750,000 achievements by July 2004. In terms of participation, it is estimated that 2.3 million learners will have taken up 4.7 million learning opportunities between April 2001 and July 2004.

We recognise that there are variations in the skills base of different regions. This is being addressed by regional skills partnerships which are being established in each region, co-ordinated by Regional Development Agencies and involving LSC, Jobcentre Plus, Small Business Service and Skills for Business Network. They are bringing together skills and workforce development with support for innovation and business development and labour market services in an integrated approach to deliver regional economic strategies.

The growing network of UK-wide, employer-led Sector Skills Councils (SSCs) has a key part to play in taking forward these national skills strategies. Each SSC has a key goal of increasing opportunities to boost the skills and productivity of everyone in the sector's workforce, including taking action on equal opportunities.

While the skills strategy is primarily a strategy for England, it was developed in consultation with the Devolved Administrations and is consistent with the direction of their policies for skills. The Lifelong Learning Strategy in Scotland is a devolved matter for the Scottish Parliament.

Spending (Hounslow)

Ann Keen: To ask the Secretary of State for Education and Skills how much has been spent in *(a)* nursery, *(b)* primary and *(c)* secondary education in the London borough of Hounslow since 1997. [192585]

Mr. Miliband: The information requested is contained within the following table:

Net current expenditure on pre-primary, primary and secondary education in Hounslow LEA since 1997. Combined LEA and school based expenditure

	Pre-primary	*Primary*	*Pre-primary and primary*	*Secondary*	*Total combined LEA and school expenditure*
1997–98	[1]—	[1]—	41,715,000	37,462,000	97,098,000
1998–99	[1]—	[1]—	45,476,000	39,464,000	101,221,000
1999–2000	1,217,349	48,387,066	49,604,415	47,803,601	111,792,056
2000–01	1,771,267	50,419,882	52,191,149	52,729,894	117,852,715
2001–02	2,009,992	57,004,168	59,014,160	58,960,529	130,504,842
2002–03	[1]—	[1]—	[1]—	[1]—	148,716,381

[1] Data is not available.

Notes:

1. The combined LEA and school based expenditure includes all expenditure on the education of children in LEA maintained establishments (including both school based expenditure and central LEA expenditure) and the education of pupils educated by the LEA other than in maintained establishments. This includes all elements of LEA central expenditure except youth and community and capital expenditure from revenue (CERA). A sector breakdown for combined LEA and school based expenditure is not available in 2002–03 and as an alternative the total LEA recurrent expenditure (except youth and community) is given.

2. 1999–2000 saw a change in data source when the data collection moved from the RO1 form collected by the ODPM to the Section 52 form from the DfES. 2002–03 saw a further break in the time series following the introduction of consistent financial reporting (CFR) and the associated restructuring of the outturn tables.

3. Expenditure was not distinguished between the pre-primary and primary sectors until the inception of Section 52 for financial year 1999–2000.

4. Data reported by Hounslow LEA as at 19 October 2004.

5. The financial data are taken from Hounslow LEAs' Section 52 Outturn Statement submitted to the DfES from 1999–2000 onwards and the ODPM's RO1 statement previously.

Sure Start

Hugh Bayley: To ask the Secretary of State for Education and Skills how much has been spent to date on Sure Start in York; and how many parents have been helped. [191160]

Margaret Hodge: York City Council received monies from both the Sure start General Grant and the Sure start local programme budget. York City Council received £645,991 in Sure Start General Grant in 2003–04 to deliver a wide range of services for children and families, including new child care places, out of school provision, seven neighbourhood nursery projects (providing 125 places in total), foundation stage development and work force training. A further £1.84 million in Sure Start funding will be available to York between 2004–06.

The Sure Start local programme in York had a revenue allocation of £782,000 over the years 2002–03 and 2003–04, and spent £761,140 during this period. A further £601,860 will be available in 2004–05. The programme has a total capital allocation of £1,075,000 to be spent by March 2006. Monitoring of Sure Start local programmes is done on the basis of children contacted, not parents; the programme helped an average of 185 children each quarter in the first half of 2004.

INTERNATIONAL DEVELOPMENT

Arabic Speakers

Mr. Robert Jackson: To ask the Secretary of State for International Development how many fully trained Arabic speakers work for the Department for International Development. [192863]

Mr. Gareth Thomas: The Department for International Development has 24 fully trained Arabic speakers. In addition, we have 34 other staff who have knowledge of Arabic at various different levels.

Child Protection

Mr. Hancock: To ask the Secretary of State for International Development what plans he has to support programmes in Eastern Europe aimed at the initiation and implementation of the development of child protection legislation and policies; and if he will make a statement. [192525]

Mr. Gareth Thomas: In Russia, DFID supports a federal project on Social Standards development and two regional projects: "Targeted Social Assistance" in Nizhny Novgorod region and "Families and Children at Risk" in Leningrad Region. These initiatives will assist federal and regional authorities with the development of their policies, including those concerning child protection, which may lead to changes in legislation.

In Romania, DFID is helping to develop the expertise of the National Authority for Child Protection and Adoption and is supporting the Development of Child Protection Services Programme. We are gaining valuable experience from this assistance of how reform of services for children relates to wider social service issues. We are applying this knowledge to our support for reform being undertaken by the Ministry of Labour, Social Solidarity and Family.

In Albania, Bosnia and Herzegovina, Moldova and Ukraine, we are working with the World Bank on wide ranging social development reform programmes, within which child protection issues are being addressed. In Moldova we have, until recently, also funded two posts in the National Council for the Protection of Child Rights.

Dalit People

Tom Brake: To ask the Secretary of State for International Development whether his Department has systems in place to monitor the extent to which Dalits are included in aid funding. [192593]

Mr. Gareth Thomas: DFID identifies those affected by all projects and programmes. We do not have tools in place that are specific to Dalits. DFID also supports partner Governments to strengthen monitoring systems. In particular, DFID is assisting the Government of Nepal to strengthen its Poverty Reduction Strategy monitoring system; this includes working with the National Bureau of Statistics to disaggregate data by caste.

Tom Brake: To ask the Secretary of State for International Development what training programmes conducted within his Department in *(a)* South Asia and *(b)* the UK include Dalit issues. [192595]

Mr. Gareth Thomas: DFID runs a Diversity Training course for all staff. In addition, DFID India has piloted training for staff and their partners that includes more specific coverage of the caste system.

EU Committees

Angus Robertson: To ask the Secretary of State for International Development how many times during the Greek presidency of the EU the Committee on economic aid to the countries of central and eastern Europe and for the co-ordination of aid to the candidate countries under the pre-accession strategy met; when and where these meetings took place; which UK Government expert was present at each meeting; what recommendations the Committee made during the Greek presidency; whether an opinion was sought by his Department of the UK Government expert present at the relevant meeting concerning the recommendations; and if he will make a statement. [192499]

Mr. Gareth Thomas: The Greek presidency of the European Union occupied the first six months of 2003. During that period the TACIS Management Committee met four times: 26 February; 26 March; 23 April; 12 June. All meetings were held in Brussels. The UK was represented by officials from DFID and the United Kingdom Representation in Brussels (UKREP).

The TACIS (Technical Assistance to the Commonwealth of Independent States) Management Committee oversees the implementation of Council Regulation (EC, Euratom) No 99/2000 of 29 December 1999. The TACIS Management Committee is convened and constituted for member states to assist the Commission with the implementation of the Community's TACIS programme. It operates independently of the presidency. TACIS is the EC assistance programme to the Newly Independent States of Eastern Europe and Central Asia (NIS). The Committee determines the strategy framework for the TACIS Programme, and approves annual and multi-annual allocations to country and regional programmes

The detail of the discussions in the Committees are confidential and are covered by the Code of Practice on Access to Government Information, Part II, exemption 2. Under Council Decision 1999/468/EC, the EC is required to publish an annual report on the workings of the Committees.

Angus Robertson: To ask the Secretary of State for International Development how many times during the Greek presidency of the EU the Committee on aid for Albania, Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia met; when and where these meetings took place; which UK Government expert was present at each meeting; what recommendations the Committee made during the Greek presidency; and if he will make a statement. [192500]

Mr. Gareth Thomas: The Greek presidency of the European Union occupied the first six months of 2003. The CARDS Committee met four times during the Greek presidency: 6 Feb 2003; 26 March 2003; 24 April 2003 and 21 May 2003. All meetings were held in Brussels and the UK was represented by DFID and the United Kingdom Representation in Brussels (UKREP).

The CARDS (Community Assistance for Reconstruction, Development, and Stabilisation) Committee oversees the implementation of council regulation 2666/2000 of 5 December 2000, the instrument for Commission assistance for the western Balkans region. The CARDS Management Committee is convened and constituted by member states to assist the Commission with the implementation of the Community's CARDS programme. It operates independently of the presidency. The Committee determines the strategy framework for CARDS and approves annual and multi-annual allocations to country and regional programmes.

The detail of the discussions in the Committees are confidential and are covered by the Code of Practice on Access to Government Information, Part II, exemption 2. Under Council Decision 1999/468/EC, the EC is required to publish an annual report on the workings of the Committees.

Hurricane Ivan

Jeremy Corbyn: To ask the Secretary of State for International Development what studies are being undertaken as to the methods of dealing with the threat of hurricanes in each country affected by Hurricane Ivan. [192717]

Mr. Gareth Thomas: It is anticipated that all countries affected by Ivan, as well as those struck by other hurricanes this season, will review their preparedness and risk reduction capabilities. A variety of initiatives are already under way to identify lessons and, as importantly, to further engage decision makers in the process of advancing longer term risk reduction.

For example:

The Caribbean Disaster Emergency and Response Agency (CDERA) will facilitate National Evaluations by affected countries and then host a high level forum to agree a future plan and priorities for action. The Department for International Development is considering support for this initiative.

A number of Caribbean organisations that provided immediate assistance to Grenada in the aftermath of Hurricane Ivan, such as the Regional Security System and CDERA, as well as donor groups such as the Eastern Caribbean Donor Coordination Group, will be evaluating lessons learned from this year's hurricane season.

The United Nations Economic Commission for Latin America and the Caribbean (ECLAC) is already assisting with socio economic impact assessments in Grenada, Jamaica and the Cayman Islands. These assessments will provide valuable information for determining the investments required to reduce hurricane risks.

The United Nations Development Programme (UNDP) will, early next year, undertake a study on best practice in disaster management in the Caribbean, based upon a case study done in the British Virgin Islands.

The Department for International Development, in collaboration with the Cayman Island Government, has just commenced a study to determine Hurricane Ivan storm characteristics and consequential physical infrastructure damage. The study will aid the development of planning and preparedness criteria throughout the region. Also, both the Foreign Office and Department for International Development's Overseas Territories Departments are reviewing their mechanisms for responding to major hurricane strikes in the Overseas Territories together with additional requirements to promote longer-term risk reduction.

The World Conference on Disaster Reduction will be held in Kobe, Japan, in January 2005. Although planned over a year ago, well before the recent hurricane events in the Caribbean, the Conference will want to include consideration of the impact of hurricanes Ivan and Jeanne, and measures to mitigate against future shocks in the region.

Development Aid

Hugh Bayley: To ask the Secretary of State for International Development how much has been contributed by each *(a)* OECD or Development Assistance Committee country and *(b)* multilateral aid donor in Official Development Assistance to (i) Kosovo, (ii) Afghanistan and (iii) Iraq since the start of allied military action in each country. [192406]

Mr. Gareth Thomas: Details of expenditure (where available) are given for each member country of OECD DAC and the multilateral institutions for the years since allied military action started in each of the countries in question. However, as Kosovo has no legal entity as a separate country, development aid from donors has been delivered through regional programmes which include assistance to other areas in the region including Serbia and Montenegro. Disbursements from donors (apart from the UK) to these regional programmes are shown in the first table followed by DFID bilateral assistance provided to Kosovo.

(a) Kosovo

Development Aid given to European Regional Programmes (including States of Ex-Yugoslavia)

£ million

Donor	*1999*	*2000*	*2001*	*2002*[1]
Australia	2.61	0	0	1.39
Austria	0.51	1.84	1.22	1.39
Canada	0.63	24.59	14.70	83.13
Denmark	0	15.78	18.90	21.35
Finland	2.47	1.36	1.69	0.41
France	19.96	6.26	1.74	27.37
Germany	-8.86	37.24	36.97	29.83
Greece	0	0.98	0.59	2.72
Ireland	6.28	3.84	8.60	0.37
Italy	1.87	6.71	6.92	7.88
Japan	34.27	12.84	0.53	9.68
Luxembourg	0.33	0.30	0.44	0.46
Netherlands	7.83	10.20	3.73	14.50
Norway	8.91	18.49	12.35	41.86
Portugal	0	0	0	0.01
Spain	0.25	17.92	0.01	25.73
Sweden	9.12	4.97	1.40	6.35
Switzerland	3.76	16.78	18.97	11.80
United States	308.83	125.53	45.59	65.40
EBRD	0	0.70	0.54	16.39
EC	168.43	53.03	38.17	415.40
GEF	0	0	0	0.10
UNDP	0	1.48	0	0.07
UNTA	14.42	14.83	15.00	13.97
UNHCR	-0.07	0	0.28	25.63
WFP	0	2.23	0	0
Other UN	0.11	10.55	8.94	14.72
UNFPA	0.76	0.38	0.56	1.03

[1] 2002 is the latest year of available data.

Source:

DAC on-line—by calendar year.

DFiD Bilateral Development Assistance[1] to Kosovo

	£ million
1999–2000	108.00
2000–01	13.25
2001–02	7.00
2002–03	3.10
2003–04	2.50

[1] Does not include assistance provided through the Balkans Conflict Prevention Pool.

Source:

EMAD, DFID—by UK financial year

(b) Development Aid to Afghanistan

£ million

Donor	*2001*	*2002*	*2003*[1]
Australia	4.29	8.51	—
Austria	6.76	8.93	—
Belgium	2.56	4.67	—
Canada	9.88	23.87	—
Denmark	1.67	5.17	—
Finland	6.05	10.17	—
France	6.67	7.90	—
Germany	30.65	61.70	—
Greece	0.96	5.97	—
Ireland	3.19	4.38	—
Italy	15.35	18.89	—
Japan	0.40	21.13	—
Luxembourg	4.22	3.15	—
Netherlands	49.95	58.84	—
New Zealand	0.42	1.36	—
Norway	27.57	40.56	—
Portugal	0	0.67	—
Spain	4.11	11.87	—
Sweden	14.30	18.34	—
Switzerland	5.19	8.86	—
United Kingdom	24.61	87.18	60.39
United States	5.35	245.01	—
AsDF	0	57.64	—
EC	31.79	95.79	—
UNDP	2.71	6.01	—
UNTA	2.50	2.79	—
UNICEF	6.24	6.12	—
UNHCR	4.43	4.31	—
WFP	4.64	1.31	—
UNFPA	0.53	6.02	—
Other UN	2.50	3.19	—
Arab Agencies	0.13	0.20	—

[1] 2002 is the latest year of available data, except for UK.

Sources:

DAC on-line, DAC UK Reporting—by calendar year.

(c) Development Aid to Iraq

£ million

Donor	*2003*[1]
United Kingdom	110.22

[1] For 2003, only data available are for UK development assistance.

Sources:

DAC reporting. DAC on-line—by calendar year.

Tsar Appointments

Mr. Goodman: To ask the Secretary of State for International Development how many tsars have been appointed with responsibilities which cover part of the work of his Department; and if he will make a statement. [191930]

Mr. Gareth Thomas: DFID has made no appointments of this nature.

Uzbekistan

Mr. Simmonds: To ask the Secretary of State for International Development what *(a)* monetary and *(b)* non-monetary assistance the Uzbek Government receives from the United Kingdom Government; and if he will make a statement. [193171]

Mr. Gareth Thomas: I will write to the Member for Carshalton and Wallington shortly.

Mr. Simmonds: To ask the Secretary of State for International Development what *(a)* monetary and *(b)* non-monetary assistance the Uzbek Government received from the United Kingdom Government (i) between 1998 and 2001 and (ii) since 11 September 2001; and if he will make a statement. [193172]

Mr. Gareth Thomas: The United Kingdom development assistance to Uzbekistan has mainly been in the form of DFID supported technical assistance. In monetary terms the figures are as follows:

	(£000)
1998–99	592,000
1999–00	505,000
2000–01	484,000
2001–02	481,000
2002–03	785,000
2003–04	559,000
2004–05	[1]500,000

[1] planned

It is not possible to provide a figure from 11 September 2001 this information is not held centrally and could only be obtained by incurring a disproportionate cost. The figures for 2001–02 and 2002–03; (earlier years not available) include contributions from other UK Government Departments in support of civil society organisations, the British Council, Global Conflict Prevention Pool, and small amounts of drug related assistance funded by the Home Office and FCO. Additionally, the UK's attributed share of multilateral assistance to Uzbekistan was as follows:

	£ million
1998	1,800,000
1999	2,100,000
2000	1,600,000
2001	1,600,000
2002	[1]1,700,000

[1] the latest year available.

CULTURE, MEDIA AND SPORT

British Grand Prix

Hugh Robertson: To ask the Secretary of State for Culture, Media and Sport what discussions she has had with the British Racing Drivers' Club over the future of the British Grand Prix. [193005]

Mr. Caborn: My right hon. Friend the Secretary of State has had no discussions with the British Racing Drivers Club concerning the recent negotiations over the future of the British Grand Prix.

The East Midland Development Agency (EMDA) are currently leading discussions about the future of the British Grand Prix for the Government.

British Library

Mr. Boris Johnson: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the funding arrangements for the British Library. [193347]

Estelle Morris: In the current financial year the British Library will receive £90.8 million in grant-in-aid from DCMS and expects to receive £24.9 million in self-generated income. In 2005–06 the British Library will receive £95.1 million in grant-in-aid and plans to raise £24.7 million in self-generated income. Grant-in-aid for 2006–07 and 2007–08 will be determined shortly.

Computer Games

Keith Vaz: To ask the Secretary of State for Culture, Media and Sport what support the Government has given to the establishment of a classification system for video and computer games. [193345]

Estelle Morris: The Video Recordings Act 1984 requires video games to be classified if, to any significant extent, they depict: human sexual activity; gross violence towards humans or animals; human genital organs, urinary or excretory functions; or techniques likely to be useful in the commission of offences. The very small number of video games that fall into this category (32 of the 1,484 published in the UK in 2003), are submitted to the British Board of Film Classification. The BBFC carefully assesses all such games against published guidelines. Under the 1984 Act, it is a criminal offence to supply or offer to supply a legally classified game to a person below the specified age; the penalty is a fine of up to £5,000 or imprisonment of up to six months, or both. It is also an offence to supply or offer to supply an uncertificated video game that should have been legally classified by the BBFC; the maximum penalty is an unlimited fine or imprisonment of up to two years, or both. Trading Standards Officers are the enforcement authorities for the 1984 Act.

All other video games offered for sale or rental in the UK are subject to a voluntary classification system introduced by the industry itself. This is the Pan-European Game Information (PEGI) system, which now applies across 16 European countries, and is administered in the UK by the Video Standards Council. Between 1994 and the Spring of 2003, nearly 70 per cent. of published video games were rated as suitable for playing by people of all ages.

Departmental Funding

Ms Buck: To ask the Secretary of State for Culture, Media and Sport which funding streams have been allocated by her Department using a funding formula which includes rankings or scores on the Index of Multiple Deprivation 2000; and if she will list the amount of funding allocated in such a way *(a)* nationally by the Department or *(b)* to all Government sponsored bodies reporting to the Department. [191531]

Mr. Caborn: Space for Sport and Arts is a programme that seeks to provide around 300 new sports and arts facilities in primary schools in deprived areas. It is jointly funded as follows: £75 million from the Capital Modernisation Fund administered jointly by DCMS and DfES; £5 million from Arts Council England; £25 million from Sport England; and £25 million from the Big Lottery Fund. Sixty-five local education authorities, selected using a number of indices of educational, socio-economic, sporting and cultural deprivation including Index of Multiple Deprivation 2000, have been invited to participate in the scheme.

In 2002 the Department allocated £40 million to the Arts Council of England for the establishment of 16 Creative Partnerships in deprived areas to provide opportunities for young people to experience artistic and creative activities. The Index of Multiple Deprivation 2000, along with other measures of economic and educational deprivation and an assessment of cultural deprivation, was used in determining these areas.

In addition, many programmes and initiatives run by Lottery distributors are targeted at deprived areas, using the Index of Multiple Deprivation and a variety of other indicators.

Free TV Licences

Helen Jones: To ask the Secretary of State for Culture, Media and Sport how many pensioners in Warrington North receive a free television licence. [193298]

Estelle Morris: TV Licensing, who administer free television licences for people aged 75 or over as agents for the BBC, are not able to provide geographical breakdowns of the number of free licences issued. However, 2001 Census data indicate that there are approximately 5,900 people aged 75 or over living in the Warrington North constituency.

Heritage Lottery Fund (Scotland)

Annabelle Ewing: To ask the Secretary of State for Culture, Media and Sport what percentage of the monetary value of grants awarded by the Heritage Lottery Fund since its inception was awarded to projects in Scotland. [193375]

Mr. Caborn: From its inception to 30 September 2004 the Heritage Lottery Fund has awarded 11.12 per cent. of the monetary value of grants to projects in Scotland.

Libraries

Mr. Rosindell: To ask the Secretary of State for Culture, Media and Sport what plans she has for modernisation of libraries. [192641]

Estelle Morris: In February 2003 we published "Framework for the Future", setting out our vision for the future of public libraries in England during the next 10 years. "Framework for the Future" identified three central themes vital to the future development of public libraries, the promotion of reading and learning, improving access to digital skills and services and helping to build and improve community and civic values. We commissioned the Museums, Libraries and Archives Council to produce a three year action plan setting out a range of programmes to help libraries achieve this vision, to which have been added a peer review process, and expert help on matters such as marketing and research; procurement; property and design. These programmes are now being implemented.

Television Licences

Mr. Boswell: To ask the Secretary of State for Culture, Media and Sport what the annual change in each of the past five years in the number of households requiring a television licence has been; and what the impact on the finances of the BBC has been in each of those years. [190584]

Estelle Morris: Television licences are required not only for households but also for any other premises where a television is installed or used. The estimated annual growth in the number of (i) all premises and (ii) households requiring a television licence in each of the last five years, and the estimated impact of that growth on licence fee revenue, have been as follows.

	Total premises requiring TV licence (million)	*Annual growth (%)*	*Corresponding additional licence fee revenue (£ million)*
(i) All premises			
March			
1999	25.2	—	—
2000	25.5	1.1	24.2
2001	25.5	0.2	4.2
2002	25.5	-0.1	-2.2
2003	25.7	0.9	23.8
2004	26.0	0.8	23.1

	Total households requiring TV licence (million)	*Annual growth (%)*	*Corresponding additional licence fee revenue (£ million)*
(ii) Households			
March			
1999	24.1	—	—
2000	24.4	1.1	24.4
2001	24.5	0.5	10.6
2002	24.5	-0.1	-2.4
2003	24.7	0.9	23.0
2004	24.9	0.8	22.3

Theft and Fraud

Mr. Prisk: To ask the Secretary of State for Culture, Media and Sport what her estimate is of the cost of theft and fraud to *(a)* her Department, *(b)* its agencies and *(c)* non-departmental public bodies in each year since 1997. [191416]

Mr. Caborn: The available information is given in the table:

	DCMS	*Royal Parks Agency*	*Historic Royal Palaces Agency*[1]	*Non-Departmental Public Bodies*[2]
1997–98	1,909	0	13,600	417,493
1998–99	0	0	—	240,530
1999–2000	0	0	—	6,228
2000–01	0	0	—	79,872
2001–02	1,823	0	—	3,884
2002–03	4,300	0	—	22,117
2003–04	0	40,000	—	334,611

[1] Historic Royal Palaces became a Non-Departmental Public Body on 1 April 1998.

[2] All figures are net of amounts recovered.

Notes:

1. Includes only those lottery distributors directly sponsored by DCMS.

2. Frauds have been allocated to the year of discovery.

TRADE AND INDUSTRY

Chemicals Industry

Sir Nicholas Winterton: To ask the Secretary of State for Trade and Industry what assessment she has made of the effect the EU Commission's Draft Regulation on Chemicals Policy will have on the manufacture and processing of polyurethane. [191564]

Alun Michael: I have been asked to reply.

Polyurethane is a polymer and is therefore exempted from the registration and evaluation requirements under the current European Commission proposal for the new Chemicals Strategy REACH (Registration, Evaluation, Authorisation of Chemicals). This exemption may be amended by the Commission as soon as a practicable and cost-efficient way of selecting polymers for registration can be established on the basis of sound scientific criteria. Polymers may be subject to authorisation and restriction.

The monomers used to manufacture polyurethane will be treated as substances and be subject to REACH if themselves manufactured or imported into the EU.

Civil Partnership Bill

Mr. Leigh: To ask the Secretary of State for Trade and Industry pursuant to the statement by the Deputy Minister for Women and Equality on 12 October 2004, *Official Report*, column 177, on what basis it was calculated that clause 2 and schedule 1 of the Civil Partnership Bill could cost the taxpayer £1 billion a year and the private sector some £1.25 billion a year. [193326]

Ms Hewitt: An opposition amendment to the Civil Partnership Bill to allow close family members who are over 30-years-old and have lived together for 12 years to register as civil partners of each other was accepted at Report Stage of the Civil Partnership Bill in the House of Lords. The Commons Committee has now voted to overturn this amendment.

The Government Actuary's Department had estimated the cost of extending the survivor pension rights in contracted-out pension schemes to close family members. These estimates were based on readily available census data and should be taken as broad indications of potential costs of implementing the amendment.

The estimates are set out in the following table:

£ billion

Extending survivor pension rights to civil partners who are close family relations	*Annual cost*	*Cost of providing retrospective rights*
Public Service Schemes	1	20
Defined Benefit Private Pension Schemes	1.25	40

Source:

GAD

Combat Clothing

Mr. Watts: To ask the Secretary of State for Trade and Industry if his Department will take steps to ensure that the capacity of British manufacturers to supply combat clothing is maintained. [192622]

Jacqui Smith: The Department has worked extensively with the textiles and clothing industry to improve its productivity and competitiveness. This has included support for the Textiles and Clothing Industry Forum, a best practice programme that has focused on supply chain development. We continue to support Technitex, the technical textiles Faraday that promotes co-operation and collaboration between universities and industry on research and development. The Department also works closely with Skillfast-UK, the sector skills council for apparel, footwear, textiles and related businesses, on the skills agenda and has provided support for the provision of specific training programmes linked to business change that encourage innovation and modernisation. The maintenance of capacity to meet the demands of customers is of course a commercial matter for the industry.

Credit Card Charges

Mr. Drew: To ask the Secretary of State for Trade and Industry what discussions she has had with the Association for Payment Clearing Services on the types of information required to provide greater transparency in credit card charges. [193296]

Mr. Sutcliffe: The Secretary of State has had no discussion with the Association for Payment Clearing Services on this matter. However, I met with them on 4 February 2004 to discuss issues surrounding the Treasury Select Committee inquiry into the Transparency of Credit Card Charges.

This discussion centred around the calculation of annual percentage rates and its application in consumer credit advertisements.

In addition, my officials have been involved in ongoing discussions, also aimed at increasing transparency and concerning the areas of pre-contractual information and the form and content of credit agreements.

Credit Card Data

Mr. Drew: To ask the Secretary of State for Trade and Industry what discussions she has had with members of the Association of Payment Clearing Services on the sharing of credit card data. [192991]

Mr. Sutcliffe: There have been no discussions between the Secretary of State and the Association of Payment Clearing Services on the sharing of credit card data.

Fraud and Theft

Mr. Prisk: To ask the Secretary of State for Trade and Industry what her estimate is of the cost of fraud and theft to *(a)* her Department, *(b)* its agencies and *(c)* non-departmental public bodies in each year since 1997. [191418]

Ms Hewitt: The information requested is as follows:

Fraud

The Annual Fraud Returns to the Treasury detail losses relating to the cost of fraud are as follows:

	£
1997–98	2,776
1998–99	56,150
1999–2000	2,589
2000–01	46,461
2001–02	6,000

These are total figures covering the Department, including its Agencies and non-departmental public bodies.

I will write to the hon. Member with the figure for 2002–03 as soon as possible.

Theft

The figures for the cost of theft are as follows:

	£
1998	[1]11,267
1999	[1]10,985
2000	[1]5,870
2001	[1]18,782
2002	[1]65,131
2003	[2]98,426

[1] Figures included Department and its Agencies.

[2] Figure for the Department only.

The figure of £98,426 for 2003 does not cover the Agencies or the non-departmental public bodies (NDPBs). Information from Agencies is being collected now and will be provided to the hon. Member as soon as possible.

In many cases the stolen equipment was provided as a service item by the DTI's IT supplier. These items would be replaced at no further cost to the DTI as part of the ongoing service charge. However, the value of the item has been included in the stated figure owing to the difficulty in separating these items from other recorded thefts.

The DTI does not hold information on thefts within its NDPBs for any of the years in question.

I regret that the figures on thefts for 1997 cannot be provided as the information is no longer available.

Index of Multiple Deprivation

Ms Buck: To ask the Secretary of State for Trade and Industry which funding streams have been allocated by her Department using a funding formula which includes rankings or scores on the Index of Multiple Deprivation 2000; and if she will list the amount of funding allocated in such a way *(a)* nationally by the Department or *(b)* to all Government sponsored bodies reporting to the Department. [191533]

Ms Hewitt: The Government's support for the Regional Development Agencies in 2004–05 is distributed between the nine regions using a formula that uses data from the Index of Multiple Deprivation 2000 at an aggregated regional level. The deprivation indicator accounts for about 28 per cent. of the formula. A range of other factors including productivity and unemployment are also used in the formula. The amount of money available for allocation under the formula is £1.9 billion, of which my Department contributes £236 million.

The Small Business Service funding, for business support services, to the Business Link Operators in 2004–05 is also distributed between the regions using a formula which uses data from the Index of Multiple Deprivation 2000. Deprivation accounts for 7.2 per cent. of the formula. A range of other factors including Resident Adult Population, the Inter Departmental Business Register (of all VAT and PAYE registered companies) and a business Start-ups indicator are also used in the formula. The total amount of money allocated under that formula is £139.5 million.

Internet Access

Mr. Connarty: To ask the Secretary of State for Trade and Industry what assessment she has made of the level of internet access in the UK; what plans she has for universal access; and if she will make a statement. [192505]

Ruth Kelly: I have been asked to reply.

Opportunities to get online are almost universally available. 58 per cent. of the population are now regular users of the internet and 52 per cent. of UK adults now have internet access at home. With more than 6,000 UK online centres, over 99 per cent. of households are within 10 kilometres of public internet access.

Networking

Chris Ruane: To ask the Secretary of State for Trade and Industry what measures her Department has taken to promote networking within and between various sectors in the economy. [190835]

Mr. Mike O'Brien: In April 2004 the DTI launched a new business support product, Knowledge Transfer Networks, specifically to assist businesses in sharing knowledge appropriately with others both within and between industry sectors.

Knowledge Transfer Networks provide financial support to organisations that have the capability to establish or enhance networks in key technology areas. Funding is administered through biannual competitions. This will build on and enhance the existing successful Faradays and others such as NAMTEC (National Metals Technical Centre). Over the past 10 months funding for two national networks has been granted:

one in the area of micro and nanotechnology (MNT) and the other in the area of composite materials.

The UK Micro and Nanotechnology (MNT) Network has been established, in January 2004, by the DTI and the 12 Regional Development Agencies and devolved Administrations working together, to provide a market-oriented focus for the facilities, people and organisations engaged in micro and nanotechnologies in the UK.

The National Composites Network was announced in July 2004, its purpose being to disseminate lighter, stronger composites technologies for aerospace, automotive, construction and other industries. The network will have various regional centres, each of which will specialise in particular technologies. The centre in South Wales at the ECM^2 (European Centre for Materials and Materials) will specialise in non-destructive testing technology.

These measures are in addition to those of Regional Development Agencies and devolved Administrations who actively support local and regional business networks, and the work that DTI are doing to support organisations such as the TUC, CBI and Trade Association Forum.

Nuclear Waste

Angus Robertson: To ask the Secretary of State for Trade and Industry what quantities of *(a)* intermediate and *(b)* low level nuclear waste are stored at (i) Dounreay and (ii) the Chapelcross Tritium Processing Plant. [192712]

Mr. Mike O'Brien: The United Kingdom Atomic Energy Authority (UKAEA) has approximately 4,185 metres cubed of intermediate and 39,724 metres cubed of low level waste associated with its Research and Material test reactor, stored at Dounreay, Caithness.

The Chapelcross power station site, which includes the Tritium Processing Plant, has 59.2 metres cubed of intermediate and 153.9 metres cubed of low level waste stored at the site.

Post Office

Mr. Spring: To ask the Secretary of State for Trade and Industry how many sub-post offices have closed in *(a)* Suffolk and *(b)* the West Suffolk parliamentary constituency since 1997. [192884]

Mr. Sutcliffe: I am advised by Post Office Ltd. that data on post office closures by county or constituency is not available in the form requested, as the company does not require this data for operational purposes. However, it has produced quarterly statistics on post office closures by Government region/country since March 2000 and the net closure figures for East of England are:

Year to end:	*Number*
March 2001	70
March 2002	21
March 2003	33
March 2004	108
March 2005[1]	35

[1] First quarter only

Royal Mail plc/British Nuclear Fuels

Gregory Barker: To ask the Secretary of State for Trade and Industry how much capital she estimates would be raised from the privatisation of Royal Mail plc. [192778]

Mr. Sutcliffe: Privatisation of the Royal Mail is not on the Government's agenda. There are no plans to dispose of the Government's shareholding in the Royal Mail.

Gregory Barker: To ask the Secretary of State for Trade and Industry if she will list the alternative forms of ownership her Department is assessing for *(a)* Royal Mail plc and *(b)* British Nuclear Fuels. [192777]

Mr. Sutcliffe: Privatisation of the Royal Mail or British Nuclear Fuels plc is not on the Government's agenda. There are no plans to dispose of the Government's shareholding in the Royal Mail or its shareholding in British Nuclear Fuels plc (or, following the establishment of the Nuclear Decommissioning Authority, the new holding company of the BNFL group). However, proposals for involving the private sector in individual BNFL businesses will be examined on their merits.

Targeted Growth Sectors

Chris Ruane: To ask the Secretary of State for Trade and Industry what the targeted growth sectors are for each region of the UK; and what Government support is being given to each sector for such growth. [190829]

Jacqui Smith: The Government's strategy is to build strong regional economies in order to achieve prosperity for all. Our aim is to make sustainable improvements in the economic performance of all English regions and over the longer term to reduce the gap in growth rates. The Regional Development Agencies (RDAs) play a vital role in this work. They are the strategic catalysts of economic development in their regions. Through each region's Regional Economic Strategies (RES), RDAs are working to build on the strengths of their regions and to correct weaknesses.

The RDAs in England work closely with regional and sub-regional partners and stakeholders to produce RES which set out the medium to long-term vision for the economic development of their regions. The RES identify key clusters and business sectors for each region. Through dialogue with DTI Directorates in the development of RES, cross-regional issues can be identified and appropriate partnership approaches implemented for reconciling them.

The RES is intended to drive the prioritisation of all regionally-active public sector bodies, and increasingly it is doing so, setting spatial, and strategic priorities.The RES provides a coherent approach that develops synergy addressing a number of government initiatives. Current guidance on RES can be viewed at http://www.dti.gov.uk/rda/info/res.htm

The Department has also set up Innovation and Growth Teams (IGTs) to cover the following sectors: automotive; software and digital content and related services; chemicals; environmental goods and services; aerospace; bioscience; and electronics.

Women and Work Commission

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry pursuant to her written statement of 11 October 2004, *Official Report*, columns 6–8WS, on the Women and Work Commission, what elements of the terms of reference of the Women and Work Commission are distinct from the remit and responsibilities of *(a)* the Equal Opportunities Commission and *(b)* the Women and Equality Unit; and what steps she is taking to avoid overlap and duplication of responsibility. [192887]

Jacqui Smith: The Equal Opportunities Commission was established under the Sex Discrimination Act. This statutory, independent body works towards eliminating discrimination and promoting equality of opportunity between the sexes. It also keeps under review the working of the Sex Discrimination and Equal Pay Acts. It is the main source of gender-related information and advice to the general public and businesses.

The Women and Equality Unit is part of the Department of Trade and Industry and has joint responsibility for its objective of maximizing potential in the workplace. In addition, the Unit provides support to my right hon. Friend the Minister for Women.

The Women and Work Commission is distinct as it is a taskforce bringing together the social partners and experts in a wide range of fields. It will examine the evidence, think creatively and make recommendations to the Prime Minister within a year to tackle the pay and opportunities gap.

The Women and Work Commissioners include the Chair of the Equal Opportunities Commission to ensure that the EOC's work is taken into account and not duplicated. It is serviced by the Women and Equality Unit, which will ensure that their work is also drawn on and not duplicated by the Women and Work Commission.

HOME DEPARTMENT

Record Checks

Sandra Gidley: To ask the Secretary of State for the Home Department (1) if he will estimate the *(a)* average and *(b)* maximum time taken to process (i) a Criminal Records Bureau check, (ii) a full protection of vulnerable adults check (POVA) and (iii) a POVA first check; [190528]

(2) if he will make a statement on delays by the Criminal Records Bureau in processing protection of vulnerable adults first checks; [190529]

(3) what targets the Criminal Records Bureau has been set for processing protection of vulnerable adults first checks; and in what percentage of cases this target has been met. [190530]

Ms Blears: On the introduction of the POVAFirst service, the Criminal Records Bureau (CRB) published the following service standard:

> To complete 98 per cent. of valid POVAFirst requests within 48 hours and 100 per cent. of checks within 72 hours. (This target does not include weekends or bank holidays).

The CRB is now delivering 80 per cent. within 48 hours and 96 per cent. in 72 hours and these figures will improve further. However, it is important to note that CRB's service standard applies only once the Bureau has received a fully completed/valid Disclosure application form and a fully completed POVAFirst request. The average time taken by the CRB to process a POVAFirst check is one day. The maximum time taken to process checks in October was 25 days, while clearing the last few old applications.

For the first few weeks following the launch of the POVAFirst service the Bureau operated outside of its service standards. This dip in performance was largely due to the volume of POVAFirst requests received and because a number of registered bodies have been failing to follow the POVAFirst guidelines correctly, resulting in over 72 per cent. of all initial requests being returned to the registered body for correction. These have caused the Bureau's resources to be diverted away from processing correctly submitted requests in a timely manner. The situation has now improved and I can confirm that the overwhelming majority of POVAFirst requests are now being cleared within service standards.

The POVA check is incorporated within the CRB's overall Disclosure process and the only indicator available to measure the time taken by the CRB when checking the POVA list is the figure provided for completion of full criminal records checks.

Over the past 12 months, on average, 94 per cent. of Standard Disclosures have been issued within two weeks; and 91.5 per cent. of Enhanced Disclosures have been issued within four weeks. These performance figures exceed the Bureau's published service standards of issuing 90 per cent. of Standard Disclosures within two weeks and 90 per cent. of Enhanced Disclosures within four weeks.

The processing of Standard Disclosures is entirely within the control of the CRB, however, Enhanced Disclosures involve an additional level of checking with local police forces. On 22 June Sir Michael Bichard published his report on Soham, in which he criticised local police forces in their handling of their local intelligence searches. Since then many forces have reviewed their handling and recording of local police information. This has impacted the CRB's public service standard for processing Enhanced Disclosure applications. The CRB are working very closely with each force to help them improve the time it is taking them to process these local checks. The CRB has in the past seconded a number of staff to forces to help them reduce the number of outstanding checks as quickly as possible. This action has already seen a rapid improvement in the performance of a number of forces.

Animal Welfare

Adam Price: To ask the Secretary of State for the Home Department (1) what discussions he has had with animal welfare groups concerning the need to introduce further legislation to tackle badger-related crimes; [190669]

(2) what plans he has to designate badger-related crime as a notifiable offence. [190670]

Ms Blears: I welcomed the opportunity to meet representatives of Naturewatch and other key organisations to hear their concerns about the law and other issues in relation to badgers. I made clear once again the Government's utter abhorrence of badger-baiting and similar practices. Primary responsibility for legislation on the protection of badgers rests with colleagues in Defra. I noted the organisations' particular concern that there should be clear statistics. Although the principal offences under the Protection of Badgers Act 1992 carry the possibility of imprisonment, in common with very many others on the Statute Book they are triable only by a magistrates court. Only offences triable in the Crown court are notifiable to the Home Office for the purpose of crime statistics. I made it clear that we are anxious to explore other options and Home Office officials continue to seek, with the Association of Chief Police Officers, a solution that will address the concerns of all parties and that will inform the decisions of chief police officers about the deployment of resources to tackle these deplorable offences.

ASBOs

Mr. Laws: To ask the Secretary of State for the Home Department how many anti-social behaviour orders were issued in each local authority area in England in each quarter from 2000–01 to date; and if he will make a statement. [191309]

Ms Blears: The available information is given in the table (which has been sent to the Library) by financial year. Data by quarter can be provided only at disproportionate costs.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many anti-social behaviour orders have been served by local authorities in *(a)* Sefton and *(b)* England since this measure was introduced. [191324]

Ms Blears: Anti-Social Behaviour Orders (ASBOs) have been available to the courts since 1 April 1999. From commencement and up to 31 May 2000 data was collected by police force area on numbers of ASBOs only.

From 1 June 2000 up to 31 March 2004 (latest available), the Home Office has been notified of five ASBOs issued where Sefton Metropolitan borough council was the main complainant and the restrictions imposed are specific to that area. Within England, during this same period, a total of 1,098 notifications have been received of ASBOs issued where the main complainant was a local government authority.

Data are collected on the complainant only on those orders issued in the magistrates' court, acting in its civil capacity, and within the county courts. Orders can also be made following conviction of an offence in the criminal courts—there is no applicant for these orders.

CCTV

Mr. Bercow: To ask the Secretary of State for the Home Department what changes there have been in *(a)* vehicle-related crime and *(b)* criminal damage in the area covered by round 2 of the CCTV challenge competition in Buckingham. [189968]

Ms Blears: Buckingham received no direct funding for CCTV under the CCTV Challenge Competition, which ran from 1994 to 1999. However, under the Crime Reduction Programme CCTV initiative from 1999 to 2003, the county of Buckinghamshire received a total of £1,006,127 for a number of schemes in Beaconsfield, Chesham, Amersham and High Wycombe.

Buckingham comes within the Aylesbury Vale Crime and Disorder Reduction Partnership (CDRP) area. The available published information relates to vehicle crime offences recorded in that partnership area. This data cover 1999–2000 to 2003–04 and are given in the tables. Numbers of recorded crimes have been affected by changes in reporting and recording practice. In particular, the introduction of the National Crime Recording Standard (NCRS) in April 2002 led to an increase in the number of crimes recorded by the police nationally.

Information on criminal damage for Aylesbury Vale has not been published centrally.

Pre-NCRS

	Number of offences
1999–2000	3,108
2000–01	2,616
2001–02	2,448

Post-NCRS

	Number of offences
2002–03	2,164
2003–04	2,063

Communications Interception

Norman Baker: To ask the Secretary of State for the Home Department what procedure follows a situation where a communication is unlawfully intercepted but product from that interception provides prima facie evidence that a lawful interception might be justified. [188049]

Mr. Blunkett: The procedures for the issuing of a lawful interception warrant are set out in Part I Chapter I of the Regulation of Investigatory Powers Act 2000.

Community Sentencing

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) what measures he plans to introduce to improve the success rate of community sentencing; [182289]

(2) if he will make a statement on the effectiveness of non-custodial sentences. [191683]

Paul Goggins: Community sentences must be effective and must command the confidence of sentencers and of the general public. Work to strengthen them is continuous and ongoing.

The establishment of the Correctional Services Accreditation Panel, which accredits programmes and interventions to ensure they are based on the best available evidence on what works in reducing re-offending, has been an important step in ensuring community sentences are effective. The Panel's work is now reflected in legislation that offers such programmes as conditions in court orders.

There is an ongoing focus on improving and sustaining the quality of delivery. For example, the enforcement of community orders continues to improve with 84 per cent. of all breach action being taken within the 10 days required by the probation national standards, compared with 52 per cent. in 2001.

Work on performance improvement in the delivery of programmes continues to yield improvements in referral, commencement and completion. The percentage of offenders completing offending behaviour programmes has risen from 37 per cent. in 2001–02 to around 60 per cent. in the current financial year. Completion rates for some programmes are much higher, for example 89 per cent. of offenders complete the Drink Impaired Drivers programme.

It is more difficult to secure compliance where offenders have multiple problems and chaotic lives but the completion rate for Drug Treatment and Testing Orders is rising. There is an ongoing programme of monitoring and improvement, backed by rigorous enforcement to try to increase the number of offenders who complete orders successfully.

The probation service has also increased the number of interventions that assist offenders to increase their skills and improve their chances of finding work. Almost 15,000 offenders started basic skills courses last year and in the first five months of this financial year alone 14,249 offenders have completed enhanced community punishment (ECP) orders. This is against a target of 30,000 completions for the year.

This Government has introduced intensive new penalties such as the Intensive Change and Control Programme (ICCP). The ICCP is an intensive community sentence for 18 to 20 year olds. It is currently being delivered in 17 probation areas. ICCP provides a tightly structured routine that includes intensive interventions, electronically monitored curfews and police surveillance.

The Criminal Justice Act 2003 introduces the Community Order which will give judges and magistrates greater flexibility to tailor sentences to the circumstances of the individual offender.

The new National Offender Management Service will provide the right organisational context to ensure that the Community Order has maximum impact. The Community Order will be implemented next spring.

Underpinning these developments is the Offender Assessment System (OASys) which enables probation staff to identify the risks posed by offenders and the criminogenic factors (such as drug misuse or antisocial attitudes) that need to be tackled to reduce the likelihood of further offending.

Crime Detection (North of England)

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if he will make a statement on crime detection rates in the North of England. [191289]

Ms Blears: The Detection rate for the north of England, comprising eight forces in the North West and North East regions, stood at 26 per cent. for 2003–04. This is the same as the equivalent figure for the previous year. This figure compares favourably with the national average detection rate of 23 per cent.

There is a recognition that there is a need to improve performance in investigating crime and achieving a higher rate of detections is part of that programme. A series of steps are being taken by the Home Office, in conjunction with other police stakeholders, to raise the detection rates of all forces in England and Wales.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what assessment he has made of the reasons for the fall in the crime detection rates in *(a)* Durham and *(b)* Northumbria. [191290]

Ms Blears: Northumbria's detection rate for the financial year 2003–04 was 31 per cent., a one per cent. decline on the previous year. Durham's detection rate in 2003–04 was 29 per cent. declining from 34 per cent. in the previous year.

Performance of Police forces in England and Wales is assessed by comparison with forces that have similar environments to be policed. These are known as Most Similar Forces.

The performance of both Durham and Northumbria is above their Most Similar Force averages. The percentage of offences brought to justice (convicted) actually increased in both forces in 2003–04 suggesting that the proportion of detected offences that are ultimately converted into an OBTJ has increased.

There has been a fall in detection rates nationally, however changes in counting rules for detections and crimes have contributed to this.

We are in the process of a nation-wide drive to improve performance in investigating crime and the Government is taking steps across the country to secure performance improvements in the detection rates of all forces.

Doorstep Selling and Cold Calling

Mr. Truswell: To ask the Secretary of State for the Home Department whether his Department will be responding to the Department for Trade and Industry consultation on doorstep selling and cold calling. [189712]

Ms Blears: We will not be responding separately as part of the consultation process.

The Home Office has worked closely with the Department of Trade and Industry during the drafting of the consultation document and issues of interest to the Home Office were included at that time.

Once the consultation period has closed, the Government as a whole will consider the views of the respondents and reach a decision.

Mr. Truswell: To ask the Secretary of State for the Home Department what steps he is taking to achieve a cross-departmental approach to combat crime and unscrupulous trading associated with doorstep cold calling. [189737]

Ms Blears: The Distraction Burglary Task Force, in its Good Practice Guide published in 2001, identified the need for a cross-departmental and multi-agency approach to tackling this crime. We have been consistently promoting this at the local level.

We have also been implementing this approach through the Task Force itself, which contains representatives of various key stakeholders including the police, trading standards and the voluntary sector. The Home Office has also held discussions relating to distraction burglary with both the Department of Trade and Industry and the Department of Health.

In addition, my hon. Friend—the Minister for Employment Relations, Competition and Consumers (Fiona Mactaggart) has proposed a cross-departmental ministerial group to enable us to build on our strong joint working to date.

Long Baton

Mr. Robathan: To ask the Secretary of State for the Home Department what training police officers are given on the use of the long baton; and what instructions they are given regarding striking people on the head. [192692]

Ms Blears: Recruits to the police service receive between two hours and five hours training in the use of batons during the course of their initial training. The time varies according to where the training takes place and the type of baton used. Under Association of Chief Police Officers guidelines, officers should subsequently undergo a minimum of 12 hours a year personal safety refresher training, which includes the use of batons.

Officers are made aware of the medical implications of striking any part of the body and should take these into account, together with their legal powers, when considering the use of force. Use of force by police officers must be reasonable and within the law.

Mr. Ghazi Kassim

Andrew Mackinlay: To ask the Secretary of State for the Home Department if he will make a statement on the implications for *(a)* security and *(b)* police management following the conviction of Mr.Ghazi Kassim. [190519]

Mr. Blunkett: The circumstances surrounding this case are a matter for the Commissioner of the Metropolitan Police. There are no wider implications for the national security of the UK.

Multiculturalism

Keith Vaz: To ask the Secretary of State for the Home Department what plans the Government has to undertake an inquiry into the attitudes and opinions on race and ethnicity of those between the ages of 20 and 30. [190135]

Fiona Mactaggart: The Home Office citizenship survey, which takes place every two years, includes perceptions of racial prejudice, racial discrimination, religious discrimination and community cohesion. Data from the survey can be broken down by age and ethnicity. Survey results, which include comparisons between different age groups, are published and are available from the Home Office web site.

Operation Sassoon

Mr. Goodman: To ask the Secretary of State for the Home Department what plans he has to use High Wycombe as a care shelter as part of Operation Sassoon. [192186]

Mr. Raynsford: I have been asked to reply.

Operation Sassoon is the code name for the plan for mass evacuation of any part of London in an emergency. We do not disclose the operational details of emergency planning. Sassoon includes planning for the reception and shelter of evacuees. London and home counties authorities have been involved in this work.

Police

David Davis: To ask the Secretary of State for the Home Department what estimate he has made of the cost to each police authority of the implementation of stop forms as set out in recommendation 69 of the MacPherson report. [190935]

Ms Blears: As part of the Phased Implementation of the Recording of Stops forces supplied data on the set up and running of the sites used. Details were provided on fixed and variable costs, including all staff time spent on implementation and other expenditure.

These figures cannot be multiplied up to get forces or national estimates. The costs have different strands include training, form design, database work. Some of these are not exclusive to stops and have transferable uses.

David Davis: To ask the Secretary of State for the Home Department what the average number of sick days taken by police officers was in each year since 1997, broken down by police force area. [190937]

Ms Blears: The average number of sick days taken by police officers for each year since 1997 reported by force is shown in the list, which has been placed in the Library.

Mr. Denham: To ask the Secretary of State for the Home Department when he plans to publish policing performance radars for basic command units. [191217]

Ms Blears: The Police Performance Monitoring Report for 2003–04 was published on 22 September. It showed police force performance across six 'domains'.

Domain	*Police force performance*
A	Citizen focus
1	Reducing crime
2	Investigating crime
3	Promoting public safety
4	Providing assistance
B	Resource usage

Data is available at force level in all six domains, but because of the nature of the data sources, reliable comparable data is available only at BCU level in domain 1 (as crime rates) and part of domain 2 (as detection rates). For example, the data in domains A and 3 is drawn from the British Crime Survey: the sample size does not allow the extraction of meaningful results at lower than force level. The 'performance radar' is not a suitable display mechanism for performance in just two domains.

For BCUs, crime and detection rates for six key offences have been published for 2003–04 on the Home Office web-site.

The development of the Policing Performance Assessment Framework this year will add some further measures which are available at BCU level. We are reviewing how performance at force and BCU level will be reported in the Monitoring Report due for publication next year.

Radio Frequency Identification Projects

Mr. Challen: To ask the Secretary of State for the Home Department what assessment he has made of the pilot demonstrator projects for radio frequency identification announced in May 2000. [190807]

Ms Blears: The Home Office launched the Chipping of Goods Initiative in March 2000 in response to the need to reduce the cost of property crime and the burden on police resources in tracing the ownership of stolen goods.

Through eight demonstrator projects with industry the initiative set out to show how the incidence of property crime could be reduced in the supply chain using Radio Frequency Identification (RFID) based information management systems.

An assessment of the crime reduction and business efficiency benefits of each of the eight projects was published in a series of case studies in May 2004. Benefits identified by the companies which took part included a marked reduction in laptop theft, improved traceability (thus helping to identify stolen and counterfeit goods, and the ability to clarify whether goods had been lost or misdirected. The case studies are available of the website about the initiative www.chippingofgoods.org.

The Initiative has accelerated awareness of tagging solutions and reinforced the association between achieving improved security and delivering increased business performance.

A final report on the initiative will be published by the end of the year. I will arrange for copies to be placed in the Library.

Royal Parks Constabulary

Mr. Heath: To ask the Secretary of State for the Home Department (1) what recent discussions he has had with *(a)* the Chairman of the Metropolitan Police Authority and *(b)* the Commissioner of Police of the Metropolis on the role of the Royal Parks Constabulary in maintaining security in the vicinity of the royal palaces; [189531]

(2) what recent discussions he has had with the Secretary of State for Culture, Media and Sport on the role of the Royal Parks Constabulary; [189532]

(3) what reports he has requested from the Chief Officer of the Royal Parks Constabulary on events in St. James' Park on 13 September. [189533]

Mr. Blunkett: The Royal Parks Constabulary ceased to exist in April of this year, becoming part of the Metropolitan Police Service. I have spoken to the Commissioner of the Metropolitan Police Service, Sir John Stevens, and the Assistant Commissioner, Specialist Operations in relation to this incident, as well as receiving an interim written report from the Commissioner. In addition, I hold regular meetings with the Metropolitan Police Service to discuss matters relating to security at Royal Palaces.

Stop and Search

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what plans there are to change police training in stop and search encounter procedures. [191323]

Ms Blears: The current stop and search training package has been developed by Centrex, the Central Police Training and Development Authority, for use by forces. The package covers the legislation behind stop and search powers and the most effective methods of conducting stop and searches. The scope of the training package is being widened to take into account the recording of stops as well as stop and searches.

Guidance on the recording of stops was issued to forces in March 2004 following phased implementation in seven forces. This guidance was followed up by interim stop and search guidance in July this year. Two conferences for forces have also covered the implementation of Recommendation 61 of the MacPherson Report, the use of stop and search powers and new training initiatives.

The Stop and Search Action Team is due to publish a manual on the effective use of stop and search in April 2005. This manual will include examples of effective practice in stop and search training.

Traffic Police

John Thurso: To ask the Secretary of State for The Home Department how many traffic police there have been in each police authority area in each year since 2000. [192183]

Ms Blears: Published information on police strength by police force area is available for rank, gender, ethnicity but not function. Figures on police strength for March 2004 were published in Home Office Statistical Bulletin 13/04, copies of which are available in the Library or on the internet site: http://www.homeoffice.gov.uk/rds/hosbpubs1.html.

Violence Against Retail Staff

Brian Cotter: To ask the Secretary of State for the Home Department what action the Government *(a)* have taken and *(b)* will take to tackle violence against retail staff. [191508]

and the ODPM's RO1 statement previously.

Ms Blears: The Government believe that everyone has the right to go about their work without the threat of violence and abuse, and this is why we fully support the USDAW "Freedom from Fear" campaign to promote the safety of shop workers.

Advice on managing work-related violence, including specific guidance for the retail sector, has been published by the Health and Safety Executive and can be accessed via their website www.hse.gov.uk.

The Home Office has also provided assistance through the provision of a training programme, earlier this year, which covered all aspects of security, including protecting staff and dealing with potentially violent situations. Over 440 people attended these courses which were run across the country.

Other Government policies to tackle alcohol misuse related crime or antisocial behaviour such as the 'Together' campaign, will all contribute towards decreasing violent crime in the workplace.

We are also supporting innovative projects to give confidence and training to shopworkers such as the ShopWatch scheme in London, where shopworkers volunteer to be trained as Special Constables, receiving paid leave from their employers to patrol the shopping area during trading hours.

FOREIGN AND COMMONWEALTH AFFAIRS

European Constitution

Angela Watkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what competencies he expects will remain under the control of national Governments under Article 1–5a of the Constitutional Treaty for the European Union, column 6289, relating to union law. [193229]

Mr. MacShane: Article 1–5a (Article 1–6 in the final version of the Treaty, CIG 87/1/04) states that EU law has primacy over the national law of the member states. This is simply a restatement of the current position and, as noted in the declaration to be made on this provision, reflects existing ECJ case law. Articles 1–9 to 1–16 (Articles 11–17, CIG 87/1/04) set out, for the first time, a clear catalogue of the EU's competences. Article 1–9 paragraph 2 (Article 11 paragraph 2, CIG 87/1/04) makes clear that competences not conferred by the member states upon the EU in the Constitution remain with the member states.

ASEM Summit

Sir Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs which Minister and officials represented the Government at the ASEM Summit meeting in Hanoi from 7 to 9 October; and if he will make a statement. [191945]

Mr. Straw *[holding answer 20 October 2004]:* My right hon. Friend the Deputy Prime Minister and two officials from the Foreign and Commonwealth Office represented the UK at the Summit and its preparatory meetings.

I also refer the right hon. Gentleman to the answer I gave to my hon. Friend the Member for Wirral, South (Mr. Chapman) on 18 October 2004, *Official Report*, columns 465–66W.

British Overseas Territories (Elections)

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what the total population of *(a)* the Turks and Caicos Islands, *(b)* Anguilla, *(c)* Akrotiri and Dhekelia Sovereign Base Areas in Cyprus, *(d)* Bermuda, *(e)* the British Indian Ocean Territory, *(f)* the British Virgin Islands, *(g)* the Cayman Islands, *(h)* the Falkland Islands, *(i)* Guernsey, *(j)* Gibraltar, *(k)* the Isle of Man, *(l)* Jersey, *(m)* Montserrat, *(n)* Pitcairn Island, *(o)* the British Antarctic Territory and *(p)* South Georgia and South Sandwich Islands is; what the total number entitled to vote is in each case; what the date of the most recent parliamentary or assembly election was in each case; what the turnout at that election was in each case; and what the results were in each case. [191181]

Mr. Rammell: The details are as follows:

Akrotiri and Dhekelia Sovereign Base Areas in Cyprus

The total Cypriot population of the Sovereign Base Areas (SBAs) at the time of the last full census in 2001 was 6,967. In addition, approximately 7,800 military and UK-based civilian personnel and their dependents work or live on the Sovereign Base Areas.

Approximately 4,762 Cypriots in the SBAs are eligible to vote in the Republic of Cyprus. UK citizens are eligible to vote in UK elections.

Neither parliamentary nor assembly elections are held in the SBAs. Residents vote either in the Republic of Cyprus, or the UK.

Anguilla

Total population: 12,200 (2003 estimate)

Total number of population entitled to vote: 7,558 (in next election, due 2005)

Date of most recent parliamentary or assembly election: 3 March 2000 (House of Assembly Elections)

Turnout in most recent parliamentary or assembly election: 4,825 (64.2 per cent.)

Results of most recent parliamentary or assembly election: The Anguilla National Alliance (ANA) gained three seats with 35.2 per cent. of the vote. The Anguilla Democratic Party (ADP) gained one seat, with 11.1 per cent. of the vote. The total percentage of votes cast for the United Front coalition was therefore 46.3 per cent. The Anguilla United Movement (AUM) gained two seats with 12.5 per cent. of the vote. One independent member was elected with 7.62 per cent. of the vote.

Bermuda

Total population: 62,059 (2000 Census)

Total number of population entitled to vote: 39,324 (at last election)

Date of most recent parliamentary or assembly election: 24 July 2003 (General Election)

Turnout in most recent parliamentary or assembly election: 29,472 (74.9 per cent.)

Results of most recent parliamentary or assembly election: PLP (Progressive Labour Party) 15,222 votes (51.6 per cent.); UBP (United Bermuda Party) 14,142 votes (48 per cent.); NLP (National Liberal Party) 41 votes (0.1 per cent.); IND (Independent) 51 votes (0.2 per cent.); GLP (Gombey Liberation Party) 16 votes (0.1 per cent.).

of services for children relates to wider social service

Kingdom Representation in Brussels (UKREP).

British Antarctic Territory

The territory does not have a settled population.

British Indian Ocean Territory

The territory does not have a settled population.

British Virgin Islands

Total population: 21,333 (2003 estimate)

Total number of population entitled to vote: 10,186 (at last election)

Date of most recent parliamentary or assembly election: 16 June 2003

Turnout in most recent parliamentary or assembly election: 7,351 (72.17 per cent.)

Results of most recent parliamentary or assembly election: The National Democratic Party (NDP) won eight seats, beating the Virgin Islands Party (VIP), which won five seats.

Cayman Islands

Total population: 42,000 (2004 estimate)

Total number of population entitled to vote: 11,636 (at last election)

Date of most recent parliamentary or assembly election: 8 November 2000 (an election was due to be held on 17 November 2004, but has been postponed to May 2005 due to the destruction caused by Hurricane Ivan in the Cayman Islands)

Turnout in most recent parliamentary or assembly election: 76.37 per cent.

Results of most recent parliamentary or assembly election: The following candidates were elected: Rolston M. Anglin, McKeeva Bush, Eugene Ebanks, and Stirling Dwayne Ebanks from West Bay constituency; Frank Swarres McField, Alden McNee McLaughlin Jr., Linford Ainsworth Pierson and D. Kurt Tibbetts from George Town constituency; Roy Bodden, Anthony Eden and Gilbert Allan McLean from Bodden Town constituency; Edna Moyle from North Side constituency; V. Arden McLean from East End constituency; and Julianne Yvonne Connolly O'Connor and Lyndon Leathan Martin from Cayman Brac and Little Cayman constituency.

Falkland Islands

Total population: 2,913 (2001 Census)

Total number of population entitled to vote: 1,495 (in last full election)

Date of most recent parliamentary or assembly election: 22 November 2001 (full election for Legislative Councillors); 6 November 2003 (By-Election in Camp Constituency)

Turnout in most recent parliamentary or assembly election: It is difficult to provide accurate turnout figures in the Falkland Islands, due to the system of voting. Any voter can vote for between one and five candidates in Stanley Constituency and one and three people in Camp Constituency. There are eight Legislative Councillors: five from the Stanley constituency, and three from the Camp constituency. Under this system, in the 22 November 2001 election, 3,878 votes were cast. In a by-election each voter casts only one vote. The turnout for the 6 November 2003 by-election was 22[illegible] from 281 eligible voters (a turnout of 80.78 per cent.).

Results of most recent parliamentary or assembly election: In the 22 November 2001 election, Norma Edwards, Roger Anthony Edwards and Phillip Charles Miller were elected to the Legislative Council from the Camp constituency. John Birmingham, Janet Lynda Cheek, John Richard Cockwell, Stephen Charles Luxton and Michael Victor Summers were elected to the Legislative Council from the Stanley constituency. In the 6 November 2003 by-election, Ian Hansen was elected to the Legislative Council from the Camp constituency.

Gibraltar

Total population: 28,231

Total number of population entitled to vote: 18,452

Date of most recent parliamentary or assembly election: 27 November 2003

Turnout in most recent parliamentary or assembly election: 14,590 (79.07 per cent.)

Results of most recent parliamentary or assembly election: The Gibraltar Social Democrats gained eight seats with 51 per cent. of the vote. The Gibraltar Socialist Labour Party/Liberal Party Alliance gained seven seats with 40 per cent. of the vote. The Gibraltar Labour Party gained 8 per cent. of the vote and the Reform Party 1 per cent.: neither party gained any seats in the House.

Montserrat

Total population: 4,491 (2001 Census)

Total number of population entitled to vote: 2,953 (at last election)

Date of most recent parliamentary or assembly election: 2 April 2001

Turnout in most recent parliamentary or assembly election: 2,293 (78 per cent.)

Results of most recent parliamentary or assembly election: The People's Liberation Movement (PLM) won seven seats with 43.4 per cent. of the votes cast. The National People's Party (NPP) won two seats with 9.8 per cent. of the votes cast.

Pitcairn

Total population: 47

Total number of population entitled to vote: 32

Date of most recent parliamentary or assembly election: 8 December 2003 (annual election of four councillors and the Chairman of the Internal Committee)

Turnout in most recent parliamentary or assembly election: Accurate records are not available, but turnout is usually high

Results of most recent parliamentary or assembly election: There are no political parties on Pitcairn. Four Councillors and the Chairman of the Internal Committee were elected.

South Georgia and South Sandwich Islands

The territory does not have a settled population.

Turks and Caicos Islands

Total population: 21,600 (2001 Census)

Total number of population entitled to vote: 6,499

Date of most recent parliamentary or assembly election: 24 April 2003 (General Election)

Turnout in most recent parliamentary or assembly election: 86.3 per cent.

Results of most recent parliamentary or assembly election: The ruling Peoples Democratic Movement (PDM) won seven seats, and the opposition Progressive National Party (PNP) won six seats. Following the Supreme Court's upholding of a petition alleging malpractice in the conduct of the election in two constituencies won by the PDM, two by-elections were held in August 2003. In both cases the seats changed hands and the PNP therefore became the majority party with eight seats, and therefore replaced the PDM as the governing party.

My noble Friend the Secretary of State for Constitutional Affairs and Lord Chancellor is the Privy Counsellor with special responsibility for the Crown Dependencies. The following information has been provided by the Department for Constitutional Affairs:

Guernsey

Total population: 59,807

Total number of population entitled to vote: 30,112

Date of most recent parliamentary or assembly election: 21 April 2004

Turnout in most recent parliamentary or assembly election: 64 per cent.

Results of most recent parliamentary or assembly election: At the 21 April 2004 election, the following were elected: Laurence Charles Morgan; Brian John Gabriel; John Alfred Bannerman Gollop; Carla Steve McNulty Bauer; Barry Leslie Brehaut; Michael Edmund Wills Burbridge; Leon Roy Gallienne; Jack Honeybill; Robert Thoderick Matthews; Jean Aimée Pritchard; Christopher Donald Brock; Wendy Jean Morgan; Diane Eileen Lewis; Lyndon Sean Trott; Daniel Peter Le Cheminant; Samantha Jane Maindonald; Scott John Ogier; Ivan Frederick Rihoy; Ronald John Le Moignan; Geoffrey Hubert Mahu; Peter John Rufus Roffey; David Brian Jones; Mary May Lowe; Graham Guille; Brian Richard de Jersey; Duncan William Staples; Stuart John Falla MBE; Mark Hirzel Dorey; Eric William Walters; Jonathan Paul Le Tocq; Bernard Marcel Flouquet; Alexander Hunter Adam; Thomas Mansell Le Pelley; David Allan Grut; Martin Andrew Ozanne; David de Garis De Lisle; Claire Helen Le Pelley; Peter Raphael Sirett; Alvord Henry Brouard; Michael William Torode; Charles Nigel Kennedy Parkinson; William Mather Bell; Francis John Quin; Janine Michelle Le Sauvage; Michael George O'Hara.

Isle of Man

Total population: 76,315 (2001 Census)

Total number of population entitled to vote: 47,529

Date of most recent parliamentary or assembly election: 22 November 2001 (House of Keys General Election)

Turnout in most recent parliamentary or assembly election: 27,379 (57.6 per cent.)

Results of most recent parliamentary or assembly election: At the 22 November 2001 General Election to the House of Keys, seats were won by: E. Quine; P. Braidwood; Mrs. B. Cannell; D. Cretney; A. Duggan; A. Downie; J. Shimmin; S. Rodan; D. Anderson; D. Cannan; M. Quayle; R. Corkill; A. Earnshaw; P. Karran; Mrs. H. Hannan; A. Bell; L. Singer; Mrs. P. Crowe; Q. Gill; J. Rimmington.

Jersey

Total population: 87,500 (end-2003 estimate)

Total number of population entitled to vote: 48,611

Date of most recent parliamentary or assembly election: 16 October 2002 (General Election)

Turnout in most recent parliamentary or assembly election: 45.08 per cent.

Results of most recent parliamentary or assembly election: The following were elected (figures represent number of votes): Ozouf 14,442; Kinnard 12,320; Routier 11,687; Vibert 10,564; Norman 10,192; Walker 9,377.

Departmental Mobile Phones

Mr. Prisk: To ask the Secretary of State for Foreign and Commonwealth Affairs how many mobile phones were used by *(a)* Ministers and special advisers and *(b)* officials in his Department in each year since 1997; how many were (i) lost and (ii) stolen; and what their cost was. [191443]

Mr. Rammell: Our records show that there are currently a total of 65 mobile phones in use by Ministers, Special Advisers and civil servants in ministerial offices. Within the rest of the Foreign and Commonwealth Office in the UK, there are a further 1,220 mobile phones in use. The records are cumulative and reflect live numbers only. Details of old phones disconnected or replaced are not kept and it is not therefore possible to provide a breakdown on a historical basis.

The cost for mobile phone services in the UK up until 2003 was based on line rental with new or replacement handsets provided to the Foreign and Commonwealth Office free of charge. Whilst suppliers are now charging for handsets, there are no records held centrally detailing those that were lost or stolen, and the resultant cost to replace them.

Details for mobile phones used by staff overseas cannot be provided as responsibility for such contracts is devolved to our overseas missions and relevant figures could only be provided at disproportionate cost.

New Deal (Departmental Recruitment)

Dr. Julian Lewis: To ask the Secretary of State for Foreign and Commonwealth Affairs how many personnel the Department has recruited under the New Deal in each of the past five years. [193673]

Mr. Alexander: The Foreign and Commonwealth Office has recruited a total of thirteen personnel under the New Deal Scheme in the past five years. These were recruited as follows:

	Number
1999	3
2000	4
2001	3
2002	0
2003	2
2004	[1]1

[1] To date.

Seven members of staff initially recruited under the New Deal Scheme have successfully applied for open competitions and have been recruited as permanent staff. There are currently four applicants who have been offered New Deal Placements subject to satisfactory pre-appointment checks.

Departmental Staff/Staff Pensions

Hugh Bayley: To ask the Secretary of State for Foreign and Commonwealth Affairs how many full-time equivalent jobs *(a)* his Department and *(b)* its executive agencies had in (i) Yorkshire and the Humber and (ii) the City of York in (A) 1997 and (B) the latest year for which figures are available. [191839]

Mr. Alexander: None.

Mr. Fallon: To ask the Secretary of State for Foreign and Commonwealth Affairs what arrangements were in place prior to 1974 to inform spouses of Foreign, Colonial and Commonwealth Office staff serving abroad but forbidden from working abroad of their obligation to make sufficient national insurance contributions to secure eligibility for a 100 per cent. basic state pension. [193619]

Mr. Alexander: It is not possible to determine the precise arrangements in place 30 or more years ago. In general, the Foreign and Commonwealth Office tries to keep its staff informed of relevant changes which might affect an individual's financial circumstances. But it has always been the case that it is an officer's own responsibility to make appropriate financial provision for the future for themselves and their families.

General Affairs and External Relations Council

Mr. Hood: To ask the Secretary of State for Foreign and Commonwealth Affairs what the outcome was of the General Affairs and External Relations Council held on 11 October; what the Government's stance was on the issues discussed, including its voting record; and if he will make a statement. [192039]

Mr. MacShane: The information is as follows:

Outcome of 11 October 2004 General Affairs and External Relations Council

My right hon. Friend the Foreign Secretary, John Grant (UK's Permanent Representative to the EU) and I represented the UK at the General Affairs and External Relations Council (GAERC) in Luxembourg on 11 October.

Conclusions were agreed on terrorism, Libya, Western Balkans (ICTY, Serbia and Montenegro, and Kosovo elections), Sudan/Darfur, Indonesia, Great Lakes (Burundi and MONUC), Middle East Peace Process, Ukraine, Human Rights Dialogues (EU-China and EU-Iran), EU-India Strategic Partnership, WTO/DDA, Bosnia/EUFOR (Draft OPLAN—ALTHEA), and EUPOL Proxima.

General Affairs Session

Preparations for the European Council (5 November 2004)

The Council examined a draft agenda prepared by the presidency. The main items are:

> Economic issues—The European Council will hear a presentation by Mr. Wim Kok, chairman of a high-level group advising the Commission on the preparation of the mid-term review of the economic reform strategy laid down at Lisbon in March 2000. It will also take note of work on a methodology for assessing the burden on businesses of legislation and regulation.
>
> Justice and home affairs—The European Council is expected to adopt a new multi-annual agenda for the EU's Area of freedom, security and justice.
>
> EU communication strategy—The European Council will examine how to better communicate to the public on the EU's work and its relevance to people's daily lives.
>
> EU enlargement—The President of the Commission will present a number of policy documents regarding Bulgaria, Romania, Croatia and Turkey's applications to join the EU.

Terrorism

The Council welcomed progress made in several areas in the implementation of the EU Action Plan for combating terrorism, while noting that significant steps still needed to be taken by the EU and its member states to adhere to the commitments made under the plan. Conclusions were agreed.

Enlargement

The Council took note of a presentation by Commissioner Verheugen on the Commission's Recommendation on the start of accession negotiations with Turkey, the 2004 Regular Report and Issues Paper on Turkey, the Strategy Paper on progress in the enlargement process, including Croatia, as well as the 2004 Regular Reports on Bulgaria and Romania.

EU Financial Framework for 2007–13

The presidency presented its progress report on the negotiations so far. the report gave a broad summary of the views raised by member states on competitiveness, cohesion, agriculture, rural development and fisheries. The Council also heard a presentation by the Commission on its proposals for financing in the field of external action. The presidency is aiming to secure Council agreement to principles and guidelines for the 2007–13 financial perspective at the European Council in December as a step on the way to reaching political agreement on future financing next year.

External Relations Session

Libya

As part of a policy of engagement with Libya, the Council decided to lift the arms embargo and repealed a set of economic sanctions adopted by the EU in application of UNSC resolutions. The Council invited Libya to respond positively to this policy, notably with a view to the resolution of the remaining EU concerns, such as the case of the Bulgarian and Palestinian medical workers and other outstanding issues. Conclusions were agreed, which reflected these concerns.

Ukraine

The Council remained supportive of Ukraine's pursuit of democratisation and economic reform. The EU has called upon the Ukrainian authorities on several occasions to safeguard all necessary conditions for holding free, fair and transparent presidential elections this autumn. The Council reiterated this appeal and reminded the Ukrainian leadership that the conduct of these elections will be proof of Ukraine's commitment to the democratic values of the Council of Europe and the OSCE and bears great significance for EU-Ukraine relations. Conclusions were agreed.

Iran

Ministers discussed Iran over lunch with a particular focus on the nuclear issue. Views were exchanged on the approach for the weeks ahead, leading up to the IAEA Board of Governors meeting of 25 November. Conclusions were agreed on the EU-Iran Human Rights Dialogue.

China

Ministers took stock of the state of discussions on the embargo on the sale of arms to China over lunch, following the mandate given to the Council by the European Council in December 2003. Conclusions were agreed on the EU-China Human Rights Dialogue.

Sudan/Darfur

The Council urged the Government of Sudan to provide information on actions taken to neutralise and disarm the Janjaweed militias and to bring to justice perpetrators of human rights violations and crimes against civilians. It called upon all parties to strictly abide by the ceasefire agreement signed on 8 April 2004. The Council will take appropriate measures, including sanctions, against the Government of Sudan and all other parties, in accordance with the United Nations Security Council Resolution 1556 and 1564, if no tangible progress is achieved in this respect. The Council reiterated its readiness to support the African Union in its efforts to stabilise the security situation in Darfur. It noted with urgency the need for additional humanitarian assistance and coordination. Conclusions were agreed.

International Criminal Tribunal for the Former Yugoslavia (ICTY)

The Council noted with deep concern the presentation by ICTY Chief Prosecutor, Mrs. Carla del Ponte, who emphasised the need for improvement in the level of co-operation with the tribunal. The Council reiterated its call on all states, in particular Serbia and Montenegro, Bosnia and Herzegovina, and also Croatia to render all necessary assistance to the ICTY. Continued failure to co-operate fully and in a timely manner with the ICTY would seriously jeopardise further movement towards the EU. Conclusions were agreed.

Western Balkans

Serbia and Montenegro

High Representative Solana and Commissioner Patten reported on their visit to Belgrade. The Council expressed its support for the twin-track approach, which would imply a single Stabilisation and Association Agreement with distinct negotiations with the Republics on trade, economic and possibly on other relevant sectoral policies. It urged the country's political leaders to take advantage of this approach with the aim of contributing to a positive outcome of the feasibility report early next year. It recalled that respect for international obligations, including full co-operation with the ICTY, remained crucial for further progress in the process towards EU integration. Conclusions were agreed.

Kosovo

The Council discussed the forthcoming Kosovo Assembly elections on 23 October and looks forward to the elections being conducted in a peaceful and democratic environment and in a free and fair manner, with the widest participation of all communities. The Council welcomed the call by President Tadic encouraging Kosovo Serbs to participate in the forthcoming elections. Conclusions were agreed.

European Neighbourhood Policy

The Council took note of a progress report by the Commission on the state of play of the European Neighbourhood Policy Action Plans with the seven countries concerned (Jordan, Palestinian Authority of the West Bank and Gaza Strip, Ukraine, Moldova, Israel, Morocco and Tunisia).

Middle East Peace Process

The Council condemned the terrorist attacks in Taba and Ras Satan against innocent Egyptian and Israeli citizens and praised the two Governments for their close co-operation in the rescue and investigation activities.

The Council expressed its grave concern at the unprecedented cycle of retaliatory violence in Israel and the Occupied Territories and reiterated its full and unconditional condemnation of all forms of terrorism. It called upon the Palestinian Authority to take firm action against the planners and perpetrators of such terrorist acts (rocket attacks into Israel). The Council recognised that Israel has the right to protect its citizens from terrorist attacks, it stressed that the exercise of this right should take place within the boundaries of international law. The Council called on Israel to put an immediate end to its operation in Gaza and to fully respect the Fourth Geneva Convention. The Council reminded Israel and the Palestinians to consider the longer-term consequences of their actions. It emphasised that the only way to achieve lasting peace in the Middle East is through the resumption of security co-operation and direct negotiations between the parties, as called for in the Roadmap. Conclusions were agreed.

Great Lakes

The Council remained concerned about the overall situation in the region and welcomed the adoption of UN Security Council Resolution 1565, which further strengthens the mandate of MONUC (UN Mission to the Democratic Republic of the Congo) and calls for a significant increase and improvement of MONUC's capabilities. The Council stressed that the European Union and its member states are currently investigating possible contributions to MONUC. Conclusions were agreed.

Kenneth Bigley

The EU expressed its profound shock and total condemnation of the barbaric murder of Kenneth Bigley in Iraq. The EU condemned all kidnappings and acts of terrorism in Iraq and demanded the immediate release of all hostages there.

The presidency requested that the condolences of all Council members be passed to Mr. Bigley's family.

Hizbollah

Mr. Love: To ask the Secretary of State for Foreign and Commonwealth Affairs what monitoring is undertaken of the activities of Hizbollah; when its activities were last assessed as terrorist action; and if he will make a statement. [192754]

Mr. MacShane: We closely monitor Hizbollah activities. We proscribed Hizbollah's External Security Organisation (ESO) in 2001 as concerned in terrorism. We continue to press Hizbollah to end its support for violence and to pursue its aims through exclusively legitimate political means.

Iran

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government made to the Government of Iran about the sentence of death awarded to 16 year old Atefeh Rajabi and carried out in public in Neka during August *(a)* prior to her execution and *(b)* after her execution; and if he will make a statement. [193062]

Mr. Alexander: We did not receive reports of Ms Rajabi's execution until after it was said to have taken place.

We have raised with the Iranian authorities on many occasions our serious concerns about the use of the death penalty in Iran, including public executions and the execution of juvenile offenders. My noble Friend, the Baroness Symons of Vernham Dean, has conveyed the Government's strong concern at Ms Rajabi's reported execution.

Iraq

Glenda Jackson: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his oral statement on Iraq of 12 October 2004, *Official Report*, columns 151–55, what the information was upon which he and the Prime Minister based their judgements and which he now accepts was wrong. [191796]

Mr. Straw: I refer my hon. Friend to my written statement of 12 October *Official Report*, column 14WS. My hon. Friend will find further background in The Report on the Review of Intelligence on Weapons of Mass Destruction chaired by Lord Butler of Brockwell, published on 14 July 2004 (HC 898).

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs whether post-war validation of the source of the UK Government's claim that Iraq sought to procure uranium from Africa after 1998 has taken place. [192517]

Mr. MacShane: The conclusions regarding the Government's claim that Iraq sought to procure uranium from Africa after 1998 are contained in chapter 6.4 of the report of the review headed by Lord Butler of Brockwell.

Mercenaries

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to introduce legislation to *(a)* make it illegal for UK residents to take part in mercenary activities and *(b)* make UK companies that recruit mercenaries responsible under UK law for any breaches of human rights or actions that those they employ have committed. [192726]

Mr. Rammell *[holding answer 21 October 2004]:* The Foreign Enlistment Act of 1870 makes it an offence to engage in military or naval service of "a foreign state at war with any foreign state at peace with Her Majesty." However no prosecution has ever been brought under this legislation and a committee of Privy Counsellors, chaired by Lord Diplock concluded in 1976 that the legislation is probably unworkable.

The growth in the size and importance of the UK private security industry operating overseas strengthens the case for regulation of this sector. Developing such regulation is a complex undertaking, as set out in the Government's Green Paper "Private Military Companies", published on 12 February 2002. There are a number of difficult questions of definition and enforcement in deciding how to approach such regulation. The cost of regulation is also potentially high, for both Government and industry.

When considering regulation the Government recognises that there is a legitimate role for the private sector in providing security in post-conflict situations, such as in Iraq and Afghanistan. National armed forces do not always have the capacity to provide security to the international community's reconstruction and humanitarian efforts in these difficult security situations.

My right hon. Friend the Foreign Secretary has instituted a further detailed review of options for regulation over the next few months. The Government will keep Parliament fully informed of its thinking in this area. Consideration of the responsibility of individuals and companies will be at the centre of this review.

Nuclear Disarmament

Alan Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the New Agenda Coalition countries about working towards a nuclear-free world. [192702]

Mr. MacShane: The Government regularly include discussions of nuclear non-proliferation in its bilateral contacts with New Agenda Coalition countries. In that context, we make clear that we are fully committed to the nuclear non-proliferation treaty (NPT) and emphasise the importance of full compliance with the Treaty by all States Party. We also express our desire to see the immediate resumption of substantive work at the Conference on Disarmament, starting with the negotiation of a Fissile Material Cut-off Treaty.

Syria

Mr. Robert Jackson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress on the proposed EU-Syrian Association agreement. [192888]

Mr. MacShane: As my right hon. Friend the Foreign Secretary said at his press conference with the Syrian Foreign Minister, Dr. Farouk Shara'a, on 18 October, we are pleased that good progress has been made on the EU-Syria Association Agreement. The agreement was initialled on 19 October.

Turkey

Rev. Martin Smyth: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his Turkish counterpart regarding the extent of freedom of religion for religious minorities in Turkey. [193237]

Mr. MacShane: There have been several notable successes for freedom of religion this year in Turkey and the UK believes that the situation of religious minorities in Turkey is improving. The UK Government supports the European Commission's recommendation of 6 October, which called on the Turkish Government to adopt legislation to resolve the difficulties faced by non-Muslim religious communities. Our Embassy in Ankara is in regular contact with the Turkish Government on this issue. My noble Friend the Lord Chancellor and I both raised the need for a new Law on Foundations with the Turkish Justice Minister when he visited the UK in July, and I understand that this is being prepared. We have also urged the Turkish Government to take further steps to facilitate the establishment and running of churches and reopen the Greek Orthodox Seminary on Heybeliada.

Uzbekistan

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the implications of the United States State Department's decision to waive the decertification of Uzbekistan for financial aid on grounds of national interest; and if he will make a statement. [193173]

Mr. Rammell: The waiver, taken on the grounds of the national security interests of the US, was agreed by President Bush in December 2003. It allows Uzbekistan to continue to participate in the Nunn-Lugar Cooperative threat reduction programme, designed to assist the states of the former Soviet Union to secure or destroy WMD and establish safeguards against their proliferation.

This was distinct from the US Secretary Of State's decision not to certify Uzbekistan, which was taken, as the US State Department made clear on 13 July 2004, because of Uzbekistan's lack of progress in meeting its commitments under the Strategic Partnership Framework agreed in 2002 between Uzbekistan and the US.

We have been forthright in our criticism of the Uzbek Government's human rights record. We regularly discuss human rights issues in Uzbekistan with the US. Both the US and UK Governments have a policy of constructive but critical engagement to try to improve the human rights situation in that country.

Visas

Mr. Caton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the refusal rate for *(a)* student visas and *(b)* tourist visas in 2002–03. [192395]

Mr. Mullin: During the financial year 2002–03 a total of 181,905 student entry clearance applications were received worldwide, of which 52,520, or 28.9 per cent., were refused.

During the financial year 2002–03 a total of 1,428,984 visitor entry clearance applications were received worldwide of which 176,764, or 12.4 per cent., were refused.

Mr. Caton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the number of refusals of student visa applications between 2001–02 and 2002–03. [192400]

Mr. Mullin: During the financial year 2001–02 a total of 38,873 student entry clearance applications were refused. The equivalent figure for financial year 2002–03 was 52,520. These figures are published in the booklet "Entry Clearance Statistics" for the Financial Year 2002–2003, copies of which are available in the Library of the House.

PRIME MINISTER

Invasions (Parliamentary Votes)

Tony Wright: To ask the Prime Minister if he will take steps to provide an opportunity for a parliamentary vote when there is future intention to invade another country. [193495]

The Prime Minister: The Government have given repeated assurances that Parliament will be given the opportunity to debate significant decisions about the military engagement of British forces in armed conflict overseas. It might not always be possible to hold a debate in advance of a military engagement, if the effect of that would be to give advance notice of our military activities and endanger the lives of our troops.

Iraq

Mr. Andrew Turner: To ask the Prime Minister when he was first made aware that the Joint Intelligence Committee had described evidence of Iraq's weaponry as sporadic, patchy and limited. [193501]

The Prime Minister: I have nothing further to add to the remarks that I made on this issue in the debate on Iraq on 20 July 2004, *Official Report*, columns 196–202.

Mr. Kilfoyle: To ask the Prime Minister whether the war cabinet for the Iraq war is still extant. [193712]

The Prime Minister: The ad hoc Ministerial group on Iraq that I chaired met over the period of the conflict. Ministers have met regularly since April 2003 to discuss progress in Iraq, including in meetings of the ad hoc Ministerial group on Iraq Rehabilitation.

Mr. Kilfoyle: To ask the Prime Minister how often the full Cabinet has considered the committal of extra troops to Iraq. [193713

The Prime Minister: As my official spokesman mad clear, on 21 October the Cabinet had discussed th request by the American military for a redeployment o British forces already within Iraq. The Cabinet discuss wide range of issues as they arise. However, it i established practice, as reflected in the Ministerial Code and under Exemption 2 of Part II of the Code of Practice on Access to Government Information, not to disclose information relating to the proceedings of the Cabinet and its committees.

Kofi Annan

Hugh Robertson: To ask the Prime Minister what discussions he had with the Secretary General of the UN during his visit to London on 19 October 2004 over alleged corruption at the UN during the Oil for food programme in Iraq. [193176]

Llew Smith: To ask the Prime Minister what *(a)* matters were discussed and *(b)* agreements were made during his meeting with United Nations Secretary—General Kofi Annan on 19 October 2004; and if he will make a statement on United Kingdom relations with the United Nations. [193512]

The Prime Minister: I refer the hon. Members to the press conference I held with the United Nations Secretary General on 19 October 2004, a transcript of which is available on the Number 10 website.

Lord Chancellor

Mr. Fallon: To ask the Prime Minister if he will take steps to reduce the salary of the Secretary of State for Constitutional Affairs and Lord Chancellor to the salary of other Cabinet Ministers from the date on which the Secretary of State for Constitutional Affairs ceases to act as head of the judiciary. [193766]

The Prime Minister: The Salary of the Lord Chancellor is set out in section 1 of the Ministerial and other Salaries Act 1975 as amended by the Ministerial and other Salaries Order 1996. Legislation determines the salary and the Constitutional Reform Bill contains provisions relating to it.

WORK AND PENSIONS

Correspondence

Sir Gerald Kaufman: To ask the Secretary of State for Work and Pensions when he will reply to the letter to him dated 7 September 2004 from the right hon. Member for Manchester, Gorton with regard to Mr. M Gibbons. [192538]

Mr. Pond: My right hon. Friend, the Secretary of State for Work and Pensions (Alan Johnson) replied to my right hon. Friend on 15 October.

Sure Start Maternity Grants

Hugh Bayley: To ask the Secretary of State for Work and Pensions how many mothers in *(a)* Yorkshire and Humber and *(b)* City of York received Sure Start maternity grants in each year since 1997. [191161]

Mr. Pond: The information is not available in the format requested; the available information is in the table.

	Award type	*Number of awards*
Awards in the area covered by Directorate of Yorkshire		
1997–98	MP	15,111
1998–99	MP	17,831
1999–2000	MP	17,073
2000–01	MP	1,912
2000–01	SSMG	17,047
2001–02	SSMG	20,678
2002–03 to November	SSMG	16,124
Awards in the area covered by the Government Office Region of Yorkshire and Humber		
2002–03 from December	SSMG	8,078
2003–04	SSMG	26,111
Awards in North Yorkshire Social Fund District		
1997–98	MP	1,081
1998–99	MP	1,377
1999–2000	MP	1,325
2000–01	MP	159
2000–01	SSMG	1,356
2001–02	SSMG	1,794
2002–03	SSMG	2,144
2003–04 to October	SSMG	1,300
Awards in the area covered by North Yorkshire Jobcentre Plus District		
2003–04 from November	SSMG	860

Notes

1. Maternity payments (MP) were abolished in 2000–01 and replaced by Sure Start Maternity Grants (SSMG). The change was phased in from 27 March 2000.

2. The Government Office Region (GOR) of Yorkshire and Number was created in April 2002. However, data on the area covered by this GOR is available only from December 2002. Prior to that, data is given for the Area Directorate of Yorkshire, which corresponds to a large part of the Yorkshire and Humber GOR. Therefore the tables refer to different areas, and the data is not comparable.

3. City of York parliamentary constituency used to be part of North Yorkshire Social Fund District and is now part of North Yorkshire Jobcentre Plus District. The latter was formed in November 2003 from North Yorkshire Social Fund District and part of Bradford and Keighley Social Fund District. Therefore the tables refer to different areas, and the data is not comparable.

4. The very small number of SSMG awards for 1999–2000 has been excluded for data protection reasons.

5. All Sure Start Maternity Grant awards have been included not just those awarded to mothers.

Source:

DWP Social Fund Policy, Budget and Management Information System

Benefit Assessments (Appeals)

Tom Cox: To ask the Secretary of State for Work and Pensions how many appeals were made in relation to benefit assessments in the last 12 months. [191961]

Maria Eagle: This is a matter for Christina Townsend, Chief Executive of the Appeals Service. She will write to the hon. Member.

Letter from Mr. Norman Egan to Mr. Tom Cox, dated 25 October 2004:

The Secretary of State has asked Christina Townsend, Chief Executive, to respond to your question regarding how many appeals were made in relation to benefit assessment in the last 12 months. Christina is away from the office at the moment and I have been asked to reply.

The table shows the number of appeals received by the Appeals Service in the last 12 months.

Benefit	*Benefit caseload see footnotes by Benefit*	*April 2003 to March 2004*
All Personal Capability Assessment (not Incapacity Benefit)	—	910
Attendance Allowance	1,340,700	9,705
Child Benefit/One Parent Benefit	12,547,500	1,180
Child Support Assessments	983,700	2,850
Child Support Departures Appeal	—	1,080
Child Support Departures Referral	—	150
Child Support Reforms	—	305
Child Tax Credit	—	1,090
Coeg	—	15
Compensation Recovery Unit	—	1,425
Council Tax Benefit	—	—
Credits—Statutory Maternity Pay	4,627,800	1,155
Credits—Statutory Sick Pay	—	—
Credits Approved Training	—	—
Credits Jury Service	—	—
Disability Living Allowance	2,498,000	84,120
Disability Working Allowance	—	—
Disabled Persons Tax Credit	—	55
Family Credit	—	5
Home Responsibility Protection	—	15
Housing/Council Tax Benefit	4,970,000	3,960
Housing Benefit	3,796,400	3,630
Incapacity Benefit (not personal Capability Assessment)	2,394,200	7,395
Incapacity Benefit (Personal Capability Assessment)	—	55 460
Income Support	3,982,200	19,015
Industrial Death Benefit	—	5
Industrial Injuries Disablement Benefit	342,950	15,515
Invalid care Allowance/carers	408,115	1,305
Jobseekers Allowance	832,300	15,310
Lookalikes	—	5
Maternity Allowance	14,860	115
Not known	—	670

Benefit	*Benefit caseload see footnotes by Benefit*	*April 2003 to March 2004*
Others (Extinct /Rare Benefits)	—	1,340
Pension Credits	2,066,100	385
Retirement Pension	11,392,100	1,570
Severe Disablement Allowance	319,100	415
Social Fund—Funeral Payments	—	2,470
Social Fund—Maternity Payments	—	1 040
Vaccine Damage Appeals Tribunals	—	35
Widows Benefit	167 500	790
Working Families Tax Credit	—	1,035
Working Tax Credit	—	95

Appeals Data Notes:

1. All figures are subject to change as more up to date data becomes available.

2. Figures for the latest months may rise significantly as information feeds through the Appeals Service.

3. Figures are rounded to the nearest five.

4. Figures may not sum due to rounding.

5. Denotes data equal to nil or negligible.

Source:

IAD information Centre, 100 per cent. sample

Benefit Data:

All benefit caseload information is based on 5 per cent. sample at May 2003 and the source is that of IAD Information Centre, unless expressed otherwise as follows.

Attendance Allowance and Disability Living Allowance Data Notes:

1. Figures are rounded to the nearest hundred.

2. From November 2002, the methodology for producing these figures was changed to allow statistics to be published much sooner. This has resulted in a small increase in the reported caseload. This is because some cases which have actually terminated but have not yet been updated on the computer system are now included.

Carers Allowance Data Notes:

1. Data is rounded to the nearest 5.

Source:

IAD Information Centre, 100 per cent. Sample

Child Benefit/ One Parent Benefit:

1. Data as at February 2003

Source:

IAD Information Centre Child Support Agency Data Notes:

Child Support Agency Data Notes:

1. Data as at Feb 2003. All new cases after the 3rd of March 2003 were placed on a new computer system. Therefore, this is the last quarter when the Child Support Computer System (CSCS) contained all CSA cases.

2. Figures show the total number of live and assessed cases on CSCS. This includes Full Maintenance Assessment cases and Interim Maintenance Assessment cases. Pre-maintenance assessment cases are excluded.

Source:

IAD Information Centre, 100 per cent. Sample

Council Tax and Housing Benefit Separately Data Notes:

1. Data is in Benefit Units

2. Council Tax Benefit totals exclude any Second Adult Rebate cases.

3. Housing Benefit figures exclude any Extended Payment cases.

Source:

IAD Information Centre, 100 per cent. Sample

Council Tax/Housing Benefit Combined Data Notes:

1. The figure is based on 1 per cent. sample and therefore subject to a degree of sampling variation.

2. The data refers to benefit units, which may be a single person or a couple.

3. Due to the estimation procedure to produce the figures for Housing Benefit and/or Council Tax Benefit, this figure is rounded to the nearest ten thousand.

4. Council Tax Benefit totals exclude any Second Adult Rebate cases.

5. Housing Benefit figures exclude any Extended Payment cases.

Incapacity Benefit Data Notes:

1. Figures are rounded to the nearest hundred.

Income Support Data Notes:

1. Figures are based on a 5 per cent. sample and therefore subject to sampling variation.

2. Figures rounded to the nearest hundred.

Industrial Injuries Disablement Benefit Notes:

1. Data as at June 2003.

Jobseekers Allowance Benefit Notes:

1. Figures rounded to the nearest hundred.

2. JSA figure excludes 'Nil' benefit cases, i.e. those signing for National Insurance Credits only.

Pension Credits Benefit Data Notes:

1. Data as at November 2003.

2. Pension Credit replaced MIG on 6 October 2003

Retirement Pension:

1. Data as at March 2004

Widows benefit Data Notes:

1. Data as at March 2004

Benefit Payments/Overpayment

Mr. Waterson: To ask the Secretary of State for Work and Pensions what the cost to his Department was of employing *(a)* solicitors, *(b)* debt collectors and *(c)* other outside agencies to recover benefits overpaid or paid as a result of fraudulent claims from claimants in each of the last five years. [192176]

Mr. Pond: Solicitors are not employed specifically to recover overpayments. Debt collectors and outside agencies have not been used to recover benefit overpayments in the last five years to April 2004. However, a pilot initiative commenced in April 2004 to use private sector companies to provide debt collection services to DWP.

As of 25 September 2004, commission based payments of £399,850 (plus VAT) have been made in respect of £1,457,380 benefit overpayments recovered by our agents.

Helen Jones: To ask the Secretary of State for Work and Pensions how many pensioners in Warrington, North receive pension credit; what the average award made is; and how much has been spent on funding pension credits in Warrington. [193300]

Malcolm Wicks: At 31 August there were 4,130 households, comprising 5,070 individuals, receiving pension credit in Warrington, North, with an average award of £38.38. Between 1 October 2003 and 31 August 2004 an estimated £14.1 million was paid in pension credit in the two constituencies of Warrington, North and Warrington, South combined.

Notes:

1. Numbers of pension credit recipients are rounded to the nearest five.

2. Individual recipients include a small number of partners under age 60.

3. Pension credit was introduced on 6 October 2003. The estimated amount paid includes a small amount of expenditure on the minimum income guarantee, which pension credit replaced.

4. The estimated amount paid has been rounded to the nearest £100,000.

Helen Jones: To ask the Secretary of State for Work and Pensions how many people in Warrington have been assisted by *(a)* the New Deal for Young People, *(b)* the New Deal for the over 25s, *(c)* the New Deal for Lone Parents, *(d)* the New Deal for Disabled People and *(e)* the New Deal for the over 50s. [193302]

Maria Eagle: The available information is in the following tables.

Table 1

Constituency	New Deal for Young People Individual starts	New Deal for Young People Individuals into work	New Deal 25 plus Individual starts	New Deal 25 plus Individuals into work
Warrington North	1,360	800	670	280
Warrington South	830	510	450	160

Notes:

1. Data is up to the end of June 2004 for New Deal for Young People, New Deal 25 plus and New Deal for Lone Parents.

2. Information is not available at constituency level for New Deal for Disabled People.

3. Figures are rounded to the nearest 10.

Source:

DWP Information and Analysis Directorate

Table 2

Constituency	New Deal for Lone Parents Individual starts	New Deal for Lone Parents Individuals into work	New Deal 50 plus[1] Individuals into work
Warrington North	470	260	140
Warrington South	270	150	140

[1] Information is not available at constituency level for New Deal 50 plus after March 2003. Information relates to Employment Credit Starts up to the end of March 2003.

Notes:

1. Data is up to the end of June 2004 for New Deal for Young People, New Deal 25 plus and New Deal for Lone Parents.

2. Information is not available at constituency level for New Deal for Disabled People.

3. Figures are rounded to the nearest 10.

Source:

DWP Information and Analysis Directorate

Benefit Processing Centres (Wales)

Mr. Llwyd: To ask the Secretary of State for Work and Pensions when he last met the First Minister of the National Assembly of Wales to discuss the possible effects on social exclusion of the closure of benefit processing offices in Wales. [192209]

Alan Johnson: My predecessor, the right hon. Member for Oxford, East, last met the First Minister for Wales on 6 May 2004 where they discussed a range of issues, although the specific issue of benefit processing centres was not discussed. Senior officials of Jobcentre Plus and The Welsh Assembly have been in close contact about this issue and further meetings are planned.

Child Poverty

Hugh Bayley: To ask the Secretary of State for Work and Pensions how many children have been taken out of poverty since 1997 in *(a)* England, *(b)* Yorkshire and Humber and *(c)* the City of York. [191221]

Mr. Pond: Poverty is about more than low income, it also impacts on the way people live—their health, housing and the quality of their environment. The sixth annual "Opportunity for All" report (Cm 6239) sets out the Government's strategy for tackling poverty and social exclusion and presents information on the indicators used to measure progress against this strategy.

There is not a measure that sets out the numbers of children in poverty for the years since 1997. However, data on the number of children living in low income households are available. The threshold of below 60 per cent. contemporary median income is the most commonly used in reporting absolute and relative trends in low income.

In 1997, 2.7 million children in England were living in households below 60 per cent. median income, before housing costs. By 2002–03 this figure had fallen by 500,000. After housing costs this figure had fallen from 3.7 million to 3.1 million, a fall of 600,000.

In 2002–03, 10 per cent. of all children living in households below 60 per cent. of median income in England, lived in Yorkshire and the Humber. Data are not available below regional level, although specific information regarding low income for Great Britain is available in "Households Below Average Income 1994–95 to 2002–03". The document, "Measuring Child Poverty", published in December 2003, outlines the Government's new measure of child poverty which will be used from 2004–05.

Child Support

Mr. Kidney: To ask the Secretary of State for Work and Pensions when existing child support cases will be transferred to the new arrangements. [192551]

Mr. Pond: I refer the hon. Member to the written answer I gave the hon. Member for Castle Point (Bob Spink) on 18 December 2003, *Official Report*, column 1092W.

Departmental Redundancies

Chris Ruane: To ask the Secretary of State for Work and Pensions (1) what the timescale is for job reductions in the Department; [190679]

(2) how many jobs are to be lost in the Department *(a)* in total and *(b)* as a percentage of the workforce in each region of the UK.; [190681]

(3) how many job losses in his Department he expects there to be in *(a)* 2004–05 and *(b)* 2005–06 in each town in North Wales; [190879]

(4) what discussions his Department has had with other Government departments on ensuring that past and future civil servant job losses do not fall disproportionately on the same communities; [190680]

(5) whether the proposed job reductions in the Department will be achieved through *(a)* voluntary and *(b)* compulsory redundancies; [190678]

(6) what the proposed redundancy package is for employees who lose their jobs due to the Department's restructuring. [190877]

Maria Eagle: The Department plans to reduce staffing levels by 30,000 by 2008 as part of a four year efficiency and modernisation programme. To support this programme detailed business and staffing plans continue to be developed across all parts of the Department. The latest phase of these plans was announced by the Secretary of State on 16 September, it is however too early to say precisely the total number of reductions in each region of the United Kingdom or in each town in North Wales.

The reductions in staff numbers are being managed through recruitment controls, natural wastage, redeployment and voluntary releases. Where jobs are no longer required the Department will aim to secure suitable alternative employment for staff both within the Department and in other Government departments. The Department is already working closely with Cabinet Office and other Government departments at national and regional level to better co-ordinate staffing plans, vacancies and redeployment opportunities.

Compulsory redundancy will only be used as a last resort and will only take place after all other options have been considered. If any staff are made compulsorily redundant they will be offered the standard terms included in the Civil Service Compensation Scheme.

Disability Living Allowance

Paul Holmes: To ask the Secretary of State for Work and Pensions how many children have received disability living allowance in each year since 1997, broken down by local authority; and if he will make a statement. [193282]

Maria Eagle: The information has been placed in the Library.

Disabled Access Rights

Charles Hendry: To ask the Secretary of State for Work and Pensions what European Union legislation applies to access rights for the disabled. [193702]

Maria Eagle: The Council Directive 2000/78/EC established a general framework for equal treatment in relation to access to employment and occupation. The Directive covers discrimination on the basis of disability, age, sexual orientation or religion and belief.

Gypsies and Travellers

Andrew Bennett: To ask the Secretary of State for Work and Pensions what progress has been made with his Department's project to review housing benefit rules for gypsy and traveller sites; and when it will report. [191142]

Mr. Pond: The Department has commissioned Spark Research Ltd. to undertake research to inform our review of housing benefit rules for gypsy and traveller sites. The project is due to report to officials in summer 2005.

Incapacity/Severe Disablement Benefit

Mr. Berry: To ask the Secretary of State for Work and Pensions what the average frequency is with which recipients of incapacity benefit, excluding those who are exempt from the personal capability assessment, are subject to medical re-testing, broken down by diagnosis group. [190900]

Maria Eagle: Information about the frequency of referrals in individual cases is not recorded centrally and could be obtained only at disproportionate cost.

Initial referrals for personal capability assessments are made from between three and 10 weeks from the date of claim, according to the recorded diagnosis. Follow-up referrals are at intervals that are generally between three months and three years, based on the advice from the Medical Services' doctor.

Just over 2.7 million people were claiming incapacity benefits in May 2004. Approximately 1 million personal capability assessment referrals were made in 2003–04.

Mr. Goodman: To ask the Secretary of State for Work and Pensions how many *(a)* successful and *(b)* unsuccessful appeals were made against the rejection of applications for incapacity benefit and severe disablement allowance, broken down by (i) age and (ii) region. [191677]

Maria Eagle: This is a matter for Christina Townsend, Chief Executive of the Appeals Service. She will write to the hon. Member.

Letter from Norman Egan to Mr. Goodman, dated 25 October 2004:

The Secretary of State has asked Christina Townsend, Chief Executive, to respond to your question regarding how many *(a)* successful and *(b)* unsuccessful appeals were made against the rejection of applications for Incapacity Benefit and Severe Disablement Allowance broken down by (i) age and (ii) region. Christina is away from the office at the moment and I have been asked to reply.

The information in table 1 gives details of claims to Incapacity Benefit and Severe Disablement allowance. Table 2 shows the number of successful and unsuccessful appeals made against the rejection of Incapacity Benefit and Severe Disablement Allowance by age whilst table 3 shows the numbers broken down by region.

Table 1

Incapacity Benefit and Severe Disablement Allowance Claims at May 2003

Benefit	*Claimants*	*Beneficiaries*
Incapacity benefit	2,394,200	1,514,400
Severe disablement allowance	333,400	332,800

IB/SDA Data Notes:

1. Figures are subject to a high degree of sampling error and should only be used as a guide

2. Government Office Region figures have been derived using the claimant's postcode. Earlier Government Office Region figures were derived using the local office serial number. Comparisons with figures produced in publications prior to February 2000 may not be appropriate.

3. Includes a small number of Credits only cases over pension age—incorrectly held on the INCAP computer system.

4. Claimants—Customers who Claim IB

5. Beneficiaries—Successful Claims and are in Payment of Benefit

Table 2

Receipts and outcome of appeals by age groups for the financial year April 2003 to March 2004

Benefit	*Age group*	*Receipts at appeals service*	*Cleared at hearing*	*Cleared in favour*	*Decision upheld*	*Cleared others*
Incapacity benefit (not PCA)	All	7,395	4,575	1,675-	2,850	50
	Under 25	—	525	210-	305	5
	25–49	—	2,380	875-	1,475	30
	50–59	—	1,010	370-	630	5
	60–64	—	335	100-	230	5
	65+	—	325	110-	210	[1]—
Incapacity benefit (PCA)	All	55,460	41,855	19,880-	21,745	225
	Under 25	—	4,845	2,215-	2,605	25
	25–49	—	21,385	9,800-	11,475	110
	50–59	—	10,355	5,235-	5,055	65
	60–64	—	2,535	1,275-	1,245	20
	65+	—	2,735	1,360-	1,370	10
Severe disablement allowance	All	415	370	180-	185	5
	Under 25	—	30	15-	15	[1]—
	25–49	—	195	90-	100	[1]—
	50–59	—	90	55-	35	[1]—
	60–64	—	30	15-	15	[1]—
	65+	—	25	10-	15	[1]—

Table 3

Receipts and outcome of appeals by region groups for the financial year April 2003 to March 2004

Benefit	*Region*	*Receipts at appeals service*	*Cleared at hearing*	*Cleared in favour*	*Decision upheld*	*Cleared others*
Incapacity benefit (not PCA)	Birmingham	770	490	115-	370	5
	Cardiff	880	470	145-	320	5
	Glasgow	1,075	660	290-	360	10
	Leeds	1,370	970	360-	605	5
	Liverpool	475	320	105-	210	5
	Newcastle	465	250	60-	185	[1]—
	Nottingham	1,410	865	365-	485	20
	Salford	320	190	50-	135	5
	Sutton	635	365	185-	180	[1]—
Incapacity benefit (PCA)	Birmingham	5,895	4,550	1,815-	2,730	10
	Cardiff	8,180	5,175	2,400-	2,755	15
	Glasgow	10,850	8,490	4,465-	3,975	45
	Leeds	5,045	3,400	1,500-	1,880	20
	Liverpool	6,120	5,555	2,735-	2,805	15
	Newcastle	4,970	3,450	1,615-	1,825	10
	Nottingham	8,760	6,595	2,910-	3,595	90
	Salford	2,670	2,610	1,140-	1,450	20
	Sutton	2,970	2,030	1,295-	730	[1]—
Severe disablement allowance	Birmingham	55	50	40-	10	[1]—
	Cardiff	55	45	30-	20	[1]—
	Glasgow	40	30	15-	15	[1]—
	Leeds	45	45	15-	30	[1]—
	Liverpool	25	25	10-	15	[1]—
	Newcastle	15	15	5-	10	[1]—
	Nottingham	135	120	50-	65	5
	Salford	15	10	[1]—	10	[1]—
	Sutton	30	25	15-	15	[1]—

[1] Data equal to nil or negligible.

Appeals Data Notes:

1. All figures are subject to change as more up to date data become available.
2. Figures for the latest months may rise significantly as information feeds through to the Appeals Service.
3. Figures are rounded to the nearest five.
4. Figures may not sum due to founding.

Source:

100 per cent. download of the Generic Appeals Processing System.

I hope this reply is helpful.

Mr. Goodman: To ask the Secretary of State for Work and Pensions how many people are employed by the appeals system in relation to incapacity benefit and severe disablement allowance. [191689]

Maria Eagle: This is a matter for Christina Townsend, Chief Executive of the Appeals Service. She will write to the hon. Member.

Letter from Norman Egan to Mr. Goodman, dated 25 October 2004:

The Secretary of State has asked Christina Townsend, Chief Executive, to respond to your question regarding how many people are employed by the appeals system in relation to incapacity benefit and severe disablement allowance. Christina is away from the office at the moment and I have been asked to reply.

The information you have requested is not available, as members of staff are not assigned to individual benefits but instead by venue. I can let you know, however, that the Appeals Service currently has 864 staff in post.

I hope this reply is helpful.

Mr. Goodman: To ask the Secretary of State for Work and Pensions how many claimants of incapacity benefit and severe disablement allowance claimed other benefits simultaneously in each year since 1997, broken down by *(a)* the benefit claimed, *(b)* age and *(c)* region. [191691]

Maria Eagle: The information has been placed in the Library.

Income Support (Carer Premium)

Hugh Bayley: To ask the Secretary of State for Work and Pensions what the carer premium in income support was in *(a)* 1997 and *(b)* October. [191223]

Mr. Pond: The information requested is shown in the table:

Rates of carer premium in income support in 1997 and October 2004

	£
April 1996 to April 1997	13.00
From April 1997	13.55
From April 2004[1]	25.55

[1] Including October 2004.

Source:

Annual benefit Uprating Schedules.

Ministerial Expenses

Mr. Prisk: To ask the Secretary of State for Work and Pensions how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [191404]

Maria Eagle: The Department for Work and Pensions has no residential properties used by Ministers or officials on its estate.

Mobile Phones

Mr. Prisk: To ask the Secretary of State for Work and Pensions how many mobile phones were used by *(a)* Ministers and special advisers and *(b)* officials in his Department in each year since 1997; how many were (i) lost and (ii) stolen; and what their cost was. [191430]

Maria Eagle: Information is not available in the format requested.

Central records of mobile phones were not held until 1 November 2003. At that date, nine were used by Ministers and special advisers, and 11,950 were used by the Department's officials.

As of 11 October 2004, eight mobile phones were used by Ministers and special advisers and 13,605 used by officials.

Information on the number and associated costs of mobile phones lost or stolen is not collected.

Parenting Skills

Mr. Goodman: To ask the Secretary of State for Work and Pensions what research he has recently *(a)* published and *(b)* commissioned on the effects of parenting on life chances for children. [193593]

Mr. Pond: We have published a number of reports which include evidence on the effect of parenting on life chances for children. Since 2003 the Department has published:

Families and Children 2001: Living standards and the children, DWP Research Report 190 (July 2003).

Families and Children in Britain: Findings from the 2002 Families and Children Study. DWP Research Report 206 (March 2004).

The British Lone Parent cohort and their children 1991 to 2001, DWP Research Report 209 (April 2004).

These research reports are all available in the Library.

In addition the Department has two recently commissioned research projects. Findings will be published when they become available. The two projects are:

The effects of low income, material deprivation and parental employment on outcomes for children both in adulthood and as children.

The Families and Children Study—Wave 5 report.

Pension Credit

Mr. Battle: To ask the Secretary of State for Work and Pensions how many pensioners in Leeds West are receiving the savings element of the pension credit. [192680]

Malcolm Wicks: At 31 August 2004, 3,235 households in Leeds West, comprising 3,835 individuals, were receiving the savings element of pension credit.

Pension/Benefit Payments

Chris Ruane: To ask the Secretary of State for Work and Pensions how long on average UK banks took to process pension payments in the last period for which figures are available. [190715]

Mr. Pond: Payments are credited to a customer's bank account on the day the customer is due to receive payment. The overall timescale to process payments to banks through the BACS system is three days and is the same for all benefit and pension payments, made by Direct Payment.

Banks receive payment information on the second day of the BACS three day cycle and are committed to having customer's accounts credited by 9.30 am on day three of the BACS cycle. For the Post Office card account, Citibank provides credits to customers accounts by 9.00 am on day three of the BACS cycle i.e. in time for the normal opening of most post offices.

Chris Ruane: To ask the Secretary of State for Work and Pensions what discussions his Department has had with Citibank about customer service arrangements for pensioners receiving pension payments through the post office. [190809]

Mr. Pond: There have been no discussions between the Department of Work and Pensions and Citibank about customer service arrangements for pensioners receiving pension payments through the post office.

DWP has a contract with Post Office Ltd. for the provision of card account services at post offices. Post Office Ltd., in turn, has contracts with their suppliers, for the provision of card account services. DWP has no direct contractual relationship with Citibank, regarding the post office card account.

However, following the disruption to the post office card account service on 23 August, I spoke to the Chief Executive of Post Office Ltd. on 3 September and met senior post office directors on 6 September. I made clear that the Government did not expect pensioners to have to pay back money they may have withdrawn in good faith. I am pleased that post office's suppliers subsequently agreed not to pursue money which they had paid in error and which customers had already withdrawn.

Chris Ruane: To ask the Secretary of State for Work and Pensions what the cost is of making a weekly pension payment through *(a)* a Giro cheque payment and *(b)* a pension payment book. [190457]

Mr. Pond: Pensioners are not currently paid weekly by cheque. Girocheques are no longer issued, but before the move to direct payment cost £1.47 each. The current cost of a weekly payment by order book is about £1.10 and will increase as the number of order books falls away.

Payments directly into a bank or building society account currently cost only about 1p per transaction, showing how much more efficient Direct Payment is. And recently published research has shown that Direct Payment is proving very popular with customers and is easy to use.

All figures quoted relate to the average cost across all customers, not just pensioners.

Pensioner Income

Hugh Bayley: To ask the Secretary of State for Work and Pensions what the average weekly income of *(a)* a pensioner couple and *(b)* a single pensioner was in (i) real and (ii) cash terms in (A) 1997 and (B) October in (1) the UK, (2) Yorkshire and Humber and (3) the City of York. [191224]

Malcolm Wicks: Information is not available in the format requested. Data for pensioners' incomes in the City for York are not available; for Great Britain the most recent data that are available are for 2002–03.

The average weekly net income for pensioner couples and single pensioners in Great Britain is set out in the table.

£

	1996–97	*2002–03*
Pensioner couples		
Real terms	287	327
Cash terms	249	327
Single pensioners		
Real terms	145	177
Cash terms	125	177

Note:

Real figures are in 2002–03 prices.

Source:

Pensioners' Incomes Series 2002–03 based on the Family Resources Survey data for Great Britain.

Regional data in the Pensioners' Income publication are compiled from three years of Family Resources Survey data (2000–01, 2001–02, and 2002–03) to ensure statistical robustness. The following table shows the net weekly income, in 2002–03 prices, for pensioner couples and single pensioners in Yorkshire and the Humber and in Great Britain, on this basis.

£

	Yorkshire and the Humber	*Great Britain*
Pensioner couples	289	329
Single pensioners	167	173

Note:

Figures are in 2002–03 prices.

Source:

Pensioners' Incomes Series 2002–03 based on the Family Resources Survey data from 2000–01, 2001–02, and 2002–03.

Refurbishment Costs

Mr. Willetts: To ask the Secretary of State for Work and Pensions what the total cost of any refurbishments to the fabric of buildings owned by his Department has been since May 1997. [185528]

Maria Eagle: DWP was formed in June 2001 from the former Department of Social Security (DSS) and parts of the former Department for Education and Employment (DfEE), including the Employment Service (ES).

The costs of refurbishments to the fabric of buildings are in the table.

£ million

Period	*Spend for former DSS Estate*	*Spend for former ES Estate*
April 1997-March 1998	18.8	15.4
April 1998-March 1999	3.3	17.4
April 1999-March 2000	25.0	23.4
April 2000-March 2001	32.4	16.0
April 2001-March 2002	44.5	17.6
April 2002-March 2003	35.2	26.7
April 2003-March 2004	32.7	14.6
Total	191.9	131.1
Overall total		323.0

Social Fund Loans

Mr. Waterson: To ask the Secretary of State for Work and Pensions what provision the Department has made in its accounts for non-repayment of social fund loans in the next financial year. [192275]

Mr. Pond: The provision the Department has made in the 2002–03 departmental resource account for non-repayment of Social Fund loans falling within one year is £1,971,327.14. The total of the Social Fund Loans debt stock as at 31 March 2003 is £626,918,608.70 which means the amount of the provision for non-repayment of Social Fund Loans in the next financial year is 0.31 per cent. of the total Social Fund Loan debt stock.

The Social Fund Loans provision is made up of provisions against Social Fund crisis loans, Social Fund budget loans and Social Fund funeral payments.

The figures used are from the 2002–03 departmental resource account as the 2003–04 departmental resource account has yet to be finalised.

Staff Redeployment

Chris Ruane: To ask the Secretary of State for Work and Pensions what discussions his Department is having with the Welsh Assembly Government to redeploy departmental employees to the new regional assembly offices planned for North Wales. [190881]

Maria Eagle: A meeting was held on 11 October 2004 between the Jobcentre Plus H R Business Partner, a representative of the DWP Regional Change Implementation Programme Executive and the Head of Human Resources for the Welsh Assembly Government. The purpose of the meeting was to outline the strategic changes planned for both organisations, the effect that these changes will have on staffing levels and respective timelines for change.

All parties agreed that there are likely to be opportunities for redeployment of DWP staff into Welsh Assembly Government posts at various locations throughout Wales. However, it is currently too early to be able to give an indication of how many posts might be available and from when.

Regular networking arrangements have been put in place to ensure that redeployment of DWP staff is maximised and Welsh Assembly Government posts are filled by skilled and experienced workers.

HEALTH

"Shaping Health Services"

Mr. Goodman: To ask the Secretary of State for Health what the cost was of *(a)* the Shaping Health Services document published by the Mid and South Bucks Health Community before the consultation into its healthcare proposals for Buckinghamshire and *(b)* the Shaping Health Services document on Women and Children's Services entitled Creating Better Healthcare for Buckinghamshire, published recently. [192983]

Ms Rosie Winterton: The Department does not hold the information requested.

Age-related Macular Degeneration

Mr. Baron: To ask the Secretary of State for Health if he will provide financial assistance for continued research at the Southern Eye Research Centre, Southampton General Hospital, into age-related macular degeneration. [191750]

Miss Melanie Johnson *[holding answer 15 October 2004]:* No. The main agency through which the Government support medical and clinical research is the Medical Research Council (MRC). The MRC is an independent body, funded by the Department of Trade and Industry via the Office of Science and Technology. The MRC always welcomes high quality applications for support into any aspect of human health and these are judged in open competition with other demands on funding.

Asylum Seekers

Lynne Jones: To ask the Secretary of State for Health what specific measures are *(a)* in place and *(b)* planned to (i) identify, (ii) assess and (iii) meet the health needs of people seeking asylum in the UK at each stage of the asylum-seeking process. [186577]

Miss Melanie Johnson: A person who has formally applied for asylum is entitled to national health service treatment for as long as their asylum application is under consideration.

A national network of induction centres for newly arrived asylum seekers is being rolled out by the Home Office. All asylum seekers who go through an induction centre are offered a health assessment to identify and assess health needs and to facilitate prompt access to health services where needed within the induction process. A basic health history is recorded in a patient-held medical record which the asylum seeker takes with them when they leave.

Where asylum seekers live in the community, primary care trusts identify and assess the needs of asylum seekers. Individual areas have developed their own mechanisms for ensuring that asylum seekers are linked to primary health care services. One such example is the asylum seeker and refugee centre for health (ARCH) in Birmingham.

The Home Office proposes to accommodate asylum seekers in trial accommodation centres and will provide primary care services on site. The Home Office also provides for the on-site health care of those asylum seekers who go through the fast-track process at the Oakington reception centre or are held in immigration removal centres.

Care Homes

Mr. Hepburn: To ask the Secretary of State for Health what the average cost to public funds of a patient in a care home in *(a)* the private sector, *(b)* the local authority and *(c)* the voluntary sector has been in (i) the Jarrow constituency, (ii) South Tyneside, (iii) Tyne and Wear and (iv) England in each year since 1997. [193609]

Dr. Ladyman: The requested information is not available centrally prior to the 2000–01 financial year. Data for Tyne and Wear as a whole and the Jarrow constituency are also not available centrally. The table shows the average gross weekly expenditure reported by South Tyneside council and the England average weekly expenditure of supporting older people and adults aged 18–64 in residential and nursing care between 2000–01 and 2002–03, the latest date for which data are available.

Average gross weekly expenditure per person on supporting older people and adults aged 18 to 64 in residential and nursing care homes

	2000–01		*2001–02*		*2002–03*	
	South Tyneside	*England*	*South Tyneside*	*England*	*South Tyneside*	*England*
Nursing homes						
Older people	291	368	436	368	375	394
Adults aged 18 to 64 with learning disabilities	1,806	716	1,038	623	1,056	700
Adults aged 18 to 64 with mental health needs	[1]—	411	[1]—	483	2,224	501
Adults aged 18 to 64 with physical disabilities	284	475	481	504	423	521
Local authority owned residential care homes						
Older people	448	426	425	446	446	494
Adults aged 18 to 64 with learning disabilities	783	698	791	797	[1]—	886
Adults aged 18 to 64 with mental health needs	716	651	655	606	[1]—	656
Adults aged 18 to 64 with physical disabilities	[1]—	763	[1]—	772	[1]—	718
Private/voluntary sector owned residential homes[2]						
Older people	259	279	326	286	292	313
Adults aged 18 to 64 with learning disabilities	910	630	826	605	916	639
Adults aged 18 to 64 with mental health needs	209	388	284	378	291	422
Adults aged 18 to 64 with physical disabilities	791	502	795	512	567	542

[1] Not available.

[2] It is not possible to separate privately owned homes from those owned by voluntary sector organisations.

Source:

Form PSS EX1

Dermatology (Treatment Costs)

Mr. Burstow: To ask the Secretary of State for Health what assessment has been made of the impact on *(a)* patients and *(b)* trusts of setting up a single episode tariff for dermatology. [192816]

Mr. Hutton: A single episode tariff applies to dermatology in the current financial year. It was derived following evidence of a uniform distribution of the ratio of first to follow-up appointments throughout the country. Use of the tariff is currently limited to a small number of payment by results pilots and we will be working with them to assess the impact. From 1 April 2005, the tariff will apply to all national health service providers and, to ensure uniformity of approach and data flows, the single episode is being replaced with a dual tariff for first attendance and follow up attendance.

Healthy Living Blueprint

Mr. Jim Cunningham: To ask the Secretary of State for Health how the healthy living blueprint will promote healthier lifestyles for children. [189666]

Miss Melanie Johnson *[holding answer 12 October 2004]:* The healthy living blueprint provides support for head teachers, governors and teachers to help children and young people lead healthy lifestyles. A supporting healthy living web portal offers information, advice, guidance and sources of help. The blueprint brings together the range of government and non-government initiatives and support which contribute to healthy living into one resource for schools.

Human Fertilisation and Embryology Authority

Mr. Key: To ask the Secretary of State for Health if he will make a statement on Human Fertilisation and Embryology Authority fees for research licences. [190793]

Miss Melanie Johnson: Research that involves the use of human embryos requires a licence from the Human Fertilisation and Embryology Authority (HFEA). The HFEA charges a fee of £200 for a research licence application. It costs the HFEA an average of £6,000 to consider and process a research licence application and, if awarded, regulate it. Earlier this year, the HFEA undertook a public consultation exercise on proposals to increase the fee to make it more representative of the cost to the Authority of considering and processing research licence applications and regulating the licence once awarded. Following the consultation, the HFEA proposes to increase the fee to £500 for small research projects, rising to £750 for more substantial projects. Although a significant increase, it would not cover the full cost to the HFEA of handling the licence applications, as to do so might jeopardise research in the United Kingdom, including important stem cell research. The proposed fee increase would therefore continue to require subsidisation from the funding that the HFEA receives from the Department.

In accordance with section 16 of the Human Fertilisation and Embryology Act 1990, the proposed fee increase was submitted to my right hon. Friend, the Secretary of State and Her Majesty's Treasury for approval. Approval for the increase has been given.

Information Technology

Mr. Pickthall: To ask the Secretary of State for Health if he will make a statement on the future of EMIS. [192806]

Mr. Hutton *[holding answer 21 October 2004]:* Egton Medical Information Systems (EMIS) are suppliers of significant numbers of medical information systems to primary care practitioners. Currently around 55 per cent. of general practitioner practices use the EMIS suite of software products on annually renewed contracts.

The position in relation to the national programme for information technology (NPfIT) in England is that EMIS are working co-operatively with NPfIT to make their systems compliant for the programme's electronic booking service. EMIS also co-operated with the recent upgrade to GP IT systems to support the quality and outcomes framework introduced under the new general medical services contract.

In terms of commercial arrangements, EMIS have told NPfIT that they have not been able to reach a satisfactory contractual arrangement with any of the programme's local service providers who are responsible for delivering NPfIT applications at a local level. They have indicated that for the time being they intend to continue managing their business on the current basis. The NPfIT would prefer that EMIS were participating more directly in its on-going programme. However, there are certain contractual and operational conditions that come with direct participation, which EMIS have, to date, had difficulty in accepting.

It is a matter for EMIS to decide whether the company will contract with one or more local service provider. If they are unable or unwilling to do this, it is open to them to continue to supply their systems as long as GPs choose to buy them.

NHS Professionals Special Health Authority

Mr. Baron: To ask the Secretary of State for Health what calculations were made by his Department to reach the figure of £26.6 million allocated to the NHS Professionals Special Health Authority for 2004–05. [193577]

Mr. Hutton: The budget of £26.6 million represents transition funding for 2004–05, based on the requirements of NHS Professionals' business plan. This is available in the Library.

Mr. Baron: To ask the Secretary of State for Health what proportion of the budget of the NHS Professionals Special Health Authority is allocated to the task of acting in a regulatory role for independent recruitment agencies in the health sector. [193586]

Mr. Hutton: NHS Professionals does not have any regulatory role for independent recruitment agencies in the health sector.

Mr. Baron: To ask the Secretary of State for Health if he will break down the budget allocated to the NHS Professionals Special Health Authority for 2004–05 by main budget heading. [193587]

Mr. Hutton: The budget provided by the Department represents a contribution to the wider running costs and activities of NHS Professionals and is therefore not directly attributable to specific budget headings.

Mr. Baron: To ask the Secretary of State for Health what the reasons are for the decrease in the monies allocated to the NHS Professionals Special Health Authority between 2002–03 and 2004–05. [193588]

Mr. Hutton: NHS Professionals special health authority (SHA) did not receive funding in 2002–03 as it was established as a SHA in shadow form from 1 January 2004 and formally established from 1 April 2004. It received funding for the final quarter of the financial year 2003–04 and is receiving funding for the full year 2004–05.

Mr. Baron: To ask the Secretary of State for Health what assessment he has made of the potential for conflict of interest between the NHS Professionals Special Health Authority's role as a regulator of independent recruitment agencies in the health sector and its own role in recruiting NHS staff. [193615]

Mr. Hutton: There is no potential for conflict of interest as NHS Professionals does not have a role as a regulator of independent recruitment agencies in the health sector.

Nursing Bursaries

Mr. Drew: To ask the Secretary of State for Health if he will make a statement on bursaries available for those wanting to train as a nurse, with particular reference to entitlement to student childcare. [193142]

Mr. Hutton: Student nurses attending pre-registration courses are eligible for national health service bursaries. For students on degree courses, the bursaries are means-tested in line with the published NHS bursary scheme. On diploma courses, students get a basic rate of bursary that is not means-tested; any extra allowances on top of the basic rate are means tested. We introduced, from 1 September 2004, a new allowance that pays up to 85 per cent. of actual child care costs; subject to a maximum of £170 a week for those with two or more children who are getting registered or approved child care.

Psychiatry (Human Rights)

Mr. Burstow: To ask the Secretary of State for Health what the reasons are for the United Kingdom reserving the right not to comply with the recommendation of the Council of Europe on Human Rights and Psychiatry; and if he will make a statement. [192751]

Ms Rosie Winterton: I refer the hon. Member to the reply I gave to my hon. Friend, the Member for Birmingham, Selly Oak (Lynn Jones) on 20 October, *Official Report*, column. 796W.

Safety of Medicines

Paul Flynn: To ask the Secretary of State for Health what plans he has to require pharmaceutical companies to publish all trials of medicines. [190281]

Ms Rosie Winterton: In a clinical research agreement concluded in 2002 through the pharmaceutical industry competitiveness task force, the pharmaceutical industry agreed in principle to make trials publicly available after medicines have been licensed. Some companies have yet to implement this voluntary approach. The Government wants to see progress in this area and is keeping the issue under review.

Southampton General Hospital (Accident and Emergency)

Sandra Gidley: To ask the Secretary of State for Health how many people accessed accident and emergency services at Southampton General Hospital in each month from January to September in *(a)* 2003 and *(b)* 2004. [192552]

Ms Rosie Winterton: Information on the number of accident and emergency attendances is collected on a quarterly basis. The table shows the number of attendances for the Southampton University Hospitals National Health Service Trust from quarter 4, 2002–03 to the most recent available—quarter 1, 2004–05.

Attendances at accident and emergency departments, minor injury units and walk in centres, Southampton University hospitals NHS Trust, (RHM)

	Quarter	Total attendances
2002–03	4	21,338
2003–04	1	22,987
2003–04	2	23,890
2003–04	3	23,444
2003–04	4	21,980
2004–05	1	24,208

Source:
Department of Health dataset QMAE.

Waiting Times/Lists

Peter Bottomley: To ask the Secretary of State for Health (1) how many inpatients in Worthing had to wait more than *(a)* three, *(b)* six, *(c)* nine and *(d)* 12 months for treatment in each year since 1997; and what the percentage change was in each case; [192689]

(2) what changes there have been to NHS waiting list times for residents of Worthing in the past seven years. [192690]

Ms Rosie Winterton: The numbers of people waiting more than three, six, nine and 12 months for treatment in each year since 1997 and the comparisons for the last seven years are shown in the table.

Counts of finished admission episodes (waiting list and booked cases only) with a valid time waited
Primary care trust (PCT) of residence—5L8 Adur, Arun and Worthing PCT
National health service hospitals, England 1997–98 to 2002–03

Waiting time grouping	1997–98	1998–99	1999–2000	2000–01	2001–02	2002–03
Up to 3 months	15,048	10,380	6,289	8,221	9,943	12,090
3 months to 6 months	3,017	2,175	2,376	2,663	2,880	3,838
6 months to 9 months	1,359	1,285	1,355	1,413	1,300	2,045
9 months to 1 year	709	943	993	1,255	968	1,263
1 year to 1 year and 6 months	1,556	2,444	1,571	1,437	1,516	1,258
1 year and 6 months to 2 years	284	357	172	187	159	64
Over 2 years	45	45	42	61	63	43
Total	22,018	17,629	12,798	15,237	16,829	20,601
Mean time waited (days)	98	144	156	143	126	117
Median time waited (days)	35	60	92	78	67	69

Comparison between 1997–98 and 2002–03

	1997–98	2002–03	Percentage change
Up to 3 months	15,048	12,090	-19.7
More than 3 months	6,970	8,511	22.1
More than 6 months	3,953	4,673	18.2
More than 9 months	2,594	2,628	1.3
More than 1 year	1,885	1,365	-27.6
Total	22,018	20,601	-6.4

Notes:

Time waited statistics from hospital episode Statistics (HES) are not the same as the published waiting list statistics. HES provides counts and time waited for all patients admitted to hospital within a given period whereas the published waiting list statistics count those waiting for treatment on a specific date and how long they have been on the waiting list. Also, HES calculates the time waited as the difference between the "admission" and "decision to admit" dates. Unlike published waiting list statistics, this is not adjusted for self-deferrals or periods of medical/social suspension.

Figures have not been adjusted for shortfalls in data (i.e. the data are ungrossed).

A finished in-year admission is the first period of in-patient care under one consultant within one healthcare provider, excluding admissions beginning before 1 April at the start of the data year. Please note that admissions do not represent the number of in-patients, as a person may have more than one admission within the year.

Source:
HES—Department of Health

Walk-in Centres (Buckinghamshire)

Mr. Bercow: To ask the Secretary of State for Health what plans he has to develop NHS walk-in centres in Buckinghamshire. [191051]

Ms Rosie Winterton: There are now 56 national health service walk-in centres open and another 26 in development, including one in Milton Keynes. In line with Shifting the Balance of Power, it is for primary care trusts and strategic health authorities to lead the development of further NHS Walk-in Centres.

CONSTITUTIONAL AFFAIRS

Contact Order Applications

Keith Vaz: To ask the Parliamentary Secretary, Department for Constitutional Affairs what percentage of contact order applications by separated fathers were refused in the last period for which figures are available. [192633]

Mr. Lammy: In 2003, 67,184 contact orders were made and 601 applications were refused, or 0.9 per cent. of the total made. It is not possible to provide a breakdown of this percentage by gender as this information is not held centrally.

Departmental Consultants

Mr. Jenkins: To ask the Parliamentary Secretary, Department for Constitutional Affairs how much the Department spent on outside information technology and communication specialists, consultants and engineers in the 2003–04 financial year. [192762]

Mr. Leslie: The amount spent by my Department in these areas was £13.31 million.

Departmental Expenditure

Mr. Rosindell: To ask the Parliamentary Secretary, Department for Constitutional Affairs how much was spent on information technology in his Department in 2003. [192699]

Mr. Leslie: The amount spent by my Department on information technology in 2003 was £96.96 million.

Devolved Administrations

Mr. Rosindell: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will make a statement on his Department's role in managing and maintaining the successful operation of the relationships between the UK Government and the devolved Administrations. [192657]

Mr. Leslie: My Department (DCA) is responsible for the overall UK devolution settlement and for relations between the UK Government and the devolved Administrations. This includes responsibility for the Memorandum of Understanding between the UK Government and the devolved Administrations, the Joint Ministerial Committee and the UK side of the Secretariat for the British-Irish Council.

In addition, the DCA facilitates the operation of devolution by advising departments on dealing with the devolution-related aspects of their work, resolving difficult issues and promoting awareness of devolution generally.

Lord Falconer is also chairman of the Devolution Policy Committee of Cabinet.

European Court Rulings

Mr. Kevin McNamara: To ask the Parliamentary Secretary, Department for Constitutional Affairs what representations he has made to the Council of Ministers at the Council of Europe concerning the implementation of European Court rulings in relation to the bundle of Article 2 cases including McKerr, Shanaghan, Jordan, Kelly et al, McShane and Finucane; if he will place in the Library his 14 June observations concerning Memorandum CM/Inf (2004) 14 published by the Council of Ministers; and what the obstacles are to full implementation of the rulings of the court. [187541]

Mr. Paul Murphy: I have been asked to reply.

I can confirm that I have today placed a copy of the Government's response to the Committee of Ministers' Deputies Memorandum CM/Inf (2004) 14 (revised) in the Libraries of both Houses.

We are responding to the court's ruling in the normal way and continue to have regular dialogue with the Council of Europe's Secretariat on the Northern Ireland Article 2 cases—they met in Strasbourg on 20 September 2004. Continuing attention to these cases has been needed because of ongoing judicial developments, consequently final policy decisions remain to be taken. The Government have always taken very seriously their obligation to abide by the final judgment of the European Court of Human Rights in any case to which it is a party. The Government's policy remains that all European Court of Human Rights judgments will be implemented.

Family Court Service

Mr. Cousins: To ask the Parliamentary Secretary, Department for Constitutional Affairs what the *(a)* professional staff turnover, *(b)* sickness absence rate and *(c)* number of clients not attending was in each family court service area in 2003–04. [186948]

Margaret Hodge: I have been asked to reply.

The Children and Family Court Advisory and Support Service does not collect data on the number of clients who fail to attend appointments with CAFCASS officers in connection with their family court proceedings. Data on professional staff turnover and staff sickness absence are collected by CAFCASS on a regional basis. The latest figures provided by CAFCASS for professional staff turnover and staff sickness absence in each of the nine regions, including Wales, for the period 2003–04 are set out below.

(a) Staff turnover April 2003 to March 2004

Region	*Turnover percentage*[1]
East Midlands	7.09
Eastern	4.17
London Region	10.40
North East	2.33
North West	4.38
South East	13.79
South West	10.00
Wales	8.90
West Midlands	5.80
Yorkshire and Humberside	3.88
CAFCASS (including HQ Functions)	9.24

[1] Total number of leavers expressed as a percentage of all staff in post.

(b) Staff sickness absence April 2003-March 2004

Region	*Absence percentage*[1]
Eastern	1.57
East Midland	3.50
London	3.17
North East	3.71
North West	2.37
South East	3.41
South West	2.85
Wales	2.94
West Midland	3.12
Yorkshire and Humberside	3.08
CAFCASS (excluding HQ)	[2]3.12

[1] Actual sick days (time) lost from available working time (expressed as a percentage).

[2] Equates to just under eight days lost per employee per annum.

Index of Multiple Deprivation

Ms Buck: To ask the Parliamentary Secretary, Department for Constitutional Affairs which funding streams have been allocated by the Department using a funding formula which includes rankings or scores on the Index of Multiple Deprivation 2000; and if he will list the amount of funding allocated in such a way *(a)* nationally by the Department or *(b)* to all Government sponsored bodies reporting to the Department. [191532]

Mr. Lammy: My Department does not use the funding formula that includes rankings or scores on the Index of Multiple Deprivation 2000 in allocating funding *(a)* nationally or *(b)* to all Government sponsored bodies reporting to the Department.

Ministerial Expenses

Mr. Prisk: To ask the Parliamentary Secretary, Department for Constitutional Affairs what the running costs of Ministers' private offices in his Department have been in each year since 1997. [191384]

Mr. Lammy: Total running costs of Ministers' Private Offices are set out in the table.

£000

	Total
2004–05[1]	1,185
2003–04	2,100
2002–03	2,002
2001–02	1,566
2000–01	1,576
1999–2000	1,242
1998–99	1,022

[1] To September 2004

The increase in expenditure since 1998 results from the appointment of two additional Ministers, one in 1999 and one in 2000 and the increasing remit of the Department. There has been a consequent increase in the number of staff in Private Office.

Information on the previous year is not readily available.

CABINET OFFICE

Consultancy Projects

Dr. Julian Lewis: To ask the Minister for the Cabinet Office how many consultancy firms or companies have been retained by the office since June 2001; what the projects are for which each has been retained; and what the total is of the fees paid or incurred in each case. [193431]

Ruth Kelly: The number of consultancy firms or companies that have been retained by the Cabinet Office since 2001 is 267.

The projects they have been retained for include improvements in the information technology (IT) and financial IT structures of the Cabinet Office, accommodation upgrade at the Emergency Planning College, restructuring of Management Units, procurement advice, business continuity plans, IT security certification and implementing an electronic documentation handling system, Facilities Management Project, Improving Project and Programme Delivery, benchmarking the transactions and capabilities of e-government and UK economy, IT projects including Disaster Recovery Project for protection and recovery of IT facilities following a disaster and advice relating to introduction of stakeholder pensions.

Due to the depth of data requested, to provide project and financial costs on an individual company basis would incur disproportionate cost. I would refer the hon. Member to the answer given to the hon. Member for Stratford-on-Avon (Mr. Maples) on 20 October 2004, *Official Report*, column 720W.

New Deal (Departmental Recruitment)

Dr. Julian Lewis: To ask the Minister for the Cabinet Office how many personnel the Department has recruited under the New Deal in each of the past five years. [193676]

Ruth Kelly: The following table shows the number of personnel Departments have recruited under the New Deal scheme in each of the last five financial years.

Departments	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*	*April to July 2004*	*Total*
Cabinet Office	4	13	6	5	0	0	28
Office of the Deputy Prime Minister	—	—	—	5	11	1	17
Ordnance Survey	1	0	0	0	0	0	1
Privy Council Office	0	1	0	0	0	0	1
Charity Commission	13	13	11	10	5	3	55
Dept for Culture, Media and Sport	1	2	0	3	0	0	6
Ministry of Defence	88	43	16	41	3	0	191
Dept for Education and Skills	77	51	8	0	0	0	136
Office for Standards in Education	0	0	0	0	0	0	0
DEFRA	33	35	35	5	2	2	112
Intervention Board	1	1	0	—	—	—	2
Food Standards Agency	—	—	—	5	0	0	5
Export Credits Guarantee Department	0	0	0	0	0	0	0
Foreign and Commonwealth Office	1	5	2	2	0	0	10
Govt Communications Headquarters	0	2	0	1	2	0	5
Department of Health	19	30	18	2	0	0	69
Home Office	72	26	38	14	10	0	160
Dept for International Development	1	6	0	1	0	0	8
Law Officer's Departments	10	11	2	0	0	0	23
Lord Chancellor's Department	21	34	33	14	—	—	102
Department for Constitutional Affairs	—	—	—	—	7	0	7
National Assembly for Wales	28	3	5	0	2	0	38

Departments	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*	*April to July 2004*	*Total*
Northern Ireland Court Service	—	—	—	0	0	0	0
Northern Ireland Office	11	3	0	0	0	0	14
Parly. and Health Service Ombudsman	—	—	—	0	0	0	0
Scottish Executive	19	33	40	18	32	2	144
Registers of Scotland	0	0	0	0	1	0	1
Department of Trade and Industry	21	26	12	9	3	2	73
Department for Transport	5	57	60	48	20	2	192
Health and Safety Executive	6	12	17	7	0	0	42
Office of the Rail Regulator	0	0	1	0	0	0	1
Office of Water Services	0	1	0	0	0	0	1
Shadow Strategic Rail Authority	0	1	0	—	—	—	1
HM Treasury	0	2	3	5	1	0	11
Office of Government Commerce	0	0	0	0	0	0	0
HM Customs and Excise	34	77	32	8	2	0	153
Government Actuary's Department	—	—	—	0	0	0	0
Inland Revenue	252	145	169	13	6	30	615
National Savings and Investments	—	—	—	0	0	0	0
Office for National Statistics	10	1	0	0	0	0	11
Royal Mint	0	0	0	0	0	0	0
Department for Work and Pensions	1,758	1,177	929	293	168	12	4,337
Total	2,486	1,811	1,437	509	275	54	6,572

Departmental Staff

Hugh Bayley: To ask the Minister for the Cabinet Office how many full-time equivalent jobs *(a)* her Department and *(b)* its executive agencies had in (i) Yorkshire and the Humber and (ii) City of York in 1997 and the latest year for which figures are available. [191820]

Ruth Kelly: Information on the number of full-time jobs by department and executive agency for each year, in the City of York, and Yorkshire and the Number since 1997 has been placed in the Library. Numbers quoted are on a full-time equivalent basis as at 1 April each year. Detailed statistics are available from www.civil-service.gov.uk/statistics .

Engagements

Dr. Julian Lewis: To ask the Chancellor of the Duchy of Lancaster if he will list his public engagements carried out in the week from 18 October. [193672]

Mr. Milburn: I refer the hon. Member to the answer I provided to the hon. and learned Member for Harborough (Mr. Garnier) on 20 October 2004, *Official Report*, column 720W.

Ministers' Private Offices

Mr. Prisk: To ask the Minister for the Cabinet Office what the running costs of Ministers' private offices in her Department have been in each year since 1997. [191377]

Ruth Kelly: For information on the running costs of Ministers' private offices, the Cabinet Office parliamentary branch and the ministerial correspondence and support team given proposed by the then Minister for the Cabinet Office on 17 July 2003, *Official Report*, columns 500–01W. The cost for 2003–04 is £1.015 million.

Parliamentary Questions

Dr. Julian Lewis: To ask the Minister for the Cabinet Office when she will reply to Questions *(a)* references (i) 189701, (ii) 189717 and (iii) 189718 tabled by the hon. Member for New Forest, East on 15 September, *(b)* references (A) 189988 and (B) 189991 tabled by the hon. Member for New Forest, East on 16 September and *(c)* reference 191819 tabled on 12 October by the hon. Member for New Forest, East for Named Day Answer on 18 October. [193427]

Ruth Kelly: I refer the hon. Member to the responses I gave on 20 October 2004, *Official Report*, columns 720–21W, on 21 October 2004, *Official Report*, columns 894–95W and today.

I will answer the remaining outstanding PQ in due course.

Special Advisers

Dr. Lewis: To ask the Minister for the Cabinet Office if she will list *(a)* the numbers, *(b)* the names and *(c)* the salaries and ancillary costs of all special advisers employed by her Department in each year since 1997. [189718]

Ruth Kelly: Since 2002 the Government have published an annual report on the numbers and costs of Special Advisers.

For information for the years 2002–04, I refer the hon. Member to answers provided by my right hon. Friend the Prime Minister on 22 July 2004, *Official Report*, columns 466–70W and 16 July 2003, *Official Report*, columns 328–29W.

Since 1997, the Government have regularly published information about the numbers and cost of special advisers and this information is available in the Library.

TREASURY

Employment Statistics

Tom Cox: To ask the Chancellor of the Exchequer how many new jobs have been created within the Greater London area during the last 12 months. [192678]

Mr. Timms: Statistics of new jobs created in Greater London are not available.

Consultancy Projects

Mr. Maples: To ask the Chancellor of the Exchequer if he will list the contracts awarded by his Department to consultants in each of the last five years, stating in each case *(a)* the name of the consulting company, *(b)* the value of the contract and *(c)* the purpose for which the contract was awarded; and if he will make a statement. [191729]

Dr. Julian Lewis: To ask the Chancellor of the Exchequer how many consultancy firms or companies have been retained by the Department since June 2001; what the projects are for which each has been retained; and what the total is of the fees paid or incurred in each case. [193428]

Mr. Timms: Available information for the Chancellor's Departments is given as follows:

Inland Revenue

Inland Revenue obtains consultancy services through its own centrally negotiated framework agreements with suppliers and other pan-Government contracts (e.g. the Office of Government Commerce's S-Cat agreement).

Detailed breakdown of every consultancy firm used under these central frameworks in the last five years could be provided only at disproportionate cost. Overall Departmental spend (excluding VAT) on external consultants and advisers in the last two financial years is as follows:

	£ million
2003–04	55
2002–03	35

Information relating to spend from 1999–2000 to 2001–02 is not available. The central frameworks cover a range of consultancy and advisory services, including:

IT and Telephony

Human Resources

Management Consultancy

Market Research

Social and Economic Research

Strategic, High Level Management Projects

Learning Services

Benchmarking

Her Majesty's Treasury

The total spend on consultants for the core Treasury (i.e. excluding DMO and OGC) in the last two years was as follows:

£ million

	Revenue	*Capital*
2002–03	3.03	0.78
2003–04	6.16	1.4

It would be possible to list individual contracts, or provide information for years prior to 2002–03, only at disproportionate cost.

Her Majesty's Customs and Excise

HM Customs and Excise spent the following amounts on consultants in each of the last five years:

	£	*Number of suppliers*
1999–2000	52,736,408	170
2000–01	68,373,468	283
2001–02	58,505,131	261
2002–03	28,701,440	209
2003–04	39,224,901	203

A further breakdown by value of individual contract is not available.

Office for National Statistics

A detailed breakdown is being placed in the Library of the House.

Customs and Excise (Tax Collection)

Simon Hughes: To ask the Chancellor of the Exchequer what the *(a)* cost of collecting and *(b)* cost yield ratio was for all taxes collected by HM Customs and Excise in each year since 1997. [192774]

Dawn Primarolo: Data on the cost of collection, and so on the cost/yield ratio, "for each tax/duty" collected by HM Customs and Excise is not available for this period. Yield data for each tax/duty is published in the Department's Annual Report and Accounts. That Report also includes details of aggregate resource usage against each of the Department's high-level objectives. The Department's next Annual Report and Accounts, for 2003–04, will be published later this year.

Employment (Tynemouth)

Mr. Alan Campbell: To ask the Chancellor of the Exchequer what estimate he has made of the economically active population in Tynemouth constituency *(a)* in May 1997 and *(b)* at the latest date for which figures are available. [193329]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Alan Campbell, dated 25 October 2004:

As National Statistician, I have been asked to reply to your Parliamentary Question about economic activity. (193329)

The statistics available for the Tynemouth Parliamentary Constituency relate to the twelve month periods ending February 1998 and February 2003. In these periods the numbers of people economically active aged 16 and over were 42,000 and 43,000 respectively.

These estimates from the Labour Force Survey are, as with any sample survey, subject to sampling variability.

Employment (Worcester)

Mr. Michael Foster: To ask the Chancellor of the Exchequer if he will estimate the economically active population in Worcester *(a)* in May 1997 and *(b)* now. [193097]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Mr. Len Cook to Mr. Michael Foster, dated 25 October 2004:

As National Statistician, I have been asked to reply to your Parliamentary Question about economic activity. (193097)

The statistics available for the Worcester Parliamentary Constituency relate to the twelve month periods ending February 1998 and February 2003. In these periods the numbers of people economically active aged 16 and over were 49,000 and 53,000 respectively.

These estimates from the Labour Force Survey are, as with any sample survey, subject to sampling variability.

EU Directives (UK Overseas Territories)

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what assessment he has made of the impact of the *(a)* EU Savings Directive and *(b)* EU Code of Conduct on Business Taxation on the revenue of UK overseas territories. [193788]

Dawn Primarolo: The Government keeps under review the impact of all international developments on the overseas territories.

Frozen Assets

Mr. Streeter: To ask the Chancellor of the Exchequer if he will list the organisations who have had their assets frozen by the Government where there are reasonable grounds to suspect that an organisation is involved in the financing of terrorism; and how much has been frozen in each case. [193604]

Mr. Timms: All organisations and individuals whose assets have been frozen in accordance with the UN Security Council Resolutions, associated EC Regulations and domestic legislation are listed, by HM Treasury instruction, on the Bank of England's Financial Sanctions website. Forty accounts, totalling some £370,000, are currently frozen by UK financial institutions.

Asset freezing is an essential measure in countering the financing of terrorism by denying terrorists and their financiers access to funds across the world. The UK acts at home and abroad to protect British interests so that our people can go about their business freely and with confidence.

Information Officers

Mr. Dorrell: To ask the Chancellor of the Exchequer how many full-time equivalent government information officers were employed by HM Treasury in each year since 1997. [192940]

Mr. Timms: The number of Government Information Officers employed by HM Treasury in each calendar year since 1997 is shown in the following table:

	Number of Information Officers (FTE)
1997	5
1998	4
1999	4
2000	6
2001	7
2002	6
2003	7
2004[1]	5

[1] Up until 30 September 2004

Landfill Tax

Mr. Drew: To ask the Chancellor of the Exchequer if he will provide further financial support to the landfill tax credit scheme as part of the forthcoming public spending review. [193295]

John Healey: The landfill tax credit scheme is worth £48.3 million in 2004–05. The 2005–06 level will be determined as part of the usual Budget process.

Meat Smuggling

Tom Cox: To ask the Chancellor of the Exchequer what actions HM Customs and Excise is taking to stop meat being smuggled into the United Kingdom from overseas. [193793]

Dawn Primarolo: HM Customs and Excise role is to tackle illegal imports of meat and other products of animal origin arriving in Great Britain from outside the EU.

In discharging this role Customs:

Target their detection staff, including detector dog teams on those routes of entry that make the greatest contribution to the risk of disease flow to the UK;

React to specific disease notifications from Defra—for example, in relation to the recent outbreaks of Avian Influenza;

Seize and destroy smuggled products of animal origin wherever detected;

Share information and intelligence with other enforcement agencies;

Prosecute offenders in serious and appropriate cases;

Work with Embassies and High Commissions to explain the rules to travellers coming to Great Britain;

Produce a range of publicity, including:

> leaflets, posters, and advertisements in travel magazines;
>
> working with airlines to encourage them to show an information video or make an announcement explaining the rules on inbound flights;
>
> and together with Defra, producing 7 million ticket wallets and flyers explaining the rules for issue to UK travellers.

Minimum Wage (Warrington)

Helen Jones: To ask the Chancellor of the Exchequer how many people in Warrington are in receipt of the minimum wage. [193301]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mrs. Helen Jones dated 25 October 2004:

As National Statistician, I have been asked to reply to your recent question about how many people in Warrington are in receipt of the minimum wage. (193301)

The information requested is not available.

However, the Office for National Statistics does calculate estimates of the number of jobs paid less than the minimum wage, and below various other earnings thresholds, for the United Kingdom and Government Office Regions. A guide to measuring low pay and associated articles and data which might be useful can be found on the National Statistics website at: http://www.statistics.gov.uk/StatBase/Product.asp?vink-5837&Pos-1&ColRank-1&Rank=272

Public Liability Insurance

Adam Price: To ask the Chancellor of the Exchequer if he will make a statement on the costs of public liability insurance. [192909]

Mr. Timms: The Government is aware of widespread concern about increases in the costs to firms of public liability insurance. In 2003, the Office of Fair Trading conducted a study which examined why premia have increased in product, public and employers' liability insurance and professional indemnity insurance. The study noted that premium increases have followed several years of falling costs. It concluded that the market for liability insurances has not failed and suggested a number of areas of improvement. The OFT have said they will keep the liability insurance market under review.

Tax Credits

Hugh Bayley: To ask the Chancellor of the Exchequer how many people in *(a)* York, *(b)* North Yorkshire and *(c)* Yorkshire and the Humber were in receipt of each of the tax credits or predecessor benefits (i) at the latest date for which figures are available and (ii) in each year since 1995; and how much on average each of the tax credits was worth to its recipients in each year. [191225]

Dawn Primarolo: Child and working tax credit were introduced in April 2003. Sample-based estimates of the number of recipient families in each area at July 2003 and January 2004 appear in the published geographical analyses. No estimates of average awards will be available until these awards are finalised.

Working families' and disabled person's tax credits were available from October 1999 to March 2003. Sample-based estimates of the number of recipient families in each region, and their average awards, appear in the published Quarterly Enquiries from October/November 1999 to January/February 2001, with estimates of the number of recipient families in each local authority and constituency also appearing from April/May 2000. From May 2001 to November 2002, counts and average awards appear for each area in the published geographical analyses, which are based on data for all cases.

All these publications can be found on the Inland Revenue website, at www.inlandrevenue.gov.uk/stats/personal-tax-credits/menu.htm. Children's tax credit was available in 2001–02 and 2002–03. A sample-based estimate of 360 thousand families in Yorkshire and the Humber benefited in 2001–02, with an average value of £470. No reliable estimates are available below regional level, and estimates for 2002–03 are not yet available.

Family credit was the predecessor benefit to working families tax credit. Sample-based estimates of the number of recipient families in each region, and their average awards, are shown in the published Quarterly Enquiries, copies of which are available in the Library of the House. Counts of the numbers of recipient families in each local authority at March 1999 and August 1999 are shown within Neighbourhood Statistics at the National Statistics website, www.statistics.gov.uk. under the subject "Economic deprivation". I understand from the Department for Work and Pensions that counts for earlier periods, and average awards, could not be compiled without incurring disproportionate costs.

Mr. Tynan: To ask the Chancellor of the Exchequer (1) how many requests for remission of overpayments of tax credits have been submitted; [192984]

(2) what the average time taken is from submission of remission of overpayments of tax credits requests to the final decision being made. [192985]

Dawn Primarolo: Tax credits claimants can use a variety of channels to ask the Inland Revenue to reconsider their decision to recover an overpayment, including face to face at Inquiry Centres, by telephone or by letter. The majority of requests are made using a specific form, TC846W, which helps claimants explain the circumstances of their case. By the end of September 2004, about 80,000 families had submitted a form TC846W, or had requested reconsideration face to face, by letter or by telephone, which required a detailed review of the case. Information on the average time taken to deal with these requests is not available.

Universities (Venture Capital)

Chris Grayling: To ask the Chancellor of the Exchequer what representations he has received about the impact of the taxation of venture capital companies on university start-ups. [193134]

John Healey: The Government has not introduced any new taxation on venture capital companies, which impacts on university start-ups. Since June 2003 just over 20 representations have been received from academics and other sector representatives about the impact on the university spin-out sector of new rules introduced in Finance Act 2003 to reform the taxation of employee shares and level the playing field between cash and share-based remuneration.

NORTHERN IRELAND

Ambulances

Lembit Öpik: To ask the Secretary of State for Northern Ireland what proportion of publicly owned ambulances in Northern Ireland are Mercedes Sprinters; and if he will make a statement. [191797]

Angela Smith: All public sector Mercedes Sprinter Accident and Emergency ambulances in Northern Ireland are owned by the Northern Ireland Ambulance Service which has 119 in its A and E fleet of 140 vehicles.

Belfast Education and Library Board

Mr. Dodds: To ask the Secretary of State for Northern Ireland what measures are being taken to tackle the overspend in the budget of the Belfast Education and Library Board. [192376]

Mr. Gardiner: The Belfast Education and Library Board significantly overspent its budget allocation for 2003–04 and, unless urgent action is taken, is likely to register a further, significant overspend in 2004–05. This is not a tenable position.

I have therefore asked the Board to quantify, as a matter of urgency, the precise scale of its overspend and to bring forward a plan setting out the actions that would need to be taken to ensure that expenditure in the current financial year is contained within the budgetary limits voted by Parliament. I have also asked for work to be undertaken to tackle the systems and other weaknesses that contributed to the overspend and to its late discovery, building on the findings from the investigation carried out over the summer by independent consultants. Once I am satisfied that this work has been undertaken and that appropriate budgetary control measures have been established, I will want to discuss with the Board options for recovery of the amounts overspent.

Mr. Dodds: To ask the Secretary of State for Northern Ireland if he will make it his policy that the proposals to deal with the overspend in the budget of the Belfast Education and Library Board will not result in cuts to funding for education in *(a)* North Belfast and *(b)* Greater Shankill. [192377]

Mr. Gardiner: I have asked the Board, as a matter of urgency, to bring forward a plan setting out the actions that would need to be taken to ensure that there is no further overspend at the end of the current financial year.

Responsibility for identifying and prioritising appropriate action rests in the first instance with the Board itself. I have, however, emphasised the importance I attach to minimising disruption to front-line services and I will consider the BELB proposals, once I receive them, and work with the Board to safeguard the education of all children.

Cardiac Treatment

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland what resources he plans to make available to reduce waiting times for cardiology patients. [192453]

Angela Smith: A number of initiatives aimed at significantly reducing the waiting times for cardiology patients are already under way. These include:

suitable patients being offered treatment outside Northern Ireland;

the introduction of weekend catheterization sessions;

the use of a mobile catheterization laboratory;

the introduction of partial booking systems to reduce the numbers not attending;

funding for two additional consultant cardiology posts;

additional investment in drug eluting stent treatments; and

new rapid access chest-pain clinics to open shortly in the Mater and Craigavon Hospitals.

In addition, the Department is in the process of commissioning a Needs and Effectiveness Review of all cardiology and cardiac surgery services, which will further address the issue of waiting times and how resources might be used to greatest effect.

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland what plans he has to mainstream funding for cardiac rehabilitation after 2006. [192454]

Angela Smith: The Review of Cardiology services recommended that all patients who have suffered a heart attack or who have an established heart disease should be offered cardiac rehabilitation. Subsequently, the Department asked Boards to develop proposals and costings for the delivery of these services.

Boards have commissioned a range of cardiac rehabilitation services, which include Trusts working with the voluntary sector, and will consider proposals for the future funding and delivery of these services once appropriate audit and evaluation has been carried out.

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland if the Department of Health, Social Services and Public Safety will set out a policy for the provision of cardiac rehabilitation. [192455]

Angela Smith: Following a departmental review of Cardiology Services, it was recommended that Boards and Trusts should work together to offer cardiac rehabilitation to patients who have suffered a heart attack or have an established heart disease. The purpose of this rehabilitation is to facilitate physical, psychological and emotional recovery and enable patients to achieve and maintain better health.

CREST has recently identified the need for guidance in the area of cardiac rehabilitation and is in the process of establishing a working group to take this forward. The Department will consider the findings of this report when it becomes available next year.

Cardiology Services

Lady Hermon: To ask the Secretary of State for Northern Ireland if he will list the recommendations of the Review of Cardiology Services in April 2003; and what progress has been made with the implementation of those recommendations. [193382]

Angela Smith: The Review of Cardiology Services was carried out in 1999 and was closely followed by a Review of Cardiac Surgery in 2000. Reflecting the views expressed by the boards, the reviews were subsequently linked, consulted upon and the updated recommendations from both reviews were issued to the service as a Joint Action Plan in April 2003. A copy of the Joint Action Plan, containing recommendations, will be placed in the Library.

A Cardiac Surgery and Cardiology Services Monitoring Group, comprising departmental, board, trust and user representatives was set up last year and meets regularly to closely monitor service progress against the Joint Action Plan.

To date, a number of initiatives in line with the Joint Action Plan and aimed at significantly reducing the waiting times for cardiology patients are under way. These include:

suitable patients being offered treatment outside Northern Ireland;

the introduction of weekend catheterization sessions;

the use of a mobile catheterization laboratory;

the introduction of partial booking systems to reduce the numbers not attending;

funding for two additional consultant cardiology posts;

additional investment in drug eluting stent treatments; and

new rapid access chest-pain clinics to open shortly in the Mater and Craigavon Hospitals.

In addition, the Department is in the process of commissioning a Needs and Effectiveness Review of all cardiology and cardiac surgery services, which will further address the issue of waiting times and how resources might be used to greatest effect.

Clinical Research Collaboration

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how much funding will be provided in the Province for the UK Clinical Research Collaboration for each year of its work. [192868]

Angela Smith: To date additional funding of £70,000 per year has been made available to support the School of Pharmacy at Queens University and its work on medicines for children, the initial priority area of the United Kingdom Clinical Research Collaboration.

This year's Budget process is still in its early stages and will not be finalised until December. Future funding decisions for 2005–06 to 2007–08 must await the outcome of the final Budget.

Communicable Diseases

Lady Hermon: To ask the Secretary of State for Northern Ireland how many outbreaks of communicable disease there have been in Northern Ireland in each of the past five years for which figures are available; and if he will list the diseases concerned. [193381]

Angela Smith: Numbers of outbreaks of communicable disease reported to the Communicable Disease Surveillance Centre (Northern Ireland) over the five years from 2000 to the present are in the following table. While the majority of outbreaks have been of enteric (gastrointestinal) illness, there have also been outbreaks of Legionnaires' disease, syphilis and mumps. Reporting of such outbreaks by Health Boards and laboratories is voluntary.

Outbreaks of communicable disease, Northern Ireland, 2000–04

	2000	*2001*	*2002*	*2003*	*2004*	*Total*
Enteric or gastrointestinal illness						
C. perfringens	1	2	0	0	0	3
Cryptosporidium	3	1	0	0	0	4
E coli O 157	1	1	0	1	0	3
Rotavirus	2	1	3	0	0	6
Salmonella enteridis PT4	1	1	0	0	0	2
Salmonella idikan	0	0	0	0	1	1
Salmonella newport	0	0	0	0	1	1
Salmonella typhimurium DT 104	0	0	0	0	1	1
Salmonella virchow	0	0	0	0	1	1
Shigella sonnei	1	0	0	0	0	1
Small round structured virus (SRSV)/Noro/Norwalk	18	11	46	25	16	116
Other viral causes	7	12	13	15	7	54
Enteric outbreaks of unknown cause	0	1	5	3	16	25
Sub-total	34	30	67	44	43	218
Non-enteric illness						
Syphilis[1]	1	0	0	0	0	1
Mumps[2]	1	0	0	1	0	2
Legionnaires disease	0	0	1	0	0	1
Sub-total	2	0	1	1	0	4
Grand total	36	30	68	45	43	222

[1] Syphilis outbreak began July 2000 to present

[2] First mumps outbreak began November 1999–2000. Second mumps outbreak began October 2003 to present.

Continuing Care Arrangements

Lembit Öpik: To ask the Secretary of State for Northern Ireland how many individuals aged *(a)* 18 to 29, *(b)* 30 to 39, *(c)* 40 to 49, *(d)* 50 to 59, *(e)* 60 to 69, *(f)* 70 to 79, *(g)* 80 to 89 and *(h)* over 90 years are in receipt of funding under continuing care arrangements in each of the four health board areas in Northern Ireland; and if he will make a statement. [192735]

Angela Smith: Information on the number of individuals in receipt of funding under continuing health care arrangements is not available.

Health service funded continuing health care is available where a person is assessed as having on-going clinical needs that require frequent intervention by a hospital consultant and/or specialist nursing services. This is generally provided in hospital, most usually in specialist units; in exceptional circumstances continuing health care may be provided in a nursing home setting. Health and Social Services Boards are expected to have operational arrangements in place, which take into consideration local priorities and available resources, for this purpose.

It is considered that clinicians and their counterparts in social care are best placed to make decisions in individual cases in relation to their patients' long-term care needs on the basis of their clinical and professional judgments.

Development Funding

Mr. McGrady: To ask the Secretary of State for Northern Ireland how much Central Government funding was allocated to each local authority district in Northern Ireland for *(a)* urban regeneration and *(b)* economic development in each of the past five years. [190508]

Mr. Spellar: Central Government funding in respect of urban regeneration and economic development is not allocated on the basis of local authority districts. Successful funding applications may arise from projects which work across a number of local authority areas. Information is not normally held at district council level and consequently a special exercise was carried out to determine, where possible, which district council is the recipient. The details are given in the table. It should be noted that in some instances European Funds is a call on the Departmental Expenditure Limits and both the Department for Social Development and Department of Enterprise, Trade and Investment in these instances have classified spend as Central Government Funding.

Table A gives information on Central Government funding for Urban Regeneration in last five years paid by the Department for Social Development.

Table B gives information on Central Government funding by DETI for Economic Development in the last five years.

Table A: Urban regeneration

	Financial year				
District council area	*2000–01*	*2001–02*	*2002–03*	*2003–04*	*2004–05*
Belfast	11,716,714	12,406,777	8,110,703	6,373,039	5,666,903
Antrim	405,000	—	—	—	—
Ballymena	—	—	—	—	—
Carrickfergus	—	—	—	—	—
Larne	192,959	29,925	—	4,880	—
Magherafelt	363,750	449,300	—	325,000	—
Newtownabbey	—	224,575	116,000	429,575	26,000
Ballymoney	—	—	—	—	—
Coleraine	87,032	77,990	2,273	100,519	58,075
Derry	6,143,773	6,326,127	5,095,701	4,027,204	3,381,437
Limavady	—	395,426	—	58,471	250,000
Moyle	446,000	—	—	—	—
Ards	40,000	7,726	—	—	—
Castlereagh	15,179	47,786	55,591	87,244	36,368
Down	—	2,430	47,500	92,626	2,500
Lisburn	1,046,534	529,632	576,922	485,126	204,075
North Down	—	—	—	—	—
Armagh	1,509	11,351	—	—	—
Banbridge	113,818	323,856	80,809	307,982	—
Craigavon	4,455,787	9,500	3,840		—
Newry and Mourne	112,821	160,209	57,100	79,601	—
Cookstown	21,000	—	—	6,255	—
Dungannon	—	—	212,560	—	—
Fermanagh	36,659	—	232,660	—	—
Omagh	230,315	202,481	1,650	3,116,148	—
Strabane	—	97,625	229,635	463,279	270,000
Total	25,428,850	21,302,716	14,822,944	15,956,949	9,895,358

Table A does not include funding from the Community Support Programme which is a unique collaborative initiative involving the Voluntary and Community Unit of DSD and the 26 district councils to support local community infrastructure. Table A also does not include regeneration spend of £35,870,000 over the last five financial years by the Laganside Corporation and Belfast City Centre Promotions. Also not included is £8,874,298 of PEACE II and Urban II money spent on urban regeneration initiatives that could not be allocated by area.

Table B: Economic development

	Financial year				
District council area	*2000–01*	*2001–02*	*2002–03*	*2003–04*	*2004–05*
Belfast	24,609,000	16,870,000	30,342,000	56,822,000	0
Antrim	1,155,000	3,739,000	18,872,000	3,106,000	50,000
Ballymena	2,250,000	1,563,000	1,929,000	4,722,000	39,000
Carrickfergus	4,685,000	1,359,000	2,192,000	388,000	0
Larne	550,000	261,000	1,385,000	2,457,000	16,000
Magherafelt	2,067,000	1,356,000	1,725,000	1,987,000	0
Newtownabbey	19,783,000	3,614,000	6,906,000	3,219,000	66,000
Ballymoney	287,000	642,000	518,000	568,000	14,000
Coleraine	733,000	718,000	2,491,000	686,000	0
Derry	11,715,000	5,544,000	14,630,000	7,327,000	28,000
Limavady	7,694,000	1,374,000	1,998,000	4,997,000	29,000
Moyle	914,000	127,000	307,000	291,000	0
Ards	2,742,000	724,000	1,362,000	2,939,000	0
Castlereagh	641,000	4,984,000	1,000,000	1,368,000	21,000
Down	3,249,000	1,771,000	1,430,000	1,132,000	77,000
Lisburn	1,527,000	3,012,000	1,612,000	2,342,000	185,000
North Down	813,000	938,000	1,146,000	3,395,000	383,000

Table B: Economic development

	Financial year				
District council area	*2000–01*	*2001–02*	*2002–03*	*2003–04*	*2004–05*
Armagh	1,353,000	1,144,000	5,275,000	1,416,000	66,000
Banbridge	631,000	993,000	1,966,000	482,000	14,000
Craigavon	1,936,000	4,887,000	16,146,000	6,770,000	145,000
Newry and Mourne	3,621,000	5,857,000	2,187,000	1,736,000	128,000
Cookstown	903,000	1,280,000	1,455,000	2,215,000	32,000
Dungannon	2,185,000	4,854,000	2,460,000	2,881,000	19,000
Fermanagh	1,680,000	902,000	3,890,000	3,307,000	88,000
Omagh	1,150,000	4,189,000	1,027,000	1,628,000	33,000
Strabane	866,000	273,000	3,847,000	4,585,000	0
Total	99,739,000	72,975,000	128,098,000	122,766,000	1,433,000

Table B does not include an additional £21,211,000 that could not be allocated by area that was offered in 2002–03 by the Company Development Programme. It also does not include £3,994,000 from a range of schemes that was offered in 2003–04 that could not be allocated by area.

Eating Disorders

Lady Hermon: To ask the Secretary of State for Northern Ireland what progress has been made with the implementation of the recommendations of the review and consultation exercise on eating disorders published in March 2003. [193378]

Angela Smith: The Regional Eating Disorders Working Group was established in June 2003 to take forward the recommendations of the Eating Disorders Consultation document. This work is being progressed through a number of subgroups. Achievements to date include the creation of specialist teams in each Health and Social Services Board and the development of a communication strategy aimed at providing information, advice, treatment or support for those suffering from eating disorders, their families and carers. This strategy was informed by research which also assisted in the development of an agreed regional service model. Additional training has been commissioned from the University of Ulster. The first module commenced in April 2004 and an E-learning module will be available from September 2005.

Lady Hermon: To ask the Secretary of State for Northern Ireland on what dates the Regional Eating Disorders Working Group has met since its formation in June 2003. [193379]

Angela Smith: The Regional Eating Disorders Working Group has met on the following dates:

27 June 2003

14 October 2003

14 January 2004

23 March 2004

4 June 2004

15 September 2004.

Education Boards (IT Equipment)

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what the policy is of each Northern Ireland Education Board regarding members of staff using Board IT equipment for personal use during office hours. [190657]

Mr. Gardiner: Individual Education and Library Boards operate under the Northern Ireland Education and Library Boards' Policy Document on Internet and E-mail usage, which has been agreed with the Trade Union Side of the Joint Negotiating Council for NI Education and Library Boards.

The policy permits restricted personal use of the internet and e-mail facilities. Staff may use the facilities in their own time, providing that such use does not compromise the security of official data, result in increased costs or delays or have any negative impact on the Board's network or on the effective discharge of official business.

Educational Underachievement

Mr. Dodds: To ask the Secretary of State for Northern Ireland if he will set up a task force to examine and report on underachievement in education in inner city areas in Northern Ireland. [192373]

Mr. Gardiner: There are no plans at present to set up a task force to examine and report on underachievement in education in inner city areas here. Programmes such as the School Improvement Programme and the Education Action Zone initiative aim to target underachievement, especially in urban areas.

Electricity Consumers (Aid Package)

Mr. Beggs: To ask the Secretary of State for Northern Ireland when he intends to introduce an aid package for electricity consumers in Northern Ireland; who the main beneficiaries of the package will be; whether the European Union has approved a package for electricity consumers in Northern Ireland; and if he will make a statement. [192544]

Mr. Gardiner: The 2003 budget included a proposal for a Government intervention of some £30 million a year aimed at bringing about an average decrease in electricity prices across the business sector of at least 10 per cent. below the levels they would otherwise have been, commencing 2004–05.

The European Commission was informally consulted on the proposal and raised a number of concerns about its compliance with state aid guidelines.

The Department of Enterprise, Trade and Investment is exploring with legal advisers, the Northern Ireland Authority for Energy Regulation and the Department of Trade and Industry alternative options for securing the required EU support of the proposed intervention, with a view to its introduction at the earliest opportunity.

In the meantime, the £30 million budget proposal remains available pending the identification of an acceptable way forward.

Employment Discrimination

Mr. McGrady: To ask the Secretary of State for Northern Ireland what the total cost was of *(a)* awards against Northern Ireland Departments decided by tribunals and *(b)* settlements outside tribunals in respect of claims of employment discrimination in the past five years. [190505]

Mr. Pearson: During the five years (1 April 1999 to 31 March 2004), no awards were made by tribunals against Northern Ireland Departments (excluding Agencies and NDPBs) in relation to claims of employment discrimination. Over that same period, the total cost of settlements made by the Departments outside tribunals was £72,832.

Mr. McGrady: To ask the Secretary of State for Northern Ireland what central mechanisms apply within Northern Ireland Departments in relation to evaluating the cost to public funds of defending or settling claims of employment discrimination. [190506]

Mr. Pearson: There is no central evaluation mechanism in place. Decisions on whether to defend or settle claims of employment discrimination are taken by the Northern Ireland Department or agency concerned, on a case-by-case basis, in the context of professional advice from legal advisers, and the likely settlement costs against the cost of contesting a claim.

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many cases alleging employment discrimination were brought by individuals against each of the Northern Ireland departments in the past three years; how many of these were challenged at tribunals; and how many of these were settled out of court. [190507]

Mr. Pearson: During the past three years (1 April 2001 to 31 March 2004), 73 cases alleging employment discrimination were brought by individuals against Northern Ireland departments. Of those cases, 10 were challenged at tribunals and 18 were settled out of court. A breakdown by Department is as follows.

Table showing the number of tribunal cases brought by individuals against NI departments (excluding agencies/NDPBs) during 1/4/01 to 31/3/04, the number challenged at tribunals and the number settled out of court.

Department	*Number of Cases*	*Number Challenged at Tribunal*	*Number Settled out of Court*
Agriculture and Rural Development	23	2	5
Culture, Arts and Leisure	2	—	—
Education	7	—	—
Employment and Learning	12	2	5
Enterprise, Trade and Industry	—	—	—
Environment	—	—	—
Finance and Personnel	5	5	2
Health, Social Services and Public Safety	6	1	1
Regional Development	6	—	—
Social Development	7		4
Office of the First Minister/Deputy First Minister	5	—	1
Totals	73	10	18

Fixed Penalty Notices

Mr. Beggs: To ask the Secretary of State for Northern Ireland what the estimated additional cost is of processing a fixed penalty notice through the courts as compared with the cost of accepting payment of fixed penalty fines without court proceedings. [192532]

Mr. Leslie: I have been asked to reply.

Current systems do not apportion unit costs to these processes. However, a calculation has been undertaken based on staff and judicial salaries. No overheads such as accommodation and IT have been included in this calculation.

The cost of processing a paid fixed penalty is £1.61, while the cost of processing an unpaid fixed penalty through the courts is £19.28.

The additional cost of a fixed penalty being processed through the courts is therefore around £17.68.

Invalid Care Allowance

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many people are in receipt of invalid care allowance in Northern Ireland. [193440]

Mr. Spellar: Carers Allowance replaced Invalid Care Allowance in April 2003. At 26 August 2004 there were 43,031 people in receipt of Carers Allowance.

Invest NI

Mr. Trimble: To ask the Secretary of State for Northern Ireland what steps Invest Northern Ireland are taking to encourage the new owners of the old TK-ECC premises in Dundonald to attract employment opportunities to the area. [191284]

Mr. Gardiner: As the factory and its associated site are privately owned, Invest NI has no direct role in encouraging its use to be maximised.

However, Invest NI continues to be prepared, if requested, to work with the owners and their agents to market the property in line with the existing employment/industrial use for which it is currently zoned.

Nursery Places (North Belfast)

Mr. Dodds: To ask the Secretary of State for Northern Ireland what plans he has to fund full-time nursery places for children in *(a)* North Belfast and *(b)* Greater Shankill. [192375]

Mr. Gardiner: With the exception of pre-school places at Hazelwood Integrated Primary School, which were created under the Pre-School Education Expansion Programme, all nursery places in North Belfast and the Greater Shankill area are full-time.

Although full-time provision is often preferred by parents who have work commitments, extensive research, in both Northern Ireland and the rest of the United Kingdom, shows that there is no additional educational benefit of attending full-time over part-time.

The Pre-School Education Expansion Programme in Northern Ireland provides funding only for part-time provision. I have no plans to fund full-time nursery places at Hazelwood Integrated Primary School.

Pensions

Lady Hermon: To ask the Secretary of State for Northern Ireland what percentage of *(a)* female and *(b)* male pensioners in Northern Ireland are in receipt of the full basic state pension. [193748]

Mr. Spellar: There are 95.9 per cent. of female pensioners and 98.3 per cent. of male pensioners currently in receipt of the full basic state pension (state retirement pension).

Lady Hermon: To ask the Secretary of State for Northern Ireland what percentage of *(a)* female and *(b)* male pensioners in Northern Ireland are in receipt of pension credit. [193751]

Mr. Spellar: There are 30.5 per cent. of female pensioners and 35.1 per cent. of male pensioners currently in receipt of Pension Credit.

Priority Spending Budget

Mr. Beggs: To ask the Secretary of State for Northern Ireland what comparative bids were submitted by individual departmental Ministers for consideration in the negotiations which preceded the Northern Ireland draft Priority Spending Budget; what reductions were made by the Treasury against these bids; and whether any Priority Spending Budget, agreed and implemented by direct rule Ministers, will be binding on a newly appointed Northern Ireland Executive. [192547]

Mr. Pearson: In accordance with the Statement of Funding Policy between Treasury and the Devolved Administrations, the total sum available for the funding of public services in Northern Ireland is largely determined by the application of the population based Barnett formula to comparable Whitehall programmes. Within the Barnett-determined resource total the amounts allocated to individual spending programmes are at the discretion of the Secretary of State for Northern Ireland, with no Treasury involvement. Priorities and spending plans determined by the Secretary of State will not be binding on a restored Devolved Administration, and it will be open to that Administration to review and revise those plans within the framework of the Statement of Funding Policy.

Psychiatric Beds

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will make a statement on the level of occupancy of child and adolescent psychiatry in-patient beds in the Province. [192867]

Angela Smith: Child and adolescent psychiatry in-patient beds in the Province are operating at full occupancy at present.

Psychiatry Services

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland (1) what long-term work force planning has taken place for child and adolescent psychiatry services in the Province; [192877]

(2) if he will make a statement on *(a)* recruitment and *(b)* retention of qualified staff in child and adolescent psychiatry services in the Province. [192878]

Angela Smith: The Department of Health, Social Services and Public Safety carry out an annual review of the consultant work force in each of the hospital-based specialties and the number in training are adjusted to meet the assessed need, subject to available resources. Work force plans for consultant child and adolescent psychiatrists indicate a need for sustained investment in training. As a result resources have been invested year on year in specialist training in this area, there are currently nine specialist trainees compared with four in 1999.

In addition in October 2002 the Department initiated a wide-ranging independent review of the law, policy and service provision affecting people with a mental health problem or a learning disability. Among other things, this review is examining child and adolescent mental health services. It is likely that many of the recommendations from this review will have work force implications. The review is expected to complete towards the end of 2005.

Regional Cancer Centre

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will make a statement on staff recruitment for the new regional cancer centre. [192907]

Angela Smith: Belfast City Hospital Trust developed a work force plan for the new regional cancer centre as part of the Outline Business Case for the centre. The development of the work force plan, which is kept under review, involved full consultation and agreement with the clinical professional heads of each service and was shared with commissioners in each Health and Social Services Board.

Funding for the additional staff has been confirmed on a phased basis. In view of the lead-in time to train health professionals, funding has been secured to enable staff to be appointed and trained in time for the planned opening of the new cancer centre in 2006.

Regional Development Strategy

Lady Hermon: To ask the Secretary of State for Northern Ireland if he will make a statement on the implementation of the Regional Development Strategy. [193746]

Mr. Spellar: The Regional Development Strategy sets out a spatial development framework for Northern Ireland up to 2025. The vision is to create an outward-looking, dynamic and liveable region and to sustain a high quality of life for all.

The Annual Report and Monitoring Report for 2003–04 on the progress in implementing the RDS are currently being prepared and will be published in November. Annual Reports and Monitoring Reports have been published for the periods 2001–02 and 2002–03. Copies are available in the House of Commons Library.

School Nurses

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many school nurses per head of population of school age there are in the Province. [192873]

Angela Smith: In Northern Ireland, there is approximately one school nurse per 2,900 children and young people of school age.

Theft and Fraud

Mr. Prisk: To ask the Secretary of State for Northern Ireland what his estimate is of the cost of theft and fraud to *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in each year since 1997. [191413]

Mr. Pearson: The cost of theft and fraud is estimated as follows:

£

	Departments	*Agencies*	*NDPBs*
1997–98	18,364	104,495	53,055
1998–99	90,028	121,363	7,813
1999–2000	20,938	38,388	127,691
2000–01	79,311	83,708	154,975
2001–02	353,606	49,079	48,961
2002–03	107,985	40,469	328,387
2003–04	129,681	89,383	304,581

Water Charges

Mr. Beggs: To ask the Secretary of State for Northern Ireland what proportion of Northern Ireland's rate charge is made up of a charge for water use. [192543]

Mr. Pearson: The regional rate is an un-hypothecated tax, which means that no portion of it is a direct charge, or specifically earmarked, for any one particular service. Instead, the revenue raised is simply one component (around 6 per cent.) of the total amount available to the Secretary of State for allocation to public services provided at a regional level.

Mr. McGrady: To ask the Secretary of State for Northern Ireland whether there will be further consultation on the Government's proposed household water charges in Northern Ireland. [192989]

Mr. Spellar: An Integrated Impact Assessment on the proposals for Water Reform, including the basis for domestic water and sewerage charges, will be published shortly for public consultation. This will provide an opportunity for the public to comment on the impact of the policy proposals. The Government will take account of the responses to the consultation before producing draft primary legislation.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what proportion of the proposed increase in the regional rate will be allocated to water charges. [192556]

Mr. Pearson: The regional rate is an un-hypothecated tax. Therefore, no portion of any proposed increases will be allocated to any one particular service.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what estimate he has made of the core costs for a new water services body for Northern Ireland in each of the next five years. [192557]

Mr. Spellar: The Chief Executive of Water Service (Mrs. Katharine Bryan) has been asked to write to the hon. Member in response to this question.

Letter from Mrs. Katharine Bryan to Lady Hermon, dated 21 October 2004:

You recently asked the Secretary of State for Northern Ireland a Parliamentary Question about the estimate he had made of the annual core costs, in each of the next five years, for a new water services body for Northern Ireland. I have been asked to reply as Chief Executive of Water Service.

On 10 August 2004, the Minister of State, John Spellar, MP announced that Water Service was to become a Government Owned Company on, or as soon as practicable after, 1 April 2006. The costs outlined below reflect the figures for the three years to 2007–08 in the Draft Priorities and Budget announced on 10 October 2004. These are draft figures and as such could be subject to change. The Draft Budget process only covers the years 2005–06 to 2007–08 and figures are not available post 2007–08.

£ million

	Revenue	*Capital*	*Total*
2005–06	119.8	269.4	389.2
2006–07	121.3	224.5	345.8
2007–08	117.7	218.1	335.8

Water Metering

Lady Hermon: To ask the Secretary of State for Northern Ireland what he expects the earliest possible date for the introduction of household water metering to be; and if he will make a statement. [193334]

Mr. Spellar: On 13 September 2004, I announced my proposals for the basis upon which household water and sewerage charges will be set. The announcement made clear that the new charges would be phased in from 2006–07, or as soon as practicable thereafter. In my statement I acknowledged the strong preference for metering by those who had expressed an opinion in the 2003 consultation exercise. In recognition of this, and despite the fact that metering was ruled out by the Northern Ireland Executive in its 2002 consultation on rating policy, I am proposing to make provision for household metering once charges are fully phased in—that is, the third year of charging. This will provide time to develop an approach to metering which promotes reduced consumption, is fair and affordable and which does not have unacceptable consequences for those on low incomes or vulnerable groups.

DEPUTY PRIME MINISTER

Beach Safety

Mrs. Brooke: To ask the Deputy Prime Minister what discussions he has had with *(a)* other Government departments and *(b)* local authorities on safety on beaches. [193432]

Phil Hope: The Royal Society for the Prevention of Accidents organised the National Water Safety Congress held in Brighton in March 2004 at which the National Water Safety Forum was launched. An important part of the Forum is the establishment of an advisory group on beach safety. Water safety is a subject that cuts across many Government Departments. Therefore, an inter-governmental group with representatives from the relevant Departments and devolved administrations has been established to interact with the Forum. The Office of the Deputy Prime Minister is represented on this group.

The Maritime and Coastguard Agency has met regularly with representatives of local authorities, other Government Departments with an interest and the providers of rescue services to discuss coastal safety including the safety of people using local beaches.

Circular 1/94

Mr. Luff: To ask the Deputy Prime Minister what assessment he has made of the impact of large-scale and deliberate breaches of planning control by travellers in setting up large encampments on the integrity of the planning system. [193115]

Keith Hill: Local planning authorities have wide range of enforcement powers available to deal with breaches of planning control.

The Office of the Deputy Prime Minister is however aware of the concerns surrounding the development of gypsy and traveller sites in breach of planning control. The Office of the Deputy Prime Minister is undertaking a thorough review of policy relating to gypsy and traveller accommodation needs including the advice given in circular 1/94 'Gypsy Sites and Planning' to ensure local authorities assess the accommodation needs of gypsies and travellers in their development plans and make provisions to meet those needs. This should help reduce instances where sites are developed without planning permission.

Council Housing

Mr. Alan Campbell: To ask the Deputy Prime Minister how many applicants are on the waiting list for council properties in each local authority area in Tyne and Wear. [193327]

Keith Hill: The number of applicants on the waiting list for council properties in each local authority in Tyne and Wear are tabled.

Local authority	*Current waiting list*
Gateshead	10,037
Newcastle	15,312 = Number registered under 'Choice Based Letting'—some are existing tenants waiting for a move.
North Tyneside	5,664
South Tyneside	5,234
Sunderland	n/a as Large Scale Voluntary Transfer (LSVT) occurred in 2001.

Mr. Alan Campbell: To ask the Deputy Prime Minister how many council houses each local authority in Tyne and Wear has; and how many each had in 1997. [193331]

Keith Hill: The number of council houses in each local authority in Tyne and Wear at present, and in 1997, are tabled as follows.

Local authority	*Stock at 1 April 2004*	*Stock at 1 April 1997*
Gateshead	23,494	28,545
Newcastle	32,367	38,196
North Tyneside	[1]16,958	22,533
South Tyneside	[1]19,484	24,366
Sunderland	n/a as Large Scale Voluntary Transfer (LSVT) occurred in 2001.	41,368

[1] at 1 October 2004

Mr. Alan Campbell: To ask the Deputy Prime Minister what discussions his Department has had with North Tyneside council regarding the council housing appraisal process. [193336]

Keith Hill: The Government Office North East Housing Team, including specialist staff from the Community Housing Task Force (CHTF) have been involved in an on-going discussion with North Tyneside metropolitan borough council (MBC) regarding the Option Appraisal process since June 2003 when the relevant guidance was published. Regular meetings with council officers, tenants and other interested parties are held and the Government Office's CHTF officer attends the Option Appraisal Steering Group in an advisory capacity. In recent times, meetings have been held at least monthly. Government Office is assisting all parties by facilitating training and encouraging positive action towards the evaluation of all available options in the lead up to a final decision in early 2005.

Council Tax

Mr. Gordon Prentice: To ask the Deputy Prime Minister how many people have been convicted for non-payment of council tax in each year since 2000. [193316]

Mr. Raynsford: Non-payment of council tax is not a criminal offence. However, a local authority may apply to the magistrate for a person to be committed to prison if a bailiff has been unable to find sufficient goods to seize in order to meet the debt. The magistrate may only issue a warrant of commitment if the non-payment is due to wilful refusal or culpable neglect on the part of the council taxpayer.

The Government do not collect council tax enforcement statistics, but from information supplied by some local authorities to the Chartered Institute of Public Finance and Accountancy it is estimated that the number of people in England committed to prison for non payment of council tax is as follows.

	Number
2000–01	65
2001–02	80
2002–03	72

Figures for more recent years are not yet available.

Mr. Gordon Prentice: To ask the Deputy Prime Minister if he will make it his policy to increase the number of council tax bands pending the longer term review of local government finance. [193317]

Mr. Raynsford: The Government have accepted the Balance of Funding Review's conclusion that council tax in England should be retained but reformed. There is a statutory requirement for a revaluation in 2007, but no decisions have yet been made on what the reform should be. The Government now look to Sir Michael Lyons' Independent Inquiry to make recommendations on any changes that are necessary and how to implement them.

Decent Homes Standard

Simon Hughes: To ask the Deputy Prime Minister how many local authorities in England he expects to meet the Government's Decent Homes Standard by 2010; and if he will list those which are expected not to achieve the Standard. [193241]

Keith Hill: The Office of the Deputy Prime Minister expects all stock owning local authorities to meet the Decent Homes Standard by 2010.

Departmental Consultants

Mr. Jenkins: To ask the Deputy Prime Minister how much the Department spent on outside information technology and communication specialists, consultants and engineers in the 2003–04 financial year. [192759]

Phil Hope: The Office of the Deputy Prime Minister spent approximately £11.2 million centrally on outside information communication and technology consultants and contractors during the 2003–04 financial year.

Fire Service Pensions

Mr. Drew: To ask the Deputy Prime Minister what the gap is in funding for Fire Service pensions. [192960]

Phil Hope: The Firefighters' Pension Scheme is an unfunded scheme and fire and rescue authorities pay pensions from revenue. Members' pension contributions are treated as revenue. The cost of pensions is increasing and the value of the benefits is now estimated to be 37.5 per cent. of pensionable pay. The Office of the Deputy Prime Minister is aware of the problems which the current arrangements cause and have already announced that we will be publishing proposals on future financing arrangements for consultation in early 2005.

Mr. Drew: To ask the Deputy Prime Minister what discussions he has had with the Fire Brigades Union on pensions. [192961]

Phil Hope: The Fire Brigades Union is represented on the Firefighters' Pensions Committee, which provides a forum for discussion of pension issues and is the usual channel for the consultation required by section 34(5) of the Fire and Rescue Services Act 2004. The Committee replaces a sub-committee of the former Central Fire Brigades Advisory Committee. The Committee meets quarterly.

Mr. Drew: To ask the Deputy Prime Minister when he plans to raise the normal retirement age for firefighters to *(a)* 55 and *(b)* 65 years. [192962]

Phil Hope: The Office of the Deputy Prime Minister published proposals on 13 October for changes to the pension arrangements for firefighters, including proposals that the minimum pension age under the existing pension scheme should be raised to age 55 from April 2006; and that the normal pension age under a new pension scheme for new entrants to the Fire and Rescue Service should be age 65, with alternative options including a normal pension age of 60 and possibly allowing members to take their pension at age 55, at the discretion of the employer. Consultation will end on 14 January 2005 and we will take decisions on the structure of the new arrangements as soon as possible thereafter.

Gypsies/Travellers

Mr. Luff: To ask the Deputy Prime Minister (1) what role the Government expects *(a)* regional assemblies, *(b)* regional housing boards and *(c)* regional planning boards to play in the formulation and development of policies to deal with gypsies; [193118]

(2) what account local authorities will be required to take of the *(a)* national and *(b)* regional need for traveller sites when allocating land for such sites in their local development plans. [193120]

Keith Hill: The assessments of housing need that underpin Local Housing Strategies should include the accommodation needs of gypsies and travellers. Clauses in the current Housing Bill would give statutory force to this.

These assessments are an essential part of the evidence base that informs Regional Housing Strategies (RHSs) and Regional Spatial Strategies (RSSs). Regional Assemblies and Regional Housing Boards have an important role to play in working with authorities to ensure that these assessments are robust and consistent across the region.

There will be close co-ordination in the production of revised RHSs and RSSs to ensure that they reflect the need for gypsies' and travellers' pitches. The RSS will set out the level of pitch provision to be provided in each local authority area. The identification of where the sites should be in each authority's area or how "windfall" sites will be determined will be the responsibility of the local planning authorities in preparing their Development Plan Documents (DPDs). Under the 2004 Act, it is a requirement that DPDs are in general conformity with the Regional Spatial Strategy.

Homeless People (London)

Simon Hughes: To ask the Deputy Prime Minister how many homeless people there were in Greater London in each year since 1997, broken down by *(a)* age and *(b)* borough. [193188]

Keith Hill: Information collected about local authorities' actions under homelessness legislation is in respect of households, rather than persons. This is collected quarterly through P1E returns. Although a breakdown by age of head of household is not collected, the return does distinguish acceptances where the applicant's priority need category was recorded as being aged 16 to 17 years old, or formerly "in care" and aged 18 to 20 years old. These two categories were introduced as part of the extension to priority need entitlement under the 2002 Order; prior to the third quarter of 2002, the priority need groups distinguished "vulnerable young persons", which was applied at the discretion of authorities.

A summary of available information reported by London boroughs about the total number of households eligible for assistance, unintentionally homeless and in priority need, and of those how many were headed by a "young person" in each year since 1997 is in the table.

Total homeless households reported as accepted[1] by London boroughs and, of which, those categorised as "young persons"[2,3]

	1997		*1998*		*1999*		*2000*	
	Total	*Young persons[2]*	*Total*	*Young persons[2]*	*Total*	*Young persons[2]*	*Total*	*Young persons[2]*
Barking and Dagenham	140	4	226	14	215	10	278	14
Barnet	856	23	986	24	1,065	14	1,208	11
Bexley	173	0	405	0	246	0	343	0
Brent	1,300	43	[4]—	[4]—	969	0	1,169	4
Bromley	578	2	703	1	809	1	885	0
Camden	1,345	7	1,571	11	1,429	5	1,009	9
City of London	38	0	63	0	60	0	24	1
Croydon	1,286	19	791	12	1,157	7	1,668	19
Ealing	979	1	1,036	4	989	10	997	13
Enfield	773	3	781	8	752	5	912	19
Greenwich	1,191	25	1,406	15	1,302	6	1,233	19
Hackney	[4]—	[4]—	665	2	872	6	869	1
Hammersmith and Fulham	584	3	690	0	758	3	973	13
Haringey	[4]—	[4]—	963	3	1,388	3	[4]—	[4]—
Harrow	618	0	713	1	713	1	680	6
Havering	272	18	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—
Hillingdon	915	2	941	0	772	0	858	13
Hounslow	930	38	1,013	23	[4]—	[4]—	1,085	7
Islington	960	15	[4]—	[4]—	1,312	28	1,485	47
Kensington and Chelsea	598	0	[4]—	[4]—	552	0	612	11
Kingston upon Thames	374	0	[4]—	[4]—	296	0	400	6
Lambeth	825	22	946	33	1,212	74	1,006	36
Lewisham	[4]—	[4]—	1,038	1	1,241	2	891	23
Merton	216	0	185	0	251	0	178	0
Newham	[4]—	[4]—	[4]—	[4]—	1,687	18	1,353	16
Redbridge	287	1	314	1	438	3	430	1
Richmond upon Thames	544	1	621	2	503	6	321	3
Southwark	893	66	1,071	43	1,572	74	1,414	35
Sutton	293	12	290	20	478	19	432	19
Tower Hamlets	[4]—	[4]—	1,010	9	1,147	6	1,275	13
Waltham Forest	795	0	1,054	0	[4]—	[4]—	906	0
Wandsworth	454	0	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—
Westminster	1,144	0	[4]—	[4]—	1,199	0	1,037	0

	2001		*2002*		*2003*	
	Total	*Young persons[2]*	*Total*	*Young persons[2,3]*	*Total*	*Young persons[3]*
Barking and Dagenham	307	24	502	41	689	82
Barnet	1,134	35	[4]—	[4]—	[4]—	[4]—
Bexley	459	0	474	2	372	5
Brent	1,256	0	1,033	21	956	63
Bromley	854	1	807	18	905	53
Camden	1,090	19	1,281	56	1,510	118
City of London	11	0	30	1	22	2
Croydon	1,432	11	1,116	9	1,409	73
Ealing	844	0	946	4	1,190	45
Enfield	1,235	19	1,133	50	1,072	93
Greenwich	1,161	30	1,135	57	1,021	149
Hackney	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—

	2001		*2002*		*2003*	
	Total	*Young persons*[2]	*Total*	*Young persons*[2,3]	*Total*	*Young persons*[3]
Hammersmith and Fulham	853	63	804	86	746	122
Haringey	1,961	6	[4]—	[4]—	[4]—	[4]—
Harrow	522	9	440	2	296	7
Havering	[4]—	[4]—	134	2	416	26
Hillingdon	1,160	11	870	11	888	46
Hounslow	1,415	32	895	51	692	73
Islington	1,549	79	1,275	57	[4]—	[4]—
Kensington and Chelsea	648	18	419	5	463	23
Kingston upon Thames	439	3	[4]—	[4]—	426	42
Lambeth	1,411	57	1,549	91	1,632	194
Lewisham	[4]—	[4]—	1,104	43	1,559	134
Merton	164	0	176	0	180	16
Newham	1,564	29	1,348	27	1,542	83
Redbridge	[4]—	[4]—	734	8	[4]—	[4]—
Richmond upon Thames	408	14	358	17	320	51
Southwark	1,741	18	1,560	31	1,671	106
Sutton	459	24	451	45	344	56
Tower Hamlets	1,334	20	1,530	32	1,701	99
Waltham Forest	1,153	7	1,121	39	1,048	76
Wandsworth	916	38	1,041	53	1,095	121
Westminster	1,253	1	1,093	17	1,060	80

[1] All households eligible under homelessness legislation, and found to be unintentionally homeless and in a priority need category.

[2,3] From 2002 Q3, "young person" reflects acceptances of 16 to 17-year-olds, and 18 to 20-year-olds previously in care. Prior to this, authorities reported cases classified as "vulnerable young person". Data was not collected for either category in 2002 Q2.

[4] Data unavailable or incomplete.

Source:

ODPM P1E homelessness returns (quarterly)

House Prices

Ms Buck: To ask the Deputy Prime Minister what the average price of a house in England was in *(a)* 1980, *(b)* 1990 and *(c)* 2000; and if he will estimate (i) the current price of the same dwelling if its value had risen at the rate of the retail price index and (ii) the current price of the same dwelling if its valuation had risen at the same average level as house prices over that period. [192030]

Keith Hill: The average price of a house in England in *(a)* 1980, *(b)* 1990 and *(c)* 2000 was as shown in column A of the following table.

(i) Had property prices since 1980/1990/2000 then risen in line with the Retail Prices Index (RPI), their current value (as of August 2004) would have been as set out in column B.

(ii) If the average property in 1980/1990/2000 had risen in price by the same as the average rise in house prices then its current value (as of August 2004) would be the same as the average property in England in August 2004, namely £191,970.

£

	Average price of a property in England Column A	*Notional current price of the 1980/1990/2000 property had house prices risen in line with the RPI Column B*
1980	23,957	67,165
1990	63,173	93,877
2000	114,335	125,823

Sources:

Property prices: Survey of Mortgage Lenders, ODPM

Retail Prices Index: Office for National Statistics

Housing

Helen Jones: To ask the Deputy Prime Minister what assessment he has made of the demand for affordable housing *(a)* in Warrington and *(b)* in the north-west over the next five years. [193047]

Keith Hill: The information is as follows:

(a) In the case of Warrington, it is of course for the borough council to make an assessment of affordable housing needs. They have done so in their draft unitary development plan (UDP) which has recently been tested at a public inquiry. The council has identified a current shortfall of 42 dwellings per year. A policy has been included in the UDP to enable the council, when determining planning applications, to negotiate for an element of affordable housing on proposed schemes.

(b) The regional spatial strategy for the north-west does not quantify the overall need for affordable housing in the region, but identifies areas where there is likely to be the greatest need. These needs will then be addressed in local plans.

Helen Jones: To ask the Deputy Prime Minister how many applicants are on the waiting list for council properties in each local authority in the north-west. [193049]

Keith Hill: According to the Housing Strategy Statistical Appendices supplied by North West Local Authorities, the total number of applicants on the housing register as of 1 April 2004 was as follows.

Total households (on the housing register at 1 April 2004)

	Number
Allerdale	1,460
Barrow-in-Furness	1,291
Blackburn with Darwen	4,528
Blackpool	4,970
Bolton	18,490
Burnley	1,482
Bury	2,386
Carlisle	2,907
Chester	3,328
Chorley	1,643
Congleton	1,092
Copeland	1,089
Crewe and Nantwich	2,554
Eden	1,530
Ellesmere Port and Neston	1,618
Fylde	2,097
Halton	1,931
Hyndburn	2,392
Knowsley	2,425
Lancaster	2,151
Liverpool	6,376
Macclesfield	3,097
Manchester	16,564
Oldham	4,587
Pendle	1,631
Preston	1,848
Ribble Valley	815
Rochdale	7,231
Rossendale	1,684
Salford	8,644
Sefton	9,846
South Lakeland	2,751
South Ribble	692
St. Helens	3,854
Stockport	4,692
Tameside	6,352
Trafford	10,443
Vale Royal	2,547
Warrington	4,430
West Lancashire	2,545
Wigan	5,684
Wirral	8,215
Wyre	1,944

Helen Jones: To ask the Deputy Prime Minister how many council houses each local authority in the North West owns; and how many each owned in 1997. [193050]

Keith Hill: According to the Housing Strategy Statistical Appendices supplied by North West local authorities, the total number of council properties owned as at 1 April for both the years 2004 and 1997 are as follows:

Dwelling stock position in authority area at 1 April

Local authority	*1997*	*2004*
Allerdale	4,652	0
Barrow-in-Furness	3,622	3,030
Blackburn with Darwen	11,243	122
Blackpool	6,346	5,617
Bolton	22,540	20,070
Burnley	5,662	0
Bury	9,821	8,781
Carlisle	8,827	16
Chester	7,363	0
Chorley	3,538	3,087
Congleton	4,170	0
Copeland	4,602	3,814
Crewe and Nantwich	6,995	0
Eden	1,536	0
Ellesmere Port and	7,360	6,065
Fylde	2,003	0
Halton	7,893	6,670
Hyndburn	3,971	3,437
Knowsley	19,946	0
Lancaster	4,469	3,988
Liverpool	45,674	19,906
Macclesfield	6,783	5,265
Manchester	64,247	45,841
Oldham	20,637	15,708
Pendle	4,237	3,684
Preston	9,289	6,714
Ribble Valley	1,442	1,223
Rochdale	17,518	15,503
Rossendale	4,966	4,135
Salford	32,280	27,496
Sefton	14,468	12,370
South Lakeland	4,130	3,320
South Ribble	0	0
St Helens	16,513	0
Stockport	13,909	12,192
Tameside	18,443	0
Trafford	11,536	9,694
Vale Royal	8,046	0
Warrington	11,537	9,342
West Lancashire	8,774	7,157
Wigan	27,980	24,598
Wirral	19,174	14,430
Wyre	0	0

Helen Jones: To ask the Deputy Prime Minister how many homes are available for rent from housing associations in each local authority in the North West; and how many were available in 1997. [193051]

Keith Hill: According to the Housing Strategy Statistical Appendices supplied by North West local authorities, the total number of homes available for rent from housing associations as at 1 April for both the years 2004 and 1997 are as follows:

RSL dwelling stock position in authority area at 1 April	*2004*	*1997*
Allerdale	8,584	4,812
Barrow-in-Furness	649	566
Blackburn with Darwen	12,023	2,768
Blackpool	1,585	850
Bolton	6,976	5,696
Burnley	6,304	1,443
Bury	4,092	2,341
Carlisle	7,981	1,084
Chester	7,901	1,243
Chorley	3,278	3,567
Congleton	4,212	364
Copeland	3,024	3,313
Crewe and Nantwich	6,295	857
Eden	2,265	634
Ellesmere Port and Neston	796	668
Fylde	2,299	n/a
Halton	7,881	8,398
Hyndburn	1,664	1,288
Knowsley	19,510	4,068
Lancaster	2,443	1,685
Liverpool	44,551	25,433
Macclesfield	3,201	1,275
Manchester	28,418	17,673
Oldham	7,122	3,942
Pendle	1,234	921

RSL dwelling stock position in authority area at 1 April	*2004*	*1997*
Preston	6,251	3,743
Kibble Valley	511	419
Rochdale	8,438	3,917
Rossendale	859	900
Salford	6,523	5,750
Sefton	6,868	6,630
South Lakeland	854	684
South Kibble	4,917	4,932
St Helens	17,415	3,811
Stockport	4,615	4,457
Tameside	19,742	3,602
Trafford	6,794	4,306
Vale Royal	7,484	757
Warrington	4,589	5,031
West Lancashire	929	817
Wigan	3,499	2,647
Wirral	8,398	6,637
Wyre	3,707	3,364

Mr. Alan Campbell: To ask the Deputy Prime Minister what assessment his Department has made of the demand for affordable housing in *(a)* North Tyneside and *(b)* the North East over the next five years. [193330]

Keith Hill: The assessment of demand for housing is best carried out by those responsible locally for such matters. In February this year, the Office of the Deputy Prime Minister published a Housing Market Assessment Manual. This encourages local authorities to work in partnership with each other and other stakeholders to develop a more strategic view of housing need and demand at the sub-regional housing market level.

The North East Housing Board is currently considering the issue of affordable housing in the region as part of the work being carried out to update the regional housing strategy which will be submitted to the Government in May 2005. The local demand for affordable homes should therefore feature in the work currently being undertaken by the Tyne and Wear Housing Partnership.

Housing Renewal Pathfinder Areas

Mr. Gordon Prentice: To ask the Deputy Prime Minister what documentation he has received from Pendle Council concerning its willingness to participate in the housing renewal strategy for the area; and if he will make a statement. [193235]

Keith Hill: Pendle Borough Council accepted in 2002 the Government's invitation to establish, jointly with other local authorities in the East Lancashire sub-region, a market renewal pathfinder. As a participating authority, it expressed its support for the strategy and programme developed by the pathfinder, Elevate, earlier this year. The council continues to be a participating authority with membership of the pathfinder's governing body and has responsibility for the delivery of the programme in its area.

Local Authority Debt

Mr. Clifton-Brown: To ask the Deputy Prime Minister what the funding requirement for local authority debt has been in each year since 1997; and what the projected requirement is for this financial year. [193811]

Mr. Raynsford: The amount as reported by local authorities since 1997–98 as the cost of their debt is tabled as follows.

	£ million
1997–98	3,936
1998–99	3,874
1999–2000	3,756
2000–01	3,650
2001–02	3,630
2002–03	3,516
2003–04	3,553
2004–05	3,614

Note:

The data show actual outturn figures for all years except 2003–04 and 2004–05 which are budget estimates. The data are the sum of the amount of external interest payments made by authorities and their provisions for the repayment of principal.

Source:

Local Government Financial Statistics—England: various years

Local Government

Mr. Rosindell: To ask the Deputy Prime Minister if he will make a statement on reform of local government since 1997; and what the costs of that reform have been. [191165]

Mr. Raynsford: The measures the Office of the Deputy Prime Minister has taken to modernise local government are leading to an improvement in local authorities' performance. For example, the second year of Comprehensive Performance Assessment (CPA) results for single tier and county councils showed that councils are making real improvements in their delivery of key services. Nearly a third of all 150 authorities achieved a higher star rating for Social Services and only two local authorities failed to make any improvements in education. Furthermore, 55 per cent. of all single tier and county councils are now rated 'good' or 'excellent'.

Also, the interim findings of the Cardiff Business School's evaluation of the long-term impact of best value in English local authorities from 2001 until 2005 suggest that best value is having a positive impact on the internal culture of many local authorities and better outcomes for local people.

Furthermore, the Office of the Deputy Prime Minister has recognised the need to reduce unnecessary bureaucracy for councils and last year (2003–04) saw a reduction in inspection for local authorities of around one third and a reduction of 90 per cent. for top performers. We have also cut the number of plans authorities are required to produce by 75 per cent. Apart from the money that is set aside for schools, we are reducing the percentage of grant that is ring-fenced and expect this to be in single figures by next year.

Since 1997, the Government have undertaken a wide-ranging number of reforms as part of the Local Government modernisation agenda. However, information about the costs of these reforms is not held centrally and could be provided only at disproportionate cost.

Local Government Finance

Mr. Michael Foster: To ask the Deputy Prime Minister whether he has received from the Office for National Statistics the 2001 Census data for Worcestershire. [193239]

Mr. Raynsford: Yes. 2001 Census data were released in stages by the Office for National Statistics. It was necessary to specially commission a number of tables that were released later. The final indicator data used in the Local Government Finance Settlement that is derived from the 2001 Census was released on 21 October 2004.

Mr. Michael Foster: To ask the Deputy Prime Minister if he will estimate the financial impact of continued use of the 1991 Census data when calculating grants for Worcestershire county council. [193240]

Mr. Raynsford: I refer my hon. Friend to the answer given to the hon. Member for Yeovil on 19 October 2004, *Official Report*, columns 570–71W.

Mr. Keetch: To ask the Deputy Prime Minister what census data he uses to calculate the Standard Spending Assessment Grant to Herefordshire Council; and if he will make a statement. [193284]

Mr. Raynsford: The data indicators used to calculate the 2004–05 Local Government Finance Settlement are described in Annex D of "The Local Government Finance Report (England) 2004/2005". A copy of this document is available in the Library of the House.

Mobile Telephones

Mr. Prisk: To ask the Deputy Prime Minister how many mobile phones were used by *(a)* Ministers and special advisers and *(b)* officials in his Department in each year since 1997; how many were (i) lost and (ii) stolen; and what their cost was. [191431]

Phil Hope: The Office of the Deputy Prime Minister was created on 29 May 2002. Since then the number of mobile phones used by Ministers and Special Advisers, and the associated costs (including purchase, line rental, and call charges) are tabled as follows.

	Number of mobile phones used	*Cost (£)*
30 May 2002–31 March 2003	3	2,071
1 April 2003–31 March 2004	6	3,756
1 April 2004–30 September 2004	6	2,250

The number of these lost and stolen, and the cost of replacement, is as follows:

	Number lost	*Number stolen*	*Cost of replacement (£)*
30 May 2002–31 March 2003	0	1	213.56
1 April 2003–31 March 2004	1	0	82
1 April 2004–30 September 2004	1	0	82

Information on mobile phones used by officials is not held centrally and could be provided only at disproportionate cost.

Park Homes

Bob Spink: To ask the Deputy Prime Minister (1) what assessment his Department has made of complaints regarding park homes; and what investigations have been made regarding such complaints; [192894]

(2) how many complaints regarding the operation of park homes were received by his Department in each of the last five years for which figures exist; and how many of these were *(a)* investigated and *(b)* substantiated; [192895]

(3) what proportion of park homes have been the subject of *(a)* multiple substantiated complaints and *(b)* any complaints over each of the last five years for which figures exist. [192896]

Keith Hill: The information requested is not held centrally, and could only be provided at disproportionate cost.

Complaints about the condition of a park home site will normally be dealt with by the local authority responsible for the issue, monitoring and enforcement the site licence conditions. Complaints about the terms of contract are handled by the courts or if agreed by both parties, an arbitration service.

The Secretary of State, my right hon. Friend the Deputy Prime Minister, has no locus in respect of such complaints. But in response to representations from the industry and park home residents we set up the park homes working party in 1998 and have acted on their recommendations through measures in the current Housing Bill. The Office of the Deputy Prime Minister will be consulting shortly on how best to take forward a number of the remaining recommendations of the working party.

Planning (Consultation)

Mr. Spring: To ask the Deputy Prime Minister pursuant to the oral statement by the parliamentary Under-Secretary on 18 October 2004, *Official Report*, column 745, what form the public consultation exercise relating to part 24 of the Town and Country Planning (General Permitted Development) Order 1995 will take. [193355]

Keith Hill: The public consultation exercise relating to part 24 of the Town and Country Planning (General Permitted Development) Order 1995 will be initiated early next year by the publication of a consultation document on the Government's proposals for amending the Order and follow the Code of Practice on Consultation published by the Cabinet Office.

Regional Assemblies

Mr. Jenkin: To ask the Deputy Prime Minister (1) pursuant to section 37 of the Draft Regional Assemblies Bill (Cm. 6285), what estimate he has made of the annual cost of the provision of pension benefits for north east regional assembly members and employees; and what plans he has to set limits on *(a)* the making of payments towards the provision of pension benefits and *(b)* the cost of the establishment and administration of schemes for the provision of pension benefits; [192757]

(2) what estimate he has made of what the total value of a regional assembly member's pension benefits will be after 30 years in post. [192756]

Mr. Raynsford: Assemblies will, as good employers, be expected to provide suitable pension benefits for employees and meet the reasonable costs involved. I do not propose to set any limits on payments to be made towards pension benefits or on the cost of administration of pension schemes.

Member salaries and pension benefits will be a matter for each assembly, although the Office of the Deputy Prime Minister will ask the Senior Salaries Review Body to recommend initial salary levels. The north east assembly will have 25 members most of whom will be paid on a part-time basis. It is unlikely that many members would remain in office for 30 years, and any estimate of the likely value of pension benefits for anyone serving that length of time would be highly speculative.

Telecommunication Masts

Mr. Spring: To ask the Deputy Prime Minister if he will take steps to ensure best practice and a common approach are adopted in relation to planning procedures relating to mobile phone masts. [193356]

Keith Hill: Best Practice in relation to planning for mobile phone network developments is set out in the Code of Best Practice for Mobile Phone Network Development. The Office of the Deputy Prime Minister is commissioning a study to assess the impact that the code has had since its introduction and how local authorities have implemented the code and how the public perceives its operation.

This will provide the Government with evidence on whether the code has been effective and whether there are any areas of weakness that need to be addressed. In light of this evidence the Government will consider whether any changes to the code are appropriate.

Mr. Spring: To ask the Deputy Prime Minister what percentage of telecommunication installations completed in the last 12 months have been allowed under the permitted development rights conferred under the Town and Country Planning (General Permitted Development) Order 1995. [193358]

Keith Hill: The information requested is not held centrally, and could only be provided at disproportionate cost.

Mr. Spring: To ask the Deputy Prime Minister what representations he has made to the Mobile Operators Association on improving consultation with local communities on the development of telecommunication equipment in their area. [193359]

Keith Hill: Ministers in the Office of the Deputy Prime Minister meet regularly with the Mobile Operators Association to discuss a range of issues including the operators' progress in meeting their commitments to improved local consultation.

Town and Country Planning Act

Mr. Drew: To ask the Deputy Prime Minister what plans he has to enhance the policing of agreements under section 106 of the Town and Country Planning Act 1990; and what advice he plans to offer to local authorities to ensure that developers deliver on their commitments. [192963]

Keith Hill: Section 106 agreements (Planning Obligations) are binding legal agreements between the parties involved, and as such are enforceable by the courts. It is therefore for local authorities to monitor the implementation of planning obligations and take action where appropriate. The Government are due to issue shortly a revised draft circular on planning obligations for consultation, which will include updated guidance on the monitoring and implementation of planning obligations. The final circular, due to be published in spring 2005, will be accompanied by Good Practice Guidance which will also cover this issue.

Written Answers to Questions

Tuesday 26 October 2004

CHURCH COMMISSIONERS

Ecclesiastical Law

Miss McIntosh: To ask the hon. Member for Middlesbrough, representing the Church Commissioners what recent representations he has received regarding updating ecclesiastical law, with particular reference to the employment of clergy. [193768]

Sir Stuart Bell: The Church Commissioners have received no such representations. The Archbishops' Council is, with representatives of other Christian bodies and faith communities, actively engaged in discussions with the DTI on this issue. The Church of England's review group, under the chairmanship of Professor David McClean, will bring its second report to the Archbishops' Council later this year and to the General Synod in February 2005. If Synod approves the group's proposals, the Church will begin to prepare the legislation necessary to implement them.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

REACH Proposal

Bob Spink: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to the answers to questions 189034 and 189035, what proportion of the total direct costs across the EU for implementing the REACH proposal will fall on *(a)* industry and *(b)* the public purse. [190689]

Alun Michael: The Government have worked with industry and others to ensure that the benefits of the REACH proposals to human health and the environment are well focussed on achieving maximum practical benefit with a minimum of direct impact on industrial competitiveness. In particular our own proposals for "one substance, one registration" are intended to lower costs to industry as well as creating a level playing field across Europe and keeping animal testing to a minimum. We have presented proposals jointly with the Hungarian Government and received positive responses from other Governments to our proposals which will now be considered and discussed further within the EU. Estimates have to be based on proposals as they stand at any given stage and our suggestions are not yet part of the official proposals. Based on the Commission's proposals, the results from the UK partial Regulatory Impact Assessment referred to in the answers to questions 189034 and 189035 (i.e. an estimated direct cost of £515 million over the 11 year phase in period which is equivalent to total direct costs across the EU of approximately £2.4 billion) are estimates of the costs to be incurred by industry. This is in line with European Commission estimates published in October 2003 of a maximum overall cost of the revised proposal to be €7.5 billion. We are currently carrying out further impact assessment work to assess the indirect costs passed down the supply chain.

The European Commission estimates published in October 2003 indicate that, in addition to testing and registration costs, the chemicals industry is estimated to pay some €0.3 billion in fees to the new European chemicals agency. The costs of establishing and running the European chemicals agency under the REACH system were estimated at some €0.4 billion as a one-off cost over 11 years. This cost will be met from the fees paid by industry (€0.3 billion) and the remainder from the Community budget.

In the UK, the appointment of a Competent Authority or Authorities is a practical issue relating to the introduction of REACH and will be subject to a consultation exercise in the future.

Conservation

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what the Government's policy is on nature conservation in urban areas. [192332]

Mr. Bradshaw*[holding answer 18 October 2004]*: Working with the grain of nature—a biodiversity strategy for England (Defra 2002) sets out the Government's vision for biodiversity in urban areas. The strategy recognises that a flourishing biodiversity makes a real contribution to the quality of life of urban residents and visitors alike. It aims to ensure that biodiversity conservation is integral to sustainable urban communities by enhancing biodiversity in green spaces and among developments in urban areas so that they are used by wildlife and valued by people. It aims to ensure that construction, planning, development and regeneration have minimal impacts on biodiversity and enhance it where possible. A workstream group has been established to develop and take forward a work programme to implement the goals.

The Department has been working closely with the Office of the Deputy Prime Minister on the preparation of a draft planning policy statement which was published for consultation last month. The draft PPS9 sets out the Government's policy objectives on biodiversity and geological conservation in England. These policies are firmly rooted in working with the grain of nature, including the objectives for urban areas.

Dairy Cows

Lynne Jones: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what central records are kept on the incidence of mastitis in cattle; and if she will make a statement; [192732]

(2) what her Department's policy is on *(a)* monitoring and *(b)* addressing lameness in dairy cows; and if she will make a statement; [192733]

(3) how many dairy cows were culled due to lameness in each of the last 10 years; and if she will make a statement. [192734]

Mr. Bradshaw: There are no central records of the incidence of mastitis or lameness in dairy cattle. However, I am well aware of the seriousness of these welfare problems and their impact on the dairy industry.

That is why we continue to fund research in these areas. We are currently funding two research projects into the causes and control of cattle lameness at a cost of more than £800,000. Defra also has a contract with the Agricultural Development Advisory Service to run an advisory programme for farmers to encourage good welfare. A significant part of the contract is used for providing free advice to individual farmers, which often includes giving advice on ways they could help to alleviate mastitis and lameness levels in their herds. The most substantial part of the contract is used to fund awareness campaigns on topics of welfare concern. The campaigns aim to promote good practice, highlight the latest research and to discuss practical experiences. This year (and not for the first time) we are funding a series of meetings for farmers advising them on how to reduce the incidence of mastitis and promoting Defra's Mastitis Management Action Plan, which was developed in 1999. Lameness in dairy cattle has also been a major topic over the last few years. Last year, for example, we held a series of meetings on reducing injuries to dairy cows and produced an interactive CD-ROM aimed at helping farmers identify potential causes of injury to dairy cattle and provide guidance on minimising such risks.

The Code of Recommendations for the Welfare of Livestock: Cattle (which was revised last year) and its associated publications also provide advice on how to treat and prevent mastitis and lameness in dairy cows.

RAF Pershore

Mr. Luff: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on *(a)* the management of her Department's burial site at RAF Pershore and *(b)* its plans for the future use of the site and the land adjacent to it owned by her Department. [193094]

Mr. Bradshaw: The Department continues to take a sensitive and constructive approach at Pershore. The landscape on the leased area has been improved and plantings are maturing. The addition of a water course has benefited drainage. The site and its impact on the environment is subject to close professional supervision and scrutiny by the Environment Agency, the local authority and Defra. Both ground water and surface water quality are closely monitored and remain normal. In addition, surface water drains into a reed bed designed to purify the water before it discharges to the brook on the south side of the site. Close monitoring of the whole site will continue.

The two freehold cottages are currently on the open market for sale. The Department has not yet settled on its strategy for the disposal of the remaining freehold land, but has appointed professional consultants to give advice.

Rural Transport Partnerships

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what plans she has for the future of rural transport partnerships after funding support transfers from the Countryside Agency to regional development agencies; [191098]

(2) what plans she has to allow rural transport partnerships to bid for community enterprise funds once funding from the Countryside Agency ceases; [191099]

(3) if she will make a statement on what funding sources she expects will be made available to help deliver the Countryside Agency's rural transport partnerships projects; [191100]

(4) how much money which was allocated in outline to rural transport plans by the Countryside Agency, but which was subsequently not spent, has been re-assimilated into her Department's budget; [191101]

(5) when her Department will be producing an evaluation of the effectiveness of rural transport partnerships; [191102]

(6) if she will make a statement on the withdrawal of the communities services grant from the Countryside Agency's Vital Villages programme; and what alternative sources of funding are available. [192683]

Alun Michael: The Countryside Agency funds Rural Transport Partnerships through their Vital Villages programme. The Agency will continue to fund existing projects and commitments until the Vital Villages programme closes on 31 March 2006. From 1 April 2005 Defra will devolve decision making on the delivery of economic and social regeneration policies to the regional development agencies. The regional development agencies are charged with contributing to the delivery of DEFRA's Public Service Agreement target to improve the accessibility of services for people in rural England. In recognition of their larger role in the delivery of DEFRA's policies, we have given the regional development agencies an additional £21.3 million per annum for the years 2005–06, 2006–07 and 2007–08.

These new arrangements will mean considerable changes for how DEFRA achieves its rural objectives. regional development agencies, working with their partners, will be responsible for deciding how to spend their resources and grants may not be available for the types of projects that have been supported through the Countryside Agency's Vital Villages programme hitherto. But I am confident that by devolving these responsibilities to the regional development agencies and increasing their resources, rural delivery will become more responsive to local priorities and better focused on areas and people that need it most.

From now until the closure of the Vital Villages programme the Countryside Agency is working to mainstream the work of the Rural Transport Partnerships and share good practice.

£14 million has been invested in the Vital Villages programme this year. Although separate figures for rural transport plans are not available, the larger Vital Villages programme underspent by £80,000 in 2003–04. This underspend was not reallocated to DEFRA expenditure. In June the Agency published a "Guide to Finding Funding for Rural Transport Partnership Projects" (available in hard copy from the Agency and on their website, www.countryside.gov.uk) and some funding for small scale community transport schemes, such as mini-bus links, is available through DEFRA's Rural Enterprise Scheme.

The Agency published an evaluation of the Rural Transport Partnerships in June 2004 (also available in hard copy from the Agency and on their website) and is holding a national conference on 27 October to publicise the Partnerships' work and achievements.

HOUSE OF COMMONS

Catering Services

Norman Baker: To ask the Chairman of the Catering Committee if he will make representations to the Director of Catering Services to implement a strategy to minimise food miles. [193095]

Mr. Dennis Turner: I am sympathetic to the hon. Member's wish to reduce food miles by sourcing as much produce as possible locally. The Refreshment Department uses a great deal of British produce, selected on the basis of its quality and value for money. I have asked the Director of Catering Services to investigate the feasibility of implementing a strategy to minimise food miles as part of the Refreshment Department's food procurement objectives, so far as is consistent with the legal procurement framework within which all public purchasing operates, and the various regional promotions run by the Department.

Norman Baker: To ask the Chairman of the Catering Committee if he will make representations to the Director of Catering Services to increase the percentage of food sourced organically. [193103]

Mr. Dennis Turner: I refer the hon. Member to the answer I gave him on 27 April 2004, *Official Report*, column 905–06W.

I have asked the Director of Catering Services to continue to be alert to opportunities to increase the percentage of food sourced organically, but I am aware that the Refreshment Department's ability to achieve this remains constrained by both supply chain limitations and by consumer price sensitivity.

HOUSE OF COMMONS COMMISSION

Works of Art

36. **Mr. Gordon Prentice:** To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission how many paintings and works of art are held in store by the House. [193522]

Sir Archy Kirkwood: The House of Commons Commission is responsible only for matters affecting this House. However, I understand that there are 6,791 works of art in the permanent collections of the House of Commons and House of Lords, of which approximately 1,900 are currently held in store. This number includes 35 paintings and 26 sculptures, which are in store only temporarily until they are relocated within the Parliamentary Estate. The other items in store are predominantly small prints and photographs. If the hon. Member wishes to visit the store, I am sure that the Curator would be delighted to arrange it.

Oriel Room

Kate Hoey: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what the cost of *(a)* consultants, *(b)* materials, *(c)* labour, *(d)* design and *(e)* supervision of work was for the changes to the Oriel Room; and where the high desks have been stored. [193105]

Sir Archy Kirkwood: The recent works in the Oriel Room were undertaken as part of two major projects: the tenth phase of the PDVN programme which includes the installation of automatic fire detection systems; and the installation of blast resistant glazing to the Principal Floor. These are extensive projects having total values of some £4 million and £1 million respectively; the latter being spread over three years. Owing to the complexities of both projects it is not possible to apportion the costs for the Oriel Room separately.

While the Oriel Room was disrupted, the opportunity was taken to introduce a new furniture layout. This was partly in response to adverse comments about the lighting and layout of the Members' Library in the "House of Commons Survey of Services in 2003", to underpin the Library's Change Project and to improve the ergonomic conditions for Library staff. The plans were reviewed by the Information Committee before the summer recess.

During the closure of the Library the Oriel and Reference Room ceilings were cleaned and other minor works undertaken.

The new furniture was designed by the PWSD Furnishings team after discussions with Library staff; no consultants were used.

The original desks, which were installed in 1986, have now gone into off-site storage.

Visitors

Lynne Jones: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission (1) what mechanisms are in place to ensure that the new visitor passes are retrieved from visitors when they leave the Parliamentary Estate; and if he will make a statement on their introduction; [193351]

(2) if the Commission will take steps to ensure that photographs on parliamentary passes are checked at all entry and exit points on the Parliamentary Estate; [193352]

(3) how many visitor passes have been issued to date; and how many have been returned. [193353]

Sir Archy Kirkwood: It is not the practice of the House of Commons Commission to publish details of the operation of security arrangements on the Parliamentary Estate. I have asked the Serjeant at Arms to contact the hon. Member.

TREASURY

Child Accidents

Tom Cox: To ask the Chancellor of the Exchequer how many children died in accidents at home in the Greater London area in the last five years. [193156]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Tom Cox, dated 26 October 2004:

As National Statistician, I have been asked to reply to your recent question asking how many children died in accidents in the home in the Greater London area in the last five years. (193156)

The latest available data are for 2003. Figures for children aged under 16 are given in the following table.

Deaths from accidents in the home[1] London,[2] 1999 to 2003[3]

	Number of deaths
1999	18
2000	13
2001	9
2002	15
2003	10

[1] Selected using codes E849-E928 excluding E870-E879 from the International Classification of Diseases Ninth Revision for 1999 and 2000 and codes W00-X59 from the International Classification of Diseases Tenth Revision for 2001 to 2003, where the place of accident was 'home'.

[2] Residents of London Government Office Region.

[3] Figures are for deaths occurring in each calendar year.

Corporation Tax

Mr. Clifton-Brown: To ask the Chancellor of the Exchequer how much has been raised by the withdrawal of advance corporation tax credit on *(a)* pensions and *(b)* charities in each year since it was introduced. [193802]

Dawn Primarolo: The abolition of payable tax credits was an essential part of a wider package of Corporation Tax reforms, including cuts in CT rates, designed to encourage investment. The estimated impact of the abolition of payable tax credits for pension funds, charities and others is quoted in the Financial Statement and Budget Report, July 1997. A separate figure for charities is not available.

Hospices (VAT)

Lady Hermon: To ask the Chancellor of the Exchequer how much VAT was paid by UK hospices in each of the last 10 years for which figures are available. [193364]

Dawn Primarolo: HM Customs and Excise data do not identify VAT registered hospices specifically and in any case would not identify any VAT incurred by hospices that could not be recovered. Therefore no figures for VAT paid by hospices are available.

Identity Card Scheme

Mr. Oaten: To ask the Chancellor of the Exchequer what recent research he has *(a)* conducted or *(b)* commissioned into the cost effectiveness of the proposed identity card scheme. [193996]

Mr. Timms: I refer the hon. Gentleman to the answer given by my predecessor on 21 April 2004, *Official Report*, column 505W.

Julie McEvoy

Mr. Steen: To ask the Chancellor of the Exchequer if he will investigate the handling of the tax credits award for Miss Julie McEvoy of Buckfastleigh for the 2003–04 and 2004–05 tax years; and if he will make a statement. [193953]

Dawn Primarolo: I understand that the Inland Revenue has made a thorough investigation of Miss McEvoy's case and wrote to the hon. Member on 25 October 2004.

National Debt

Mr. Clifton-Brown: To ask the Chancellor of the Exchequer what the national debt *(a)* is and *(b)* was in 1997. [193812]

Mr. Boateng: Public sector net debt at the end of September 2004 stood at 33.6 per cent. of GDP, whereas at the end of September 1997 it stood at 43.5 per cent. of GDP.

Police Funding

Mr. Stinchcombe: To ask the Chancellor of the Exchequer (1) if he will ensure that adequate funds are made available to the Home Office to ensure that Northampton Police Authority receives the grant for the financial year 2005–06 that the national funding formula indicates it needs; [193760]

(2) if he will make an additional grant to all police authorities for the financial year 2005–06 similar to the additional grant given to all local authorities in December 2003. [193761]

Mr. Boateng: The 2002 spending review provided for record growth in spending on crime, justice and communities, from £16.5 billion in 2002–03 to £20.5 billion in 2005–06. The 2004 spending review builds on this progress by embedding the Government's success in delivery and further increasing spending in these areas by £3.5 billion by 2007–08, compared to 2004–05. The Home Secretary is due to announce policing allocations for 2005–06 shortly.

Single Parent Households

Keith Vaz: To ask the Chancellor of the Exchequer how many single parent households headed by *(a)* mothers and *(b)* fathers there are, broken down by ethnic group. [192638]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Keith Vaz, dated 26 October 2004:

As National Statistician and Registrar General for England and Wales I have been asked to reply to your recent question asking how many single parent households headed by *(a)* mothers and *(b)* fathers there are, broken down by ethnic group. 192638

Figures from the 2001 Census indicate that there were 2,297,153 lone parent households in England and Wales, of which 1,979,295 households were headed by a female Household Reference Person and 317,858 households were headed by a male Household Reference Person. Specially commissioned table C0344 has been run to provide the ethnic group of the Household Reference Person. This has been placed in the House of Commons Library and can also be accessed on the National Statistics website at http://www.statistics.gov.uk/census2001/op15.asp

STEPS Agreement

Denzil Davies: To ask the Chancellor of the Exchequer (1) how much was paid to external commercial, legal and financial advisers in respect of the STEPS agreement; [178102]

(2) how much was paid by the Department to Mapeley STEPS Contractor Ltd. in each year to April *(a)* 2002 *(b)* 2003 and *(c)* 2004. [178131]

Dawn Primarolo *[pursuant to my answers, 15 June 2004, Official Report, c. 835W]:* I very much regret that my earlier answers inadvertently contained information which has subsequently proved to be incorrect.

I am advised that costs in respect of external commercial, legal and financial advice were:

	£ million
STEPS Project (pre-contract "go-live")	7.5
STEPS Contract	1.3

Payments made to Mapeley STEPS Contractor Ltd. were as follows:

Year to April	*£ million*
2002	234.7
2003	305.9
2004	311.2

Tax Credits

Mr. Laws: To ask the Chancellor of the Exchequer how many tax credit awards had been stopped as at 30 September due to claimants' failure to supply income data by the 30 September deadline; and if he will make a statement. [191781]

Dawn Primarolo: None had been stopped as at 30 September.

Tsar Appointments

Mr. Goodman: To ask the Chancellor of the Exchequer how many tsars have been appointed with responsibilities which cover part of the work of his Department; and if he will make a statement. [191915]

Mr. Timms: None.

Unemployment (Greater London)

Tom Cox: To ask the Chancellor of the Exchequer what the rate of unemployment in the Greater London area is. [193796]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Tom Cox, dated 26 October 2004:

As National Statistician, I have been asked to reply to your recent Parliamentary Question about unemployment in Greater London. (193796)

It is estimated that, for the three months ending in August 2004, the unemployment rate for people aged 16 and over resident in the Greater London area was 6.9 per cent. This estimate is seasonally adjusted.

This estimate from the Labour Force Survey (LFS) is, as with any sample survey, subject to sampling variability.

Unpaid Tax

Mr. Laws: To ask the Chancellor of the Exchequer what his estimate is of the total amount of unpaid tax, broken down by each available category, in each year from 1996–97 to 2004–05; and if he will make a statement. [192143]

Dawn Primarolo: The information requested is as follows:

Inland Revenue

I refer the hon. Member to the answers I gave on 4 March 2003, *Official Report*, column 912W, and 1 April 2004, *Official Report*, column 1697W. The NAO report, "The Recovery of Debt by the Inland Revenue", was published in March 2004 and can be found online at: http://www.nao.org.uk/publications/nao_reports/03-04/0304363.pdf

HM Customs and Excise

I refer the hon. Member to the HM Customs and Excise Annual Report and Accounts 2002–03, which was published in December 2003, and is available in the Library of the House.

Working Tax Credit

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer how many people classed as disabled have claimed working tax credit in Coventry South. [192982]

Dawn Primarolo: I refer my hon. Friend to my reply to my hon. Friend the Member for Morley and Rothwell (Mr. Challen) on 19 October 2004, *Official Report*, column 589W.

WALES

Correspondence

Mr. Llwyd: To ask the Secretary of State for Wales how many letters he has received from hon. Members in the last four months; and if he will make a statement. [192216]

Mr. Hain: 26 letters were received from hon. Members from Wales from June to September 2004.

During that period the Wales Office also received 152 other letters and over 1,600 pieces of inter departmental correspondence.

Ministerial Expenses

Mr. Prisk: To ask the Secretary of State for Wales how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [191398]

Mr. Touhig: None. The Wales Office does not provide residential properties for the use of either Ministers or officials.

Tsar Appointments

Mr. Goodman: To ask the Secretary of State for Wales how many tsars have been appointed with responsibilities which cover part of the work of his Department; and if he will make a statement. [191928]

Mr. Hain: None.

LEADER OF THE HOUSE

Legislation

35. **Simon Hughes:** To ask the Leader of the House if he will carry out scrutiny of the number of offences *(a)* created and *(b)* repealed in the Government legislative programme in each session. [193521]

Mr. Woolas: My right hon. Friend has no plans to do so.

Information Technology

37. **Barbara Follett:** To ask the Leader of the House what recent discussions he has had about the provision of information technology equipment and access for hon. Members. [193523]

Mr. Woolas: My right hon. Friend has had discussions with both Members and officials of the House regarding the recommendations on information technology in the report of the Senior Salaries Review Body's review of parliamentary pay and allowances. He welcomes these recommendations and intends to propose to the House that IT equipment and support be increased as recommended.

Voters Guide

38. **Dr. Whitehead:** To ask the Leader of the House what proposals he has submitted to the Select Committee on the Modernisation of the House of Commons on sending a new voters guide to every 18-year-old. [193524]

Mr. Woolas: In its report on "Connecting Parliament with the Public", the Modernisation Committee, which my right hon. Friend chairs, recommended that the House devise a new voter's guide to be sent to all young people around the time of their 18th birthday. It envisaged that this might contain information on how to register to vote; the role and function of an MP, local councillor and other elected officials; how politics affects people's lives and a brief history of Parliament. This proposal is now under consideration by the House of Commons Commission.

September Sittings

39. **Mr. Amess:** To ask the Leader of the House what representations he has received regarding the September sitting of the House; and if he will make a statement. [193525]

Mr. Woolas: A number of Members have expressed views on September sittings in evidence to the Modernisation Committee's inquiry on the sitting hours of the House, and in response to the letter which my right hon. Friend the Leader of the House sent to all Members on 29 June. The Modernisation Committee is considering these responses as part of its inquiry.

Child Care

40. **Julie Morgan:** To ask the Leader of the House what proposals he has made to the Select Committee on the Modernisation of the House of Commons on providing child care in the House of Commons. [193526]

Mr. Woolas: My right hon. Friend has made no proposals to the Modernisation Committee on child care in the House of Commons, but he has taken a close interest in discussions in the House of Commons Commission on this subject. He welcomes the increase in value in the child care vouchers paid to House staff, and their extension to Members' staff.

SCOTLAND

Pensions (Women)

6. **Mr. Carmichael:** To ask the Secretary of State for Scotland what discussions he has held with ministerial colleagues on the level of basic state pension received by women pensioners in Scotland. [192848]

Mrs. McGuire: My right hon. Friend and I are in regular touch with ministerial colleagues on a wide range of issues. The hon. Member will appreciate that pensions matters in general, and the particular position of women pensioners, are matters of great concern to the Government at the moment.

Army Recruitment

7. **Mr. Swire:** To ask the Secretary of State for Scotland if he will make a statement on Army recruitment to the Scottish regiments in Scotland. [192849]

Mr. Darling: Although this is a matter for my right hon. Friend the Secretary of State for Defence, Scottish soldiers have an important continuing role in the United Kingdom's defence plans.

9. **Mr. Gray:** To ask the Secretary of State for Scotland when he last discussed recruitment to the Scottish regiments with the Secretary of State for Defence. [192851]

Mr. Darling: I am in regular contact with my right hon. Friend and discuss a wide range of issues.

Broadband

8. **Malcolm Bruce:** To ask the Secretary of State for Scotland whether he will be making recommendations on rural broadband in Scotland during the telecommunications review. [192850]

Mrs. McGuire: The Scotland Office works closely with the Ofcom team in Scotland on a range of broadcasting and telecommunications issues. I am aware of the detailed consultation response from the Scottish Executive which places emphasis on the importance of getting rural aspects right.

Economy

10. **Mr. Savidge:** To ask the Secretary of State for Scotland what recent discussions he has had with the Chancellor of the Exchequer about the Scottish economy. [192852]

Mr. Darling: I have regular discussions with my right hon. Friend the Chancellor on a range of matters.

Disability Discrimination Act

11. **Miss Begg:** To ask the Secretary of State for Scotland what steps the Scotland Office has taken since 1 October to highlight the new obligations on service providers following the introduction of part III of the Disability Discrimination Act 1995. [192853]

Mrs. McGuire: It has been Government policy to highlight new obligations on service providers as early as possible prior to the implementation date of 1 October. The Department for Work and Pensions has undertaken a major publicity campaign throughout the country to increase awareness of the Disability Discrimination Act and particularly the duties for employers and service providers, including a direct mailing to around one million small businesses.

In addition, in Scotland, the DRC worked closely with Scottish business organisations and my hon. Friend, the Advocate-General, addressed an awareness raising reception with guests representing disabled people, businesses and public sector organisations a few days prior to the implementation date.

Call Boxes (Rural Areas)

12. **Sir Archy Kirkwood:** To ask the Secretary of State for Scotland when he next plans to meet BT authorities in Scotland to discuss call boxes in rural areas. [192855]

Mrs. McGuire: My right hon. Friend and I are aware of the issues but have no current plans to meet BT authorities.

Army

13. **Mr. Foulkes:** To ask the Secretary of State for Scotland what recent discussions he has had with the Secretary of State for Defence on the future structure of the Army in Scotland. [192856]

14. **Mr. Alan Reid:** To ask the Secretary of State for Scotland what recent discussions he has held with the Secretary of State for Defence regarding the Scottish infantry regiments. [192857]

Mr. Darling: I am in regular contact with my right hon. Friend and we discuss a wide range of issues.

Jobcentres (Lanarkshire)

Mr. Hood: To ask the Secretary of State for Scotland whether he has met the Secretary of State for Work and Pensions to discuss closures of Jobcentres in Lanarkshire. [192854]

Mr. Darling: I refer my hon. Friend to the answer I gave earlier today to my right hon. Friend the Member for Coatbridge and Chryston (Mr. Clarke).

SOLICITOR-GENERAL

Crown Prosecution Service

Diana Organ: To ask the Solicitor-General when she will issue the strategic plan and guidance for the Crown Prosecution Service's resources as a result of successful confiscation orders under the Proceeds of Crime Act 2002. [191933]

The Solicitor-General: The 2004 Spending Review provided for a new scheme to incentivise criminal justice agencies to recover asset from criminals. The Crown Prosecution Service is working with colleagues from the Serious Fraud Office, the Customs and Excise Prosecution Office, the Home Office, and the Department of Constitutional Affairs to develop a scheme for agreement with the Treasury. Operational details of the new scheme have not yet been agreed, but it is proposed that it will become operative during 2006–07. At that stage guidance will be issued to the CPS and other agencies.

European Court of Human Rights

Tom Cox: To ask the Solicitor-General how many United Kingdom cases are awaiting hearing before the European Court of Human Rights. [191958]

The Solicitor-General: There are 351 cases against the United Kingdom pending before the European Court of Human Rights that have been declared admissible or partly admissible by the Court. There has been an oral hearing in five of these cases, but the Court has not yet delivered its judgment on the merits. None of the remaining cases is at present scheduled for an oral hearing; owing to the enormous backlog of cases before the Court, oral hearings are now the exception rather than the rule.

Iraq

Harry Cohen: To ask the Solicitor-General (1) on what date the Attorney-General *(a)* gave his advice to the Prime Minister about the legality of the war with Iraq and *(b)* officially examined Iraq's declaration of December 2002; what he considered to be material breaches in the declaration; on what date he made his opinion on these specific breaches known; whether he first expressed the opinion that there was material breach before he examined Iraq's declaration; and if she will make a statement; [190233]

(2) on what date the Attorney-General *(a)* gave his advice to the Prime Minister about the legality of the war with Iraq and *(b)* officially examined Iraq's declaration of December 2002; what he assessed as

material breaches in the declaration; on what date he made his opinion on these specific aspects known; and if she will make a statement; [191011]

(3) if the Attorney-General will make a further assessment of whether Iraq was in major breach of United Nations resolutions to justify war based on the findings of the Iraq Survey Group report; and if she will make a statement. [190985]

The Solicitor-General: I refer the hon. Member to paragraphs 366–387 of the report of the Butler Review of Intelligence on Weapons of Mass Destruction (HC898) which describe the role of intelligence in assessing the legality of the use of force against Iraq. This section of the report sets out the legal process, including when advice was given by the Attorney-General.

The Butler Report also makes it clear that the advice concerned the legal interpretation of relevant UN Security Council resolutions and not WMD-related intelligence. In paragraph 1 of UNSCR 1441, the Security Council itself decided that Iraq was, and remained, in material breach of its obligations under relevant resolutions. In paragraph 4 of resolution 1441, the Security Council also decided that false statements or omissions in the declarations submitted by Iraq pursuant to the resolution and failure by Iraq at any time to comply with, and co-operate fully in the implementation of the resolution would constitute a further material breach of Iraq's obligations. It is a question of fact whether there were any such false statements or omissions in Iraq's declarations and whether Iraq did comply with and cooperate fully in the implementation of the resolution. As appears from paragraph 383 of the Butler Report, it was not for the Law Officers themselves to ascertain what those facts were. As stated in paragraph 385, the Prime Minister formed the view, based on information from a wide range of sources, including UNMOVIC reports, that there were false statements and omissions in the Iraqi declarations and also that Iraq had failed to comply with and cooperate fully in the implementation of resolution 1441.

CULTURE, MEDIA AND SPORT

Analogue Switch-off

Mr. Salmond: To ask the Secretary of State for Culture, Media and Sport what the planned dates for analogue switch-off are broken down by ITV region. [193677]

Estelle Morris: Much progress has been made in the discussions between the Government, Ofcom, and Public Service Broadcasters and other stakeholders on the detailed plans for switchover. However, decisions have yet to be made on the timetable for Switchover across the UK by ITV regions.

Mr. Salmond: To ask the Secretary of State for Culture, Media and Sport what the planned dates are for analogue switch-off for the transmitters at *(a)* Durris, *(b)* Rosemarkie, *(c)* Knock More and *(d)* Rumster Forest. [193678]

Estelle Morris: Discussions are taking place between the Government, Ofcom, and Public Service Broadcasters and other stakeholders on the detailed plans for switchover. However, no specific dates have been set for the conversion of individual transmitters (with the exception of the Technical Trial transmitter in Ferryside which will be converted in March 2005).

DEPUTY PRIME MINISTER

Central-Local Government Partnership

Mr. Jenkin: To ask the Deputy Prime Minister what the cost to public funds of the Central Local Government Partnership conference held at Leeds Castle on 14 and 15 October was; and how many Government Ministers attended. [193360]

Phil Hope: The event held at Leeds Castle was a meeting of the Central Local Partnership (CLP)—a forum for leading members from local government to hold discussions with Ministers. The CLP meets three times a year, two meetings are held at the offices of the Local Government Association (LGA) or at the Office of the Deputy Prime Minister's offices in London, and the October meeting is an Away Day.

The cost of the event was approximately £23,000, shared equally between central Government and the LGA. Over the two days 14 Ministers attended from Departments that work closely with local authorities. The councillors attending were drawn from all parties represented in local government including the chairman of the LGA, Sir Sandy Bruce-Lockhart, Conservative leader of Kent county council. Following is a list of the Ministers and councillors who attended the event:

Ministers

Right hon. John Prescott MP, Deputy Prime Minister and First Secretary of State, Office of the Deputy Prime Minister

Right hon. Nick Raynsford MP, Minister of State for Local and Regional Government, Office of the Deputy Prime Minister

Right hon. Lord Rooker, Minister of State for Housing, Planning and Regeneration, Office of the Deputy Prime Minister

Right hon. Keith Hill MP, Minister of State for Housing and Planning, Office of the Deputy Prime Minister

The hon. Phil Hope MP, Parliamentary Under-Secretary, Office of the Deputy Prime Minister

Right hon. Paul Boateng MP, Chief Secretary to HM Treasury, Her Majesty's Treasury

Right hon. Alun Michael MP, Minister of State for Rural Affairs, Department for Environment, Food and Rural Affairs

The hon. Charlotte Atkins MP, Parliamentary Under-Secretary, Department for Transport

The hon. Hazel Blears MP, Minister of State, Home Office

The hon. Rosie Winterton MP, Minister of State, Department of Health

Right hon. Charles Clarke MP, Secretary of State for Education and Skills, Department for Education and Skills

The Noble Lord Geoffrey Filkin, Parliamentary Under-Secretary for Children and Families, Department for Education and Skills

The Noble Lord Andrew Macintosh MP, Minister for Media and Heritage, Department for Culture, Media and Sport

The hon. Chris Pond MP, Parliamentary Under-Secretary, Department for Work and Pensions

Local Government Association Councillors

Sir Sandy Bruce-Lockhart, Chairman of LGA, Kent County Council, Conservative Party

Peter Chalke CBE, Vice-Chairman of LGA, Wiltshire County Council, Conservative Party

Simon Milton, Chairman of Improvement Board, Westminster City Council, Conservative Party

Margaret Eaton OBE, Deputy Chair of LGA, City of Bradford, Conservative Party

Sir Jeremy Beecham, Vice-Chairman of LGA, Newcastle upon Tyne City Council, Labour Party

Aiden Rave, Deputy Chairman of LGA Labour Group, Doncaster Metropolitan Borough Council, Labour Party

Dame Sally Powell, Chair of Safety Communities Board, London Borough of Hammersmith and Fulham, Labour Party

David Sparks OBE, Chairman of Environment Board, Dudley Metropolitan Borough Council, Labour Party

Chris Clarke OBE, Leader of LGA Liberal Democrat Group and Deputy Chairman of LGA, Somerset County Council, Liberal Democrat Party

Richard Kemp, Deputy Leader of LGA Liberal Democrat Group, Liverpool City Council, Liberal Democrat Party

Chloe Lambert, Leader of LGA Independent Group and Deputy Chairman of LGA, Aylesbury Vale District Council, Independent Party

Baroness Ruth Henig, Chair of association of Policy Authorities, Chair of Lancashire Policy authority, Lancashire County Council, Labour Party

Council Tax (Yorkshire)

Mr. Greenway: To ask the Deputy Prime Minister what proportion of the *(a)* City of York council, *(b)* Ryedale district council, *(c)* North Yorkshire county council and *(d)* Scarborough borough council budget was met from council tax receipts in (i) 1997–98 and (ii) 2004–05. [193905]

Mr. Raynsford: The proportion of each council's revenue expenditure met from council tax in 1997–98 and 2004–05 for the four authorities are tabled as follows:

Percentage

	1997–98	*2004–05*
City of York	28	29
Rydale district council	46	49
North Yorkshire county council	28	31
Scarborough borough council	28	41

The data are as reported by the local authority and use outturn data for 1997–98 and budget data for 2004–05.

Decent Homes Standard

Simon Hughes: To ask the Deputy Prime Minister what his estimate is of the cost of meeting the decent homes standard in each local authority area. [193242]

Keith Hill: Stock-owning local authorities report to the Office of the Deputy Prime Minister the cost of meeting the decent homes standard in the council stock. This covers the cost to bring existing non-decent dwellings up to the decent homes standard, but does not cover work to prevent currently decent dwellings from falling into non-decency. This information has been made available in the Library of the House.

Disabilities Facilities Grant

Mr. Spring: To ask the Deputy Prime Minister what estimate he has made of the cost of abolishing the means test on parents of disabled children for the disabilities facilities grant. [192893]

Keith Hill: The Office of the Deputy Prime Minister, jointly with the Department of Health and the Department of Education and Skills is undertaking a comprehensive review of the Disabled Facilities Grant programme. This will include a consideration of a number of changes to the means test including a full analysis of costs. The Review Group will report to Ministers in May 2005.

Disability Housing Registers

Paul Holmes: To ask the Deputy Prime Minister (1) what steps he is taking to promote the use of disability housing registers; [193570]

(2) how many local authorities in England operate disability housing registers; and if he will make a statement. [193573]

Keith Hill: The Office of the Deputy Prime Minister recognises that it is extremely important that people with disabilities and access needs are housed appropriately and that they have the right level of priority for housing under an allocation scheme. Furthermore, the Government want to see housing authorities, and other social landlords, make the best use of our housing stock, and this includes stock which is accessible or has been adapted.

The Office of the Deputy Prime Minister considers that local authorities would find it useful to operate a disability housing register and should be encouraged to do so, but ultimately it should be up to the authority itself to decide whether it makes sense to do so.

(1) The statutory Code of Guidance on the Allocation of Accommodation (paragraph 6.11) recommends that housing authorities maintain lists of properties that are suitable for people with disabilities and other special needs groups and that these could be made available to relevant applicants of social housing, free of charge. The Office of the Deputy Prime Minister will consult with the Disability Rights Commission and other interested parties on how to strengthen the Code of Guidance to ensure that disabled people are housed appropriately and to make better use of properties which have been designed or adapted for disabled people. A revised Code of Guidance will be issued next year.

The Office of the Deputy Prime Minister is developing a national standard for measuring accessibility through the National Register of Social Housing (NROSH) which should be available by September 2005. NROSH will be a central record of social housing and will collect information on the attributes of each dwelling including size, type and rent. These attributes include three measures of accessibility; first, whether the dwelling meets one of the recognised standards (Lifetime Homes, Housing Corporation Design Standards or Building Regulations—Part M); secondly, counts of the number of steps outside and within the dwelling or block; and finally a record of adaptations which have been carried out. By establishing a national standard for recording accessibility NROSH will assist local authorities in the setting up of local registers. The surveying of properties to collect accessibility information and provision of this to NROSH will be at the discretion of local authorities.

(2) The Office of the Deputy Prime Minister does not collect this information.

Gypsies

Mr. Luff: To ask the Deputy Prime Minister how many local plans the Government Office for the West Midlands has objected to on the grounds of their Gypsy policies. [193107]

Keith Hill: The Government Office has made a small number of objections to draft development plans prepared under provisions in the Town and Country Planning Act 1990 in relation to policies for Gypsy sites. The objections related to issues of compliance with current guidance contained in the Department's Circular 1/94, "Gypsy Sites and Planning". It asks local planning authorities to assess the need for Gypsy accommodation in their areas and, wherever possible, to identify in their plans locations suitable for Gypsy sites, whether local authority or private sites. Where this is not possible authorities are asked to set out clear, realistic criteria for suitable locations as a basis for site provision policies. No objections have been made to policies for Gypsy sites in draft local plans prepared by Wychavon district council in the hon. Member's constituency. The Office of the Deputy Prime Minister has announced a review of Circular 1/94.

Housing Bill

Mr. Clifton-Brown: To ask the Deputy Prime Minister what estimate he has made of how many surveyors will be required as a result of the seller's packs provisions included in the Housing Bill; how many are available at the present time; and what estimate he has made of how long it will take to train sufficient surveyors. [R] [193781]

Keith Hill: The industry estimates that around 7,500 home inspectors (some working full time some working part time) will be needed to compile home condition reports for home information packs in England and Wales. As this new qualification is dependent on the passage of the Housing Bill, there are no qualified home inspectors yet. However, independent research by Asset Skills, the relevant sector skills council, shows that between 10,000 and 18,000 people working in property services or related industries are expected to convert to work as home inspectors. This indicates that there will be sufficient qualified inspectors available to provide the required number of home condition reports when the reforms are implemented in January 2007. All home inspectors will have to belong to a certification scheme and will have to obtain the required home inspection qualification before they can become members. The length of training will depend on the candidate's level of existing knowledge and experience. This could range between a matter of months for a RICS surveyor already doing similar work, to the equivalent of a full time two year course followed by a period of "on the job" training for someone with no previous experience.

Mr. Clifton-Brown: To ask the Deputy Prime Minister what implementation date the Government plan for the provisions of the Housing Bill relating to seller's packs; and what assessment he has made of whether sufficient professional indemnity insurance will be available in the market by that date. [R] [193782]

Keith Hill: The Office of the Deputy Prime Minister anticipates that the home information pack reforms will be implemented in January 2007. But we will not introduce compulsory home condition reports until we are satisfied that all the necessary elements are in place, including satisfactory indemnity insurance for home inspectors. This continues to be the subject of extensive research and discussion and the Office of the Deputy Prime Minister has established programme management arrangements involving consumer representatives and key industry stakeholders to provide help and guidance on this. Assisted by the Association of British Insurers and our industry working group, discussions with commercial insurers are taking place aimed at identifying options based on a commercial approach. The possible basis for an insurance regime will be published when this work is complete. Discussions with leading commercial insurers indicate that they are broadly comfortable with the proposals and that there is an appetite to insure home inspectors.

Mr. Clifton-Brown: To ask the Deputy Prime Minister whether the Government intend to establish a national database of the information contained in the seller's pack provided for in the Housing Bill; and whether the packs will have to be available in electronic form to purchasers. [193807]

Keith Hill: There will not be a national database of the information contained in home information packs. The Office of the Deputy Prime Minister is proposing to make provision in the Housing Bill for a register of home condition reports. Our intention is that the register will comprise an electronic databank of all home condition reports prepared by registered home inspectors. In order to respect privacy, and data-protection legislation, access to information obtained from the register would be strictly controlled. Home information packs may be in an electronic format but potential buyers will be entitled to ask for a paper copy of the pack (or part of the pack) if they prefer.

Housing Renewal Pathfinders

Mr. Gordon Prentice: To ask the Deputy Prime Minister what compensation packages are offered to home owners whose homes are to be demolished in each of the nine Pathfinder areas of England; and if he will make a statement. [193232]

Keith Hill: Compensation and relocation packages are determined by the individual market renewal pathfinders and participating authorities. In the case of properties acquired by a Compulsory Purchase Order, the local authority is obliged to pay the open market value for the property. In addition, they are also obliged to cover all reasonable disturbance costs incurred by the individual who has to move house. A home loss payment to an owner-occupier is also made which is set at 10 per cent. of the value of the house purchased, subject to a minimum of £3,400 and a maximum of

£34,000. Tenants can claim a flat-rate home loss payment of £3,400 in addition to any disturbance costs payable.

Mr. Gordon Prentice: To ask the Deputy Prime Minister how many press officers are employed by each of the Housing Renewal Pathfinders in England. [193233]

Keith Hill: Staffing matters are for each individual pathfinder to decide to best meet their needs. However, the Office of the Deputy Prime Minister is aware that all but two of the pathfinders currently employ one Communications Officer each, for whom dealing with the press is part of their duties. Local authorities provide media support for the two pathfinders not employing press officers directly (Manchester Salford and Hull and East Riding).

Inter-departmental Co-operation

Mr. Rosindell: To ask the Deputy Prime Minister what progress he has made towards working with other Government Departments to raise the levels of *(a)* social inclusion, *(b)* neighbourhood renewal and *(c)* regional prosperity. [191264]

Phil Hope: The Government strongly believe that the issues of social inclusion, neighbourhood renewal, and local and regional prosperity are tightly interlinked. A partnership approach—not only across Government Departments but also more widely with local and regional service providers and policy makers—are essential to tackle the difficult issues underlying deprivation and social exclusion. Both the Social Exclusion Unit and the Neighbourhood Renewal Unit work closely with all Government Departments, and this work has already produced tangible results:

on crime, where the average burglary rate in the 88 most deprived local authority areas has seen significant falls;

on education, where the average pass rate gap (for five good GCSEs—grade A-C) between the 88 local authority areas and the English average continues to narrow at a faster rate;

on worklessness, where the rise in employment rates has climbed faster in the 88 areas than it has nationally; and

through investing in children to break the cycle of disadvantage, with the Government increasing financial support for children by £10 billion since 1997.

The Government have also successfully strengthened the regional tier in order to draw together the policies, strategies and funding streams of many departments. The Government Offices for the Regions carry out work on behalf of 10 Government Departments, influence regional investment of around £9 billion and are involved in the delivery of 39 national Public Service Agreements. They play a key role in delivering the Government's policies for neighbourhood renewal, social inclusion and regional economic performance, using their programmes and influence to enable regions and localities to become better, more sustainable communities in which to live and work.

Local Authorities (Debt Collection)

Mr. Alan Campbell: To ask the Deputy Prime Minister what advice his Department has given to local authorities pursuing outstanding debts of *(a)* less than £3,000 and *(b)* more than £3,000. [193328]

Mr. Raynsford: No general guidance has been issued to local authorities by the Office of the Deputy Prime Minister on the pursuit of outstanding debts. Authorities are required by section 151 of the Local Government Act 1972 to make arrangements for the proper administration of their financial affairs, and policies and procedures for pursuing debts would properly form part of those arrangements.

The Non-Domestic Rating Contributions (England) Regulations require authorities to have made proper arrangements for securing economy, efficiency and effectiveness in relation to the collection of non-domestic rates if they are to be permitted to make deductions for bad or doubtful debts from the payments they make into the national pool. Advice on this requirement was issued to local authority chief finance officers on 5 May 1993. This advice is in general terms, and makes no distinction between amounts under and over £3,000.

Local Authority Debt

Mr. Clifton-Brown: To ask the Deputy Prime Minister how much the combined local authority debt *(a)* is and *(b)* was in 1997; and what the average rate of interest paid on that debt is. [193810]

Mr. Raynsford: The information is as follows:

(a) At 31 March 2004 the total outstanding debt of local authorities in England was £37,659 million.

(b) At 31 March 1997 the total outstanding debt of local authorities in England was £37,934 million.

The average rate of interest paid on total outstanding debt is not held centrally, and could be provided only at disproportionate cost.

Source:

ODPM monthly and quarterly borrowing returns, Public Works Loan Board.

Long-term borrowing to finance capital expenditure was regulated through the issue of credit approvals up until 31 March 2004 and, as from 1 April 2004, is subject to the Prudential System.

Local Government (Coventry)

Mr. Jim Cunningham: To ask the Deputy Prime Minister if he will make a statement on the funding of local government in Coventry South. [193313]

Mr. Raynsford: I will make a statement on the formula grant allocations for 2005–06 in due course.

Regional Assemblies

Mr. Jenkin: To ask the Deputy Prime Minister what estimate he has made of the total cost of holding the referendum on an elected regional assembly in the North East. [193755]

Mr. Raynsford: The cost for the North East will be approximately £2.9 million—an average cost of £1.50 per elector. This covers the cost incurred by counting officers such as printing the ballot papers and conducting the count. The maximum amounts payable to a counting officer for a Regional Referendum were set out in The Regional Assembly and Local Government

Referendums (Counting Officers' Charges) Order 2004 (S.I. 2004 No. 2105), which was approved by Parliament on 22 July 2004.

The lead Yes/No campaign organisations—appointed by the Electoral Commission—have each received a grant of £100,000 from the Commission. They will also be entitled to a free mailing and free TV broadcast(s). The delivery costs of the mailing are drawn from the Consolidated Fund. The total cost of the mailing will not be known until the Royal Mail has submitted its accounts.

Mr. Jenkin: To ask the Deputy Prime Minister what the total cost has been of *(a)* visits made and *(b)* meetings hosted by Ministers in his Department relating to elected regional assemblies since May 2002. [193756]

Mr. Raynsford: The Office of the Deputy Prime Minister laid out the estimated costs of the launch of the information campaign in the answers to the right hon. Member for Skipton and Ripon (Mr. Curry) on 5 January 2004, *Official Report*, column 150W and 23 April 2004, *Official Report*, column 694W; and in the answers to the hon. Member on 6 May 2004, *Official Report*, column 1687W; 21 May 2004, *Official Report*, column 1285W and 20 July 2004, *Official Report*, column 212W.

The current estimate of costs for all visits and meetings since November 2003 is £184,143.

Before the 'Your Say' campaign was launched in November 2003, costs for activities carried out were not recorded centrally.

Mr. Jenkin: To ask the Deputy Prime Minister what the cost was of producing and publishing *(a)* the White Paper, "Your Region, Your Choice", Cm 5511 and *(b)* the Draft Regional Assemblies Bill, Cm 6285. [193780]

Mr. Raynsford: The cost of producing and publishing the White Paper, "Your Region, Your Choice, Revitalising the English Regions", May 2002 (Cm. 5511) was approximately £64,000.

The cost to the Office of the Deputy Prime Minister of producing and publishing the Regional Assemblies Draft Bill, July 2004 (Cm 6285) was approximately £20,500. This figure does not include the costs of production to TSO (The Stationery Office) Ltd., which are commercial in confidence.

Vanessa Arscott

Mr. Steen: To ask the Deputy Prime Minister what discussions he had at his recent meeting with the Thai Prime Minister on the death of Ms Vanessa Arscott of Ashburton. [193844]

Phil Hope: My right hon. Friend the Deputy Prime Minister raised the murders of Vanessa Arscott and her partner Adam Lloyd when he met Prime Minister Thaksin on 8 October, and thanked the Thai authorities for their work in arresting the suspect.

TRANSPORT

Aircraft Transponders

Lembit Öpik: To ask the Secretary of State for Transport what exemptions he will be introducing to the mandatory installation of Mode S transponders in aircraft; and if he will make a statement. [193032]

Charlotte Atkins: Legislation to require the carriage of Mode S transponders in aircraft will be introduced in two phases. The first of these will take effect from 31 March 2005 and will apply only to aircraft with a take off mass of more than 5,700kgs and a maximum cruising true airspeed of more than 250 knots that fly under Instrument Flight Rules. This does not include the majority of General Aviation aircraft. Exemptions to the carriage requirements are permitted for certain technical reasons and for those aircraft that infrequently operate under Instrument Flight Rules. The full details of the exemption criteria are available on the Eurocontrol website www.eurocontrol.int/mode_s.

The second phase of Mode S introduction is expected to take effect on 31 March 2008. The details of the widened mandate and the associated exemption policy have not yet been decided. The Civil Aviation Authority will conduct a wide-ranging consultation on these issues commencing next year.

Air Navigation Services

Lembit Öpik: To ask the Secretary of State for Transport (1) what plans he has to charge aircraft flying under visual flight rules for aircraft navigation services; and if he will make a statement; [193031]

(2) what plans he has to provide non-commercial air traffic with air navigation services without charge; and if he will make a statement; [193033]

(3) what plans he has to impose Eurocontrol charges on aircraft with maximum take off weight below 2,000 kilograms; and if he will make a statement; [193035]

(4) what plans he has to impose Eurocontrol charges on *(a)* gliders, *(b)* microlight aircraft, *(c)* hangliders, *(d)* paragliders and *(e)* balloons; and if he will make a statement; [193036]

(5) what plans he has to charge for air navigation services in airspace classified as *(a)* E, *(b)* F and *(c)* G; and if he will make a statement. [193037]

Charlotte Atkins: The Single European Sky (SES) Regulations, which came into force on the 20 April 2004, require the development of a transparent common charging scheme for the recovery of the costs of air navigation services provided by the member states. One of the underlying principles of the charging scheme is that air navigation service costs should be recovered according to the 'user pays' principle, that is airspace users should pay for the services they use.

The current draft of the European Commission's Implementing Rules on charging provides for member states to exempt certain categories of airspace users from the charges scheme. The costs for such an exemption would have to met by the state. The text has not been finalised so it impossible to make any decision on whether or not to grant exemptions.

Aviation (Emissions)

Norman Baker: To ask the Secretary of State for Transport what plans he has to ensure air flights carrying only freight reflect to a greater degree in their costs the environmental impact of such flights, with particular reference to climate change. [193082]

Charlotte Atkins: "The Future of Air Transport" White Paper recognises the importance of ensuring that, over time, aviation meets its external costs, including its environmental costs. Specific proposals to address the climate change impacts of aviation are set out in the White Paper (paras 3.35–3.43).

Birmingham Airport

Mr. John Taylor: To ask the Secretary of State for Transport if he will make a statement on the proposals for compensation to near neighbours of the suggested second runway at Birmingham International Airport; what the *(a)* noise and *(b)* physical distance parameters will be; what the personal circumstances of qualifying claimants will be; and if he will bring forward a compensation scheme funded by central Government. [193694]

Charlotte Atkins *[holding answer 25 October 2004]:* Air travel is essential to the UK economy and we have set out in "The Future of Air Transport" White Paper (Cm 6046, December 2003) a balanced strategy that will deliver sustainable development of air transport. The Government's approach to the control and mitigation of aircraft noise impacts, which includes compensation, is set out in chapters 3 and 12. This makes it clear that it is for airport operators to develop schemes to tackle generalised blight. Birmingham International Airport (BIA) has developed a voluntary generalised blight scheme and is presently consulting on its terms. The consultation closes on 30 November.

Correspondence

Lembit Öpik: To ask the Secretary of State for Transport on what date he responded to the communication from the Chief Executive of the Aircraft Owners and Pilots Association UK, dated 22 September; and if he will make a statement. [193029]

Charlotte Atkins: Martin Robinson wrote to a Department for Transport official on 22 September 2004. Department for Transport officials met with him on 5 October to discuss the issues raised by his letter and responded to the communication on 13 October 2004.

Cycling

Mr. Truswell: To ask the Secretary of State for Transport (1) what progress against national targets has been made by local authorities on increasing cycling; [191866]

(2) whether he has evaluated the work of the English Regions Cycling Development Team; and if he will make a statement; [191874]

(3) how his Department will *(a)* assist and *(b)* assess progress after May 2005 of local authorities in (i) developing cycling, (ii) setting local targets for cycling and (iii) preparing the cycling element of local transport plans. [191877]

Charlotte Atkins: The number of cycling trips per person per year has remained broadly similar at a national level since 1996.

The Department for Transport is currently engaged in a review of the effectiveness of the National Cycling Strategy. This includes the work of the English Regions Cycling Development Team, which has been provided by AEA Technology under a contract that expires in May 2005. The Team carried out an important assessment of local highway authorities provision for cycling which has considerably improved our knowledge base. Its advice has also improved local and national practice. The Department is now looking for a more flexible resource than a single team to support the development of cycling and the contract will not therefore be renewed or extended.

Local authorities' provision for cycling will remain a key part of the second Local Transport Plans, which will be submitted to my Department in July 2005. Officials will be involved in the development of all aspects of those Plans and the advice of the English Regions Cycling Development Team will be sought on the elements related to cycling, including targets. Progress under the Plans will be measured through the established system of annual progress reporting.

East Coast Main Line

Hugh Bayley: To ask the Secretary of State for Transport (1) how much has been invested in East Coast Main Line infrastructure in each year since 1990; [192414]

(2) how much has been invested in railway infrastructure in Yorkshire and the Humber in each year since 1990. [192415]

Mr. McNulty: These are operational matters for Network Rail. The company will write to my hon. Friend in due course.

GNER

Hugh Bayley: To ask the Secretary of State for Transport how many passengers GNER has carried in each year since its franchise began. [192412]

Mr. McNulty: The number of annual passenger journeys is shown in the table.

	Passenger journeys (million)
1996–97	11.9
1997–98	13.7
1998–99	13.9
1999–2000	15.9
2000–01	13.6
2001–02	14.5
2002–03	14.6
2003–04	15.8

Hugh Bayley: To ask the Secretary of State for Transport how many trains per weekday on average GNER has run out of York in each year since its franchise began. [192413]

Mr. McNulty: The information is not readily available in the form requested. However, in the summer 1996 timetable there were 29 northbound services and 28 southbound services out of York on weekdays. In the current timetable there are 32 northbound and 32 southbound services out of York on weekdays.

Hastings and Bexhill Link Road

Mr. Michael Jabez Foster: To ask the Secretary of State for Transport when he expects to make a decision on the construction of the Hastings and Bexhill link road. [193189]

Charlotte Atkins *[holding answer 25 October 2004]*: East Sussex county council have submitted a bid for this major local transport scheme. We expect to announce our decision for this and other major scheme bids as part of the annual local transport capital settlement later this year.

Integrated Kent Franchise

John Thurso: To ask the Secretary of State for Transport how much has been spent to date on the Integrated Kent Franchise. [192195]

Mr. McNulty: Expenditure of approximately £2.2 million has been incurred to date on the tendering of the IKF and the total cost is expected to be £3.85 million.

Mobile Telephones

Mr. Prisk: To ask the Secretary of State for Transport how many mobile phones were used by *(a)* Ministers and special advisers and *(b)* officials in his Department in each year since 1997; how many were (i) lost and (ii) stolen; and what their cost was. [191437]

Charlotte Atkins: The Department was created in May 2002. Since that date the number of mobile phones used by Ministers and special advisers was as follows:

	Mobile phones used by:	
	Ministers	*Special advisors*
2002	3	2
2003	4	2
2004	4	2

There is no central record of mobile phones and information about their usage by Officials could be provided only at disproportionate cost.

Rail Network

Mr. Rosindell: To ask the Secretary of State for Transport if he will make a statement regarding improvements to the rail network since Network Rail assumed responsibility. [192666]

Mr. McNulty: Network Rail has made significant progress in putting right the failings of its predecessor, Railtrack, since taking over the rail infrastructure in October 2002.

Achievements include:

one million fewer delay minutes in 2003–04 and over half a million further reduction in first half of 2004–05;

the public performance measure of total industry performance (moving annual average) has improved from 78.7 per cent. (September 2002) to 81.8 per cent. (September 2004);

2,672 miles of new rail installed since October 2002—replacing 13.5 per cent. of the entire network;

broken rails at all time low of 334 in 2003–04 compared with 444 in previous year—25 per cent. reduction;

train protection and warning system installed throughout Great Britain, on time and budget;

Stage 1 of West Coast upgrade completed—125 mph railway to Manchester; integrated control centres operational at three locations;

16,000 maintenance workers seamlessly taken in-house as a unified national rail maintenance operation is created.

Strategic Rail Authority

John Thurso: To ask the Secretary of State for Transport what the cost has been to the Strategic Rail Authority of transferring the South Eastern Trains franchise from Connex. [192227]

Mr. McNulty: The Strategic Rail Authority (SRA) engaged external advisers on the transfer at a total cost of £2.757 million. All but approximately £150,000 of this cost was recovered from Connex as part of the negotiations of the termination. The costs of internal SRA staff effort on the transfer are not separately identifiable but were contained within the SRA's then existing total staff complement and budget.

John Thurso: To ask the Secretary of State for Transport whether all functions of the Strategic Rail Authority are due to transfer to the Department of Transport under the proposals outlined in "The Future of Rail" White Paper. [192600]

Mr. McNulty: The Rail White Paper, "The Future of Rail", proposes the abolition of the Strategic Rail Authority. The strategic and financial responsibilities of the SRA will pass to the Department for Transport. Implementing this will require primary legislation and we will introduce a Bill as soon as parliamentary time permits. Activities related to the operation of the railway will pass to Network Rail and consumer protection licensing conditions will pass to the Office of Rail Regulation. Further, additional responsibilities, for rail will be devolved to the Scottish Executive and the Welsh National Assembly.

Theft and Fraud

Mr. Prisk: To ask the Secretary of State for Transport what his estimate is of the cost of theft and fraud to *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in each year since 1997. [191421]

Charlotte Atkins: I refer the hon. Member to my reply to the hon. Member for Ashford (Mr. Green) on 15 September 2004, *Official Report*, column 1570W, which covered the Central Department and Agencies.

There were no frauds reported in the NDPBs for 2002–03. In 2003–04, only one NDPB reported fraud. This involved two involving fraudulent use of a stolen credit card. The value of these cases amounted to £14,270 and £3,865 respectively. Both were reported in the Treasury Fraud return for 2003–04.

CABINET OFFICE

Communication Equipment

Mr. Jim Cunningham: To ask the Minister for the Cabinet Office what the average spending on communication equipment for each Minister was in the Department in the last year for which figures are available. [193315]

Ruth Kelly: The average spend on communications equipment for each Minister and their Private Office in the Department during 2003–04 was £5,700.

Departmental Consultants

Mr. Jenkins: To ask the Minister for the Cabinet Office how much the Department spent on outside information technology and communication specialists, consultants and engineers in the 2003–04 financial year. [192758]

Ruth Kelly: The Cabinet Office spent £13.9 million on outside information technology and communication specialists, consultants and engineers in the 2003–04 financial year.

HOME DEPARTMENT

Antisocial Behaviour

Mr. Hepburn: To ask the Secretary of State for the Home Department how many cases of antisocial behaviour have been reported to the police in *(a)* the Jarrow constituency, *(b)* South Tyneside, *(c)* Tyne and Wear and *(d)* the UK in each year since 1997. [192866]

Ms Blears: There are currently no data on the number of incidents of antisocial behaviour (ASB) due to the subjective nature of ASB itself. The latest data collected on ASB relate to the public perception of ASB in England and Wales and are measured by the British Crime Survey.

Mr. Hepburn: To ask the Secretary of State for the Home Department how many *(a)* arrests and *(b)* convictions for antisocial behaviour there have been in (i) the Jarrow constituency, (ii) South Tyneside, (iii) Tyne and Wear and (iv) England and Wales in each year since 1997. [192882]

Ms Blears: The information requested is not available.

Information on arrests collected centrally is based on persons arrested for "notifiable" offences by main offence group and police force area only and therefore does not identify individual offences.

Information on convictions is available by offence, of which some may have involved antisocial behaviour. Such circumstances are not identified by the Home Office Court Proceedings database.

Mr. Hepburn: To ask the Secretary of State for the Home Department how many antisocial behaviour orders have been taken out in each constituency in *(a)* England and Wales, *(b)* South Tyneside and *(c)* Tyne and Wear since the scheme's inception. [192880]

Ms Blears: Information on antisocial behaviour orders (ASBOs) issued at constituency level is not collected centrally. The table (which has been placed in the Library) shows the number of ASBOs issued, as notified to the Home Office by all courts, and where restrictions have been imposed for a specific local authority area.

Mr. Oaten: To ask the Secretary of State for the Home Department what the latest figure is for the number of antisocial behaviour orders issued. [193989]

Ms Blears: The number of antisocial behaviour orders issued, as notified to the Home Office by all courts, up to 31 March 2004 (latest available) is 2,455.

Breath Tests

John Thurso: To ask the Secretary of State for The Home Department (1) how many breath tests were carried out by police officers in each year since 1997 *(a)* in total and *(b)* broken down by police authority; and what proportion were found to be positive in each case; [192181]

(2) how many breath tests were conducted on male drivers aged between *(a)* 17 and 20 years and *(b)* 20 and 29 years in each year since 1999; how many of these tested positive; and how many were convicted of driving when under the influence of alcohol. [192182]

Ms Blears: The table shows the number of screening breath tests and the proportion that tested positive or were refused by police force area from 1997 to 2002 (latest available). 2003 data will be available in early 2005.

Data are not collected centrally on the number of screening breath tests by sex or age of the driver.

Screening breath tests and proportion positive or refused by police force area, 1997–2002

Number and percentage

	1997		1998		1999	
Police force area	*Total tests*	*Percentage positive/refused*	*Total tests*	*Percentage positive/refused*	*Total tests*	*Percentage positive/refused*
Avon and Somerset	16,000	21	19,700	15	19,200	17
Bedfordshire	6,000	19	5,300	16	2,900	27
Cambridgeshire	19,100	7	17,800	7	13,600	8
Cheshire	25,500	7	23,300	7	20,500	8
Cleveland	31,600	3	34,200	3	28,600	3
Cumbria	11,200	8	9,400	8	7,100	8
Derbyshire	34,500	5	35,700	5	49,200	4

Screening breath tests and proportion positive or refused by police force area, 1997–2002

Number and percentage

	1997		1998		1999	
Police force area	*Total tests*	*Percentage positive/refused*	*Total tests*	*Percentage positive/refused*	*Total tests*	*Percentage positive/refused*
Devon and Cornwall	15,200	11	15,700	14	14,700	18
Dorset	9,100	15	10,100	15	9,200	14
Durham	4,300	29	7,400	17	12,700	7
Essex	28,700	6	28,400	10	24,100	11
Gloucestershire	9,400	17	9,300	14	8,300	16
Greater Manchester	35,500	21	31,200	21	21,500	22
Hampshire	25,000	14	27,300	14	31,600	12
Hertfordshire	7,400	25	8,100	24	7,000	27
Humberside	6,500	17	8,300	18	8,100	15
Kent	9,100	15	27,500	11	32,700	11
Lancashire	21,300	13	20,300	9	19,100	10
Leicestershire	10,200	22	20,200	11	21,100	9
Lincolnshire	20,200	4	25,900	4	21,000	4
London, City of	3,600	16	3,300	14	1,700	17
Merseyside	14,800	17	18,700	13	18,600	12
Metropolitan police	137,900	13	111,400	13	99,800	11
Norfolk	9,200	11	12,400	7	11,600	7
Northamptonshire	7,100	21	4,700	26	5,300	23
Northumbria	11,900	30	12,200	27	12,500	28
North Yorkshire	10,500	16	9,900	15	8,100	16
Nottinghamshire	11,500	25	8,900	27	8,400	29
South Yorkshire	14,200	14	12,600	13	16,100	12
Staffordshire	13,800	11	15,400	14	10,100	18
Suffolk	12,300	9	15,600	8	15,100	7
Surrey	11,200	13	11,400	11	11,700	14
Sussex	26,100	10	17,400	11	17,900	11
Thames Valley	33,100	17	34,200	15	30,300	16
Warwickshire	8,700	12	8,700	10	8,600	12
West Mercia	18,300	10	19,100	8	12,300	13
West Midlands	22,600	14	24,100	25	21,300	23
West Yorkshire	23,300	19	22,900	20	18,800	21
Wiltshire	7,400	17	7,100	15	6,800	15
Dyfed-Powys	8,500	9	9,200	12	9,900	10
Gwent	12,200	10	11,200	10	10,600	10
North Wales	13,300	12	15,200	10	15,900	10
South Wales	23,100	11	24,900	13	20,700	13
Total	800,300	13	815,500	13	764,500	12

	2000		2001		2002	
Police force area	*Total tests*	*Percentage positive/refused*	*Total tests*	*Percentage positive/refused*	*Total tests*	*Percentage positive/refused*
Avon and Somerset	15,800	19	15,400	19	15,100	20
Bedfordshire	3,300	22	4,200	17	6,200	14
Cambridgeshire	12,800	9	12,700	9	13,000	10
Cheshire	15,800	16	13,600	19	12,200	20
Cleveland	18,800	4	14,100	6	11,000	7
Cumbria	6,100	10	5,100	15	4,700	11
Derbyshire	52,000	3	42,100	4	37,900	4
Devon and Cornwall	13,000	20	13,500	21	12,600	23
Dorset	12,300	11	10,400	15	10,400	15
Durham	15,300	7	16,300	7	9,500	12
Essex	27,200	9	18,900	14	16,100	17
Gloucestershire	8,200	17	9,600	15	9,300	16
Greater Manchester	27,300	31	23,900	32	23,200	32
Hampshire	35,200	10	35,200	11	35,200	11
Hertfordshire	6,000	33	5,500	38	4,300	47
Humberside	9,400	13	7,500	15	8,700	14
Kent	32,200	9	32,200	10	34,200	9
Lancashire	15,500	10	10,000	25	10,600	14
Leicestershire	18,600	11	14,900	14	14,500	16
Lincolnshire	12,100	6	13,600	5	9,000	9
London, City of	1,100	23	1,100	26	1,400	20
Merseyside	12,800	17	7,200	30	7,000	33
Metropolitan Police	93,800	10	65,100	19	57,200	24
Norfolk	9,100	8	9,100	13	5,300	18
Northamptonshire	5,800	25	4,500	31	3,300	39
Northumbria	12,700	27	12,400	27	11,800	26

	2000		2001		2002	
Police force area	*Total tests*	*Percentage positive/refused*	*Total tests*	*Percentage positive/refused*	*Total tests*	*Percentage positive/refused*
North Yorkshire	6,700	17	7,400	15	7,300	16
Nottinghamshire	8,400	28	7,700	30	5,800	37
South Yorkshire	19,200	11	18,000	11	14,400	14
Staffordshire	7,700	16	4,700	35	5,300	34
Suffolk	9,200	9	8,600	11	8,900	12
Surrey	12,400	13	13,300	11	7,500	24
Sussex	20,800	9	21,800	10	17,300	10
Thames Valley	30,800	17	26,200	18	25,300	30
Warwickshire	7,100	13	5,800	16	5,100	18
West Mercia	8,900	25	9,100	25	8,200	27
West Midlands	16,200	24	12,200	38	10,500	48
West Yorkshire	18,300	23	17,200	23	16,700	27
Wiltshire	6,500	15	5,900	19	5,900	19
Dyfed-Powys	7,400	11	7,000	13	7,300	14
Gwent	10,100	10	6,400	19	3,800	30
North Wales	15,000	11	15,100	9	19,600	8
South Wales	17,800	15	19,300	16	17,500	17
Total	714,800	13	623,900	16	570,200	18

Civil Service (Job Losses)

Bob Spink: To ask the Secretary of State for the Home Department which services within his Department will be *(a)* affected by and *(b)* subject to job losses consequent on the cuts in the Civil Service announced in the Spending Review. [189634]

Fiona Mactaggart: I refer the hon. Member to the reply given to him by my right hon. Friend the Chief Secretary to the Treasury (Mr. Boateng) on 16 September 2004, *Official Report*, column 1659W.

Full details of the workforce changes announced in the Spending Review are being worked through, and we are consulting all stakeholders including unions and staff.

Departments will come forward in due course with details of workforce changes once plans are finalised.

Community Support Officers

Mr. Rosindell: To ask the Secretary of State for the Home Department how many Community Support Officers have been recruited from ethnic backgrounds. [192643]

Ms Blears: The Home Office Statistical Bulletin number 13/04, "Police Service Strength in England and Wales 31 March 2004", published in September 2004, states that 591 Community Support Officers (CSOs) are from minority ethnic backgrounds. This figure represents about 17 per cent. of the total number of CSOs.

Mr. Rosindell: To ask the Secretary of State for the Home Department what powers have been allocated to community support officers. [192644]

Ms Blears: Community Support Officers (CSOs) may be designated by Chief Officers with any of the following powers:

Power to request a name and address for Fixed Penalty Offences and Offences that cause injury alarm and distress to another person or damage or loss of another's property;

Power to Request the name and address of a person acting in an antisocial manner; Power to request a person to stop drinking in a designated public area and to surrender open containers of alcohol;

Power to confiscate alcohol from Young Persons;

Power to confiscate cigarettes and tobacco products from young people;

Power of entry to save life or limb, or to prevent serious damage to property;

Power to seize vehicles used to cause alarm and distress;

Power to require the removal of abandoned vehicles;

Power to stop vehicles for the purpose of a road check;

Power to maintain and enforce a cordoned area established under Terrorism Act;

Power to stop and search vehicles and things carried by driver/passengers under Terrorism Act and things carried by pedestrians;

Power to regulate traffic for the purpose of escorting abnormal loads;

Power to stop a vehicle for testing;

Power to disperse groups in designated areas;

Issue of Fixed Penalty Notices under Chapter 1 Part 1 of the Criminal Justice and Police Act 2001, Part 1 of Schedule 4 of the Police Reform Act 2002 and Penalty Notices for disorder for certain offences specified under the Antisocial Behaviour Act 2003.

In the following forces (Devon and Cornwall, Gwent, Lancashire, the Metropolitan police, Northamptonshire and West Yorkshire) CSOs may also be designated with the following powers:

Power to detain a person for up to 30 minutes pending the arrival of a constable (or to accompany that person to a police station with the person's agreement);

Power to use reasonable force to detain a person or prevent him from making off;

Only available to six trial forces.

Mr. Rosindell: To ask the Secretary of State for the Home Department how many Community Support Officers have been recruited from each London borough. [192646]

Ms Blears: Information is not held on the boroughs from which Community Support officers are recruited.

The following table shows the number of Community Support Officers posted to each London borough as at the end of September:

Borough	*CSO number (Full-time equivalent)*
Kensington and Chelsea	55
Westminster	217
Camden	43
Hammersmith and Fulham	23
Hackney	35
Tower Hamlets	56
Waltham Forest	27
Redbridge	28
Havering	34
Newham	52
Barking and Dagenham	22
Lambeth	61
Southwark	31
Islington	23
Lewisham	32
Bromley	38
Harrow	24
Brent	28
Greenwich	32
Bexley	29
Barnet	37
Richmond Upon Thames	28
Staines	32
Kingston upon Thames	22
Merton	21
Wandsworth	28
Haling	36
Hillingdon	45
Enfield	24
Haringey	32
Croydon	39
Sutton	21
Transport command unit	458
Royal parks	46
Airports	51

Mr. Rosindell: To ask the Secretary of State for the Home Department what the recruitment requirements are for Community Support Officers. [192647]

Ms Blears: Section 38(4) of the Police Reform Act 2002 states that the chief officer of the employing force needs to be satisfied that a person designated as a Community Support Officer is suitable and capable of effectively carrying out their duties and has received adequate training to carry out the duties conferred by the designation.

Correspondence

Sir Gerald Kaufman: To ask the Secretary of State for the Home Department (1) when he will reply to the letter to him dated 6 September from the right hon. Member for Manchester, Gorton with regard to Ms J. Lloyd; [192539]

(2) when he will answer the letter to him dated 6 September from the right hon. Member for Manchester, Gorton, with regard to Ms J. Lloyd. [193935]

Mr. Blunkett: I wrote to my right hon. Friend on 20 October 2004.

Departmental Press Officers

Bob Spink: To ask the Secretary of State for the Home Department how many press officers were employed by the Department in *(a)* 1996–97 and *(b)* 2003–04; and at what cost. [190982]

Fiona Mactaggart: Press officers within the Home Office are employed at the Information Officer (IO) and Senior Information Officer (SIO) grades. The costs for the years requested are in the table:

Financial Year	*Press Officers*	*Cost (£)*
1996–97	16	369,000
2003–04	39	1,900,000

Expansion of the Home Office press office followed an external consultant's review of its staffing and operation in 1999 and recommended the creation of the "Newsdesk" to meet the demands of the media. This improved efficiency from 'losing' in excess of 20 per cent. of the calls pre expansion, to a position where from June 2003 to June 2004 91.8 per cent. of the 67,070 press calls received by the Newsdesk were answered. The Home Office press office and the prison service press office merged in May 2001.

The £1.9 million cost for 2003–04 on press officers is 0.094 per cent. of the overall Home Office salary bill (£2,016,593,000)

Home Office departmental report 2003–04.

Green Ministers

Mr. Horam: To ask the Secretary of State for the Home Department how many meetings of the Ministerial Sub-Committee of Green Ministers were attended by the Department's Green Minister in *(a)* 2002–03 and *(b)* 2003–04. [190873]

Fiona Mactaggart *[holding answer 20 October 2004]*: I am the Home Office Green Minister and a member of ENV(G). It has been established practice under successive Governments not to disclose information relating to the proceedings of Cabinet Committees. This practice is now formalised by Exemption 2 of Part II of the Code of Practice on Access to Government Information.

Impaired Drivers

John Thurso: To ask the Secretary of State for The Home Department how many convictions for drink-driving resulted in custodial sentences in each year since 1997 *(a)* in total and *(b)* broken down by police authority. [192180]

Ms Blears: Information taken from the Home Office Court Proceedings Database on convictions and custodial sentences for drink-driving offences by police force area 1997 to 2002 is given in the table. Data for 2003 will be available early in 2005.

Findings of guilt and immediate custodial sentences at all courts for offences of driving etc. after consuming alcohol or taking drugs by police force area, 1997–2002

Number of offences

	1997		1998		1999	
Police force area	*Findings of guilt*	*Immediate custody*[1]	*Findings of guilt*	*Immediate custody*[1]	*Findings of guilt*	*Immediate custody*[1]
Avon and Somerset	2,812	163	2,566	157	2,728	165
Bedfordshire	1,146	119	1,060	96	869	87
Cambridgeshire	1,092	56	1,060	62	941	43
Cheshire	1,969	97	1,903	119	1,827	133
Cleveland	926	61	870	63	811	57
Cumbria	931	49	856	51	871	37
Derbyshire	1,612	147	1,547	202	1,463	181
Devon and Cornwall	2,342	91	2,265	127	2,277	112
Dorset	1,214	93	1,186	88	1,120	96
Durham	1,044	66	1,035	53	1,137	81
Essex	2,736	228	2,438	233	2,528	261
Gloucestershire	1,067	48	985	36	889	51
Greater Manchester	4,806	440	4,715	453	4,850	464
Hampshire	3,774	243	3,597	231	3,725	213
Hertfordshire	1,670	90	1,672	91	1,679	90
Humberside	1,274	76	1,358	87	1,323	97
Kent	2,321	97	2,627	155	2,633	133
Lancashire	3,389	224	2,945	178	3,010	184
Leicestershire	1,648	183	1,485	140	1,624	188
Lincolnshire	1,088	47	979	36	941	44
London, City of	436	8	301	9	236	5
Merseyside	2,719	304	2,451	326	2,137	296
Met. police	16,165	1,270	13,889	1,050	12,414	838
Norfolk	1,116	49	1,118	43	1,010	64
Northamptonshire	1,107	109	1,062	73	1,058	91
Northumbria	2,625	184	2,457	194	2,463	229
North Yorkshire	1,365	77	1,205	77	1,124	60
Nottinghamshire	2,031	255	1,804	247	1,802	262
South Yorkshire	2,296	204	2,002	178	1,927	149
Staffordshire[2]	2,036	132	1,955	140	1,711	143
Suffolk	1,050	53	1,042	60	1,089	71
Surrey	1,380	64	1,328	58	1,417	47
Sussex	2,373	110	2,113	113	2,224	120
Thames Valley	4,070	215	3,896	195	3,725	216
Warwickshire	837	44	784	53	856	38
West Mercia	1,947	87	1,794	97	1,747	114
West Midlands	6,351	598	5,582	532	4,775	532
West Yorkshire	3,953	394	3,669	329	3,597	358
Wiltshire	1,043	27	1,108	39	1,009	45
England	93,761	6,802	86,709	6,471	83,567	6,395
Dyfed Powys	1,029	44	995	38	944	48
Gwent	1,166	61	1,203	84	1,079	78
North Wales	1,354	96	1,306	95	1,248	94
South Wales	2,892	257	2,903	239	2,526	282
Wales	6,441	458	6,407	456	5,797	502
England and Wales	100,202	7,260	93,116	6,927	89,364	6,897

	2000		2001		2002	
Police force area	*Findings of guilt*	*Immediate custody*[1]	*Findings of guilt*	*Immediate custody*[1]	*Findings of guilt*	*Immediate custody*[1]
Avon and Somerset	2,462	152	2,197	129	2,401	124
Bedfordshire	797	89	914	79	955	82
Cambridgeshire	793	41	813	51	852	41
Cheshire	1,652	122	1,529	96	1,993	103
Cleveland	777	56	887	77	921	71
Cumbria	806	50	761	51	768	37
Derbyshire	1,417	126	1,411	140	1,465	164
Devon and Cornwall	2,199	104	2,369	128	2,441	95
Dorset	1,115	84	1,150	91	1,199	83
Durham	1,124	76	1,097	86	1,136	68
Essex	2,462	237	2,456	264	2,522	267
Gloucestershire	804	37	865	39	926	44
Greater Manchester	4,801	428	4,715	454	4,720	474
Hampshire	3,472	244	3,464	235	3,846	243

	2000		2001		2002	
Police force area	*Findings of guilt*	*Immediate custody*[1]	*Findings of guilt*	*Immediate custody*[1]	*Findings of guilt*	*Immediate custody*[1]
Hertfordshire	1,552	98	1,666	94	1,894	90
Humberside	1,371	128	1,259	126	1,395	113
Kent	2,592	134	2,575	165	2,745	152
Lancashire	2,584	163	2,304	148	2,599	159
Leicestershire	1,531	152	1,546	140	1,659	140
Lincolnshire	816	48	877	60	847	56
London, City of	162	4	162	10	221	12
Merseyside	2,128	286	2,195	217	2,293	216
Met. Police	11,801	891	11,260	928	12,905	927
Norfolk	935	45	1,143	75	1,220	55
Northamptonshire	782	90	399	65	236	35
Northumbria	2,621	215	2,529	217	2,588	188
North Yorkshire	1,073	67	1,066	55	1,119	63
Nottinghamshire	1,722	210	1,598	187	1,420	129
South Yorkshire	2,122	170	2,020	159	1,945	165
Staffordshire[2]	—	—	1,513	136	1,704	143
Suffolk	902	74	920	43	1,105	79
Surrey	1,539	61	1,592	65	1,614	68
Sussex	2,112	136	2,358	128	2,306	149
Thames Valley	3,496	212	3,275	210	4,317	219
Warwickshire	786	42	880	33	841	40
West Mercia	1,631	101	1,740	91	1,719	93
West Midlands	4,559	451	4,914	471	5,050	438
West Yorkshire	3,375	287	3,220	331	3,564	268
Wiltshire	930	28	1,045	53	1,005	54
England	79,671	6,076	78,684	6,127	84,456	5,947
Dyfed Powys	858	45	867	36	927	47
Gwent	1,211	99	1,152	76	1,074	74
North Wales	1,332	92	1,227	87	1,270	71
South Wales	2,757	255	2,812	295	2,761	236
Wales	6,158	491	6,058	494	6,032	428
England and Wales	85,829	6,567	84,742	6,621	90,488	6,375

'—' Not available

[1] Immediate custody includes sentences of secure training order, detention and training order, young offender institution and unsuspended sentence of imprisonment.

[2] Staffordshire police force were only able to submit sample data for persons proceeded against and convicted in the magistrates courts for the year 2000. Although sufficient to estimate higher orders of data, these data are not robust enough at a detailed level and have been excluded from the table.

Knives

Mr. Oaten: To ask the Secretary of State for the Home Department how many *(a)* household knives and *(b)* other types of knife were seized by the police in each of the last three years. [193992]

Ms Blears: This information is not collected centrally.

Long Baton

Mr. Robathan: To ask the Secretary of State for the Home Department under what circumstances it would constitute a disciplinary offence for a police officer to strike an individual on the head with a long baton. [192693]

Ms Blears: The Police (Conduct) Regulations 2004 set out, at Schedule 1, a Code of Conduct, the 12 principles of which guide police officers' conduct. Code 4 specifically states:

> "Officers must never knowingly use more force than is reasonable, nor should they abuse their authority".

Therefore, if an officer goes beyond what is considered reasonable in the circumstances, this would constitute a breach of the Code. It would be up to the chief officer of the Police Service concerned to deal with that breach under the Police (Conduct) Regulations 2004.

Neighbourhood Watch

Huw Irranca-Davies: To ask the Secretary of State for the Home Department (1) how many Neighbourhood Watch co-ordinator positions are funded *(a)* wholly and *(b)* partially by local authorities. [193054]

(2) what proportion of Neighbourhood Watch co-ordinator positions, or equivalent, are wholly or part-funded by *(a)* community safety partnerships, *(b)* crime reduction partnerships, *(c)* local authorities and *(d)* other funding sources. [193055]

Ms Blears *[holding answer 21 October 2004]*: Local Neighbourhood Watch co-ordinators are primarily unpaid volunteers. Some are given training and are provided with office facilities in police stations. In addition, a proportion may also receive funding to cover other expenses or specific projects, but these are local arrangements for which information is not collected centrally.

Huw Irranca-Davies: To ask the Secretary of State for the Home Department what guidance he gives to organisations seeking funding for a Neighbourhood Watch co-ordinator. [193056]

Ms Blears *[holding answer 21 October 2004]*: No specific guidance is given to organisations seeking funding for Neighbourhood Watch co-ordinators, most of whom are unpaid volunteers.

Police Pay

Mr. Rosindell: To ask the Secretary of State for the Home Department what salary police officers receive in *(a)* Havering and *(b)* Greater London on average. [192648]

Ms Blears: The Home Office does not collect information on average police salaries. There are national scales for ranks below Chief Officer, with higher rates of pay for Inspectors in London.

All officers in the Metropolitan Police Service also qualify for:

London Weighting at £1,938 a year.

London Allowance—at £4,338 a year if appointed on or after 1 September 1994 or £1,011 a year in other cases.

Metropolitan Police Officers may also qualify for:

Special Priority Payments of between which can be awarded to up to 40 per cent. of officers in posts identified by the force with the agreement of the police authority. Annual payments range from £500 to £3,000, and exceptionally up to £5,000;

If they are at the maximum of their pay scale and are able to demonstrate high professional competence, Competence Related Threshold Payments of £1,032 per annum;

A dog handler's allowance of £1,815 a year, where they care for a police dog at their home.

The current pay scales for officers in the Metropolitan Police Service are:

Constables and Sergeants

Pay point	£ *With effect from 1 September 2004*
Constables	
On commencing service	19,803
On completion of initial training	22,107
2	23,388
3	24,819
4	25,599
5	26,421
6	27,174
7	27,849
8	28,740
9	29,781
10	30,477
11	31,092
Sergeants	
0	31,092
1	32,157
2	33,237
3	33,948
4	34,944

Inspectors and Chief Inspectors: London salaries

Pay point	£ *With effect from 1 September 2004*
Inspectors	
0	41,586
1	42,711
2	43,839
3	44,970
Chief Inspectors	
1	45,852
2	46,737
3	47,664

Superintendent and Chief Superintendent

Pay point	£ *Salary p.a.*
Superintendent	
1	53,046
2	55,233
3	57,420
4	59,613
5	61,800
Chief Superintendent	
1	63,345
2	65,145
3	66,951

Senior ranks

	£
Commissioner	221,451
Deputy Commissioner	182,826
Assistant Commissioner	154,500
Deputy Assistant Commissioner	118,452

Commanders

	£
1	77,250
2	79,827
3	82,401
4	84,975
5	87,552
6	90,126

Racial/Religious Attacks

Mr. Randall: To ask the Secretary of State for the Home Department how many violent attacks perpetrated against Sikhs have been recorded in each of the last five years; and in how many of these attacks race or religion was deemed to be a factor. [192502]

Ms Blears: Information relating to the race or religion of victims of such offences is not available centrally. The information available centrally relates to offences which are racially or religiously aggravated and is given in the tables.

Table 1: Racially or religiously aggravated offences recorded by the police in England and Wales 1999–2000 to 2001–02[1]

Period	Racially or religiously aggravated less serious wounding	Racially or religiously aggravated common assault
1999–2000	2,687	4,275
2000–01	3,176	4,711
2001–02	3,463	5,164

[1] The data in this table are prior to the introduction of the National Crime Recording Standard in April 2002. These figures are not directly comparable with those for later years.

Table 2: Racially or religiously aggravated offences recorded by the police in England and Wales 2002–03 to 2003–04[1]

Period	Racially or religiously aggravated less serious wounding	Racially or religiously aggravated common assault
2002–03	4,352	4,491
2003–04	4,840	4,017

[1] The data in this table take account of the introduction of the National Crime Recording Standard in April 2002. These figures are not directly comparable with those for earlier years.

RAF Fairford

Mr. Drew: To ask the Secretary of State for The Home Department what the final costs of policing anti-war protests at RAF Fairford in 2003 were. [192158]

Ms Blears: The Chief Constable informs me that the final costs of policing the anti-war protests at RAF Fairford were £7.723 million. The Home Office has provided a special grant of £7.29 million to Gloucestershire Constabulary to cover most of these costs.

Safer Neighbourhoods Programme

Mr. Dismore: To ask the Secretary of State for the Home Department what assessment he has made of the effectiveness of the initial roll-out of the Metropolitan Police Service's Safer Neighbourhoods Programme. [192535]

Ms Blears: An evaluation of the National Reassurance Policing Programme has been commissioned. This study will assess the impact of police activity on public feelings of safety and security, community engagement, confidence in, and satisfaction with, the police in 16 pilot sites around the country. Two of the sites, Bexley and Enfield, are also part of the Safer Neighbourhoods Programme in the Metropolitan Police Service (MPS) area. The evaluation is based upon a repeat survey of residents in pilot and control areas during Winter 2003–04 and Winter 2004–05. The respondents were randomly sampled to render the findings more robust. The results should be available in autumn 2005.

The MPS are conducting their own internal assessment of the Safer Neighbourhoods Programme for operational purposes. They are rolling out a public attitudes survey across the 96 wards involved in the programme. Residents in the first six wards were interviewed in April using a quota sample. A second quota sample of residents in the same six wards was taken in August.

The Commissioner of Police for the Metropolis reports that the introduction of Safer Neighbourhoods Teams is making a discernible impact across London. The feedback is extremely favourable: the public, the business sector and police partners are supportive of the programme. It is placing an increased uniform presence on the streets, increasing accessibility to policing services, galvanising community cohesion, impacting on crime, providing benefits to the wider community and providing the necessary familiarity to increase public confidence in the police service.

INTERNATIONAL DEVELOPMENT

AIDS Epidemic

Mr. Lazarowicz: To ask the Secretary of State for International Development what assessment he has made of the need for short-term emergency funding, in addition to funding in the medium and long-term, to combat the AIDS epidemic. [190993]

Mr. Gareth Thomas: DFID agrees with the Joint United Nations Programme on HIV/AIDS (UNAIDS) assessment made in their 2004 global report, that:

> "AIDS is an exceptional disease with exceptional and wide-ranging impact, which requires an exceptional response. It has the characteristics of both a short-term emergency and of a long-term development crisis".

"Taking Action, the UK's Strategy for tackling HIV and AIDS in the developing world" launched last July, takes account of both characteristics.

For example, DFID will assist countries to develop both short-term 'emergency' solutions to address the current shortage of health and education personnel, and to take a longer-term view of human resource planning and management in the light of the impact of the HIV and AIDS epidemic.

It is important to develop long-term solutions. HIV and AIDS require long-term predictable funding, which is why the UK is proposing to increase aid through the International Finance Facility. DFID has committed £1.5 billion to AIDS over the next three years from 2005 to 2008.

CDC Actis Capital

Gregory Barker: To ask the Secretary of State for International Development pursuant to the answer of 16 September, *Official Report*, column 1713W, on CDC/Actis Capital, if he will break down the amount owed to CDC by quarter since 1999. [192793]

Hilary Benn: Total debt owed to CDC at the end of each year from 1999 is as follows:

	£ million
1999	985.6
2000	731.2
2001	682.9
2002	552.1
2003	515.6

This information is not retained on a quarterly basis and the cost of disaggregating it would be disproportionate.

Gregory Barker: To ask the Secretary of State for International Development (1) pursuant to the answer of 16 September 2004, *Official Report*, column 1709W, on CDC/Actis Capital, if he will list the *(a)* contractor, *(b)* subject studied, *(c)* cost and *(d)* date of each independent environmental study contracted by Pacific Rim Palm Oil Ltd. since 1999; [192794]

(2) if he will list audits of Pacific Rim Palm Oil Ltd.'s environmental management practices since 1999, broken down by auditor. [192811]

Hilary Benn: The studies and audits contracted and undertaken since 1999 are listed as follows.

The costs of these contracts are commercially sensitive. They have generally been in the range US$10,000 to US$50,000, depending on the scope and terms of reference.

Contractor	*Date*	*Scope*
1. Higaturu Oil Palm		
Mott MacDonald Ltd.	June 2000	Doboduru grasslands development and status of QABB
Environmental Management and Monitoring Pty Ltd.	August 2001	Comprehensive environmental audit
SGS Australia	July 2004; (undertaken since December 2002 and repeated annually)	Surveillance audit of ISO14001 environmental management system
ERM	September 2004	Health impacts of Higaturu Oil Palm's performance
2. Poliamba		
Environmental Management and Monitoring Pty Ltd.	2001	Comprehensive environmental audit, including environmental action plan.
SGS Australia	July 2004 (undertaken since December 2002 and repeated annually)	Surveillance audit of ISO14001 environmental management system
3. Milne Bay Estates		
Environmental Management and Monitoring Pty Ltd.	February 1999	Padi-padi oil palm development: environmental plan
Environmental Management and Monitoring Pty Ltd.	June 1999	Development of oil palm on leased customary blocks: environmental plan
Mott MacDonald Ltd.	June 2000	Oil palm expansion
Environmental Management and Monitoring Pty Ltd.	August 2001	Comprehensive environmental audit
SGS Australia	July 2004 (undertaken since December 2002 and repeated annually)	Surveillance audit of ISO14001 environmental management system
4. Asiatic		
PT LTS Indonesia and Environmental Management and Monitoring Pty	September 2000	Comprehensive environmental impact assessment
PT LTS Indonesia and Zoological Society of London	January 2001	Tiger survey
Sumatran Rhino Project	mid 2001	Rhino survey
Jim Jarvie, Independent Consultant	mid 2001	High conservation value forest review
Mott MacDonald Ltd.	June 2001	Peer review of PT LTS Indonesia's and Environmental Management and Monitoring Pty Ltd.'s Environmental Impact Assessments
SGS Australia	August 2004 (undertaken since February 2003 and repeated annually)	Surveillance audit of ISO14001 environmental management system
5. Harapan plantations		
PT LTS Indonesia and Environmental Management and Monitoring Pty Ltd.	September 2000	Comprehensive environmental impact assessment
Mott MacDonald Ltd.	June 2001	Peer review of PT LTS Indonesia's and Environmental Management and Monitoring Pty Ltd.'s Environmental Impact Assessments
Environmental Management and Monitoring Pty Ltd.	May 2003	Comprehensive review of environmental and social performance, undertaken by way of due diligence on behalf of investor DEG
Environmental Management and Monitoring Pty Ltd.	July 2004	Pre-development environmental and social impact assessment
SGS Australia	August 2004 (undertaken since February 2003 and repeated at least annually)	Surveillance audit of ISO14001 environmental management system

Gregory Barker: To ask the Secretary of State for International Development who has performed external audits of environmental management at the *(a)* Higaturu Oil Palm, *(b)* Poliamba, *(c)* Milne Bay Estates, *(d)* Asiatic and *(e)* Harapan plantations since 1999; and whether such audits involved on-site monitoring. [192795]

Hilary Benn: Audits have been undertaken by LTS Indonesia, Environmental Management and Monitoring, Mott MacDonald Ltd., SGS Australia and local statutory bodies. Audits have generally involved onsite visits. Otherwise, onsite monitoring is part of the companies' internal environmental management systems which are audited at least every year by SGS Australia.

Gregory Barker: To ask the Secretary of State for International Development pursuant to the answer of 16 September, *Official Report*, column 1709W, on CDC/Actis Capital, what assessment he has made of Pacific Rim Palm Oil Ltd.'s environmental assessment in its bi-annual investment valuation reviews. [192796]

Hilary Benn: DFID has made no assessment of Pacific Rim Palm Oil Ltd's environmental assessment. Pacific Rim Palm Oil Ltd. is required to comply with CDC's business principles and their environmental assessment is audited to the ISO 14001 standard.

Gregory Barker: To ask the Secretary of State for International Development pursuant to the answer of 16 September, *Official Report*, column 1709W, on CDC/Actis Capital, if he will list the environmental matrix risk level of each *(a)* CDC/Aureos and *(b)* CDC/Actis Capital investment project. [192808]

Hilary Benn: CDC's Business Principles require Actis and Aureos to manage environmental risks, and the matrix system is a management tool used in this process. The risk levels of individual investments are commercially sensitive.

Gregory Barker: To ask the Secretary of State for International Development what CDC/Actis Capital investment there has been in Afghanistan Capital Partners; and if he will make a statement. [192809]

Hilary Benn: CDC has made no commitment to invest in Afghanistan Capital Partners.

Gregory Barker: To ask the Secretary of State for International Development if he will make a statement on the objectives of CDC/Actis Capital's partnership with Aviva plc. [192810]

Hilary Benn: CDC and Aviva are co-investors in a fund in China now managed by Actis. The fund contributes to poverty reduction by mobilising private capital and investing in viable Chinese businesses.

Gregory Barker: To ask the Secretary of State for International Development what representations he has received about *(a)* compliance and *(b)* non-compliance with business principle standards by Pacific Rim Palm Oil Ltd. [192797]

Hilary Benn: I refer to my answer of 4 October 2004, *Official Report*, column 1778W. The Department has received no specific representations about Pacific Rim Palm Oil Ltd.'s compliance or non-compliance with CDC's responsible business principles.

Gregory Barker: To ask the Secretary of State for International Development when the last environmental quality study was commissioned at *(a)* Higaturu Oil Palm, *(b)* Poliamba, *(c)* Milne Bay Estates, *(d)* Asiatic and *(e)* Harapan plantations. [192817]

Hilary Benn: Each of the plantations in the Pacific Rim Palm Oil Ltd. group—Higaturu Oil Palm, Poliamba, Milne Bay Estates, Asiatic and Harapan—was subject to an environmental audit in 2004.

Child Protection

Mike Gapes: To ask the Secretary of State for International Development (1) if he will make a statement on the Government's support for development of solar energy projects in Angola; [R] [192606]

(2) what plans he has to increase support for development of solar energy projects in Angola. [R] [192607]

Hilary Benn: The British Embassy in Luanda, in partnership with British Petroleum (BP), co-funded a pilot project to give the village of Paranhos communal lighting, power supply to the school and clinic, potable water and some domestic lighting. Paranhos was selected in part because it houses roughly equal numbers of families from both sides of Angola's civil war. The project, as well as demonstrating the viability of renewable energy, is also an important part of the process of national reintegration.

This small pilot project and BP's interest in setting it up are welcome. I hope that BP and the Government of Angola are able to follow this up to ensure that the equipment continues to operate properly, providing a useful service to the selected village. No doubt, there are valuable lessons that can be learnt from this project, not least how best it might be replicated on a larger scale to provide permanent, reliable services.

In general, while solar energy can deliver useful benefits, it does have limitations, notably its inability to provide heat for cooking, the main energy requirement for most households in Africa. Other issues, such as the need to periodically replace expensive batteries, were taken into account in the design of the Paranhos project. This experience and the lessons learnt from this pilot need to be properly understood before there is any consideration of expanding it to other communities.

DFID is not providing support for renewable energy sources in Angola. However, more generally, DFID has funded some 75 energy projects since 1992 through our Knowledge and Research Programme (47 of which were started since May 1997) with a total value of £10 million, of which £3.6 million was spent on the development and promotion of renewable energy, especially for rural communities in developing countries. These have covered a wide range of technologies, including wind, small hydropower, solar photovoltaic, solar thermal and biomass.

DFID has recently signed a Programme Partnership Agreement with an international UK-based NGO, Intermediate Technology Development Group (ITDG) for £750,000 per year. Much of their work is the promotion of small-scale renewable energy technologies in developing countries to improve access to energy services, especially for poor communities.

EU Committees

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs how many times during the Greek presidency of the EU the Committee on financial and technical assistance and economic co-operation with developing countries in Asia and Latin America met; when and where these meetings took place; which UK Government expert was present at each meeting; what *(a)* technical and *(b)* financial issues were raised by the UK Government expert at each meeting; what recommendations the Committee produced during that period; what actions were

(i) proposed and (ii) taken by the (A) EU and (B) UK as a result of the Committee's recommendations; and if he will make a statement. [192496]

Mr. Gareth Thomas: The Greek Presidency of the European Union occupied the first six months of 2003. During that period the Asia and Latin America Management Committee met twice on 27 February and on 3 April. All meetings were held in Brussels. Officials represented the UK from the Department for International Development (DFID) and the United Kingdom Representation in Brussels.

The Asia and Latin America Management Committee operates independently of the Presidency. It is convened and chaired by the Commission and is constituted for Member States to assist the Commission with implementation of Council Regulation No 443/92 of 25 February 1992. The EC's Asia and Latin America programme determines the strategy framework for technical assistance and economic co-operation with developing countries in Asia and Latin America, and approves annual and multi-annual allocations to country and regional programmes. The details of discussions in the Committee are confidential and are covered by the Code of Practice on Access to Government Information, Part II, exemption 2. This exemption covers internal discussion and advice where the disclosure would harm the frankness and candour of internal discussion. However, under Council Decision 1999/468/EC, the EC publishes an annual reports on the workings of the Committee.

Angus Robertson: To ask the Secretary of State for International Development how many times during the Greek presidency of the EU the Committee on implementation of the programme of assistance to promote the transition to a market economy and to strengthen democracy and the rule of law in the partner states of eastern Europe and central Asia met; when and where these meetings took place; which UK Government expert was present at each meeting; what recommendations the Committee made during the Greek presidency; and if he will make a statement. [192501]

Mr. Gareth Thomas: The Greek Presidency of the European Union occupied the first six months of 2003. During that period, the Phare Management Committee met four times during the Greek Presidency: 7 February; 7 March; 11 April; 12 June. All meetings were held in Brussels and the UK was represented by officials from DFID, the Foreign and Commonwealth Office (FCO), and the United Kingdom Representation in Brussels (UKREP).

The Phare Management Committee oversees the implementation of Council Regulation 1266/1999 of 21 June 1999. The Phare Management Committee is convened and constituted by Member States to assist the Commission with the implementation of the Community's Phare Programme. It operates independently of the Presidency. Phare is the programme of EC pre-accession Assistance to applicant countries. The programme has three objectives: to strengthen public administrations and institutions; to promote convergence with European Union legislation and to promote economic and social cohesion. The Committee determines the strategy framework for the Phare Programme, and approves annual and multi-annual allocations to country and regional programmes The detail of the discussions in the Committees are confidential and are covered by the Code of Practice on Access to Government Information, Part II, exemption 2. Under Council Decision 1999/468/EC, the EC is required to publish an annual report on the workings of the Committees.

Angus Robertson: To ask the Secretary of State for International Development how many times during the Greek presidency of the EU the committees on *(a)* co-financing operations with European non-governmental organisations in fields of interest to the developing countries and *(b)* food security and food aid met; when and where these meetings took place; which UK Government expert was present at each meeting; what (i) technical and (ii) financial issues were raised by the UK Government expert at each meeting; what recommendations the committees produced during that period; what actions were (A) proposed and (B) taken by (1) the EU and (2) the UK Government as a result of the committee's recommendations; and if he will make a statement. [193009]

Mr. Gareth Thomas: The Greek Presidency of the European Union occupied the first six months of 2003. During that period the NGO Co Financing Committee met twice on 21 January and on 3 June. The Food Aid and Food Security Management Committee met once on 28 February. All meetings were held in Brussels. The UK was represented in both Committees by officials from the Department for International Development (DFID).

The Non Governmental Organisations (NGO) Co Financing Committee operates independently of the Presidency. It is convened and chaired by the Commission and is constituted for Member States to assist the Commission with implementation of Council Regulation No 1658–98 of 17 July 1998. The European Community's (EC) NGO Co Financing programme considers co-financing operations with European NGOs development organisations in fields of interest to the developing countries.

The Food Security and Food Aid Management Committee operates independently of the Presidency. It is convened and chaired by the Commission and is constituted for Member States to assist the Commission with implementation of Council Regulation No 1292/96 of 27 June 1996. The EC's Food Security and Food Aid programme consists of identification, planning and implementation of food aid operations and operations in support of food security in developing countries.

The detail of discussions in the Committees are confidential and are covered by the Code of Practice on Access to Government Information, Part II, exemption 2. This exemption covers internal discussion and advice where the disclosure would harm the frankness and candour of internal discussion. However, under Council Decision 1999/468/EC, the EC publishes annual reports on the workings of the Committees.

Angus Robertson: To ask the Secretary of State for International Development how many times during the Greek presidency of the EU the *(a)* European Development Fund Committee and *(b)* Advisory Committee on the special system of assistance to traditional ACP suppliers of bananas met; when and where these meetings took place; which UK Government expert was present at each meeting; what (i) technical and (ii) financial issues were raised by the UK Government expert at each meeting; what recommendations the committees produced during that period; what actions were (A) proposed and (B) taken by (1) the EU and (2) the UK Government as a result of the committee's recommendations; and if he will make a statement. [193016]

Mr. Gareth Thomas: The Greek Presidency of the European Union occupied the first six months of 2003. During that period the European Development Fund (EDF) Committee met twice on 12 February and on 7 May. The Advisory Committee on the special system of assistance to traditional ACP suppliers of bananas did not meet in this period. All meetings were held in Brussels. The UK was represented by officials from the Department for International Development (DFID) and from the UK's Permanent Representation in Brussels.

The EDF Committee operates independently of the Presidency. It is convened and chaired by the Commission and is constituted for member states to meet with the Commission and the European Investment Bank (EIB). Its role is to scrutinise and approve financing proposals and allocation of EDF funds, serve as a forum for exchange of views on country and regional strategies and approve multi-annual allocations to country and regional programmes.

Operations financed from the European Development Fund are governed by the provisions of the Partnership Agreement between the African, Caribbean and Pacific States and the European Community (ACP-EU) signed in Cotonou, Benin on 23 June 2000 (known as the Cotonou Agreement).

Details of discussions in the Committee are confidential and are covered by the Code of Practice on Access to Government Information, Part II, and exemption 2. This exemption covers internal discussion and advice where the disclosure would harm the frankness and candour of internal discussion. However, the 15 December 2000 Internal Agreement applicable to the Cotonou Agreement specifies that the Commission produces an annual report. This report is subject to parliamentary scrutiny in the normal manner.

Angus Robertson: To ask the Secretary of State for International Development how many times during the Greek presidency of the EU the Committee on implementation of humanitarian aid operations met; when and where these meetings took place; which UK Government expert was present at each meeting; what *(a)* technical and *(b)* financial issues were raised by the UK Government expert at each meeting; what recommendations the Committee produced during that period; what actions were (i) proposed and (ii) taken by (A) the EU and (B) the UK Government as a result of the Committee's recommendations; and if he will make a statement. [193024]

Mr. Gareth Thomas: The Greek Presidency of the European Union occupied the first six months of 2003. During that period the Humanitarian Aid Committee met six times, on a monthly basis. Five meetings were held in Brussels, and one in Athens (May 2003). The UK was represented by officials from DFID's Conflict and Humanitarian Affairs Department.

The Humanitarian Aid Committee operates independently of the Presidency. It is convened and chaired by the Commission and is constituted for Member States to assist the Commission with implementation of Council Regulation No 1257/96 of 20 June 1996 concerning humanitarian aid. The EC's humanitarian aid programme provides assistance, relief and protection to victims of natural disasters and man-made crises in third countries, as well as preparedness for risks of natural disasters. It approves annual allocations ('global plans') to countries suffering chronic humanitarian crises, as well as emergency response to disasters.

The details of discussions in the Committee are confidential and are covered by the Code of Practice on Access to Government Information, Part II, exemption 2. This exemption covers internal discussion and advice where the disclosure would harm the frankness and candour of internal discussion.

Green Ministers

Mr. Horam: To ask the Secretary of State for International Development how many meetings of the Ministerial Sub-Committee of Green Ministers were attended by the Department's Green Minister in *(a)* 2002–03 and *(b)* 2003–04. [190848]

Mr. Gareth Thomas: None.

Humanitarian Accountability Partnership International

Angus Robertson: To ask the Secretary of State for International Development what input his Department had into the establishment of the Humanitarian Accountability Partnership International (HAP-I); what programmes his Department is funding to encourage membership of HAP-I by *(a)* UK and *(b)* EU non-governmental organisations; and if he will make a statement. [193018]

Hilary Benn: Between 2001 and 2003, DFID has contributed almost £650,000 towards the establishment of the Humanitarian Accountability Partnership International (HAP-I). DFID was also involved in the initial design of HAP-I through its steering committee membership of the related accountability initiative, Humanitarian Accountability Project. DFID is now an Associate member of HAP-I.

Through accountable practice and example, DFID believes that confidence in and support for HAP-I's member agencies will be enhanced. This approach is consistent with HAP-I's own ethos of improving the quality, effectiveness and accountability of humanitarian work through example, as well as through programme design and implementation.

Illegal Logging

Bob Spink: To ask the Secretary of State for International Development what his policy is for dealing with illegal logging; and if he will make a statement. [193509]

Mr. Gareth Thomas: DFID's policy is to tackle illegal logging and its associated trade, in partnership with timber-producing countries. This requires action on demand as well as supply. The UK, as a significant consumer of timber products, shares responsibility with these countries to find solutions to this global problem.

DFID supports regional forest law enforcement and governance processes in Asia and Africa that help build awareness of the problems of illegal logging and the political commitment to tackle them. DFID has also recently started work with Russia on a forest law enforcement and governance process covering Eastern Europe and North Asia. In Indonesia DFID has a programme of work under a Memorandum of Understanding that commits both governments to tackle illegal logging and associated trade.

The UK Government are playing an active role in implementing the EU Forest Law Enforcement and Governance and Trade Action Plan. This includes development of EU legislation to prevent imports of illegally logged timber into the single market and support for timber producing countries to improve their forest governance. UK Central Government are also working towards ensuring that timber and timber products are procured from legal and sustainable sources.

In all of this work, DFID co-operates closely with other parts of Government, particularly Defra and FCO, as well as the private sector and NGOs.

International Development Assistance

Mr. Laws: To ask the Secretary of State for International Development if he will list the 20 countries with the lowest GDP per capita; how much the international development assistance per capita was made available by the UK in each case in the latest year for which information is available; and if he will make a statement. [192071]

Mr. Gareth Thomas: The following table includes a list of the 20 countries with the lowest recorded GDP per capita (the country with the lowest GDP is at the top of the list). In addition DFID has included Afghanistan, which is expected to be in this group although GDP data is currently unavailable.

The following table also shows the bilateral development assistance provided by the UK to these countries in 2003–04 (on a per capita basis) and an estimate of the UK's share of multilateral aid to these countries in 2002 (the latest year for which we have data).

The UK has a commitment to increase the share of our bilateral programme going to low income countries to 90 per cent. by 2005–06. In deciding where to allocate bilateral resources the UK is keen to work in partnership with countries where we have long-standing relationships and is able to have the most impact. DFID also prioritise countries that are able to display evidence of good governance to ensure that our funds are spent appropriately.

In examining the figures in the table, it is worth noting that while the aid per capita is quite small in some highly populated countries such as Nigeria, the total aid allocated to these countries is substantial.

£

Countries with lowest GDP per Capita	*UK bilateral aid/ capita 2003–04*	*Imputed UK multilateral share/capita 2002*
Congo, Dem. Rep.	2.92	0.20
Ethiopia	0.65	0.28
Burundi	0.49	0.53
Guinea-Bissau	0.00	2.00
Malawi	5.25	0.53
Eritrea	0.59	0.63
Sierra Leone	6.89	0.86
Liberia	2.41	0.43
Niger	0.02	0.56
Tanzania	4.64	0.31
Madagascar	0.20	0.36
Mozambique	2.05	0.90
Nepal	1.33	0.10
Chad	0.38	0.74
Nigeria	0.25	0.04
Tajikistan	0.11	0.22
Burkina Faso	0.01	0.73
Rwanda	3.37	0.59
Central African Republic	0.00	0.25
Kenya	0.93	0.11
Afghanistan	3.02	0.59

Kenya

Tom Cox: To ask the Secretary of State for International Development if he will make a statement on the Department's priorities for working with the Government of Kenya. [193473]

Hilary Benn: DFID's assistance is designed to support long-term change in Kenya that will lead to improved governance, and to help Kenya make sustainable progress towards the Millennium Development Goals. The Country Assistance Plan (CAP) launched in June, outlines our commitment to support the implementation of the Government of Kenya's Economic Recovery Strategy (ERS).

DFID's priorities in the CAP include support to the Government's drive towards universal free primary education, HIV/AIDS prevention and care, reproductive health care, malaria prevention, private sector development, land and agriculture reform, environmental governance, public sector reform, initiatives to promote civic education and improved access to justice for poor people. DFID plans to provide £37 million of assistance this year.

The faster and more credible the pace of reform, the more DFID can support the Kenyan Government's own priorities through their own systems, and the faster progress we will make.

Latin America

Julie Morgan: To ask the Secretary of State for International Development what the aid budget for Latin America was in the years *(a)* 2000–01, *(b)* 2001–02, *(c)* 2002–03 and *(d)* 2003–04; and what it is for 2004–05. [190303]

Gareth Thomas: DFID's Latin America bilateral aid budget was as follows:

Bilateral

(£ million)

	Latin America dept budget allocation	*Total[1] DFID Actual expenditure in Latin America*
2000–01	31.0	31.2
2001–02	36.0	37.6
2002–03	28.3	36.1
2003–04	23.2	27.2
2004–05	19.0	—

[1] These figures include central DFID funding, such as humanitarian assistance, debt relief and NGO activities supported by the Civil Society Challenge Fund, which have benefited the region. £7 million per year, from 2005–06 onwards, was recently approved for selected non-government organisations that have Programme Partnership Agreements with DFID.

Share of Multilateral:

DFID provided the following concessional funding through multilateral to specific countries (ie World Bank, Inter-American Development Bank, European Community and UN organisations):

£ million

	Latin America specific	*Americas regional (including Caribbean)*
2000	51.4	12.2
2001	92.0	9.0
2002	36.0	5.5

Figures are not yet available for 2003.

Relief Work (SPHERE Standards)

Angus Robertson: To ask the Secretary of State for International Development what assessment his Department has made of the SPHERE standards for relief work; and if he will make a statement. [193017]

Hilary Benn: DFID has not undertaken its own assessment of SPHERE standards. However, DFID values the work of SPHERE, with its aim of improving the quality of assistance, and enhancing the accountability of the humanitarian system in disaster response. DFID has supported the project with £20,000 since 2001. Many partner that DFID supports or with whom we collaborate are signed up members to SPHERE, and we would expect them to adhere to the Humanitarian Charter and Minimum Standards in Disaster Response.

Somalia

Angus Robertson: To ask the Secretary of State for International Development what discussions *(a)* he and *(b)* members of his Department have had with (i) the Secretary of State for Foreign and Commonwealth Affairs, (ii) members of the Foreign and Commonwealth Office, (iii) the Secretary of State for Defence and (iv) members of the Ministry of Defence concerning (A) the humanitarian situation in Somalia and (B) Somalia's President Abdullahi Yusef's call for international intervention on 14 October; and if he will make a statement. [193010]

Hilary Benn: DFID is in close and regular touch with relevant Whitehall Departments—at both Ministerial and official level—to discuss UK and international support for the envisaged new Transitional Federal Government in Somalia. In addition the UK is committed to providing assistance to address the most urgent humanitarian needs in the country. DFID has recently agreed an additional £2 million in humanitarian allocations to meet urgent needs in Somalia.

Sugar

Paul Flynn: To ask the Secretary of State for International Development what his assessment is of the effects of the Common Agricultural Policy sugar regime on local sugar production in developing nations in *(a)* Africa and *(b)* Asia; and if he will make a statement. [192869]

Hilary Benn: The EU's CAP regime for sugar is a heavily regulated, highly protected and discriminatory one. It is also extremely costly to the consumer and taxpayer. By maintaining high guaranteed prices for production which are well above world market prices, high tariffs on most imports, and heavily subsidising exports, the regime encourages over-production in the EU and dumps millions of tonnes of subsidised sugar onto world markets each year. It has the effect of depressing world prices, and it crowds developing countries out of local markets which they would otherwise be able to supply. Some traditional suppliers from the African, Caribbean and Pacific regions (ACP), do have preferential access to the EU market under an arrangement called the Sugar Protocol. Most of the countries in Africa and Asia who are sugar producers or potential sugar producers are currently denied preferential access to the EU market. For these and other reasons, reform of the regime is both necessary and desirable, and long overdue.

The European Commission presented a Communication to the Agriculture Council on 19 July that set out their preferred approach to reform. The Communication proposes to substantially reduce sugar exports and export refunds, abolish intervention, restructure EU production at a lower level, reduce the internal sugar price and grant a de-coupled payment to sugar beet farmers. The reform process would start in July 2005. This should make the regime more market oriented and reduce the quantity of EU sugar exported to third markets. If the option were to be agreed, the Commission estimate that the combined, aggregate effect of the proposals on support price and quota reduction would be a significant reduction in the level of EU production under quota, from 17.3 million to 14.5 million tonnes per year. In turn, as a consequence of the substantial reduction in the overall level of EU production, EU subsidised sugar exports—dumping—are projected to fall by around 2 million tonnes. The Commission Communication will be the subject of discussion between the EU member states over the coming months.

However, there will be winners and losers from this reform, just as there are winners and losers from the current regime. Those preferential suppliers to the EU who receive prices very similar to EU producers will see these prices fall. DFID has always stressed the need to take account of the impact that reform of the EU sugar regime will have on our developing country preferential suppliers. We are conscious that substantial reform will give rise to transitional problems for the ACP counties, and for Least Developed Countries (LDC) seeking to develop an export trade to Europe under the Everything But Arms initiative.

In order to help inform the debate and ensure the impact on developing countries is taken sufficiently into consideration, DFID commissioned a study last year with LMC International and Oxford Policy Management, 'Addressing the Impact of Preference Erosion in Sugar on Developing Countries'. The study is divided into two sections. The first part assesses the economic and social impact on the ACP Sugar Protocol countries of the various reform scenarios suggested by the European Commission. The latter part of the study assesses alternative options for addressing the impact of preference erosion in sugar. The purpose of this analysis was to identify various options for debate by the ACP and the EU.

DFID has recently commissioned two further pieces of work on this issue. The first report has been commissioned with LMC International, 'EU Sugar Reform: the Implications for the Development of LDCs' and should be finalised very soon. The second report has been commissioned from the Overseas Development Institute, 'Forthcoming changes in EU sugar/banana markets: a menu of options for an effective EU transitional assistance package' and should also be finalised very soon. This report should help those countries affected by reform determine their priorities for a transitional package. This report will include some analysis of alternative uses for sugar.

Uzbekistan

Mr. Simmonds: To ask the Secretary of State for International Development what *(a)* monetary and *(b)* non-monetary assistance the Uzbek Government receive from the United Kingdom Government; and if he will make a statement. [193171]

Mr. Gareth Thomas *[holding answer 25 October 2004]:* Approximately 90 per cent. of United Kingdom development assistance to Uzbekistan has been in the form of DFID funded technical assistance, focusing on supporting the Government of Uzbekistan's efforts to improve the quality and accessibility of primary health care to the rural poor. Support has also been given to targeted local civil society organisations to help strengthen capacity, independence and effectiveness. In monetary terms this amounted to £559,000 in financial year 2003–04. The planned figure for 2004–05 is £500,000. Additionally, the UK's attributed share of multilateral assistance (including EC) to Uzbekistan in calendar year 2002 (the most recent year figures are available) was £1,700,000.

Other UK Government Departments have provided support to civil society organisations and the British Council and through the Global Conflict Prevention Pool; the Home Office and FCO have funded a small amount of anti-drug training. The Ministry of Defence has been providing non-development assistance, through the Global Conflict Prevention Pool, in the form of defence reform and helping build regional capacity for peace support operations.

TRADE AND INDUSTRY

Business Regulation

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry how many reviews of the working and impact of major pieces of regulation affecting business put forward by *(a)* her Department and *(b)* regulatory agencies sponsored by her Department since 2001; and if she will make a statement. [190000]

Nigel Griffiths: There have been six reviews of the working and impact of major pieces of legislation. Review is an important element of the Government's Better Regulation programme.

Consultants

Dr. Julian Lewis: To ask the Secretary of State for Trade and Industry how many consultancy firms or companies have been retained by the Department since June 2001; what the projects are for which each has been retained; and what the total is of the fees paid or incurred in each case. [193424]

Ms Hewitt: This information is not held centrally and can be provided only at disproportionate cost.

Export Credits Guarantee Department

Mr. Brazier: Export Credits Guarantee Department cover for ventures in Iraq since the end of the recent Gulf War; and which have *(a)* been accepted, *(b)* been rejected and *(c)* not yet been dealt with. [192272]

Mr. Alexander *[holding answer 21 October 2004]:* An overall US$100 million ECGD short-term credit facility was available between 5 December 2003 and 28 June 2004, to assist exporters to finance contracts by providing guarantees to UK based banks issuing letters of credit for the purchase of UK goods and services.

During this period, 15 exporters with contracts or potential contracts approached ECGD regarding the facility. No applications were received. The Banks continued to issue Letters of Credit without requiring ECGD cover.

No formal applications for cover have been received outside of these dates.

Icelandic Water Trawlermen's Scheme

Mr. Salmond: To ask the Secretary of State for Trade and Industry (1) how many claimants have received payments from the Icelandic Water Trawlerman's Scheme *(a)* under the scheme, which closed in 2002, and *(b)* under the extension to the scheme announced by her Department; [193682]

(2) what the average payment made to each claimant from the Icelandic Water Trawlerman's Scheme was *(a)* under the scheme which closed in 2002 and *(b)* under the extension to the scheme announced by her Department. [193683]

Nigel Griffiths: Payments based on the enlarged list of vessels commenced in May 2004. Some claimants who had not previously qualified now did so and some who had already received a payment qualified for a further sum. The table shows the available information:

	(a) Up to April 2004	*(b) May 2000 to September 2004*
Number of claimants receiving a payment	4760	395
Average payment	8,567	3,096

Jaguar Cars

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry what assessment she has made of the effects the closure of Jaguar Motor Production sites in Coventry will have on small business in Coventry. [192156]

Jacqui Smith *[holding answer 20 October 2004]:* The company indicated on Friday 17 September 2004, that it intends to move production from Brown's Lane to Castle Bromwich in Birmingham, a distance of some 16 miles. It is anticipated that the small businesses in the supply chain would be largely unaffected.

Jaguar's headquarters and administrative centre will remain in Coventry, as will the company's historic Wood Veneer Manufacturing Centre. It is likely the companies providing services direct to the workforce would be affected, though the impact would be minimal.

Shareholder Executive

Gregory Barker: To ask the Secretary of State for Trade and Industry if she will list the members of the Shareholder Executive by *(a)* title and *(b)* date of appointment; and what other (i) corporate and (ii) governmental positions they hold. [192744]

Ms Hewitt: The Shareholder Executive is staffed by civil servants and secondees from the private sector who are employed in line with departmental remuneration guidelines: they were all appointed over the last 14 months. It is not the DTI's policy to publish staff lists in parliamentary questions.

Richard Gillingwater, Chief Executive of the Shareholder Executive, is non-Executive Chairman of Faber Music Ltd. (and also non-Executive Director of two Faber related businesses) and a non-executive director of Kidde plc and QinetiQ plc; Christina McComb, Director of Postal Services, is a non-executive director of Partnerships UK plc; and Steve Wheeler is company secretary of Precis (2424) Ltd.

Gregory Barker: To ask the Secretary of State for Trade and Industry what compensation members of the Shareholder Executive receive. [192745]

Ms Hewitt: Members of the Shareholder Executive are either civil servants or private sector secondees and are paid in accordance with departmental remuneration policy. It is not departmental policy to publish salary levels of individual members of staff.

Gregory Barker: To ask the Secretary of State for Trade and Industry how many staff are employed by the Shareholder Executive. [192746]

Ms Hewitt: 56.

Gregory Barker: To ask the Secretary of State for Trade and Industry by what measures the Government will assess the performance of the Shareholder Executive. [192747]

Ms Hewitt: The performance of the Shareholder Executive will be assessed on the basis of the performance of its portfolio in the context of a clearly defined policy framework, both at an aggregate portfolio and individual business level. Specific targets and performance measures are currently being considered.

Gregory Barker: To ask the Secretary of State for Trade and Industry when planning for the reorganisation of the Shareholder Executive began. [192755]

Ms Hewitt: The Shareholder Executive was established in the Cabinet Office in September 2003 with a remit to advise Departments on their shareholder responsibilities. It transferred to the DTI in June 2004: planning for the move began in March 2004.

Gregory Barker: To ask the Secretary of State for Trade and Industry pursuant to her answer of 4 October 2004, *Official Report,* column 1864W, on public shareholdings, if she will list the public shareholdings for which the Shareholder Executive *(a)* provides advice and *(b)* is directly responsible by (i) department, (ii) quality of owned shares, (iii) aggregate value of shareholding and (iv) proportion of owned shares. [192779]

Ms Hewitt: The Shareholder Executive advises officials in Government Departments on the management of certain Departmental shareholdings, ownership or other finance interests. These entities, and their responsible Departments, are set out in the table.

Entity	*Responsible Department*	*Legal status*
ABRO	Ministry of Defence	Trading Fund
BBC (certain aspects of the Charter Review)	Department for Culture, Media and Sport	Public corporation
British Waterways	Department for the Environment, Food and Rural Affairs	Statutory corporation
CDC Group plc.	Department for International Development	Companies Act Company (100 per cent. of shares Government owned, shares not publicly traded)
Channel 4	Department for Culture, Media and Sport	Statutory corporation
Defence Aviation Repair Agency (DARA)	Ministry of Defence	Trading fund
Defence Science and Technology Laboratory (DSTL)	Ministry of Defence	Trading fund
Forensic Science Service	Home Office	Trading fund

Entity	*Responsible Department*	*Legal status*
Met Office	Ministry of Defence	Trading fund
National Air Traffic Services	Department for Transport	Companies Act company (48.87 per cent. of shares Government owned, shares not publicly traded)
Northern Ireland Water Service	Department for Regional Development, Northern Ireland	Agency
QinetiQ plc.	Ministry of Defence	Companies Act company (58.1 per cent. of shares Government owned, shares not publicly traded)
Tote	Department for Culture, Media and Sport	Statutory Corporation
United Kingdom Hydrographic Office	Ministry of Defence	Trading fund

The Shareholder Executive directly advises Departmental Ministers (or in some cases senior departmental officials) on certain shareholding, ownership or other finance interests. It also directly manages the day-to-day relationship with that entity. These entities and their responsible Departments are set out in the table as follows.

Entity	*Responsible Department*	*Legal status*
Actis Capital LLP	Department for International Development	Limited liability partnership (40 per cent. Government ownership interest, 80 per cent. Government economic interest for 10 years)
British Energy plc.	Department of Trade and Industry	Companies Act company (the Government does not own any share capital but would acquire certain economic rights and obligations under the proposed company restructuring)
British Nuclear Fuels plc. (BNFL)	Department of Trade and Industry	Companies Act company (100 per cent. of shares owned by Government, shares not publicly traded)
Export Credit Guarantee Department (ECGD)	Department of Trade and Industry	Government Department and expected to be a trading fund by 2007
Partnerships UK	HM Treasury	Companies Act company (49 per cent. of shares owned by Government including 4.44 per cent. owned by the Scottish Ministers)
Royal Mail Holdings plc.	Department of Trade and Industry	Companies Act company (100 per cent. of shares owned by Government, shares not publicly traded)
Royal Mint [1]	HM Treasury	Trading fund
United Kingdom Atomic Energy Authority (UKAEA)	Department of Trade and Industry	Statutory corporation

[1] Responsibility for directly advising Ministers will take effect from the completion of the Royal Mint review.

Each of the entities listed in the tables publish annual reports containing details of their financial and operational performance. The Shareholder Executive has not carried out a formal valuation of the portfolio.

Gregory Barker: To ask the Secretary of State for Trade and Industry pursuant to her answer of 4 October 2004, *Official Report*, column 1864W, on public shareholdings, what are the Shareholder Executive's advice-giving responsibilities concerning public shareholding. [192780]

Ms Hewitt: The Shareholder Executive provides advice to Ministers and officials on all aspects of Departments' shareholding roles, including corporate governance frameworks, setting objectives, scrutinising business plans, monitoring performance, making appointments and approving remuneration frameworks.

Gregory Barker: To ask the Secretary of State for Trade and Industry pursuant to her answer of 4 October 2004, *Official Report*, column 1864W, on public shareholdings, what the Shareholder Executive's *(a)* operational, *(b)* budget and *(c)* appointment authority over public shareholdings for which it is directly responsible is. [192781]

Ms Hewitt: For those shareholdings for which it is directly responsible, the Shareholder Executive's role is to advise relevant Ministers or senior departmental officials on all shareholder issues, including corporate governance frameworks, setting objectives, scrutinising business plans, monitoring performance, making appointments and approving remuneration frameworks.

Gregory Barker: To ask the Secretary of State for Trade and Industry if she will make a statement on her plans to include *(a)* public sector stakeholder, *(b)* quango, *(c)* NGO and *(d)* devolved territory input into the oversight of the Shareholder Executive. [192775]

Ms Hewitt: The Shareholder Executive is responsible to each individual Department for the quality of the advice it provides, and consults, as appropriate, other organisations inside and outside Government as part of its work.

Gregory Barker: To ask the Secretary of State for Trade and Industry what codes of conduct apply to members of the Shareholder Executive. [192776]

Ms Hewitt: They are all subject to the Civil Service Code.

Sutherland Commission

Mr. McGrady: To ask the Secretary of State for International Development what submission the British Government have made to the Sutherland Commission. [191865]

Mr. Alexander: Dr. Supachai, the Director-General of the World Trade Organisation (WTO), asked Peter Sutherland and a group of leading trade experts to examine possible reforms of decision-making and representation in the WTO and report back to him. The group has not requested submissions from Governments, and the UK has made none. The Government have set out their views on the issue in the recent Trade and Investment White Paper: Making Globalisation a Force for Good (Cm 6278).

Work Opportunities

Chris Ruane: To ask the Secretary of State for Trade and Industry what measures her Department is taking in conjunction with the Department for Work and Pensions and other Departments to encourage and enable the economically inactive to return to work through social enterprises; and if she will make a statement. [192020]

Nigel Griffiths: The cross Government strategy on social enterprise, published in July 2002 recognises the role social enterprise can play in offering work and training for those seeking employment.

Through New Deal, Job Centre Plus enables individuals to seek meaningful employment through social enterprise as a transitional phase before entering the open labour market or as an ongoing sustainable option.

Social enterprises can also offer employment opportunities for disabled people. The Department for Work and Pension's WORKSTEP programme offers help for those who require more long term support and aims to provide disabled people with a better range of opportunities in employment, by tailoring support to individual needs in supported environments, including social enterprise.

In DTI's Small Business Service, social enterprises are at the forefront of our forthcoming support to help people with mental health issues explore ways into employment or self-employment. Many social enterprises will act as partners in supporting mental health clients through the process, and it is envisaged that a number of new social enterprises will be created across the country as a direct result of this initiative.

DTI in partnership with DfES and the Home Office has piloted a Support for Enterprising Communities Project focussed on investigating approaches to supporting social enterprises to be more sustainable. The project resulted in a range of benefits including developing the skills of local people, a more diverse local social enterprise sector and creation of new employment opportunities.

We also think social enterprise can play a role in the delivery of ODPM's recent report on Jobs and Enterprise in Deprived Areas which contains measures to improve the delivery of support to those considering self-employment, such as through better joint work between the various relevant agencies, better availability of information and work to improve access to small-scale finance.

EDUCATION AND SKILLS

Archaeology Qualifications

Sue Doughty: To ask the Secretary of State for Education and Skills if he will make a statement on the Government's policy on the future of GCSE Archaeology following the decision taken by AQA not to offer this qualification from 2006. [193138]

Mr. Stephen Twigg *[holding answer 21 October 2004]*: I would refer the hon. Member to the written answer given by the Secretary of State to my hon. Friend the Member for Braintree (on 15 September 2004, *Official Report*, column 1606W). I must reiterate the point made by the Secretary of State in his answer that awarding bodies such as AQA are independent organisations and as such Ministers have no powers to dictate which subjects they offer.

Class Sizes

Mr. Spring: To ask the Secretary of State for Education and Skills what the average *(a)* primary school and *(b)* secondary school class size in the West Suffolk constituency was in (i) 1996–97 and (ii) 2003–04. [193667]

Mr. Miliband: The information requested is shown in the table.

Maintained primary and secondary schools[1]: average size of classes taught by one teacher[2]

West Suffolk parliamentary constituency[3]

Position as at January each year	*Number of pupils*	*Number of classes*	*Average class size*
Primary			
1997	5,730	220	25.7
2004	5,230	210	24.5
Secondary			
1997	5,570	280	20.2
2004	6,130	280	22.0

[1] Includes middle schools as deemed.

[2] Classes as taught during the one selected period in each school on the day of the census in January.

[3] Figures have been rounded to the nearest 10.

Source:

Annual Schools' Census

Departmental Consultants

Mr. Jenkins: To ask the Secretary of State for Education and Skills how much the Department spent on outside information technology and communication specialists, consultants and engineers in the 2003–04 financial year. [192763]

Mr. Stephen Twigg: The amount of administrative expenditure incurred during 2003–04 financial year on outside information technology and communication specialists, consultants and engineers amounts to £2,290,000.

The Department also incurred Programme expenditure relating to the above but it would be a disproportionate cost to provide this information.

Education Budget (York)

Hugh Bayley: To ask the Secretary of State for Education and Skills what the budget for *(a)* York College and *(b)* York Sixth Form College was in (i) cash and (ii) real terms in (A) 1997 and (B) each year since. [191242]

Dr. Howells: The Department allocates funds for education and training in the post-16 learning and skills sector to the Learning and Skills Council (LSC). The LSC decides the funding allocations at individual college level. Information about these allocations is not collected by the Department. This is an operational matter and the responsibility of the LSC. Mark Haysom, the LSC's Chief Executive, will write to my hon. Friend with details of the budget for *(a)* York College and *(b)* York Sixth Form College in (i) cash and (ii) real terms in (A) 1997 and (B) each year since. A copy of his reply will be placed in the House Library.

Education Funding

Mr. Hoban: To ask the Secretary of State for Education and Skills if he will list the capital funding available to schools for *(a)* 2001–02, *(b)* 2002–03, *(c)* 2003–04, *(d)* 2004–05, *(e)* 2005–06 and *(f)* 2006–07, broken down by (i) devolved capital expenditure, (ii) Building Schools for the Future funding and (iii) specific capital programmes. [190910]

Mr. Miliband *[holding answer 14 October 2004]:* The table includes the information requested on the allocation of capital available to schools from 2001–02 until 2005–06. We have not yet announced details of allocation to capital programmes for 2006–07.

Capital funding

£ million

	2001–02	2002–03	2003–04	2004–05	2005–06
(i) Devolved formula capital to schools	295	438	685	775	805
Delegated to local education authorities[1]	620	1,111	1,401	1,542	1,292
(ii) Building schools for the future					2,115
(iii) Specific capital programmes	1,402	1,755	2,117	2,455	1,294

[1] Delegated allocations to authorities include Basic Need, Condition and Modernisation and School Access Initiative programmes.

Education Standards

Mr. Martlew: To ask the Secretary of State for Education and Skills how many and what percentage of 11-year old pupils in Carlisle reached level 4 in *(a)* mathematics and *(b)* English in each of the last seven years. [191598]

Mr. Miliband: The information requested was placed in the House Library in response to Parliamentary Question 167566, on 10 May 2004, *Official Report,* column 34W.

First Degree Courses

Mr. Clappison: To ask the Secretary of State for Education and Skills what estimate he has made of the proportion of the projected non-completion rate for full-time first degree students reported by the Higher Education Statistics Agency which is accounted for by students transferring to different courses at the same institution. [191979]

Dr. Howells: HESA's non-completion rate has not been disaggregated to separately identify students who transfer to a different degree course and then fail to complete it. Students who transfer to a different degree course and successfully complete it are recorded under "Obtain a degree" in the following table; students who transfer from a degree to a different level of course (such as an HND) and successfully complete it are recorded under "Obtain other award". Only students who started a degree course and failed to obtain any HE qualification are classed as non-completers under "No award or transfer".

Projected outcomes, full-time first degree students starting courses in 2001/02

	Percentage
Obtain a degree	77.9
Obtain other award	1.2
Transfer to another institution	6.4
No award or transfer	14.1
Not known	0.4

Further Education Funding

Paul Holmes: To ask the Secretary of State for Education and Skills what proportion of the extra funding given to further education in June *(a)* has been and *(b)* will be allocated to (i) school sixth forms, (ii) work-based learning providers, (iii) sixth form colleges and (iv) further education colleges. [190574]

Dr. Howells: It is for the LSC to determine the distribution of funding to the learning and skills sector. Mark Haysom, the LSC's Chief Executive, will write to the hon. Member with this information and a copy of his reply will be placed in the Library.

GCSEs

Mr. Laws: To ask the Secretary of State for Education and Skills what proportion of students taking *(a)* GCSE mathematics, *(b)* GCSE history, *(c)* GCSE English, *(d)* GCSE French and *(e)* GCSE physics received an (i) A grade, (ii) C grade and (iii) pass or better in each year from 1989 to 2004; and if he will make a statement. [192133]

Mr. Miliband: The information requested is shown in the following table.

Percentage of 15 year old pupils achieving GCSE/GNVQs at the following subjects and grades

Year[1,2]	*Maths*			*History*			*English*			*French*			*Physics*		
	A/A*	*C*	*A*-G*	*A*/A*	*C*	*A*-G*	*A*/A*	*C*	*A*-G*	*A*/A*	*C*	*A*-G*	*A*/A*	*C*	*A*-G*
1989	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
1990	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
1991	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
1992	7.8	22.5	94.0	11.5	19.9	94.9	8.3	26.0	98.3	12.4	14.5	96.0	16.1	25.2	98.0
1993	10.2	24.2	94.5	13.9	20.7	95.6	10.9	26.4	98.6	17.4	15.4	96.5	29.2	22.4	99.0
1994	10.2	20.2	95.3	14.5	20.4	95.6	11.2	25.8	97.0	17.8	16.0	97.1	35.2	22.7	99.4
1995	9.5	21.3	94.9	15.0	19.7	94.8	11.1	25.1	96.9	17.3	16.8	96.6	38.7	19.0	99.0
1996	10.1	21.3	95.5	16.5	19.5	96.0	11.6	24.8	97.3	17.9	16.9	97.0	39.2	17.1	99.3
1997	10.7	21.3	95.6	17.3	19.5	96.0	11.3	24.8	97.4	17.9	16.8	96.9	39.7	19.1	99.3
1998	11.1	20.2	95.0	19.6	18.9	96.5	12.3	25.6	99.0	17.0	18.3	98.5	43.2	19.9	99.4
1999	11.6	20.3	96.2	21.1	18.8	96.9	13.0	25.1	99.1	17.2	19.6	98.7	45.5	19.3	99.5
2000	11.9	21.0	96.8	22.8	18.4	97.3	14.0	24.9	98.9	17.0	20.2	98.6	45.5	18.9	99.6
2001	12.3	21.3	96.7	23.6	18.2	97.2	14.4	25.0	98.8	16.7	22.0	98.5	45.7	19.7	99.5
2002	13.3	21.3	96.9	24.2	18.3	96.8	14.5	24.7	98.6	16.9	21.9	98.5	46.8	19.6	99.5
2003	12.9	21.2	96.1	25.5	18.3	96.9	15.2	24.3	98.6	16.7	20.4	97.8	46.6	19.5	99.6
2004	13.2	22.3	96.5	26.2	18.0	97.1	15.6	25.1	98.0	17.1	20.8	97.9	48.2	19.1	99.7

[1] Figures from 1989 are not available

[2] Figures for 1992 are based on the results of 15 year old pupils in maintained schools only.

Mr. Martlew: To ask the Secretary of State for Education and Skills what percentage of 15 and 16 year olds in *(a)* Carlisle, *(b)* Cumbria and *(c)* England achieved five or more GCSEs at grade A*-C in each of the last seven years. [191573]

Mr. Miliband: The information requested is:

Percentage of 15 year old pupils[1] achieving five or more grades A-C at GCSE/GNVQ*

Percentage

	Carlisle constituency	*Cumbria LEA*	*England*
1997	40.5	43.5	45.1
1998	38.6	43.9	46.3
1999	41.6	47.6	47.9
2000	44.6	50.6	49.2
2001	45.4	50.8	50.0
2002	45.2	52.7	51.6
2003	44.9	52.9	52.9

[1] GCSE/GNVQ results are reported as standard as the results of pupils aged 15 at the start of the academic year i.e. 31 August, and therefore reaching the end of compulsory education at the end of the school year.

Green Minister

Mr. Horam: To ask the Secretary of State for Education and Skills how many meetings of the Ministerial Sub-Committee of Green Ministers were attended by the Department's Green Minister in *(a)* 2002–03 and *(b)* 2003–04. [190849]

Mr. Stephen Twigg: The Secretary of State for Education and Skills is DfES's Green Minister and in this role is a member of the Ministerial Committees of Green Ministers. However, it has been established practice under successive Governments not to disclose information relating to the proceedings of Cabinet Committees. This practice is now formalised by Exemption 2 of Part II of the Code of Practice on Access to Government Information.

Higher Education

Mr. Boswell: To ask the Secretary of State for Education and Skills if he will make a statement on the financial situation of higher education institutions. [190583]

Dr. Howells: The following table shows the overall financial position of the publicly funded higher education sector in England.

£ million

	Total income	*Operating surplus*
2000–01	11,669	44
2001–02	11,843	90
2002–03	12,723	218

Source:
HESA

Mr. Bercow: To ask the Secretary of State for Education and Skills what percentage of working age people in the Buckingham constituency hold a qualification at degree level or equivalent or above; and what the national average is. [191052]

Dr. Howells: The latest available figures from the Local Area Labour Force Survey 2002 show that the proportion of people of working age resident in the constituency of Buckingham who hold a qualification at NVQ level 4 or above is 31.9 per cent., with a 95 per cent. confidence interval of 25.9 per cent. to 37.9 per cent.

This compares to a figure of 24.2 per cent. for Great Britain, with a 95 per cent. confidence interval of 24.0 per cent. to 24.4 per cent. NVQ level 4 covers degrees, HMDs and other undergraduate qualifications.

Mr. Laws: To ask the Secretary of State for Education and Skills what proportion of each age cohort entered higher education in each year from 1985/86 to 2004/05; and if he will make a statement. [191308]

Dr. Howells: The individual year of age entry rates derived from the Higher Education Initial Participation Rate (HEIPR), for academic years 1999/2000 to 2002/03, are shown in the first table below. The HEIPR was developed to monitor progress towards the Government's goal of 50 per cent. participation in HE by 2010 and was not calculated prior to 1999/00. The available participation rate data for these earlier years, which show participation in terms of age bands rather than single ages, are shown in the second table.

Higher education initial participation rate

Percentage

	Academic year			
Age[1]	*1999/2000*[2]	*2000/01*[2]	*2001/02*[2]	*2002/03 (provisional)*[2]
17	0.3	0.3	0.3	0.3
18	19.1	19.8	20.4	20.0
19	9.5	9.6	10.7	9.9
20	2.6	2.9	3.0	3.0
21	1.7	1.9	1.7	1.8
22	1.3	1.4	1.2	1.5
23	1.1	1.1	1.0	1.3
24	0.9	0.9	0.9	1.1
25	0.8	0.8	0.8	1.0
26	0.8	0.8	0.8	0.9
27	0.7	0.7	0.7	0.8
28	0.7	0.7	0.7	0.7
29	0.7	0.7	0.6	0.7
30	0.7	0.6	0.6	0.6
Total[3]	41	42	43	44

[1] Age as at 31 August before the beginning of the academic year (e.g. 31 August 1999 for 1999/00).

[2] HE entrants in academic year as a percentage of separate age population; excludes entrants with previous HE experience and excludes students who enrol on (and complete) courses of less than six months. The overall HEIPR is the sum of the unrounded full-time and part-time initial participation rates, calculated using student records collected by HESA and LSC, and ONS population estimates.

[3] The individual rates are rounded to the nearest 0.1 per cent. and so do not sum exactly to the totals which are rounded to the nearest whole number.

Note:

Figures for 2002/03 are provisional. The figures have been updated with revised figures from all sources. Further revisions, in particular to the 2002/03 provisional figure, may be necessary following any revision to the relevant source data.

Participation rates in HE by age group

Percentage

Academic year	*Age participation index (API)*[1]	*Younger mature entry index (YMEI)*[2]	*Older mature participation index (OMPI)*[3]
1985/86	13.8	7.7	0.3
1986/87	14.0	7.4	0.3
1987/88	14.5	6.7	0.3
1988/89	15.1	6.4	0.3
1989/90	17.1	6.2	0.4
1990/91	19.3	6.4	0.4
1991/92	23.3	8.1	0.5
1992/93	27.5	9.5	0.6
1993/94	29.9	10.2	0.7
1994/95	31.6	n/a	n/a
1995/96	32.5	n/a	n/a
1996/97	33.1	n/a	n/a
1997/98	33.4	n/a	n/a
1998/99	31.3	n/a	n/a
1999/2000	31.5	n/a	n/a
2000/01	33.4	n/a	n/a
2001/02	34.9	n/a	n/a

n/a = not available

[1] The API is the number of young (under 21) UK domiciled initial entrants to full-time and sandwich undergraduate courses, expressed as a percentage of the averaged 18–19 year old population.

[2] The YMEI is the number of initial entrants aged 21–24 expressed as a percentage of the numbers of potential entrants in the age group i.e. those who obtained one or more A levels or equivalent qualification at the ages of 18–20 but who did not then enter higher education.

[3] The OMPI is the number of initial entrants aged 25 and over expressed as a percentage of the population aged 25–34 in that year.

Increased Flexibility Project

Mr. Chidgey: To ask the Secretary of State for Education and Skills how his Department proposes to continue supporting the Increased Flexibility Project for 14 to 16 learners to work with further education colleges. [192024]

Dr. Howells *[holding answer 19 October 2004]:* No decision has been taken by Ministers at this stage, but the question is currently under consideration.

Knives

Keith Vaz: To ask the Secretary of State for Education and Skills how many reported *(a)* incidents and *(b)* accidents involving knives there have been in schools over the last 12 months. [193071]

Mr. Stephen Twigg: We believe there have been very few incidents or accidents. The YJB published a survey which suggests that 1 per cent. of pupils carried a knife in school for offensive reasons at some time, and 2 per cent. defensively, last year. The survey suggests that knife use is much rarer than knife carrying. HSE data on work-related accidents involving cutting tools do not give specific figures for schools.

Mobile Phones

Mr. Prisk: To ask the Secretary of State for Education and Skills how many mobile phones were used by *(a)* Ministers and special advisers and *(b)* officials in his Department in each year since 1997; how many were (i) lost and (ii) stolen; and what their cost was. [191429]

Mr. Stephen Twigg: The total number of mobile phones in use at September 2004 is 1,120. Information on the number of mobiles in use in any given year, as opposed to the number purchased in each year, could be obtained only at disproportionate cost.

The information on use of mobile phones by Ministers, special advisers and officials on a year-by-year basis could be obtained only at disproportionate cost.

We have been unable to distinguish between those phones lost and stolen and the combined number is shown in the following table as is the cost of mobile services for each year.

	Lost/stolen	*Cost of mobile phones (£)*
1997–98	1	170,045.78
1998–99	0	168,298.72
1999–2000	1	218,889.09
2000–01	3	329,196.99
2001–02	3	374,248.87
2002–03	4	353,955.78
2003–04	9	270,547.63
2004–05	7	—

New Deal

Dr. Julian Lewis: To ask the Secretary of State for Education and Skills how many personnel the Department has recruited under the New Deal in each of the past five years. [194026]

Mr. Charles Clarke: I refer the hon. Member to the reply given by my hon. Friend the Financial Secretary to the Treasury on 25 October.

Office for Fair Access

Mr. Clappison: To ask the Secretary of State for Education and Skills what estimate he has made of the costs of *(a)* establishing and *(b)* running the Office for Fair Access (OFFA); what the salary is of the director general of OFFA; how many staff he expects to be employed by OFFA; and what funds OFFA will have available (i) to raise standards in schools and (ii) to promote applications to universities. [192929]

Dr. Howells: The Office for Fair Access will have an average annual budget of £500,000. Staffing will vary according to the demands of overseeing access plans, but we expect it to consist of the Director of Fair Access and 4–6 staff, some of them part time. The Director's remuneration is £100,000 pro rata, as originally advertised.

OFFA will ensure that universities wishing to charge higher fees than current standard levels put some of their own resources into encouraging applications and supporting students.

Overseas Students (Glasgow)

Mr. David Marshall: To ask the Secretary of State for Education and Skills what estimate he has made of the number of overseas students who are studying in the City of Glasgow. [190995]

Dr. Howells: This is a matter for the Scottish Executive and my hon. Friend may wish to write to them about this issue.

Private Language Schools

Chris Grayling: To ask the Secretary of State for Education and Skills for what reason he decided to introduce voluntary registration for private language schools; and if he will make a statement. [191811]

Dr. Howells: The Register of Education and Training Providers has been established as a voluntary scheme following consultation with the sector.

The register will consist of education providers who are able to provide evidence of their legitimate business. It will be made available to the Home Office to support them in making decisions on granting leave to study. The Home Office have proposed that once the register is established, leave to study will not be granted to a student wishing to attend a provider not on the list.

To avoid unnecessary bureaucracy, those education providers who receive public funding or who are currently accredited by an existing accreditation scheme and have already undergone robust assurance measures will automatically be added to the register. Private English Language Schools have been encouraged to seek accreditation with existing accreditation bodies such as the British Council, the British Accreditation Council, or the Association of British Language Schools.

The Department will look to review the operation of the scheme once it is fully operational.

Religious Schools

Mr. Allen: To ask the Secretary of State for Education and Skills what the *(a)* membership is and *(b)* terms of reference are of the joint working party with the churches and others on the financing of religious voluntary aided schools; when its report is expected; whether the report will be published; and if he will make it his policy to maintain a maximum level of contribution from public funds towards the costs of such schools at 100 per cent. of running costs and 90 per cent. of building costs. [193611]

Mr. Miliband: The terms of reference are—The Voluntary Aided Capital Working Group exists to provide a consultative forum for identifying, discussing and advising on all issues relating to voluntary aided capital.

Given that most, but not all, voluntary aided schools are linked to a faith, membership consists of the Anglican and Catholic Churches, the Foundation and Aided Schools National Association, the Board of Deputies of British Jews, the Seventh Day Adventist Church, and the Association of Muslim Schools (UK), together with departmental civil servants. There is no expectation that a report will be published, and any recommendations from the working group will be considered by Ministers in the usual way.

The flexibility to pay capital grant above 90 per cent. already exists and I have agreed that it can be applied where absolutely necessary, and on production of a rigorous business case, in respect of the small number of voluntary aided schools in the first group of areas to benefit from funding under Building Schools for the Future. This will ensure that there is no delay in procurement for all of the schools in those areas. The working group is to look at the options for funding future waves of investment.

Resources for Children and Learners

Chris Grayling: To ask the Secretary of State for Education and Skills pursuant to his written ministerial statement of 16 September 2004, *Official Report*, columns 153–54WS, on Resources for Children and Learners, at what level he expects the gap between per-pupil funding for 16 to 19 year olds in schools and those in colleges to be in *(a)* 2005–06, *(b)* 2006–7 and *(c)* 2007–08. [191812]

Dr. Howells: On 16 September, the Secretary of State announced that total funding for the post-16 learning and skills sector, excluding Higher Education, will rise to £11 billion by 2007–08. We are doing further work in partnership with the Learning and Skills Council (LSC) on the details of our spending plans for further education. Details will be published at the time of release of the grant letter to the LSC. It is therefore not possible at this stage to say what impact this will have on funding for 16 to 18 year olds in school sixth forms and further education colleges.

School Internet Access (York)

Hugh Bayley: To ask the Secretary of State for Education and Skills what proportion of City of York *(a)* primary and *(b)* secondary schools were connected to the internet in (i) 1997 and (ii) October. [191243]

Dr. Howells: Figures for England, derived from a sample of schools, are shown in the following table. Figures at sub-national level are not available as the sample was not large enough to provide reliable estimates.

The available information on the percentage of schools connected to the Internet is shown in the following table.

Percentage of schools connected to the Internet. Primary, secondary and special local authority maintained schools—England—as at 31 March (financial year end)

	1996	*1998*	*2003*
Primary	5	17	>99
Secondary	47	83	>99
Special	8	31	>99

The latest information on maintained schools connected to the Internet was published in Statistical Bulletin 'Survey of Information and Communications Technology in Schools 2003', which is available on the Department's web-site www.dfes.gov.uk/rsqateway

Schools

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills what assessment he has made of the effects in Stroud constituency of *(a)* abolishing grant-maintained schools, *(b)* changing school admission arrangements and *(c)* balloting parents on grammar schools. [193502]

Mr. Miliband: We have made no such assessments. Although we monitor national implementation of policies, it is for local education authorities to assess the impact of any changes on their individual areas, and to plan accordingly.

Bob Spink: To ask the Secretary of State for Education and Skills what representations he has received regarding secondary school capacity on Canvey Island; and if he will make a statement. [193511]

Mr. Miliband: In addition to the representations made previously by the hon. Member, we have received correspondence from one parent from Canvey Island in respect of Essex Local Education Authority's (LEA) initial consultation about secondary education on the island.

It is for each LEA to balance the supply of places in its area, to ensure schools serve the needs of their local communities and provide good quality education in the most cost effective way.

If the LEA decides to proceed with a reorganisation of local schools it will have to publish statutory proposals, and there will be an opportunity for those affected to submit objections and comments for consideration. The final decision on any proposals would be for the local School Organisation Committee (SOC) or, if the SOC cannot reach a unanimous decision, an independent schools adjudicator. The Secretary of State has no role in such matters.

Sixth Forms

Chris Grayling: To ask the Secretary of State for Education and Skills what evidence his Department has evaluated which demonstrates public support for new school sixth forms as proposed in the Five Year Plan issued in July; and if he will make a statement. [191817]

Dr. Howells: We are not aware of a formal study of community preferences for school sixth forms. However, area inspections, for example, show that there is oversubscription at popular and successful school sixth forms across the country. They also report a substantial exodus of 16–18 students from areas where there is little choice of good 16–19 provision to independent or out-of-borough maintained school sixth forms.

Mr. Chidgey: To ask the Secretary of State for Education and Skills what plans he has to align college and school sixth form funding. [192025]

Dr. Howells *[holding answer 19 October 2004]:* For the academic year 2003/04, base funding rates per qualification increased by 3 per cent. for school sixth forms and by 4.5 per cent. for further education colleges on a broadly comparable basis. In 2004/05, funding rates for colleges meeting their targets increased by 5 per cent., while those for school sixth forms rose by 4 per cent. Details of our spending plans for further education between 2005–06 and 2007–08 will be published at the time of release of the grant letter to the Learning and Skills Council.

Student Loan Company

Mr. Rendel: To ask the Secretary of State for Education and Skills (1) how many students applied for loans from the Student Loan Company for the current academic year prior to July; [191624]

(2) how many students who applied for loans from the Student Loan Company prior to July are yet to receive their loans for the current academic year; [191625]

(3) how many students who have applied for loans from the Student Loan Company are yet to receive their loans for the current academic year. [191626]

Dr. Howells *[holding answer 15 October 2004]:* Some 521,000 applications from new and continuing students were made on or before 2 July 2004 (which is the published deadline for new applications).

All applicants who submitted a fully and properly completed application form on or before 2 July should receive, shortly after their university or college has confirmed their attendance, either a fully-assessed loan payment or an interim payment (under our contingency arrangements for continuing students).

Over 275,000 applications have been received after the 2 July, of which 96,000 are still being processed. As is the case every year, a significant number of students have applied after the published deadlines (some 90,000 applications have been received since early September). Local authorities and the Student Loans Company have never been able to guarantee payment at the start of term to late applicants. As in previous years, the Department has written to higher education institutions asking them to be supportive of students who do not have loans in place at the start of term.

Theft and Fraud

Mr. Prisk: To ask the Secretary of State for Education and Skills what his estimate is of the cost of theft and fraud to *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in each year since 1997. [191427]

Mr. Charles Clarke: The estimated cost of theft and fraud to the Department (excluding the Department's non-departmental public bodies) for the years 2001–02, 2002–03 and 2003–04 is as follows:

Theft and Fraud

	(£000)
2001–02	249,732
2002–03	234,138
2003–04	213,037

All cases of fraud or alleged fraud were investigated by the Department's Special Investigations Unit. This unit is staffed by fully trained, professionally qualified fraud investigators.

Tuition Fees

Mr. Laws: To ask the Secretary of State for Education and Skills what the total fee income from *(a)* tuition fees and *(b)* top up tuition fees was in (i) 1999–2000 and (ii) 2000–01; and if he will make a statement. [191307]

Dr. Howells: The following table shows estimated income to English higher education institutions from standard fees:

Financial year	*£ millions*[1]
1999–2000	697
2000–01	714

[1] The fee income estimates do not include income from postgraduate students funded through the Research Councils.

Provisions in the Higher Education Act 2004 permit higher education institutions to vary the fees they charge full-time undergraduates to a maximum of £3,000 per annum with effect from the 2006 academic year. Fees for part-time and postgraduate students are currently unregulated; nothing in the Act changes that.

University Admissions

Mr. Clappison: To ask the Secretary of State for Education and Skills what use he expects the Office for Fair Access to make of the benchmarks for university admissions published by the Higher Education Statistics Agency; and if he will publish the guidance he has given to the director general of the Office for Fair Access. [192931]

Dr. Howells: It is up to the director of Fair Access what use he makes of the benchmarks published by the Higher Education Statistics Agency. We first published the draft letter of guidance from the Secretary of State to the director in February 2004, with a revised draft in July 2004. The final version will be available shortly.

University Drop-out Rate

Mr. Clappison: To ask the Secretary of State for Education and Skills (1) how many students studying first degrees dropped out of their studies *(a)* at university and *(b)* in the first year of their studies at university in each year since 1997; [191496]

(2) what the *(a)* drop-out rate and *(b)* number of students dropping out in the (i) first, (ii) second and (iii) third year of study at each university was in each year since 1997. [191497]

Dr. Howells: The available information on the non-continuation of students beyond the first year in each university, and the projected course non-completion rate in each university is contained in "Performance Indicators in Higher Education in the UK". The publication was produced by the Higher Education Funding Council for England (HEFCE) up until the current year when the Higher Education Statistics Agency (HESA) took over publication. The latest edition was published by HESA in September 2004.

The figures cover full time first degree courses only and show, for each individual HE institution in the UK, the numbers and proportion of entrants who fail to complete their course. Copies of the publication are available for students starting courses in each year from 1996–97 to 2001–02. Copies of the publication covering data up to 1999–2000 are available from the House Library. Additionally, the publications up to and including figures for 2000–01, can be found on the HEFCE website (http://www.hefce.ac.uk/pubs) and the publication for the most recent year can be found on the

HESA website (http://www.hesa.ac.uk/press/pr78/pr78.htm). For full time first degree entrants at UK institutions in 2001–02, table 3a shows that around 27,000 (9.0 per cent.) students did not continue beyond the first year and table 5 shows the number of students projected to not complete over the whole course is around 42,000 (14.1 per cent.).

No data are held covering those students who drop out of their course after two or three years.

Figures published in 2004 by the Organisation for Economic Co-operation and Development (OECD) show that the UK has one of the lowest non-completion rates among OECD countries.

Mr. Clappison: To ask the Secretary of State for Education and Skills what steps he is taking to improve course completion rates for first degrees at universities. [191503]

Dr. Howells: The national rate of non-completion for those full-time students starting first degree courses in 2001–02 is 14. per cent. compared with 15 per cent. for the cohort starting in 2000–01. This represents one of the highest completion rates amongst OECD countries and we are determined to maintain this level of performance.

We have asked the Higher Education Funding Council for England (HEFCE) to bear down on non-completion and their national co-ordination team, Action on Access, is working with institutions to improve retention rates and to spread good practice from those institutions with low drop-out rates and good access figures. In addition, the £273 million which HEFCE has allocated to institutions in 2004–05 for widening access and improving retention recognises some of the additional costs of supporting students from non-traditional backgrounds and those who are less well prepared for higher education.

Research indicates that the reasons for non-completion are many and varied, but one factor is incompatibility between the student and their course or institution. It is vital that potential higher education (HE) students have the right information on which tobase sound decisions. This is why we have worked with the National Union of Students to develop a new guide to HE, linked to the new Aimhigher portal, which will help students search for information about any aspect of HE. We are working with HEFCE to develop a range of published information about the quality and standards of institutions' programmes and a National Student Survey. Both will give students better information to help them make informed choices about where and what to study.

Another factor which has been associated with non-completion is financial hardship. In addition to statutory student support, discretionary support through the Access to Learning Fund is also available as a safety net for vulnerable students. The Access to Learning Fund is administered by Higher Education Institutions and provides additional non-repayable grant support to help students access and remain in higher education.

From 2006–7, as a consequence of commitments made during the passage of the Higher Education Bill, we propose to ensure that students entering higher education will receive up to £2,700 in up-front support. We also intend to raise the levels of maintenance loan to meet the basic living costs of the mid-range student, in response to the recent Student Income and Expenditure Survey. Additionally, institutions will, under the terms of access agreements, be required to provide further financial help to poorer students in the form of bursaries.

Mr. Clappison: To ask the Secretary of State for Education and Skills what changes in the methodology for the compiling of data for the non-completion rate for full-time students starting first degree courses were made between 2001–02 and 2002–03; and what the effect of those changes was. [191505]

Dr. Howells: Full details of the changes to the methodology for non-completion are available from the Higher Education Statistics Agency (HESA) website at www.hesa.ac.uk/pi in the documents "Changes to PIs 2002/03" and "Annex C: Projected Outcomes". In summary, non-completion is one of the categories of the projected outcomes. These outcomes are derived by linking students from one year to the next to create a matrix of possible outcomes which is then used to calculate the projected outcomes. For the most recent projected outcomes, which cover students starting first degree courses in 2001–02, changes were made to *(a)* the method of linking students and *(b)* the categories used in the matrix. The effect of the changes to the linking on the national figures is quite small. Some institutions show changes that appear relatively large, but these are mainly the small institutions where relatively large fluctuations are common. Similarly, the effect of the changes to the matrix at national level is small, and for most institutions there is no discernible effect.

University Funding

Mr. Clappison: To ask the Secretary of State for Education and Skills what funding he plans to make available to universities to enable them to promote applications. [192924]

Dr. Howells: The 'Aimhigher' programme provides funding to universities, colleges and schools in order to raise the aspirations and attainment of young people. The aim is to increase the number of applications from groups which are currently under-represented in higher education. Aimhigher is jointly funded by the Department for Education and Skills, the Higher Education Funding Council for England (HEFCE) and the Learning and Skills Council.

HEFCE also provides funds through its widening participation allocation to assist universities with the additional costs of recruiting and retaining non-traditional students.

Announcements about future funding levels will be made in the new year, once the funding councils have received and considered their annual grant letters.

University Performance

Mr. Clappison: To ask the Secretary of State for Education and Skills whether he was consulted by the Higher Education Statistics Agency on the university performance indicators it produced in September; whether these indicators were subject to his approval;

when he or his Ministers were first informed what the performance indicators were; and what assessment he has made of the impact on university admissions of the indicators relating to state school intake. [191980]

Dr. Howells: The Secretary of State does not approve the higher education performance indicator statistics for publication. The Secretary of State and Ministers were informed by departmental officials of the broad results of the sixth annual set of performance indicators a few days before their publication. The Secretary of State has made no explicit assessment of the impact on university admissions of any of the indicators; admissions are for individual institutions to determine. However, the Government believe it is right to publish data which allow comparison between individual institutions, enable institutions to reflect on their own performance, and indicate to potential students the position in each institution.

University Teachers/Teaching

Mr. Frank Field: To ask the Secretary of State for Education and Skills what advice he has given to universities about employing university teachers beyond the statutory retirement age. [191794]

Dr. Howells: I have given no advice to universities on this issue. As independent and autonomous bodies, higher education institutions are responsible for their own employment matters. Like other employers, higher education institutions will have to take account of future legislation in this area, such as the age strand of the European Employment Directive, which the Government intend to implement in 2006. The Equality Challenge Unit, a sector body which provides advice on equality issues, will provide guidance to institutions on the implications of this legislation. This will be in consultation with other relevant organisations, such as the Universities and Colleges Employers Association and the pensions bodies that operate in higher education.

Mrs. Humble: To ask the Secretary of State for Education and Skills what recent assessment he has made of the teaching infrastructure of UK universities; and what plans he has for changes to the infrastructure. [192507]

Dr. Howells: We have made no recent assessment of the 'teaching infrastructure' of UK universities, and have no plans to make any such assessments, or make any changes. In terms of funding support for institutions, Government expenditure on higher education will increase by around £2 billion between 2004–05 and 2007–08, taking total investment to almost £9.5 billion. On top of all this, HE institutions will receive in full the extra income they generate from charging variable fees—in steady state (i.e. by 2010) this will be around £1.2 billion extra. Institutions will be free to spend this as they see fit, including on improvements to the institutional infrastructure, which supports their teaching.

FOREIGN AND COMMONWEALTH AFFAIRS

Boon Chanh

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Laos about the health and treatment of evangelist Boon Chanh, serving a sentence in Udomsay Province. [193578]

Mr. Alexander: British Government contacts with the Laos Government are limited, but Ministers and senior officials regularly raise our human rights concerns either in bilateral contacts, or through the EU. Most recently, we raised the case of Mr Boon Chanh in particular and the treatment of Christians in general with the Lao Ministry of Foreign Affairs at official level on 14 October. Our ambassador to Laos (resident in Bangkok) also raised the treatment of Christians with the Lao authorities in June; and we again raised general human rights issues, including prisoners, at official level in September. The EU Mission in Vientiane also monitors human rights developments and religious freedom in Laos.

We are aware of reports of the mistreatment of Christians in Laos. Since the introduction of a Religious Freedom decree in Laos, we understand there has been some limited progress, with a number of churches being allowed to re-open and an overall drop in the number of believers detained.

We will continue to raise our concerns with the Lao Government when opportunities arise; and to encourage it to implement recent reforms on religious freedom.

British Indian Ocean Territory

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has collated on the living standards of British Indian Ocean Territory citizens normally resident in *(a)* Mauritius, *(b)* the Seychelles and *(c)* UK; and if he will make a statement. [192719]

Mr. Rammell: Information on the living standards of members of the Chagossian communities in Mauritius and Seychelles is not formally collated, but I am kept informed about this by officials and by visitors to these two countries. The Foreign and Commonwealth Office is not responsible for collating information on the living standards of people resident in the United Kingdom.

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the ministerial meetings concerning the British Indian Ocean Territory which have been held with *(a)* representatives of the Chagos Islanders and *(b)* hon. Members in the last five years. [192720]

Mr. Rammell: There have been numerous such meetings over the last five years. However, a comprehensive list of such meetings is not held centrally and could be provided only at disproportionate cost.

Cayman Islands

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to visit the Cayman Islands in the next three years. [192603]

Mr. Rammell: It is not our practice to announce visits until they are firm. Because of the unpredictable nature of world events, final decisions on overseas visits are often not possible until very shortly before the day of travel.

I have no immediate plans to visit the Cayman Islands.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on civil disobedience in the Cayman Islands after Hurricane Ivan. [192610]

Mr. Rammell: There were reports of looting immediately following Hurricane Ivan. There is no evidence known to the Royal Cayman Islands Police Force of any organised burglary or theft. The majority of crimes reported were opportunistic, which targeted unoccupied homes that were badly damaged and stores which had become insecure.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the legislative body of the Cayman Islands in the last six months; and if he will make a statement. [192613]

Mr. Rammell: My right hon. Friend the Foreign Secretary has not had any discussions with the Legislative Assembly of the Cayman Islands in the last six months. Members of the Legislative Assembly form part of the Cabinet of the Cayman Islands. On 7 October, following the recent hurricane damage, I met the Leader of Government Business and other Members of the Cabinet for discussions.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the political effects of Hurricane Ivan on the Cayman Islands. [192623]

Mr. Rammell: The devastation and subsequent recovery and reconstruction efforts has meant that a General Election due in November this year has had to be postponed until 2005. A precise date has yet to be agreed.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representation the UK Government will be sending to the Cayman Islands Tourism Conference. [192639]

Mr. Rammell: The Cayman Islands Tourism Conference was due to take place on 15 November on Grand Cayman. Following the devastation caused by Hurricane Ivan, this is now subject to confirmation. This is an annual event which the Governor of the Cayman Islands usually attends.

China

Sue Doughty: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Government policy on the embargo on arms exports to the People's Republic of China. [192635]

Mr. Rammell: As I said in my reply to my hon. Friend the Member for Wirral, South (Mr. Chapman) on 21 June 2004, *Official Report*, column 1449W, the European Council on 12 December 2003 invited the General Affairs and External Relations Council (GAERC) to re-examine the EU Arms Embargo on China. The issue was last discussed by EU Foreign Ministers at the 11 October 2004 GAERC, and will revert to a future GAERC.

The Government continue to implement the Arms Embargo as set out by the then Minister of State at the Foreign and Commonwealth Office, the late Derek Fatchett, in his reply to my hon. Friend the Member for Reading, East (Jane Griffiths) on 3 June 1998, *Official Report*, columns 246–47.

Sue Doughty: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he plans to raise human rights concerns with Chinese representatives at the EU China Summit on 8 December; and if he will make a statement. [192636]

Mr. Rammell: The EU China Summit will be chaired by the Dutch presidency. No other EU member states are expected to attend. We do anticipate that human rights issues will be discussed.

We regularly raise human rights issues with the Chinese Government, through our biannual UK/China Human Rights Dialogue and through ministerial meetings. I raised human rights issues with Vice Foreign Minister, Zhang Yesui, during my visit to China in July.

Conflict Resolution (Women)

Joan Ruddock: To ask the Secretary of State for Foreign and Commonwealth Affairs what action his Department has taken since 2000 in relation to section 21 of the European Parliament Resolution (2000–2025 (INI)) on the participation of women in peaceful conflict resolution. [192231]

Mr. Rammell: The UK strongly supports the principles laid out in European Parliament Resolution 2000–2025 (INI). The UK is systematically looking for opportunities to ensure that gender concerns are properly addressed in resolutions, mission mandates and progress reports at the UN and other international organisations.

The UK works closely with bilateral partners and NGOs that support activities in countries where there are multinational peacekeeping operations.

The UK is providing financial assistance to programmes that support victims of rape and sexual violence, for example in the Democratic Republic of Congo, and programmes to strengthen approaches to protection and assistance to women affected by conflict.

The UK is active in providing assistance to empower women so they can play a greater role in building peace and strengthen democratic justice, for example in Iraq, which focuses on strengthening women's groups at Governorate level. The UK has also hosted workshops for women on democracy and democratic values, combining women's rights with long-term conflict prevention.

The UK also provides support to the United Nations Development Fund for Women's Women, Peace and Security Programme, which aims to strengthen national and international approaches to protection and assistance of women affected by armed conflict and to support their role in conflict prevention, resolution and peace building.

The Rome Statute of the International Criminal Court gives victims, including women, a role in the Court's proceedings and the possibility of reparations. In September, the United Kingdom gave a donation of £25,000 to the Trust Fund for Victims established by the court to be used for reparations.

Consultants

Dr. Julian Lewis: To ask the Secretary of State for Foreign and Commonwealth Affairs how many consultancy firms or companies have been retained by the Department since June 2001; what the projects are for which each has been retained; and what the total amount is of the fees paid or incurred in each case. [193419]

Mr. Rammell: This information is not held centrally and could be provided only at disproportionate cost.

Craig Murray

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from the United States about Mr. Craig Murray's speech at Freedom House on 17 August 2002. [192933]

Mr. Rammell: My right hon. Friend the Foreign Secretary is unaware of having received any representations from the US on this matter.

EU Committees

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) how many times during the Greek presidency of the EU the Committee on the development and consolidation of democracy and the rule of law and on the respect of human rights and fundamental freedoms met; when and where these meetings took place; which UK Government expert was present at each meeting; what issues were raised by the UK Government expert at each meeting; what recommendations the Committee made; what action was *(a)* proposed and *(b)* undertaken by (i) the EU and (ii) the UK; and if he will make a statement; [192497]

(2) if he will list the five main *(a)* issues and *(b)* countries discussed by the Committee on the development and consolidation of democracy and the rule of law and on the respect of human rights and fundamental freedoms during the Greek presidency of the EU; and if he will make a statement. [192498]

Mr. Rammell: The European Commission convenes quarterly meetings of the Human Rights and Democracy Committee to consult member states about projects it intends to fund under the European Initiative for Democracy and Human Rights and to discuss priority funding areas. The UK is represented at official level by the Foreign and Commonwealth Office and the

Department for International Development. During the first half of 2003, meetings took place on 11 March and 18 June in Brussels.

Details of the thematic and geographical scope of the initiative, plus full details of the projects recommended by the Commission and approved by member states during this period are available at: http://europa.eu.int/comm/europeaid/projects/eidhr/index_en.htm

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs how many times during the Greek presidency of the EU the Committee on the arrangements for implementing Europe agreements with the countries of central and eastern Europe and free-trade agreements with the Baltic states met; when and where these meetings took place; which UK Government expert was present at each meeting; and if he will make a statement. [192493]

Mr. MacShane: Various EU bodies handled Europe agreements with countries with whom accession negotiations were under way under the Greek presidency, namely EU/Association Committees, Sub-Committees, Association Councils and Council Working Groups.

Details for EU/Association Committees under the Greek presidency were as follows:

13 June 2003: EU/Association Committee with Lithuania, Vilnius (not attended by a UK official);

16 June 2003: EU/Association Committee with Estonia, Tallinn (attended by an official from the UK Permanent Representation to the European Union);

18 June 2003: EU/Association Committee with Latvia, Riga (ditto);

24 June 2003: EU/Association Committee with Czech Republic, Brussels (ditto); and

26 June 2003: EU/Association Committee with Hungary, Budapest (ditto).

Details for Association Councils under the Greek presidency were as follows:

19 May 2003: Association Council with Romania, in the margins of the General Affairs and External Relations Council in Brussels (attended by an official from the UK Permanent Representation to the European Union); and

30 June 2003: Association Council with Bulgaria, in the margins of the General Affairs and External Relations Council in Luxembourg (ditto).

Sub-Committees for each country met regularly in Brussels under the Greek presidency on a variety of topics. There was normally no attendance by HMG at these meetings.

Council Working Groups (Central Europe Working Groups) discussed the relevant Europe Agreements approximately once a week in Brussels under the Greek presidency. These were also attended by an official from the UK Permanent Representation to the European Union.

Further information on the Greek presidency can be found in Command Paper Cm6097, "Developments in the European Union, January to June 2003, the Greek Presidency", which was laid before Parliament in January 2004 and is available on the FCO website at: www.fco.gov.uk/commandpapers

European Constitution Treaty

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the implications of the clause in the proposed European Constitution Treaty, Cm 6289, which prevents terrorists from being sent to the nation where the crime is committed if the death penalty is in force in that nation; and what action he would seek to take to deal with such alleged terrorists. [190642]

Ms Blears: I have been asked to reply.

HMG do not consider that there will be any changes to the current situation regarding expulsion of terrorist suspects. In that respect the provisions of the Charter simply reflect existing ECHR provisions. Article II-52(3) of the Charter makes clear that rights in the Charter that correspond to rights in the ECHR shall have the same meaning and scope as the ECHR rights.

Iran

Tom Brake: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the destruction of cultural heritage of the Bahá'í faith that has taken place in Iran, with particular reference to the *(a)* Resting Place of Quddus and *(b)* House of Mirza Buzurg. [193130]

Mr. Rammell: We have serious concerns about the persecution of the Bahá'ís in Iran, and about the destruction of Bahá'í property including at these two sites. We have raised our concerns with the Iranian authorities, both bilaterally and with EU partners, on many occasions. We have also urged the authorities to return the remains of Quddus to the Bahá'í community for reburial elsewhere.

Iraq

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his United States counterpart in respect of charging or releasing the senior members of Saddam Hussein's former Government detained without charge or trial by the United States. [191666]

Mr. Rammell: We are in regular contact with the US about detention issues. The cases of those senior regime members interned by the US in Iraq will be reviewed by the joint US-Iraqi Review Panel as with all other cases. Those who no longer pose an imperative threat to security will be released, unless they are suspected of having infringed Iraqi or international law, in which case they will be passed to the Iraqi authorities. 12 senior former regime members were charged on 1 July 2004 in the Central Criminal Court of Iraq. All 12 are being held by the Iraqi authorities as criminal detainees. The charges against them are currently being investigated.

Glenda Jackson: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) pursuant to his oral statement on Iraq of 12 October 2004, *Official Report*, columns 151–55, what evidence caused him to accept reports in July 2000 in the Iraq Ba'ath party newspaper Al Thawrak that claimed victory over UN sanctions; [191784]

(2) what evidence caused him to accept the claim in August 2001 by the then Iraqi Foreign Minister that UN sanctions efforts had collapsed. [191798]

Mr. Rammell: These were direct quotations from the report of the Iraq Survey Group, Key Findings. Regime Finance and Procurement, page 3, a copy of which was attached to the copies of the Statement by my right hon. Friend the Foreign Secretary, deposited in the Vote Office on 12 October.

Hugh Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he had with the Secretary General of the UN during his visit to London on 19 October on alleged corruption at the UN during the Oil for Food Programme in Iraq. [193175]

Mr. Alexander *[holding answer 25 October 2004]:* My right hon. Friend the Foreign Secretary discussed a number of Iraq-related issues with the United Nations Secretary-General, during his visit on 19 October. They did not discuss the allegations of corruption in the Oil for Food Programme, since these are being investigated by an independent inquiry appointed by the UN Secretary-General in April. Foreign and Commonwealth Office officials maintain regular contact with the inquiry team.

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 18 October 2004, *Official Report*, column 469W, on Iraq, if he will make a statement on the length of time between the start of the UK and US occupation of Iraq and the official withdrawal of the 45-minute claim. [193591]

Mr. Straw: Coalition forces crossed the border into Iraq on 20 March 2003. The intelligence referred to was formally withdrawn on 7 October 2004 and I notified the House in my statement of 12 October 2004, *Official Report*, column 152.

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what funding *(a)* has been and *(b)* is planned to be disbursed by the occupying powers in Iraq to (i) the Iraqi Federation of Trade Unions and (ii) other trade union bodies; and if he will make a statement. [192715]

Mr. Rammell: In February this year the International Confederation of Free Trade Unions (ICFTU) organised a fact-finding mission, partly funded by the Foreign and Commonwealth Office which looked at the state of trades unions in Baghdad, Basra and northern Iraq. We understand that ICFTU is now developing proposals for assisting the fledgling trade union movement. The Department for International Development has also received requests to support trade unions in Iraq from UNISON and from the Iraqi Federation of Trade Unions and is in discussion with them over possible assistance.

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Iraqi Interim Authority concerning rights of trade union membership and activity in the public sector; and if he will make a statement. [192716]

Mr. Rammell: The transitional administrative law, which came into force on 28 June, made provision for the right of all Iraqis to join unions. We understand that 12 unions have already been set up and four open conferences have been held.

Israel

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the UK abstention at the UN Security Council concerning Israeli military action in northern Gaza. [192721]

Mr. Rammell: The UK abstained on the Security Council Resolution on Israeli military action in Gaza because the text on which we were called to vote gave the impression that fault lies only on the Israeli side. It is our view that the responsibility for taking steps to end violence lies with both sides. We proposed amendments that would have seen the Security Council resolution acknowledge Israel's right to defend itself against terrorism and make clear that the international community's concerns are about actions disproportionate to the threat. We also proposed that the resolution call on the Palestinian Authority to take firm action against acts of terrorism and their perpetrators. Unfortunately the sponsors of the text refused to accept our amendments.

Mr. Love: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Israeli Government on flights by its military aircraft over Lebanese territory; and if he will make a statement. [192752]

Mr. Rammell: We raise the issue of overflights regularly with both the Israeli Ministry of Foreign Affairs and with the Israeli Defence Forces, including the Israeli Air Force.

The UK Government have called on all parties to respect the sovereignty and territorial integrity of Lebanon under the control of the Government of Lebanon, and to honour their commitments under UNSCRs 425, 1553 and 1559.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Israeli authorities regarding the deaths of Palestinian schoolgirls Ghadir Mokheimer and Iman Al-Hasan. [192753]

Mr. Rammell: We have made representations at every level to the Israeli authorities of our concern over the disproportionate use of force by the Israeli Defence Force in Gaza, and the number of civilian casualties, particularly children, which have resulted. Our embassy in Tel Aviv has raised specifically the case of Iman Al-Hasan, who was shot 20 times on her way to school. My right hon. Friend the Foreign Secretary also mentioned this tragic case in his statement of 13 October on the ongoing violence in Gaza. A copy of the press release is available on the Foreign and Commonwealth Office website: www.fco.gov.uk/policy/news/press-releases. We have not raised the case of Ghadir Mokheimer specifically.

Mercenaries

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will take steps to ensure there is transparency in joint projects between the UK Government and governments who are using, or whose agents are using, mercenaries. [192957]

Mr. Rammell: There are clear guidelines for officials who come into contact with "Private Military and Security Companies", a copy of which has been placed in the Library of the House pursuant to my right hon. Friend the Foreign Secretary's written ministerial statement of 12 July 2004, *Official Report*, column 53WS. These require transparency, both by requiring officials to gain authorisation for contacts with private military companies and by keeping records of those contacts.

The Government do not support the use of military personnel, whether privately contracted or not, for purposes which are unethical or contrary to international law.

Uzbekistan

Mr. Pope: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last raised human rights concerns with the Government of the Republic of Uzbekistan. [192162]

Mr. Rammell: Throughout 2004, we have regularly and repeatedly drawn our deep concern about the human rights situation in Uzbekistan to senior level attention within the Uzbek Government. We have done this in ministerial and official contexts and together with EU partners.

Both the Foreign and Commonwealth Office and our Embassy in Tashkent will continue to raise human rights concerns, including individual cases, with the Uzbek Government.

As recently as 19 October, our acting Head of Mission in Tashkent drew attention to reports of the secret execution of prisoners who still have appeals pending with the UN Human Rights Committee. He received assurances of an immediate official response.

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of Uzbekistan's decertification by the United States State Department for receipt of financial aid because of its human rights record. [192934]

Mr. Rammell: The US State Department made clear on 13 July 2004 that the decision to decertify Uzbekistan was taken because of lack of progress in meeting its commitments under the Strategic Partnership Framework agreed in 2002 between Uzbekistan and the US.

We have been forthright in our criticism of the Uzbek Government's human rights record. The US Government have also expressed similar concerns. We regularly discuss human rights issues in Uzbekistan with the US. Both the US and UK Governments have a policy of constructive but critical engagement to try to improve the human rights situation in that country.

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the United States about Mr. Craig Murray's reports that the *(a)* British and *(b)* US intelligence services were using information extracted from prisoners in Uzbekistan under torture; and if he will make a statement. [192935]

Mr. Straw: We have regular discussions with the US on Counter Terrorism and human rights.

The UK abides by its commitments under international law, including the UN Convention Against Torture. The British Government, including the intelligence and security agencies, never use torture in order to obtain information. Nor would we instigate others to commit torture for that purpose. We are active in pressing other countries to live up to their human rights obligations and to deliver on human rights commitments they have made.

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the *(a)* provenance and *(b)* reliability of the intelligence that the UK has received on Uzbekistan from (i) the CIA and (ii) other sources. [193025]

Mr. Straw: All intelligence is validated and assessed. It is not the Government's policy to confirm or deny details of specific intelligence reporting.

The UK intelligence agencies evaluate the reliability of all intelligence they receive before it is passed into the assessment process. This evaluation takes account of the possible motivation of the source as well as what kind of reporting record the source may have and the circumstances in which it was obtained.

Western Sahara

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he is having with other governments about the replacement of Mission for the Referendum in Western Sahara when the UN's mandate comes to an end. [192992]

Mr. Rammell: The UK is in contact with other governments to discuss the extension of MINURSO when its mandate expires on 31 October.

The UK continues to support UN efforts to resolve the conflict in the Western Sahara and to urge all parties to work towards a mutually acceptable solution that provides the people of the Western Sahara with an opportunity to exercise their right to self-determination.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met representatives from the Polisario Front. [192993]

Mr. Rammell: Foreign and Commonwealth Office officials met representatives of the Polisario Front in London in September 2004.

My right hon. Friend the Foreign Secretary has never met representatives from the Polisario Front.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Government will recognise the Saharwi Arab Democratic Republic as the sovereign state in Western Sahara. [193297]

Mr. Rammell: The UK continues to support UN efforts to resolve the conflict in the Western Sahara. The UK has no plans to recognise the Saharwi Arab Democratic Republic as a sovereign state in Western Sahara.

WORK AND PENSIONS

52-Week Linking Rule

Mr. Goodman: To ask the Secretary of State for Work and Pensions what the cost of administering the 52-week linking rule was in each year since 1998. [193842]

Mr. Pond: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to the hon. Member.

Letter from David Anderson to Mr. Paul Goodman, dated 26 October 2004:

The Secretary of State has asked me to reply to your question concerning the annual cost of administering the 52 week linking rule in each year since 1998. This is something which falls within the responsibilities delegated to me as Chief Executive of Jobcentre Plus.

Information specifically relating to the cost of administering the 52 week linking rule is not available. The Department now accounts for its administration and benefit expenditure by Strategic Objective, as set out in its Public Service Agreements (PSA), and by individual Requests for Resources (RfRs), as set out in the Departmental Estimates and Accounts.

I'm sorry I can't be more helpful.

Benefits (Telephone Inquiries)

Tony Wright: To ask the Secretary of State for Work and Pensions what the service standard is for the time within which calls to the national telephone inquiry lines for *(a)* attendance allowance and *(b)* disability living allowance should be answered; and what the latest figures are for performance against these standards. [193231]

Maria Eagle: The combined disability living allowance/attendance allowance helpline aims to answer 90 per cent. of calls received within 30 seconds. Currently it is answering between 40 to 50 per cent. within this target. Additional staff are presently being trained to help move closer to the target figure.

Departmental Buildings

Tim Loughton: To ask the Secretary of State for Work and Pensions what competitive processes were followed leading up to the sale of former Department of Social Security buildings to LandSecurities Trillium; and which other bidders were involved. [189415]

Maria Eagle: In April 1996, the Departmental Board of the former Department of Social Security agreed a feasibility study to identify and examine a range of options for the future management of the DSS Estate. The study, known as PRIME (Private Sector Resource Initiative for Management of the Estate), concluded that greater efficiency could be achieved if both ownership and management of the Estate was transferred to the private sector.

The opportunity was advertised on 28 June 1996 in the *Financial Times* and in the *European Journal* in accordance with EEC/GATT rules. Thirty initial written response were received, and a sift exercise was completed, from which six candidates were chosen. Three consortia were selected to go forward to the final selection process. However, all three consortia had placed a lot of conditions on their tender submissions which could have had a material effect on the final price.

It was agreed, therefore, to extend the procurement process to a fourth stage. Consequently, two consortia, Mapeley Holdings Ltd. and PPM (Partnership Property Management Ltd.), now known as LandSecurities Trillium, were invited to submit best and final offers which removed all conditions.

Following evaluation of the tenders, Trillium was chosen as preferred supplier. This was endorsed by the Departmental Board at their July meeting and, after obtaining Ministerial agreement, an announcement was made on 31 July 1997. The finer details of the contract were negotiated through to December and an agreement was formally signed at mid-day on Christmas Eve.

The evaluation process was a tightly controlled three stage procedure and included eight review groups with technical and operational representatives from across DSS, and who were independent from the project team.

Chris Ruane: To ask the Secretary of State for Work and Pensions what discussions his Department is having with Land Security Trillium concerning the *(a)* vacation and *(b)* alternative use of the Department's buildings. [190882]

Maria Eagle: DWP has established a range of forums at different levels of management, where the nature and timing of the vacation of accommodation is discussed with LandSecurities Trillium. In addition to these discussions Office of Government Commerce (OGC) is advised of the Department's intention to vacate such accommodation.

The policy of disposing of all surplus accommodation as early as possible is in keeping with the Department's Estate Strategy and seeks to deliver cost savings with minimum delay.

Where the property concerned is ineligible for surrender to LandSecurities Trillium, due to Contractual constraints, the department reports the available space to OGC for inclusion on their register of vacant Civil Estate. This is then circulated to those departments seeking accommodation who also register their requirement with OGC.

In its discussions with LandSecurities Trillium the Department explores, wherever possible, the possibility of alternative Planning use if that would enhance the sale price.

Departmental Redundancies

Chris Ruane: To ask the Secretary of State for Work and Pensions if he will list the *(a)* organisations and *(b)* agencies with whom his Department consulted before deciding upon the locations for (i) office closures and (ii) job reductions. [190676]

Jane Kennedy: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to the hon. Member.

Letter from David Anderson to Mr. Chris Ruane, dated 26 October 2004:

The Secretary of State has asked me to reply to your question concerning the organisations and agencies with whom his Department consulted before deciding upon the locations for office closures and job reductions. This is something which falls within the responsibilities delegated to me as Chief Executive of Jobcentre Plus.

Jobcentre Plus has consulted at a national level with a number of key stakeholders concerning service delivery planning in Jobcentre Plus. These stakeholders included:

Confederation of British Industry

MIND (National Association for Mental Health)

Royal National Institute for the Blind

Child Poverty Action Group

National Council for One Parent Families

National Association of Citizens Advice Bureaux

Royal National Institute for the Deaf

Third Age Employment Network

Homeless Network

Centre for Economic and Social Inclusion

Trades Union Congress

Local Government Association

Carers UK

The other parts of the Department for Work and Pensions have been kept informed of the plans for change in Jobcentre Plus, and there has been liaison with the Countryside Agency and DEFRA on the rural impact of our plans.

At a local level District Managers consult with local stakeholders on early plans for changes to service delivery arrangements. Local managers are required to consult widely as an integral part of the planning process, and the guidance to managers includes a suggested list of stakeholders:

Local MPs/MEPs/MSPs/Members of the National Assembly of Wales

Local Authorities—both councillors and officials of various departments (for example, Benefits, Social Services)

Programme Providers/service delivery partners

Employers

A sample of key employment providers and their representative bodies, such as the local chambers of commerce

Citizens Advice Bureaux

Welfare rights organisations and organisations representing specific client groups (RNIB, RNID, DIAL, Gingerbread, representatives of local ethnic minority groups and other local organisations)

Other Government Agencies (the Probation Service, Connexions, Careers Wales/Scotland, Inland Revenue, and especially the Countryside Agency)

Health Authorities/primary care trusts/local GPs

Learning and Skills Councils

Local Colleges

Government Regional Offices

Housing Associations

Police

Landlords/Joint Tenants

Groups of customers directly if wished

This list is not exhaustive and local managers should identify any other local stakeholders. The views and concerns received are addressed before approval is granted to progress to more detailed planning.

I hope this is helpful.

Designated Accommodation

Bob Spink: To ask the Secretary of State for Work and Pensions how many rooms are set aside for *(a)* the use of smokers, *(b)* worship, broken down by religion, and *(c)* nursing mothers and pregnant women in each building and set of offices for which his Department is responsible. [187311]

Maria Eagle: Information on the number of rooms set aside by the Department for the use of smokers or nursing mothers and pregnant women is not available. Information on facilities for pregnant women and nursing mothers is contained in the DWP Health and Safety Guidance which is available to our staff via the departmental intranet site.

We prefer to use the term quiet rooms rather than prayer rooms, to ensure inclusion for all staff. The Department holds information on 12 dedicated prayer rooms or quiet rooms. However first aid rooms, which can be used as quiet rooms, are available in all locations.

Departmental guidance on The Employment and Equality (Religion or Belief) Regulations 2003 includes a section regarding religious observance in the workplace and is available to our staff via the departmental intranet site.

Funding Allocation Formula

Ms Buck: To ask the Secretary of State for Work and Pensions which funding streams have been allocated by his Department using a funding formula which includes rankings or scores on the Index of Multiple Deprivation 2000; and if he will list the amount of funding allocated in such a way *(a)* nationally by the Department and *(b)* to all Government sponsored bodies reporting to the Department. [191530]

Jane Kennedy: The Department does not allocate any funding using the Index of Multiple Deprivation 2000. However, the index is considered, alongside a range of factors, when determining where to place initiatives such as Working Neighbourhoods Pilot and Action Teams for Jobs. These factors can include measures such as the proportion of the population in receipt of benefits, potential conflict with other programmes and geographical spread.

Health Projects

Paul Holmes: To ask the Secretary of State for Work and Pensions what feedback his Department has received on the progress of the Engaging Physicians, Benefiting Patients pilot; and if he will make a statement. [193259]

Maria Eagle: Data capture for the Engaging Physicians, Benefiting Patients pilot and qualitative research with general practitioners is still continuing. An interim report is due by the end of this year, and the full evaluation report is scheduled for spring 2005.

Incapacity Benefit

Mr. Goodman: To ask the Secretary of State for Work and Pensions what percentage of incapacity benefit claimants have undergone a medical examination in each year since 1990. [193596]

Maria Eagle *[holding answer 25 October 2004]:* Information on the percentage of incapacity benefit (IB) recipients who have undergone a medical examination is not available. This is because IB case-load data are based on a snapshot while the examination data are cumulative. The available information is in the table.

Incapacity benefit recipients who have undergone medical examinations

Period	*Examinations performed*
September 1999 to August 2000	397,284
September 2000 to August 2001	402,302
September 2001 to August 2002	509,831
September 2002 to August 2003	524,894
September 2003 to August 2004	467,256

Note:
Information on the number of examinations performed is available only from September 1999.
Source:
Medical Services Management Information Reports

Jobcentre Plus

Mr. Michael Foster: To ask the Secretary of State for Work and Pensions how many Jobcentre Plus flexible service delivery sites are based in higher education institutions. [191978]

Jane Kennedy: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to my hon. Friend.

Letter from David Anderson to Mr. Michael Foster, dated 26 October 2004:

> The Secretary of State has asked me to reply to your question regarding how many Jobcentre Plus Flexible Service Delivery sites are based in higher education institutions. This is something which falls within the responsibilities delegated to me as Chief Executive of Jobcentre Plus.
>
> There is currently one Flexible Service Delivery site based in a higher education institution:
>
> University College Worcester, Henwick Grove, Worcester, WR2 6AJ
>
> I hope this is helpful.

Pathway Pilots

Mr. Goodman: To ask the Secretary of State for Work and Pensions how many people have gained work after entering the Pathway Pilots; and how many remained in work after 13 weeks. [193843]

Maria Eagle: We are already starting to see very encouraging signs of an increase in off-flow rates from incapacity benefit in the first three Pathways to Work pilot areas.

We estimate that, up to the end of July 2004, over 5,000 people had been helped into work as a result of entering the Pathways to Work pilots. This number represents those directly supported by the new reform programme and is double that achieved at the same time last year in those areas. The rate of improvement in Pathways areas is twice that of the rest of the country.

Information is not yet available on the number of people remaining in work after 13 weeks.

CONSTITUTIONAL AFFAIRS

Information Commissioner

25. **Mr. Sarwar:** To ask the Parliamentary Under Secretary of State Department for Constitutional Affairs if he will bring forward proposals to include Network Rail within the statutory responsibilities of the Information Commissioner. [193534]

Mr. Lammy: Network Rail is not presently subject to the Freedom of Information Act. However, Network Rail is required to provide information to the Office of Rail Regulation about its public functions. The Office of Rail Regulation is subject to the Act, and the hon. Member will be free to approach them.

Witness/Victim Evidence

26. **Dr. Naysmith**: To ask the Parliamentary Under Secretary of State Department for Constitutional Affairs what measures the Department is investigating to encourage witnesses and victims to come forward and give evidence in court. [193535]

Mr. Leslie: The Government are determined to deliver improved services to victims and witnesses in the Criminal Justice System in a variety of ways. For example, the Domestic Violence, Crime and Victims Bill with its Commons Report Stage on 27 October 2004, contains a range of measures aimed at encouraging more witnesses to come to court and give evidence.

Equality and Human Rights Commission

27. **Miss Begg**: To ask the Parliamentary Under Secretary of State Department for Constitutional Affairs if he will make a statement on the proposals for a commission for equality and human rights. [193536]

Mr. Lammy: The proposals for a Commission for Equality and Human Rights were made in the White Paper "Fairness for All" on 12 May 2004. The Government hopes to legislate soon on this subject.

House of Lords

28. **Chris Bryant**: To ask the Parliamentary Under Secretary of State Department for Constitutional Affairs if he will make a statement on the future composition of the House of Lords. [193537]

Mr. Leslie: The Government are determined to proceed with further reform of the House of Lords. It is important to consider its proper role and functions before looking at questions of composition. Policy will be developed in the context of the Labour party manifesto.

Legal Aid

29. **Mr. Jim Cunningham**: To ask the Parliamentary Under Secretary of State Department for Constitutional Affairs how much the Department spent on independent research into the operation of the legal aid system in the last year for which figures are available. [193538]

Mr. Lammy: The Department spent a total of £450, 530.75 on independent research into the legal aid system in 2003–04. Some £237,895.47 was paid to Frontier Economics Ltd. for reports on the economics of the legal aid market. £212,635.28 was spent on the Independent Review of the Community Legal Service, undertaken by

Matrix Research and Consultancy Ltd. The legal aid system is also considered as part of much wider studies, such as the "Clementi" Review.

Domestic Violence

30. **Mr. Chaytor**: To ask the Parliamentary Under Secretary of State Department for Constitutional Affairs if he will make a statement on the availability of legal aid in domestic violence cases. [193539]

Mr. Lammy: Domestic violence proceedings are a priority area for legal aid funding. The Legal Services Commission's Funding Code Criteria for funding domestic violence cases are wider than for most other family and non-family areas. Those who need financial assistance with their legal costs are able to obtain legal aid to go to court.

Judiciary

31. **Julie Morgan:** To ask the Parliamentary Secretary, Department for Constitutional Affairs what plans the Department has to make the judiciary more representative of the general public. [193540]

Mr. Leslie: We published a consultation paper entitled "Increasing Diversity in the Judiciary" on 13 October. The paper invites views on how to widen the pool from which applicants for judicial appointment are drawn, while maintaining the principle that merit must remain the sole criterion on which judicial appointments are made. The results of the consultation exercise and a programme for change will be announced next spring.

Money Claim Online

32. **Mr. Soley:** To ask the Parliamentary Secretary, Department for Constitutional Affairs whether the Secretary of State's plans to extend the operation of Money Claim Online. [193541]

Mr. Lammy: Since the successful introduction of Money Claim Online in February 2002, I am pleased to say that it has been extended to enable defendants and their representatives to file electronically a response to a claim and to view an electronic record of the progress of a claim. While there are currently no plans to further extend its operation, we continue to meet with stakeholders such as the Law Society who are keen to see the service extended.

Civil Legal Aid

Simon Hughes: To ask the Parliamentary Secretary, Department for Constitutional Affairs what percentage of civil cases in England and Wales were legally assisted in *(a)* 1980, *(b)* 1990, *(c)* 2000 and *(d)* 2003. [193531]

Mr. Lammy: The number of civil legal aid certificates issued for representation in the civil courts rounded to the nearest thousand, was as follows:

	Number
1979–80	192,000
1989–90	391,000
1999–2000	246,000
2002–03	164,000

It is impossible to say what percentage of total civil cases this represents, since no record is kept of civil cases which do not go to court.

The reduction in the number of publicly funded cases in the final year is due to the reforms introduced by the Access to Justice Act which introduced a more rigorous merits test and made personal injury and other money claims a matter for the private sector.

Mr. Grieve: To ask the Parliamentary Secretary, Department for Constitutional Affairs what level of equity in a main dwelling the Government assesses as sufficient to deny a person the benefit of civil legal aid in the absence of any other capital assets or income. [194033]

Mr. Lammy: I refer the hon. Member to the answer I gave to his question on 7 September 2004, *Official Report*, column 1052W. The responses are currently being analysed and the Government will announce the way forward on this and the other proposals detailed in the consultation paper, in due course.

New Deal

Dr. Julian Lewis: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many personnel the Department has recruited under the New Deal in each of the past five years. [194030]

Mr. Lammy: I refer the hon. Member to the answer given by my hon. Friend the Minister of State for the Cabinet Office on 25 October.

Tsar Appointments

Mr. Goodman: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many tsars have been appointed with responsibilities which cover part of the work of his Department; and if he will make a statement. [191929]

Mr. Lammy: No tsars have been appointed within the Department for Constitutional Affairs.

HEALTH

Alzheimer's Disease

Simon Hughes: To ask the Secretary of State for Health what measures have been taken to assist carers of patients with advanced Alzheimer's disease in North Southwark and Bermondsey. [193956]

Dr. Ladyman: All carers, including those caring for people with dementia, are entitled to an assessment to determine their needs as carers and eligibility for support. The new Carers (Equal Opportunities) Act 2004 introduces new provisions that will ensure that carers are made aware of this right.

The carers grant, worth £125 million this year, provides money for local councils to provide short breaks and services to carers to enable them to continue in their caring role. Carers are also entitled to cash payments for carers' services to enable them to purchase the type of support they require and promote a better quality of life.

The Department has also revised and updated, "Who cares? Information and support for the carers of confused people." At a local level, a range of services exist to support carers of patients with Alzheimer's disease or dementia. Southwark Carers provide funding for breaks, travel cost support, counselling provision and advice, which includes welfare rights support, and housing issues. They also run a taxi scheme.

In addition, carers who are in need of help or support, can access secondary mental health services directly via the North Southwark Community Mental Health Team for Older Adults. This ranges from informal advice and support, direct work with carers to enhance their understanding of dementia and caring abilities and access to specialist psychiatric and medical advice when required.

Simon Hughes: To ask the Secretary of State for Health how many Alzheimer's disease patients are being treated by primary care trusts in North Southwark and Bermondsey. [193958]

Dr. Ladyman: The information requested is not held centrally.

Simon Hughes: To ask the Secretary of State for Health how much was spent by the NHS on drug treatments for advanced Alzheimer's disease patients in North Southwark and Bermondsey in each year since 1997. [193959]

Dr. Ladyman: The Medicines and Healthcare products Regulatory Agency (MHRA), on behalf of the Licensing Authority, grants marketing authorisations for medicinal products provided that satisfactory quality, safety and efficacy data have been submitted for the medicinal product for use in the proposed indication and that the risk benefit is deemed favourable. According to the MHRA records, there is one licensed product, Ebixa (memantine hydrochloride), which is indicated for the treatment of moderately severe to severe Alzheimer's disease.

Information on Ebixa dispensed at primary care trust (PCT) and strategic health authority level is not publicly available, due to the small numbers involved. However, it is known that Ebixa was dispensed in the community within Southwark PCT in 2002–03.

Simon Hughes: To ask the Secretary of State for Health what assessment his Department has made of the availability of drugs for patients with moderately severe to severe Alzheimer's disease in North Southwark and Bermondsey. [193960]

Dr. Ladyman: The Department has made no assessment. It is for primary care trusts, in conjunction with strategic health authorities, to ensure that services meet local needs.

Anti-cancer Drugs

Dame Marion Roe: To ask the Secretary of State for Health what progress the strategic health authorities have made in the execution of their responsibilities in respect of the take-up of new anti-cancer drugs authorised by the National Institute for Clinical Excellence. [193067]

Miss Melanie Johnson: The national cancer director's report on the uptake of cancer drugs approved by the National Institute for Clinical Excellence was published on 14 June 2004. Strategic health authorities were asked to consider the findings and develop robust plans setting out action they intend to take for those drugs where uptake was significantly below the national average. The deadline for submitting plans was 30 September. All plans have been received and are currently being considered.

Breast Cancer

Hugh Bayley: To ask the Secretary of State for Health what percentage of women diagnosed with breast cancer were treated within 31 days in *(a)* 1997 and *(b)* the last year for which figures are available. [191241]

Miss Melanie Johnson: Data on waiting times from diagnosis to treatment of breast cancer were not collected centrally in 1997. A maximum wait of one month from diagnosis to treatment for breast cancer was introduced in 2001. Performance data for the whole period collected are shown in the table.

	Quarter	*Total patients treated*	*Patients treated within one month*	*Percentage of patients treated within one month*
2001–02	4	6,315	5,950	94.2
2002–03	1	6,496	6,133	94.4
2002–03	2	7,023	6,642	94.6
2002–03	3	6,941	6,695	96.5
2002–03	4	7,320	7,048	96.3
2003–04	1	7,630	7,395	96.9
2003–04	2	7,808	7,626	97.7
2003–04	3	7,961	7,798	98.0
2003–04	4	7,758	7,507	96.8

Chemical Exposure

Mr. Godsiff: To ask the Secretary of State for Health what steps he is taking to *(a)* monitor and *(b)* reduce exposure to (i) biocumulative chemicals and (ii) hormone and endocrine disrupting chemicals. [191336]

Miss Melanie Johnson: With regard to reducing human and environmental exposure to chemicals identified as of potential risk, the United Kingdom Government have for some time recognised the need to develop a fast, efficient and workable process for testing, screening and tackling those of most concern first, while minimising animal testing. To this end, the Government strongly supports the proposals by the European Commission for a new system to gather hazard information, assess risks, classify, label, and restrict the marketing and use of individual chemicals and mixtures. This is known as REACH—registration, evaluation and authorisation of chemicals.

In the REACH negotiations, led by the Department for Environment, Food and Rural Affairs, the Government supports the aim of the authorisation process to ensure that the risks from substances of high concern are properly controlled and that these substances are eventually replaced by suitable substances or technologies, with the aim of reducing risks to human health and the environment. The Government also supports the inclusion in REACH, of persistent, bioaccumulative and toxic chemicals, very persistent and very bioaccumulative chemicals and substances of equivalent concern, such as endocrine, also known as hormone disrupters, when scientifically validated test methods have been developed and criteria established.

The Department also considers the potential effect of endocrine disrupting natural substances in the diet and has provided, for example, advice on soy-based infant formula as a result of an extensive review of oestrogen-like compounds in plants by its expert committee (published in May 2003).

Children's Hospices

Mr. Llwyd: To ask the Secretary of State for Health when he last met interested groups to discuss core funding for hospices for children; and if he will make a statement. [192221]

Dr. Ladyman: I met with representatives of the Association of Children's Hospices and the Association for Children with Life Threatening Illnesses on 21 July 2004.

Children's hospice services are funded from a number of sources, including services commissioned by primary care trusts (PCTs) based on their assessment of the needs of their child population and their priorities. It is for children's hospices to enter into a dialogue with their local PCT, or the lead commissioning PCT where a hospice serves a wide area, who may seek to place a child with them and so establish the level of demand for their services.

The disabled child module of the children's national service framework, which was published on 15 September, acknowledged the importance of palliative care services for children and recommended that high quality palliative care services should be available for all children and young people who need them.

The funding of children's hospices in Wales is a matter for the Welsh Assembly.

Dentistry

Shona McIsaac: To ask the Secretary of State for Health how much funding has been allocated to *(a)* North East Lincolnshire Primary Care Trust and *(b)* North Lincolnshire Primary Care Trust for dental services in the past two years. [193499]

Miss Melanie Johnson *[holding answer 25 October 2004]:* Expenditure in dentistry in North East Lincolnshire Primary Care Trust (PCT) and North Lincolnshire PCT areas for general dental services (CDS) in 2002–03 and 2003–04 is shown in the table. Net expenditure is after deductions of patient charges.

GDS expenditure in North East Lincolnshire PCT and North Lincolnshire PCT areas for 2002–03 and 2003–04

£ million

PCT	2002–03		2003–04	
	Gross	Net	Gross	Net
North East Lincolnshire	5.0	3.5	4.9	3.5
North Lincolnshire	4.1	2.7	4.3	2.9

Source:

Dental Practice Board.

GDS expenditure is made up of GDS fee payments plus other costs. These other costs comprise: commitment payments; seniority payment; maternity, paternity and adoptive pay; long-term sick pay; continuing professional development allowance (CPDA); CPDA travel hours; business rates; training grant; clinical audit convenor, clinical audit secretarial support, clinical audit travel expenses, clinical audit payment and vocational dental practitioner salary and national insurance contributions. Some other PCT payments have also been included.

Shona McIsaac: To ask the Secretary of State for Health how many dentists there were in *(a)* North East Lincolnshire Primary Care Trust, *(b)* North Lincolnshire Primary Care Trust and *(c)* Lincolnshire Primary Care Trust in each year since 1997. [193500]

Miss Melanie Johnson *[holding answer 25 October 2004]:* The number of general and personal dental service dentists in the North and East Lincolnshire area by primary care trust (PCT) at September each year from 1997 to 2004 is shown in the table.

Number of general and personal service dentists at September each year

PCT	1997	1998	1999	2000	2001	2002	2003	2004
North East Lincolnshire	46	46	50	54	51	50	48	49
North Lincolnshire	35	36	40	42	44	40	44	43
East Lincolnshire	61	65	71	73	79	81	82	81

Source:

Dental Practice Board

Dentists are counted in each PCT in which they practise.

PCTs were established in 2002 and therefore the areas have been defined using practice postcodes within the existing PCTs.

Tom Brake: To ask the Secretary of State for Health how many patients were registered with an NHS dentist in Sutton and Merton Primary Care Trust in each year since 1997. [192938]

Dr. Ladyman: The number of registrations in the general dental service for the Sutton and Merton Primary Care Trust (PCT) area at September 1997 to 2004, is shown in the table.

General dental service: number of adult and child registrations in the Sutton and Merton PCT area at September each year, 1997 to 2004

September each year	*Adult and child registrations (thousand)*
1997	173.6
1998	147.8
1999	151.8
2000	148.5
2001	155.4
2002	146.2
2003	159.1
2004	156.1

Notes:

1. The high registration figure for 1997 reflects the 24-month registration period. For 1998 onwards, the figures reflect a 15-month registration period.
2. Registration numbers are live registrations on the Dental Practice Board's computer at the end of the month.
3. Sutton and Merton PCT was established in 2002. Registrations are based on contract postcodes within the Sutton and Merton PCT area.

Source:

Dental Practice Board.

Doctors (Training Costs)

Mr. Burstow: To ask the Secretary of State for Health what the average cost of training a doctor was in the last period for which figures are available. [192792]

Mr. Hutton: In the period between entry to medical school and full registration, it is estimated that training a doctor costs between £200,000 and £250,000. Doctors generally continue training after full registration. As the duration and nature of post-registration training varies greatly, and as service and training costs are closely related, it is not possible to provide a meaningful estimate of the total cost of training.

EMIS System

Mrs. Anne Campbell: To ask the Secretary of State for Health what guidance he has given to general practitioners who do not wish to change clinical system under the National Programme for IT and who wish to carry on using the EMIS system. [192767]

Mr. Hutton: The Department's policy with regard to local choice about information technology (IT) provision remains as stated in the guidance agreed jointly with the British Medical Association. Each general practitioner practice should have a choice of more than one system so long as these have been accredited against national standards and can deliver the required functionality. Guidance published on the national programme for IT (NPfIT) website makes it clear that existing suppliers play an important role in current and future national health service IT service provision.

Local service providers have also been informed of the NPfIT position that GPs must not be forced to change system, and individual practices will continue to be supported where they have expressed a wish not to begin migrating in the short term to the preferred local system.

Glycogen Storage Disease

Mr. Boris Johnson: To ask the Secretary of State for Health how many recorded in-patient episodes of glycogen storage disease type one there have been in each year since 1989, broken down by primary care trust. [192663]

Miss Melanie Johnson: Counts of finished consultant episodes (FCEs) for glycogen storage disease by strategic health authority (SHA) of residence in England NHS hospitals for 1996–97 to 2002–03 are shown in the table. Comparable data prior to 1996–97 are not available centrally, nor is information giving counts of episodes specific to glycogen storage disease type one. It is not possible to provide figures by primary care trust due to the risk of breaching patient confidentiality.

Primary diagnosis (ICD-10 diagnosis code E74.0) glycogen storage disease, count of finished consultant episodes (FCEs) by strategic health authority of residence, NHS hospitals, England 1996–97 to 2002–03

	Strategic HA of residence	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Q01	Norfolk, Suffolk and Cambridgeshire HA	—	2	2	3	1	6	5
Q02	Bedfordshire and Hertfordshire HA	1	7	6	1	3	3	4
Q03	Essex HA	5	6	2	5	3	11	9
Q04	North West London HA	13	12	4	7	13	8	7
Q05	North Central London HA	4	3	3	3	5	1	4
Q06	North East London HA	7	6	5	8	1	1	—
Q07	South East London HA	—	3	4	—	1	1	—
Q08	South West London HA	—	4	8	8	3	3	4
Q09	Northumberland, Tyne and Wear HA	2	2	1	1	3	3	1
Q10	County Durham and Tees Valley HA	5	10	6	1	4	5	3
Q11	North And East Yorkshire and Northern Lincolnshire HA	—	—	—	—	—	—	5
Q12	West Yorkshire HA	6	10	9	8	10	8	12
Q13	Cumbria and Lancashire HA	10	11	11	13	12	13	16
Q14	Greater Manchester HA	3	4	11	6	6	8	5
Q15	Cheshire and Merseyside HA	5	3	3	—	9	4	5
Q16	Thames Valley HA	6	3	12	11	—	6	1

Primary diagnosis (ICD-10 diagnosis code E74.0) glycogen storage disease, count of finished consultant episodes (FCEs) by strategic health authority of residence, NHS hospitals, England 1996–97 to 2002–03

	Strategic HA of residence	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Q17	Hampshire and Isle of Wight HA	9	3	4	2	2	3	5
Q18	Kent and Medway HA	4	3	2	3	11	3	1
Q19	Surrey and Sussex HA	10	5	4	6	16	7	3
Q20	Avon, Gloucestershire and Wiltshire HA	5	2	2	3	3	2	—
Q21	South West Peninsula HA	6	—	6	2	1	5	2
Q22	Dorset And Somerset HA	3	4	4	4	2	1	1
Q23	South Yorkshire HA	7	—	3	2	3	2	7
Q24	Trent HA	12	2	7	7	14	14	16
Q25	Leicestershire, Northamptonshire and Rutland HA	1	—	1	1	—	—	—
Q26	Shropshire and Staffordshire HA	—	—	1	—	2	—	—
Q27	Birmingham and The Black Country HA	1	9	3	6	7	3	10
Q28	Coventry, Warwickshire, Herefordshire and Worcestershire HA	7	2	4	5	2	3	3
S	Scotland	—	—	1	—	1	—	1
W	Wales	2	5	2	1	3	4	3
X	Foreign (including Isle of Man and Channel Islands	2	3	1	1	—	6	1
Y	Unknown	2	3	—	3	5	—	1
	England, NHS hospitals	138	127	132	121	146	134	135

Notes:

1. *Diagnosis (primary diagnosis)*

The primary diagnosis is the first of up to 14 (seven prior to 2002–03) diagnosis fields in the Hospital Episode Statistics (HES) data set and provides the main reason why the patient was in hospital.

2. *Finished Consultant Episode (FCE)*

An FCE is defined as a period of admitted patient care under one consultant within one healthcare provider. Please note that the figures do not represent the number of patients, as a person may have more than one episode of care within the year.

3. *Grossing*

Figures are grossed for both coverage and missing/invalid clinical data, except for 2002–03, which are not yet adjusted for shortfalls.

Source:

Hospital Episode Statistics (HES), Department of Health.

Health Services (York)

Hugh Bayley: To ask the Secretary of State for Health how many patients have been treated at the NHS walk-in centre in York in each year since it opened. [191155]

Miss Melanie Johnson: Recorded attendances each year at York national health service walk-in centre since its opening on 24 April 2000 are shown in the table. However, the figures for 2002 are incomplete as data for July, October and November were not provided to the Department.

York NHS walk-in centre

	Number of attendances
2000	10,276
2001	27,241
2002	25,129
2003	39,027
2004 (To date)	28,985

Health Spending (Islington, North)

Jeremy Corbyn: To ask the Secretary of State for Health what the average per capita spending on *(a)* primary care, *(b)* mental health and *(c)* hospital care in Islington North constituency was in each year since 1996–97. [194009]

Dr. Ladyman: The information is not available in the format requested. Expenditure per weighted head of the population in the North Central London Strategic Health Authority (SHA) area, which includes the constituency of Islington North, has increased from £623.57 in 1997–98 to £1,190.39 in 2002–03. This does not represent the total expenditure per head, as an element of health expenditure cannot be identified by SHA area.

Hepatitis C

Mr. Luff: To ask the Secretary of State for Health (1) what assessment his Department has made of the treatment rates of hepatitis C; [193387]

(2) if he will make it his policy to conduct research on treatment rates for hepatitis C in other EU countries. [193388]

Miss Melanie Johnson: We do not collect information centrally on the number of patients receiving national health service treatment for hepatitis C. We are putting arrangements in place to improve access to treatments recommended by the National Institute for Clinical Excellence (NICE), including antiviral drug therapy for hepatitis C. This will include the provision of data on hospital prescribing of NICE-recommended drugs to allow strategic health authorities to compare their own treatment rates with the national distribution and to take any necessary action locally.

We have no current plans to conduct research on hepatitis C treatment rates in other European Union countries.

HER2

Dame Marion Roe: To ask the Secretary of State for Health (1) what assessment he has made of the uniformity of availability of human epidermal growth factor receptor 2 (HER 2) testing across the country;

and what steps he is taking to ensure that there is equitable provision of HER2 testing across the country; [193064]

(2) what measures are being put in place by his Department to ensure that the quality of human epidermal growth factor receptor 2 (HER2) testing is of a uniformly high standard across England; and what plans his Department has to collect data on HER2 testing; [193065]

(3) what plans his Department has in place for auditing and monitoring the uptake of human epidermal growth factor receptor 2 (HER2) testing. [193066]

Miss Melanie Johnson: The Department does not collect information about the availability or quality of testing for human epidermal growth factor receptor 2 (HER2) and has no plans to collect such data or audit and monitor the use of this test.

Influenza Vaccine

Mr. Burstow: To ask the Secretary of State for Health (1) if he will list the areas affected by the withdrawal of supply of Chiron influenza vaccines; [191500]

(2) what delays will occur in the influenza vaccination programme as a consequence of the Medicines and Healthcare Products Regulatory Agency announcement on the Chiron vaccines; [191501]

(3) whether there will be sufficient stocks of influenza vaccine in England to carry out the full vaccination programme this winter for *(a)* over 65s and *(b)* other at risk groups. [191502]

Miss Melanie Johnson: The Department has made available vaccine to surgeries most affected by the suspension of Chiron vaccines licence, from stock already purchased as part of our contingency measures.

General practitioners order supplies of vaccine from the supplier of their choice.

There are more doses of 'flu' vaccine available this year than ever before.

Mr. Burns: To ask the Secretary of State for Health (1) if he will make a statement on the adequacy of influenza vaccine supplies; [190810]

(2) what estimate he has made of the number of general practitioner clinics which *(a)* have had to and *(b)* will have to cancel immunisation clinics due to the shortage of influenza supplies; and if he will make a statement; [190811]

(3) how many influenza vaccines which were intended to be administered by early November he estimates will be delayed; [190812]

(4) what action he is taking to ensure adequate influenza vaccine supplies in all areas of the country this autumn and winter; and what support he is giving to *(a)* vaccination clinics and *(b)* general practitioner surgeries to assist them in finding new sources from which to acquire vaccines. [190814]

Miss Melanie Johnson *[holding answer 14 October 2004]*: There are more doses of 'flu' vaccine available this year than ever before.

To minimise the disruption to clinics, we made available vaccine to surgeries most affected by the suspension of Chiron vaccines licence from stock already purchased as part of our contingency measures.

General practitioners are not set targets to vaccinate patients at set times but arrange their influenza clinics, usually throughout October and November.

As soon as we were made aware of the problem, we made contingency arrangements with other suppliers to ensure that adequate stocks would be available to meet any shortfall and to minimise the impact any delay would have on the 'flu' programme.

We wrote to all 'flu' immunisation co-ordinators in England on 28 September, 5 October and 21 October asking them to ensure surgeries in their area were aware of the issue and with details of how and where additional stocks of vaccine can be sourced.

Intravenous Chemotherapy Suites

Dame Marion Roe: To ask the Secretary of State for Health if he will make a statement on the availability of IV chemotherapy suites; and what plans he has to increase their availability. [193063]

Miss Melanie Johnson: The Department does not collect information about the availability of intravenous chemotherapy suites.

The national cancer director is chairing a review of chemotherapy services to facilitate the development and delivery of high quality chemotherapy services. This will address issues such as chemotherapy facilities and the infrastructure needed to support them.

Maternity Services

Ms Drown: To ask the Secretary of State for Health (1) how many obstetricians have performed an external cephalic version in an NHS hospital in each of the last five years; [193276]

(2) what plans the Department has to promote wider use of external cephalic version by obstetricians. [193277]

Dr. Ladyman: Information on the number of obstetricians who have performed an external cephalic version in a national health service hospital in each of the last five years is not collected centrally.

In order to improve the safety and well being of mother and baby, the Department asked the National Institute for Clinical Excellence (NICE) to issue clinical guidelines on routine antenatal care. The guidelines, "antenatal care—routine care for the healthy pregnant woman", published in October 2003, recommend that all women who have an uncomplicated singleton breech pregnancy at 36 weeks of gestation should be offered external cephalic version. Exceptions include women in labour and women with a uterine scar or abnormality, fetal compromise, ruptured membranes, vaginal bleeding and medical conditions. Where it is not possible to schedule an appointment for external cephalic version at 37 weeks of gestation, it should be scheduled at 36 weeks.

Mr. Alan Campbell: To ask the Secretary of State for Health (1) what steps his Department is taking to improve the quality of maternity services; [193339]

(2) what funding his Department has made available for maternity services in the last five years; [193340]

(3) what steps his Department is taking to increase choice for mothers in maternity services. [193341]

Dr. Ladyman: The Department is committed to improving the quality of maternity services and extending choice in maternity services for all women.

Maternity services were included in the national consultation exercise "Choice, responsiveness and equity"—to improve patient and user experience in the National Health Service (NHS). The results of the consultation were published on 9 December 2003 in "Building on the Best: Choice, Responsiveness and Equality in the NHS".

On 15 September the Department published the children, young people and maternity services national service framework (NSF). The maternity module of the NSF looks at how to make maternity services more flexible, accessible and appropriate. The maternity module of the NSF builds on the work contained in "Building on the Best", including the emphasis on direct access to midwives and the development of birth plans.

The Department has worked with the organisation Dr. Foster to produce local "You're Pregnant" maternity guides, which were published on 22 December 2003. The guides give women and their families information about a range of maternity services in their area.

In addition to a 6.2 per cent. per annum increase in funding to primary care trusts over the last five years, specific funding has been allocated for maternity services. £100 million capital investment was made available over two years (2001–02 and 2002–03) to refurbish and modernise over 200 maternity units in England to improve the environment in which care is provided and better to meet the needs of women and their families. The £100 million was allocated on the basis of individual bids submitted by maternity units after consultation with local staff and users.

MRSA

Ms Drown: To ask the Secretary of State for Health (1) how many women contracted MRSA after giving birth in an NHS hospital in each of the last five years; [193274]

(2) how many women contracted MRSA after giving birth by Caesarean section in an NHS hospital in each of the last five years. [193275]

Miss Melanie Johnson: These data are not collected centrally.

Nick Harvey: To ask the Secretary of State for Health what he envisages the role of patient and public involvement forums will be in future, with regard to particular renewed efforts to control MRSA bloodstream infections and increasing hospital hygiene inspections; and if he will make a statement. [190029]

Miss Melanie Johnson: Patient forums have a statutory function to monitor the national health service from the patient perspective. Through this role, forums can contribute towards the raising of cleanliness standards in NHS premises. Forums are being invited to undertake cleanliness inspections and report their findings. Training will be provided to members of forums to ensure inspections are effective and consistent. Trust boards and their chief executive remain responsible for controlling methicillin resistant *staphylococcus aureus* bloodstream infections.

National Patient's Safety Agency

Mr. Burstow: To ask the Secretary of State for Health when the National Patient Safety Agency's reporting system will *(a)* begin to invite reports from the NHS and *(b)* publish information collected from reports on patient safety in the NHS; and if he will make a statement. [192740]

Mr. Hutton: The National Patient Safety Agency's (NPSA) national reporting and learning system is already receiving reports of patient safety incidents from the NHS.

The system was launched on 25 February 2004 and NHS organisations in England and Wales should be connected to it by the end of 2004.

The NPSA will publish a report that includes data from the national reporting and learning system set in the context of data from other sources, during 2005.

NHS Professionals

Mr. Norman: To ask the Secretary of State for Health (1) what the total value of outstanding invoices over 90 days old owed by NHS Professionals to private recruitment agencies has been in each quarter since its inception; [190486]

(2) how many placements for *(a)* doctors, *(b)* nurses and *(c)* corporate staff have been filled by NHS Professionals with (i) NHS Professionals staff and (ii) staff sourced from private recruitment agencies; and what the total value of placements was in each case. [190487]

Dr. Ladyman: The information is not collected centrally.

NHS Professionals meet the best payment practice in the NHS, which requires at least 95 per cent. of suppliers to be paid within 30 days. NHS Professionals has confirmed that it currently has no invoices for private sector agencies outstanding over 90 days.

NHS Staff

Keith Vaz: To ask the Secretary of State for Health what percentage of staff in the NHS are of each ethnic group. [193072]

Dr. Ladyman: The information requested is shown in the following table.

Hospital, public health medicine and community health services (HCHS): medical and dental staff and non medical staff by ethnic category[1]

Number (headcount) and percentage

England at 30 September 2003	*Number*	*Percentage*
All staff	1,144,697	n/a
All staff declaring ethnicity[2]	1,003,759	100
2001 population census ethnic classification categories		
All 2001 ethnic classifications	935,776	n/a
All 2001 ethnic classifications declaring ethnicity[2]	807,497	80.4
White	696,507	86.3
Black or black British	35,114	4.3
Asian or Asian British	48,251	6.0
Mixed	7,251	0.9
Chinese	4,435	0.5
Any other ethnic classification	15,939	2.0
Not stated	128,279	n/a
Earlier ethnic classification categories		
All earlier ethnic classifications	208,921	n/a
All earlier ethnic classifications declaring ethnicity[2]	196,262	19.6
White	175,131	89.2
Black	9,183	4.7
Asian	6,255	3.2
Any other ethnic classification	5,693	2.9
Not stated	12,659	n/a
All ethnic minority classifications[2]	132,121	13.2

n/a = Not applicable.

[1] From 1 April 2001, newly appointed staff have been asked to classify themselves using the ethnic categories listed in the 2001 population census. Existing staff will be reclassified over time but data returns currently include a mixture of 2001 categories and older information based on 1991 population census categories.

[2] Calculations based on staff whose ethnic category is known.

Source:

Department of Health medical and dental workforce census

Department of Health non-medical workforce census

Keith Vaz: To ask the Secretary of State for Health (1) what powers the newly-appointed NHS Equality and Human Rights Tsar will have to ensure that the NHS employs a fair number of people from all backgrounds; [193073]

(2) what the terms of reference of the NHS Equality and Human Rights Tsar are; what targets he is expected to meet; and what powers he will have to enforce his remit. [193074]

Dr. Ladyman: The role of the national director for equality and human rights, Mr. Surinder Sharma, is to promote the Government's equality and human rights agenda across the health and social care system, including taking forward the Department's action plan on leadership and race equality; act as the chief executive's advisor and champion in the national health service; and work in partnership across Government, with equality and human rights organisations and other key stakeholders, including health and social care inspectorates, and the new NHS employers organisations.

The director's brief is to deliver change at a national level, within the context of the NHS improvement plan, to help ensure health and social care services are available on an equitable basis and support the NHS in integrating equality and diversity into its corporate strategies and actions. Through this, the director will assist the Department and NHS in complying with their legal duties in relation to equality and human rights, and developing good practice, but he will not have legal enforcement powers.

Hugh Bayley: To ask the Secretary of State for Health what the average full-time equivalent gross pay of NHS *(a)* doctors, *(b)* nurses, *(c)* professions allied to medicine, *(d)* administrative and clerical staff and *(e)* ancillary staff in York was in each year since 1997. [192430]

Miss Melanie Johnson: The information requested is not held centrally.

NHS Wheelchair Services

Mr. Oaten: To ask the Secretary of State for Health if his Department will adopt the service standards developed by industry for NHS wheelchair services. [R][192864]

Dr. Ladyman: Local wheelchair services should develop their own policies and procedures in accordance with local need and in consultation with local stakeholders.

North Cheshire Hospital Trust

Helen Southworth: To ask the Secretary of State for Health (1) how many people have received treatment for *(a)* type I diabetes and *(b)* type II diabetes and associated conditions in North Cheshire Hospital Trust during the last 12 months; [193629]

(2) how many people have received treatment for coronary heart disease and associated conditions in North Cheshire Hospitals Trust during the last 12 months; [193630]

(3) how many people have received treatment for stroke and associated conditions in North Cheshire Hospitals Trust during the last 12 months. [193631]

Miss Melanie Johnson *[holding answer 25 October 2004]:* This information is not currently available. The hospital episode statistics (HES) data is held by the Department and provides information on admitted patient care for England. HES will publish data for the 2003–04 financial year alongside the national health service chief executive's report in December 2004.

Helen Southworth: To ask the Secretary of State for Health (1) how many people have received support from NHS dieticians in Warrington in the last 12 months; [193632]

(2) how many people with chronic pain have been referred to North Cheshire Hospital trust in the last 12 months; what services are available to them; and how many specialist staff, broken down by grade, are providing the services. [193645]

Miss Melanie Johnson *[holding answer 25 October 2004]:* The information requested is not held centrally.

Nurses

Mr. Gerald Howarth: To ask the Secretary of State for Health how many nurses have been trained in the UK in each year since the launch of the NHS plan in 2000; and how many he anticipates will be trained in the UK in each of the next 10 years. [193106]

Dr. Ladyman: Information on the number of students entering pre-registration training in England each year since 1999–2000, the NHS plan target baseline, is shown in the table.

Pre-registration nursing and midwifery training places

	Number
1999–2000	18,707
2000–01	20,021
2001–02	21,770
2002–03	22,956
2003–04	24,284

Source:
Quarterly Monitoring Returns.

The NHS plan target for increasing the number of training places for nurses has been achieved. Between 1999–2000 and 2003–04, the number of nurses and midwives entering training in England each year has increased by 5,577. Information on the number of training places anticipated in each of the next 10 years is not available, though latest figures for the current financial year show that there will be further increases.

Information for Wales, Scotland and Northern Ireland are matters for the devolved Administrations.

Nursing Homes (Variation Certificates)

Mr. Flook: To ask the Secretary of State for Health what the cost is of a variation certificate from the Commission for Social Care Inspection for a nursing home with *(a)* five beds increasing to six, *(b)* 10 beds increasing to 11, *(c)* 20 beds increasing to 22, *(d)* 40 beds increasing to 49 and *(e)* 50 beds increasing to 100; and what the equivalent costs were in (i) 2003 and (ii) 2002. [191148]

Dr. Ladyman: I understand from the chair of the Commission for Social Care Inspection that the fee for the increase in bed numbers set out in the Fees and Frequency of Inspection Regulations 2004 is £792. The cost in 2003 was £660 and in 2002 it was £550.

Mr. Flook: To ask the Secretary of State for Health what a variation certificate from the Commission for Social Care Inspection for a nursing home covers, that is not the responsibility of a local authority's planning and building control officer. [191167]

Dr. Ladyman: I understand from the chair of the Commission for Social Care Inspection (CSCI) that the CSCI will consider the suitability of the premises for the purposes of providing a care home and the adequacy of arrangements to provide the service, for example, staffing.

Mr. Flook: To ask the Secretary of State for Health what the longest period is that may elapse between inspections of a nursing home by the Commission for Social Care Inspection. [191180]

Dr. Ladyman: Care homes are required to be inspected by the Commission for Social Care Inspection (CSCI) a minimum of twice in the 12 month period from April to March. This means that the gap between inspections may be up to almost a year, but will typically average six months.

Prosthetics/Limb Replacement Courses

Mr. Lansley: To ask the Secretary of State for Health how many people attended publicly-funded specialist courses in prosthetics and limb replacement in each of the last 10 years; and how many of these are employed *(a)* in the UK and *(b)* by the NHS. [192739]

Mr. Hutton: The Department does not hold information on the number of people attending publicly funded specialist prosthetics and limb replacement courses in each of the last 10 years or on the number of prosthetists employed in the National health service in England.

Between 1996–97, the first year information is available, and 2003–04, the number of NHS funded training places for prosthetists and orthotists in England increased from 28 to 30.

Information for Wales, Scotland and Northern Ireland are matters for the devolved Administrations.

Resistant Bacteria (Pet Transmission)

Mr. Burstow: To ask the Secretary of State for Health what research has been undertaken by his Department into the risks of antibiotic resistant bacteria transmission from pets to their owners. [192784]

Miss Melanie Johnson: No projects on this specific topic are included in the Department's antimicrobial resistance research programme.

Sexual Health

Sandra Gidley: To ask the Secretary of State for Health whether he plans to implement the recommendation of the Independent Advisory Group for Sexual Health and HIV to abolish the VAT levy on condoms. [192368]

Dawn Primarolo: I have been asked to reply.

The Government keep all taxes under review and any changes are announced as part of the normal Budget process. However, under our agreements with our European partners, we are not able to extend our existing VAT zero rates or introduce any new ones.

Speech and Language Therapy Services

Tony Wright: To ask the Secretary of State for Health what assessment he has made of the implications for speech and language therapy services of 'Agenda for Change'. [192394]

Dr. Ladyman: 'Agenda for Change' will facilitate service modernisation for speech and language therapy services, like other services. It provides an employment framework that is fair, consistent and transparent across all national health service staff. It creates better links between career and pay progression and greater scope to create new kinds of jobs in the interests of providing better patient care. The new knowledge and skills framework, which is part of the new system, will ensure that all NHS staff will go through an annual development review, which includes appraisal, measured against a knowledge and skills framework outline for their role.

Stab Wounds

Mr. Nigel Jones: To ask the Secretary of State for Health how many people were treated for stab wounds in each year since 1997 for which figures are available; and if he will make a statement. [193042]

Miss Melanie Johnson: The Department's Hospital Episode Statistics data records admissions to hospitals of patients who have been injured by a sharp object including treatment for stab wounds. The number of admissions for this reason since 1997 are:

	Number
1997–98	3,908
1998–99	3,701
1999–2000	4,152
2000–01	4,351
2001–02	4,673
2002–03	4,218

Data on treatment in hospital accident and emergency departments, that does not result in hospital admission, are not held centrally.

Vulnerable Adults List

Mrs. Curtis-Thomas: To ask the Secretary of State for Health if he will make a statement on the operation of the protection of vulnerable adults list. [191899]

Dr. Ladyman: The Government are committed to tackling and cracking down on those who abuse vulnerable adults and has introduced on 23 July 2004, the protection of vulnerable adults (POVA) scheme. This scheme effectively bans people who have abused a vulnerable adult in their care from ever working in a care position again.

The scheme places a statutory duty on care providers to check whether a potential employee is on the POVA list before allowing them to work in a care position.

Currently, some 573 people have been referred for inclusion on the list. Of these, some 244 people have been provisionally listed and 14 people have been confirmed on the list. These figures include cross-referrals from the Protection of Children Act list.

I am aware, that there have been initial delays in issuing POVA First checks. I am pleased to say that there has been a significant improvement in criminal records bureau's performance, but there is still room for improvements and officials will be monitoring the situation.

The provisions of the POVA list are set out in Part VII of the Care Standards Act 2000 and will also be implemented in the national health service as soon as possible.

DEFENCE

Airborne Stand-off Radar

Mr. Gerald Howarth: To ask the Secretary of State for Defence (1) when he expects the Airborne Stand-Off Radar (ASTOR) to enter service; [193125]

(2) when he expects the engineering difficulties with the Airborne Stand-Off Radar (ASTOR) to be corrected; and what effect this will have on ASTOR's in-service date. [193126]

Mr. Ingram: We have been informed by the prime contractor for the ASTOR project of difficulties associated with development of the radar and their plans to resolve these. We await firmer schedule details from the company that we shall then subject to detailed risk analysis to enable us to make an informed judgement on any potential impact on ISD.

Armed Forces Recruitment

Mr. Rosindell: To ask the Secretary of State for Defence what the recruiting figures for the *(a)* Army, *(b)* Royal Air Force and *(c)* Royal Navy have been for each of the past 10 years. [191663]

Mr. Caplin: Figures for 'intake from civilian life' are available monthly in Tri-Service Publication 1 (TSP1), a copy of which is available in the Library of the House.

Chaplains

Mr. Steen: To ask the Secretary of State for Defence how many *(a)* chaplains and *(b)* vergers are employed and paid by his Department; and on what (i) terms and (ii) length of contract they are employed. [193954]

Mr. Caplin: The information is currently being collated and I will write to the hon Member when this is available. A copy of the answer will be placed in the Library of the House.

Combat Clothing

Mr. Watts: To ask the Secretary of State for Defence if he will make a statement on his Department's decision to purchase combat clothing from China. [192619]

Mr. Ingram: The Ministry of Defence is not directly purchasing combat clothing from China. The contract let in June 2004 for combat clothing and other items was awarded to a UK company. The selection of where manufacturing takes place is a commercial matter for the UK prime contractor.

Mr. Watts: To ask the Secretary of State for Defence what the financial benefits are of securing combat clothing from China. [192620]

Mr. Ingram: The Ministry of Defence is not directly purchasing combat clothing from China. The contract let in 2004 for combat clothing and other items was awarded to a United Kingdom company. Due to the variety of products being supplied under this contract there are a number of manufacturing sources including China, the UK and mainland Europe. The selection of these manufacturing countries is a commercial matter for the UK Prime Contractor. The current contract provides an estimated saving of £23 million over previous purchase arrangements.

Mr. Watts: To ask the Secretary of State for Defence for what reasons his Department has issued one contract for the purchase of all combat clothing. [192621]

Mr. Ingram: Since 2002 the Ministry of Defence's strategy has been to reduce the number of small contracts regularly placed for clothing. The aim was to award a longer term contract under a partnering arrangement that would introduce improvements in product and supply chain costs. Following competition, a contract was awarded in June 2004 for both combat and non-combat clothing manufactured by a cut and sewn method, and is expected to generate potential savings of £23 million compared to traditional procurement methods.

Mr. Watts: To ask the Secretary of State for Defence what assessment he has made of the possible impact on UK manufacturers of the decision to award the contract for combat clothing to China. [193165]

Mr. Ingram: The contract referred to has been awarded to a UK company, creating a small number of quality jobs and safeguarding approximately 40 other jobs. It is anticipated that further jobs will be created for UK staff during the life of the contract.

Consultants

Dr. Julian Lewis: To ask the Secretary of State for Defence how many consultancy firms or companies have been retained by the Department since June 2001; what the projects are for which each has been retained; and what the total is of the fees paid or incurred in each case. [193416]

Mr. Caplin: Summaries of the Ministry of Defence expenditure on External Assistance, of which consultancy is a part, are available in the Library of the Houses for the years 1995–96 to 2003–04.

Specific data on consultancy companies employed, the projects they were working on and the total fees paid or incurred in each case are not held centrally and could only be provided at a disproportionate cost.

Continuous Attitude Surveys

Mr. Keetch: To ask the Secretary of State for Defence when the last continuous attitude surveys in each service were *(a)* conducted and *(b)* completed; if he will place the questions asked in the Library; when he expects the next continuous attitude surveys in each service to be conducted; what plans he has to publish the armed forces continuous attitude surveys; and if he will make a statement. [192152]

Mr. Ingram *[holding answer18 October 2004]:* The last Royal Navy and Royal Marine attitude surveys were conducted in September 2004. The closing date for both surveys is 31 October 2004 with initial analysis being available in February/March 2005. The next attitude surveys for the Naval Service will be administered in September 2005.

The last Army attitude survey (SP6) was conducted in December 2003 and completed in August 2004. The seventh serving personnel survey (SP7) was conducted in June 2004 and is currently being analysed, with the eighth serving personnel survey scheduled to be conducted in December 2004.

The RAF Continuous General Attitude Survey is issued quarterly in February, May, August and November each year. The last survey was issued on 1 August 2004 and is not yet complete. The last survey for which complete data are available was issued on February 2004 and completed in April 2004. The next RAF Continuous General Attitude Survey is due to be issued to personnel on 1 November 2004. The statistical results from the four quarterly surveys conducted in 2004 will be aggregated into a single report and published, on a date yet to be agreed, in 2005.

I am today placing copies of the questions asked and responses made by service personnel in the continuous attitude surveys conducted in 2003 in the Library of House.

Cut and Sew Tender

Mr. Hoyle: To ask the Secretary of State for Defence who *(a)* the printer of the camouflage fabric and *(b)* the company making up the garments are for the Cut and Sew Tender DC4 BESL/1002. [190857]

Mr. Ingram: The prime contractor wishes to retain a business advantage and not publicly disclose his sub-contractors. The terms of the contract with the Ministry of Defence are commercial in confidence and I am therefore withholding the information requested under Exemption 7 of the Code of Practice on Access to Government Information.

Defence Export Services Organisation

Jeremy Corbyn: To ask the Secretary of State for Defence where the overseas offices of the Defence Export Services Organisation are situated; when each office was established; how many staff are employed; and what the cost of each was for *(a)* 2002–03 and *(b)* 2003–04. [192685]

Mr. Ingram: Defence Supply Secretaries employed by the Defence Export Services Organisation (DESO) have offices in the countries listed as follows. In addition, a post has been established in Romania this year. DESO staff are also employed in support of specific defence export projects in Saudi Arabia and Kuwait and their numbers are shown in the following table; costs of those offices are met by the customer Government and are withheld under Exemption 1b of the Code of Practice on Access to Government Information.

	Date established	*Staff*	*2002–03 cost (£000)*	*2003–04 cost (£000)*
FSDS Office				
Oman	2003	2	—	107
Chile	2003	1	—	[1]—
Japan	2003	1	—	[1]—
Kuwait	1988	3	245	288
Qatar	1998	1	128	98
UAE	1999	2	139	152
India	1984	5	152	233
South Korea	1988	3	461	203
Malaysia	1986	4.5	198	185
Greece	2000	2	125	132
Brunei	1995	2	101	118
Singapore	2001	2	210	158
Australia	1989	2	133	135
Turkey	1988	2	83	106
South Africa	2000	1	90	105

	Date established	Staff	2002–03 cost (£000)	2003–04 cost (£000)
Project office				
Kuwait	1993	3	[2]—	[2]—
Saudi Arabia	1987	56	[2]—	[2]—

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[1] Post created in 2003–04; part-year costs not available.

[2] Withheld.

Jeremy Corbyn: To ask the Secretary of State for Defence at which overseas exhibitions the Defence Export Services Organisation is organising a UK presence during 2004; and what the cost is in each case. [192686]

Mr. Ingram: The Defence Export Services Organisation (DESO) does not generally provide direct organisational support to UK industry attending overseas exhibitions. During 2004 the Defence Export Services Organisation has represented or will represent the Ministry of Defence in support of the UK Defence Industry at the following exhibitions. The cost is shown in each case:

Country	*Exhibition*	*Cost (£000)*
Australia	Pacific 2004	35
India	DEFEXPO	271
Singapore	Asian Aero	48
Chile	FIDAE	65
Malaysia	DSA	46
Jordan	SOFEX	183
Sweden	CBW	42
South Africa	Africa Aero and Def	107
Greece	Defendory	45
Japan	Japan Aerospace	37
USA	AUSA	128
Chile	EXPONAVAL	39
EEZ area	Gulf Maritime	3

Defence Support Vehicle

Mr. Gerald Howarth: To ask the Secretary of State for Defence pursuant to the letter of 12 October from the Lord Bach to the hon. Member for Aldershot, how many jobs will be created in the United Kingdom by the award of the Defence Support Vehicle Preferred Bidder Status to MAN ERF UK Ltd.; and how many jobs would have been created under each of the other bids. [192370]

Mr. Ingram: All the bidders in the support vehicle competition responded to the invitation to make proposals for industrial participation which were assessed by both the Ministry of Defence and the Department of Trade and Industry. The proposal tendered by the preferred bidder, MAN ERF UK Ltd., for the support vehicle demonstration and manufacturing phase, will create and sustain hundreds of new and existing jobs across the United Kingdom, many of which will be located in a number of small and medium sized enterprises. Bids from the other participating bidders also involved significant numbers of jobs in the UK, although none offered more than the MAN ERF UK Ltd. bid. However, the detail on numbers and locations of jobs is a matter for the companies.

EU Council of Ministers

Sue Doughty: To ask the Secretary of State for Defence (1) if he will make a Written Ministerial Statement outlining the key points on the agenda for each of the Council of Ministers' meetings at which his Department is represented in advance of each meeting; [188200]

(2) if he will make a Written Ministerial Statement outlining for each meeting of the Council of Ministers at which his Department is represented as soon as is practicable following that meeting *(a)* the key items of discussion, *(b)* the positions of the Government on those items, *(c)* the key positions taken by other member states that Ministers consider should be noted by hon. Members and *(d)* any preliminary discussion on the timing and the agenda of the following meeting. [188201]

Mr. Caplin: I refer the hon. Member to the answer given on 13 September 2004, *Official Report,* column 1451W by my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs (Mr. Straw).

Future Rapid Effects System

Ann Winterton: To ask the Secretary of State for Defence what the annual financial commitment is to the Future Rapid Effects System under the 2004 Spending Review. [191859]

Mr. Ingram: The Ministry of Defence's financial commitment to the Future Rapid Effects System (FRES) programme is limited to the initial Assessment Phase. It is estimated that the Assessment Phase will cost £113 million and is scheduled to last for two years.

Studies planned for the Assessment Phase will consider options to meet the requirement and only when these studies have been reported will we be in a position to accurately determine the programme's total procurement cost and future funding profile.

Mr. Gerald Howarth: To ask the Secretary of State for Defence when he expects the Technology Demonstrator Programmes for the systems and sub-systems of the Future Rapid Effects System to be completed. [193123]

Mr. Ingram: Detailed schedules for the Technology Demonstrator Programmes (TDPs) have yet to be finalised.

Mr. Gerald Howarth: To ask the Secretary of State for Defence when he expects to award the Technology Demonstrator Programmes Contracts for the systems and sub-systems of the Future Rapid Effects System; and what he estimates the costs of the programmes to be. [193124]

Mr. Ingram: The Ministry of Defence is considering options for taking forward the Technology Demonstrator Programmes (TDPs). We expect the first contracts to be in place in the first quarter of 2005 and although acquisition costs are yet to be established, the total cost of the TDPs are expected to be in the region of £85 million.

Nuclear Materials

Llew Smith: To ask the Secretary of State for Defence whether test exercises involving force-on-force simulated attacks are conducted to evaluate the robustness of the design basis threat assessment made for nuclear materials in transit within the United Kingdom. [190697]

Mr. Ingram: Periodic exercises are undertaken to test the ability of the nuclear convoy to resist an armed attack in line with the postulated threat.

Llew Smith: To ask the Secretary of State for Defence whether military vehicles carrying nuclear materials are subject to the convention on the physical protection of nuclear material, INFCIRC/274/REV.1 and subsequent revisions. [190698]

Mr. Ingram: Stringent security and protection standards are applied by the Ministry of Defence whenever United Kingdom Defence Nuclear materials are used, stored and transported. These security standards are compatible with IAEA INFCIRC/274.

Llew Smith: To ask the Secretary of State for Defence how many vehicles deployed for the movement of *(a)* nuclear weapons and *(b)* nuclear materials to and from the atomic weapons establishments at (i) Aldermaston and (ii) Burghfield or in exercises relating thereto have been involved in road traffic (A) incidents and (B) offences, since September 2003, broken down by (1) date and (2) circumstances of the incident; what risk assessment was carried out in each case; whether these assessments are made publicly available; and whether there are outstanding claims from third parties arising from such incidents. [190699]

Mr. Ingram: There have been no reported road traffic accidents or incidents in the period since September 2003 involving nuclear weapon/nuclear material convoy vehicles. There have been a number of incidents involving anti-nuclear protestor activity in the vicinity of Ministry of Defence nuclear weapon/nuclear material convoy vehicles, one of which has resulted in a protester being charged with road traffic offences by the Ministry of Defence Police. All convoy movements are assessed in advance to ensure that they are safe and secure, in line with Health and Safety guidelines. A Risk Assessment is carried out by the MDP on completion of every task and any necessary amendments published formally within MOD. This information is not made available to the public as disclosure could potentially be of assistance to terrorists or others who may wish to attack the convoy with a view to endangering security and defence interests and the lives of civilian and service personnel. One MOD claim remains outstanding against a protester. No claims are outstanding against the MOD.

RAF Operational Evaluation Unit

Mr. Martyn Jones: To ask the Secretary of State for Defence if he will make a statement on progress on the work of the Royal Air Force's Fast Jet and Weapons Operational Evaluation Unit. [193913]

Mr. Ingram: The Fast Jet and Weapons Operational Evaluation Unit became operational in April 2004. The unit operates out of facilities at RAF Coningsby.

NORTHERN IRELAND

Environment Agency

Lady Hermon: To ask the Secretary of State for Northern Ireland what discussions he has had with representatives of the Environment Agency for England and Wales on the establishment of a parallel agency in Northern Ireland; and what research he has undertaken on the matter. [193362]

Angela Smith: There have been no discussions on these matters with the Environment Agency whose remit is limited to England and Wales.

Prior to the establishment in 1996 of the Environment and Heritage Service as an agency within the Department of the Environment, a full study of the options for environmental protection was carried out. More recently a coalition of environmental NGOs commissioned Professor Richard Macrory to carry out a study of the options for environmental governance and his report was published in May 2004.

Lady Hermon: To ask the Secretary of State for Northern Ireland what assessment he has made of the merits of establishing an environment agency in Northern Ireland; and if he will make a statement. [193363]

Angela Smith: All the various options for delivering environmental protection were considered before the Government decided to establish the Environment and Heritage Service (EHS), as an executive agency within the Department of the Environment, in 1996.

I am aware that, during a public consultation carried out by a coalition of NGOs earlier this year, a majority of those who responded favoured the establishment of an environmental authority, structured as a non-departmental public body, to take over delivery of the services currently provided by EHS. The coalition has not yet presented its own recommendations on the way forward but I am due to meet its representatives on 2 November and I will, of course, consider any recommendations which they may present.

Influenza Vaccination

Lady Hermon: To ask the Secretary of State for Northern Ireland what steps he is taking to ensure all those eligible for an influenza vaccination on the NHS in Northern Ireland receive one. [193365]

Angela Smith: On 16 September the Department was alerted to a problem involving Chiron, the manufacturer who was to provide the bulk of vaccine supply to Northern Ireland for this year's influenza immunisation programme. In view of the potential risk to public health, the Chief Medical Officer took a decision that the Department should intervene to procure alternative supplies. In liaison with the Department of Health in England and other UK Health Departments, officials have sought, therefore, to obtain vaccine supplies from manufacturers other than Chiron. As a result, by 20 October, 200,000 doses of vaccines had arrived in Northern Ireland, this in addition to 70,000 which GPs and Community Pharmacists had obtained earlier through the normal channels. A further 50,000 more than enough to cover all the at risk groups, are expected to arrive no later than 1 November.

GPs and Community Pharmacists have been kept fully informed by the Department of the arrival details of the vaccines into the Province to allow them to plan their flu clinics.

Magilligan-Greencastle Ferry

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland how many fare-paying passengers from *(a)* Northern Ireland and *(b)* the Republic of Ireland have used the Magilligan-Greencastle Ferry in the past 12 months. [193643]

Mr. Spellar: Between 20 October 2003 and 19 October 2004, 288,670 passengers used the Magilligan-Greencastle Ferry. A record of the place of departure of passengers was not kept during this period.

Mental Health Services

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what the public spending on mental health services was per head of population in each health board area in the Province in each of the last five years. [193726]

Angela Smith: The information requested is as follows:

Expenditure per head of population on mental health services in health and social services board areas

£ per head

Year ended March:	*EHSSB*	*NHSSB*	*SHSSB*	*WHSSB*
1999	61	56	56	81
2000	64	61	61	85
2001	75	64	61	90
2002	78	66	74	90
2003	86	75	77	92

Peace II

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what steps the Office of the Northern Ireland Executive in Brussels took to find a representative from victims wounded or left bereaved by IRA terrorists at its recent event entitled Building Peace and Reconciliation—delivering a unique EU programme. [193635]

Mr. Pearson: The seminar on the PEACE II Programme, held in the Office of the Northern Ireland Executive, Brussels on 29 September, was jointly organised by that Office, the Department of Finance and Personnel, the Special EU Programmes Body and the Irish Regions Office in Brussels. No steps were taken to obtain a representative from victims wounded or left bereaved by IRA terrorists. This was essentially a technical seminar, designed to show to a European audience how the EU PEACE II Programme was being implemented. The seminar included a presentation on an ex-prisoners project with a cross-community dimension which had benefited from the Programme. The organisers regret that the platform presentations did not encompass a wider range of projects supported under the PEACE II Programme.

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what steps the Office of the Northern Ireland Executive in Brussels took to find a representative from the majority community in Northern Ireland at its recent event entitled Building Peace and Reconciliation—delivering a unique EU programme. [193636]

Mr. Pearson: This event was an essentially technical seminar and no attempt was made to obtain representatives from particular sections of the Northern Ireland community. The audience included people from all Northern Ireland community backgrounds and people from across Europe. Platform speakers were officials involved at various levels in the implementation of the PEACE II Programme, with the exception of *(a)* a spokesman for a funded project which undertakes cross-community work with ex-prisoners; and *(b)* a Northern Ireland Member of the Committee of the Regions, which had originated the overall programme of seminars in Brussels regional offices, of which this event was pa[illegible]

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland how much the Office of the Northern Ireland Executive in Brussels spent in holding the event entitled Building Peace and Reconciliation—delivering a unique EU programme. [193637]

Mr. Pearson: The cost of this event to the Office of the Northern Ireland Executive, Brussels was €1257 (£867 approximately).

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland how much funding was awarded by the Department of Agriculture and Rural Development through PEACE II to the point to point steeplechases meeting held at Necarne Equestrian Centre, Irvinestown, County Fermanagh on 8 May; and under what measure number this money was awarded. [193575]

Mr. Pearson: Peace II funding of in total of up to £20,685 has been awarded for the point-to-point steeplechase meeting held at Necarne Equestrian Centre, Irvinestown, Co. Fermanagh on 8 May 2004. This funding is spread over a three year period under the Natural Resource Rural Tourism Initiative, Measure 4.2b—Outward and Forward Looking Tourism—enhancing the region as a tourist destination.

The award will enable the promotion of a 3-year marketing campaign to increase visitor numbers to the event in an effort to ensure the long term sustainability of the point-to-point steeplechase meeting and help to increase tourism spend in the county.

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland when the application was made to the Department of Agriculture and Rural Development for

PEACE II funding for the point to point steeplechases meeting held at Necarne Equestrian Centre, Irvinestown, County Fermanagh on 8 May. [193576]

Mr. Pearson: The application was made on 27 June 2003.

Prisoners (Women)

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland what changes are planned in the *(a)* facilities offered to and *(b)* treatment of female prisoners in Northern Ireland in response to the report from the Northern Ireland Human Rights Commission in October 2004. [193639]

Mr. Pearson: Prior to the publication of the report from the Northern Ireland Human Rights Commission the Northern Ireland Prison Service recognised the shortcomings of the regime for female prisoners in Mourne House, Maghaberry and transferred female prisoners to Hydebank Wood.

Female prisoners have access to a full range of education and recreational programmes, chaplains and religious worship. Time out of their cells is maximised and twenty four hour access to sanitation facilities is available.

The staff gender imbalance was addressed through the appointment of female managers and officers resulting in a 70/30 per cent. balance of female to male staff.

The Prison Service are currently delivering gender specific training to all staff working with the female population.

All prisoners and inmates are consulted on a regular basis about a range of issues including regime development.

PRIME MINISTER

Expenses

Charles Hendry: To ask the Prime Minister (1) what the cost was of the *(a)* accommodation, *(b)* travel and *(c)* other expenses for publicly-funded (i) officials, (ii) aides and (iii) security personnel who accompanied his wife on her recent speaking tour to Malta; [194019]

(2) how many publicly-funded *(a)* officials, *(b)* aides and *(c)* security personnel accompanied his wife on her speaking tour to Malta; and what the (i) names and (ii) functions of each are. [194022]

The Prime Minister: Mrs Blair visited Malta at the invitation of the Slynn Foundation where she spoke on an unpaid basis at a seminar organised by the Foundation entitled "Applying Law and Human Rights in Malta".

One official accompanied her to deal with administrative issues. Accommodation was provided by the British High Commission. Additional costs were met by the hosts. It has been the practice of successive Governments not to comment on security matters.

Charles Hendry: To ask the Prime Minister (1) what the expected cost is of the *(a)* accommodation, *(b)* travel and *(c)* other expenses for publicly-funded (i) officials, (ii) aides and (iii) security personnel accompanying his wife to the United States on her speaking tour; [194020]

(2) how many publicly-funded *(a)* officials, *(b)* aides and *(c)* security personnel will accompany his wife to the United States on her speaking tour; and what the (i) names and (ii) functions of each are. [194021]

The Prime Minister: This is a private visit. This is not a matter for the Government.

It has been the practice of successive Governments not to comment on security matters.

Written Answers to Questions

Wednesday 27 October 2004

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Carbon Sinks

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what the Government's policy is on carbon sinks; and what provision the UK can make in this area. [192999]

Mr. Morley *[holding answer 21 October 2004]*: The UK is committed under the UN Framework Convention on Climate Change to protect and enhance carbon sinks and reservoirs. In order to fulfil this commitment we are expanding the forest estate under the Forest Strategies and policies of the Devolved Administrations. We are doing this in a manner that will provide multiple public benefits including a positive contribution to climate change mitigation through carbon sequestration.

The Government is also committed to protect soil functions, including maintenance of organic matter levels, via the provisions on soil conservation in the reformed Common Agricultural Policy, and to the development of policies to protect existing stocks of carbon in soil organic matter in England, as described in further detail within the first Soil Action Plan for England, published earlier this year and available on the Defra website (www.defra.gov.uk/environment/land/soil/pdf/soilactionplan.pdf).

Convention on Trade in Endangered Species

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to her answer of 11 October 2004, *Official Report*, column 89W, on CITES, if she will break down the numbers of Convention on International Trade in Endangered Species. [193438]

Mr. Morley: The information can only be found at disproportionate cost.

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs if her Department will support the proposed ban under the Convention on International Trade in Endangered Species on the international trade in lion trophies and skins. [189896]

Mr. Morley: I am not aware of a proposal before CITES to ban international trade in lion trophies and skins. At the CITES 13th Conference of Parties, which has recently concluded in Bangkok, Thailand, the Government of Kenya had proposed that the African lion be uplisted to Appendix I. The Government, in common with other EU member states, had an open position on this proposal pending exploration of the scope for an agreed solution among range States. During the course of the CITES Conference, after discussions with other range states the Government of Kenya withdrew the proposal, noting that there was no regional consensus on the issue and that discussions were under way for convening regional workshops on lion management for which the UK has offered financial support.

Lions

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs if she will examine ways of protecting lions in West and Central Africa. [189897]

Mr. Morley: The UK is taking action in many ways to conserve lions in West and Central Africa, particularly through our active participation in the Convention on Biological Diversity and the Convention on International Trade in Endangered Species (CITES). Lions and other endangered species are generally protected by national law in all the countries they inhabit; they are also protected internationally by regulation of trade under CITES. Through the UK's contributions to the Global Environment Facility (GEF) we are helping developing countries and countries with economies in transition to meet their obligations under the Convention on Biological Diversity and to implement their own wildlife protection measures and those required under CITES. In addition the Darwin Initiative, funded by Defra, supports projects which help countries rich in biodiversity but poor in resources to protect their biodiversity and use it sustainably. Since its launch in 1992 it has funded over 300 projects in 100 countries, including granting two three year grants for work on 'Big Cat Conservation and Sustainable Management in Southern Africa'. The output from this project informed a decision by the South African Government to reduce lion hunting quotas. At the recent CITES meeting in Bangkok I announced a contribution of £30,000 to help set up workshops in Africa to gather information on lion management.

Environment Agency

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how many staff the Environment Agency has, broken down by *(a)* function and *(b)* region. [192300]

Mr. Morley: The Environment Agency has 11,060 staff and the breakdown is as follows:

(a) Environment Agency staff broken down by function

	Number
Central Administration	279
Flood Defence	4,071
Water Resources	1,233
Environmental Protection	3,752
Fisheries	499
Recreation and Conservation	189
Navigation	109
Other activities (mainly central professional services)	928
Total	11,060

Note:

'Central administration' is defined as Head Office Finance, Human Resources, Facilities, Operational Co-ordination, Payroll and other exchequer services and Audit. 'Other Activities' comprise mainly Corporate Information Systems, National Laboratory Service, Legal, Estates and Procurement.

(b) Environment Agency staff broken down by region

	Number
Anglian	1,311
Midlands	1,172
North east	982
North west	1,122
Southern	839
South west	1,052
Thames	1,475
Wales	964
National staff (all regions)	2,143
Total	11,060

Note:

'National staff' include Corporate Head Office, national service groups such as Corporate Information Services and Flood Defence contract management, process management teams and operational teams undertaking work on behalf of all regions.

Environmental Offences

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how many *(a)* prosecutions, *(b)* cautions and *(c)* enforcement notices there have been in each year since 1999 for offences related to (i) process industry regulations, (ii) radioactive substances regulation, (iii) waste, (iv) water quality, (v) water resources, (vi) flood defences, (vii) fisheries and (viii) navigation as recorded in the National Enforcement Database (A) in total and (B) broken down by region. [192316]

Mr. Morley: I will place in the Library of the House material answering this question. The 1999 report covers the period from April 1 only as this was when the data base was begun. The 2004 report covers the period to mid October.

Flood Protection

Hugh Bayley: To ask the Secretary of State for Environment, Food and Rural Affairs how much money has been spent on flood protection measures in *(a)* Yorkshire and the Humber and *(b)* City of York in each of the last 10 years. [191300]

Mr. Morley: The total capital expenditure in each of the last 10 years on flood defence measures in the Environment Agency's Yorkshire Regional Flood Defence Committee area and local authorities areas in Yorkshire and the Humber are as follows:

£000

Financial year	*EA regional capital expenditure for Yorkshire and Humber*	*Local authority capital expenditure in Yorkshire and Humber*
1994–95	7,932	217
1995–96	11,667	517
1996–97	12,148	13
1997–98	10,795	531
1998–99	11,793	228
1999–2000	12,890	85
2000–01	14,505	—
2001–02	19,969	653
2002–03	30,405	—
2003–04	25,675	455
Total	157,779	2,699

Total capital expenditure in each of the last 10 years for flood defence measures in the City of York is given as follows:

£000

Financial year	*EA capital expenditure in the City of York*
1994–95	—
1995–96	—
1996–97	—
1997–98	25
1998–99	135
1999–2000	25
2000–01	—
2001–02	400
2002–03	—
2003–04	100
Total	685

Government Grants (Buckingham)

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs how many people in the Buckingham constituency have received funding from the *(a)* rural enterprise scheme, *(b)* processing and marketing grants scheme and *(c)* vocational training scheme since their introduction, indicating the level of funding received from each scheme. [189854]

Alun Michael: Since the inception of the England Rural Development Programme five awards of grant have been made to people in the constituency of Buckingham.

The awards of grant have all been made under the Rural Enterprise Scheme and total £232,652. The projects themselves encompass an Environmental Interpretation Centre for use by the general public (located in the ward of Brill) an on-farm bed and breakfast business along the 'Jubilee Way' (also in Brill) to an on-farm fishing lake in the ward of Stewkley and a barn conversion to offices in Buckingham north.

No grants have been made in the constituency from the Processing and Marketing Grant Scheme and the Vocational Training Scheme.

Greenhouse Gases

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to introduce a system for controlling greenhouse gas emissions similar to the STEK system operating in the Netherlands; and whether she has made an assessment of the cost to public funds of introducing such a system. [190862]

Mr. Morley *[holding answer 14 October 2004]*: Political agreement was reached at the Environment Council on 14 October to a Regulation including a system for controlling fluorinated greenhouse gas emissions in relation to refrigeration, air conditioning and other relevant equipment. A Regulatory Impact assessment of the Commission's original proposals was provided by Defra in November 2003 together with Supplementary Memorandum 12179/03.

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what the level of household greenhouse gas emissions was in the last period for which figures are available, broken down by region. [192998]

Mr. Morley *[holding answer 21 October 2004]*: Regional greenhouse gas emissions in 2002 from fuel combustion in households are given in the table (in million tonnes of carbon dioxide equivalent). These figures are derived from regional fuels sales data.

Regional greenhouse gas emissions

Country	*England*	*Scotland*	*Wales*	*Northern Ireland*	*UK total*
CO2-e (Mt)	72.86	7.10	5.01	3.44	88.41

This information will be published later this year (and available on the National Air Emissions Inventory website, at www.naei.org.uk), in the report Greenhouse Gas Inventories for England, Scotland, Wales and Northern Ireland: 1990–2002.

Internal Drainage Boards

Mr. Grogan: To ask the Secretary of State for Environment, Food and Rural Affairs how many local authorities contain internal drainage boards within their boundaries. [191932]

Mr. Morley: There are currently 219 internal drainage boards wholly or partly in England. These are concentrated in areas of special drainage need such as parts of East Anglia, Yorkshire, Somerset and Lincolnshire. IDB boundaries generally follow rivers and their catchments and some will therefore straddle several local authority areas.

My records indicate that 108 separate local authorities in England pay special levies to IDBs which fall entirely or partly within their boundaries. However, this figure may not incorporate all the relevant local authorities, as there may be some which do not pay such a levy.

Nitrates Directive

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what the timetable is for the introduction of the EU Nitrates Directive. [193000]

Mr. Morley *[holding answer 21 October 2004]*: Directive 91/676/EEC (the Nitrates Directive) came into effect on 12 December 1991. The transposition timetable set down in the Directive is as follows:

December 1993: Establish a code or codes of good agricultural practice.

December 1993: Designate as Nitrate Vulnerable Zones areas which drain into waters which are or could be polluted, if action is not taken, by nitrates from agricultural sources. There is an obligation to review the designations at least every four years.

December 1995: Establish Action Programme(s) for Nitrate Vulnerable Zones. There is an obligation to review the Action Programme(s) at least every four years.

December 1999: Implementation of Action Programme(s)

Urban Waste Water Treatment Directive

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what assessment she has made as to whether the River Thames is compliant with the Urban Waste Water Directive; [192321]

(2) whether the *(a)* sewage disposal treatment works, *(b)* sewage mechanisms and *(c)* works related to sewage in London are compliant with the Urban Waste Water Directive; [192322]

(3) what assessment has been made of the capacity of London's sewage treatment works to handle future increases in storm overflow incidence, with particular reference to compliance with the Urban Waste Water Directive; [192323]

(4) how the Thames is classified for purposes of the Urban Waste Water Directive, broken down by stretch of river. [192324]

Mr. Morley: The objective of the Urban Waste Water Treatment Directive is to protect the environment from the adverse effects of waste water discharges. The Directive includes requirements concerning sewage collection systems, and for sewage treatment works. Standards and deadlines are set according to the size of the population served and the sensitivity of waters receiving the discharges.

The sewage collection systems serving the urban communities along the Thames are largely combined systems which collect both domestic and industrial waste water, and rainwater run-off. The Directive acknowledges that it is not possible in practice to construct combined collecting systems and treatment plants to deal with all waste water during situations such as unusually heavy rainfall. Consequently the Directive requires the limitation of pollution of receiving waters due to storm water overflows according to best technical knowledge not entailing excessive cost. The systems along the Thames have combined sewer overflows which operate to prevent flooding and sewage treatment works from becoming overloaded during wet weather.

Most of the freshwater section of the Thames has been identified as a Sensitive Area because of eutrophication. As required by the Directive, communities either side of this stretch of the river have satisfactory sewage collection systems and overflows, and Thames Water have or are to provide more stringent treatment at qualifying (those serving more than 10,000 inhabitants) sewage treatment works which discharge to this area. When completed we consider waste water discharges to this section of the Thames will be compliant with the Directive.

The tidal section of the Thames is identified as a normal water body. As required by the Directive, London has a collection system, and secondary treatment is provided at the qualifying (those serving more than 15,000 inhabitants) sewage treatment works which discharge to this area.

As agreed in the last Periodic Review of water company price limits for 2000–05 Thames Water, the Environment Agency, Defra and the Office of Water Services (Ofwat) have been involved in a Strategic Study of the environmental impact of intermittent storm sewage discharges to the Thames Tideway. The remit of the study was to identify objectives for improvement, and to propose potential solutions, having regard to costs and benefits.

As a result of the study the Final Guidance by the Secretary of State to the Director-General of Ofwat, published on 4 October 2004, and the draft price limits published by Ofwat on 5 August 2004, include provision for further measures to address sewage discharges to the Thames Tideway.

In the medium term this will result in improvements to the capacity and quality of treated effluent from three sewage treatment works (Beckton, Crossness, and Mogden) which discharge to the Thames Tideway. These improvements are also to include reducing the frequency of intermittent discharges from the storm water storage tanks at Mogden. When completed we consider waste water discharges from these works will be compliant with the Directive.

In addition a scheme to improve the treated effluent at Riverside sewage treatment works, which is already compliant with the Directive, is identified to improve water quality in the river and protect fish.

With regard to the Directive requirement to limit pollution of the Thames Tideway due to intermittent storm water overflows, we consider that the issue of compliance needs further investigation. As a result my officials and the Thames Tideway Strategic Study Steering Group are carrying out further consideration of the issues and possible appropriate measures. These include the proposed long-term interceptor tunnel solution, and possible smaller-scale measures.

Rural Payments Agency

Mr. Beith: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she has taken to ensure that inspection maps used by the Rural Payments Agency correspond with the rural land maps under preparation by the Rural Land Registry. [192224]

Alun Michael: Inspection maps have been generated using Rural Land Register data where the applicant has used such data in his or her Area Aid Application in 2004.

Sustainable Food Procurement

Mr. Salmond: To ask the Secretary of State for Environment, Food and Rural Affairs what representations her Department has received from the Scottish Executive regarding the sustainable food procurement initiative. [193715]

Alun Michael: Defra officials keep officials of the Scottish Executive and the other devolved Administrations informed of progress on the Public Sector Food Procurement Initiative and they provide reciprocal information. We are learning from each other's efforts.

TRANSPORT

Speed Cameras

Mr. Llwyd: To ask the Secretary of State for Transport what recent discussions he has had on the location of fixed speed cameras; and if he will make a statement. [192217]

Mr. Jamieson: My Department will shortly issue the "Handbook of Rules and Guidance for the national safety camera programme for England and Wales 2005–06", revising and updating the previous handbook, including the rules and criteria for the location of speed camera sites. Copies will be placed in the Library. The new handbook has been prepared in consultation with the police, local authorities and other agencies involved in the safety camera programme—including the members of the Motorists Forum and the Department's Road Safety Advisory Panel, which bring together the full range of motoring, road safety and other interest groups.

Mr. Llwyd: To ask the Secretary of State for Transport how much revenue his Department received from the four Welsh police forces from speeding fines levied by them in the last year for which figures are available. [192222]

Mr. Jamieson: During 2002–03, the last year for which figures are available, the amount of conditional offer fixed penalty fines relating to speed and red light offences detected in Wales under the national safety camera programme, which is overseen by my Department, was £9,873,600. This money is received by magistrates court committees and passed to the Department of Constitutional Affairs. In 2002–03 £7,274,334 was paid to the safety camera partnerships in relation to the installation and operation of safety cameras at approved sites. The remainder of the money accrues, like other fines, to the Consolidated Fund. None of the money is received by my Department.

Mr. Llwyd: To ask the Secretary of State for Transport what the average revenue received from police forces in England from speeding fines imposed by them was in the last year for which figures are available; and if he will make a statement. [192223]

Mr. Jamieson: During the financial year 2002–03, the latest year for which figures are available, the amount of conditional offer fixed penalty fines relating to speed and red light safety offences detected in England under the national safety camera programme, which is overseen by my Department, was £56,906,820. Of this amount, £44,608,933 was paid to the safety camera partnerships in relation to the installation and operation of safety cameras at approved sites.

A358

Mr. Laws: To ask the Secretary of State for Transport when he plans to make a statement on the Government's plans to upgrade the A358 road in Somerset; and if he will make a statement. [192125]

Mr. Jamieson: Following the outcome of the recent Spending Review, the Secretary of State is currently reviewing funding allocations across departmental programmes, including road schemes such as those following from the South West Area Multi Modal Study (SWARMMS). The upgrading of the A358 in Somerset is one of two options recommended by that study. The Department aims to make a decision as soon as possible.

Air Navigation Charging

Miss McIntosh: To ask the Secretary of State for Transport whether he has consulted the European Regions Airline Association on the proposed reforms to the charging system for airlines for the use of air navigation purposes. [R] [193774]

Charlotte Atkins: The Department has set up a Stakeholder Forum specifically to discuss issues arising from European legislation that will impact on airspace users. While the European regions Airline Association has not been directly involved, all UK aviation stakeholders have been encouraged to participate. This Stakeholder Forum has met three times during which the charging issue has been given significant coverage. The Department convened a meeting with stakeholders, on 12 August, specifically to discuss the Single European Sky (SES) proposals for a common charging scheme.

The European regions Airline Association is a member of the SES Industry Consultation Body formed to provide advice to the European Commission on the implementation of the SES.

Aviation (Emissions)

Norman Baker: To ask the Secretary of State for Transport what steps he is taking to increase awareness among the population about the link between the aviation industry, carbon emissions and climate change. [193083]

Charlotte Atkins: Both "The Future of Air Transport" and "Future of Transport" White Papers draw attention to aviation's contribution to climate change, and the importance of ensuring that the aviation sector addresses the problem seriously.

"The Future of Transport" White Paper recognises that we will need to broaden the debate to ensure that transport makes its full contribution to reducing total CO_2 emissions. The review of the climate change programme will, over the next few months, consider how carbon savings can best be delivered from transport and across other sectors. A consultation document on the review of the climate change programme is due to be published in November, which will help raise awareness of these issues.

Driving Test

Mr. Kidney: To ask the Secretary of State for Transport if he will introduce measures to ensure that learner drivers have experience of night-time driving before taking the practical driving test. [193831]

Mr. Jamieson: We encourage all learners to experience night-time driving before taking the practical driving test. We support this policy by issuing a copy of the Driver's Record logbook to learners with their provisional licence. This covers all the skills needed to drive safely, including driving in darkness. The record enables learners, their instructors and others who are helping them, to understand what they need to learn and to monitor their progress.

The Department does not consider that further statutory regulation of new drivers is justified at present. We believe the way forward is to improve the education environment for learners so that they have access to a more consistent and better standard of training.

The Department's Driving Standards Agency also operates the Pass-Plus scheme for newly qualified drivers. This voluntary post-test training programme includes night-time driving.

Eurocontrol

Lembit Öpik: To ask the Secretary of State for Transport what meetings he has held with UK Aircraft Owners and Pilots Association representatives to discuss the effect of proposed Eurocontrol charges on general and light aviation; and if he will make a statement. [193034]

Charlotte Atkins: Department for Transport officials have met with the Aircraft Owners and Pilots Association (AOPA) representatives on several occasions. The Department has set up a Stakeholder Forum specifically to discuss issues arising from European legislation that will impact on airspace users. This Stakeholder Forum has met three times during which the charging issue has been given significant coverage. In addition, the Department convened a meeting with stakeholders, on 12 August, specifically to discuss the Single European Sky proposals for a common charging scheme. Representatives from AOPA have participated in these meetings. The Department has also engaged directly with the general aviation user organisations, including AOPA both in London and in Brussels, to discuss the on-going developments of proposed Single European Sky Implementing Rules and the impact this legislation is likely to have on them.

Hampshire Roads

Mr. Chidgey: To ask the Secretary of State for Transport how many miles of *(a)* motorway and *(b)* trunk road in Hampshire are classified as being in disrepair. [193498]

Mr. Jamieson *[holding answer 25 October 2004]:* There are no motorways or trunk roads in Hampshire in a state of disrepair. All are currently in a serviceable condition.

Motorways

Mr. Kidney: To ask the Secretary of State for Transport which elements of the M6 toll road scheme have incurred public cost, broken down by amount. [192081]

Mr. Jamieson: Under the concession agreement with Midland Expressway Ltd. (MEL) the costs and risks of constructing the M6 Toll fell to MEL. Costs involved in promoting the privately financed scheme fell to central Government.

The total cost to date to the public sector for selecting the private promoter, negotiating the concession agreement and preparing the statutory Orders required is estimated at £15 million.

Further costs to the public purse have resulted from changes to the concession agreement, such as revised engineering standards, during the preparation of the scheme. The present estimate for such changes is £4.55 million.

An agreed sum of £18 million has been paid to MEL to cover the cost of widening the M42 and improvements to the local road network.

Land acquisition/compensation and management costs, currently estimated at between £80 million and £110 million, were initially borne by the public purse are being recovered from the concessionaire.

Navigation Services

Lembit Õpik: To ask the Secretary of State for Transport what plans he has to charge users of global positioning systems in road vehicles for navigation services; and if he will make a statement. [193030]

Mr. Jamieson: We have no plans to charge drivers for using in-vehicle navigation services.

Off-road Number Plates

Lynne Jones: To ask the Secretary of State for Transport what penalties are in place to penalise companies which break the Driver and Vehicle Licensing Agency's regulations by producing off-road number plates. [194031]

Mr. Jamieson: The penalty for failure to comply with regulations relating to keeping records of the sales of number plates and obtaining prescribed documentation is a fine of up to £1,000, and/or suspension from the register of number plate suppliers scheme for up to five years. These regulations apply to plates that display a registration number and are designed to be fitted to a vehicle or trailer irrespective of whether they are for off-road use.

The penalty for selling a "counterfeit" plate is a fine of up to £2,500. A counterfeit plate is one that purports to be a number plate but is not, e.g. one bearing a non-existent registration number.

Road Haulage (Emissions)

Norman Baker: To ask the Secretary of State for Transport if he will estimate the level of carbon emissions from road haulage in each year from 1990 to date. [193079]

Mr. Jamieson: The main source of data on carbon emissions from road transport is the NAEI (National Atmospheric Emissions Inventory) produced by NETCEN. Their figures for road haulage are as follows.

UK road transport HGVs—emissions of carbon

	Million tonnes carbon
1990	6.1
1991	5.8
1992	5.9
1993	6.0
1994	6.5
1995	6.7
1996	7.1
1997	7.3
1998	7.4
1999	7.3
2000	7.2
2001	7.5
2002	8.0

Ship Inspections

Mr. Carmichael: To ask the Secretary of State for Transport pursuant to his answer of 11 October 2004, *Official Report*, column 6W, on ship inspections, for what reason it is his Department's policy not to comment on details of *(a)* the number of ships his Department inspects and *(b)* how many ships have been denied entry, expelled or detained at UK ports. [192121]

Mr. Jamieson: We do not provide information about the security performance of individual ships nor provide details on enforcement policy for very good security reasons.

Mr. Carmichael: To ask the Secretary of State for Transport (1) how many ships entering UK ports in September failed to meet the International Ship and Port Facility Code; and how many of these ships were *(a)* denied entry, *(b)* expelled from port and *(c)* detained; [190684]

(2) how many ships were inspected at UK ports in September to assess whether they met International Ship and Port Facility Security Code standards. [190685]

Mr. Jamieson: It is not our policy to comment in detail on ships we inspect for security compliance. However, during September, 17 ships were found to be non-compliant with the requirements of the ISPS Code. It was not appropriate to impose formal Control Measures as there were no serious deficiencies and the failings were quickly rectified by the ship's crews.

Strategic Rail Authority

John Thurso: To ask the Secretary of State for Transport what the daily cost of the operations of the Strategic Rail Authority is *(a)* in total and *(b)* excluding subsidies to train operating companies. [192597]

Mr. McNulty: The Strategic Rail Authority's total annual budget for 2004–05 is £3,378 million, £1,143 million of which relates to subsidies to train operating companies. So, daily costs are *(a)* £9 million in total and *(b)* £6 million excluding subsidies to train operating companies. The authority's 2004–05 budget for running costs is £89 million, equivalent to £244,000 per day.

Travel-related Accidents

Hugh Bayley: To ask the Secretary of State for Transport how many *(a)* fatal and *(b)* serious travel-related accidents there were in (i) the City of York and (ii) Yorkshire and the Humber in each year since 1992. [192417]

Mr. Jamieson: The available information relates to road accidents, and is shown in the table. Providing the information requested for railways would entail disproportionate costs.

Fatal and serious road accidents in the city of York and Yorkshire and the Humber Government Office Region: 1992 to 2003

	City of York		*Yorkshire and the Humber*	
	Fatal	*Serious*	*Fatal*	*Serious*
1992	4	110	373	3,858
1993	4	84	351	3,459
1994	2	67	294	3,333
1995	3	69	313	3,396
1996	3	59	292	3,220
1997	7	111	295	3,175
1998	4	70	286	3,001
1999	8	106	285	2,922
2000	12	73	288	2,800
2001	6	108	299	2,858
2002	8	103	294	2,893
2003	8	70	296	2,808

DEFENCE

Afghanistan

Annabelle Ewing: To ask the Secretary of State for Defence what impact the possible redeployment of UK troops in Iraq will have on the planned increased deployment of UK troops in Afghanistan. [193479]

Mr. Hoon *[holding answer 25 October 2004]:* As I announced to the House on 21 October 2004, *Official Report,* columns 1035–51, the redeployment of some of our forces in Iraq is limited in scope, time, and space and does not represent a significant permanent additional commitment of forces. It has no impact upon our plans to increase our military commitment in Afghanistan, which is not due to occur until 2006 when the Headquarters of the Allied Rapid Reaction Corps is planned to deploy to lead the International Security Assistance Force.

Black Watch

Annabelle Ewing: To ask the Secretary of State for Defence whether his Department asked *(a)* Perth and Kinross district council, *(b)* The Black Watch and *(c)* other organisations to prepare for a welcome back home parade in Perth in November or December. [193243]

Mr. Hoon *[holding answer 25 October 2004]:* A series of parades had been planned during the period 29 November to 4 December 2004 throughout the Regimental area, including Perth, in order to celebrate 1st Battalion The Black Watch return from Iraq. These parades have now been postponed until the return date of the Regiment is confirmed.

Annabelle Ewing: To ask the Secretary of State for Defence on what date he first received the request from the United States to redeploy UK troops. [193244]

Mr. Hoon *[holding answer 25 October 2004]:* A formal request from the US military in Iraq was made on 10 October 2004 to General Officer Commanding MND(SE), for one UK Battlegroup to deploy in support of coalition operations.

Annabelle Ewing: To ask the Secretary of State for Defence on what date he expects the Black Watch to end their tour of duty in Iraq. [193245]

Mr. Hoon *[holding answer 25 October 2004]:* The Black Watch will be back in the United Kingdom by Christmas; the precise date cannot be confirmed at this stage for operational reasons.

Annabelle Ewing: To ask the Secretary of State for Defence what instructions have been given to Black Watch soldiers regarding redeployment in Iraq. [193246]

Mr. Hoon *[holding answer 25 October 2004]:* The battle group deploying from MND(SE) consisting predominantly of the 1st Battalion the Black Watch, were issued with an Operational Order on 23 October 2004, the details of which cannot be supplied for reasons of operational security. I am therefore withholding that information under Exemption 1a of the Code of Practice on Access to Government Information.

Defence Support Vehicle

Mr. Gerald Howarth: To ask the Secretary of State for Defence whether the Defence Support Vehicle offered by MAN ERF UK Ltd. will be compatible in joint operations with US forces. [192371]

Mr. Ingram: The Support Vehicle fleet is required to comply with a wide range of standard NATO interfaces, to ensure that the vehicles are compatible with, and capable of operating alongside, all NATO allies including the USA. The evaluation undertaken by the Defence Procurement Agency has demonstrated that the vehicles proposed by the Support Vehicle Preferred Bidder, MAN ERF UK Ltd., fully satisfy this requirement.

INTERNATIONAL DEVELOPMENT

Middle East

Mr. Jim Cunningham: To ask the Secretary of State for International Development what steps the Department is taking to combat hunger and malnutrition in the Middle East. [193745]

Mr. Gareth Thomas: World Bank figures show that overall around 15 per cent. of children under the age of five in the Middle East and North Africa show some signs of malnutrition. According to the UN's Human Development Report, around 33 per cent. of Yemen's total population, and 27 per cent. of Iraq's population was undernourished in 2000. Figures for Palestinian refugees are also high.

In Yemen, the only low-income country in the region, DFID's programme is directed at supporting the Government's Poverty Reduction Strategy, which includes social protection. The European Commission's programme of around €15 million a year has as its main element support for long-term food security. Approximately 17 per cent. of all EC funding (including humanitarian) is attributed to DFID's budget.

This year, DFID has contributed £12.35 million to the United Nations Relief and Works Agency (UNRWA) for Palestinian refugees, some of which is used for food aid. Since the start of the Intifada in 2000, the European Community Humanitarian Office (ECHO) has provided €118 million of aid to vulnerable Palestinians in the West Bank, Gaza Strip, and elsewhere in the Middle East, assistance that has included food, health care and water and sanitation.

In Iraq, the Public Distribution System (PDS) for food has provided a basic ration for more than 60 per cent. of the population since 1991. After the end of Saddam's regime in 2003, DFID helped to re-establish the PDS. Evidence from a UNDP survey undertaken in spring 2004 suggests that stunting and chronic malnutrition remain unacceptably high. DFID's assistance through organisations such as WHO and UNICEF is helping to address this problem. In the longer term we are working on economic reform in Iraq, including reform of the PDS, which takes into account the needs of the poorest and most vulnerable sections of society. DFID has also been planning a programme of work on social protection mechanisms to complement work on economic reform, which will benefit poor people.

Sudan

Mr. Jim Cunningham: To ask the Secretary of State for International Development what steps his Department has taken to meet humanitarian needs in Sudan. [193814]

Mr. Gareth Thomas: Since 1991, DFID has contributed over £200 million of humanitarian assistance to Sudan. The humanitarian support that DFID has provided for Sudan has included food, water, sanitation, primary health care and shelter.

DFID's Country Engagement Paper for Sudan includes, as one of its key objectives to meet life-saving and life-sustaining humanitarian, recovery and re-integration needs. We match our humanitarian programme to assessed need, recognising that needs are not likely to reduce in the near future. DFID is working with other donors to ensure that Sudan's needs do not go unnoticed or unsupported. We are therefore providing support through non-governmental organisations, and international organisations like UNICEF; and in areas like Red Sea, Unity and Upper Nile states.

DFID is particularly concerned about the situation in Darfur, where 1.5 million people have been displaced and a further 200,000 have fled to Chad. In response to the crisis in Darfur, we have committed £62.5 million of humanitarian assistance since September 2003.

In addition, DFID is engaged in ongoing high level and operational dialogue with the Government of Sudan and our humanitarian partners on the crisis in Darfur, to improve security, increase access and maximise the effectiveness of the international humanitarian response. We are also lobbying other donors to contribute more to the crisis in Darfur.

CULTURE, MEDIA AND SPORT

Analogue Switch-off

Mr. Salmond: To ask the Secretary of State for Culture, Media and Sport what discussions her Department has had with *(a)* video cassette recorder manufacturers and *(b)* their industry representatives regarding analogue switch-off. [193680]

Estelle Morris: When the analogue signal is switched off, viewers will be able to continue to use their analogue VCRs for recording digital programmes, but will not be able to record one digital channel while watching another.

We are working with key industry stakeholders, including video cassette recorder (VCR) manufacturers and their representatives, as part of the work of the Digital Television Project, to find ways of enabling viewers to have the full functionality which they enjoy with their VCRs today. Already a number of recording products are available which offer this capability.

Private Finance Initiative

Mr. George Osborne: To ask the Secretary of State for Culture, Media and Sport if she will list the private finance initiative arrangements in which the Department is engaged; what the total cost of each arrangement is *(a)* over its lifetime and *(b)* in each year of its operation; and how the arrangement appears in the Department's public accounts. [193985]

Mr. Caborn: The Department for Culture, Media and Sport has not itself entered into any PFI or PPP contracts. The Royal Parks Agency (RPA), which is an executive agency, has entered into three PFI or PPP contracts.

1. Inn the Park at St. James Park. This is a contract to provide new catering equipment and facilities at an existing site in return for the right to run a catering concession.

2. The Boathouse at Regent's Park. Under this contract a new building was supplied by the contractor, and a catering concession was granted to them.

3. Pembroke Lodge at Richmond. The building was restored by the contractor and a catering concession was granted to them.

In all of these arrangements there were no costs to the RPA.

In the Department's public accounts the leasehold of Pembroke Lodge is included within the total for Land and Buildings, at a value of £770,000. The rent which is received under all three arrangements is recorded under income from rents.

Sport Direct

Hugh Bayley: To ask the Secretary of State for Culture, Media and Sport what services Sport Direct provides in *(a)* York and *(b)* Yorkshire. [192425]

Mr. Caborn: The Department is not aware of a programme called Sport Direct that operates in the York and Yorkshire region.

Sports Councils

Kate Hoey: To ask the Secretary of State for Culture, Media and Sport what the annual Exchequer grant aid awards to the Great Britain Sports Council were in each year since 1974, separately identifying grants to the governing bodies. [194461]

Mr. Caborn: The Exchequer grant in aid figures for the Great Britain Sports Council covering the period 1977–78 to 1996–97 are shown in the following table.

Great Britain Sports Council

	£
1977–78	11,500,000
1978–79	15,200,000
1979–80	15,580,000
1980–81	19,290,000
1981–82	21,030,000
1982–83	28,000,000
1983–84	27,120,000
1984–85	28,600,000
1985–86	30,110,000
1986–87	37,350,000
1987–88	37,150,000
1988–89	38,410,000
1989–90	41,880,000
1990–91	44,750,000
1991–92	46,700,000
1992–93	48,600,000
1993–94	50,600,000
1994–95	48,900,000
1995–96	49,250,000
1996–97	28,170,000

The grant-in-aid figures for 1974–75, 1975–76 and 1976–77 and grants to governing bodies since 1974 are not available.

HEALTH

Community Matrons

Mr. Burstow: To ask the Secretary of State for Health what budget his Department has allocated to introducing community matrons in each of the next three years. [191722]

Dr. Ladyman: Funding for community matrons is included in the increased investment that has been made in the general allocations to primary care trusts.

Work has commenced on the next round of allocations covering the period up to 2007–08, which will also include funding for community matrons.

It is for the national health service locally to determine the resource to be allocated to community matrons.

Dentistry

Mr. Burstow: To ask the Secretary of State for Health pursuant to the answer of 4 October 2004, *Official Report*, column 1961W, on dentistry, whether his Department has decided not to update the Dental Workforce Review. [192787]

Ms Rosie Winterton: Next year, we will check the assumptions upon which our expansion of the dental workforce are based.

Mr. Llwyd: To ask the Secretary of State for Health how many dental practices were offering full NHS dental treatment *(a)* in 1997 and *(b)* at the latest date for which figures are available. [192203]

Ms Rosie Winterton: At August 1997, there were 8,643 dental practices providing national health service general dental services including emergency services. In August 2004, there were 9,159 practices providing general dental service including emergency services and personal dental services.

Dermatology (GP Contract)

Mr. Burstow: To ask the Secretary of State for Health what plans he has to include dermatology in the general practitioner contract when it is next reviewed. [192741]

Ms Rosie Winterton: The treatment of skin conditions and associated complaints already forms a large part of general practice. Where more specialist dermatology services are required, primary care trusts are able to commission a local enhanced service to meet local needs.

Any future changes to the national quality and outcomes framework (QOF) will be subject to negotiations with the British Medical Association, following recommendations from an independent, United Kingdom-wide expert review panel. The independent expert review panel will consider whether any new disease areas should be added to the QOF. They will be able to receive submissions on proposals to make changes to the current quality framework from any interested party.

Eating Disorders (Treatment)

Mr. Burstow: To ask the Secretary of State for Health pursuant to the answer of 11 October 2004, *Official Report*, column 142W, on eating disorders, on what evidence his statement that waiting times for treatment for eating disorders are sometimes too long is based. [192788]

Ms Rosie Winterton: This statement is based on feedback from service users and their carers.

Hampshire Hospitals

Mr. Chidgey: To ask the Secretary of State for Health which hospitals in Hampshire are operating with a shortfall in the operational requirement for accident and emergency staff; and how many employees this shortfall amounts to at each hospital. [193497]

Ms Rosie Winterton *[holding answer 25 October 2004]*: There are no standard rules to follow to say how many doctors, nurses or other staff should be employed in an accident and emergency department. It is for local hospitals and health economies to decide how to deploy staff in ways that will best meet the needs of the population.

Hospital Construction (Lichfield)

Michael Fabricant: To ask the Secretary of State for Health pursuant to the answer of 16 March 2004, *Official Report*, column 247W, on Hospital Construction (Lichfield), (1) when he expects construction work to begin on the new hospital at the St Michael's site in Lichfield; when he expects the new hospital to be completed and opened; and what changes there have been in the car parking and future hospital expansion arrangements for the hospital; and if he will make a statement; [192883]

(2) if he will make a statement on the financial shortfall of the Burntwood, Lichfield and Tamworth Primary Care Trust. [192903]

Dr. Ladyman: Burntwood, Lichfield and Tamworth Primary Care Trust (PCT) is currently managing a challenging financial position, caused by a number of factors, including the costs of extra clinical activity, the new out of hours service and the new general medical QMS contract. In total these pressures amount to just over £2 million.

In response to this position, the PCT board and Professional Executive Committee are looking at ways in which they can bring the organisation back into financial balance. Every effort will be made to ensure there is no adverse impact on patient services.

Despite this position, the PCT is continuing to meet all its service targets and drive forward improvements in patient care. Work on the new community hospital in Lichfield will not be affected in any way.

I am informed by Shropshire and Staffordshire Strategic Health Authority (SHA) that construction work is anticipated to commence in March 2005, following the demolition of the buildings onsite. The SHA expects the hospital to be completed at the end of 2006; ready to open at the start of 2007. The car parking arrangements have been planned as previously agreed, with 217 spaces. The space for future hospital expansion is provided within the site as agreed in the outline planning permission.

I am further informed by the SHA that the main reason behind the delay is that the demolition process has been delayed as the local authority now requires listed building consent, which the PCT is applying for. It is not proposing to knock down any listed buildings but understands that this is required as the work will be taking place on the site of a listed building.

Information and Communication Specialists

Mr. Jenkins: To ask the Secretary of State for Health how much the Department spent on outside information technology and communication specialist consultants and engineers in the 2003–04 financial year. [191912]

Ms Rosie Winterton: The Department spent £5,890,000 on outside information technology and communication specialist consultants and engineers in the 2003–04 financial year.

Ministers' Private Offices

Mr. Prisk: To ask the Secretary of State for Health what the running costs of Ministers' private offices in his Department have been in each year since 1997. [191389]

Ms Rosie Winterton: The running costs for Ministers' private offices for the financial years 1997–98 to 2003–04 were as follows:

Running costs for Ministers' private offices

	£000
1997–98	1,849
1998–99	2,144
1999–00	2,653
2000–01	2,947
2001–02	2,876
2002–03	2,601
2003–04	3,041

Notes:

1. An additional Minister, the Parliamentary Under Secretary of State for Health, was appointed during 1999–2000.
2. The data is taken from the Department's accounting systems.
3. The salaries of Ministers themselves are not included.
4. Costs have also increased as a result of additional Parliamentary activity and legislation, resulting in an increase in correspondence and longer working.

Waiting Times

Mr. Laws: To ask the Secretary of State for Health what his latest estimate is of the average waiting time for *(a)* in-patients and *(b)* out-patients in each quarter from the first quarter of 1997 to third quarter of 2004; and if he will make a statement. [193815]

Ms Rosie Winterton: The table shows provider based median in-patient and out-patient waiting times for England, by each quarter from March 1997 to June 2004. Information for quarter 2 of 2004–05 is not yet available.

		Median (weeks)	
Quarter	*Year*	*In-patient*	*Out-patient*
Q4	1996–97	13.2	6.0
Q1	1997–98	13.4	6.2
Q2	1997–98	14.2	6.4
Q3	1997–98	14.5	6.2
Q4	1997–98	14.8	6.3
Q1	1998–99	15.2	6.5
Q2	1998–99	14.1	6.8
Q3	1998–99	13.1	6.9
Q4	1998–99	12.8	7.0
Q1	1999–2000	12.8	7.1
Q2	1999–2000	12.8	7.3
Q3	1999–2000	12.8	7.3
Q4	1999–2000	12.9	7.6
Q1	2000–01	13.3	7.1
Q2	2000–01	13.0	7.4
Q3	2000–01	12.8	7.4
Q4	2000–01	12.6	7.4
Q1	2001–02	13.7	6.9
Q2	2001–02	13.4	7.2
Q3	2001–02	12.7	7.3
Q4	2001–02	12.7	7.6
Q1	2002–03	13.2	7.0
Q2	2002–03	12.8	7.2
Q3	2002–03	12.5	7.2
Q4	2002–03	11.9	7.3
Q1	2003–04	12.1	6.9
Q2	2003–04	11.7	7.0

		Median (weeks)	
Quarter	*Year*	*In-patient*	*Out-patient*
Q3	2003–04	11.2	7.0
Q4	2003–04	10.2	7.1
Q1	2004–05	9.5	6.8

Sources:

Department of Health in-patient data—KH07 and out-patient data—QM08.

SCOTLAND

Civil Service Appointments

Mr. Peter Duncan: To ask the Secretary of State for Scotland what the percentage of *(a)* females and *(b)* males was among (i) initial applicants and (ii) successful candidates in each of the promotion and recruitment exercises for posts in the senior civil service and in Band C (formerly Grade 7) in the Scotland Office and the Scottish Office since 1 January 1994. [188679]

Mrs. McGuire: The Scotland Office was established on 1 July 1999.

There has been no direct recruitment to the Scotland Office and most staff have been assigned on loan from the Scottish Executive. Since 1999, three promotion exercises have been commissioned, in conjunction with the Executive, to fill band C (formerly Grade 7) posts in the Scotland Office. Details of the gender split by initial and successful candidates is as follows:

	Applications		*Successful candidates*	
	Male	*Female*	*Male*	*Female*
1999	4	—	3	—
2000	2	1	1	—
2002	—	2	—	1

There have been no recruitment or promotion exercises to fill senior civil service posts in the Office. All SCS posts have been filled by staff assigned on loan or secondment.

Information on promotion and recruitment of staff in the former Scottish Office prior to 1999 is not held.

Scotland Act 1998 (Modifications of Schedule 5) Order

Mr. Tom Harris: To ask the Secretary of State for Scotland why no regulatory impact assessment has been prepared for the draft Scotland Act 1998 (Modifications of Schedule 5) Order 2004, laid before the House on 9 September. [192106]

Mrs. McGuire: The decision not to provide a Regulatory Impact Assessment is in accordance with the guidance "Better Policy Making: A Guide to Regulatory Impact Assessment" issued by the Cabinet Office. The draft Order varies the competence of the Scottish Parliament. The draft Order does not in itself have a direct or indirect impact (whether benefit or cost) on business, charities or the voluntary sector. It would not therefore have any regulatory impact.

Scottish Passenger Rail Franchise

Mr. Tom Harris: To ask the Secretary of State for Scotland whether primary legislation will be required to devolve responsibilities in connection with the Scottish Passenger Rail Franchise to Ministers of the Scottish Executive. [192107]

Mrs. McGuire: The Government set out its proposals for the devolution of rail services in Scotland in the white paper, "The Future of Rail", in July 2004. The Government will introduce a Railways Bill when parliamentary time allows to provide for those measures that require primary legislation.

Transport Bodies

Mr. Tom Harris: To ask the Secretary of State for Scotland what consultation there has been with Strathclyde Passenger Transport Authority and Strathclyde Passenger Transport Executive in connection with the draft statutory instrument, The Scotland Act 1998 (Modifications of Schedule 5) Order 2004, laid before the House on 9 September, insofar as it relates to the ability of Scottish Ministers to transfer the powers of those bodies, in relation to the provision and regulation of railways, to themselves. [191521]

Mrs. McGuire: The proposal to transfer the rail powers of the Strathclyde Passenger Transport Authority and Executive (SPTA/E) was set out in the Scottish Executive's transport white paper, "Scotland's Transport Future", published in June 2004. As this is a reserved matter, this had been agreed in principle with the Department for Transport beforehand. I understand that there have been a number of meetings between the Scottish Executive and SPTA and SPTE both before and after the publication of this paper at which this proposal was discussed.

If agreed, the draft Order laid before the House on 9 September (and which is also being considered by the Scottish Parliament) will extend the legislative competence of the Scottish Parliament, not the Scottish Ministers. It will then be for the Scottish Parliament to decide, should such measures be put before it, whether or not to transfer the powers of the SPTA/E to the Scottish Ministers.

Tsar Appointments

Mr. Goodman: To ask the Secretary of State for Scotland how many tsars have been appointed with responsibilities which cover part of the work of his Department; and if he will make a statement. [191922]

Mrs. McGuire: The Scotland Office has not appointed any "tsars".

TRADE AND INDUSTRY

Carbon Savings

Malcolm Bruce: To ask the Secretary of State for Trade and Industry if she will list the cost effectiveness in terms of carbon savings, using Treasury Green Book Guidance for public sector investment, of the *(a)* Clear Skies Programme, *(b)* Community Energy Programme, *(c)* Innovation Programme, *(d)* Major PV Demonstration Programme and *(e)* the Scottish Communities and Householder Renewables Initiative. [193828]

Mr. Mike O'Brien: The DTI's Clear Skies Programme, Technology Programme and Major PV Demonstration Programme, do not include a target for carbon savings in their objectives.

The main objectives of the DTI's *(a)* Clear Skies programme are to raise public awareness and support for renewable energy through the installation of household and community scale schemes, as well as making a contribution to carbon savings in the UK.

The programme is subject to annual audits, which monitor the programme against Key Performance Indicators including the number of household and community installations delivered and the growth in the installer base. In addition, on completion of the scheme, a full evaluation is planned which will consider the full impact, including carbon savings and cost effectiveness. This data is not currently available.

To date the programme has committed some £4.3 million to community applications (nearly 230) and some £2.5 million (over 4,200 grants) to household applications.

DEFRA's *(b)* Community Energy Programme aims to stimulate carbon savings of 0.08 MtC per annum by 2010. The assessment criteria include: social benefits—cost savings for households over the life of the scheme; economic benefits—cost savings for the public sector and public service organisations (other than public sector housing) over the life of the scheme as well as environmental benefits—reductions in carbon emissions over the life of the scheme. It is estimated that the cost effectiveness of lifetime carbon savings (£/tC) for 2003–04 from this programme is £89.

The DTI's *(c)* Technology Programme supports research, development and innovation and includes new and renewable energy sources (e.g. fuel cells, wind, wave and tidal power, photovoltaics, and energy crops). The annual budget for renewable energy is some £18 million per annum. Collaborative research and development projects encompass a range of risk from high to low levels of innovation, it is therefore difficult to estimate the potential contribution of these project to carbon saving in the future. One of the criteria for selection is "the environmental and social impacts of undertaking the project and how significant are they related to the economic benefits". The newly appointed Technology Strategy Board will in future be responsible for monitoring progress and performance against the Technology Strategy, assessing the effectiveness of the technology priorities and intervention methods used on an appropriate timescale, in order to inform future development of the strategy. The programme will be evaluated in due course.

The main objectives of DTI's *(d)* Major PV Demonstration Programme are to raise awareness of PV in the UK, generate investment in the PV industry, assure quality installations of PV, generate growth and competition, reduce product/install costs over time, establish a sustainable PV market in the UK, as well as making a contribution to carbon savings in the UK. The programme target is 1,000 domestic/individual systems and at least 140 medium and large-scale non-domestic systems by end of the programme. To date the programme has committed some £14.2 million to large-scale projects (134) and some £4.7 million (700) to small-scale projects. It is planned to evaluate the programme in its third year.

The *(e)* Scottish Communities and Householder Renewables Initiative is the responsibility of the Scottish Executive.

Combined Heat and Power

Malcolm Bruce: To ask the Secretary of State for Trade and Industry what the projection is for good quality combined heat and power capacity in each year from 2005 to 2009. [193827]

Mr. Mike O'Brien: The latest projections for CHP capacity were undertaken by Cambridge Econometrics and published in November 2003. These projections, based on policies in place at the time, were 6.4GW in 2005 and 8.1GW in 2010. The figures do not include the impact of the introduction of the EU Emissions Trading Scheme which could add 0.4GW to the 2010 figure, giving a projection of 8.5GW for that year. No estimates were made for the intervening years.

The report can be found at http://www.dti.gov.uk/energy/environment/energy_efficiency/chpreport.pdf

Consumers (Definition)

Huw Irranca-Davies: To ask the Secretary of State for Trade and Industry what definition her Department uses of the term consumer; and whether it includes *(a)* businesses and *(b)* public sector organisations. [193963]

Mr. Sutcliffe: The specific definition of a "consumer" will depend on the market being discussed. In general all recipients/users of the particular good or service for the market under consideration will be included in the definition.

Electricity (Rural Supplies)

Mr. Luff: To ask the Secretary of State for Trade and Industry if she will make it her policy to instruct Ofgem to give a high priority to investment by electricity distribution companies to secure supplies to rural areas in the current price renewal process. [192918]

Mr. Mike O'Brien: The distribution price control review, which will produce a revised price control effective from April 2005, is a matter between the independent regulator and the distribution companies. Among its statutory duties under section 3 of the Electricity Act 1989, as substituted by section 13 of the Utilities Act 2000, the regulator shall have regard to the interests of rural communities.

Export Credits Guarantee Department

Malcolm Bruce: To ask the Secretary of State for Trade and Industry what plans she has to revise the anti-corruption procedures brought into force by the Export Credits Guarantee Department on 1 May; and if she will make a statement. [193170]

Mr. Alexander *[holding answer 25 October 2004]:* While maintaining its commitment to conform to OECD best practice, ECGD is continuing discussions with customers and representative trade associations with a view to resolving issues surrounding the details and practical application of aspects of its existing bribery and corruption procedures.

Malcolm Bruce: To ask the Secretary of State for Trade and Industry on how many occasions the Export Credits Guarantee Department has made interim arrangements for customers regarding its new anti-corruption procedures since May. [193147]

Mr. Alexander: ECGD's interim arrangements incorporated elements of its previous anti-bribery and corruption procedures that were, themselves, robust. The interim arrangements were consistent with international best practice as defined by the OECD Export Credits Group.

ECGD has applied interim arrangements on four occasions

Malcolm Bruce: To ask the Secretary of State for Trade and Industry which organisations Export Credits Guarantee Department staff have met since January to discuss the anti-corruption procedures brought into force by the ECGD on 1 May; and on how many occasions. [193148]

Mr. Alexander: Officials from ECGD have met with customers and their representative trade associations, including the Society of British Aerospace Companies, the British Exporters Association, the British Bankers Association and the Confederation of British Industry eight times to discuss these procedures.

Malcolm Bruce: To ask the Secretary of State for Trade and Industry which organisations *(a)* she, *(b)* her Ministers and *(c)* her Department's staff have met since January to discuss the anti-corruption procedures brought into force by the Export Credits Guarantee Department on 1 May; and on how many occasions meetings have been held in each case. [193149]

Mr. Alexander: The Secretary of State for Trade and Industry, other Ministers and officials from both ECGD and DTI meet regularly with UK exporters and their trade bodies. This matter has been discussed on a number of occasions when ECGD's customers and their trade bodies including the Society of British Aerospace Companies, the British Exporters Association, the British Bankers Association and the Confederation of British Industry, have been present.

Malcolm Bruce: To ask the Secretary of State for Trade and Industry if she will list *(a)* the companies and *(b)* the countries for which the Export Credits Guarantee Department has approved interim arrangements in relation to its anti-corruption procedures since May. [193167]

Mr. Alexander *[holding answer 25 October 2004]:* ECGD's interim arrangements incorporated elements of its previous anti-bribery and corruption procedures that were, themselves, robust. The interim arrangements were consistent with international best practice as defined by the OECD Export Credits Group.

Since May, ECGD approved interim arrangements in respect of three transactions for the supply of Airbus aircraft to buyers in China, El Salvador and the Netherlands. Details of one further transaction cannot be disclosed in accordance with ECGD's normal policy on disclosure in relation to support provided by way of insurance rather than guarantees. Public disclosure could increase the probability of default and thus the chance of a claim.

Malcolm Bruce: To ask the Secretary of State for Trade and Industry which organisations have made representations to her Department, regarding the anti-corruption procedures brought into force by the Export Credits Guarantee Department on 1 May; and if she will place these representations in the Library. [193168]

Mr. Alexander *[holding answer 25 October 2004]:* The following organisations representing many of ECGD's customers have written with respect to the ECGD bribery and corruption procedures: the Society of British Aerospace Companies, the British Exporters Association, the British Bankers Association, the Confederation of British Industry and the British Consultants and Construction Bureau. Copies of these letters will be placed in the Library.

Informal representations were also made by a number of non-governmental organisations.

Malcolm Bruce: To ask the Secretary of State for Trade and Industry if she will make a statement on the effectiveness of the anti-corruption procedures brought in by the Export Credits Guarantee Department on 1 May. [193166]

Mr. Alexander *[holding answer 25 October 2004]:* ECGD's procedures to combat bribery and corruption are consistent with international best practice as defined by the OECD Export Credits Group.

Gas Transmissions (Norway)

Norman Baker: To ask the Secretary of State for Trade and Industry when the interconnector to allow gas transmissions from Norway will be *(a)* fully constructed and *(b)* operational. [193845]

Mr. Mike O'Brien *[holding answer 25 October 2004]:* The Norwegian operators for the Langeled pipeline aim to complete construction of the southern section of the pipeline, to link the Sleipner platform on the Norwegian Continental Shelf to Easington in Yorkshire, early in summer 2006. They expect to complete commissioning of the pipeline during summer 2006, ready for operational use by 1 October 2006.

Gas/Electricity Supplies

Malcolm Bruce: To ask the Secretary of State for Trade and Industry what the projection for electricity plant margin is for the forthcoming winter; what assessment has been made of the contribution mothballed plant could make to the system; and what estimate she has made of the time which would be required to return mothballed plant to the system. [192737]

Mr. Mike O'Brien: National Grid Transco, in their Winter Outlook Report 2004–05, report that the plant margin for the forthcoming winter is 20.2 per cent. A total of 3.6 GW of plant is currently mothballed of which, 1.2 GW would be readily able to return this winter, increasing the margin to 22.4 per cent. For the remaining 2.4 GW, NGT considers 0.8 GW would be unlikely to return for this winter. The other 1.6 GW is considered to be unavailable for this winter.

Hydrogen Power

Mr. Weir: To ask the Secretary of State for Trade and Industry how much funding the Government has given to research and development projects into hydrogen power in the last year; and how much it is planning to give in each of the next five years. [193286]

Mr. Mike O'Brien: The Department for Trade and Industry does not currently have a specific programme to support industrial collaborative research and development on hydrogen power, but it is likely that hydrogen energy will be one of the areas covered in one or more future calls for proposals under the Technology Programme. Basic university research is supported by the Research Councils, particularly the Engineering and Physical Sciences Research Council (EPSRC). Under the EPSRC's Supergen Programme (which supports research on sustainable power generation and supply) a UK Sustainable Hydrogen Energy Consortium (UKSHEC) has been established. This is a four year, £3.5 million initiative involving six universities and other organisations including the Policy Studies Institute. It is targeting multi-disciplinary research on the production, distribution and utilisation of hydrogen including socio-economics aspects of the hydrogen economy.

The Department has also commissioned a study to develop a Strategic Framework for Hydrogen Energy Activities in the UK, which is due to report in mid-November.

Innovation and Growth Teams

Mr. Jim Cunningham: o ask the Secretary of State for Trade and Industry which sectors her Department's innovation and growth teams cover. [192572]

Jacqui Smith *[holding answer 21 October 2004]:* DTI's Innovation and Growth Teams cover the following sectors: Automotive; Software and Digital Content related services; Chemicals; Environmental Goods and Services; Aerospace; Bioscience; and Electronics.

Manufacturing

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry if she will list her Department's funding given to each manufacturer in the *(a)* automotive sector and *(b)* manufacturing sector since 1997; and what the purpose was in each case. [192573]

Jacqui Smith *[holding answer 21 October 2004]:* This information is not held centrally to this level of detail and can only be compiled at disproportionate cost.

In summary, some £950 million of assistance was offered in England in support of 198,000 jobs between 1997 and 2004. This included some 3,611 RSA grants of which 130 were in the automotive sector.

258 RSA grants worth £150 million were offered in 2003–4, expected to secure £1.2 billion investment, safeguard 14,000 jobs and create 13,000 new jobs. Of these, 11 grants worth a total of £10 million were to the automotive manufacturing sector, expected to secure £81 million of investment and create/safeguard over 2000 jobs.

National Minimum Wage

Lynne Jones: To ask the Secretary of State for Trade and Industry (1) how many *(a)* anonymous, *(b)* named and *(c)* third party complaints of alleged non-compliance with the national minimum wage were received by the Inland Revenue enforcement agency in each financial year since 1999, including the current financial year to date; how many of the employers complained against in each financial year were found to be not complying with the national minimum wage; and what level of underpayment was identified in relation to the complaints in each financial year; [193621]

(2) how many investigations of employers suspected of non-compliance with the national minimum wage were conducted by the Inland Revenue enforcement agency on the basis of its analysis of tax credit and other data, in each financial year since 1999; how many of the employers investigated were found to be not complying with the national minimum wage; and what the level of underpayment of the national minimum wage identified in relation to such investigations was in each financial year. [193622]

Dawn Primarolo: I have been asked to reply.

Since the introduction of the minimum wage on 1 April 1999, the number of worker (named) complaints and third party complaints were as detailed in the table. It would be disproportionately expensive to establish details of the number of anonymous complaints for these years. The figures provided in the following table will include some cases where the complainant has asked to remain anonymous.

	Worker (named) complaints	*Third party complaints*
1999–2000	3,844	838
2000–01	1,823	542
2001–02	1,353	369
2002–03	1,500	498
2003–04	1,440	529
2004–05 (to 22 October 2004)	736	253

The number of investigations undertaken on the basis of tax credit and other data (excluding named and third party complaints) were as detailed follows.

	Tax credit	*Other official sources*	*Risk assessed*
1999–2000	0	0	4,231
2000–01	3,271	0	1,787
2001–02	2,461	381	669
2002–03	3,230	322	961
2003–04	2,839	231	313
2004–05 (to 22 October 2004)	1,840	97	235

Inland Revenue statistics related to numbers of employers found not to be complying with the minimum wage include results from investigations that arose from worker (named) or third party complaints as well as those arising from tax credit and other sources. For this reason we are unable to provide the details requested without incurring a disproportionate cost. Figures are provided in the table which show the percentage of all employers investigated who were found not to be complying and the level of underpayment for that year.

	Percentage non-compliance	*Arrears identified (£)*
1999–2000	20	1,242,341
2000–01	30	3,035,373
2001–02	36	5,135,799
2002–03	32	3,585,941
2003–04	40	2,558,096
2004–05 (to 22 October 2004)	34	2,326,177

Offshore Industry

Mr. Alan Campbell: To ask the Secretary of State for Trade and Industry what steps her Department is taking to support UK firms involved in fabrication projects in the offshore oil and gas industry. [193369]

Mr. Mike O'Brien: DTI's Energy Group is charged with improving the performance of the supply chains in the UK which serve this sector—including Offshore Fabrication. Energy Group works in the main with intermediaries such as regional development agencies and other partner organisations to promote joint initiatives which address aspects of competitiveness. Thus emphasis is placed on the development of skills and technology and the adoption of progressive business practices while support is given for the seeking of opportunities in diversification. Jointly with UK Trade and Investment Energy Group works with individual companies and sectoral organisations to maximise export opportunities.

Post Office

Sandra Gidley: To ask the Secretary of State for Trade and Industry what assessment has been made of the compliance of PIN pads in post offices with the Disability Discrimination Act 1995. [192815]

Mr. Sutcliffe: The compliance of pin pads with the Disability Discrimination Act 1995 is a matter for the Post Office Ltd. I understand that in order to address the concerns of those customers who find it difficult to use PIN pads, Post Office Ltd. consulted with the Disability Rights Commission and other representative groups regarding adjustments to make its services as accessible to as many people as possible. As a result a number of modifications have been made to the PIN pads located in post office branches, including the fitting of a plastic cover or key guide over the unused keys at the top of the PIN pad; fixing a tactile marker or "dot" on the central number "5" key; tactile markers that conform to international cash machine standards for the ENTER, CLEAR and CANCEL keys; and louder and different key tones for the function keys.

Mr. Luff: To ask the Secretary of State for Trade and Industry what assessment she has made of the implications for the provision of post offices in market towns of the imminent closure of the Evesham post office, situated in a supermarket. [192916]

Mr. Sutcliffe: None. Decisions on post office closures and relocations are operational issues for Post Office Ltd. I understand that the Evesham post office is currently operated by the Co-op, and is located within the Co-op store in the Riverside Shopping Centre. On 13 October the Co-op gave Post Office Ltd. six months notice of its intention to close the Evesham store and are now actively engaged with Post Office Ltd. in locating an alternative site to maintain post office provision in the area.

Annabelle Ewing: To ask the Secretary of State for Trade and Industry what percentage of the £5.4 million in respect of improvement investment grants paid to Post Office Ltd. has been spent in Scotland. [193290]

Mr. Sutcliffe: The £5,448,897 paid to date by the DTI to Post Office Ltd. for investment grant funding as part of the urban reinvention programme includes an element of pre-funding to the company to facilitate prompt payments to sub-postmasters. I understand from Post Office Ltd. that to the end of September 2004, 1453 investment grant applications, including 104 from Scotland, had been approved with £9.4 million committed (£538k in Scotland). Of these applications, 638 grants, totalling £3.6 million had been paid in full, including payments of £195k (5.4 per cent.) to sub-postmasters in Scotland.

Annabelle Ewing: To ask the Secretary of State for Trade and Industry what percentage of the £115 million in respect of compensation payments paid to Post Office Ltd. has been expended in Scotland. [193291]

Mr. Sutcliffe: As at October 2004, compensation payments for sub-postmasters whose post offices are closed under the terms of the urban reinvention programme, total £122,449,842.23. Post Office Ltd. has applied £6,381,779.82 (5.2 per cent. in respect of post offices in Scotland.

Clive Efford: To ask the Secretary of State for Trade and Industry what assessment has been made of the implications of using neighbourhood renewal areas in inner cities as part of the criteria for determining the definition of deprived areas used in the Post Office reinvention programme. [194000]

Mr. Sutcliffe: Implementation of the urban post office network reinvention programme is an operational matter for Post Office Ltd. I have therefore asked the Chief Executive to respond direct to my hon. Friend.

Product Labelling

Huw Irranca-Davies: To ask the Secretary of State for Trade and Industry what requirements there are for mandatory labelling of products for business to business sales, to ensure that the customer is receiving the *(a)* quantity and *(b)* quality of the product as advertised. [193966]

Mr. Sutcliffe: There are a diverse range of requirements for mandatory labelling of products. These address among other issues information on safety, health and environmental questions, and quantity of the product, composition of certain non-food products, and production standards of certain food products. Details of the full range of requirements are not held by my Department and could be obtained only at disproportionate costs.

The quantity and quality of products supplied in business-to-business sales is usually a contractual matter between those parties.

Regional Selective Assistance

Mr. Alan Campbell: To ask the Secretary of State for Trade and Industry what estimate she has made of the number of jobs *(a)* created and *(b)* safeguarded by regional selective assistance grants in (i) the North East and (ii) Tyne and Wear in the last five years. [193367]

Jacqui Smith: In the last five years to 31 March 2004, offers of Regional Selective Assistance in the North East are expected to create 15,430 new jobs and safeguard 12,743. The estimated figures for Tyne and Wear are 7,891 and 7,287 respectively.

Telephone Marketing

Kevin Brennan: To ask the Secretary of State for Trade and Industry what steps *(a)* she and *(b)* Ofcom is taking to protect people from silent telephone calls by commercial power diallers; and if she will make a statement. [193585]

Mr. Mike O'Brien: The information requested is as follows:

(a) My Department introduced the Telephone Preference Service (TPS) scheme, under the Privacy and Electronic Communications (EC Directive) Regulations 1999, which provides protection to subscribers from unsolicited silent calls that are made by commercial power diallers. The Information Commissioner's Office (ICO) has responsibility for the enforcement of the TPS scheme and considers breaches.

(b) The Office of Communications (Ofcom) can take action against persons who persistently misuse networks or services in a way that causes unnecessary annoyance, inconvenience or anxiety, but which falls short of a criminal offence, and Ofcom took action against two companies on 30 April 2004, which were found to have generated unacceptably high levels of unsolicited silent calls.

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what legislation is in place to protect *(a)* directory and *(b)* ex-directory private telephone owners from (i) domestic and (ii) international automated computer dialled telesales phone calls; and what her assessment is of the effectiveness of this legislation. [193783]

Mr. Mike O'Brien: The Government introduced the Privacy and Electronic Communications (EC Directive) Regulations in 1999, which provides a scheme called the Telephone Preference Service (TPS) scheme. This protects subscribers from unsolicited direct marketing calls, which originate from the UK or are made from abroad on behalf of UK companies, irrespective of whether they are dialled manually or made by an automated computer. The TPS scheme does not differentiate between directory and ex-directory subscribers and provides the same level of protection to all registered subscribers. The Information Commissioner's Office (ICO) has responsibility for the enforcement of the TPS scheme and considers breaches.

The feedback from subscribers is positive in respect of preventing unsolicited direct marketing calls.

Wind Turbines

Mr. Ben Chapman: To ask the Secretary of State for Trade and Industry pursuant to her answer of 14 September, *Official Report*, column 1541W, on wind energy, what part of the energy used in wind farm manufacture gives rise to carbon dioxide; and in what amounts. [189693]

Mr. Mike O'Brien: Most aspects of the manufacture and installation of a wind turbine gives rise to carbon dioxide, which is the same for any other forms of energy production.

There are no definitive studies which show this figure across wind farm manufacture, however, the British Cement Association, calculated the amount of carbon dioxide produced in a single foundation of a 2.5MW wind turbine.

Approximately 46 tonnes of carbon dioxide is produced for each turbine, but when this is compared with the annual savings of carbon dioxide, the pay back time is three days.

Bob Spink: To ask the Secretary of State for Trade and Industry what grants and assistance are available for the *(a)* capital installation and *(b)* operating of wind turbines; and if she will make a statement. [190744]

Mr. Mike O'Brien: The Government's main instrument for supporting the establishment of wind farms is the Renewables Obligation. The Obligation is a market based support mechanism that requires licensed electricity suppliers to provide a specified proportion of their electricity from renewable sources. This provides an assured market for renewable electricity and attracts a premium.

To date, the Government have committed £117 million in grant support towards the capital installation of early offshore windfarm development. No direct grant support is provided for onshore windfarm development except for some small household or community installations under the Clear Skies scheme.

FOREIGN AND COMMONWEALTH AFFAIRS

Bangladesh

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what the backlog is in dealing with entry clearance cases from Dhaka. [193357]

Mr. Mullin: Our High Commission in Dhaka is currently processing non-settlement visa applications that do not require interview within 48 hours. The waiting time for non-settlement applications requiring interview is currently one month with the exception of applications under the Sector Based Scheme (SBS) which are currently taking five months. The SBS allows UK employers in the food processing and hospitality sectors the opportunity to apply for work permits for foreign nationals. Settlement applications requiring interview are also currently taking approximately five months to process.

There are a number of reasons for these delays. So far this year there has been a 31 per cent. rise in visa applications in all categories compared with 2003. Much of this relates to the SBS. Our High Commission in Dhaka received over 8,000 SBS applications this year. As a result of the high number of refusals in this category (64 per cent.), our High Commission have also seen an increase of 129 per cent. this year on the number of appeals they handled in 2003.

UKvisas are considering providing reinforcements for the visa section in Dhaka with the aim of ensuring a swift return to normal standards of service.

Belarus

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will make a statement on the recent elections and referendum in Belarus; what representations he has made to the Belarus Government concerning the elections and referendum, with particular reference to poll rigging and intimidation of voters; when and in what forum he will next raise the situation in Belarus with the UK and European partners; and what recommendations for future action he will make to them; [193463]

(2) if he will make a statement on the constitutional referendum in Belarus that will allow the President to seek unlimited terms in office. [193820]

Mr. MacShane: I refer the hon. Member to the declaration on the conduct of the election and referendum in Belarus issued by the EU on 20 October. We fully support this declaration. We are deeply concerned about the issues raised in the preliminary findings and conclusions of the Organisation for Security and Co-operation in Europe's (OSCE) Election Observation Mission. Working Groups in Brussels have begun to explore options for action. We will press for a clear response to the conduct of the election and referendum.

The full text of the EU declaration is available on the Presidency's website at: http://www.eu2004.nl/default.asp?CMS_ITEM=6E8D65E8E7E145F5A45D9B9BC18C40EBX1X53350X89

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps Her Majesty's Government is taking to encourage Belarus to *(a)* work towards becoming a democracy, *(b)* ensure that the electoral process is not subject to Government interference and *(c)* ensure that the opposition is not subject to intimidation and violence. [193819]

Mr. MacShane: The Government, together with our EU partners, regularly raises our concerns about democracy and the need for free and fair elections in Belarus with the Belarusian Government, bilaterally through our embassies in Minsk, in multilateral fora including the Organisation for Security and Cooperation in Europe (OSCE) Permanent Council in Vienna, and through public declarations. Several statements were issued through the EU and OSCE in the lead up to the 17 October elections. The UK contributed three Long Term Observers, 30 Short Term Observers and the Deputy Head of Mission to the OSCE's International Election Observation Mission (IEOM). We fully support the EU declaration of 20 October condemning the conduct of the 17 October parliamentary elections and the violent actions taken by the Belarusian authorities against the opposition. We will now press Belarus to implement the recommendations in the OSCE/IEOM's final election report, which will be published shortly. We will also look to bolster our support for civil society and to continue deepening our links with NGOs and opposition parties.

Botswana

Gregory Barker: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what representations he has made to the Government of Botswana regarding the Kalahari Basarwa Bushmen; [192749]

(2) what representations he has received regarding the Kalahari Basarwa Bushmen; and if he will make a statement. [192750]

Mr. Mullin: I discussed the issue of the Basarwa with President Mogae last December when we met at the Commonwealth Heads of Government Meeting in Abuja. The hon. Member for Cheltenham (Mr. Jones) discussed the Basarwa with me on 26 February.

Through the High Commission in Gaborone we remain in contact with interested members of civil society as well as with the Government of Botswana over the situation of the Kalahari Basarwa.

Correspondence

Sir Gerald Kaufman: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will reply to the letter to him dated 14 September from the right hon. Member for Manchester, Gorton with regard to Mr. Sundus Salman. [192537]

Mr. Mullin: My right hon. Friend the Foreign Secretary replied on 4 October.

Cyprus

Andrew Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the Government deemed the paper published by the Republic of Cyprus on 15 March 2004 to contain acceptable proposals for security in Cyprus; and if he will make a statement. [190445]

Mr. MacShane: There were many proposals from both sides on security issues in the lead up to the final stage of negotiations. The British Government supports the UN's judgment that the final version of the comprehensive settlement plan was a carefully balanced compromise.

Democratic Republic of the Congo

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the developments in the Democratic Republic of the Congo since January; and if he will make a statement. [193390]

Mr. Mullin: The peace process remains fragile and the Democratic Republic of the Congo (DRC) continues to face considerable political and economic challenges. The Transitional Government in the DRC is gradually extending its authority, and the country is making some progress towards elections, scheduled to be held in June 2005.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the alleged involvement of other African countries in the civil war in the Democratic Republic of the Congo from 1998 to 2003; and if he will make a statement. [193391]

Mr. Mullin: The involvement of several African countries during the war in the Democratic Republic of the Congo (DRC) between 1998 and 2003 is well documented. Troops from Angola, Burundi, Chad, Namibia, Rwanda, Uganda and Zimbabwe were present in the DRC during this period.

All these countries had withdrawn their troops by June 2003.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the International Rescue Committee's mortality study on the conflict in the Democratic Republic of the Congo, published on 8 April; and if he will make a statement. [193392]

Mr. Mullin: This report highlighted the terrible human cost of the war in the Democratic Republic of the Congo (DRC). We welcomed its recommendations, which were in line with Government efforts to work with the UN and South Africa to install the Congolese Transitional Government in Kinshasa and for all foreign troops to withdraw as agreed in the Lusaka Peace Accord.

The UK continues to play its part in the international effort to bring long-term peace to the DRC.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps his Department is taking to help resolve the situation in the Democratic Republic of the Congo; and if he will make a statement. [193393]

Mr. Mullin: We remain in close contact with regional and international partners on how best to support the peace process in the Democratic Republic of the Congo (DRC). The British ambassador in DRC is a member of the international committee, established as part of the peace agreement, to support the transition process.

The UK supported UN Security Council Resolution 1565, which authorised the deployment of a further 5,900 military personnel to the UN Mission (MONUC), and, we believe, will help improve MONUC's effectiveness, particularly in Eastern DRC. We also support the International Conference on the Great Lakes and the establishment of a Joint Verification Mechanism for the Rwanda/DRC border.

Egypt

Mr. Jim Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department has had with the authorities in Egypt since the explosions in Taba and Nuweiba. [193744]

Mr. Rammell: Immediately after the event my right hon. Friend the Foreign Secretary condemned the attacks in Taba and Nuweiba and expressed his condolences to the Egyptian Government. A member of the embassy's staff was at the scene of the bomb in Taba within an hour of the attack, and the embassy crisis response team arrived on site early the following morning to offer assistance to British nationals.

The embassy have been in constant touch with the Egyptian authorities since the attacks. Our ambassador has met with all those Ministers responsible for handling the search and rescue effort and investigating the attack. We have offered our co-operation and maintained a close dialogue with the Egyptian authorities.

Eritrea

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the number of evangelical and pentecostal churches which have been closed down in Eritrea since 21 May 2002. [193581]

Mr. Mullin: Under legislation introduced in May 2002, members of small religious groups cannot meet in their churches unless they have completed a registration process. To date, none have completed this process but the Government are in discussions with some groups (including the evangelical and pentecostal churches) and has not taken any official action against them. However, we remain concerned at reports of the arrest and detention of individuals as a result of their religious beliefs and will continue to raise our concerns at every suitable opportunity.

FCO Arabic Speakers

Mr. Robert Jackson: To ask the Secretary of State for Foreign and Commonwealth Affairs how many fully trained Arabic speakers work for the Foreign Office. [192889]

Mr. Alexander: 108 officers have a current Foreign and Commonwealth Office qualification in Arabic. A number of other officers will take examinations in the next year.

Former Soviet Republics

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place with the Governments of *(a)* Kyrgyzstan, *(b)* Tajikistan, *(c)* Uzbekistan and *(d)* Turkmenistan on illegal trade of radioactive materials produced by the former Soviet Union. [192055]

Mr. MacShane: There have been no recent discussions with the Governments of Kyrgyzstan, Tajikistan, Uzbekistan or Turkmenistan on illegal trade of radioactive materials produced by the former Soviet Union. However, the Government has pledged up to $750 million over 10 years from 2002 to the Global Partnership against the spread of weapons and materials of mass destruction, which aims to secure and make safe the legacy of the former Soviet Union's weapons programme.

Iraq

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what contingency preparations have been made by the coalition to provide for refugees that may flee an operation to bring Fallujah back under Iraqi Government control; and if he will make a statement. [193482]

Mr. Rammell *[holding answer 25 October 2004]:* In the case of any military operations in Fallujah this would be a matter for the Iraqi Interim Government (IIG) and the Multi-National Force (MNF). The MNF seeks at all times to minimise the impact of any military action on civilians. MNF operations always take into account the likely humanitarian consequences of military operations. In undertaking military operations the MNF and Iraq Security Forces aim to return areas of Iraq to IIG control, providing a normal life to Iraqi civilians, thus creating better conditions for rapid progress on reconstruction and humanitarian efforts.

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what *(a)* representations he has made to and *(b)* assurances he has received from the United States that, should they mount an operation to bring Fallujah under Iraqi Government control, there are plans in place to fulfil the Coalition's obligations to civilians affected by the operation under Article 16 of the Geneva Convention relative to the Protection of Civilian Persons in time of war; and if he will make a statement. [193481]

Mr. Rammell *[holding answer 25 October 2004]:* The UK and US are no longer occupying powers and therefore the 4th Geneva Convention does not apply. Nonetheless, the Multi-National Force (MNF) seeks at all times to minimise the impact of any military action on innocent civilians and, of course, to avoid civilian casualties. The bulk of their duty involves protecting civilians. In undertaking military operations the MNF and Iraq Security Forces aim to return areas of Iraq to Iraqi Interim Government control, providing a normal life to Iraqi civilians, thus creating better conditions for rapid progress on reconstruction and humanitarian efforts.

Lembit Öpik: To ask the Secretary of State for Foreign and Commonwealth Affairs whether, in 2002, *(a)* a Minister in the Foreign Office and *(b)* an ambassador indicated to the United States Administration that the UK Government backed regime change in Iraq; and if he will make a statement. [193646]

Mr. Alexander *[holding answer 25 October 2004]:* In 2002, there were numerous discussions and exchanges on Iraq between the US Administration and UK officials, including Foreign and Commonwealth Office Ministers and ambassadors. The basis of our argument throughout that period was that we had to go back to the UN and we had to enforce Iraq's compliance with UN resolutions. We accepted that that might entail regime change, although that was not our objective. We went back to the Security Council in November 2002 to get a further resolution, UNSCR 1441, which authorised the use of force for this purpose. As a result of Saddam Hussein's persistent and continuing failure to comply with Iraq's UN obligations (which, as the recent Iraq Survey Group report confirms, continued right up until the launch of military action), the Government concluded in March 2003 that it was necessary to use force to remove Saddam Hussein from power in order to secure Iraqi compliance.

Latvia

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the ease of access for a British citizen on holiday in Latvia to the Latvian judicial system if he or she should be a victim of crime. [193133]

Mr. Mullin: Legislation provides all victims of crime with the same level of judicial protection in Latvia. Generally, Latvian law prescribes that any crime should be investigated fully. Our Consular staff maintain close contact with the Latvian authorities and are informed when a British citizen becomes a victim of crime. Our staff provide a range of consular assistance to ensure the needs of the victim are met and any welfare issues addressed.

In addition, the British embassy in Latvia is able to make inquiries on behalf of British citizens if they feel they are not getting the correct information from police or other authorities. However, our experience to date is the police accept complaints immediately and act where necessary.

Overseas Students

Chris Grayling: To ask the Secretary of State for Foreign and Commonwealth Affairs how many overseas students who have applied to study at universities in the UK have yet to be granted a visa to enter the country. [193135]

Mr. Mullin: UKvisas maintains a record of the number of student applications and refusals for each financial year. This is not broken down into categories of application, so there is no way of determining how many prospective university students have yet to be granted a visa to enter the country.

Tom Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the British High Commissioner in Bangladesh concerning the amount of funding a student is required to have before a visa is granted to study in the United Kingdom; and what review of this requirement is planned. [193490]

Mr. Mullin: There is no set amount of money that overseas students need to show that they have available in order to gain entry clearance to the UK. The Immigration Rules state that applicants must be able to show that they have sufficient funds to pay for their course and support themselves and any accompanying dependants without working or recourse to public funds. While there is provision for students to take employment during vacations or spare time, no account may be taken of any prospective earnings from that employment in assessing the ability of a student to meet the maintenance requirement.

The British Council has provided our High Commission in Dhaka with estimations for student living costs in the UK. They estimated costs (excluding fees) for 2002–03 to be £768 per calendar month (£6,912 for the academic year; which is a nine-month period) for a course in London and £600 per calendar month (£5,400 for the academic year) for a course outside London.

Offer letters from educational establishments often contain an estimated cost for living expenses and the ECO can also use these figures as a guide.

Mr. Caton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on changes in the number of people arriving from outside the UK on student visas between 2002 and 2003. [192399]

Mr. Mullin: During the financial year 2002–03 there was a total of 128,144 student visas issued world-wide. The equivalent figure for the financial year 2003–04 has not yet been finalised, but is estimated to be around 146,000, an increase of about 14 per cent.

Pakistan

Alan Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Pakistani authorities regarding their recent testing of a medium-range nuclear-capable missile. [192704]

Mr. MacShane: I refer my hon. Friend to the reply I gave to the hon. Member for Moray (Angus Robertson) on 21 October 2004, *Official Report*, columns 900–01W.

Sudan

Mr. Martyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the levels of sexual violence in the Darfur region of Sudan. [193914]

Mr. Mullin: We remain extremely concerned about sexual violence in Darfur. Displaced people remain vulnerable to attack and the numbers of officially reported rape cases may belie the true scale of abuse.

The UK has repeatedly made clear to the Government of Sudan that they must act now to improve the security situation, to protect civilians from such atrocities and to ensure that those guilty of crimes are brought to justice. We are supporting the expanded AU mission and are providing support to the UN and other agencies, such as the Office of the UN High Commissioner for Human Rights and International Committee of the Red Cross, to enhance civilian protection.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with *(a)* the Sudanese Liberation Army and *(b)* the Justice and Equality Movement in Darfur. [193006]

Mr. Mullin: Officials from the British embassy in Khartoum and the Foreign and Commonwealth Office are in regular contact with the Sudan Liberation Movement/Army and the Justice and Equality Movement, both at the peace talks in Abuja and Addis Ababa, and in Sudan. On 13 October, I met the Sudan Liberation Movement/Army leadership.

Turkey

Bob Spink: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received regarding negotiations for Turkish accession to the EU; and if he will make a statement. [193506]

Mr. MacShane: Turkey's EU candidacy is a frequent subject of discussion between my right hon. Friend the Foreign Secretary and EU partners and Turkey. Recently, he discussed this with the Turkish Foreign Minister Abdullah Gul, during his visit to Ankara on 7 October, and during the visit to the UK on 19 October of the German Foreign Minister Joschka Fischer. On these and other occasions, he reaffirmed the support of the UK Government for Turkey's EU candidacy. Following the European Commission recommendation that Turkey has fulfilled the Copenhagen political criteria, the UK Government believes that the December European Council should now agree to open negotiations without delay.

Iran

Mr. Jim Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions his Department has had with the Iranian Government regarding uranium enrichment. [193314]

Mr. MacShane *[holding answer 26 October 2004]:* Senior officials from the UK, France and Germany had discussions with their Iranian counterparts in Vienna on 21 October.

They agreed to meet again shortly for further discussions with a view to identifying an agreed way forward through diplomatic means.

PRIME MINISTER

Bush Doctrine

Mr. Allen: To ask the Prime Minister whether he has made recent representations to President Bush about the *(a)* legality and *(b)* practicality of the Bush Doctrine; and whether he has discussed with him alternative means of dealing with potential threats from rogue states. [193933]

The Prime Minister: I am in regular discussions with President Bush on a wide range of issues, including our shared imperative of tackling terrorism and other security matters.

Iraq

Glenda Jackson: To ask the Prime Minister (1) when and from whom in the Iraqi Interim Government he first received a request for British troops to be moved from their present duties in Southern Iraq to unspecified positions south of Baghdad; [192942]

(2) when and with whom in the US Administration he last discussed the terms of engagement for the deployment of British troops south of Baghdad; [192965]

(3) when and with whom in the Iraqi Interim Government he last discussed the terms of engagement for the deployment of British troops south of Baghdad. [192966]

The Prime Minister: As I made clear during Prime Minister's questions on Wednesday 20 October, this request was a military request made by the American military to the British military. This deployment is a part of the process of creating the right conditions for the Iraqi elections to take place in January. We share with the Iraqi Interim Government and with our coalition partners a common goal of creating a secure and stable Iraq.

Glenda Jackson: To ask the Prime Minister (1) when and with whom in the US Administration he last discussed the proposed military assault on Fallujah; [192954]

(2) when and with whom in the Iraqi Interim Government he last discussed the proposed military assault on Fallujah. [192955]

The Prime Minister: The Government and UK Military Commanders are engaged in constant dialogue with the US and Iraqi Government on a range of operations in Iraq. Disclosing details would endanger those operations.

United Nations

Mr. Allen: To ask the Prime Minister whether he plans to bring forward proposals to allow the United Nations a right of action against sovereign states which pose *(a)* a potential threat to international peace and security and *(b)* an actual or imminent risk of humanitarian catastrophe or violations of basic human rights. [193934]

The Prime Minister: The UN Secretary-General has set up a High Level Panel to recommend improvements in the UN's response to threats to international peace and security, including in these areas. The UK has put forward ideas to the Panel which encourage earlier collective action to deal with threats to peace and security and with humanitarian emergencies. These proposals are set out in the Command Paper "The United Kingdom in the United Nations" (Cm 6325) presented to Parliament on 21 October 2004.

NORTHERN IRELAND

Economy

6. **Mark Tami:** To ask the Secretary of State for Northern Ireland if he will make a statement on the performance of the Northern Ireland economy. [193195]

Mr. Gardiner: The Northern Ireland economy has performed well over recent years. Employment is at record levels while the unemployment rate is currently at the lowest recorded level ever at 4.7 per cent. The latest available figures show that annual growth in the Northern Ireland economy was the second highest of the UK regions.

Unemployment

7. **Mr. Watts:** To ask the Secretary of State for Northern Ireland if he will make a statement on the levels of unemployment in Northern Ireland in *(a)* 1997 and *(b)* 2004. [193196]

Mr. Gardiner: The latest available data, for the period June to August, shows that unemployment in Northern Ireland has fallen from 61,000 to 35,000 between 1997 and 2004.

The current unemployment rate of 4.7 per cent. compares favourably to the rate of 8.1 per cent. recorded during the same period in 1997.

Decommissioning

8. **Sir Nicholas Winterton:** To ask the Secretary of State for Northern Ireland if he will make a statement on the decommissioning of illegally held weapons and explosives. [193197]

Mr. Pearson: I refer the hon. Member to the answer I gave earlier to my hon. Friend the Member for Glasgow, Anniesland (John Robertson).

Peace Process

9. **Kevin Brennan:** To ask the Secretary of State for Northern Ireland if he will make a statement on the Leeds Castle talks. [193198]

Mr. Paul Murphy: A large measure of progress was made on the key points at Leeds Castle and we are reflecting now on how to finalise the outstanding institutional issues. As the Prime Minister has said, we cannot allow matters to drift.

Water Rates

10. **Mr. Beggs:** To ask the Secretary of State for Northern Ireland whether the timetable for the introduction of water rates in Northern Ireland has been changed; and if he will make a statement. [193199]

Mr. Spellar: I announced my proposals for the basis on which household water and sewerage charges will be set and also changes to the current arrangements for charging non-domestic customers on 13 September 2004. The announcement said that the new charges would be phased in from 2006–07, or as soon as practicable thereafter.

Implementation depends on a range of practical factors, but that target remains our aim.

Paramilitary Activity

11. **Bob Spink:** To ask the Secretary of State for Northern Ireland what assessment he has made of the current level of punishment beatings and shootings. [193200]

Mr. Pearson: The Government remain concerned at the level of control exercised by both loyalist and republican paramilitary organisations within their communities. So far this year (to 17 October) there have been 192 paramilitary attacks, 48 fewer than for the same period last year. Loyalists have been responsible for carrying out almost three times as many attacks as republicans—77 shootings and 65 assaults, compared to

22 shootings and 28 assaults by republicans. The Independent Monitoring Commission is due to report on this area shortly.

Racism

12. **Mr. Gordon Prentice:** To ask the Secretary of State for Northern Ireland what steps he is taking to combat racism in Northern Ireland. [193201]

Mr. Spellar: The Government have frequently put on record our abhorrence of all forms of intolerance and racism. We are committed to eradicating such manifestations of hatred, whether based on racism or based on sectarianism and are developing a coordinated response to the problem in Northern Ireland. The issues raised by racism are issues for all sections of society in Northern Ireland and in expressing abhorrence of racism, all of us must avoid the temptation to demonise entire areas and communities.

It would be an act of prejudice itself to stereotype people because of where they live or because of their community background. The Belfast Agreement provides a unique opportunity to bring about a society which will recognise the full and equal legitimacy and worth of identities, senses of allegiance and ethos of all sections of the community in Northern Ireland.

The final version of the Race Equality Strategy (which takes account of extensive consultation with all sections of NI society) will be published by the Office of the First Minister and Deputy First Minister soon and specific actions will be included in a detailed implementation plan developed in line with the strategy.

The Government's Community Safety Strategy, which is being implemented through the Community Safety Unit of the Northern Ireland Office, identified offences motivated by prejudice and hatred as a central theme in making Northern Ireland a safer place for all its citizens. Specifically, the strategy seeks to reduce the levels of crime motivated by sectarianism, and to promote and enhance the safety of minority ethnic residents.

Currently, the unit is facilitating a working group of voluntary and statutory organisations which aims to establish a clear framework and operational system for the recording and monitoring of a number of hate crimes. These will include sectarian, racist and homophobic incidents, as well as those relating to disability. An agreed framework is now in place with implementation intended by December 2004. Within its Community Safety grant programme, the Challenge Competition, the unit has also provided funding towards four projects which have a central theme of countering prejudice and hatred to a total value of £273,255.

Enforcement action by Police Service of Northern Ireland will continue to be the key to tackling such attacks. This will be accompanied by a range of actions by the Northern Ireland Office and the Northern Ireland Departments. As well as new legislative proposals, these will include measures on education, housing, health and social policy issues.

Legislation for Northern Ireland, aimed at tackling racially motivated offences is contained in the Criminal Justice (No. 2) Order 2004, commenced on 28 September 2004 and will require sentencers, where offences are aggravated by such hostility, to treat racial and religious aggravation as an aggravating factor when sentencing. The legislation will also cover offences motivated by hatred of sexual orientation and disability. The proposals will also increase maximum sentences available for certain specified, mainly violent offences including where racial, religious or sexual aggravation is proven.

Employment (Belfast)

13. **Mr. Peter Robinson:** To ask the Secretary of State for Northern Ireland what steps the Government are taking to attract jobs to East Belfast. [193202]

Mr. Gardiner: Invest NI initiatives which can help attract jobs to East Belfast include stimulating new foreign investment, helping existing companies develop key capabilities and encouraging entrepreneurship through increased new business starts. Invest NI's 104 client companies in the constituency employ around 10,000 people and its programmes have provided £17.9 million support towards almost £68 million investment in these companies since April 2002.

Crime

14. **Jim Sheridan:** To ask the Secretary of State for Northern Ireland if he will make a statement on levels of non-paramilitary crime in Northern Ireland. [193203]

Mr. Pearson: Recorded crime statistics produced by the Police Service of Northern Ireland do not distinguish between paramilitary and non-paramilitary crime. There is no simple dichotomy between a paramilitary and a non-paramilitary crime and it would be impossible to authoritatively conclude whether every crime was or was not linked to paramilitary organisations.

What I can say is that there were a total of 127,953 offences recorded in Northern Ireland during 2003–04 compared with 142,496 in 2003. This represents a decrease of 10.2 per cent. The overall clearance rate was 27.4 per cent., 4.4 per cent. higher than that achieved in the previous year.

Police figures released for the period April to September 2004 show 6,608 fewer recorded offences, a decrease of 10.2 per cent. on the same period last year. This is a result of excellent proactive police work and community involvement right across Northern Ireland. I am confident that this downward trend will continue as long as the police and communities work together to make Northern Ireland a safer place for all.

Fly-tipping

Lady Hermon: To ask the Secretary of State for Northern Ireland how many people were convicted of illegal fly-tipping in Northern Ireland in each of the past five years; what penalties are available for those convicted of illegal fly-tipping; and what steps he is taking to prevent illegal fly-tipping. [193557]

Angela Smith: For the four years 1999–2003, district councils held responsibility for prosecuting cases where waste was fly-tipped. The Department of the Environment has asked district councils to supply data on convictions during this period. I will write to the hon. Lady when this is available.

On 19 December 2003, the responsibility for such prosecutions transferred to the Department, although powers to require the removal of fly-tipped waste were retained by district councils. Since this date, the Department's Environment and Heritage Service has investigated many cases where waste has been illegally deposited. There are currently 129 cases under investigation, 18 being considered by the Public Prosecution Service and one case where a conviction has been obtained.

Penalties for conviction are dependent on where the case is heard. Currently the maximum penalty available is up to six months' imprisonment or a fine of up to £20,000, or both, for cases heard in the magistrates court; or up to two years' imprisonment and/or an unlimited fine for cases heard in the Crown court.

To combat illegal waste disposal, the Department of the Environment has developed a specialised team, which works closely with district councils, the Police Service of Northern Ireland, Driver and Vehicle Licensing Northern Ireland, and HM Customs. It has produced guidance for district councils and it enforces the regulations under Registration of Carriers and Duty of Care.

Hazardous Waste

Lady Hermon: To ask the Secretary of State for Northern Ireland pursuant to the answer of 19 October 2004, *Official Report*, column 674W, on hazardous waste, why incidences of illegally disposed special waste were not recorded before 2002. [193724]

Angela Smith: Under the Special Waste Regulations (Northern Ireland) 1998, the movement of special waste is monitored by means of a consignment note which accompanies the waste from its point of arising to its destination. The Department of the Environment retains records for the movement of special waste including the subsequent movement of any reported illegally deposited waste. These records are available for all movements of special waste from September 1998 and were consolidated into a database from October 2001. Records prior to October 2001 date are not therefore readily available and could be collated only at disproportionate cost.

Lady Hermon: To ask the Secretary of State for Northern Ireland what steps he is taking to prevent the illegal disposal of special waste in Northern Ireland; what penalties are available for those caught illegally disposing special waste in Northern Ireland; and how many convictions there have been since 2002 for the illegal disposal of special waste. [193742]

Angela Smith: The Department of the Environment administers and enforces the Special Waste Regulations (Northern Ireland) 1998 ("the 1998 Regulations") which control the movement of special waste throughout Northern Ireland. The Department audits and inspects those involved in the movement of special waste, including the producers, the waste carriers and the facilities receiving the waste, to ensure compliance with the regulations. The Department also works with others to promote compliance and awareness among those involved in the chain of special waste.

There are a number of pieces of legislation that are applicable to the illegal disposal of special waste. A person who commits an offence under the 1998 Regulations shall be liable, on summary conviction to a fine not exceeding level 5 on the standard scale (presently £5,000); or, on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both. The penalties are applicable for each offence.

Article 4 of the Waste and Contaminated Land (Northern Ireland) Order 1997 ("the 1997 Order") relates to the unauthorised or harmful disposal of waste. A person guilty of an offence under this article in relation to special waste shall be liable, on summary conviction, to imprisonment for a term not exceeding 6 months or to a fine not exceeding £20,000 or to both; or, on conviction on indictment, to imprisonment for a term not exceeding five years or to a fine or to both. Also, under Article 5 of the 1997 Order, which relates to 'duty of care' requirements, any person failing to comply with certain requirements therein shall be guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding the statutory maximum (presently £5,000); and, on conviction on indictment, to a fine. Again, these penalties are applicable for each offence.

There has been one conviction since 2002, and there are several cases pending.

Hospital-acquired Infections

Lady Hermon: To ask the Secretary of State for Northern Ireland if he will make a statement on the infection control strategy used to combat the incidence of MRSA and other healthcare-acquired infections in Northern Ireland. [193743]

Angela Smith: The 1990 GB guidelines for combating MRSA set out in the working party report headed by Dr. G. Duckworth, revised in 1998, are followed in Northern Ireland. In April 2000 the Department issued guidance (HSS (MD) 9/2000), entitled "The Management and Control of Hospital Infection", to the Health and Personal Social Services in Northern Ireland setting out a programme of action for the HPSS. This sought to strengthen the prevention and control of infection in hospital, secure appropriate health care services for patients with infection, improve surveillance of hospital infection and to monitor and optimise antimicrobial prescribing.

The Department has been undertaking a range of activities to reduce the incidence of MRSA and other healthcare-acquired infections and has most recently announced the setting up of a working group under the chairmanship of the Chief Medical Officer to produce an infection control strategy whose key aim will be the prevention and control of the spread of infection in hospitals and other health care settings.

IT Access

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will make a statement on access for health visitors and community nurses in the Province to *(a)* computers, *(b)* the internet and *(c)* IT training. [192870]

Angela Smith: There are a number of initiatives aimed at increasing access to Information and Communications Technology facilities for health and social care professionals working in the community, including health visitors and community nurses. Wherever access to ICT is provided, this includes, if appropriate, access to internet services. There is no central information on provision of ICT facilities specifically for health visitors and community nurses.

Training in the use of ICT is provided by trusts, who are encouraged to make use of computer-based training facilities, including access to the European Computer Driving Licence training facilities used by the NHS in England.

The Person-centred Community Information System project will provide ICT services for all community health and social care professionals in the next three years. This project includes provision of technology and use of internet services to support care professionals through training in ICT and professional information services.

Public Appointments

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland if he will make a statement on public appointments for which his Department is responsible and compliance with *(a)* equal opportunities and *(b)* fair employment legislation. [174040]

Mr. Paul Murphy: Appointments to the boards of non-departmental public bodies (NDPBs) for the Northern Ireland Administration and the Northern Ireland Office are governed by the Codes of Practice of the Commissioner for Public Appointments for Northern Ireland and Great Britain respectively. The overriding principle is that selection must be based on merit, through the well informed choice of individuals who, through their abilities, experience and qualities match the needs of the body in question. The Commissioner's Codes also require departments to ensure their processes for making appointments comply with the statutory duty under section 75 of the Northern Ireland Act 1998, to have due regard to the need to promote equality of opportunity. The Commissioner's principles are routinely applied to all appointments in Northern Ireland by the departments and the Northern Ireland Office.

EDUCATION AND SKILLS

Attention Deficit Hyperactivity Disorder

Mr. Drew: To ask the Secretary of State for Educational and Skills what advice he gives to social services departments on how to deal with families who have individuals suffering from attention deficit hyperactivity disorder [192241]

Margaret Hodge: The National Service Framework for Children, Young People and Maternity Services published in September, sets national standards for children's health and social care. Standard 9, of the framework "The Mental Health and Psychological Well-being of Children and Young People", states that all children and young people, from birth to their 18th birthday, who have mental health problems and disorders such as attention deficit hyperactivity disorder (ADHD) have access to timely, integrated, high quality, multi-disciplinary mental health services to ensure effective assessment, treatment, support and advice, for them and their families.

Environmental Measures (Schools)

Mr. Sheerman: To ask the Secretary of State for Education and Skills (1) what action his Department is taking to ensure that schools incorporate sustainable and environmental measures into their school buildings as part of the capital investment in school buildings; [194040]

(2) if his Department will ensure that sufficient funding is available for schools to incorporate sustainable and environmental measures into their school buildings as part of the capital investment in school buildings; [194041]

(3) what steps his Department is taking to support the incorporation of sustainable and environmental measures into school buildings; [194042]

(4) how much has been provided by his Department for capital investment in school buildings in each of the last 10 years; and how much of this total was invested in sustainable and environmental measures. [194043]

Mr. Charles Clarke: My Department is committed to sustainable development in education. Our Sustainable Development Action Plan for Education and Skills, launched in September 2003, sets out the work we are doing, and I am placing copies in the House Library. Action on capital investment and school buildings includes the production of a new Building Research Establishment Environmental Assessment Method (BREEAM) for schools, which we are launching today at the Environment Agency's annual conference in Birmingham. We also promote good practice through building bulletins, which explain the application of building regulations to schools, demonstration projects such as our 'classrooms of the future' and 'exemplar schools of the future', and the development of design quality indicators.

This Department's support for capital investment in school buildings, including PFI credits, is £4.5 billion this year, 2004–05. Capital support, including PFI credits and ICT, will rise to £5.5 billion in 2005–06 and then, following the Spending Review 2004, by

£750 million to £6.3 billion in 2007–08. The figures for school buildings, including PFI credits, over the last 10 years are as follows:

	£ million
1994–95	613
1995–96	625
1996–97	683
1997–98	755
1998–99	887
1999–2000	1,040
2000–01	1,824
2001–02	1,828
2002–03	2,156
2003–04	3,039

We do not ring-fence our support for environmental and sustainable measures, and do not collect information about how resources are invested locally. But these are substantial amounts that will allow all new schools to aim for at least a 'very good' rating under BREEAM, and for existing schools to improve their sustainability.

GCSE Results

Mr. Laws: To ask the Secretary of State for Education and Skills what the lowest mark needed to obtain *(a)* GCSE mathematics, *(b)* GCSE English and *(c)* GCSE physics at (i) A grade, (ii) C grade and (iii) pass has been in each year from 1995 to 2004; and if he will make a statement. [192135]

Mr. Miliband: This information is the responsibility of the Qualifications and Curriculum Authority. We have requested that they place the information in the House of Commons Library.

Higher Education

Simon Hughes: To ask the Secretary of State for Education and Skills what percentage of school leavers domiciled in each local education authority area in England entered higher education in the UK in each year since 1997. [193518]

Dr. Howells: I refer the hon. Member to the answer I gave him on 4 October 2004, *Official Report*, column 1806W, which gave the latest available figures up to 2003. Data for 2004 will not be available until February 2005.

Home Education

Mr. Flook: To ask the Secretary of State for Education and Skills how many pupils of school age were educated at home in each age group in *(a)* Somerset and *(b)* Taunton in each year since 1997. [193873]

Mr. Miliband: The available information is shown in the table.

Number of pupils not in school and being otherwise educated, 1997–2004, Somerset local education authority and England

	Somerset local education authority				*England*			
	Pupils aged 5–10	*Pupils aged 11–15*	*Pupils aged 16+*	*Total*	*Pupil aged 5–10*	*Pupils aged 11–15*	*Pupils aged 16+*	*Total*
1997	63	77	1	141	2,291	9,500	504	12,295
1998	71	234	9	314	2,462	10,587	545	13,594
1999	83	308	5	396	2232	11,351	422	14,005
2000	93	344	3	440	2,825	12,264	585	15,674
2001	24	337	1	362	3,037	12,843	427	16,307
2002	64	119	19	202	3,361	15,187	386	18,934
2003	10	38	0	48	3,473	15,422	1,371	20,266
2004	82	165	1	248	3,447	14,385	1,310	19,142

Source:
8B Survey

The available figures record for each local education authority the number of pupils not in school and being otherwise educated under arrangements made by the authority. As well as covering pupils taught at home, this includes but does not separately identify, traveller children and asylum seekers at further education colleges or with voluntary providers. It does not however include pupils who are being educated at home through parental choice and independent of local education authority arrangements.

Schools (Hounslow)

Ann Keen: To ask the Secretary of State for Education and Skills how many new buildings have been built in Hounslow schools since 2001. [192586]

Mr. Miliband: We do not hold this information. The bulk of capital funding is allocated to local authorities and schools by formula so that they can decide their priorities for investment in line with locally decided asset management plans. Records of how this funding is used should therefore be held locally.

Capital resources allocated to Hounslow and its schools amounted to £36.1 million in 2003–04 (including £25.7 million of PFI credits), and £9.5 million this year, 2004–05.

Private Finance Initiative

Mr. George Osborne: To ask the Secretary of State for Education and Skills if he will list the private finance initiative arrangements in which the Department is engaged; what the total cost of each arrangement is *(a)* over its lifetime and *(b)* in each year of its operation; and how the arrangement appears in the Department's public accounts. [193983]

Mr. Miliband: The Department does not have any PFIs. Schools PFI projects are based on contractual agreements reached between local education authorities

(LEAs) and private contractors. The Department gives support to LEAs in securing PFI projects for schools, but enters into no PFI arrangements itself.

School Milk

Mr. Willis: To ask the Secretary of State for Education and Skills pursuant to his answer to the hon. Member for Mid-Dorset and North Poole (Mrs. Brooke) on 6 February 2004, *Official Report*, column 1118W, on school milk, if he will list those education authorities in England which make use of the EU subsidy to provide school milk. [192117]

Alun Michael: I have been asked to reply.

The following list gives the names of all local authorities in England that participated in the EU school milk subsidy scheme during the last 12 months.

Barnsley Metropolitan Borough Council
Bath and North East Somerset
Bedfordshire County Council
Birmingham City Council
Blackburn with Darwen Borough Council
Blackpool Borough Council
Borough of Poole
Bournemouth Borough Council
Bracknell Forest Borough Council
Bradford Metropolitan Borough Council
Brighton and Hove Council
Bristol City Council
Buckinghamshire County Council
Calderdale Metropolitan Borough Council
Cambridgeshire County Council
Cheshire County Council
City of Salford
City of Stoke On Trent
City of York Council
Cornwall County Council
Corporation of London
Coventry Metropolitan Borough
Cumbria County Council
Darlington Borough Council
Derby City Council
Derbyshire County Council
Devon County Council
Doncaster Metropolitan Borough Council
Dorset County Council
Dudley Metropolitan Borough Council
Durham Council
East Riding of Yorkshire County Council
East Sussex County Council
Essex County Council
Fordbridge Parish Council
Gateshead Metropolitan Borough Council
Gloucestershire County Council
Halton Borough Council
Hampshire County Council
Hartlepool Borough Council
Herefordshire Council
Hertfordshire County Council
Isle of Wight Council
Kent County Council
Kingshurst Parish Council
Kingston Upon Hull Education Services
Kirklees Metropolitan Borough Council
Lancashire County Council
Leeds City Council
Leicester City Council Education Department
Leicestershire County Council
Lincolnshire County Council
Liverpool City Council
London Borough of Richmond Upon Thames
London Borough of Barking
London Borough of Barnet
London Borough of Bexley
London Borough of Brent
London Borough of Bromley
London Borough of Camden
London Borough of Croydon
London Borough of Ealing
London Borough of Enfield
London Borough of Greenwich
London Borough of Hackney
London Borough of Haringey
London Borough of Harrow
London Borough of Havering
London Borough of Hillingdon
London Borough of Hounslow
London Borough of Islington
London Borough of Lambeth
London Borough of Lewisham
London Borough of Merton
London Borough of Newham
London Borough of Redbridge
London Borough of Sutton
London Borough of Tower Hamlets
London Borough of Waltham Forest
London Borough of Wandsworth
Luton Borough Council
Medway Council Education and Leisure
Metropolitan Borough of Tameside
Metropolitan Borough of Wolverhampton
Metropolitan Borough of Bolton
Metropolitan Borough of Knowsley
Metropolitan Borough of Manchester
Metropolitan Borough of Wirral
Middlesbrough Council Education & Leisure
Milton Keynes Council
North East Derbyshire District Council
Newcastle City Council
Norfolk County Council
North East Lincolnshire Council
North Lincolnshire Council
North Somerset Council
North Tyneside Council
North Yorkshire County Council
Northamptonshire County Council
Northumberland County Council

Nottingham County Council
Nottinghamshire County Council
Oldham Metropolitan Borough Council
Peterborough City Council Education Department
Plymouth City Council
Portsmouth Education Authority
Reading Borough Council
Redcar and Cleveland Borough Council
Rotherham Metropolitan Borough Council
Royal Borough Of Kingston Upon Thames
Rutland County Council
Sandwell Metropolitan Borough Council
Sefton Metropolitan Borough Council
Sheffield City Council
Shropshire County Council
Slough Borough Council
Smiths Wood Parish Council
Solihull Metropolitan Borough Council
Somerset County Council
South Gloucestershire Council Education Department
South Tyneside Metropolitan Borough Council
Southampton City Council
Southend on Sea Borough Council Education Department
Southwark Council Education Department
St. Helens Borough Council
Staffordshire County Council
Stockport Metropolitan Borough Council
Stockton-on-Tees Borough Council
Suffolk County Council
Surrey County Council
Swindon Borough Council
Telford and Wrekin Council
The Royal Borough of Windsor and Maidenhead
Thurrock Council
Torbay Council
Trafford Metropolitan Borough Council
Wakefield Borough Council
Walsall Metropolitan Borough Council
Warrington Borough Council
Warwickshire County Council
West Berkshire District Council
West Sussex County Council
Westminster City Council
Wigan Borough Council
Wiltshire County Council
Winsford Town Council
Wokingham District Council
Worcestershire County Council

Source: Rural Payments Agency

Student Visas

Mr. Caton: To ask the Secretary of State for Education and Skills (1) what assessment he has made of the impact of changes in the number of people arriving from outside the UK on student visas in 2003 on the resources available to the higher education sector; [192396]

(2) if he will make a statement on the impact of recent changes in the rejection rate for student visa applications on academic disciplines in the higher education sector; [192397]

(3) what representations he has made to the Foreign Secretary on the predicted impact of charges for applications and extensions to student visas on the number of overseas students attending higher education institutions in the UK. [192398]

Dr. Howells: My Department is not able to assess the direct effect of changes to the visa arrangements on either the resources consequently available to higher education institutions, or on the numbers of international students choosing particular higher education courses. Data on the number of students in higher education in 2003–04 and the current academic year are not yet available. While no formal representations have been made to the Foreign Secretary on the proposed charges for applications to extend leave to remain in the UK, officials across government are working together to consider the possible impacts, and to ensure they are not unduly prohibitive for international students.

University Access/Admissions

Mr. Clappison: To ask the Secretary of State for Education and Skills whether he expects the Director General of the Office for Fair Access to commission research into access to university places; and whether he would expect such research to be published. [193839]

Dr. Howells: It is entirely a matter for the Director whether he commissions any research and what he publishes. Any report which the Director provides for the Secretary of State will be laid before Parliament.

Mr. Clappison: To ask the Secretary of State for Education and Skills whether he plans to publish any further guidance which he gives to the Director General of the Office for Fair Access. [193840]

Dr. Howells: The Secretary of State has sent a letter of guidance to the Director of Fair Access to Higher Education, Sir Martin Harris, and copies are available in the House of Commons Library. This letter was published in draft in July. Any further statutory guidance will also be published.

Mr. Clappison: To ask the Secretary of State for Education and Skills what plans he has to meet the Director General of the Office for Fair Access to Universities. [193270]

Dr. Howells: The Secretary of State hopes to meet Sir Martin Harris, the Director of Fair Access to Higher Education, in the near future.

Mr. Clappison: To ask the Secretary of State for Education and Skills where he expects the Office of Fair Access to be located. [193271]

Dr. Howells: The Office for Fair Access will be co-located with HEFCE in Bristol initially.

Mr. Clappison: To ask the Secretary of State for Education and Skills whether the Office of Fair Access will be able to consider complaints of unfairness and discrimination from *(a)* students and *(b)* schools. [193272]

Dr. Howells: The Office for Fair Access can consider complaints from any interested party relating to a possible breach of an institution's access agreement.

Mr. Clappison: To ask the Secretary of State for Education and Skills what targets he expects the Office of Fair Access to set universities; and what criteria he expects the Office of Fair Access to use in determining whether universities are allowed to charge fees. [193273]

Dr. Howells: The Office for Fair Access will not set targets for institutions. Institutions will decide themselves what milestones they will include in their access agreements, as a measure of success. We expect the Director of Fair Access to issue guidance to institutions on access agreements shortly.

Mr. Clappison: To ask the Secretary of State for Education and Skills what factors led him to supplement the draft letter of statutory guidance to the Director of the Office of Fair Access (OFFA) issued during the passage of the Higher Education Act 2004 with paragraph 9.5 of the new draft letter of statutory guidance to the Director of OFFA issued on 14 July; and whether he expects *(a)* type of school and *(b)* socio-economic background to be included in the milestones relating to university admission referred to in paragraph 9.5. [193350]

Dr. Howells: The draft letter of statutory guidance was revised in the light of the parliamentary debates on the Higher Education Bill and discussions with the sector and other interested parties. As we have always made clear, institutions will set their own milestones.

HOME DEPARTMENT

Royal Security

Andrew Mackinlay: To ask the Secretary of State for the Home Department what the percentage apportionments of costs were between the United Kingdom and *(a)* Australia, *(b)* Canada and *(c)* New Zealand for providing security on the occasion of the most recent visit, in each case, by (i) Her Majesty the Queen and (ii) other members of the Royal Family; whether different arrangements and costings apply when the visit is (A) official and (B) private; and if he will make a statement. [190428]

Mr. Blunkett: We do not have a breakdown of the security costs for these visits as any such costs incurred by host countries are entirely a matter for that country. As regards costs incurred by agencies in the United Kingdom it is our long established policy not to reveal details of the costs of protection arrangements as to do so could be indicative of the levels of protection provided, and so could compromise an individual's security.

Andrew Mackinlay: To ask the Secretary of State for the Home Department what protocols and agreements exist with *(a)* Canada, *(b)* Australia, *(c)* New Zealand and *(d)* other Commonwealth countries where Her Majesty is Head of State as to the responsibility of their police forces to provide security for Her Majesty and other members of the Royal Family (i) on official visits and (ii) private visits; and if he will make a statement. [190432]

Mr. Blunkett: As Head of State, when Her Majesty the Queen visits a foreign or Commonwealth country she is entitled, under customary international law, to receive protection from the host country, regardless of whether it is a private or official visit. There are no specific protocols or agreements relating to the protection of Her Majesty the Queen or other members of the Royal Family. Arrangements for the protection of members of the Royal Family on visits overseas are a matter for discussion with the security authorities of the host country concerned.

Animal Experiments

Michael Fabricant: To ask the Secretary of State for the Home Department what percentage of animal experimentation undertaken in the UK in 2003 was not for purely medical research. [192897]

Caroline Flint: The question cannot be answered definitively from the data collected. Procedures conducted purely for medical research would be included among the 693,743 and 150,679 procedures reported as being for applied studies (human and veterinary medicine respectively) in Table 1 of the annual publication "Scientific Procedures on Living Animals, Great Britain, 2003", a copy of which is in the Library. However such procedures would also include a substantial but unknown proportion of the 902,570 procedures for which breeding was the only regulated use, and many of the 832,926 procedures reported as being for fundamental biological research since many of these studies would have been done to obtain an eventual medical benefit.

Michael Fabricant: To ask the Secretary of State for the Home Department what percentage of animal experimentation undertaken in the UK in 2003 was for household product testing; and if he will make a statement. [192898]

Caroline Flint: The information requested may be found in Table 10 of the annual publication "Scientific Procedures on Living Animals, Great Britain, 2003," a copy of which is in the Library. This table shows that last year, 234 procedures were started for the purpose of safety testing of products used in the household. This figure represents 0.0084 per cent. of the total number of procedures conducted in 2003.

Norman Baker: To ask the Secretary of State for the Home Department what his policy is in respect of the testing of finished household products on animals. [193085]

Caroline Flint: The Government currently have no plans to ban the use of animals in assessing the safety of finished household products or their ingredients. National and international regulatory bodies require that the chemicals used in a range of household products are tested to assess the risk they might pose to man, animals and the environment. Under the Animals (Scientific Procedures) Act 1986 such testing using animals can only be licensed when the information to be obtained is considered essential to the required risk assessment, and when it cannot be obtained by non-animal methods. Unfortunately, there are, in some cases, still no reliable alternatives to this kind of animal testing if the necessary safety data are to be generated.

Mr. Hancock: To ask the Secretary of State for the Home Department what plans he has to change the regulations and legislation in relation to the licensing and monitoring of animal experiments. [192521]

Caroline Flint: The licensing and monitoring of animal experiments in the UK stem from the Animals (Scientific Procedures) Act 1986, which transposes into UK law—and in some respects exceeds—the requirements of EU Directive 86/609. The 1986 Act is widely regarded as the most rigorous piece of legislation of its kind in the world, and there are at present no plans to change it or the regulation for which it provides.

Mr. Hancock: To ask the Secretary of State for the Home Department what measures are taken to ensure that licensed animal experiments in the UK are not being unnecessarily duplicated in other countries. [192522]

Caroline Flint: Animal experiments in the UK are not knowingly licensed under the Animals (Scientific Procedures) Act 1986 if they unnecessarily duplicate such work undertaken elsewhere. Appropriate checks on this are undertaken when licence applications are considered. The Government cannot ensure that work licensed in the UK is not subsequently repeated in other countries, as that is beyond its jurisdiction. However, it contributes at the European and wider international level to ongoing efforts to prevent animals being used unnecessarily.

Mr. Hancock: To ask the Secretary of State for the Home Department what steps he plans to take to eradicate redundancy in animal experiments. [192560]

Caroline Flint: There are no plans to take any steps beyond continued rigorous application of the licensing controls in the Animals (Scientific Procedures) Act 1986, one effect of which is to ensure that there are no redundancies or unnecessary duplication in the conduct of animal experiments. Although some replication of experimental work is occasionally required for the purposes of scientific validation, the Government considers that the current regulatory system, as administered and implemented by the Home Office and its Animals (Scientific Procedures) Inspectorate, is effective in ensuring that animals are not bred or used unnecessarily.

Anti-Terrorism, Crime and Security Act

Tom Cox: To ask the Secretary of State for the Home Department how many *(a)* men and *(b)* women are detained under the Anti-terrorism, Crime and Security Act 2001. [192618]

Mr. Blunkett: Seventeen people have been certified under Part 4 of the Anti-terrorism, Crime and Security Act 2001 (the ATCS Act); 16 of them have been detained under this Act and one under other powers. Excluding those who have been released from detention, or who are detained under other powers (including criminal charges which have been brought since detention), nine people are currently held under Part 4 of the ATCS Act. All of the detainees are male. Parliament has been informed of all certifications.

From 14 December 2001 to 17 October 2003, there were 24 convictions under Part 5 of the Act (Race and Religion) for religiously aggravated crime; one conviction for trespass under Part 9 (Aviation Security); and one conviction for hoaxes involving noxious substances or things (Section 114). We do not have information on the sex of the individuals concerned.

Council of Ministers

Sue Doughty: To ask the Secretary of State for the Home Department if he will provide a Written Ministerial Statement outlining for each meeting of the Council of Ministers at which his Department is represented as soon as is practicable following that meeting *(a)* the key items of discussion, *(b)* the positions of the Government on those items, *(c)* the key positions taken by other member states that Ministers consider should be noted by Members and *(d)* any preliminary discussion on the timing and the agenda of the following meeting. [188189]

Caroline Flint: This is a useful suggestion and HMG will consider it further, in line with its policy of keeping Parliament better informed on EU business.

Crime (Yorkshire)

Hugh Bayley: To ask the Secretary of State for the Home Department what the average period of time between arrest for a drugs-related offence in York and referral to a drug treatment agency was in *(a)* 1997 and *(b)* 2003–04. [191244]

Caroline Flint: Data is not available in the format requested. The National Treatment Agency has set national targets on maximum acceptable waiting times for all Drug Action Teams, measuring the period from referral to entry into treatment.

Waiting times for York in *(a)* 1997: data was not collected centrally at this time. Waiting times for *(b)* 2003–04 are listed against the NTA target:

	York 2003–04	*NTA target 2003*
Community prescribing specialist	12	6
GP prescribing	3	4
Structured counselling	2	4
In-patient detox	0	4
Residential rehab	[1]—	4

[1] Service not available

The requirement for compliance with arrest referral is for the referee to make contact with the agency within 15 days. Once the client has made that contact they are normally seen by a treatment agency within a week in York.

Deepcut Barracks

Mr. McNamara: To ask the Secretary of State for the Home Department if he will release to the family of the deceased the Surrey police report into the death of Private Geoff Gray at Deepcut barracks on 17 September 2001. [174752]

Paul Goggins: Surrey police owns the report into the death of Private Geoff Gray and it must be its decision as to whether it is released to members of his family.

Surrey police inform me that it is negotiating the disclosure of the report into Private Gray's death with the legal representatives of his family.

Drugs

Tom Cox: To ask the Secretary of State for the Home Department what confiscation of drugs has taken place in the Greater London area during the last 12 months. [193797]

Caroline Flint: The number of drug seizures made in the Greater London Area by the Metropolitan and City of London Police forces was 28,020 in 2002, the most recent year for which data is available. Details are given in the table.

Table 1: Number of Drug Seizures by type, 2002

	City of London	Metropolitan Police	City of London and Met Police
All drugs	640	27,380	28,020
Class A drugs			
Cocaine	10	520	530
"Crack"	10	1,870	1,880
Heroin	20	2,030	2,050
LSD	0	10	10
Ecstasy-type	40	890	930
Methadone	10	190	200
Other	0	270	270
Total	80	6,090	6,180
Class B drugs			
Cannabis	540	21,570	22,110
Amphetamines	10	330	340
Other	0	70	70
Total	550	21,850	22,400
Class C drugs			
Benzodiazepines	0	150	160
Temazepam	0	10	10
Anabolic steroids	0	10	10
Other	0	0	0
Total	0	180	180
Unknown	40	10	40

Source:

Drug seizure and offender statistics, United Kingdom 2001 and 2002—Area tables.

Homeland Security

Mr. Oaten: To ask the Secretary of State for the Home Department which areas of government spending relate to resilience issues and homeland security, broken down by department; what the current levels of spending are; what the projected changes in funding are over the next *(a)* two and *(b)* five years; and if he will make a statement. [190860]

Mr. Blunkett *[holding answer 14 October 2004]:* For security reasons we would not wish to comment on specific departments' spending on national security or resilience programmes. However I can say the overall government spending on counter terrorism and resilience programmes amounted to £1.48 billion in 2004–05. Over the course of the current spending review period this spending is projected to rise to the following:

	£ billion
2005–06	1.665
2006–07	2.045
2007–08	2,115

The figures exclude core military and police spending. Funding for 2008–09 and 2009–10 has not been determined and falls into the next Spending Review period.

Impaired Drivers

John Thurso: To ask the Secretary of State for The Home Department how many drivers convicted of driving when under the influence of alcohol or drugs over the past 10 years had previous convictions for the same offence *(a)* in total and *(b)* broken down by police authority. [192179]

Caroline Flint: The information requested is as follows:

(a) The figures in the table are derived from the Offenders Index. Data on driving while under the influence of alcohol/drugs are only available for 1996 onwards. We have only provided data for the most recent year available (2002). Comparisons over different years will not be consistent, as the time available to build up previous convictions will vary each year.

Data are only available for a four week period (see background note for more details).

Over a four week period in 2002, 6,643 drivers were convicted of driving when under the influence of alcohol or drugs, of these 1,157 (17 per cent.) had a previous conviction for the same offence.

The numbers with a previous conviction for driving while under the influence of alcohol/drugs by police force area are shown in the following table for 2002 (again based on a four week sample).

Police force area	*Number convicted of drink/drug driving*	*Number with previous convictions for drink/drug driving*	*Percentage with previous convictions for drink/drug driving*
Metropolitan and City of London	911	145	16
Cumbria	67	11	16
Lancashire	208	44	21
Merseyside	153	28	18
Greater Manchester	341	77	23
Cheshire	163	22	13
Northumbria	189	24	13
Durham	88	20	23
North Yorkshire	83	8	10
West Yorkshire	276	59	21
South Yorkshire	138	31	22
Humberside	125	20	16
Cleveland	71	12	17
West Midlands	366	77	21
Staffordshire	135	24	18
West Mercia	125	20	16
Warwickshire	69	23	33
Derbyshire	119	22	18
Nottinghamshire	111	12	11
Lincolnshire	59	7	12

Police force area	*Number convicted of drink/drug driving*	*Number with previous convictions for drink/drug driving*	*Percentage with previous convictions for drink/drug driving*
Leicestershire	139	23	17
Northamptonshire	16	5	31
Cambridgeshire	54	9	17
Norfolk	108	16	15
Suffolk	86	16	19
Bedfordshire	73	6	8
Hertfordshire	128	22	17
Essex	162	19	12
Thames Valley	298	59	20
Hampshire	276	41	15
Surrey	126	15	12
Kent	189	31	16
Sussex	140	24	17
Devon and Cornwall	200	37	19
Avon and Somerset	182	33	18
Gloucestershire	67	9	13
Wiltshire	71	10	14
Dorset	83	11	13
North Wales	96	15	16
Gwent	74	22	30
South Wales	214	46	21
Dyfed-Powys	64	10	16

Indymedia

John McDonnell: To ask the Secretary of State for the Home Department what representations he has received from foreign governments with regard to the seizure of computer equipment from the independent news agency Indymedia on 7 October. [193714]

Caroline Flint: The Secretary of State did not receive any representations from foreign governments in this matter.

Magistrates Courts (Environmental Offences)

Norman Baker: To ask the Secretary of State for the Home Department (1) how many defendants have been proceeded against at magistrates courts in each year since 1997 under *(a)* section 1, *(b)* section 5, *(c)* section 6, *(d)* section 7 and *(e)* any section of the Wildlife and Countryside Act 1981; [192325]

(2) how many defendants have been proceeded against at magistrates courts in each year since 1997 under *(a)* section 60, *(b)* section 61, *(c)* section 62, *(d)* section 93 and *(e)* any section of the Control of Pollution Act 1974; [192326]

(3) how many defendants have been proceeded against at magistrates courts in each year since 1997 under *(a)* section 110(2)(a), *(b)* section 110(2)(b), *(c)* section 110(2)(c), *(d)* section 110(4)(a), *(e)* section 110(4)(b) and *(f)* any section of the Environment Act 1995; [192327]

(4) how many defendants have been proceeded against at magistrates courts in each year since 1997 under the Clean Air Act 1993. [192328]

Paul Goggins: Statistics for defendants proceeded against at the magistrates' courts 1997 to 2002, for offences under the Wildlife and Countryside Act 1981, Control of Pollution Act 1974, Environmental 1995 and the Clean Air Act 1993 are shown in the attached table.

Statistics for 2003 will be published in November.

Number of defendants proceeded against at the magistrates' courts for certain offences, England and Wales, 1997 to 2002[1]

Offence	*Statute*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*
Protection of wild birds Protection of nest and eggs of wild birds	Wildlife and Countryside Act 1981 S.1	60	48	42	33	53	29
Prohibition of certain methods of killing or taking wild birds	Wildlife and Countryside Act 1981 S.5	8	3	7	5	2	4
Sale etc of live or dead wild birds, eggs, etc	Countryside Act 1981 S.6	2	3	2	4	1	—
Registration etc of certain captive birds	Countryside Act 1981 S.7	2	—	2	2	—	2
Summary offences[2]	Wildlife and Countryside Act 1981 other sections	11	5	9	6	10	10
Either way offences	Wildlife and Countryside Act 1981—other sections	—	—	2	1	2	—
Control of noise on construction sites.	Control of Pollution Act 1974 S.60	29	35	32	68	33	15
Applicant failing to obtain consent etc. to work on construction site, or to bring notice of other person.	Control of Pollution Act 1974 S.61	3	1	1	—	1	—
Operation of a loud speaker in a street	Control of Pollution Act 1974 S.62	34	32	69	13	5	9
Fail to comply with a notice, or fail to furnish information or false information	Control of Pollution Act 1974 S.93 as amended by Environment Act 1995 Sch 19 para 1(3)	4	3	—	—	—	—
Summary Pollution Offences[2]	Control of Pollution Act 1974—other sections	—	—	—	—	—	—
Either way offences	Control of Pollution Act 1974—other sections S.110(2)(a)	3	1	—	1	—	—
Fail to comply with any requirements of S.108 which specifies the powers of enforcing authorities and persons authorised by them	Environment Act 1995 S.110(2)(a)	2	4	—	4	3	2
Fail or refuse to provide facilities, assistance, information or to permit any inspection reasonably required by an authorised person in the execution of his powers or duties under A.108	Environment Act 1995 S.110(2)(b)	—	3	—	—	2	1
Preventing any person appearing before or from answering any question put by an authorised person under S.108(4)	Environment Act 1995 S.110 (2)(c)	1	5	—	1	—	—

Number of defendants proceeded against at the magistrates' courts for certain offences, England and Wales, 1997 to 2002[1]

Offence	*Statute*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*
Obstructing an authorised person in the execution of his powers under S.109	Environment Act 1995 S.110 (4)(a)	—	—	—	2	1	—
Obstructing an authorised person in the execution of his powers	Environment Act 1995 S.110 (4)(b)	2	2	1	—	1	2
Offences relating to public health as caused by air pollution	Clean Air Act 1993	43	52	35	19	17	13
Cable burning	Clean Air Act 1993 S.33	1	—	3	5	3	—

n/a = Information is not available

[1] These data are on the principal offence basis

[2] These offences are coded with a number of other offences, and cannot be separately identified

Organised Crime

Mr. Oaten: To ask the Secretary of State for the Home Department what assessment he has made of the number of organised criminal gangs operating in the UK. [194018]

Caroline Flint: There is no current estimate of the number of organised criminal groups that operate in the UK. Organised criminal groups can range from a collection of people with distinct roles and a hierarchy with clear chains of command and communication, to loose networks where the members coalesce around one or more prominent criminals to undertake particular criminal ventures. And in the latter, the individuals may be involved with a number of sub-groups within the network and therefore be involved in a number of separate criminal ventures at any one time.

Parenting

Mr. Goodman: To ask the Secretary of State for the Home Department what research he has recently *(a)* published and *(b)* commissioned on the effects of parenting on life chances for children. [193594]

Paul Goggins *[holding answer 25 October 2004]:* The Home Office has not commissioned or published research specifically into the effect of parenting on life chances but has sponsored research which has included the impact of parenting programmes on the behaviour of children, particularly in relation to preventing offending and anti-social behaviour and the use of drugs.

In 2002 the Youth Justice Board published "Positive Parenting: the effectiveness of the Youth Justice Board's Parenting Programme". The Home Office commissioned research published this year by the Department for Education and Skills "What Works in Parenting Support? A Review of the International Evidence".

Home Office commissioned research which is under way is as follows:

(i) The Trust for the Study of Adolescence is researching the

(ii) effect of residential parenting courses into the behaviour of children (Report due 2005);

(iii) Oxford Brookes University is researching a programme to strengthen family communications and conflict resolution skills to reduce drug and alcohol use in young people. (Report due 2006).

(iv) The Centre for Social Marketing is researching the Blueprint drug education research programme which aims to maximise the involvement of parents in school drug education and to improve communication between young people and their parents on drug issues. (Report due 2007);

Police

Mr. Rosindell: To ask the Secretary of State for the Home Department how many police officers are employed in *(a)* Havering and *(b)* other London boroughs. [192645]

Ms Blears: To the nearest full-time equivalent, the number of police officers allocated directly to Borough Command Units on 30 September 2004 was as follows:

	Strength
Barking and Dagenham	411
Barnet	534
Bexley	365
Brent	691
Bromley	464
Camden	830
Croydon	662
Ealing	702
Enfield	563
Greenwich	584
Hackney	808
Hammersmith and Fulham	523
Haringey	663
Harrow	327
Havering	362
Hillingdon	495
Hounslow	476
Islington	668
Kensington and Chelsea	562
Kingston upon Thames	283
Lambeth	986
Lewisham	629
Merton	342
Newham	775
Redbridge	448
Richmond upon Thames	272
Southwark	864
Sutton	280
Tower Hamlets	749
Waltham Forest	533
Wandsworth	572
Westminster	1,579
All boroughs	19,000

Prisons

Mr. Liddell-Grainger: To ask the Secretary of State for the Home Department if he will make a statement on his plans to increase the capacity of the prison estate. [186562]

Paul Goggins: There are a number of programmes underway to expand and improve the operational capacity of the prison estate. Through this current programme some 2,400 new prison places are scheduled to come into use by the end of 2006, including a new private prison at Peterborough, due to open in spring 2005.

My right hon. Friend the Home Secretary also announced on 29 September that £100 million from the Home Office budget for 2005–06 would fund the start of a new programme to create an additional 1,300 prison places. Taken altogether this will provide over 80,000 prison places.

Terrorism Act

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department whether a race impact assessment was carried out for the *(a)* Terrorism Act 2000 and *(b)* Anti-terrorism, Crime and Security Act 2001. [191320]

Mr. Blunkett: The Race Relations Act 1976 (Statutory Duties) Order 2001 placed a requirement on listed public authorities, including Government departments, to publish a Race Equality Scheme by 31 May 2002 setting out specific duties, including the carrying out of Race Impact Assessments on the likely impact of proposed future policies.

The Home Office's Race Equality Scheme was published on 25 April 2002. Race Impact Assessments were not therefore carried out for either the Terrorism Act 2000, or the Anti-Terrorism, Crime and Security Act 2001, as both acts came into force at an earlier date.

However, we have subsequently established specific working groups on aspects of policy and community relations—including on stop and search—to inform the development of both policy and practice.

The Home Office's Race Equality Schemes can be found at www.homeoffice.gov.uk/comrace/race.

WORK AND PENSIONS

Back to Work Bonuses

Mr. Challen: To ask the Secretary of State for Work and Pensions how many people in *(a)* Morley and Rothwell and *(b)* England have claimed Back to Work bonuses; and what the average amount claimed was in each case. [192513]

Mr. Pond: Data on the Back to Work bonus is not available below the level of Great Britain. The available information is in the tables.

Income support/pension credit customers that have claimed back to work bonuses Great Britain

	January 1999 to September 2004
Total claims received	174,790
Total claims processed	166,295
Total claims refused	83,905
Total claims paid	82,390
Total amount of bonus paid (£)	36,208,420.08
Average amount of bonus paid (£)	439.48

Jobseeker's allowance customers that have claimed back to work bonuses: Great Britain

	January 1999 to September 2004
Total claims received	120,290
Total claims processed	125,675
Total claims refused	19,980
Total claims paid	105,695
Total amount of bonus paid (£)	34,544,873
Average amount of bonus paid (£)	326.84

1. Figures have been rounded to the nearest 5.
2. Figures are taken from a 100 per cent. scan.
3. Amounts are given to the nearest penny.
4. Excludes May 2003 for IS. These figures are not available due to system errors.
5. Figures are not reliable prior to January 1999.

Source:

ISCS & JSAPS 100 per cent. monthly cans.

Benefit Overpayment

Mr. Waterson: To ask the Secretary of State for Work and Pensions how much is provided for in his Department's accounts for overpaid benefits unrecovered from claimants. [192177]

Mr. Pond: At 31 March 2003, the figure within the Consolidated Resource Account for Bad Debt Provision for overpayments is £475,271,794.

Child Care (London)

Ms Buck: To ask the Secretary of State for Work and Pensions (1) what assessment he has made of the relationship between child poverty, unemployment and the availability of affordable child care provision in London; [192092]

(2) what assessment he has made of the relationship between the costs of child care in London and the number of workless households in London; and if he will make a statement. [192093]

Mr. Pond: Poverty is about more than low income, it also affects the way people live—their health, housing and the quality of their environment. The Government believes that for many work is the best route out of poverty.

We are determined to make work pay. That is why we have introduced the New Tax Credits from which over 6 million families are already benefiting and which has helped lift over half a million children out of low income since 1997. However, we know that there is still more to do, both in London and in other regions of the UK.

We recognise that the availability of affordable child care is key to improving parents' ability to take up and stay in work.

Since 1998, the Sure Start Unit has created over 81,000 new child care places in London (against a target of 63,000) and delivered 8,000 new Neighbourhood Nursery places. We plan to further improve the availability of child care in London by creating an additional 37,000 places and over 8,000 full-time integrated child care and education places in over 200 new Children's Centres by March 2006.

Child care provision is only one of many factors affecting employment and poverty in London. For example, London has a much higher proportion of lone mothers than anywhere else in the UK; more lone parents in London have no previous work experience, are full-time students, live in social rented properties and are less likely than those living elsewhere to be receiving any maintenance. All of these factors are associated with lower levels of paid work and contribute to the differences in employment rate between London and the rest of the UK.

The Government will continue to address these issues through our successful active labour market programmes such as the New Deal and by ensuring, through the Tax Credit system, that there are sufficient financial incentives to make work pay.

Child Support Agency

Mr. Frank Field: To ask the Secretary of State for Work and Pensions what the original cost was of the new IT system for the Child Support Agency; how much was to be paid in each year; how much of the contract EDS has been paid in each year; and what the penalty clauses are. [192911]

Mr. Pond *[holding answer 21 October 2004]:* The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to my right hon. Friend with the information requested.

Letter from Doug Smith to Mr. Frank Field, dated 27 October 2004:

In reply to your recent Parliamentary question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked the Secretary of State for Work and Pensions, what the original cost was of the new IT system for the Child Support Agency; how much was to be paid in each year; how much of the contract EDS has been paid in each year; and what penalty clauses are in existence.

All costs of design, development and implementation of the new IT system fall initially to EDS who provide this as a managed service to the Agency. The cost of the service is expected to be £456 million payable over the period to the completion of the contract in 2010.

The payment due each year is determined by the contract. It is linked to service levels and to the degree of functionality delivered. Between 3rd March 2003 and 19th September 2004, EDS were paid £62.08 million. In that period, the Agency retained £12.1 million because of performance problems.

The contract does not explicitly have penalty clauses. Instead there are provisions to seek remedy where service delivery falls short of expectation or where the business incurs additional costs as a result of the supplier being late in meeting key, agreed delivery points.

Bob Spink: To ask the Secretary of State for Work and Pensions what his strategy is for rolling out the new Child Support Agency assessment rules for all absent parents. [193510]

Mr. Pond: I refer the hon. Member to the written answer I gave him on 18 December 2003, *Official Report*, column 1092W.

Mr. Salmond: To ask the Secretary of State for Work and Pensions when he expects existing Child Support Agency cases to migrate to the new system of liability calculation; and if he will make a statement. [193681]

Mr. Byers: To ask the Secretary of State for Work and Pensions what steps he is taking to expedite the transfer of all Child Support Agency payments to the system applying to new cases since March 2003; when he expects all payments to be made under the new formula; and if he will make a statement. [193846]

Mr. Pond: I refer the hon. Members to the written answer I gave the hon. Member for Castle Point (Bob Spink) on 18 December 2003, *Official Report*, column 1092W.

Disability Income Guarantee

Hugh Bayley: To ask the Secretary of State for Work and Pensions how many people in *(a)* Yorkshire and Humber and *(b)* the City of York receive the disability income guarantee; and what its value is. [191222]

Mr. Pond: The Disability Income Guarantee is paid by means of enhanced disability premiums through income support, jobseeker's allowance (income based), housing benefit and council tax benefit. The enhanced disability premium in all of these benefits is worth £11.60 per week for a single person, £16.75 for a couple and £17.08 for a child.

The available information is in the following tables.

Income-related benefit recipients with an enhanced disability premium, Yorkshire and the Humber Government Office Region GOR

	Thousand
May 2003	[1]20

Housing benefit (HB) and council tax benefit (CTB) recipients with an enhanced disability premium, Yorkshire and the Humber GOR

	Caseload (Thousand)	
	HB	*CTB*
May 2003	11	13

Income support/jobseeker's allowance (IB) recipients with an enhanced disability premium

	Caseload (Thousand)	
	Yorkshire and the Humber GOR	*City of York parliamentary constituency*
May 2003	16.6	[2]0.3
May 2004	17.3	[2]0.3

[1] Due to the process involved in removing overlaps, the income-related benefits caseload is rounded to the nearest 10,000.

[2] These figures are based on very few sample cases and are subject to a high degree of sampling variation. These figures should be used as a guide to the current situation only.

Notes:

1. The figures are based on 1 per cent. and 5 per cent. samples and are therefore subject to a degree of sampling variation.
2. Council tax benefit totals exclude any second adult rebate cases.
3. Housing benefit figures exclude any extended payment cases.
4. Figures refer to HB, CTB and IS/JSA(IB) claimants in receipt of enhanced disability premium or enhanced child disability premium.
5. IS/JSA(IB) caseloads are rounded to the nearest hundred and expressed in thousands, and HB and CTB caseloads are rounded to the nearest thousand.
6. HB and CTB caseloads will include overlaps where a claimant is in receipt of both benefits.
7. Income-related benefit caseloads include HB/CTB/IS/JSA(IB) recipients with all overlaps removed.

8. IS/JSA(IB) data includes claimants in receipt of income-based JSA who would also be entitled to the contributory element.
9. It is not possible to determine the value of the disability income guarantee. The total amounts refer to amounts of HB, CTB, IS/JSA(IB) paid to recipients with enhanced disability premium or enhanced child disability premium. It is not possible to determine how much of each benefit is due to the disability premium.
Source:
IAD Information Centre, 1 per cent. and 5 per cent. samples.

Incapacity Benefit

Ian Lucas: To ask the Secretary of State for Work and Pensions how many incapacity benefit claimants there are in Wrexham, broken down by *(a)* ward and *(b)* sex. [192105]

Maria Eagle: The information is in the table.

Incapacity benefits claimants in Wrexham by ward and gender

Ward name	*All claimants*	*Female*	*Male*
Wrexham	8,340	3,460	4,875
Acton	210	95	120
Borras Park	125	45	80
Bronington	90	45	45
Brymbo	205	85	125
Brynyffynnon	195	85	110
Bryn Cefn	145	60	90
Cartrefle	205	85	120
Cefn	450	180	270
Dyffryn Ceiriog/Ceiriog Valley	95	45	50
Chirk North	125	65	60
Chirk South	70	30	45
Coedpoeth	325	135	185
Erddig	100	35	60
Esclusham	160	75	85
Garden Village	80	35	50
Gresford East and West	115	40	75
Grosvenor	175	60	115
Gwenfro	170	65	110
Gwersyllt East and South	220	105	110
Gwersyllt North	190	70	125
Gwersyllt West	215	100	115
Hermitage	265	115	155
Holt	125	55	70
Johnstown	225	105	120
Little Acton	105	40	60
Llangollen Rural	100	40	60
Llay	285	115	170
Maesydre	135	70	65
Marchwiel	85	45	45
Marford and Hoseley	45	15	25
Minera	120	40	80
New Broughton	195	85	115
Offa	120	45	75
Overton	75	30	45
Pant	200	95	115
Penycae	230	95	140
Penycae and Ruabon South	165	75	90
Plas Madoc	270	105	160
Ponciau	365	150	215
Queensway	280	110	175
Rhosnesni	115	55	65
Rossett	85	40	50
Ruabon	200	80	115
Smithfield	220	80	145
Stansty	130	50	80
Whitegate	240	115	130
Wynnstay	285	105	185

Notes:
1. Wards are based on 2003 ward boundaries.
2. All ward level benefit data is the latest currently available, August 2003.
3. All benefit counts have been rounded to a multiple of five to protect the confidentiality of individual claimants, consequently breakdowns will not always sum to the totals given.
4. Figures are for claimants in receipt of incapacity benefit, severe disablement allowance or national insurance credits only.
Source:
IAD Information Centre, Department for Work and Pensions.

Mr. Laws: To ask the Secretary of State for Work and Pensions how many people claimed incapacity benefit in Yeovil constituency in each year from 1985–86 to 2004–05; and if he will make a statement. [192066]

Maria Eagle: The available information is in the following table.

Incapacity benefit (IB) and severe disablement allowance (SDA) claimants in the Yeovil parliamentary constituency at the dates shown

As at May	*IB and SDA*	*IB*	*SDA*
1997	3,100	2,300	800
1998	3,100	2,300	800
1999	2,900	2,200	800
2000	3,100	2,400	700
2001	3,500	2,700	800
2002	3,400	2,700	700
2003	3,300	2,600	700
2004	3,200	2,600	600

Notes:
1. Figures are rounded to the nearest hundred.
2. Figures may be subject to sampling variation and may not sum due to rounding.
3. Incapacity benefit claimants include those in receipt of national insurance credits only.
4. Information by parliamentary constituency is not available prior to 1997.
Source:
IAD Information Centre, 5 per cent. samples.

Mr. Wiggin: To ask the Secretary of State for Work and Pensions how many people in Preseli Pembrokeshire are receiving incapacity benefit; and how many were in receipt in May 1997. [190897]

Maria Eagle: The information is in the table.

Incapacity benefit (IB) and severe disablement allowance (SDA) claimants in the Preseli Pembrokeshire parliamentary constituency

	May 1997	*May 2004*
IB	4,500	3,800
SDA	600	[1]500
Total IB and SDA	5,100	4,300

[1] Figure is based on very few sample cases and is subject to a high degree of sampling variation. These figures should be used as a guide to the current situation only.
Notes:
1. Figures are rounded to the nearest hundred.
2. Incapacity benefit claimants include those in receipt of national insurance credits only.
Source:
IAD Information Centre, 5 per cent. samples.

Incapacity Benefit Employment Pilot Schemes

Mr. Cousins: To ask the Secretary of State for Work and Pensions what the *(a)* locations and *(b)* performance indicators are of each of the incapacity benefit employment pilots. [188986]

Maria Eagle: The incapacity benefit reforms Pathways to Work pilots are located in Renfrewshire, Inverclyde, Argyll and Bute; Bridgend, Rhondda, Cynon and Taff; Derbyshire; Essex; Somerset; East Lancashire; Gateshead and South Tyneside. The first three started operations in October 2003, and the last four in April this year.

We have not set specific performance indicators. However, the Pathways to Work pilots are subject to robust and rigorous evaluation, and we are constantly monitoring performance. Early results from the first phase pilots indicate a step up in performance with clear evidence among specialist advisers of increased confidence in dealing with this customer group, and positive attitudes to the reforms from many customers.

Incapacity Benefit Tribunals

Mr. Alan Campbell: To ask the Secretary of State for Work and Pensions how many complaints his Department has received in the last 12 months about the conduct of incapacity benefit tribunals. [193373]

Maria Eagle: This is a matter for Christina Townsend, Chief Executive of the Appeals Service. She will write to my hon. Friend.

Letter from Norman Egan to Mr. Alan Campbell, dated 27 October 2004:

The Secretary of State has asked Christina Townsend, Chief Executive, to reply to your question regarding how many complaints his department has received in the last 12 months about the conduct of incapacity benefit tribunals. Christina is away from the office at the moment and I have been asked to reply.

The information you have requested is not available in the format required and cannot be broken down by specific benefit type. However, I can tell you that in the last 12 months the Appeals Service has received, across all benefit types, a total of 34 complaints about the conduct of its tribunals. This is compared to an appeals intake of 234,524 over the same period.

Mr. Alan Campbell: To ask the Secretary of State for Work and Pensions what plans he has to reform incapacity benefit tribunals. [193374]

Maria Eagle: We have no plans to reform appeal tribunals which hear appeals relating to incapacity benefit.

Invalidity Benefit (Glasgow)

Mr. David Marshall: To ask the Secretary of State for Work and Pensions how many *(a)* men and *(b)* women living in the City of Glasgow are claiming invalidity benefit; and what percentage of the working population of the City these figures represent. [191007]

Maria Eagle: The information is in the table.

Incapacity benefit (IB) and severe disablement allowance (SDA) claimants in Glasgow by gender at May 2004

	All IB and SDA	*Working age IB and SDA*	*Working age IB and SDA as a percentage of the working-age population*
Men	38,100	37,900	20
Women	25,000	24,500	13
All	63,100	62,400	17

Notes:

1. Numbers are rounded to the nearest hundred.
2. Numbers are based on a 5 per cent. sample, and are therefore subject to a degree of sampling variation.
3. Local authorities and Government Office Regions are assigned by matching postcodes against the relevant postcode directory.
4. Mid 2003 Population estimates used.
5. Figures include IB claimants receiving credits only.

Source:

IAD Information Centre 5 per cent. sample

National Insurance

Keith Vaz: To ask the Secretary of State for Work and Pensions when Mrs. S. Master of Rushey Mead, Leicester will receive her national insurance number. [193027]

Mr. Pond: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to my hon. Friend.

Letter from David Anderson to Mr. Keith Vaz, dated 27 October 2004:

The Secretary of State has asked me to reply direct to your question concerning the allocation of a National Insurance Number to Mrs. S. Master of Edenhall Close, Rushey Mead, Leicester. This is something which falls within the responsibilities delegated to me as Chief Executive of Jobcentre Plus.

Details of individual claims are confidential and I will write to you directly on the matter in question.

This is in line with Part 2, paragraph 12 of the Code of Practice on Access to Government Information.

Occupational Pensions Regulatory Authority

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will estimate the number of companies which, under the regulations introduced on 8 October 2001 *(a)* are obliged to provide and *(b)* have so far failed to offer access to a stakeholder scheme; how many companies the Occupational Pensions Regulatory Authority has fined for non-compliance; and what the average value of those fines was. [193922]

Malcolm Wicks: Employers who employ five or more employees and who do not offer an occupational pension scheme to the whole of the workforce, or do not offer at least a 3 per cent. employer contribution to a personal pension, are required to designate a stakeholder pension scheme. There are an estimated 350,000 such firms at any one time. It is estimated that around 270,000 employers are complying with the requirement to designate a stakeholder pension scheme and approximately 70,000 employers that are required to provide their staff with access to a stakeholder pension do not do so. Of these non-compliant firms, it is estimated that nearly 80 per cent. have less than 10 employees. A civil penalty of £10,000 has been levied by the Occupational Pensions Regulatory Authority (Opra), and paid, by one employer for failure to designate a stakeholder pension scheme.

Where employers are found to be non-compliant Opra gives them help and guidance to become compliant. However, where an employer is found to be deliberately not complying with the designation requirement, Opra will use its powers to enforce compliance in this area of the law where necessary.

Pension Credit

Lady Hermon: To ask the Secretary of State for Work and Pensions what percentage of *(a)* female and *(b)* male pensioners in England and Wales are currently in receipt of the pension credit. [193749]

Malcolm Wicks: The number of individual female recipients of pension credit in England and Wales at the end of August represented approximately 30.6 per cent. of the total female population aged 60 or over. At the same date, the number of individual male recipients represented approximately 19.5 per cent. of the total male population aged 60 or over.

Note:

Individual recipients of pension credit include a small number of partners under age 60.

State Retirement Pension

Lady Hermon: To ask the Secretary of State for Work and Pensions what percentage of *(a)* female and *(b)* male pensioners in England and Wales are in receipt of the full basic state pension. [193750]

Malcolm Wicks: The information requested is in the table.

Percentage

	Men	*Women*
England	89.1	48.0
Wales	93.2	49.7

Note:

Percentages are derived from a caseload sample as at 31 March 2004. The sample is subject to a high degree of sampling variation.

Source:

IAD Information Centre, 5 per cent. sample

Tom Cox: To ask the Secretary of State for Work and Pensions how many *(a)* men and *(b)* women have reached retirement age in the UK and are in receipt of a state retirement pension. [193972]

Malcolm Wicks: Of the population of 3,942,285 men aged 65 and over in Great Britain, 3,888,940 are in receipt of a state pension.

Of the population of 6,801,053 women aged 60 and over in Great Britain, 6,531,120 are in receipt of a state pension.

Notes:

1. Figures are taken from a 5 per cent. sample and are subject to a high degree of sampling variation.
2. Data is taken as at 31 March 2004.

Source:

IAD Information Centre 5 per cent. sample.

Office for National Statistics and General Register Office Scotland (population estimates as at mid-2003).

Disability (Two-ticks Symbol)

Mr. Bercow: To ask the Secretary of State for Work and Pensions how many *(a)* private companies, *(b)* charitable and voluntary groups and *(c)* public sector organisations based in the Buckinghamshire constituency have adopted the two ticks symbol. [191055]

Maria Eagle: The available information is the table.

Number of current disability symbol holders in Buckinghamshire, Berkshire and Oxfordshire broken down by type of employer

	Number
Local employer	69
Council or local authority	11
Voluntary organisation or registered charity	19
Major or national organisation	9
Government Department	1
Total	109

Note:

Information is collected by area of disability service provision and is not available broken down by constituency. Figures in the table relate to the local disability service area, "Berkshire, Oxfordshire and Buckinghamshire" which includes the constituency of Buckingham.

Source:

Disability symbol database

Winter Fuel Allowance

Bob Spink: To ask the Secretary of State for Work and Pensions how many households in Castle Point will benefit from the winter heating allowance in 2004. [193508]

Malcolm Wicks: It is not possible to say how many households in Castle Point will benefit from a winter fuel payment in winter 2004–05. There were 13,765 households in receipt of a winter fuel payment for winter 2003–04 and we would expect the numbers to be similar.

Notes:

1. Figures are rounded to the nearest five.
2. Parliamentary constituencies are assigned by matching postcodes against the relevant ONS postcode directory.
3. Figures taken from the Matching Intelligence Data Analysis Service.

Source:

IAD Information Centre, 100 per cent. sample.

Tom Cox: To ask the Secretary of State for Work and Pensions how many pensioners in the Tooting constituency will be eligible for the winter fuel allowance for winter 2004–05. [193795]

Malcolm Wicks: It is not possible to provide an accurate estimate of the number of people in the constituency of Tooting who are eligible to receive a winter fuel payment as DWP administrative data does not contain complete information on household circumstances and payments are based on household composition.

The number of people in the Tooting constituency who received a winter fuel payment for winter 2003–04 was 11,205 and we would expect numbers for this winter to be similar.

Note:

1. Figures are rounded to the nearest five.
2. Parliamentary constituencies are assigned by matching postcodes against the relevant ONS postcode directory.

Source:

IAD Information Centre, 100 per cent. sample.

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will estimate the number of people who need to make a claim to receive the 2004–05 winter fuel payment; and how many claims were received on or before 24 September. [193921]

Malcolm Wicks: We estimate that approximately 700,000 individuals in Great Britain reached age 60 in the qualifying period for the 2004–05 winter fuel payment. About half of these will be paid automatically but others, who are not in receipt of certain benefits, will need to make a claim.

As at 24 September, 281,905 claim forms for a winter fuel payment had been received.

Those eligible have until 30 March to make a claim and it is up to them whether they do so. We publicise the availability and eligibility for the payments throughout the claim period.

Tom Cox: To ask the Secretary of State for Work and Pensions how many pensioners living in the London borough of Wandsworth benefited from last year's winter fuel payment scheme. [193971]

Malcolm Wicks: The number of people living in the London borough of Wandsworth who benefited from a winter fuel payment last winter was 33,230.

Notes:

1. Figures are rounded to the nearest 5.
2. Local authority and parliamentary constituencies are assigned by matching postcodes against the relevant ONS postcode directory.

Source:

IAD Information Centre, 100 per cent. sample.

Spending Review (Job Cuts)

Mr. Wood: To ask the Secretary of State for Work and Pensions what assessment he has made of how job cuts proposed in the Spending Review will affect *(a)* his Department's staff and *(b)* services provided in Batley and Spen. [189502]

Maria Eagle: The Department's plans to reduce its staffing levels are part of a four-year programme of modernisation made possible by a significant investment of public money. The investment has enabled the Department to streamline its processes, modernise its IT and improve its service to customers as a result. The first phase of these plans designed to increase the efficiency of benefit processing was announced to the House on 29 June. The latest phase of the Department's continuing modernisation programme, which will lead to a more efficient and effective services to customers, was announced by my right hon. Friend, the Secretary of State on 16 September.

It is too early to say precisely what will be the effect on staffing levels in Batley and Spen and there are currently no plans to change the service levels in the area. However, further announcements will be made as our plans progress.

TREASURY

Council Tax

Mr. Burstow: To ask the Chancellor of the Exchequer in which streets in Sutton and Cheam constituency council tax rebanding has resulted in revaluations in the past two years; and what the reason for rebanding was in each case. [194050]

Dawn Primarolo: The information requested could be obtained only at disproportionate cost.

Census

Mrs. Gillan: To ask the Chancellor of the Exchequer when the Office for National Statistics will release the full set of the 2001 Census data. [193752]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Mr. Len Cook to Cheryl Gillan, dated, 27 October 2004:

As National Statistician and Registrar General for England and Wales I have been asked to reply to your recent question asking when the Office for National Statistics will release the full set of the 2001 Census data. (193752)

All reports to Parliament prepared under section 4.1 of the Census Act (1920) have now been released and are available in the House of Commons Library. Actual release dates are as follows:

	Dates
First results on population for England and Wales	30 September 2002
Key Statistics for local authorities in England and Wales	13 February 2003
Key Statistics for Assembly Constituencies and Assembly Electoral Regions for the National Assembly for Wales	3 April 2003
National report for England and Wales	7 May 2003
Key Statistics for health areas in England and Wales	31 July 2003
Report for Parliamentary Constituencies	25 September 2003
National report for England and Wales part 2	3 February 2004
Report on the Welsh language	10 February 2004
Key Statistics for parishes in England and communities in Wales	16 March 2004
Key Statistics for postcode sectors in England and Wales	30 March 2004
Key Statistics for urban areas in England and Wales	17 June 2004
Key Statistics for urban areas (Regional volumes)	22 July 2004

Section 4.2 of the Census Act 1920 allows the Registrar General to meet a substantial need for additional Census statistics which are not covered by the reports to Parliament. An extensive programme of planned output under this provision has been completed, with delivery of the main set of detailed local results in September 2003, and with the completion of output on workplace and migration recently. These are available free of charge, on the National Statistics website where appropriate, or in entirety on electronic media. The Census continues to provide additional output is available.

Casinos

Mr. George Osborne: To ask the Chancellor of the Exchequer what discussions he has had with the Secretary of State for Culture, Media and Sport on changing taxation levels for casino operators. [194293]

John Healey: The Chancellor of the Exchequer has had no discussions with the Secretary of State for Culture, Media and Sport on these matters. Tax policy is a matter for the Treasury and is considered as part of the normal Budget process.

Child Support Payments

Mr. Kidney: To ask the Chancellor of the Exchequer (1) what assessment he has made of the implications of tagging a taxpayer's *(a)* national insurance contributions record and *(b)* tax records with the existence of a deductions from earnings order made in respect of child support payments; [193834]

(2) if he will introduce a procedure for alerting employers when taking on new employees to the existence of an existing deductions from earnings order in respect of child support payments. [193835]

Dawn Primarolo: The Inland Revenue has made no assessment of the processes outlined in respect of child support payments.

Deaths

Mrs. Iris Robinson: To ask the Chancellor of the Exchequer how many deaths there were in each of the last five years from *(a)* suicide, *(b)* drowning, *(c)* house fires, *(d)* other domestic accidents, *(e)* road traffic accidents, *(f)* murder and *(g)* manslaughter; and what percentage were (i) alcohol and (ii) drug related in each case. [193833]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mrs. Iris Robinson, dated 27 October 2004:

As National Statistician, I have been asked to reply to your recent question asking how many deaths there were in each of the last five years from *(a)* suicide, *(b)* drowning, *(c)* house fires, *(d)* other domestic accidents, *(e)* road traffic accidents, *(f)* murder and *(g)* manslaughter; and what percentage were (i) alcohol and (ii) drug-related in each case. (193833)

The latest year for which data are available is 2003. The figures requested are shown in the tables below for each year from 1999 to 2003. Percentages which were drug-related or alcohol-related are not available. For suicide and assault, the method used is available. For these causes, figures are available on cases where the method used was poisoning by drugs or alcohol.

Number of deaths by selected cause[1], persons, all ages, England and Wales, 1999 to 2003[2]

	1999	*2000*	*2001*	*2002*	*2003*
(a) Suicide	5,216	4,968	4,705	4,665	4,659
(b) Drowning	524	475	452	457	437
(c) House fires (accidental)	295	319	328	311	321
(d) Other domestic accidents	2,602	2,740	2,823	2,683	2,830
(e) Land transport accidents	3,098	2,985	2,949	2,929	2,943
(f and g) Assault	653	764	742	724	701

[1] The cause of death was defined using the International Classification of Diseases, Ninth Revision (ICD-9) for the years 1999 to 2000, and the International Classification of Diseases, Tenth Revision (ICD-10) for 2001 onwards. The codes used are listed below:

Suicide—ICD-9 E950-E959, E980-E989 excluding deaths where the coroner's verdict was pending; ICD-10 X60-X84, Y10-Y34 excluding deaths where the coroner's verdict was pending

Drowning—ICD-9 E890, E832, E910, E954, E964, E984; ICD-10 W65-W74, X71, Y21

Accidental house fires—E890-E899 where accident occurred at home; ICD-10 X00-X09 where accident occurred at home

Other domestic accidents—ICD-9 E849-E869, E880-E889, E900-E928 where accident occurred at home; ICD-10 W00-W99, X10-X59 where accident occurred at home

Land transport accidents—ICD-9 E800-E829; ICD-10 V01-V89

Assault—ICD-9 E960-E96, E988.8 where the coroner's verdict was pending; ICD-10 X85-Y09, Y33.9 where the coroner's verdict was pending

[2] Figures are based on deaths occurring in each calendar year.

Percentage of deaths due to suicide or assault[1] where the method used was drug[2] or alcohol poisoning, persons, all ages, England and Wales, 1999 to 2003

	1999	*2000*	*2001*	*2002*	*2003*
(i) Suicide—% which alcohol-related poisoning	0.1	0.1	0.1	0.2	0.1
(ii) Suicide—% which drug-related poisoning	25.9	25.7	26.5	24.2	24.9
(i) Assault—% which alcohol-related poisoning	—	—	—	—	—
(ii) Assault—% which drug-related poisoning	2.0	2.1	2.7	0.8	0.7

[1] The cause of death was defined using the International Classification of Diseases, Ninth Revision (ICD-9) for the years 1999 to 2000, and the International Classification of Diseases, Tenth Revision (ICD-10) for 2001 onwards. The codes used are listed below:

Alcohol-related poisoning suicide—as above where ICD-9 980 or ICD-10 T51 was coded as the main injury

Drug-related poisoning suicide—ICD-9 E950.0-E950.5, E980.0-E980.5; ICD-10 X60-X64, Y10-Y14

Alcohol-related poisoning assault—as above where ICD-9 980 or ICD-10 T51 was coded as the main injury

Drug-related poisoning assault—ICD-9 E962.0; ICD-10 X85.

[2] Includes over-the-counter, prescription and illegal drugs

Employment Statistics (Tooting)

Tom Cox: To ask the Chancellor of the Exchequer what proportion of working people living in the Tooting parliamentary constituency are in full-time employment. [193794]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Tom Cox, dated 21 October 2004:

As National Statistician, I have been asked to reply to your Parliamentary Question about employment in Tooting. (193794)

It is estimated that for the twelve months ending February 2003, the proportion of working age people in full time employment resident in the Tooting Parliamentary Constituency was 61.2%.

These estimates from the Labour Force Survey are, as with any sample survey, subject to sampling variability.

Fuel Duties

Mr. Salmond: To ask the Chancellor of the Exchequer if he will introduce measures to compensate for higher duties on petrol and diesel in those areas of the UK with the highest levels of petrol and diesel consumption; and if he will make a statement. [193708]

John Healey: The Chancellor of the Exchequer keeps all taxation policy under review and any changes are announced in the context of the Budget.

Hospices (VAT Relief)

Lady Hermon: To ask the Chancellor of the Exchequer pursuant to the answer of 19 October 2004, *Official Report*, column 580W, on hospices (VAT relief), on which purchases hospices can benefit from specific VAT zero rates. [193727]

Dawn Primarolo: The construction of a new building for use as a hospice and the conversion of an existing non-residential building into a hospice are VAT zero-rated.

Charitable hospices, and other charities which provide care or medical treatment for chronically sick and disabled people, also benefit from a number of other VAT zero rates on their purchases including medicines; medical, sterilising, laboratory and certain other equipment to be used for medical research, diagnosis or treatment; ambulances and certain other vehicles; equipment designed solely for chronically sick and disabled people; certain equipment designed for invalids, such as adjustable beds, commodes, patient hoists and wheelchairs; certain adaptations to buildings to facilitate chronically sick and disabled people, such as installation of lifts, the installation or adaptation of bathrooms and lavatories and the widening of doorways and passageways; and the adaptation of any goods to suit the condition of chronically sick and disabled people.

Local Authority Debt

Mr. Clifton-Brown: To ask the Chancellor of the Exchequer whether the *(a)* Public Sector Loan Board and *(b)* Treasury gives advice to local authorities on how to reschedule debt to reduce interest rates paid. [193813]

Mr. Timms: The prudent management of debt is the responsibility of local authorities acting on the advice of their Chief Financial Officers in accordance with professional standards. HM Treasury and the Public Works Loan Board do not offer advice on debt management to local authorities.

New Deal

Dr. Julian Lewis: To ask the Chancellor of the Exchequer how many personnel the Department has recruited under the New Deal in each of the past five years. [193675]

Mr. Timms *[holding answer 25 October 2004]:* I refer the hon. Gentleman to the answer which the Minister for the Cabinet Office (Ruth Kelly) gave him on 25 October *Official Report*, columns 1051–54W.

Private Sector Finance

Mr. Clifton-Brown: To ask the Chancellor of the Exchequer how much private sector finance has been issued in each year since it was introduced; what the average interest rate was in each year; in which years it is scheduled to be repaid; and whether a sinking fund is being established to meet these repayments. [193804]

Mr. Boateng: Information on projects signed under the Private Finance Initiative can be found in the Signed Projects List which is published on the Treasury website at: http://www.hm-treasury.gov.uk/media/F20/9F/ACF12A5.xls.

The list contains data on the estimated capital value of investment delivered via PFI and on the year in which individual projects were signed.

Under PFI repaying the debt raised to finance projects is the responsibility of the private sector. The unitary charge, which is paid to the private sector if the project is delivering the high quality outputs specified in the contract, covers both the provision of services and financing costs.

Information on the costs of the debt raised by the private sector to finance individual projects and the times at which it plans to repay such debt is not held centrally.

Mr. Clifton-Brown: To ask the Chancellor of the Exchequer what the projected levels of private sector finance are over the next three years. [193805]

Mr. Boateng: Figures for the estimated levels of capital spending by the private sector in the financial years 2004–05 to 2006–07 can be found in the Budget Report 2004. Within the report, table C17 provides departmental estimates of capital spending by the private sector (signed deals). Table C18 provides an estimate of the capital value of projects that are at the preferred bidder stage.

Mr. Clifton-Brown: To ask the Chancellor of the Exchequer what steps the Government are taking to ensure that the contractor takes some risk in private sector finance agreements. [193806]

Mr. Boateng: Private sector contractors always take risk in PFI projects. Examples of risks commonly transferred to the private sector are construction risk, or the risk associated with the design of the building and its appropriateness for providing the required service.

Guidance on how to appropriately evaluate which risks should be shared or transferred is given in the Standardisation of PFI Contracts Version 3 (SoPC 3) and the Treasury's Value for Money Guidance on PFI. Both documents are available on the Treasury website at:

http://www.hm-treasury.gov.uk/documents/public_private_partnerships/key_documents/ppp_keydocs_index.cfm.

Public Services

Mr. Clifton-Brown: To ask the Chancellor of the Exchequer what the average annual cost to *(a)* local authorities, *(b)* police authorities, *(c)* fire authorities and *(d)* NHS trusts of the (i) withdrawal of advance corporation tax credit on pensions and (ii) increase in national insurance implemented in the 2003 budget has been since their introduction. [193803]

Dawn Primarolo: Data by type of public service are not available.

Red Diesel

Mr. Carmichael: To ask the Chancellor of the Exchequer what assessment the Treasury has made of the increase in revenue the Exchequer would receive if the UK's derogation to the European Energy Products Directive which enables private boat users to purchase red diesel was not extended beyond 2006. [193720]

John Healey: Lack of robust data available means no reliable assessment has to date been made of potential revenue gains for the Exchequer from the loss of the UK's derogation from the European Energy Products Directive, which enables private boat users in the UK to purchase rebated gas oil.

Royal Residences

Mr. Alan Williams: To ask the Chancellor of the Exchequer pursuant to his reply of 11 October 2004, *Official Report*, column 73W, what the cost of the lease is; and whether it is paid *(a)* in advance and *(b)* on an instalment basis. [191344]

Mr. Timms: The cost and terms of the lease are confidential as it is privately funded. However, commercial valuations were obtained on both sides by independent external valuers.

Mr. Alan Williams: To ask the Chancellor of the Exchequer what the current estimate is of the cost of the refurbishment required in the first two years of the lease granted to HRH the Duke of York relating to property in Windsor Great Park. [191345]

Mr. Timms: The lease specifies that the tenant must spend a substantial sum on the restoration and modernisation of the property. However, as this is private expenditure, it will remain confidential.

Mr. Alan Williams: To ask the Chancellor of the Exchequer who bears the cost of maintenance of property and land in Windsor Great Park covered by the recently agreed lease granted to HRH the Duke of York. [191346]

Mr. Timms: The lease granted to HRH The Duke of York stipulates that The Duke of York, as lessee, is responsible for all repairs and maintenance of both the property and grounds.

Mr. Alan Williams: To ask the Chancellor of the Exchequer whether the property and land recently granted by lease to HRH the Duke of York in Windsor Great Park qualifies for *(a)* UK and *(b)* EU (i) agricultural and (ii) environmental grants. [191347]

Mr. Timms: The land held under lease by HRH the Duke of York at Royal Lodge does not qualify for UK or EU agricultural or environmental grants.

Siemens Business Services

Adam Price: To ask the Chancellor of the Exchequer if he will make a statement on proposals by Siemens Business Services to transfer National Savings and Investment jobs to India. [192910]

Mr. Timms: I refer the hon. Gentleman to the statement made by Siemens on 13 August 2004.

Single Mothers

Mr. Weir: To ask the Chancellor of the Exchequer how many single mothers aged *(a)* under 18, *(b)* 18 to 30 and *(c)* over 30 years are in receipt of child benefit in (i) Angus constituency and (ii) Scotland. [193451]

Dawn Primarolo: The numbers requested cannot be obtained from the records held. The child benefit data system does not hold up-to-date data on whether each recipient is single or part of a couple. The latest available figures covering all recipients in each local authority, for November 2003, appear on the Inland Revenue website, at www.inlandrevenue.gov.uk/stats/child_benefit/menu.htm.

Special Advisers

Matthew Taylor: To ask the Chancellor of the Exchequer how many unpaid special advisers the Department has; what their names are; and which Government *(a)* bodies, *(b)* committees and *(c)* strategy groups each unpaid adviser (i) belongs to, (ii) advises and (iii) works alongside. [194066]

Mr. Timms: I refer the hon. Gentleman to the answer which the former Financial Secretary (Ruth Kelly) gave the right hon. Member for Berwick-upon-Tweed (Mr. Beith) on 10 April 2002, *Official Report*, column 246W.

Stamp Duty/Inheritance Tax

Dr. Cable: To ask the Chancellor of the Exchequer (1) what the estimated tax yield from *(a)* stamp duty on domestic property and *(b)* inheritance tax is for each year to 2008–09 on the assumption that home price inflation is (i) zero, (ii) minus 10 per cent. per annum and (iii) plus 10 per cent. per annum; [194151]

(2) what assumptions the Government have made about the level of *(a)* stamp duty receipts on domestic property and *(b)* inheritance tax receipts in the period to 2008–09. [194152]

Dawn Primarolo: Forecast receipts from inheritance tax and stamp duty for 2004–05 are given in Table C8 of the Financial Statement and Budget Report http://www.hm-treasury.gov.uk/media/CE2/16/bud04_chc_312.pdf. Forecasts for 2005–06 will be given in the pre-Budget report towards the end of the year. The breakdown of stamp duty into receipts on residential property and the effects of the alternative house price assumptions are not available.

Tax Credits

Mr. Webb: To ask the Chancellor of the Exchequer how many tax credit compensation payments have been authorised since April; and what the *(a)* total and *(b)* average value of those payments was. [193662]

Dawn Primarolo: 10,200 payments were authorised between April and September 2004, inclusive. Their total value was £670,000 and the average value was £65.

Teenage Pregnancy (Barking and Dagenham)

Jon Cruddas: To ask the Chancellor of the Exchequer what the teenage pregnancy rate in the London Borough of Barking and Dagenham has been in each year since 1997. [194421]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Jon Cruddas, dated 27 October 2004:

As National Statistician, I have been asked to reply to your recent question asking what the teenage pregnancy rate in the London Borough of Barking and Dagenham has been in each year since 1997. (194421)

The most recent year for which conceptions statistics are available is 2002 and figures for this year are provisional estimates. The data requested are given in the table below.

Conceptions to women aged under 18—numbers and rates: London Borough of Barking and Dagenham, 1997 to 2002

Year	Number	Rate[1]
1997	193	69.0
1998	156	54.6
1999	180	61.2
2000	216	67.5
2001	215	63.6
2002[2]	236	73.3

[1] Rate per 1,000 women aged 15 to 17

[2] Provisional estimates

DEPUTY PRIME MINISTER

Caravan and Camping Exempted Organisations

Miss Kirkbride: To ask the Deputy Prime Minister whether the Association of Caravan and Camping Exempted Organisations was consulted in his review of permitted development rights; and if he will list the organisations which were consulted. [193908]

Keith Hill: The Office of the Deputy Prime Minister has made no proposals to amend permitted development rights for caravan sites. A research report into permitted development, commissioned from consultants, was published last year on the Office of the Deputy Prime Minister's website, www.odpm.gov.uk. This was the initial phase of a review of permitted development by the Office of the Deputy Prime Minister. A list of those whom the researchers contacted has been made available in the Library of the House. We intend to consult early next year on changes to certain permitted development rights, but not on the rights to station caravans. If we decide to propose changes in that area, we would again go out to public consultation. The Association of Caravan and Camping Exempted Organisations will be welcome to contribute its views on any proposals we make.

E-targets

Mr. Clifton-Brown: To ask the Deputy Prime Minister when all local authorities are expected to supply land searches electronically. [193808]

Phil Hope: The Office of the Deputy Prime Minister continues to encourage local authorities to subscribe to the National Land Information Service (NLIS) as the best way of e-enabling land searches. In turn this should improve the speed of response and efficiency of the service. NLIS has already been used for over three million searches and achieved an estimated 30–35 per cent. of the e-conveyancing market share. The Office of the Deputy Prime Minister anticipates that as part of the overall e-government target all local authorities should offer e-enabled land searches by December 2005.

Mr. Clifton-Brown: To ask the Deputy Prime Minister if he will make a statement on local authorities' progress towards the Government's e-targets. [193809]

Phil Hope: The target for local authorities in England is 100 per cent. capability in electronic delivery of priority services by December 2005, in ways that customers will use. The Office of the Deputy Prime Minister anticipates all authorities reaching this target. The Office of the Deputy Prime Minister will have new data on their progress in the new year. Authorities have been requested to submit this year's Implementing Electronic Government statements by 20 December.

High Hedges

Mr. Pickles: To ask the Deputy Prime Minister by what date Part 8 of the Anti-social Behaviour Act 2003 relating to high hedges will be fully implemented. [194338]

Phil Hope: The Office of the Deputy Prime Minister is now finalising regulations and guidance and expects the complaints system to be fully operational early in 2005.

Housing Bill

Mr. Clifton-Brown: To ask the Deputy Prime Minister in what form electronic versions of sellers' packs must be made available; who will have access to this information; and how the vendor will recover his or her costs from the purchaser. [193886]

Keith Hill: There is no requirement for home information packs to be kept in an electronic format. Potential buyers may ask for a copy of the pack and the Housing Bill provides that this may be provided in an electronic format if the potential buyer agrees to it. This will assist efficiency and minimise costs. The Bill also specifies circumstances in which a copy may be refused, allows conditions to be attached and for a reasonable charge covering the costs of making and sending a copy to be made.

Local Government Finance

Paddy Tipping: To ask the Deputy Prime Minister when he expects to use data from the 2001 census in calculating the local government finance settlement; and if he will make a statement. [193514]

Mr. Raynsford: I refer my hon. Friend to the answer given to the hon. Member for Yeovil (Mr. Laws) on 19 October 2004, *Official Report*, columns 570–71W.

Planning Appeals

Mr. Lansley: To ask the Deputy Prime Minister what proportion of planning appeals submitted to the Planning Inspectorate in *(a)* 2003 and *(b)* 2004 to date (i) have been and (ii) he expects to be determined within 30 weeks. [193348]

Keith Hill: The information requested is not held centrally, and could be provided only at disproportionate cost. However, in 2003–04 the Inspectorate received 22,548 planning appeals (in England) and issued 18,914 decisions. 87 per cent. of the decisions issued that year were despatched within 30 weeks of receipt of the appeal. In 2004–05 (year to date—30 September) the Inspectorate has received 12,222 planning appeals (in England) and has issued 7,339 decisions. 79 per cent. of the decisions so far issued in 2004–05 have been despatched within 30 weeks of receipt of the appeal.

It is likely that over the year as a whole the proportion of appeals determined within 30 weeks will reduce. This is due to the considerable growth in the number of planning appeals received; in the first six months of the year receipts were about 23 per cent. more than in the same period last year.

HOUSE OF COMMONS COMMISSION

Security Screen

Mr. Gordon Prentice: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission what the Commission's latest estimate is of the cost of the permanent security screen to be installed in the Commons Chamber. [193278]

Sir Archy Kirkwood: In the debate on the security screen on 22 April 2004, *Official Report*, column 467, the Leader of the House quoted a figure of £1.3 million. Although the design is still at a comparatively early stage the forecast has been reduced to £1 million. This figure includes the capital costs, designers' and surveyors' fees plus VAT. The estimate will be subject to formal review on completion of the design later this year.

Written Answers to Questions

Thursday 28 October 2004

SCOTLAND

New Deal (Departmental Recruitment)

Dr. Julian Lewis: To ask the Secretary of State for Scotland how many personnel the Department has recruited under the new deal in each of the past five years. [194478]

Mrs. McGuire: The Scotland Office has employed seven staff under the new deal in the past five years. Details are given in the following table.

	Number of new deal appointments
2000–01	2
2001–02	3
2002–03	—
2003–04	1
2004–05	1

WALES

Meirionnydd Nant Conwy

Mr. Llwyd: To ask the Secretary of State for Wales when he last visited the constituency of Meirionnydd Nant Conwy; and what the purpose was of that visit. [192214]

Mr. Hain: My last official engagement in Meirionnydd Nant Conwy was in August 1997 as a Welsh Office Minister when I had the great pleasure of attending that year's National Eisteddfod.

More recent visits to North Wales have taken me through the great beauty of the hon. Members constituency and if he has any specific suggestions for a ministerial visit I would be only to pleased to consider these.

My hon. Friend the Parliamentary Under-Secretary of State stayed in Dolgellau in the hon. Gentleman's constituency during an official visit in January 2003.

New Deal (Departmental Recruitment)

Dr. Julian Lewis: To ask the Secretary of State for Wales how many personnel the Department has recruited under the new deal in each of the past five years. [194476]

Mr. Touhig: I refer the hon. Member to the answer given on 25 October 2004, *Official Report*, column 1052W by the Minister of State for the Cabinet Office, Ruth Kelly

The size of the Wales Office and nature of its business means that it does not recruit directly but takes its staff mostly from the National Assembly for Wales and the Department for Constitutional Affairs.

HOUSE OF COMMONS COMMISSION

Grey Visitor Passes

Norman Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission (1) how many grey visitor passes have been issued to visitors to the parliamentary estate since they were introduced; [194316]

(2) how many grey visitor passes issued to visitors to the parliamentary estate have been lost since they were introduced; and what efforts have been made to recover them; [194317]

(3) what measures are in place to ensure that grey visitor passes issued to visitors to the parliamentary estate are successfully retrieved from visitors when they leave the parliamentary estate. [194318]

Sir Archy Kirkwood: It is not the practice of the House of Commons Commission to publish details of the operation of security arrangements on the parliamentary estate.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Agrimonetary Compensation (Buckingham)

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs how many farmers in the Buckingham constituency have received agrimonetary compensation since 2002; and what the total amount is that has been paid out. [189853]

Alun Michael: Agrimonetary compensation payments to farmers in Buckinghamshire in respect of numbers and amount since 2002.

EAGGF year	*Number*	*Amount (£)*
2002	778	493,832.00
2003	321	18,465.73

European agriculture guarantee and guidance fund years run from 16 October to 15 October.

Within the regional classification used by the EC (Nomenclature des unites territoriales statistiques (NUTS)) there is no code for Buckingham only for Buckinghamshire.

The figures are therefore for Buckinghamshire.

SOLICITOR-GENERAL

Illegal Trading

25. **Mr. Watts:** To ask the Solicitor-General what guidance she gives to the Crown Prosecution Service on prosecutions for illegal trading. [194088]

The Solicitor-General: The term illegal trading covers a range of possible criminal offences which may be prosecuted by a number of public prosecuting authorities, including the Crown Prosecution Service, the Serious Fraud Office and local authorities. The Crown Prosecution Service will apply the guidance contained in the Code for Crown Prosecutors when deciding whether or not to prosecute in individual cases.

CPS Prosecutions (Blackpool)

26. **Mr. Jack:** To ask the Solicitor-General what studies she has undertaken of recent trends in Crown Prosecution Service prosecutions in criminal cases in Blackpool. [194089]

The Solicitor-General: Measured by unsuccessful outcomes, the CPS Unit responsible for prosecutions in the Fylde/Blackpool area of Lancashire has been performing well in comparison to other parts of the county, and in comparison to England and Wales more generally.

Domestic Violence Courts

27. **Julie Morgan:** To ask the Solicitor-General what discussions she has had with Cabinet colleagues on increasing the number of specialist domestic violence courts. [194090]

The Solicitor-General: Independent evaluation of five of the existing specialist domestic violence courts has been extremely positive. The Government intends to take forward the recommendation to increase the number of such courts in England and Wales.

CULTURE, MEDIA AND SPORT

Analogue Switch-off

Mr. Salmond: To ask the Secretary of State for Culture, Media and Sport what percentage in terms of area of *(a)* the UK and *(b)* Scotland will have digital television coverage by 31 December (i) 2004, (ii) 2005 and (iii) 2006. [193679]

Estelle Morris: Digital Terrestrial Television (DTT) coverage figures are calculated by households covered rather than geographical area. At present 82 per cent. of households in Scotland are covered by DTT compared to 73 per cent. for the UK as a whole and this percentage cannot be increased before Switchover.

Though it is not possible to give an accurate prediction of future DTT coverage in Scotland and the UK, public service broadcasters are required to match substantially the same level of analogue coverage (98.5 per cent.), with digital. No specific dates for Switchover have been set, but the Government and Ofcom believe that digital switchover could start to happen as early as 2007 and be completed by 2012.

Drug Abuse (Football)

Hugh Robertson: To ask the Secretary of State for Culture, Media and Sport what discussions she has had with the Football Association regarding sanctions for footballers testing positive for drugs. [194411]

Mr. Caborn: There have been no formal discussions between DCMS Ministers and the Football Association in the last 12 months about sanctions for footballers testing positive for prohibited substances.

Listed Buildings

Mr. Sheerman: To ask the Secretary of State for Culture, Media and Sport (1) what account is taken of the impact that listing particular buildings will have on local regeneration when the decision is made about whether they should be listed; [194038]

(2) what action she is taking to ensure that decisions about listing buildings take into account the impact their listing will have on local regeneration; and if she will make a statement. [194039]

Mr. Caborn: The listing criteria, as set out in Planning Policy Guidance Note 15: Planning and the Historic Environment (PPG 15), only allow the Secretary of State to consider the special architectural or historic interest of the buildings.

Local regeneration cannot be taken into consideration.

Comments received in response to our consultation document, Protecting our Historic Environment: Making the System Work Better, supported the principle that the Secretary of State should not be able to take account of wider considerations.

Mr. Sheerman: To ask the Secretary of State for Culture, Media and Sport how many buildings have been listed in each of the last 10 years. [194046]

Mr. Caborn: We are able only to provide reliable figures for the last five years. These are as follows:

	Number
2000	900
2001	742
2002	649
2003	721
2004	[1]465

[1] To October 2004.

Mr. Sheerman: To ask the Secretary of State for Culture, Media and Sport how many applications for listing buildings have been turned down in each of the last 10 years. [194047]

Mr. Caborn: We are able only to provide reliable figures for the last five years. These are as follows:

	Number
2000	1,317
2001	1,375
2002	1,183
2003	1,255
2004	1,164

Olympic Sports Facilities

Hugh Robertson: To ask the Secretary of State for Culture, Media and Sport how many *(a)* 50-metre Olympic swimming pools, *(b)* Olympic standard velodromes and *(c)* Olympic standard running tracks there are in the UK; and where they are located. [194410]

Mr. Caborn: There are 24 50-metre swimming pools in the UK. Of these, four have the necessary swimming and spectator facilities to host Olympic and other major international competitions. They are located in London (Crystal Palace), Manchester, Sheffield, and Glasgow.

The remaining 20 50-metre pools are located at: Aldershot, Bath, Birmingham, Coventry, Ealing, High Wycombe, Hillingdon, Leeds, Liverpool, Loughborough, Millfield School, Norwich, Portsmouth, Stockport, Tyne and Wear, Wigan, East Kilbride, Edinburgh, Stirling, and Swansea.

There are two Olympic standard velodromes in the UK—one each in Newport and Manchester.

There are six running tracks in the UK with sufficient athletics and spectator facilities to host Olympic and other international competitions. These are located in: Gateshead, Sheffield, London (Crystal Palace), Birmingham, Manchester, and Glasgow. The facility in Glasgow is currently being refurbished.

In addition, there are approximately 210 athletics tracks in the UK, which are certified as being of Olympic size and standard but do not have suitable spectator facilities to hold international competitions.

Sports Councils

Kate Hoey: To ask the Secretary of State for Culture, Media and Sport what the annual Exchequer grant aid awards to *(a)* UK Sports, *(b)* the Welsh Sports Council, *(c)* the Scottish Sports Council, *(d)* the Northern Ireland Sports Council and *(e)* Sport England have been in each year since 1996. [194462]

Mr. Caborn: The figures requested are shown in the following table:

	UK Sport	*Sport England*
1996–97	4,000,000	15,679,000
1997–98	11,800,000	33,730,000
1998–99	11,600,000	36,489,000
1999–2000	12,600,000	37,523,000
2000–01	12,750,000	38,323,000
2001–02	16,773,000	43,162,000
2002–03	16,321,000	80,324,000
2003–04	23,175,000	44,572,000
2004–05	27,310,000	77,052,000

Notes:

1. The figures for 2004–05 show plans. All other figures reflect reported outturn

2. The UK Sports Council and English Sports Council became operational on 1 January 1997 when they superseded the Sports Council of Great Britain.

Support for sport in Scotland, Wales and Northern Ireland is a devolved responsibility; questions should therefore be directed to each administration.

Sustainable Energy (CHP Provisions) Order

Mr. Stunell: To ask the Secretary of State for Culture, Media and Sport what measures her Department *(a)* has undertaken and *(b)* plans to undertake to comply with the Sustainable Energy (CHP Provisions) Order 2003. [194433]

Mr. Caborn: DCMS is committed to the Framework for Sustainable Development on the Government Estate. As part of that Framework we are required under Part E Energy—Target E4 to source at least 15 per cent. of electricity from Good Quality Heat and Power by 2010 (allowances will be made for those Departments that already purchase combined purchase 100 per cent. renewable energy). DCMS is not able to source a suitable supply of CHP and has taken the decision to increase its procurement of renewable energy. Our offices at 2–4 Cockspur Street were supplied with a 100 per cent. Green Energy from January 2004 and our office at 179a Tottenham Road was supplied with Green Energy from September 2003. One of our NDPBs, the Science Museum has a small combined heat and power generating station.

TRANSPORT

Air Navigation Charging

Miss McIntosh: To ask the Secretary of State for Transport if he will make a statement on proposed reforms to the charging system for airlines for the use of air navigation purposes. [R] [193772]

Charlotte Atkins: The Single European Sky (SES) Regulations, which came into force on the 20 April 2004, require the development of a common charging scheme for the recovery of the costs of air navigation services provided to airlines and other airspace users. An Implementing Rule to specify the details of the new charging scheme is under development by the European Commission but has not yet been finalised.

Miss McIntosh: To ask the Secretary of State for Transport what research has been done on the possible effects of reform of the charging system for airlines on smaller regional airlines; and what the result was of this research. [R] [193773]

Charlotte Atkins: The Government has undertaken no research on this matter. The Civil Aviation Authority (CAA) has produced a discussion paper outlining the flaws in the existing en-route charging system and presenting a number of key principles against which reform should be judged. A key theme of the work was that the scheme should be more cost-reflective and that the user should pay for any services used.

Aviation Fuel

Norman Baker: To ask the Secretary of State for Transport what position the Government took at the recent meeting of the International Civil Aviation Organisation in respect of *(a)* the taxing of aviation fuel on planes, *(b)* the taxing of aviation fuel held in storage at airports, *(c)* the introduction of en route emissions charges and *(d)* the proposal that no use of new market mechanisms should take place until at least 2007. [192242]

Charlotte Atkins: At the 35th ICAO Assembly (27 September–8 October) the UK acted as spokesperson for the 41 member states of the European

Civil Aviation Conference (ECAC). We succeeded in getting recognition for the first time that ICAO policy on the exemption of aviation fuel from taxation has been called into question in some States which impose taxes on other transport modes and other sources of greenhouse gases.

More generally, ECAC States succeeded in their aim of keeping open market-based options to tackle the climate change impacts of aviation. The new Assembly Resolution gives us flexibility to continue to pursue the policies set out in the Air Transport White Paper—to press for the inclusion of intra-EU aviation in the EU emissions trading scheme; as well as to explore and discuss options for the use of other economic instruments.

States were urged to refrain from the unilateral implementation of greenhouse gas emissions charges prior to the next regular session of the Assembly in 2007—this was acceptable to ECAC as it represents a realistic time-scale for putting any market-based measures in place.

Flight Overbooking

Annabelle Ewing: To ask the Secretary of State for Transport if he will introduce legislation to address overbooking of flights by commercial airlines. [193459]

Charlotte Atkins: On any particular flight there is likely to be a proportion of passengers, mainly from those holding flexible tickets, who do not check in. On the basis of statistical evidence from previous flights, airlines estimate the probable number of no-shows and overbook accordingly. On the great majority of flights no passengers are denied boarding, and by reducing the number of empty seats overbooking keeps fares lower than they would otherwise be. This practice is widely accepted by passenger organisations and by regulators as being in the best interests of consumers generally.

In the comparatively small proportion of cases where denied boarding occurs, existing Community legislation requires Community air carriers to provide prescribed minimum levels of financial compensation, in addition to offering passengers a choice between re-routeing and reimbursement. On 17 February 2005 a new EC Regulation is due to enter force, which will increase the minimum levels of compensation payable to those affected by overbooking and extend cover to passengers on both scheduled and non-scheduled flights.

Government Offices for the Regions

Mr. Pickles: To ask the Secretary of State for Transport what role Government Offices for the Regions play in *(a)* the provision of transport and *(b)* the development of transport infrastructure. [194329]

Charlotte Atkins: The nine Government Offices are the primary vehicle through which a wide range of Government policies are delivered in the English regions. The Government Offices promote Government policies and programmes and use their influence to enable communities in their regions to become better places in which to live, through the effective alignment and delivery of national, regional and local priorities.

On transport, the Government Offices assist in accelerating the delivery of the Secretary of State's national objectives for transport, including delivery of PSA targets in the region, through partnership with DfT and relevant national, regional and local bodies. The Government Offices do not have direct responsibility for the provision of transport infrastructure, but they assist in the development of such infrastructure, for example by:

> advising local authorities on the development of major transport schemes, helping to ensure that these support local transport plan objectives and the wider objectives of regional planning guidance;
>
> helping to inform Ministers' understanding of local authority performance and of funding priorities;
>
> working with regional assemblies as they develop their regional transport strategies to provide a long-term planning framework for transport in the region; and
>
> informing the development of national policy for transport, by giving the Department for Transport insights into local and regional issues and the practical impact of existing policies and programmes, including across transport modes.

New Deal (Departmental Recruitment)

Dr. Julian Lewis: To ask the Secretary of State for Transport how many personnel the Department has recruited under the New Deal in each of the past five years. [194474]

Charlotte Atkins: The Cabinet Office collects New Deal data centrally on a quarterly basis. I refer the hon. Member to the answer given by my hon. Friend, the Minister for the Cabinet Office of 25 October 2004, *Official Report*, column 1052W.

TRADE AND INDUSTRY

Businesses (York)

Hugh Bayley: To ask the Secretary of State for Trade and Industry how many businesses in York *(a)* there were in 1997, *(b)* there are now, *(c)* started trading between 1997 and now, and *(d)* ceased trading between 1997 and now. [192405]

Nigel Griffiths: Barclays Bank's latest survey of business creation includes non-VAT registered firms and shows that there were 465,000 business start-ups in England and Wales in 2003. This represents a 19 per cent. increase on the year before. There were 1,400 business start-ups in York in 2003. Business start-up data for Unitary Authorities are not available for before 2003. Data on the number of business closures in each Unitary Authority are not available.

DTI figures based solely on VAT registrations and de-registrations for York local authority are shown in the following table for 1997 and 2002. Data for 2003 will be available in autumn 2004.

VAT Registrations, De-registrations and Stock in York Unitary Authority

	1997	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*	*1997–2002*
VAT Registrations	435	415	410	445	440	435	—	2,580
VAT De-registrations	350	330	360	360	380	390	—	2,170
Start of year VAT Stock	4,035	4,115	4,200	4,250	4,335	4,395	4,440	—

Source:
Business Start-ups and Closures: VAT Registrations and De-registrations 1994–2002, Small Business Service, available from: www.sbs.gov.uk/statistics/vatstats.php

VAT registrations do not capture all start-up activity. Businesses are unlikely to be registered if they fall below the compulsory VAT threshold, which has risen in each year since 1997. Similarly, businesses that de-register will not necessarily have closed. Only 1.8 million out of 4 million enterprises were registered for VAT at the start of 2003. Data on the total number of businesses trading are not available below the level of government office region.

Experimental Fusion Reactor

Mr. Dalyell: To ask the Secretary of State for Trade and Industry if she will make a statement on the Government's assessment of the EU position that the experimental fusion reactor should be built in France. [193161]

Mr. Mike O'Brien: The UK Government believe that the ITER (International Tokamak Experimental Reactor) project will have the best chance of success if it is located at the European site in France. The UK will continue to support the European bid.

Information and Communication Specialists

Mr. Jenkins: To ask the Secretary of State for Trade and Industry how much the Department spent on outside information technology and communication specialist consultants and engineers in and 2003–04 financial year. [191909]

Ms Hewitt: Central records indicate that a total of £24.03 million was spent on Information and Communications Technology (ICT) consultancy in the 2003–04 financial year. Additional expenditure may have been incurred through local contract action. However, this information could be extracted only at disproportionate cost.

Ministerial Expenses

Mr. Prisk: To ask the Secretary of State for Trade and Industry what the running costs of Ministers' private offices in her Department have been in each year since 1997. [191383]

Ms Hewitt: The running costs for the Ministers' private offices are as follows:

	£ million
1997–98	3.8
1998–99	4.2
1999–2000	3.4
2000–01	3.6
2001–02	[1]2.8
2002–03	2.4
2003–04	2.2

[1] Revised figure—previously published as £4.08 million.

Nuclear Waste

Llew Smith: To ask the Secretary of State for Trade and Industry what reports she has received from British Nuclear Fuels Ltd. in respect of the technical possibility of the encapsulation and long-term storage of previously wet-stored Magnox fuel. [193503]

Mr. Mike O'Brien: Magnox fuel, which has become wet through storage in the reactor stations' cooling ponds or in the pond of the Fuel Handling Plant at Sellafield corrodes with time with associated release of very soluble materials. This makes reprocessing wetted fuel the preferred technical option.

Should the Magnox reprocessing plant be unable to reprocess fuel, and there were significant quantities of wetted fuel remaining, one option could be to encapsulate intact fuel elements in drums for interim storage. Ongoing research has concentrated on the thermal and corrosion effects of a range of potential encapsulants and the durability of the resultant encapsulated package. Further research, technical and regulatory assessments would be required to provide the assurances necessary to make this option viable.

One North East

Mr. Alan Campbell: To ask the Secretary of State for Trade and Industry what the budget of One North East is in the current financial year. [193335]

Jacqui Smith: The gross expenditure budget for One North East in the current financial year is £271.219 million. This consists of a DTI budget of £213.949 million supplemented by income from own resources and other funding such as ERDF.

Shareholder Executive

Gregory Barker: To ask the Secretary of State for Trade and Industry what authority the Minister for the Cabinet Office retains over the Shareholder Executive. [192743]

Ms Hewitt: The Shareholder Executive advises me—and is therefore accountable to me—on my Department's shareholder or other financial interest in the following businesses: British Energy plc, British Nuclear Fuels plc, Export Credit Guarantee Department, Royal Mail Holdings plc and the United Kingdom Atomic Energy Authority.

Gregory Barker: To ask the Secretary of State for Trade and Industry what appointments she has made to the Shareholder Executive. [192782]

Ms Hewitt: A number of appointments have been made at senior civil service level and more junior grades both by the Cabinet Office and the Department of Trade and Industry.

Small Businesses (Yorkshire)

Hugh Bayley: To ask the Secretary of State for Trade and Industry how many small businesses there were in *(a)* Yorkshire and the Humber and *(b)* the City of York (i) in 1997 and (ii) at the latest date for which figures are available. [191170]

Nigel Griffiths: The information is as follows:

There were 288,650 small businesses (0–49 employees) at the start of 1997 in the Yorkshire and Humberside region.

There were 253,425 small businesses (0–49 employees) at the start of 2001 in the Yorkshire and Humberside region.

At the start of 1997 there were 4,035 VAT registered businesses in York Unitary Authority.

At the start of the 2003 there were 4,440 VAT registered businesses in York Unitary Authority.

There were 72,250 new VAT registrations in Yorkshire and the Humber GOR in the years 1997 to 2002

There were 2,580 new registrations in York UA in the years 1997 to 2002.

Sub-Post Offices

Clive Efford: To ask the Secretary of State for Trade and Industry how many sub-post offices proposed for closure under Post Office Ltd.'s reinvention programme are in neighbourhood renewal areas; how many *(a)* sub-post offices have been closed, *(b)* sub-post offices have been saved from closure, *(c)* proposals have been approved by Postwatch, *(d)* sub-post offices have been closed against the views expressed by Postwatch, *(e)* proposals remain under consideration for closure and *(f)* proposals remain under consideration for closure while being opposed by Postwatch; and if she will make a statement. [194445]

Mr. Sutcliffe: Implementation of the urban post office network reinvention programme is an operational matter for Post Office Ltd. I have therefore asked the Chief Executive to respond direct to my hon. Friend.

Textiles

Sir Archy Kirkwood: To ask the Secretary of State for Trade and Industry what steps have been taken by the Textile and Clothing Strategy Group since June 2000. [193183]

Nigel Griffiths: The Textiles and Clothing Strategy Group's (TCSG) second report "Making it Happen" published in July 2002 records many actions taken by Government and industry to improve the productivity and competitiveness of the sector and looks a the changes to the industry since the report was issued, considering the extent to which they affect the initial's report's recommendations and assesses, the challenges ahead.

Actions by Government featured in "Making it Happen" include:

£1.5 million towards a £3.8 million Textiles and Clothing Industry Forum.

Support for textiles and clothing exporters.

Provided a Designer Manufacturer Handbook, a "toolkit".

Assistance for young UK designers through support to London Fashion Week.

A technical textiles project co-ordinator and £2 million of support granted since June 2000 for technical textile projects activities.

£2 million retraining initiative for the industry: The Strategic Training for Apparel and Textiles (STAT) programme.

INTERNATIONAL DEVELOPMENT

Agribusiness

Gregory Barker: To ask the Secretary of State for International Development what his Department's definition is of agribusiness; and whether it includes agricultural import-export investments. [193318]

Hilary Benn: An agribusiness is a business in the agricultural sector, including the processing and distribution of agricultural products, and agricultural import-export businesses.

AIDS/TB/Malaria

Mr. Lazarowicz: To ask the Secretary of State for International Development what plans his Department has to contribute to the global fund to fight AIDS, TB and malaria. [190994]

Mr. Gareth Thomas: The UK played a leading role in setting up the global fund to tackle AIDS, TB and Malaria (GFATM), and we believe it has a crucial role in fighting AIDS, TB and Malaria.

In July, the UK announced a doubling of its pledge from 2005 to 2008, subject to the GFATM demonstrating its effectiveness. This brings our overall pledge to approximately £259 million (US$449 million, 2002–03 to 2007–08) making the UK the fourth largest donor to the global fund.

Bangladesh

Tom Cox: To ask the Secretary of State for International Development what reports he has received from the British High Commissioner to Bangladesh on the ongoing effect of the recent floods that took place in Bangladesh; what assistance the UK has given to that country; and if he will make a statement. [193489]

Mr. Gareth Thomas: Heavy monsoon rain in Bangladesh and surrounding countries in July, led to major flooding over Bangladesh. This was exacerbated by a localised monsoon depression, which swept over Bangladesh in September, bringing three limes the normal rainfall and causing flooding in Dhaka, the southwest and central areas of the country, including several districts, which had not been affected by the previous flood.

Damage assessments, including that undertaken on behalf of the United Nations Office for the Co-ordination of Humanitarian Affairs (OCHA), estimate that over 33 million people have been affected by the floods, over two million dwellings damaged and some four million inhabitants displaced. Homes, schools, clinics, roads, bridges, small-scale enterprises and crops have been damaged. Many people were forced to sell off their livestock and many days employment, hence income, lost. Tube wells and other water sources were contaminated and up to three million latrines damaged or washed away, leaving the population with limited or no access to safe water and sanitation, increasing the risks of diarrhoea and other waterborne diseases. An Asian Development Bank (ADB)/World Bank (WB) mission in September estimated total damage to assets and output losses at $2.2 billion (£1.1 billion), representing 3.9 per cent. of GDP.

The monsoon season is now nearly over and the flood situation continues to improve. All emergency flood shelters are now closed. However, there remain some rises in the Brahmaputra-Jumuna river water level, with two out of 86 monitoring stations remaining above danger level.

When the floods commenced in July, the UK Government led the international donor community to ensure immediate emergency needs were met. The UK was the first to announce bilateral support for the flood-affected people of Bangladesh. On 26 July the UK Government allocated £10 million through DFID to meet immediate flood emergency needs. £5 million of this was channelled through United Nations Development Programme (UNDP) and £5 million through World Food Programme (WFP). Supporting these two organizations ensured that both food and non-food emergency needs of those affected by the flood were met. This initial £10 million has now been fully utilised to provide food packages of rice, pulses, oil, salt and nutritionally fortified high-energy biscuits; and non-food support, including shelter and agricultural support (such as provision of seedlings) to over 900,000 families (4.5 million people) affected by the floods. In particular, the relief was targeted on the six worst affected districts—Brahmanbaria, Habiganj, Kishoreganj, Netrokona, Sirajganj and Sunamganj.

This assistance was delivered by 22 national and international non-governmental organisations with a strong track record in effective relief delivery in Bangladesh. These included Bangladesh Rural Advancement Committee (BRAC), Save the Children Fund (SCF) (UK), Oxfam, CARE, Islamic Relief, Concern, Christian Aid, United Nations Food and Population Fund (UNFPA), Action Aid, International Centre for Diarrhoeal Diseases and Research, Bangladesh (ICDDR-B), Gonoshasthaya Kendra, and Handicap International.

The UK Government then turned its attention to the extensive recovery and rehabilitation needs of Bangladesh. On 12 August, the United Nations launched its Consolidated Appeal for $210 million (£117 million) to meet relief and recovery needs for the next 6 months. Again, the UK Government acted swiftly to meet the need. I announced on 18 August an additional £15 million through DFID, for Bangladesh to support the repair, replacement and maintenance of roads and bridges; to provide food, shelter, clean water, sanitation, medial supplies; and to provide funds for cash-for-work programmes to give people affected by the floods the opportunity to earn income to help recover from the floods.

From this £15 million, £1 million has been channelled to the World Food Programme to support their provision of food to those affected by the floods and £2 million has been channelled through UNDP to provide temporary and longer-term shelter to 194,000 flood affected families, working in partnership with the Local Government and Engineering Department (LGED). Another £4 million has been channelled through UNDP to support NGO-managed 'cash for work' programmes. £2 million is being channelled to the World Health Organisation (WHO) through UNDP to provide medical supplies to maternal and child welfare centres and urban clinics. £2 million is being channelled through UNDP to United Nations Children's Fund (UNCIEF) to work with the Department of Public Health Engineering (DPHE) to restore access to safe water and sanitation facilities. DFID's support is contributing to UNICEF's efforts to help up to 30 million people in 40 out of Bangladesh's 64 districts.

The final £4 million will support the Government of Bangladesh's request for emergency financing for roads, bridges and culverts damaged by the recent floods. £3.9 million is for financial aid for emergency repair and reconstruction; and a further £0.1 million for technical assistance to provide oversight to the Roads and Highways Department response.

DFID has also lobbied the EC to increase the European Community Humanitarian Office (ECHO)'s contribution of €2.9 million (£2 million). The UK Government's support to Bangladesh to ensure it is better able to cope with the impact of disasters, will not stop with the end of this year's floods. The UK Government, through DFID, is providing £6 million over five years to the Comprehensive Disaster Management Programme which is strengthening the Government of Bangladesh's capacity to deliver long-term sustainable risk management practices as an integral part of national development planning, and to increase the effectiveness of the Government's emergency responses and post recovery management.

The UK Government are aware that even this generous support may not be sufficient to ensure Bangladesh can recover quickly and rebuild after the floods. That is why I have approved another £4 million today for the World Food Programme's Emergency Response Programme (EMOP), which is currently only 20 per cent. subscribed. This will enable the poorest flood victims to have continued access to food during the period of scarcity, which has followed the floods and may last up to February 2005.

DFID is also providing £7 million over six years to strengthen the World Food Programme in Bangladesh, to better equip them to meet the food security needs of Bangladesh, including in disasters.

CDC

Gregory Barker: To ask the Secretary of State for International Development if he will list *(a)* current and *(b)* previous CDC investments in China's agribusiness sector by (i) amount, (ii) location and (iii) date. [193288]

Hilary Benn: CDC has made no investments in the agribusiness sector in China.

Gregory Barker: To ask the Secretary of State for International Development if he will make a statement on the executive performance bonus scheme for CDC/Actis Capital and its objectives. [193289]

Hilary Benn: CDC has a Short-Term Incentive Plan (STIP) and a Long term Incentive Plan (LTIP) for its staff. The STIP is linked to achievement of the Investment Policy Targets, prudent financial management, and development of CDC's relations with potential partners. The LTIP is linked to financial performance, mobilisation of third-party capital, and development impact.

Remuneration in Actis is managed by its Supervisory Board. The remuneration principles are set out in Schedule 12 of the Members' Agreement, a copy of which is in the Library of the House.

Gregory Barker: To ask the Secretary of State for International Development how much capital CDC/Actis Capital has *(a)* invested and *(b)* managed in China in each year since 1999. [193319]

Hilary Benn: The amounts are shown in the following table:

US$ million

	Amount invested	*Funds under management*
1999	0	0
2000	25.0	100.0
2001	30.0	100.0
2002	7.5	100.0
2003	12.0	100.0
2004	10.0	100.0

Gregory Barker: To ask the Secretary of State for International Development pursuant to his answer of 14 September 2004, *Official Report*, column 1518W, on CDC/Actis Capital, whether CDC's investments in China qualify as bilateral aid. [193324]

Hilary Benn: I confirm that CDC investments in China are classified as bilateral aid.

China Capital Partners

Gregory Barker: To ask the Secretary of State for International Development how many people are employed by China Capital Partners Ltd.; and if he will list the locations of its offices. [193322]

Hilary Benn: China Capital Partners employs seven people and has one office, which is in Beijing.

Locusts

Mr. Simmonds: To ask the Secretary of State for International Development what steps Her Majesty's Government have taken to provide assistance to *(a)* Niger, *(b)* Mauritania, *(c)* Chad, *(d)* Gambia, *(e)* Mali and *(f)* Senegal, following the recent plague of locusts that has ravaged crops and land. [193818]

Hilary Benn: The Department for International Development (DFID) has provided £1.5 million to the emergency international appeal for locust control in the West Africa Region, issued by the UN Food and Agriculture Organisation (FAO). This appeal covers operations in all of the above countries. UK funding will assist the immediate emergency control of swarms over the next three months. In addition, the European Commission is providing €23.5 million (£16.3 million) to assist those countries worst affected. The UK's attributed share of this assistance will be approximately £3 million.

Malawi

Mr. Paul Marsden: To ask the Secretary of State for International Development what projects his Department is supporting in the Kayezi region of Malawi. [192291]

Hilary Benn: The Department for International Development supports national programmes in Malawi on health (TB, Sexual Reproductive Health Programme, National Immunization and Malaria Programme), primary education, HIV/AIDS, targeted inputs, safety and security and access to justice.

Kayezi falls within the Mzimba district where it benefits from the programmes mentioned above.

Policy Programmes

Mr. Alan Duncan: To ask the Secretary of State for International Development if he will list the policy programmes undertaken by his Department in each of the last three years, broken down by *(a)* risk level, *(b)* cost and *(c)* purpose of each programme; and if he will make a statement. [194314]

Hilary Benn: DFID undertakes a large number of projects and programmes involving policy, most of which involves knowledge and research. This ranges from acquisition of knowledge to implementation of programme objectives. In reply to the hon. Member's question of 21 October 2004, *Official Report*, column 850W, a list of contracts including those involving knowledge and research, issued by DFID over the last five years is being placed in the Library. This includes consultants contracted for the purpose of knowledge and research. The project title in those cases provides an indication of the objective of the activity but to set out the purpose and risk level of each would involve disproportionate cost. In addition to these contracts, much of DFID's policy formulation is carried out in-house through the work of DFID's Policy Division.

Over the last 3 years, DFID has spent £540 million on Knowledge and Research. Of the above total, expenditure on centrally funded research (that is research more concerned with global rather than country issues) is around £85 million per year rising to at least £100 million per year in 2006–07.

DFID funds research, on a wide variety of policy issues. A Research Funding Framework has just been published which is available on the DFID website. www.dfid.gov.uk. This identifies four major themes, which will take some two-thirds of research funding: sustainable agriculture, especially in Africa; killer diseases; climate change; and work to identify policy options in situations where states do not work for the poor. Some research—such as that relating to an HIV vaccine—is high risk, but worth supporting because the potential benefits are also very high.

Private Finance Initiatives

Mr. George Osborne: To ask the Secretary of State for International Development if he will list the Private Finance Initiative arrangements in which the Department is engaged; what the total cost of each arrangement is *(a)* over its lifetime and *(b)* in each year of its operation; and how the arrangement appears in the Department's public accounts. [193978]

Hilary Benn: DFID has no Private Finance Initiative arrangements.

DEPUTY PRIME MINISTER

Executive Agencies (Yorkshire)

Hugh Bayley: To ask the Deputy Prime Minister how many full-time equivalent jobs *(a)* his Department and *(b)* its executive agencies had in (i) Yorkshire and the Humber and (ii) the City of York in (A) 1997 and (B) the latest year for which figures are available. [191854]

Phil Hope: I refer my hon. Friend to the answer given by my hon. Friend the Member for Bolton, West (Ruth Kelly) on 25 October 2004, *Official Report*, column 1053 W.

Gypsies

Tom Cox: To ask the Deputy Prime Minister how many Gypsy caravan sites are registered in England and Wales. [194136]

Keith Hill: As at January 2004 there were 342 local authority Gypsy and Traveller sites in England. The Office of the Deputy Prime Minister does not collect data on the number of privately-owned Gypsy and Traveller sites, but does conduct a count of the number of caravans on such sites which, as at January 2004, stood at 4,890.

The Office of the Deputy Prime Minister does not collect data on Gypsy and Traveller sites in Wales. The Welsh Assembly has responsibility for Gypsy and Traveller policy in Wales.

Fire (Emergency Calls)

Simon Hughes: To ask the Deputy Prime Minister how many *(a)* genuine and *(b)* malicious false alarm fire emergency calls were received in (i) Greater London and (ii) each London borough in each year since 1999. [194313]

Mr. Raynsford: The number of fire false alarm calls attended by the London Fire Brigade since 1999 is tabled as follows. Genuine false alarms are those generated by automatic equipment and by people believing that there was a fire (good intent).

Types of fire false alarm attended by London Fire Brigade

	1999–2000			2000–01		
Borough	*AFA*	*Good intent*	*Malicious*	*AFA*	*Good intent*	*Malicious*
Barking and Dagenham	319	360	449	298	427	368
Barnet	1,431	496	261	1,306	520	293
Bexley	676	323	275	695	262	230
Brent	1,263	411	429	1,312	380	482
Bromley	903	384	301	905	441	256
Camden	3,446	621	414	3,682	565	331
City of London	936	89	27	1,014	100	26
Croydon	1,065	446	386	1,138	434	352
Ealing	1,490	466	380	1,420	444	347
Enfield	1,059	448	387	1,302	389	337
Greenwich	697	528	550	792	531	482
Hackney	1,524	633	759	1,645	610	619
Hammersmith and Fulham	1,446	343	229	1,535	340	253
Haringey	1,256	441	532	1,297	429	455
Harrow	715	197	132	791	219	128
Havering	739	286	156	536	284	163
Hillingdon	2,875	485	369	2,788	481	242
Hounslow	1,063	427	327	994	408	311
Islington	1,606	527	515	1,726	504	512
Kensington and Chelsea	2,169	334	136	2,145	374	189
Kingston-upon-Thames	1,029	176	148	1,151	162	92
Lambeth	1,618	630	496	1,662	641	469
Lewisham	1,400	521	631	1,486	449	403
Merton	667	257	168	662	251	146
Newham	1,054	557	915	1,029	607	914
Redbridge	799	305	230	741	316	209
Richmond-upon-Thames	934	220	66	894	202	82
Southwark	1,854	602	539	1,902	694	996
Sutton	801	170	112	756	155	109
Tower Hamlets	2,205	617	776	2,332	703	747
Waltham Forest	803	349	391	840	345	386
Wandsworth	1,739	401	332	1,725	421	266
Westminster	5,214	747	569	6,153	745	475
Borough not known	1,033	223	100	537	109	106
Total	47,828	14,020	12,487	49,191	13,942	11,370

Borough	*2001-02* *AFA*	*Good intent*	*Malicious*	*2002-03* *AFA*	*Good intent*	*Malicious*	*2003-04* *AFA*	*Good intent*	*Malicious*
Barking and Dagenham	303	509	397	420	428	325	397	525	351
Barnet	1,393	465	310	1,327	452	246	1,377	579	195
Bexley	755	344	197	690	319	170	805	413	169
Brent	1,273	403	379	1,191	407	376	1,319	447	402
Bromley	1,006	436	252	901	387	182	929	511	232
Camden	4,039	669	431	3,716	616	311	3,823	519	342
City of London	1,097	110	33	992	99	19	1,136	122	30
Croydon	1,134	530	439	1,136	476	269	1,192	547	284
Ealing	1,402	442	445	1,374	427	266	1,401	527	332
Enfield	1,421	505	488	1,285	475	461	1,319	599	405
Greenwich	1,023	626	587	1,033	537	404	953	675	418
Hackney	1,669	708	613	1,714	663	488	1,692	634	428
Hammersmith and Fulham	1,614	324	195	1,623	364	176	1,820	333	152
Haringey	1,395	468	526	1,431	481	584	1,469	480	420
Harrow	1,042	243	173	1,061	235	138	1,192	287	223
Havering	552	363	136	554	330	130	599	441	156
Hillingdon	2,849	569	379	2,544	557	303	2,502	721	267
Hounslow	1,001	481	317	972	426	229	1,021	542	182
Islington	1,585	563	404	1,717	494	392	1,829	519	416
Kensington and Chelsea	2,246	381	225	2,156	341	155	2,189	389	161
Kingston-upon-Thames	1,105	175	108	1,109	152	77	1,185	198	67
Lambeth	1,827	647	491	1,594	614	431	1,718	578	403
Lewisham	1,649	505	470	1,353	524	314	1,258	512	654
Merton	806	305	163	693	259	142	713	296	137
Newham	1,029	691	939	1,125	642	805	1,037	633	636
Redbridge	800	364	245	930	339	223	991	427	192
Richmond-upon-Thames	928	185	74	873	208	53	891	266	67
Southwark	1,841	763	603	1,819	733	507	1,854	658	480
Sutton	785	214	139	734	209	120	793	267	131
Tower Hamlets	2,238	796	842	2,174	793	773	2,295	760	608
Waltham Forest	876	335	366	817	353j	264	863	449	309
Wandsworth	1,729	428	325	1,794	410	241	1,815	426	254
Westminster	6,323	747	480	6,297	785	419	6,419	725	355
Borough not known	90	39	33	22	19	2	40	30	6
Total	50,825	15,333	12,204	49,171	14,554	9,995	50,836	16,035	9,864

Note:

2002–03 excludes strike days

Source:

London Fire Brigade

Fire-related deaths

Simon Hughes: To ask the Deputy Prime Minister how many fire-related deaths in dwellings in *(a)* North Southwark and Bermondsey, *(b)* Camberwell and Peckham and *(c)* Dulwich and West Norwood there were in each year since 2000. [194312]

Mr. Raynsford: The available information on fire-related deaths in dwelling fires recorded by the London Fire Brigade in the calendar years since 2000 is tabled as follows:

	2000	*2001*	*2002*	*2003*
(a) North Southwark and Bermondsey	1	0	2	1
(b) Camberwell and Peckham	0	0	0	1
(c) Dulwich and West Norwood	1	1	0	0

Source:

London Fire Brigade

Housing Renewal Pathfinder Areas

Mr. Gordon Prentice: To ask the Deputy Prime Minister how many houses are earmarked for demolition *(a)* this and *(b)* next year in each of the Housing Pathfinder areas in England. [193234]

Keith Hill: The following table outlines the estimated demolitions in the eight pathfinders that have been awarded grant from the housing market renewal fund for the period to March 2006.

Pathfinder	*Estimated demolition figures* *Up to March 2005*	*Up to March 2006*
Birmingham Sandwell	200	400
East Lancashire	200	600
Manchester Salford	500	700
Merseyside	1000	1,700
Newcastle Gateshead	1000	1000
North Staffordshire	45	55
Oldham Rochdale	150	150
South Yorkshire	700	900
Total	3,795	5,505

Indemnity

Mr. Drew: To ask the Deputy Prime Minister if he will make a statement on the personal indemnity of members and officers of local authorities; and what plans he has to change the Government advice on such indemnity. [194281]

Mr. Raynsford: A draft order on indemnities for relevant authority members and officers was considered by Committee on 20 October 2004 and approved by the whole House on 25 October 2004. It is awaiting consideration in the other place.

The order would permit (but not oblige) authorities to provide indemnities and insurance that would provide "cover" for a member or officer:

if the member or officer had acted honestly and in good faith when taking the action giving rise to the liability

if the authority was found to have acted ultra vires, but at the point at which the member or officer acted that member or officer honestly and reasonably believed that the action or advice giving rise to the liability was intra vires the authority;

to cover the costs incurred by a member in relation to defence of proceedings under the Code of Conduct but limited to cases in which the member is found not to have breached the code.

Copies of the draft order are available in the House Library.

Landfill Allowance Trading Scheme

Dr. Starkey: To ask the Deputy Prime Minister what discussion took place between his Department and the Department for Environment, Food and Rural Affairs on the effects of the landfill allowance trading scheme on local authorities in growth areas. [193753]

Mr. Raynsford: Discussions take place between the Office of the Deputy Prime Minister and the Department for Environment, Food and Rural Affairs regularly to consider issues such as the landfill allowance trading scheme.

Dr. Starkey: To ask the Deputy Prime Minister what additional funding will be given to local authorities in growth areas through the Environmental protection and cultural services block grant to compensate for the effects of the Landfill Allowance Trading Scheme. [193754]

Mr. Raynsford: The Spending Review 2004 provides £7.2 billion more in general grant for local government programmes by 2007–08 over 2004–05. Part of these resources will support the achievement of significant diversion of waste from landfill during the SR04 period. The Landfill Allowance Trading Scheme is designed to reduce the amount of biodegradable municipal waste that is sent to landfill in England in the most cost-effective way. The Government recognises that certain authorities facing above average population growth may find the implementation of the Landfill Allowance Trading Scheme challenging and there are a range of measures in place to support local authorities meeting this challenge. In addition, officials from the Department for Environment, Food and Rural Affairs and the Office of the Deputy Prime Minister are meeting with representatives from certain growth areas to discuss the issues surrounding population growth.

Local Authority Housing

Simon Hughes: To ask the Deputy Prime Minister which local authorities have *(a)* started and *(b)* completed their consultation with tenants on (i) arm's length management organisations (ALMOs), (ii) use of the private finance initiative and (iii) use of stock transfer in relation to ownership of housing; which of those authorities have held ballots with their tenants on ALMOs, PFI and stock transfer; when those ballots were held; and what percentage was (A) in favour and (B) against each option in each such ballot. [193887]

Keith Hill: Consultation with tenants occurs throughout the Options Appraisal process. Local authorities are all required to go through this process, but an Options Appraisal will not be signed off unless the Government Office is satisfied that tenants are properly consulted. The Office of the Deputy Prime Minister would normally consider a ballot to be the most formal type of consultation with tenants. These are normally only undertaken for transfer and Arm's Length Management Organisations (ALMOs). Although ballots are not generally undertaken for PFI schemes, tenants are required to be consulted and section 27 consent must be given.

Tabled is a detailed breakdown of the figures requested. It covers all ballots since the Decent Homes Programme began in 2001, including partials, and shows that 73 ballots have taken place for transfer, while 18 have balloted tenants successfully for Arm's Length Management Programmes.

42 local authorities have had their Options Appraisals signed off by Government Offices. 150 local authorities have not had Options Appraisals signed off, and so are either engaging with tenants or about to do so.

Transfer ballots since 2001

Local authority 2091 Programme	*Against*	*Ballot date*	*In favour*
Birmingham	April 2002	43.2	66.8
Carlisle CC	June/July 2002	52.0	48
Chelmsford BC	September 2001	55.7	54.3
City of Bradford	March 2002	62.2	37.8
Craven	September 2002	75.6	24.4
Crewe and Nantwich BC	February 2002	64.9	35.1
Derbyshire Dales DC	June/July 2001	69.3	30.7
Dudley	November 2001	43.8	56.2
East Herts DC	November 2001	76.4	23.6
Erewash	June/July 2001	75	25
Herefordshire C	April 2002	57.7	42.3
Knowsley MBC	November/ December 2001	73.9	26.1
LB Hackney (sheltered stock)	November/ December 2001	71	29
LB Harrow	March 2002	74.6	25.4
LB Merton (partial)	July 2002	48.5	51.5
LB Waltham Forest (partial)	January 02	62.3	37.7
Liverpool CC—Eastern Fringe (Central)	March 2002	87.8	12.2
Liverpool CC—Eastern Fringe (North)	March 2002	66.4	33.6
Liverpool CC—Eastern Fringe (South)	March 2002	78.5	21.5
Manchester CC—Langley Estates	November 2001	68	32

Transfer ballots since 2001

Local authority *2001 Programme*	*Against*	*Ballot date*	*In favour*
Mid Bedfordshire DC	March/April 2001	51	49
Redcar and Cleveland BC	August 2001	89	11
Reigate and Banstead BC	August 2001	80.8	19.2
Shrewsbury and Atcham BC	March/April 2001	64.7	35.3
St. Edmundsbury BC	September 2001	71.5	28.5
LB Southwark (partial)	November/ December 2001	26	73.1
St. Helens MBC	October 2001	83	17
Vale Royal BC	November 2001	85.2	14.8
Walsall	October 2001	71	29
Walsall	July 2002	74.1	25.9
2002 Programme			
Amber Valley BC	August 2002	56.9	43.1
Bromsgrove DC	July 2003	67.8	32.2
Cherwell DC	July 2003	59.1	40.9
Copeland BC	July 2003	78	22
Forest of Dean DC	July 2002	69.1	30.9
LB Ealing (Havelock)	October/ November 2002	47.6	52.4
Liverpool CC (Kensington)	November 2003	61.3	38.7
Maidstone BC	March 2003	61.3	38.7
Manchester C (Carbrook)	April 2003	95.1	4.9
Manchester C (East Manchester)	December 2002	68	32
North Hertfordshire	July 2002	59.9	40.1
Nuneaton and Bedworth BC	April 2003	40.3	59.7
Oldham MBC (Limeside)	October 2002	87	13
Oldham MBC (Fitton Hill)	July 2003	83	17
Rushcliffe BC	July 2003	52.1	37.9
Scarborough BC	December 2002	71.7	28.3
South Norfolk C	July 2003	68	32
Stockport MBC	March 2003	45	55
Teignbridge DC	March 2003	64.5	35.5
Worcester	July 2003	75	25
2003 Programme			
Forest Heath DC	December 2003	57.9	42.1
Hartlepool BC	July 2003	75	25
LB Hackney (Kings Crescent)	December 2002	79	21
LB Islington (Grove)	July 2004	72.8	27.2
LB Islington (Surr Street)	July 2004	55.8	44.2
LB Islington (Tollington)	November 2003	39.9	60.1
LB Lambeth (Kennington Park)	July 2004	60	40
LB Tower Hamlets (Crossways)	October 2004	90	10
LB Tower Hamlets (Mile End)	June 2004	55.9	44.1
Manchester CC (Woodhouse Park)	March 2004	92.7	7.3
Middlesbrough	February 2004	77.1	22.9
North East Lincolnshire	May 2004	67.3	32.7
Peterborough CC	December 2003	81.5	18.5
Purbeck DC	October 2003	69.7	30.3
RB Kingston	May 2004	63	37
South Norfolk	July 2003	68	38
Stroud DC	November 2003	43.2	56.7
Trafford MBC	March 2004	72.9	27.1
Wakefield MDC	February 2004	74	26
Wirral MBC	April 2004	77.36	22.64
2004 Programme			
Tower Hamlets (Tarling East)	August 2004	77.1	22.9

ALMO Ballots since 2001

Local authority *ALMO Round 1*	*Ballot date*	*In favour*	*Against*
Derby	February 2002	88	12
Hounslow	March 2002	83	17
Kirklees	December 2001	81	19
Rochdale	February 2002	90	10
Stockton-on-Tees	February 2002	93	7
ALMO Round 2			
Carrick	January 2002	96	4
Colchester	July 2003	76	24

ALMO Ballots since 2001

Local authority *ALMO Round 1*	*Ballot date*	*In favour*	*Against*
Leeds—East	June 2002	83	17
Leeds—North East	June 2002	88	12
Leeds—North West	July 2002	89	11
Leeds—South	August 2002	91	9
Leeds—South East	September 2002	88	12
Leeds—West	October 2002	90	10
Waltham Forest	October 2002	85	15
ALMO Round 3			
Camden	December 2003	23	17
Harrow	March 2003	73	27
High Peak	August 2003	98	2
Islington	November 2003	85	15
Sheffield: Brightside and Shiregreen	December 2003	78	12
Sheffield: Central Area	December 2003	87	13
South Lakeland	October 2003	88	12
ALMO Round 4			
Bassetlaw	May 2004	88	12
Hammersmith and Fulham	October 2003	83	17
Nottingham	July 2004	76	24
Sheffield: Hillsborough, Nether Thorpe	March 2004	87	13
Sheffield: Parson Cross, Foxhill, Longley	March 2004	94	6
Sheffield: Westfield, Hackenthorpe	March 2004	89	11

PFI schemes since 2001

Local authority	*Date*	*In favour*	*Against*
Schemes balloted on since 2001			
Leeds	March 2002	46	54
Camden	March 2004	20	80

Schemes with section 27 consent since 2001

	Date
Islington	March 2003
Manchester	March 2003
Reading	March 2004

Local Government (North-east)

Mr. Jenkin: To ask the Deputy Prime Minister pursuant to his answer to the hon. Member for North Essex on 20 October 2004, *Official Report*, columns 879–80, on local government administration in the North-East after the referendum, whether he intends to reduce the number of councils regardless of the outcome of the referendum. [194201]

Mr. Raynsford: There are at present no plans to introduce changes to the structure of local government except in those areas where an elected regional assembly is established. Under the Regional Assemblies (Preparations) Act local government change can only be introduced if a referendum has been held and an elected regional assembly is to be established as a result.

Northern Distributor Road

Mr. Wyatt: To ask the Deputy Prime Minister what evaluation has been made of the effect of the second section of the Northern Distributor Road on the Church Marshes country park at Kemsley, near Sittingbourne. [194158]

Keith Hill: The Swale borough local plan, adopted in July 2000, proposed bringing the Church Marshes country park into public use as a recreation area and country park and made specific reference to the need to safeguard reserved land for the road proposals. The county council is working closely with Swale borough council and Medway Swale Groundwork who are progressing the country park. As part of the planning application for the new road, an Environmental Statement is being produced and this will cover all the environmental aspects and mitigation measures.

Mr. Wyatt: To ask the Deputy Prime Minister what assessment has been made of the second section of the Northern Distributor Road's proximity to local housing at Kemsley, near Sittingbourne. [194160]

Keith Hill: As part of the planning application for the new road, an Environmental Statement is being produced. This will make an assessment of the traffic noise and visual intrusion on properties.

Mr. Wyatt: To ask the Deputy Prime Minister what public consultation there has been on the second section of the Northern Distributor Road in Milton. [194161]

Keith Hill: An exhibition has been recently held in the area and comments on the proposal were invited. The responses will form part of the normal consultation undertaken by the planning authority in consideration of the Planning Application about to be submitted.

Planning Applications

Mr. Ben Chapman: To ask the Deputy Prime Minister if he will make a statement on the average time taken to process planning applications. [193238]

Keith Hill: The performance of authorities in handling planning applications is measured both against targets set for the proportion of decisions taken within set time limits, and targets for average determination times. The Government's PSA6 target for planning delivery states that English local authorities taken together will process an average of 65 per cent. of major applications in 13 weeks, 72 per cent. of minor applications in eight weeks, and 87 per cent. of other applications in eight weeks by 31 March 2007.

The latest available data for the year ending June 2004, shows that planning authorities determined 53 per cent. of major applications in 13 weeks, 66 per cent. of minor applications, and 82 per cent. of other applications, in eight weeks. This is an improvement on previous years and these figures show that the Government is on target to meet it's PSA6 target for Planning Delivery by 31 March 2007.

Police Funding

Mr. Boswell: To ask the Deputy Prime Minister what adjustments in the *(a)* police funding formula and *(b)* capping regime he plans to make to take account of strategic development plans for expansion in the South-East and East Midlands. [193638]

Mr. Raynsford: The Police funding formula estimates relative need for police resources. Formula grant allocations are currently subject to floors and ceilings.

Decisions on the floors and ceilings for 2005–06 have not yet been taken. The Office of the Deputy Prime Minister is actively considering the effects of the ceiling policy on rapid population growth areas in advance of the 2005–06 allocation. Looking further ahead, we are committed to delivering three-year settlements for local government, and will be addressing Kate Barker's recommendation to make the grant system more forward looking.

No decisions on capping in 2005–06 and beyond have been made. But the Office of the Deputy Prime Minister has made it clear that we expect to see significantly lower council tax increases next year and will take even tougher capping action in 2005–06 if that proves necessary.

Social Housing (London)

Jeremy Corbyn: To ask the Deputy Prime Minister what advice is given to London Boroughs on *(a)* disposal of property assets and *(b)* meeting the need for social housing in London; and if he will make a statement. [194011]

Keith Hill: Section 123 of the Local Government Act 1972, gives authorities discretion to dispose of land in any manner they wish although it is generally expected that local authority property should be sold for the best consideration reasonably obtainable (usually open market value). Consent of the Secretary of State, my right hon. Friend the Deputy Prime Minister is required to dispose of land if it falls outside the scope of the General Disposal Consent given in Office of the Deputy Prime Minister's Circular 06/2003.

The revised General Disposal Consent that came into effect on 4 August 2003 gave local authorities greater freedom and flexibility to make decisions about land disposals which will contribute to the promotion or improvement of the economic, social or environmental well-being of an area at less than best consideration, providedthat the undervalue does not exceed two million pounds.

For the disposal of housing land and property, whether by sale of the freehold or on leasehold, terms local authorities require the consent of the Secretary of State, my right hon. Friend the Deputy Prime Minister under Section 32 of the Housing Act 1985. The General Consents for the disposal of Houses and Land 1999, issued under Section 32, cover the most common types of small disposal of untenanted stock or disposals to sitting tenants, and includes a commentary giving guidance to local authorities. However, where a proposed disposal falls outside the terms of these General Consents, a local authority may apply to the Secretary of State, my right. hon. Friend the Deputy Prime Minister for a specific consent under section 32.

Local authorities have both housing and planning responsibilities, and are required to produce local housing strategies and local development frameworks. Planning Policy Guidance Note 3: Housing (March 2000), paragraph 13, states that assessments of housing need that underpin local housing strategies and local plan policies are matters for local authorities to undertake in the light of their local circumstances. Advice to assist local authorities in preparing local housing needs assessments is set out in "Local Housing Needs Assessment": "A Guide to Good Practice (Department of the Environment Transport and the Regions, July 2000)". It is intended to publish an updated PPG3 in the Autumn.

Standards Board

Mr. Drew: To ask the Deputy Prime Minister how many complaints against councillors he has received in each year since the inception of the Standards Board, broken down by local authority; and whether the complaint *(a)* was proven, *(b)* was unproven or rejected for lack of evidence and *(c)* is pending in each case. [194279]

Mr. Raynsford: The Office of the Deputy Prime Minister has no remit in the consideration of allegations of misconduct against local authority members. The investigation of such allegations is a matter for ethical standards officers appointed by the Standards Board for England.

The Standards Board does not hold information in the form requested, and it could be provided only at disproportionate cost. However, information in respect of the number of cases received in 2003–04 is tabled as follows, of the total of 3,566 allegations listed in Table 1 about 1,100 cases were referred for investigation. The types of finding made following the completion of investigations are set out in Table 2.

Table 1

Type of authority	*Number of allegations received 2003–04*
County council	156
District council	932
Unitary council	296
Parish/Town council	1,754
London borough	146
Metropolitan borough	252
Other authority	30
Total	3,566

Table 2: Type of finding following investigations completed 2003–04

	Number
Either no breach or a breach but no further action needed	661
Referral of cases for determination by standards committees at local level	60
Referral of cases for determination by the Adjudication Panel	102
Total	823

Mr. Drew: To ask the Deputy Prime Minister what the average time taken for deliberation on a complaint received by the Standards Board is; and what the longest time someone has waited for a verdict is. [194280]

Mr. Raynsford: The current average time taken for all cases received by the Standards Board from receipt to the completion of investigations by the board's ethical standards officers is about three months. The longest time so far taken from the receipt of a case to its conclusion through a finding of an ethical standards officer or the determination of a standards committee or the Adjudication Panel for England, is 667 days.

Supporting People

Mr. Oaten: To ask the Deputy Prime Minister what systems his Department operates for monitoring individual Supporting People projects. [194202]

Keith Hill: The Office of the Deputy Prime Minister does not monitor individual Supporting People services but does have a rigorous system for monitoring the level of service provision in each administrative authority. This includes capturing information on all reviews carried out on individual Supporting People services, the number of services provided for each client group and we will soon be collecting data on positive outcomes delivered for vulnerable people.

Mr. Oaten: To ask the Deputy Prime Minister whether Supporting People projects are under the same statutory obligation to support vulnerable people as local authorities. [194203]

Keith Hill: The Office of the Deputy Prime Minister has grant conditions that govern the use of the Supporting People grant by administering authorities. On the basis of these conditions, all administering authorities enter in to a legally binding contractual relationship with service providers, and these service providers therefore have a legal obligation to provide housing related support services to vulnerable users until the contractual relationship expires.

Mr. Oaten: To ask the Deputy Prime Minister what independent right of appeal exists for individuals disappointed with the service from Supporting People projects. [194204]

Keith Hill: Administering authorities are responsible for commissioning and overseeing Supporting People services. Individual Supporting People services should have in place a robust complaints procedure which all service users can access and understand easily. They can also appeal to the administering authority if they are disappointed with the service. The views of service users, particularly on the quality of the service, are also taken into account in the administering authority's review of every service.

Mr. Oaten: To ask the Deputy Prime Minister what responsibility his Department has for setting *(a)* budgets and *(b)* guidelines for the Supporting People initiative. [194206]

Keith Hill: The Office of the Deputy Prime Minister has lead responsibility for the operation of the Supporting People programme. However:

(a) The budget for the programme for the next three years was decided as part of the Spending Review 2004 negotiations. Over £5 billion will be allocated to the Office of the Deputy Prime Minister for Supporting People over the next three years. We are now working on the allocation of this budget to individual local authorities.

(b) The Office of the Deputy Prime Minister sets the grant conditions for the Supporting People programme following consultation with other Government Departments and other key stakeholders. They are also formally approved by the Treasury. The Office of the Deputy Prime Minister is also responsible for issuing other guidelines on the programme, and does this in conjunction with other Government Departments, as Supporting People is a cross-cutting programme.

Women's Refuges

Sarah Teather: To ask the Deputy Prime Minister what public funds are available to women's refuges for support of women and children. [192964]

Phil Hope: The Supporting People Programme makes funding available for the provision of housing-related support services to enable individuals to maintain or improve independent living. It is for individual Supporting People Commissioning Bodies and Administering Authorities, operating at the top-tier level of local government, to decide what services should be provided in their area. This can, however, include services for people fleeing domestic violence, including services provided at or through women's refuges. The national Supporting People budget for 2004–05 is £1.8 billion, and Administering Authorities forecast that £56.97 million of this will be spent on housing-related support services for women fleeing domestic violence.

Public funds are also available in the form of housing benefit where appropriate, to assist with rental costs. Refuges working in partnership with registered social landlords (RSLs) can also apply for the Social Housing Grant, to assist with repairs and refurbishment costs or new development.

As children are not regarded as being capable of maintaining an independent tenancy, Supporting People does not directly provide support to them. However, they will be able to benefit from relevant housing-related support services aimed at their parents.

HEALTH

Air Ambulances

David Taylor: To ask the Secretary of State for Health what the total cost to the NHS has been of helicopter hire for emergency services purposes in each year since 1992. [193965]

Ms Rosie Winterton: This information is not held centrally. It is for each national health service trust to decide how best to make use of its resources.

Alzheimer's Disease

Simon Hughes: To ask the Secretary of State for Health what the total expenditure on drugs available on the NHS for Alzheimer's disease was in North Southwark and Bermondsey in each year since 1997. [193957]

Dr. Ladyman *[holding answer 26 October 2004]:* Data on the number of prescription items dispensed in the community and the net ingredient cost is collected by the Prescription Pricing Authority. The total number of prescription items dispensed for dementia drugs and the net ingredient cost of these drugs, in the area covered by Southwark Primary Care Trust from 2001 to 2003, is shown in the following table. Data is not available at constituency level or before 2001.

Number of prescription items and net ingredient cost of all drugs for dementia that were dispensed in the community in Southwark Primary Care Trust (PCT) and in England

	2001	*2002*	*2003*
Number of prescription items			
Southwark PCT (Thousand)	0.1	0.4	0.7
England (Thousand)	122.1	231.3	358.2
Net ingredient cost			
Southwark PCT (£000)	9.4	25.7	42.4
England (£000)	11,004.6	20,567.1	31,347.5

Notes:

1. PCA data covers all prescription items that are dispensed in the community in England, (this covers items dispensed by community pharmacists and appliance contractors, dispensing doctors, and prescriptions submitted by prescribing doctors for items personally administered. PCA data does not include items dispensed in hospitals or private prescriptions. PCA data includes the PCT in which the drug for dementia was dispensed in.
2. Drugs for dementia are defined in the British National Formulary (BNF) section 4.11 "Drugs for dementia".
3. Doctors, dentists or nurses write prescriptions on a prescription form. Each single item written on the form is counted as a prescription item.
4. Net ingredient cost refers to the basic cost (which the dispenser is reimbursed) of the drug before discounts and does not include any dispensing costs or fees.

Source:

Prescription cost analysis (PCA) data from the Prescription Pricing Authority.

Antidepressants

Mr. Burstow: To ask the Secretary of State for Health (1) how much the NHS spent on antidepressants in real terms in each year since 1997 in *(a)* England and *(b)* each strategic health authority; [193411]

(2) how many prescriptions for antidepressants were given in the NHS in each year since 1997 in *(a)* England and *(b)* each strategic health authority. [193412]

Ms Rosie Winterton: Information at strategic health authority (SHA) level is only available for 2002 and 2003. Information on the number of prescription items and net ingredient cost of all antidepressants dispensed in the community in England from 1997, and the number of prescription items and net ingredient cost of all antidepressants prescribed in general practitioner practices in England, that were dispensed in the community in 2002 and 2003, broken down by SHA have been placed in the Library.

Disabled People (Independent Living)

Mr. Goodman: To ask the Secretary of State for Health what his policy is on the proposed right to independent living for disabled people; and if he will make a statement. [194306]

Dr. Ladyman: The Government actively promotes a range of initiatives designed to support independent living for disabled people. Independent living is also one of the key themes in the project, "Improving the Life Chances of Disabled People," currently being carried out by the strategy unit.

Doctor and Nurse Numbers

Mr. Allen: To ask the Secretary of State for Health how many *(a)* doctors and *(b)* nurses were employed in Nottingham (i) in 1997 and (ii) on the latest date for which figures are available; and if he will make a statement. [193590]

Dr. Ladyman: The information is shown in the table.

Numbers of doctors and nurses employed in Nottingham[1]

	Doctors[2]	*Nurses*[3]
1997		
Nottingham Health Authority	1,471	4,695
Total	1,471	4,695
2003		
Broxtowe and Hucknall Primary Care Trust (PCT)	67	154
Gedling PCT	91	193
Nottingham City PCT	190	853
Rushcliffe PCT	104	267
Nottingham City Hospital NHS Trust	421	1,170
Queens Medical Centre NHS Trust	724	2,040
Nottinghamshire Healthcare NHS Trust	229	1,775
Total	1,826	6,452

[1] Latest available information.

[2] These figures include HCHS doctors and general medical practitioners.

[3] These figures include qualified nursing, midwifery and health visiting staff and general practitioner nurses.

Sources:

Department of Health General and Personal Medical Services Statistics.

Department of Health Medical and Dental Workforce Census.

Department of Health Non-Medical Workforce Census.

Drug Action Teams

Mr. Laws: To ask the Secretary of State for Health what the real terms percentage change in the budget for each drug action team in England was in each year from 1996–97 to 2003–04; what the percentage change will be from 2003–04 to 2004–05; and if he will make a statement. [163883]

Miss Melanie Johnson *[pursuant to her reply, 18 May 2004, Official Report, c. 947W]*: I regret that my previous reply was incorrect. This was due to an administrative oversight with the collection of the statistics. It should read as follows:

This is the first Government to make substantial funding available for drug treatment. The pooled drug treatment budget totalled £129 million in 2001–02. In 2002–03, the total budget was £195.7 million and this increased to £243.6 million in 2003–04. This additional funding means that all drug action teams (DATs) received a minimum increase of 30 per cent. in 2002–03, with a further average increase of 24 per cent. in 2003–04.

Information on percentage increases in the budget of DATs between 1996 and 2001–02 is not available, as drug treatment was then part of mainstream expenditure. Figures for the increases from 2001 to 2005 are shown in the table.

	Percentage increase		
Drug Action Team	*2001–02 to 2002–03*	*2002–03 to 2003–04*	*2003–04 to 2004–05*
Bradford	42	34	14
Calderdale	36	26	9
Kirklees	36	26	9
Durham	35	25	7
Darlington	35	24	7
East Riding	39	32	13
Kingston upon Hull	39	29	11
Gateshead	36	25	7
South Tyneside	36	27	9
Leeds	32	21	4
Newcastle	35	24	7
North Tyneside	35	25	8
North Yorkshire	30	18	1
City of York	30	21	4
Northumberland	33	20	4
Sunderland	36	27	9
Stockton	43	37	17
Hartlepool	43	35	15
Middlesbrough	43	35	16
Redcar and Cleveland	43	38	18
Wakefield	31	19	2
Barnsley	35	23	6
Doncaster	38	30	12
Leicester City	36	25	8
Leicestershire	36	28	10
Rutland	36	20	4
Lincolnshire	31	19	3
Rotherham	35	24	7
Sheffield	36	25	8
North Lincolnshire	42	28	10
North East Lincolnshire	42	49	25
Bedfordshire	33	21	5
Luton	33	24	7
Cambridgeshire	30	11	0
Peterborough	30	12	0
Hertfordshire	30	10	0
Norfolk	32	20	4
Suffolk	30	17	0
Barking	36	31	13
Havering	36	26	8
Barnet	41	26	9
Enfield	41	33	14
Haringey	41	36	16
Bexley	36	26	9
Bromley	36	26	9
Greenwich	36	29	11
Brent	38	35	15
Harrow	38	27	10
Camden	30	22	5
Islington	30	20	4
Croydon	40	29	11
Ealing	31	19	2
Hammersmith	31	21	4
Hounslow	31	21	4
City of London	38	66	34
Hackney	38	30	12
Newham	38	38	18
Tower Hamlets	38	30	12
Hillingdon	30	17	0
Kensington and Chelsea	30	10	0
Westminster	30	10	0
Kingston upon Thames	30	10	0
Richmond upon Thames	30	10	0
Lambeth	36	34	15
Lewisham	36	28	10
Southwark	36	34	15
Merton	30	18	2
Sutton	30	17	0
Wandsworth	30	20	4
Redbridge	43	37	17
Waltham Forest	43	42	20
West Berkshire	30	11	0
Reading	30	13	0
Slough	30	14	0
Wokingham	30	12	0
Windsor and Maidenhead	30	11	0
Bracknell Forest	30	12	0
Milton Keynes	30	11	0
Buckinghamshire	30	11	0
East Sussex	35	23	6
Brighton and Hove	35	25	7
Northamptonshire	32	21	4
Oxfordshire	30	10	0
West Sussex	30	10	0
Bristol	31	21	4
South Gloucestershire	31	21	4
North Somerset	31	19	2
Bath and NE Somerset	31	21	4
Cornwall/Isles of Scilly	35	24	7
Bournemouth	30	18	1
Poole	30	14	0
Dorset	30	13	0
Gloucestershire	30	18	2
Somerset	30	16	0
Swindon	30	12	0
Wiltshire	30	10	0
Birmingham	43	37	17
Coventry	40	35	16
Dudley	37	28	10
Herefordshire	30	16	0
Sandwell	39	29	11
Shropshire	31	20	4
Telford and Wrekin	31	21	4
Solihull	34	22	6
Walsall	36	26	8
Warwickshire	30	18	2
Wolverhampton	41	34	15
Worcestershire	31	20	3
Bury	36	25	8
Rochdale	36	25	8
Liverpool	43	37	17
Manchester	35	25	8
Halton	36	27	10
Warrington	36	27	9
Trafford	30	17	1
Salford	30	18	2
Sefton	38	30	12
South Cheshire	31	19	3

	Percentage increase		
Drug Action Team	*2001–02 to 2002–03*	*2002–03 to 2003–04*	*2003–04 to 2004–05*
St. Helens	42	34	15
Knowsley	42	42	20
Stockport	34	22	6
Oldham	36	26	8
Tameside	36	23	6
Wigan	37	28	10
Bolton	37	25	8
Wirral	45	37	17
Derbyshire	36	29	11
Derby City	38	25	8
Nottinghamshire	40	34	15
City of Nottingham	39	33	14
Essex	30	23	6
Thurrock	37	24	7
Southend	37	17	0
Kent	36	21	4
Medway Towns	30	23	6
Surrey	30	10	0
Portsmouth	33	18	2
Isle of Wight	33	23	6
Hampshire	30	10	0
Southampton	30	19	2
Devon	30	18	1
Torbay	30	20	3
Plymouth	30	17	1
Stoke on Trent	35	24	7
Staffordshire	34	24	7
Cumbria	35	24	7
Blackburn with Darwen	36	27	9
Blackpool	38	23	6
Lancashire	32	27	9
Total average percentage increase	35	24	7

Note:

Percentage increases have been rounded to the nearest whole number.

Learning Disorders

Mr. Burstow: To ask the Secretary of State for Health if he will estimate the percentage of school age children with some degree of learning disorder, broken down by type of disorder. [191493]

Margaret Hodge: I have been asked to reply.

From January 2004 the Department began collecting data about children's type of Special Educational Need (SEN) as part of the Pupil Level Annual Schools Census (PLASC).

Maintained and non-maintained schools were asked to record pupils' primary or greatest special need and also their secondary need where that was appropriate. Data were collected for all pupils with statements of SEN and those at School Action Plus. As this is the first year of collection, the data need to be treated with a degree of caution.

Nationally, 3 per cent. of school pupils have statements of SEN and 4.6 per cent. of school pupils are at School Action Plus.

Many pupils have more than one type of need. The table only gives figures for pupils' greatest or primary need of those with a statement of SEN or at School Action.

	Number	*Percentage*
Specific Learning Difficulty	83,780	14.2
Moderate Learning Difficulty	171,930	29.2
Severe Learning Difficulty	32,020	5.4
Profound and Multiple Learning Difficulty	7,780	1.3
Behaviour, Emotional and Social Difficulty	126,890	21.6
Speech, Language and Communication Needs	63,890	10.9
Autistic Spectrum Disorder	31,260	5.3
Visual impairment	7,170	1.2
Hearing Impairment	12,960	2.2
Multi-Sensory Impairment	860	0.1
Physical Disability	24,660	4.2
Other	25,530	4.3

Of these, about 40 per cent. (237,000) have statements of SEN, the others are at School Action plus.

Long-term Care

Mr. Burstow: To ask the Secretary of State for Health how many older people are in receipt of long-term care in England; and how many have been in receipt of long-term care for over three years. [191481]

Dr. Ladyman: At 31 March 2001, there were about 403,000 places available in care homes in England for people aged 65 and over. This includes places in residential homes, general and mental nursing homes, private hospitals and clinics.

I understand from the Chair of the Commission for Social Care Inspection (CSCI) that figures for later years were collected by the National Care Standards Commission, and now CSCI, but comparable details are not available.

In 2002–03, 989,000 people aged 65 or over were receiving community-based services in England. This includes day care, meals, respite care, direct payments, professional support, transport and equipment as well as home care. This data excludes privately-funded residents.

A study conducted by the personal services research unit at the University of Kent in 1996 found that, on a snapshot, around 40 per cent., of older, publicly-funded residents had been in a care home for three years or more. This data excludes people who purchase their care privately.

Mental Health

Mr. Alan Campbell: To ask the Secretary of State for Health what steps his Department is taking to improve mental health services for children and young people. [193337]

Dr. Ladyman: The Department is undertaking a programme of improvement in child and adolescent mental health services (CAMHS). It is providing an additional £300 million to local authorities and the national health service from 2003–04 to 2005–06 for this purpose.

The Department published the children's national service framework (NSF) on 15 September 2004. This includes a standard on the mental health and psychological well-being of children and young people, setting out the recommended approach for providing comprehensive CAMHS to all who need them. A national CAMHS support service has been established to help local CAMHS providers and commissioners develop their services in line with the guidance set out in the children's NSF.

Mobile Phones

Mr. Prisk: To ask the Secretary of State for Health how many mobile phones were used by *(a)* Ministers and special advisers and *(b)* officials in his Department in each year since 1997; how many were (i) lost and (ii) stolen; and what their cost was. [191428]

Ms Rosie Winterton: Details of numbers and users of central departmental mobile phones are not kept on an annual basis. Information is therefore available only on the current position. There are 1,102 mobile phones currently in use, of which nine are used by Ministers and special advisers and 1,093 by officials.

The costs of the equipment, call charges and line rental in each financial year since 2001–02 are shown in table 1. Figures for the years 1997–98 to 2000–01 are not available.

1. Financial year costs

Financial year	*Amount (£)*
2001–02	270,000
2002–03	280,000
2003–04	304,000
2004–05	[1]144,500

[1] Figure to date.

Number of mobile phones lost and stolen and their cost are shown in table 2. Departmental records do not differentiate between lost and stolen mobile phones.

2. Lost/stolen phones and cost of replacement

Financial year	*Numbers lost/stolen*	*Replacement purchase cost (£)*
1997–98	19	769
1998–99	19	691
1999–2000	26	557
2000–01	43	1,332
2001–02	37	987
2002–03	37	2,693
2003–04	29	1,954
2004–05	51[1]	538

[1] Figure to date.

New Deal (Departmental Recruitment)

Dr. Julian Lewis: To ask the Secretary of State for Health how many personnel the Department has recruited under the new deal in each of the past five years. [194029]

Ms Rosie Winterton *[holding answer 26 October 2004]:* I refer the hon. Member to the reply given on 25 October 2004, *Official Report,* column 1052W, by my hon. Friend, the Minister of State at the Cabinet Office (Ruth Kelly).

NHS Dentistry

Mr. Hogg: To ask the Secretary of State for Health if he will make a statement on the provision of NHS dentistry within a 20 mile radius of Sleaford; and what steps he will take to ensure that new patients will be accepted for NHS dentistry services in the area. [193838]

Dr. Ladyman: The Health and Social Care Act 2003 gave local primary care trusts the responsibility to ensure that primary dental services are accessible for the people who seek them in their area.

NHS Facilities

Mr. Allen: To ask the Secretary of State for Health what additional NHS facilities have been made available to people in Nottingham since 1997; and if he will make a statement. [193614]

Dr. Ladyman: The following additional facilities have been made available to the people of Nottingham since 1997.

Trent Strategic Health Authority (SHA)—Trent access and choice pilot (TRAC):

Trent SHA is a pilot site for introducing choice ahead of national timescales.

TRAC is working with three general practitioner practices, including one in Nottingham. From July 2003, the pilots have been offering a choice to patients on the waiting list for cataract operations. Initially this is a choice of national health service trusts and agreements are being reached with local trusts to provide extra clinics on a trial basis for TRAC.

Queens Medical Centre, Nottingham University Hospital NHS Trust:

Ear, nose and throat/ophthalmology unit opened in 2001.

Accident and emergency department expanded and modernised in 2003.

Maternity unit modernised and refurbished in 2003.

Patient advice and liaison service set up in 2003.

Simulation and clinical skills centre opened in 2004.

New magnetic resonance imaging scanner operational in 2004.

Nottingham City Hospital NHS Trust:

Extension of cardiac surgery unit (extension of existing services) 1997.

New high dependency unit (new service) opened 2000.

Re-provision of the endoscopy unit (to existing service) opened in 2001.

New orthopaedic pre-operative assessment suite (new service) opened in 2002.

Re-provision of the breast unit, which opened in 2003.

New clinical haematology wards opened in 2003.

Walk in Centre:

Nottingham walk-in-centre opened in June 2000.

Dental Access Centre (DAC):

A DAC was opened in Nottingham City Primary Care Trust in 2001.

Personal Dental Services—fieldsites:

Two personal dental services also opened in Nottingham in January 2004, at Broxtowe and Hucknall and Rushcliffe.

Independent Sector Treatment Centre:

Based at Barlborough, at junction 30 of the M1. An interim service is being provided from Bassetlaw and Ilkeston hospital, which commenced in April 2004. The full service from the new facility is due to commence in May 2005.

Pharmacy information:

Since 1997–98, five pharmacies have opened in the Nottingham area.

Pharmacies

Nick Harvey: To ask the Secretary of State for Health pursuant to his answer of 18 October 2004, *Official Report*, column 497W, on pharmacies, what progress he is making in reviewing legislation regarding the arrangements for the dispensing and sale of medicines; and when he intends to consult on possible changes. [193449]

Ms Rosie Winterton: Good progress is being made and I hope to be able to issue a consultation document soon.

Silzone Heart Valves

Mr. Hunter: To ask the Secretary of State for Health (1) if he will take measures to ensure that all UK recipients of the St. Jude Silzone heart valve are alerted to the problems associated with these valves; [193086]

(2) what information he has collated on the compliance of cardiothoracic surgeons and cardiologists with the departmental advice of *(a)* November 1999 and *(b)* January 2000 regarding Silzone heart valves. [193091]

Ms Rosie Winterton: The Department issued advice to United Kingdom cardiothoracic surgeons and cardiologists on the problems associated with the St. Jude Silzone heart valve in November 1999 and January 2000. Specifically, the Department advised clinicians of the recall of Silzone heart valves; of the increased risk of complications with the Silzone heart valves and of the consequent need to undertake early review of all patients implanted with these valves. Clinicians are responsible for acting on this advice and for bringing relevant information to the attention of their patients.

Mr. Hunter: To ask the Secretary of State for Health if he will make representations to the relevant authorities in the Republic of Ireland that they should alert Irish citizens who have received the St. Jude Silzone heart valve to the problems associated with these valves. [193087]

Ms Rosie Winterton: The Department notified other European competent authorities of the action taken in the United Kingdom, in relation to Silzone heart valves, via notifications through the medical devices vigilance system on 19 November 1999 and 3 February 2000. These notifications informed other European competent authorities of the UK's recommendation to undertake an early review of all patients implanted with the Silzone heart valve and gave background to this advice. Notifications of this type are the recognised method for exchanging information on the safety of medical devices between European member states.

Mr. Hunter: To ask the Secretary of State for Health if he will place in the Library copies of his departmental advice to UK cardiothoracic surgeons and cardiologists in *(a)* November 1999 and *(b)* January 2000 regarding Silzone heart valves. [193090]

Ms Rosie Winterton: Copies of the advice regarding Silzone heart valves (MDA AN1999(06), MDA DA2000(01)), issued to United Kingdom cardiothoracic surgeons and cardiologists in November 1999 and January 2000, have been placed in the Library.

Mr. Hunter: To ask the Secretary of State for Health what reports he has *(a)* commissioned and *(b)* evaluated on the risk of complications to recipients of the St. Jude Silzone heart valve. [193093]

Ms Rosie Winterton: The Medicines and Healthcare products Regulatory Agency (MHRA) evaluated reports of an apparently high rate of complications among patients implanted with Silzone heart valves. Consequently, the MHRA commissioned an independent assessment of these findings by the Society of Cardiothoracic Surgeons of Great Britain and Ireland, which confirmed the validity and statistical significance of these adverse event reports. In addition, the Department further commissioned a report on the biocompatibility of the Silzone heart valves by a leading United Kingdom professor of toxicology. The evaluation of these reports helped the MHRA in the decision to notify cardiothoracic surgeons and cardiologists in November 1999 and January 2000 regarding risks associated with the Silzone heart valves.

The MHRA has continued to monitor the Silzone heart valves through review of publications from the AVERT study. This is a clinical study of these valves, involving some 800 overseas patients, sponsored by the manufacturer, St. Jude Medical. The three publications to date have confirmed the MHRA's conclusions regarding the risk of complications for the Silzone heart valve.

Student Childcare Helpline

Mr. Drew: To ask the Secretary of State for Health for what reasons the student childcare helpline does not indicate how much childcare assistance an individual is likely to receive until they have been accepted onto a course for nurse training. [193143]

Dr. Ladyman *[holding answer 25 October 2004]:* The national health service student childcare helpline was set up following the announcement made in May 2004 by my right hon. Friend, the Minister of State for Health (Mr. Hutton), to introduce an allowance to help students with their childcare costs during training. The purpose of the helpline is to provide prospective NHS professionals with easy access to general information about this new provision under the NHS bursary scheme. As the childcare allowance payable to NHS-funded students is means-tested, it is not possible for the helpline to identify or advise on the actual level of financial support in individual cases. An accurate assessment can be provided only by the NHS Pensions Agency student grants unit on receipt of a fully completed application form from the student, which contains all the necessary supporting information and documentation.

Waiting Times

Mr. Allen: To ask the Secretary of State for Health what the waiting times for operations in Nottingham were *(a)* in 1997 and *(b)* on the latest date for which figures are available; and if he will make a statement. [193612]

Dr. Ladyman: The information is shown in the table.

Total number of patients waiting for elective in-patient admission

	Number
1997	
Under 3 months	6,329
3–5 months	3,478
6–8 months	2,296
9–11 months	1,377
12–14 months	1,008
15–17 months	486
Over 18 months	0
Total	14,974
2004	
Under 1 month	2,474
1–2 months	1,744
2–3 months	1,269
3–4 months	793
4–5 months	528
5–6 months	419
6–7 months	211
7–8 months	121
8–9 months	23
Over 9 months	0
Total	7,582

Wilf Ward Family Trust

Miss McIntosh: To ask the Secretary of State for Health pursuant to his answer of 4 October 2004, *Official Report*, column 1965W, on disabled people, what funding the Department has provided indirectly to the Wilf Ward family trust. [194935]

Dr. Ladyman: The Government do not allocate particular amounts to councils to spend on the care of disabled people. It is for each council to decide how much of its general funding allocation to spend for this purpose. Councils do this in the light of local needs and priorities. This includes funding made available to voluntary organisations.

If the Wilf Ward Family Trust was funded via a supporting people grant, that would be a matter for my right hon. Friend, the Minister of State for Local Government and the Regions (Mr. Raynsford).

NORTHERN IRELAND

Abortions

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland where each termination in the Province in each of the last five years was performed; and what maternal illness was responsible in each case. [187803]

Angela Smith: Information is not available centrally on the maternal illness that was responsible for each termination and could be obtained only at disproportionate cost.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many terminations in females from Northern Ireland aged 16 years or younger there were in each of the last five years. [187813]

Angela Smith: While the information required is available, the numbers involved are small and as a result individual patients could potentially be identified. For this reason it is felt that the disclosure of information on the number of terminations performed on females aged 16 years or younger is not appropriate.

Beef Exports

Mr. Lidington: To ask the Secretary of State for Northern Ireland what steps he is taking to secure the lifting of restrictions on the export of beef from Northern Ireland. [193919]

Mr. Pearson: In Northern Ireland beef exports under the revised Date Based Export Scheme (DBES) have been possible from 30 September 2003. Currently two Northern Ireland companies export beef under DBES to various EU countries.

In the light of the recent positive opinion from the European Food Safety Authority on the UK case for moderate risk status we will continue to work with the EU Commission to ensure that restrictions on UK beef exports are lifted as quickly as possible.

In the meantime, my officials are working with industry stakeholders to explore the possibility of improving the operation of the Date Based Export Scheme. This is to examine ways to make DBES more financially viable for processors and therefore encourage further beef exports. If that can be achieved, it would be a welcome step in the right direction and would add value to beef, which should in turn feed back to producers.

Cancer Care

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how much funding was provided for cancer care in the Province in each of the last 10 years. [192932]

Angela Smith: It is not possible to identify separately the amount spent on cancer care in each of the last 10 years. In total, approximately £73 million of capital funding was allocated for the period 1996–97 to 2004–05. Much of this funding is allocated to the construction of the Northern Ireland Cancer Centre (due to be completed at the beginning of 2006).

The Department has also provided significant additional revenue funding to boards for cancer services in the nine years from 1996–97 to 2004–05. In total the Department has allocated approximately £28 million recurrent and £1.3 million non-recurrent additional funding during this period. Boards may also have added to these resources.

We estimate that the total acute hospital expenditure on cancer services was some £62 million in the financial year 2002–03 and this figure is expected to increase in future years.

Child Poverty

Lady Hermon: To ask the Secretary of State for Northern Ireland what percentage of children in Northern Ireland lived in poverty in *(a)* 1990, *(b)* 1995, *(c)* 2000 and *(d)* each year since 2000. [193377]

Mr. Spellar: The information sought by the hon. Lady is not available in the form requested, however the following details of child poverty in Northern Ireland are provided:

The Family Resources Survey has recently been extended to Northern Ireland. This contains information on the proportion of children (persons under 16 or 16–18 years old on a course up to c A' level standard) living in households below the 60 per cent. GB median household income level (after housing costs). The 2002–03 figure indicates that 26 per cent. of children are living in such households, with a weekly income below £172, in Northern Ireland.

Research published by the Office of the First Minister and Deputy First Minister in the report 'Low Income Households in Northern Ireland' (2003), contains figures on the number of children living in low income households for the periods 1990–1994, 1997–1999 and 2000–2002. The Northern Ireland Poverty and Social Exclusion Survey (2003) also contains information on the proportion of children in 'consensual' poverty. I will ensure that copies of these reports are made available in the House of Commons Library.

Child Support

Lady Hermon: To ask the Secretary of State for Northern Ireland what percentage of child support cases in Northern Ireland were being assessed under the new criteria as of 1 October. [193552]

Mr. Spellar: The percentage of child support cases in Northern Ireland being assessed under the new rules as of 1 October 2004 is 15 per cent.

Communicable Diseases

Lady Hermon: To ask the Secretary of State for Northern Ireland if he will make a statement on the *(a)* size and *(b)* resources available to the Communicable Disease Surveillance Centre (CDSC) (NI). [193380]

Angela Smith: The Communicable Disease Surveillance Centre (CDSC) (NI) which is located at the Belfast City Hospital is staffed by two regional epidemiologists, a part-time consultant microbiologist, one epidemiology training fellow, two scientists and five administrative/clerical workers. CDSC is funded and directed by the Department of Health, Social Services and Public Safety although the staff are employed by the Health Protection Agency (HPA). The funding available to HPA/CDSC in the financial year ending 31 March 2005 is £580,000. Expenditure in the year 2003–4 was £375,000.

Crime Statistics

Lady Hermon: To ask the Secretary of State for Northern Ireland what convictions there have been over the last six months for serious crime involving members of the *(a)* UDA, *(b)* UVF, *(c)* LVF, *(d)* PIRA, *(e)* RIRA and *(f)* CIRA. [191842]

Mr. Pearson: During the first six months of 2004, a total of 51 persons have been proceeded against for scheduled offences in Northern Ireland. Of these, 37 were convicted on some or all counts. Information on specific attribution of defendants in scheduled cases is not recorded.

Diabetes

Lady Hermon: To ask the Secretary of State for Northern Ireland if he will list the members of the Diabetes Service Framework Implementation Team indicating their positions; how many times the Team has met since its formation; and what progress has been made in the implementation of a diabetes framework as a result. [193344]

Angela Smith: The Regional Diabetes Steering Group which the Department established to oversee the work of the local implementation teams set up by each of the Health and Social Services Boards and to manage the overall implementation of the recommendations made by the CREST Taskforce has met on three occasions. Each of the four Health and Social Services Boards have now produced local development plans detailing how the additional resources of lm allocated by the Department in 2004–05 for the development of services for people with diabetes will be deployed and identifying local priorities for development. The Steering Group has considered the development plans produced by the local implementation teams and will continue to work with them to ensure that, as additional resources are secured, developments are taken forward on a prioritised basis.

The membership of the Regional Steering Group is as follows:

Director of Primary Care (DHSS&PS)

Two Senior Medical Officers (DHSS&PS)

A Consultant in Public Health Medicine from each of the four HSS Boards

A representative from Diabetes UK (NI)

District Policing Partnerships

Mr. Beggs: To ask the Secretary of State for Northern Ireland when he expects Northern Ireland district policing partnerships to have their budgets confirmed for the current financial year ; and if he will make a statement. [192549]

Mr. Pearson: I am advised by the Northern Ireland Policing Board that following detailed discussions with District Policing Partnerships, letters of offer seeking confirmation of DPP budgets, will have been issued to all relevant Councils by the end of this week. Verbal agreement has already been reached in 19 cases.

Educational Under-achievement

Mr. Dodds: To ask the Secretary of State for Northern Ireland what steps he is taking to tackle educational disadvantage in *(a)* north Belfast and *(b)* greater Shankill. [192372]

Mr. Gardiner: Under the Department's School Improvement Programme, which is concerned with tackling low achievement, some £3.1 million has been made available in the last two years to support schools serving north Belfast and greater Shankill. Also, the Intensive Support Programme for Interface Schools is making available a total of some £2.3 million over the three financial years from 2004–05. The new Education

Action Zones will also complement existing programmes in such areas. In addition, a revised bid is being prepared to obtain funding from the Integrated Development Fund to tackle educational underachievement in the west Belfast and greater Shankill areas.

The Department for Employment and Learning also supports a number of initiatives aimed at tackling educational disadvantage in the North Belfast and greater Shankill including:

the Springvale Community Outreach Initiative, which aims to improve educational standards, promote social, cultural and economic regeneration in these areas;

the Essential Skills for Living Strategy, which provides adults in all areas of Northern Ireland with the opportunity to improve their literacy and numeracy skills, to enable them to function and progress in society;

Special Project Funding, which allows the universities to develop partnerships with schools with traditionally low levels of participation in HE. This work includes the 'Step-Up' programme, which may be expanded to include north and west Belfast.

Additionally, the Belfast Institute, east Antrim Institute and the Workers' Educational Association, as the main statutory and non statutory education and training providers for north Belfast and greater Shankill, offer a wide range of provision aimed at tackling educational disadvantage, including Essential Skills provision.

Mr. Dodds: To ask the Secretary of State for Northern Ireland what financial support he is giving to support parents in Northern Ireland to access educational opportunities for *(a)* themselves and *(b)* their children. [192374]

Mr. Gardiner: The Government make available to parents and students a wide support package which is designed to help provide assistance to those whose access to education may be inhibited by financial constraints. The support in the main consists of allowances, bursaries, loans and grants. These are supplemented, in particular circumstances, by support for free school meals, home to school transport and provision of clothing allowance.

Evacuated Dwellings

Lady Hermon: To ask the Secretary of State for Northern Ireland how many properties purchased under the scheme to purchase evacuated dwellings are on the market; how many properties have been on the market for *(a)* less than six months, *(b)* between six and 12 months, *(c)* between 12 and 18 months and *(d)* over 18 months; and what the total market value of these properties is. [193553]

Mr. Spellar: There are a total of 62 houses bought under the Scheme to Purchase Evacuated Dwellings on the open market and these are valued at £6,638,250. Of that total the breakdown requested is as follows:

Period	*Number*	*Value (£)*
Less than 6 months	19	2,498,750
6 to 12 months	12	1,502,000
12 to 18 months	10	1,446,500
More than 18 months	21	1,191,000

Farm Payments

Mr. Lidington: To ask the Secretary of State for Northern Ireland how many in each category of farm payments due to be paid by 30 June remain outstanding; and what the value is of outstanding payments. [193917]

Mr. Pearson: The number and potential value, if paid in full, of farm subsidy claims currently outstanding is as follows:

	Applications unpaid	*Value (£ million)*
Beef Special Premium	2,740	1
Slaughter Premium	1,178	0.6
Suckler Cow Premium	301	0.3
Extensification Payment	1,447	2.8

These applications relate to unresolved cases where there is a query or penalty to be applied. It is not expected, therefore, that all claims will be paid in full.

Fireworks

Lady Hermon: To ask the Secretary of State for Northern Ireland what steps he is taking to combat antisocial behaviour associated with the use of fireworks in Northern Ireland; and if he will make a statement. [191828]

Mr. Pearson: The law in relation to the possession, sale and use of fireworks in Northern Ireland is clear. Appropriate action is taken by the police against anyone breaking the law and I am aware of at least one arrest recently where a young person was found to be in illegal possession of fireworks in a public place. I will continue to keep the law in relation to the use of fireworks under review.

Funding (Small Businesses)

Lady Hermon: To ask the Secretary of State for Northern Ireland how many small businesses received start-up funding in Northern Ireland in each year since 1997; and how many of these businesses were still operating as of 1 September. [193556]

Mr. Gardiner: During the period 1997–98 to 2003–04, 1,097 businesses were offered start-up assistance through schemes directly provided by Invest NI, and prior to April 2002, by the Local Enterprise Development Unit (LEDU). Of these businesses, 788 (72 per cent.) were still trading at September 2004.

In addition to these, 10,216 new businesses have been provided with assistance through the Northern Ireland Start a Business Programme. Prior to 2003, this was referred to as the Business Start Programme. Monitoring information available from September 2001 indicates that 84 per cent. of those businesses were still operating at September 2004.

GP Prescribing

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what the cost of prescribing by each general practitioner surgery in the Province has been in the last year. [193711]

Angela Smith: The cost of drugs prescribed per general practice surgery is not held centrally as a number of prescriptions are never presented for dispensing.

However, the cost of drugs dispensed by pharmacists against health service prescriptions received per general practice surgery is available and the information for the latest available financial year (2003–04) has been placed in the House Library.

Health Service

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland for what reason there was no capital allocation for IT equipment acquisitions for general practitioner practices in the current financial year. [188471]

Angela Smith: With the implementation of the new General Medical Services contract with effect from 1 April 2004, Health and Social Services Boards are responsible for funding the purchase of IT systems in general practices. While no formal capital allocations for this purpose have as yet been made to Health and Social Service Boards in the current financial year, such resources will be allocated when boards have finalised their expenditure plans in this regard.

Illegal Fuel Imports

Lady Hermon: To ask the Secretary of State for Northern Ireland (1) what his estimate is of the amount of *(a)* gasoline and *(b)* diesel fuel illegally imported into Northern Ireland in the last year for which figures are available; [191825]

(2) what estimate the Government have made of the amount of *(a)* gasoline and *(b)* diesel fuel that is being illegally laundered in Northern Ireland; and what the figures were for the illegal importation and laundering of (i) gasoline and (ii) diesel fuel in Northern Ireland over the last five years. [191835]

Mr. Pearson: I refer the hon. Member to the answer from my hon. Friend the Economic Secretary to the Treasury on 12 May 2004, *Official Report*, column 388W.

Lady Hermon: To ask the Secretary of State for Northern Ireland which paramilitary organisations are *(a)* known to be and *(b)* suspected by the Government of being involved in the illegal importation of gasoline and diesel fuel into Northern Ireland. [191826]

Mr. Pearson: There is no doubt that a range of individuals, including those with paramilitary links are involved in smuggling and laundering of fuel in Northern Ireland.

The Organised Crime Task Force Threat Assessment, which was launched on 11 May, clearly indicated the involvement of paramilitary groups in organised crime in Northern Ireland. The IMC's first report, published on 20 April also provided a clear assessment of the criminal activities of all paramilitary groups.

Lady Hermon: To ask the Secretary of State for Northern Ireland if he will estimate the revenues earned by individual paramilitary organisations from the illegal importation and laundering of *(a)* gasoline and *(b)* diesel fuel in Northern Ireland in each of the last five years. [191836]

Mr. Pearson: There is no doubt that paramilitary organisations are involved in the smuggling and laundering of fuel in Northern Ireland. It is impossible to estimate, however, with any precision the amount of revenue earned through this activity. Neither is it clear what proportion of the profits are retained by paramilitary organisations and what individuals retain to line their own pockets.

Lewis Report

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what action has been taken in response to the Lewis Report in the case of David and Samuel Briggs, in relation to *(a)* multi-disciplinary working, *(b)* access to supervision for health and social care staff and *(c)* workforce planning policies for health visiting staff. [192908]

Angela Smith: Craigavon and Banbridge HSS Trust has complied with the review's recommendation that it review its guidance to staff in respect of multi-professional working.

With regard to inter country adoption, the Department's 2003 inter country adoption guidance outlines specific expectations in respect of multi-disciplinary working in this area and multi-professional, regional training has been provided in relation to implementation. A recent inspection of the intercountry adoption service in the trust carried out by the Department's Social Services Inspectorate has confirmed that the Southern Area Adoption Consortium is currently implementing the guidance in each of the Southern Board's trust areas.

Craigavon and Banbridge Trust has responded to the review's recommendation that it review its supervision policy by ensuring that within health visiting and social services, there are arrangements for first line managers to raise issues of concern with senior managers. The Trust has reviewed its supervision policy for health visitors and supervision is provided through bi-monthly supervision sessions with team leaders as well as monthly structured peer supervision. Supervision is more frequent for newly qualified and newly appointed nurses.

The Southern HSS Board meets at least quarterly with the three community trust directors of Social Services regarding workforce issues in child care social work.

The Department has in place a comprehensive workforce planning mechanism, which involves a cycle of reviews of the workforce across the main HPSS professional groups. As part of this mechanism, the Department is taking forward its second major review of the nursing, midwifery and health visiting workforce. The Steering Group for this review first met on 15 September and the review is expected to be completed by the end of the year.

Lower Newmills Road Fire

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland what involvement there was of health and safety officials in assessing the aftermath of the fire at Lower Newmills Road in Coleraine on 15 October. [193641]

Mr. Gardiner: Inspectors from the Health and Safety Executive for Northern Ireland (HSENI) visited the site of the fire at W. D. Meats Ltd., Lower Newmills Road, Coleraine on 18 October 2004. The purpose of the inspection was to ensure that appropriate health and safety controls were in place so that no one was put at risk during salvage operations.

Missed Appointments

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many missed hospital appointments there were in the Province in each of the last five years; and what the estimated resultant costs were in each year. [192872]

Angela Smith: The total number of missed hospital appointments in each financial year 1999–2000 to 2003–04 is provided in the following table. These figures represent the number of out-patient appointments where a patient did not attend and failed to give advanced warning to the hospital.

	Total number of missed hospital appointments
1999–2000	216,643
2000–01	216,378
2001–02	211,813
2002–03	203,970
2003–04	204,809

Note:

Data for 2003–04 are provisional and may be subject to change

Source:

KH09

The average cost of an out-patient attendance across all Programmes of Care was £133 in the year ended March 2003. If the cost of missed hospital appointments were estimated at the full price per attendance then the cost of missed hospital appointments for that year would be £27 million. However, the real cost is likely to be much less since much of the cost is associated with actual attendance and will not be incurred when the appointment is missed. More precise information is not available.

MLA Salaries

Lady Hermon: To ask the Secretary of State for Northern Ireland what review has taken place of the salaries and staff allowances paid to Members of the Northern Ireland Assembly; and whether he plans to reduce the salaries and staff allowances due to suspension of the Assembly. [192565]

Mr. Paul Murphy: I keep the salaries and allowances of Members of the Northern Ireland Assembly under regular review and will continue to do so in the light of current political developments.

New Deal (Departmental Recruitment)

Dr. Julian Lewis: To ask the Secretary of State for Northern Ireland how many personnel the Department has recruited under the New Deal in each of the past five years. [194475]

Mr. Paul Murphy: I refer the hon. Member to the answer given by my hon. Friend the Financial Secretary on 25 October 2004, *Official Report,* column 1052W.

Pain

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what estimate he has made of the cost of medically-related benefits in the Province in the last 12 months for which figures are available; and how much of that resulted from chronic pain. [193705]

Mr. Spellar: The cost of medically-related Social Security Benefits for the 12 months up to June 2004 is shown as follows:

	£ million
Disability living allowance	524
Incapacity benefit	321
Severe disablement allowance	42
Industrial injuries benefit	32
Attendance allowance (12 months up to March 2004)	174

A breakdown of how much resulted from chronic pain is not available.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many pain sufferers in the Province are diagnosed with depression. [193706]

Angela Smith: This information is not collected centrally and could be obtained only at disproportionate cost.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what estimate he has made of the number of individuals in the Province who lost jobs on account of suffering pain in each of the last five years. [193707]

Mr. Gardiner: The Department of Enterprise, Trade and Investment does not hold information on the number of individuals who lost jobs on account of suffering pain. However, latest figures from the summer 2004 Labour Force Survey estimate that there are 44,000 persons who are currently of working age that have left their last job for health reasons in the preceding eight years.

Paramilitary Terrorism

David Burnside: To ask the Secretary of State for Northern Ireland what his assessment is of the present terrorist threat from *(a)* the PIRA, *(b)* Continuity IRA, *(c)* the Real IRA, *(d)* the INLA, *(e)* the UVF and *(f)* the UDA. [192258]

Mr. Pearson: The Government's view is that the ceasefire of the PIRA remains in place and there is no indication that it is actively considering a return to violence. Dissident Republicans continue to carry out attacks on security forces and the intimidation of members of District Policing Partnerships, but much of their activity has been nullified by good policing and intelligence led operations. The INLA's paramilitary activity is confined principally to 'civil administration'. Factionalised feuding within Loyalism has continued over recent months. The IMC will report shortly on the activities of all paramilitary organisations.

Pedestrian Deaths (Children)

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many child pedestrian deaths there were in the Province in each of the last 10 years. [192904]

Mr. Pearson: The information requested is as follows:

Year	*Number of Child Pedestrian Deaths*
1994	16
1995	9
1996	9
1997	6
1998	12
1999	10
2000	8
2001	3
2002	4
2003	7
Total:	84

Pharmacies

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland when he last reviewed the regulations for setting up pharmacies in Northern Ireland; and what the result was of that review. [188653]

Angela Smith: The regulations for setting up pharmacies in Northern Ireland were last reviewed in January 2003 in response to the Office of Fair Trading (OFT) Report on the control of entry regulations and retail pharmacy services in the United Kingdom. The then Minister, the hon. Member for Kilmarnock and Loudon announced on 26 March 2003 that he would not be accepting the OFT report for Northern Ireland, and the Secretary of State fully endorsed that decision. The Minister stated that simple and complete deregulation was not a realistic option and therefore not the way forward for Northern Ireland. He also made clear that Northern Ireland community pharmacy services would be developed within the context of a Community Pharmacy Strategy and a new pharmacy contract, which is currently under negotiation, and would include consideration of how the existing regulatory arrangements could be improved to take account of changing health policies.

Police Service of Northern Ireland

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland (1) how many *(a)* Protestants, *(b)* Roman Catholics and *(c)* others have applied for posts and been assessed as being suitably qualified with the Police in Northern Ireland since the 50/50 recruitment rule was introduced; [191886]

(2) how many *(a)* Protestants, *(b)* Roman Catholics and *(c)* others have been successful in their applications to join the Police Service of Northern Ireland since the introduction of the 50/50 recruitment rule; [191887]

(3) how many *(a)* Protestants, *(b)* Roman Catholics and *(c)* others have been unsuccessful in their applications to join the Police Service of Northern Ireland despite being assessed as suitably qualified since the introduction of the 50/50 recruitment rule. [191888]

Mr. Pearson: There have been six competitions for the post of PSNI Trainee Constable, in which the pool of suitably qualified candidates has been finalised. Appointments are still being made from these pools for competitions four, five and six. As a result the numbers contained in the table are continually changing.

For the purpose of PSNI recruitment, a candidate's community background is categorised as either non-Roman Catholic or Roman Catholic.

I am advised that the breakdown of candidates according to these categories, for the first six competitions as requested, is as follows:

	Non-Roman Catholic	*Roman Catholic*
Assessed as being suitably qualified	3,253	1,089
Successful in their applications	747	716
Unsuccessful despite being assessed as suitably qualified	1,944	92

In common with many organisations recruiting staff, PSNI has a finite number of posts that can be filled. Encouragingly, they continue to have a very high number of applications for each competition. In the latest competitions this has produced a surplus of suitably qualified candidates from both the Roman Catholic and non-Roman Catholic community background.

The majority of candidates that have failed to be appointed from the pool did so because of their assessment score rather than their community background; that is to say if 50/50 had not applied then those candidates would still have failed to be appointed.

We remain sympathetic to those candidates who have been directly discriminated against because of their community background. We are satisfied, however, that the temporary policy of equal recruitment has brought about a positive change and is justified as a means of rectifying an acute historical imbalance in the composition of the police service.

Prisons (Substance Abuse)

Lady Hermon: To ask the Secretary of State for Northern Ireland what assessment he has made of the prevalence of *(a)* drug and *(b)* alcohol abuse in Northern Ireland's prisons. [191942]

Mr. Pearson: The drugs culture in prisons mirrors that in the community. Drugs misuse in prison involves cannabis, steroids and prescription drugs. There is a small amount of hard drug abuse but no evidence of a needle culture involving hard drugs. The Northern Ireland Prison Service operates a drug and alcohol strategy which addresses supply reduction, care and support for those with drug related problems, education, rehabilitation and throughcare. An extensive monthly monitoring system is operated in all establishments. Additional to this, detailed assessments are carried out by external independent consultants. The evaluation reports produced provide a clear insight into the nature and scope of drugs and alcohol misuse in each establishment and a solid foundation for influencing any changes necessary to strengthen the drugs and alcohol policy.

Although a significant percentage of prisoners have a dependency problem on committal to prison, illegal alcohol is not a problem for the Northern Ireland Prison Service.

Refrigerator Disposal

Lady Hermon: To ask the Secretary of State for Northern Ireland what facilities are available in Northern Ireland for the disposal of refrigerators; and how many refrigerators were disposed of in Northern Ireland in each year since 2000. [191952]

Angela Smith: The Department of the Environment in Northern Ireland in conjunction with the Department of the Environment, Heritage and Local Government in the Republic of Ireland facilitated an exercise which led to all Councils in Northern Ireland, and 33 of the 34 Councils in the Republic of Ireland, contracting with M Baker Recycling Limited for the management of waste domestic fridges and freezers. The refrigeration equipment is collected and transported to M Baker's facility in England to be demanufactured. The contract will run until August 2005, at which point responsibility for disposal transfers to the manufacturers. There are no facilities available in Northern Ireland that can dispose of whole refrigerators containing hazardous components including ozone depleting substances such as chlorofluorocarbons, hydrochloroflurocarbons and hydrochlorocarbons. However there is now one facility in Northern Ireland that is being commissioned to demanufacture refrigeration equipment.

Prior to the introduction of the Ozone Depleting Substances Regulations on the 1 January 2002, fridges could be disposed of to landfill. My Department is not aware of any refrigerators being disposed of in Northern Ireland since 2001.

My Department does not hold statistical information for the number of refrigerators disposed of in Northern Ireland for the years 2000 and 2001, nor comprehensive and readily accessible statistical information on the number of refrigerators transported to GB or elsewhere in Europe for disposal since 2001.

Regional Development Strategy

Lady Hermon: To ask the Secretary of State for Northern Ireland how the Planning Appeals Commission has been guided by the Regional Development Strategy when considering planning appeals; how often the PAC has referred to the strategy in its decision making; and if he will make a statement. [193747]

Mr. Paul Murphy: As the Planning Appeals Commission is a tribunal Non-Departmantal Public Body, I have asked the Chief Commissioner to write to the hon. Lady directly in connection with the information requested.

School Crossing Patrol Officers

Lady Hermon: To ask the Secretary of State for Northern Ireland how many school crossing patrol officers there were in Northern Ireland in each of the past five years; what steps he is taking to increase the number of officers; and if he will make a statement. [193383]

Mr. Gardiner: The number of school crossing patrol officers is as follows.

	BELB	*NEELB*	*SEELB*	*SELB*	*WELB*	*Total*
2000–01	126	152	167	236	198	879
2001–02	123	161	161	230	196	871
2002–03	121	173	161	234	198	887
2003–04	131	187	161	231	198	908
2004–05	135	180	159	220	198	892

Education and library boards have experienced difficulty in recruiting crossing patrol officers. This is despite strenuous recruiting measures such as advertising in the press, poster campaigns in schools, libraries etc., recruitment seminars and radio advertising. Consideration was given to combining crossing patrol duties with those of school caretakers, classroom assistants etc. but it was concluded that this was impractical. As caretakers, in particular, are busy with a wide range of duties school principals are generally reluctant to release them for other duties.

Boards are currently seeking advice from the Local Authority Road Safety Officers Association (LARSOA) regarding the recruitment of crossing patrol personnel. LARSOA frequently advises local education authorities in England on procedures and recruitment arrangements for crossing patrol officers. This association may be able to advise boards on options for reducing the number of outstanding crossing patrol vacancies in Northern Ireland.

School Selection

Mr. Lidington: To ask the Secretary of State for Northern Ireland what factors underlie the Government's policy not to allow parents a ballot before ending academic selection at grammar schools in Northern Ireland. [193920]

Mr. Gardiner: Legislation in England to enable a ballot of parents in relation to proposals to end academic selection at individual schools does not apply in Northern Ireland. Following detailed review, Government have decided to end academic selection in Northern Ireland. Grammar schools will remain and will continue to offer an academic style of education for those pupils whose parents consider it to best meet the educational needs of their child. School managing authorities will consult with parents when new arrangements are being developed at local level.

Security Vetting (Stormont)

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many people with criminal records have been granted security passes to Parliament Building at Stormont since the establishment of the Northern Ireland Assembly. [192558]

Mr. Paul Murphy: Since the establishment of the Northern Ireland Assembly, security passes for Parliament Buildings have been issued to a wide group including Members, their partners and staff, Party support staff, press, VIPs, contractors and Assembly Secretariat staff. Criminal record checks are confined to Assembly staff and contractors. However, the results of those individual checks are not centrally collated.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what changes have been made to the security vetting procedures at Stormont since the last suspension of the Northern Ireland Assembly; and whether security measures in Northern Ireland have been brought into line with the new security arrangements at the Palace of Westminster. [192559]

Mr. Paul Murphy: Security vetting procedures at Stormont remain unchanged since the Northern Ireland Assembly last met in October 2002.

Security arrangements at Parliament buildings are kept under constant review. Following recent incidents in the House of Commons chamber, Assembly officials have been liaising with colleagues at Westminster and the other devolved institutions regarding appropriate security measures and a number of additional provisions are under consideration.

Smoking (Public Places)

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what recent assessment has been made of the merits of introducing legislation to ban smoking in public places in Northern Ireland. [194079]

Angela Smith: The Tobacco Action Plan, published in June 2003, addresses a range of tobacco control measures, including protecting the public from tobacco smoke. Northern Ireland has contributed to the wider UK debate on smoking in public places through the plan, which included a commitment to assess public attitudes towards smoking prohibitions/restrictions.

A recent survey commissioned by the Department of Health, Social Services and Public Safety found that support for smoke-free provision in specific settings ranged from 82 per cent. in hospitals and 53 per cent. in cafes and restaurants, to 34 per cent. in pubs and bars.

The Government are currently assessing the views of a wide range of interests on this subject and will publish their conclusions in a forthcoming White Paper on Public Health.

Soccer Facilities

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland when the finance to improve soccer facilities will be released. [192446]

Angela Smith: The Sports Council has to date released £2.406 million, under its Interim Safe Sports Grounds Scheme, to help improve Soccer facilities in Northern Ireland. It has also provided £1.243 million over the last three years to assist the Irish Football Association (IFA) with the promotion of youth soccer in Northern Ireland. Further Government moneys to help improve soccer facilities and promotion will be released when I am satisfied that all the necessary accountability and value for money safeguards are in place to protect public finances.

Speed Cameras

Lady Hermon: To ask the Secretary of State for Northern Ireland what assessment he has made of the effectiveness of *(a)* mobile and *(b)* fixed speed cameras in reducing speeding on Northern Ireland's roads. [191831]

Mr. Pearson: The Safety Camera Scheme, which includes fixed site and mobile safety cameras, came into operation on 1 July 2003. At the end of the first year, deaths and serious injuries had fallen by 27 per cent. at locations where safety cameras were used.

Surgery

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what estimate he has made of the number of Northern Ireland patients who have been advised that they will have NHS-funded surgery in the private sector this year, but have not as yet received treatment. [193692]

Angela Smith: 2650 patients have been offered the opportunity to have surgery privately funded through the HPSS this financial year. Of those who have accepted the offer, 676 have not received treatment to date but are due to have surgery by 31 March 2005.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many long-waiters from the Province have had surgery privately funded through the NHS since 1 January; and how many more are expected to receive surgery before the end of the year. [193699]

Angela Smith: Since January 2004, the HPSS has funded 1,344 long waiters in Northern Ireland to have their surgery carried out by private sector providers. In addition, a further 1,147 patients are expected to receive surgery before 31 March 2005.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how much public funding has been spent on providing surgery for patients from Northern Ireland within the private sector. [193700]

Angela Smith: £6.9 million of public funding was spent on providing surgery for patients from Northern Ireland within the private sector during 2003–04. From April-September 2004, £2.6 million has been spent.

Triads

Lady Hermon: To ask the Secretary of State for Northern Ireland what assessment the Government have made of the level of Triad activity in Northern Ireland; and if he will make a statement. [191841]

Mr. Pearson: The Police Service of Northern Ireland is aware of the presence of a Triad group in Northern Ireland and that it is involved in organised crime.

The Organised Crime Task Force is creating an Organised Immigration Crime Expert Group to assist and advise on how organised immigration crime might be tackled.

Tuberculosis

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will make a statement on tuberculosis prevention in the Province. [188603]

Angela Smith: The incidence of tuberculosis (TB) in Northern Ireland is low with 67 cases in 2002 and a crude rate of 3.9 per 100,000 population. Rates are over three times greater in England and Wales, and the Republic of Ireland.

The Department of Health, Social Services and Public Safety's Regional Advisory Committee on Communicable Disease Control has a TB subcommittee which keeps prevention and surveillance issues constantly under review.

The Chief Medical Officer issued a letter to the health service on 30 April 2002 endorsing and enclosing the updated clinical guidelines on control and prevention of TB of the British Thoracic Society's joint tuberculosis committee. They highlight the importance of early treatment and contact tracing and provide extended advice on TB in schools. The BCG programme continues to be offered to all school children from age ten to 14.

Violent Patients

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how resources are to be provided for dealing with violent patients following the implementation of the new general practitioner contract in the Province. [194078]

Angela Smith: To facilitate implementation of the new general practitioners contract, resources have been allocated to the Health and Social Services Boards to fund the commissioning of a range of services, including services for patients who are violent.

EDUCATION AND SKILLS

Children's Centres

3. **Ms Buck:** To ask the Secretary of State for Education and Skills how much the Government are investing on average in each of the current round of children's centres. [194094]

Margaret Hodge: We have already announced 71 children's centres and will shortly be announcing more. There will be up to 2,500 by March 2008, which will include one for each of the 20 per cent. most disadvantaged areas. We are working up plans to provide a children's centre in every community.

Higher Education

19. **Mr. Jim Cunningham:** To ask the Secretary of State for Education and Skills how many students in Coventry went on to higher education in 2004–05. [194110]

Dr. Howells: Latest figures from the Universities and Colleges Admissions Service (UCAS) show that 1,685 students from Coventry LEA have so far been accepted to entry for full-time undergraduate courses in 2004/05. Final figures for 2004/05 will be published by UCAS in late January.

Linda Gilroy: To ask the Secretary of State for Education and Skills if he will make a statement on the Government's policy on access to higher education. [194104]

Dr. Howells: The Government are determined to improve opportunities for people of all backgrounds. The Aimhigher programme helps young people in disadvantaged areas to gain the qualifications and aspire to university. Our reforms to student finance will broaden access and help poorer students. And the Office for Fair Access will ensure that universities charging higher fees encourage applications from all backgrounds through their plans for outreach and financial support. Admissions, however, are a matter for universities and must be based on merit.

A-Levels

Mr. Dhanda: To ask the Secretary of State for Education and Skills if he will extend targeted support to those learners wishing to attain the equivalent of two good A-levels. [191367]

Mr. Ivan Lewis: From September 2004 Education Maintenance Allowance became available to young people who had reached the compulsory school leaving age and were entering full time education in 2004/05. EMA is available for both academic and vocational courses up to level 3.

Our advanced apprenticeship programmes for young people offers training to technician and skilled craft level. And as resources allow, we have committed to expanding training programmes for adults as well at that intermediate level, particularly in those areas that employers tell us are their priorities by region and by sector. To support younger adults up to age 30 to get these higher level qualifications, we are piloting financial support of up to £30 a week through a new Adult Learning Grant. The new grant has been piloted since September 2003 in over 80 further education providers across 10 Learning and Skills Council areas. From September 2004 Adult Learning Grant has been extended right across the North East and South East regions alongside trials of the new entitlement to free tuition to reach a first level 2 qualification.

Child Care

Ms Buck: To ask the Secretary of State for Education and Skills what the average cost of providing a child care place is in *(a)* London and *(b)* England. [192098]

Margaret Hodge: This information is not routinely collected centrally. The General Sure Start Grant distributed to local authorities includes funding to provide for new childcare places. Local authorities currently receive £642 for each newly created place in a disadvantaged area and £342 for places created in other areas. This is an average revenue cost and covers places created with childminders, in Out of School settings and in full day care setting. This is based on the average estimated costs for all types of provision nationally.

Ms Buck: To ask the Secretary of State for Education and Skills what steps his Department is taking to increase the number of qualified child care workers in *(a)* London and *(b)* England. [192101]

Margaret Hodge: For 2004–06, we have given £129.9 million to local authorities in England to help them recruit, train and develop their early years and child care workforce. We have also worked closely with the Learning and Skills Council (LSC) nationally to raise the profile of the child care sector, so that all local LSCs and local authorities now have shared targets for training child care workers to levels 2 and 3. We also support this local activity with our national child care recruitment campaign that has been running since 2000 and has generated over 25,000 responses to our national campaign order line. The new National Professional Qualification for Integrated Centre Leadership (NPQICL), launched September 2004, aims to foster the highest calibre of leadership in children's services. As well as raising standards within the early years profession, the NPQICL aims to raise professional status in the sector and attract more good people into the profession.

Ms Buck: To ask the Secretary of State for Education and Skills what estimate he has made of the average salary of child care workers in *(a)* London and *(b)* England. [192102]

Margaret Hodge: The 2002/03 Childcare and Early Years Workforce survey shows an average salary of around £7,500 a year for annually paid childcare workers in London. This is based on an average working week of 25 hours. The survey shows an average salary of around £5,100 a year for annually paid staff in England, based on an average working week of 26 hours.

In England hourly paid staff earn on average, a little over £5.70 per hour. Grossing up based on the average hours per week worked (26), this equates to a little over £7,600 p.a. In London hourly paid staff earn on average, around £7.10 per hour. Grossing up based on the average hours per week work (25), this equates to a little over £9,300 p.a.

Ms Buck: To ask the Secretary of State for Education and Skills what the ratio of child care places to children of pre-school age is in *(a)* London and *(b)* England. [192104]

Margaret Hodge: The available information is shown in the table. Statistics on the number of child care places registered in England were published on 22 July 2004 in a report by Ofsted "Registered Childcare Providers and Places in England, 30 June 2004". The report is available on the Ofsted website, www.ofsted.gov.uk/publications.

Number[1] of registered child care places[2] and children[3] aged under five years of age and under eight
London Government Office Region and England

	London	*England*
Childminders	41,000	322,100
Full day care	69,300	483,600
Sessional day care	28,800	270,600
Out of school day care	49,600	332,400
Creche day care	5,700	40,000
All child care places	194,300	1,448,600
Children aged under five years old	476,000	2,848,200
Children aged under eight years old	748,200	4,667,100

[1] Rounded to the nearest 100

[2] Position as at 30 June 2004

[3] Position at mid-year 2003

Consultants

Dr. Julian Lewis: To ask the Secretary of State for Education and Skills how many consultancy firms or companies have been retained by the Department since June 2001; what the projects are for which each has been retained; and what the total is of the fees paid or incurred in each case. [193417]

Mr. Stephen Twigg: This information could be supplied only at disproportionate cost.

Fostering

Annabelle Ewing: To ask the Secretary of State for Education and Skills what steps the Department is taking to encourage more people into fostering. [193767]

Margaret Hodge: The Choice Protects grant, which provides funding of £113 million over three years, has a specific emphasis on improving fostering services. £1.5 million of the funding available through the grant in the current financial year is being used to develop a number of suggestions from the Green Paper, "Every Child Matters", to improve the status support and training for foster carers. These include the development of a national award, a national advice line and measures to improve the support given to foster carers who are subject to allegations.

In February this year we produced a Fostering Publicity Pack designed to help local authorities to run targeted local campaigns to recruit new foster carers for looked after children. We have also awarded a three-year grant of £180,000 to the Fostering Network to support Foster Care Fortnight, which has a particular focus on recruitment.

School Transport

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills what the cost *(a)* in total and *(b)* per child of school transport on the Isle of Wight was in each of the last five years; and what the figures are for other authorities in the Audit Commission's relevant family of local education authorities. [192724]

Mr. Stephen Twigg *[holding answer 19 October 2004]:* The total cost of home to school transport in the Isle of Wight and other local education authorities (LEAs) in the Audit Commission's relevant family of LEAs for each of the last five years is shown in the following tables. Data on the number of pupils using home to school transport are not collected, so it is not possible to provide a per child cost for the last five years. However, a joint DfES/Confed survey collected these data for 2002/03 and is also included in the tables.

Cost of home to school transport [1,2] *since 1998–99. As reported by LEAs. As at 19 October 2004*

		1998–99			*1999–2000*		
		Home to school/college transport [2]			*Home to school/college transport* [2]		
LEA number	*LEA name*	*Gross*	*Income*	*Net*	*Gross*	*Income*	*Net*
921	Isle of Wight	1,378,000	65,000	1,313,000	1,433,686	86,416	1,347,270
813	North Lincolnshire	1,650,000	61,000	1,589,000	2,925,093	52,110	2,872,983
816	York	1,362,000	0	1,362,000	1,449,078	15,986	1,433,092
880	Torbay	1,146,000	39,000	1,107,000	1,209,956	28,957	1,180,999
841	Darlington	1,010,000	0	1,010,000	1,031,291	575	1,030,716
381	Calderdale	1,356,000	0	1,356,000	1,574,547	0	1,574,547
887	Medway	3,013,000	0	3,013,000	3,035,200	0	3,035,200
893	Shropshire	5,056,000	0	5,056,000	5,469,215	97,243	5,371,972
884	Herefordshire	3,181,000	87,000	3,094,000	3,989,270	86,541	3,902,729
877	Warrington	2,069,000	4,000	2,065,000	2,258,508	0	2,258,508
811	East Riding of Yorkshire	5,172,000	0	5,172,000	5,397,287	0	5,397,287

		2000–01			*2001–02*		
		Home to school/college			*Home to school/college*		
LEA number	*LEA name*	*Gross*	*Income*	*Net*	*Gross*	*Income*	*Net*
921	Isle of Wight	1,598,868	77,373	1,521,495	1,624,172	75,376	1,548,796
813	North Lincolnshire	2,400,819	54,992	2,345,827	2,124,881	0	2,124,881
816	York	1,572,375	0	1,572,375	1,746,245	0	1,746,245
880	Torbay	1,379,735	50,077	1,329,658	1,465,045	14,800	1,450,245
841	Darlington	1,000,623	1,526	999,097	1,020,137	405	1,019,732
381	Calderdale	1,862,563	0	1,862,563	1,898,695	0	1,898,695
887	Medway	3,007,800	159,200	2,848,600	3,054,500	92,700	2,961,800
893	Shropshire	5,689,211	0	5,689,211	5,979,817	0	5,979,817
884	Herefordshire	4,795,665	0	4,795,665	4,579,671	124,378	4,455,293
877	Warrington	2,229,500	0	2,229,500	2,375,358	0	2,375,358
811	East Riding of Yorkshire	5,818,687	23,186	5,795,501	6,032,387	37,931	5,994,456

		2002–03					*2002–03*		
		Home to school/college					*Home to school transport*		
LEA	*LEA name*	*Gross*	*Income*	*Net*	*Pupils* [3]	*Net cost per pupil*	*Gross*	*Income*	*Net*
921	Isle of Wight	1,936,681	71,926	1,864,755	3,271	570	1,480,344	28,982	1,451,362
813	North Lincolnshire	3,425,537	555,224	2,870,313	5,055	568	3,149,218	526,041	2,623,177
816	York	2,081,595	19,960	2,061,635	2,111	977	2,032,158	19,960	2,012,198
880	Torbay	1,904,087	92,625	1,811,462	—	—	1,672,604	52,815	1,619,789
841	Darlington	1,210,908	6,809	1,204,099	1,954	616	1,140,560	5,777	1,134,783
381	Calderdale	1,411,841	2,218	1,409,623	2,149	656	1,411,841	2,218	1,409,623
887	Medway	3,430,655	168,100	3,262,555	3,860	845	3,204,104	103,900	3,100,204
893	Shropshire	7,125,733	0	7,125,733	8,475	841	6,842,843	0	6,842,843
884	Herefordshire	5,518,285	152,143	5,366,142	5,961	900	5,000,591	47,157	4,953,434
877	Warrington	2,604,368	0	2,604,368	3,295	790	1,999,939	0	1,999,939
811	East Riding of Yorkshire	7,894,709	97,708	7,797,001	8,065	967	7,630,381	97,708	7,532,673

'—' Not available

[1] The gross expenditure and income figures for 1998–99 to 2001–02 are taken from the home to school/college transport and the transport related parental contribution lines of the section 52 Outturn Statement Table 3 (1998–99 figures are from the corresponding lines of the R01 form submitted to the ODPM) respectively. In 2002–03 home to school transport was recorded separately from home to college transport for the first time and consequently both home to school transport and the combined home to school/college transport figures are provided. 2002–03 figures are taken from the respective gross, income and net columns of the section 52 Outturn Statement Table A.

[2] Total transport income and expenditure includes that incurred in relation to pre-primary, primary, secondary and special school education as well as in education out of school, continuing education and the management and support elements.

[3] The DfES do not collect data on the number of pupils using home to school transport and as such we are unable to calculate the cost of home to school transport per child. However in 2002–03 the Department conducted a survey with Confed which provided a snapshot of the number of pupils using home to school transport (including sixth form) and these have been used to provide a unit cost for 2002–03.

Miss McIntosh: To ask the Secretary of State for Education and Skills what estimate he has made of the impact on schools in the Vale of York of his proposed changes to school transport. [193876]

Mr. Stephen Twigg: The School Transport Bill will allow up to 20 local education authorities in England to trial new arrangements for school transport. Trial areas cannot be selected until the Bill becomes law, so at this point it is not possible to assess the impact on schools in the Vale of York.

Ministers' Private Offices

Mr. Prisk: To ask the Secretary of State for Education and Skills what the running costs of Ministers' private offices in his Department have been in each year since 1997. [191390]

Mr. Stephen Twigg: The information requested is in the following table. This information includes the total running cost for the Department of Education and Skills and its predecessor, the Department of Education and Employment.

Financial year	*Running cost (£ million)*
2003–04	2.3
2002–03	2.2
2001–02	2.1
2000–01	2.3
1999–2000	2.0
1998–99	1.9
1997–98	[1]—

[1] Information not held in format requested

Teenage Pregnancy

Tim Loughton: To ask the Secretary of State for Education and Skills how many people have registered with the Teenage Pregnancy Unit website in each year since it was launched. [193997]

Margaret Hodge: The Teenage Pregnancy Unit website is an internal DfES website, designed primarily for practitioners working with both young parents and those at risk of teenage pregnancy. There are currently 372 registered users of the website.

Tim Loughton: To ask the Secretary of State for Education and Skills when the 2004 annual report for the Teenage Pregnancy Unit will be published. [193998]

Margaret Hodge: The Teenage Pregnancy Unit does not produce an annual report.

However, the Independent Advisory Group (IAG) on teenage pregnancy does produce a report each year, in which it comments on progress on implementing the teenage pregnancy strategy, and makes recommendations for further action. IAG's report for 2003–04 is due to be published in November 2004.

Tim Loughton: To ask the Secretary of State for Education and Skills how much it cost to set up the Teenage Pregnancy Unit website; what the maintenance costs are estimated to be for each year of its operation; and who is responsible for updating the website. [193999]

Margaret Hodge: The Teenage Pregnancy Unit website is an internal DfES website, designed primarily for practitioners working with both young parents and those at risk of teenage pregnancy. Maintenance of the website is carried out by members of staff working in the Teenage Pregnancy Unit. It is not possible to calculate how much of their time is involved in its maintenance.

Tsar Appointments

Mr. Goodman: To ask the Secretary of State for Education and Skills how many tsars have been appointed with responsibilities which cover part of the work of his Department; and if he will make a statement. [191927]

Mr. Charles Clarke: There have been no tsars appointed to cover any responsibilities of my Department.

University Outreach

Jon Trickett: To ask the Secretary of State for Education and Skills if he will make a statement on outreach work by universities in educationally deprived communities. [194107]

Dr. Howells: Many universities undertake outreach activities with schools and communities in deprived areas. I am pleased to acknowledge these efforts and to support them through the Aimhigher programme, which helps school, university and college partnerships to deliver a range of attainment—and aspiration-raising activities. In addition, the new Office for Fair Access will result in more financial support for students and more outreach work to boost applications from under-represented groups.

I will write to my hon. Friend to further address the issues he raised at today's oral questions.

DEFENCE

40 Commando

Mr. Flook: To ask the Secretary of State for Defence what plans there are to supply extra helicopters to transport troops of 40 Commando on operational tasks outside the British controlled zone in Iraq. [193881]

Mr. Ingram *[holding answer 26 October 2004]:* Helicopters in Iraq are a theatre-wide asset and are not allocated to individual units.

Mr. Flook: To ask the Secretary of State for Defence what plans there are to provide armoured personnel carriers for the troops of 40 Commando. [193882]

Mr. Ingram *[holding answer 26 October 2004]:* There are no plans to provide armoured personnel carriers for the troops of 40 Commando. However, they are, and will continue to be, afforded all appropriate protection while deployed.

Mr. Flook: To ask the Secretary of State for Defence what plans there are to deploy 40 Commando to work outside the British controlled zone in Iraq. [193884]

Mr. Ingram *[holding answer 26 October 2004]:* A single mortar platoon from 40 Commando RM will be deployed with the 1st Battalion, The Black Watch to an area south of Baghdad in the next few weeks. In addition, a small number of troops from 40 Commando RM are currently performing force protection duties in Baghdad.

Armed Forces (Dependent Children)

Ian Lucas: To ask the Secretary of State for Defence whether the Government pays fees for *(a)* schooling and *(b)* board and lodging for children of servicemen and servicewomen serving outside the UK. [191215]

Mr. Caplin: Boarding School Allowance (BSA) is paid to contribute towards the cost of boarding and tuition. It is paid to eligible service parents stationed in the UK and overseas. Day School Allowance is paid towards the cost of tuition only and provides the opportunity for children for whom BSA is in issue to become a day pupil at the same school and to live at home when family circumstances permit.

The Ministry of Defence via HQ Service Children's Education, also provides free education in service schools for the children of service personnel who accompany their service parents to some overseas countries. In those countries where free service schools are not provided, service parents use local schools, which may be free of charge, or independent fee paying schools. In the latter case, necessarily incurred school fees may be reimbursed within MOD set limits.

Canadian Submarines

Mr. Jim Cunningham: To ask the Secretary of State for Defence what discussions his Department has had with the Canadian Government on the four submarines sold to the Canadians by the Royal Navy Service. [192979]

Mr. Ingram *[holding answer 25 October 2004]:* Ministry of Defence officials have been in discussion with the Canadian Government regarding the Upholder class submarines for several years. Discussions have been wide-ranging and led to an agreement in 1998 that the United Kingdom would lease the submarines to Canada, with an option to purchase. Subsequent discussions focused on the reactivation and transfer of the submarines to Canada, and included main contract reviews at three-monthly intervals, regular exchanges of technical information, and day-to-day contact with Canadian personnel based at BAE Systems, Barrow-in-Furness, where the reactivation programme was undertaken.

Clothing Specifications

Mr. Hancock: To ask the Secretary of State for Defence what specifications were included in the contract for clothing given to Cooneen, Watts & Store to ensure that the clothing was manufactured in the UK. [187494]

Mr. Ingram: No specifications were included to ensure clothing was manufactured in the UK as EU Public Procurement Regulations prohibit consideration on grounds of national interest.

EU Battlegroups

Ann Winterton: To ask the Secretary of State for Defence who will have final command of the EU Battlegroups initiative. [194384]

Mr. Hoon: Policy decisions on the EU Battlegroups initiative will be taken by unanimity of all the member states.

Decisions to deploy national forces are for national governments to take. Any decision to commit the United Kingdom forces to an EU Battlegroup operational deployment would be taken by the Government on a case-by-case basis.

Battlegroups will be offered either by single nations or by small multinational groupings. The military command of any operational deployment of an EU Battlegroup will be determined on a case-by-case basis and will reflect which of the Battlegroups is being deployed. We would expect Battlegroups involving UK forces to be commanded from the Permanent Joint Headquarters at Northwood.

As with all EU operations, the political control of an EU Battlegroup mission would rest with the 25 member states, acting by unanimity through the Political and Security Committee and Council.

EU Defence

Mr. Austin Mitchell: To ask the Secretary of State for Defence pursuant to paragraphs 50 and 51 of the document Update on Prospects for the European Union in 2004, (Cm 6310), what documentation has been published concerning *(a)* the nature, function, organisation and finance of the European Defence Agency, *(b)* the agreement concerning nations within the European Union agreeing to form battle groups to provide rapidly deployable forces and *(c)* the planned conference in November where member states will be able to discuss their respective commitments. [193822]

Mr. Hoon: The following documents have been published by the Council of the European Union, the Ministry of Defence, or the House of Commons, concerning the European Defence Agency:

Press release, 'EU HR Javier Solana announces appointments of European Defence Agency Directors', 13 October 2004.

Council Joint Action 2004/551/CFSP of 12 July 2004 on the establishment of the European Defence Agency.

Background document on the Agency, May 2004.

Background document on the Agency, November 2003.

Report mandating the Agency Establishment Team, GAERC November 2003.

Council Decision of 17 November 2003 creating a team to prepare for the establishment of the agency in the field of defence capabilities development, research, acquisition and armaments.

Council Conclusions, Thessaloniki, June 2003.

Note:

All the above documents can be found on the official EU website: www.ue.eu.int.

Ministry of Defence Quarter 4 Report to HM Treasury on Progress Against Spending Review 2002 Public Service Agreement Targets, June 2004 (available at www.mod.uk)

22nd Report of the House of Commons Select Committee on European Scrutiny, June 2004.

In addition, the following explanatory memoranda have been submitted to Parliament:

On the decision to establish an Agency Establishment Team, November 2003.

On the Council of the European Union Joint Action establishing the Agency, May 2004.

On the financial and staff regulations of the Agency, July 2004.

The following documents have been published by the Council of the European Union, the Ministry of Defence, or the House of Commons, concerning the EU member states' agreement to form Battlegroups and the Capabilities Commitment Conference planned for November 2004:

Summary of the remarks by EU HR Javier Solana at the Informal Meeting of Ministers of Defence, April 2004 (available at www.ue.eu.int).

Paper on Headline Goal 2010, agreed by the General Affairs and External Relations Council of 17 May 2004 (available at www.ue.eu.int).

Conclusions on External Relations of the General Affairs and External Relations Council of 17 May 2004 (available at www.ue.eu.int).

25th Report of the House of Commons Select Committee on European Scrutiny, June 2004.

Ministry of Defence Quarter 4 Report to HM Treasury on Progress Against Spending Review 2002 Public Service Agreement Targets, June 2004 (available at www.mod.uk).

EU Defence Procurement

Miss McIntosh: To ask the Secretary of State for Defence if he will make a statement on European Union defence procurement policy. [193758]

Mr. Hoon: The Government are committed to playing a leading role in the development of European security and defence policy. We have been actively engaged in the formation of the European Defence Agency, which was formally established on 12 July 2004. The Agency will, inter alia, promote capability development and enhance European armaments co-operation, building on the work already undertaken within existing European fora. We expect the Agency also to work closely with the European Commission on any further work emanating from the Commission's Green Paper on Defence Procurement, published on 23 September 2004. This paper sets out to open the debate on creating a more transparent European defence equipment market, and on promoting further the global competitiveness of European defence industry. Policy for defence procurement rests nationally with the individual member states, with contribution from the Commission being in support of initiatives developed by the national Governments.

Flight ZD576

Mr. Arbuthnot: To ask the Secretary of State for Defence pursuant to the answer of 18 October 2004, *Official Report*, column 440W, on Flight ZD576, whether the third parties consulted by the reviewing air marshals before coming to their conclusions on the crash of Flight ZD576 were limited to those providing legal advice; and if he will list the third parties consulted. [193961]

Mr. Ingram: Third party consultation by the reviewing officers was limited to legal advice, provided by the Directorate of Legal Services (RAF).

Iraq

Pete Wishart: To ask the Secretary of State for Defence what the average tour of duty is for a British soldier in Iraq. [193305]

Mr. Ingram *[holding answer 25 October 2004]:* The majority of United Kingdom troops deployed to Iraq deploy for six-month tours.

Mr. Peter Ainsworth: To ask the Secretary of State for Defence what the total cost has been to public funds of military deployment and action in connection with the intervention in Iraq since 1 March 2003; and if he will make a statement. [193361]

Mr. Ingram: Audited figures for the costs of operations in Iraq is net additional published each year in the Ministry of Defence's Annual Report and Accounts. Net additional costs for 2002–03 were £848 million, and for 2003–04 £1,311 million, a total of £2,159 million.

It is too early to provide a firm estimate of costs in 2004–05, but we will seek parliamentary approval for this expenditure through Supplementary Estimates in due course.

Paul Flynn: To ask the Secretary of State for Defence how many *(a)* US, *(b)* UK and *(c)* Iraqi troops are serving in Iraq. [193648]

Mr. Ingram: The number of United States troops in Iraq is a matter for the US Government. There are some 8,100 United Kingdom troops deployed in Iraq, and a new Iraqi army is in training, which currently has some 9,000 troops.

Joint Strike Fighter

Mr. Gerald Howarth: To ask the Secretary of State for Defence when he expects the UK to be granted access to sensitive technology to permit maintenance and logistic support for the Joint Strike Fighter in the UK. [193108]

Mr. Ingram: The Joint Strike Fighter (JSF) programme is still at a relatively early stage in its development programme, and our current planning is that the aircraft will not enter service in the UK before 2012. Nevertheless, we are working closely with the US Joint Programme Office (JPO) to develop the support solutions required to maintain and support JSF through life on a global basis. Access to technology is a key element in this work and we expect to have sufficient access by December 2006 to give confidence in our ability to maintain and support the JSF in service prior to signing the Production, Sustainment and Follow on Development MOU.

Parliamentary Questions

Mr. Hancock: To ask the Secretary of State for Defence when he will answer the question from the hon. Member dated 16 July, ref. 185178. [192168]

Mr. Caplin: I refer the hon. Member to the answer I gave on 20 October 2004, *Official Report*, column 714W.

Provigil

Mr. Hancock: To ask the Secretary of State for Defence pursuant to the answer of 11 October 2004, *Official Report*, column 65W, on Provigil, what the conclusions of the research were, with particular reference to using these pharmaceutical agents during times of hostilities; and if he will make a statement. [191147]

Mr. Caplin: The aim of the QinetiQ study was to investigate the effects of modafinil, the generic name for Provigil, on nocturnal sleep, and on subsequent performance in 12 healthy male volunteers. The effects studied included sustained attention, reaction time, digit symbol substitution, tracking, memory, sleepiness and fatigue.

QinetiQ concluded that the effects on nocturnal sleep depended on the dose. In the study, 100 mg of modafinil had no affect on nocturnal sleep. At higher dose levels of 200 mg and 300 mg, total sleep was reduced. The alerting activity of modafinil was observed the following day, although at the highest dose, increased sleepiness was reported within 24 hours of ingestion.

The Ministry of Defence does not use performance enhancing drugs, and the policy has not changed in light of this research.

RAF Fylingdales

Jeremy Corbyn: To ask the Secretary of State for Defence what facilities are available at RAF Fylingdales; and what future use is envisaged for the base. [194008]

Mr. Hoon: RAF Fylingdales uses a Solid State Phased Array Radar to provide early warning of the launch of ballistic missiles and to carry out space surveillance. There is no planned change in the usage of the RAF Fylingdales site.

Satanism

Mr. Goodman: To ask the Secretary of State for Defence what his policy is with regard to the practice of Satanism in the armed forces; and if he will make a statement. [194205]

Mr. Caplin: A person's beliefs are essentially a private matter.

Tsar Appointments

Mr. Goodman: To ask the Secretary of State for Defence how many tsars have been appointed with responsibilities which cover part of the work of his Department; and if he will make a statement. [191925]

Mr. Caplin: None.

Trident

Jeremy Corbyn: To ask the Secretary of State for Defence what recent progress has been made on *(a)* considering future options for a nuclear deterrent capability and *(b)* reaching a decision on whether or not to withdraw the Trident fleet. [194013]

Mr. Hoon: I have nothing to add to the reply I gave my hon. Friend on 19 July 2004, *Official Report*, column 32W, when I said that work on a range of options for maintaining a nuclear deterrent capability is in hand in accordance with the policy set out in last December's Defence White Paper. As that White Paper made clear, decisions on whether to replace Trident are not needed this Parliament but are likely to be required in the next one.

US Interceptor Missiles

Sir Menzies Campbell: To ask the Secretary of State for Defence what the policy is of Her Majesty's Government on the stationing of US interceptor missiles in the UK; and if he will make a statement. [193848]

Mr. Hoon: We have received no request from the United States regarding siting of interceptors in the United Kingdom. Should such a request be made, the Government's response will depend on the nature of the request and the circumstances in which it is made.

Sir Menzies Campbell: To ask the Secretary of State for Defence when he or officials from his Department last met US Administration secretaries or officials to discuss the stationing of interceptor missiles in the UK; what the outcome was of those discussions; and if he will make a statement. [193849]

Mr. Hoon: There have been no discussions between Ministers or officials of either government about the stationing of interceptor missiles in the UK. The Government have not yet decided whether the UK requires its own missile defence, and our discussions with the US on missile defence matters do not therefore involve specific architectures or basing assumptions.

Sir Menzies Campbell: To ask the Secretary of State for Defence what discussions *(a)* he and *(b)* officials from his Department have had with their counterparts in (i) France, (ii) Germany, (iii) Italy and (iv) Spain regarding (A) the upgrade of RAF Fylingdales and (B) the stationing of US interceptor missiles in the UK; and what the outcome was of the discussions. [193850]

Mr. Hoon: Officials speak regularly with their counterparts in these countries and keep them informed on the United Kingdom defence matters, including those relating to missile defence, as appropriate. NATO allies have been kept informed in broad terms of the Government's decision last year to agree to the United States request to upgrade the early warning radar at RAF Fylingdales. There has been no contact with these countries regarding the stationing of interceptor missiles in the UK.

Warships

Mr. Hancock: To ask the Secretary of State for Defence pursuant to his answer of 14 October 2004, *Official Report*, column 327W, on warships, what the timeline is for the refit of HMS Victorious; and when she is expected to return to service. [193441]

Mr. Ingram: The refit (Long Overhaul Period (Refuel)) of HMS Victorious is currently planned to start in the first quarter of 2005. On completion of sea trials, she is expected to return to service with the Fleet mid 2008.

WORK AND PENSIONS

Child Support Agency

Mr. Frank Field: To ask the Secretary of State for Work and Pensions (1) how many Child Support Agency cases are waiting to be transferred onto the new IT system; how many attempted transfers have failed; and how many cases have been successfully transferred from the old scheme to the new; [194322]

(2) how many Child Support Agency cases where money has been paid to the parent with care have successfully been transferred from the old scheme of calculation to the new system. [194324]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member with the information requested.

Letter from Mr. Doug Smith to Mr. Frank Field, dated 28 October 2004:

In reply to your recent Parliamentary Question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked the Secretary of State for Work and Pensions, how many Child Support Agency cases are waiting to be transferred onto the new IT system; how many attempted transfers have failed; and how many cases have been successfully transferred from the old scheme to the new.

You also asked, how many Child Support cases where money has been paid to the parent with care have successfully been transferred from the old scheme of calculation to the new system.

I do not have the information you require. I can however say that since March 2003 around 18,500 cases have successfully transferred from the old scheme to the new scheme.

Mr. Frank Field: To ask the Secretary of State for Work and Pensions how many Child Support Agency cases were waiting *(a)* to be calculated and *(b)* for money to be paid at 1 March 2003. [194323]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member with the information requested.

Letter from Mr. Doug Smith to Mr. Frank Field, dated 28 October 2004:

In reply to your recent Parliamentary Question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked the Secretary of State for Work and Pensions, how many Child Support Agency cases *(a)* were waiting to be calculated and *(b)* for money to be paid at 1 March 2003.

I do not have the information required. I can, however, say that there were around 142,000 applications for maintenance awaiting action as at 1 March 2003.

Mr. Frank Field: To ask the Secretary of State for Work and Pensions how many Child Support Agency applications waiting to be calculated were made *(a)* before 1 March 2003, *(b)* after 1 March 2003 but are assessed on the old scheme of maintenance calculation and *(c)* after 1 March 2003 and are assessed on the new scheme of maintenance calculation. [194325]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member with the information requested.

Letter from Mr. Doug Smith to Mr. Frank Field, dated 28 October 2004:

In reply to your recent Parliamentary Question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked the Secretary of State for Work and Pensions, how many Child Support Agency applications waiting to be calculated were made *(a)* before 1 March 2003 *(b)* after 1 March 2003 but are assessed on the old scheme of maintenance calculation and *(c)* after 1 March 2003 and are on the new scheme of maintenance calculation.

No new applications received after 3 March 2003 will be progressed under the 'old scheme'. Around 26,000 applications made before 3 March 2003 currently await a final decision being made—this may or may not result in a maintenance assessment.

Around 240,000 applications recorded on the new IT system after 3 March 2003 are also awaiting a decision—again, this may or may not result in a maintenance calculation.

Pension Credit

Mr. Alan Campbell: To ask the Secretary of State for Work and Pensions (1) what assessment he has made of the effects of pension credit on pensioner poverty; [193370]

(2) what the average value is of pension credit for *(a)* women and *(b)* all pensioners; [193371]

(3) what estimate his Department has made of the number of *(a)* women and *(b)* all pensioners in receipt of pension credit. [193372]

Malcolm Wicks: Even before the introduction of pension credit, the Government's basic strategy of getting more money to pensioners, particularly the poorest, was making significant inroads into tackling pensioner poverty. The latest figures available show that by 2002–03 absolute pensioner poverty (the number living below the 1996–97 low-income threshold) had fallen by two-thirds, or 1.8 million.

Since its introduction in October 2003, pension credit has had an impact on pensioner incomes by giving around 1.94 million households (2.36 million individuals) an average £16.33 a week more money (figures to the end of August). This represents 74 per cent. of all households receiving pension credit at the end of August 2004. The number and proportion of households gaining have risen in each of the months since October 2003 and this positive trend is set to continue with increased take-up levels.

At the end of August there were 2.61 million households receiving pension credit in Great Britain. This figure comprises 3.17 million individuals, of whom 2.11 million were women. The average award was £41.71 a week for all pensioner households and £41.13 for households containing a woman.

Notes:

1. Numbers of pension credit recipients are rounded to the nearest 10 thousand.

2. Individual recipients include a small number of partners under age 60.

Incapacity/Severe Disablement Benefit

Paul Holmes: To ask the Secretary of State for Work and Pensions what plans he has to put time limits on payments of incapacity benefit; and if he will make a statement. [193256]

Maria Eagle: We currently have no such plans. The Government's approach, as delivered in its flagship incapacity benefit reform programme, Pathways to Work, is to work actively and intensively with the large number of people on incapacity benefit who expect and want to work again and any longer term reform will continue to build on that approach.

Mr. Goodman: To ask the Secretary of State for Work and Pensions what the ratio was in each year since 1990 of the average incapacity benefit payment to the average jobseeker's allowance payment in cases in which the claimant claimed both benefits for a year or more. [193592]

Maria Eagle: The information is in the table.

Ratio of the average incapacity benefit payment to the average jobseeker's allowance payment in cases which the claimant claimed both benefits for a year or more
1990–2004

	Average incapacity benefit payment (sickness benefit/invalidity benefit prior to April 1995) (£)	*Average jobseeker's allowance payment (income support for unemployed prior to October 1996 (£)*	*Ratio of average incapacity benefit payment to average jobseeker's allowance payment*
1990	61.41	39.62	1.55:1
1991	66.52	44.38	1.50:1
1992	74.31	45.53	1.63:1
1993	78.14	46.53	1.68:1
1994	81.68	47.37	1.72:1
1995	84.01	n/a	n/a
1996	83.05	n/a	n/a
1997	85.19	62.30	1.37.1
1998	87.37	62.98	1.39:1
1999	87.66	65.02	1.35:1
2000	86.49	67.52	1.28:1
2001	87.36	70.41	1.24:1
2002	87.04	69.96	1.24:1
2003	87.03	71.41	1.22:1
2004	87.88	71.06	1.24:1

Notes:

1. Incapacity benefit (IB) replaced sickness benefit (SB) and invalidity benefit (IVB) from April 1995.
2. Jobseeker's allowance (JSA) replaced income support (IS) for the unemployed from October 1996. IS and JSA figures are not available by duration for 1995 or 1996.
3. Ratios are rounded to 2 decimal places.
4. Average amounts have been given to the nearest penny.
5. JSA figures are based on 5 per cent. samples and therefore subject to sampling variation.
6. SB, IVB and IB figures are based on 1 per cent. samples up to April 1995 and 5 per cent. samples thereafter.

Source:

IAD Information Centre, 1 per cent. and 5 per cent. samples.

Mr. Goodman: To ask the Secretary of State for Work and Pensions how many people claiming incapacity benefit or severe disablement allowance in each year since 1997 had their claims terminated as a result of assessments made by doctors employed by or under contract to the Department, broken down by *(a)* age and *(b)* region. [191678]

Maria Eagle: The Information has been placed in the Library.

Mr. Goodman: To ask the Secretary of State for Work and Pensions how many incapacity benefit and severe disablement allowance recipients claimed *(a)* statutory sick pay, *(b)* jobseeker's allowance income support and *(c)* other benefits before receiving incapacity benefit in each year since 1997, broken down by (i) age and (ii) region. [191692]

Maria Eagle: Information on the benefits previously claimed by incapacity benefit and severe disablement allowance recipients is not available.

Pensioner Poverty (Scotland)

John Barrett: To ask the Secretary of State for Work and Pensions how many pensioners are estimated to be living below the poverty line in Scotland. [193617]

Malcolm Wicks: Poverty and social exclusion are complex and multi-dimensional issues, affecting many aspects of peoples' lives including their living standards, health, housing, the quality of their environment and not just low income. The sixth annual "Opportunity For All" report (Cm 6329) sets out the Government's strategy for tackling poverty and social exclusion and presents information on the indicators used to measure progress against this strategy.

Statistics for Scotland on numbers of people living in low income are published by the Scottish Executive. These show that, in 2002–03 180,000 pensioners in Scotland were living in households with income below 60 per cent. of the Great Britain median on a before housing costs basis.

Notes:

1. Data from the Family Resources Survey.

2. Estimates are based on sample counts, which have been adjusted for non-response using multipurpose grossing factors that control for tenure, council tax band and a number of other variables. Estimates are subject to both sampling error, and to remaining variability in non-response which is not corrected by the grossing regime.

3. Income measure used is weekly net (disposable) equivalised household income (that is to say income that is adjusted to reflect the composition of the household). The median relates to the middle-ranked individual.

Job Centres

Chris Ruane: To ask the Secretary of State for Work and Pensions how many clients attended each Jobcentre due for closure in North Wales in each of the last 10 years; and what replacement service will be put in place after closure of these offices. [190880]

Jane Kennedy: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to the hon. Member.

Letter from David Anderson to Mr. Chris Ruane, dated 28 October 2004:

The Secretary of State has asked me to reply to your questions concerning how many clients attended each Jobcentre due for closure in North Wales in each of the last ten years; and what replacement service will be put in place after closure of these offices. This is something which falls within the responsibilities delegated to me as Chief Executive of Jobcentre Plus.

I am unable to state the exact number of callers to each of the Jobcentres expected to close covering the last ten years. Information showing the weekly average number of clients registering for Jobseeker's Allowance in each of the last ten years ending in August is shown in the table below.

Average number of clients registering for jobseeker's allowance in each of the last 10 years ending in August

	1994–95[1]	*1995–96*	*1996–97*[1]	*1997–98*[1]	*1998–99*[1]
Cefn Mawr	—	—	—	—	—
Conwy	—	—	—	—	—
Denbigh	—	—	—	323	285
Holywell	666	621	574	374	325
Llangollen	—	—	—	—	—
Llanrwst	—	—	—	—	—
Prestatyn	—	—	—	299	323
Blaenau Ffestiniog	346	334	334	274	262
Barmouth	380	378	389	286	247
Beaumaris	—	—	—	—	—

	1999–2000[1]	*2000–01*[1]	*2001–02*[1]	*2002–03*[1]	*2003–04*[1]
Cefn Mawr	—	—	—	140	120
Conwy	—	—	—	120	112
Denbigh	271	239	191	192	178
Holywell	284	250	199	186	185
Llangollen	—	—	—	—	146
Llanrwst	—	—	—	98	70
Prestatyn	358	258	242	193	179
Blaenau Ffestiniog	236	241	189	156	146
Barmouth	199	169	180	137	148
Beaumaris	—	—	—	—	30

[1] 1 September to 31 August.

Separate records are not available for some of the very small sites as their figures are included in their parent office. Each of these customers is expected to attend the Jobcentre every fortnight for an interview about their job search activity and they represent most of the traffic into the offices.

Work is currently in progress to develop options for Flexible Service Delivery in the locations where offices will close. This work will be undertaken in partnership with MPs, Assembly Members and other relevant stakeholders to tailor these options to meet the needs of the local community.

I hope this is helpful.

Job Losses (Incapacity)

Mrs. Iris Robinson: To ask the Secretary of State for Work and Pensions what estimate he has made of the number of individuals who lost jobs in 2003–04 as the result of suffering pain. [194076]

Maria Eagle: The requested information is not available. Data on individuals who lost their jobs as a result of suffering pain is not collected.

State Retirement Pension

Mr. Webb: To ask the Secretary of State for Work and Pensions pursuant to his answer of 19 October 2004, *Official Report*, column 638W, on pensions, for what reasons the introduction of equal treatment for men whose wives die before reaching state pension age has been delayed until 2010; and what estimate he has made of the cost of introducing this change before 2010. [193987]

Malcolm Wicks: The introduction of equal treatment for widowers from 2010 forms part of the package to equalise state pension age including husbands being entitled to a basic state pension on their wife's national insurance contributions thereby ensuring that all of the provisions could be funded.

The gross costs of introducing the widowers' change is in the table.

Extra state pension expenditure

	£ million
2005–06	7
2006–07	7
2007–08	8
2008–09	8
2009–10	8

Notes:

1. Costs are in 2004–05 prices to the nearest £1 million and show the combined increase in expenditure on basic state pension and additional state pension.
2. It is assumed the policy would be introduced from 2005 onwards.

3. We are unable to estimate the costs net of income related benefits and tax reliably as the numbers involved are small and there are limitations in our ability to model the impact of the change.

Work Preparation Programmes

Mr. Goodman: To ask the Secretary of State for Work and Pensions how many people who have entered *(a)* an Access to Work programme, *(b)* a Work Preparation programme and *(c)* Workstep in each year since 2001 have re-entered those programmes or other employment and training programmes later, broken down by (i) age and (ii) region. [191701]

Maria Eagle: Information is not collected on the numbers of people who receive support through these programmes more than once, or who subsequently enter other employment and training programmes.

CABINET OFFICE

Disabled People

Mr. Goodman: To ask the Minister for the Cabinet Office if she will publish research carried out by the Downing Street Strategy Unit into life chances for disabled people; and if she will make a statement. [194305]

Mr. Milburn: In June 2004, the Strategy Unit published an interim analytical report from its project, "Improving the Life Chances of Disabled People". A final report from the project will also be published in due course.

Government Websites

Paul Holmes: To ask the Minister for the Cabinet Office what percentage of Government websites meet the Disability Discrimination Act 1995's guidelines on web accessibility; and if she will make a statement. [193571]

Ruth Kelly: The Disability Discrimination Act 1995 (DDA) makes no reference to web accessibility. However, the Disability Rights Commission's supporting "Code of Practice on Rights of Access—Goods, Facilities, Services and Premises" (published in 2002), makes it clear that any website owner as a service provider must take all reasonable measures to have their service usable by disabled people. This Code of Practice does not provide or recommend any particular web accessibility guidelines.

In 2001 the Government adopted the World Wide Web Consortium's (W3C) "Web Content Accessibility Guidelines". Since the publication of the "Guidelines for UK Government Websites" in 2002, the Cabinet Office has promoted web accessibility extensively to both the public sector web management community and their contractors.

The Cabinet Office does not hold statistics on the percentage of Government websites that meet the accessibility guidelines. Earlier this year the Disability Rights Commission conducted a formal investigation. Its report showed that levels of accessibility awareness in the Government web community were high: around 49 per cent. of websites in the Government sector fully achieved the basic level of accessibility, compared to 19 per cent. of all websites in all sectors surveyed.

It is now a condition of owning a .gov.uk domain name that the "Guidelines for UK Government Websites", regarding accessibility, apply.

Special Advisers

Matthew Taylor: To ask the Minister for the Cabinet Office how many unpaid special advisers the Office has; what their names are; and which Government *(a)* bodies, *(b)* committees and *(c)* strategy groups each unpaid adviser (i) belongs to, (ii) advises and (iii) works alongside. [194080]

Ruth Kelly: For information relating to numbers and names of unpaid advisers I refer the hon. Member to the answer given by my right hon. Friend the Prime Minister on 22 July 2004, *Official Report*, columns 466–70W.

Special advisers, whether paid or unpaid, are employed under the terms and conditions set out in the Model Contract for Special Advisers. Unpaid advisers are appointed in accordance with the requirements of paragraph 51 of the Ministerial Code.

TREASURY

Correspondence

Tony Cunningham: To ask the Chancellor of the Exchequer when the Chairman of the Inland Revenue will reply to the letter from the hon. Member for Workington dated 18 August. [194342]

Dawn Primarolo: The Chairman of the Inland Revenue has replied on 27 October to the letter from the hon. Member.

Double Taxation Convention

Mrs. Brooke: To ask the Chancellor of the Exchequer whether a former UK civil servant in receipt of a civil service pension permanently resident in the US but not a US citizen can opt to pay only US tax under the double taxation convention. [194162]

Dawn Primarolo: Under Article 19 of the 2001 UK/US Double Taxation Convention, the UK has the right to tax a UK civil service pension where the recipient is a resident, but not a national, of the US. There is no provision in the Convention which allows the recipient to opt to pay only US tax.

Employment (North Southwark and Bermondsey)

Simon Hughes: To ask the Chancellor of the Exchequer how many people were in full-time employment in North Southwark and Bermondsey constituency in each year since 1997. [194311]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Colin Mowl to Mr. Simon Hughes, dated 28 October 2004:

The National Statistician has been asked to reply to your Parliamentary Question about employment. I am replying in his absence. (194311)

The attached table gives estimates of the number of people in full-time employment and resident in the North Southwark and Bermondsey Parliamentary Constituency for the twelve months ending February each year from 1997 to 2003, the latest date for which information is available.

These estimates from the Labour Force Survey are, as with any sample survey, subject to sampling variability.

People[1] in full-time employment[2] resident in the North Southwark and Bermondsey parliamentary constituency—12 months ending in February each year from 1997 to 2003

	Thousand
1997	30
1998	34
1999	36
2000	45
2001	42
2002	43
2003	39

[1] People refer to those aged 16 and over.

[2] The definition of full-time employment is based on respondents' self-classification.

Source:

ONS Labour Force Survey

Equity Release Schemes

Lynne Jones: To ask the Chancellor of the Exchequer if he will make a statement on equity release schemes and inheritance tax. [194366]

Dawn Primarolo: There have been no recent changes to the inheritance tax rules which have any impact on equity release schemes.

Pensioners (London)

Simon Hughes: To ask the Chancellor of the Exchequer how many pensioners live in *(a)* the North Southwark and Bermondsey constituency, *(b)* the Camberwell and Peckham constituency and *(c)* the Dulwich and West Norwood constituency. [194310]

Mr. Timms: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Simon Hughes, dated 28 October 2004:

As National Statistician and Registrar General for England and Wales I have been asked to reply to your recent question asking how many pensioners live in *(a)* The North Southwark and Bermondsey constituency, *(b)* the Camberwell and Peckham constituency and *(c)* the Dulwich and West Norwood Constituency (194310)

Mid-year population estimates on pensioners are not available for Parliamentary Constituencies. I have therefore provided figures taken from the 2001 Census.

The table below shows the number of people living in each of the constituencies on Census day (29 April 2001). The figures have been extracted from Table CAS002 on the CD supplement to the "Census 2001 Census Area Statistics for Parliamentary Constituencies in England and Wales", which is available on request from Census Customer Services (census.customerservices@ons.gov.uk).

	England	
Area	*All people*	*People of pensionable age[1]*
North Southwark and Bermondsey	111,860	13,164
Camberwell and Peckham	79,096	9,255
Dulwich and West Norwood	99,619	12,681

[1] Pensionable age is 65 and over for males and 60 and over for females.

Source:

2001 Census Report for Parliamentary Constituencies.

Private Finance Initiatives

Mr. George Osborne: To ask the Chancellor of the Exchequer what guidance is provided to procuring authorities about the treatment of PFI arrangements in the accounts of public bodies. [193891]

Mr. Boateng: In determining the accounting treatment of PFI arrangements, public bodies are required to follow United Kingdom Generally Accepted Accounting Practice, Including Financial Reporting Standards issued by the independent Accounting Standards Board (ASB).

The specific guidance issued by the ASB on accounting for PFI is 'Application Note F to FRS 5—Private Finance Initiative and Similar Contracts', as supplemented by the HM Treasury issued 'Technical Note No 1 (Revised)—How to Account for PFI transactions'.

Tax Credits

Mr. Drew: To ask the Chancellor of the Exchequer if he will introduce a steeper taper for those eligible for tax credits to prevent disincentive for those who wish to work for more than 16 hours a week. [194680]

Dawn Primarolo: The vast majority, over 90 per cent., of main earners in couples benefiting from tax credits work over 35 hours per week. The tax credits system contains several elements which help those who wish to increase their working hours. There is a 30-hour element in the working tax credit (WTC) worth £640 per year. The child care element of WTC is payable to lone parents and to couples where both partners work at least 16 hours per week and provides up to 70 per cent. of costs up to certain limits. Finally, the tax credits system disregards income rises from the previous tax year of up to £2,500, so tax credit recipients whose family income increases by up to this amount will not see any reduction in their current year's award.

Mr. Willetts: To ask the Chancellor of the Exchequer how many people claimed the 50-plus return to work element of the working tax credit in 2003–04. [194754]

Dawn Primarolo: The final number of beneficiaries in 2003–04 will be shown in the annual statistical publication for that year, which is due to be published in May 2005.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs how many opium seizures have been made *(a)* in Afghanistan and *(b)* on Afghan borders since UK forces took control of the international community's efforts to stop the flow of drugs from Afghanistan. [193467]

Mr. Rammell: The UK took on lead nation status for coordinating international counter narcotics activity in Afghanistan in April 2002. We remain committed to supporting the Afghan Government in implementation of their Afghan National Drug Control Strategy, and have allocated more than £70 million over three years for counter narcotics activity plus significant development funding and support for alternative livelihoods. The British Embassy Drugs Team, with assistance from other Government Departments, rather than UK forces, is the main delivery agent of this support and coordination.

Since it became operational in January 2003, the Afghan Special Narcotics Force, supported by UK advice and funding, has seized over 50 tonnes of opiates. In addition, the Counter Narcotics Police of Afghanistan, which was created in January 2003 with UK support, report that to date they have seized 2.1 tons heroin and 13.6 tons opium, over 1.5 tons of which were achieved specifically in UK supported operations together with 4.6 tons of precursor chemicals. The Afghan general and border police also seize opiates in the course of their work, but we do not have reliable figures.

In addition, the UK works closely with Afghanistan's neighbours, including providing assistance, to help their efforts to counter the flow of opiates from Afghanistan. These countries have reported that in excess of 100 tonnes of opiates were seized in 2003.

Belarus

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place with the Organisation for Security and Cooperation in Europe regarding the recent referendum vote in Belarus; and if he will make a statement. [193821]

Mr. MacShane: On 18 October, the Organisation for Security and Cooperation in Europe's (OSCE) International Election Observation Mission (IEOM) to Belarus issued its preliminary findings and conclusions on the 17 October election and referendum. Initial discussions took place in the OSCE's Permanent Council on 21 October. There will be further discussions when the IEOM releases its final report. We will press for clear EU action within the framework of the OSCE. We will also press Belarus to implement the recommendations in the final report.

British Indian Ocean Territories

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he received from British Indian Ocean Territory citizens concerning their economic well being in *(a)* Mauritius, *(b)* the Seychelles and *(c)* the UK; and if he will make a statement. [194012]

Mr. Rammell: I have from time to time received representations from the leader of the Chagossian community in Mauritius concerning the economic well being of that community, but I have received no comparable representations from Chagossians in Seychelles. In addition, a representative of the Chagossians who recently arrived in the UK contacted my officials who advised that any matter relating to the Chagossians' well being in this country should be raised with the local social services.

Mr. Grogan: To ask the Secretary of State for Foreign and Commonwealth Affairs how much compensation has been paid by the UK Government to former residents of the Chagos Islands; and how many recipients there have been. [193283]

Mr. Rammell: £650,000 was paid to the Mauritius Government in the early 1970s to meet the cost of resettling the islanders. Under a 1982 Treaty between HMG and the Mauritius Government, negotiated and concluded with the agreement of representatives of the islanders, a further £4 million was paid by HMG into a Trust Fund for the benefit of the Chagossians. In addition, the Mauritius Government vested land to the value of a further £1 million in the Trust Fund.

By the end of 1986, the trustees of the Fund, consisting of representatives of the Mauritius Government and the Chagossians themselves, had disbursed payments to around 1350 former islanders. This constituted the total population of those recognised by the trustees as members of the Chagossian community.

The total compensation already paid would amount to over £14 million at today's prices.

Falkland Islands

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on recent discussions with the Argentinean Government in relation to the future of the Falkland Islands. [193464]

Mr. Rammell: My right hon. Friend the Foreign Secretary met Argentine Foreign Minister Bielsa during the United Nations General Assembly on 22 September. They discussed a variety of issues including those relating to the Falkland Islands. The Foreign Secretary made clear that the UK has no doubts about its sovereignty over the Falkland Islands and the surrounding maritime area, and that we will not negotiate on sovereignty unless and until the Islanders wish that.

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions have taken place with the Governments of *(a)* Argentina, *(b)* Chile, *(c)* Brazil and *(d)* Uruguay regarding port blockades on vessels travelling to and from the Falkland Islands. [193465]

Mr. Rammell: There are no port blockades on vessels travelling to and from the Falkland Islands and Latin America. Merchant ships (including cruise ships and fishing vessels) travel freely between ports in the region. Naval vessels are subject to the usual discussions on diplomatic channels.

Discussions with the Governments of Argentina, Chile, Brazil and Uruguay take place as necessary.

Georgia/Abkhazia

Mr. Martyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the Georgia-Abkhaz peace process. [193915]

Mr. Rammell: Talks between the parties, under the auspices of the resident Special Representative of the Secretary-General of the United Nations continue, but 2004 has been a period of reduced diplomatic activity overall. The new Georgian Government concentrated their attention first on Ajara and then on South Ossetia; and political energies in Abkhazia have focused on the leadership elections which took place there on 3 October.

We have continued to keep in touch with the parties, with the United Nations, and with our French, German, Russian and United States colleagues on the group of Friends of the Secretary-General. We look forward to the early reactivation of work on confidence-building, with particular reference to the conditions needed to ensure the safe return of refugees and internally displaced persons, in the first place to the Gali district of Abkhazia.

Iraq

Hugh Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to the oral statement of the Secretary of State for Defence of 18 October 2004, *Official Report*, column 642, on UK forces (Iraq), what assessment he has made of the effect of alleged corruption at the UN during the Oil for Food Programme on the current insurgency in Iraq. [193174]

Mr. Alexander *[holding answer 25 October 2004]:* The Government conducts regular assessments of the insurgency in Iraq, including sources of funding. But assessments of funding have been limited owing to the invisible nature of most transactions, and it has not been possible to make a definitive judgement. Although it is difficult to be precise, we believe that elements of the insurgency have access to funds of the former regime, some of which, it is reasonable to assume, may have been derived through corruption under the Oil for Food Programme. The Government continues to work hard through the UN Security Council to ensure that assets belonging to the former government of Iraq are frozen and transferred to the Development Fund for Iraq in compliance with resolution 1483 (22 May 2003).

Adam Price: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his reply of 4 October 2004, *Official Report*, column 1836W, on Iraq, when the full assessment of Iraq's declaration of the status of its programmes of weapons of mass destruction was completed. [194025]

Mr. Rammell *[holding answer 26 October 2004]*: A full assessment of the text of the Iraqi declaration was completed on 21 December 2002. The supporting documentation was reviewed and summarised to ensure it did not contain any information which contradicted the main body of the declaration. This was concluded in early March 2003.

Iraq Survey Group Report

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the conclusions of the Iraq Survey Group with which he does not agree; and if he will give the reason for disagreement in each case. [190696]

Mr. MacShane: There are three principal areas of disagreement, all concerning Iraq's nuclear programme:

The Iraq Survey Group (ISG) report concludes that there is no evidence to suggest that Iraq sought to procure uranium from Africa in the 1990s. The Government continues to believe that credible evidence exists to support the assertion made in the September 2002 dossier. Lord Butler of Brockwell's review upheld that belief. The UK was not in a position to share all the intelligence on this issue with the ISG.

The ISG also expressed doubt that the aluminium tubes referred to in the September dossier were evidence of a resumption of Iraq's nuclear programmes. Again, Lord Butler's review assessed this, and concluded that the Joint Intelligence Committee were right to include reference to the tubes in the dossier and that it properly reflected doubts about the use of the tubes in the caution of its assessments. The Government fully accepts the findings of Lord Butler's review.

The ISG also report that they found no evidence to support the claim in the dossier that Iraq "is almost certainly seeking an indigenous ability to enrich uranium" based on gas centrifuge technology. They do, however, admit that elements of useful and relevant technologies were being developed.

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy, following the publication of the Iraq Survey Group report, to correct all instances in the *Official Report* in which he or other Ministers in his Department stated that Iraq possesses weapons of mass destruction; and if he will establish an investigation into the reasons he and other departmental ministers were provided with inaccurate briefings that underpinned these answers. [190942]

Mr. MacShane: No. The *Official Report* is produced in order to provide an accurate account of current business in the House. All instances on which Ministers stated that Iraq possessed weapons of mass destruction accurately reflected the position of the Government based upon information available at the time. The information that underpinned these statements was the subject of the review headed by Lord Butler of Brockwell.

Ministerial Meetings

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what *(a)* matters were discussed and *(b)* agreements were made during his meeting with UN Secretary-General Kofi Annan on 19 October. [193513]

Mr. Rammell: My right hon. Friend the Foreign Secretary and the Secretary-General met for an hour. They discussed Iraq, concentrating on the forthcoming elections and the security situation, Iran's nuclear programme, the situation in Darfur, prospects for the Middle East Peace Process and the Secretary-General's High Level Panel on Threats, Challenges and Change, including Security Council reform.

North Korea

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent estimate he has made of the size of the population of prison camps in North Korea. [193579]

Mr. Rammell: The US Annual Human Rights Report on North Korea, dated February 2004, estimated the prison population of North Korea to be around two hundred thousand. We have no access to any more accurate and reliable figures. We are awaiting a written response from the Democratic People's Republic of Korea authorities on this and other concerns which I raised during my visit to Pyongyang in September.

Oil Sanctions (Sudan)

Tom Brake: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department has held since March with the Chinese delegation to the UN Security Council regarding Chinese support for a UNSC resolution on oil sanctions against Sudan. [194072]

Mr. Rammell: My right hon. Friend the Foreign Secretary discussed the issue with Chinese Foreign Minister Li Zhaoxing by telephone on 20 September.

The UK delegation to the UN in New York has frequently discussed all aspects of the UN Security Council resolutions on Darfur with the Chinese delegation in meetings of the Security Council. This included discussion of what action the UN Security Council could take if the Government of Sudan failed to comply with resolutions 1556 and 1564, such as action to affect Sudan's petroleum sector. Officials have also discussed the issue with the Chinese in London and Beijing.

Egypt

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Egypt about the continued incarceration of *(a)* William Shaiboub Arsal and *(b)* Adly Shakir. [193580]

Mr. Rammell: William Shaiboub Arsal was convicted on 5 June 2000 for a double murder and was sentenced to 15 years. He appealed to the Court of Cassation in June 2000. Officials most recently discussed this case with the Egyptian authorities in August 2004 and received assurances that the case is being handled with due process and that an appeal hearing is due to take place later this year.

Officials at our embassy in Cairo followed closely the case of Adly Shakir at the time of his trial and appeal. His sentence was reduced at appeal in 1999 to 25 years. There was no evidence of any departure from the correct procedure in Egyptian handling of the case.

We will continue to look into all credible allegations of human rights abuse, and to raise with the Egyptian authorities any cases where there is evidence to support the allegations.

Private Finance Initiatives

Mr. George Osborne: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the private finance initiative arrangements in which the Department is engaged; what the total cost of each arrangement is *(a)* over its lifetime and *(b)* in each year of its operation; and how the arrangement appears in the Department's public accounts. [193981]

Mr. Rammell: The Foreign and Commonwealth Office (FCO) has two private finance initiative arrangements in place:

Global Crossing

Provision of a worldwide telecommunications network for a term of 10 years from 10 May 2000. The total estimated value of the contract is £236 million. The present unitary payment charged to the operating cost statement is £25 million per annum. This is an off-balance sheet charge and can be viewed in the FCO 2002–03 Resource Accounts on the FCO website: www.fco.gov.uk

Arteos

In respect of the building, operation and maintenance of the British Embassy in Berlin for a term of 30 years from 23 June 1998 with an option to extend for a further 30 years. The total estimated value of the contract over its lifetime is £131.5 million. The current unitary payment is £4.5 million per annum. This is mainly an on-balance sheet charge and can be viewed in the FCO 2002–03 Resource Accounts on the FCO website: www.fco.gov.uk

Sustainable Energy (CHP Provisions) Order

Mr. Stunell: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures his Department *(a)* has undertaken and *(b)* plans to undertake to comply with the Sustainable Energy (CHP Provisions) Order 2003. [194426]

Mr. Rammell: The Foreign and Commonwealth Office (FCO) purchases 100 per cent. of the electricity used in its King Charles Street Main Building from renewable energy sources. In addition we take heat, when available, from the Whitehall District Heating Scheme (WDHS). We are also discussing with "the Office of Government Commerce Buying Solutions", the possible purchase of electricity generated by WDHS.

The FCO is undertaking a feasibility study of the re-development of its Hanslope Park site in Buckinghamshire to determine the extent to which CHP Provisions can be implemented.

The FCO plans to purchase good quality CHP sourced electricity as it becomes available, provided the Department considers the purchase to be a good value for money option.

Turkmenistan

Mr. Sheerman: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is taking to seek to prevent human rights and democracy abuses in Turkmenistan. [194048]

Mr. Rammell: We remain seriously concerned about human rights in Turkmenistan, including the plight of those convicted following the reported coup attempt in November 2002; the harassment of Turkmen opposition figures in exile; the tight controls over the individual freedoms of all Turkmen citizens; the apparent degradation of the education system; the comprehensive restrictions on freedom of expression; and increased evidence of state-sponsored ethnic discrimination. In their submission to the European Bank for Reconstruction and Development in spring 2004, Human Rights Watch described Turkmenistan as one of the most repressive countries in the world.

Our ambassador most recently lobbied Foreign Minister Meredov on 30 September on a range of human rights concerns, including access to prisoners by the International Committee for the Red Cross and the use of child labour. We have also repeatedly raised reports of discrimination against holders of foreign qualifications, the issue of restriction of religious freedom as well as individual cases, including Rahim Esenov, a 78-year-old author arrested in February 2004 for allegedly criticising the regime. Mr. Esenov was subsequently released in March.

The United Kingdom actively supported the tabling and adoption of country resolutions at the 59th and 60th Sessions of the UN Committee on Human Rights in 2003 and spring 2004. The UK also supported a further country resolution at the Third Committee of the UN General Assembly in 2003. These have noted the limited positive steps by the Turkmen Government and have raised serious concerns about the human rights situation and the absence of democracy in Turkmenistan.

Mr. Sheerman: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he will take to urge the Turkmen authorities to co-operate with international human rights organisations. [194049]

Mr. Rammell: The United Kingdom consistently encourages the Turkmen Government to co-operate with international human rights organisations. We supported the tabling of resolutions at the 59th and 60th sessions of the United Nations Commission on Human Rights in 2003 and Spring 2004 and also at the Third Committee of the UN General Assembly in 2003. We are doing so again at this year's UN General Assembly.

Reinforced by broader international pressure, these Resolutions, have led to some welcome, if limited, signs of increased Turkmen engagement with the international community and human rights organisations. For example, a dialogue is now taking place between the Turkmen authorities and the International Committee for the Red Cross about access to prisons. It is important that this dialogue and other positive indications lead to positive outcomes. Our ambassador lobbied the Turkmen Foreign Minister on this point on 30 September 2004.

Following the decision of the Turkmen Government to refuse the extension of ambassador Badescu's mandate as Head of the OSCE Centre in Ashgabad in July 2004, it was our ambassador as local EU Presidency who delivered the critical EU statement on this matter. On 30 September he reminded the Foreign Minister of the need for positive engagement with the new Head of the OSCE Mission.

With our EU partners and other interested parties, we will continue to encourage Turkmen engagement with international human rights organisations as a necessary step on the road to improving democracy and human rights in Turkmenistan.

Western Sahara

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with *(a)* the Government of Morocco, *(b)* the Polisario Front and *(c)* UN officials on the future constitutional arrangements for the Western Sahara; and if he will make a statement. [194002]

Mr. Rammell: UK officials have held recent discussions with all the parties to the Western Sahara dispute and UN Officials. Officials have underlined the importance the UK attaches to the UN process delivering a fair and lasting solution to this dispute that provides the people of the Western Sahara with an opportunity to exercise their right to self-determination.

HOME DEPARTMENT

Chechen Separatist Organisations

Andrew Mackinlay: To ask the Secretary of State for the Home Department what the Government's policy is on Chechen separatist organisations operating within the United Kingdom; and if he will make a statement. [190240]

Mr. Blunkett: The Police and the Security Service continue to monitor closely the activities of those groups which seek to undermine the interests of the UK, whatever their background. If they find evidence of any terrorist activity they will act immediately.

D Notices

Mr. Flook: To ask the Secretary of State for the Home Department how many 'D' notices prohibiting the publication of sensitive news stories about the situation in Iraq have been issued in each month since March 2003. [191152]

Mr. Ingram: I have been asked to reply.

'D notices' are not issued to cover specific stories or events, nor can they actually prohibit publication of sensitive news stories. The system is advisory, and there are five standing Defence Advisory Notices. These are the basis on which the Secretary of the independent Defence, Press and Broadcasting Advisory Committee gives advice day-to-day, to the media and to officials, on the publication of information about national security (see www.dnotice.org.uk for full details). The decision whether or not to publish remains with the editor.

In the case of events in Iraq since March 2003 (and in the build-up to the operation), the Secretary has never had to advise that a complete story should not be published. He has however on occasion advised that some detail in an intended story should be omitted, for reasons of personal and operational security. The media have invariably agreed to observe this advice, and on occasion have voluntarily also withdrawn the whole story, as they have sometimes also done when the Secretary has informed them that some crucial details in their outline are known to him to be untrue.

The number of occasions on which advice of this nature has been sought by journalists, invariably by telephone, about endangering detail in an otherwise publishable story, has varied greatly from month to month, according to the pattern of operations. Over the whole period, it has averaged about twice a week.

Departmental Expenses

David Davis: To ask the Secretary of State for the Home Department what departmental expenditure was on *(a)* mobile telephones, *(b)* hospitality and *(c)* taxis in (i) 1996–97 and (ii) the latest accounting period for which figures are available. [184456]

Fiona Mactaggart *[holding answer 16 July 2004]:* The information requested is shown in the table.

£

	1996–97	*2003–04*
Mobile telephones	438,783.30	1,282,909.33
Taxis	[1]—	435,416.24
Hospitality	[2]—	89,072

[1] Not available. The method for capturing travel and subsistence expenses in 1996–97 did not allow for a reliable separation of taxi costs.

[2] Hospitality figures relate to the cost of providing refreshment for non-civil servants and for limited hospitality provided by civil servants for business purposes. Details of such expenditure have been held only since 1997–98, for which the figure is £37,747.

Due to the nature of the Home Office's work, a large number of employees are involved in dispersed operations, which necessitate the use of mobile phones on a regular basis. Some organisations, like the National Probation Service, have also become part of the Home Office since 1997, and their costs are now included. The Department has contracts with major mobile phone companies to get the best deal for the tax payer.

Temporary Mortuaries

Patrick Mercer: To ask the Secretary of State for the Home Department whether his Department makes financial provision for the implications of setting up a temporary mortuary. [184594]

Paul Goggins: Responsibility for the provision of public mortuaries is covered by section 198 of the Public Health Act 1936, which states that local authorities may, or shall if directed to do so by the Minister, provide a public mortuary. This does not explicitly cover temporary mortuaries. The Civil Defence (General Lead Local Authority Functions) Regulations 199 set out a responsibility on local authorities for dealing with fatalities in emergencies. Responsibility for funding is covered by section 27 of the Coroners Act 1988, which sets out that county councils and lead boroughs in metropolitan areas are responsible for providing support to coroners.

PRIME MINISTER

Casinos

Mr. James Gray: To ask the Prime Minister whether he has visited *(a)* Las Vegas and *(b)* Atlantic City in an official capacity. [193897]

The Prime Minister: Since 1999 the Government have published an annual list of all visits overseas undertaken by Cabinet Ministers costing £500 or more during each financial year. Copies of these lists are available in the Library of the House.

Mr. Gray: To ask the Prime Minister (1) how many recent meetings he has had with representatives of *(a)* Sun International, *(b)* MGM Mirage, *(c)* Kerzner International, *(d)* Caesar's Entertainment and *(e)* the British Casino Association; when those meetings took place; and if he will list the representatives whom he met from each organisation; [193895]

(2) how many recent meetings his *(a)* officials and *(b)* special advisers had with representatives of *(a)* Sun International, *(b)* MGM Mirage, *(c)* Kerzner International, *(d)* Caesar's Entertainment and *(e)* the British Casino Association. [193896]

Miss Kirkbride: To ask the Prime Minister (1) what meetings *(a)* he and *(b)* his advisers and officials have held with representatives of (i) Sun City International, (ii) MGM Mirage, (iii) Mandalay Resort Group, (iv) Kerzner International, (v) Las Vegas Sands, Inc.,(vi) Harrah's Entertainment, (vii) Caesar's Entertainment and (viii) other foreign casino firms; what the (A) dates and (B) venues of the meetings were; and which individuals were present; [193762]

(2) on what dates *(a)* he and *(b)* officials in his Office have held meetings with representatives of the UK gambling industry to discuss proposed changes to legislation on gambling. [194517]

Mr. Frank Field: To ask the Prime Minister if he will list each meeting at which *(a)* he, *(b)* Ministers, *(c)* officials and *(d)* his representatives discussed with outside parties proposed changes to the gambling laws; when each meeting took place; and if he will list the attendees at each meeting. [194321]

The Prime Minister: My officials and I have meetings and discussions with a wide range of organisations and individuals. As with previous Administrations it is not the Government's practice to provide details of all such meetings, under Exemptions 2 and 7 of the Code of Practice on Access to Government Information.

Ministerial Residences

Mr. George Osborne: To ask the Prime Minister what the cost to public funds was in *(a)* 2000–01, *(b)* 2001–02, *(c)* 2002–03 and *(d)* 2003–04 of the (i) rent, (ii) capital charges and (iii) maintenance of official ministerial residences; and if he will make a statement. [193163]

The Prime Minister: I refer the hon. Member to the answers I gave to the hon. Member for Lewes (Mr. Norman Baker) on 11 October 2004, *Official Report*, columns 53–54W.

Oil for Food Programme

Hugh Robertson: To ask the Prime Minister when he last discussed the alleged corruption at the UN during the Oil for Food Programme in Iraq in person with the Secretary General of the UN. [194457]

The Prime Minister: I have had no such discussions with the United Nations Secretary General.

The allegations are subject to an independent inquiry appointed by the Secretary-General in April. The Government continues to co-operate fully with the inquiry, with which officials have had regular contact.

UN Secretary-General

Hugh Robertson: To ask the Prime Minister what criteria he used to select topics for discussion with the Secretary-General of the UN during his recent visit to London. [194456]

The Prime Minister: The office of the Secretary-General and the UK Government proposed topics for discussion.

CONSTITUTIONAL AFFAIRS

Judges

Stephen Hesford: To ask the Parliamentary Secretary, Department for Constitutional Affairs what measures the Department is taking to help *(a)* women and *(b)* members of ethnic minorities become judges. [193476]

Mr. Leslie: Judicial appointments are made solely on merit. To encourage lawyers from all backgrounds to apply for judicial appointment, we run workshops around the country, sometimes in conjunction with the Bar Council and the Law Society, to give an overview of the appointments process. Officials from my Department also attend conferences and events, such as the Minority Lawyers Conference and run a very successful work-shadowing scheme, whereby individuals can shadow a circuit or district judge for up to five days. This can help them to decide whether to pursue a judicial career.

In 2001, salaried part-time working for new district judge and tribunal appointments was introduced and from April 2005, this will be extended to all new and existing salaried appointments below the High Court unless the nature of the office or business needs dictate otherwise.

The establishment of the new Judicial Appointments Commission will further inspire a more diverse range of applicants through a more transparent, accountable and accessible appointments process. In addition, on 13 October 2004, we published a consultation paper entitled "Increasing Diversity in the Judiciary". The consultation paper highlights a range of issues that could act as barriers to judicial diversity, particularly for women, members of minority ethnic groups and disabled lawyers. Once we have identified which barriers exist, action will be taken to try to remove or reduce them.

Lay Magistrates

Mr. Rosindell: To ask the Parliamentary Secretary, Department for Constitutional Affairs what consultations he has had with the lay magistracy in each of the past 12 months. [192653]

Mr. Leslie: I have had at least 13 meetings with different groups of magistrates over the past 12 months on a range of matters. As with previous Administrations it is not the Government's practice to provide details of all such meetings under Exemption 2 of the Code of practice on Access to Government Information (internal advice and discussion) on the grounds that it would harm the frankness and candour of internal discussion.

Magistrates Court Trial Centres

Mr. Llwyd: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many magistrates court trial centres there were in England and Wales *(a)* in 1997 and *(b)* at the latest date for which figures are available. [192215]

Mr. Leslie: From the information available to my Department, in April 1997 there were 492 operational magistrates courthouses in England and Wales conducting trials and the latest data collected in September 2004 shows there are 369.

Personal Injury

Mr. Dismore: To ask the Parliamentary Secretary, Department for Constitutional Affairs what plans he has to raise the small claims limit in personal injury cases; and if he will make a statement. [193868]

Mr. Lammy: The Better Regulation Task Force in its report, "Better Routes to Redress" recommended that research should be carried out into the potential impact of raising the small claims limit for personal injury cases from the current limit of £1,000. Careful consideration is being given to this and other recommendations in the BRTF report and the Government will respond shortly.

Mr. Kidney: To ask the Parliamentary Secretary, Department for Constitutional Affairs how the courts will implement the power to review awards of compensation for personal injury. [193928]

Mr. Lammy: Section 100 of the Courts Act 2003 gives the Lord Chancellor the power by Order to specify the circumstances in which orders and agreements for future pecuniary loss for personal injury, made in the form of periodical payments, can be varied. The terms on which variation will be possible are contained in the Damages (Variation of Periodical Payments) Order 2004, which has been approved by Parliament under the affirmative resolution procedure.

INDEX TO THE

PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 425**

SESSION 2003–2004

11 October 2004—28 October 2004

Printed indexes to Hansard

The volume index is one of three printed indexes to Commons Hansard produced from the House of Commons Library's Parliamentary On-Line Indexing Service (POLIS). It contains references to material in the bound volume of Hansard. The other indexes produced are:

- The index to the daily parts of Hansard. This covers the same date range as the volume index but references may be different as a result of changes to the text and column numbering.
- The sessional index to Hansard. This contains references to material in the bound volumes for a whole session.

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SCOPE

The indexes include entries covering:

- The content of all material recorded in Hansard, including debates, procedural motions and questions.
- The names of all Members contributing to the Parliamentary business recorded in Hansard.
- The names of some types of Parliamentary business whenever they occur in Hansard. These are 'Ministerial statements', 'Business statements', 'Opposition days' and 'Estimates days'.

ARRANGEMENT

- All headings are in one word-by-word alphabetical sequence, with Members' contribution entries distinguished from other entries by italics.
- Where a Member contributes to Parliamentary business and is the subject of Parliamentary business there are separate contribution and subject entries, the subject entry coming first.
- Entries beginning 'Mac' and 'Mc' are sorted in one sequence as 'Mac'.
- 'St', when abbreviated for Saint, is filed as 'Saint'.
- Numbers are filed as if spelt out, e.g. '10 Downing Street' as if 'Ten Downing Street'.

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- *Specificity*—Entries summarise the overall content of a debate or question as specifically as the various POLIS thesauruses allow. For example, Education, Higher education, Universities or the name of a particular university is used depending on the breadth of the item.
- *Name headings*—Specific entries are included for the names of people, places, institutions, organisations, committees, programmes, initiatives, publications and legislation when these constitute the overall subject of an item.
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- *Subject headings*—Subject headings are assumed to refer to the whole of England, Great Britain or the United Kingdom unless otherwise stated.
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Parliamentary material and business

- *Material about Parliament*—This is indexed under 'Parliament', the names of the two Houses, the 'Palace of Westminster' and parts of the Parliamentary estate (such as 'Portcullis House').
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- *Members' names*—These are given in the form by which the Member prefers to be known.
- *Speaker and Chair*—Contributions by the Speaker and deputies are brought together under the heading 'Speaker and deputies'. Contributions from the chair during Committees of the Whole House are brought together under 'Chairman of Committee of the Whole House'. Significant rulings and statements (as opposed to routine com[redacted]e sub-heading 'Rulings and statements' in both cases.

Guidance on headings

- *Cross references*—'See' references indicate all the material has been entered under another heading. 'See also' references indicate that additional information may be found under another heading.
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REFERENCES

- References in the indexes are to columns rather than pages.
- References to debates, but not questions, are accompanied by the date of the item.
- There are separate sequences in Hansard for the material taken on the floor of the House, Westminster Hall sittings, written statements and written questions:
  - References consisting of a number by itself indicate material taken on the floor of the House.
  - References ending in 'wh' indicate Westminster Hall sittings.
  - References ending in 'ws' indicate written statements.
  - References ending in 'w' indicate written questions.
- References under all headings except the names of Members contributing to Parliamentary business and the titles of legislation are listed in one numerical sequence irrespective of whether the material is taken on the floor of the House, is discussed at a Westminster Hall sitting, is a written statement or is a written question.
- References under the names of Members contributing to Parliamentary business and the titles of legislation are listed in numerical sequence under the following headings:
  - *Chamber Debates* (which includes interventions and points of order as well as significant contributions to debates);
  - *Westminster Hall Debates* (covering all debates held as part of the Westminster Hall sittings);
  - *Written Statements* (consisting of ministerial statements issued in writing); and
  - *Questions* (which includes all written, oral and urgent questions).

ABBREVIATIONS

The following abbreviations are used in connection with the progress of bills:

- 1R = First reading
- 2R = Second reading
- Com = Committee stage
- Rep = Report stage
- 3R = Third reading
- res = resolution
- amendt(s) = amendment(s)
- * = matter taken formally without debate or division
- (HL) = Bill starting in House of Lords
- (SP) = Bill in Scottish Parliament.

Parliamentary background

- The Parliamentary website at http://www.parliament.uk contains a range of information about Parliament and the full text of some Parliamentary papers and proceedings including Hansard.
- Information on current Parliamentary business is provided in the House of Commons Information Office *Weekly Information Bulletin*, available on the website and from The Stationery Office (020 7873 8499).
- Further information on Parliamentary proceedings and procedures is available from the House of Commons Information Office (020 7219 4272).

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